



**THE PRINCE GEORGE'S COUNTY GOVERNMENT**  
**Office of Audits and Investigations**

April 13, 2017

MEMORANDUM

TO: Dannielle Glaros, Chair  
 Public Safety and Fiscal Management Committee

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

FROM: Kendal Gray, Staff Auditor *KG*

RE: Orphans' Court  
 Fiscal Year 2018 Budget Review

**Budget Overview**

The FY 2018 Proposed Budget for the Orphans' Court is \$533,300. This is an increase of \$114,100, or 27.2%, above the FY 2017 Approved Budget. The General Funded portion for the Orphans' Court is 463,200, an increase of \$44,000, or 10.5%, over the FY 2017 Approved Budget. The grant funded portion of the Court's budget increased from \$0 to \$70,100.

The FY 2017 estimated total General Fund expenditures are \$424,700, which is \$5,500, or 1.3%, over the FY 2017 approved level. As a result, the Court is reporting that a supplemental appropriation will be necessary due to overages in budgeted compensation costs.

**Budget Comparison - General Fund**

Approved Fiscal Year 2017 to Proposed Fiscal Year 2018

Category	FY 2016 Actual	FY 2017 Approved	FY 2017 Estimated	% Change - Est vs App	FY 2018 Proposed	Change Amount	Percentage Change
Compensation	\$ 312,654	\$ 311,700	\$ 316,000	1.4%	\$ 346,700	\$ 35,000	11.2%
Fringe Benefits	85,507	90,400	91,600	1.3%	97,800	7,400	8.2%
Operating Expenses	11,363	17,100	17,100	0.0%	18,700	1,600	9.4%
<b>Total</b>	<b>\$ 409,524</b>	<b>\$ 419,200</b>	<b>\$ 424,700</b>	<b>1.3%</b>	<b>\$ 463,200</b>	<b>\$ 44,000</b>	<b>10.5%</b>

Authorized Staffing Count - General Fund

	FY 2017 Approved	FY 2018 Proposed	Change Amount	Percentage Change
Full-Time	6	7	1	16.7%
<b>Total</b>	<b>6</b>	<b>7</b>	<b>1</b>	<b>16.7%</b>

**Staffing Changes and Compensation**

- The FY 2018 Proposed Budget includes funding for seven (7) full-time General funded positions. This is a staffing level increase of one (1) position over the FY 2017 authorized level.
- The FY 2018 General Fund compensation is proposed at \$346,700, which represents a \$35,000, or 11.2 % increase over the FY 2017 Approved Budget. This increase reflects an additional Law Clerk position and compensation adjustments.
- The Court anticipates the Maryland General Assembly will pass a bill to increase the salaries of the three Judges to \$31,200.

**Fringe Benefits**

- Fringe benefit expenditures are proposed at \$97,800, which is an increase of \$7,400, or 8.2%, over the FY 2017 Approved Budget level.

	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Fringe Benefit Expenditures	\$ 83,269	\$ 81,252	\$ 85,507	\$ 91,600	\$ 97,800
As a % of Compensation	26.8%	26.0%	27.3%	29.0%	28.2%
Annual % Change		-2.4%	5.2%	7.1%	6.8%

**Operating Expenses**

- In FY 2018, operating expenses are proposed at \$18,700 and are comprised of the following items:
  - Office Automation \$ 12,600
  - Operating and Office Supplies 4,000
  - Telephone 1,100
- Overall, operating expenses are increasing by \$1,600, or 9.4%, over the FY 2017 Approved Budget level due to an increase in membership fees and general office supplies.

- The accompanying table compares the FY 2018 Proposed Budget operating expenditures with the FY 2017 Approved Budget operating expenditures. In three (3) of the categories the FY 2018 Proposed Budget level increases from the FY 2017 Approved Budget. In one (1) of the categories, the FY 2018 Proposed Budget level remains unchanged compared to the FY 2017 Approved Budget.

Operating Objects	FY 2017 Approved	FY 2018 Proposed	FY 2017 - FY 2018	
			\$ Change	% Change
Membership Fees	\$ -	\$ 1,000	\$ 1,000	100.0%
Operating and Office Supplies	3,500	4,000	500	14.3%
Telephone	1,000	1,100	100	10.0%
Office Automation	12,600	12,600	-	0.0%
<b>TOTAL</b>	<b>\$ 17,100</b>	<b>\$ 18,700</b>	<b>\$ 1,600</b>	<b>9.4%</b>

- The most significant increase between the FY 2018 Proposed Budget and the FY 2017 Approved Budget is in Membership Fees (\$1,000), due to the Court supplementing bar association fees for its Judges.

## HIGHLIGHTS

### **Workload/Performance Trends**

- The Court's caseload related to estates and guardianships remain high when considering hearings, pleadings, estates & guardianships open, writs, and orders, with the FY 2018 projected number reaching 14,000.
- 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 2017 to Proposed Fiscal Year 2018

Category	FY 2016 Actual	FY 2017 Approved	FY 2017 Estimated	FY 2018 Proposed	Change Amount	Percentage Change
Compensation	\$ -	\$ -	\$ 20,600	\$ 29,400	\$ 29,400	100.0%
Fringe Benefits	-	-	3,100	4,400	4,400	100.0%
Operating Expenses	-	-	36,300	36,300	36,300	100.0%
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 60,000</b>	<b>\$ 70,100</b>	<b>\$ 70,100</b>	<b>100.0%</b>

Authorized Staffing Count - Grants

	FY 2017 Approved	FY 2018 Proposed	Change Amount	Percentage Change
Full-Time	0	1	1	100.0%
<b>Total</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>100.0%</b>

**Grant Programs**

- The Court will replace the Estate Property Mediation program with a newly established piloted grant funded Alternative Dispute Resolution (ADR) program. Training for this program will be conducted by a sole sourced vendor that meets the minimum State requirements in this discipline. Once established, the program will provide litigants an opportunity for mediation to resolve probate matters. The Court hopes to offset the average \$200 an hour program fee for litigants in “hardship cases”.