



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on January 17, 2013

Title

Report to the Legislature: Fee Revenue and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012

Agenda Item Type

Action Required

Effective Date

January 17, 2013

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

January 3, 2013

Recommended by

Administrative Office of the Courts
Steven Jahr
Administrative Director of the Courts

Contact

Zlatko Theodorovic, 916-263-1397
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Executive Summary

The Administrative Office of the Courts recommends approving *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012*, as required by Government Code section 68086(c), to be sent to the chair and vice-chair of the Joint Legislative Budget Committee.

Recommendation

The Administrative Office of the Courts (AOC) recommends that the Judicial Council:

1. Approve *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012* (Attachment A);
and
2. Direct the AOC to submit the report to the Legislature.

Previous Council Action

The report on trial court reporter fees collected and expenditures for court reporter services in superior court civil proceedings has been required and submitted under Government Code section 68086(c) since fiscal year (FY) 2003–2004.

Rationale for Recommendation

Government Code section 68086(c) requires the Judicial Council to report to the Legislature on fees collected by courts under Government Code sections 68086 and 68086.1 and the total amount spent for services of official court reporters in civil proceedings statewide in the prior fiscal year. The report must be submitted on or before February 1 after the end of each fiscal year.

Comments, Alternatives Considered, and Policy Implications

Because this report is required by the above-referenced section of the Government Code, no alternatives were considered. This report is not required to circulate for public comment.

Implementation Requirements, Costs, and Operational Impacts

Submission of this mandated report to the Legislature involves no implementation requirements, costs, or operational impacts for the trial courts.

Attachments

1. Attachment A: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012*



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Administrative Director of the Courts

January 18, 2013

Hon. Mark Leno
Chair, Joint Legislative Budget Committee
California State Senate
1020 N Street, Room 553
Sacramento, California 95814

Hon. Bob Blumenfield
Vice-Chair, Joint Legislative Budget Committee
California State Assembly
State Capitol, Room 6026
Sacramento, California 95814

Re: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012*, as required by Government Code section 68086(c)

Dear Senator Leno and Assembly Member Blumenfield:

The Judicial Council respectfully submits this report, as required by Government Code section 68086(c), concerning court reporter fees collected under Government Code sections 68086(a)(1) and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year (FY) 2011–2012.

In FY 2011–2012, \$28,720,377 was remitted to the Trial Court Trust Fund as directed under Government Code sections 68086(a)(1) and 68086.1. The breakdown of the remitted funds is as follows:

- Under Government Code section 68086(a)(1), \$11,382,761 came from fees paid by parties to civil proceedings for the services of an official court reporter in proceedings lasting more than one hour on the first day and each succeeding judicial day.

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- The amount of \$17,337,616 is attributable to the fee required to be deposited in the Trial Court Trust Fund by Government Code section 68086.1 from first paper filings and responses for civil proceedings, other than proceedings under the Probate Code, in the superior court where the amount demanded is more than \$10,000; family law filings and responses; and marriage dissolution filings and responses. This amount reflects total revenues collected for first paper, family law, and marriage dissolution filings and responses filed from July 1, 2011, to June 30, 2012.¹

In FY 2011–2012, the estimated amount spent for the services of court reporters in superior court civil proceedings was \$81,942,433.

The expenditure amount is an estimate because most courts do not track the time court reporters spend in proceedings by case categories. The estimate of \$81,942,433 was made by taking the sum of total FY 2011–2012 budgeted salaries and benefits for all filled court reporter employee positions as of July 1, 2011 (\$232,097,549) and total FY 2011–2012 expenditures on contract court reporters (\$5,416,748), and multiplying by the estimated proportion of time court reporters spend on civil cases (civil, probate, mental health, guardianship, and family) versus all cases, 34.5 percent. The time percentage estimate is based on the most recent time study survey conducted by the National Center for State Courts (September 2003), which involved nine superior courts—Amador, Calaveras, Los Angeles, Sacramento, San Bernardino, San Joaquin, San Mateo, Shasta, and Stanislaus Counties—representing about 47 percent of statewide authorized court reporter positions.²

If you have any questions related to this report, please contact Zlatko Theodorovic, Director, AOC Fiscal Services Office, at 916-263-1397.

Very truly yours,

Steven Jahr
Administrative Director of the Courts

¹ Of the amount collected, \$10,837,616 was available to be used for services of an official court reporter in civil proceedings, because a \$6.5 million ongoing redirection of this revenue to offset trial court funding reductions was approved by the Judicial Council at its July 22, 2011 business meeting as authorized by Government Code section 68086.1(c).

² Per FY 2011–2012 Schedule 7As, as submitted by the courts, 854 of 1,825 authorized court reporter full-time equivalent positions as of July 1, 2011.

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SJ/CS

cc: Members of the Judicial Council

Diane F. Boyer-Vine, Legislative Counsel
Gregory P. Schmidt, Secretary of the Senate
E. Dotson Wilson, Chief Clerk of the Assembly
Margie Estrada, Policy Consultant, Office of Senate President pro Tempore Darrell Steinberg
Fredericka McGee, General Counsel, Office of Assembly Speaker John A. Pérez
Peggy Collins, Principal Consultant, Joint Legislative Budget Committee
Joe Stephenshaw, Consultant, Senate Committee on Budget and Fiscal Review
Matt Osterli, Consultant, Senate Republican Fiscal Office
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Report Title: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012*

Statutory Citation: Government Code section 68086(c)

Date of Report: January 18, 2013

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 68086(c).

The following summary of the report is provided under the requirements of Government Code section 9795.

This report provides information concerning court reporter fees collected under Government Code sections 68086(a)(1) and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year 2011–2012. Trial courts reported collecting \$28,720,377 for the period July 1, 2011, to June 30, 2012. Because most courts do not track the amount of time court reporters spend in proceedings by case categories, statewide expenditures related to civil proceedings must be estimated. Expenditures on court reporter services in civil proceedings in FY 2011–2012 are estimated to have been \$81,942,433.

The full report is available at www.courts.ca.gov/7466.htm.

A printed copy of the report may be obtained by calling 415-865-7966.