



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

April 26, 2018

MEMORANDUM

TO: Derrick L. Davis, Chair
Public Safety and Fiscal Management Committee

THRU: David H. Van Dyke, County Auditor *DAV*

FROM: Kendal Gray, Staff Auditor *KG*

RE: Orphans' Court
Fiscal Year 2019 Budget Review

Budget Overview

The FY 2019 Proposed Budget for the Orphans' Court is \$498,200. This is a decrease of \$35,100, or 6.6%, below the FY 2018 Approved Budget. The General Funded portion for the Orphans' Court is \$445,000, a decrease of \$18,200, or 3.9%, below the FY 2018 Approved Budget. The grant funded portion of the Court's budget decreased from \$70,100 to \$53,200.

Budget Comparison - General Fund

Approved Fiscal Year 2018 to Proposed Fiscal Year 2019

Category	FY 2017 Actual	FY 2018 Approved	FY 2018 Estimated	% Change - Est vs App	FY 2019 Proposed	Change Amount	Percentage Change
Compensation	\$ 315,910	\$ 346,700	\$ 341,600	-1.5%	\$ 323,600	\$ (23,100)	-6.7%
Fringe Benefits	87,294	97,800	96,400	-1.4%	91,600	(6,200)	-6.3%
Operating Expenses	14,545	18,700	17,800	-4.8%	29,800	11,100	59.4%
Total	\$ 417,749	\$ 463,200	\$ 455,800	-1.6%	\$ 445,000	\$ (18,200)	-3.9%

Authorized Staffing Count - General Fund

	FY 2018 Approved	FY 2019 Proposed	Change Amount	Percentage Change
Full-Time	7	7	0	0.0%
Total	7	7	0	0.0%

Staffing Changes and Compensation

- The FY 2019 Proposed Budget includes funding for seven (7) full-time General funded positions. This proposed staffing level remains the same as in FY 2018 authorized level.
- The FY 2019 General Fund compensation is proposed at \$323,600, which represents a \$23,100, or 6.7 % decrease, below the FY 2018 Approved Budget. This decrease is due to the retirement of an employee, who was replaced at a reduced cost.
- The State mandated salary adjustments for the Chief and Associate Judges will take effect in FY 2019 (effective January 2019).

Fringe Benefits

- Fringe benefit expenditures are proposed at \$91,600, which is a decrease of \$6,200, or 6.3%, below the FY 2018 Approved Budget level.

	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual	FY 2018 Estimated	FY 2019 Proposed
Fringe Benefit Expenditures	\$ 81,252	\$ 85,507	\$ 87,294	\$ 96,400	\$ 91,600
As a % of Compensation	26.0%	27.3%	27.6%	28.2%	28.3%
Annual % Change		5.2%	2.1%	10.4%	-5.0%

Operating Expenses

- In FY 2019, operating expenses are proposed at \$29,800 and are comprised of the following items:
 - Office Automation \$ 23,200
 - Operating and Office Supplies 4,500
 - Telephone 1,100
- The accompanying table compares the FY 2019 Proposed Budget operating expenditures with the FY 2018 Approved Budget operating expenditures. In two (2) of the categories the FY 2019 Proposed Budget level increases from the FY 2018 Approved Budget. In two (2) of the categories, the FY 2019 Proposed Budget level remains unchanged compared to the FY 2018 Approved Budget.

Operating Objects	FY 2018 Approved	FY 2019 Proposed	FY 2018 - FY 2019	
			\$ Change	% Change
Office Automation	\$ 12,600.0	\$ 23,200	\$ 10,600	84.1%
Operating and Office Supplies	4,000	4,500	500	12.5%
Telephone	1,100	1,100	-	0.0%
Membership Fees	1,000	1,000	-	0.0%
TOTAL	\$ 18,700	\$ 29,800	\$ 11,100	59.4%

- The most significant increase between the FY 2019 Proposed Budget and the FY 2018 Approved Budget is in Office Automation (\$10,600), and is as a result of a change in the methodology used to allocate these charges County-wide.

HIGHLIGHTS

Workload/Performance Trends

- The Court's caseload related to estates and guardianships remains high when considering hearings, pleadings, estates & guardianships open, writs, and orders, with the FY 2019 projected number to exceed 13,900.
- The Orphans' Court is a public office established under the Constitution of Maryland. The Court hears all matters involving decedent's estates which are contested and supervises all those estates which are probated judicially. The Court approves accounts and awards personal representative's commissions and attorney's fees, when applicable. The Court also has concurrent jurisdiction with the Circuit Court in guardianships of minors and their property. All matters involving the validity of wills and the transfer of property in which legal questions and disputes occur are resolved by the Orphans' Court.
- The County's current Orphans' Court judges are as follows:
 - Chief Judge Wendy A. Cartwright
 - Associate Judge Athena Malloy Groves
 - Associate Judge Vicky L. Ivory-Orem
- The Court continues to see a large number of *pro se litigant* cases (cases without attorney representation) being filed, including guardianship cases. According to the Court, the majority of its docket is composed of *pro se litigant* cases.

Budget Comparison - Grants

Approved Fiscal Year 2018 to Proposed Fiscal Year 2019

Category	FY 2017 Actual	FY 2018 Approved	FY 2018 Estimated	FY 2019 Proposed	Change Amount	Percentage Change
Compensation	\$ 5,469	\$ 29,400	\$ 27,100	\$ 27,100	\$ (2,300)	-7.8%
Fringe Benefits	-	4,400	4,100	4,100	(300)	-6.8%
Operating Expenses	39,597	36,300	12,800	22,000	(14,300)	-39.4%
Total	\$ 45,066	\$ 70,100	\$ 44,000	\$ 53,200	\$ (16,900)	-24.1%

Authorized Staffing Count - Grants

	FY 2018 Approved	FY 2019 Proposed	Change Amount	Percentage Change
LTGF	1	1	0	0.0%
Total	1	1	0	0.0%

Grant Programs

- In FY 2017, the Court replaced the Estate Property Mediation program with a newly established piloted grant funded Alternative Dispute Resolution (ADR) program. The program provides litigants an opportunity for mediation to resolve probate matters. Some information about the program are as follows:
 - Training for this program continues to be conducted by a sole sourced vendor that meets the minimum State requirements in this discipline;
 - Recently, the Court was granted the authority to order parties into mediation by the Court of Appeals. Prior to this change, the Court could only recommend, not order parties into mediation. However, the Court is still waiting to hear when this authorization will take effect;
 - The Court has negotiated with a group of mediators to provide the first two hours of their service at no cost. After that the cost will be divided by the parties with the total cost of \$200 an hour. The Court estimates that the average mediation case will require five (5) to eight (8) hours to complete. The Court hopes to use the grant to offset the \$200 an hour program fee for litigants in “hardship cases”;
 - The Court hopes to secure space within the County Administration Building in Upper Marlboro to conduct the ADR Program. Currently, the Court utilizes space when available within the Courthouse and at other off site locations.