AN ACT making appropriations for the operations, maintenance, support, and functioning of the Judicial Branch of the government of the Commonwealth of Kentucky and its various officers, boards, commissions, subdivisions, and other state-supported activities.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. The Judicial Branch Budget is as follows:

PART I

OPERATING BUDGET

(1) Funds Appropriations: There is appropriated out of the General Fund, Restricted Funds accounts, or Federal Funds accounts for the fiscal year beginning July 1, 2025, and ending June 30, 2026, for the fiscal year beginning July 1, 2026, and ending June 30, 2027, and for the fiscal year beginning July 1, 2027, and ending June 30, 2028, the following sums to be used for the purposes of the Judicial Branch of the government of the Commonwealth of Kentucky, including the Supreme Court, Court of Appeals, Circuit Court, Family Court, District Court, the Administrative Office of the Courts, Judicial Retirement, Local Facilities Fund, Local Facilities Use Allowance Contingency Fund, and for services performed by the Circuit Court Clerks' offices, including both Circuit and District Court support.

A. JUDICIAL BRANCH

Budget Units

1. COURT OF JUSTICE

a. Court Operations and Administration

	2025-26	2026-27	2027-28
General Fund	-0-	341,440,300	345,471,700
Restricted Funds	13,629,600	52,506,000	52,853,700
Federal Funds	-0-	1,546,600	1,391,000
TOTAL	13,629,600	395,492,900	399,716,400

(1) Funds Required to Maintain Mandated Services: Included in the above General Fund appropriation is $7,561,000 in fiscal year 2026-2027 and $7,200,000 in fiscal year 2027-2028 to maintain mandated services including information technology subscription fees, audio/visual system upgrades, and contractor rate increases.

(2) Civil Filing Fees: Pursuant to its authority, if the Supreme Court retains the increases in civil filing fees that were effective in 2008 and 2018, the additional income resulting from the fee increases, not to exceed $15,468,100 in each fiscal year, shall be deposited into a trust and agency account for court operations and salaries for non-elected personnel. Any revenue generated by these increases in excess of the $15,468,100 in each fiscal year shall be deposited into the General Fund.

(3) Utilization of Video Arraignment Technology: (a) Notwithstanding any statute to the contrary, courts shall use the video arraignment system set forth in 2021 Ky. Acts ch. 194, sec. 14, (1), (a), when available.

(b) Notwithstanding any statute to the contrary, if a court does not use the video arraignment system referenced in paragraph (a) of this subsection, when available, the Administrative Office of the Courts shall be responsible for the costs associated with transporting prisoners to and from arraignments.

(4) Operating Expense Reduction: The State Auditor has identified that in fiscal year 2024-2025 the Judicial Branch spent $10,523,393 on the following expense codes:

(a) Employee Training - State Employee Only (E133) $71,708;

(b) Advertising (E255) $2,722;

(c) Services Not Otherwise Classified (E257) $2,205,432;

(d) Food Products (E341) $190,359;

(e) In-State Travel (E361) $2,380,722;

(f) Out of State Travel (E362) $193,391;

(g) Travel for Non-State Employees (E363) $100,504;

(h) Dues (E381) $290,205; and

(i) Other (E399) $5,088,350.

The Chief Justice and the Director of the Administrative Office of the Courts shall take the necessary steps to reduce these annual expenses as much as possible by installing a prior approval process for all expenses to be coded to codes E255, E257, E362, E363, and E399. The Administrative Office of the Courts shall, by July 1, 2026, submit a plan to accomplish this policy directive to the Interim Joint Committee on Appropriations and Revenue. Beginning August 15, 2026, the Director of the Administrative Office of the Courts shall file a quarterly report to the Interim Joint Committee on Appropriations and Revenue showing the progress of implementation of this plan and the projected savings.

(5) Support for Current Services: Pursuant to KRS 27A.055(4), included in the above Restricted Funds appropriation is $13,629,600 in fiscal year 2025-2026 to support the Court Operations and Administration budget unit and replace, in part, reduced revenues received by the Master Commissioner's Fund established in KRS 31A.010(4). Notwithstanding KRS 45.229, any portion of these funds that have not been expended by the end of fiscal year 2025-2026 shall not lapse and shall carry forward into fiscal year 2026-2027, and any portion of these funds that have not been expended by the end of fiscal year 2026-2027 shall not lapse and shall carry forward into fiscal year 2027-2028.

b. Local Facilities Fund

	2025-26	**2026-27**	**2027-28**
General Fund	-0-	139,814,900	154,917,700
Restricted Funds	8,910,400	8,380,000	380,000
TOTAL	8,910,400	148,194,900	155,297,700

(1) Uninsured Costs Due to Flooding: Pursuant to KRS 27A.055(4), included in the above Restricted Funds appropriation is $8,910,400 in fiscal year 2025-2026 for file restoration, remediation, and repairs due to flooding in Franklin and Hardin Counties. Notwithstanding KRS 45.229, any unexpended funds shall not lapse and shall carry forward.

(2) Local Facility Projects: Included in the above General Fund appropriation is $13,652,200 in fiscal year 2027-2028 to support the use allowance costs for five judicial centers authorized by the 2024 General Assembly.

(3) Full Funding of Current Services: Included in the above General Fund appropriation is $2,628,100 in each fiscal year to fully fund current services.

(4) Operating Expenses Paid to Counties: Included in the above General Fund appropriation is $2,076,100 in fiscal year 2026-2027 and $4,276,700 in fiscal year 2027-2028 for an inflationary increase on operating expenses paid to counties.

(5) Boyle County Temporary Space and Fit-up: Pursuant to KRS 27A.055(4), included in the above Restricted Funds appropriation is $5,260,000 in fiscal year 2026-2027 and $260,000 in fiscal year 2027-2028 for leased space and fit-up for all court and clerk functions.

(6) Bell County Temporary Space and Fit-up: Pursuant to KRS 27A.055(4), included in the above Restricted Funds appropriation is $3,120,000 in fiscal year 2026-2027 and $120,000 in fiscal year 2027-2028 for leased space and fit-up for all court and clerk functions.

(7) Bell County Use Allowance and Equipment: Included in the above General Fund appropriation is $2,806,100 in fiscal year 2026-2027 to support use allowance and equipment and $2,056,100 in fiscal year 2027-2028 to support use allowance.

(8) Local Court Facility Compensation: Included in the above General Fund appropriation are moneys to compensate local units of government for providing court space and for costs incurred in the development of local court facilities as defined in KRS Chapter 26A and provided for in Part II, Capital Projects Budget, of this Act, and to perform all other acts required or authorized by KRS Chapter 26A.

(9) Use Allowance Payments to Counties: Pursuant to KRS 26A.090(2), beginning with court facility construction or renovation projects authorized by the 2000 Regular Session of the General Assembly and all subsequent court facility projects, use

allowance payments are restricted to the court's proportional share of the annual principal and interest costs in connection with the construction or renovation of the facility, not to exceed the authorized annual use allowance.

(10) Court Facility Maintenance Fund: (a) Notwithstanding KRS 26A.090(2), when there is no debt on court facility construction or renovation projects authorized prior to the 2000 Regular Session of the General Assembly, use allowance is restricted to compensation equal to two percent annually of capital costs to be paid to the county unit of government and two percent annually to be retained by the Administrative Office of the Courts and directed to a separate fund specifically for maintenance of court facilities.

(b) The fund created pursuant to paragraph (a) of this subsection shall be used for routine, ongoing, planned, and unanticipated maintenance for court facilities.

(c) Notwithstanding KRS 45.750, any maintenance project estimated to cost $3,000,000 or less for a local court facility is not considered to be a capital project requiring authorization of the General Assembly in the Judicial Branch Budget and may be completed using funds appropriated to the Judicial Branch for maintenance of local facilities or other agency funds of the Judicial Branch.

(11) Maintenance Pool: Included in the above General Fund appropriation is $3,000,000 in each fiscal year to create a maintenance pool for planned and unanticipated non-capital projects for local courthouses and judicial centers.

(12) Asset Preservation Pool - HVAC, Roof, and Electrical Upgrades: The Administrative Office of the Courts shall prepare a report on the Asset Preservation - HVAC, Roof, Electrical project authorized in 2024 Ky. Acts ch. 148, Part II, A., 1., 007., including but not limited to the projects funded in the asset preservation pool, the current status of each project and projected completion date, and the amount expended on each project and for the pool in total. The Administrative Office of the Courts shall submit this report on a quarterly basis beginning November 1, 2026, to the Interim Joint Committee

on Appropriations and Revenue.

(13) Asset Preservation Pool - Renovations: The Administrative Office of the Courts shall prepare a report on the Asset Preservation - Renovations project authorized in 2024 Ky. Acts ch. 148, Part II, A., 1., 008., including but not limited to the projects funded in the asset preservation pool, the current status of each project and projected completion date, and the amount expended on each project and for the pool in total. The Administrative Office of the Courts shall submit this report on a quarterly basis beginning November 1, 2026, to the Interim Joint Committee on Appropriations and Revenue.

c. Local Facilities Use Allowance Contingency Fund

(1) Funds Carry Forward: Notwithstanding KRS 45.229, any unexpended balance remaining at the close of fiscal year 2025-2026 shall not lapse and shall continue into fiscal year 2026-2027, and any unexpended balance remaining at the close of fiscal year 2026-2027 shall not lapse and shall continue into fiscal year 2027-2028 to provide for cost overruns in authorized court facilities projects not to exceed 15 percent of the use allowance in accordance with KRS Chapter 26A.

TOTAL – COURT OF JUSTICE

	2025-26	**2026-27**	**2027-28**
General Fund	-0-	481,255,200	500,389,400
Restricted Funds	22,540,000	60,886,000	53,233,700
Federal Funds	-0-	1,546,600	1,391,000
TOTAL	22,540,000	543,687,800	555,014,100

2. JUDICIAL FORM RETIREMENT SYSTEM

	2026-27	**2027-28**
Restricted Funds	645,500	652,300

(1) Administrative Expenses: Pursuant to KRS 21.540, administrative expenses shall be paid out of an administrative account which shall be funded by transfers of the

necessary moneys, in appropriate ratio, from the funds described in KRS 21.550 and 21.560. Notwithstanding Part III, 7. of this Act, Restricted Funds appropriations may be increased to ensure sufficient funding to support the Judicial Form Retirement System.

(2) Pension Benefit Increase: Notwithstanding KRS 21.405(5), no pension benefit increase shall be granted to recipients of a retirement allowance under KRS 21.345 to 21.580 on July 1, 2026, or July 1, 2027.

TOTAL - JUDICIAL BRANCH

	2025-26	**2026-27**	**2027-28**
General Fund	-0-	481,255,200	500,389,400
Restricted Funds	22,540,000	61,531,500	53,886,000
Federal Funds	-0-	1,546,600	1,391,000
TOTAL	22,540,000	544,333,300	555,666,400

PART II

CAPITAL PROJECTS BUDGET

(1) Authorization of Capital Projects: It is the intent of the General Assembly that any capital project proposed by any state government entity, including the agencies and subdivisions of the Court of Justice, shall be authorized by the General Assembly prior to the project's financing and construction, in accordance with KRS 7A.010, 7A.120, 45.750, 45.760, 45.763, 45.765, and 48.110. Pursuant to KRS 45.760(1), the amount allotted, from all sources, for expenditure on any capital project, including leases as defined by KRS 45.750, shall not exceed the estimated cost as shown in this Act.

(2) Capital Projects and Bond Oversight Committee: Capital construction projects and major items of equipment that are not specifically listed in this Act may be authorized only after submission of the project to the Capital Projects and Bond Oversight Committee and in accordance with the other requirements of KRS 45.760(7). Moneys may be transferred to the allotment account of any capital project only after submission of the project to the Capital Projects and Bond Oversight Committee and in

accordance with the other requirements of KRS 45.760(6). As required by KRS 45.760, all capital construction items authorized in this Act shall be constructed in accordance with this Act, supporting documentation considered by the General Assembly, and Judicial Branch budget records. Any modifications to the scope of a capital construction project or to a lease shall be reported to the Capital Projects and Bond Oversight Committee before execution.

(3) Deferred Funding: (a) General Fund support to provide operating costs of $1,911,000 and $3,000,000 for nonrecurring equipment and furniture for five projects authorized by the 2024 General Assembly is deferred to the 2028-2030 fiscal biennium.

(b) General Fund support to provide operating costs totaling $444,000 and annualized use allowance totaling $4,734,000 and $1,000,000 for nonrecurring equipment and furniture costs for the Boyle County project is deferred to the 2028-2030 fiscal biennium.

(c) It is the intent of the General Assembly that the projects in paragraphs (a) and (b) of this subsection shall be funded using resources previously appropriated for projects that no longer require use allowance debt payments in the 2028-2030 fiscal biennium.

(4) Court Facility Planning Process: A feasibility study completed by a certified architect not otherwise involved with the project shall be provided to the Project Development Board to assist in making a determination whether the needs of the community and the Court of Justice can best be met through the construction of a freestanding building, or through an addition and/or renovation of the existing court facility.

(5) Local Facilities Use Allowance Contingency Fund: For any court facility project which is occupied and use allowance funding is insufficient, the use allowance payments shall be approved from the Local Facilities Use Allowance Contingency Fund. If funds are not available in the Local Facilities Use Allowance Contingency Fund, the Chief Justice may transfer funds from other Judicial Branch accounts to make the

necessary payments.

(6) Facility Title: Pursuant to KRS Chapter 26A, Hardin County shall accept title to the facility as set out in 2022 Ky. Acts ch. 162, Part II, A., 2., 004., Hardin County – HVAC Project, within six months of notification by the Administrative Office of the Courts of the completion of the project.

(7) Critical and High Category Court Facilities: The Court of Justice is authorized to proceed with the planning, design, and construction of four courthouses that are currently identified as Critical or High need by the Administrative Office of the Courts' Courthouse Assessment County Ranking, created pursuant to KRS 26A.160, in a county where the General Assembly has approved a new judgeship that has taken office within the previous four years or in a county with special needs for office space for an appellate judge and/or where the Circuit Clerk's office is in a different building than the current building in which court takes place, while taking population into consideration.

A. JUDICIAL BRANCH

Budget Units	**2026-27**	**2027-28**
1. LOCAL FACILITIES FUND		
Project	**Project Scope**	
001. Boyle County	49,236,000	
002. Bell County - Renovation	20,910,000	
2. LEASE AUTHORIZATIONS		
001. Franklin County - Lease - Court of Appeals		
002. Jefferson County - Lease - Parking		
003. Madison County - Lease - Family Court		

PART III

GENERAL PROVISIONS

1. Expenditure Authority: The Director of the Administrative Office of the Courts, with the approval of the Chief Justice, may expend any of the funds appropriated

for court operations and administration in any lawful manner and for any legal purpose that the Chief Justice shall authorize or direct. No executive agency of state government shall have the power to restrict or limit the expenditure of funds appropriated to the Judicial Branch of government, except that funds appropriated in this Act shall not be expended for any purpose not specifically authorized by the General Assembly in this Act. The Court of Justice shall prepare a report of actual expenditures citing specific statutory or budgetary authorization for the reported expenditures and detailing expenditures for the Supreme Court, Court of Appeals, Circuit Court, Family Court, District Court, Administrative Office of the Courts, Judicial Retirement, Local Facilities Fund, Local Facilities Use Allowance Contingency Fund, and for services performed by the Circuit Court Clerks' offices. The Court of Justice shall provide this report on a quarterly basis to the Interim Joint Committee on Appropriations and Revenue.

2. Severability of Budget Provisions: Appropriation items and sums in this Act conform to KRS 48.311. If any section, any subsection, or any provision thereof shall be invalid or unconstitutional, the decision of the courts shall not affect or impair any of the remaining sections, subsections, or provisions.

3. Duplicate Appropriations: Any appropriation item and sum in this Act and in an appropriation provision in another Act of the 2026 Regular Session of the General Assembly which constitutes a duplicate appropriation shall be governed by KRS 48.312.

4. Priority of Individual Appropriations: KRS 48.313 shall control when a total or subtotal figure in this Act conflicts with the sum of the appropriations of which it consists.

5. Carry Forward of Funds: Notwithstanding KRS 45.229, any unexpended balance remaining at the close of the fiscal years ending June 30, 2026, June 30, 2027, and June 30, 2028, shall not lapse and shall continue into the next fiscal year.

6. Final Budget Document: The Director of the Administrative Office of the Courts shall prepare a final budget document reflecting the 2026-2028 biennial budget of

the Court of Justice. A copy shall be provided to the Legislative Research Commission, and an informational copy shall be furnished to the Finance and Administration Cabinet, within 60 days of the adjournment of the 2026 Regular Session of the General Assembly.

7. Appropriations Revisions: Notwithstanding KRS 48.630(10), no revisions for unbudgeted Restricted Funds appropriations for expenditure shall be allotted or expended that have not been appropriated in any enacted branch budget bill or without the express authority of the General Assembly. Proposed revisions to unbudgeted Federal Funds appropriations for expenditure in this Act shall be made and reported to the Interim Joint Committee on Appropriations and Revenue. The Director of the Administrative Office of the Courts shall notify, on a timely basis, the Legislative Research Commission of the most current estimates of anticipated receipts for the affected fiscal year and an accompanying statement which explains variations from the anticipated amount.

8. Maximum Salary of Trial Commissioners: Notwithstanding KRS 24A.100(3), no trial commissioner shall be compensated at a rate greater than $4,000 per year. No funding is provided for trial commissioners commissioned in counties with a residing District Judge.

9. Authorized Personnel Complement: On July 1, 2026, the Administrative Office of the Courts shall establish a record for each budget unit of authorized permanent full-time and all other positions based upon the enacted Judicial Budget of the Commonwealth and any adjustments authorized by provisions in this Act. The total number of filled permanent full-time and all other positions shall not exceed the authorized complements pursuant to this section. The Director of the Administrative Office of the Courts may request an increase in the number of authorized positions to the Chief Justice. Upon approval, the Administrative Office of the Courts may authorize the employment of individuals in addition to the authorized complement. A report of the actions authorized in this section shall be provided to the Interim Joint Committee on Appropriations and Revenue on a monthly basis.

10. Debt Restructuring: Notwithstanding any other provision of the Kentucky Revised Statutes, use allowance payments shall not be amended to reflect debt restructuring transactions undertaken by a county during the 2026-2028 fiscal biennium.

11. Court Facility Maintenance Fund Report: For each of the periods ending June 30, 2026, June 30, 2027, and June 30, 2028, the Director of the Administrative Office of the Courts shall prepare a court facility maintenance report. This report shall detail all court facility maintenance undertaken by the Court of Justice, to include any cost-sharing with counties, as well as detail regarding future maintenance needs. This report shall include a statewide expenditure summary followed by individual county expenditures detailing the state's and county's respective share of expenditures. The Administrative Office of the Courts shall provide this report to the Interim Joint Committee on Appropriations and Revenue by September 15 of each fiscal year.

12. Biennial Audits: The Auditor of Public Accounts shall have the right to review, upon request, the accountant’s work papers.

13. Budgetary Restructuring: The Court of Justice shall prepare a report to be submitted to the Interim Joint Committee on Appropriations and Revenue by September 1 of each fiscal year detailing the existing budget processes of the Court of Justice and the actual expenditure of funds from the prior fiscal year and budgeted expenditures for the current fiscal year by fund source and individual location or office, for the Supreme Court, Court of Appeals, Circuit Court, Family Court, District Court, Administrative Office of the Courts, Judicial Retirement, Local Facilities Fund, Local Facilities Use Allowance Contingency Fund, and for services performed by the Circuit Court Clerks' offices.

14. Unexpended Use Allowance: Notwithstanding any provision of the Kentucky Revised Statutes, any General Fund moneys appropriated for project-related expenses or use allowance payments in fiscal years 2026-2027 and 2027-2028 that are not expended specifically for project-related expenses or use allowance payments in the

fiscal year in which appropriated shall be transferred to the Budget Reserve Trust Fund Account (KRS 48.705).

15. Salary Increase for Personnel: Notwithstanding KRS 64.480(2), included in the General Fund, Restricted Funds, and Federal Funds appropriations in Part I of this Act are sufficient funds to support a two percent salary increase on the base salary and wages of each eligible employee effective July 1, 2026, and a two percent increase on the base salary or wages of each eligible employee effective July 1, 2027.

16. Application for Federal Funds: Notwithstanding any statute to the contrary, the Court of Justice shall report to the Interim Joint Committee on Appropriations and Revenue, within 30 days, any new federally funded programs for which funding had not previously been awarded without authorization by the General Assembly.

17. Operational Expenditures Data: The Director of the Administrative Office of the Courts shall, by October 1, 2026, submit a report to the Legislative Oversight and Investigations Committee and the Interim Joint Committee on Appropriations and Revenue with the following information and data pertaining to the historical and projected operational expenditures for each budget unit:

(1) Identifying information of the budget unit; and

(2) A description of each program, function, service, or benefit provided by the budget unit, including but not limited to the following:

(a) Measurable outcome data for the program, function, service, or benefit provided in fiscal year 2025-2026 and projected for fiscal years 2026–2027 and 2027–2028 for programs, functions, services, or benefits that are statutorily mandated;

(b) Measurable outcome data for the program, function, service, or benefit provided in fiscal year 2025-2026 and projected for fiscal years 2026–2027 and 2027–2028 for programs, functions, services, or benefits that are not statutorily mandated;

(c) Identification of any contracts or grants with other state budget units or external providers engaged to provide or assist in providing the program, function,

service, or benefit in fiscal years 2025-2026, 2026-2027, or 2027-2028;

(d) The number of full-time, part-time, and other filled positions assigned to the program, function, service, or benefit on July 1 of each fiscal year;

(e) The number and projected cost of all temporary manpower service personnel assigned to the program, function, service, or benefit as of July 1 each fiscal year;

(f) The actual expenditures, by fund source, for each program, function, service, or benefit for fiscal year 2025-2026;

(g) The projected expenditures, by fund source, by fiscal year, for each program, function, service, or benefit for fiscal years 2026-2027 and 2027-2028; and

(h) The actual balance of any Restricted Funds or Agency Trust Funds assigned to the program, function, service, or benefit as of July 1, 2026, and projected to be on July 1, 2027, and July 1, 2028.

The information shall be submitted only in a format prescribed by the Legislative Oversight and Investigations Committee.

The Director of the Administrative Office of the Courts shall, within 30 days, provide any follow-up or additional information on the programs, functions, services, or benefits requested by the Legislative Research Commission or a subcommittee thereof.

Failure to submit timely, complete, and accurate information within the deadlines for submission of the initial report or any additional information requested may result in a two percent reduction per occurrence, not to exceed ten percent, of the General Fund and Restricted Funds appropriations provided in Part I of this Act for fiscal years 2026-2027 and 2027-2028. The Legislative Oversight and Investigations Committee shall report occurrences of noncompliance to the Legislative Research Commission prior to the 2027 Regular Session of the General Assembly for potential action by the General Assembly.

18. Employee Furloughs: Notwithstanding any provision of law to the contrary, the Court of Justice shall not furlough any employees during the 2026-2028 fiscal biennium.

19. Budget Implementation: The General Assembly directs that the Judicial Branch shall carry out all appropriations and budgetary language provisions as contained in the Judicial Branch Budget. The Legislative Research Commission shall review quarterly expenditure data to determine if the Judicial Branch is out of compliance with this directive. If the Legislative Research Commission suspects that the Judicial Branch has acted in nonconformity with this section, the Legislative Research Commission may order an audit or review at the Judicial Branch's expense. Such audit findings, reviews, and reports shall be subject to the Kentucky Open Records Act. The Chief Justice shall provide, in the form and manner prescribed by the Legislative Research Commission, a comprehensive semiannual report, beginning February 1, 2027, to the standing Appropriations and Revenue Committees of the General Assembly or the Interim Joint Committee on Appropriations and Revenue, as appropriate, detailing expenditures related to the appropriations contained within the budgetary language provisions for each budget unit within the Judicial Branch. If a budget unit does not expend the full General Fund appropriation contained within a budgetary language provision, the unexpended funds shall be transferred to the Budget Reserve Trust Fund Account (KRS 48.705).

20. Budgetary Priorities: Funds appropriated in this Act are deemed sufficient to maintain the mandatory functions of the Court of Justice. The Chief Justice shall prioritize the expenditure of funds to maintain current service levels of the mandatory functions of the Court of Justice and shall have the discretion to fund any additional functions to the extent funds are available.

PART IV

BUDGET REDUCTION OR SURPLUS EXPENDITURE PLAN

The Judicial Branch shall participate in any Budget Reduction Plan or Surplus Expenditure Plan in accordance with KRS Chapter 48, except that obligations essential to the constitutional duties and use allowance of the Judicial Branch shall be exempt from any Budget Reduction Plan. The level of participation in a Budget Reduction Plan shall

be at the discretion of the Chief Justice and shall not exceed the actual percentage of revenue shortfall.