JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS
455 Golden Gate Avenue
San Francisco, California 94102-3688

Report Summary

TO: Members of the Judicial Council

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DATE: October 8, 2008

SUBJECT: Allocation of Trial Court Funding, Including Allocation of New Funding, a One-Time Reduction, and Other Adjustments (Action Required)

Issue Statement
The Judicial Council has statutory authority to approve the allocation of funding to the trial courts. This report presents recommendations related to allocations of new funding and a budget reduction, as well as prior year allocations for the Judicial Branch Workers' Compensation Program and the Court-Appointed Counsel program.

This report deals solely with allocation adjustments related to Trial Court Funding, and does not address current year budget issues for the Supreme Court, Courts of Appeal, or the Administrative Office of the Courts (AOC). Budget issues in these areas will be brought back to the council later this fall for discussion, including determination of how state budget reductions for the appellate system and AOC will be implemented.

Summary of Recommendations
The following recommendations are made by AOC staff with concurrence of the Trial Court Budget Working Group (TCBWG). The TCBWG did not consider recommendation 14, which is the standard technical budget delegation. It is recommended that the Judicial Council:

1. Apply $542,616 of the Judicial Branch Workers' Compensation Program FY 2007–2008 net program savings as follows (see column D of Attachment 1):

    A. $290,237 in savings to offset Workers' Compensation Program premiums in FY 2008–2009 for courts that experienced lower claim costs than assumed in FY 2007–2008; and

    B. $252,379 as a credit to reduce the FY 2008–2009 increased program charge of one court related to an unexpected increase in costs resulting from various workers' compensation claims that have been filed against the court regarding conditions in one facility.

2. Approve the redirection of $12.483 million from available funding in the Trial Court Trust Fund, on a one-time basis, to provide full funding of FY 2007–2008 court-appointed counsel costs.

3. Approve a one-time allocation of $9.27 million in funding from the Trial Court Trust Fund to establish an overall statewide baseline allocation for this program of $113.0 million to be available to reimburse court-appointed counsel costs in FY 2008–2009.

4. Approve use of projected savings in judicial compensation to address a projected $3.5 million funding shortfall in the assigned judges program for FY 2008–2009.

5. Approve allocation of $8.5 million from the Trial Court Improvement Fund (TCIF) to courts to enhance the programmatic efforts already being made related to implementation of the Omnibus Conservatorship and Guardianship Reform Act of 2006. This funding is to be allocated consistent with methodology reviewed and recommended by the Trial Court Budget Working Group. The allocations are displayed in Column E of Attachment 1.

6. Approve allocation to the courts in FY 2008–2009 of $1.177 million for the annualization of retirement changes that occurred partway through FY 2007–2008; reduce court allocations by a total of $4.737 million for ratified retirement rate and plan changes that produced projected savings of this amount in FY 2008–2009; and include the resulting net savings of $3.560 million within the overall CPI funding that will be available for allocation to all courts. The retirement allocation adjustments are indicated in columns F and G of Attachment 1. The net retirement savings are reflected in column D of Attachment 3.

7. Allocate $45.209 million in new and carryover funding ($12.644 million in CPI funding, $20.0 million in one-time security funding from TCTF authorized by legislature, $2.291 million in funding from TCTF, and $10.274 million in one-time security carryover money), to address projected cost increases for court security, based on FY 2007–2008 existing service levels only. This funding addresses $31.202 million of new and previously unfunded court security costs (see Attachment 1, columns H, I, and J), as well as $13.902 million of ongoing costs funded with one-time savings in FY 2007–2008.

8. Distribute funding to courts once a court has notified AOC staff that security compensation and retirement cost increases are confirmed and ratified. Some of the projected court security cost increases are based on estimated cost changes for security employee compensation and retirement that have not yet been ratified.

9. Direct that the remaining $105,483 in one-time security funding be used to address security costs for new or transferring facilities in FY 2008–2009.

10. Allocate $2.35 million ($1.538 million one-time; $812,619 ongoing) in FY 2008–2009 for non-security-related staffing and operating expenses for facilities scheduled to open or transfer during the period July 1, 2008 to September 30, 2009, and an additional $178,167 ongoing in FY 2009–2010, as indicated in columns K, L, and M of Attachment 1.

11. Allocate $758,309 ($264,000 one-time; $494,309 ongoing) in FY 2008–2009 to address entrance screening staffing and equipment costs for new and transferring facilities scheduled to open or transfer during the period July 1, 2008 through June 30, 2009, and an additional $284,108 ongoing in FY 2009–2010. The proposed allocations are reflected in columns N, O, and P of Attachment 1.

12. Approve allocation of $71.67 million of new CPI funding ($69.058 million) and retirement savings ($3.560 million) as displayed on the Trial Court CPI Growth Factor Allocation Template FY 2008–2009 (see Attachment 5, section I, Total Funds Available for Allocation to Courts).

13. Allocate the $92.24 million one-time reduction, by trial court, as indicated in column R of Attachment 1, using a methodology that does the following:

    - Exempts courts from a share of the reduction if they have *both* (1) at least a 15 percent funding need based on the updated Resources Allocation Study (RAS), and (2) a FY 2007–2008 adjusted fund balance (total fund balance less operating and emergency and technology infrastructure designations)

that is less than or equal to 10.0 percent of courts' FY 2008–2009 beginning TCTF base allocation. Four courts qualify for an exemption.

- For the 54 courts that are not exempt, allocates 100 percent of the reduction, or $92.24 million, on a pro-rata basis, using each court's share of the sum of the FY 2008–2009 beginning TCTF base allocation for those 54 courts.

14. Delegate authority to the Administrative Director of the Courts to make minor or technical one-time and ongoing allocations of funds to courts, as needed, to address unanticipated needs and contingencies, to the extent that program savings are identified during the fiscal year from reimbursable or other funds.

Rationale for Recommendation
The reasoning behind the recommendations is discussed in the appropriate, corresponding section of the attached report.

Alternative Actions Considered
Any alternative actions to the recommendations that were considered are discussed in the corresponding section of the attached report.

Comments from Interested Parties
The TCBWG met on April 23, 2008 and October 3, 2008 to review and discuss the various issues and recommendations presented in this report.

Implementation Requirements and Costs
The attached report identifies the amount and source of funding needed to implement each of the recommendations.

Attachments

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This report deals solely with allocation adjustments related to Trial Court Funding, and does not address current year budget issues for the Supreme Court, Courts of Appeal, or the Administrative Office of the Courts (AOC). Budget issues in these areas will be brought back to the council later this fall for discussion, including determination of how state budget reductions for the appellate system and AOC will be implemented.

I. Allocation of FY 2007–2008 Program Savings for Judicial Branch Workers' Compensation Program

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

1. Apply $542,616 of the Judicial Branch Workers' Compensation Program FY 2007–2008 net program savings as follows (see column D of Attachment 1):

    A. $290,237 in savings to offset Workers' Compensation Program premiums in FY 2008–2009 for courts that experienced lower claim costs than assumed in FY 2007–2008; and

    B. $252,379 as a credit to reduce the FY 2008–2009 increased program charge of one court related to an unexpected increase in costs resulting from various workers' compensation claims that have been filed against the court regarding conditions in one facility.

Rationale for Recommendation

During fiscal year (FY) 2007–2008, 54 courts participated in the JBWCP. (This increased to 55 as of July 1, 2008, when the Superior Court of Inyo County joined the program.)

The Workers' Compensation Oversight Committee was established to review and make recommendations related to administration of the JBWCP. The oversight committee met on May 19, 2008 to discuss program results for FY 2007–2008 and proposed court premiums for FY 2008–2009. In addition, the committee reviewed options for using $542,616 in savings achieved in FY 2007–2008. The components of the overall net savings are displayed in the table below.

	FY 2007–2008
Lower than Expected Third Party Administration Costs	$291,139
Excess Insurance Premium Costs Lower than Expected	295,577
Program Administration and Training Costs in Excess of Projection	-44,100
Net Program Savings	**$542,616**

Recommended Disposition of Program Savings

At its May 19, 2008 meeting, Administrative Office of the Courts (AOC) staff informed the oversight committee members that one court was facing a substantial increase in its FY 2008–2009 workers' compensation charges due to the filing of 85 claims relating to conditions discovered in a specific facility. The committee recommended providing relief to the court by directing a significant portion of the FY 2007–2008 program savings to the court, to partially offset program cost increases. The court was agreeable to the committee's proposal. The proposal was then discussed at the October 3, 2008 TCBWG meeting. The TCBWG agreed that the proposed offset should be recommended to the Judicial Council.

The committee discussed possible use of the remaining savings from FY 2007–2008, including offsetting program charges for courts in FY 2008–2009.

The recommendations of the Workers' Compensation Oversight Committee are consistent with the handling of program savings received in FY 2007–2008; part of the savings received that year was used to reduce the FY 2007–2008 program premium for participating courts.

Alternative Actions Considered for Recommendation
The oversight committee considered lower offsets to the court facing the unusually high number of claims, but the statewide pooling of program assets was intended to enable the program to offer courts some cost protection from unexpected cost spikes. The level of increase projected for the impacted court would have represented a challenge to that court's current year budget.

II. FY 2007–2008 and FY 2008–2009 Costs for Court-Appointed Dependency Counsel

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

2. Approve the redirection of $12.483 million from available funding in the Trial Court Trust Fund, on a one-time basis, to provide full funding of FY 2007–2008 court-appointed counsel costs.

3. Approve a one-time allocation of $9.27 million in funding from the Trial Court Trust Fund to establish an overall statewide baseline allocation for this program of $113.0 million to be available to reimburse court-appointed counsel costs in FY 2008–2009.

Rationale for Recommendation
The court-appointed counsel (CAC) program funds the costs of appointed counsel in juvenile dependency proceedings. Consistent with prior years, actual expenditures in this program exceeded allocated program funding in FY 2007–2008, as displayed in the following table.

Total CAC Expenditures - FY 2007-2008	$	112,369,003
Less: CAC Baseline Allocated Funding		99,885,977
FY 2007-2008 Funding Shortfall	$	12,483,026

Based on the recommendations of AOC staff and the TCBWG, the Judicial Council has approved full CAC program funding for the last three years. This has been accomplished primarily on a retroactive basis through allocation of year-end savings identified in the TCTF. Staff and the TCBWG recommend that full funding be approved for FY 2007–2008 to fully reimburse courts for prior year program expenses. The funding would be provided by redirecting $12.483 million on a one-time basis from the TCTF. If this funding is not provided, courts will be left with unplanned budget holes.

For the current fiscal year, staff and the TCBWG recommend that the CAC program base be established at $113.0 million, a slight increase over last year's funding level. This will not accommodate growth, but will ensure that appointed counsel programs will not have to be reduced this year, overall. The $113.0 million proposed funding level for the FY 2008–2009 Court-Appointed Counsel program would be computed as displayed in the following table.

CAC Baseline Funding			$99,885,977
Add: FY 2008-09 CPI Adjustments			
CAC	$	2,822,927	
Jury		1,006,131	
Elder Abuse Protective Orders		10,410	
	$	3,839,468	3,839,468
One-time Allocation TCTF Savings			9,274,555
Recommended Baseline Funding 2008-09			$ 113,000,000

If approved by the Judicial Council, the proposed program budget would be allocated to courts according to the program funding methodology which was approved by the Executive and Planning Committee on behalf of the Judicial Council in June 2008.

While this recommendation will result in full reimbursement of court costs incurred for this program in FY 2007–2008 and will provide, in advance, a level of funding in the current year equivalent to prior year spending, funding will not be available to support this level of program costs on an ongoing basis. Consequently, as approved by the Judicial Council at its August 15, 2008 meeting, staff have proposed a permanent base augmentation for the CAC program through a FY 2009–2010 budget change proposal that was submitted to the state Department of Finance, and will also pursue other legislative funding mechanisms, as appropriate.

Alternative Actions Considered for Recommendation

Other alternatives considered included providing no additional funding or a reduced level of additional funding for FY 2007–2008 and FY 2008–2009. Based on

Judicial Council actions in previous years to fully reimburse these costs, given the availability of funding sufficient to fully reimburse courts for costs incurred in FY 2007–2008, and in order to establish an equivalent funding level for the program this year, these alternatives are not recommended.

III. FY 2008–2009 Funding for the Assigned Judges Program

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

4. Approve use of projected savings in judicial compensation to address a projected $3.5 million funding shortfall in the assigned judges program for FY 2008–2009.

Rationale for Recommendation
Assigned judges are active or retired judges that receive temporary judicial assignment orders from the Chief Justice of the California Supreme Court to cover vacancies, illnesses, disqualifications, and calendar congestion in the courts. Assigned judges program funding addresses the compensation of these judges and reimbursable expenses incurred by them during their appointments.

In FY 2007–2008, there was a $5.3 million shortfall in the assigned judges program. Approximately $1.6 million of the shortfall was related to costs associated with the Riverside Strike Force. The remaining shortfall represents the increased costs of the program statewide. The shortfall was offset through redirection of judicial salary and benefit savings which resulted from judicial vacancies.

A FY 2009–2010 BCP has been submitted to the state Department of Finance to request ongoing funding to address anticipated ongoing fund shortfalls due to increasing program workload and costs. The increased workload has primarily resulted from two factors: (1) the need to cover judicial workload associated with judicial vacancies, and (2) the overall statewide need for additional judgeships, including 50 new judgeships that have been deferred by the Legislature. In the current fiscal year, a need exists for funding to cover a projected shortfall of $3.5 million. It is anticipated that there will be sufficient savings in the Trial Court Trust Fund due to judicial vacancies to cover this need.

Alternative Actions Considered for Recommendation
A second option considered to address this need was for the assigned judges program staff in the AOC to limit the number of assignments of assigned judges to trial courts, so as to stay within its current funding level. This option is not recommended because it is anticipated that there will be sufficient savings in the superior court judges' compensation program, due to superior court judicial

vacancies over the course of the current year, to fund the projected assigned judge need.

IV. FY 2008–2009 Conservatorship and Guardianship Allocation

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

5. Approve allocation of $8.5 million from the Trial Court Improvement Fund (TCIF) to courts to enhance the programmatic efforts already being made related to implementation of the Omnibus Conservatorship and Guardianship Reform Act of 2006. This funding is to be allocated consistent with methodology reviewed and recommended by the Trial Court Budget Working Group. The allocations are displayed in Column E of Attachment 1.

Rationale for Recommendation
Background
In September 2006, the Governor signed a group of measures; Assembly Bill 1363 (Chapter 493, Statutes of 2006), Senate Bill 1716 (Chapter 493, Statutes of 2006) Senate Bill 1116 (Chapter 490, Statutes of 2006) and Senate Bill 1550 (Chapter 491, Statutes of 2006). These measures are collectively known as the Omnibus Conservatorship and Guardianship Reform Act of 2006 (Act). The Act created new statutory requirements for conservatorship case processing that result in increased workload in the courts.

FY 2007–2008. The Governor's proposed budget for FY 2007–2008 included $17.4 million in funding for the first year of a two-year limited-term augmentation[1] to address the estimated costs of the Act. This funding was approved by the Legislature in the spring of 2007 during its review of the Governor's Budget, and was included in the FY 2007–2008 budget bill that was sent to the Governor for signature. The Governor subsequently vetoed the funding, but stated his intent to provide the funding in FY 2008–2009.

FY 2008–2009. Consistent with the Governor's stated intent, the Governor's proposed FY 2008–2009 budget would have restored the funding, once again on a two-year limited-term basis. The Legislature took action to suspend the funding for one more year and applied the $17.4 million toward the total unallocated reduction that the Governor proposed for the courts for FY 2008–2009. While suspending the

[1] The state Department of Finance recognized that the proposal was based on limited data; therefore, the funding would be provided on a two-year limited term basis. A subsequent BCP will be submitted to acquire permanent ongoing funding for the year beginning after the two-year limited term.

funding, the Legislative Conference Committee did not approve language to suspend the requirements of the Act.

While the Legislature did not approve new FY 2008–2009 funding for the Act, an agreement was reached with Legislative leadership that the Judicial Council would provide $8.5 million from the Trial Court Improvement Fund, on a one-time basis in FY 2008–2009, for the purpose of enhancing the services that are already being implemented by courts consistent with the requirements of the legislation.

Previous Trial Court Budget Working Group Actions
May 15, 2007. Prior to the Governor's veto, and in anticipation of receiving the new funding for FY 2007–2008 to address the increased workload resulting from the Act, the Trial Court Budget Working Group (TCBWG) reviewed alternatives for allocating the proposed funding. After much discussion, the working group concurred with the staff recommendation to allocate the proposed funding based on the actual salary and benefit costs for each court, subject to verification of workload data by certain courts whose reported data appeared very inconsistent with other similar sized courts.

June 11, 2007. Following the May 2007 meeting, there was further discussion about the validity of data available for determination of the allocations. At the June 11, 2007, TCBWG meeting, the working group adopted a proposal to use amended filings for those courts whose original data did not appear to be consistent with other courts. In addition, the TCBWG was informed that courts would be asked to provide information about their conservatorship caseload and workload beginning Ju1y 1, 2007 through a quarterly survey process.

The intent of the data collection effort is to obtain workload and caseload data that can be used to secure appropriate ongoing funding related to increased costs and workload associated with the Act. This data will form the basis of a budget change proposal that will be submitted to the state Department of Finance and the Legislature to request ongoing funding, for the year following the two-year limited term.

April 10, 2008. A conference call was held with several TCBWG representatives to review the proposed allocations of funding that were expected to be included in the FY 2008–2009 Budget Act. Proposed allocations were developed using court reported conservatorship data that had been collected during the first two quarters of FY 2007–2008, and were based upon the use of actual salary and benefits cost information for each court. The TCBWG representatives agreed that the use of actual conservatorship workload data as the basis for the allocations represented a more fair and accurate allocation of the limited-term funding, and directed staff to

take this methodology as a recommendation to the April 21, 2008 TCBWG meeting.

April 21, 2008. The TCBWG met to consider the recommendation for allocation of the anticipated FY 2008–2009 funding. The TCBWG agreed with the staff recommendation to allocate the funding based upon court reported data that had been gathered more recently through the quarterly survey process.

Issue
An agreement was reached with Legislative leadership that the Judicial Council would allocate $8.5 million from the TCIF, on a one-time basis, in FY 2008–2009, for the purpose of enhancing current court probate programs and services required by the Act.

Staff has developed a court allocation approach using the same methodology that the TCBWG recommended on April 21, 2008 for allocating the funding that was initially proposed for the current fiscal year.

Attachment 2 of this document displays the allocation of the funding for each court, using updated filing and caseload data, and also shows the allocation of the $8.5 million available from the TCIF for the current year.

Proposed Allocation of $8.5 Million from the TCIF
The proposed funding allocation is based upon the most recently submitted conservatorship data from each court, and uses each court's salary and benefit data to estimate the cost of workload associated with the Act. The data that each court submitted and the court's salary and benefit costs are used along with the estimated workload assumptions that were included in the initial budget change proposal (BCP) that requested the funding. Those workload assumptions were based upon the input that AOC Finance and Office of Governmental Affairs staff received while working closely with various courts, including Orange and Sacramento, as well as with members of the Probate and Conservatorship Task Force and the Probate and Mental Health Advisory Committee.

Investigator Cost Recovery–The allocation methodology approved by the TCBWG on April 21, 2008 included a calculation of Investigator Cost Recovery for each court and an assumption that each court would recover investigator costs. The assumption for this Investigator Cost Recovery was included in the initial analysis of the Act at the direction of Legislative staff. At the direction of both Legislative and Department of Finance staff, it was also included in the BCP that requested the funding. The assumption for cost recovery is based upon Probate Code section 1851.5 which requires a court to assess each conservatee for any investigation conducted by the court investigator with respect to that person, unless the court

finds that all or any part of the assessment would impose a hardship on the conservatee or the conservatee's estate. The investigator cost recovery was calculated based on the salary and benefit costs of the investigator, and assumed that the cost of the investigation is assessed in 60 percent of the cases, with an 80 percent collection rate.

The TCIF Funding Allocation (column M on Attachment 2, column E on Attachment 1) allocates the TCIF funding as a prorated percentage of the total recommended BCP funding allocation. The $8.5 million TCIF funding represents 46.5 percent of the proposed funding that was initially included in the Governor's FY 2008–2009 proposal, so each court will receive an allocation that represents 46.5 percent of the funding that would have been allocated had the proposed funding not been suspended (i.e. Alameda's share of the proposed funding would have been $771,625 and 46.5 percent of that is their allocation of $358,806), with the full annual allocation provided beginning in FY 2009–2010.

Staff worked with members of the TCBWG to develop a methodology for allocating the funding that had been proposed for both the 2007 and 2008 Budget Acts. Staff and the TCBWG recommend using the same methodology for allocating this one-time allocation of $8.5 million from the TCIF, as first year program funding. This proposed allocation represents a pro-rated share of the amended funding which was deferred by the Legislature for an additional year.

Alternative Actions Considered for Recommendation
An option would be to provide no one-time funding in FY 2008–2009 to address this item. This option is not recommended because statutory probate program requirements are in place and courts are incurring costs related to implementation of these requirements.

V. Court Employee Retirement Rate and Plan Cost Changes

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

6. Approve allocation to the courts in FY 2008–2009 of $1.177 million for the annualization of retirement changes that occurred partway through FY 2007–2008; reduce court allocations by a total of $4.737 million for ratified retirement rate and plan changes that produced projected savings of this amount in FY 2008–2009; and include the resulting net savings of $3.560 million within the overall CPI funding that will be available for allocation to all courts. The retirement allocation adjustments are indicated in columns F and G of Attachment 1. The net retirement savings are reflected in column D of Attachment 3.

Rationale for Recommendation
AOC staff surveyed the courts in the spring of 2008 to determine the cost of court staff retirement rate and plan changes for FY 2008–2009. Based on this information, overall projected court cost adjustments resulting from both rate and plan changes will be -$3.560 million in FY 2008–2009. This amount is the net savings produced from total projected cost savings of $4.737 million in FY 2008–2009 and funding cost increases in the amount of $1.177 million that are the result of annualizing FY 2007–2008 costs of retirement rate and plan changes for several courts. This amount includes ratified changes (one court remains nonratified but we do not anticipate, at this time, that it will experience rate changes). This recommendation is consistent with policies established by the council for allocation of employee retirement rate and plan changes, and with the retirement allocation methodology used in FY 2007–2008.

Alternative Actions Considered for Recommendation
Based on the policies approved by the Judicial Council and utilized for the past three years with regard to court staff retirement funding, no alternatives were considered.

VI. Security

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

7. Allocate $45.209 million in new and carryover funding ($12.644 million in CPI funding, $20.0 million in one-time security funding from TCTF authorized by legislature, $2.291 million in funding from TCTF, and $10.274 million in one-time security carryover money), to address projected cost increases for court security, based on FY 2007–2008 existing service levels only. This funding addresses $31.202 million of new and previously unfunded court security costs (see Attachment 1, columns H, I, and J), as well as $13.902 million of ongoing costs funded with one-time savings in FY 2007–2008.

8. Distribute funding to courts once a court has notified AOC staff that security compensation and retirement cost increases are confirmed and ratified. Some of the projected court security cost increases are based on estimated cost changes for security employee compensation and retirement that have not yet been ratified.

9. Direct that the remaining $105,483 in one-time security funding be used to address security costs for new or transferring facilities in FY 2008–2009.

Rationale for Recommendation

For FY 2008–2009, trial courts are scheduled to automatically receive baseline security funding totaling $476.649 million. This base, though, includes $13.902 million in funding that was provided in FY 2007–2008 through one-time security funding. This is an ongoing shortfall that needs to be addressed. Beyond this, an additional $20.181 million is needed to address projected FY 2008–2009 cost increases, $4.976 million in retiree health costs, and $6.045 million for costs in excess of the computed funding standards. There are three funding sources proposed to be utilized to address funding security cost increases.

- New ongoing funding at the Consumer Price Index (CPI) rate of 2.7 percent, totaling $12.644 million to address projected cost increases for existing service levels.

- One-time funding from the TCTF totaling $20.0 million authorized by the legislature and an additional one-time $2.292 million in available funding in the TCTF.

- One-time security carryover funding totaling $10.274 million from previous years. This includes one-time savings from on-going funding of 101 new entrance screening stations, entrance screening equipment replacement funding not used, and one time carryover, all from FY 2007–2008.

In order to determine the statewide allocation of new security funding, a *Court Security Survey* was sent to the trial courts in April of 2008. The courts and sheriffs were requested to provide cost information in the following areas:

- salaries;
- pay differentials;
- overtime;
- benefits;
- retirement; and
- services and supplies and other costs.

This information was used to estimate the change in costs that will be incurred by courts for the *existing security service level*.

Analysis of Requests

The court surveys were reviewed by staff. Consistent with the funding approach that was recommended by the Working Group on Court Security, and approved by the Judicial Council last fiscal year, the following principals were applied to developing the statewide security funding recommendation:

- Costs to support security staffing in excess of prior year levels cannot be accommodated within the limited funding. This does not apply to courts that received separate security allocations for entrance screening stations.

- Council-approved security equipment and supplies and services standards were used as well as the standards for professional services and vehicle costs. Any costs above standards were not recommended for funding.

- All items that are not allowable under existing statutory rules (SB 1396) are not recommended. Non-allowable costs would include costs not previously paid for by a court and those listed in Section 14.01 of the Trial Court Financial Policies and Procedures, page 25, Section II: Non-Allowable Costs. Examples would include costs for flashlights, parking, tasers, and basic training for new personnel assigned to the court.

- Only allowable equipment, services, supplies, and benefits that have been previously paid by the courts were included in the staff funding recommendations.

- Costs for radios, radio accessories, and radio maintenance were deferred. In FY 2006–2007 this item was removed from the regular security costs process until a statewide standard is developed. This standard is currently under review.

Based on this methodology, statewide cost increases for security for existing service levels is projected to be $20.181 million in FY 2008–2009.

Courts Above the Security Funding Standard
There are 10 courts that are above the security funding standards that have existing unfunded security costs estimated at $6.045 million. These are legitimate costs that these courts must absorb, and are continuing security funding needs for FY 2008–2009.

Court Security Retiree Health Costs in MOEs
Court security retiree health costs of $4.98 million have historically been included in maintenance of effort (MOE) contracts for five courts since before the passage of state trial court funding. These five courts have been billed for these costs by the sheriff and have paid for them. The courts have not been funded for these costs the past two years, but the proposal is to use one-time funding from the TCTF and one-time security carryover funding to address these costs in FY 2008–2009, while full state funding to address this issue continues to be pursued.

Resources Available to Address this Need
New security funding based on the CPI rate for FY 2008–2009 will total approximately $12.644 million. An additional $20.0 million in one-time funding from the TCTF authorized by the legislature, $2.291 million in one-time funding from the TCTF, and $10.274 million in one-time security carryover money will also be available.

The total security funding available for FY 2008–2009 is $507.957 million, while the security costs total $507.852 million. The table below details these amounts.

Security Funding - FY 2008–2009

Security Base Allocations FY 2007–2008	$476,649,238
Less: One-Time FY 2007–2008 Security Funding for Ongoing Costs	(13,902,483)
Add: New CPI Funding at 2.7%	12,644,350
One-time Funding from TCTF Authorized by the Legislature	20,000,000
Additional One-time Funding from TCTF	2,291,716
One-time Security Carryover Funding	10,274,383
FY 2008–2009 Security Funding	$507,957,204

Security Costs - FY 2008–2009

Security Base Allocations FY 2007–2008	$476,649,238
Add: Projected FY 2008–2009 Cost Increases	20,181,433
One-time Retiree Health Costs in MOEs	4,976,000
Costs in Excess of Standards	6,045,050
Projected Security Costs FY 2008–2009	$507,851,721
One-Time Security Funding Available for New Facilities Allocation	$ 105,483

Alternative Actions Considered for Recommendations
An alternative to the proposed recommendation would be to not allocate any one-time security funds, but to allocate only the $12.644 million in FY 2008–2009 CPI security funding and the $20.0 million authorized in the 2008 Budget Act to address security cost increases. This lower amount of funding could result in courts having to implement significant reductions in the level of security services currently being provided. Because one-time security funding is available to meet the funding need for FY 2008–2009, this alternative is not recommended.

VII. Staff and Operating Costs for New and Transferring Facilities

Support costs to operate new and transferring facilities is an area that has been approved for funding by the Judicial Council as a statewide allocation of SAL funding in the three previous fiscal years. In FY 2007–2008, the Legislature, through supplemental report language to the state budget, directed that a maximum amount of funding be allocated for this purpose. Consistent with that prior direction and continued legislative interest, staff and the TCBWG are recommending just under $1.0 million of new CPI funding as well as carryover funding to address costs in this area. This level of funding, however, continues to be substantially less than the need identified by courts.

The recommendations incorporate CPI funding of $948,015 for this purpose. In addition, the recommendation also includes $821,187 in ongoing and $1.643 million in one-time funding from various sources, including funding originally allocated for new non-security facility operational costs in FY 2006–2007 and FY 2007–2008 that was not distributed to courts and is no longer needed by those courts, because new entrance screening stations are either no longer needed, have been established using other funds, or have been delayed.

For purposes of review, these costs were separated into two components: non-security and security. Each component is discussed below.

A. Non-Security

Recommendation

AOC staff and the TCBWG recommend that the Judicial Council:

10. Allocate $2.35 million ($1.538 million one-time; $812,619 ongoing) in FY 2008–2009 for non-security-related staffing and operating expenses for facilities scheduled to open or transfer during the period July 1, 2008 to September 30, 2009, and an additional $178,167 ongoing in FY 2009–2010, as indicated in columns K, L, and M of Attachment 1.

Rationale for Recommendation

A survey was sent to the courts in April 2008, to provide them the opportunity to identify new operating costs resulting from either the opening of a new facility or the transfer of a facility from county to state control during the period July 1, 2008, through September 30, 2009. Such costs typically include potential areas of increased costs including janitorial, one-time move costs, equipment, communications, and other various operational, non-capital, non-facility costs.

A total of 19 courts requested funding for non-security operating costs for 29 different facilities. The total amount identified by these courts for FY 2008–2009 is

$17.670 million, of which $16.080 million is one-time. The annualized (full year) cost in FY 2009–2010 for these requests is $2.464 million.

In order to evaluate and prioritize these court funding requests, staff from several AOC divisions including Finance, Office of Court Construction and Management (OCCM), Information Services, and Emergency Response and Security (ERS), reviewed the requests. Due to the limited funding available for this cost area, the requests were prioritized for funding consideration. The priority categories established were: (1) high priority—non-discretionary costs directly resulting from the opening of a new facility or the transfer of existing facilities; (2) medium priority—new leased facilities space; and (3) low priority—facilities for new judgeships. The breakdown of funding requested within these categories (not including security) is as follows:

High priority—Fifteen court requests were submitted totaling $10.805 million ($8.325 million one-time) in FY 2008–2009 and $2.480 million ongoing in FY 2009–2010.

Medium priority—Five court requests were submitted totaling $2.82 million ($2.711 million one-time) in FY 2008–2009 and $112,902 ongoing in FY 2009–2010.

Low priority—Nine court requests were submitted totaling $6.50 million ($5.045 million one-time) in FY 2008–2009 and $1.461 million ongoing in FY 2009–2010. (This priority is not recommended as there is a separate augmentation and funding process for new judgeship needs.)

In reviewing the individual requests, staff applied guidelines and criteria that were approved by the Judicial Council in FY 2006–2007. Based on this review, the following items and services were not included in the recommendations: computers, cleaning supplies, position costs, lease charges, alarms, and contractor fees. Due to funding constraints, the following optional items are not being recommended for funding: network, fax, and copier service charges; printers; child care service; maintenance supplies; and break room furniture.

Other requested items that did not meet the criteria for recommendation for transferring facilities were: utility charges, construction costs, spectator seating, and furnishings for existing staff. These types of costs and services may be appropriate for consideration for funding by the OCCM through the facilities modification funding process once the transfer of a facility to the state is completed.

Also, given the limited resources available, to the extent that courts had been previously allocated resources to address operational costs of a new facility and

were now requesting additional funding, preference was given to other courts that had not previously received funding.

After reviewing the court funding requests using this approach, and based on the availability of the new and undistributed funds from FY 2007–2008, staff identified the following court funding needs, which were presented to the TCBWG on October 3, 2008:

Priority Category	FY 2008–2009		FY 2009–2010
	One-Time	Ongoing	Annualization
High Priority	$317,349	$805,112	$175,665
Medium Priority	$1,220,697	$7,506	$2,502
Low Priority	$0	$0	$0
Total	**$1,538,046**	**$812,618**	**$178,167**

As in previous years, reimbursement of approved expenditures would be made upon notification to the AOC by individual courts that these costs have been incurred.

Because the total funding available for this specific program is limited, only what appeared to be the most critical, non-discretionary costs that also could not be addressed through other funding streams could be accommodated within this funding recommendation. Not recommending the reimbursement of optional items that can be funded through a court's one-time fund balance, such as break-room furniture and bottled water, is consistent with council actions from previous years.

As displayed in Attachment 4, the recommended one-time costs ($1.538 million) would be funded from the following sources: (1) $343,263 in accumulated, undistributed funding from this same program area that was approved by the Judicial Council for allocation to courts for specific facilities in FY 2006–2007 and FY 2007–2008, but which has been confirmed as being no longer needed for these facilities, and (2) $1.195 million in funding that is available on a one-time basis that was approved in FY 2007–2008 for staffing of entrance screening stations for new or transferring facilities that have not yet been implemented. The recommended ongoing costs ($990,785) would be addressed as follows: (3) $168,361 from the same facilities included in (1) above, and (4) $812,618 from the CPI funding. (The remaining $125,591 of CPI funding is recommended to address the security costs for new and transferring facilities as discussed in the next section of the report.)

Alternative Actions Considered for Recommendation

Recommending funding for only the high priority requests was considered, as it would keep the costs lower in the current fiscal year. However, with the identification of undistributed one-time and ongoing program funding from FY 2006–2007 and FY 2007–2008, it was determined that expenses for additional

facilities costs, particularly one-time costs, could be accommodated within the available funding.

B. Security

Recommendation

AOC staff and the TCBWG recommend that the Judicial Council:

11. Allocate $758,309 ($264,000 one-time; $494,309 ongoing) in FY 2008–2009 to address entrance screening staffing and equipment costs for new and transferring facilities scheduled to open or transfer during the period July 1, 2008 through June 30, 2009, and an additional $284,108 ongoing in FY 2009–2010. The proposed allocations are reflected in columns N, O, and P of Attachment 1.

Rationale for Recommendation

Requests for security costs for new facilities are reviewed separately from the other support costs to operate new and transferring facilities. Ten courts requested various types of security equipment (other than x-ray machines and magnetometers) as part of the FY 2008–2009 survey process for their facilities. These requests include items such as cameras, wireless duress systems, panic alarms, intercom systems, card key access systems, and maintenance contracts to support these systems. Of the current requests, the AOC's Emergency Response and Security unit agreed that it will separately review most of the one-time requests (with the exception of intercom systems) possibly to be funded from TCIF monies allocated by the Judicial Council for addressing facility security concerns (assuming continued council support for that allocation from TCIF). Staff and the TCBWG do not recommend funding any of these items from the limited FY 2008–2009 CPI growth rate funding or other security funds available to address costs for security.

After not including requests that will be considered for funding through other fund sources, there are security staffing requests from 10 courts for 11 facilities. Courts requested staffing in the following functional areas: entrance screening (10 facilities); internal transportation, holding cells, and control rooms (3 facilities); courtroom and internal security (1 facility); and supervision (1 facility).

Security funding for new positions is based on Judicial Council-approved funding standards. These standards were applied to the courts' requests. In applying the standards to the functional areas, staff also took into account any positions that would be relocated into the new or transferring facility from another location to perform that function. Because security staffing for courtrooms and supervision are not directly related to facility issues, but are, instead, functionally tied to the number of judicial positions, requests for these positions were not recommended from the very limited funding available. They were also not included in previous years' recommendations in this program area.

Similarly, because the Judicial Council did not approve funding for internal transportation, holding cells, and control rooms last year and the overall funding available continues to be limited, funding for this functional area is also not recommended in FY 2008–2009. Finally, due to the limited amount of funding available and the fact that often the court's estimated opening or transfer dates turn out to be optimistic, only those facilities that courts expect to open or transfer between July 1, 2008 and June 30, 2009 are included in the recommendation. Courts expecting to open or transfer after that date may resubmit their requests as part of the FY 2009–2010 new and transferring facilities survey process.

The cost to fund the requests, per the standards, for entrance screening is indicated in the table below.

Functional Area	FY 2008–2009 Ongoing	FY 2008–2009 One-Time	FY 2009–2010 Annualization
Entrance Screening	$494,309	$264,000	$284,108
Total	**$494,309**	**$264,000**	**$284,108**

As displayed in Attachment 4, in order to address the costs of the proposed new stations, there is $758,309 ($105,483 one-time and $652,826 ongoing) available from funds appropriated in the Budget Act of 2006 (Stats. 2006, ch. 47) and the Budget Act of 2007 (Stats. 2007, ch. 171) for implementation of new entrance screening stations. The majority of the 101 new stations have been implemented as of July 1, 2008. However, approximately one-third of the stations have not. Staff surveyed these courts in July 2008, as to whether or not they intended to establish the stations. The responses indicated that a number of the stations will either not be implemented for a variety of reasons, or have already been implemented and funded through other sources. CPI funding is recommended to address the remaining $125,591 in ongoing staffing costs in FY 2009–2010 ($778,417 of identified ongoing costs minus $652,826 available in accumulated screening funds).

Alternative Actions Considered for Recommendation

Staff and the TCBWG considered not recommending any funding to address security costs for new and transferring facilities. This option was not recommended because there is a demonstrated need for security at various new or transferring court facilities, and some very limited one-time and ongoing funding has been identified to address costs as discussed above.

VIII. FY 2008–2009 New Consumer Price Index Funding

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

12. Approve allocation of $71.67 million of new CPI funding ($69.058 million) and retirement savings ($3.560 million) as displayed on the Trial Court CPI Growth Factor Allocation Template FY 2008–2009 (see Attachment 5, section I, Total Funds Available for Allocation to Courts).

Rationale for Recommendation
Background
Beginning with FY 2005–2006, the annual budget for trial court funding has been adjusted by a factor equal to the annual percentage change in the State Appropriations Limit (SAL). The SAL is computed based upon a formula that factors in the annual change in the following:

- Per Capita Personal Income in California
- State Civilian Population
- K-14 Education Enrollment

For FY 2008–2009, the Governor's Budget proposed a SAL augmentation of $126.2 million based upon an estimated SAL rate of 4.8 percent. The Governor also proposed an unallocated "budget-balancing" reduction in the amount of $245.9 million. This amount represented a ten-percent General Fund reduction for the entire branch. This reduction was generally applied to all General Fund budgets in the state as a means for closing the estimated gap between estimated FY 2008–2009 revenues and expenditures.

After review of the Governor's proposal, the Legislative Analyst's Office (LAO) instead recommended that the Legislature consider suspending the SAL adjustment for FY 2008–2009, and further recommended that trial courts use their reserves as a buffer against the loss of state funding.

The Legislature ultimately took action to adopt the application of an adjustment factor that is less than SAL, but which would provide the trial courts with some level of ongoing funding to accommodate increased costs. The adjustment factor they adopted is the California Consumer Price Index (CPI), which for FY 2008–2009 was identified as 2.7 percent, which resulted in new funding of $69.058 million for the Trial Court Trust Fund and trial court local assistance programs funded directly from the General Fund.

The FY 2008–2009 CPI is 2.7 percent and the *adjusted* CPI growth rate is 2.826 percent. The 2.7 percent growth rate is adjusted to an increase due to the fact that the Court Employee Retirement Rate & Plan Cost Changes are estimated to be less for FY 2008–2009 ($3.560 million) than they were in the prior fiscal year. This savings for the current year becomes available for allocation, along with the funding provided by the CPI growth factor, thus resulting in an overall, slightly higher adjusted growth factor available for allocation.

Rationale
With a minor technical exception related to adjustment of unscheduled reimbursement programs, which is discussed below, the methodology used in the CPI allocation template is consistent with the methodology approved by the Judicial Council in SAL allocation templates of prior years.

Section I – Funding Based on Actual Costs
The proposed adjustments for the items in section I of the template, Court Employee Retirement Rate and Plan Cost Changes and Staff & Operating Cost for New and Transferring Facilities, are discussed in items V and VII, respectively, of this report.

Section II – Court Allocations (excluding security)
Discretionary funding available for direct allocation to courts for local operational costs is calculated by multiplying the total statewide base budget for trial court operations excluding security ($2,557,703,704) by the adjusted growth factor (2.826 percent), resulting in a total statewide FY 2008–2009 Inflation and Workforce allocation of $51,868,193. The statewide funding is allocated to each trial court based on its share of the FY 2008–2009 beginning base TCTF allocation (see column Q of Attachment 1), and is to be used to address local budget priorities and needs, including staff compensation, operating expenses, and program expansion.

In addition, in prior years, the Workload Growth & Equity adjustment, as a part of the SAL population adjustment factor, was used to calculate funding that would be available to address areas of workload growth and to provide equity funding. This funding has been primarily allocated to courts that were identified as being relatively under-resourced compared to other courts. Since the Legislature is not using SAL in FY 2008–2009, but is instead computing new court funding using CPI, which does not include a workload growth component, there is no funding available for this category. AOC staff and the TCBWG are, consequently, recommending no special allocation for under-resourced courts in FY 2008–2009. *This allocation is proposed to be suspended on a one-time basis only.*

Section III – Security
As in the prior year, the non-adjusted growth factor is used to calculate the new security funding that will be available for allocation. Since the CPI factor is 2.7 percent, that amount is multiplied by the security funding base of $468,309,250 and results in $12,644,350 that is available from the CPI adjustment to address security cost increases. Item VI of this report provides additional discussion and recommendations regarding FY 2008–2009 court security funding.

Section IV – Trial Court Reimbursement – Unscheduled Reimbursement Programs
Beginning in FY 2004–2005, the actual costs for court-appointed counsel have exceeded the funding that has been available for this program. In order to address a portion of the estimated FY 2008–2009 funding shortfall for this program, Attachment 5 displays the staff recommendation to redirect the CPI adjustment funding that would be added to the Jury Program ($1.006 million) and to the Processing of Elder Abuse Protective Orders Program ($10,410) to the Court Appointed Counsel (CAC) program. This increased funding is available to redirect because total program costs in these areas are not projected to exceed the level of funding already available. The recommended redirection of the Jury and Elder Abuse CPI increases results in a total increase to the CAC program of $3.839 million, and allows the estimated funding shortfall to be reduced. Item II of the report provides additional discussion and recommendations for CAC funding.

Section IV – Trial Court Reimbursement – Scheduled Reimbursement Programs
Consistent with SAL allocation templates of prior fiscal years, for FY 2008–2009 the adjusted growth factor (2.826 percent) would be applied to the scheduled reimbursement programs.

Section V – Scheduled Local Assistance Programs
Consistent with prior years' SAL allocation templates, for FY 2008–2009 the non-adjusted growth factor (2.70 percent) is applied to the scheduled local assistance programs. Since these programs are funded from the General Fund, the non-adjusted growth factor is separately included in the appropriation for these programs, by the Legislature.

Alternative Actions Considered for Recommendation
The Workload Growth and Equity allocation to provide a special allocation to under-resourced courts could be provided this year, although it would reduce funding provided to all courts to address current costs. This alternative is not recommended as it has been in previous years. As discussed above, since the Legislature is using CPI and not SAL for FY 2008–2009, there is no new funding being provided from a population change adjustment to be available for this category.

IX. Allocation of One-Time FY 2008–2009 Budget Reductions

Recommendation
AOC staff and the TCBWG recommend that the Judicial Council:

13. Allocate the $92.24 million one-time reduction, by trial court, as indicated in column R of Attachment 1, using a methodology that does the following:

    - Exempts courts from a share of the reduction if they have *both* (1) at least a 15 percent funding need based on the updated Resources Allocation Study (RAS), and (2) a FY 2007–2008 adjusted fund balance (total fund balance less operating and emergency and technology infrastructure designations) that is less than or equal to 10.0 percent of courts' FY 2008–2009 beginning TCTF base allocation. Four courts qualify for an exemption.

    - For the 54 courts that are not exempt, allocates 100 percent of the reduction, or $92.24 million, on a pro-rata basis, using each court's share of the sum of the FY 2008–2009 beginning TCTF base allocation for those 54 courts.

The recommendation adopted by the TCBWG was approved by the majority of members, but was not a unanimous decision. Three members voted against the recommendation. One member instead proposed deferring some of the funding that is committed for statewide administrative infrastructure and technology projects in FY 2008–2009 and instead allocate it to courts to address funding needs that will exceed CPI funding.

Rationale for Recommendation
Background
In January of this year, the Governor proposed a 10 percent permanent General Fund reduction, to be applied to all areas of state government in FY 2008–2009. The share of the overall reduction that was proposed for all areas within the judicial branch was approximately $246 million. Of this amount, approximately $215 million would have applied to the trial courts.

The approach taken by judicial branch leaders in negotiating with the Legislature and the executive branch regarding FY 2008–2009 was (1) to acknowledge that there was a substantial state financial shortfall and that the branch would bear its share of the overall solution; (2) that the cuts were too large and should be reduced; (3) that cuts should be one-time, and that if one-time in nature, major impacts to branch operations could be avoided; (4) maintain SAL funding increase; and (5) that branch reserves, whether held in the TCTF, TCIF, Judicial Administration Efficiency and Modernization Fund (Modernization Fund), or held by local courts

were essential to branch operations and should not become separate reduction targets.

With substantial support from court leaders and other interested parties, the branch's position gained ground with legislative members and staff as well as executive branch officials, resulting in a change in the proposed reduction for the branch. The major pieces of this restructured approach are as follows:

- The proposed trial court reduction was offset by deferring for 13 months funding for support of 50 new judgeships, which initially would have begun effective June 1, 2008.
- First-year funding related to implementation of statutory requirements regarding probate reform/conservatorships was deferred for a second straight year.

- New SAL funding for courts was reduced by $54 million (which is, in effect, a permanent cut).

Counting the deferral of new judgeship and conservatorship funding as offsets, the Legislature reduced the proposed unallocated reduction for the trial courts to $92.24 million, and approved that amount as a one-time reduction.

Alternative Actions Considered for Recommendation

AOC staff reviewed various options related to developing a recommendation regarding how the $92.24 million reduction should be best addressed. One suggested approach was to offset the reduction with FY 2007–2008 ending fund balance in the trial court special funds, namely the Trial Court Improvement Fund (TCIF) and the Modernization Fund. This approach, while not recommended to address the one-time $92.24 million reduction, is being proposed, as indicated separately, for providing funding for security and first-year court funding related to implementing guardianship/conservatorship requirements. Beyond this commitment of funds, however, there are not projected to be sufficient funds remaining to address the one-time cut from these fund sources.

Consistent with Judicial Council priorities, all uncommitted fund balances in the trial court special funds are projected to be required for the statewide administrative infrastructure and technology initiatives (e.g., CCMS and Phoenix) in the current fiscal year and next fiscal year. Redirecting a portion of the fund balance in the TCIF and/or Modernization Fund to offset a reduction in the TCTF is likely to result in a change to the current deployment schedule, and could have the effect of delaying project completion as well as increasing the overall costs of the initiatives. As a result, this approach is not considered a viable alternative.

X. Delegation of Authority

Recommendation
AOC staff recommend that the Judicial Council:

14. Delegate authority to the Administrative Director of the Courts to make minor or technical one-time and ongoing allocations of funds to courts, as needed, to address unanticipated needs and contingencies, to the extent that program savings are identified during the fiscal year from reimbursable or other funds.

Rationale for Recommendation
This is a standard technical delegation to the Administrative Director of the Courts, needed to manage the budget during the fiscal year. With some of the allocations included in this report, the actual amounts may change as more updated information is received from courts, such as changes in agreements for retirement or security salary and benefit costs. Rather than being required to wait to return to the council during the fiscal year to seek authority to amend these allocations, having the authority delegated to the Administrative Director to do so in advance will facilitate allocating funding when final amounts are known.

In addition, each year some courts incur unanticipated costs which, depending on the financial health of the court, may be difficult to address, creating a cash flow problem. Such unanticipated issues make it advisable that the Administrative Director have the ability to direct unallocated special fund monies in an efficient and flexible manner.

Alternative Actions Considered for Recommendation
No specific alternatives were considered, other than coming back to the council any time technical adjustments need to be made, or if unanticipated costs arise. This approach, though would likely cause delays for getting necessary funding to the courts involved.

Comments from Interested Parties
The TCBWG met on April 23, 2008 and October 3, 2008 to discuss the various issues and recommendations presented in this report.

Implementation Requirements and Costs
The report identifies the amount and source of funding needed to implement each of the recommendations.

Attachments

Attachment 1

Proposed Allocation of FY 2008-09 Trial Court Funding and Reduction Adjustments

	Informational Only			Proposed New Allocations						
						Retirement Changes		Security		
Court System	FY 2008-09 Base Budget (excluding security)	FY 2008-09 Security Base Budget (includes annualized cost for screening stations opened in FY 2007-08)	FY 2008-09 Total Beginning Base Budget (A + B)	FY 2007-08 Adjustment for JBWCP Premium Costs	One-Time TCIF Conserva-torship Allocation	FY 2007-08 Adjustments and Annualization	FY 2008-09 Ratified	FY 2008-09 Security (ongoing allocation from CPI and one-time security funding)	One-Time Funding for Costs in Excess of Security Standards	One-Time Funding for Security Retiree Health Costs in MOEs
	A	B	C	D	E	F	G	H	I	J
Alameda	90,977,464	24,472,901	**115,450,365**	(63,458)	376,029	90,513	36,213	1,110,388	-	-
Alpine	643,488	12,034	**655,522**	(80)	140	468	(856)	-	-	-
Amador	2,605,570	560,464	**3,166,034**	1,439	16,694	-	8,435	25,379	1,867	-
Butte	9,414,336	2,327,690	**11,742,026**	(2,541)	140,369	-	32,190	19,459	-	-
Calaveras	2,369,314	277,500	**2,646,814**	(444)	8,726	-	5,896	19,350	-	-
Colusa	1,722,026	132,002	**1,854,028**	(770)	1,400	-	(1,106)	-	-	-
Contra Costa	43,039,218	13,117,201	**56,156,419**	(48,867)	220,277	-	(286,057)	683,685	-	396,000
Del Norte	2,824,541	273,658	**3,098,198**	8,420	10,522	-	1,988	12,174	-	-
El Dorado	7,793,097	2,063,850	**9,856,947**	(4,904)	59,305	-	19,237	102,381	-	-
Fresno	40,937,783	12,752,677	**53,690,460**	(8,315)	158,290	-	407,620	975,497	-	-
Glenn	2,218,964	290,770	**2,509,734**	2,187	10,891	-	5,375	38,227	-	-
Humboldt	6,447,958	1,102,786	**7,550,743**	5,271	37,012	-	(13,638)	100,470	-	-
Imperial	8,229,348	1,454,464	**9,683,812**	(2,737)	8,695	-	35,542	52,902	-	-
Inyo	2,113,700	245,101	**2,358,800**	N/A	15,233	-	-	10,000	-	-
Kern	35,322,576	8,517,629	**43,840,205**	16,140	99,154	-	(986,761)	298,187	-	33,757
Kings	6,384,915	1,395,525	**7,780,440**	(213)	6,897	-	10,568	10,325	-	-
Lake	3,726,605	632,577	**4,359,182**	(5,232)	10,710	-	74,528	28,431	-	-
Lassen	2,462,406	416,280	**2,878,687**	2,667	13,394	-	5,657	13,573	17,082	-
Los Angeles	521,465,855	149,966,758	**671,432,614**	N/A	2,573,340	-	(4,144,060)	4,421,197	5,569,826	3,885,574
Madera	6,913,500	1,163,774	**8,077,274**	(984)	26,330	-	302,523	90,399	-	-
Marin	16,908,781	2,660,334	**19,569,115**	(3,608)	78,541	-	(196,889)	132,368	35,796	-
Mariposa	1,163,702	172,848	**1,336,550**	(2)	11,128	-	5,223	16,954	-	-
Mendocino	5,168,446	1,526,115	**6,694,561**	(1,813)	22,564	-	24,359	84,305	-	-
Merced	11,237,321	2,388,941	**13,626,262**	(2,370)	21,959	-	27,901	140,396	-	-
Modoc	1,191,262	103,137	**1,294,399**	(87)	5,140	-	(895)	1,000	-	-
Mono	1,472,199	418,276	**1,890,476**	N/A	8,550	-	588	46,598	-	-
Monterey	16,697,684	4,483,193	**21,180,877**	(118,997)	106,786	-	(5,971)	152,915	-	-
Napa	7,898,456	1,784,588	**9,683,044**	(1,249)	40,190	-	488	28,160	-	-
Nevada	5,079,751	1,101,857	**6,181,608**	(3,080)	23,348	-	(7,963)	16,064	-	-
Orange	151,800,685	40,277,251	**192,077,936**	(31,605)	495,377	-	(548,321)	1,388,408	-	-
Placer	14,309,524	2,886,072	**17,195,596**	284	69,749	-	32,276	179,587	-	-
Plumas	1,778,028	192,093	**1,970,121**	2,396	11,596	-	(1,788)	1,814	-	-
Riverside	77,149,963	14,777,990	**91,927,953**	(21,700)	295,711	-	257,220	874,374	-	-
Sacramento	76,616,582	21,045,446	**97,662,028**	(28,791)	325,342	-	98,372	1,271,016	-	146,533
San Benito	3,166,615	206,605	**3,373,220**	872	3,460	-	-	20,357	-	-
San Bernardino	81,026,501	25,915,179	**106,941,680**	(46,970)	212,418	-	84,972	1,050,602	-	-
San Diego	157,843,984	31,909,575	**189,753,558**	(52,713)	853,755	-	(1,120,744)	1,184,518	-	-
San Francisco	65,461,803	10,020,818	**75,482,621**	(15,896)	303,727	-	(428,317)	452,220	-	-
San Joaquin	28,446,676	7,634,760	**36,081,437**	(895)	134,048	67,841	25,951	437,316	-	-
San Luis Obispo	14,179,957	3,444,616	**17,624,573**	(9,765)	51,466	-	(74,003)	242,643	111,435	-
San Mateo	37,345,657	8,519,181	**45,864,838**	(10,883)	346,904	-	(172,690)	288,043	-	-
Santa Barbara	21,816,931	4,880,456	**26,697,387**	(9,152)	76,298	-	-	198,766	122,814	-
Santa Clara	90,686,799	26,556,433	**117,243,232**	(78,141)	434,291	401,862	2,206,506	2,256,420	-	514,176
Santa Cruz	12,837,902	2,472,200	**15,310,103**	(5,375)	54,552	26,817	(8,052)	219,139	-	-
Shasta	9,607,914	2,000,186	**11,608,100**	(5,373)	84,800	-	9,082	181,065	20,242	-
Sierra	685,052	21,248	**706,300**	(1,975)	2,815	-	(8,446)	5,752	-	-
Siskiyou	4,107,504	600,274	**4,707,778**	8,318	17,113	-	21,294	52,038	11,720	-
Solano	21,118,383	4,966,840	**26,085,223**	629	106,470	-	(318,935)	172,387	-	-
Sonoma	23,229,502	6,564,029	**29,793,531**	(1,947)	143,598	-	86,915	118,774	-	-
Stanislaus	17,908,808	4,316,995	**22,225,803**	(507)	86,639	-	-	359,305	-	-
Sutter	4,177,861	750,787	**4,928,648**	(318)	57,311	-	7,115	32,365	-	-
Tehama	3,553,188	521,121	**4,074,309**	3,847	14,424	-	19,408	26,076	-	-
Trinity	1,181,789	201,221	**1,383,010**	(787)	1,659	-	149	(336)	76,822	-
Tulare	16,689,515	4,654,162	**21,343,677**	3,293	18,604	-	(72,574)	233,686	77,446	-
Tuolumne	3,247,429	843,290	**4,090,718**	(2,399)	11,882	-	1,717	98,716	-	-
Ventura	31,351,560	11,603,398	**42,954,958**	(589)	111,660	589,514	(284,143)	12,054	-	-
Yolo	8,822,359	2,470,706	**11,293,065**	(2,850)	34,609	-	85,099	167,639	-	-
Yuba	3,918,192	581,376	**4,499,568**	N/A	28,107	-	4,343	25,906	-	-
Total	**1,848,496,929**	**476,649,238**	**2,325,146,167**	**(542,616)**	**8,500,000**	**1,177,016**	**(4,737,457)**	**20,181,433**	**6,045,050**	**4,976,040**

Proposed Allocation of FY 2008-09 Trial Court Funding and Reduction Adjustments

	Proposed New Allocations								Informational Only
	Operating Costs for New/Transferring Facilities*								
	Non-Security Expenses			Security Expenses					
Court System	FY 2008-09 One-Time Funding	FY 2008-09 Ongoing Funding	FY 2009-10 Ongoing Funding	FY 2008-09 Maximum One-Time Funding	FY 2008-09 Ongoing Funding	FY 2009-10 Ongoing Funding	Inflation and Workforce	One-Time Statewide Unallocated Reduction of $92.24 Million	Adjusted FY 2008-09 Base Budget (excludes one-time, limited-term, and FY 2009-10 amounts)
	K	L	M	N	O	P	Q	R	S
Alameda	-	-	-	-	-	-	2,585,824	(4,698,989)	119,273,304
Alpine	-	-	-	-	-	-	18,874	(26,681)	674,009
Amador	-	-	-	-	-	-	76,424	(128,862)	3,276,272
Butte	-	-	-	-	-	-	269,043	(477,917)	12,062,718
Calaveras	-	-	-	-	-	-	69,495	(107,729)	2,741,555
Colusa	-	-	-	-	-	-	50,509	(75,461)	1,903,431
Contra Costa	-	-	-	-	-	-	1,192,351	(2,285,643)	57,746,399
Del Norte	-	-	-	-	-	-	82,847	(126,101)	3,195,207
El Dorado	131,722	2,717	10,871	37,000	41,156	123,468	211,712	(401,191)	10,234,150
Fresno	30,000	35,657	109,000	37,000	27,653	38,714	1,163,710	(2,185,276)	56,300,597
Glenn	-	-	-	-	-	-	65,085	(102,150)	2,618,421
Humboldt	-	-	-	-	-	-	185,341	(307,326)	7,822,917
Imperial	-	-	-	-	-	-	231,316	(394,144)	10,003,572
Inyo	-	-	-	-	-	-	61,997	(96,006)	2,430,797
Kern	-	-	-	37,000	149,007	29,802	990,096	(1,784,357)	44,290,734
Kings	-	-	-	-	-	-	181,852	(316,675)	7,983,185
Lake	-	-	-	-	-	-	106,724	(177,425)	4,568,864
Lassen	-	-	-	-	-	-	72,225	(117,167)	2,970,142
Los Angeles	-	-	-	-	-	-	14,258,988	(27,328,231)	685,968,739
Madera	-	-	-	-	-	-	202,780	(328,756)	8,672,976
Marin	-	-	-	-	-	-	469,512	(796,490)	19,974,106
Mariposa	-	-	-	-	-	-	34,133	(54,399)	1,392,860
Mendocino	-	-	-	-	-	-	151,596	-	6,954,822
Merced	-	-	-	-	-	-	311,348	(554,608)	14,105,907
Modoc	-	-	-	-	-	-	34,941	(52,684)	1,329,445
Mono	-	-	-	-	-	-	43,181	(76,945)	1,980,843
Monterey	-	-	-	-	-	-	482,112	(862,091)	21,809,933
Napa	-	-	-	-	-	-	224,493	(394,113)	9,936,185
Nevada	-	-	-	-	-	-	143,221	(251,600)	6,332,930
Orange	695,683	-	-	37,000	-	-	4,309,210	(7,817,836)	197,227,232
Placer	-	-	-	-	-	-	398,387	(699,884)	17,805,845
Plumas	-	-	-	-	-	-	52,151	(80,187)	2,022,298
Riverside	-	-	-	37,000	160,117	-	2,145,543	(3,741,594)	95,365,207
Sacramento	-	40,445	13,481	5,000	-	-	2,165,749	(3,974,979)	101,237,610
San Benito	-	-	-	-	-	-	92,880	(137,295)	3,486,457
San Bernardino	-	12,919	25,837	-	-	-	2,290,822	(4,352,673)	110,380,994
San Diego	107,344	-	-	-	-	-	4,484,499	(7,723,231)	194,301,831
San Francisco	-	-	-	-	-	-	1,846,164	(3,072,246)	77,352,688
San Joaquin	-	-	-	-	-	-	817,525	-	37,430,070
San Luis Obispo	-	59,658	-	-	-	-	393,285	(717,344)	18,246,156
San Mateo	-	604,287	-	-	-	-	1,057,617	(1,866,762)	47,642,095
Santa Barbara	-	-	-	-	-	-	619,086	(1,086,620)	27,515,238
Santa Clara	-	49,430	16,476	-	-	-	2,614,028	(4,771,961)	124,771,478
Santa Cruz	-	-	-	-	-	-	360,134	(623,142)	15,908,141
Shasta	-	-	-	-	-	-	273,772	-	12,072,020
Sierra	-	-	-	-	-	-	20,093	(28,747)	723,700
Siskiyou	-	-	-	-	-	-	117,788	(191,613)	4,898,898
Solano	-	-	-	-	-	-	589,093	(1,061,704)	26,527,768
Sonoma	223,000	-	-	-	-	-	657,083	(1,212,638)	30,656,304
Stanislaus	155,627	-	-	37,000	20,000	60,000	509,653	(904,621)	23,114,761
Sutter	-	-	-	-	-	-	122,541	(200,603)	5,090,669
Tehama	-	-	-	-	-	-	104,219	(165,830)	4,224,011
Trinity	-	-	-	-	-	-	34,663	(56,290)	1,417,485
Tulare	-	-	-	-	-	-	468,446	(868,717)	21,973,236
Tuolumne	-	-	-	-	-	-	94,705	(166,498)	4,285,857
Ventura	-	-	-	-	-	-	900,553	(1,748,326)	44,172,936
Yolo	194,670	7,506	2,502	37,000	96,375	32,126	241,848	(459,643)	11,891,532
Yuba	-	-	-	-	-	-	114,925	-	4,644,741
Total	**1,538,046**	**812,619**	**178,167**	**264,000**	**494,308**	**284,110**	**51,868,193**	**(92,240,000)**	**2,394,942,280**

* Funding will not be allocated to the courts until AOC staff have been notified that the facility has either opened or transferred and the costs have been incurred. One-time costs require documentation before reimbursement.

Proposed Allocation of TCIF for Conservatorship Workload

	WORKLOAD				COSTS				RESOURCES			ALLOCATION	
COURTS	New Filings (updated 8-2008)[1] Col. A	Cases Under Court's Control[2] Col B.	Total Time (in Minutes)[3] Col. C	Total FTEs Col. D	Total Salary & Benefit Costs[4] Col. E	Standard Complement (One-Time)[5] Col F	Standard Complement (Ongoing)[5] Col. G	Total First Year Cost (Col. E+F+G) Col. H	Assumed Investigator Cost Recovery[6] Col. I	BCP Funding Allocation w-Updated Workload Data Col. J	Total Assumed Resources (Col. I+J) Col. K	FY 2008-09 Allocation Based on BCP Funding Allocation of 18.271M Col. L	Pro-Rated FY 2008-09 TCIF Allocation as 46.5% of $18.271M (Col.L*46.5%) Col. M
Alameda	179	1,802	939,194	8.8	$ 777,894	$ 129,640	$ 175,640	$ 1,083,174	$ 287,080	$ 808,286	$ 1,095,366	$ 808,286	$ 376,029
Alpine	-	1	404	0.0	290	60	80	430	102	301	403	301	140
Amador	15	76	48,026	0.5	34,534	6,630	8,990	50,154	13,020	35,883	48,904	35,883	16,694
Butte	75	894	449,461	4.2	290,383	62,040	84,060	436,483	102,419	301,728	404,147	301,728	140,369
Calaveras	7	43	25,247	0.2	18,052	3,490	4,730	26,272	6,778	18,757	25,535	18,757	8,726
Colusa	1	7	4,038	0.0	2,896	560	760	4,216	1,080	3,010	4,090	3,010	1,400
Contra Costa	156	866	534,115	5.0	455,688	73,730	99,890	629,308	176,292	473,491	649,784	473,491	220,277
Del Norte	5	60	30,545	0.3	21,767	4,220	5,720	31,707	8,026	22,617	30,643	22,617	10,522
El Dorado	52	268	169,685	1.6	122,685	23,430	31,740	177,855	46,015	127,478	173,493	127,478	59,305
Fresno	136	857	506,878	4.8	327,456	69,970	94,800	492,226	126,516	340,250	466,766	340,250	158,290
Glenn	4	66	31,397	0.3	22,530	4,340	5,880	32,750	8,155	23,411	31,565	23,411	10,891
Humboldt	52	113	107,034	1.0	76,567	14,780	20,020	111,367	30,253	79,559	109,812	79,559	37,012
Imperial	5	52	27,312	0.3	17,987	3,770	5,110	26,867	6,766	18,690	25,456	18,690	8,695
Inyo	24	38	43,679	0.4	31,513	6,030	8,170	45,713	12,524	32,745	45,268	32,745	15,233
Kern	75	501	290,610	2.7	205,120	40,120	54,350	299,590	77,887	213,134	291,021	213,134	99,154
Kings	13	10	19,775	0.2	14,269	2,730	3,700	20,699	5,828	14,826	20,654	14,826	6,897
Lake	25	2	30,701	0.3	22,156	4,240	5,750	32,146	9,344	23,021	32,365	23,021	10,710
Lassen	7	76	38,586	0.4	27,709	5,330	7,220	40,259	10,134	28,791	38,925	28,791	13,394
Los Angeles	1,528	9,478	5,634,030	52.8	5,323,488	777,670	1,053,610	7,154,768	2,013,284	5,531,472	7,544,756	5,531,472	2,573,340
Madera	23	143	84,547	0.8	54,468	11,670	15,820	81,958	19,417	56,596	76,014	56,596	26,330
Marin	32	405	201,461	1.9	162,479	27,810	37,680	227,969	59,446	168,827	228,273	168,827	78,541
Mariposa	12	44	31,945	0.3	23,020	4,410	5,980	33,410	8,804	23,919	32,723	23,919	11,128
Mendocino	13	112	61,004	0.6	46,679	8,430	11,410	66,519	17,462	48,502	65,964	48,502	22,564
Merced	23	90	63,124	0.6	45,425	8,720	11,810	65,955	17,330	47,199	64,530	47,199	21,958
Modoc	4	25	14,825	0.1	10,633	2,050	2,780	15,463	3,985	11,048	15,034	11,048	5,140
Mono	20	2	24,408	0.2	17,687	3,370	4,570	25,627	7,420	18,378	25,798	18,378	8,550
Monterey	56	597	307,387	2.9	220,909	42,430	57,490	320,829	80,914	229,540	310,453	229,540	106,786
Napa	48	144	114,844	1.1	83,141	15,860	21,480	120,481	31,962	86,389	118,351	86,389	40,190
Nevada	35	64	66,775	0.6	48,301	9,220	12,490	70,011	19,016	50,188	69,205	50,188	23,348
Orange	172	4,504	2,023,482	19.0	1,024,791	279,310	378,410	1,682,511	335,563	1,064,828	1,400,391	1,064,828	495,377
Placer	59	326	200,995	1.9	144,290	27,750	37,590	209,630	54,318	149,927	204,246	149,927	69,749
Plumas	5	67	33,375	0.3	23,988	4,610	6,250	34,848	8,737	24,925	33,663	24,925	11,596
Riverside	500	1,200	1,075,030	10.1	611,740	148,390	201,040	961,170	220,225	635,640	855,865	635,640	295,711
Sacramento	141	1,669	841,383	7.9	673,037	116,140	157,350	946,527	243,133	699,332	942,465	699,332	325,342
San Benito	8	1	9,844	0.1	7,157	1,360	1,850	10,367	2,988	7,437	10,425	7,437	3,460
San Bernardino	217	989	656,204	6.2	439,431	90,580	122,720	652,731	164,160	456,599	620,759	456,599	212,418
San Diego	448	4,132	2,198,792	20.6	1,766,167	303,500	411,200	2,480,867	649,972	1,835,170	2,485,142	1,835,170	853,754
San Francisco	221	911	629,396	5.9	628,321	86,880	117,710	832,911	239,708	652,869	892,578	652,869	303,727
San Joaquin	127	574	381,476	3.6	277,306	52,660	71,340	401,306	104,073	288,140	392,213	288,140	134,048
San Luis Obispo	40	272	157,142	1.5	106,469	21,700	29,390	157,559	39,497	110,628	150,125	110,628	51,466
San Mateo	167	1,591	839,748	7.9	717,643	115,920	157,040	990,603	271,908	745,681	1,017,589	745,681	346,904
Santa Barbara	40	507	252,129	2.4	157,839	34,810	47,160	239,809	54,825	164,005	218,830	164,005	76,298
Santa Clara	180	2,067	1,047,881	9.8	898,421	144,640	195,970	1,239,031	344,133	933,521	1,277,655	933,521	434,291
Santa Cruz	37	335	179,460	1.7	112,851	24,780	33,570	171,201	40,667	117,260	157,927	117,260	54,552
Shasta	56	544	285,965	2.7	175,426	39,480	53,480	268,386	61,410	182,280	243,690	182,280	84,800
Sierra	5	5	8,062	0.1	5,824	1,120	1,510	8,454	2,350	6,052	8,402	6,052	2,815
Siskiyou	16	75	49,195	0.5	35,401	6,800	9,200	51,401	13,400	36,784	50,184	36,784	17,113
Solano	37	614	292,232	2.7	220,256	40,340	54,650	315,246	80,685	228,861	309,546	228,861	106,470
Sonoma	65	625	329,718	3.1	297,062	45,520	61,660	404,242	113,799	308,668	422,467	308,668	143,598
Stanislaus	33	575	271,749	2.5	179,230	37,510	50,820	267,560	62,881	186,233	249,114	186,233	86,639
Sutter	19	356	165,922	1.6	118,559	22,910	31,030	172,499	42,936	123,191	166,127	123,191	57,311
Tehama	19	90	58,404	0.5	29,840	8,070	10,930	48,840	10,024	31,006	41,029	31,006	14,424
Trinity	3	4	4,763	0.0	3,432	660	900	4,992	1,369	3,566	4,935	3,566	1,659
Tulare	36	21	50,967	0.5	38,486	7,040	9,540	55,066	16,166	39,990	56,155	39,990	18,604
Tuolumne	5	69	34,183	0.3	24,581	4,720	6,400	35,701	8,941	25,541	34,482	25,541	11,882
Ventura	68	587	317,505	3.0	230,992	43,830	59,380	334,202	84,227	240,017	324,243	240,017	111,660
Yolo	44	119	100,019	0.9	71,596	13,810	18,710	104,116	27,977	74,394	102,370	74,394	34,609
Yuba	13	164	82,022	0.8	58,145	11,330	15,340	84,815	21,488	60,417	81,905	60,417	28,109
TOTAL	**5,406**	**39,829**	**22,478,082**	**210.7**	**$ 17,584,009**	**$ 3,102,920**	**$ 4,203,870**	**$ 24,890,799**	**$ 6,528,819**	**$ 18,271,000**	**$ 24,799,819**	**$ 18,271,000**	**$ 8,500,000**

[1]New Filings: At the time of this analysis, 4th Quarter data was not in for all courts. To obtain a 4th Quarter number, the previous three quarters were averaged. To obtain the fiscal year total, the four quarters were summed.

[2]Cases Under Court Control (UCC): Only 3rd Quarter data was used. There are exceptions, however. For courts that were unable to provide UCC data in any quarter, the UCC number provided to the Probate Conservatorship Task Force for FY05-06 was used.

[3]Total Time in Minutes was derived from the assumptions that were included in the BCP related to the actual tasks that would be necessary to meet the new legislative requirements; the staff that would be required to perform the required tasks; and the estimated time for these tasks.

[4]Hourly rate calculated at 5% above minimum. Total compensation includes assumed 5% salary savings.

[5]The standard complement provides one-time and ongoing funding for facilities, general expense, computers, and communications, and also includes ongoing funding for postage, in-state travel, training and data processing.

[6]Probate Code 1851.5 requires a court to assess each conservatee for any investigation conducted by the court investigator with respect to that person, unless the court finds that all or any part of the assessment would impose a hardship on the conservatee or the conservatee's estate. Based on survey information collected from the 10 largest courts, it is estimated that the cost of the investigator is assessed in 60 percent of cases, with an 80 percent collection rate. Cost recovery amounts based on FY 2005-06 actual Investigator costs.

		FY 2008-2009 TRIAL COURT STAFF RETIREMENT COST CHANGES			
		RATIFIED PLANS			
	A	B	C	D	E
	FY 2007-2008 RETIREMENT COST INCREASE ANNUALIZATION	PROJECTED RETIREMENT-RATE DRIVEN CHANGE	FY 2009-2010 ANNUALIZED COST	FY 2008-2009 ADJUSTMENTS	FY 2009-2010 RETIREMENT COST ANNUALIZATION
COURT	Figure comes from previous year's Retirement Form	Cost from effective date of rate change through June 30, 2009.	Cost for 12 months		
01 - ALAMEDA	90,513	36,213	48,284	126,726	**12,071**
02 - ALPINE	468	(856)	(856)	(387)	-
03 - AMADOR	-	8,435	8,435	8,435	-
04 - BUTTE	-	32,190	32,190	32,190	-
05 - CALAVERAS	-	5,896	5,896	5,896	-
06 - COLUSA	-	(1,106)	(1,106)	(1,106)	-
07 - CONTRA COSTA	-	(286,057)	(286,057)	(286,057)	-
08 - DEL NORTE	-	1,988	1,988	1,988	-
09 - EL DORADO	-	19,237	19,237	19,237	-
10 - FRESNO	-	407,620	407,620	407,620	-
11 - GLENN	-	5,375	5,375	5,375	-
12 - HUMBOLDT	-	(13,638)	(13,638)	(13,638)	-
13 - IMPERIAL	-	35,542	35,542	35,542	-
14 - INYO	-	-	-	-	-
15 - KERN	-	(986,761)	(986,761)	(986,761)	-
16 - KINGS	-	10,568	10,568	10,568	-
17 - LAKE	-	74,528	74,528	74,528	-
18 - LASSEN	-	5,657	5,657	5,657	-
19 - LOS ANGELES	-	(4,144,060)	(4,144,060)	(4,144,060)	-
20 - MADERA	-	302,523	302,523	302,523	-
21 - MARIN	-	(196,889)	(204,377)	(196,889)	**(7,488)**
22 - MARIPOSA	-	5,223	5,223	5,223	-
23 - MENDOCINO	-	24,359	24,359	24,359	-
24 - MERCED	-	27,901	27,901	27,901	-
25 - MODOC	-	(895)	(895)	(895)	-
26 - MONO	-	588	588	588	-
27 - MONTEREY	-	(5,971)	(5,971)	(5,971)	-
28 - NAPA	-	488	488	488	-
29 - NEVADA	-	(7,963)	(7,963)	(7,963)	-
30 - ORANGE	-	(548,321)	(548,321)	(548,321)	-
31 - PLACER	-	32,276	32,276	32,276	-
32 - PLUMAS	-	(1,788)	(1,788)	(1,788)	-
33 - RIVERSIDE	-	257,220	257,220	257,220	-
34 - SACRAMENTO	-	98,372	98,372	98,372	-
35 - SAN BENITO	-	-	-	-	-
36 - SAN BERNARDINO	-	84,972	84,972	84,972	-
37 - SAN DIEGO	-	(1,120,744)	(1,120,744)	(1,120,744)	-
38 - SAN FRANCISCO	-	(428,317)	(428,317)	(428,317)	-

		FY 2008-2009 TRIAL COURT STAFF RETIREMENT COST CHANGES			
		RATIFIED PLANS			
	A	B	C	D	E
	FY 2007-2008 RETIREMENT COST INCREASE ANNUALIZATION	PROJECTED RETIREMENT-RATE DRIVEN CHANGE	FY 2009-2010 ANNUALIZED COST	FY 2008-2009 ADJUSTMENTS	FY 2009-2010 RETIREMENT COST ANNUALIZATION
COURT	Figure comes from previous year's Retirement Form	Cost from effective date of rate change through June 30, 2009.	Cost for 12 months		
39 - SAN JOAQUIN	67,841	25,951	51,902	93,793	**25,951**
40 - SAN LUIS OBISPO	-	(74,003)	(74,003)	(74,003)	-
41 - SAN MATEO	-	(172,690)	(172,690)	(172,690)	-
42 - SANTA BARBARA*	N/A	N/A	N/A	N/A	N/A
43 - SANTA CLARA	401,862	2,206,506	2,206,506	2,608,368	-
44 - SANTA CRUZ	26,817	(8,052)	(8,052)	18,766	-
45 - SHASTA	-	9,082	9,082	9,082	-
46 - SIERRA	-	(8,446)	(8,446)	(8,446)	-
47 - SISKIYOU	-	21,294	21,294	21,294	-
48 - SOLANO	-	(318,935)	(318,935)	(318,935)	-
49 - SONOMA	-	86,915	86,915	86,915	-
50 - STANISLAUS	-	-	-	-	-
51 - SUTTER	-	7,115	7,115	7,115	-
52 - TEHAMA	-	19,408	19,408	19,408	-
53 - TRINITY	-	149	297	149	**149**
54 - TULARE	-	(72,574)	(72,574)	(72,574)	-
55 - TUOLUMNE	-	1,717	1,717	1,717	-
56 - VENTURA	589,514	(284,143)	(367,136)	305,371	**(82,992)**
57 - YOLO	-	85,099	136,202	85,099	**51,103**
58 - YUBA	-	4,343	4,343	4,343	-
TOTAL	**1,177,016**	**(4,737,457)**	**(4,738,664)**	**(3,560,441)**	**(1,207)**

***Santa Barbara's final FY 2008-2009 retirement rates are not yet ratified. No changes expected at this time.**

Recommended Funding for FY 2008-2009 Staffing and Operational Costs for New Facilities

A. Non-Security

Available Funding in FY 2008-2009

Accumulated, Undistributed Funding from FY 2006-2007 & 2007-2008	$	343,263
Undistributed Ongoing Funding Available in FY 2008-2009 (Available for permanent reallocation)		168,361
One-Time Undistributed Security Funding from New/Transferring Facilities FY 2007-2008		1,194,783
FY 2008-2009 CPI Funding		948,015
Total		**2,654,422**
Less Recommended Funding		**(2,350,664)**
Remaining Ongoing Funding		**303,758**

Staff Recommended Funding in FY 2008-2009

One-Time	$	1,538,046
Ongoing		812,618
Total		**2,350,664**

Available Funding in FY 2009-2010

Available Ongoing Funding	$	303,758
Total		**303,758**
Less Recommended Funding		(178,167)
Remaining Ongoing Funding		**125,591**

Staff Recommended Funding in FY 2009-2010

Annualization of Ongoing	**$**	**178,167**
Total		**178,167**

B. Security

Available Funding in FY 2008-2009

Unneeded Ongoing Screening Station Funding from FY 2006-2007 and FY 2007-2008 (Available for permanent reallocation)	$	652,826
Unneeded One-Time Screening Station Funding from FY 2006-2007 and FY 2007-2008		105,483
Total		**758,309**
Less Recommended Funding		(758,309)
Remaining Funding		**-**

Staff Recommended Funding in FY 2008-2009

One-Time	$	264,000
Ongoing		494,309
Total		**758,309**

Available Funding in FY 2009-2010

Ongoing Operational Funding available for allocation in FY 2009-2010 (see above)	$	125,591
Remaining Ongoing Funding*		158,517
Total		**284,108**
Less Funding Recommendation		(284,108)
Remaining Funding		-

Staff Recommended Funding in FY 2009-2010

Annualization of Ongoing Costs	**$**	**284,108**
Total		**284,108**

Attachment 5

TRIAL COURT
CPI GROWTH FACTOR
ALLOCATION TEMPLATE
FY 2008-2009

ADJUSTED CPI GROWTH FACTOR		CPI GROWTH FACTOR	
Inflation & Workforce	2.826%	Initial Inflation & Workforce	2.700%
Workload Growth & Equity	0%	Workload Growth & Equity	0.000%
Total Adjusted CPI Growth Rate	2.826%	Effective CPI Growth Rate	2.700%

	A	B	C
	Base Budget Amount	CPI/Other Factor	Ongoing CPI Adjustment (A x B or Actual)
2008-2009 CPI FUNDING ADJUSTMENT	**$2,557,703,704**	2.700%	$ 69,058,000
TOTAL CPI FUNDS AVAILABLE FOR ALLOCATION			**$ 69,058,000**
I. FUNDING BASED ON ACTUAL COSTS:			
A. Court Employee Retirement Rate & Plan Cost Changes			**(3,560,441)**
B. Staff & Operating Cost for New and Transferring Facilities			948,015
TOTAL FUNDING BASED ON ACTUAL COSTS			**(2,612,426)**
TOTAL FUNDS AVAILABLE FOR ALLOCATION TO COURTS:			71,670,426
II. Court Allocations (Excluding Security)			
A. Inflation & Workforce	$1,835,295,518	2.826%	51,868,193
B. Workload Growth & Equity		0.000%	-
TOTAL COURT ALLOCATIONS (EXCLUDING SECURITY)			
III. Security:	**468,309,250**	2.700%	12,644,350
IV. Trial Court Reimbursement			
A. Unscheduled Reimbursement Programs			
1. Court Appointed Counsel [1]	99,885,977		3,839,468
2. Jury [1]	35,600,778		-
3. Processing of Elder Abuse Protective Orders [1]	368,340		-
B. Scheduled Reimbursement Programs			
1. Interpreters	90,243,077	2.826%	2,550,404
2. CASA	2,228,935	2.826%	62,993
3. Model Self-Help	963,864	2.826%	27,240
4. Equal Access	5,529,058	2.826%	156,259
5. Family Law Information Centers	347,547	2.826%	9,822
6. Civil Case Coordination	435,359	2.826%	12,304
TOTAL TRIAL COURT REIMBURSEMENT TOTAL	**235,602,935**		**6,658,491**
V. Scheduled Local Assistance Programs			
1. Service of Process for Protective Orders	3,524,000	2.700%	95,148
2. Prisoner Hearings Costs	3,004,000	2.700%	81,108
3. Cost of Homicide Trials	299,000	2.700%	8,073
4. Drug Court Projects	1,174,000	2.700%	31,698
5. Equal Access	10,495,000	2.700%	283,365
LOCAL ASSISTANCE PROGRAMS	**$ 18,496,000**		**$ 499,392**
TOTAL FUNDING ALLOCATED TO COURTS			**71,670,426**

1: The CPI Funding adjustments for Jury ($1,006,132) and for Processing of Elder Abuse Protective Orders ($10,410) are added to the CPI funding adjustment for Court Appointed Counsel ($2,822,927) to provide a total funding adjustment of $3,839,468 for this program.