



JUDICIAL BRANCH BUDGET COMMITTEE

MATERIALS MAY 16, 2024

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# Judicial Council of California

## Judicial Branch Budget Committee

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Judicial Council of California  
Judicial Branch Budget Committee

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**JUDICIAL BRANCH BUDGET COMMITTEE**

**NOTICE AND AGENDA OF OPEN IN-PERSON MEETING**

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING RECORDED

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**Date:** Thursday, May 16, 2024  
**Time:** 12:30 p.m. - 3:30 p.m.  
**Location:** 455 Golden Gate Avenue, San Francisco, CA 94102, Redwood Room  
**Public Videocast:** <https://jcc.granicus.com/player/event/3213>

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [JBBC@jud.ca.gov](mailto:JBBC@jud.ca.gov).

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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**I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))**

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**Call to Order and Roll Call**

**Approval of Minutes**

Approve minutes of the May 2, 2024, action by email between meetings and the March 13, 2024, Judicial Branch Budget Committee meeting.

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**II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))**

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**In-Person Public Comment**

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least 30 minutes prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

**Written Comment**

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [JBBC@jud.ca.gov](mailto:JBBC@jud.ca.gov). Only written comments received by Wednesday, May 15, 2024, at 12:30 p.m. will be provided to advisory body members prior to the start of the meeting.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-10)**

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**Item 1**

**Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2024–25 (Action Required)**

Consideration of Trial Court Budget Advisory Committee (TCBAC) recommendations on 2024–25 allocations from the IMF.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Heather Staton, Senior Analyst, Judicial Council Budget Services

**Item 2**

**Allocations from the Trial Court Trust Fund (TCTF) for 2024–25 (Action Required)**

Consideration of TCBAC recommendations on 2024–25 allocations from the TCTF.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Oksana Tuk, Senior Analyst, Judicial Council Budget Services

**Item 3**

**AB 1058 Child Support Commissioner and Family Law Facilitator Program Allocations for 2024–25 (Action Required)**

Consideration of TCBAC recommendations on the 2024–25 methodologies and allocations for the child support commissioner and family law facilitator programs.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Anna Maves, Supervising Attorney, Judicial Council Center for Families, Children & the Courts

**Item 4**

**Community Assistance, Recovery, and Empowerment (CARE) Act Allocations for 2024–25 (Action Required)**

Consideration of TCBAC recommendations on 2024–25 allocations for the CARE Act.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Mr. Don Will, Deputy Director, Judicial Council Center for Families, Children & the Courts

**Item 5**

**Model Self-Help Pilot Program—Technology Model Project Allocation Methodology (Action Required)**

Consideration of TCBAC recommendations to revise the allocation methodology for Model Self-Help Pilot Program funding.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Mr. Don Will, Deputy Director, Judicial Council Center for Families, Children & the Courts

**Item 6**

**Court-Appointed Dependency Counsel Allocations for 2024–25 (Action Required)**

Consideration of a TCBAC recommendation on the 2024–25 methodologies and allocations for Court-Appointed Dependency Counsel.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Kelly Meehleib, Supervising Analyst, Judicial Council Center for Families, Children & the Courts  
Ms. Vida Terry, Senior Analyst, Judicial Council Center for Families, Children & the Courts

**Item 7**

**Pretrial Release Program Allocations for 2024–25 (Action Required)**

Consideration of a TCBAC recommendation on the 2024–25 allocations and funding floor adjustment for the Pretrial Release Program.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Deirdre Benedict, Supervising Analyst, Judicial Council Criminal Justice Services

**Item 8**

**Court Reporter Allocations for 2024–25 (Action Required)**

Consideration of a TCBAC recommendation on the 2024–25 allocations for \$30 million to increase the number of court reporters in family law and civil case types.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Mr. Chris Belloli, Manager, Judicial Council Business Management Services

**Item 9**

**Self-Help Program Allocations for 2024–25 through 2026–27 (Action Required)**

Consideration of a TCBAC recommendation on the 2024–25 through 2026–27 allocations for the Self-Help Program.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee

Ms. Melanie Snider, Supervising Attorney, Judicial Council  
Center for Families, Children & the Courts

**Item 10**

**2025–26 Judicial Branch Budget Change Concepts (Action Required)**

Review of 2025–26 Budget Change Concepts for the judicial branch.

Presenter(s)/Facilitator(s): Hon. Ann C. Moorman, Chair, Judicial Branch Budget Committee

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**IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Info 1**

**2024–25 May Revision Budget Update**

Update on the 2024–25 May Revision to the Governor’s Budget.

Presenter(s)/Facilitator(s): Mr. Zlatko Theodorovic, Director, Judicial Council Budget Services

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**V. ADJOURNMENT**

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**Adjourn**



## JUDICIAL BRANCH BUDGET COMMITTEE

### MINUTES OF OPEN MEETING

Thursday, May 2, 2024

2:30 p.m.

Action by Email Between Meetings

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**Advisory Body Members Present:** Hon. Ann C. Moorman, Chair; Mr. David H. Yamasaki, Vice Chair; Hon. Carin T. Fujisaki; Hon. Brad R. Hill; Hon. Maria Lucy Armendariz; Hon. C. Todd Botke; Hon. Charles S. Crompton;

**Advisory Body Members Absent:** Ms. Rachel W. Hill

**Others Present:** Ms. Angela Cowan

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#### OPEN MEETING

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#### Vote

Voting was opened at 4:08 p.m.

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#### ACTION ITEMS (ITEMS 1-1)

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#### Item 1: State Trial Court Improvement and Modernization Fund (IMF) Allocation Increase for 2023-24 for Judicial Council Legal Services

Consideration of a TCBAC recommendation to increase the 2023-24 IMF allocation for Legal Services to address increased legal support for the trial courts.

*Action: The Judicial Branch Budget Committee voted to approve the allocation of \$2 million to address increased legal support for the trial courts.*

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#### ADJOURNMENT

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Voting closed at 12:00 p.m. on May 3, 2024.

Approved by the advisory body on enter date.



## JUDICIAL BRANCH BUDGET COMMITTEE

### MINUTES OF OPEN MEETING

March 13, 2024

1:00 p.m. – 4:00 p.m.

<https://jcc.granicus.com/player/event/3212>

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**Advisory Body  
Members Present:**

Hon. Ann C. Moorman, Chair; Mr. David H. Yamasaki, Vice Chair; Hon. Carin T. Fujisaki; Hon. Brad R. Hill; Hon. Maria Lucy Armendariz; Hon. C. Todd Bottke; Hon. Charles S. Crompton

**Advisory Body  
Members Absent:**

Ms. Rachel W. Hill

**Others Present:**

Hon. Jonathan B. Conklin, Mr. Adam Dorsey, Mr. Zlatko Theodorovic, Ms. Fran Mueller, Ms. Angela Cowan, Mr. Douglas Denton, and Ms. Oksana Tuk

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#### OPEN MEETING

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**Call to Order and Roll Call**

The chair called the meeting to order at 1:01 p.m. and took roll call.

**Approval of Minutes**

The committee approved the minutes of the February 9, 2024, Judicial Branch Budget Committee (Budget Committee) meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

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**Item 1: California Court Interpreter Workforce Pilot Program (Action Required)**

Consideration of the allocation methodology to implement the California Court Interpreters Workforce Pilot Program.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Mr. Douglas Denton, Principal Manager, Judicial Council Center for Families, Children & the Courts

*Action: The Budget Committee voted to approve the Trial Court Budget Advisory Committee (TCBAC) recommendation on the allocation methodology for the \$6.8 million and implementation of the California Court Interpreter Workforce Pilot Program, for consideration by the Judicial Council at its May 17, 2024, business meeting.*

**Item 2: Trial Court Minimum Operating and Emergency Fund Balance Policy (Action Required)**

Consideration of the continued suspension of the trial court Minimum Operating and Emergency Fund Balance Policy.



Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

*Action: The Budget Committee voted to approve the following TCBCAC recommendations to be considered by the Judicial Council at its May 17, 2024, business meeting:*

- *Extend the suspension of the minimum operating and emergency fund balance policy for two fiscal years until June 30, 2026. This will provide additional time to determine the impact of the proposals included in the 2024–25 Governor’s Budget on trial court operations and emergency funding levels.*
- *Request the Funding Methodology Subcommittee consider if the minimum operating and emergency fund balance policy, which has been suspended since 2012–13, should be repealed at a future time based on enactment of the proposed changes to the state-level emergency reserve and fund balance cap included in the 2024–25 Governor’s Budget.*

**Item 3: 2025–26 Judicial Branch Budget Change Concepts (Action Required)**

Review of 2025–26 Budget Change Concepts for the judicial branch.

Presenter(s)/Facilitator(s): Hon. Ann C. Moorman, Chair, Judicial Branch Budget Committee

*Action: No action taken.*

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**INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Info 1: Update on the 2024–25 Governor’s Budget**

Informational update on the 2024–25 Governor’s Budget and state revenue projections.

Presenter(s)/Facilitator(s): Mr. Zlatko Theodorovic, Director, Judicial Council Budget Services

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 2:57 p.m.

Approved by the advisory body on enter date.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2024–25

**Date:** 5/16/2024

**Contact:** Heather Staton, Senior Analyst, Judicial Council Budget Services  
916-643-8026 | heather.staton@jud.ca.gov

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**Issue**

Consider the recommendation from the Trial Court Budget Advisory Committee for the 2024–25 allocations from the IMF for consideration by the Judicial Council at its July 12, 2024, business meeting.

The total allocation requested for 2024–25 is \$46.6 million (Attachment 1A, Column G, Row 33), which is a decrease of approximately \$1.5 million from the prior year.

The proposed allocations requested by Judicial Council offices represent known operational needs for each existing program funded by the IMF.

**Proposed 2024–25 Allocations**

The proposed 2024–25 IMF allocations for various Judicial Council offices are detailed in Attachment 1A. Attachment 1B provides narrative descriptions of the programs receiving IMF funding allocations. Attachment 1C displays the IMF Fund Condition Statement. Based on current revenue estimates, the fund is estimated to have a sufficient balance to fund the requested allocations (Attachment 1C, Column R, Row 25).

Additionally, as approved by the Judicial Council at its June 24, 2016, business meeting, the IMF retains a reserve of \$2 million to protect against possible declines in revenue. The reserve is available for expenditure, if needed, to support program operations.<sup>1</sup> It is not expected to be needed to support the 2024–25 allocation recommendations.

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Allocations: Fiscal Year 2016–2017 Allocations from Trial Court Trust Fund and State Trial Court Improvement and Modernization Fund* (June 13, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4496693&GUID=FE6C1F1D-A68F-4CB8-B4E7-0596B5A59994>; Judicial Council of Cal. mins. (July 29, 2016), <https://jcc.legistar.com/View.ashx?M=M&ID=463476&GUID=26AF2EFA-74F7-4F01-AE8D-2A556C3986CD>.

## **Descriptions of Proposed 2024–25 Allocation Requests by Judicial Council Offices**

1. **Audit Services** – Conducts operational audits and risk assessments and recommends improvements to all judicial branch entities.

*Approve an allocation of \$399,000—an increase of \$27,000 from the 2023–24 allocation.*

- a. The allocation is for conducting performance and compliance audits of the 58 trial courts.
- b. The adjustment is due to increased staffing and rent costs.

2. **Branch Accounting and Procurement** – Supports the trial courts’ financial and human resources Phoenix System.

*Approve an allocation of \$302,000—an increase of \$10,000 from the 2023–24 allocation.*

- a. The allocation is to provide two staff, one in the treasury and one in the accounting sections, as well as contract-related services to produce statewide leveraged procurement agreements.
- b. The adjustment is due to increased staffing and rent costs.

3. **Business Management Services** – Supports the judicial branch’s research, data, and analytic programs and manages the Temporary Assigned Judges Program.

*Approve an allocation of \$9,000—no change from the 2023–24 allocation.*

- a. The allocation is for the Data Analytics Advisory Committee meeting expenses for court personnel and judges related to workload studies.

4. **Budget Services** – Supports meetings of various committees and subcommittees as they relate to trial court funding, policies, and other issues.

*Approve an allocation of \$18,000—a decrease of \$17,000 from the 2023–24 allocation.*

- a. The allocation is for the TCBAC and subcommittee meetings and annual Revenue Distribution and Collections Reporting Template trainings.
- b. The adjustment reflects a hybrid approach to in-person and remote meetings and trainings.

5. **Center for Families, Children & the Courts** – Supports various programs within the courts for litigants.

*Approve an allocation of \$5.4 million—a decrease of \$866,000 from the 2023–24 allocation.*

- a. The allocation is for providing Domestic Violence forms in languages other than English to all courts; enabling all courts to use Hotdocs Document Assembly applications while filing documents; providing court-based

assistance to self-represented litigants; supporting the Beyond the Bench conference, Child & Family Focused Education Conference, and Youth Summit; providing funding for legal services agencies and their court partners to represent indigent persons; updating the Self-represented Litigants Statewide Support Program and expanding the Self-Help Guide to the California Courts, on the public website of the judicial branch; and recruiting new interpreters.

- b. The \$5 million for self-help centers constitutes the majority of the allocation. Provisional language in the budget requires unspent funds for self-help to revert to the General Fund.
- c. The \$866,000 decrease is due to the Shriver Civil Counsel Program *cy prè*s funding. This funding is the remaining balance from class action lawsuits collected in 2019–20. Minor revenue deposits have continued to be collected related to lawsuits from that year.

**6. Center for Judicial Education and Research (CJER)** – Provides education to judges, court leaders, court staff, faculty, managers, supervisors, and lead staff.

*Approve an allocation of \$2.2 million—an increase of \$689,000 from the 2023–24 allocation.*

- a. The allocation is for faculty development, participant expenses, training for court leaders, the Court Clerk Training Institute, and newly elected or appointed judges and subordinate judicial officers’ education programs.
- b. The adjustment is due to increases in enrollment coupled with rising costs for travel and catering associated with in-person judicial trainings. In 2023–24, CJER’s training enrollment doubled from the previous year (118 participants in 2022–23 to 275 participants in 2023–24). To ensure that new judges comply with the requirements of California Rules of Court, rule 10.462, CJER is expanding required new judge education offerings.
- c. In 2025–26, CJER anticipates adding two Judicial Colleges, which will increase future allocation requests.

**7. Criminal Justice Services** – Supports the Judicial Council’s Criminal Jury Instructions Advisory Committee.

*Approve an allocation of \$9,000—no change from the 2023–24 allocation.*

- a. The allocation is for the criminal portion of the jury instructions and is self-funded by royalties generated from their sales.

**8. Human Resources** – Supports the Trial Court Labor Relations Academy and Forum to assist trial court staff in addressing various labor issues.

*No allocation was requested for 2024–25, which results in a decrease of \$23,000 from the 2023–24 allocation.*

- a. The Academy and Forum is held every other year. No Academy and Forum is scheduled in 2024–25; therefore, funding is not needed.

**9. Information Technology** – Supports information technology systems for the 58 trial courts.

*Approve an allocation of \$33.6 million—a net decrease of \$1.3 million from the 2023–24 allocation, which includes a reduction of \$721,000 in authority related to one-time funding that has expired.*

- a. The allocation is for the Data Center and Cloud Service to host services for the 58 California trial courts, the appellate courts, and the Supreme Court; the distribution and mandated reporting of uniform civil fees collected by the 58 trial courts; the California Courts Protective Order Registry; development and support of a standardized level of network infrastructure for the trial courts; the Enterprise Policy & Planning program, which provides a variety of Oracle products to the courts; data integration; and the Jury Management System.
- b. The majority of the adjustment is due to an estimated \$1.5 million in savings for the Enterprise Policy & Planning programs as a result of new contracts and operational efficiencies, which is offset by cost increases of \$932,000 due to additional staffing and rent costs.

**10. Legal Services** – Supports the Judicial Council staff divisions and the courts, manages litigation for the branch, and is responsible for maintaining the California Rules of Court and Judicial Council forms and supporting the Judicial Council’s Civil Jury Instructions Advisory Committee.

*Approve an allocation of \$2.7 million—a decrease of \$131,000 from the 2023–24 allocation.*

- a. The allocation is for the Regional Office Assistance Group of Legal Services to provide direct services to the trial courts and for the civil portion of the Jury Instructions, which is self-funded by royalties generated from their sales.
- b. Legal support and settlement costs in the Litigation Management Program (LMP) for the trial courts have increased during the past several years. A one-time \$2 million IMF allocation request for 2023–24 will be considered by the Judicial Council at its May 17, 2024, business meeting to address the program’s immediate needs. Because these increases are expected to continue, an allocation of \$1.7 million is requested for 2024–25 to supplement the General Fund appropriation for the LMP. Legal Services will evaluate program costs and available resources to determine if a future budget change proposal is needed to ensure the program is adequately funded.

**11. Leadership Support Services** – Supports trial court judicial officers for the Commission on Judicial Performance defense master insurance policy.

*Approve an allocation of \$2 million—an increase of \$49,000 from the 2023–24 allocation.*

- a. The allocation is for the Judicial Performance Defense Insurance program, which is used to pay the insurance premium for trial court judges and judicial officers for the Commission on Judicial Performance defense master insurance policy.
- b. The adjustment is due to increased premiums, staffing costs, and rent expenditures.

**Recommendation**

The following recommendation from the Trial Court Budget Advisory Committee is presented to the Judicial Branch Budget Committee for consideration:

1. Approve a total of \$46.6 million in allocations for 2024–25 from the IMF for consideration by the Judicial Council, at its business meeting on July 12, 2024.

**Attachments**

**Attachment A:** *Judicial Council of California Approved 2023–24 and Proposed 2024–25 Allocations, State Trial Court Improvement and Modernization Fund, State Operations and Local Assistance Appropriations*

**Attachment B:** *State Trial Court Improvement and Modernization Fund Summary of Programs*

**Attachment C:** *State Trial Court Improvement and Modernization Fund Fund Condition Statement April 2024*

**Judicial Council of California**  
**Approved 2023-24 and Proposed 2024-25 Allocations**  
**State Trial Court Improvement and Modernization Fund**  
**State Operations and Local Assistance Appropriations**

#	Program Name and Adjustments	Office	2023-24 Allocations	Recommended 2024-25 Allocations			\$ Change from 2023-24	% Change from 2023-24
			Judicial Council Approved Allocations	State Operations	Local Assistance	Total		
A	B	C	D	E	F	G = (E + F)	H = (G - D)	I = (H/D)
1	Audit Services	AS	\$ 372,000	\$ 399,000	\$ -	\$ 399,000	\$ 27,000	7.3%
2	Trial Court Master Agreements	BAP	182,000	197,000	-	197,000	15,000	8.2%
3	Treasury Services - Cash Management	BAP	110,000	105,000	-	105,000	(5,000)	-4.5%
4	Data Analytics Advisory Committee	BMS	9,000	-	9,000	9,000	-	0.0%
5	Budget Focused Training and Meetings	BS	25,000	-	13,000	13,000	(12,000)	-48.0%
6	Revenue Distribution Training	BS	10,000	-	5,000	5,000	(5,000)	-50.0%
7	Domestic Violence Forms Translation	CFCC	17,000	-	17,000	17,000	-	0.0%
8	Interactive Software - Self-Rep Electronic Forms	CFCC	60,000	-	60,000	60,000	-	0.0%
9	Self-Help Center	CFCC	5,000,000	-	5,000,000	5,000,000	-	0.0%
10	Statewide Multidisciplinary Education	CFCC	67,000	-	67,000	67,000	-	0.0%
11	Shriver Civil Counsel- cy près Funding	CFCC	893,000	-	27,000	27,000	(866,000)	-97.0%
12	Statewide Support for Self-Help Programs	CFCC	100,000	-	100,000	100,000	-	0.0%
13	Court Interpreter Testing etc.	CFCC	143,000	-	143,000	143,000	-	0.0%
14	CJER Faculty	CJER	48,000	-	48,000	48,000	-	0.0%
15	Essential Court Management Education	CJER	40,000	40,000	-	40,000	-	0.0%
16	Essential Court Personnel Education	CJER	130,000	-	130,000	130,000	-	0.0%
17	Judicial Education	CJER	1,284,000	-	1,973,000	1,973,000	689,000	53.7%
18	Jury System Improvement Projects	CJS	9,000	9,000	-	9,000	-	0.0%
19	Trial Court Labor Relations Academies and Forums	HR	23,000	-	-	-	(23,000)	-100.0%
20	Data Center and Cloud Service	IT	6,686,000	2,526,000	4,957,000	7,483,000	797,000	11.9%
21	Uniform Civil Filing Services	IT	402,000	472,000	-	472,000	70,000	17.4%
22	California Courts Protective Order Registry (CCPOR)	IT	955,000	451,000	569,000	1,020,000	65,000	6.8%
23	Telecommunications	IT	14,500,000	-	14,500,000	14,500,000	-	0.0%
24	Enterprise Policy & Planning (Statewide Planning and Dev Support)	IT	3,544,000	1,063,000	969,000	2,032,000	(1,512,000)	-42.7%
25	Data Integration	IT	1,696,000	810,000	972,000	1,782,000	86,000	5.1%
26	Jury Management System	IT	665,000	-	600,000	600,000	(65,000)	-9.8%
27	Telecom	IT	5,681,000	1,297,000	4,384,000	5,681,000	-	0.0%
28	Digitizing Court Records	IT	721,490	-	-	-	(721,490)	-100.0%
29	Jury System Improvement Projects	LS	10,000	-	10,000	10,000	-	0.0%
30	Regional Office Assistance Group	LS	861,000	1,030,000	-	1,030,000	169,000	19.6%
31	Litigation Management Program <sup>1</sup>	LS	2,000,000	1,700,000	-	1,700,000	(300,000)	-15.0%
32	Judicial Performance Defense Insurance	LSS	1,931,000	2,000	1,978,000	1,980,000	49,000	2.5%
	<b>Total</b>		<b>\$ 48,174,490</b>	<b>\$ 10,101,000</b>	<b>\$ 36,531,000</b>	<b>\$ 46,632,000</b>	<b>\$ (1,542,490)</b>	<b>-3.2%</b>

<sup>1</sup> Current year allocation request for this item is currently being routed simultaneously through the committee process with the 2024-25 IMF Allocation Request.

Totals by Office		Office	Judicial Council Approved Allocations	State Operations	Local Assistance	Total	\$ Change from 2023-24	% Change from 2023-24
Legend	C	D	E	F	G = (E + F)	H = (G - D)	I = (H/D)	
34	Audit Services	AS	\$ 372,000	\$ 399,000	\$ -	\$ 399,000	\$ 27,000	7.3%
35	Branch Accounting and Procurement	BAP	292,000	302,000	-	302,000	10,000	3.4%
36	Business Management Services	BMS	9,000	-	9,000	9,000	-	0.0%
37	Budget Services	BS	35,000	-	18,000	18,000	(17,000)	-48.6%
38	Center for Families, Children & the Courts	CFCC	6,280,000	-	5,414,000	5,414,000	(866,000)	-13.8%
39	Center for Judicial Education and Research	CJER	1,502,000	40,000	2,151,000	2,191,000	689,000	45.9%
40	Criminal Justice Services	CJS	9,000	9,000	-	9,000	-	100.0%
41	Human Resources	HR	23,000	-	-	-	(23,000)	-100.0%
42	Information Technology	IT	34,850,490	6,619,000	26,951,000	33,570,000	(1,280,490)	-3.7%
43	Legal Services	LS	2,871,000	2,730,000	10,000	2,740,000	(131,000)	-4.6%
44	Leadership Services	LSS	1,931,000	2,000	1,978,000	1,980,000	49,000	100.0%
	<b>Total Allocations</b>		<b>\$ 48,174,490</b>	<b>\$ 10,101,000</b>	<b>\$ 36,531,000</b>	<b>\$ 46,632,000</b>	<b>\$ (1,542,490)</b>	<b>-3.2%</b>

**State Trial Court Improvement and Modernization Fund  
Summary of Programs**

Row #	Program Name	Office	Program Description
A	B	C	D
1	Audit Services	AS	Conducts performance and compliance audits of the state's 58 trial courts per the annual audit plan.
2	Trial Master Agreements	BAP	Pays for personal services, phone services, and rent allocation for one position in Branch Accounting and Procurement to provide contract related services for the production of statewide leveraged procurement agreements.
3	Treasury Services - Cash Management	BAP	Is used for the compensation, operating expenses and equipment costs for two accounting staff.
4	Data Analytics Advisory Committee	BMS	Pays for meeting expenses of the Data Analytics Advisory Committee and travel expenses for court personnel and judges related to workload studies.
5	Budget Focused Training and Meetings	BS	Supports meetings of the Trial Court Budget Advisory Committee and associated subcommittees on the preparation, development, and implementation of the budget for trial courts and provides input to the Judicial Council on policy issues affecting trial court funding.
6	Revenue Distribution Training	BS	Pays for annual training on revenue distribution to all the collection programs as well as annual Collection Reporting Templates training.
7	Domestic Violence Forms Translation	CFCC	Makes available to all courts, translation of domestic violence protective order forms in languages other than English. Since 2000, these forms have been translated into Spanish, Vietnamese, Chinese and Korean based on data from various language needs studies.
8	Interactive Software - Self-Rep Electronic Forms	CFCC	Enables all courts to use Hotdocs Document Assembly applications, which present court users with a Q&A format that automatically populates fields across all filing documents.
9	Self-Help Center	CFCC	Provides court-based assistance to self-represented litigants.
10	Statewide Multidisciplinary Education	CFCC	Supports the biannual Beyond the Bench conference, biannual Child & Family Focused Education Conference and annual Youth Summit.
11	Shriver Civil Counsel- Cy Pres Funding	CFCC	Provides funding for legal services agencies and their court partners to provide representation to indigent persons in cases involving housing, child custody, guardianship, conservatorships, and domestic violence.
12	Statewide Support for Self-Help Programs	CFCC	Updates and expands the Self-Help Guide to the California Courts on the public website of the judicial branch and facilitates the translation of over 50 Judicial Council forms that are used regularly by self-represented litigants.
13	Court Interpreter Testing etc.	CFCC	Pays for the testing, orientation, and recruitment of new interpreters.
14	CJER Faculty	CJER	Pays for lodging, meals, and travel for faculty development participants. Primarily, this program supports development of pro bono judge and court staff faculty who will teach all CJER programs for the trial courts.
15	Essential Court Management Education	CJER	Includes national and statewide training for court leaders, including Institute for Court Management (ICM) courses, CJER Core 40 and Core 24 courses, and other local and regional courses for managers, supervisors and lead staff.
16	Essential Court Personnel Education	CJER	Includes the Court Clerks Training Institute - courtroom and court legal process education in civil, traffic, criminal, probate, family, juvenile, appellate as well as regional and local court personnel courses and the biennial Trial Court Judicial Attorneys Institute.
17	Judicial Education	CJER	Includes programs for all newly elected or appointed judges and subordinate judicial officers required by California Rule of Court, rule 10.462 (c)(1) to complete the new judge education programs offered by CJER; Judicial Institutes, courses for experienced judges; and programs for presiding judges, court executive officers, and supervising judges.
18, 30	Jury System Improvement Projects	CJS	Provides financial support for efforts to improve the jury system. Funds in this account are generated by royalties from sales of criminal and civil jury instructions deposited according to the Government Code.
19	Trial Court Labor Relations Training	HR	Updated by the Judicial Council's Human Resources office to align with its biennial funding model, includes a one-day, in-person session in spring for seasoned court professionals in labor relations, focusing on current trends and strategies. The funding allocation will be used to pay for conference rooms, materials, lunch for participants, and lodging for trial court attendees on a limited basis. Additionally, a three-day virtual Labor Relations Academy I is held annually in summer, aimed at court managers and human resources staff new to labor negotiations. This program reflects a comprehensive effort to enhance trial court employees' skills and knowledge in the field of labor relations within the judicial branch.



**State Trial Court Improvement and Modernization Fund  
Summary of Programs**

Row #	Program Name	Office	Program Description
A	B	C	D
20	Data Center and Cloud Service (formerly CCTC and/or CCTC Operations)	IT	<p>The CCTC hosts some level of services for the 58 California superior courts, all the Courts of Appeal and the Supreme Court and has over 10,000 supported users. Major installations in the CCTC include the following:</p> <ul style="list-style-type: none"> <li>• Appellate Court Case Management System (ACCMS)</li> <li>• California Court Protective Order Registry (CCPOR)</li> <li>• Phoenix - Trial Court Financial and Human Resources System</li> <li>• Interim Case Management System (ICMS)</li> <li>• Computer aided facilities management (CAFM) system</li> <li>• Civil, Small Claims, Probate, and Mental Health Trial Court Case Management System (V3)</li> <li>• Integration Services Backbone (ISB)</li> </ul> <p>This program provides consistent, cost effective, and secure hosting services, including ongoing maintenance and operational support, data network management, desktop computing and local server support, tape back-up and recovery, help desk services, email services, and a disaster recovery program.</p>
21	Uniform Civil Filing Services	IT	<p>Supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of \$52 million distributed per month. The system generates reports for the State Controller's Office and various entities that receive the distributed funds. Over 200 fee types are collected by each court, distributed to 31 different entities (e.g., Trial Court Trust Fund, county, Equal Access Fund, law library), requiring 65,938 corresponding distribution rules that are maintained by UCFS. UCFS benefits the public by minimizing the amount of penalties paid to the state for incorrect or late distributions and ensuring that the entities entitled to a portion of the civil fees collected, as mandated by law, receive their correct distributions.</p>
22	California Courts Protective Order Registry (CCPOR)	IT	<p>As a statewide repository of protective orders, contains both data and scanned images of orders that can be accessed by judges, court staff, and law enforcement officers. CCPOR allows judges and law enforcement officers to view orders issued by other court divisions and across county lines.</p>
23, 27	Telecommunications Support	IT	<p>This program develops and supports a standardized level of network infrastructure for the California superior courts. This infrastructure provides a foundation for local systems (email, jury, CMS, VOIP, etc.) and enterprise system applications such as Phoenix, via shared services at the CCTC provides operational efficiencies, and secures valuable court information resources.</p>
24	Enterprise Policy & Planning (Statewide Planning and Dev Support)	IT	<p>Provides the trial courts access to a variety of Oracle products (e.g., Oracle Enterprise Database, Real Application Clusters, Oracle Security Suite, Oracle Advanced Security, Diagnostic Packs, Oracle WebLogic Application Server) without cost to the courts.</p>
25	ISB Support (Data Integration)	IT	<p>Provides system interfaces between Judicial Council systems and the computer systems of our justice partners, such as courts, law enforcement agencies, the Department of Justice, and others. Without the Integrated Services Backbone (ISB), the current systems for sharing protective orders, for example, would not function.</p>
26	Jury Management System	IT	<p>The allocation for the Jury Program is used to distribute funds to the trial courts in the form of grants to improve court jury management systems. All trial courts are eligible to apply for the jury funding. The number of courts receiving grants varies according to the amount of grant funding available and the number of jury grant requests received.</p>
29	Jury System Improvement Projects	LS	<p>This program is related to Jury Instructions and is a "self-funding" PCC. Funds in this account are generated by royalties generated from sales of criminal and civil jury instructions. The funds are deposited pursuant to the Government Code.</p>
30	Regional Office Assistance Group	LS	<p>Pays for attorneys and support personnel to provide direct legal services to the trial courts in the areas of transactions/business operations, legal opinions, ethics, and labor and employment law.</p>
31	Litigation Management Program	LS	<p>Provides for the defense and indemnification of all judicial branch entities, their bench officers, and their employees. Defense of these parties is for government claims, prelitigation claims, and litigation, as well as for various risk-reduction measures, as required by Government Code sections 810-811.9, 825-825.6, 900.3, and 995-996.6 and California Rules of Court, rules 10.201 and 10.202.</p>
32	Judicial Performance Defense Insurance	LSS	<p>Pays the insurance premium for trial court judges and judicial officers for the Commission on Judicial Performance (CJP) defense master insurance policy and associated costs to provide for online enrollment and submission of compliance information. The program (1) covers defense costs in CJP proceedings related to CJP complaints; (2) protects judicial officers from exposure to excessive financial risk for acts committed within the scope of their judicial duties, and (3) lowers the risk of conduct that could lead to complaints through required ethics training for judicial officers.</p>

**State Trial Court Improvement and Modernization Fund**  
**Fund Condition Statement**  
**April 2024**

Updated: April 30, 2024

#	Description	2020-21	2021-22	2022-23	Estimated		
		(Year-End Financial Statement)	(Year-End Financial Statement)	(Year-End Financial Statement)	2023-24	2024-25	2025-26
		A	B	C	D	E	E
1	Beginning Balance	21,152,288	16,886,288	23,242,054	38,128,109	32,236,659	28,490,659
2	Prior-Year Adjustments	2,422,000	8,176,338	8,638,611	-3,200,000	0	0
3	<b>Adjusted Beginning Balance</b>	<b>23,574,288</b>	<b>25,062,626</b>	<b>31,880,665</b>	<b>34,928,109</b>	<b>32,236,659</b>	<b>28,490,659</b>
4	<b>REVENUES<sup>1</sup>:</b>						
5	Jury Instructions Royalties	466,000	538,154	429,853	576,000	560,000	560,000
6	Interest from Surplus Money Investment Fund	242,000	210,218	1,550,086	1,727,000	1,296,000	1,037,000
7	Escheat-Unclaimed Checks, Warrants, Bonds	65,000	0	1,000	1,000	1,000	1,000
8	50/50 Excess Fines Split Revenue	7,288,250	4,986,200	7,504,000	2,863,000	2,720,000	2,584,000
9	2% Automation Fund Revenue	7,925,750	8,455,157	8,327,104	8,479,000	8,394,000	8,394,000
10	Other Revenues/State Controller's Office Adjustments	366,000	285,925	171,078	20,000	2,000	2,000
11	Class Action Residue	911,000	952,317	329,186	0	0	0
12	<b>Subtotal Revenues</b>	<b>17,264,000</b>	<b>15,428,439</b>	<b>18,311,387</b>	<b>13,666,000</b>	<b>12,973,000</b>	<b>12,578,000</b>
13	<b>Transfers and Other Adjustments</b>						
14	To Trial Court Trust Fund (Gov. Code, § 77209(j))	-13,397,000	-13,397,000	-13,397,000	-13,397,000	-13,397,000	-13,397,000
15	To Trial Court Trust Fund (Budget Act)	-594,000	-594,000	-594,000	-594,000	-594,000	-594,000
16	General Fund Transfer (Gov. Code, § 20825.1)		-270,000	0	0	0	0
17	<b>Total Revenues, Transfers, and Other Adjustments</b>	<b>3,273,000</b>	<b>1,167,439</b>	<b>4,320,387</b>	<b>-325,000</b>	<b>-1,018,000</b>	<b>-1,413,000</b>
18	<b>Total Resources</b>	<b>26,847,288</b>	<b>26,230,065</b>	<b>36,201,052</b>	<b>34,603,109</b>	<b>31,218,659</b>	<b>27,077,659</b>
19	<b>EXPENDITURES:</b>						
20	Judicial Branch Total State Operations	4,635,000	5,217,956	5,319,495	8,184,400	10,101,000	8,733,000
21	Judicial Branch Total Local Assistance	47,825,000	44,734,883	36,857,436	38,283,050	36,531,000	36,859,000
22	Pro Rata and Other Adjustments	289,000	307,171	180,012	117,000	314,000	314,000
23	Less funding provided by General Fund (Local Assistance)	-42,788,000	-47,272,000	-44,284,000	-44,218,000	-44,218,000	-44,218,000
24	<b>Total Expenditures and Adjustments</b>	<b>9,961,000</b>	<b>2,988,011</b>	<b>-1,927,057</b>	<b>2,366,450</b>	<b>2,728,000</b>	<b>1,688,000</b>
25	<b>Fund Balance</b>	<b>16,886,288</b>	<b>23,242,054</b>	<b>38,128,109</b>	<b>32,236,659</b>	<b>28,490,659</b>	<b>25,389,659</b>
26	<b>Fund Balance - less restricted funds</b>	<b>12,775,459</b>	<b>19,677,611</b>	<b>35,864,950</b>	<b>30,072,500</b>	<b>26,376,500</b>	<b>23,275,500</b>
27	<b>Structural Balance</b>	<b>-6,688,000</b>	<b>-1,820,572</b>	<b>6,247,444</b>	<b>-2,691,450</b>	<b>-3,746,000</b>	<b>-3,101,000</b>

<sup>1</sup> Revenue estimates are as of 2024-25 Governor's Budget

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** 2024–25 Allocations From the Trial Court Trust Fund (TCTF) and Trial Court Allocations

**Date:** 5/16/2024

**Contact:** Oksana Tuk, Senior Analyst, Judicial Council Budget Services  
916-643-8027 | [oksana.tuk@jud.ca.gov](mailto:oksana.tuk@jud.ca.gov)

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**Issue**

Government Code section 68502.5(c)(2)(A) requires the Judicial Council to make a preliminary allocation to the trial courts in July and to finalize allocations in January of each fiscal year. The Trial Court Budget Advisory Committee (TCBAC) recommends the 2024–25 TCTF and General Fund (GF) allocations for the trial courts for consideration by the Judicial Branch Budget Committee (Budget Committee) and then the Judicial Council at its July 12, 2024, business meeting.

**CPI Funding and Definition of “New Money”**

At its January 12, 2018, business meeting, the Judicial Council approved new policy parameters for the Workload Formula (WF) that specifically addressed how new money included in the budget is to be allocated in the WF, including the definition of “new money”:

[A]ny new ongoing allocation of general discretionary dollars to support costs of trial court workload, excluding funding for benefits and retirement increases.<sup>1</sup>

In fiscal years 2021–22, 2022–23, and 2023–24, the budget included a Consumer Price Increase (CPI) adjustment to address trial court operational cost increases due to inflation. This funding was intended to benefit all courts. Therefore, it was not allocated per WF methodology, but rather it was allocated proportionally based on applying the CPI percentage increase to the prior year’s WF allocation for each court in each respective fiscal year. By allocating the CPI increases in that manner, the council did not specifically address whether the CPI increases, on their own, meet the definition of “new money.”

CPI increases have been included in the budget only in recent years. The 2024–25 proposed Governor’s Budget does not include a CPI adjustment or any other new funding for the trial courts due to the state’s projected fiscal deficit. Inquiries from trial courts have raised the issue

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Workload-Based Allocation and Funding Methodology* (January 12, 2018), p. 9, <https://jcc.legistar.com/View.ashx?M=F&ID=5722980&GUID=EB419556-68BE-4685-A012-6A8D8502A126>.

of whether CPI adjustments should be considered “new money” for the purpose of allocating funding via the WF methodology.

Those inquiries resulted in a discussion at the Funding Methodology Subcommittee (FMS) meeting on March 7, 2024. The FMS recommended that CPI funding included in the budget to address inflationary costs for the trial courts should not be considered “new money” for the purpose of allocating funding via the WF and, therefore, the definition of “new money” in the policy should be revised to exclude CPI funding.<sup>2</sup> The TCBAC concurred with all FMS recommendations at its May 1, 2024 meeting.<sup>3</sup>

### **Funding Reallocation in Fiscal Years With “No New Money”**

At its January 17, 2020, business meeting, the council approved recommendations to make technical refinements to the WF policy parameters. Specifically, the allocation of funding for every second year in which no new money was included in the budget was now based on the beginning WF allocations, distributed to courts via distance from the statewide average and size based on WF need, in the following sequence:

1. Up to a 1 percent reduction for courts above the 2 percent band to courts below the 2 percent band.
2. Up to a 2 percent reduction for courts above 105 percent of funding need to courts below the 2 percent band.
3. Courts above 105 percent of funding need will not fall below 104 percent of funding need.
4. Courts that penetrate into the band following the up-to-1-percent reallocation will not be eligible for additional funding from the 2 percent reallocation from courts above 105 percent of funding need.<sup>4</sup>

Since the WF was implemented in 2018–19, there have been no instances of the reallocation of funding due to a second year of no new money being included in the budget. The funding reallocation of \$7.2 million for 2024–25 was calculated based on the above steps and is displayed in Attachment 2B, columns E and F.

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<sup>2</sup> Judicial Council of Cal., TCBAC Funding Methodology Subcommittee meeting materials (Mar. 7, 2024), [www.courts.ca.gov/documents/tcbac-20240307-fms-materials.pdf](http://www.courts.ca.gov/documents/tcbac-20240307-fms-materials.pdf).

<sup>3</sup> Judicial Council of Cal., TCBAC meeting materials (May 1, 2024), [www.courts.ca.gov/documents/tcbac-20240307-fms-materials.pdf](http://www.courts.ca.gov/documents/tcbac-20240307-fms-materials.pdf).

<sup>4</sup> Judicial Council of Cal., Advisory Com. Rep. (January 17, 2020), p. 2, <https://jcc.legistar.com/View.ashx?M=F&ID=7976128&GUID=DC14BAC5-0079-4C0C-A0E6-52C7EC068BB0>.

## **Base, Discretionary, and Nondiscretionary Programs**

1. Program 0140010 – Judicial Council
  - a. Allocation recommendations<sup>5</sup> for Judicial Council staff of \$4 million (Attachment 2A, column J, line 29).
2. Program 0150010 – Support for Operation of the Trial Courts
  - a. TCTF allocation of \$2.8 billion (Attachment 2B, column W).
  - b. New allocations of:
    - i. \$35.6 million for non-court interpreter benefits cost change for 2024–25 (Attachment 2B, column D); and
    - ii. \$7.2 million in funding reallocation (Attachment 2B, columns E and F).
  - c. Allocation recommendation for support for operation of the trial courts of \$48.7 million (Attachment 2A, column J, line 30).
3. Program 0150011 – Court-Appointed Dependency Counsel
  - a. An allocation of \$186.7 million for Court-Appointed Dependency Counsel (Attachment 2A, column J, line 31).
    - i. This item is included as a single amount; the detail is presented under Item 6 of this meeting’s agenda.
4. Program 0150010 – Pretrial Services
  - a. An allocation of \$68.9 million for pretrial services (Attachment 2B, column V).
    - i. This item is included as a single amount; the detail is presented under Item 7 of this meeting’s agenda.
5. Program 0150010 – Community Assistance, Recovery, and Empowerment (CARE) Act
  - a. An allocation of \$52.7 million for the CARE Act (Attachment 2B, column L).
    - i. This item is included as a single amount; the detail is presented under Item 4 of this meeting’s agenda.
6. Program 0150037 – Court Interpreters
  - a. An allocation recommendation of \$87,000 for the Court Interpreter Data Collection System (Attachment 2A, column J, line 32).
7. Program 0150095 – Expenses on Behalf of the Trial Courts
  - a. An allocation recommendation of \$26.6 million for expenditures incurred by the Judicial Council on behalf of the trial courts (Attachment 2A, column J, line 33).

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<sup>5</sup> Judicial Council of Cal., TCBAC meeting materials (May 1, 2024), <https://www.courts.ca.gov/documents/tcbac-20240501-materials.pdf>.

### **Trial Court Trust Fund**

\$50.0 million from the TCTF for support for operation of the trial courts (Attachment 2B, column B). The \$50.0 million allocation was previously funded by the State Court Facilities Construction Fund (SCFCF). However, the TCTF is supporting this allocation since 2023–24 to allow for solvency of the SCFCF.

### **General Fund**

\$68.8 million GF for trial court employee benefits (Attachment 2B, column U).

### **2024–25 Workload Formula Allocation**

The 2024–25 WF allocation includes allocations, revenues, and adjustments of \$2.6 billion (Attachment 2C, column Y). The allocations are preliminary at this time and there may be technical adjustments as needed.

Changes to the prior year WF allocation include:

- a. A reduction to the subordinate judicial officer allocation totaling –\$2.2 million (Attachment 2C, column M);
- b. An increase of \$193,000 in Automated Recordkeeping and Micrographics collections from 2021–22 to 2022–23 (Attachment 2C, column N);
- c. 2024–25 non-interpreter benefit cost changes resulting in an increase of \$35.6 million (Attachment 2C, column O);
- d. Criminal Justice Realignment funding of \$9.2 million (Attachment 2C, column P);
- e. 2022–23 revenues collected totaling \$50.7 million (Attachment 2C, column Q);<sup>6</sup>
- f. Funding reallocation of \$7.2 million as outlined in the “Funding Reallocation in Fiscal Years with ‘No New Money’” section above (Attachment 2C, columns R and S); and
- g. 2024–25 funding floor adjustment, with all other courts sharing a pro rata adjustment in the funding floor allocation (Attachment 2C, column V). The funding floor adjustment may change based on final appropriations included in the 2024 Budget Act.

### **Resource Assessment Study (RAS) Model Update and Workload Formula**

The 2024–25 RAS model, which is the foundation of the WF, uses the most recent three-year average filings (2020–21, 2021–22, and 2022–23) and caseweights that were approved by the Judicial Council in 2017.<sup>7</sup>

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<sup>6</sup> Includes all other applicable revenue sources as recommended by the Funding Methodology Subcommittee, excluding civil assessment revenue as of 2022–23. Revenue does not reflect an allocation of funding to the trial courts but is used in the calculation of the Workload Formula allocation.

<sup>7</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Courts: Update of Resource Assessment Study Model* (July 28, 2017), <https://jcc.legistar.com/View.ashx?M=F&ID=5338582&GUID=FA2962D0-141A-40D4-B9CA-CB5C2467A49C>.

The Data Analytics Advisory Committee is currently updating the RAS model caseweights and other parameters. The updated model is anticipated to be approved by the Judicial Council in early 2025.

### **Pending Allocations**

Items pending allocation from the Program 0150010 appropriation include the following:

- a. Under Government Code section 77203(b), “a trial court may carry over unexpended funds in an amount not to exceed 3 percent of the court’s operating budget from the prior fiscal year,” effective June 30, 2020. The proposed budget includes trailer bill language to increase the trial court fund balance cap from 3 percent to 5 percent or \$100,000, whichever is greater, to ensure that trial courts have adequate reserve funding to support operational needs and address emergency expenditures.

Because the courts have until July 15, 2024, to provide their preliminary 2023–24 ending fund balances, the preliminary reduction amounts related to trial court reserves above the cap referenced in Government Code section 68502.5(c)(2)(A) will not be available in time to be considered by the TCBAC and the Budget Committee and to make a recommendation to the council for its July 12, 2024, business meeting. Therefore, the TCBAC will consider the final allocation reductions for fund balances above the statutory cap prior to its recommendation to the Budget Committee and the Judicial Council before January 2025.

- b. In 2021–22, an ongoing \$30 million was provided for increasing the number of court reporters in family law and civil cases as well as an ongoing \$7 million to cover the costs associated with increased transcript rates. An update to the funding methodology and allocation recommendation for 2024–25 is being presented to the Budget Committee under Item 8 of this meeting agenda.
- c. Using the council-approved formula, the allocation of funding collected through the dependency counsel collections program will be brought to the TCBAC, Budget Committee, and Judicial Council once final 2023–24 collections are known.
- d. Various revenue distributions as required by statute or as authorized charges for the cost of programs or cash advances.

### **Potential Impacts to Allocations**

- a. Allocation changes may be necessary to the extent there are changes to appropriations and associated language in the 2024 Budget Act.
- b. To address the projected budget shortfall, the proposed budget includes a number of solutions to achieve a balanced budget, one of which is a one-time reversion of \$5 million of the \$10 million available in the Trial Court Emergency Fund. The proposed budget maintains \$5 million to support emergency situations, revenue shortages, or budgetary imbalances. This \$5 million in emergency funding assumes no allocations in 2024–25. If

funding is allocated in 2024–25, courts will need to replenish the funding up to what was allocated by the council from their 2025–26 base allocation.<sup>8</sup>

The projected 2024–25 ending TCTF fund balance is \$147.9 million (Attachment 2D, column F, row 27). Of this amount, approximately \$67.8 million is either statutorily restricted or restricted by the council (Attachment 2D, column F, row 29). The estimated unrestricted fund balance is \$80.1 million (Attachment 2D, column F, row 30). The 2024–25 preliminary allocation requests totaling \$3 billion can be supported by the TCTF based on revenue projections and projected savings in the current year.

### **Recommendation**

The following recommendations from the TCBC and an informational update on RAS filings data related to the WF are presented to the Budget Committee for consideration. These recommendations assume that the funding proposed in the 2024–25 Governor’s Budget will be included in the final 2024 Budget Act.

- Approve the recommendation that CPI funding included in the budget to address inflationary costs for the trial courts is *not* considered “new money” for the purpose of allocating funding via the WF and, therefore, revise the definition of “new money” in the policy to exclude CPI funding.
- Approve base, discretionary, and nondiscretionary program allocations from the TCTF and GF in the amount of \$3.1 billion (Attachment 2B, column AD), including:
  - TCTF allocation of \$50 million for support for operation of the trial courts (Attachment 2B, column B); and
  - GF allocation of \$68.8 million for employee benefits (Attachment 2B, column U).
- As a subset of the \$3.1 billion total allocation, approve a WF allocation of \$2.6 billion based on methodologies approved by the Judicial Council (Attachment 2C, column Y).

### **Attachments**

**Attachment 2A:** Judicial Council of California, Approved 2023–24 and Proposed 2024–25

Allocations, State Operations and Local Assistance, Trial Court Trust Fund

**Attachment 2B:** 2024–25 TCTF Recommended Preliminary Allocations

**Attachment 2C:** 2024–25 Workload Formula Allocations

**Attachment 2D:** Trial Court Trust Fund, Fund Condition Statement

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<sup>8</sup> Judicial Council of Cal., Judicial Branch Budget Committee meeting materials (Mar. 18, 2019), [www.courts.ca.gov/documents/jbbc-20190318-materials.pdf](http://www.courts.ca.gov/documents/jbbc-20190318-materials.pdf).



**Judicial Council of California**  
**Approved 2023-24 and Proposed 2024-25 Allocations**  
**State Operations and Local Assistance**  
**Trial Court Trust Fund**

#	Program Name	Program Number	Office	2023-24 Allocations			Recommended 2024-25 Allocations			\$\$ Change from 2023-24	% Change from 2023-24
				State Operations	Local Assistance	Total Approved Allocations	State Operations	Local Assistance	Total Proposed Allocations		
A	B	C	D	E	F	G (E + F)	H	I	J (H + I)	K (J - G)	L (K / G)
1	SCO Audit - Pilot program per GC 77206 (h)(4)	0150095	AS		\$ 540,000	\$ 540,000		\$ 540,000	\$ 540,000	-	0%
2	California State Auditor Audits	0150010	AS			-		325,000	325,000	325,000	
3	Phoenix Financial Services	0140010	BAP	94,000		94,000	103,000		103,000	9,000	10%
4	Phoenix HR Services	0140010	BAP	1,756,000		1,756,000	1,723,000		1,723,000	(33,000)	-2%
5	Other Post Employment Benefits Valuations	0150095	BAP		530,850	530,850		131,000	131,000	(399,850)	-75%
6	Statewide Support for Collections Programs	0140010	BS	601,000		601,000	597,000		597,000	(4,000)	-1%
7	Jury	0150010	BS		18,700,000	18,700,000		18,700,000	18,700,000	-	0%
8	Elder Abuse	0150010	BS		1,300,000	1,300,000		1,400,000	1,400,000	100,000	8%
9	SCO Administrative Costs per GC 68085(g)	0150010	BS		75,000	75,000		88,000	88,000	13,000	17%
10	Children in Dependency Case Training	0150095	CFCC		113,000	113,000		113,000	113,000	-	0%
11	Sargent Shriver Civil Counsel Pilot Program	0140010	CFCC	1,073,000		1,073,000	780,000		780,000	(293,000)	-27%
12	Sargent Shriver Civil Counsel Pilot Program <sup>1</sup>	0150095	CFCC		15,832,000	15,832,000		21,032,000	21,032,000	5,200,000	33%
13	Equal Access Fund	0140010	CFCC	274,000		274,000	274,000		274,000	-	0%
14	Court-Appointed Dependency Counsel Collections	0140010	CFCC	556,000		556,000	556,000		556,000	-	0%
15	Court-Appointed Dependency Counsel	0150011	CFCC		186,700,000	186,700,000		186,700,000	186,700,000	-	0%
16	Juvenile Dependency Collections Reimbursement	0150010	CFCC		364,976	364,976		350,000	350,000	(14,976)	-4%
17	Self-Help Center	0150010	CFCC		25,300,000	25,300,000		25,300,000	25,300,000	-	0%
18	Screening Equipment Replacement	0150010	FS		2,286,000	2,286,000		2,511,000	2,511,000	225,000	10%
19	Court Interpreters Data Collections System (CIDCS)	0150037	IT	87,000		87,000	87,000		87,000	-	0%
20	Data Center and Cloud Services	0150095	IT		1,372,457	1,372,457		4,611,000	4,611,000	3,238,543	236%
21	Electronic Courts of Appeal Record and Transcripts (eCART) Program	0150095	IT		200,000	200,000		200,000	200,000	-	0%
22	<b>Total Allocations</b>			<b>\$ 4,441,000</b>	<b>\$ 253,314,283</b>	<b>\$ 257,755,283</b>	<b>\$ 4,120,000</b>	<b>\$ 262,001,000</b>	<b>\$ 266,121,000</b>	<b>\$ 8,365,717</b>	<b>3.25%</b>

Totals by Office			State Operations	Local Assistance	Total Approved Allocations	State Operations	Local Assistance	Total Proposed Allocations	\$\$ Change from 2023-24	% Change from 2023-24
Legend			E	F	G (E + F)	H	I	J (H + I)	K (J - G)	L (K / G)
23	Audit Services	AS	\$ -	\$ 540,000	\$ 540,000	\$ -	\$ 865,000	\$ 865,000	\$ 325,000	60.19%
24	Branch Accounting and Procurement	BAP	1,850,000	530,850	2,380,850	1,826,000	131,000	1,957,000	(423,850)	-17.80%
25	Budget Services	BS	601,000	20,075,000	20,676,000	597,000	20,188,000	20,785,000	109,000	0.53%
26	Center for Families, Children and the Courts	CFCC	1,903,000	228,309,976	230,212,976	1,610,000	233,495,000	235,105,000	4,892,024	2.12%
27	Facility Services	FS	-	2,286,000	2,286,000	-	2,511,000	2,511,000	225,000	9.84%
28	Information Technology	IT	87,000	1,572,457	1,659,457	87,000	4,811,000	4,898,000	3,238,543	195.16%
<b>Total Allocations</b>			<b>\$ 4,441,000</b>	<b>\$ 253,314,283</b>	<b>\$ 257,755,283</b>	<b>\$ 4,120,000</b>	<b>\$ 262,001,000</b>	<b>\$ 266,121,000</b>	<b>\$ 8,365,717</b>	<b>3.25%</b>

Totals by Program		State Operations	Local Assistance	Total Approved Allocations	State Operations	Local Assistance	Total Proposed Allocations	\$\$ Change from 2023-24	% Change from 2023-24
Legend		E	F	G (E + F)	H	I	J (H + I)	K (J - G)	L (K / G)
29	Judicial Council (Staff)	\$ 4,354,000	\$ -	\$ 4,354,000	\$ 4,033,000	\$ -	\$ 4,033,000	\$ (321,000)	-7.37%
30	Support for the Operation of the Trial Courts	-	48,025,976	48,025,976	-	48,674,000	48,674,000	648,024	1.35%
31	Court Appointed Dependency Counsel	-	186,700,000	186,700,000	-	186,700,000	186,700,000	-	0.00%
32	Court Interpreters	87,000	-	87,000	87,000	-	87,000	-	0.00%
33	Expenses on Behalf of the Trial Courts	-	18,588,307	18,588,307	-	26,627,000	26,627,000	8,038,693	43.25%
<b>Total Allocations</b>		<b>\$ 4,441,000</b>	<b>\$ 253,314,283</b>	<b>\$ 257,755,283</b>	<b>\$ 4,120,000</b>	<b>\$ 262,001,000</b>	<b>\$ 266,121,000</b>	<b>\$ 8,365,717</b>	<b>3.25%</b>

<sup>1</sup> The allocation increase of \$3.567 million for 2023-24 was approved by Judicial Council at its November 17, 2023 business meeting.



Court	2024-25 OTHER NON-TCTF BASE ALLOCATIONS		2024-25 Total Base Allocation	2024-25 NON-BASE ALLOCATIONS						2024-25 Trial Court Allocation
	GL 816111	GL 816111		GL 812167	GL 832010	GL 834010	GL 834010	GL 832012	Total Non-Base Allocations	
	General Fund Employee Benefits	General Fund Pretrial Funding (Ongoing)		2% Automation Replacement	Self-Help	Court Interpreters Program (CIP) Allocation	CIP Ongoing Benefits	Dependency Counsel Allocation (\$186.7M with Reserve)		
	U	V		W (T+U+V)	X	Y	Z	AA		
Alameda	3,102,046		94,397,405	424,792	1,017,456	5,712,354	179,840		7,334,442	101,731,847
Alpine	20,340		928,706	2,034	34,711	30			36,775	965,481
Amador	51,756		4,410,484	11,006	57,922	65,955			134,883	4,545,367
Butte	124,077		14,865,098	59,332	155,943	266,351			481,626	15,346,724
Calaveras	50,506		3,440,928	18,652	60,856	63,271			142,779	3,583,707
Colusa	24,773		2,473,312	13,708	46,982	131,109			191,800	2,665,111
Contra Costa	1,396,191		53,237,317	218,186	722,449	3,070,353	8,045		4,019,034	57,256,351
Del Norte	94,130		3,939,178	11,208	50,173	41,806			103,187	4,042,365
El Dorado	213,120		9,758,077	54,374	147,338	244,967			446,680	10,204,756
Fresno	3,340,363		65,514,393	181,080	636,326	2,590,473	33,576		3,441,455	68,955,848
Glenn	54,665		3,035,336	19,264	51,119	151,427			221,810	3,257,146
Humboldt	73,084		8,303,687	48,160	114,410	141,233	632		304,434	8,608,122
Imperial	125,539		10,550,221	67,678	140,935	697,507	5,969		912,089	11,462,310
Inyo	75,586		2,701,939	30,402	45,295	66,523			142,220	2,844,158
Kern	3,544,268		67,607,343	277,328	575,261	4,119,621	(9,037)		4,963,173	72,570,516
Kings	45,118		11,195,730	57,026	124,210	660,481	7,693		849,409	12,045,140
Lake	9,123		5,444,817	20,328	74,100	156,981			251,410	5,696,227
Lassen	7,839		2,759,151	20,156	51,816	55,370			127,342	2,886,492
Los Angeles	18,887,968		751,457,407	3,144,530	5,905,041	39,471,576	984,190		49,505,336	800,962,743
Madera	384,825		12,806,601	52,502	127,752	806,840	24,191		1,011,284	13,817,885
Marin	644,511		14,171,780	114,766	186,887	793,335	24,571		1,119,559	15,291,339
Mariposa	22,301		1,917,311	3,904	44,141	47,601			95,646	2,012,956
Mendocino	311,771		8,076,444	30,068	87,604	490,765	5,605		614,042	8,690,485
Merced	774,827		17,016,260	55,652	203,166	1,178,903	3,760		1,441,481	18,457,741
Modoc	31,967		1,361,995	6,134	39,130	3,814			49,077	1,411,072
Mono	85,641		2,389,085	12,446	41,913	70,612			124,972	2,514,057
Monterey	277,496		27,393,538	183,464	292,214	1,649,352	41,276		2,166,306	29,559,844
Napa	309,795		9,990,400	30,550	115,118	791,948	17,932		955,549	10,945,949
Nevada	95,495		7,515,275	49,946	94,368	90,338			234,652	7,749,927
Orange	6,929,920		193,928,439	923,882	1,915,066	10,110,794	332,882		13,282,623	207,211,062
Placer	634,796		26,513,327	77,378	277,721	722,330	12,027		1,089,456	27,602,783
Plumas	14,929		1,895,661	9,206	45,425	6,277			60,908	1,956,568
Riverside	923,656		143,323,057	532,226	1,484,060	6,987,144	225,209		9,228,639	152,551,696
Sacramento	3,560,591		111,873,966	340,254	973,583	5,034,546	102,836		6,451,219	118,325,186
San Benito	34,642		4,805,775	14,700	72,920	142,877			230,496	5,036,271
San Bernardino	1,264,732		146,601,978	435,474	1,335,608	6,840,815	(221,941)		8,389,957	154,991,935
San Diego	2,853,598		184,838,821	718,442	1,989,883	6,841,944	267,785		9,818,053	194,656,874
San Francisco	5,487,134		63,538,311	272,528	535,395	4,259,534	91,753		5,159,209	68,697,520
San Joaquin	1,245,356		52,023,889	201,698	501,401	2,026,927	29,956		2,759,982	54,783,872
San Luis Obispo	298,957		19,186,651	130,020	200,629	900,357	41,961		1,272,967	20,459,617
San Mateo	2,411,112		45,366,948	329,518	477,779	3,246,962	15,128		4,069,386	49,436,334
Santa Barbara	1,597,661		28,785,562	162,858	298,093	2,785,469	10,331		3,256,751	32,042,312
Santa Clara	2,309,466		95,203,574	452,782	1,164,067	6,193,117	99,588		7,909,554	103,113,128
Santa Cruz	203,558		16,790,347	113,210	191,965	993,479	(4,629)		1,294,025	18,084,373
Shasta	262,221		20,331,479	44,394	141,669	487,550			673,613	21,005,092
Sierra	9,616		924,790	1,830	35,916	569			38,315	963,105
Siskiyou	91,038		4,592,909	37,000	60,085	63,683			160,768	4,753,677
Solano	353,778		30,180,502	119,364	300,389	811,079	21,296		1,252,128	31,432,630
Sonoma	1,172,049		32,474,610	119,004	321,108	1,705,828	10,408		2,156,349	34,630,958
Stanislaus	1,305,229		32,202,245	88,718	361,215	1,665,211	4,877		2,120,021	34,322,266
Sutter	159,761		8,637,179	37,382	93,002	309,864			440,248	9,077,428
Tehama	108,184		5,974,819	28,100	72,678	234,091	5,525		340,393	6,315,212
Trinity	53,679		2,546,541	7,648	43,538	71,806			122,992	2,669,533
Tulare	33,744		34,051,963	204,932	316,908	2,260,367	41,790		2,823,997	36,875,960
Tuolumne	50,352		5,123,336	16,642	66,713	67,214			150,570	5,273,905
Ventura	968,752		45,333,329	205,304	530,521	2,559,608	(19,711)		3,275,722	48,609,051
Yolo	210,076		16,326,685	48,556	164,970	770,310	3,783		987,620	17,314,305
Yuba	90,867		6,424,107	15,788	83,056	76,259			175,103	6,599,209
Unallocated		68,950,000	158,662,662					186,700,000	186,700,000	345,362,662
<b>Total</b>	<b>68,818,575</b>	<b>68,950,000</b>	<b>2,757,122,677</b>	<b>10,907,514</b>	<b>25,300,000</b>	<b>131,806,906</b>	<b>2,399,094</b>	<b>186,700,000</b>	<b>357,113,514</b>	<b>3,114,236,191</b>

<sup>1</sup> Benefits funding reflects actual cost changes as identified by the court and is fiscally neutral.

Court	2023-24 Ending Trial Court Trust Fund (TCTF) Ongoing Base Allocation	Trial Court Operations Allocation Funded from TCTF (former SCFCF)	General Fund Employee Benefits	Total Base Allocation	2023-24 NON-BASE ADJUSTMENTS USED TO CALCULATE WORKLOAD ALLOCATION			2023-24 BASE ADJUSTMENTS USED TO CALCULATE WORKLOAD ALLOCATION		
					Automated Recordkeeping & Micrographics	2% Automation Replacement	Self-Help	Security Base Adjustment	Subordinate Judicial Officer (SJO) Adjustment	Total Workload Formula Related Adjustments
A	B	C	D (A:C)	E	F	G	H	I	J (E:I)	
Alameda	88,991,670	2,104,111	3,102,046	94,197,827	95,408	424,792	1,017,456	(3,355,024)	(2,357,869)	(4,175,237)
Alpine	838,968	21,282	20,340	880,590	36	2,034	34,711	-	-	36,781
Amador	4,093,210	62,182	51,756	4,207,148	702	11,006	57,922	-	(148,632)	(79,001)
Butte	14,018,569	273,524	124,077	14,416,170	11,082	59,332	155,943	(493,178)	(456,855)	(723,676)
Calaveras	3,269,572	58,645	50,506	3,378,723	853	18,652	60,856	-	-	80,361
Colusa	2,362,972	48,701	24,773	2,436,446	346	13,708	46,982	-	-	61,036
Contra Costa	50,377,376	1,132,213	1,396,191	52,905,760	68,228	218,186	722,449	-	(892,042)	116,822
Del Norte	3,647,004	69,702	94,130	3,810,836	429	11,208	50,173	-	-	61,810
El Dorado	9,042,278	186,535	213,120	9,441,933	3,203	54,374	147,338	-	(147,285)	57,630
Fresno	59,887,765	1,211,523	3,340,363	64,439,651	57,547	181,080	636,326	-	(1,326,886)	(451,933)
Glenn	2,868,749	52,813	54,665	2,976,227	383	19,264	51,119	(10,324)	-	60,442
Humboldt	8,013,300	172,432	73,084	8,258,816	7,793	48,160	114,410	(177,151)	(158,269)	(165,057)
Imperial	10,296,136	237,510	125,539	10,659,185	8,977	67,678	140,935	(443,912)	(184,402)	(410,724)
Inyo	2,522,842	57,003	75,586	2,655,431	274	30,402	45,295	(197,060)	-	(121,089)
Kern	61,233,870	1,122,339	3,544,268	65,900,477	51,620	277,328	575,261	(69,221)	(1,944,749)	(1,109,761)
Kings	10,797,809	185,312	45,118	11,028,239	7,842	57,026	124,210	(445,431)	(366,939)	(623,292)
Lake	5,155,871	93,356	9,123	5,258,350	1,287	20,328	74,100	(207,443)	(72,599)	(184,327)
Lassen	2,625,010	65,929	7,839	2,698,778	413	20,156	51,816	(310,211)	-	(237,826)
Los Angeles	706,591,784	14,700,731	18,887,968	740,180,483	835,473	3,144,530	5,905,041	(15,091,072)	(20,940,190)	(26,146,218)
Madera	11,895,363	200,598	384,825	12,480,786	2,398	52,502	127,752	(402,661)	-	(220,009)
Marin	12,971,963	337,855	644,511	13,954,329	14,792	114,766	186,887	(10,161)	(62,406)	243,877
Mariposa	1,838,475	33,001	22,301	1,893,777	274	3,904	44,141	-	(43,671)	4,648
Mendocino	7,469,724	139,029	311,771	7,920,524	4,483	30,068	87,604	(316,031)	-	(193,876)
Merced	15,631,050	312,868	774,827	16,718,745	13,764	55,652	203,166	-	(398,272)	(125,691)
Modoc	1,259,686	26,220	31,967	1,317,873	355	6,134	39,130	(833)	-	44,786
Mono	2,248,683	43,038	85,641	2,377,362	220	12,446	41,913	(25,502)	-	29,077
Monterey	26,106,419	472,462	277,496	26,856,377	18,200	183,464	292,214	(918,484)	(411,468)	(836,073)
Napa	9,082,269	199,584	309,795	9,591,648	2,560	30,550	115,118	(312,023)	(240,011)	(403,805)
Nevada	7,031,641	139,614	95,495	7,266,570	5,387	49,946	94,368	(457,585)	(421,748)	(729,633)
Orange	179,104,238	3,891,207	6,929,920	189,925,365	237,513	923,882	1,915,066	(2,886,124)	(4,358,230)	(4,167,894)
Placer	24,994,376	410,174	634,796	26,039,346	22,324	77,378	277,721	-	(1,224,350)	(846,927)
Plumas	1,804,528	36,529	14,929	1,855,986	287	9,206	45,425	-	-	54,918
Riverside	134,972,706	2,296,005	923,656	138,192,367	57,862	532,226	1,484,060	(2,039,160)	(3,918,983)	(3,883,995)
Sacramento	104,543,253	2,090,813	3,560,591	110,194,657	224,433	340,254	973,583	(1,968,325)	(2,669,279)	(3,099,334)
San Benito	4,613,356	70,059	34,642	4,718,057	1,058	14,700	72,920	-	-	88,678
San Bernardino	140,469,046	2,569,673	1,264,732	144,303,451	149,201	435,474	1,335,608	(3,451,646)	(4,090,896)	(5,622,260)
San Diego	175,598,915	3,882,649	2,853,598	182,335,162	212,302	718,442	1,989,883	(693,816)	(5,082,101)	(2,855,290)
San Francisco	56,925,148	1,531,727	5,487,134	63,944,009	60,898	272,528	535,395	-	(507,901)	360,920
San Joaquin	49,734,494	859,541	1,245,356	51,839,391	48,630	201,698	501,401	(303,783)	(1,201,840)	(753,893)
San Luis Obispo	18,264,202	376,713	298,957	18,939,872	14,813	130,020	200,629	(255,144)	(517,158)	(426,840)
San Mateo	40,504,620	932,577	2,411,112	43,848,309	12,105	329,518	477,779	(467,732)	(1,309,792)	(958,123)
Santa Barbara	26,341,884	569,017	1,597,661	28,508,562	22,439	162,858	298,093	(1,113,911)	(566,055)	(1,196,577)
Santa Clara	89,640,157	2,129,236	2,309,466	94,078,859	89,500	452,782	1,164,067	-	(1,016,523)	689,826
Santa Cruz	16,130,084	321,970	203,558	16,655,612	12,339	113,210	191,965	-	(202,831)	114,683
Shasta	18,576,915	337,674	262,221	19,176,810	3,526	44,394	141,669	(2,780,637)	(364,582)	(2,955,630)
Sierra	891,087	21,571	9,616	922,274	48	1,830	35,916	-	-	37,794
Siskiyou	4,317,350	85,800	91,038	4,494,188	847	37,000	60,085	-	(256,637)	(158,705)
Solano	28,032,958	559,362	353,778	28,946,098	27,186	119,364	300,389	(459,664)	(766,141)	(778,866)
Sonoma	29,676,947	643,923	1,172,049	31,492,919	27,586	119,004	321,108	(464,520)	(747,057)	(743,879)
Stanislaus	29,356,713	540,457	1,305,229	31,202,399	32,165	88,718	361,215	(9,846)	(633,382)	(161,130)
Sutter	7,996,328	127,407	159,761	8,283,496	1,737	37,382	93,002	(260,840)	-	(128,719)
Tehama	5,622,719	98,606	108,184	5,829,509	1,139	28,100	72,678	-	(9,222)	92,695
Trinity	2,411,108	47,850	53,679	2,512,637	679	7,648	43,538	(543,614)	-	(491,749)
Tulare	31,819,225	457,506	33,744	32,310,475	24,380	204,932	316,908	(16,444)	(655,624)	(125,847)
Tuolumne	4,954,838	85,983	50,352	5,091,173	950	16,642	66,713	(232,805)	(64,783)	(213,283)
Ventura	42,227,019	914,809	968,752	44,110,580	49,718	205,304	530,521	(1,646,046)	(881,978)	(1,742,482)
Yolo	15,565,979	245,500	210,076	16,021,555	9,773	48,556	164,970	(615,372)	(312,713)	(704,786)
Yuba	6,019,484	105,550	90,867	6,215,901	1,587	15,788	83,056	(139,957)	-	(39,526)
Unallocated	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>2,433,279,704</b>	<b>50,000,000</b>	<b>68,818,575</b>	<b>2,552,098,279</b>	<b>2,561,356</b>	<b>10,907,514</b>	<b>25,300,000</b>	<b>(43,592,694)</b>	<b>(61,932,352)</b>	<b>(66,756,176)</b>

<sup>1</sup> Revenue does not reflect an allocation of funding to the trial courts, but is used in the calculation of the Workload Formula allocation.

Table with columns: Court, WORKLOAD ALLOCATION ADJUSTMENTS (Fiscal Neutral Cost Change, Fiscal Neutral Offset, Change in Revenue Collected, etc.), WORKLOAD ALLOCATION ADJUSTMENTS (2024-25 Workload Funding Floor Adjustment, Applied Funding Floor, etc.), WORKLOAD FORMULA (2024-25 Workload Formula, Workload Formula Percentage), and FOR DISPLAY ONLY (2024-25 Civil Assessment Backfill Debt Obligations). Rows list courts from Alameda to Unallocated, plus a Total row.

1 Revenue does not reflect an allocation of funding to the trial courts, but is used in the calculation of the Workload Formula allocation.

<b>Trial Court Trust Fund Fund Condition Statement April 2024</b>						
	Description	YEAR END FINANCIAL STATEMENTS			ESTIMATES	
		2020-21 (Financial Statements)	2021-22 (Financial Statements Est)	2022-23 (Financial Statements Est)	2023-24	2024-25
#	A	B	C	D	E	F
1	<b>Beginning Fund Balance</b>	<b>84,663,432</b>	<b>162,032,593</b>	<b>180,993,913</b>	<b>234,161,463</b>	<b>224,654,037</b>
2	Prior-Year Adjustments	21,449,000	(2,639,686)	39,095,081	-	-
3	<b>TOTAL REVENUES AND TRANSFERS</b>	<b>1,200,868,158</b>	<b>1,187,495,894</b>	<b>1,134,044,353</b>	<b>1,165,895,000</b>	<b>1,156,303,000</b>
4	<i>Total Revenues<sup>1</sup></i>	<i>1,182,553,158</i>	<i>1,212,074,088</i>	<i>1,116,831,100</i>	<i>1,151,904,000</i>	<i>1,142,312,000</i>
5	<b>Transfers/Charges/Reimbursements</b>					
6	General Fund Loan - Statewide E-Filing	(1,162,000)				
7	Reduction Offset Transfers	19,477,000	(24,578,194)	17,213,253	13,991,000	13,991,000
8	<i>FISCAL Assessment</i>					
9	Net Other Transfers/Charges/Reimbursements	13,397,000	69,341,806	11,133,253	13,397,000	13,397,000
10	<b>Total Resources</b>	<b>1,306,980,590</b>	<b>1,346,888,801</b>	<b>1,354,133,348</b>	<b>1,400,056,463</b>	<b>1,380,957,037</b>
11	<b>EXPENDITURES/ENCUMBRANCES/ALLOCATIONS</b>					
12	Program 0140010/0150037 - Judicial Council (Staff)	3,688,354	3,678,027	3,592,910	4,354,000	4,354,000
13	Program 0150010 - Support for Operation of the Trial Courts	1,966,753,144	2,217,294,000	2,466,660,242	2,621,705,855	2,660,241,855
14	Program 0150011 - Court-Appointed Dependency Counsel	156,525,184	196,700,000	211,967,000	186,700,000	186,700,000
15	Program 0150019 - Compensation of Superior Court Judges	380,761,790	398,004,000	423,563,000	429,748,000	436,983,000
16	Program 0150028 - Assigned Judges	14,218,450	47,371,000	24,111,000	16,600,000	31,092,000
17	Program 0150037 - Court Interpreters	110,584,015	121,413,000	124,546,000	134,718,000	134,292,000
18	Program 0150075 - Grants	10,328,980	9,426,000	29,840,000	30,229,000	30,229,000
19	Program 0150095 - Expenses on Behalf of the Trial Courts	12,703,251	14,944,000	13,750,000	15,022,000	15,022,000
20	<b>Total Local Assistance</b>	<b>2,652,100,000</b>	<b>3,005,152,000</b>	<b>3,294,437,242</b>	<b>3,434,722,855</b>	<b>3,494,559,855</b>
21	<i>FISCAL Assessment</i>	<i>174,000</i>	<i>174,000</i>	<i>174,000</i>	<i>174,000</i>	<i>174,000</i>
22	<i>Pro Rata/State Ops</i>	<i>209,643</i>	<i>209,861</i>	<i>184,733</i>	<i>92,000</i>	<i>77,000</i>
23	<i>Supplemental Pension Payments</i>	<i>76,000</i>	<i>76,000</i>	<i>76,000</i>	<i>58,000</i>	
	Item 601 - Redevelopment Agency Writ Case Reimbursements	-	-	-	-	
24	<b>Total Expenditures (includes State Ops and LA)</b>	<b>2,655,788,354</b>	<b>3,008,830,027</b>	<b>3,298,030,152</b>	<b>3,439,076,855</b>	<b>3,498,913,855</b>
	<i>Unallocated</i>					
25	<i>Less Funding Provided by General Fund:</i>	<i>1,511,300,000</i>	<i>1,843,395,000</i>	<i>2,178,493,000</i>	<i>2,263,998,429</i>	<i>2,266,096,256</i>
26	<b>Total Expenditures and Expenditure Adjustments</b>	<b>1,144,947,997</b>	<b>1,165,894,888</b>	<b>1,119,971,885</b>	<b>1,175,402,426</b>	<b>1,233,068,599</b>
27	<b>Ending Fund Balance</b>	<b>162,032,593</b>	<b>180,993,913</b>	<b>234,161,463</b>	<b>224,654,037</b>	<b>147,888,438</b>
28	<b>Restricted Funds</b>					
29	<b>Total Restricted/Reserved Funds</b>	<b>54,743,739</b>	<b>105,221,660</b>	<b>111,401,303</b>	<b>73,539,303</b>	<b>67,776,645</b>
30	<b>Ending Unrestricted Fund Balance</b>	<b>107,288,854</b>	<b>75,772,253</b>	<b>122,760,159</b>	<b>151,114,733</b>	<b>80,111,793</b>

<sup>1</sup> Revenue estimates are as of 2024-25 Governor's Budget

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding for 2024-25

**Date:** 4/16/2024

**Contact:** Anna L. Maves, Principal Managing Attorney  
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### **Issue**

Consideration of Assembly Bill (AB) 1058 Child Support Commissioner (CSC) and Family Law Facilitator (FLF) Program funding allocations for fiscal year 2024–25 totaling \$48 million for the CSC program and \$16.3 million for the FLF program for recommendation to the Judicial Council at its July 12, 2024, business meeting.

### **Background**

The AB 1058 Funding Allocation Joint Subcommittee was formed in 2015 to review the historical AB 1058 program funding methodology. On January 15, 2019, the Judicial Council approved a new workload-based funding methodology for the AB 1058 CSC program.<sup>1</sup> On July 9, 2021, the Judicial Council approved a new population-based methodology for the FLF program and maintained the workload-based methodology with updated workload data for the CSC program.<sup>2</sup> The Judicial Council directed that each methodology be updated with new data every two years.

For fiscal year 2023–24, the CSC funding methodology was updated with new workload data and the FLF funding methodology was adjusted with updated population data consistent with the previously adopted methodologies.

### **Recommendation**

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<sup>1</sup> More details can be found in the Judicial Council report for the January 2019 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Allocation* (Nov. 21, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6953308&GUID=A6F15A78-08B6-42DA-8826-19A6AF0B7CB1>.

<sup>2</sup> More details can be found in the Judicial Council report for the July 2021 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding Methodology, Adopting a Family Law Facilitator Program Funding Methodology, and Adopting 2021–22 AB 1058 Program Funding Allocations* (May 14, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9508521&GUID=BC737E96-AFD8-4E22-A046-AE9E16A5C422>.

The following recommendation from the Trial Court Budget Advisory Committee is presented to the Judicial Branch Budget Committee for consideration:

1. Approve the fiscal year 2024–25 AB 1058 CSC program funding comprised of \$35 million in base funding allocations and \$13 million in federal drawdown funding using the methodology adopted by the Judicial Council in January 2019 as set forth in Attachment A, effective July 12, 2024.
2. Approve the fiscal year 2024–25 AB 1058 FLF program funding comprised of \$11.9 million in base funding allocations and \$4.4 million in federal drawdown funding using the methodology adopted by the Judicial Council in July 2021 as set forth in Attachment B, effective July 12, 2024.

### **Attachments**

**Attachment A:** Child Support Commissioner (CSC) Program Allocation, 2024–25

**Attachment B:** Family Law Facilitator (FLF) Program Allocation, 2024–25



Attachment A

Child Support Commissioner (CSC) Program Allocation, 2024–25							
		A	B	C	D	E	F
#	CSC Court	Base Allocation	Beginning Federal Drawdown Option	Federal Share 66% (Column B * .66)	Court Share 34% (Column B * .34)	Total Allocation (A + B)	Contract Amount (A + C)
1	Alameda	1,474,740	549,815	362,878	186,937	2,024,555	1,837,618
2	Alpine (see El Dorado)						
3	Amador	140,250	45,736	30,186	15,550	185,986	170,436
4	Butte	259,055	0	0	0	259,055	259,055
5	Calaveras	132,667	10,000	6,600	3,400	142,667	139,267
6	Colusa	45,691	15,809	10,434	5,375	61,500	56,125
7	Contra Costa	753,850	0	0	0	753,850	753,850
8	Del Norte	63,791	29,023	19,155	9,868	92,814	82,946
9	El Dorado	203,169	100,382	66,252	34,130	303,551	269,421
10	Fresno	1,704,980	1,187,832	783,969	403,863	2,892,812	2,488,949
11	Glenn	120,030	0	0	0	120,030	120,030
12	Humboldt	111,198	20,332	13,419	6,913	131,530	124,617
13	Imperial	224,088	147,000	97,020	49,980	371,088	321,108
14	Inyo	79,264	0	0	0	79,264	79,264
15	Kern	1,079,358	99,442	65,632	33,810	1,178,800	1,144,990
16	Kings	261,308	75,000	49,500	25,500	336,308	310,808
17	Lake	133,954	90,500	59,730	30,770	224,454	193,684
18	Lassen	60,000	0	0	0	60,000	60,000
19	Los Angeles	6,922,976	3,198,270	2,110,858	1,087,412	10,121,246	9,033,834
20	Madera	247,874	88,000	58,080	29,920	335,874	305,954
21	Marin	108,983	40,396	26,661	13,735	149,379	135,644
22	Mariposa	75,216	0	0	0	75,216	75,216
23	Mendocino	147,030	56,550	37,323	19,227	203,580	184,353
24	Merced	466,068	297,354	196,254	101,100	763,422	662,322
25	Modoc						
26	Mono	45,974	0	0	0	45,974	45,974
27	Monterey	365,228	163,240	107,738	55,502	528,468	472,966
28	Napa	90,958	0	0	0	90,958	90,958
29	Nevada	327,593	0	0	0	327,593	327,593
30	Orange	2,149,386	575,996	380,157	195,839	2,725,382	2,529,543
31	Placer	296,704	20,870	13,774	7,096	317,574	310,478
32	Plumas	95,777	0	0	0	95,777	95,777
33	Riverside	1,635,589	26,418	17,436	8,982	1,662,007	1,653,025
34	Sacramento	1,446,037	601,713	397,131	204,582	2,047,750	1,843,168
35	San Benito	135,384	40,000	26,400	13,600	175,384	161,784
36	San Bernardino	3,260,118	925,058	610,538	314,520	4,185,176	3,870,656
37	San Diego	1,968,496	1,186,541	783,117	403,424	3,155,037	2,751,613
38	San Francisco	779,283	363,320	239,791	123,529	1,142,603	1,019,074
39	San Joaquin	866,577	83,046	54,810	28,236	949,623	921,387
40	San Luis Obispo	199,204	127,093	83,881	43,212	326,297	283,085
41	San Mateo	336,483	228,000	150,480	77,520	564,483	486,963
42	Santa Barbara	413,356	293,279	193,564	99,715	706,635	606,920
43	Santa Clara	1,531,621	977,183	644,941	332,242	2,508,804	2,176,562
44	Santa Cruz	168,434	99,440	65,630	33,810	267,874	234,064
45	Shasta	417,575	235,246	155,262	79,984	652,821	572,837
46	Sierra (see Nevada)						
47	Siskiyou	112,559	0	0	0	112,559	112,559
48	Solano	536,562	95,481	63,017	32,464	632,043	599,579
49	Sonoma	430,721	0	0	0	430,721	430,721
50	Stanislaus	665,867	406,836	268,512	138,324	1,072,703	934,379
51	Sutter	173,492	63,487	41,901	21,586	236,979	215,393
52	Tehama	114,459	56,982	37,608	19,374	171,441	152,067
53	Trinity (see Shasta)						
54	Tulare	519,227	99,937	65,958	33,979	619,164	585,185
55	Tuolumne	150,638	78,346	51,708	26,638	228,984	202,346
56	Ventura	501,078	175,000	115,500	59,500	676,078	616,578
57	Yolo	201,367	15,000	9,900	5,100	216,367	211,267
58	Yuba	203,149	50,000	33,000	17,000	253,149	236,149
<b>TOTAL</b>		<b>34,954,436</b>	<b>13,038,953</b>	<b>8,605,709</b>	<b>4,433,244</b>	<b>47,993,389</b>	<b>43,560,145</b>

CSC Base Funds 34,954,436  
 CSC Federal Drawdown 13,038,953  
 Total Funding Allocated 47,993,389

## Attachment B

Family Law Facilitator (FLF) Program Allocation, 2024–25							
		A	B	C	D	E	F
#	FLF Court	Base Allocation	Beginning Federal Drawdown Option	Federal Share 66% (Column B * .66)	Court Share 34% (Column B * .34)	Total Allocation (A + B)	Contract Amount (A + C)
1	Alameda	427,656	247,743	163,510	84,233	675,399	591,166
2	Alpine (see El Dorado)						
3	Amador	47,097	4,701	3,103	1,598	51,798	50,200
4	Butte	93,008	61,250	40,425	20,825	154,258	133,433
5	Calaveras	70,907	8,000	5,280	2,720	78,907	76,187
6	Colusa	38,685	8,900	5,874	3,026	47,585	44,559
7	Contra Costa	325,463	0	0	0	325,463	325,463
8	Del Norte	50,155	5,971	3,941	2,030	56,126	54,096
9	El Dorado	107,111	50,384	33,253	17,131	157,495	140,364
10	Fresno	361,481	198,952	131,308	67,644	560,433	492,789
11	Glenn	75,971	0	0	0	75,971	75,971
12	Humboldt	81,205	12,549	8,283	4,267	93,754	89,488
13	Imperial	69,686	36,940	24,380	12,560	106,626	94,066
14	Inyo	57,289	0	0	0	57,289	57,289
15	Kern	325,360	211,122	139,340	71,781	536,482	464,700
16	Kings	68,120	0	0	0	68,120	68,120
17	Lake	52,299	28,623	18,891	9,732	80,922	71,190
18	Lassen	65,167	0	0	0	65,167	65,167
19	Los Angeles	2,354,734	803,431	530,264	273,167	3,158,165	2,884,998
20	Madera	73,759	26,937	17,778	9,158	100,696	91,537
21	Marin	124,657	0	0	0	124,657	124,657
22	Mariposa	45,491	0	0	0	45,491	45,491
23	Mendocino	56,553	30,722	20,277	10,445	87,275	76,830
24	Merced	103,021	70,913	46,802	24,110	173,934	149,823
25	Modoc	70,995	1,247	823	424	72,242	71,818
26	Mono	48,322	1,350	891	459	49,672	49,213
27	Monterey	139,169	61,815	40,798	21,017	200,984	179,967
28	Napa	67,700	41,426	27,341	14,085	109,126	95,041
29	Nevada	116,579	0	0	0	116,579	116,579
30	Orange	719,452	129,890	85,727	44,163	849,342	805,179
31	Placer	116,133	0	0	0	116,133	116,133
32	Plumas	55,935	0	0	0	55,935	55,935
33	Riverside	647,113	240,227	158,550	81,677	887,340	805,663
34	Sacramento	382,653	224,079	147,892	76,187	606,732	530,545
35	San Benito	60,627	29,986	19,791	10,195	90,613	80,418
36	San Bernardino	546,115	331,046	218,490	112,556	877,161	764,605
37	San Diego	774,012	279,398	184,403	94,995	1,053,410	958,415
38	San Francisco	249,644	2,144	1,415	729	251,788	251,059
39	San Joaquin	222,201	85,640	56,522	29,118	307,841	278,723
40	San Luis Obispo	88,799	32,246	21,282	10,964	121,045	110,081
41	San Mateo	184,398	92,696	61,180	31,517	277,094	245,578
42	Santa Barbara	156,466	77,323	51,033	26,290	233,789	207,499
43	Santa Clara	506,978	210,712	139,070	71,642	717,690	646,048
44	Santa Cruz	92,216	46,072	30,407	15,664	138,288	122,623
45	Shasta	186,519	112,157	74,024	38,133	298,676	260,543
46	Sierra (see Nevada)						
47	Siskiyou	67,608	37,311	24,625	12,686	104,919	92,233
48	Solano	141,837	39,710	26,209	13,501	181,547	168,046
49	Sonoma	154,217	65,519	43,243	22,276	219,736	197,460
50	Stanislaus	200,661	124,226	81,989	42,237	324,887	282,650
51	Sutter	60,351	31,488	20,782	10,706	91,839	81,133
52	Tehama	39,713	3,535	2,333	1,202	43,248	42,046
53	Trinity (see Shasta)						
54	Tulare	280,401	141,878	93,640	48,239	422,279	374,041
55	Tuolumne	58,532	30,084	19,855	10,229	88,616	78,387
56	Ventura	245,297	86,121	56,840	29,281	331,418	302,137
57	Yolo	86,762	38,268	25,257	13,011	125,030	112,019
58	Yuba	59,845	44,953	29,669	15,284	104,798	89,514
<b>TOTAL</b>		<b>11,902,125</b>	<b>4,449,685</b>	<b>2,936,792</b>	<b>1,512,893</b>	<b>16,351,810</b>	<b>14,838,917</b>

FLF Base Funds	11,902,125
FLF Federal Drawdown	<u>4,449,685</u>
Total Funding Allocated	16,351,810

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** Community Assistance, Recovery, and Empowerment (CARE) Act Allocations for 2024–25

**Date:** 4/24/2024

**Contact:** Don Will, Deputy Director, Judicial Council Center for Families, Children & the Courts  
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**Issue**

Consideration of the Trial Court Budget Advisory Committee (TCBAC) recommendation to approve a methodology for allocating funding included in the fiscal year 2024–25 Governor’s Budget for court operations related to the CARE Act based on the allocation methodology approved by the Judicial Council for the 2023–24 funding.

**Background**

On July 21, 2023, the Judicial Council approved the allocation methodology recommended by the TCBAC to distribute \$20.0 million for fiscal year 2023–24 in implementation and planning funds to all courts.<sup>1</sup> On September 19, 2023, the Judicial Council approved the allocation of an additional \$9.4 million included in the Budget Act of 2023 for the Superior Court of Los Angeles County to participate as a Cohort One court implementing the CARE Act in 2023–24.<sup>2</sup>

The approved methodology for 2023–24 included these elements:

1. For Cohort One courts<sup>3</sup> implementing the CARE Act, an allocation for court operations that employs the Workload Formula with a base of 25 CARE Act cases calculated at \$93,225;
2. For Cohort One courts implementing the CARE Act, an allocation for staff and other operational costs that employs the Workload Formula with a base of \$98,000, prorated to

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Fiscal Year 2023–24 Allocation of Community Assistance, Recovery, and Empowerment (CARE) Act Funding* (June 7, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12125820&GUID=BB56211B-2F20-4BB8-8E94-B0909B17F695>.

<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Fiscal Year 2023–24 Allocation of CARE Act Funding* (Aug. 23, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12246630&GUID=64A38B92-D51B-4459-BF69-F16D534D0541>.

<sup>3</sup> The Superior Courts of Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties implemented the CARE Act in October 2023, and the Superior Court of Los Angeles County implemented in December 2023.

the amount that Cohort One courts are estimated to receive in 2024–25 when all courts are implementing the CARE Act;

3. For Cohort Two courts, an allocation that employs the Workload Formula with a base of \$98,000, prorated to the amount that remains after the allocation described in recommendation 2 and after reduction by 0.5 percent to hold as a reserve for Cohort One courts that require additional program funding, with any unspent funding from the court allocations and this reserve redistributed through the reallocation process via the approved methodology; and
4. A method to reallocate unspent funds during the fiscal year.

In fiscal year 2024–25, all courts are required to implement the CARE Act. Cohort One, including Los Angeles, will be in full implementation for all 12 months of the year. Cohort Two courts are required to implement the CARE Act by December 1, 2024, but may implement it sooner.

In the CARE Act budget change proposal (Link A), the 2024–25 Governor’s Budget includes \$52.7 million for court operations in 2024–25 and \$66.0 million in 2025–26 and ongoing. The \$66.0 million is intended to fund court operations when all courts have fully implemented the CARE Act.

The allocation methodology proposed for consideration for 2024–25 (Attachment A, Allocation Tables 1 and 2) retains the base funding and Workload Formula elements of the 2023–24 methodology and is updated to reflect a full year of implementation funding for Cohort One and a partial year for Cohort Two. This is calculated as follows:

- Table 1 uses the Workload Formula and base amounts to calculate the allocations to all courts at the \$66.0 million in full funding (Table 1, columns F, H & I).
- Table 2 sets the allocation of Cohort One and Los Angeles to the full year of implementation calculated in Table 1 (Table 2, columns F, H & I).
- Table 2 prorates the remaining funding to Cohort Two courts.
- Note that in fiscal year 2025–26, the allocations of all courts will be those in Table 1.

**Reallocation.** Judicial Council staff were directed to survey courts and conduct a reallocation of unspent CARE Act funding in the second half of 2023–24. This process was incorporated into the recent survey conducted by Budget Services to determine the amount of unspent funding in 2023–24.

### **Recommendations**

The following recommendations from the TCBAC are presented to the Judicial Branch Budget Committee for consideration by the Judicial Council at its July 12, 2024 business meeting:

1. Continue all elements of the allocation methodology approved in fiscal year 2023–24, including employing the Workload Formula and the funding base already defined;
2. Approve, for Cohort One courts and Los Angeles, an allocation based on the amount required for a full year of CARE Act implementation; and
3. Approve, for Cohort Two courts, an allocation prorated to the amount required for a full year of CARE Act implementation.

### **Attachments**

1. **Link A:** Budget Request 0250-197-BCP-2023-MR, Community Assistance, Recovery, and Empowerment (CARE) Act,  
[https://esd.dof.ca.gov/Documents/bcp/2324/FY2324\\_ORG0250\\_BCP7012.pdf](https://esd.dof.ca.gov/Documents/bcp/2324/FY2324_ORG0250_BCP7012.pdf)
2. **Attachment A:** Allocation Tables 1 and 2

Table 1. Allocation of Court Operations Budget When Fully Funded in FY 2025—2026

Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I
Court	Final Workload Allocation			Staff/Other		Court/Ops		Total
	Final Workload Allocation	Percentage	Distribution	Base	Final Staff/Other Costs	Base	Final Hearing Costs	Total Allocation
Alameda	89,736,650	3.56%	755,454	98,000	\$ 683,150	93,225	\$ 1,567,339	\$ 2,250,489
Alpine	978,500	0.04%	8,238	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Amador	4,508,080	0.18%	37,952	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Butte	13,971,923	0.55%	117,624	98,000	\$ 189,107	93,225	\$ 322,743	\$ 511,851
Calaveras	3,478,322	0.14%	29,282	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Colusa	2,506,641	0.10%	21,102	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Contra Costa	53,284,741	2.11%	448,581	98,000	\$ 445,456	93,225	\$ 968,540	\$ 1,413,996
Del Norte	3,867,969	0.15%	32,563	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
El Dorado	9,526,802	0.38%	80,202	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Fresno	63,747,461	2.53%	536,662	98,000	\$ 513,681	93,225	\$ 1,140,412	\$ 1,654,093
Glenn	2,997,045	0.12%	25,231	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Humboldt	8,921,029	0.35%	75,102	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Imperial	10,504,343	0.42%	88,431	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Inyo	2,549,184	0.10%	21,460	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Kern	64,062,338	2.54%	539,313	98,000	\$ 515,734	93,225	\$ 1,145,585	\$ 1,661,319
Kings	11,101,306	0.44%	93,457	98,000	\$ 98,000	93,225	\$ 275,587	\$ 373,587
Lake	5,096,756	0.20%	42,907	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Lassen	2,800,148	0.11%	23,573	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Los Angeles	732,713,543	29.06%	6,168,396	98,000	\$ 4,875,837	93,225	\$ 12,129,596	\$ 17,005,434
Madera	12,403,858	0.49%	104,423	98,000	\$ 178,882	93,225	\$ 296,985	\$ 475,867
Marin	14,327,907	0.57%	120,620	98,000	\$ 191,429	93,225	\$ 328,591	\$ 520,020
Mariposa	1,853,846	0.07%	15,607	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mendocino	7,646,197	0.30%	64,370	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Merced	17,012,600	0.67%	143,222	98,000	\$ 208,935	93,225	\$ 372,693	\$ 581,628
Modoc	1,406,022	0.06%	11,837	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mono	2,439,556	0.10%	20,538	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Monterey	26,329,671	1.04%	221,658	98,000	\$ 269,689	93,225	\$ 525,746	\$ 795,435
Napa	9,282,739	0.37%	78,147	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Nevada	6,639,488	0.26%	55,895	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Orange	188,291,022	7.47%	1,585,140	98,000	\$ 1,325,798	93,225	\$ 3,186,304	\$ 4,512,101
Placer	25,173,615	1.00%	211,926	98,000	\$ 262,151	93,225	\$ 506,755	\$ 768,906
Plumas	1,915,282	0.08%	16,124	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Riverside	137,769,526	5.46%	1,159,822	98,000	\$ 996,360	93,225	\$ 2,356,381	\$ 3,352,741
Sacramento	108,993,944	4.32%	917,573	98,000	\$ 808,722	93,225	\$ 1,883,681	\$ 2,692,403
San Benito	4,808,390	0.19%	40,480	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
San Bernardino	144,252,144	5.72%	1,214,396	98,000	\$ 1,038,631	93,225	\$ 2,462,872	\$ 3,501,503
San Diego	173,468,681	6.88%	1,460,357	98,000	\$ 1,229,145	93,225	\$ 2,942,815	\$ 4,171,960
San Francisco	63,222,900	2.51%	532,246	98,000	\$ 510,260	93,225	\$ 1,131,795	\$ 1,642,055
San Joaquin	51,550,851	2.04%	433,984	98,000	\$ 434,150	93,225	\$ 940,057	\$ 1,374,207
San Luis Obispo	18,799,273	0.75%	158,263	98,000	\$ 220,585	93,225	\$ 402,043	\$ 622,628
San Mateo	43,346,545	1.72%	364,916	98,000	\$ 380,652	93,225	\$ 805,284	\$ 1,185,936
Santa Barbara	27,473,608	1.09%	231,288	98,000	\$ 277,148	93,225	\$ 544,537	\$ 821,686
Santa Clara	96,100,018	3.81%	809,024	98,000	\$ 724,644	93,225	\$ 1,671,871	\$ 2,396,515
Santa Cruz	17,003,334	0.67%	143,144	98,000	\$ 208,874	93,225	\$ 372,541	\$ 581,415
Shasta	16,359,995	0.65%	137,728	98,000	\$ 204,679	93,225	\$ 361,973	\$ 566,652
Sierra	978,500	0.04%	8,238	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Siskiyou	4,337,464	0.17%	36,515	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Solano	29,080,663	1.15%	244,817	98,000	\$ 287,628	93,225	\$ 570,936	\$ 858,564
Sonoma	30,554,838	1.21%	257,228	98,000	\$ 297,240	93,225	\$ 595,153	\$ 892,393
Stanislaus	32,303,460	1.28%	271,949	98,000	\$ 308,643	93,225	\$ 623,878	\$ 932,520
Sutter	8,164,586	0.32%	68,734	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tehama	6,113,757	0.24%	51,469	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Trinity	2,142,278	0.08%	18,035	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tulare	32,165,439	1.28%	270,787	98,000	\$ 307,743	93,225	\$ 621,610	\$ 929,353
Tuolumne	4,989,596	0.20%	42,005	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Ventura	44,799,399	1.78%	377,147	98,000	\$ 390,125	93,225	\$ 829,150	\$ 1,219,275
Yolo	15,477,215	0.61%	130,296	98,000	\$ 198,923	93,225	\$ 347,471	\$ 546,394
Yuba	6,239,055	0.25%	52,524	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
<b>Total</b>	<b>2,521,570,045</b>	<b>100.00%</b>	<b>21,228,000</b>	<b>5,684,000</b>	<b>\$ 21,228,000</b>	<b>5,407,050</b>	<b>\$ 44,748,000</b>	<b>\$ 65,976,000</b>

Table 2. Allocation of Court Operations Budget FY 2024—2025

Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I
Court	Final Workload Allocation			Staff/Other		Court Ops		Total
	Final Workload Allocation	Percentage	Distribution	Base	Final Staff/Other Costs	Base	Final Hearing Costs	Total Allocation
Alameda	89,736,650	3.56%	273,779	98,000	\$ 414,453	93,225	\$ 1,028,556	\$ 1,443,010
Alpine	978,500	0.04%	2,985	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Amador	4,508,080	0.18%	13,754	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Butte	13,971,923	0.55%	42,627	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Calaveras	3,478,322	0.14%	10,612	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Colusa	2,506,641	0.10%	7,648	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Contra Costa	53,284,741	2.11%	162,567	98,000	\$ 285,907	93,225	\$ 648,616	\$ 934,522
Del Norte	3,867,969	0.15%	11,801	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
El Dorado	9,526,802	0.38%	29,065	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Fresno	63,747,461	2.53%	194,488	98,000	\$ 322,803	93,225	\$ 757,669	\$ 1,080,472
Glenn	2,997,045	0.12%	25,231	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Humboldt	8,921,029	0.35%	27,217	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Imperial	10,504,343	0.42%	32,048	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Inyo	2,549,184	0.10%	7,777	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Kern	64,062,338	2.54%	195,449	98,000	\$ 323,914	93,225	\$ 760,951	\$ 1,084,865
Kings	11,101,306	0.44%	33,869	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Lake	5,096,756	0.20%	15,550	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Lassen	2,800,148	0.11%	8,543	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Los Angeles	732,713,543	29.06%	6,168,396	98,000	\$ 4,875,837	93,225	\$ 12,129,596	\$ 17,005,434
Madera	12,403,858	0.49%	37,843	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Marin	14,327,907	0.57%	43,713	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mariposa	1,853,846	0.07%	5,656	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mendocino	7,646,197	0.30%	23,328	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Merced	17,012,600	0.67%	51,904	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Modoc	1,406,022	0.06%	4,290	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mono	2,439,556	0.10%	7,443	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Monterey	26,329,671	1.04%	80,330	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Napa	9,282,739	0.37%	28,321	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Nevada	6,639,488	0.26%	20,257	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Orange	188,291,022	7.47%	1,585,140	98,000	\$ 1,325,798	93,225	\$ 3,186,304	\$ 4,512,101
Placer	25,173,615	1.00%	76,803	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Plumas	1,915,282	0.08%	5,843	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Riverside	137,769,526	5.46%	1,159,822	98,000	\$ 996,360	93,225	\$ 2,356,381	\$ 3,352,741
Sacramento	108,993,944	4.32%	332,531	98,000	\$ 482,363	93,225	\$ 1,229,277	\$ 1,711,640
San Benito	4,808,390	0.19%	14,670	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
San Bernardino	144,252,144	5.72%	440,101	98,000	\$ 606,700	93,225	\$ 1,596,775	\$ 2,203,475
San Diego	173,468,681	6.88%	1,460,357	98,000	\$ 1,229,145	93,225	\$ 2,942,815	\$ 4,171,960
San Francisco	63,222,900	2.51%	532,246	98,000	\$ 510,260	93,225	\$ 1,131,795	\$ 1,642,055
San Joaquin	51,550,851	2.04%	157,277	98,000	\$ 279,792	93,225	\$ 630,543	\$ 910,335
San Luis Obispo	18,799,273	0.75%	57,355	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
San Mateo	43,346,545	1.72%	132,247	98,000	\$ 250,860	93,225	\$ 545,029	\$ 795,889
Santa Barbara	27,473,608	1.09%	83,820	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Santa Clara	96,100,018	3.81%	293,193	98,000	\$ 436,893	93,225	\$ 1,094,882	\$ 1,531,776
Santa Cruz	17,003,334	0.67%	51,876	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Shasta	16,359,995	0.65%	49,913	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Sierra	978,500	0.04%	2,985	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Siskiyou	4,337,464	0.17%	13,233	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Solano	29,080,663	1.15%	88,723	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Sonoma	30,554,838	1.21%	93,220	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Stanislaus	32,303,460	1.28%	271,949	98,000	\$ 308,643	93,225	\$ 623,878	\$ 932,520
Sutter	8,164,586	0.32%	24,909	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tehama	6,113,757	0.24%	18,653	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Trinity	2,142,278	0.08%	6,536	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tulare	32,165,439	1.28%	98,134	98,000	\$ 211,430	93,225	\$ 428,488	\$ 639,918
Tuolumne	4,989,596	0.20%	42,005	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Ventura	44,799,399	1.78%	136,679	98,000	\$ 255,983	93,225	\$ 560,172	\$ 816,156
Yolo	15,477,215	0.61%	47,220	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Yuba	6,239,055	0.25%	19,035	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Reserve					\$ 38,659		\$ 64,908	\$ 103,567
<b>Total</b>	<b>2,521,570,045</b>	<b>100.00%</b>	<b>14,862,966</b>	<b>4,900,000</b>	<b>\$ 17,173,800</b>	<b>4,661,250</b>	<b>\$ 35,538,862</b>	<b>\$ 52,712,662</b>

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** Model Self-Help Pilot Program—Technology Model Project Allocation  
Methodology

**Date:** 4/24/2024

**Contact:** Don Will, Deputy Director, Judicial Council Center for Families,  
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**Issue**

The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Branch Budget Committee consider revisions to the methodology for the allocation of funds for the Model Self-Help Pilot Program—Technology Model Project to address the urgent need to expand self-help services in all courts.

**Background**

The current allocation methodology calls for soliciting proposals from the courts each year for the annual Budget Act allocation of \$191,400 for technology projects related to self-help.<sup>1</sup> In fiscal year 2023–24 nine courts were awarded small grants based on this process. Revising the allocation to one multiyear award for self-help technology, following a solicitation process to the courts, would enable a proposing court to provide the technology and coordination for a collaboration that will make additional self-help resources available to all participating courts.

The Model Self-Help Pilot Program is supported by an annual funding allocation through the Budget Act. The Judicial Council originally allocated the funding in 2002 to five trial courts. One of these courts, the Superior Court of Contra Costa County, received an ongoing annual allocation for a program focused on self-help technology. In the 2019–20 program year, the Superior Court of Contra Costa County decided not to continue its participation. The TCBAC then recommended, and the Judicial Council approved,<sup>2</sup> that all courts be given the opportunity to apply for self-help technology programs to be funded by the \$191,400. In fiscal years 2021–22, 2022–23, and 2023–24, an average of nine courts received grants annually.

The collaboration recommended in this proposal is based on SHARP (Self-Help Assistance and Referral Program) Tech Connect, a Judicial Council Court Innovations Grant project in the Superior Court of Butte County, which provided a voice and videoconferencing platform for 22 small courts.

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Allocations and Reimbursements to Trial Courts: FY 2023-24 Model Self-Help Pilot Program—Technology* (Nov. 17, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12400803&GUID=46EDF4A7-C740-41A5-AD85-C12EAB34FE60>.

<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *Allocations and Reimbursements to Trial Courts: Model Self-Help Pilot Program Reallocation* (Feb. 18, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9196655&GUID=E2F158DD-0583-43AF-A839-4C99C4105AF8>.



This model gave self-represented litigants in the small courts access to remote self-help services and allowed courts to pool their resources and make qualified attorneys available remotely. The SHARP Tech Connect project is discussed in the Judicial Council’s *Final Report on the Court Innovations Grant Program*.<sup>3</sup>

A phone, videoconferencing, and live-chat platform managed by a lead court but staffed by attorneys from all participating courts would provide residents and self-represented litigants in all participating counties access to:

- Self-help legal assistance during all business hours;
- Legal experts in complex areas such as conservatorship, consumer debt, and eviction; and
- Experienced self-help attorney staff available to provide high-quality services.

The projects that courts have conducted using the self-help technology grant over the past three years have been very valuable. However, this proposed model will allow a much larger number of courts to benefit from the program and addresses one of the key barriers to accessing self-help services in California.

### **Recommendation**

Recommend that the Judicial Branch Budget Committee approve the following for consideration by the Judicial Council at its July 12, 2024, business meeting.

Revise the allocation methodology for the Model Self-Help Pilot Program—Technology Model Project to:

1. Require that proposed projects be limited to enabling courts to collaborate in providing self-help services remotely;
2. Award three-year grants through a competitive solicitation process open to all courts and conducted every three years;
3. Make one grant award for the project; and
4. If a responsive proposal is not received in the fiscal year 2024–25 solicitation process, allocate funding through the methodology prescribed in *Allocations and Reimbursements to Trial Courts: Model Self-Help Pilot Program Reallocation* (Feb. 18, 2021).<sup>4</sup>

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<sup>3</sup> Judicial Council of Cal., *Final Report on the Court Innovations Grant Program* (Sept. 30, 2021). <https://jcc.legistar.com/View.ashx?M=F&ID=9839364&GUID=E8AECBDE-B259-47F2-8995-700FEF76FA13>.

<sup>4</sup> Advisory Com. Rep., *supra* note 2.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** Court-Appointed Dependency Counsel Allocations for 2024–25

**Date:** 4/30/2024

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**Issue**

The current annual budget for court-appointed dependency counsel is \$186.7 million. Judicial Council Center for Families, Children & the Courts (CFCC) staff present the 2024–25 allocations of court-appointed dependency counsel funding for approval and submission to the Judicial Council at its July 12, 2024, business meeting.

The allocations may change based on final appropriations included in the Budget Act of 2024.

**Background**

Court-appointed dependency counsel became a state fiscal responsibility in 1989 through the Brown-Presley Trial Court Funding Act (Sen. Bill 612; Stats. 1988, ch. 945). The act added section 77003 to the Government Code, defined “court operations” in that section as including court-appointed dependency counsel, and made an appropriation to fund trial court operations. In 1997, the Lockyer-Isenberg Trial Court Funding Act (Assem. Bill 233; Stats. 1997, ch. 850) provided the funding for, and delineated the parameters of, the transition to state trial court funding that had been outlined in the earlier legislation.

Court-appointed dependency counsel funding is distributed to the courts based on a workload model adopted by the council in 2016<sup>1</sup> and amended in 2022.<sup>2</sup> The funding methodology includes several adjustments for small courts to ensure that these courts have adequate funding to meet their needs. Small-court adjustments include (1) suspending reallocation-related budget reductions for the smallest courts with caseloads under 200, (2) adjusting the local economic index for the small courts with dependency caseloads under 400, and (3) slightly reducing the funding allocations of all large-court budgets to offset the costs for small courts.

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<sup>1</sup> Judicial Council of Cal., *Juvenile Dependency: Court-Appointed Dependency Counsel Workload and Funding Methodology* (Apr. 1, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4382676&GUID=E8BCCA8A-5DED-48C3-B946-6E21EBB0BEAF>.

<sup>2</sup> Judicial Council of Cal., *Trial Court Budget: Fiscal Year 2022–23 Allocation of Court-Appointed Juvenile Dependency Counsel Funding* (June 24, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11019079&GUID=CB0A2EE1-B3CF-43AC-B92B-F4724B5D209C>.

Based on current workload and filing information, 33 courts are in the small-court category with 27 of those courts meeting the “smallest court” criteria.<sup>3</sup>

### **Recommendation**

The Trial Court Budget Advisory Committee recommends approval of the 2024–25 court-appointed dependency counsel allocations for consideration by the Judicial Council at its July 12, 2024, business meeting, as outlined in Attachment A. Attachment B details the total funding need for court-appointed dependency counsel using the methodology designated in the Judicial Council reports listed above.

### **Attachments**

**Attachment A:** 2024–25 Allocation of Dependency Counsel Funding

**Attachment B:** 2024–25 Total Funding Need for Court-Appointed Dependency Counsel Based on 2016 Workload Methodology

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<sup>3</sup> Due to downward trends in dependency filings, it is likely that the small-court adjustments will apply to more courts, which may result in some small courts receiving increased funding despite drops in caseloads.

2024-25 Allocation of Dependency Counsel Funding

Table with 12 columns: Court, Caseload Funding Model Estimated Funding Need Prior Year 2023-24 (A), Caseload Funding Model Estimated Funding Need Current Year 2024-25 (B), 2016-17 Allocation (C), 2017-18 Allocation (D), 2018-19 Allocation (E), 2019-20 Allocation (F), 2020-21 Allocation (G), 2021-22 Allocation (H), 2022-23 Allocation (I), 2023-24 Allocation (J), 2024-25 Proposed Allocation (K). Rows list various California counties and a Total row.

Note: Allocations are based on filings data obtained from the Office of Court Research and caseload data obtained from the California Child Welfare Indicators Project (CCWIP) as of July 1, 2023.



JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** Pretrial Release Program Allocations for 2024–25

**Date:** 5/15/2024

**Contact:** Deirdre Benedict, Supervising Analyst, Criminal Justice Services  
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**Issue**

The 2024–25 Governor’s Budget provides \$68.95<sup>1</sup> million in fiscal year (FY) 2024–25 in ongoing funding to the Judicial Council for distribution to the courts. The Trial Court Budget Advisory Committee (TCBAC) recommends approval of the FY 2024–25 allocations of the Pretrial Release Program for consideration by the Judicial Council at its July 12, 2024, business meeting.

**Background**

The originating legislation, Senate Bill 129 (Stats. 2021, ch. 69), amending the Budget Act of 2021, provided funding for “the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.” (Sen. Bill 129, § 4, item 0250-101-0001, provision 9.) SB 129 appropriated \$140 million in FY 2021–22 and \$70 million in ongoing funding to the Judicial Council for distribution to the courts for these purposes. Each court may retain up to 30 percent of the funding for costs associated with pretrial release programs and practices. Except as otherwise authorized,<sup>2</sup> courts must contract for pretrial services with their county’s probation department or other county department or agency and provide that department with the remainder of the funds.

In June 2022, Senate Bill 154 (Stats. 2022, ch. 43) was signed, appropriating \$70 million to the trial courts to continue implementing and/or operating their pretrial programs in FY 2022–23. Additionally, it allowed the trial courts to carry any unexpended balances of the \$70 million ongoing funding appropriated by SB 129 to June 30, 2023.

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<sup>1</sup> SB 129 allowed the Judicial Council to retain up to five percent (\$1.05 million) of the \$70 million for costs associated with implementing, supporting, and evaluating pretrial programs across the state. In the Budget Act of 2023, the \$1.05 million allocated to the Judicial Council was moved to item 0250-001-0001 which reduced the original \$70 million allocated to pretrial release to \$68.95 million.

<sup>2</sup> SB 129 specifically provides that the Superior Court of Santa Clara County may contract with the Office of Pretrial Services in that county and the Superior Court of San Francisco County may contract with the Sheriff’s Office and the existing not-for-profit entity that is performing pretrial services in the city and county for pretrial assessment and supervision services.

Since program implementation, the TCBAC has approved Criminal Justice Services staff recommendations to approve and submit the Pretrial Release Program allocations for each fiscal year of the program to the Judicial Branch Budget Committee (Budget Committee). The Budget Committee has approved the advisory committee's recommendations to present each fiscal year's allocations to the Judicial Council for approval, with the council approving the allocations annually during its July meeting.

## **Analysis/Rationale**

### **Fiscal year 2024–25 ongoing pretrial release funding for all courts**

The Judicial Council is required to distribute \$68.95 million in ongoing funding to all courts based on each county's relative proportion of the state population 18 to 25 years of age.<sup>3</sup> These funds must be encumbered or expended by June 30, 2025. The breakdown for these ongoing allocation recommendations is reflected in Attachment A.

### **Funding floor**

In previous years, the pretrial release allocations approval requests to the TCBAC included a recommendation to provide small and small-medium courts with a minimum funding floor of \$200,000 with a commitment from staff to monitor and evaluate the impact and necessity for the floor, and that staff would return to the committee with a recommendation to either rescind or adjust the floor. The original \$200,000 floor is equivalent to the floor used in the funding methodology for the California Community Corrections Performance Incentives Act of 2009.<sup>4</sup>

The floor was in effect for fiscal years 2021–22 and 2022–23, with 23 courts receiving the floor. In FY 2023–24, Criminal Justice Services staff evaluated the continued necessity for the floor, resulting in 22 courts receiving the original funding floor amount of \$200,000 and one court receiving a reduced floor amount of \$100,000.<sup>5</sup>

The minimum funding floor allocation has allowed small and small-medium courts to implement robust pretrial programs and provide services to their pretrial populations. Of the 23 courts that previously received the funding floor, 20 have spent more than twice their non-floor allocations. One court spent 42 times its non-floor allocation; the court is in a rural area with few of the services that are generally accessible in larger counties, for example, internet services. The court implemented its program from the ground up and the minimum funding floor allowed the court

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<sup>3</sup> U.S. Census Bureau five-year estimates based on each county's relative proportion of the state population 18 to 25 years of age, American Community Survey, 2022: ACS 5-Year Estimates Subject Tables, Table S0101, [https://data.census.gov/table/ACSST5Y2022.S0101?g=040XX00US06\\$0500000&tp=true](https://data.census.gov/table/ACSST5Y2022.S0101?g=040XX00US06$0500000&tp=true).

The California Department of Finance population data age categories do not match the age categories specified in the SB 129 language. The department broke down the 18-to-25 age category into two groups: 15 to 19 years of age and 20 to 24 years of age. SB 129 specified that the age group be between 18 and 25 years of age.

<sup>4</sup> Sen. Bill 678; Stats. 2009, ch. 608, [www.courts.ca.gov/documents/sb678.pdf](http://www.courts.ca.gov/documents/sb678.pdf).

<sup>5</sup> Alpine, Amador, Calaveras, Colusa, Del Norte, Glenn, Inyo, Lake, Lassen, Mariposa, Mendocino, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Siskiyou, Sutter, Tehama, Tuolumne, and Yuba Counties will receive \$200,000. Trinity County will receive \$100,000.

to hire necessary staff, provide basic equipment and supplies, and contract with providers for services that are essential for program operation such as court management system hosting and internet services.

If the minimum funding floor allocation is rescinded, small and small-medium courts will not have the financial resources to operate their pretrial programs. These courts will be forced to downsize their programs by eliminating critical positions and reducing services. Even with the floor in effect, several courts report they are operating their programs at a deficit and must secure funding from other sources. Ensuring that small and small-medium courts have stable funding allows them to continue to comply with the legislation set forth in SB 129.

In March 2024, Criminal Justice Services staff again reevaluated the funding floor. Based on annual expenditures, staff identified whether each court should continue to receive a floor of \$200,000 or an allocation more reflective of their annual spending. Staff reached out to the courts individually to give the courts an opportunity to provide feedback regarding their FY 2024–25 allocations.

After a detailed analysis of planned budgets and actual spending, and individual outreach and conversations with the affected courts, Criminal Justice Services staff recommend the following for FY 2024–25:

- 15 courts continue to receive the floor of \$200,000;
- 1 court to receive a floor of \$175,000;
- 3 courts to receive a floor of \$150,000;
- 2 courts to receive a floor of \$125,000;
- 1 court to receive a floor of \$100,000; and
- 1 court to receive a floor of \$25,000.

Criminal Justice Services staff will continue to monitor and evaluate whether the floor provides small and small-medium courts with the resources necessary to meet the requirements of the legislation. Staff will regularly return to the TCBAC and the Budget Committee with recommendations to rescind, retain, or adjust the floor.

### **Alternatives Considered**

Criminal Justice Services staff considered the alternative of providing the 23 courts with their non-funding floor allocation. More than half of the funding floor courts expended or will expend over 100 percent of their allocations, and 90 percent of the funding floor courts budgeted over 100 percent of their non-funding floor allocations. This option does not provide enough funding for the courts to continue operating their pretrial programs.



**Recommendation**

The TCBAC recommends that the Budget Committee at its meeting on May 16, 2024, approve the FY 2024–25 allocations for Pretrial Release funding, as outlined in Attachment A, for consideration by the Judicial Council at its business meeting on July 12, 2024.

**Attachment**

Attachment A: Recommended FY 2024–25 Pretrial Release Ongoing Allocations

**Attachment A: Recommended FY 2024–25 Pretrial Release Ongoing Allocations**

Court	No. of 18–24 Yr. Olds	% of Total Population of CA 18–24 Yr. Olds	\$ Allocation of \$68.95M Based on % of 18–24 Yr. Olds
Alameda	137,108	3.74%	\$2,428,229
Alpine	N/A	N/A	\$100,000
Amador	N/A	N/A	\$150,000
Butte	31,608	0.86%	\$559,788
Calaveras	N/A	N/A	\$150,000
Colusa	N/A	N/A	\$200,000
Contra Costa	96,112	2.62%	\$1,702,176
Del Norte	N/A	N/A	\$125,000
El Dorado	13,226	0.36%	\$234,237
Fresno	100,912	2.75%	\$1,787,185
Glenn	N/A	N/A	\$175,000
Humboldt	16,912	0.46%	\$299,517
Imperial	18,328	0.50%	\$324,595
Inyo	N/A	N/A	\$200,000
Kern	92,536	2.52%	\$1,638,844
Kings	16,383	0.45%	\$290,148
Lake	N/A	N/A	\$200,000
Lassen	N/A	N/A	\$200,000
Los Angeles	933,968	25.47%	\$16,540,887
Madera	15,326	0.42%	\$271,429
Marin	17,974	0.49%	\$318,326
Mariposa	N/A	N/A	\$150,000
Mendocino	N/A	N/A	\$200,000
Merced	31,470	0.86%	\$557,344
Modoc	N/A	N/A	\$200,000
Mono	N/A	N/A	\$200,000
Monterey	44,833	1.22%	\$794,007
Napa	11,705	0.32%	\$207,299
Nevada	N/A	N/A	\$200,000
Orange	297,509	8.11%	\$5,268,984
Placer	30,503	0.83%	\$540,218
Plumas	N/A	N/A	\$125,000
Riverside	237,956	6.49%	\$4,214,281
Sacramento	136,768	3.73%	\$2,422,207
San Benito	N/A	N/A	\$200,000

Court	No. of 18–24 Yr. Olds	% of Total Population of CA 18–24 Yr. Olds	\$ Allocation of \$68.95M Based on % of 18–24 Yr. Olds
San Bernardino	227,084	6.19%	\$4,021,734
San Diego	334,709	9.13%	\$5,927,809
San Francisco	55,291	1.51%	\$979,222
San Joaquin	76,102	2.08%	\$1,347,792
San Luis Obispo	43,148	1.18%	\$764,166
San Mateo	56,246	1.53%	\$996,136
Santa Barbara	68,741	1.87%	\$1,217,426
Santa Clara	169,610	4.62%	\$3,003,850
Santa Cruz	38,080	1.04%	\$674,410
Shasta	13,779	0.38%	\$244,031
Sierra	N/A	N/A	\$200,000
Siskiyou	N/A	N/A	\$200,000
Solano	39,292	1.07%	\$695,875
Sonoma	39,503	1.08%	\$699,611
Stanislaus	53,267	1.45%	\$943,376
Sutter	N/A	N/A	\$200,000
Tehama	N/A	N/A	\$200,000
Trinity	N/A	N/A	\$25,000
Tulare	49,543	1.35%	\$877,423
Tuolumne	N/A	N/A	\$200,000
Ventura	78,340	2.14%	\$1,387,428
Yolo	43,478	1.19%	\$770,010
Yuba	N/A	N/A	\$200,000
<b>Total</b>	<b>3,667,350</b>	<b>100%</b>	<b>\$68,950,000</b>

Source: U.S. Census Bureau, American Community Survey, 2022: ACS 5-Year Estimates Subject Tables, Table S0101, [https://data.census.gov/table/ACSST5Y2022.S0101?g=040XX00US06\\$0500000&tp=true](https://data.census.gov/table/ACSST5Y2022.S0101?g=040XX00US06$0500000&tp=true).

Notes: Fiscal year 2024–25 funding must be spent or encumbered by June 30, 2025.

“N/A” designates courts that have been provided with a minimum funding floor allocation to ensure adequate funding is provided to meet the legislative mandate.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** Court Reporter Allocations for 2024–25  
**Date:** 5/15/2024  
**Contact:** Chris Belloli, Manager, Business Management Services  
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**Issue**

Consideration of fiscal year 2024–25 allocations for the \$30 million included in the 2024–25 Governor’s Budget to increase the number of court reporters in family law and civil law case types. The approved recommendation will be considered by the Judicial Council at its July 12, 2024, business meeting.

**Background**

**Budget Language**

Senate Bill 170 (Stats. 2021, ch. 240), which amended the 2021 Budget Act, included \$30 million ongoing General Fund to the Judicial Council for establishing a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The budget language in the 2022 Budget Act and ongoing expanded the use of this funding. However, these changes do not affect how these funds are allocated to the courts.

**Allocation Methodology**

In the first year of funding in 2021–22, the Funding Methodology Subcommittee of the Trial Court Budget Advisory Committee (TCBAC) established the Ad Hoc Court Reporter Funding Subcommittee, consisting of members from the TCBAC, to develop an allocation methodology recommendation for 2021–22. Through deliberations, the ad hoc subcommittee developed a recommendation for an allocation methodology for the \$30 million and presented it to the TCBAC at its November 30, 2021, meeting and to the Judicial Branch Budget Committee on December 7, 2021. The Judicial Council approved the allocation methodology at its January 21, 2022, business meeting and directed Judicial Council staff to update the allocation methodology used for this ongoing funding based on the most recent data available.

The council-approved allocation methodology was developed based on the 2020 Judicial Needs Assessment (JNA), which was the most current study at the time. Judicial workload, as described by the JNA, is measured by a court’s assessed judicial need (AJN) and was identified as the best metric for the allocation methodology because of the parallel workload drivers between judgeships and court reporters. In addition, the AJN data includes separate noncriminal and criminal judicial

workload metrics by court. Focusing on noncriminal judicial need, consistent with the requirements in the budget language, the proposed methodology for allocating funds to the trial courts is as follows:

1. Identify the proportion of judicial workload, as measured by the AJN, for noncriminal need by court;
2. Apply a \$25,000 funding floor to all courts. Doing so would result in an increased amount—compared to using a purely proportional calculation to 11 courts totaling \$275,000—which represents an approximate 0.25 full-time equivalent using the average salary for court reporters from the Schedule 7A;
3. After applying the funding floor amount to 11 courts, allocate the remaining \$29.7 million proportionally to all other courts based on their noncriminal judicial need; and
4. Allocate the funding in one lump sum, on council approval.

The AJN data used in the allocation methodology for 2024–25 was updated based on the 2022 JNA, and the detail of the allocations by court is included as Attachment A.

### **Potential Impacts to Allocations**

Allocation changes may be necessary if there are changes to the court reporter appropriation and associated language in the 2024 Budget Act.

### **Recommendation**

Approve the Court Reporter allocation of the \$30 million to the trial courts on a proportional basis using the council-approved methodology with updated AJN data based on the 2022 JNA as outlined in Attachment A.

### **Attachments**

**Attachment A:** Court Reporter Funding: Recommended 2024–25 Allocations

**Court Reporter Funding: FY 2024-25 Allocations**

Cluster	Court	Initial Allocation of \$30M based on Noncriminal AJN			Allocation of \$30M with Funding Floor of \$25,000					
		Noncriminal AJN *	Proportion of Statewide AJN	Proportion of \$30M	Funding Floor Court?	Floor Funding	Revised AJN Proportion for Non-floor Courts	Non floor Funding	Final Allocation	Change with Floor
	Statewide	1,067	100%	\$30,000,000		\$275,000		\$29,725,000	\$30,000,000	\$0
4	Alameda	36.8	3.45%	\$1,035,628			3.47%	\$1,031,041	\$1,031,041	(\$4,588)
1	Alpine	0.1	0.01%	\$1,772	X	\$25,000			\$25,000	\$23,228
1	Amador	1.1	0.11%	\$31,681			0.11%	\$31,541	\$31,541	(\$140)
2	Butte	6.1	0.57%	\$170,509			0.57%	\$169,753	\$169,753	(\$755)
1	Calaveras	1.3	0.12%	\$36,871			0.12%	\$36,707	\$36,707	(\$163)
1	Colusa	0.5	0.04%	\$13,233	X	\$25,000			\$25,000	\$11,767
3	Contra Costa	23.2	2.18%	\$653,080			2.19%	\$650,187	\$650,187	(\$2,893)
1	Del Norte	1.2	0.11%	\$34,107			0.11%	\$33,956	\$33,956	(\$151)
2	El Dorado	4.2	0.40%	\$118,797			0.40%	\$118,271	\$118,271	(\$526)
3	Fresno	28.4	2.67%	\$799,663			2.68%	\$796,121	\$796,121	(\$3,543)
1	Glenn	0.8	0.08%	\$22,664	X	\$25,000			\$25,000	\$2,336
2	Humboldt	4.5	0.42%	\$126,583			0.42%	\$126,022	\$126,022	(\$561)
2	Imperial	4.4	0.41%	\$124,280			0.42%	\$123,729	\$123,729	(\$551)
1	Inyo	0.5	0.05%	\$14,140	X	\$25,000			\$25,000	\$10,860
3	Kern	24.9	2.33%	\$699,077			2.34%	\$695,980	\$695,980	(\$3,097)
2	Kings	4.5	0.42%	\$125,132			0.42%	\$124,578	\$124,578	(\$554)
2	Lake	2.4	0.22%	\$66,690			0.22%	\$66,394	\$66,394	(\$295)
1	Lassen	0.8	0.07%	\$22,384	X	\$25,000			\$25,000	\$2,616
4	Los Angeles	341.3	31.99%	\$9,595,553			32.14%	\$9,553,044	\$9,553,044	(\$42,508)
2	Madera	6.0	0.56%	\$167,484			0.56%	\$166,742	\$166,742	(\$742)
2	Marin	5.1	0.48%	\$143,271			0.48%	\$142,636	\$142,636	(\$635)
1	Mariposa	0.4	0.03%	\$10,220	X	\$25,000			\$25,000	\$14,780
2	Mendocino	2.7	0.25%	\$74,961			0.25%	\$74,629	\$74,629	(\$332)
2	Merced	7.3	0.68%	\$204,434			0.68%	\$203,529	\$203,529	(\$906)
1	Modoc	0.4	0.04%	\$10,649	X	\$25,000			\$25,000	\$14,351
1	Mono	0.3	0.03%	\$8,108	X	\$25,000			\$25,000	\$16,892
3	Monterey	9.4	0.88%	\$264,158			0.88%	\$262,987	\$262,987	(\$1,170)
2	Napa	3.6	0.34%	\$101,381			0.34%	\$100,932	\$100,932	(\$449)
2	Nevada	2.6	0.24%	\$72,625			0.24%	\$72,304	\$72,304	(\$322)
4	Orange	77.0	7.22%	\$2,165,597			7.25%	\$2,156,003	\$2,156,003	(\$9,594)
2	Placer	9.3	0.88%	\$262,673			0.88%	\$261,509	\$261,509	(\$1,164)
1	Plumas	0.6	0.06%	\$18,029	X	\$25,000			\$25,000	\$6,971
4	Riverside	62.8	5.88%	\$1,764,521			5.91%	\$1,756,704	\$1,756,704	(\$7,817)
4	Sacramento	43.7	4.10%	\$1,228,562			4.11%	\$1,223,119	\$1,223,119	(\$5,443)
1	San Benito	1.4	0.14%	\$40,658			0.14%	\$40,478	\$40,478	(\$180)
4	San Bernardino	69.2	6.49%	\$1,946,259			6.52%	\$1,937,637	\$1,937,637	(\$8,622)
4	San Diego	77.9	7.30%	\$2,188,860			7.33%	\$2,179,163	\$2,179,163	(\$9,697)
3	San Francisco	25.1	2.35%	\$706,220			2.37%	\$703,092	\$703,092	(\$3,129)
3	San Joaquin	19.9	1.87%	\$560,134			1.88%	\$557,652	\$557,652	(\$2,481)
2	San Luis Obispo	6.0	0.56%	\$167,914			0.56%	\$167,170	\$167,170	(\$744)
3	San Mateo	13.5	1.26%	\$378,323			1.27%	\$376,647	\$376,647	(\$1,676)
3	Santa Barbara	9.2	0.86%	\$259,174			0.87%	\$258,026	\$258,026	(\$1,148)
4	Santa Clara	30.9	2.90%	\$869,883			2.91%	\$866,029	\$866,029	(\$3,854)
2	Santa Cruz	5.2	0.49%	\$146,710			0.49%	\$146,060	\$146,060	(\$650)
2	Shasta	6.2	0.58%	\$174,268			0.58%	\$173,496	\$173,496	(\$772)
1	Sierra	0.1	0.01%	\$2,864	X	\$25,000			\$25,000	\$22,136

**Court Reporter Funding: FY 2024-25 Allocations**

Initial Allocation of \$30M based on Noncriminal AJN					Allocation of \$30M with Funding Floor of \$25,000					
Cluster	Court	Noncriminal AJN *	Proportion of Statewide AJN	Proportion of \$30M	Funding Floor Court?	Floor Funding	Revised AJN Proportion for Non-floor Courts	Allocation of Non floor Funding	Final Allocation	Change with Floor
	<b>Statewide</b>	<b>1,067</b>	<b>100%</b>	<b>\$30,000,000</b>		<b>\$275,000</b>		<b>\$29,725,000</b>	<b>\$30,000,000</b>	<b>\$0</b>
2	Siskiyou	1.5	0.14%	\$42,968			0.14%	\$42,778	\$42,778	(\$190)
3	Solano	11.0	1.03%	\$308,123			1.03%	\$306,758	\$306,758	(\$1,365)
3	Sonoma	10.8	1.01%	\$304,216			1.02%	\$302,868	\$302,868	(\$1,348)
3	Stanislaus	14.1	1.32%	\$395,570			1.32%	\$393,817	\$393,817	(\$1,752)
2	Sutter	3.0	0.28%	\$83,779			0.28%	\$83,408	\$83,408	(\$371)
2	Tehama	2.3	0.22%	\$65,022			0.22%	\$64,733	\$64,733	(\$288)
1	Trinity	0.7	0.06%	\$18,668	X	\$25,000			\$25,000	\$6,332
3	Tulare	13.3	1.24%	\$373,261			1.25%	\$371,607	\$371,607	(\$1,654)
2	Tuolumne	1.9	0.18%	\$54,387			0.18%	\$54,146	\$54,146	(\$241)
3	Ventura	18.0	1.68%	\$505,389			1.69%	\$503,150	\$503,150	(\$2,239)
2	Yolo	5.3	0.50%	\$149,071			0.50%	\$148,410	\$148,410	(\$660)
2	Yuba	2.5	0.23%	\$69,763			0.23%	\$69,454	\$69,454	(\$309)

\* Assessed Judicial Need (AJN) based on the updated 2022 data.

**Noncriminal case types:** Civil, Family, Juvenile, Probate, Mental Health

**Criminal case types:** Felony, Misdemeanors, Infractions

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
(Action Item)

**Title:** Self-Help Program Allocation for 2024-25 through 2026-27

**Date:** 4/24/2024

**Contact:** Melanie Snider, Supervising Attorney, Judicial Council Center for Families, Children & the Courts  
415-865-7557 | melanie.snider@jud.ca.gov

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**Issue**

Consideration of the fiscal year 2024–25 allocation for the \$30.3 million ongoing appropriation for the Self-Help Program. The approved recommendation will be considered by the Judicial Council at its July 12, 2024, business meeting.

**Background**

The Self-Help Program was expanded in fiscal year 2018–19 from \$11.2 million annually to \$30.3 million. The expansion was used by courts to serve the public by increasing both attorney and non-attorney staff including bilingual staff; opening new self-help centers; and expanding services to landlord-tenant, consumer debt, and guardianship cases. Fiscal year 2018–19 funds were allocated to courts using the population-based formula that was used in previous years. In September 2018, the Trial Court Budget Advisory Committee made the following new policy recommendations that were approved by the Judicial Council<sup>1</sup> for the fiscal year 2019–20 allocation and ongoing:

1. Adopt a three-year population update schedule using rolling three-year-average census data;
2. Provide annual population updates using rolling three-year-average data for informational purposes only; and
3. Maintain the current self-help allocation baseline of \$34,000 per court.

This new funding methodology was applied for three years and is now scheduled for an update for fiscal year 2024–25.

**Recommendation**

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<sup>1</sup> Judicial Council of Cal., Internal Com. Rep., *Trial Court Budget: Self-Help Funding, Allocation Methodology for 2019–20 and Ongoing* (Aug. 29, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6631465&GUID=98405B9A-39EF-4D54-8C11-BAC963D1239D>.



The following recommendation from the Trial Court Budget Advisory Committee is presented to the Judicial Branch Budget Committee for consideration:

1. Approve the Self-Help Program funding for the fiscal year 2024–25 allocation and ongoing as set forth below:

**Recommended Self-Help Program Funding Allocation for Fiscal Year 2024–25 and Ongoing**

County	Total Population*	% of State Population	Base \$34,000	TCTF Self-Help Funding	IMF Self-Help Funds	Total Self-Help Allocation
A	B	C	D	E = (C * 23,328,000) + D	F = C * 5,000,000	G = E + F
Alameda	1,650,181	4.216%	\$34,000	\$1,017,456	\$210,789	\$1,228,245
Alpine	1,193	0.00%	34,000	34,711	152	34,863
Amador	40,140	0.10%	34,000	57,922	5,127	63,050
Butte	204,613	0.52%	34,000	155,943	26,137	182,080
Calaveras	45,063	0.12%	34,000	60,856	5,756	66,612
Colusa	21,784	0.06%	34,000	46,982	2,783	49,765
Contra Costa	1,155,177	2.95%	34,000	722,449	147,559	870,008
Del Norte	27,137	0.07%	34,000	50,173	3,466	53,639
El Dorado	190,175	0.49%	34,000	147,338	24,292	171,631
Fresno	1,010,668	2.58%	34,000	636,326	129,099	765,426
Glenn	28,725	0.07%	34,000	51,119	3,669	54,788
Humboldt	134,923	0.34%	34,000	114,410	17,235	131,644
Imperial	179,431	0.46%	34,000	140,935	22,920	163,855
Inyo	18,952	0.05%	34,000	45,295	2,421	47,716
Kern	908,204	2.32%	34,000	575,261	116,011	691,272
Kings	151,367	0.39%	34,000	124,210	19,335	143,545
Lake	67,286	0.17%	34,000	74,100	8,595	82,695
Lassen	29,894	0.08%	34,000	51,816	3,819	55,634
Los Angeles	9,851,257	25.17%	34,000	5,905,041	1,258,368	7,163,408
Madera	157,310	0.40%	34,000	127,752	20,094	147,846

<b>County</b>	<b>Total Population*</b>	<b>% of State Population</b>	<b>Base \$34,000</b>	<b>TCTF Self-Help Funding</b>	<b>IMF Self-Help Funds</b>	<b>Total Self-Help Allocation</b>
Marin	256,535	0.66%	34,000	186,887	32,769	<b>219,656</b>
Mariposa	17,015	0.04%	34,000	44,141	2,173	<b>46,314</b>
Mendocino	89,944	0.23%	34,000	87,604	11,489	<b>99,093</b>
Merced	283,850	0.73%	34,000	203,166	36,258	<b>239,424</b>
Modoc	8,608	0.02%	34,000	39,130	1,100	<b>40,229</b>
Mono	13,278	0.03%	34,000	41,913	1,696	<b>43,609</b>
Monterey	433,268	1.11%	34,000	292,214	55,344	<b>347,559</b>
Napa	136,111	0.35%	34,000	115,118	17,386	<b>132,505</b>
Nevada	101,294	0.26%	34,000	94,368	12,939	<b>107,307</b>
Orange	3,156,317	8.06%	34,000	1,915,066	403,178	<b>2,318,244</b>
Placer	408,949	1.04%	34,000	277,721	52,238	<b>329,959</b>
Plumas	19,171	0.05%	34,000	45,425	2,449	<b>47,874</b>
Riverside	2,433,115	6.22%	34,000	1,484,060	310,798	<b>1,794,859</b>
Sacramento	1,576,565	4.03%	34,000	973,583	201,385	<b>1,174,969</b>
San Benito	65,305	0.17%	34,000	72,920	8,342	<b>81,261</b>
San Bernardino	2,184,021	5.58%	34,000	1,335,608	278,980	<b>1,614,588</b>
San Diego	3,281,855	8.38%	34,000	1,989,883	419,214	<b>2,409,096</b>
San Francisco	841,311	2.15%	34,000	535,395	107,466	<b>642,861</b>
San Joaquin	784,272	2.00%	34,000	501,401	100,180	<b>601,582</b>
San Luis Obispo	279,593	0.71%	34,000	200,629	35,714	<b>236,343</b>
San Mateo	744,634	1.90%	34,000	477,779	95,117	<b>572,896</b>
Santa Barbara	443,132	1.13%	34,000	298,093	56,604	<b>354,697</b>
Santa Clara	1,896,185	4.84%	34,000	1,164,067	242,213	<b>1,406,279</b>
Santa Cruz	265,056	0.68%	34,000	191,965	33,857	<b>225,822</b>
Shasta	180,662	0.46%	34,000	141,669	23,077	<b>164,746</b>
Sierra	3,216	0.01%	34,000	35,916	411	<b>36,327</b>
Siskiyou	43,770	0.11%	34,000	60,085	5,591	<b>65,676</b>

County	Total Population*	% of State Population	Base \$34,000	TCTF Self-Help Funding	IMF Self-Help Funds	Total Self-Help Allocation
Solano	446,985	1.14%	34,000	300,389	57,096	357,485
Sonoma	481,751	1.23%	34,000	321,108	61,537	382,646
Stanislaus	549,047	1.40%	34,000	361,215	70,134	431,349
Sutter	99,002	0.25%	34,000	93,002	12,646	105,648
Tehama	64,899	0.17%	34,000	72,678	8,290	80,968
Trinity	16,004	0.04%	34,000	43,538	2,044	45,582
Tulare	474,703	1.21%	34,000	316,908	60,637	377,545
Tuolumne	54,891	0.14%	34,000	66,713	7,012	73,725
Ventura	833,133	2.13%	34,000	530,521	106,422	636,943
Yolo	219,761	0.56%	34,000	164,970	28,072	193,042
Yuba	82,313	0.21%	34,000	83,056	10,514	93,571
<b>Total</b>	<b>39,142,998</b>	<b>100%</b>	<b>\$1,972,000</b>	<b>\$25,300,000</b>	<b>\$5,000,000</b>	<b>\$30,300,000</b>

\* The population data is based on the three-year average between 2021 and 2023 and can be found at the California Department of Finance website, <https://dof.ca.gov/forecasting/demographics/estimates/>.

**Judicial Branch  
2025-26 BCP Concept Tracking List**

BCP Proposed for the 2024-25 Governor's Budget and was denied.

Concept submitted to the Judicial Branch Budget Committee in 2024-25 and was denied.

Tracking #	JCC Office/Branch Entity	Title	Description	# Positions	\$ Estimate (in thousands)	Fund Source	JCC Committee	Proposed Lead Advisory Committee	Comments
25-01	TCBAC	Inflationary Adjustment for Trial Courts (Consumer Price Index)	Requests \$64.5 million in 2025-26 and ongoing to address general inflationary cost increases for trial courts based on the Consumer Price Index (CPI) published by the Department of Finance.	0.0	64,500,000	GF	TCBAC	TCBAC	BCP was proposed for the 2024-25 Governor's Budget and was denied.
25-02	TCBAC	Trial Court Equity Funding to Statewide Average	Requests \$43.9 million in 2025-26 and ongoing to fund all trial courts at 94.9 percent of their Workload Formula need.	0.0	43,900,000	GF	TCBAC	TCBAC	
25-03	TCBAC CFCC	Expansion of Court-Based Self-Help Centers	Requests 3.0 positions and \$26.9 million in 2025-26 and \$26.9 million in 2026-27 and ongoing to expand the services to the public for court-based self-help centers in all counties in California.	3.0	26,938,000	GF	TCBAC	TCBAC	Similar BCP was proposed for the 2024-25 Governor's Budget and was denied.
25-04	CFCC	Court-Appointed Dependency Counsel: Expanding Court Services, Supporting Federal Match, and Workload Study	Requests 12.0 positions and \$3.6 million in 2025-26 and \$2.5 million in 2026-27 to support the addition of 20 courts to the Dependency, Representation, Administration, Funding, and Training program; administration of the Federally Funded Dependency Representation Program (FFDRP), and to conduct a workload study for court-appointed dependency counsel.	12.0	3,642,000	GF	FJLAC TCBAC	TCBAC	FFDRP portion of this request was submitted to the Budget Committee for consideration for 2024-25 BCP and was denied.
25-05	CFCC	Expansion of Tribal/State Programs Services	Requests 4.0 positions and \$1.5 million in 2025-26 and \$1.4 million in 2026-27 and ongoing to provide expanded services to reduce disproportionality and disparities in addressing the needs of the American Indian /Alaska Native population appearing in state courts, establish collaborative processes between the state judicial branch and tribal justice systems, and expand education for judicial officers and justice partners on tribal and federal Indian law issues.	4.0	1,452,000	GF	Tribal Court-State Court Forum	Tribal Court-State Court Forum	
25-06	TCBAC FS	Increased Trial Court Security Funding	Requests funding for counties to support sheriff provided security in trial courts.	TBD	TBD	GF	TCBAC CSAC	TCBAC	
25-07	FS	San Diego Hall of Justice - Facility Modification	Requests \$9.5 million one-time to provide additional support for a facility modification for the San Diego Hall of Justice that is currently underway.	0.0	9,460,000	GF	TCFMAC TCBAC	TCFMAC	Funding for this project was originally provided in the 2022-23 budget. This request is to augment that amount to complete the project.
25-08	FS	Facilities Program Support	Requests 6.0 positions and \$6.4 million ongoing to provide court facilities planning services for facility modifications and capital projects.	6.0	6,411,000	GF	TCFMAC TCBAC	TCFMAC	Similar proposal was submitted to the Judicial Branch Budget Committee in 2024-25 and was denied.
25-09	FS	Courts of Appeal Deferred Maintenance, Facility Modification, and Maintenance	Requests \$13.2 million in 2025-26 and \$1.3 million in 2026-27 and ongoing to address vital deferred maintenance projects, facility modifications, and maintenance at Courts of Appeal facilities.	0.0	13,175,000	GF	APJAC	APJAC	Similar BCP was proposed for the 2024-25 Governor's Budget and was denied.
25-10	FS	Trial Courts Facilities Maintenance and Utilities	Requests 3.0 positions and \$66.8 million to provide industry-standard facility operations and maintenance and utilities for the existing portfolio.	3.0	66,806,000	GF SCFCF Reimb.	TCFMAC TCBAC	TCFMAC	Similar BCP was proposed for the 2024-25 Governor's Budget and was partially approved. Funding was included in the 2024-25 Governor's Budget for operations and maintenance of one new courthouse opening in 2025 and is pending legislative approval.
25-11	FS	Trial Court Facility Modifications	Requests 4.0 positions and \$27.5 million to address essential Facilities Modifications of building assets to maintain safe and secure buildings.	4.0	27,508,000	GF SCFCF	TCFMAC TCBAC	TCFMAC	Similar BCP was proposed for the 2024-25 Governor's Budget and was denied.
25-12	FS	Waterborne Pathogen Management Program Implementation	Requests 1.0 position and \$2.5 million in 2025-26 and \$2.2 million ongoing thereafter to support the Waterborne Pathogen Management Program designed to identify and manage actions to reduce the potential for Legionella in Judicial Council owned and managed facility water systems to prevent occupant exposure and illness.	1.0	2,522,000	GF	TCFMAC TCBAC	TCFMAC	
25-13	FS	Trial Court Physical Security Assessment and Evaluation	Requests 3.0 positions and \$2.7 million one-time in 2025-26, and \$678,000 ongoing thereafter to conduct assessments, evaluations, and identification of physical security deficiencies in trial court facilities statewide.	3.0	2,713,000	GF	CSAC TCBAC	CSAC	Concept submitted to the Judicial Branch Budget Committee in 2024-25 and was denied.

**Judicial Branch  
2025-26 BCP Concept Tracking List**

May 16, 2024

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (in thousands)	Fund Source	JCC Committee	Proposed Lead Advisory Committee	Comments
25-14	FS TCBAC	Trial Court Deferred Maintenance	Requests 4.0 positions and \$133.6 million ongoing to support deferred maintenance projects for trial courts.	4.0	133,613,000	GF SCFCF Reimb.	TCFMAC TCBAC	TCFMAC	Concept submitted to the Judicial Branch Budget Committee in 2024-25 and was denied.
25-15	FS	Water Conservation and Leak Detection Measures in Courthouses	Requests \$18.8 million annually for three years, totaling \$56.5 million, to install water leak detection equipment and software at 160 courthouses, audit and replace outdated water fixtures at 136 Judicial Council managed courthouses older than 2011, and convert landscapes to drought tolerant at nine courthouses.	0.0	18,837,000	GF	TCFMAC TCBAC	TCFMAC	Concept submitted to the Judicial Branch Budget Committee in 2024-25 and was denied.
25-16	FS	Energy Efficiency Retrofits for Suboptimal Buildings	Requests \$35 million annually for three years, totaling \$105 million to perform energy efficiency-optimized lifecycle replacement deferred maintenance backlog work at five courthouses with the highest critical need of energy systems beyond-useful-life upgrades.	0.0	35,000,000	GF	TCFMAC TCBAC	TCFMAC	Concept submitted to the Judicial Branch Budget Committee in 2024-25 and was denied.
25-17	FS	Arc-Flash Study and Electrical Hazard Labeling in Trial Courts	Requests \$1.2 million ongoing to perform electrical power systems equipment arc-flash studies and guide electrical equipment labeling that informs electricians and building engineers of the hazardous electrical energy potential.	0.0	1,200,000	GF	TCFMAC TCBAC	TCFMAC	
25-18	FS TCBAC	Capital Outlay Funding: 2025-26 through 2029-30	Requests \$2.4 billion one-time in 2025–26 for 10 capital outlay projects. A total request of \$6.5 billion is proposed over five years for initial and/or continuing phases for 21 capital projects included in the latest Judicial Branch Five-Year Infrastructure Plan.	0.0	2,355,895,000	GF PBCF	CFAC TCBAC	CFAC	BCP was proposed for the 2024-25 Governor's Budget and was denied.
25-19	HCRC	HCRC Case Team Staffing and Establishment of Los Angeles Office	Requests 30.0 positions and \$9.3 million in 2025-26; an additional 20.0 positions and \$14.3 million in 2026-27, and an additional 20.0 positions and \$19.9 million ongoing in 2027-28 for the Habeas Corpus Resource Center (HCRC) to increase staff and establish a Los Angeles office to address and reduce delays and the backlog of unrepresented defendants in habeas cases.	30.0	9,342,000	GF	HCRC	HCRC	BCP was proposed for the 2024-25 Governor's Budget and was denied.
25-20	ACS	Courts of Appeal Court-Appointed Counsel Program	Requests \$22.6 million ongoing to support the Courts of Appeal Court-Appointed Counsel Program, which provides critical and constitutionally required representation to indigent individuals in criminal, juvenile delinquency, and dependence appeals.	0.0	22,573,000	GF	APJAC	APJAC	BCP was proposed for the 2024-25 Governor's Budget and was denied.
25-21	ACS	Proposition 66 Costs in Courts of Appeal	Requests 14.5 positions and \$9.9 million in 2025-26 and \$9.7 million ongoing for the Courts of Appeal to address the new workload associated with the implementation of Proposition 66, the Death Penalty Reform and Savings Act of 2016.	14.5	9,911,000	GF	APJAC	APJAC	Similar concept was submitted to the Judicial Branch Budget Committee in 2024-25 and was denied.
25-22	ACS	Supreme Court Capital Court-Appointed Counsel Program	Requests \$2.4 million ongoing to support the Supreme Court's Capital Court-Appointed Counsel Program by providing a rate increase or capital appeal appointment and a 30% increase in the contract for the California Appellate Court - San Francisco project office.	0.0	2,412,000	GF	CA Supreme Court	CA Supreme Court	
25-23	LSO	Litigation Management Program	Requests \$3 million ongoing to support the defense and indemnity (as permitted) of all Judicial Branch entities.	0.0	3,000,000	GF	LMC	LMC	
			<b>Total</b>	<b>84.5</b>	<b>2,860,810,000</b>				

<b>Internal Committees</b>	
LMC	Litigation Management Committee
<b>Advisory Committees</b>	
APJAC	Administrative Presiding Justices Advisory Committee
CSAC	Court Security Advisory Committee
CFAC	Court Facility Advisory Committee
FJLAC	Family & Juvenile Law Advisory Committee
HCRC	Habeas Corpus Resource Center
TCBAC	Trial Court Budget Advisory Committee
TCFMAC	Trial Court Facility Modification Advisory Committee

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Budget Advisory Committee
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<b>Proposal Title</b>	Inflationary Adjustment for Trial Courts (Consumer Price Index)
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**Proposal Summary**

The Judicial Council of California requests \$64.5 million<sup>1</sup> General Fund in 2025-26 and ongoing to address general inflationary cost increases for trial courts based on the Consumer Price Index (CPI) published by the Department of Finance. The CPI for 2025-26 is currently estimated at 2.5 percent.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	0	0	0	0	0
<b>Personal Services</b>	0	0	0	0	0
<b>Operating Expenses &amp; Equipment</b>	0	0	0	0	0
<b>Local Assistance</b>	\$64,471,000	\$64,471,000	\$64,471,000	\$64,471,000	\$64,471,000
<b>Total</b>	\$64,471,000	\$64,471,000	\$64,471,000	\$64,471,000	\$64,471,000
One-time	0	0	0	0	0
Ongoing	\$64,471,000	\$64,471,000	\$64,471,000	\$64,471,000	\$64,471,000

\*Please include all costs associated with request including costs for other offices and courts.

<sup>1</sup> Estimate based on 2023-24 trial court allocations and CIP percentage; amount will be updated when 2024-25 trial court allocations are available and if the estimated CIP percentage changes.

**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

**Problem or Issue**

Trial courts must support their infrastructure and baseline business costs, for which there is currently no ongoing inflationary adjustment, to account for increasing fiscal pressures. Absent funding that recognizes inflationary cost increases, courts would be unable to sustain their current level of services, risking the quantity and quality of court services to the public and impacting access to justice.

Due to those inflationary pressures, courts are currently facing price increases placing pressures on operating budgets and eroding their purchasing power. The CPI climbed a total of 12.2 percent in just two fiscal years (2021–22 and 2022–23), slowing to 3.4 percent in 2023–24 and 2.5 percent in 2024–25. Similar inflationary gains have not been experienced in the United States since 1982 according to United States Department of Labor data.

**Background/History of Problem**

In 1998, the Lockyer-Eisenberg Trial Court Funding Act was enacted by the Legislature. It created a new structure in which the 58 county-funded limited and general jurisdiction courts became state-funded. The Legislature’s intent was to address the great disparity in funding levels found in the county court systems to ensure that all Californians would have access to justice and similar experiences across jurisdictions in resolving their legal disputes in the trial courts.

In 2005-06, the Legislature codified a funding approach for the trial courts in Government Code section 77202 to ensure that state appropriations for the trial courts are not eroded and that sufficient funding is provided to sustain service levels and accommodate operational cost changes without degrading the quality of court services to the public.

In addition to state General Fund appropriations for the judicial branch to support the trial courts, Government Code section 77202 authorizes the use of a cost-of-living and growth adjustment computed by multiplying the year-to-year percentage change in the state appropriation limit as described in Section 3 of Article XIII B of the California Constitution and as specified.

Costs related to various areas of operation such as goods and services vendors (e.g., janitors, legal publications, per diem court reporters, office supplies, postage, technology equipment and services, etc.) and other professional contractors (e.g., trial experts, forensic services, mediators, court appointed counsel, etc.) continue to increase. The judicial branch’s Workload Formula methodology, which is used to allocate funding to the trial courts, does not address these cost increases to maintain service levels and sustain ongoing trial court operations. Over time, this has resulted in less purchasing power for the trial courts and an erosion or elimination of critical services. The public relies on the courts to support their infrastructure and baseline business costs to maintain equal access to the justice system. These are the costs for which there is currently no inflationary factor to account for ongoing and regular cost increases experienced by trial courts when procuring and providing these services.

The trial courts received \$230.5 million, or 10.5 percent ongoing beginning in the 2021 Budget Act through the 2023 Budget Act of General Fund to address inflationary cost increases, and trial court operational cost pressures due to rising inflation. In addition, the 2022 Budget Act included \$100 million ongoing General Fund to promote fiscal equity among the trial courts.

**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

The 2024–25 Governor’s Budget does not include an inflationary adjustment due to projected significant declines in General Fund revenues and considerable statewide budget shortfall.

Continuing to provide the trial courts an inflationary-based adjustment will help to maintain consistent service levels for court users and support access to justice through more stable and predictable funding. This proposal is based on the currently estimated CPI for 2025-26 at 2.5 percent and will be updated later to reflect the most recent CPI projections.

**Impact of Denial of Proposal**

Without this inflationary adjustment, courts may be compelled to reduce and/or eliminate service levels to close the gap between available funds and escalating costs. When funding does not keep pace with inflation, service reductions typically occur first in non-mandated services. Services that assist California’s marginalized populations come directly from trial court budgets, such as minor’s counsel in family law disputes, probate investigators, family mediators, self-help staff and outreach, collaborative justice courts, and translation of forms and public information into multiple languages.

The decline or elimination of these services often disproportionately affects the most marginalized Californians (e.g., children, persons with mental disabilities, displaced non-English speakers, victims of domestic violence, and low-income/fixed-income adults). Typically, courts must prioritize criminal case processing over case types that impact other vulnerable court users or that leverage county partnerships to address underlying social issues, such as homelessness and mental health issues.

**Outcomes and Accountability of Proposal**

The inflationary increase funding will be allocated according to a methodology established by the Judicial Council and is intended to benefit all 58 trial courts.

Based on past practice, the inflationary percentage change is typically applied to each trial court’s Workload Formula allocation, recognizing that the adjustment was used exclusively to ensure that actual service levels are not diminished for operating costs and that they reflect the increased costs resulting from inflation. Providing an inflationary percentage adjustment based upon CPI would assist the courts in maintaining services to the public and protect against further service reductions including reducing court hours, closing court locations, and increasing wait times and case processing delays.

**Required Review/Approval**

Trial Court Budget Advisory Committee



**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

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**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal III: Modernization and Management of Administration  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Zlatko Theodorovic*

Contact Name: **Oksana Tuk**

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Budget Advisory Committee
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<b>Proposal Title</b>	Trial Court Equity Funding to Statewide Average
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**Proposal Summary**

The Judicial Council of California requests \$43.9 million <sup>1</sup> General Fund in 2025-26 and ongoing to fund all trial courts to at least 94.9 percent of their Workload Formula need.
Does this proposal require a statutory change? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does this proposal have an information technology component? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

Fiscal Year	2025-26 (BY)	2026-27 (BY+1)	2027-28 (BY+2)	2028-29 (BY+3)	2029-30 (BY+4)
<b>Positions</b>	0	0	0	0	0
<b>Personal Services</b>	0	0	0	0	0
<b>Operating Expenses &amp; Equipment</b>	0	0	0	0	0
<b>Local Assistance</b>	\$43,937	\$43,937	\$43,937	\$43,937	\$43,937
<b>Total</b>	\$43,937	\$43,937	\$43,937	\$43,937	\$43,937
One-time					
Ongoing	\$43,937	\$43,937	\$43,937	\$43,937	\$43,937

<sup>1</sup> Calculation will be updated when 2024-25 Workload Formula allocations vs. the need is determined.

**Problem or Issue**

Adequate and sufficient funding is needed by the trial courts to continue to provide core services and ensure equal access to justice across California. The current Workload Formula, as approved by the Judicial Council, serves as the basis for the workload-based funding and adjustments. The statewide average funding level as calculated by the Workload Formula in 2023–24 was 94.9 percent, and funding allocated compared to workload need is as low as 87.4 percent for the lowest funded court. While trial courts should be funded at 100% of need, funding courts to at least the statewide average of 94.9 percent would assist the Judicial Council in addressing inequities in funding and improve access to justice for court users.
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**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

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**Background/History of Problem**

In 1998, the Lockyer-Eisenberg Trial Court Funding Act was enacted by the Legislature. It created a new structure in which the 58 county-funded trial courts became state-funded. The Legislature's intent in enacting the Trial Court Funding was to address the great disparity in funding levels found in the county court systems, increase funding stability, ensure that all Californians would have equal access to justice and similar experiences across jurisdictions in resolving their legal disputes in the trial courts.

In 2012, at the direction of the Judicial Council, the Trial Court Budget Workgroup undertook the development of the Workload-based Allocation and Funding Formula (WAFM) increase funding equity between the courts. WAFM as approved by the Judicial Council for use in the 2013-14 fiscal year. WAFM calculated the resource needs of the trial courts based on the number of annual filings and weighting factors applied to each kind of filing. The Judicial Council's Resource Assessment Study (RAS), which forms the basis of the workload funding calculation, collects more than one million data points to determine the average amount of time required to process each case type from filing to final adjudication. RAS calculates an average number of minutes per case type and then multiplies those weighting factors by the number of filings in each case type in each court. The aggregate number of minutes for all case types in a court comprised the 'workload' for each court. This workload is then used to calculate how many staff were needed to process these cases, based on the annual number of work hours in a year. The Judicial Council used WAFM to allocate and reallocate trial court funds for 5 years to improve funding equity across the trial courts. In 2018-19, the Judicial Council updated the allocation methodology and approved the Workload Formula to better assess funding equity across the trial court and govern the allocation methodology of trial court funds. The approach forms the basis for articulating the workload needs of the courts. It has successfully informed the redistribution of existing and new funding to close the gap between severely and moderately under-resourced courts. The Governor, Legislature and the Judicial Council continue to address remaining inequities across the spectrum of courts. Despite efforts to achieve equity in funding related to workload, trial courts are still not fully funded, and many are not fully funded according to the Workload Formula model.

The public's right to timely access to justice is contingent on having adequate judicial resources in every trial court. The requested \$43.9 million General Fund would bring trial courts below the statewide funding average to the statewide level of 94.9 percent, which would still fund trial courts below their full need. This funding would support the overarching judicial branch priorities and goal of increasing funding equity across the trial courts.

Courts operating with funding that is below their measured need experience a lack of adequate judicial resources which contributes to operation delays and is a barrier for access to justice. Without adequate funding based on each court's workload need, trial courts across the state will continue to experience difficulties in providing quality services and responding to the diverse needs of court users.

**Judicial Branch**  
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**Impact of Denial of Proposal**

Courts operating with funding that is below their measured need experience a lack of adequate judicial resources which contributes to operational delays and is a barrier for access to justice. Without adequate funding based on each court's workload need, trial courts across the state will continue to experience difficulties in providing quality services and responding to the diverse needs of court users.

**Outcomes and Accountability of Proposal**

The funding would be provided to approximately 47 percent of the trial courts to improve funding equity and assist the courts in enhancing service levels to the public in a variety of aspects. This request would continue to ensure stability of funding, progress towards equity funding for the trial courts, and strive to fully fund the need of the trial courts statewide. It supports the Judicial Branch goals of providing adequate, stable, and predictable funding for a fully functioning branch. However, this funding would not result in all trial courts being funded at 100% of their need. As such, there will continue to be gaps in service which will impact access to justice.

**Required Review/Approval**

Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal IV: Quality of Justice and Service to the Public  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Zlatko Theodorovic*

Contact Name: Oksana Tuk

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Center for Families, Children & the Courts
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<b>Proposal Title</b>	Expansion of Court-Based Self-Help Centers
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**Proposal Summary**

The Trial Court Budget Advisory Committee requests 3.0 positions and \$26.9 million General Fund in 2025-26 and \$26.9 million in 2026-27 and ongoing to expand the services to the public for court-based self-help centers in all counties in California. Critical services currently underfunded in self-help centers include assistance to the public in cases involving evictions, establishing guardianships, consumer debt, and domestic violence.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

Fiscal Year	2025-26 (BY)	2026-27 (BY+1)	2027-28 (BY+2)	2028-29 (BY+3)	2029-30 (BY+4)
<b>Positions</b>	3.0	3.0	3.0	3.0	3.0
<b>Personal Services</b>	797,000	797,000	797,000	797,000	797,000
<b>Operating Expenses &amp; Equipment</b>	141,000	106,000	106,000	106,000	106,000
<b>Local Assistance</b>	26,000,000	26,000,000	26,000,000	26,000,000	26,000,000
<b>Total</b>	26,938,000	26,903,000	26,903,000	26,903,000	26,903,000
One-time	35,000	0	0	0	0
Ongoing	26,903,000	26,903,000	26,903,000	26,903,000	26,903,000

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

Court-based self-help centers provide self-represented litigants with assistance in their legal matters approximately 950,000 times a year.

An analysis of data reported by self-help centers since the expansion of the State Budget's self-help funding in 2018<sup>1</sup> shows that there are still significant gaps in courts' ability to serve the public in certain case types including evictions, consumer debt, guardianship and conservatorship proceedings, domestic violence, and civil restraining orders. In the next two years, the number of self-represented litigants seeking assistance with eviction cases is projected to grow by 80 percent, assistance with other civil cases including consumer debt by 62 percent, assistance with domestic violence cases by 11 percent, and civil restraining orders by 20 percent. These case types often require significantly more workload than the family law cases that self-help centers are historically budgeted to serve. The resources requested will allow the courts to keep pace with these increases in both members of the public requiring assistance and the additional time needed to adequately provide assistance in certain case types.

**Background/History of Problem**

Every court in California has a self-help center dedicated to assisting people who are not represented by lawyers to navigate the court system. In a court-based self-help center, an attorney employed by the court assists members of the public who cannot afford an attorney. This assistance includes providing legal information and explaining the court forms that are required to file a case or respond to a filing, explaining the court process, and assisting the self-represented litigant in understanding the next steps in the case. Self-help center attorneys do not give legal advice.

The self-help center customer, as measured by a statewide survey in 2017–18, has a median monthly income between \$1,000 and \$2,000 per month with 80 percent of all customers reporting less than \$3,000 of monthly income.<sup>2</sup> The same statewide survey showed that historically underserved racial/ethnic groups were served at a greater proportion than their underlying state population by self-help centers. 11.7 percent of the self-represented litigants served in 2017–18 were Black, compared to 5.8 percent in the statewide population; 47.1 percent were Hispanic/Latino, compared to 39.6 percent in the statewide population; and 28.4 percent were White, compared to 37.9 percent in the statewide population.<sup>3</sup>

A cost-benefit analysis<sup>4</sup> conducted by the Judicial Council of California (the council) established that self-help centers, while assisting self-represented litigants with their cases, also help them avoid unnecessary trips to court to re-do incorrect paperwork or attend hearings they could have avoided. This in turn helps them to avoid lost wages, travel, and childcare expenses. The cost-benefit analysis quantified these economic benefits as avoided costs to self-represented litigants of as much as \$242 per case. By incorporating self-help centers as part of their operations, courts have streamlined case processing at the court clerk window and in the courtroom. When self-represented litigants are assisted in preparing and filing forms and documentation

<sup>1</sup> Judicial Council of Cal., Self-Help Tracking and Reporting Survey (STARS) 2019-2023, internal data analysis.

<sup>2</sup> Judicial Council of Cal., Family Law Facilitator/Self Help Center Customer Survey, 2017–18.

<sup>3</sup> Department of Finance, <https://dof.ca.gov/Forecasting/Demographics/Projections>.

<sup>4</sup> Judicial Council of Cal., *Supplement to Impact of Self-Help Center Expansion in California Courts* (June 2022) (Supplement) <https://jcc.legistar.com/View.ashx?M=F&ID=11015140&GUID=5ED AFC0B-3A23-4CC7-8435-806A2E926F31>.

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for their cases, judges are able to prepare for hearings and litigants are not required to endure lengthy delays and multiple returns to court. The cost-benefit analysis established that self-help centers provide a benefit to courts in avoided costs of as much as \$315 per case filing. Overall, every dollar spent on self-help centers provides \$3.10 to \$4.18 in avoided costs for the public and the courts.

Self-help centers do not have the resources to support the growth in customer numbers and the additional complexity these case types require. Self-help center funding has remained flat at \$30.3 million annually for six years.

Self-help centers expect to see a workload increase by fiscal year 2025-26<sup>5</sup> that is driven by self-represented litigants seeking assistance with cases in domestic violence, housing, conservatorship, and consumer debt. Self-help centers have learned, in the years since self-help expansion began in 2018, that the complexity of these cases adds additional time to the service in the self-help center. The council’s 2021 study *Impact of Expansion of Self-Help Centers in California Courts*<sup>6</sup> documented that the typical extended service requires at least 43 minutes. For these growing case types, self-help centers report that at least 90 minutes is required to assist a self-represented litigant with a restraining order case, 120 minutes for an eviction or consumer debt case, and 180 minutes for a guardianship/conservatorship case.

There is no margin in existing self-help funding that would enable self-help centers to this expanded need with current resources. The additional cost of serving these persons and expanding services provided within certain case types is \$26,000,000.

	FY 22-23 Actual <sup>7</sup>	FY 25-26 Est	Increase	Mins	Cost of Increased Services	Cost of additional time	Total
Divorce	130,000	134,000	4,000	50	\$300,000	\$0	\$300,000
Custody	87,000	90,000	3,000	50	\$225,000	\$0	\$225,000
Small Claims	36,000	36,000	0	50	\$0	\$0	\$0
Domestic Violence	42,000	45,000	3,000	90	\$405,000	\$2,520,000	\$2,925,000
Civil Restraining Orders	27,000	29,000	2,000	90	\$270,000	\$1,620,000	\$1,890,000
Parentage	22,000	29,000	7,000	50	\$525,000	\$0	\$525,000
Unlawful Detainer	33,000	71,000	38,000	120	\$6,840,000	\$3,465,000	\$10,305,000
Guardianship/ Conservatorship	17,000	20,000	3,000	180	\$810,000	\$3,315,000	\$4,125,000
Consumer Debt and Other Civil	14,000	33,000	19,000	120	\$3,420,000	\$1,470,000	\$4,890,000
All other cases	105,000	114,000	9,000	50	\$675,000	\$0	\$675,000
Totals	513,000	601,000	88,000		\$13,470,000	\$12,390,000	\$25,860,000

*Totals differ from column sums due to rounding.*

<sup>5</sup> Estimates derived from fiscal year 2022-2023 data on customer encounters reported by self-help centers through the Judicial Council Self-Help Statewide Tracking and Reporting System (STARS).

<sup>6</sup> Judicial Council of Cal., *Impact of Expansion of Self-Help Centers in California Courts*, (Jan. 2021)  
<https://www.courts.ca.gov/documents/lr-2021-self-help-centers-funding-analysis-BA-2018-gov-code-9795.pdf>

<sup>7</sup> Judicial Council Self-Help Statewide Tracking and Reporting System accessed February 29, 2024.

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Developing resources for self-help centers at the state level both relieves courts from the time-intensive task of developing their own resources and ensures statewide quality consistency. Resources are developed in close consultation with court-based self-help centers. The attorney and coordinator positions will develop statewide materials in areas where case types are growing and involve complex requests for self-help center assistance. The attorneys will specialize in civil procedure, consumer debt, housing, guardianships, conservatorships, simple probate, elder abuse, and other civil issues. The attorneys and the administrative coordinator will be responsible for developing workshop content and format to be used in the courts; training, technical assistance, and resources for the self-help center staff; developing statewide information sheets; expanding information on the self-help website; and providing subject matter expertise on document assembly programs, Live Chat, and other tools to expand remote service and adapt local resources for statewide use.

**Impact of Denial of Proposal**

When self-help centers lack the resources to serve an increasing number of the most complex case types:

- Trial courts do not have the funding to cover these costs;
- Self-help center customers do not receive full assistance and are required to attend court with incomplete filings, increasing both courtroom and court clerk costs to the trial courts;
- Members of the public, often the most vulnerable ones, are unable to start or complete their court cases and are impacted by lost housing, lost revenue, or lack of protection.

**Outcomes and Accountability of Proposal**

Courts report data on self-help encounters through an online portal to the council. Outcomes data related to this proposal will be collected to track case expansion in domestic violence, civil restraining orders, eviction, consumer debt, and guardianship/conservatorship to ensure that expansion funding is enabling services to self-represented litigants in these case types. The database also tracks numbers of persons assisted in languages other than English.

**Required Review/Approval**

Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal IV: Quality of Justice and Service to the Public  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch



**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

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**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

**Director Signature:** *Charlene Depner*

**Contact Name: Don Will**

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Family and Juvenile Law Advisory Committee
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<b>Proposal Title</b>	Court-Appointed Dependency Counsel: Expanding Court Services, Supporting Federal Match, and Workload Study
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**Proposal Summary**

The Judicial Council of California requests 12.0 positions including a 1.0 two-year limited term position and \$3.6 million General Fund in 2025-26, \$2.5 million in 2026-27, and \$2.3 million in 2027-28 and ongoing to support 20 additional courts joining the Dependency Representation, Administration, Funding, and Training (DRAFT) program; administration of the Federally Funded Dependency Representation Program (FFDRP) to access up to \$66 million in federal match funds; and to conduct a workload study for court-appointed dependency counsel.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	12.0	12.0	11.0	11.0	11.0
<b>Personal Services</b>	\$2,429,000	\$2,429,000	\$2,223,000	\$2,223,000	\$2,223,000
<b>Operating Expenses &amp; Equipment</b>	1,549,000	\$423,000	\$388,000	\$388,000	\$388,000
<b>Local Assistance</b>					
<b>Federal Match</b>	(\$336,000)	(\$316,000)	(\$316,000)	(\$316,000)	(\$316,000)
<b>Total</b>	\$3,642,000	\$2,536,000	\$2,295,000	\$2,295,000	\$2,295,000
<b>One-time</b>	\$1,106,000	\$241,000			
<b>Ongoing</b>	\$2,536,000	\$2,295,000	\$2,295,000	\$2,295,000	\$2,295,000

Note: The General Fund support requested is less than the total funding need because of federal match funding that can be recovered for administrative expenses.

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**Problem or Issue**

**DRAFT Program Expansion:** Court-Appointed Dependency Counsel (CAC) is a legislatively mandated service which ensures that children and parents in foster care proceedings are represented by counsel. The Judicial Council is appropriated \$186.7 million in the state budget to fund CAC in all 58 trial courts. In 20 courts the Judicial Council's [DRAFT Program](#) manages the court appointed counsel program on behalf of the courts. The DRAFT program manages the \$122 million total allocation for those courts to ensure that their CAC needs are met, including identifying and securing dependency counsel, contracting directly with legal service providers, and providing training and technical assistance. Benefits of the program include the application of consistent performance and administrative standards to court-appointed counsel in multiple counties, relieving courts from the need to negotiate with and monitor legal services vendors who are appearing before the court and reducing administrative costs through economies of scale. Twenty<sup>1</sup> additional courts have expressed interest in joining DRAFT, but resources are not available to administer the DRAFT program for additional courts.

**Federal Match Administration:** FFDRP was established in 2019 to support the courts and CAC providers with newly available federal funds to improve legal representation services for families and children in dependency proceedings. Due to severe administrative understaffing, FFDRP experiences an ongoing backlog of invoice review resulting in significant delays to critical program activities including budgeting, procurement, development, and maintenance of program reference materials relied on by participating courts and providers, and most notably, delayed payments to providers. A workload analysis conducted for this proposal indicates that 5.0 additional positions are required to administer the FFDRP program.

The workload for FFDRP invoice processing requires approximately 11,700 hours of staff time; and the existing 3.5 Center for Families, Children & the Courts (CFCC) positions dedicated to FFDRP only have the capacity to cover 26 percent of that workload. The existing 3.5 CFCC positions are funded by a General Fund allocation of \$1.5 million, of which \$1.0 million was designated for staff support (for 3.5 CFCC and 4.0 Branch Accounting and Procurement staff) and federal match funding of up to \$361,000, in the form of reimbursement. The remaining \$500,000 is designated for operating expenses including technology to support FFDRP billing. The \$1.5 million General Fund allocation has not increased despite general salary increases and increased benefit costs which must be absorbed within the current allocation. The requested positions will increase the amount of federal match funding available to support administration.

**Workload Study for CAC:** The General Fund [allocation](#) for CAC is \$186.7 million. The CAC funding methodology used to allocate this funding to trial courts may be outdated based on several changes to federal and state laws that impact juvenile dependency practice. The current funding methodology for CAC was approved by the Judicial Council in [2016](#) and amended in [2022](#). It is urgent that the council conduct a workload study on dependency representation to determine whether the factors used in the current CAC funding methodology require revision. We are requesting funding to support the costs for a contractor to conduct a comprehensive workload study and a 2-year limited term Analyst as the Judicial Council currently does not have the staffing or resources to perform this work.

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<sup>1</sup> The Superior Courts of Alpine, Butte, Calaveras, Colusa, Glenn, Humboldt, Kern, Lassen, Modoc, Mono, Monterey, Napa, Nevada, San Benito, San Mateo, Shasta, Sierra, Siskiyou, Tulare, and Tuolumne Counties.

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**Background/History of Problem**

**DRAFT Program Expansion:** Juvenile courts in each of California’s counties preside over cases that are filed by county social services agencies when a child has been, or is suspected of being, abused or neglected. Parents and children in these cases are statutorily entitled to legal representation, but usually cannot afford to pay for their own attorneys. The court appoints attorneys to represent indigent parents and all children, and the state pays for the attorneys through funds administered by the Judicial Council. The DRAFT program was implemented at the request of the courts in 2004. Under DRAFT, the Judicial Council collaborates with courts to identify and select juvenile dependency counsel and is responsible for direct attorney contracting, service administration, identifying training needs, providing technical assistance, and resolving compliance and performance issues when needed.

The DRAFT program currently administers the CAC funding for 20 courts. An additional twenty courts have expressed interest in joining the DRAFT program. These courts face challenges with identifying and selecting CAC providers, negotiating, and maintaining contracts, controlling costs, overseeing attorney performance, and resolving compliance and other issues related to dependency representation. These challenges are particularly difficult for small courts.

Six dedicated positions are required to support expansion of the DRAFT program to the additional 20 courts.

**Federal Match Administration:** FFDRP provides up to \$66 million in federal funding to the statewide CAC program which has been historically underfunded. Expanded dependency counsel representation funded through FFDRP helps to ensure that the complex requirements in juvenile law for case planning, notice, and timeliness are adhered to, thereby reducing case delays, improving court case processing and the quality of information provided to the judge, and ultimately shortening the time children spend in foster care.

Currently 58 providers from 31 courts across the state participate in the program. In 2024-25, FFDRP expects participation from a total of 70 providers from 35 courts across the state and anticipates additional court participation in future years. Providers include solo attorneys, panel organizations, and mid-to large-size firms. FFDRP invoice review is a very complex and detailed process. FFDRP expects to process at least 1,120 invoices containing approximately 30,000 pages of time records and other expenditure records annually. Based on analysis of current invoice processing times, we project that invoice processing alone will require approximately 11,700 hours annually.

All current FFDRP staff perform additional program administration duties outside of invoice review including program budgeting, contracting and procurement, processing program applications, tracking program data and financials, and maintaining program resources and tools. Existing CFCC FFDRP staff cover approximately 3,040 hours of the invoice processing workload leaving a remaining need of approximately 8,660 hours. FFDRP has worked actively to streamline and reduce workload. Beginning in late 2022-23 FFDRP implemented a streamlined invoice review process for well-established providers to

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reduce overall workload and processing times. While the streamlined invoice review process is still new, we anticipate that it will save 4,090 hours of processing time. Program staff also regularly provide technical assistance to providers to minimize errors that lead to lengthy processing times. FFDRP is also currently working with a contractor to finalize a billing system that will allow users to automate complex invoice components. While the billing system will automate the submission of provider invoices, FFDRP staff must still review all expenses claimed and verify all supporting documentation. All these improvements have been factored into this request.

**Workload Study for CAC:** One of the key factors used in the current CAC funding methodology to determine the total statewide funding need for dependency counsel is attorney caseloads. The current methodology assumes a standard caseload of 141 clients per full-time dependency attorney, based on a workload study published in 2004. Since the workload study was published in 2004, there have been several federal and state changes to laws that impact juvenile dependency practice, including the introduction of a new category of foster youth aged 19 to 21 (non-minor dependents), the widespread implementation of the Indian Child Welfare Act, extensive new responsibilities for attorneys related to psychotropic medication orders for children, and most recently the federal legislation promoting family connections and preventive services (the Family First Prevention Services Act), which have all contributed to a change in the workload of dependency attorneys. Because the workload standards utilized in the methodology have not been revisited since 2004, they may not accurately reflect the current juvenile dependency attorney workload.

**Diversity, Equity, and Inclusion:** DRAFT program and CAC funded providers serve clients that cannot afford representation; and client populations include those that have been historically underrepresented but overrepresented in the child welfare system. The Judicial Council's CFCC administers the Juvenile Dependency Counsel Collections Program (JDCCP), established to collect reimbursement from parents or minors demonstrating an ability to pay for representation. JDCCP recovers an average of only 0.5 percent of dependency representation costs annually.

**Impact of Denial of Proposal**

**DRAFT Program Expansion:** Several courts requesting to join the DRAFT program have indicated challenges with securing and retaining quality court-appointed counsel for juvenile dependency cases due to issues related to caseloads, compensation, and the difficulty of finding attorneys interested and willing to provide dependency representation at the current funding levels. The challenges are more pronounced for the small courts. If this proposal is denied, the 20 DRAFT courts requesting to join the DRAFT must continue utilizing their limited staff to ensure that their dependency counsel needs are met. This may also impact children and parents in the dependency system as they may experience more attorney turnover and longer times in the dependency system.

**Federal Match Administration:** Delays in invoice processing will impede FFDRP providers' ability to fund required efforts to enhance the quality legal representation that are supported through the FFDRP program, including staffing, reducing caseloads, and implementing interdisciplinary representation models. This may impact children and parents in the dependency system as they may experience attorney turnover,

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may not have access to multidisciplinary services, and may experience longer times in the dependency system. Other delays may arise as existing FFDRP staff will be unable to maintain program resources relied upon by providers and provide crucial technical assistance. In addition, inadequate staffing will impact timeliness for distribution of the \$30 million in state funding to address FFDRP shortfalls.

**Workload Study for CAC:** If this proposal is denied, the total funding need for court-appointed dependency counsel that is used to allocate CAC funding may be incorrect and result in an over or understated total funding need for CAC statewide and individual courts. Underestimating funding will result in attorneys carrying unrealistic caseloads and impact their ability to provide quality of representation, as well as the Judicial Council’s ability to attract new attorneys into the profession. Furthermore, an understated funding need based on inaccurate workload and caseload standards will impact access to justice for dependency clients that cannot afford representation in dependency cases, including populations that have been historically overrepresented in child welfare cases.

**Outcomes and Accountability of Proposal**

DRAFT program staff will ensure that participating courts have attorneys to provide high quality legal representation in dependency cases by overseeing the courts’ CAC budget, negotiating contracts with legal service providers, conducting solicitations when a DRAFT court is in need, facilitating transitions when there is a change in providers; and providing training and technical assistance to the courts and providers. New staff to administer federal match funds will (1) provide timely and legally accurate contracts to the attorney providers and the courts; (2) decrease overall invoice processing and payment times; (3) develop and maintain current program resources; (4) provide timely technical assistance and training to the courts and attorney providers; and (5) collect and maintain data for accurate and timely reporting to the Legislature and federal government. Conducting a comprehensive workload study on dependency counsel practice will enable the Judicial Counsel to determine whether the current CAC funding methodology accurately reflects the current funding need and help ensure access to justice for vulnerable dependency populations.

The program conducts statewide, comprehensive data collection to document these outcomes.

**Required Review/Approval**

Family and Juvenile Law Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal IV: Quality of Justice and Service to the Public  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

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**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

**Director Signature:** *Charlene Depner*

**Contact Name: Kelly Meehleib, Supervising Analyst, Center for Families, Children & the Courts**

**Judicial Branch  
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<b>Requesting Entity</b>	Tribal Court – State Court Forum
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<b>Proposal Title</b>	Expansion of Tribal/State Programs Services
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**Proposal Summary**

The Judicial Council of California (council) requests 4.0 positions and \$1.5 million General Fund in 2025-26 and \$1.4 million in 2026-27 and ongoing to provide expanded services to support the judicial branch in reducing disproportionality and disparities in addressing the needs of the American Indian /Alaska Native (AI/AN) population appearing in state courts. To reduce disproportionality and disparities in access and outcomes, the council will establish collaborative processes between the judicial branch and tribal justice systems and expand education for judicial officers and justice partners on tribal and federal Indian law issues.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	4.0	4.0	4.0	4.0	4.0
<b>Personal Services</b>	1,053,000	1,053,000	1,053,000	1,053,000	1,053,000
<b>Operating Expenses &amp; Equipment</b>	199,000	140,000	140,000	140,000	140,000
<b>Local Assistance</b>	200,000	200,000	200,000	200,000	200,000
<b>Total</b>	1,452,000	1,393,000	1,393,000	1,393,000	1,393,000
One-time	\$59,000				
Ongoing	1,393,000	1,393,000	1,393,000	1,393,000	1,393,000

\*Please include all costs associated with request including costs for other offices and courts.



**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

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**Problem or Issue**

The Tribal/State Programs Unit (unit) is unable to meet the needs of state courts for services related to collaborating with local tribes and ensuring court access for the American Indian/Alaska Native population. The unit supports the Tribal Court–State Court Forum (Forum), which was established in 2013 as an official advisory body to the Judicial Council with a broad mandate to address issues of mutual importance, jurisdictional collaboration, and recognition and enforcement of court orders, and to promote coordination between tribal and state courts. The unit consists of two full-time staff, one Attorney II and one Senior Analyst, as well as a .50 FTE Administrative Coordinator and a .30 FTE Supervising Attorney. Funded only by grants, these positions are limited to working on projects related to the Indian Child Welfare Act and court activities and education related to domestic violence, sexual assault, stalking, dating violence, and human trafficking. The Forum has identified other important cross-jurisdictional issues including traffic, criminal law, environmental law, civil disputes, and land use, but as currently staffed and funded, the Tribal/State Programs Unit cannot support the Forum in addressing these areas.

**Background/History of Problem**

California is home to nearly 15 percent of the nation’s AI/AN population and 109 of the 574 federally recognized tribes. Tribes as separate sovereigns have always maintained authority to have their own courts and justice systems, but in 1953, California became one of six states subject to Public Law 280 (PL 280). Under PL 280, the federal government transferred its responsibility and jurisdiction over criminal matters arising in “Indian country” to the states, opened the state courts for most civil disputes arising in Indian country, and withdrew federal funding for tribal courts and tribal justice institutions.

The Judicial Council has recognized the historic mistreatment of California’s tribal communities and the significant legal challenges presented by PL 280. In the mid-1990s, the Judicial Council’s Advisory Committee on Access and Fairness conducted three roundtables on “Legal Issues Affecting Native American Communities,” and the Judicial Council committed to engaging on these issues. Following the roundtables, the council sought legislation to establish a “California Tribal Justice Support Services Unit” within the state judicial branch to enhance tribal justice systems, reduce burdens on state courts, and improve access to justice for both tribal and nontribal members, but was not successful. Instead, the Judicial Council has incrementally focused on improving services for tribal communities but has been unable to fully implement the commitments made following the roundtables.

In 2003, the Advisory Committee on Access and Fairness published a Native American Resource Guide for Bench Officers, highlighting the complexity of legal issues surrounding this population. The legal issues have only become more complex, but this resource has not been updated in the past twenty years.

Cross-jurisdictional legal areas the Forum would address if it had the capacity include motor vehicle and traffic law. As a rule, tribes do not have criminal jurisdiction over non-Indians, even for crimes committed on tribal lands. Many tribal lands are remote and poorly served by state and local law enforcement. When individuals drive drunk or recklessly on roads running through tribal lands, tribal law enforcement are the most common responders, but they cannot charge a crime; they can only issue civil citations for individuals

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to appear in tribal court. Even when the tribal court finds an individual has driven recklessly or drunk on multiple occasions, there is no effective recourse. The Department of Motor Vehicles does not recognize these tribal court judgments, so there is no impact on an individual's driver's license. State courts do not recognize these judgments as convictions and cannot enforce any fines, fees, or penalties imposed by the tribal court. This situation is an ongoing public safety risk.

Another example involves the cross-jurisdictional sharing of resources and programs. The Round Valley Tribal Court located in Mendocino County handles divorce and dissolution cases, but it does not have a child-custody mediation program. When child custody issues arise, the Round Valley Tribal Court would like to refer those issues to the child-custody mediation program at the Mendocino County Superior Court. However, access to the state-run child-custody mediation program requires an open family law case in state court. To access these services, to which tribal court litigants are entitled, they must file their case in state court, not tribal court. The inability to share resources across jurisdictions creates an access to justice issue for the litigants and unnecessarily increases the workload of the state court.

Joint-jurisdiction courts, collaborations between state and tribal court judges that improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction, are another long-standing priority with unfulfilled promise for the Forum. The three active joint-jurisdiction courts in California (in El Dorado, Humboldt, and San Diego counties) handle juvenile matters and have been very successful. These and other counties wish to develop and expand their joint-jurisdiction projects to case types beyond juvenile, such as domestic violence and certain criminal matters involving substance abuse. In these cases, tribal courts can act essentially as diversion courts providing case supervision, case management, and services. This could reduce workloads for state courts and improve access to justice for underserved and remote tribal communities. State courts, however, need technical and staff support to expand or develop joint-jurisdiction courts. Although the Forum's annual agenda includes exploring ways to support and increase the number of joint-jurisdiction courts and other innovative models such as regional ICWA courts and dedicated ICWA courts or calendars (Item 11), currently there is no funding to support these efforts.

**Impact of Denial of Proposal**

The California Judicial Branch will continue to be unable to fully integrate and comprehensively address AI/AN and tribal issues throughout the work of the branch. The Tribal/State Programs Unit will not have the resources to support state and tribal courts in areas of the law other than ICWA, juvenile law, and domestic violence. Public safety issues on tribal lands will remain unaddressed. Disparities in access to the courts and court services will persist. Complex jurisdictional issues will not be addressed. The Forum will not have the resources it needs to meet its charge.

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2025-26 Budget Change Proposal Concept**

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**Outcomes and Accountability of Proposal**

The Judicial Branch will be able to fully assess and address issues such as bias, access, disproportionality, and disparities as related to the AI/AN population and develop policies, processes, and education to address those issues. The Forum will have the staff and resources to address longstanding areas of concern for state courts and tribal courts and will be able to scale up its efforts in building relationships, fostering collaboration, and finding efficiencies as the two court systems work more closely together.

**Diversity, Equity, and Inclusion.**

The AI/AN population in California has historically been underrepresented and poorly served by state justice institutions. Many tribal lands are remote, and the challenges of time and transportation to a state court may be prohibitive. In addition, state courts may be culturally unfamiliar and seem daunting and very different, especially for unrepresented individuals, from customs and practices in tribal communities and courts. Funding the Tribal/State Programs Unit will serve the goals of diversity, equity, and inclusion by allowing it to support tribal courts and justice systems for a historically marginalized population.

**Required Review/Approval**

Tribal Court – State Court Forum  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal IV: Quality of Justice and Service to the Public  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Charlene Depner*

Contact Name: Don Will, Audrey Fancy, and Christy Simons

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Budget Advisory Committee
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<b>Proposal Title</b>	Increase Trial Court Security Funding
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**Proposal Summary**

The Judicial Council of California requests additional funding for counties to support sheriff provided security in trial courts. The purpose of this funding is to supplement, not supplant funding for 2011 realigned activities.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>					
<b>Local Assistance</b>					
<b>Total</b>	TBD	TBD	TBD	TBD	TBD
One-time					
Ongoing					

\*Please include all costs associated with request including costs for other offices and courts.

**Problem or Issue**

Trial courts report that there are issues with the provision of court security following trial court security realignment. Additional funding provided to the counties and sheriffs could support the goals of realignment to provide safe courthouses. The purpose of this funding is to supplement, not supplant funding for 2011 realigned activities.

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**2025-26 Budget Change Proposal Concept**

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**Background/History of Problem**

Trial court security funding was realigned to the counties as part of 2011 Public Safety Realignment. The 2024-25 Governor's Budget projects approximately \$660 million of sales tax revenues will be allocated to 56 counties to support sheriff provided security in trial courts. This proposal explores options to supplement funding for counties and sheriffs to address issues with the provision of court security following trial court security realignment.

**Impact of Denial of Proposal**

Denial of the proposal will result the issues related to trial court security to persist.

**Outcomes and Accountability of Proposal**

The proposed funds will support the goal to provide safe trial courts.

**Required Review/Approval**

Trial Court Budget Advisory Committee  
Court Security Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal IV: Quality of Justice and Service to the Public

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	San Diego Hall of Justice - Facility Modification
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**Proposal Summary**

The Judicial Council of California requests \$9.5 million one-time General Fund to supplement previously approved funding. This additional support is necessary to address cost increases for facility modification at the San Diego Hall of Justice.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost**

Fiscal Year	2025-26 (BY)	2026-27 (BY+1)	2027-28 (BY+2)	2028-29 (BY+3)	2029-30 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$9,460,000				
<b>Local Assistance</b>					
<b>Total</b>	\$9,460,000				
One-time	\$9,460,000				
Ongoing					

\*Please include all costs associated with request including costs for other offices and courts.

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**2025-26 Budget Change Proposal Concept**

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**Problem or Issue**

This funding request is for additional financial support initially received in 2022-23 for the State's portion of the facility modification project for the County-owned San Diego Hall of Justice. The San Diego Hall of Justice, built in 1995, is a shared occupancy building managed by the County of San Diego. Due to the age and condition of the building, the County of San Diego proposed a major, multi-year, facility modification. This project involves all major systems maintenance renewals to modernize the building, including HVAC, vertical transportation, and plumbing, for it to be in regulatory compliance, comfortable, safe, and reliable in continuing to serve the public.

As it is a shared-use facility between the Judicial Council and County of San Diego, both parties are responsible for their respective shares of the total project cost based on their occupancy percentages. The Judicial Council has a contractual obligation to fund the State's portion of this project but does not have sufficient financial resources due to the size, scope, and limited resources of the overall facility modification program.

The county lead project has experienced delays and cost escalation, with the project estimated cost increasing from \$67,335,000 to \$87,335,000. According to the Joint Occupancy Agreement (JOA) executed with the County, the Judicial Council's percentage share of this facility is 40.24%. The Judicial Council shared contribution to the project is approximately \$36,700,000. In 2022-23, the Judicial Council received a one-time General Fund allocation of \$29,700,000 for the project. To accommodate the augmented project cost and fulfill its contractual obligations, the Judicial Council is requesting an additional one-time funding of \$9,460,000 to support the San Diego Hall of Justice facility modification. The funding includes a \$7,000,000 increase in the Judicial Council's share of the project cost and an additional \$2,460,000 contingency representing 7% of the total Judicial Council's share, an aspect that was overlooked in prior requests.

The Judicial Council supports the planned repairs at the San Diego Hall of Justice. The facility will remain as part of the Judicial Council portfolio indefinitely. Investing in the facility provides for the longevity of assets and ensures safety and access to justice.

**Background/History of Problem**

The Hall of Justice, located at 330 West Broadway, San Diego, California is a County-owned building spanning 393,007 square foot, with 121,100 square feet as court-exclusive space. This facility houses criminal and small claims functions, with six justice partners occupying county-exclusive space in the building. These partners include the District Attorney, Probation Department (Adult Probation), Department of Child Support Services, Adult Forensics Services, Office of Revenue and Recovery, and the Public Defender.

The court occupies 40.24% of the building. Within the facility, there are 14 authorized judicial officers, comprising of 11 full-time judges, two pro temp judges, one commissioner, and 169 other court staff in the building, which include court administration, self-help, and multipurpose room functions. Twelve of the fourteen courtrooms are utilized for civil cases while the remaining two courtrooms are focused on small

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claims.

The Hall of Justice is linked to the Central Courthouse through a pedestrian bridge. The building primarily handles civil matters including small claims, unlawful detainer, and civil restraining orders in the central region of San Diego County. The building does not have in-custody holding space or a sally port for in-custody transport.

The frequent travel of pedestrians between the Hall of Justice and the Central Courthouse has resulted in higher foot traffic than originally intended, accelerating wear and tear in both the pedestrian bridge and the Hall of Justice. Due to the added volume of pedestrians, a former jury assembly room has been converted into a conference center, serving as an important resource for the courts.

The Hall of Justice holds a significant presence in downtown San Diego and is currently functioning effectively. The proposed facility modification is essential to ensure the building continues to operate successfully for another 30 years.

The current project is 36% done of the previously approved amount. County is adding additional funding in July (next fiscal year). Window installation, plumbing work and swing space have been completed. Long lead items like air handlers and escalators have been ordered. Work is continuing the HVAC system.

**Impact of Denial of Proposal**

Denial of the proposal will lead to a breach of our contractual obligations to fund the renovations at the jointly utilized San Diego Hall of Justice. This would leave the facility modification project unfinished, potentially leaving the trial court facility in an inadequate and unreliable state and could disrupt court operations and hinder public access to justice.

**Outcomes and Accountability of Proposal**

The Judicial Council will obligate funding for the facility modification at the aging San Diego Hall of Justice per Joint Occupancy Agreement contractual requirements and for the benefit of the court and facilities program. The Judicial Council will monitor the project progress and expenses to ensure fiscal accountability.

The Trial Court Facility Modification Advisory Committee provides ongoing oversight of the Judicial Council Facilities Program and is regularly informed of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

In addition, this funding request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the



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California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch's facilities program is equity across the state: uniformly safe, secure, and well-maintained facilities were the goals established in 2002 and remain the mission of the Facilities program today.

**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal IV: Quality of Justice and Service to the Public  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Facilities Program Support
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**Proposal Summary**

The Judicial Council of California requests \$6.2 million ongoing General Fund for 6.0 positions and facilities program support and \$250,000 one-time General Fund to provide court facilities planning services for a total of \$6.4 million in 2025–26. This request is based on the need to support court facilities planning, facility modifications, and capital projects.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	6.0	6.0	6.0	6.0	6.0
<b>Personal Services</b>	\$1,761,000	\$1,693,000	\$1,693,000	\$1,693,000	\$1,693,000
<b>Operating Expenses &amp; Equipment</b>	\$4,650,000	\$8,900,000	\$8,900,000	\$4,400,000	\$4,400,000
<b>Local Assistance</b>	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	\$6,411,000	\$10,593,000	\$10,593,000	\$6,093,000	\$6,093,000
One-time	\$250,000	\$4,500,000	\$4,500,000	\$0	\$0
Ongoing	\$6,161,000	\$6,093,000	\$6,093,000	\$6,093,000	\$6,093,000

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

Adopted by the Judicial Council in July 2023, the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25* represents the funding priority for projects in the council’s *Statewide List of Trial Court Capital-Outlay Projects* and five-year infrastructure plans for trial and appellate court facilities. Primary drivers of court facility needs include providing a safe and secure facility, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding the public’s physical, remote, and equal access to the courts.

The ongoing funding request of \$6.2 million in 2025–26 and \$6.1 million ongoing in outyears is necessary to provide the resources for appropriate facilities program support including program management services and 6.0 Project Manager positions. The current Project Manager staffing cannot absorb new capital and facility modification projects as they become authorized for funding.

Facilities Services is responsible for implementing and administering over \$636 million in facility related services in over 450 court facilities throughout California. Additionally, the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25* proposes \$1.4 billion in capital construction. Resources are needed to provide oversight and coordination of various aspects of the facilities program to ensure they align with the overall goals and objectives of the facilities program. A successful program requires a holistic approach, considering both the short-term and long-term needs, effective communication, collaboration, document management, and strategic planning.

The primary focus is on optimizing the use of physical spaces, resources, and services to support access to justice. Program Management services costs will be split between the funds requested in this budget change proposal concept (BCC) and those requested in the BCC titled *Capital Outlay Funding: 2025–26 through 2029–30*. The Program Manager is an outside consultant who supports the capital program and provides guidance on policies and procedures for the capital program.

The ongoing funds will also support the completion of planning studies for court facility modifications and capital outlay projects. The studies produced will inform and validate project scopes, schedules, and budgets by developing budget packages and analyzing asset assessment options and assessing feasibility.

Integral to the management of the Facilities program is access to the building information developed during the planning, design, and construction of the facilities. Software conversion of outdated building information modeling (BIM) for completed capital projects as well as implementation of a web-based project management tool are needed to leverage third party generated project data. The Judicial Council’s current BIM model does not allow for integration with the Judicial Council Facility Operations Unit’s maintenance and preventative maintenance programs. Currently, no web-based project management tool exists to standardize the management of capital projects.

In addition, one-time funds of \$250,000 is necessary to provide resources to plan space for new judgeships. Whether space is reconfigured in existing court facilities or provided through new lease facilities or modular buildings, timely planning has been essential for superior courts to have space needs met to

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increase service level capacity by reducing the caseload per courtroom that improves access to justice. The \$9.0 million split over two outlying years is for the Judicial Council to begin another reassessment of capital projects targeting completion in 2029. The Judicial Council last reassessed its projects in the trial court capital-outlay plan and its prioritization methodology in 2019. To assist this effort, facility condition assessments (FCAs) will be developed. The objective of the FCA is to identify the capital reserves for infrastructure lifecycle repair/replacement needs over the ten-year lifecycle. The FCA projections become the basis for the Facility Condition Index, which is an integral component of the capital project scoring methodology.

**Background/History of Problem**

In 2002, the responsibility of California's courthouses funding and operation shifted from the counties to the state under the Trial Court Facilities Act (Sen. Bill 1732; Stats. 2002, Ch. 1082). With this shift, the Judicial Council began to address the shortage of space, antiquated facilities, and inadequate infrastructure that threatens the ability of the justice system to accommodate the needs of residents and businesses. Addressing the state's aging and deficient court buildings with substantial long-term funding required to renovate, replace, and create new court facilities has been critical. Since 2002, a total of 31 trial court capital outlay projects has been completed: 27 new courthouses and four major renovations of existing buildings. Of the state's 58 trial courts, 28 have benefitted from these projects. Another five capital projects are projected to complete within 2024–25.

The current need to renovate or replace trial court facilities statewide is reflected in the Judicial Council's Statewide List of Trial Court Capital-Outlay Projects. This list contains 80 projects affecting 41 trial courts and approximately 165 facilities, which represents more than one-third of the facilities in the judicial branch's real estate portfolio. (The other 17 trial courts had operational needs that translated into noncapital projects, such as court-funded facilities requests or facility modifications, which are being addressed under separate facilities programs.) Government Code section 70371.9 required the council to conduct a reassessment of all trial court capital outlay projects that had not been fully funded up to and through the 2018 Budget Act (2018–19), and through this reassessment with trial court input, this list was produced. Since this list was developed in 2019, a total of 12 of the 80 projects have received initial funding and are underway.

Also, the provision of space for new judgeships has been critical to improve access to justice. Based on the facility plans developed as part of the 2019 reassessment and current conditions, superior courts do not have adequate facilities to accommodate new judgeships and support staff. Based on the Judicial Council's latest judicial needs assessment, a total of 98 new judgeships are needed statewide. These new judgeships require courtrooms and support spaces that are carefully planned space in advance of the positions becoming authorized and funded

**Impact of Denial of Proposal**

Delay in facilities program funding affects advancement of the Judicial Council's programs including the planning of space for new judgeships and the five-year infrastructure plan, which includes projects planned to correct or replace court facilities with deficiencies that hinder service to the public. Each project that becomes fully funded and completed expands the public's physical, remote, and equal access to the courts.

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**Outcomes and Accountability of Proposal**

The Court Facilities Advisory Committee provides ongoing oversight of the Judicial Council’s five-year infrastructure plan and the Judicial Council’s courthouse construction program including capital outlay projects providing space for new judgeships. The Trial Court Facility Modification Advisory Committee provides oversight of facility modifications providing space for new judgeships.

This funding request will uphold the originating legislative directives aimed at making courthouses accessible and functional throughout the state. Additionally, it aligns with the priorities of diversity, equity, and inclusion set by the Administration. It ensures that residents from every county in California have access to buildings that are designed, built, and maintained according to standards such as the federal Americans with Disabilities Act and the California Building Code, which ensure full access to all individuals, regardless of their abilities.

The core principle embedded in enabling legislation of the judicial branch’s facilities program is equity across the state. The program’s mission, which dates to 2002 and remains unchanged today, is to provide uniformly safe, secure, and well-maintained facilities reflecting this commitment of equity.

**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

- Goal I: Access, Fairness, Diversity, and Inclusion
- Goal II: Independence and Accountability
- Goal IV: Quality of Justice and Service to the Public
- Goal VI: Branch wide Infrastructure for Service Excellence
- Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
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<b>Proposal Title</b>	Courts of Appeal Deferred Maintenance, Facility Modification, and Maintenance
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**Proposal Summary**

The Judicial Council of California requests \$13.2 million General Fund in 2025-26 and \$1.3 million General Fund in 2026-27 and ongoing for Court of Appeal facilities. The request includes \$11.9 million one-time funding to address vital deferred maintenance projects in Court of Appeal facilities, \$620,000 ongoing for facility modification, and \$680,000 ongoing for maintenance of Court of Appeal facilities.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$13,175,000	\$1,296,000	\$1,296,000	\$1,296,000	\$1,296,000
<b>Local Assistance</b>					
<b>Total</b>	\$13,175,000	\$1,296,000	\$1,296,000	\$1,296,000	\$1,296,000
One-time	\$11,879,000				
Ongoing	\$1,296,000	\$1,296,000	\$1,296,000	\$1,296,000	\$1,296,000

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

The Judicial Council is responsible for the facility needs of the Supreme Court and Courts of Appeal. Audits conducted on the three Judicial Council owned and managed Court of Appeal facilities revealed a backlog of 191 deferred maintenance projects with an estimated cost of \$26.0 million to repair or renew. Due to limited funding, the Judicial Council is unable to address this backlog effectively resulting in a run-to-failure mode for many building systems.

This proposal requests increasing funding to operate Court of Appeal facilities at industry standard levels. Maintenance industry standards, for example those published by the International Facility Management Association (IFMA) establish guidelines and best practices for the systematic and efficient maintenance of building assets, equipment, and facilities. IFMA regularly publishes funding rates to achieve the level of maintenance described in their best practices. The basis of the current funding is the 2017 IFMA rate for maintenance and utilities.

Judicial Council Facilities Services evaluated the costs of the facilities program using the IFMA as the industry standard cost benchmarking measure for maintenance and analyzed utility consumption and cost data. The resulting analysis determined that the current funding level is inadequate to maintain and operate trial courts at industry standards. Based on the current IFMA and utility rates, using CPI to escalate to 2025 reveals a gap of \$680,000 in maintenance and operations funding.

The Court of Appeal portfolio requires additional funding to return the facilities to industry standards for security, energy efficiency, and systems maintenance. This proposal seeks \$11.9 million one-time for the most critical deferred maintenance projects, \$620,000 ongoing to establish funding for addressing facility modifications and repairs, and \$680,000 ongoing for maintenance, operations, and utilities in alignment with IFMA standards. This funding will allow staff to implement an efficient approach to maintaining Appellate Court facilities.

**Background/History of Problem**

The Judicial Council oversees the overall care and management of building assets within the judicial branch to ensure access to justice in California’s trial courts, Courts of Appeal, and Supreme Court.

The Courts of Appeal occupy 10 facilities, three of which are Judicial Council owned and managed. Operations and maintenance, deferred maintenance, and facility modifications for these buildings are primarily funded by the Courts of Appeal’s operational budgets. However, other competing program costs have limited the amount of funding available to address these facility’s needs.

In 2008–09, the Legislature approved the construction of a new appellate court facility in Santa Ana for the Court of Appeal, Fourth Appellate District. A budget change proposal was submitted to request an ongoing \$415,000 General Fund for operations and maintenance. However, while funds were provided for the construction, they deferred the maintenance budget to a future fiscal year. As the facility was relatively

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new, operations and maintenance costs were minor and absorbable within the court's operating budget. Over time, as the facility aged, maintenance costs grew beyond what the court's budget could handle. In the 2021–22 Budget Act, the Court of Appeal received \$1.07 million ongoing GF, based on the 2017 IFMA industry standard of funding for an adequate O&M program in the facilities management industry. Additionally, the Judicial Council received \$188 million of deferred maintenance funding with \$8 million earmarked for the Court of Appeal. Unfortunately, there was a \$49.5M reduction in 2022-23, which included a proportionate reduction of the \$8 million for the Court of Appeal.

Without adequate funding to provide preventative maintenance, perform facility modifications, or address the deferred maintenance backlog, vital systems will fail, causing disruptions to the courts and limiting public access to justice.

The system replacements most urgently needed include:

- Compromised roofing systems that risk costly water intrusion mitigation;
- Non-code complaint fire, life and safety monitoring systems that create occupant safety issues;
- Failed elevator systems causing entrapments;
- Inefficient HVAC equipment causing uncomfortable or unsafe respiratory conditions;
- Failed plumbing systems causing flooding incidents.

**Impact of Denial of Proposal**

Denial of this proposal will result in further degradation of Court of Appeal facilities due to limited funding for repairs and continued impact to Court of Appeal operational budgets for ongoing maintenance and emergency repair costs.

**Outcomes and Accountability of Proposal**

The judicial branch's responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are accessible and functional throughout the state.

An ongoing, systematic approach to provide preventative maintenance, perform facility modifications, and address deferred maintenance enables the Judicial Council to efficiently allocate resources and establish an ongoing strategy to address the deferred maintenance backlog. An allocated source of funds for Court of Appeal facilities in the Judicial Council portfolio allows for appropriate funding levels of facilities maintenance, ensuring standardization across the portfolio, and slowing the degradation of the State's building assets. The Administrative Presiding Justices Advisory Committee provides ongoing oversight of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management.



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In addition, this request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the Federal Americans with Disabilities Act and the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remains the mission of the facilities program today.

**Required Review/Approval**

Administrative Presiding Justices Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal IV: Quality of Justice and Service to the Public  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee				
<b>Proposal Title</b>	Trial Courts Facilities Maintenance and Utilities Industry Standard Funding				
<b>Proposal Summary</b>					
The Judicial Council of California requests 3.0 positions and \$66.8 million. This includes \$51.5 million in ongoing General Fund (GF) and \$15.3 million in ongoing reimbursement authority from the Court Facilities Trust Fund (CFTF) to provide industry-standard facility operations and maintenance (O&M) and utilities for the existing real estate portfolio.					
Does this proposal require a statutory change?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
Does this proposal have an information technology component?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
Does this proposal require data collection or reporting?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
Proposed fund source: General Fund/CFTF reimbursement					
<b>Estimated Cost (Enter whole dollars rounded to thousands) *</b>					
<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	3.0	3.0	3.0	3.0	3.0
<b>Personal Services</b>	\$727,000	\$692,000	\$692,000	\$692,000	\$692,000
<b>Operating Expenses &amp; Equipment</b>	\$66,079,000	\$66,079,000	\$66,079,000	\$66,079,000	\$66,079,000
<b>Local Assistance</b>					
<b>Total</b>	\$66,806,000	\$66,771,000	\$66,771,000	\$66,771,000	\$66,771,000
One-time					
Ongoing	\$66,806,000	\$66,771,000	\$66,771,000	\$66,771,000	\$66,771,000
*Please include all costs associated with request including costs for other offices and courts.					

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**Problem or Issue**

This proposal requests increased funding to operate Judicial Council trial court facilities at industry standard levels. Maintenance industry standards, for example those published by the International Facility Management Association (IFMA) establish guidelines and best practices for the systematic and efficient maintenance of building assets, equipment, and facilities. IFMA regularly publishes funding rates to achieve the level of maintenance described in their best practices. The basis of the current funding is the 2017 IFMA rate for maintenance and utilities.

Judicial Council Facilities Services evaluated the costs of the facilities program using the IFMA as the industry standard cost benchmarking measure for maintenance and analyzed utility consumption and cost data. The resulting analysis determined that the current funding level is inadequate to maintain and operate trial courts at industry standards. Based on the current IFMA and utility rates, using CPI to escalate to 2025 reveals a gap of \$66.8 million in trial court maintenance and operations funding.

The cost of maintenance has increased approximately 17% annually. Additionally, utilities have increased an average of 9% per year. Since utilities must be paid to receive the services, budget is being shifted from preventative maintenance to pay utility costs which increases the deferral of preventative maintenance. Deferring preventative maintenance increases the \$3.6 billion deferred maintenance backlog. The result of deferring preventative maintenance are unplanned emergencies which are disruptive to court operations and costly to remediate.

Due to the increases in the portfolio square footage, the performance of preventative maintenance tasks and need to response to emergency maintenance a need for 3.0 additional positions has been identified. The additional staff are responsible to administer and ensure vendor performance, providing oversight and accountability for the maintenance, operations, and utilities for over 150 trial court facilities. The facilities program last received positions in FY 2021-22.

**Background/History of Problem**

Facility maintenance is foundational to the work of the Judicial Council Facilities Services program. Without fully functioning court facilities, there is no equal access to justice. Currently no mechanism is in place for Facilities Services to address cost escalation other than the budget change proposal process.

Industry standards and best practices include regularly scheduled asset renewals and preventative maintenance to reduce unplanned emergency failures of building components. The cost to repair failed building components in a reactive emergency mode is more costly and disruptive to the facility users. A well-managed facilities program anticipates maintenance and utility cost increases to avoid redirection of preventative maintenance funds or deferral of maintenance to cover rising utility costs or emergency repairs.

California's courthouses are antiquated and aging. The oldest court facility in California is the 170-year-old Mariposa County Courthouse, more than 30 facilities are over 100 years old, an additional 150 courthouses are over 50 years old with infrastructure systems that are at or beyond the end of useful life,

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and an additional 142 court facilities are over thirty-five years old and in need of renovations or replacement.

In the past year, due to deferral of maintenance or renewals, several courts had operations disrupted due to facility issues. In January 2024, the Los Angeles Superior Court's forty-seven-year-old 30 courtroom Compton Courthouse was closed for eleven days due to a failed domestic water valve that flooded the elevator shafts and four floors of court space, three weeks later in another area of the same courthouse a similar emergency occurred, closing the courthouse for an additional week. The closures caused significant disruption to operations and access to justice. The valves that failed are more than fifteen years past their end of useful life and have not been replaced due to funding constraints.

Similarly, due to antiquated and failed cast iron wastewater piping, the Humboldt Superior Court, has been required to close courtroom(s) in the 65-year-old Eureka Courthouse on five occasions over the past three years. Each time the court staff discovered water on the floor with ceiling and/or walls damaged with bubbling paint holding wastewater. While Facilities staff and vendors respond to clean, sanitize, dry, and dehumidify the area as quickly as possible with only eight courtrooms, court operations are significantly affected.

Due to the age and condition of the portfolio, without additional funding for preventative maintenance and renewals, emergency projects resulting in disruption and court closures will increase. Closed facilities limit or postpone access to justice, frustrating and increasing costs for trial courts and court users.

This proposal aligns with the priorities of diversity, equity, and inclusion set by the Administration. It ensures that residents from every county in California have access to court buildings that are designed, built, and maintained according to standards such as the federal Americans with Disabilities Act and the California Building Code, which ensure full access to all individuals, regardless of their abilities.

The core principle embedded in enabling legislation of the judicial branch's facilities program is equity across the state. The program's mission, which dates to 2002 and remains unchanged today, is to provide uniformly safe, secure, and well-maintained facilities reflecting this commitment of equity.

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**Impact of Denial of Proposal**

An adequately staffed and administered proactive preventative maintenance and renewal program prevents breakdowns, reduces disruption, and extends the overall lifespan of facilities. Regular inspections and maintenance can identify and rectify safety hazards, which helps create a safer environment by reducing the risk of accidents or equipment failures. Preventive maintenance ensures that equipment functions optimally, leading to better performance and lower utility costs. Additionally, numerous regulations and standards require the maintenance of equipment to ensure safety and compliance, especially as related to fire, life, and safety systems.

Denial of this proposal will require deferring renewals or shifting preventative maintenance budget to cover increasing utility costs and emergency repairs. The change will result in a return to run-to failure practice of facility maintenance and increase the deferred maintenance backlog.

A lack of renewals and preventative maintenance increases unplanned emergency failures of building components, increases utility costs, fostering unsafe and non-compliant conditions. The cost to repair failed building components in a reactive emergency mode is more costly. This run-to failure environment results in otherwise avoidable disruptions to court operations because needed renewals of building systems are not timely performed. Increased utility costs erode the budget for maintenance; unaddressed safety conditions and non-compliance with regulatory conditions create liability. Closed courthouses restrict access to justice

**Outcomes and Accountability of Proposal**

The Trial Court Facility Modification Advisory Committee provides ongoing oversight of the Judicial Council Facilities Program and is regularly informed of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

As a best practice, Judicial Council Facilities Services tracks the number of routine preventive maintenance and emergency or unplanned urgent maintenance work orders to assess the effectiveness of the court facilities O&M quality control requirements. The requested additional staff will enhance the quality assurance, field verification, and fiscal oversight of the funding. The outcome of a fully funded preventative maintenance program is as follows:

- Reductions in the total cost of emergency and unplanned urgent maintenance.
- Fewer court interruptions due to equipment breakdowns and subsequent emergency and unplanned urgent repairs.
- Increases in the volume of work that can be consistently planned and scheduled.
- Decreases in high priority, randomly occurring, and unscheduled work.
- Reduced unnecessary damage to or replacement of facilities equipment.
- Increases compliance with health, fire, life, and safety regulations.

The Judicial Council's existing control protocols for O&M assessments, approvals, and ongoing reviews will ensure appropriate use of the requested funding. Adequate staffing levels allows the program to be

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administered in compliance with policies, procedures and best practices which enhances accountability. Funding for the program at IFMA industry standard levels allows for the council to benchmark facility performance with similarly funded programs. Continued monthly review will contribute to the accountability and monitoring of activities through monthly budget and financial reporting.

An appropriately funded and staffed facilities program provides for longevity of the state's assets, extending the useful life of building systems and replacing aged systems in a timely manner to reduce system failure rates. Premature failure of a building system results in an emergency event, creating higher building maintenance and repair costs, and diminishing access to justice due to court closures and impacted court operations. Approval of this request allows for the appropriate funding and staffing level to be applied to each component of the facilities program (preventive maintenance, utilities, leases, system replacements), resulting in improved access to justice, and enables the courts to apply general operating budgets to court staff as well as resources to support court services.

In addition, this funding request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities.

**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

- Goal I: Access, Fairness, Diversity, and Inclusion
- Goal II: Independence and Accountability
- Goal IV: Quality of Justice and Service to the Public
- Goal VI: Branch wide Infrastructure for Service Excellence
- Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Trial Court Facility Modifications
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**Proposal Summary**

The Judicial Council of California requests 4.0 positions and \$27.5 million ongoing funding. This includes \$21.0 million in ongoing General Fund (GF) and \$6.5 million in ongoing reimbursement authority for the State Court Facilities Construction Fund (SCFCF). These funds aim to bolster current funding level to address essential Facilities Modifications (FM) of building assets to maintain safe and secure buildings, serving the public, court staff, and judicial officers.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund/SCFCF reimbursement

**Estimated Cost (Enter whole dollars rounded to thousands) \***

Fiscal Year	2025-26 (BY)	2026-27 (BY+1)	2027-28 (BY+2)	2028-29 (BY+3)	2029-30 (BY+4)
<b>Positions</b>	4.0	4.0	4.0	4.0	4.0
<b>Personal Services</b>	\$1,008,000	\$961,000	\$961,000	\$961,000	\$961,000
<b>Operating Expenses &amp; Equipment</b>	\$26,500,000	\$26,500,000	\$26,500,000	\$26,500,000	\$26,500,000
<b>Local Assistance</b>					
<b>Total</b>	\$27,508,000	\$27,461,000	\$27,461,000	\$27,461,000	\$27,461,000
One-time					
Ongoing	\$27,508,000	\$27,461,000	\$27,461,000	\$27,461,000	\$27,461,000

\*Please include all costs associated with request including costs for other offices and courts.

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**2025-26 Budget Change Proposal Concept**

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**Problem or Issue**

This proposal will increase the Facility Modifications program budget to provide essential FM of building assets to maintain safe and secure buildings, serving the public, court staff, and judicial officers.

Currently, the \$80 million annual FM program budget addresses only the most critical building system lifecycle replacements or renovation of major building systems such as HVAC, vertical transportation, and electrical equipment. The costs associated with repairs and replacements within the FM program have risen due to inflationary trends for construction trade labor and materials. The diminishing purchasing power of the available resources forces the FM program to operate on a run-to-failure mode for many building systems. This approach poses significant risk, as it may lead to non-compliance with regulatory requirements and has resulted in court closures due to catastrophic system failures.

Furthermore, this proposal requests 4.0 positions to support the FM program. A senior facilities analyst and associate analyst is needed to support the FM program to ensure compliance and implementation of the California Environmental Quality Act (CEQA). Additionally, an Analyst and an Engineer/Architect to provide reviews of architectural and engineering specifications and design reviews in support of the FM program to ensure building code and regulatory compliance.

In addition to the General Fund augmentation, a reimbursement authority increase of \$6.5 million is necessary for the SCFCF. The current reimbursement authority of \$17 million would be insufficient to support the shared costs of the FM program with the increased funding.

**Background/History of Problem**

The facilities program executes emergency, routine, and preventive maintenance on building systems; performs building system renovations, and many other functions required to produce a safe and secure building for the public, court staff, and judiciaries. Facilities Services administers a portfolio of over 400 trial court facilities which includes a variety of building types: courthouses, jails, offices, parking structures and parking lots.

California's trial court facilities are aging and deteriorating, leading to an exponential increase in building maintenance and equipment repair costs. The facilities throughout the portfolio have an extensive backlog of deferred maintenance. This backlog of maintenance contributes to the challenge of maintaining the facilities at industry standards for security, energy efficiency, and systems optimization.

Building system failures result in emergency events, creating higher building maintenance and repair costs, and posing the risk of court closures. Building system failures are costlier to address due to the immediate need for action created by an unexpected failure and the lack of time to plan the repair/replacement effort carefully and cost-effectively. Although emergency events are a recognized aspect in a facilities program, the percentage budget allotment for emergency work should be minimal. Unfortunately, the trend over the past five fiscal years, in Judicial Branch trial court facilities, has been a steady increase in the percentage of funding directed to emergency FMs.



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The FM program from SCFCF was \$65 million with reimbursement authority of \$13 million between 2014 and 2022. The JCC received an additional \$15 million ongoing GF and \$4 million SCFC reimbursement authority bringing the FM program budget to \$80 million with \$17 million in reimbursement authority for 2022–23. The reimbursement authority is the counties’ estimated shared cost of the FM program for facilities shared by JCC and the counties. It is the mechanism for JCC to distribute costs to the counties.

**Impact of Denial of Proposal**

Denial of the proposal can lead to significant disruptions in court services, as essential repairs and upgrades may be delayed or left unaddressed. This could result in courtrooms being unavailable, hearings being postponed, and overall delays in the judicial process. Moreover, inadequate facility modifications can pose serious health and safety risks. These risks may include issues such as poor ventilation, lack of accessibility features, and outdated security measures. The ongoing degradation of facilities will persist due to the “run-to-failure” approach, and resources will be increasingly diverted toward addressing more Priority 1 - Emergency FMs as the need arises.

**Outcomes and Accountability of Proposal**

Additional ongoing funding for the FM program enables the completion of prioritized FM projects proactively, preventing them from reaching a state of failure. The additional staff will provide the needed oversight for execution of the projects. The Trial Court Facility Modification Advisory Committee (TCFMAC) provides oversight of the prioritization process and requires continuous reporting, accountability, and fiscal oversight of the FM program.

TCFMAC is regularly informed of facilities-related costs, inclusive of operations and maintenance, FMs, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

In addition, this funding request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state: uniformly safe, secure, and well-maintained facilities were the goals established in 2002 and remain the mission of the facilities program today.

**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

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**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal IV: Quality of Justice and Service to the Public  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Waterborne Pathogen Management Program Implementation
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**Proposal Summary**

The Judicial Council of California requests 1.0 position and \$2.5 million General Fund in 2025-26 and \$2.2 million ongoing General Fund beginning in 2026-27 to support the Waterborne Pathogen Management Program (WPMP). This program is designed to identify and manage actions to reduce the potential for Legionella in Judicial Council owned and managed facility water systems to prevent occupant exposure and illness. The WPMP will produce a global guidance document with standardized implementation procedures which will be applied to each owned and managed building in the Judicial Council’s portfolio.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	1.0	1.0	1.0	1.0	1.0
<b>Personal Services</b>	\$252,000	\$242,000	\$242,000	\$242,000	\$242,000
<b>Operating Expenses &amp; Equipment</b>	\$2,270,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
<b>Local Assistance</b>					
<b>Total</b>	\$2,522,000	\$2,242,000	\$2,242,000	\$2,242,000	\$2,242,000
One-time	\$270,000				
Ongoing	\$2,252,000	\$2,242,000	\$2,242,000	\$2,242,000	\$2,242,000

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

The Judicial Council has responded to high levels of Legionella at five state-owned facilities over the past three years. These experiences have demonstrated the urgent need to implement a Judicial Council WPMP for the entire portfolio of Judicial Council owned and managed facilities to assist in preventing occupant exposure and illness from Legionella.

While there are no regulations requiring the Judicial Council test for Legionella, if Legionella is found in a building water system, building owners are required to act to remediate the water system. The costs associated with remediating Legionella without having an established WPMP can be more than one million dollars and require extensive support from contracted vendors.

The development of a WPMP requires one-time costs to develop the program templates and identify water system characteristics for the Judicial Council portfolio. The on-going costs will support the performance of risk assessments, implementation of hazard control plans and program administration, including verification and validation testing.

**Background/History of Problem**

Legionella is a bacterium that occurs naturally in freshwater environments, like lakes and streams. It can become a health concern when it grows and spreads in building water systems like cooling towers, hot and cold-water systems, and fixtures (e.g., showerheads, faucets, and drinking fountains). If Legionella grows and multiplies in a building water system, water containing Legionella can spread in droplets small enough for people to breathe in from mists and aerosols, or from accidental aspiration of drinking water into the lungs. Exposure to Legionella can cause Legionnaires' disease, a very serious type of pneumonia (lung disease). There are no vaccines that can prevent Legionnaires' disease and 1 in 10 people infected with the disease will die from the infection.

The key to preventing Legionnaires' disease is to reduce the risk of Legionella growth and spread. The development of a WPMP for Judicial Council owned and managed facilities is necessary to reduce the risk for Legionella in the building water systems. The WPMP will identify hazardous conditions and implement steps to minimize the growth and transmission of Legionella and other waterborne pathogens in the building water systems. This differs from the current practice of equipment water management occurring at Judicial Council facilities, which tests water chemistry to prevent corrosion in the building equipment. The WPMP protects the health of people through pathogen management practices.

The Judicial Council WPMP establishes a global approach and standardized templates for use in facilitating implementation of Legionella management practices. The WPMP was developed drawing upon the Standards of Care established by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Centers for Disease Control and Prevention (CDC), and the American Industrial Hygiene Association (AIHA). These Standards of Care establish minimum Legionella risk management requirements for building water systems.

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The essence of the WPMP is to provide the foundation for developing building specific facility plans that address specific systems and characteristics. The WPMP will take a global, programmatic approach and will include standardized templates that can be applied to a variety of buildings and systems for consistency across the portfolio.

The key activities required to develop the building specific WPMP include: (1) Characterization of the facility water system; (2) Risk assessment and hazard control plan development; (3) Program administration; and (4) Program verification and validation. These actions will be implemented by multidisciplinary water management teams who are able to review and modify plans as needed in response to changing conditions and to ensure continuous improvement.

**Impact of Denial of Proposal**

Denial of this proposal will not allow the Judicial Council to implement the actions required to identify hazardous conditions that may exist due to Legionella within Judicial Council owned and managed facilities. Without performing the required risk assessment, the Judicial Council cannot take action to minimize any growth of Legionella in building water systems or to prevent occupant exposure and illness from Legionella.

In responding to previous Legionella events, the lack of an established WPMP at each of the facilities hindered the Judicial Council's ability to respond quickly and increased the overall costs of the remediation efforts. Denial of this effort will not allow the Judicial Council to be adequately prepared to respond in an effective and fiscally efficient manner to protect occupant exposure and illness from Legionella.

**Outcomes and Accountability of Proposal**

The outcomes of this proposal include the development of program templates and the characterization of facility water systems. Ongoing funding will be used to support the performance of risk evaluations, development of hazard control plans, and program verification and validation at all Judicial Council owned and managed facilities. This will allow the Judicial Council to identify and manage actions to reduce the potential for Legionella in Judicial Council owned and managed facility water systems.

The Trial Court Facility Modification Advisory Committee (TCFMAC) provides ongoing oversight of the Judicial Council Facilities Program and is regularly informed of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

In addition, this request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act and the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch's facilities program is equity across the state: uniformly safe, secure, and well-maintained facilities were the goals established in 2002 and remain the mission of the facilities program today.

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**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Court Security Advisory Committee
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<b>Proposal Title</b>	Trial Court Physical Security Assessment and Evaluation
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**Proposal Summary**

The Judicial Council of California requests 3.0 positions and \$2.7 million General Fund in 2025-26 and \$678,000 in 2026-27 and ongoing to conduct assessments, evaluations, and identification of physical security deficiencies in trial court facilities statewide.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	3.0	3.0	3.0	3.0	3.0
<b>Personal Services</b>	\$713,000	\$678,000	\$678,000	\$678,000	\$678,000
<b>Operating Expenses &amp; Equipment</b>	\$2,000,000				
<b>Local Assistance</b>					
<b>Total</b>	\$2,713,000	\$678,000	\$678,000	\$678,000	\$678,000
One-time	\$2,000,000				
Ongoing	\$713,000	\$678,000	\$678,000	\$678,000	\$678,000

\*Please include all costs associated with request including costs for other offices and courts.

**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

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**Problem or Issue**

Many court facilities lack adequate physical security elements as recognized by the Judicial Council’s [California Trial Court Facilities Standards](#) (CTCFS) and the National Center for State Courts (NCSC) publication [Steps to Best Practices for Court Building Security](#).

Currently, no dedicated funds are available for the evaluation and identification of physical security deficiencies. In addition, staffing levels are not adequate to manage and administer the assessment and projects. This request includes the one-time funding to retain consulting services to assist Judicial Council staff with the assessment of 200 court facilities and ongoing funding for the staff necessary to administer the assessments, create the prioritization, and to implement future projects. Data from the assessments will be analyzed and cost estimates will be used to determine the amount of a funding request to address the identified deficiencies.

This funding request of \$2.0 million one-time funding will allow the Judicial Council to conduct an in-depth security assessment at 200 court facilities beginning in 2025-26 with an estimated completion by 2027-28. The assessment will provide cost estimates and evaluations of physical security elements to identify deficiencies. Additionally, 3.0 positions are needed, two Security Coordinators and one Associate Analyst, to develop a prioritization plan of the identified deficiencies, manage, administer, and monitor the evaluation process and ongoing analysis of the resulting data.

**Background/History of Problem**

Physical security requirements and best practices have evolved significantly over the years, as detailed in the CTCFS and the NCSC publication “Steps to Best Practices for Court Building Security” (rev. June 2022). Security elements—consisting of ballistic glazing, secure judicial parking, vehicle barriers, clerk’s counters and weapons screening vestibules are vital components in ensuring security of the public, judicial officers, and court personnel.

It is impossible to guarantee that all situations can be anticipated or avoided, but physical security barriers such as bollards are an excellent deterrent.

For example, in 2007, a distraught man rammed his car through the front doors of the Merced County Courthouse. Because there were no bollards in place, he was able to reach the building and cause damage. A year later, the same man was shot and killed when he burst into a packed courtroom wielding two knives.

In 2017, a woman drove her vehicle into the front entrance of the Sacramento Jail Courthouse on I Street, damaging the doors and magnetometer and displacing the x-ray machine. There were no bollards in place at the time.

The presence of physical security features averted damage or injury. In 2022 when a man drove his truck over the curb at the Madera Courthouse. A concrete bench and stairs prevented him from crashing into the building.



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Information relating to physical security issues was gathered from existing deferred security facilities modifications; court requests; and limited court security assessment (performed by Emergency Planning and Security Coordination Unit staff) recommendations. The information was used to identify a sampling of the type of deficiencies and create a list by category.

Funding specifically identified for, and dedicated to addressing electronic security systems, such as security video, electronic access control, duress alarm, and detention control systems, was provided after approval of a previous BCP. That funding is not available for use for assessing, evaluating, and identifying physical security deficiencies in trial courts.

The CTCFS ensures that the physical security features are included in the design and construction of new court facilities. The requested funding will be used to assess 200 facilities older than 2005.

The lack of resources has limited the ability to assess and identify physical security deficiencies. As a result, most of the facilities have not had improvements or upgrades in this area resulting in the facility operating without many of the security features identified in the NCSC best practices document or the CTCFS. Because dedicated funding to assess, evaluate and identify physical security deficiencies has not been allocated, a comprehensive list of deficiencies and related projects is not available.

**Impact of Denial of Proposal**

Denial of the proposal will result in the continued lack of assessment, evaluation, and identification of physical security deficiencies in many courthouses. Failure to identify existing security deficiencies will result in continued vulnerability, risk and liability to facilities, the public and court staff. Insufficient funds exist to absorb the proposed assessment and evaluation project into current programs. Continued delays in evaluating and identifying physical security deficiencies will result in higher cost in addressing them in future fiscal years due to normal escalation cost increases for labor and materials.

**Outcomes and Accountability of Proposal**

Physical security assessments of up to 200 trial court facilities will be completed with the proposed funds and will be overseen and approved by the Court Security Advisory Committee (CSAC). The evaluated projects will be monitored and accounted for using appropriate inventory tracking methods and standard general accounting principles.

CSAC makes recommendations to the council for improving court security, including personal security and emergency response planning. The committee provides ongoing oversight of the Judicial Council Facilities Security programs and is regularly informed of facilities security related costs, Facilities Services is obligated by the California Rules of Court to provide regular reporting to the advisory committee.

In addition, this funding request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The

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essence of the enabling legislation of the judicial branch's facilities program is equity across the state: uniformly safe, secure, and well-maintained facilities were the goals established in 2002 and remain the mission of the facilities program today.

**Required Review/Approval**

Court Security Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Trial Court Deferred Maintenance
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**Proposal Summary**

The Judicial Council of California requests \$133.6 million ongoing funding and 4.0 positions to support deferred maintenance projects for trial courts. This includes \$101.1 million ongoing General Fund (GF) and \$32.5 million in ongoing reimbursement authority from the State Court Facilities Construction Fund (SCFCF).

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund/SCFCF reimbursement

**Estimated Cost (Enter whole dollars rounded to thousands) \***

Fiscal Year	2025-26 (BY)	2026-27 (BY+1)	2027-28 (BY+2)	2028-29 (BY+3)	2029-30 (BY+4)
<b>Positions</b>	4.0	4.0	4.0	4.0	4.0
<b>Personal Services</b>	\$1,113,000	\$1,068,000	\$1,068,000	\$1,068,000	\$1,068,000
<b>Operating Expenses &amp; Equipment</b>	\$132,500,000	\$132,500,000	\$132,500,000	\$132,500,000	\$132,500,000
<b>Local Assistance</b>					
<b>Total</b>	\$133,613,000	\$133,568,000	\$133,568,000	\$133,568,000	\$133,568,000
One-time					
Ongoing	\$133,613,000	\$133,568,000	\$133,568,000	\$133,568,000	\$133,568,000

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

The Judicial Council Facilities Services faces a significant challenge due to insufficient funding to address routine maintenance and repairs, resulting in a backlog of 22,415 deferred maintenance projects. These projects are estimated to cost \$4.9 billion, with the Judicial Council's portion amounting to \$3.6 billion. Although past budgets have appropriated substantial one-time resources for deferred maintenance projects, the absence of ongoing funding has left the Judicial Council unable to tackle the growing deferred maintenance backlog effectively and plan for the necessary repairs to maintain the facilities in an acceptable condition.

This proposal requests ongoing funding for deferred maintenance, enabling sustained efforts to address the \$3.6 billion funding need and ultimately reduce the number of outstanding deferred maintenance projects. To effectively manage this effort, this request includes 4.0 positions to support the additional deferred maintenance projects. There is insufficient capacity to manage the expanded workload at the existing staffing level. To manage these projects, three project managers are needed to develop detailed project scopes for the execution of Facility Modification projects and will administer the planning design, and construction of repair and renewal projects. Additionally, a Facilities Analyst is needed to support the development and monitoring of sustainability infrastructure and objectives as part of these projects, ensuring optimal resource utilization and compliance with regulatory requirements.

This proposal ensures a dependable level of funding and the appropriate staffing level to complete deferred maintenance projects allowing a more stable and efficient approach to maintaining California's trial court facilities.

**Background/History of Problem**

The Facilities Services oversees the overall care and management of building assets within the judicial branch. Facilities Services' primary objective is to ensure access to justice in California's trial courts, Courts of Appeal, and the Supreme Court. The Facilities Services executes a wide range of responsibilities, including emergency responses, routine and preventive maintenance on building systems, portfolio and lease management, building system renovations, and various other functions essential for creating a safe and secure facility for the public, court staff, and judicial officers.

At the current funding limits, the Facilities Services can only maintain facilities in a "run-to-failure" mode, focusing exclusively on addressing projects related to failed building systems. This approach leads to avoidable disruptions in court operations because necessary updates and renewals of building systems are not conducted in a timely manner. Consequently, court operations are affected by issues such as HVAC system failures, electrical service outages, and facility closures resulting from water leaks. Without adequate funding to replace these critical assets, vital systems will continue to fail, causing disruptions in court proceedings and limiting public access to justice. It is crucial to prioritize these projects to maintain continuity of court operations in facilities throughout the state. Examples of such critical system replacements include, but are not limited to the following:

- Failed roofing systems causing interior structural damage;

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- Failed fire protection monitoring systems creating safety issues and costly fire watch;
- Failed elevator systems causing entrapments;
- Failed HVAC equipment causing uncomfortable or unsafe respiratory conditions; and
- Failed plumbing systems causing flooding incidents.

The Judicial Council received various one-time funding to address its the deferred maintenance backlog. In 2018, \$50 million was allocated for completing a facility assessment, roof replacement, BAS, elevator, and HVAC projects. The subsequent year, 2019, \$15 million was designated for fire alarm system projects. In 2021, initially \$180 million was received, however, the funding was later reduced to \$132.6. This reduced funding was primarily earmarked for HVAC, roof, elevator, electrical, and fire protection projects. By leveraging these funds, the Facilities Services was able to address some of the backlogged projects, which provided opportunities for reducing operational costs and environmental impacts. Significantly, in 2023 roofs in southern California replaced through prior years deferred maintenance funding effectively withstood the impact of Hurricane Hilary.

While the Facilities Services appreciates the allocated funding, the challenge of deferred maintenance persists. The lack of adequate funding exacerbates the deferral of these renewals, further contributing to the growing list of deferred maintenance projects. Over the past six fiscal years, spanning from 2018–19 to 2023–24, this list has increased from 8,750 to 22,415 projects and from a total estimated cost of \$2.8 to \$4.9 billion—the Judicial Council share increasing from \$2.4 to \$3.6 billion.

**Impact of Denial of Proposal**

Denial of this proposal will result in the persistence of a growing deferred maintenance backlog and a corresponding rise in emergency repairs. This stems from the inverse relationship between underfunded deferred maintenance and the occurrence of emergency repairs. When a building system fails, there is an immediate need for urgent action, leading to higher costs due to the unexpected nature of the failures and the lack of time to plan the repair or replacement effort carefully and cost-effectively. Buildings will continue to operate in a “run-to-failure” mode, with aging building systems being replaced only when they reach a point of failure. This approach to facilities management increases the expenses associated with replacements and repairs while needlessly depleting the ongoing maintenance funding of the program.

**Outcomes and Accountability of Proposal**

An ongoing, systematic approach to address deferred maintenance enables the program to efficiently allocate plan resources and establish an ongoing strategy to address the \$3.6 billion Judicial Council’s share of the backlog. The additional staffing will provide the needed oversight for execution, management, and monitoring of the projects. Projects will be executed as facility modifications and will be subject to review and reporting to the Trial Court Facility Modification Advisory Committee (TCFMAC).

The TCFMAC provides ongoing oversight of the facilities program and is regularly informed of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

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Without adequate funding for deferred maintenance, the trial court facilities in California face a critical dilemma. The aging and deteriorating facilities will lead to exponentially increasing building maintenance and equipment repairs. It is the responsibility of the judicial branch to ensure that every courthouse is well-constructed and properly maintained. Failure to maintain functional court facilities compromises equal access to justice. This funding request is essential for adhering to legislative directives of funding construction, maintenance, and improvement of court facilities across the state, to ensure courthouses remain accessible and functional.

This concept also advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remains the mission of the facilities program today.

**Required Review/Approval**

Trial Court Budget Advisory Committee  
Trial Court Facility Modification Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

- Goal I: Access, Fairness, Diversity, and Inclusion
- Goal II: Independence and Accountability
- Goal IV: Quality of Justice and Service to the Public
- Goal VI: Branch wide Infrastructure for Service Excellence
- Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Water Conservation and Leak Detection Measures in Courthouses
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**Proposal Summary**

The Judicial Council of California requests \$18.8 million per year in 2025-26 through 2027-28, totaling \$56.5 million to install water leak detection equipment and software at 160 courthouses, audit and replace outdated water fixtures at 136 Judicial Council managed courthouses older than 2011 and convert landscapes to drought tolerant at nine courthouses. Of the annual \$18.8 million, \$14.2 million is requested from the General Fund and \$4.6 million reimbursement authority from the State Court Facilities Construction Fund. These projects will minimize property damage from leaks, conserve water, and help address the ongoing drought conditions in California.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund/SCFCF Reimbursement

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$18,837,000	\$18,837,000	\$18,837,000		
<b>Local Assistance</b>					
<b>Total</b>	\$18,837,000	\$18,837,000	\$18,837,000		
One-time	\$18,837,000	\$18,837,000	\$18,837,000		
Ongoing					

\*Please include all costs associated with request including costs for other offices and courts.

**Problem or Issue**

**Judicial Branch**  
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To address ongoing drought conditions in California and support water conservation efforts, funding is needed to implement various water conservation initiatives. These initiatives include enhancing data visibility, upgrading interior facility fixtures, converting landscapes with drought-tolerant plant species, and leveraging weather-based irrigation controllers.

Currently, the Judicial Council relies solely on water consumption data from utility bills issued monthly, bi-monthly, or quarterly. By installing smart water valves at the 136 courthouses, this funding will provide hourly usage data, automated leak alerts via email or text message, and the capability to shut off water supplies at the building level if a catastrophic leak parameter is encountered. Additionally, turf removal, water fixture replacement and irrigation controller re-programming will be completed.

Water leaks poses an expensive problem for the state's courthouses, often resulting from issues like clogged toilet/urinal or faulty pipes concealed within building walls. Without a systematic method to detect excessive water usage, leaks can lead to flooding and damage to walls, floors, furniture, and equipment. Due to the concealed placement of water pipes, leaks can go undetected for 30 to 60 days, wasting valuable water resources, increasing water usage cost, and causing significant structural damage. For example, the Compton Courthouse experienced a water supply line failure, affecting floors from the 4<sup>th</sup> floor down to the basement. Environmental and remediation protocols were necessary, including replacing 650 square feet of ceiling tiles and sanitizing 8,000 square feet of various surfaces. Repairs for this incident are estimated to cost \$4.3 million. If water flow was detected earlier, it could have minimized the damage and associated cost.

Water leaks disrupt court operations, incurring substantial costs, and hindering access to justice when reactive maintenance becomes necessary to restore the facility.

**Background/History of Problem**

The Judicial Council's portfolio includes aging fixtures that consume more water than modern code-compliant plumbing, resulting in wastage of both water and money. Annually, the Judicial Council expends nearly \$4 million per year on 335 million gallons of water for the 160 facilities directly managed by the Judicial Council. To meet specific objectives laid out in the Judicial Council's [2015 Water Conservation Policy](#), which include achieving 30% reduction in water consumption by 2030, targeted improvements are essential. This proposal aligns with the policy's outlined goals, which advocate for the evaluation of high-water usage facilities for the potential replacement of plumbing fixtures with low-flow fixtures and assessment of turf replacement. Due to a lack of funding, progress to date has been minimal.

The Facilities Services program has been substantially impacted by numerous undetected water leaks. Repairing these leaks requires more extensive work and incurs higher costs compared to early detection and remediation. In the past five fiscal years, over \$20 million has been allocated to address repairs and remediate damage resulting from water leaks.

This proposal will target a 30% reduction in domestic water consumption and fixture leak related costs, enabling the leak monitoring service cost to be funded via the water cost savings after the third fiscal year. Furthermore, these leaks have negatively impacted court operations and access to justice.

**Impact of Denial of Proposal**



**Judicial Branch  
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Without a designated funding source for for leak detection, water leaks will continue to be a hidden threat to facilities, causing significant damage, draining resources from already strained facilities modification program and operations and maintenance funds. Likewise, outdated and frequently leaky plumbing fixtures will continue to waste hundreds of thousands of gallons of water if not replaced with modern water conserving fixtures.

**Outcomes and Accountability of Proposal**

This proposal will provide funding to procure the necessary equipment and services required to implement water leak detection in approximately 160 facilities owned and managed by the Judicial Council. Ongoing measurement and verification of water usage will be available to proactively identify water leaks, conserve water resources, and prevent unnecessary damage to facilities. The water leak equipment will help identify and mitigate leaking systems before they become costly and disruptive to court operations and services. The fixture upgrades at 136 courthouses will have a long-lasting effect in improving the efficiency of water utilization within the facilities. By leveraging the capabilities of smart water valves, such as real-time monitoring and remote shut-off features, facilities can proactively manage their water usage and meet conservation targets more effectively.

The Trial Court Facility Modification Advisory Committee provides ongoing oversight of the Judicial Council Facilities Program and is regularly informed of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

In addition, this funding request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state: uniformly safe, secure, and well-maintained facilities were the goals established in 2002 and remain the mission of the facilities program today.

**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal IV: Quality of Justice and Service to the Public  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

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**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Energy Efficiency Retrofits for Suboptimal Buildings
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**Proposal Summary**

The Judicial Council of California requests \$35 million annually for three years, totaling \$105 million. The \$35 million includes \$26.4 million from the General Fund and \$8.7 million in reimbursement authority from the State Court Facilities Construction Fund (SCFCF). The funding will allow the Judicial Council to significantly improve energy efficiency and address critical maintenance needs in five of the state's courthouses identified as those with the highest critical need.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund/SCFCF reimbursement

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$35,000,000	\$35,000,000	\$35,000,000		
<b>Local Assistance</b>					
<b>Total</b>	\$35,000,000	\$35,000,000	\$35,000,000		
One-time	\$35,000,000	\$35,000,000	\$35,000,000		
Ongoing					

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

Funding is requested to accelerate energy retrofits for the five long-term building assets of the portfolio that exhibit the most critical energy efficiency concerns. The five facilities are slated to remain within the portfolio for another two decades, and the expected advantages are substantial, including reduced carbon emissions, decreased energy consumption, and cost savings.

The five facilities totaling 823,000 square feet are as follows:

- 19-AG1 Compton Courthouse
- 19-AL1 Bellflower Courthouse
- 19-C1 Torrance Courthouse
- 30-B1 Betty Lou Lamoreaux Justice Center
- 36-J1 Barstow Courthouse

The average utility for the Judicial Council managed portfolio was \$3.08 per square foot. These five courthouses, covering a total area of 823,000 square feet, are significant contributors to energy costs and carbon emissions within our portfolio. In 2022-23, their combined energy expenses reached \$3.6 million, averaging \$4.40 per square foot, with the Bellflower Courthouse notably higher at \$6.51 per square foot. Moreover, their collective carbon footprint exceeded 7,300 metric tons equivalent to 1,600 cars driven for one year. These figures highlight the substantial operational costs and environmental impact of these facilities.

For context, energy-efficient buildings typically achieve lower operational costs and a smaller carbon footprint, demonstrating the potential benefits of retrofitting our facilities. We aim to align these buildings with the best sustainability practices by targeting improvements that could significantly reduce costs and emissions.

Judicial Council-managed courthouses are not just consuming more energy and incurring higher costs than is ideal; they are also emitting more carbon dioxide directly from their operations and indirectly from the energy they use. This situation underscores the urgency of our retrofitting project, aiming not just to save money but also to positively impact the environment in alignment with State goals for climate change mitigation.

By focusing on making our buildings more energy-efficient, we aim to lower these costs and significantly reduce our environmental footprint. Our goal is to bring these buildings closer to the standards of energy efficiency and sustainability expected of modern facilities, benefiting our community and the planet.

The proposed deep energy retrofits (DER) will simultaneously address multiple deferred maintenance needs to optimize the delivery cost. DERs encompass energy conservation measures that enhance building performance, utilizing current technologies, materials, and construction techniques to achieve a reduction in on-site energy consumption by 40% or more compared to baseline energy use. Unlike ordinary single-system facility modifications or energy retrofits, DERs offer multiple energy and non-energy benefits. These building structures may be remodeled to balance energy, indoor air quality, durability, and thermal comfort.

**Background/History of Problem**

**Judicial Branch**  
**2025-26 Budget Change Proposal Concept**

Judicial Council facilities have an extensive backlog of deferred maintenance. To ensure the long-term functionality of these facilities, it is essential to invest in lifecycle replacement. This involves upgrading or replacing various building components and systems to preserve their value and performance over time, ensuring a comfortable and safe environment for occupants.

A critical area of maintenance often postponed due to lack of funding is the enhancement of a facility's energy systems. As infrastructure ages, it requires more resources to function optimally. Efficient energy use is critical, especially with static operating funds and escalating energy costs. Retrofitting these systems promote energy efficiency, leading to long-term cost savings.

Senate Bill 1203 (Becker, 2022) ("SB 1203") aims for state departments to achieve net-zero emissions by 2035. This funding request represents the branch's proactive approach to aligning voluntarily with SB 1203's objectives. The Judicial Council is currently conducting a deep energy study to optimize the approach for 20 buildings, with priority given to the five buildings in this funding request which have the highest critical need of energy systems upgrades. In addition, this \$105M funding request is part of a more extensive branch deferred maintenance backlog of \$5 billion submission for the 2024-25 Governor's California Five-Year Infrastructure Plan. This funding would specifically be used for lifecycle replacement upgrades, ensuring these buildings' long-term operability, efficiency, and comfort.

**Impact of Denial of Proposal**

Denial of the proposal to carry out energy efficiency retrofits and address deferred maintenance in our courthouses will have significant, ongoing implications. Continued reliance on reactive repair and maintenance, coupled with the operation of equipment and building systems past their useful life, will escalate operational costs due to rising energy prices and lead to excessive, noncompliant carbon emissions relative to other State of California buildings. This situation jeopardizes occupant comfort and wastes valuable financial resources.

Moreover, postponing necessary maintenance exacerbates energy consumption, as malfunctioning systems work harder and longer to maintain comfort levels, thus inflating water, fuel, and electricity usage. Equipment obsolescence, unsupported by manufacturers, may necessitate emergency repairs at a steep cost. Such deferred actions erode our facilities' lifespan and investment value, possibly forcing the resort to capital-intensive construction replacements as the only viable solution. Without this proposal's approval, the Judicial Council will face disruptions to court operations and incur significantly higher costs, limited to system-level upgrades only upon critical failures or as deferred maintenance funds become sporadically available.

**Outcomes and Accountability of Proposal**

Upon securing the proposed one-time funding of \$105 million over three years, the Judicial Council will embark on a critical initiative to retrofit the five least energy-efficient courthouses in our portfolio. This strategic investment is not just about immediate cost and emission reductions; it's about laying the groundwork for sustainable, efficient, and equitable judicial facilities that serve Californians now and in the future.

**Judicial Branch**  
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**Immediate and Long-Term Benefits:** The implementation of these energy retrofits is projected to generate initial savings of \$1.4 million in the first year alone, with total savings expected to reach approximately \$48 million over a 20-year span. While the upfront cost may seem substantial, the focus on energy efficiency addresses urgent deferred maintenance needs, preventing the far greater expenses associated with emergency repairs, system failures, and inefficient energy use. Beyond financial savings, these retrofits will enhance building safety, improve occupant comfort, and significantly reduce our carbon footprint by 59% annually, translating to a 20-year reduction of over 101,255 metric tons of CO<sub>2</sub> emissions.

**Broadening the Return-on-Investment Perspective:** The return on investment for these projects extends beyond traditional financial metrics to include the avoidance of escalated future costs, increased property values, and the social value of providing accessible, secure, and environmentally responsible facilities. This broader ROI encompasses the cumulative benefits of reduced operational costs, enhanced public health and safety, and alignment with sustainability goals, underscoring the project's value to the community and the environment.

**Energy Efficiency and Future Savings:** By focusing on energy efficiency, we not only mitigate current inefficiencies but also position our facilities for sustainable operations, yielding ongoing savings in utility costs and maintenance expenses. These efforts align with the Judicial Council's commitment to environmental stewardship and operational excellence, ensuring that our facilities contribute positively to California's energy and carbon reduction targets.

**Accountability and Oversight:** The Judicial Council's rigorous tracking of utility data and Building Automation System data before and after retrofit interventions will ensure transparent measurement and verification of energy savings. An annual comprehensive report to the Trial Court Facility Modification Advisory Committee (TCFMAC) will detail the progress and outcomes, reinforcing our commitment to accountability and continuous improvement.

**Advancing Equity and Access:** This funding request also advances critical diversity, equity, and inclusion priorities by enhancing access to judicial facilities that meet the highest standards of safety, accessibility, and environmental responsibility. Through these retrofits, we reaffirm our dedication to providing equitable services across the state, ensuring that all Californians, regardless of their abilities, have access to justice in settings that reflect our shared values of sustainability and inclusivity.

In conclusion, this proposal represents a holistic approach to facility management, addressing both immediate needs and long-term sustainability goals. The Judicial Council is committed to stewarding our resources responsibly, improving our facilities for the benefit of all who use and rely on them, and contributing to a more sustainable and equitable future for California.

**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

**Judicial Branch  
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**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Arc-Flash Study and Electrical Hazard Labeling in Trial Courts
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**Proposal Summary**

The Judicial Council of California requests \$1.2 million General Fund in 2025-26 and ongoing to perform electrical power systems equipment arc-flash studies. These studies will bring Judicial Council Facilities into compliance with regulatory requirements and will guide electrical equipment labeling that informs electricians and building engineers of the hazardous electrical energy potential within. Labeling in-turn informs electricians and building engineers of the Personal Protective Equipment (PPE) needed at varying distances from potentially hazardous electrical energy parts.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000
<b>Local Assistance</b>					
<b>Total</b>	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000
One-time					
Ongoing	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000

\*Please include all costs associated with request including costs for other offices and courts.



**Judicial Branch**  
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**Problem or Issue**

The Judicial Council is responsible for ensuring safety for employees and for all users of the facilities that it manages. Currently, the Judicial Council lacks a program that provides electrical safety procedures to contracted employees that work in the vicinity of hazardous electrical energy.

Arc-flash, also known as arc-blast, is a sudden, explosive electrical arc that results from a short circuit through the air. Such short circuits may be enabled by moist or dusty air which can create a conductive path toward a nearby worker. The potential for electrical arc-flash explosion is a dangerous situation, as it can vaporize surrounding metal, set fires, and cause deafness, severe burn injuries and death.

Arc-flash is a recognized hazard by the Occupational Safety and Health Administration (OSHA), the administrator and enforcer of the OSH Act.

This proposal establishes a safety program to comply with California Electrical Code Section 110.16, which requires certain electrical equipment in buildings— switchboards, panelboards, industrial control panels, meter socket enclosures, and motor control centers – needs to be examined, adjusted, serviced, and maintained and needs to be labeled to warn trained persons about potential electric arc-flash hazards.

Lack of this safety program places the Judicial Council in continued violation of the General Duty Clause Section 5(a)(1) of the Occupational Safety and Health (OSH) Act of 1970. The clause mandates that employers provide a safe working environment, free of recognized hazards likely to cause death or serious harm, for their employees. <sup>1</sup>

<sup>1</sup> General Duty Clause, Section 5(a)(1) - Occupational Safety and Health Act of 1970

**Background/History of Problem**

The National Fire Protections Association (NFPA) issued the first Standard for Electrical Safety in the Workplace (NFPA 70E) in 1979 to provide expert guidance in providing an environment for employees that is safe from avoidable risks associated with the use of electricity in the workplace.

OSHA requires employers and employees to comply with the provisions of NFPA 70E which involves putting an electrical safety program in place, identifying, and analyzing electrical hazards in the workplace, and informing the workforce of those hazards and of PPE needs through electrical equipment labeling.

Judicial Council Facilities Service Providers are contractually required to comply with all OSHA safety rules and regulations. The service providers who are contracted to provide routine maintenance, demand maintenance, and repair, will equip themselves with and use appropriate PPE as it pertains to electrical safety programs if they are informed through electrical equipment labeling. Absent equipment labeling information, the service provider may either 1) decline to maintain said electrical equipment; 2) may use

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PPE in excess of what is required, adding increased time and cost to a work task; or 3) may underuse PPE, putting the employee at avoidable risk and exposing the Judicial Council to OSHA violations. To evaluate the potential hazard of commonly evaluated hazardous electrical equipment – typically equipment of 208-480 volts or higher – engineered studies must be performed. These involve short-circuit, coordination, and arc-flash studies. Collectively, they are commonly short-handed to arc-flash study.

From the study, which will be made available to the service provider, labels will be produced and affixed to hazardous electrical equipment exteriors to inform building engineers, electricians, and all other persons who may enter a facility electrical room of 1) the potential energy behind equipment covers; 2) the PPE necessary to be worn if a cover is to be removed; and 3) the distance to keep body parts and tools from potential energy parts, regardless of the PPE worn.

**Impact of Denial of Proposal**

Denial of this proposal will result in continued non-compliance with regulations and risk from electrical hazards that are likely to cause death or serious physical harm – from shock, burn, explosion or fire – to Judicial Council employees, contractors, other court employees and users of court facilities. The chance for occurrence of serious harm will continue to rise with time as electrical equipment ages and maintenance needs increase.

**Outcomes and Accountability of Proposal**

The expected outcome is for every Judicial Council owned or maintained Court facility to be in full Electrical Safety in the Workplace compliance within five years of embarking on the proposed concept. The Judicial Council currently has a Quality Compliance program to review electrical service work to ensure compliance with contracts. The arc flash study must be conducted every five years as mandated by regulations, considering the anticipated deterioration and/or alteration of these electrical power systems is expected.

The Trial Court Facility Modification Advisory Committee (TCFMAC) provides ongoing oversight of the Judicial Council Facilities Program and is regularly informed of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

In addition, this request advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the Federal Americans with Disabilities Act and the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals in 2002 and remains the mission of the facilities program today.

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**Required Review/Approval**

Trial Court Facility Modification Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal IV: Quality of Justice and Service to the Public  
Goal VI: Branch wide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
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<b>Requesting Entity</b>	Court Facilities Advisory Committee
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<b>Proposal Title</b>	Capital Outlay Funding: 2025-26 through 2029-30
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**Proposal Summary**

The Judicial Council of California requests one-time \$174 million General Fund and \$2.181 billion Public Buildings Construction Fund totaling \$2.4 billion in 2025–26 for ten capital outlay projects, including three new and seven continuing projects. A total request of \$6.5 billion is proposed over five years of initial and/or continuing phases for 21 capital projects. This request is estimated based on projects in the Judicial Council’s latest plan for capital outlay and will be updated once the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2025–26* has been approved by the Court Facilities Advisory Committee (CFAC) and the Judicial Council.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund and Public Buildings Construction Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>					
<b>Capital Outlay</b>	\$2,355,895,000	\$465,292,000	\$339,738,000	\$1,192,575,000	\$2,101,679,000
<b>Total</b>	\$2,355,895,000	\$465,292,000	\$339,738,000	\$1,192,575,000	\$2,101,679,000
One-time	\$2,355,895,000	\$465,292,000	\$339,738,000	\$1,192,575,000	\$2,101,679,000
Ongoing	\$0	\$0	\$0	\$0	\$0

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

The Judicial Council courthouse construction program funding request is estimated based on the projects in the council's latest plan for capital outlay and will be updated once the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2025–26* has been approved by the CFAC and the Judicial Council. The five-year infrastructure plan is updated annually for Judicial Council adoption. This plan represents the funding priority for projects in the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects* and five-year infrastructure plans for trial and appellate court facilities. Primary drivers of court facility needs include providing a safe and secure facility, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding the public's physical, remote, and equal access to the courts.

For 2025–26, the Judicial Council proposes an investment of \$2.4 billion in the Judicial Council courthouse construction program for ten trial court projects in the five-year plan. Three of these projects are new and seven are continuation phases of active projects.

**Background/History of Problem**

In 2002, the responsibility of California's courthouses funding and operation shifted from the counties to the state under the Trial Court Facilities Act (Sen. Bill 1732, Stats. 2002, Ch. 1082). With this shift, the Judicial Council began to address the shortage of space, antiquated facilities, and inadequate infrastructure that threaten the ability of the justice system to accommodate the needs of residents and businesses. Addressing the state's aging and deficient court buildings requires substantial long-term funding to renovate, replace, and create new court facilities. Since 2002, 31 trial court capital outlay projects have been completed: 27 new courthouses and four major renovations of existing buildings. Another five capital projects are projected to complete within 2024–25. Of the state's 58 trial courts, 28 benefit from these projects.

The current need to renovate or replace trial court facilities statewide is reflected in the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects*. This list contains 80 projects affecting 41 trial courts and approximately 165 facilities, which represents more than one-third of the facilities in the judicial branch's real estate portfolio. (The other 17 trial courts had operational needs that translated into noncapital projects, such as court-funded facilities requests or facility modifications that are addressed under separate programs.) Government Code section 70371.9 required the Judicial Council to conduct a reassessment of all trial court capital outlay projects that had not been fully funded up to and through the 2018 Budget Act (2018–19). Through this reassessment and with trial court input, this list was produced. Since this list was developed in 2019, 12 of the 80 projects have received initial funding and are underway.

**Impact of Denial of Proposal**

Delay in capital outlay funding postpones advancement of the Judicial Council's five-year infrastructure plan and the funding of capital projects from the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects*. Funding delays inhibit the Judicial Council's ability to replace or renovate a significant

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portion of the facilities in the judicial branch’s real estate portfolio. This causes trial courts to continue to operate from facilities with deficiencies that hinder service to the public.

**Outcomes and Accountability of Proposal**

The CFAC provides ongoing oversight of the Judicial Council’s five-year infrastructure plan and courthouse construction program. Funding received in 2025–26 for the ten capital projects would result in the following advancement of the courthouse construction program: six active projects would become fully funded to complete design/construction, one active project would advance to develop performance criteria, and three new-start projects would initiate site selection/acquisition. Each project that becomes fully funded and completed expands the public’s physical, remote, and equal access to the courts.

This funding request will uphold the originating legislative directives aimed at making courthouses accessible and functional throughout the state. Additionally, it aligns with the priorities of diversity, equity, and inclusion set by the Administration. It ensures that residents from every county in California have access to buildings that are designed, built, and maintained according to standards such as the federal Americans with Disabilities Act and the California Building Code, which ensure full access to all individuals, regardless of their abilities.

The core principle embedded in enabling legislation of the judicial branch’s facilities program is equity across the state. The program’s mission, which dates to 2002 and remains unchanged today, is to provide uniformly safe, secure, and well-maintained facilities reflecting this commitment of equity.

**Required Review/Approval**

Court Facilities Advisory Committee  
Trial Court Budget Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal VI: Branchwide Infrastructure for Service Excellence  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch  
2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Habeas Corpus Resource Center
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<b>Proposal Title</b>	HCRC Case Team Staffing and Establishment of Los Angeles Office
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**Proposal Summary**

The Judicial Council of California requests 30.0 positions and \$9.3 million General Fund, including \$450,000 in one-time funding, in 2025-26; 20.0 positions and \$14.3 million General Fund in 2026-27; and 20 positions and \$19.9 million General Fund in 2027-28. Total 70.0 new positions and \$19.7 million ongoing funding for the Habeas Corpus Resource Center (HCRC). The funds will be used to increase staff and establish a Los Angeles office to address and reduce delays and the backlog of unrepresented defendants in habeas cases.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	30.0	50.0	70.0	70.0	70.0
<b>Personal Services</b>	6,116,000	10,694,000	15,267,000	15,267,000	15,267,000
<b>Operating Expenses &amp; Equipment</b>	3,226,000	3,640,000	4,619,000	4,389,000	4,389,000
<b>Local Assistance</b>	0	0	0	0	0
<b>Total</b>	9,342,000	14,334,000	19,886,000	19,656,000	19,656,000
One-time	450,000	0	0	0	0
Ongoing	8,892,000	14,334,000	19,886,000	19,656,000	19,656,000

\*Please include all costs associated with request including costs for other offices and courts.

**Problem or Issue**

As of December 2023, the total number of people currently under a sentence of death in California is 627. There are 364 people sentenced to death in California who have a right to counsel but who are still waiting for appointment of counsel for their initial state habeas (post-conviction) proceedings. These 364 represent 58 percent of all condemned persons. This proposal begins to address the state's need to find representation for the increasing number of indigent people on death row and further HCRC's statutory mission to decrease the number of unrepresented persons on death row. Of the 364 without habeas counsel, 297 or 82 percent of this group, have been waiting 10 years or more for counsel; 45 have been

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waiting over 25 years for appointment of habeas counsel. HCRC is the sole governmental agency tasked with post-conviction representation, and its attorney staffing levels have remained virtually unchanged since its formation in 1998. HCRC has been unable to accept new appointments at a rate sufficient enough to address the backlog. It currently represents 60 clients in multiple cases at different stages, including actively litigating 19 cases with Orders to Show Cause (OSCs); pending evidentiary hearings; awaiting decision following an evidentiary hearing; or awaiting resentencing following a grant of relief.

This proposal expands HCRC's capacity to accept capital habeas corpus representation through measured growth in HCRC staff, creating up to 15 additional case teams made up of attorneys, paralegals, investigators, and case assistants, as well as four supervisory positions, phased in over a three-year period. The supervisory positions will ensure appropriate training, mentoring, and adherence to standards for case team members, enabling HCRC to maintain high quality representation for a maximum number of cases.

Currently Government Code Section 68661 caps the number of attorneys that HCRC may employ at 34. This proposal will require amendment to Section 68661 to authorize HCRC to employ up to 68 attorneys.

**Background/History of Problem**

The backlog capital post-conviction representation is the direct result of California's 58 counties sending men and women to death row at a rate far faster than the courts have been able to appoint qualified post-conviction counsel. The HCRC was established in 1998 to accept appointments in state and federal post-conviction death penalty proceedings and to serve as a resource for private attorneys appointed to these cases (see Government Code Section 68661). By statute, the mission of the HCRC is (1) to provide timely, high-quality legal representation for indigent petitioners in death penalty habeas corpus proceedings in state and federal courts; (2) to recruit and train attorneys to expand the pool of private counsel qualified to accept appointments in death penalty habeas corpus proceedings, and to serve as a resource to them; and thereby (3) to reduce the number of unrepresented indigent inmates on California's death row.

Developments in recent years have substantially impacted habeas representation. Changes in the law and California Rules of Court since 2016 have altered the way habeas cases are argued in California's courts. Under California Penal Code section 1509, habeas proceedings now initiate in the trial courts statewide, whereas a single court—the Supreme Court—previously appointed habeas counsel and heard all state habeas cases. However, there is lack of qualified counsel on the statewide panel of attorneys from which the trial courts may appoint habeas counsel. Only four new private lawyers have been approved for the entire state; HCRC remains the main resource for appointments. Penal Code section 1509 has also accelerated the timelines for litigating habeas matters, resulting in “one-year cases” that intensify the work required by HCRC case teams to research, prepare, and file claims in the trial courts.

This request also addresses a fundamental equity issue in the administration of the death penalty. When Governor Gavin Newsom instituted Executive Order N-09-19 in 2019, placing a moratorium on carrying out executions in California, the Governor explained that “California's death penalty system is unfair, unjust, wasteful, protracted and does not make our state safer.” The Governor also stated, “death



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sentences are unevenly and unfairly applied to people of color, people with mental disabilities, and people who cannot afford costly legal representation." Although Black and Latino individuals represent just 6.5 percent and 36 percent of California's population, respectively, almost 66 percent of the death row population is made up of people of color. While the moratorium paused executions, it did not permanently end them. Since the moratorium, 20 people have been sentenced (or, in one case, resentenced) to death. Sixteen of these 20 individuals, or 80%, are people of color. And since January 1, 2022, every person this state has sentenced to death has been Black or Latino. Resources provided through this proposal will be used to confront this inequity as HCRC will be able to represent more condemned persons faster.

The 20 people sentenced to death since the moratorium in 2019 were sentenced in just 8 counties: Riverside, Kern, San Bernardino, Tulare, Los Angeles, San Diego, Merced, and Sacramento. This is consistent with historical trends where the majority of death sentences were imposed in Los Angeles, Riverside, Orange, and San Bernardino Counties. Because habeas cases will now commence in the trial courts, HCRC proposes hiring new case teams based in an office to be set up in the Los Angeles County area. Having a Southern California office will allow HCRC to have access to the trial courts, legal resources, and attorneys in the region where a large portion of the backlogged habeas cases will proceed.

**Impact of Denial of Proposal**

The length of time to make an impact and reduce the backlog in appointments is directly related to the level of resources devoted to the problem. Additional case teams are critical if the HCRC is to expand the number of capital habeas corpus appointments it can accept every year. However, HCRC's number of attorneys is still at 1998 levels. The growing gap between available resources and increased numbers of death sentences continues to lengthen the time it takes to complete capital case post-conviction review. Currently a person condemned to death in California can expect to wait more than 30 years from a sentence of death to final resolution of state habeas proceedings. In 2020, the average time from sentencing to resolution was 20 years, up from 17 years in 2015, and 12 years in 2008. These delays cause judicial relief for condemned inmates, consistent with constitutional requirements, to be denied. Even though they take decades to occur, grants of relief are the most common outcome in capital proceedings. Since 1977, of the 341 death judgments that have completed the state and federal review process, 277 or 81 percent have been reversed in state or federal court. Ultimately, each California death judgment has a one-in-five chance of being upheld in every court that reviews it, and a four-in-five chance of reversal.

The impact of denying this proposal is that the decades-long wait for relief continues for the wrongfully convicted who spend decades on death row when they are innocent. Since California reinstated the death penalty in 1977, five innocent men—all people of color—have been fully exonerated and released. As Governor Newsom noted, a 2014 study showed that at least 4.1% of people sentenced to death were likely wrongfully convicted. Since 1977, California has sentenced 1,013 people to die. By a conservative estimate, it is probable that approximately 42 of them are innocent. This means that today in California more than three dozen innocent people are either currently under a death sentence or have died on death row.

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**Outcomes and Accountability of Proposal**

With the requested increase in staff, the HCRC will achieve the proposal’s goal by accepting a growing number of cases each year and increasing assistance provided to private counsel, thereby decreasing the backlog in unrepresented death row inmates. Successful implementation of this proposal will be manifested through prompt hiring and training of new staff members and quantified through the number of new cases appointed to the HCRC each year. The HCRC has a documented track record of promptly and effectively filling new and vacant positions. New staff members receive intensive training and mentorship from senior and other experienced staff members to ensure that proven protocols and best practices are applied in all cases.

The current 20+ year delay in appointment of counsel also increases the long-term incarceration costs of the death row population. According to the analysis of Proposition 62 in the Voter Information Guide for 2016 (an ultimately unsuccessful proposal to eliminate the death penalty), the California death penalty costs the state approximately \$150 million per year. Quoting this figure, the Committee on the Revision of the Penal Code concluded in its 2021 Death Penalty Report: “Even with those costs, the state is not spending enough money: people sentenced to death routinely wait decades to be assigned post-conviction lawyers because the state does not pay for more attorneys.” If California were to spend more money on attorney resources in the short term to reduce the habeas backlog and move these cases to conclusion it would save money in the long run. The Death Penalty Report continued: “According to the calculations of some experts, California has executed 13 people [since the reimposition of the death penalty in 1977] at a cost of \$4 billion.” If even half of the 364 unrepresented people on death row were to receive counsel sooner and obtain timely relief consistent with 40-year trends in sentence reversals, the state could realize a savings of millions of dollars per year in incarceration costs alone.

**Required Review/Approval**

Habeas Corpus Resource Center is an independent entity within the Judicial Branch and the Executive Director provides the necessary review and approval.

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal IV: Quality of Justice and Service to the Public  
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch  
Proposal will require amendment to Government Code Section 68661 to authorize HCRC to employ up to 68 attorneys.

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

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Tracking  
Number: 25-19

**Judicial Branch**  
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**Director Signature:**

**Contact Name: John A. Larson, Assistant Director**

**Judicial Branch  
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<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
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<b>Proposal Title</b>	Courts of Appeal Court-Appointed Counsel Program
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**Proposal Summary**

The Judicial Council of California (JCC) is requesting \$22.57 million ongoing General Fund to support the Courts of Appeal Court-Appointed Counsel Program (Program), which (with the Appellate Project Offices and attorneys appointed in the Program’s non-capital appeals) provides critical and constitutionally required representation to indigent individuals in criminal, juvenile delinquency, and dependence appeals. The request has two components: (1) \$16.52 million permanent General Fund for a \$40 per hour rate increase for non-capital appeal appointments; and (2) \$6.05 million for an ongoing augmentation for a 30 percent increase in the Appellate Project Offices annual contracts.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$22,573,000	\$22,573,000	\$22,573,000	\$22,573,000	\$22,573,000
<b>Local Assistance</b>					
<b>Total</b>	\$22,573,000	\$22,573,000	\$22,573,000	\$22,573,000	\$22,573,000
One-time					
Ongoing	\$22,573,000	\$22,573,000	\$22,573,000	\$22,573,000	\$22,573,000

\*Please include all costs associated with request including costs for other offices and courts.

**Problem or Issue**

The objectives of California’s appellate court-appointed counsel system are to: (1) ensure the right of indigent clients to receive the effective assistance of appointed appellate counsel as guaranteed them by the U.S. Constitution; and (2) provide the Courts of Appeal with useful briefings and arguments that allow the Courts to perform their functions effectively and efficiently.

Until the 2022-23 budget provided an increase of \$6.4 million for a \$15 hourly rate increase for non-capital appeal appointments and \$1.9 million for a 10.5 percent increase in the Appellate Project Offices annual

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contracts, the Program's panel attorneys had not received any hourly rate increases since 2016-17 and the five Appellate Project Offices had not received any new funding since 2017-18.

The 2022-23 increase provided an opportunity to chip away at the impact of years without an increase to the panel attorney hourly rate and to the Appellate Project Offices for operation and staff salary increases but did not close the gap leaving a critical need for additional resources to bridge the remaining gap to further address recruitment and retention in both panel attorneys and in Appellate Project Offices staff and to provide for continually increasing operating costs of the Appellate Project Offices.

The current appointment rates are negatively affecting the Program in the areas of the recruitment of new panel attorneys and the retention of existing competent and experienced counsel, which are at the heart of an efficient and cost-effective court-appointed counsel program. Before 2022-23 the last hourly rate increase for statewide panel attorneys occurred in 2016, which increased the rate by \$10 per hour for non-capital appeals. Prior to 2016, the last increase was in 2007. The proposed \$40 per hour rate increase is necessary for the continued recruitment of competent attorneys, for the retention of experienced attorneys, and to allow the newer panel members to continue to serve on the panel while they gain the expertise to take on more appointments, and complex and more serious cases. The hourly rate structure includes three tiers to reflect the complexity of the case and to differentiate between assisted and independent cases. Currently, 90 percent of the cases are assigned to more experienced panel attorneys on an independent appointment basis, an increase of 23 percent since 1997. Assisted assignments are integral to the health of the Program to provide training and guidance to attorneys who are newer to these types of cases, but independent assignments are the most cost effective as they require less Program resources in both Appellate Project Offices oversight and case time.

The Program's ability to continue this level of independent assignments while providing competent representation is threatened by ongoing reductions in the statewide pool of experienced attorneys. In recent years, a number of the Program's most qualified attorneys have either left the panel or greatly reduced the number of cases they are willing to accept, many in favor of more lucrative representation in federal courts or other state agencies. The panel size in July of 2023 included 670 attorneys (as compared to 858 in July of 2003 and 927 in July of 2013) of which 184 accepted less than three or fewer cases in a two-year period. For example, The California Department of General Services 2022-2023 Price Book of \$170 per hour for external legal advice continues to stand in stark comparison to the current rate of \$110 - \$130 per hour offered by Courts of Appeal Court-Appointed Counsel Program. Without continued and significant reduction of this pay gap, the Program will continue to struggle to maintain a healthy panel able to timely accept appointments.

In addition, the current funding for the Five Appellate Project Offices (nonprofit organizations) that provide legal support to the private appointed attorneys is inadequate to support continued increases in operational costs. California's Appellate Court-Appointed Counsel (CAC) Program, through the annual contracts of the Five Appellate Project Offices fulfills the constitutional mandate of providing adequate representation for indigent appellants in the Courts of Appeal, in non-capital cases. Since 2014-15 the overall average annual operating expenses for rent has increased by over 29 percent (some Appellate Project Offices experiencing an increase of as high as 65 percent), payroll taxes have increased by 4.6

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percent (with some Appellate Project Offices seeing an increase as high as 11 percent) and pension has increased by 22 percent (where some Appellate Project Offices contribution percentage has decreased in this area to address funding gaps and have not returned to normal competitive contribution rates). The costs for technology have not greatly increased since 2014-15 in the Appellate Project Offices due to lack of resources, not lack of need. To better serve the Program clients, it is critical the Appellate Project Offices are able to leverage resources to maintain and upgrade or implement when needed databases, external websites, conferencing systems, and electronic document retention systems.

**Background/History of Problem**

In 1963, *Douglas v. California* (372 U.S. 353) held that the U.S. Constitution guarantees an indigent defendant convicted of a felony the right to a court-appointed attorney for the initial appeal. Twenty-two years later, in 1985, the Court clarified in *Evitts v. Lucey* (469 U.S. 387), that the guarantee of court appointed counsel requires that counsel be competent. As indicated in *Evitts v. Lucey*, “[W]e have held that the Fourteenth Amendment guarantees a criminal appellant pursuing a first appeal as a right certain minimum safeguard necessary to make that appeal “adequate and effective,” see *Griffin v. Illinois*, 351 U.S. 12, 20 (1956); among those safeguards is the right to counsel, see *Douglas v. California*, 372 U.S. 353 (1963).” “[T]he promise of *Douglas* that a criminal defendant has a right to counsel on appeal — like the promise of *Gideon* that a criminal defendant has a right to counsel at trial — would be a futile gesture unless it comprehended the right to the effective assistance of counsel.”

Rule 8.300 states in applicable part: “Each Court of Appeal must adopt procedures for appointing appellate counsel for indigents not represented by the State Public Defender in all cases in which indigents are entitled to appointed counsel.... The court may contract with an administrator having substantial experience in handling appellate court appointments to perform any of the duties prescribed by this rule.” (Cal. Rules of Court, rule 8.300(a)(1) and (e)(1).)

California’s Court-Appointed Counsel Program (in place for about 30 years), with the Appellate Project Offices and the private sector panel attorneys fulfill these rights for indigent defendants. The panel attorneys provide critical and constitutionally required representation to indigent individuals in criminal, juvenile delinquency, and dependence appeals. Through contracts with the California Courts of Appeal the Appellate Project Offices (non-profit organization) oversee the statewide panel of attorneys who receive appointments in that district. The Appellate Project Offices are responsible for working with the panel attorneys to ensure effective assistance is provided; reviewing claims for payment for the work performed by the panel attorneys to provide consistency and controls over the expenditure of these public monies; and training attorneys to ensure continuity of quality.

From 1989 to 1995, the hourly rate for all appointed cases was \$65 per hour. In 1995 a second tier was added at \$75 per hour to differentiate compensation in assisted and independent cases. A third tier at \$85 per hour was added in 1998 for the most serious and complex matters. Effective October 1, 2005, the rates increased by \$5 per hour; a \$10 per hour increase was put in place July 1, 2006, and a \$5 per hour increase became effective July 1, 2007. These rates then remained stagnant for over 9 years (\$85/\$95/\$105) until July 1, 2016, when the rates of \$95/\$105/\$115 were approved; and for another six years when the rates of \$110/\$120/\$130 effective July 1, 2022, were approved. The Judicial Council is requesting a \$40 per hour

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increase to raise these 2025 rates to \$150, \$160, and \$170 per hour to provide comparable compensation for these critical services.

In 2014-15 the Appellate Project Offices' annual contracts totaled just under \$17.5 million. Three years later in 2017-28 the Appellate Project Offices received an increase of \$18.2 million (less than 6 percent). Seven years later, the Appellate Project Offices' contract amount has only increased once with the budget increase of 2022-23 which provided a 10.5 percent increase of which the majority went to narrow but not close the gap between the administrative and staff attorneys' rates as compared to that provided in similar type agencies and firms.

**Impact of Denial of Proposal**

The 2022-23 increase provided an opportunity to chip away at the impact of years without an increase to the panel attorney hourly rate and to Appellate Project Offices for operation and staff salary increases; but there is still a critical need for additional resources to bridge the gap to address recruitment and retention in both panel attorneys and in Appellate Project Offices staff.

If denied, the Appellate Court-Appointed Counsel Program will struggle to provide the oversight to the panel attorneys as they will continue to be unable to recruit new panel attorneys and will continue to lose the most experienced panel attorneys to other government entities for more lucrative compensation and job security.

The Program will continue to see lower panel attorney numbers, especially the loss of those individuals with experience in serving the Program's indigent clients, impacts the Program's ability to make timely appointments as the remaining experienced panel attorneys are often not sufficient to accept appointments on the current complex cases and the less experienced panel attorneys accept fewer appointments in their early years as a panel attorney.

The Appellate Project Offices will continue to be underfunded and face increased costs to maintain office operations, including recruitment and retention of experienced staff to other government entities for more lucrative compensation. The Appellate Project Offices also lose staff to other government entities for a more lucrative compensation package.

**Outcomes and Accountability of Proposal**

The Appellate Indigent Defense Oversight Advisory Committee (AIDOAC) regularly monitors the efficiency of the appellate court-appointed counsel system by analyzing cost, workload, and a variety of other factors to ensure the Appellate Project Offices and the panel attorneys are continuing to provide the value to the Courts of Appeal and the indigent litigants as required by the courts and the Constitution. AIDOAC reviews trends and re-evaluates direction when appropriate. For example, noticing an increase in the amount of time spent and compensated for "unbriefed issues," AIDOAC worked with the Appellate Project Office directors to refine the guidelines of when it is appropriate to seek compensation in this category and monitor this line item as part of its quarterly reviews to determine the impact of this change in guidelines. If approved, this proposal will provide a more comparable compensation for panel attorneys handling cases on appeal; provide adequate representation for the indigent appellants in California's Courts

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of Appeal; attract and retain new and existing panel attorneys and grow their experience so they can take on more complex and more serious matters; and reduce attrition of experienced and new panel attorneys to other government entities. These outcomes will be measured by the continued tracking of panel attorney numbers (as discussed previously), and the continued tracking of turnover rates, longevity, and attrition to other government entities or retirement. In addition, the nonprofit Appellate Project Offices will be able to increase recruitment and retention of experienced staff and provide the needed services to the appointed counsel and the individual courts.

**Required Review/Approval**

Administrative Presiding Justices Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal IV: Quality of Justice and Service to the Public  
Goal VI: Branch wide Infrastructure for Service Excellence

The United States Constitution’s 6th Amendment guarantees the effective assistance of counsel in criminal proceedings as a fundamental part of our judicial system. The courts are required to provide counsel to indigent defendants and must do so in all appeals that may come before them. As set forth in the Judicial Council’s long-range Strategic Plan for California’s Judicial Branch, (adopted December 2006; readopted and revised December 2014, and reaffirmed in 2019), the mission of the California judiciary is to “in a fair, accessible, effective and efficient manner, resolve disputes arising under the law... protect the rights and liberties guaranteed by the Constitutions of California and the United States.” Goal I of the strategic plan, Access, Fairness, and Diversity, and Inclusion states that “The branch must work to remove all barriers to access and fairness by being responsive... to all people. Branch efforts in this regard must include ensuring that the courts are free from both bias and the appearance of bias... remaining receptive to the needs of all branch constituents, ensuring that court procedures are fair and understandable...” The objectives of California’s appellate CAC system are to: (1) ensure the right of indigent clients to receive effective assistance of appointed counsel, as guaranteed to them by the Constitution; and (2) provide the Courts of Appeal with useful briefings/arguments that allow them to perform their function efficiently and effectively.

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Laura Speed*

Contact Name: Marcela Eggleton



**Judicial Branch  
2025-26 Budget Change Proposal Concept**

<b>Requesting Entiy</b>	Courts of Appeal
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<b>Proposal Title</b>	Proposition 66 Costs in Courts of Appeal
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**Proposal Summary**

The Judicial Council of California requests 14.5 positions and \$9.9 million General Fund in 2025-26 and \$9.7 million General Fund in 2026-27 and ongoing for the Courts of Appeal to address the new workload associated with the implementation of Proposition 66 (Prop 66), the Death Penalty Reform and Savings Act of 2016.

Does this proposal require a statutory change? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does this proposal have an information technology component? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	14.5	14.5	14.5	14.5	14.5
<b>Personal Services</b>	4,302,000	4,302,000	4,302,000	4,302,000	4,302,000
<b>Operating Expenses &amp; Equipment</b>	5,609,000	5,443,000	5,443,000	5,443,000	5,443,000
<b>Local Assistance</b>					
<b>Total</b>	9,911,000	9,745,000	9,745,000	9,745,000	9,745,000
One-time	310,000	0	0	0	0
Ongoing	9,601,000	9,745,000	9,745,000	9,745,000	9,745,000

\*Please include all costs associated with request including costs for other offices and courts.

**Problem or Issue**

Proposition 66 was approved without funding or resources and the new workload cannot be absorbed by the current appropriated funds and staffing for the Courts of Appeal. Approximately 150 petitions were transferred from the Supreme Court to the trial courts, a majority of which are still pending in the trial courts and will likely result in an appeal under Proposition 66. Currently, 46 petitions have proceeded to final disposition in the trial courts and are now in the Courts of Appeal. Thirty-six have been stayed due to lack of funding for habeas corpus appeal counsel. Ten are moving forward despite the lack of funding because counsel is an agency such as Habeas Corpus Resource Center (HCRC) or Federal Public Defenders (FPD) that does not need payment from the Courts of Appeal to proceed with the appeals.

The estimated workload calculation projects that one-fourth (38) of the pending 150 cases will be appealed in each year beginning in 2025-26. If funding is not provided to the Courts of Appeal, the courts will have to

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absorb over 12.5 work year equivalents each fiscal year resulting from the estimated 38 cases that will be appealed, with each case requiring approximately four months FTE (full-time equivalent) to review and prepare. This will delay all appeals, slowing the process of justice, which is precisely the opposite of what the proponents of Prop 66 and, by extension, the majority of Californians wanted when Prop 66 was passed.

Currently there are approximately **364 California condemned** incarcerated persons awaiting appointment of habeas corpus counsel. Approximately 123 of these incarcerated persons have been waiting for counsel for more than 20 years. Incarcerated persons are being denied their constitutional and statutory rights to challenge their convictions and sentences. Prior to passage of Prop 66, the Supreme Court handled the appointment of counsel, and habeas corpus petitions were filed directly in the Supreme Court. Prop 66 transferred initial appointment authority to the trial courts and directed the filing of habeas petitions there to be followed by an appeal to the courts of appeal. Proposition 66 did not appropriate funds to the Courts of Appeal for additional resources to address the new petitions related to Prop 66. In addition, the current resources and staff of the Courts of Appeal cannot absorb the anticipated increase in workload. The requested funding will promote the interests of the fair administration of justice by allowing cases to proceed to final resolution, benefiting both the unrepresented and the victim's family members. Of the 364 persons awaiting the appointment of habeas counsel, four have two death judgments for a total of 368 death judgments. Of those 142 (39 percent) have been affirmed on direct appeal.

The Courts of Appeal staff will be required to do different and additional work than was required of the Supreme Court when it considered death-penalty petitions before Prop 66. Unlike what was required by the Supreme Court, the Courts of Appeal will be required to issue full written opinions, resolve interlocutory writ petitions taken from trial court rulings, decide multiple pre-decision motions, and consider petitions for rehearing.

The estimated workload calculation is based on averaging two types of anticipated appeals: appeals from initial petitions, which will require extensive work; and appeals from second or subsequent petitions, which will often require less work. For appeals from initial petitions, an FTE position will need an average of six months to prepare a draft opinion. For appeals from second or subsequent petitions, an FTE position will need from one week to several months to prepare a memorandum or draft decision. Averaging these estimates results in the need for one FTE position to work on a case for four months.

Courts of Appeal Appointed Counsel: Counsel has already been appointed to all 150 cases transferred to the trial courts, and most of the decisions issued in these cases will be appealed under Prop 66. The Courts of Appeal cannot assume, however, that because a petitioner had representation in the trial court, the petitioner will also have representation on appeal. Under applicable court rules, unless the petitioner and counsel expressly request continued representation, new counsel must be appointed. This concept projects that the Courts of Appeal will be required to appoint and compensate counsel in half of the estimated 38 appeals filed each year through 2027-28.

**Background/History of Problem**

On November 8, 2016, the California electorate approved Prop 66, the Death Penalty Reform and Savings Act of 2016. This act made a variety of changes to the statutes relating to review of death penalty (or "capital")

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cases in the California courts, many of which were focused on reducing the time spent on this review. Among other provisions, Prop 66 effected several changes to the procedures for filing, hearing, and making decisions on death penalty-related habeas corpus petitions. The act did not take effect immediately on approval by the electorate because its constitutionality was challenged in a petition filed in the California Supreme Court, *Briggs v. Brown* (S238309). On Oct. 25, 2017, the Supreme Court's opinion in *Briggs v. Brown* became final (2017 3 Cal.5th 808), and the act took effect.

Before Proposition 66, habeas corpus petitions related to capital convictions were filed in and decided by the Supreme Court. Under Prop 66, these petitions are generally to be decided by the trial courts and then appealed to the Courts of Appeal. Habeas corpus proceedings represent a new workload and the need for new staffing for the Courts of Appeal. Staffing requested includes one supervising appellate court attorney, 11.5 senior appellate court attorneys, and two judicial assistants.

The Courts of Appeal request for new additional staff will handle these appeals. Because these cases involve the death penalty, they are extraordinarily hard fought and involve many complex issues. The Courts of Appeal will be required to do different and additional work than was required of the Supreme Court in resolving pre-Proposition 66 petitions. Unlike the Supreme Court, the Courts of Appeal will have to issue full written opinions, resolve interlocutory writ petitions taken from superior court rulings, decide multiple pre-decision motions, and consider petitions for rehearing. The estimated workload calculation is based on averaging 2 types of anticipated appeals: appeals from initial petitions, which will require extensive work, and appeals from second or subsequent petitions, which will require less work.

There is a backlog approximately **364 California condemned** incarcerated persons on California's death row who have the right to counsel in state post-conviction proceedings, but currently must wait as long as 24 years for appointment of an attorney. Incarcerated persons are being denied their constitutional and statutory rights to challenge their convictions and sentences. These delays in appointment of counsel are not only against the interests of justice and fairness but substantially increase both the litigation costs of each case and the incarceration costs associated with the delay in providing a substantial number of condemned incarcerated persons potential relief from their death judgments. Although the issue of responsible party for payment to appointed counsel for trial court habeas proceedings and the rate of pay is still to be determined, the component of this request that seeks additional funding for appointed and assisted counsel at the current capital case rate of \$145/hour for matters in the Courts of Appeal will help address one aspect of the chronic shortage. However, if the current \$145/hour rate through 2024-25 for capital appointments, changes in 2025-26 (with proposed BCP Concept to increase current appointment rate by \$40 for 2025-26), additional funds will be requested in the 2026-27 budget cycle to obtain adequate funds for any approved increases in capital appointment rates.

**Impact of Denial of Proposal**

The Courts of Appeal will not have the resources (i.e., funding and staff) to address the new workload resulting from the passage of Prop 66, the Death Penalty Reform and Savings Act of 2016. All habeas corpus petitions related to capital convictions appeals will be delayed, slowing the process of justice, which is inconsistent with the intent of Prop 66 when passed by the California voters.

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**Outcomes and Accountability of Proposal**

With approval of this proposal, the Courts of Appeal will be able to hire and develop professional staff to handle habeas corpus appeals in order to review and render timely opinions to provide relief to prisoners without counsel. The Courts of Appeal will have the necessary resources (funding and staff) to support the new workload and other costs (including appointed counsel, investigation, records storage, and technology upgrades) to adequately address the appeals and the costs associated with the implementation of Prop 66 in the Courts of Appeal.

With the approval of this proposal, many underrepresented groups would benefit from providing timely justice. The National Academy of Sciences and others have estimated that approximately 4 percent of condemned incarcerated persons may be innocent, suggesting that as many as 14 of California’s approximately 364 unrepresented condemned incarcerated persons may have potentially meritorious claims of innocence. Racial and ethnic minorities are disparately impacted, with African Americans comprising approximately 35 percent of California’s death row (as compared to approximately 6 percent of the general population). Additionally, the Death Row U.S.A (DRUSA) Winter 2023 (as of Jan. 1, 2023), a quarterly report by Legal Defense Fund, lists California’s inmates on Death Row in the below categories:

California Death Row Stats as Jan. 1, 2023													
State of CA	Total	Black		White		Latino/a		Native American		Asian		Unknown	
	665	232	35%	220	33%	177	27%	9	1%	27	4%	0	—

Approval of this proposal will also provide timely processing of these cases and provide equity for all Californian’s including families who are seeking timely justice for the victims and families of incarcerated persons in the habeas corpus petition cases. In addition, these funds will reduce the amount of time of innocent incarcerated persons serve in prison awaiting an appeal, as the families on both sides continue to wait for their day in court and closure.

Finally, successful implementation of this proposal will be manifested through prompt hiring and training of new staff members, allowing the new workload created by Prop 66 to be addressed appropriately and not overwhelming the Courts of Appeal. Accountability will be measured through attorney recruitment and will help in the process of reducing the backlog of habeas counsel appointments to prisoners on death row.

**Required Review/Approval**

Administrative Presiding Justices Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

- Goal I: Access, Fairness, Diversity, and Inclusion
- Goal IV: Quality of Justice and Service to the Public
- Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

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Goal I of the strategic plan, Access, Fairness, and Diversity, states that “California’s courts will treat everyone in a fair and just manner. All Californians will have equal access to the court’s proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users.” Prop 66 specifically requires the Judicial Council of California to adopt rules “designed to expedite the processing of capital appeals and state habeas corpus review” (Penal Code Section 190.6(d)). This direction is consistent with the provision in Prop 66 that provides that death penalty-related habeas corpus proceedings “be conducted as expeditiously as possible” (Penal Code Section 1509(f)). This concept also fulfills the Judicial Branch Strategic Plan Goals: IV: Quality of Justice and Service to the Public and VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch.

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

**Director Signature:** *Laura Speed*

**Contact Name:** Deborah Collier-Tucker, Manager ACS

**Judicial Branch  
 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	California Supreme Court
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<b>Proposal Title</b>	Supreme Court Capital Court-Appointed Counsel Program
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**Proposal Summary**

The California Supreme Court requests \$2.4 million General Fund in 2025-26 and ongoing to support the Supreme Court’s Capital Court-Appointed Counsel Program. The request has two components: (1) \$1.0 million General Fund for a \$40 per hour rate increase for capital appeal appointments; and (2) \$1.9 million General Fund for a 30 percent increase in the annual contract for California Appellate Court – San Francisco Project Office. The \$2.4 million requested is reduced to account for existing program savings of \$500,000.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>	0	0	0	0	0
<b>Personal Services</b>	0	0	0	0	0
<b>Operating Expenses &amp; Equipment</b>	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000
<b>Local Assistance</b>	0	0	0	0	0
<b>Total</b>	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000
One-time	0	0	0	0	0
Ongoing	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000	\$ 2,412,000

\*Please include all costs associated with request including costs for other offices and courts.

**Problem or Issue**

The Supreme Court’s Capital Court Appointed Program received an increase of \$255,000 (a 4.57 percentage increase) in the 2017 Budget Act for its Capital Court Appointed Counsel Project Office (CAP-SF), in 2022-23 the Supreme Court approved internal funds for a pay parity increase of \$155,000 (2.67 percent) for CAP-SF’s employees only, and no new funds have been approved since 2007-08 for the ongoing increases in CAP-SF’s OE&E costs since 2007-08. Because of the lack of adequate funding increases for CAP-SF’s staff and ongoing increases in its operating equipment and expenses (OE&E), CAP-SF must reduce its reserves each year to close the gap in their operations. Even the appointment rate for capital cases is currently \$145 per hour and has been in place since October 2007, thus impacting new attorneys from accepting capital work.

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The Capital Court-Appointed Counsel Program’s ability to continue attracting qualified attorneys to apply for capital appointments continues to fall short of the number of annual death judgments. Even with the modest increase in salary for CAP-SF’s employees, CAP-SF continues to struggle to retain its most experienced attorney staff and employees. Several of the program’s most qualified staff attorneys and panel attorneys have either left the panel or not taken a new capital appointment. They are moving to representation in federal courts or other state agencies. For example, the California Department of General Services 2023-24 Price Book of \$170 per hour for external legal advice continues to stand in stark comparison to the current rate of \$145 per hour offered by the Supreme Court Capital Court-Appointed Counsel Program.

With the approval of this proposal many underrepresented groups would benefit from timely administration of justice. The National Academy of Sciences has estimated that approximately 4 percent of condemned inmates may be innocent, suggesting that as many as 14 of the California’s 364 unrepresented condemned inmates may have potentially meritorious claims of innocence. Many more likely have at least viable claims of unjust conviction and /or sentence. Racial and ethnic minorities are disproportionately impacted, with African Americans comprising approximately 35 percent of California’s death row (as compared to approximately 6 percent of the general population).

**Background/History of Problem**

In 1963, *Douglas v. California* (372 U.S. 353) held that the federal Constitution guarantees an indigent defendant convicted of a felony the right to a court-appointed attorney for the initial appeal. Twenty-two years later, in 1985, the Court clarified in *Evitts v. Lucey* (469 U.S. 387), that the guarantee of court-appointed counsel requires that counsel be competent. As indicated in *Evitts v. Lucey*, “[W]e have held that the Fourteenth Amendment guarantees a criminal appellant pursuing a first appeal as a right certain minimum safeguard necessary to make that appeal “adequate and effective,” see *Griffin v. Illinois*, 351 U.S. 12, 20 (1956); among those safeguards is the right to counsel, see *Douglas v. California*, 372 U.S. 353 (1963).” ... “[T]he promise of *Douglas* that a criminal defendant has a right to counsel on appeal -- like the promise of *Gideon* that a criminal defendant has a right to counsel at trial -- would be a futile gesture unless it comprehended the right to the effective assistance of counsel.” This authority can be found in two Rules of Court: rule 8.300 (Courts of Appeal) and rule 8.605 (Supreme Court, death penalty cases). Rule 8.300 states in applicable part: “Each Court of Appeal must adopt procedures for appointing appellate counsel for indigents not represented by the State Public Defender in all cases in which indigents are entitled to appointed counsel.... The court may contract with an administrator [project] having substantial experience in handling appellate court appointments to perform any of the duties prescribed by this rule.” (Cal. Rules of Court, rule 8.300(a) and (e)(1).) For death cases, rule 8.605 states in applicable part: ‘Appointed counsel’ or ‘appointed attorney’ means an attorney appointed to represent a person in a death penalty appeal or death penalty-related habeas corpus proceeding in the Supreme Court...” And ‘Assisting counsel or entity’ means an attorney or entity designed by the Supreme Court to provide appointed counsel with consultation and resource assistance. Entities that may be designated include the Office of the State Public Defender, the Habeas Corpus Resource Center, and the California Appellate Project of San Francisco.” (Cal. Rules of Court, rule 8.605(c)(1) and (c)(5).) Both the California Appellate Project-San Francisco and the various Court-Appointed Counsel projects for the Courts of Appeal fulfill these rights

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for indigent defendants.

Prior to 2004-05, the capital appointment rate was \$125 per hour. Effective October 1, 2005, the rate increased by \$5 per hour; a \$10 per hour increase was put in place July 1, 2006; and one final \$5 per hour increase effective July 1, 2007. The current rate \$145 per hour has been in place for over 15 years. The Supreme Court is requesting a \$40 per hour increase to raise the 2024 rate to \$185.

The Supreme Court is requesting an ongoing \$1.9 million (30 percent increase) in the annual contract for the Supreme Court’s Capital Appellate Project – San Francisco (CAP-SF).

CAP-SF cannot retain and hire experienced attorneys with adequate funds and address the continued increases in the operational costs for operating a non-profit organization. No permanent increase since 2017 has impacted the stability of the program. Below illustrates the continued increases in the cost of doing business from fiscal year 2016-17 vs 2022-23 and CAP-SF need the requested 30 percent increase.

<b>CAP-SF Expenditures by Fiscal Year</b>	<b>2006-07 Actuals</b>	<b>2007-08 Actuals</b>	<b>2016-17 Actuals</b>	<b>2022-23 Actuals</b>	<b>% Increase Expenses from 2016-17 vs 2022-23</b>	<b>\$ Increase Expenses from 2016-17 vs 2022-23</b>
<b>Grand total Expenditures</b>	<b>\$5,003,036</b>	<b>\$5,124,378</b>	<b>\$5,135,078</b>	<b>\$6,202,572</b>	<b>21%</b>	<b>1,067,494</b>

The above cost of doing business increases are ongoing pressures from increases in rent, technology, salary and benefits, payroll taxes, professional liability insurance, etc. The 21 percent increase in the cost of doing business from 2016-17 to 2022-23, reflects a \$1.1 million increase in business related cost pressures. The 30 percent increase will allow CAP-SF to provide adequate salary adjustments and operational areas.

**Impact of Denial of Proposal**

If denied, the Supreme Court and the Capital Project Office (CAP-SF) will be unable to recruit new attorneys and will continue to lose the most experienced capital panel attorneys to other government entities for more lucrative compensation and job security. The Supreme Court Capital Project Office (CAP-SF) will continue to be underfunded and unable to absorb increased costs while struggling to maintain office operations, including recruitment and retention of experienced staff.

The capital appointment of attorneys will continue to decrease and the backlog for appellants to receive timely representation in their cases will increase. Timely processing of these cases provides equity for all Californians where families are seeking timely justice for the victims and the families of inmates in the capital appeal cases. Without additional funds to address the appellants without counsel and to address backlog there will continue to be a delay in providing justice for the victim’s family and the incarcerated inmate’s family. In addition, without these funds to process these cases, innocent incarcerated inmates are serving longer times in prison, as the families on both sides continue to wait for their day in court and closure.



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**Outcomes and Accountability of Proposal**

Provide equal public access to justice, timely, and adequate legal representation for indigent appellants for capital appeals in California. The goal for CAP-SF and the Supreme Court is to have a stable CAP-SF organization that can provide the contractual services required to handle capital appointments. It is difficult to measure outcomes when the appeal for capital cases can last many years. The requested funds will support CAP-SF in its contractual obligation by retaining experienced staff attorneys and recruiting experienced staff attorneys to support capital contractual services in a timely manner to the Supreme Court and appointed counsel in the CAC program for the represented and unrepresented appellants.

CAP-SF has experienced a 52.9 percent turnover since Jan. 2021 and Feb. 2024. Twenty-six percent of them had 5-10 years of experience, twenty-one percent had over 10 years of experience, fifteen percent had 3-5 years' experience, fifteen percent had 1-3 years' experience, fifteen percent had 6 months to 1 year experience, and five percent had less than 6 months of experience. Thirty-six percent of them left for other employment

**Required Review/Approval**

Administrative Presiding Justices Advisory Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

- Goal I: Access, Fairness, and Diversity
- Goal IV: Quality of Justice and Service to the Public
- Goal VI: Branch wide Infrastructure for Service Excellence

The United States Constitution's 6th Amendment guarantees the effective assistance of counsel in criminal proceedings as a fundamental part of our judicial system. The courts are required to provide counsel to indigent defendants and must do so in all appeals that may come before them. As set forth in the Judicial Council's long-range Strategic Plan for California's Judicial Branch (JB), (adopted December 2006; readopted and revised December 2014, and reaffirmed in 2019), the mission of the California judiciary is to "in a fair, accessible, effective and efficient manner, resolve disputes arising under the law... protect the rights and liberties guaranteed by the Constitutions of California and the United States." Goal I of the strategic plan, Access, Fairness, and Diversity, states that "California's courts will treat everyone in a fair and just manner. All Californians will have equal access to the court's proceedings and programs. Court procedures will be fair and understandable to court users. Members of the JB branch community will strive to understand and be responsive to the needs of court users."

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Laura Speed* 

Contact Name: Deborah Collier-Tucker, Manager ACS

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 2025-26 Budget Change Proposal Concept**

<b>Requesting Entity</b>	Judicial Council Legal Services Office
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<b>Proposal Title</b>	Litigation Management Program
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**Proposal Summary**

The Judicial Council requests an ongoing augmentation of \$3 million General Fund beginning in 2025-26 for the Litigation Management Program to support the defense and indemnity (as permitted) of all judicial branch entities. This will bring the total funding for this purpose up to \$9.2 million. This request includes provisional language to allow the Judicial Council to encumber and expend funds over two years to provide greater flexibility to schedule contract payments.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

**Estimated Cost (Enter whole dollars rounded to thousands) \***

<b>Fiscal Year</b>	<b>2025-26 (BY)</b>	<b>2026-27 (BY+1)</b>	<b>2027-28 (BY+2)</b>	<b>2028-29 (BY+3)</b>	<b>2029-30 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
<b>Local Assistance</b>					
<b>Total</b>	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
One-time					
Ongoing	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000

\*Please include all costs associated with request including costs for other offices and courts.

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**Problem or Issue**

In four of the last five years, the Litigation Management Program (LMP) has exceeded its budget allocation and as a result required additional funding of an average of \$1.5 million per year. This has forced the program to rely upon additional allocations from the General Fund and the State Trial Court Improvement and Modernization Fund (IMF). The LMP has experienced shortfalls of \$1.5 million and \$1.8 million in the last two fiscal years, respectively. Litigation costs have steadily increased and are trending upwards as reflected by increased attorney fees and costs, increasing complexity of litigation subjects and procedure, and expensive discovery and expert costs. The current funding allocation is now insufficient to meet the statutory obligations to defend and indemnify the judicial branch for litigation.

**Background/History of Problem**

The Judicial Council manages litigation and provides for the defense and indemnification of all judicial branch entities, bench officers, and employees. Defense of these parties is for government claims, pre-litigation claims, and litigation, as well as for various risk reduction measures, as required by Government Code Sections 810-811.9, 825-825.6, 900.3, 995-996.6, and California Rules of Court, rules 10.201-10.202. Litigation-related matters include lawsuits, writs and appeals, subpoenas, judicial disqualification statements, and labor-related proceedings. The LMP was established by the Judicial Council in 1999 and pays for all outside counsel costs and the payment of settlements and/or judgments on behalf of judicial branch clients.

Since 2003, \$200,000 General Fund had been allocated for appellate court and Judicial Council litigation. In the 2019 Budget Act, the General Fund provided an additional \$5.6 million for a total of \$5.8 million and budget language allowed for encumbrance of the funding over two fiscal years.

Additionally, the Judicial Council received \$437,000 General Fund in the 2020 Budget Act to pay for legal services provided by the Department of Justice. This allocation can only be encumbered or expended in one year.

For the last five years, the LMP has received an annual appropriation of \$6.2 million from the General Fund. The majority of this funding is for expenditures, which include settlements, related to trial court matters.

The cost of litigation has increased over time due to inflation. Law firms routinely seek rate increases to meet rising business costs and the total value of expenditures have also increased. The number of matters that have required more extensive litigation has also increased and driven up costs.

The chart below reflects the budget shortfalls for each of the last five years and demonstrates an upward trend in expenditures. Fiscal years 2020-21 and 2021-22 were impacted by the COVID pandemic during which there was a drop in litigation filings, overall activity, and lower expenditures.

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<b>Fiscal Year</b>	<b>Budget</b>	<b>Total Expenditures</b>	<b>Difference</b>
2023-24	\$6,237,000	\$8,000,000*	-\$1,800,000
2022-23	\$6,237,000	\$7,527,219	-\$1,296,519
2021-22	\$6,237,000	\$6,942,361	-\$ 711,661
2020-21	\$6,237,000	\$5,873,925	\$ 356,775
2019-20	\$6,237,000	\$7,029,060	-\$ 798,360

\*Total expenditures for 2023-24 are forecasted expenditures.

In 2022-23, additional funding was provided from Judicial Council General Fund savings, while the shortfalls in the current fiscal year are being addressed through a request for increased allocation from the IMF. The requests for additional allocations are contingent upon availability and do not represent a long-term solution to this ongoing problem. The LMP requires consistent and stable funding to ensure that the Judicial Council’s statutory obligations can be satisfied.

Augmenting this funding by \$3 million will allow more flexible handling of large expensive matters and should provide sufficient funding to address rising costs for at least 5-10 years.

In addition to the augmentation, this request also seeks to include provisional language amending Provision 1 of Item 0250-001-001 to integrate the \$3 million augmentation with the original \$5.8 million and allow for the encumbrance and expenditure of the ongoing funding for two years, to provide the most efficient use of the funds.

**Impact of Denial of Proposal**

If this proposal is denied, LMP budget shortfalls are projected to continue and increase over time. Denying the proposal will jeopardize the ability of the LMP to meet statutory obligations to defend and indemnify the branch for litigation and will make the program reliant upon the uncertain availability of alternative fund sources, thereby placing an unnecessary strain on other fund resources.

**Outcomes and Accountability of Proposal**

Litigation expenses (attorney fees, costs, judgments, settlements, pre-litigation costs, and fees) are monitored each fiscal year and a detailed annual report is provided to the Litigation Management Committee. The five-year chart in the section above reflects the ongoing trend that has resulted in significant litigation budget shortfalls for four of the last five fiscal years.

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**Required Review/Approval**

Litigation Management Committee

**Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations**

Goal II: Independence and Accountability

Goal III: Modernization and Management of Administration

Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

**Approval**

*I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.*

Director Signature: *Deborah C. Brown*

Contact Name: Eric Schnurpfeil, Deputy Chief Counsel, Legal Services

## Input from other Advisory Bodies



# Judicial Council of California

## Trial Court Budget Advisory Committee

[www.courts.ca.gov/tcbac.htm](http://www.courts.ca.gov/tcbac.htm)

[tcbac@jud.ca.gov](mailto:tcbac@jud.ca.gov)

### TRIAL COURT BUDGET ADVISORY COMMITTEE

#### MINUTES OF OPEN MEETING

March 27, 2024

12:00 p.m. – 12:30 p.m.

<https://jcc.granicus.com/player/event/3409>

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**Advisory Body Members Present:** Judges: Hon. Jonathan B. Conklin (Chair), Hon. Judith C. Clark, Hon. Kimberly A. Gaab, Hon. Maria D. Hernandez, Hon. David C. Kalemkarian, Hon. Patricia L. Kelly, Hon. Erick L. Larsh, Hon. Michael J. Reinhart, and Hon. Kevin M. Seibert.

Executive Officers: Ms. Rebecca Fleming (Vice Chair), Ms. Stephanie Cameron, Mr. Chad Finke, Mr. James Kim, Mr. Shawn Landry, Ms. Krista LeVier, Mr. Brandon E. Riley, Mr. Chris Ruhl, Mr. Lee Seale, Mr. David W. Slayton, Mr. Neal Taniguchi, and Mr. David H. Yamasaki.

**Advisory Body Members Absent:** Hon. Wendy G. Getty and Hon. Michael A. Sachs.

**Others Present:** Mr. Zlatko Theodorovic, Ms. Fran Mueller, Ms. Donna Newman, and Ms. Rose Lane.

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 12:02 p.m. and took roll call.

##### Approval of Minutes

The committee approved minutes from the February 7, 2024, Action by E-mail between meetings and the February 14, 2024, Trial Court Budget Advisory Committee (TCBAC) meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEM 1)

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##### Item 1 – 2025–26 Budget Change Concepts under Purview of the Trial Court Budget Advisory Committee (Action Required)

Review and prioritize 2025–26 budget change concepts developed by other advisory bodies for which the Trial Court Budget Advisory Committee has purview and can provide input.

**Action:** The TCBAC unanimously voted to support the budget change concepts submitted by other advisory bodies without prioritization for Judicial Branch Budget Committee consideration at its May 15, 2024 meeting.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 12:20 p.m.

Approved by the advisory body on May 1, 2024.