

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
FISCAL YEAR 2023 BUDGET TESTIMONY
APRIL 26, 2022**

INTRODUCTION

Good Day President Clarke and Members of City Council. I am Richard T. McSorley, Esq. and I am pleased to provide brief written testimony in support of the First Judicial District’s Fiscal Year 2023 budget. As the District Court Administrator of the First Judicial District, I am representing the Administrative Governing Board, Honorable Idee C. Fox, President Judge Court of Common Pleas, AGB Chair; Honorable Patrick F. Dugan, President Judge Municipal Court; Honorable Lisette Shirdan-Harris, Administrative Judge Trial Division; Honorable Margaret T. Murphy, Administrative Judge Family Court; Honorable Sheila Woods-Skipper, Administrative Judge Orphans’ Court; Honorable Joffie Pittman, Administrative Judge Traffic Division. Joining me today is Christopher A. Waters, Deputy Court Administrator, Financial Services and Kevin A. Cross, current FJD consultant and former Deputy Court Administrator, Financial Services.

As an independent and coequal branch of government, the First Judicial District of Pennsylvania (FJD) is constitutionally entrusted with the fair and just resolution of disputes in order to preserve the rule of law and to protect the rights and liberties guaranteed by the Constitution and laws of the United States and the Commonwealth of Pennsylvania.

FY2023 FJD General Fund and Grants Revenue Request	Amount
FJD FY2023 General Fund Budget Request	\$119,825,008
FY2023 FJD Grants Revenue Budget Request	52,489,589
FJD Total General Fund and Grants Revenue Budget Request	\$172,314,597

The overall mission of the FJD is the delivery of fair, timely, and accessible justice to the City and County of Philadelphia. While the Philadelphia Courts are a coequal and independent branch of our City’s government, our core functions intersect with the City’s vision for racial equity. “Fair”, as mentioned in our mission statement, includes a commitment to racial equity. Like the City, we believe that racial equity will be achieved when race alone no longer predicts one’s socioeconomic, political, or life outcomes in Philadelphia. This pertains, both, to our employees and the public that we serve.

In keeping with our commitment, the FJD added a Diversity, Equity, and Inclusion (DEI) Office to court administration to assist with DEI goals and strategies, including racial equity and development of a DEI policy. The newly created policy makes clear that the FJD is committed to fostering, cultivating, and preserving a culture of diversity, equity, and inclusion. The policy is in writing and applies to all FJD employees. It sets the tone for all FJD employees to embrace, among other things, differences in race and ethnicity.

The FJD’s DEI Office, the first in the Commonwealth’s Unified Judicial System, is working on a number of strategies and initiatives to promote diversity, equity, and inclusion. For example, the DEI office is

working closely with the Office of Human Resources to update FJD policies from a DEI perspective using gender-inclusive language as well as embracing cultural differences. This included working to create an updated hiring policy.

The FJD recruits, employs and promotes the most qualified applicants without regard to their political affiliation, race, color, age, national origin, sex, sexual orientation, gender identity or expression, religion, disability, or other non-merit factors or considerations. All hiring and employment-related actions must comply with the UJS Policy on Non-Discrimination and Equal Employment Opportunity. The newly created hiring policy promotes racial equity by providing a more streamlined process for hiring. The goal of this policy is to reduce and prevent hiring practices based on nepotism or favoritism. Studies show that nepotism reduces diversity and racial equity. This new policy provides several steps that a department must take before posting a job. It also recommends a three-person interview panel for most positions. The utilization of panels reduces the likelihood of a person unilaterally hiring an unqualified friend or family member.

Additionally, the FJD has recently taken steps to remove pre-employment and promotional exams as a requirement for an employment position.

Further steps taken by the FJD include, Project Pipeline and a virtual suggestion box called Suggestion Ox.

- **Project Pipeline:** The FJD is providing a professional learning series that is accessible to *all* FJD employees. The first in the series of trainings offered was for a Microsoft Excel course and the second will be for Microsoft Outlook. Each training session is led by a certified Microsoft trainer. By making training available to all employees, we help increase the skillsets of our workforce, including people of color. The trainings are free to the employee, and we place a certificate of completion into the employee's HR file.
- **Suggestion Ox:** This is a virtual suggestion box open to all FJD employees. Employees can ask questions, raise concerns, including on matters related to diversity, equity, and inclusion. Employees have the option to submit questions anonymously.

Lastly, it is important to note that the courts remain open and are conducting court business daily. We believe that the success in keeping trials moving forward is related to the FJD's vaccine mandate – over 98% of FJD employees are fully vaccinated. We are cautiously optimistic; however, court administration and the administrative governing board continue to monitor potential risks related to the pandemic and will update protocols as needed.

Plans for Fiscal Year 2023:

For the Fiscal Year 2022-2023, the FJD's notable departmental plans are as follows:

- **Office of Diversity, Equity, and Inclusion (DEI):** The FJD plans to offer a series of DEI-themed training to all employees throughout the year and incorporate it into our onboarding process. Additionally, the FJD realizes that mid-level managers need specific DEI training to reduce bias in their decision making and evaluations. By training and developing a more conscientious staff, we will be better suited to support our employees and the community we serve. The FJD understands that while DEI training is costly, it needs to be ongoing and consistent.

First Judicial District

- During the review of the FJD's network infrastructure, it was determined that the current *Civil Case Filing and Management System* was inadequate and must be updated so that all systems on the network are secure and fully accessible to the public and legal community. This modernization is in its initial stage and will likely be a multi-year project. Startup costs can reach up to \$10 million – with 20% yearly ongoing costs going towards system maintenance and upkeep.
- The FJD will continue the work of updating its website to make it more user-friendly and accessible to the public.

Thank you for the opportunity to present this written testimony today. On behalf of the Philadelphia Judiciary, Administrative Governing Board, and the employees of the FJD, we respectfully seek City Council's consideration and approval of our FY2023 General Fund and Grants Revenue budget.

BUDGET SUMMARY & OTHER BUDGET DRIVERS

1. Staff Demographics Summary

Staff Demographics Summary (as of December 2021)				
	Total	Minority	White	Female
Number of Full-Time Staff	2063	887	1173	1277
Number of Exempt Staff	2063	887	1173	1277
Number of Executive Staff (deputy level and above)	65	16	49	26
Average Salary, Full-Time Staff	\$54,394	\$51,793	\$55,601	\$52,579
Average Salary, Exempt Staff	\$54,394	\$51,793	\$55,601	\$52,579
Average Salary, Executive Staff	\$103,833	\$101,269	\$104,670	\$101,423
Median Salary, Full-Time Staff	\$49,483	\$48,683	\$51,874	\$49,083
Median Salary, Exempt Staff	\$49,483	\$48,683	\$51,874	\$49,083
Median Salary, Executive Staff	\$101,283	\$93,580	\$105,266	\$93,980

2. Employment Levels

Employment Levels (as of December 2021)		
	Budgeted	Filled
Number of Full-Time Positions	2320	2063
Number of Part-Time Positions	68	68
Number of Exempt Positions	2320	2063
Number of Executive Positions (deputy level and above)	64	65
Average Salary of All Full-Time Positions	\$53,549	\$54,394
Median Salary of All Full-Time Positions	\$49,286	\$49,483

3. Financial Summary by Class

General Fund Financial Summary by Class						
	FY21 Original Appropriations	FY21 Actual Obligations	FY22 Original Appropriations	FY22 Estimated Obligations	FY23 Proposed Appropriations	Difference: FY23-FY22
Class 100 - Employee Compensation	\$105,324,122	\$102,667,998	\$105,324,122	\$108,874,250	\$108,950,101	\$75,851
Class 200 - Purchase of Services	\$8,480,039	\$9,314,949	\$8,643,039	\$8,643,039	\$8,643,039	\$0
Class 300/400 - Materials, Supplies & Equipment	\$2,231,868	\$2,204,368	\$2,231,868	\$2,231,868	\$2,231,868	\$0
Class 500 - Contributions		\$125,000				\$0
	\$116,036,029	\$114,312,315	\$116,199,029	\$119,749,157	\$119,825,008	\$75,851

4. Participation Rate and Goal

Contracts Summary (Professional Services only)				
	FY19	FY20	FY21	FY22 YTD (Q1 & Q2)
Total amount of contracts	\$9,157,373	\$6,994,290	\$5,277,997	\$2,638,925
Total amount to M/W/DSBE	\$2,607,388	\$3,034,855	\$2,268,278	\$971,956
Participation Rate	28%	43%	43%	37%

PROPOSED BUDGET OVERVIEW

Proposed Funding Request:

The proposed Fiscal Year 2023 General Fund budget totals \$119,825,008, an INCREASE of \$75,851 over Fiscal Year 2022 estimated obligation levels. This INCREASE is primarily due to City negotiated union increases.

The proposed budget includes:

- \$108,950,101 in Class 100, A \$75,851 INCREASE OVER FY22.
- \$8,643,039 in Class 200, LEVEL WITH FY22.
- \$2,231,868 in Class 300/400, LEVEL WITH FY22.

STAFFING LEVELS

The department is requesting 1,719 budgeted positions for FY23, a decrease of 103 positions from FY22. The DECREASE is attributed to positions that are currently vacant due to higher levels of attrition.

NEW HIRES

5. New Hire Information

New Hires (from 7/1/2021 to December 2021)	
	Total Number of New Hires
Black or African American	25
Asian	4
Hispanic or Latino	1
White	46
Other	3
Total	79

FYI - the FJD does not capture language information for new hires during the onboarding process.

EMPLOYEE DATA

6. Staff Demographics

Staff Demographics (as of December 2021)					
Full-Time Staff			Executive Staff		
	Male	Female		Male	Female
	African-American	African-American		African-American	African-American
<i>Total</i>	222	483	<i>Total</i>	7	4
<i>% of Total</i>	11%	23%	<i>% of Total</i>	11%	6%
<i>Average Salary</i>	\$51,190	\$51,116	<i>Average Salary</i>	\$103,081	\$93,405
<i>Median Salary</i>	\$45,750	\$47,216	<i>Median Salary</i>	\$99,030	\$92,065
	White	White		White	White
<i>Total</i>	492	684	<i>Total</i>	27	21
<i>% of Total</i>	24%	33%	<i>% of Total</i>	42%	33%
<i>Average Salary</i>	\$58,346	\$53,621	<i>Average Salary</i>	\$106,845	\$103,506
<i>Median Salary</i>	\$56,115	\$49,283	<i>Median Salary</i>	\$102,747	\$99,306
	Hispanic	Hispanic		Hispanic	Hispanic
<i>Total</i>	36	65	<i>Total</i>	1	0
<i>% of Total</i>	2%	3%	<i>% of Total</i>	2%	0%
<i>Average Salary</i>	\$55,281	\$54,061	<i>Average Salary</i>	\$123,579	\$0
<i>Median Salary</i>	\$47,603	\$51,066	<i>Median Salary</i>	\$123,579	\$0
	Asian	Asian		Asian	Asian
<i>Total</i>	15	22	<i>Total</i>	1	0
<i>% of Total</i>	1%	1%	<i>% of Total</i>	2%	0%
<i>Average Salary</i>	\$60,228	\$51,295	<i>Average Salary</i>	\$129,975	\$0
<i>Median Salary</i>	\$38,345	\$40,787	<i>Median Salary</i>	\$129,975	\$0
	Other	Other		Other	Other
<i>Total</i>	20	24	<i>Total</i>	2	1
<i>% of Total</i>	1%	1%	<i>% of Total</i>	3%	2%
<i>Average Salary</i>	\$60,907	\$49,349	<i>Average Salary</i>	\$90,910	\$89,751
<i>Median Salary</i>	\$59,148	\$43,958	<i>Median Salary</i>	\$90,910	\$89,751
	Bilingual	Bilingual		Bilingual	Bilingual
<i>Total</i>	0	0	<i>Total</i>	0	0
<i>% of Total</i>	0%	0%	<i>% of Total</i>	0%	0%
<i>Average Salary</i>	\$0	\$0	<i>Average Salary</i>	\$0	\$0
<i>Median Salary</i>	\$0	\$0	<i>Median Salary</i>	\$0	\$0
	Male	Female		Male	Female
<i>Total</i>	786	1277	<i>Total</i>	38	26
<i>% of Total</i>	38%	62%	<i>% of Total</i>	59%	41%
<i>Average Salary</i>	\$56,211	\$52,618	<i>Average Salary</i>	\$105,309	\$101,423
<i>Median Salary</i>	\$52,656	\$49,083	<i>Median Salary</i>	\$101,583	\$93,580

LANGUAGE ACCESS

- 1. Provide the name of your language access coordinator, the date of your last department training, and a link to the posting of your language access plan.**

Language Access Coordinator: Elizabeth McCarrick

Last training date: February 22, 2022 and February 24, 2022. Additional trainings were scheduled for March and April 2022.

Language Access Plan: <https://www.courts.phila.gov/pdf/report/court-reporters/FJD-LAP.pdf>

- 2. Breakdown new hires and existing staff by race and language. Breakdown how many front-line personnel are trained to provide language access services.**

Equal access to the courts is fundamental to the legitimacy of our system of justice and the trust and confidence of Pennsylvanians in our courts. The policy of the Unified Judicial System is to provide meaningful access for all individuals who are Limited English Proficient or who are deaf or hard of hearing. The Language Access Plan for the Unified Judicial System of Pennsylvania requires all court employees to receive training on language access. As such, all FJD staff have been provided language access training. The below table lists all FJD employees that speak multiple languages:

All Employees										
	Arabic	Chinese	Hindi	Italian	Korean	Mandarin/ Cantonese	Russian	Spanish	Vietnamese	Other
Black or African American	0	0	0	0	0	0	0	0	0	0
Asian	0	1	1	0	1	1	0	0	2	0
Hispanic or Latino	0	0	0	0	0	0	0	12	0	0
White	0	0	0	3	0	0	1	0	0	4
Other	1	0	0	0	0	0	0	0	0	1
Total	1	1	1	3	1	1	1	12	2	5

Other languages include: Albanian, Berber, Greek, Haitian Creole, Hebrew, and Portuguese. Some employees speak multiple languages.

3. How many requests for language access services did your department receive in the past year? How many language access services were delivered by staff? Breakdown language access services provided, by language, including but not limited to the language line, translation of public notices and documents, website language services, and advertisement/publication services.

Total requests for interpreting services in 2021: 5,916. Staff Spanish interpreters interpreted 2,408 cases out of the 5,916. (These numbers are not an accurate reflection of the pre-pandemic language access services provided, as we were operating at substantially reduced levels in 2021. In 2019, our numbers were double what they are presently.) Additionally, the FJD has 18 documents, forms, notifications and brochures translated in seven different languages.

Interpreting services were provided in 68 languages:

Language	Count	Language	Count	Language	Count
Albanian	45	Indonesian	36	Swahili	2
Amharic	16	Italian	6	Tagalog	2
Arabic	188	Karen	1	Tajiki	2
Armenian	3	Khmer	75	Thai	4
ASL	170	Korean	53	Tigrinya	6
ASL Tactile	2	Kpelle	1	Turkish	24
Balochi	4	Lao	3	Twi	2
Bambara	1	Liberian	1	Ukrainian	23
Bengali	42	Lithuanian	1	Urdu	28
Bosnian Croatian Serbian	1	Loma	2	Uzbek	17
Burmese	5	Malayalam	31	Vietnamese	225
Cantonese	93	Mandarin	312	Yoruba	3
Dari	19	Mande	5	Grand Total	3,511
Ethiopian	1	Mandingo	13		
Farsi	14	Nepali	3		
French	83	Pashto	8		
Fukinese	1	Persian	1		
Fulani	17	Polish	27		
Fuzhou	4	Poqomchi'	1		
Gbandi	1	Portuguese	315		
Georgian	27	Punjabi	4		
German	1	Qeqchi	5		
Greek	10	Romanian	1		
Gujarati	4	Russian	299		
Haitian Creole	166	Somali	1		
Hakha Chin	1	Songhi	1		
Hebrew	15	Soninke	2		
Hindi	13	Spanish	1018		

4. Explain what your department has done to improve language access services over the past year.

The FJD provides refresher training to staff members to ensure they are aware of what to do when an individual with limited English proficiency needs assistance. Those trainings focus on the importance of providing equal access to justice, effectively and respectfully communicating with LEP individuals, policies and procedures to request and work with interpreters, and translated information available and where it can be found.

Additionally, the FJD works closely with the Language of Justice Institute supporting recruitment efforts and developing strategies and academic programs to assist interpreters achieve certification so that meaningful access to justice is available to all those who appear before the Court in Philadelphia.

CLIMATE CHANGE

1. How has climate change affected your department's provision of services?

Not applicable at this time.

2. How might worsening climate change increase costs and demands for your department?

Not applicable at this time.

3. How does your department intend to mitigate and adapt to climate change?

Not applicable at this time.