

INDIANA TAX COURT

MARTHA BLOOD WENTWORTH
JUDGE



115 WEST WASHINGTON STREET, SUITE 9609
INDIANAPOLIS, IN 46204-3429
(317) 232-4694
FAX (317) 232-0644

August 20, 2018

Mr. Jason D. Dudich, Director
Indiana State Budget Agency
200 West Washington Street
Room 212
Indianapolis, Indiana 46204

RE: Indiana Tax Court Transmittal Letter
FYE 2020 – FYE 2021 Biennial Budget Request

Dear Mr. Dudich,

The Indiana Tax Court is an appellate court created by the Indiana General Assembly effective July 1, 1986. The Tax Court has a limited jurisdiction conferred by statute and hears only those cases that 1) arise under the tax laws of Indiana and 2) are initial appeals from the state's three administrative tax agencies: the Department of Local Government Finance, the Indiana Board of Tax Review, and the Department of State Revenue. Having one judge and statewide jurisdiction, the Tax Court is required by statute to travel to hear cases in any of seven counties throughout Indiana; therefore, the Tax Court is last of the statutory appellate "circuit riders."

The Tax Court hears property tax related appeals from the Department of Local Government Finance and the Indiana Board of Tax Review in a manner similar to that of a court of appeals. In addition, the Tax Court hears appeals from the Department of State Revenue, however, in the combined role of finder of fact and appellate review. All appeals from Tax Court decisions, regardless of the administrative agency involved, go directly to the Indiana Supreme Court – to be heard at its discretion. This unique procedural character reflects the Tax Court's essential mission of efficiently providing a consistent, precedential body of Indiana tax law that affords certainty for both state tax administration and taxpayers alike. This mission is accomplished by applying the Tax Court's special judicial tax expertise to resolving Indiana tax disputes and communicating its decisions with the underlying reasoning clearly to litigants, to the Supreme Court, and to Indiana's taxpayers.

The Tax Court is staffed similarly to the other appellate courts, including a court administrator, a staff attorney, three law clerks, and a summer intern. The Tax Court manages staffing costs by outsourcing court reporting and having its staff fulfill, among other things, bailiff responsibilities, streaming video equipment operations, and senior judge support.

Within the FYE 2018 – FYE 2019 biennial budget period, the Tax Court made fundamental changes to its procedural rules and to its measurement methodology for monitoring case flow. These transformations have already increased efficiency and transparency. The Tax Court will continue to consider and implement similar innovations.

The Tax Court continues to work closely with the technology staff of the Indiana Supreme Court and Indiana Court of Appeals, collectively sharing the cost of the local area network, which lessens the administrative burdens and expenses of all the courts. The Tax Court also contributes its share for the increased infrastructure necessary to implement the new Appellate Case Management System and related technology.

In accordance with Governor Eric Holcomb's Next Level Agenda, the Tax Court has been implementing the applicable pillars by, among other things, working with administrative agencies to simplify appeals to our court, using technology to the fullest extent possible, reducing reliance on paper, and implementing a new parent leave policy for court employees.

The Tax Court's FYE 2020 – FYE 2021 biennial budget request focuses on retaining the level of appropriation steady for personnel and operating expenses as more fully detailed below:

1. Current Services Change Package 1: [Personal Services 3.3%]

This request represents an increase of 3.3% above FYE 18 Personal Services Actuals to cover pay-for-performance and benefits increases that occurred in 2018 and pursuant to the Operating Budget Instructions.

2. Current Services Change Package 2: [Personal Services True-up]

This request is necessary 1) to fund pay raises & associated benefit costs for the Tax Court Judge pursuant to statute and were approved after the FYE 18 & FYE 19 biennium budget was passed by the Legislature; and 2) to fund the prior two year increases for staff beyond the 3.3% change package. These increases are consistent with and were approved by the Chief Justice of the Supreme Court. This will ensure our Personal Services is adequately appropriated within our base.

Respectfully Submitted,

Martha Blood Wentworth
Judge, Indiana Tax Court