Judicial Council of California · Administrative Office of the Courts

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# REPORT TO THE JUDICIAL COUNCIL

Business meeting on December 13, 2013

**Title**
Judicial Branch Administration: Reduced Annual Membership Dues for the National Center for State Courts

**Rules, Forms, Standards, or Statutes Affected**
None

**Recommended by**
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Administrative Director of the Courts

**Agenda Item Type**
Action Required

**Effective Date**
January 1, 2014

**Date of Report**
November 19, 2013

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## Executive Summary

State court judicial councils and administrative offices pay membership dues annually for the support of and participation in activities of the National Center for State Courts (NCSC). The NCSC is a nonprofit organization charged with improving judicial administration in state courts through efforts directed by the Conference of Chief Justices, the Conference of State Court Administrators, and other associations of judicial leaders. In October 2012, given the level of cumulative budget reductions for the Judicial Council/Administrative Office of the Courts (AOC), the AOC recommended, and the council approved, a reduction in the annual payment to the NCSC for the 2013 calendar year. As the Judicial Council/AOC did not receive any new funding in the 2013–2014 State Budget, the AOC is once again recommending a reduced payment for the NCSC's annual dues assessment for 2014.

## Recommendation

The 2014 assessment approved by the NCSC board for the Judicial Council of California/AOC is $594,335. This amount is based on an established formula applied to all member states. In light of the fact that no new funding was received for the Judicial Council/AOC in the current fiscal

year, the AOC recommends a reduced dues payment of $267,451 for 2014, a reduction of 55 percent.

## Previous Council Action

At its October 2012 business meeting, the Judicial Council approved a 60 percent reduction in the annual payment to the NCSC for the 2013 calendar year—from $582,025 to $232,810. (Of the other 49 states, 3 did not pay their entire assessments for 2013.)

## Rationale for Recommendation

The National Center for State Courts' dues assessment is based on a formula that combines a base amount with a population component (a dollar amount per 1,000 population) to have parity among the states. Because California is the most populous state, its assessment is larger than that of any other state, at $594,335 for 2014.

These kinds of dues are typical in government. The same formula is used by the National Conference of State Legislators (NCSL) to determine the California Legislature's dues assessment. (Of note, the California Legislature continues to pay an amount lower than its NCSL assessment.)

Since the Judicial Council/AOC received no new funding in the current fiscal year, it is proposed that the payment to the NCSC be reduced by 55 percent ($326,884) for a payment of $267,451 for 2014. This payment will ensure that the Judicial Council/AOC maintains the ability to give voice to the concerns of California's courts in influencing the national agenda for state courts while also retaining a level of access to national resources that helps inform and support judicial branch programs and services to improve the administration of justice in California. All savings would be reallocated to assist in continuing to provide direct services to the courts in areas such as labor negotiations.

## Comments, Alternatives Considered, and Policy Implications

NCSC services include the following:

- The NCSC serves as a clearinghouse for research information and comparative data to support improvement in judicial administration in state courts, including white papers, nationwide surveys, and analysis of court workload and future trends in state courts.
- The organization provides judicial councils, AOCs, and state courts with access to judicial administration expertise in a variety of forms—from online and educational resources to consulting and hands-on assistance.
- The NCSC's government relations function also supports policy development on federal legislation and other national issues affecting state courts.

Details on NCSC services available to state courts, judicial councils, and their administrative offices are available at *www.ncsc.org*.

Alternatives considered included:

- Nonpayment of dues
  - This approach would limit the Judicial Council/AOC's ability to access NCSC research information and comparative data from other state court systems.
  - It would also impede the California courts' ability to influence federal policy development with respect to state court systems through the agenda advanced by the Conference of Chief Justices and the Conference of State Court Administrators.

- Dues reduction based on cumulative cuts to the Judicial Council/AOC budget
  - A reduction of 30.1 percent was considered based on the cumulative General Fund reduction to the Judicial Council/AOC budget since fiscal year 2007–2008. This decrease would represent a reduction of $178,895, for a payment of $415,440.
  - A reduction of 23.6 percent was considered based on the overall budget reduction to the Judicial Council/AOC budget since fiscal year 2007–2008. This decrease would represent a reduction of $140,263, for a payment of $454,071.
  - Both levels of reduction were deemed insufficient to provide adequate savings.

### Implementation Requirements, Costs, and Operational Impacts

There are no implementation requirements or costs associated with this proposal; however, the money saved through the dues reduction would be reallocated to support the continuing provision of direct services to the courts in areas such as labor negotiations.