



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: July 22, 2011

Title	Agenda Item Type
Trial Court Budget: Allocations for Fiscal Year 2011–2012	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
N/A	July 22, 2011
Recommended by	Date of Report
Trial Court Budget Working Group	July 20, 2011
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Executive Summary

In accordance with Government Code section 68502.5(c), the Judicial Council has the responsibility to allocate funding for the trial courts. The Trial Court Budget Working Group recommends the allocation of new funding and reductions contained in the Budget Act of 2011 (Stats. 2011, ch. 33) to the trial courts for fiscal year (FY) 2011–2012, as discussed in this report.

Recommendation

The Trial Court Budget Working Group (TCBWG) recommends that the Judicial Council:

1. Approve offsets and adjustments to trial court reductions in the amount of \$124.2 million. These offsets consist of funding transfers from the Immediate and Critical Needs Account, the State Court Facilities Construction Fund, Court Interpreter Program savings from FY

2009–2010, and savings from a one-year suspension of deployment activities related to the California Court Case Management System.

2. Allocate \$135.9 million in reductions to courts as displayed in column E of Attachment 3.
3. Allocate to trial courts the \$52.5 million appropriated in the Budget Act of 2011 for the full year impact of FY 2010–2011 cost changes in employee health benefits, retirement, and retiree health, based upon a straight pro–rata basis as indicated in column B of Attachment 4.
4. Reduce trial court base budgets as indicated in Attachment 5, reflecting court security funding that is being transferred to counties as part of the statewide court security realignment. Delegate authority to the Administrative Director of the Courts to make minor technical adjustments in the amounts reduced from court budgets, as appropriate, in order to accommodate adjustments to these reductions, if needed.

I. Allocation of Reductions and Related Offsets to Trial Court Funding

Recommendations 1 and 2: Funding Reductions and Related Offsets

1. Approve offsets and adjustments to trial court reductions in the amount of \$124.2 million. These offsets consist of funding transfers from the Immediate and Critical Needs Account, the State Court Facilities Construction Fund, Court Interpreter Program savings from FY 2009–2010, and savings from a one-year suspension of deployment activities related to the California Court Case Management System.
2. Allocate \$135.9 million in reductions to courts as displayed in column E of Attachment 3.

Previous council action

Attachment 1 to this report displays reductions and other actions taken by the Judicial Council at its October 2010 meeting to address FY 2010–2011 trial court funding reductions and the continuing impact of some of those reductions in FY 2011–2012.

Rationale for recommendations 1 and 2

General Fund Reductions to Trial Court Operations Funding Since FY 2008–2009

	Actual			Budget Act	Recommended
	FY 2008-2009	FY 2009-2010	FY 2010-2011	FY 2011-2012	FY 2011-2012
Reductions					
One-time reduction	-92,240,000	-100,000,000	-30,000,000	0	0
Baseline reduction		-260,809,000	-285,809,000	-285,809,000	-285,809,000
Share of \$350 million reduction				-328,574,000	-319,436,433
Total	-92,240,000	-360,809,000	-315,809,000	-614,383,000	-605,245,433

In FY 2009–2010, the Budget Act of 2009 included a \$360.8 million reduction to trial court funding (\$100 million was on a one-time basis), as well as a total of \$153 million in reduction offsets, including \$130 million in transfers from other funds, \$18 million in new revenues, and \$5 million from savings related to voluntary judicial salary waivers. In FY 2010–2011, the budget included an additional \$25 million ongoing reduction, for a cumulative ongoing reduction of \$285.8 million, and a \$30 million one-time reduction. As in the previous fiscal year, the FY 2010–2011 budget included reduction offsets: \$130 million in fund transfers and cost savings and \$45.4 million in new revenues.

Budget Act of 2011

\$350 Million Reduction

The Budget Act of 2011 included \$350 million in new funding reductions to the judicial branch. The Legislature scheduled \$200 million of the \$350 million reduction on a pro-rata basis throughout the branch based on operations funding, and scheduled \$150 million directly against trial court funding, while providing the council broad authority to redirect savings and funding in other areas of the judicial branch budget to mitigate the impact of these cuts. If, as recommended in the branchwide allocation reduction report presented earlier at this meeting, the council allocates \$319.4 million of the \$350 million reduction to trial court funding, the total ongoing reduction in trial court funding since FY 2009–2010 will be \$605.2 million: \$285.8 million in prior-year ongoing reductions plus \$319.4 million of new ongoing cuts.

Offset Funding Transfers and Reallocations

The Budget Act of 2011 provides \$180 million in reduction offsets for trial court funding, consisting of (1) transfers of \$130 million from the Immediate and Critical Needs Account (ICNA) and/or State Court Facility Construction Fund (SCFCF) as determined by the council, \$10 million each from ICNA and SCFCF related to reductions in facility modification costs, and \$20 million from the Judicial Administration Efficiency and Modernization Fund (Modernization

Fund); and (2) \$10 million from funding planned for the California Court Case Management System (CCMS).

The Budget Act of 2011 also includes provisional language that authorizes the council to offset reductions and transfer funding to the Trial Court Trust Fund (TCTF) for trial court operations from (1) other TCTF appropriation items, (2) General Fund appropriations from other judicial branch entities, and/or (3) funds from ICNA, SCFCF, Trial Court Improvement Fund, and/or the Modernization Fund to offset the impact of the reductions to funding for trial court operations. An additional \$124.2 million in reduction offsets to trial court funding have been identified. These include additional funds transfers from the SCFCF (\$25 million) and ICNA (\$38 million), prior-year savings in the Court Interpreters Program (\$4.8 million), and additional savings related to a one-year suspension of the deployment of CCMS (\$56.4 million).

The Trial Court Budget Working Group was presented with two options for additional savings from CCMS in FY 2011–2012: a six-month pause in deployment activities or a one-year suspension. The project leadership indicated that the six-month pause would be the least disruptive option to the project. Under this approach, early adopter deployment would not be completed until FY 2013–2014, but both early adopter courts would remain engaged in the process. Staff anticipate that local justice partners will accept the delay and that the extra time may actually be helpful, given the impact budget reductions will have on county staff. This option avoids the loss of key staff and vendor/contractors, as there will be some level of activity during the pause. This option would provide \$18.3 million in savings in the current fiscal year that could be allocated to offset trial court reductions.

The alternative would extend the deployment delay by an additional six months, for a total suspension of one year, and curtail to the greatest extent possible all application maintenance activities. This approach would also require a reorganization of Administrative Office of the Courts (AOC) staff working on the project and cancellation of vendor and consultant contracts. A limited knowledge-transfer contract would be executed with Deloitte to transfer CCMS application knowledge to internal branch technical resources. After thoroughly discussing the options and ramifications, the TCBWG opts to recommend the second option, a one-year suspension, which would result in one-time savings of \$56.4 million in FY 2011–2012. This \$56.4 million in CCMS savings is included as one component of the offsets included in recommendation 1.

Attachment 2 displays an analysis of the three-year impact of the CCMS deployment deferral options described above. For each of the fiscal years 2011–2012, 2012–2013, and 2013–2014, the “Baseline” column shows the funding needed if there is no additional deferral of deployment activities in FY 2011–2012. The second column displays the funding needed if there is a six-month pause in these activities. The third column shows the savings or increase based on a six-month pause. The fourth and fifth columns display similar information if a one-year suspension in deployment activities is implemented. Finally, the total three-year impact of the deferral options is displayed.

Recommendation 1 suspends for FY 2011–2012 the Judicial Council policy of reserving savings from the Court Interpreters Program for future use for reimbursable costs by that program. This change of policy is recommended because the available savings from FY 2009–2010 can be used to relieve some of the impact of the reduction for all courts. While final FY 2010–2011 reimbursable court interpreter expenditures will likely not be known until September or October, it is projected that there will be sufficient FY 2010–2011 program funds available to address these costs.

Net Operations Reduction

As displayed in Attachment 1, with a relative share of \$319.4 million of the \$350 million reduction allocated to trial court funding, the ongoing overall reduction to trial court funding since FY 2009–2010 is \$605.2 million. With potential offsets and adjustments, the incremental adjustment to courts in FY 2011–2012 would be \$135.9 million. This amount is computed by adjusting the \$605.2 million cumulative reduction by:

- \$35 million in one-time fund transfers from the SCFCF;
- \$95 million in one-time fund transfers from ICNA;
- \$20 million in savings from reduced facility modifications expenses in SCFCF and ICNA;
- \$20 million in one-time fund transfers from the Modernization Fund;
- \$10 million in savings from a six-month pause of deploying CCMS V4 to early adopter courts;
- \$38 million in one-time fund transfers from ICNA;
- \$25 million in one-time fund transfers from SCFCF;
- \$4.8 million in court interpreter savings from FY 2009–2010;
- \$56.4 million in savings from a one-year suspension in the deployment of CCMS V4 to early adopter courts;
- \$70.6 million in revenues that, excluding \$6.5 million, will expire in FY 2013–2014;
- \$5.2 million in ongoing reductions to various grant and local assistance programs (e.g., family law information centers, equal access, etc.);
- \$17.0 million in ongoing reductions to security funding; and
- An increase of \$3.5 million to fund the projected shortfall in the court-appointed dependency counsel program as approved by the council in October 2010.

The incremental reduction of \$135.9 million in FY 2011–2012 is computed by taking the difference between the cumulative \$211.7 million net operations reduction through FY 2011–2012 and the \$75.8 million net operations reduction allocated in FY 2010–2011. The \$135.9 million adjustment represents the funding change from FY 2010–2011 to FY 2011–2012.

Alternatives considered and policy implications

Use of \$3.0 million in FY 2009–2010 court interpreter program savings. An alternative to using the entire \$4.8 million in FY 2009–2010 Court Interpreter Program savings to apply towards the reduction to trial court funding is to instead use only \$3.0 million of the savings as an offset to the reduction and retain \$1.8 million in reserves in the event that FY 2010–2011 reimbursable interpreter expenditures exceed the \$92.8 million base budget for the program. This is an alternative being provided by the AOC and was not considered by the TCBWG at its July 15, 2011 meeting. While the AOC believes that full-year reimbursable expenditures in FY 2010–2011 will not exceed the base budget, the final amount will not be known until fall, and could possibly exceed \$92.8 million. Under this alternative, once the final amount is known and if it does not exceed the base level, the \$1.8 million could either remain in reserves for the Court Interpreter Program for future need or be applied as an additional offset to the FY 2011–2012 court reduction. Adopting this alternative of using only \$3.0 million at this time would result in the total offset decreasing by \$1.8 million from \$124.2 million to \$122.4 million and, correspondingly, the amount of the reduction to the trial courts increasing by \$1.8 million from \$135.9 million to \$137.7 million.

In addition to the CCMS options of a six-month pause or 1-year suspension discussed above, other alternatives were discussed with the TCBWG related to allocation of the court reductions, as indicated below.

Option 1 – Pro-rata (Attachment 3). This option would allocate the \$135.9 million reduction to each court based on each court’s share of the total statewide TCTF base allocation excluding base funding for sheriff costs.

Option 2 – Pro-rata with adjustment based on the Resource Allocation Study Funding Analysis (Attachment 3). This option would adjust the pro-rata allocation in Option 1 for courts identified as highly “under-resourced” relative to other courts based on the Resource Allocation Study (RAS) funding analysis.

Based on weighted filings data from FY 2007–2008 to FY 2009–2010, according to the RAS methodology the number of full-time equivalents (FTEs) needed statewide in the trial courts is 22,027—an increase of 218, or 1 percent above the amount computed when using data from FY 2006–2007 to FY 2008–2009. When each court’s updated RAS FTEs are converted into the estimated funding need to support the RAS-related FTEs (e.g., excluding interpreters and court security), including compensation and operating expenses and equipment, the current result of the RAS funding analysis computation is that 5 courts are 30 percent or more under-resourced relative to other courts and 15 courts are 25 percent or more under-resourced. (It should be noted that (1) FY 2010–2011 Schedule 7A compensation data are used for two courts and (2) the adjusted personal services and contracts costs are based on FY 2009–2010 data, as the ending FY 2010–2011 data will not be available until the end of July or later.)

Consistent with prior recommendations for funding courts that are identified as “severely” under-resourced, one approach would be to provide courts that are 30 percent or more under-resourced with funding that would bring them down to the 30 percent under-resourced level. As indicated in columns G and H of Attachment 3, this approach would provide 5 courts with \$3.1 million in additional ongoing funding, while the other 53 courts would have their funding reduced on an ongoing pro-rata basis by \$3.1 million.

The SB 56 Working Group and Office of Court Research staff are developing a new workload model using updated time series data and formulas. Given the comprehensiveness of that effort, at this time it is recommended that no special adjustment be made for courts that are identified as being under-resourced relative to other courts.

Option 3 – Pro-rata with one-time adjustment for courts with minimal reserves. This option would adjust the pro-rata allocation in Option 1 for courts with minimal FY 2010–2011 ending reserves on a one-time basis. Because courts will not close their financial books for FY 2010–2011 until the end of July 2011, courts with minimal reserves cannot be identified for this Judicial Council meeting. However, to the extent that this option is adopted, first-year pro-rata allocations would be adjusted.

Implementation requirements, costs, and operational impacts

Courts will experience an increased reduction in funding in FY 2011–2012 over that of FY 2010–2011. Each court will be responsible for making changes to its operations as necessary to accommodate this decreased level of funding. These adjustments may include a wide variety of actions, such as discontinuation of services, reduced hours of operation, furloughs or layoffs of staff, and courtroom or court closures. Such actions may result in impacts including a court’s being unable to meet statutory time standards with regard to case processing and the issuance of orders, reduction of services to the public, longer waits at public counters, and lengthy delays or even suspension of civil trials.

II. Other Budget Recommendations

Recommendation 3: Trial Court Employee Health Benefits, Retirement, and Retiree Health

3. Allocate to trial courts the \$52.5 million appropriated in the Budget Act of 2011 for the full year impact of FY 2010–2011 cost changes in employee health benefits, retirement, and retiree health, based upon a straight pro-rata basis as indicated in column B of Attachment 4.

Previous council action

At its meeting on June 24, 2011, the Judicial Council approved the allocation of \$17.9 million contained in the Budget Act of 2010 (Stats. 2010, ch. 712) related to funding cost changes in FY 2010–2011 for trial court employee health benefits, retirement, and retiree health. The \$17.9 million allocation addressed the impact of the cost changes to the courts in FY 2010–2011, many of which were for partial-year changes. The current recommendation involves the allocation of

\$52.5 million in General Fund monies in the Budget Act of 2011 to address the *full-year* impact of these same cost changes in FY 2011–2012.

Rationale for recommendation 3

The AOC surveyed trial courts in the spring and fall of 2010 regarding the change in premiums and employer-paid costs in FY 2010–2011 in the areas of employee health (medical, dental, vision, and cafeteria/flexible benefits), retirement, and retiree health. Some courts continued to update their cost change surveys into the winter. The final information received from the courts indicated that the cost changes were actually \$52.9 million. The \$52.5 million in available funding represents 99.3 percent of the estimated costs. The recommended methodology for allocating these funds is the same as was approved by the Judicial Council to allocate the \$17.9 million—a pro-rata allocation to all courts that have cost changes.

Alternatives considered and policy implications

No alternatives were presented for this item because of the recent action of the Judicial Council approving a pro-rata allocation of the \$17.9 million to the courts to address the FY 2010–2011 impact of these cost changes.

Implementation requirements, costs, and operational impacts

There are no implementation requirements, costs, or operational impacts for this item. If the recommendation is approved, the funding will be allocated to the courts as part of their monthly distribution.

Recommendation 4: Reduction of Sheriff Security Funding From Trial Courts in Accordance With the Criminal Justice Realignment Act

4. Reduce trial court base budgets as indicated in Attachment 5, reflecting court security funding that is being transferred to counties as part of the statewide court security realignment. Delegate authority to the Administrative Director of the Courts to make minor technical adjustments in the amounts reduced from court budgets, as appropriate, in order to accommodate adjustments to these reductions, if needed.

Rationale for recommendation 4

Two recently enacted legislative measures, part of the 2011 Criminal Justice Realignment Act, will impact trial court security funding. Assembly Bill 118 (Stats. 2011, ch. 40) created a Local Revenue Fund 2011 in the state treasury and, among other accounts, a Trial Court Security Account within Local Revenue Fund 2011. The bill requires each county treasurer to create a County Local Revenue Fund 2011 for the county or city and county and to also create a Trial Court Security Account within that account. The legislation adds Government Code section 30029, which provides that funds allocated to the Trial Court Security Account from the County Local Revenue Fund 2011 are to be allocated to the Trial Court Security Account, based on an allocation provided by the state Director of Finance, and that the monies are to be used exclusively to fund trial court security provided by sheriffs and may not be used to pay for general county administrative costs.

Assembly Bill 121 (Stats. 2011, ch. 41) requires the state Director of Finance to allocate a reduction in items 0250-101-0932 and 0250-111-0001 from the TCTF to reflect funds used from the Trial Court Security Account in the Local Revenue Fund 2011. In accordance with that requirement, the Department of Finance is preparing an executive order to authorize the State Controller to reduce the TCTF appropriation by \$496.4 million. This amount represents \$484.6 million in sheriff security funding currently provided to the courts for existing sheriff services, \$10.7 million in new funding to address sheriff security cost increases in FY 2011–2012 (based on a 2.2 percent cost-of-living adjustment), and \$1.1 million in new funding for security costs related to implementation of the new role the courts will have with respect to revocation proceedings for persons under community supervised parole (2011 Criminal Justice Realignment Act).

As a result of this legislation, funding included in court base budgets for sheriff-provided security will be reduced in the total amount of \$484.6 million, as indicated in Attachment 5. The funding based on the cost-of-living adjustment (\$10.7 million) and for revocation proceedings (\$1.1 million) has not been allocated to the courts and so will be reduced from the appropriation item but not from the courts' base budgets.

Alternatives considered and policy implications

No alternatives were considered, as this reduction in funding is required by the legislation.

Implementation requirements, costs, and operational impacts

If this recommendation is approved, the funding will be reduced from the courts' base budgets and provided to the counties. Sheriffs will no longer bill the courts for the cost of normal court security services, as they will be reimbursed directly by the counties. There may be a need to make minor adjustments, as possible, to some courts' base budgets where the sheriff funding amount includes funding for court employee security (court attendants) or court-paid private entrance screening security.

Comments From Interested Parties

The TCBWG and representatives of appellate court leaders met on July 13, 2011, to review and discuss these reduction and funding issues. The Superior Court of California, County of San Joaquin sent a letter to the Chief Justice, Chief Financial Officer of the Administrative Office of the Courts, and members of the Trial Court Budget Working Group seeking a permanent augmentation to its budget. A copy of the letter is included in this report as Attachment 6.

Attachments

1. Attachment 1: Trial Court Funding Reduction Analysis for FY 2011–2012, at page 11.
2. Attachment 2: CCMS Deployment Deferral Options Analysis, at page 12.
3. Attachment 3: Allocation of Ongoing Reduction, at pages 13–14.
4. Attachment 4: FY 2011–2012 Baseline Allocation for Health and Retirement Benefit Cost Changes, at page 15.

5. Attachment 5: Sheriff Security Funding to Be Reduced from Trial Court Baselines, at page 16.
6. Attachment 6: Letter from Superior Court of California, County of San Joaquin, dated July 11, 2011, at pages 17–19.

Trial Court Funding Reduction Analysis for FY 2011-2012

	2010-2011		2011-2012		2012-2013		2013-2014	
I. Base Reductions								
Baseline Reduction - FY 2009-10	-92,240,000		-92,240,000		-92,240,000		-92,240,000	
Baseline Reduction - FY 2009-10	-168,569,000		-168,569,000		-168,569,000		-168,569,000	
New Ongoing Reduction - FY 2010-11	-25,000,000		-25,000,000		-25,000,000		-25,000,000	
One-Time Reduction - FY 2010-11	-30,000,000							
Ongoing Reduction - FY 2011-12			-175,174,607		-175,174,607		-175,174,607	
Add'l Ongoing Reduction - FY 2011-12			-144,261,826		-131,380,956		-131,380,956	
	-315,809,000	-315,809,000	-605,245,433	-605,245,433	-592,364,563	-592,364,563	-592,364,563	-592,364,563
II a. Funding Transfers FY 2010-2011								
Special Funds (TCTF, TCIF, or Modernization)	31,600,000							
State Court Facilities Const. Fund (SCFCF)	25,000,000							
Immediate and Critical Needs Account (ICNA)	73,400,000							
TCTF - Revenue and Expenditure Adjustments	30,000,000							
	160,000,000	160,000,000						
II b. Funding Transfers FY 2011-2012								
SCFCF			35,000,000					
ICNA			95,000,000					
Facilities Modifications Funding (SCFCF)			10,000,000					
Facilities Modifications Funding (ICNA)			10,000,000					
Modernization Fund			20,000,000					
CCMS Deployment - Reduction to Planned Expenditures			10,000,000					
			180,000,000	180,000,000				
II c. Additional Branch Transfers FY 2011-2012								
SCFCF			25,000,000					
ICNA			38,000,000					
CCMS Deployment - One-Year Pause			56,400,000					
Court Interpreter Reserves from FY 2009-10			4,839,000					
			124,239,000	124,239,000				
III. New Revenues in the 2009 Budget Act								
\$5 First Paper Filing Fee	6,500,000		6,500,000		6,500,000		6,500,000	
\$10 Post Judgment/Misc Fees (thru FY 2010-11)	8,400,000							
	14,900,000	14,900,000	6,500,000	6,500,000	6,500,000	6,500,000	6,500,000	6,500,000
IV. New Revenues in the 2010 Budget Act								
Summary Judgment	4,377,500		6,180,000		6,180,000			
Telephonic Hearing	4,271,250		6,030,000		6,030,000			
First Paper Filing	28,404,167		40,100,000		40,100,000			
Pro Hac Vice	531,250		750,000		750,000			
Parking Citation	7,805,833		11,020,000		11,020,000			
Funding from TCTF for Partial-Year Receipts	6,000,000							
	51,390,000	51,390,000	64,080,000	64,080,000	64,080,000	64,080,000		
Total Reduction		-89,519,000		-230,426,433		-521,784,563		-585,864,563
V. Reduction Adjustments								
Add: Share of Reduction - Other Programs		3,713,000		5,190,444		9,437,311		9,560,003
Add: Security Share of Reduction		17,049,000		17,049,000		17,049,000		17,049,000
Reduction to Court Allocations		-68,757,000		-208,186,989		-495,298,252		-559,255,560
Less: Court Appointed Counsel Ongoing Shortfall (50% One-Time in FY 2010-11)		-7,075,000		-3,537,500				
Cumulative Allocation Reduction		-75,832,000		-211,724,489		-495,298,252		-559,255,560
Less: Prior Year Allocated Reduction		-190,126,592		-75,832,000		-211,724,489		-495,298,252
Trial Court Operations Funding Adjustments		114,294,592		-135,892,489		-283,573,763		-63,957,309

CCMS Deployment Deferral Options Analysis

FY 2011-2012

Project and Program Description	Baseline	TCBWG Recommendation (1 year pause)	(Savings)/ Increase Baseline to 1 Year Pause	Alternative (6 month Pause)	(Savings)/ Increase Baseline to 6 Month Pause
Maintenance & Operations:					
Criminal & Traffic (V2) Case Management System	\$ 6,554,168	\$ 6,554,167	\$ (1)	\$ 6,554,167	\$ (1)
Civil, Mental Health, Small Claims, & Probate (V3) Case Management System	\$ 13,787,927	\$ 13,787,927	\$ -	\$ 13,787,927	\$ -
CCMS V4 Operations	\$ 38,844,735	\$ 8,867,447	\$ (29,977,288)	\$ 38,844,735	\$ -
Subtotal, Maintenance & Operations	\$ 59,186,830	\$ 29,209,541	\$ (29,977,289)	\$ 59,186,829	\$ (1)
Projects:					
CCMS V4 Development	\$ 4,629,848	\$ 3,399,687	\$ (1,230,161)	\$ 4,629,848	\$ -
California Court Case Management System (CCMS) V4 Deployment	\$ 25,118,311	\$ 2,316,306	\$ (22,802,005)	\$ 8,027,712	\$ (17,090,599)
CCMS Document Management System (DMS) Development and Deployment	\$ 2,381,834	\$ -	\$ (2,381,834)	\$ 1,190,917	\$ (1,190,917)
Subtotal, Projects	\$ 32,129,993	\$ 5,715,993	\$ (26,414,000)	\$ 13,848,477	\$ (18,281,516)
Total	\$ 91,316,823	\$ 34,925,534	\$ (56,391,289)	\$ 73,035,306	\$ (18,281,517)

FY 2012-2013

Project and Program Description	Baseline	TCBWG Recommendation (1 year pause)	(Savings)/ Increase Baseline to 1 Year Pause	Alternative (6 month Pause)	(Savings)/ Increase Baseline to 6 Month Pause
Maintenance & Operations:					
Criminal & Traffic (V2) Case Management System	\$ 6,902,184	\$ 6,902,184	\$ -	\$ 6,902,184	\$ -
Civil, Mental Health, Small Claims, & Probate (V3) Case Management System	\$ 12,562,497	\$ 12,562,497	\$ -	\$ 12,562,497	\$ -
CCMS V4 Operations	\$ 44,456,420	\$ 41,641,824	\$ (2,814,596)	\$ 42,719,174	\$ (1,737,246)
Subtotal, Maintenance & Operations	\$ 63,921,101	\$ 61,106,505	\$ (2,814,596)	\$ 62,183,855	\$ (1,737,246)
Projects:					
CCMS V4 Development	\$ -	\$ -	\$ -	\$ -	\$ -
California Court Case Management System (CCMS) V4 Deployment	\$ 25,916,737	\$ 13,380,412	\$ (12,536,325)	\$ 15,026,092	\$ (10,890,645)
CCMS Document Management System (DMS) Development and Deployment	\$ 2,889,606	\$ -	\$ (2,889,606)	\$ 2,889,606	\$ -
Subtotal, Projects	\$ 28,806,343	\$ 13,380,412	\$ (15,425,931)	\$ 17,915,698	\$ (10,890,645)
Total	\$ 92,727,444	\$ 74,486,917	\$ (18,240,527)	\$ 80,099,553	\$ (12,627,891)

FY 2013-2014

Project and Program Description	Baseline	TCBWG Recommendation (1 year pause)	(Savings)/ Increase Baseline to 1 Year Pause	Alternative (6 month Pause)	(Savings)/ Increase Baseline to 6 Month Pause
Maintenance & Operations:					
Criminal & Traffic (V2) Case Management System	\$ 7,229,492	\$ 7,229,492	\$ -	\$ 7,229,492	\$ -
Civil, Mental Health, Small Claims, & Probate (V3) Case Management System	\$ 12,871,863	\$ 12,871,863	\$ -	\$ 12,871,863	\$ -
CCMS V4 Operations	\$ 50,421,236	\$ 45,150,120	\$ (5,271,116)	\$ 47,943,516	\$ (2,477,720)
Subtotal, Maintenance & Operations	\$ 70,522,591	\$ 65,251,475	\$ (5,271,116)	\$ 68,044,871	\$ (2,477,720)
Projects:					
CCMS V4 Development	\$ -	\$ -	\$ -	\$ -	\$ -
California Court Case Management System (CCMS) V4 Deployment	\$ 9,304,309	\$ 38,134,726	\$ 28,830,417	\$ 13,192,575	\$ 3,888,266
CCMS Document Management System (DMS) Development and Deployment	\$ 1,748,700	\$ 2,310,584	\$ 561,884	\$ 1,791,000	\$ 42,300
Subtotal, Projects	\$ 11,053,009	\$ 40,445,310	\$ 29,392,301	\$ 14,983,575	\$ 3,930,566
Total	\$ 81,575,600	\$ 105,696,785	\$ 24,121,185	\$ 83,028,446	\$ 1,452,846

Three Year Total

Project and Program Description	Baseline	TCBWG Recommendation (1 year pause)	(Savings)/ Increase Baseline to 1 Year Pause	Alternative (6 month Pause)	(Savings)/ Increase Baseline to 6 Month Pause
Maintenance & Operations:					
Criminal & Traffic (V2) Case Management System	\$ 20,685,844	\$ 20,685,843	\$ (1)	\$ 20,685,843	\$ (1)
Civil, Mental Health, Small Claims, & Probate (V3) Case Management System	\$ 39,222,287	\$ 39,222,287	\$ -	\$ 39,222,287	\$ -
CCMS V4 Operations	\$ 133,722,391	\$ 95,659,391	\$ (38,063,000)	\$ 129,507,425	\$ (4,214,966)
Subtotal, Maintenance & Operations	\$ 193,630,522	\$ 155,567,521	\$ (38,063,001)	\$ 189,415,555	\$ (4,214,967)
Projects:					
CCMS V4 Development	\$ 4,629,848	\$ 3,399,687	\$ (1,230,161)	\$ 4,629,848	\$ -
California Court Case Management System (CCMS) V4 Deployment	\$ 60,339,357	\$ 53,831,444	\$ (6,507,913)	\$ 36,246,379	\$ (24,092,978)
CCMS Document Management System (DMS) Development and Deployment	\$ 7,020,140	\$ 2,310,584	\$ (4,709,556)	\$ 5,871,523	\$ (1,148,617)
Subtotal, Projects	\$ 71,989,345	\$ 59,541,715	\$ (12,447,630)	\$ 46,747,750	\$ (25,241,595)
Total	\$ 265,619,867	\$ 215,109,236	\$ (50,510,631)	\$ 236,163,305	\$ (29,456,562)

Allocation of Ongoing Reduction

Court	FY 2010-2011 TCTF Ending Base Allocation ¹	FY 2010-2011 TCTF Sheriff Security Allocation	FY 2011-2012 TCTF Beginning Base Without Sheriff Security Allocation	Court Adjusted Base as % of Statewide Base	Option 1 - Pro- Rata Only	Option 2 - Pro-Rata with Adjustment for Severely Under- Resourced Courts			
					Ongoing Pro- Rata Share of \$135.892 Million Reduction ²	Ongoing Pro- Rata Share of \$135.892 Million Reduction	Ongoing Allocation for Courts Identified as 30% or More Under- Resourced	Ongoing Reduction to Fund Courts Identified as 30% or More Under- Resourced	Total
	A	B	C (A - B)	D	E (D X \$135.9 M)	F	G	H	I (F+G+H)
Alameda	110,948,280	21,371,837	89,576,442	4.94%	(6,711,373)	(6,711,373)	-	(155,405)	(6,866,778)
Alpine	637,950	11,855	626,096	0.03%	(46,909)	(46,909)	-	(1,086)	(47,995)
Amador	3,096,452	553,946	2,542,507	0.14%	(190,493)	(190,493)	-	(4,411)	(194,904)
Butte	11,553,968	1,845,015	9,708,953	0.54%	(727,428)	(727,428)	-	(16,844)	(744,272)
Calaveras	2,656,412	345,039	2,311,373	0.13%	(173,176)	(173,176)	-	(4,010)	(177,186)
Colusa	1,812,568	143,628	1,668,940	0.09%	(125,043)	(125,043)	2,492	-	(122,551)
Contra Costa	53,852,354	13,290,301	40,562,053	2.24%	(3,039,048)	(3,039,048)	-	(70,371)	(3,109,418)
Del Norte	3,057,149	320,913	2,736,236	0.15%	(205,008)	(205,008)	-	(4,747)	(209,755)
El Dorado	9,366,330	2,373,453	6,992,877	0.39%	(523,930)	(523,930)	-	(12,132)	(536,062)
Fresno	54,246,791	14,465,261	39,781,530	2.19%	(2,980,568)	(2,980,568)	-	(69,017)	(3,049,585)
Glenn	2,592,338	460,378	2,131,960	0.12%	(159,734)	(159,734)	157,235	-	(2,499)
Humboldt	7,539,280	1,095,459	6,443,821	0.36%	(482,793)	(482,793)	-	(11,179)	(493,972)
Imperial	9,336,407	1,186,979	8,149,428	0.45%	(610,583)	(610,583)	-	(14,138)	(624,721)
Inyo	2,435,094	357,129	2,077,965	0.11%	(155,688)	(155,688)	-	(3,605)	(159,293)
Kern	42,506,333	9,630,924	32,875,409	1.81%	(2,463,138)	(2,463,138)	-	(57,035)	(2,520,173)
Kings	7,525,123	921,827	6,603,296	0.36%	(494,741)	(494,741)	-	(11,456)	(506,197)
Lake	4,425,776	489,016	3,936,760	0.22%	(294,955)	(294,955)	-	(6,830)	(301,785)
Lassen	2,863,071	157,673	2,705,398	0.15%	(202,698)	(202,698)	-	(4,694)	(207,391)
Los Angeles	657,327,856	144,445,154	512,882,702	28.28%	(38,426,924)	(38,426,924)	-	(889,794)	(39,316,718)
Madera	8,377,833	1,268,086	7,109,747	0.39%	(532,687)	(532,687)	-	(12,335)	(545,021)
Marin	19,240,307	2,962,739	16,277,568	0.90%	(1,219,571)	(1,219,571)	-	(28,240)	(1,247,811)
Mariposa	1,352,297	195,360	1,156,937	0.06%	(86,682)	(86,682)	-	(2,007)	(88,689)
Mendocino	6,543,520	1,311,805	5,231,715	0.29%	(391,978)	(391,978)	-	(9,076)	(401,054)
Merced	13,444,279	2,777,152	10,667,127	0.59%	(799,218)	(799,218)	-	(18,506)	(817,724)
Modoc	1,261,274	102,583	1,158,691	0.06%	(86,813)	(86,813)	-	(2,010)	(88,823)
Mono	1,902,151	464,710	1,437,441	0.08%	(107,698)	(107,698)	756	-	(106,942)
Monterey	20,837,554	3,704,426	17,133,129	0.94%	(1,283,673)	(1,283,673)	-	(29,724)	(1,313,397)
Napa	9,476,107	1,581,357	7,894,749	0.44%	(591,502)	(591,502)	-	(13,697)	(605,198)
Nevada	6,184,321	817,425	5,366,896	0.30%	(402,106)	(402,106)	-	(9,311)	(411,417)
Orange	191,646,305	41,850,703	149,795,601	8.26%	(11,223,198)	(11,223,198)	-	(259,879)	(11,483,077)
Placer	17,804,098	3,730,631	14,073,467	0.78%	(1,054,432)	(1,054,432)	-	(24,416)	(1,078,848)
Plumas	2,128,741	374,549	1,754,192	0.10%	(131,430)	(131,430)	-	(3,043)	(134,473)
Riverside	89,987,806	15,511,880	74,475,927	4.11%	(5,579,991)	(5,579,991)	-	(129,207)	(5,709,198)
Sacramento	100,949,561	24,836,021	76,113,540	4.20%	(5,702,686)	(5,702,686)	-	(132,049)	(5,834,735)
San Benito	3,455,277	376,684	3,078,593	0.17%	(230,659)	(230,659)	-	(5,341)	(236,000)
San Bernardino	106,533,280	25,300,874	81,232,405	4.48%	(6,086,209)	(6,086,209)	-	(140,929)	(6,227,138)
San Diego	185,064,666	32,729,466	152,335,201	8.40%	(11,413,474)	(11,413,474)	-	(264,285)	(11,677,758)
San Francisco	74,610,636	10,978,411	63,632,224	3.51%	(4,767,544)	(4,767,544)	-	(110,395)	(4,877,938)

Allocation of Ongoing Reduction

Court	FY 2010-2011 TCTF Ending Base Allocation ¹	FY 2010-2011 TCTF Sheriff Security Allocation	FY 2011-2012 TCTF Beginning Base Without Sheriff Security Allocation	Court Adjusted Base as % of Statewide Base	Option 1 - Pro- Rata Only	Option 2 - Pro-Rata with Adjustment for Severely Under- Resourced Courts			Total
					Ongoing Pro- Rata Share of \$135.892 Million Reduction ²	Ongoing Pro- Rata Share of \$135.892 Million Reduction	Ongoing Allocation for Courts Identified as 30% or More Under- Resourced	Ongoing Reduction to Fund Courts Identified as 30% or More Under- Resourced	
	A	B	C (A - B)	D	E (D X \$135.9 M)	F	G	H	I
San Joaquin	36,884,154	8,256,687	28,627,467	1.58%	(2,144,868)	(2,144,868)	2,782,817	-	637,950
San Luis Obispo	17,688,660	4,023,308	13,665,352	0.75%	(1,023,855)	(1,023,855)	-	(23,708)	(1,047,563)
San Mateo	46,588,066	10,008,470	36,579,596	2.02%	(2,740,668)	(2,740,668)	-	(63,462)	(2,804,130)
Santa Barbara	27,631,168	6,614,637	21,016,531	1.16%	(1,574,630)	(1,574,630)	-	(36,461)	(1,611,092)
Santa Clara	120,355,058	29,119,768	91,235,290	5.03%	(6,835,660)	(6,835,660)	-	(158,283)	(6,993,943)
Santa Cruz	15,345,063	2,925,616	12,419,447	0.68%	(930,507)	(930,507)	-	(21,546)	(952,054)
Shasta	9,396,763	-	9,396,763	0.52%	(704,038)	(704,038)	-	(16,302)	(720,340)
Sierra	687,882	26,597	661,285	0.04%	(49,546)	(49,546)	-	(1,147)	(50,693)
Siskiyou	4,629,202	617,893	4,011,309	0.22%	(300,541)	(300,541)	-	(6,959)	(307,500)
Solano	25,423,525	5,512,781	19,910,744	1.10%	(1,491,781)	(1,491,781)	-	(34,543)	(1,526,324)
Sonoma	29,815,961	6,960,954	22,855,007	1.26%	(1,712,375)	(1,712,375)	-	(39,651)	(1,752,026)
Stanislaus	21,950,583	4,499,015	17,451,568	0.96%	(1,307,531)	(1,307,531)	-	(30,277)	(1,337,808)
Sutter	4,872,256	536,093	4,336,163	0.24%	(324,880)	(324,880)	137,082	-	(187,798)
Tehama	4,030,011	550,131	3,479,880	0.19%	(260,725)	(260,725)	-	(6,037)	(266,762)
Trinity	1,125,025	-	1,125,025	0.06%	(84,291)	(84,291)	-	(1,952)	(86,242)
Tulare	21,226,598	5,531,040	15,695,558	0.87%	(1,175,965)	(1,175,965)	-	(27,230)	(1,203,195)
Tuolumne	4,252,133	999,178	3,252,954	0.18%	(243,722)	(243,722)	-	(5,644)	(249,366)
Ventura	41,871,772	10,909,354	30,962,418	1.71%	(2,319,810)	(2,319,810)	-	(53,716)	(2,373,526)
Yolo	11,459,233	2,659,916	8,799,317	0.49%	(659,275)	(659,275)	-	(15,266)	(674,541)
Yuba	4,553,677	522,324	4,031,352	0.22%	(302,043)	(302,043)	-	(6,994)	(309,037)
Total	2,298,366,333	484,614,415	1,813,751,918	100.00%	(135,892,489)	(135,892,489)	3,080,382	(3,080,382)	(135,892,489)

1. Includes \$96.3 million one-time funding allocated in FY 2010-2011 and excludes marshal security funding for two courts. These technical adjustments were made subsequent to the joint meeting of the TCBWG and representatives of appellate court leadership on July 13, 2011.

2. This reduction will be applied to the TCTF ending base allocation, with the \$96.3 million one-time funding allocated in FY 2010-2011 reflected as ongoing funding.

FY 2011-2012 Baseline Allocation for Health and Retirement Benefit Cost Changes

Court	Full-Year Cost Change in FY 2011-12 Based on Latest FY 2010-2011 Surveys	Pro-Rata Allocation of Full-Year Cost Change in FY 2011-12
	A	B
Alameda	2,356,811	2,340,062
Alpine	5,368	5,330
Amador	22,162	22,004
Butte	76,916	76,370
Calaveras	39,634	39,352
Colusa	1,721	1,708
Contra Costa	822,953	817,105
Del Norte	49,747	49,394
El Dorado	142,209	141,199
Fresno	1,801,754	1,788,949
Glenn	36,312	36,054
Humboldt	34,633	34,387
Imperial	77,555	77,004
Inyo	63,790	63,336
Kern	3,055,288	3,033,575
Kings	30,574	30,357
Lake	406	403
Lassen	673	668
Los Angeles	18,114,218	17,985,485
Madera	305,626	303,454
Marin	587,765	583,588
Mariposa	14,913	14,807
Mendocino	93,493	92,829
Merced	575,699	571,607
Modoc	35,512	35,260
Mono	52,069	51,699
Monterey	184,042	182,734
Napa	185,045	183,730
Nevada	212,834	211,322
Orange	4,740,437	4,706,748
Placer	359,536	356,981
Plumas	19,561	19,422
Riverside	432,802	429,726
Sacramento	2,743,274	2,723,779
San Benito	9,417	9,350
San Bernardino	1,002,723	995,597
San Diego	841,472	835,492
San Francisco	3,993,883	3,965,500
San Joaquin	813,169	807,390
San Luis Obispo	249,107	247,336
San Mateo	2,470,722	2,453,163
Santa Barbara	1,148,182	1,140,022
Santa Clara	1,810,282	1,797,417
Santa Cruz	115,387	114,567
Shasta	168,974	167,773
Sierra	3,308	3,285
Siskiyou	48,618	48,273
Solano	118,269	117,428
Sonoma	779,881	774,339
Stanislaus	1,166,805	1,158,513
Sutter	88,090	87,464
Tehama	63,491	63,040
Trinity	48,768	48,421
Tulare	(127,369)	(126,464)
Tuolumne	31,820	31,594
Ventura	592,748	588,536
Yolo	128,079	127,169
Yuba	67,652	67,171
Total	52,908,810	52,532,801

Sheriff Security Funding to Be Reduced from Trial Court TCTF Base Allocation

Court	Program 45.15 Sheriff Base Budget
Alameda	21,371,837
Alpine	11,855
Amador	553,946
Butte	1,845,015
Calaveras	345,039
Colusa	143,628
Contra Costa	13,290,301
Del Norte	320,913
El Dorado	2,373,453
Fresno	14,465,261
Glenn	460,378
Humboldt	1,095,459
Imperial	1,186,979
Inyo	357,129
Kern	9,630,924
Kings	921,827
Lake	489,016
Lassen	157,673
Los Angeles	144,445,154
Madera	1,268,086
Marin	2,962,739
Mariposa	195,360
Mendocino	1,311,805
Merced	2,777,152
Modoc	102,583
Mono	464,710
Monterey	3,704,426
Napa	1,581,357
Nevada	817,425
Orange	41,850,703
Placer	3,730,631
Plumas	374,549
Riverside	15,511,880
Sacramento	24,836,021
San Benito	376,684
San Bernardino	25,300,874
San Diego	32,729,466
San Francisco	10,978,411
San Joaquin	8,256,687
San Luis Obispo	4,023,308
San Mateo	10,008,470
Santa Barbara	6,614,637
Santa Clara	29,119,768
Santa Cruz	2,925,616
Shasta	-
Sierra	26,597
Siskiyou	617,893
Solano	5,512,781
Sonoma	6,960,954
Stanislaus	4,499,015
Sutter	536,093
Tehama	550,131
Trinity	-
Tulare	5,531,040
Tuolumne	999,178
Ventura	10,909,354
Yolo	2,659,916
Yuba	522,324
Total	484,614,415



**The Superior Court of California
County of San Joaquin**

*Hon. Robin Appel
Presiding Judge*

July 11, 2011

Hon. Tani Cantil-Sakauye, Chief Justice
and Chair of the Judicial Council
Members of the Judicial Council
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Sent via email

Stephen Nash, Chief Financial Officer
Zlatko Theodorovic, Chief Financial Officer
Members of the Trial Court Budget Working Group

Re: San Joaquin County Permanent Budget Augmentation

Dear Chief Justice Cantil-Sakauye, Judicial Council Members, Stephen Nash, Zlatko Theodorovic and Members of the Trial Court Budget Working Group:

San Joaquin County requests a permanent augmentation to its budget. As a result of the most recent budget cuts, without an augmentation it will be impossible for the citizens of San Joaquin County to have access to justice. We recognize that every court is struggling with the drastic cuts they must absorb. However, due to the history of underfunding in this county, court operations will be unsustainable with any further reductions. Year after year, we have steadfastly endeavored to provide service to our community despite our very limited resources. That is no longer possible. Using the RAS model, our court is now almost 44% underfunded. We have never been on a par with adequately funded courts and as the state budget has gotten worse, our particular situation has become more dire. **It is unconscionable that in some counties residents will have access to justice while in others residents will not have a place to go to address their grievances. Please understand that this letter is not posturing. It is an accurate assessment of the inevitable result of further reductions to the San Joaquin County courts. If our court is expected to function at 44% of actual needs, then why aren't all courts required to do so? Disparate treatment of courts is unconstitutional.**

Long before most counties thought of doing so, we instituted cost saving measures in order to live within the budget we were given. In 2003, we began a voluntary furlough program for the staff. On April 19, 2004, we replaced sheriff's deputies at weapons screening with less expensive private security guards. Also on April 19, 2004, we removed sheriff deputies from three civil courtrooms and replaced them with private security guards. In FY2003-2004, we removed court reporters from family law. Some courts, for example, still provide court reporters in every family law courtroom although they are not statutorily mandated. In September 2009, we removed court reporters from adoption proceedings. In FY2009-2010, we eliminated all travel for training unless it was required by statute or paid from a source other than the local court. In January 2010, one of our commissioners was appointed to a judgeship and we did not fill his position in order to save money even though we need many more judicial positions based on the October 14, 2010 Judicial Needs Study. Along with this, we reduced the days one of our

Tracy courtrooms operated from five days to one day each week. We have only four judicial secretaries and six research attorneys for 32 judicial officers although we desperately need more of each. We have never been able to afford an executive assistant for our CEO. We have reduced staff parking costs; reduced the number of expert psychological evaluations; renegotiated copier contracts; eliminated the fees paid to attorneys for the Alternative Dispute Resolution Arbitration Program; eliminated bottled water from the courtrooms; eliminated coffee for jurors and as minor as it may seem, have eliminated post-it notes because of the expense. We have had 24 mandatory furlough days for all court staff in the last two fiscal years. In FY2009-2010, our employees deferred a 3% COLA (that had been negotiated in 2007) to FY2010-2011.

San Joaquin County handles some of the most serious and complicated criminal cases in the state. Our trial courts are over-burdened and backed up with multi-defendant special circumstance cases. We do not anticipate that we will see a drop in complex cases as statistics recently released by the FBI show that Stockton has the second highest violent crime rate in California and the tenth highest crime rate in the United States. Data also shows that in California's most populous cities homicides in 2010 dropped 9.6 percent, and violent crime dropped 6.4 percent. In Stockton, however, homicides increased from 33 in 2009 to 49 in 2010, a 48 percent increase; violent crime increased by 8.9 percent overall. Currently in our court there are a total of 72 complex cases assigned to criminal trial judges: 13 violent crime cases; 7 non-violent crime cases; 21 homicide cases; 4 attempted homicide cases; and 27 special circumstance cases, which include 16 death penalty cases and 11 life without the possibility of parole cases.

Historically, our court has not had the luxury of having the kinds of staff levels and allocations other courts have had. For example, as previously mentioned, we have only six research attorneys. The standard complement is .4 full-time equivalent (FTE) attorneys per judicial officer. Using that measure, we should have 13.2 FTE attorneys. We have the highest ratio in our cluster in terms of filings per employee. Currently, the filings per employee ratio is 540. While some courts may be able to further reduce their staff, we already have a reduced staff. We currently have 349 allocated positions with only 309 positions filled. Our vacancy rate is currently 11 percent. Over the past two years, through attrition, we have reduced staff and have kept positions unfilled. We do not believe we would be able to function if we were required to make further cuts to staff, because we have been under resourced, understaffed and underfunded all these years. Unfortunately, we have already eliminated and made cuts to our budget and are unable to find more in our budget to eliminate.

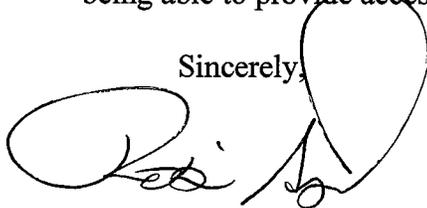
Without a significant budget augmentation in FY2011/2012, we will be taking the unprecedented step of eliminating entire case types thereby eliminating the public's constitutional right to access to the courts. We will be closing our Tracy branch court which services our south county population and the cities of Tracy, Mountain House, Manteca, Ripon, Escalon and Lathrop. We will be closing one of our two Lodi courtrooms. The only reason one of the Lodi courts is staying open is because we cannot handle all of the inmates in that court at our main branch in Stockton. Closing the Tracy branch and one of the Lodi courts is the one step we can take to reduce costs because of the security savings. Unfortunately, the effect on the community is that we will be unable to handle whole case types. The out-of-custody criminal matters from Tracy and Lodi will now be held in Stockton. They will replace small claims hearings, fish and game calendars, juror compliance calendars and possibly some civil matters. These matters will not be handled in this county. If we are forced to reduce staff further, we will be eliminating all of the civil calendars. Even our grant programs are at risk. Although the

Family Law Facilitator program and AB1058 commissioner are paid for through grant funding, the funds are actually received six to eight months after the expenses are incurred. We are no longer able to advance the funds to support the programs. Due to the extreme fiscal conservativeness of our budget practices, we had been able to maintain a small reserve from which we could pay for the child support commissioner and facilitator program. During FY2010-2011, a serious and credible threat to one of our judges required us to incur a large and unanticipated expense for additional security: 24 hour judicial protection. Although we requested deficiency funding to cover this expense, our request was denied because we had a reserve to cover the expense and once again through tremendous effort, our court expected to end FY2010-2011 with a small fund balance. We began the FY10/11 with a fund balance of \$3,706,888 and are ending the year with only a projected fund balance of \$1,149,807. We used \$565,482 of our reserves to pay for the necessary security. Now that that money is gone, we can no longer advance the expenses for the AB1058 child support commissioner and family law facilitator programs.

The funding inequities within the state courts are extreme and indefensible. A comparison to other courts in our cluster is shocking. Santa Mateo County has a population similar to ours and the same number of judicial officers. The FY2009-2010 felony filings in San Mateo County were only 3,001 compared to 5,808 in San Joaquin County. San Mateo County held 100 jury trials in that same fiscal year compared to 194 in San Joaquin County. San Mateo received \$43.5 million in FY2009-2010 compared to only \$36.7 million for San Joaquin. Yet with the same population and number of judicial officers, San Joaquin handles more cases and more serious criminal case types. Fresno County is larger with a population of 953,761. Their baseline budget was \$52.7 million. Their FY2009-2010 felony filings were 8,031. They held 223 jury trials. In FY 2009-2010 the Fresno County Superior Court had only 5% more filings than our court, but their base budget was 30% higher than our court and their filings per FTE was 23% lower than our court! This glaring disparity must be addressed.

Thank you for your careful consideration of San Joaquin County's precarious position in being able to provide access to justice for all case types to the residents of this county.

Sincerely,



Robin Appel
Presiding Judge



Rosa Junqueiro
Court Executive Officer

cc: William Vickrey, Administrative Director of the Courts
Ron Overholt, Chief Deputy Director
Jody Patel, Northern/Central Regional Administrative Director
Zlatko Theodorovic, Chief Financial Officer