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MR. MARTIN HOSHINO Administrative Director, Judicial Council

## JUDICIAL COUNCIL OF CALIFORNIA

February 1, 2020

Hon. Holly J. Mitchell Chair, Senate Budget and Fiscal Review Committee Chair, Joint Legislative Budget Committee State Capitol, Room 5019 Sacramento, California 95814

Ms. Elaine M. Howle California State Auditor 621 Capitol Mall, Suite 1200 Sacramento, California 95814

Re: Semiannual Report on Contracts for the Judicial Branch for the Reporting Period of July 1 through December 31, 2019, as required under Public Contract Code section 19209

Dear Senator Mitchell and Ms. Howle:

Pursuant to the requirements under Public Contract Code section 19209, the Judicial Council is submitting the attached report on new contracts, contract payments to vendors from judicial branch entities, and amendments to those contracts during the reporting period July 1 through December 31, 2019.

During the current reporting period, the Judicial Council is reporting 17,469 payments representing \$227.7 million associated with 8,379 contracts.

Due to the current configuration of the state's FI\$Cal system, the attached non-superior court contract report does not identify whether a contract has been amended in the reporting period and does not consistently identify the duration or nature of the amendment per the statutory requirements.

Hon. Holly J. Mitchell Ms. Elaine M. Howle February 1, 2020 Page 2

The Judicial Council is working collaboratively with the Department of FI\$Cal to resolve these issues. We expect the necessary system reporting changes to be implemented by the end of the current reporting period (June 2020).

If you have any questions related to this report, please contact Mr. Doug Kauffroath, Director, Branch Accounting and Procurement, at 916-263-2872, or <u>doug.kauffroath@jud.ca.gov</u>.

Sincerely,

Martin Hoshino

Administrative Director

Judicial Council

#### MH/AM/RD/es

Attachment

cc: Diane F. Boyer-Vine, Legislative Counsel

Erika Contreras, Secretary of the Senate

Sue Parker, Assistant Chief Clerk of the Assembly

Eric Dang, Policy Consultant, Office of Senate President pro Tempore Toni G. Atkins

Amy Alley, Policy Advisor, Office of Senate President pro Tempore Toni G. Atkins

Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon

Gabrielle Zeps, Policy Consultant, Office of Assembly Speaker Anthony Rendon

Anita Lee, Principal Fiscal and Policy Analyst, Legislative Analyst's Office

Tina McGee, Executive Secretary, Legislative Analyst's Office

Jesse Romine, Budget Analyst, Department of Finance

Margie Estrada, Chief Counsel, Senate Judiciary Committee

Mary Kennedy, Chief Counsel, Senate Public Safety Committee

Christopher Francis, Consultant, Senate Budget and Fiscal Review Committee

Shaun Naidu, Consultant, Senate Appropriations Committee

Jennifer Troia, Principal Consultant, Joint Legislative Budget Committee

Eric Csizmar, Consultant, Senate Republican Policy Office

Matt Osterli, Consultant, Senate Republican Fiscal Office

Morgan Branch, Consultant, Senate Republican Policy Office

Alison Merrilees, Chief Counsel, Assembly Judiciary Committee

Gregory Pagan, Chief Counsel, Assembly Public Safety Committee

Jennifer Kim, Consultant, Assembly Budget Committee

Hon. Holly J. Mitchell Ms. Elaine M. Howle February 1, 2020 Page 3

Jay Dickenson, Chief Consultant, Assembly Appropriations Committee Kimberly Horiuchi, Principal Consultant, Assembly Appropriations Committee Lyndsay Mitchell, Consultant, Assembly Republican Office of Policy & Budget Gary Olson, Consultant, Assembly Republican Office of Policy & Budget Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget Amy Leach, Minute Clerk, Office of Assembly Chief Clerk Cory T. Jasperson, Director, Governmental Affairs, Judicial Council Yvette Casillas-Sarcos, Administrative Coordinator, Governmental Affairs, Judicial Council



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MR. MARTIN HOSHINO Administrative Director, Judicial Council Report Title: Semiannual Report on Contracts for the Judicial

Branch for the Reporting Period of July 1 through

December 31, 2019

Summary Citation: Public Contract Code section 19209

Date of Report: February 1, 2020

The Judicial Council has submitted a report to the Legislature in accordance with Public Contract Code section 19209. The following summary of the report is provided under the requirements of Government Code section 9795.

The Judicial Branch Contract Law (JBCL), enacted March 24, 2011, requires judicial branch entities to comply with the provisions of the Public Contract Code applicable to state agencies and departments related to the procurement of goods and services. It applies to all contracts entered into or amended by branch entities on or after October 1, 2011.

The JBCL also requires the Judicial Council (beginning in 2012) to report to the Joint Legislative Budget Committee and the State Auditor semiannually on contracting activities by judicial branch entities. The reports contain specific information, including details about payments received by vendors and contractors and their associated contracts, contract amendments entered into by judicial branch entities with vendors or contractors, and the nature of the services or goods provided under the reported contracts and amendments.

During the current reporting period, the Judicial Council is reporting 17,469 payments representing \$227.7 million associated with 8,379 contracts.

Due to the current configuration of the state's FI\$Cal system, the attached non-superior court contract report does not identify whether a contract has been amended in the reporting period and does not consistently identify the duration or nature of the amendment per the statutory requirements. The Judicial Council is working collaboratively with the Department of FI\$Cal to resolve these issues. We expect the necessary

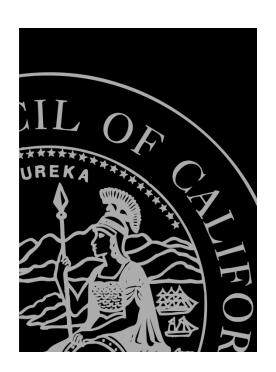
January 22, 2020 Page 2

system reporting changes to be implemented by the end of the current reporting period (June 2020).

The reports also exclude payments and contract amendment information that are statutorily restricted or excluded from reporting, information subject to any statutory restrictions on disclosure to third parties, and information on capital cases in active litigation.

This report covers the period of July 1 through December 31, 2019. The report lists contracts associated with these payments, as well as contracts with amendments.

The full report can be accessed at <a href="www.courts.ca.gov/7466.htm">www.courts.ca.gov/7466.htm</a>. A printed copy of the report may be obtained by contacting Mr. Doug Kauffroath, Director, Branch Accounting and Procurement, at 916-263-2872 or <a href="doug.kauffroath@jud.ca.gov">doug.kauffroath@jud.ca.gov</a>.



# Semiannual Report on Contracts for the Judicial Branch for the Reporting Period of July 1 through December 31, 2019

REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE STATE AUDITOR AS REQUIRED BY PUBLIC CONTRACT CODE SECTION 19209

February 1, 2020



#### JUDICIAL COUNCIL OF CALIFORNIA

#### Hon. Tani G. Cantil-Sakauye

Chief Justice of California and Chair of the Judicial Council

#### **Martin Hoshino**

Administrative Director Judicial Council

#### **ADMINISTRATIVE DIVISION**

John Wordlaw

Chief Administrative Officer

## BRANCH ACCOUNTING AND PROCUREMENT Doug Kauffroath

Director

#### **Tracy Matthews**

Supervisor and Primary Author of Report

#### Introduction

The Judicial Council submits this report to the Joint Legislative Budget Committee and the California State Auditor under Public Contract Code section 19209 to provide information related to procurement of contracts for the judicial branch. The report includes a list of vendors and contractors as required by Public Contract Code section 19209(b). The report further identifies the amounts of payments to the contractors and vendors, the types of services and goods provided, and the judicial branch entity or entities with which the contractors and vendors contracted to provide those goods and services. The report summary also includes a list of all amended contracts as required by Public Contract Code section 19209(c), identifying the vendors, contractors, and types of services and goods provided under the contract, including any changes to the contract value, type of services or goods, or contract. Judicial branch entities include the Supreme Court, Courts of Appeal, superior courts, Habeas Corpus Resource Center, and Judicial Council.

#### Contracts included in the report

The operative date of the Judicial Branch Contract Law (JBCL) is October 1, 2011, and only contracts entered into or amended after that date are included in this report. The report is developed semiannually, covering the six-month periods from January 1 through June 30 and July 1 through December 31. This report covers the period from July 1 through December 31, 2019.

#### Contracts excluded from the report

Public Contract Code section 19204(c) provides that the JBCL "does not apply to procurement and contracting by judicial branch entities that are related to trial court construction, including, but not limited to, the planning, design, construction, rehabilitation, renovation, replacement, lease, or acquisition of trial court facilities." This section also states that the JBCL "shall apply to contracts for maintenance of all judicial branch facilities that are not under the operation and management of the Department of General Services." Appropriate exclusions and inclusions based on the above subsections have been made in this report.

Also excluded from the report are the following contracts, which are unique to the superior courts and not subject to the JBCL:

- Contracts (often referred to as memorandums of understanding) between a superior court and the sheriff for court security services;
- Contracts between a court and a court *reporter*, when the court reporter provides services as an independent contractor; and
- Contracts between a court and a court *interpreter*, when the court interpreter provides services as an independent contractor.

#### **Non-Superior Court Data**

In July 2018, the judicial branch implemented the Financial Information System for California (FI\$Cal) for all entities other than the superior courts. The entities on FI\$Cal include the Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council. (Superior court data are on the Phoenix System.)

The Department of FI\$Cal maintains transparency websites, eProcure, and Open FI\$Cal for all state agencies. As of January 2019, the judicial branch information is available for viewing on the FI\$Cal websites. Users can see all procurement transactions and historical payment data older than 60 days on FI\$Cal.

Along with data from other state departments, procurement and payment transactions for the Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council of California are available online, where summary or detailed data can be downloaded into an Excel format.

- Procurement transactions are available on the California eProcure website at
   https://suppliers.fiscal.ca.gov/psc/psfpd1/SUPPLIER/ERP/c/ZZ\_PO.ZZ\_SCPRS1\_CMP.G
   BL?FolderPath=PORTAL\_ROOT\_OBJECT.ZZ\_FISCAL\_SCPRS.ZZ\_SCPRS1\_CMP\_GB
   L&IsFolder=false&IgnoreParamTempl=FolderPath%2cIsFolder. The judicial branch's
   department number is 0250. Date ranges can be used on the site to limit the volume of
   information returned.
- Payment transactions are available on the State of California transparency website at <a href="https://fiscalca.opengov.com">https://fiscalca.opengov.com</a>. All the entities listed above are included under the judicial branch portion of data. Date ranges can be entered at the top of the page to limit the volume of information returned.

Due to the current configuration of the state's FI\$Cal system, the attached non-superior court contract report does not identify whether a contract has been amended in the reporting period and does not consistently identify the duration or nature of the amendment per the statutory requirements. The Judicial Council is working collaboratively with the Department of FI\$Cal to resolve these issues. We expect the necessary system reporting changes to be implemented by the end of the current reporting period (June 2020). For this report, we extracted the following reports from FI\$Cal:

- Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council Contract Report; and
- Supreme Court, Courts of Appeals, Habeas Corpus Resource Center, and Judicial Council Payment Report.

#### **Superior Court Data**

The information that relates to superior court contracting is extracted from the Phoenix Financial System. This information includes the:

- Trial Court Payment Report; and
- Trial Court Contract Report.

On the contract report, the goods/services are not being identified on contracts that were amended if the goods/services did not change. The Judicial Council is aware of this issue and are working on report configuration changes. We expect the necessary system report changes to be implemented by the end of the current reporting period (June 2020).

Table 1 explains the format of the reports and describes the data elements.

Table 1. Judicial Branch Contract Reports: Comparison of Required Data Elements with Actual Reports to Report Under Public Contract Code Section 19209

		Data Element Column Heading	
Report	Required to Be Reported by Statute	Superior Court Reports	Supreme Court, COA,* HCRC,* and JC* Reports
Payment Report	Vendors and contractors receiving any payment. Identify the:  1. Amount of payment to the contractor or vendor;  2. Type of service or good provided; and  3. Judicial branch entity (JBE) or entities with which the vendor or contractor was contracted to provide that service or good.	<ul> <li>Vendor Name Vendor ID</li> <li>Contract Number</li> <li>Total Payments Goods/ Services</li> <li>JBE</li> </ul>	Vendor Name PO/Contract     Amount Payment Summary 1
Contract and Contract Amendment Report	Report each distinct contract between the vendor or contractor and a judicial branch entity.  For all contract amendments made, identify:  1. Vendor or contractor;  2. Type of service or good provided under the contract;  3. Nature of the amendment;  4. Duration of the amendment;  5. Cost of the amendment.	<ul> <li>Court Contract Vendor ID Vendor Name</li> <li>Last Reported Contract Value</li> <li>Contract Value (New) Contract Value (Changed)</li> <li>Goods/Services (New) Goods/Services (Changed)</li> <li>Contract Duration (New) Contract Duration (Changed)</li> <li>Total Contract Duration</li> </ul>	Entity     Amendment Number     Contract Number     Vendor Name     Type of Goods/ Service Description 2

<sup>\*</sup> COA = Court of Appeal; HCRC = Habeas Corpus Resource Center; JC = Judicial Council.

<sup>&</sup>lt;sup>1</sup> All JBEs within FI\$Cal are identified under the 0250 Department Code.

<sup>&</sup>lt;sup>2</sup> The Judicial Council of California is engaged with FI\$Cal to enhance reporting capabilities to include the nature, duration, and cost of amendments.

#### **Statistics**

Tables 2 and 3, below, provide statistical information for the July 1 through December 31, 2019, reporting period. Note that the tables may include totals that do not equal 100 percent because of rounding.

Table 2 provides an overall summary of contracts and payments for the reporting period.

Table 2. Overall Contract and Payment Statistics, July 1 through December 31, 2019

	Superior Courts
Payments:	
Number	17,469
Dollar amount	\$227,705,761
Number of associated contracts	8,379
Contracts:	
Original contracts	5,109*
Value of original contracts	\$240,215,272* <sup>1</sup>
Contracts with amendments	1,310
Cost of amendments	\$65,278,173**
<sup>1</sup> Amended May 26, 2020 correcting contract #4300009370 value due to data entry error.	

<sup>\*\*</sup> Includes increases and decreases in contract value, such as changes in contract scope.

	Nonsuperior Courts
Payments:	
Number	14,302*
Dollar amount	\$408 million
Contracts:	
Contracts	1,870
Value of original contracts	\$347 million*
* Includes all payment activity, including contrac	t payments.

Table 3 provides a summary of all payments for goods and services by the trial courts during this reporting period. The table shows 17,469 payments representing more than \$227.7 million associated with 8,379 contracts.

<sup>\*</sup> Includes only contracts with amendments as required by statute.

Table 3. Trial Court Payment Statistics, Goods, and Services Detail Summary, July 1 through December 31, 2019

Goods/Services	Payments	Value	Contracts
ADVERTISING	105	188,417.23	46
BANKING AND INVESTMENT SERV	11	37,369.76	3
COLLECTION SERVICES	94	8,415,165.63	53
CONSULTING SERVICES - TEMP	108	1,359,736.92	96
CONSULTING/PROFESSIONAL SVCS	2	27,308.44	1
CONTRACTED SERVICES	95	3,880,545.59	69
COUNTY-PROVIDED SERVICES	134	15,081,613.18	102
COURT APPOINTED COUNSEL CHA	432	27,785,616.56	121
COURT INTERPRETER SERVICES	2,901	16,025,897.56	348
COURT ORDERED PROFESSIONAL	988	7,118,144.23	563
COURT REPORTER SERVICES	267	2,507,623.66	13
COURT TRANSCRIPTS	1,882	8,627,930.53	21
DUES AND MEMBERSHIPS	116	155,122.66	23
EQUIPMENT MAINTENANCE	196	1,849,847.08	154
EQUIPMENT RENTAL/LEASE	172	2,887,785.92	120
EQUIPMENT REPAIRS	139	550,914.22	109
FEES/PERMITS	135	2,555,915.23	49
FREIGHT AND DRAYAGE	14	917.91	3
GENERAL CONSULTANT AND PROF	854	14,708,606.76	481
GENERAL EXPENSE	11	74,928.94	3
GENERAL EXPENSE - SERVICE	382	3,007,584.91	269
GROUNDS	20	195,127.96	13
INFORMATION TECHNOLOGY	4	38,5350	3
INSURANCE	133	1,544,783.2	42
INVESTIGATIVE SERVICES	142	399,955.91	57
IT COMMERCIAL CONTRACT	160	7,255,869.22	142
IT INTER-JURISDICTIONAL CON	20	518,695.09	13
IT MAINTENANCE	443	12,226,022.91	370
IT OTHER	46	869,600.98	30
IT REPAIRS/SUPPLIES/LICENSE	555	12,321,069.75	463
JANITORIAL	178	8,031,277.95	120
JUROR COSTS	23	15,793.84	2
LABORATORY EXPENSE	32	46,519.51	16
LEGAL	145	2,120,777.24	89
LIBRARY PURCHASES AND SUBSC	409	4,727,439.8	238
MAINTENANCE AND SUPPLIES	248	2,726,544.91	189
MAJOR EQUIPMENT	126	6,687,122.66	118

Goods/Services	Payments	Value	Contracts
MEDIATORS/ARBITRATORS	212	1,267,283.24	47
MEETINGS, CONFERENCES, EXHI	144	319,340.37	40
MINOR EQUIPMENT - UNDER \$5K	1,024	14,543,267.27	914
OFFICE EXPENSE	1,624	4,385,804.69	1,329
OTHER CONTRACT SERVICES	44	1,018,458.3	32
OTHER FACILITY COSTS - GOODS	135	270,436.36	111
OTHER FACILITY COSTS - SERV	74	752,493.21	45
OTHER ITEMS OF EXPENSE	29	29,246.23	24
OTHER TRAVEL EXPENSE	10	1,628	1
OTHER-SPECIAL ITEMS OF EXPENSE	1	1,917.79	
PHOTOGRAPHY	7	34,249.69	4
POSTAGE	19	867,887.97	11
POSTAGE METER	51	2,921,715.87	26
PRINTING	446	2,460,734.43	362
RENT/LEASE	83	2,256,374.48	48
SECURITY	129	7,769,333.58	88
SHERIFF	398	999,043.79	15
STAMPS, STAMPED ENVELOPES,	221	2,770,779.57	111
TELECOMMUNICATIONS	640	6,828,338.38	451
TRAINING	318	791,770.51	105
UNIFORM ALLOWANCE	11	22,563.22	11
VEHICLE OPERATIONS	127	474,149.79	52
Grand Total	17,469	\$227,705,760.6	8,379

Because of their size, the detailed reports, including any explanatory footnotes, are posted online separately for access and review. They are:

- Superior court reports, from July 1 through December 31, 2019;
  - o Trial Court Contract Report; and
  - o Trial Court Payment Report.
- Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council reports, from July 1 through December 31, 2019:
  - o Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council Contract Report; and
  - o Supreme Court, Courts of Appeals, Habeas Corpus Resource Center, and Judicial Council Payment Report.

#### **Report Information**

#### **Trial Court Contract Report**

The Phoenix Financial System is not configured to collect information about contracts in a manner that precisely matches the statutory reporting requirements. Below are some key factors to consider when reviewing the contract data related to the superior courts:

- The *Trial Court Contract Report* includes all contracts and amendments completed within the reporting period because including all contracts is more cost-effective than developing a report that includes distinct contracts for only the vendors who received more than one payment in the reporting period. "Vendor" is used synonymously with "contractor" in the report.
- Goods/Services descriptions are determined by the general ledger account(s) entered in the system.
- The only amendment descriptions that can be reported are changes in the overall value or duration of an agreement, or changes in the goods or services provided.
- The Phoenix Financial System cannot distinguish between a true amendment and an error correction. Screens were built to allow superior courts to review transactions included in the report and exclude changes that were error corrections. This design feature affects the accuracy of the data based on a court's ability/availability to review its transactions.

Table 4 contains a list of the report fields and their descriptions.

Table 4. Trial Court Contract Report Field Names and Descriptions

Field Name	Field Description
Court	Judicial Branch Entity (JBE), specifically the name of the superior court with the associated contract.
Contract	Unique identifier for the contract; can be system generated or a court-specific number.
Vendor ID	Unique identifier for the vendor; can be system generated or a court-specific vendor identifier.
Vendor Name	Name of the vendor.
Last Reported Contract Value	The most recently reported contract value, when the transaction record is for a contract that has been previously reported. (Only contracts created or amended after January 1, 2012, have been reported.)
Contract Value (New)	Known or estimated original contract value, when the transaction record is for a new contract.
Contract Value (Changed)	The increase or decrease to the contract value, if the contract value changed within the reporting period, which may occur in the same reporting period as a new contract.
Goods/Services (New)	A description of the goods/services based on the general ledger accounts associated with the contract, when the transaction record is for an original contract. (The goods/services are rolled up from subaccounts, so descriptions may appear to be duplicates but are actually separate subaccounts in the rolled-up category.)
Goods/Services (Changed)	A description of the changed goods/services based on the general ledger accounts associated with the contract, when the transaction record refers to an amendment to the goods/services. (The goods/services are rolled up from subaccounts, so descriptions may appear to be duplicates but are actually separate subaccounts in the rolled-up category.)
Contract Duration (New)	When the transaction record is for an original contract, the original contract duration, represented in months or a fraction thereof.
Contract Duration (Changed)	When the transaction record refers to an amendment to the current contract duration, the increase or decrease to the contract duration, represented in months or a fraction thereof.
Total Contract Duration	The total contract duration, including cumulative changes to the original contract duration, represented in months or a fraction thereof.

#### Trial Court Payment Report

Below are some key factors to consider when reviewing the payment data:

- Goods/Services descriptions are determined by the general ledger account(s) entered in the system.
- A single payment may have multiple lines of data in the file if the payment is for multiple goods or services. Simple sorting by contract number keeps these records together. The reports can also be sorted by court/JBE or by vendor.

Table 5 contains a list of the report fields and their descriptions.

Table 5. Trial Court Payment Report Field Names and Descriptions

Field Name	Field Description
JBE	Name of the superior court making the payment.
Contract Number	Unique identifier for the contract under which the payment was made. (If the payment was not associated with a contract, this field will be blank.)
Goods/Services	Description of the goods/services based on the general ledger account associated with the payment. (The goods/services are rolled up from subaccounts, so descriptions may appear to be duplicates but are actually separate subaccounts in the rolled-up category.)
Vendor ID	Unique identifier for the vendor.
Vendor Name	Name of the vendor.
Total Payments	Total payments to a vendor, reported by court, contract, and goods/services under the contract. (Data can be sorted in various ways to obtain totals by court, vendor, contract, goods/services, etc.)

#### **Attachments and Links**

- 1. Link A: The following reports are posted separately for access and review at <a href="http://www.courts.ca.gov/7466.htm">http://www.courts.ca.gov/7466.htm</a> rather than as attachments.
  - Superior court reports, from July 1 through December 31, 2019:
    - o Trial Court Contract Report
    - o Trial Court Payment Report
  - Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council reports, from July 1 through December 31, 2019:
    - o Contract Report
    - o Payment Report
- 2. Link B: Judicial branch payment transactions information in FI\$Cal on the Open FI\$Cal website, http://open.fiscal.ca.gov/
- 3. Link C: Judicial branch procurement transactions information in FI\$Cal on the eProcure website.

https://suppliers.fiscal.ca.gov/psc/psfpd1/SUPPLIER/ERP/c/ZZ\_PO.ZZ\_SCPRS1\_CMP.GBL? FolderPath=PORTAL\_ROOT\_OBJECT.ZZ\_FISCAL\_SCPRS.ZZ\_SCPRS1\_CMP\_GBL& IsFolder=false&IgnoreParamTempl=FolderPath%2cIsFolder