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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: July 27, 2012

Title	Agenda Item Type
Trial Court Budget: Fiscal Year 2012–2013 Allocations	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None.	July 27, 2012
Recommended by	Date of Report
Trial Court Budget Working Group	July 27, 2012
Hon. David Rosenberg, Presiding Judge, Superior Court of Yolo County, and Co- Chair, Trial Court Budget Working Group	Contact
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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 allocations to trial courts for fiscal year 2012–2013, including those related to base funding for court operations, criminal justice realignment funding, a reduction of \$385 million required by the Budget Act of 2012, a reduction offset of up to \$58.988 million, and a holdback of \$27.8 million from trial courts' Trial Court Trust Fund allocations as required by Government Code section 68502.5(c)(2)(B).

Recommendations

The Trial Court Budget Working Group (TCBWG) recommends the following:

1. Allocate 2012–2013 beginning base operations funding by carrying forward courts' ending 2011–2012 Trial Court Trust Fund and General Fund base allocations for court operations and allocating new Trial Court Trust Fund funding for non-sheriff security costs.
2. Allocate on a one-time basis \$9.073 million for costs related to parole revocation hearings based on the formula used by the council for allocating funding in 2011–2012, and set aside \$150,000 that would be available to the council to allocate to address unforeseen and unfunded court expenditures.
3. On a preliminary basis allocate on a one-time basis to each trial court a proportionate share of a \$235 million statewide reduction based on each court's share of 2011–2012 total statewide fund balance as of July 26, 2012, and then, once all courts close their books for 2011–2012, make an adjustment based on final 2011–2012 total statewide fund balance.
4. Allocate on a one-time basis to each trial court a proportionate share of a \$150 million reduction based on each court's share of the 2011–2012 total statewide Trial Court Trust Fund base allocation.
5. Allocate on a one-time basis to each trial court a proportionate share of the required \$27.8 million (2%) holdback from courts' Trial Court Trust Fund allocation based on each court's share of the beginning 2012–2013 allocation for base operations excluding 2011–2012 allocations related to security.
6. Allocate to each trial court a proportionate share of an up to \$58.988 million reduction offset based on each court's share of the beginning 2012–2013 allocation for base operations excluding 2011–2012 allocations related to security, which would (a) include up to \$6.5 million in funding restricted by council policy for court interpreter costs and (b) assumes an \$103.725 million allocation for the court-appointed dependency counsel program.
7. Authorize AOC staff to request from the Department of Finance and Legislature additional expenditure authority for TCTF Program 45.10 based on additional resources for the purposes of offsetting courts' funding reduction.
8. Rescind the council policy that requires trial courts to use security allocations from the Trial Court Trust Fund only for security costs.

Attachment A, *Summary of Recommended Allocations*, provides a summary of all the recommended allocation amounts by court. Attachment J, *Trial Court Trust Fund – Summary Fund Condition Statement*, displays the projected 2012–2013 and 2013–2014 fiscal impact on the TCTF under the assumption that the council approves all the recommendations in this report.

Recommendation 1: Allocation of 2012–2013 Beginning Base Allocation

1. Allocate 2012–2013 beginning base operations funding by carrying forward courts’ ending 2011–2012 Trial Court Trust Fund and General Fund base allocations for court operations and allocating new Trial Court Trust Fund funding for non-sheriff security costs.

Rationale for recommendation 1

Trial courts’ 2011–2012 ending statewide base allocation for court operations was \$1.684 billion from the Trial Court Trust Fund and \$50.1 million from the General Fund (see columns A and B of Attachment A).

The Budget Act of 2012 included \$3.6 million in new funding that should be allocated, and thus added, to 20 courts’ TCTF base allocation. In 2011–2012, \$3.6 million in funding for non-sheriff security costs from 20 courts was incorrectly transferred to the sheriffs as part of criminal justice realignment. A Budget Change Proposal (BCP) was submitted to the Department of Finance to correct these errors. DOF approved the BCP, but, because it could not adjust the realignment funding level for sheriffs, instead of correcting the errors by reducing the funding level for 20 county sheriffs and moving the funding back to the TCTF the DOF provided a General Fund augmentation in the TCTF (see column C of Attachment A).

The recommended 2012–2013 total statewide beginning base allocation is \$1,738,081,611 (see column D of Attachment A).

Recommendation 2: Allocation of 2012–2013 Criminal Justice Realignment Funding

2. Allocate on a one-time basis \$9.073 million for costs related to parole revocation hearings based on the formula used by the council for allocating funding in 2011–2012, and set aside \$150,000 that would be available to the council to allocate to address unforeseen and unfunded court expenditures.

Rationale for recommendation 2

A total of \$9.2 million in ongoing funding has been provided to address trial court costs related to parole revocation hearings in 2012–2013. The recommendation is that this funding be allocated in the same manner as in 2011–2012. At its August 26, 2011 business meeting the Judicial Council approved allocating on a one-time basis \$17.69 million included in the Budget Act of 2011 according to the estimated number of revocation hearings in each trial court based on California Department of Corrections and Rehabilitation data. Of the \$17.69 million appropriated in the Budget Act of 2011, \$12.188 million was for one-time implementation costs.

Criminal justice realignment went into effect on October 1, 2011. In March 2012, the courts provided expenditure data relating to realignment activities as well as information on the number of revocation hearings held during the period October 1, 2011 through February 29, 2012. It was anticipated that this data could be used in allocating the 2012–2013 funding. However, for a variety of reasons, including the limited reporting period covered, the delay in some defendants becoming eligible for parole revocation hearings, and concern over the consistency and reliability of the information provided by the courts on which to base future allocations, the recommendation of the TCBWG is to use the same allocation methodology in 2012–2013 as used in 2011–2012. This will provide time for AOC staff and the TCBWG to develop appropriate standards and statistics that can be used for allocations in 2013–2014 and beyond.

Attachment B displays the allocation by court of \$9.073 million based on the recommended methodology from the total \$9.2 million of funding appropriated. A reserve of \$150,000 would be maintained in the TCTF that would be available for the council to allocate for unforeseen and unfunded court expenditures, including those for the three courts that would not receive any of the recommended initial allocation.

Recommendation 3: Allocation of \$235 Million Reduction

3. On a preliminary basis allocate to each trial court a proportionate share of a \$235 million statewide reduction based on each court’s share of 2011–2012 total statewide fund balance as of July 26, 2012, and then, once all courts close their books for 2011–2012, make an adjustment based on final 2011–2012 total statewide fund balance.

Rationale for recommendation 3

The Budget Act of 2012 requires the Judicial Council to allocate a \$385 million reduction to trial courts’ Trial Court Trust Fund (TCTF) allocation, of which no more than \$235 million of the reduction “shall be allocated to each trial court based on each court’s proportionate share of total statewide trial court reserves” and “no more than \$150 million shall be allocated to each trial court based on each court’s proportionate share of the 2011-12 fiscal year Trial Court Trust Fund allocation.”

The Budget Act language prescribing the allocation of the \$235 million reduction by court using “total statewide trial court reserves” appears to require some interpretation. First, unlike the language related to the allocation of the \$150 million reduction that specifies using FY 2011–2012 TCTF allocation, it does not specify or prescribe using reserves as of a specific date. Second, arguably, the meaning of “reserves” is not unambiguously clear, particularly its relationship to fund balance. For instance, are “reserves” equivalent to total fund balance or just certain portions of total fund balance (e.g., fund balance that is not statutorily restricted for a specific purpose)? Prior to the TCBWG meeting held on July 17, 2012, Department of Finance staff informed AOC staff that the intent of the Budget Act of 2012 is to require the council to allocate a \$235 million reduction based on each court’s share of the total statewide 2011–2012 ending fund balance, regardless of GASB 54 classification, fund type, or fund. They view the

entire fund balance as being “available” and do not make any distinction between restricted or unrestricted reserves because those are not “statutorily defined.” Nevertheless, they have requested that AOC staff provide a list of funds held by trial courts that are statutorily restricted (e.g., unspent children’s waiting room monies). Given that the request might have revealed openness on the part of the DOF to reconsider its opinion, the TCBWG passed a motion to recommend that the council reconsider the allocation formula that is being recommended if the DOF reconsidered its opinion on the definition of “reserves.” While realizing the DOF is not the final arbiter of interpreting the law, the TCBWG believes the most sensible approach is to rely on DOF’s opinion.

On July 18, 2012, the day after the TCBWG meeting, AOC staff asked DOF staff if their opinion was final or if they were open to further discussing why certain classifications of fund balance should be excluded from the computation of the \$235 million reduction. DOF staff indicated that their opinion was final and not subject to change.

A preliminary allocation in July 2012 is recommended for the following reasons. First, while fifty-seven trial courts are expected to close their books for 2011–2012 by July 30, 2012 one trial court will be unable to do so until the first week of September 2012 because of accounting transactions processed by its county. As such, a proportionate allocation based on final 2011–2012 total statewide fund balance cannot be computed until September. Second, for fiscal planning and other purposes, it will be helpful for courts to at least have an idea of what their reduction share will be. A preliminary allocation using fund balances as of July 26, 2012 will likely be fairly close to the final allocation using final fund balances based on closed books for 2011–2012. Third, Government Code (GC) section 68502.5 requires the council to set a preliminary allocation in July of each fiscal year. The statute was amended as a result of the enactment of SB 1021, the judicial branch related trailer bill, effective June 27, 2012, to include (c)(2)(A):

When setting the allocations for trial courts, the Judicial Council shall set a preliminary allocation in July of each fiscal year based on an estimate or an actual amount of available trial court resources in that fiscal year. In January of each fiscal year, after review of available trial court resources, the Judicial Council shall finalize allocations to trial courts.

The recommended preliminary allocation of the one-time \$235 million reduction based on 2011–2012 fund balances as of the end of July 26, 2012, which are not available as of the writing of this report, will be provided at the July 27, 2012 business meeting. Attachment C displays the allocation of the \$235 million using fund balances as of July 15, 2012.

Implementation Requirements, Costs, and Operational Impacts

The \$235 million reduction related to fund balance and the new statutory language in GC section 77203, which starting June 30, 2014 limits the ability of courts to carry over fund balance from one fiscal year to the next in an amount up to 1 percent of a court’s “operating budget” from the

prior fiscal year, puts in jeopardy a number of facility and other projects, including those related to Alameda, Inyo, and Santa Clara Superior Courts. Related to the DOF's opinion on the definition of reserves, AOC staff is seeking clarification from the DOF on the definition of "operating budget" and whether statutorily restricted funds would count towards the 1 percent cap.

Recommendation 4: Allocation of \$150 Million Reduction

4. Allocate on a one-time basis to each trial court a proportionate share of a \$150 million reduction based on each court's share of the 2011–2012 total statewide Trial Court Trust Fund base allocation.

Rationale for recommendation 4

The Budget Act of 2012 requires the Judicial Council to allocate a \$385 million reduction to trial courts' Trial Court Trust Fund (TCTF) allocation, of which no more than \$235 million of the reduction "shall be allocated to each trial court based on each court's proportionate share of total statewide trial court reserves" and "no more than \$150 million shall be allocated to each trial court based on each court's proportionate share of the 2011–12 fiscal year Trial Court Trust Fund allocation."

Unlike the language related to the allocation of the one-time \$235 million reduction to each trial court based on reserves, the language related to how the \$150 million reduction should be allocated to each trial court appears unambiguous and not subject to interpretation. Attachment D displays each court's proportionate share of the \$150 million reduction when computed using each court's share of the 2011–2012 TCTF ending base allocation.

Recommendation 5: Allocation of 2% Holdback (\$27.8 Million)

5. Allocate on a one-time basis to each trial court a proportionate share of the required \$27.8 million (2%) holdback from courts' Trial Court Trust Fund allocation based on each court's share of the beginning 2012–2013 allocation for base operations excluding 2011–2012 allocations related to security.

Rationale for recommendation 5

Although GC section 68502.5 prescribes unambiguously how the 2% set-aside or holdback is to be computed, it does not prescribe how each court's share should be computed. As such, the council has discretion in how to allocate each court's share of the holdback.

As a result of the enactment of SB 1021, the judicial branch related trailer bill, effective June 27, 2012, GC section 68502.5 was amended to add subsection (c)(2)(B):

Upon preliminary determination of the allocations to trial courts pursuant to subparagraph (A), the Judicial Council shall set aside 2 percent of the total funds appropriated in Program 45.10 of Item 0250-101-0932 of the annual Budget Act

and these funds shall remain in the Trial Court Trust Fund. These funds shall be administered by the Judicial Council and be allocated to trial courts for unforeseen emergencies, unanticipated expenses for existing programs, or unavoidable funding shortfalls. Unavoidable funding shortfall requests for up to 1.5 percent of these funds shall be submitted by the trial courts to the Judicial Council no later than October 1 of each year. The Judicial Council shall, by October 31 of each year, review and evaluate all requests submitted, select trial courts to receive funds, and notify those selected trial courts. By March 15 of each year, the Judicial Council shall distribute the remaining funds if there has been a request from a trial court for unforeseen emergencies or unanticipated expenses that has been reviewed, evaluated, and approved. Any unexpended funds shall be distributed to the trial courts on a prorated basis.

Based on the statutory formula, since in the Budget Act of 2012 the appropriation amount for Program 45.10 of Item 0250-101-0932 (which refers to the Judicial Branch's TCTF local assistance expenditure authority for trial court operations) is \$1,390,697,000, the required 2 percent holdback amount in 2012–2013 is \$27,813,940. The recommended method for allocating each court's one-time holdback amount is to compute each court's proportionate share based on the 2012–2013 beginning base allocation for court operations, as recommended in Recommendation 1, excluding 39 courts' 2011–2012 security allocations (see Attachment E). Recommendation 5, unlike all the other recommendations, was not endorsed either unanimously or near unanimously by the members of the TCBWG--seventeen members voted for it, seven against, and two abstained.

The main rationale for excluding security allocations from the holdback computation is that, if only for the purpose of computing the holdback amount, it would treat the 39 courts with non-sheriff security costs the same as the 19 courts where sheriffs provide 100 percent of court security and thus have zero security allocation in their 2012–2013 beginning base allocation. If the 2012–2013 beginning base allocation is used to compute the holdback amount for each trial court, 25 of the 39 courts with a security allocation would have a higher holdback amount, ranging from 0.2% to 36.8% higher, directly related to their security allocation, and the other 14 courts would have a lower holdback amount, ranging from 0.0% to 2.3% lower (see column H of Attachment E). The 25 courts with a higher holdback amount would face a situation where they would have to either holdback funding for their non-security operations costs, security costs, or a combination of both. The 19 courts whose security is provided solely by their sheriffs would be allocated a holdback amount that is higher by 2.4%, but none of it would need to be applied to their security costs, since they no longer pay for their sheriffs costs from their allocations.

During the discussion at the TCBWG meeting, some members indicated that as a matter of consistency it would be preferable to employ the same allocation methodology for all allocations, and that since the TCBWG recommended using the 2011–2012 TCTF ending base allocation to allocate the \$150 million reduction among courts, it should also recommend using that method for allocating the 2% holdback. One member indicated that he would have preferred using the

method recommended for allocating the 2% holdback to allocate the \$150 million reduction, but that it didn't appear to him to be a viable option given the prescriptive language in statute.

Recommendation 6: Allocation of a Up to \$58.988 Million Reduction Offset

6. Allocate to each trial court a proportionate share of an up to \$58.988 million reduction offset based on each court's share of the beginning 2012–2013 allocation for base operations excluding 2011–2012 allocations related to security, which would (a) include up to \$6.5 million in funding restricted by council policy for court interpreter costs and (b) assumes an \$103.725 million allocation for the court-appointed dependency counsel program.

Rationale for recommendation 6

Beyond the authority specifically provided in the Budget Act of 2012, the council has the authority to allocate additional reduction offsets that would lower the required \$385 million reduction to trial court allocations using available 2011–2012 fund balance in the TCTF and/or reducing TCTF Program 45.10-related allocations used for reimbursing specific court costs (e.g., jurors serving in criminal cases) without the approval of the Department of Finance and/or the Legislature. Because neither the Budget Act of 2012 nor current statute prescribe in any specific detail how the council should determine court allocations or allocate reduction offsets to each court, the council has broad discretion in how to allocate any reduction offset to each court. The TCBWG recommends that the council use the same methodology recommended for allocating the 2% holdback to each court: allocate a proportionate share of any offset based on each court's share of the beginning 2012–2013 allocation for base operations excluding 2011–2012 allocations related to security.

Intra-Branch Transfer Authority

Notwithstanding those authorized in the Budget Act of 2012, the council does not have the authority in 2012–2013 to transfer monies or to request the transfer of monies, subject to the approval of the Department of Finance and/or the Legislature, from other Judicial Branch appropriation items to the TCTF (e.g., transferring \$1 million from the Supreme Court General Fund appropriation to the TCTF Program 45.10, Support of Trial Court Operations, appropriation; or, beyond what is already authorized, transferring State Trial Court Improvement and Modernization Fund monies to the TCTF).

AB 1464, the budget bill for 2012–2013, was enacted on June 27, 2012 and contained the following provisional language related to providing the council the authority to request additional offsets to the \$385 million reduction to trial courts, subject to the approval of the Department of Finance and the Legislature:

Notwithstanding any other provision of law, during the 2012–13 fiscal year, the Judicial Council shall allocate \$385,000,000 of reductions in funding contained in Schedule (1) as follows: (a) no more than \$235,000,000 shall be allocated to each trial court based on each court's proportionate share of total statewide trial court reserves, and (b) no more than \$150,000,000 shall be allocated based on each trial

court's proportionate share of the 2011–12 fiscal year Trial Court Trust Fund allocation. Upon approval of the Director of Finance and no sooner than 30 days after notification in writing to the committees of each house of the Legislature that consider the State Budget, the Judicial Council may offset either of these reductions through transfers from any other item within the Judicial Branch's budget.

AB 1497, enacted on June 27, 2012, amended this provision of AB 1464 by adding the language underlined below:

Notwithstanding any other provision of law, during the 2012–13 fiscal year, the Judicial Council shall allocate \$385,000,000 of reductions in funding contained in Schedule (1) as follows: (a) no more than \$235,000,000 shall be allocated to each trial court based on each court's proportionate share of total statewide trial court reserves, and (b) no more than \$150,000,000 shall be allocated based on each trial court's proportionate share of the 2011–12 fiscal year Trial Court Trust Fund allocation. Upon approval of the Director of Finance and no sooner than 30 days after notification in writing to the committees of each house of the Legislature that consider the State Budget, the Judicial Council may offset either of these reductions through transfers from any other item within the Judicial Branch's budget, with the exception of funding scheduled for the Supreme Court, Courts of Appeal, and Habeas Corpus Resource Center.

When signing both AB 1464 and AB 1497 into law, the Governor exercised his line-item veto authority and removed the authority for the council to transfer funds from other appropriation items within the Judicial Branch's budget to the Trial Court Trust Fund, subject to the approval of the Department of Finance and the Legislature, by deleting the language in AB 1497 that provided that authority, as indicated by the strikethrough language below:

Notwithstanding any other provision of law, during the 2012–13 fiscal year, the Judicial Council shall allocate \$385,000,000 of reductions in funding contained in Schedule (1) as follows: (a) no more than \$235,000,000 shall be allocated to each trial court based on each court's proportionate share of total statewide trial court reserves, and (b) no more than \$150,000,000 shall be allocated based on each trial court's proportionate share of the 2011–12 fiscal year Trial Court Trust Fund allocation. ~~Upon approval of the Director of Finance and no sooner than 30 days after notification in writing to the committees of each house of the Legislature that consider the State Budget, the Judicial Council may offset either of these reductions through transfers from any other item within the Judicial Branch's budget, with the exception of funding scheduled for the Supreme Court, Courts of Appeal, and Habeas Corpus Resource Center.~~

The Governor provided the following rationale for his veto: “I believe this language is unnecessary as the Budget already provides the appropriate level of funding, given available resources, for each segment of the Judiciary.”

TCTF Intra-Fund Transfer Authority

While the Budget Act of 2012 does not provide the council the authority to transfer between TCTF local assistance appropriations, it does provide some authority to transfer local assistance appropriations to support appropriation items. The TCTF local assistance appropriations are as follows:

- 45.10, Support for Operation of the Trial Courts, \$1,390,697,000
- 45.25, Compensation of Superior Court Judges, \$306,829,000
- 45.35, Assigned Judges, \$26,047,000
- 45.45, Court Interpreters, \$92,794,000
- 45.55.060, Court Appointed Special Advocate Program, \$2,213,000
- 45.55.065, Model Self-Help Program, \$957,000
- 45.55.090, Equal Access Fund, \$5,482,000
- 45.55.095, Family Law Information Centers, \$345,000
- 45.55.100, Civil Case Coordination, \$832,000

The provisions for transferring TCTF local assistance appropriation to TCTF support appropriation are for the following:

- Up to \$11.274 million for the recovery of costs for administrative services provided to the trial courts by the AOC;
- 5 percent of the Equal Access Fund appropriation to the TCTF Program 30.15 (Trial Court Operations) appropriation; and
- Up to \$556,000 for administrative services provided to the trial courts in support of the court-appointed dependency counsel program

Section 26 of the Budget Act of 2012 does provide all state agencies, including the Judicial Branch, the authority to request transfers within an item (e.g., 0250-101-0932), subject to approval and certain limitations, for the “efficient and cost-effective implementation of the programs, projects, and functions funded by this act” (see Attachment F). In terms of the TCTF, the council could utilize Section 26 to request transfers within the local assistance item and support item appropriations, but not between them.

2012–2013 General Fund Reduction and Recommended Reduction Offsets

A history of (a) the cumulative General Fund reductions to trial court funding and reduction offsets from 2009–2010 to 2011–2012, (b) the actual cumulative General Fund reductions and recommended reduction offsets in 2012–2013, and (c) estimated cumulative General Fund reductions and reduction offsets in 2013–2014 are provided in Attachment G. The Budget Act of 2012 made permanent the General Fund reduction of \$319,957,575 in 2011–2012 (see column C,

row 3 of Attachment G) such that the cumulative ongoing General Fund reduction is \$605,766,575 since the end of 2008–2009 and then added an additional \$536 million reduction, of which \$111 million appears to be ongoing, for a total cumulative General Fund reduction of \$1.14 billion since the end of 2008–2009.

The Budget Act of 2012 also assumes \$50.4 million in new revenues from new or increased fees authorized by the judicial branch related trailer bill, SB 1021, that can be used to offset court funding reduction from the following (see column D, row 15 of Attachment G):

- New \$50 fee for delivering a will to the clerk of the superior court under Probate Code section 8200;
- \$40 increase to first paper filing fees for unlimited civil cases where the amount in controversy is more than \$25,000;
- \$40 increase to various probate and family law fees;
- \$20 increase to various motion fees; and
- \$450 increase to the complex case fee.

SB 1021 also authorized a new \$30 fee for court reporting services in civil proceedings lasting under one hour, but it is currently uncertain how much revenue this fee can be expected to generate on an annual basis.

In terms of reduction offsets, the Budget Act of 2012 included or assumed a total of \$401 million by way of the following (see column D, row 9 of Attachment G):

- Authorizing the distribution of \$240 million to trial courts from the Immediate and Critical Needs Account;
- Authorizing the transfer of \$59.486 million from the State Court Facilities Construction Fund to the TCTF;
- Authorizing the transfer of \$27.223 million from the new State Trial Court Improvement and Modernization Fund (for details, see Attachment H, rows 5 through 7);
- Requiring the use of \$46 million in TCTF savings related to the CCMS V4 project (row 9, Attachment H); and
- Assuming \$28.291 million in other TCTF unrestricted fund balance and savings (for details, see Attachment H, rows 10 through 13).

Of the recommended \$32.19 million reduction offsets from other state trial court funding programs, the Budget Act of 2012 reflected \$19.554 million in reduction offsets related to various General Fund and TCTF Program 45.55 and Program 45.25 appropriations (see Attachment I, rows 1 through 13).

In addition to the \$401 million and \$19.554 million, the TCBWG recommends that the council approve the following additional reduction offsets:

- \$41 million from 2011–2012 TCTF unrestricted fund balance (row 10, Attachment G);
- Up to \$6.5 million from 2011–2012 TCTF fund balance currently restricted by council policy to be used only for reimbursing courts for costs related to staff and contract interpreters (row 10, Attachment G);
- \$36,000 by setting the allocation for reimbursing courts for costs related to processing elder/dependent abuse filings at \$332,340 (row 14, Attachment I); and
- \$12.6 million by setting the allocation for reimbursing courts for costs of jurors serving in criminal cases at \$17 million (row 15, Attachment I).

Concerning the up to \$6.5 million reduction offset using restricted fund balance restricted, the council’s current policy is to set aside year-end monies associated with unused Program 45.45 (court interpreter) appropriation as restricted funding, to be used only for reimbursing courts for costs related to staff and contract interpreters. The TCBWG is recommending that in addition to using the \$4.5 million in available court interpreter savings from 2009–2010 and 2010–2011, the council use all 2011–2012 savings up to \$2.5 million as reduction offsets. In 2009–2010 and 2010–2011 cumulative court interpreter savings was \$7.5 million; however, in 2011–2012 the council approved using \$3.0 million as a reduction offset, leaving a remainder of \$4.5 million. For 2011–2012, AOC staff’s current estimate is that courts will be eligible for between \$87.7 million and \$91.7 million of reimbursements from the \$92.7 million 2011–2012 TCTF Program 45.45 appropriation, which must be used to reimburse courts for costs related to staff and contract interpreters as well as interpreter coordinators, resulting in estimated savings of between \$1 million and \$5 million.

The TCBWG recommends that the council maintain the court-appointed dependency counsel allocation at its council-approved level of \$103,725,445, which is \$3.5 million less than the 2011–2012 level when the one-time augmentation of \$3.5 million approved by the council for that fiscal year is removed.

Minimum Unrestricted Fund Balance in the TCTF for Unexpected Revenue Declines

Attachment J, *Trial Court Trust Fund – Summary Fund Condition Statement*, displays the projected 2012–2013 and 2013–2014 fund balance (restricted and unrestricted) in the TCTF under the assumption that the council approves all the recommendations in this report. Given AOC staff’s current pre-close estimate of a \$108.2 million ending unrestricted fund balance in 2011–2012 (row 19, column B), the 2012–2013 TCTF ending unrestricted fund balance is estimated to be \$23 million (row 19, column C). AOC staff believes a \$23 million unrestricted fund balance, which is about 5 percent of the estimated 2012–2013 annual fee and assessment revenue, is a prudent minimum level for guarding against unexpected revenue declines in 2012–2013, which if severe would require a mid-year reduction to trial court allocations.

Allocation Method for the Up to \$58.988 Million Reduction Offset

To be consistent with its recommendation related to the allocation of the 2% holdback in Recommendation 5, the TCBWG recommends that the method for allocating each court’s reduction offset amount is to compute each court’s proportionate share based on the 2012–2013

beginning base allocation for court operations, as recommended in Recommendation 1, excluding 39 courts' 2011–2012 security allocations (see Attachment K).

The impact of this recommendation compared to using the 2012–2013 beginning base allocation for court operations is the exact opposite of the result discussed in Recommendation 5 (see column H of Attachment K). If the 2012–2013 beginning base allocation less 2011–2012 security allocations is used to compute the reduction offset amount for each trial court, 25 of the 39 courts with a 2011–2012 security allocation would have a lower reduction offset amount, ranging from 0.2% to 36.8% lower, directly related to their security allocation, and the other 14 courts would have a higher reduction offset amount, ranging from 0.0% to 2.3% higher. The 19 courts whose security is provided solely by their sheriffs would be allocated a reduction offset amount that is higher by 2.4%.

Projected Available TCTF Program 45.10 Appropriation

A \$58.988 million reduction offset would require an estimated \$4.17 million appropriation augmentation to TCTF Program 45.10 (see row 51, Attachment L). With a zero reduction offset, the TCTF Program 45.10 appropriation is projected to permit a maximum reduction offset of \$54.8 million without having to request the DOF and Legislature approve an increase to the Program 45.10 appropriation using provisional language in the Budget Act of 2012. If there is no 2011–2012 court interpreter savings of up to \$2.5 million, the projected additional authority needed would be \$1.67 million.

If Recommendation 6 is approved, the council should also approve Recommendation 7, as discussed below.

Recommendation 7: TCTF Program 45.10 Appropriation Augmentation

7. Authorize AOC staff to request from the Department of Finance and Legislature additional expenditure authority for TCTF Program 45.10 (Support of Trial Court Operations) based on additional resources for the purposes of offsetting courts' funding reduction.

Rationale for recommendation 7

As discussed in Recommendation 6, if Recommendation 6 is approved, an estimated additional appropriation of up to \$4.17 million would need to be requested in order to fully allocate and distribute the recommended reduction offsets to courts. Provision 4 of Item 0250-101-0932 in the Budget Act of 2012 provides for the following:

Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Trial Court Trust Fund, which is in addition to the amount appropriated in this item. Any augmentation must be approved in joint determination with the Chairperson of the Joint Legislative Budget Committee and shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the

chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the chairperson of the joint committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine. When a request to augment this item is submitted to the Director of Finance, a copy of that request shall be delivered to the chairpersons of the committees and appropriate subcommittees that consider the State Budget. Delivery of a copy of that request shall not be deemed to be notification in writing for purposes of this provision.

Recommendation 8: Rescind Council Policy Related to Security Allocations from the Trial Court Trust Fund

8. Rescind the policy that requires trial courts to use security allocations from the Trial Court Trust Fund only for security costs.

Rationale for recommendation 8

At its April 5, 2005 meeting, the council approved a policy that required trial court security budget allocations to be expended only for trial court security costs and that unused funds could roll over on an annual basis to be reallocated to fund one-time court security expenses. Based on this policy, from 2005–2006 to 2010–2011, the council identified and approved allocations to be used only for costs related to court security (sheriff and non-sheriff) out of each court’s total TCTF base allocation. There were at least three reasons for doing this. One reason was to create a statewide funding pool for security costs, similar to that for retirement costs, such that any court’s unused security allocation could be redirected to courts whose costs exceeded their security allocation in a given year. No funds were ever redirected for this purpose. A second reason was to have a more equitable basis for applying allocation adjustments related to new funding (i.e., SAL), General Fund reductions, and funding shortfalls in proportion to courts’ share of the statewide security allocation as opposed to their share of the statewide total base allocation. A third reason was to provide courts with a bargaining tool when negotiating contracts with their sheriffs. Having a specific security allocation/budget could help courts in arguing that their sheriff contract could not exceed the court’s security allocation.

As a result of criminal justice realignment in 2011–2012, the reasons for the establishment of the policy are either no longer relevant or only marginally relevant. First, funding for sheriff costs were transferred to the counties/sheriffs. Courts no longer need to bargain with their sheriffs over the sheriff’s funding level. In addition, SB 1021, effective starting in 2012–2013, amended the requirements for what is included in the MOU between the sheriff and court. MOUs will now document an agreed-upon level of court security services and any other agreed-upon governing or operating procedures, but not the costs of services and terms of payment. Second, with the transfer of sheriff funding out of courts’ TCTF base allocation, the ending 2010–2011 security allocation declined from \$513 million to \$41 million, with 39 courts having a non-sheriff security allocation, including one court still retaining sheriff funding in its TCTF base allocation because the funding was incorrectly not transferred to the court’s county/sheriff. Without the uncertainties associated with sheriff costs, the benefits of having a statewide security

funding pool are negligible. Third, although relevant for allocation purposes, as recommended in Recommendations 5 and 6, the security allocation does not have to be restricted. Courts that have unused restricted security allocations from previous years will have the flexibility of redirecting those monies to other court operations if they become unrestricted by the council.

In 2011–2012 the council did not specify a security allocation for 2011–2012. The recommendation in Recommendation 1 related to the allocation of courts’ 2012–2013 TCTF base allocation does not specify a portion for security.

Comments From Interested Parties

None.

Attachments

- A. Summary of Recommended Allocations
- B. One-Time Allocation of FY 2012–2013 Criminal Justice Realignment Funding
- C. Court Share of \$235 Million Reduction Using 7/15/2012 Fund Balance (informational only)
- D. One-Time Allocation of \$150 Million Reduction
- E. One-Time Allocation of 2% Holdback
- F. Section 26 of the Budget Act of 2012
- G. Trial Court Funding Reduction History / Recommendation
- H. Detail of Reduction Offsets Included or Assumed in the Budget Act of 2012
- I. Allocation of Reduction to Other State Trial Court Funding Programs/Grants
- J. Trial Court Trust Fund -- Summary Fund Condition Statement – History and Recommendations
- K. One-Time Allocation of \$58.988 Million Reduction Offset
- L. Estimate of 2012–2013 TCTF Program 45.10 Allocations
- M. Court Share of \$235 Million Reduction Using 7/26/2012 Fund Balance

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Summary of Recommended Allocations

Court	Recommendation 1				Recommended One-Time Adjustments to TCTF Base Allocation					Total (Sum of D through I)
	FY 2011-12 Ending TCTF Program 45.10 Base	FY 2011-12 General Fund Program 45.10 Base	TCTF Ongoing Security Funding	FY 2012-2013 Beginning Base	#2 (Realignment)	#3 (Preliminary \$235 million Reduction)	#4 (\$150 million reduction)	#5 (\$27.8 million holdback)	#6 (Up to \$58.988 million reduction offset)	
A	B	C	D (A+B+C)	E	F	G	H	I	J	
Alameda	82,771,394	2,356,811		85,128,205	502,724	(12,846,531)	(7,371,322)	(1,343,092)	2,848,480	66,918,464
Alpine	613,303	10,968		624,271	1,296	(312,873)	(54,619)	(10,231)	21,699	269,542
Amador	2,353,958	22,162		2,376,119	3,239	(342,976)	(209,635)	(38,942)	82,591	1,870,396
Butte	8,969,818	76,916		9,046,734	75,149	(2,366,904)	(798,820)	(140,612)	298,215	6,113,763
Calaveras	2,138,497	39,634		2,178,130	1,296	(729,657)	(190,447)	(35,698)	75,709	1,299,333
Colusa	1,543,136	1,721		1,544,857	1,296	(774,159)	(137,426)	(25,319)	53,697	662,946
Contra Costa	37,653,590	714,397		38,367,987	172,973	(8,049,855)	(3,353,293)	(628,817)	1,333,619	27,842,614
Del Norte	2,543,421	62,535		2,605,956	3,887	(1,829,487)	(226,508)	(42,709)	90,579	601,718
El Dorado	6,600,361	145,413		6,745,775	37,575	(1,195,843)	(587,804)	(110,557)	234,474	5,123,619
Fresno	36,797,739	1,801,754		38,599,493	435,349	(3,918,382)	(3,277,074)	(632,611)	1,341,666	32,548,441
Glenn	2,004,085	36,312	9,779	2,050,176	9,718	(323,992)	(178,477)	(33,440)	70,921	1,594,906
Humboldt	5,964,652	34,633		5,999,285	77,741	(648,060)	(531,190)	(95,573)	202,694	5,004,897
Imperial	7,465,001	77,555	45,039	7,587,595	40,166	(3,880,265)	(664,806)	(117,463)	249,119	3,214,346
Inyo	1,922,981	63,790	72,149	2,058,919	3,239	(1,374,661)	(171,254)	(30,685)	65,077	550,636
Kern	30,966,853	3,055,288	65,567	34,087,708	286,345	(6,102,080)	(2,757,796)	(557,593)	1,182,563	26,139,148
Kings	6,112,694	30,574	3,293	6,146,561	35,631	(533,000)	(544,374)	(93,822)	198,981	5,209,976
Lake	3,643,220	406		3,643,626	20,731	(228,601)	(324,452)	(56,495)	119,818	3,174,626
Lassen	2,506,116	673	1,783	2,508,572	3,887	(533,759)	(223,186)	(36,298)	76,981	1,796,198
Los Angeles	474,619,896	16,391,550		491,011,446	2,515,563	(61,218,760)	(42,267,936)	(7,812,969)	16,570,033	398,797,378
Madera	6,581,560	305,093	209,806	7,096,460	51,179	(1,267,411)	(586,130)	(110,054)	233,406	5,417,450
Marin	15,065,039	587,765	9,625	15,662,429	12,957	(1,980,093)	(1,341,638)	(256,536)	544,070	12,641,189
Mariposa	1,070,615	16,045		1,086,660	-	(255,482)	(95,345)	(17,809)	37,771	755,795
Mendocino	4,848,100	93,493		4,941,594	31,744	(281,358)	(431,754)	(76,082)	161,358	4,345,501
Merced	9,880,260	562,836		10,443,095	85,515	(2,441,868)	(879,900)	(171,153)	362,988	7,398,677
Modoc	1,071,376	29,584	789	1,101,749	1,296	(70,344)	(95,413)	(18,044)	38,268	957,512
Mono	1,316,912	76,168	24,156	1,417,236	1,296	(565,954)	(117,279)	(22,831)	48,422	760,889
Monterey	15,786,005	184,042		15,970,046	165,847	(2,830,803)	(1,405,845)	(247,476)	524,857	12,176,627
Napa	7,310,736	185,045		7,495,781	14,252	(1,093,855)	(651,068)	(118,005)	250,270	5,897,375
Nevada	4,969,147	54,271	54,126	5,077,545	5,183	(197,573)	(442,534)	(76,113)	161,423	4,527,930
Orange	138,631,164	4,740,437		143,371,602	424,335	(23,166,575)	(12,345,991)	(2,304,929)	4,888,379	110,866,821
Placer	13,035,947	359,536		13,395,483	53,123	(1,319,872)	(1,160,934)	(219,540)	465,609	11,213,868
Plumas	1,651,698	1,165		1,652,863	1,944	(449,871)	(147,094)	(27,089)	57,451	1,088,204
Riverside	69,804,278	432,802	369,696	70,606,776	344,651	(7,309,343)	(6,216,517)	(1,125,527)	2,387,058	58,687,099
Sacramento	70,562,720	2,743,274		73,305,995	619,983	(10,043,691)	(6,284,061)	(1,170,864)	2,483,212	58,910,573
San Benito	2,847,565	9,417		2,856,982	7,774	(962,006)	(253,594)	(46,823)	99,305	1,701,638
San Bernardino	75,305,698	667,923	352,635	76,326,257	537,059	(14,013,316)	(6,706,454)	(1,197,336)	2,539,355	57,485,566

Summary of Recommended Allocations

Court	Recommendation 1				Recommended One-Time Adjustments to TCTF Base Allocation					Total (Sum of D through I)
	FY 2011-12 Ending TCTF Program 45.10 Base	FY 2011-12 General Fund Program 45.10 Base	TCTF Ongoing Security Funding	FY 2012-2013 Beginning Base	#2 (Realignment)	#3 (Preliminary \$235 million Reduction)	#4 (\$150 million reduction)	#5 (\$27.8 million holdback)	#6 (Up to \$58.988 million reduction offset)	
	A	B	C	D (A+B+C)	E	F	G	H	I	J
San Diego	141,033,939	583,172	657,192	142,274,303	458,671	(10,744,145)	(12,559,974)	(2,320,979)	4,922,418	122,030,294
San Francisco	58,886,619	3,993,883		62,880,502	260,432	(5,615,978)	(5,244,230)	(1,030,556)	2,185,641	53,435,810
San Joaquin	26,468,736	813,169		27,281,906	232,575	(543,553)	(2,357,210)	(442,410)	938,280	25,109,587
San Luis Obispo	12,661,630	249,107	241,676	13,152,412	60,897	(1,863,124)	(1,127,599)	(211,596)	448,760	10,459,751
San Mateo	33,889,874	2,240,517		36,130,391	89,402	(3,866,019)	(3,018,110)	(584,884)	1,240,444	29,991,224
Santa Barbara	20,190,610	1,148,182	647,971	21,986,762	80,332	(4,096,131)	(1,798,103)	(343,051)	727,556	16,557,365
Santa Clara	84,554,955	1,810,282		86,365,237	316,794	(12,071,491)	(7,530,159)	(1,415,450)	3,001,938	68,666,868
Santa Cruz	11,500,470	94,526		11,594,996	58,306	(1,817,866)	(1,024,190)	(190,032)	403,026	9,024,239
Shasta	11,092,748	165,395		11,258,143	79,684	(1,652,389)	(987,880)	(145,346)	308,256	8,860,467
Sierra	611,157	3,308		614,465	-	(68,974)	(54,427)	(10,071)	21,358	502,351
Siskiyou	3,711,464	48,618		3,760,082	9,070	(1,240,280)	(330,530)	(61,624)	130,695	2,267,413
Solano	18,449,094	50,073		18,499,167	187,226	(1,016,487)	(1,643,010)	(296,049)	627,872	16,358,719
Sonoma	21,094,722	779,881		21,874,603	87,458	(3,133,002)	(1,878,620)	(351,294)	745,038	17,344,183
Stanislaus	16,076,998	1,166,805	9,326	17,253,129	146,412	(3,654,941)	(1,431,759)	(282,611)	599,371	12,629,601
Sutter	4,019,450	88,090		4,107,540	26,561	(749,921)	(357,958)	(63,270)	134,185	3,097,138
Tehama	3,229,727	63,491		3,293,218	26,561	(897,943)	(287,628)	(53,973)	114,468	2,194,703
Trinity	1,524,424	48,922		1,573,346	-	(334,757)	(135,760)	(18,401)	39,025	1,123,454
Tulare	14,646,646	-	15,576	14,662,222	60,249	(959,062)	(1,304,377)	(240,046)	509,097	12,728,083
Tuolumne	3,014,408	31,820	220,516	3,266,745	7,126	(402,485)	(268,452)	(49,925)	105,883	2,658,891
Ventura	28,713,661	592,748	605,164	29,911,573	195,000	(2,403,762)	(2,557,135)	(464,671)	985,491	25,666,497
Yolo	8,294,847	128,079		8,422,926	58,953	(1,998,091)	(738,709)	(128,491)	272,509	5,889,097
Yuba	3,730,323	67,652		3,797,975	45,349	(410,336)	(332,209)	(60,073)	127,405	3,168,111
Total	1,684,326,038	50,139,709	3,615,864	1,738,081,611	9,073,000	(235,000,000)	(150,000,000)	(27,813,940)	58,988,834	1,393,329,505

One-Time Allocation of FY 2012-2013 Criminal Justice Realignment Funding

	Total Estimated Petitions to Revoke*	% of Total	Allocation (court % share times \$9.073 million)
Court	A	B	C
Alameda	388	5.54%	502,724
Alpine	1	0.01%	1,296
Amador	3	0.04%	3,239
Butte	58	0.83%	75,149
Calaveras	1	0.01%	1,296
Colusa	1	0.01%	1,296
Contra Costa	134	1.91%	172,973
Del Norte	3	0.04%	3,887
El Dorado	29	0.41%	37,575
Fresno	336	4.80%	435,349
Glenn	8	0.11%	9,718
Humboldt	60	0.86%	77,741
Imperial	31	0.44%	40,166
Inyo	3	0.04%	3,239
Kern	221	3.16%	286,345
Kings	28	0.39%	35,631
Lake	16	0.23%	20,731
Lassen	3	0.04%	3,887
Los Angeles	1,942	27.73%	2,515,563
Madera	40	0.56%	51,179
Marin	10	0.14%	12,957
Mariposa	-	0.00%	-
Mendocino	25	0.35%	31,744
Merced	66	0.94%	85,515
Modoc	1	0.01%	1,296
Mono	1	0.01%	1,296
Monterey	128	1.83%	165,847
Napa	11	0.16%	14,252
Nevada	4	0.06%	5,183
Orange	328	4.68%	424,335
Placer	41	0.59%	53,123
Plumas	2	0.02%	1,944
Riverside	266	3.80%	344,651
Sacramento	479	6.83%	619,983
San Benito	6	0.09%	7,774

One-Time Allocation of FY 2012-2013 Criminal Justice Realignment Funding

	Total Estimated Petitions to Revoke*	% of Total	Allocation (court % share times \$9.073 million)
Court	A	B	C
San Bernardino	415	5.92%	537,059
San Diego	354	5.06%	458,671
San Francisco	201	2.87%	260,432
San Joaquin	180	2.56%	232,575
San Luis Obispo	47	0.67%	60,897
San Mateo	69	0.99%	89,402
Santa Barbara	62	0.89%	80,332
Santa Clara	245	3.49%	316,794
Santa Cruz	45	0.64%	58,306
Shasta	62	0.88%	79,684
Sierra	-	0.00%	-
Siskiyou	7	0.10%	9,070
Solano	145	2.06%	187,226
Sonoma	68	0.96%	87,458
Stanislaus	113	1.61%	146,412
Sutter	21	0.29%	26,561
Tehama	21	0.29%	26,561
Trinity	-	0.00%	-
Tulare	47	0.66%	60,249
Tuolumne	6	0.08%	7,126
Ventura	151	2.15%	195,000
Yolo	46	0.65%	58,953
Yuba	35	0.50%	45,349
Total	7,003	100.00%	9,073,000

* Source: California Department of Corrections and Rehabilitation, 2010.

**Court Share of \$235 Million Reduction Using 7/15/2012 Fund Balance
(informational only)**

	FY 2011-2012 Total Fund Balance as of July 15, 2012	% of Total	Share of Reduction
Court	A	B	C
Alameda	39,566,141	7.3%	(17,083,854)
Alpine	709,970	0.1%	(306,551)
Amador	821,113	0.2%	(354,540)
Butte	5,567,474	1.0%	(2,403,922)
Calaveras	1,635,407	0.3%	(706,135)
Colusa	1,800,919	0.3%	(777,600)
Contra Costa	16,101,609	3.0%	(6,952,347)
Del Norte	4,332,877	0.8%	(1,870,848)
El Dorado	2,893,063	0.5%	(1,249,166)
Fresno	7,998,342	1.5%	(3,453,521)
Glenn	830,211	0.2%	(358,468)
Humboldt	1,351,626	0.2%	(583,605)
Imperial	8,482,209	1.6%	(3,662,445)
Inyo	3,164,775	0.6%	(1,366,485)
Kern	17,094,460	3.1%	(7,381,040)
Kings	1,100,696	0.2%	(475,258)
Lake	513,797	0.1%	(221,847)
Lassen	1,226,436	0.2%	(529,550)
Los Angeles	139,805,022	25.7%	(60,364,961)
Madera	3,175,773	0.6%	(1,371,234)
Marin	4,892,028	0.9%	(2,112,278)
Mariposa	550,851	0.1%	(237,846)
Mendocino	621,900	0.1%	(268,524)
Merced	5,474,863	1.0%	(2,363,934)
Modoc	160,284	0.0%	(69,207)
Mono	1,441,625	0.3%	(622,464)
Monterey	5,912,864	1.1%	(2,553,054)
Napa	2,593,838	0.5%	(1,119,966)
Nevada	589,989	0.1%	(254,745)
Orange	58,260,783	10.7%	(25,155,819)
Placer	2,487,521	0.5%	(1,074,061)
Plumas	1,014,619	0.2%	(438,092)
Riverside	15,300,217	2.8%	(6,606,322)
Sacramento	21,616,495	4.0%	(9,333,562)
San Benito	2,228,038	0.4%	(962,021)
San Bernardino	30,953,117	5.7%	(13,364,926)
San Diego	21,120,846	3.9%	(9,119,551)

**Court Share of \$235 Million Reduction Using 7/15/2012 Fund Balance
(informational only)**

	FY 2011-2012 Total Fund Balance as of July 15, 2012	% of Total	Share of Reduction
Court	A	B	C
San Francisco	13,095,369	2.4%	(5,654,314)
San Joaquin	879,534	0.2%	(379,765)
San Luis Obispo	4,257,348	0.8%	(1,838,236)
San Mateo	9,693,297	1.8%	(4,185,368)
Santa Barbara	8,056,284	1.5%	(3,478,540)
Santa Clara	27,104,205	5.0%	(11,703,044)
Santa Cruz	4,006,262	0.7%	(1,729,822)
Shasta	4,438,909	0.8%	(1,916,630)
Sierra	165,930	0.0%	(71,645)
Siskiyou	2,915,185	0.5%	(1,258,717)
Solano	2,128,006	0.4%	(918,829)
Sonoma	6,748,756	1.2%	(2,913,975)
Stanislaus	8,352,947	1.5%	(3,606,632)
Sutter	1,660,672	0.3%	(717,044)
Tehama	2,250,054	0.4%	(971,527)
Trinity	825,086	0.2%	(356,255)
Tulare	2,289,874	0.4%	(988,721)
Tuolumne	1,000,379	0.2%	(431,943)
Ventura	5,744,094	1.1%	(2,480,183)
Yolo	4,594,489	0.8%	(1,983,807)
Yuba	660,638	0.1%	(285,250)
Total	544,259,116	100.0%	(235,000,000)

One-Time Allocation of \$150 Million Reduction

	FY 2011-12 Ending TCTF Program 45.10 Base	% Share of Total	Allocation
Court	A	B	C
Alameda	82,771,394	4.91%	(7,371,322)
Alpine	613,303	0.04%	(54,619)
Amador	2,353,958	0.14%	(209,635)
Butte	8,969,818	0.53%	(798,820)
Calaveras	2,138,497	0.13%	(190,447)
Colusa	1,543,136	0.09%	(137,426)
Contra Costa	37,653,590	2.24%	(3,353,293)
Del Norte	2,543,421	0.15%	(226,508)
El Dorado	6,600,361	0.39%	(587,804)
Fresno	36,797,739	2.18%	(3,277,074)
Glenn	2,004,085	0.12%	(178,477)
Humboldt	5,964,652	0.35%	(531,190)
Imperial	7,465,001	0.44%	(664,806)
Inyo	1,922,981	0.11%	(171,254)
Kern	30,966,853	1.84%	(2,757,796)
Kings	6,112,694	0.36%	(544,374)
Lake	3,643,220	0.22%	(324,452)
Lassen	2,506,116	0.15%	(223,186)
Los Angeles	474,619,896	28.18%	(42,267,936)
Madera	6,581,560	0.39%	(586,130)
Marin	15,065,039	0.89%	(1,341,638)
Mariposa	1,070,615	0.06%	(95,345)
Mendocino	4,848,100	0.29%	(431,754)
Merced	9,880,260	0.59%	(879,900)
Modoc	1,071,376	0.06%	(95,413)
Mono	1,316,912	0.08%	(117,279)
Monterey	15,786,005	0.94%	(1,405,845)
Napa	7,310,736	0.43%	(651,068)
Nevada	4,969,147	0.30%	(442,534)
Orange	138,631,164	8.23%	(12,345,991)
Placer	13,035,947	0.77%	(1,160,934)
Plumas	1,651,698	0.10%	(147,094)
Riverside	69,804,278	4.14%	(6,216,517)
Sacramento	70,562,720	4.19%	(6,284,061)
San Benito	2,847,565	0.17%	(253,594)
San Bernardino	75,305,698	4.47%	(6,706,454)
San Diego	141,033,939	8.37%	(12,559,974)

One-Time Allocation of \$150 Million Reduction

	FY 2011-12 Ending TCTF Program 45.10 Base	% Share of Total	Allocation
Court	A	B	C
San Francisco	58,886,619	3.50%	(5,244,230)
San Joaquin	26,468,736	1.57%	(2,357,210)
San Luis Obispo	12,661,630	0.75%	(1,127,599)
San Mateo	33,889,874	2.01%	(3,018,110)
Santa Barbara	20,190,610	1.20%	(1,798,103)
Santa Clara	84,554,955	5.02%	(7,530,159)
Santa Cruz	11,500,470	0.68%	(1,024,190)
Shasta	11,092,748	0.66%	(987,880)
Sierra	611,157	0.04%	(54,427)
Siskiyou	3,711,464	0.22%	(330,530)
Solano	18,449,094	1.10%	(1,643,010)
Sonoma	21,094,722	1.25%	(1,878,620)
Stanislaus	16,076,998	0.95%	(1,431,759)
Sutter	4,019,450	0.24%	(357,958)
Tehama	3,229,727	0.19%	(287,628)
Trinity	1,524,424	0.09%	(135,760)
Tulare	14,646,646	0.87%	(1,304,377)
Tuolumne	3,014,408	0.18%	(268,452)
Ventura	28,713,661	1.70%	(2,557,135)
Yolo	8,294,847	0.49%	(738,709)
Yuba	3,730,323	0.22%	(332,209)
Total	1,684,326,038	100.00%	(150,000,000)

One-Time Allocation of 2% Holdback

	2012-2013 Beginning Base Allocation	2011-2012 Security Allocation	Adjusted Base	% of Total Adjusted Base	Recommended Pro-Rata Share of 2% Holdback	Pro-Rata Using Beginning Base	Variance	% Variance
Court	A	B	C (A-B)	D	E	F	G (E - F)	H G/E
Alameda	85,128,205	3,177,924	81,950,281	4.8%	(1,343,092)	(1,362,278)	19,186	-1.4%
Alpine	624,271	-	624,271	0.0%	(10,231)	(9,990)	(241)	2.4%
Amador	2,376,119	-	2,376,119	0.1%	(38,942)	(38,024)	(918)	2.4%
Butte	9,046,734	467,145	8,579,589	0.5%	(140,612)	(144,772)	4,160	-3.0%
Calaveras	2,178,130	-	2,178,130	0.1%	(35,698)	(34,856)	(842)	2.4%
Colusa	1,544,857	-	1,544,857	0.1%	(25,319)	(24,722)	(597)	2.4%
Contra Costa	38,367,987	-	38,367,987	2.3%	(628,817)	(613,990)	(14,827)	2.4%
Del Norte	2,605,956	-	2,605,956	0.2%	(42,709)	(41,702)	(1,007)	2.4%
El Dorado	6,745,775	-	6,745,775	0.4%	(110,557)	(107,950)	(2,607)	2.4%
Fresno	38,599,493	-	38,599,493	2.3%	(632,611)	(617,695)	(14,917)	2.4%
Glenn	2,050,176	9,779	2,040,397	0.1%	(33,440)	(32,808)	(632)	1.9%
Humboldt	5,999,285	167,800	5,831,485	0.3%	(95,573)	(96,005)	432	-0.5%
Imperial	7,587,595	420,479	7,167,116	0.4%	(117,463)	(121,422)	3,959	-3.4%
Inyo	2,058,919	186,658	1,872,261	0.1%	(30,685)	(32,948)	2,263	-7.4%
Kern	34,087,708	65,567	34,022,141	2.0%	(557,593)	(545,494)	(12,099)	2.2%
Kings	6,146,561	421,918	5,724,643	0.3%	(93,822)	(98,361)	4,540	-4.8%
Lake	3,643,626	196,493	3,447,133	0.2%	(56,495)	(58,308)	1,812	-3.2%
Lassen	2,508,572	293,836	2,214,736	0.1%	(36,298)	(40,144)	3,846	-10.6%
Los Angeles	491,011,446	14,294,467	476,716,979	28.1%	(7,812,969)	(7,857,492)	44,524	-0.6%
Madera	7,096,460	381,406	6,715,054	0.4%	(110,054)	(113,562)	3,509	-3.2%
Marin	15,662,429	9,625	15,652,804	0.9%	(256,536)	(250,641)	(5,895)	2.3%
Mariposa	1,086,660	-	1,086,660	0.1%	(17,809)	(17,389)	(420)	2.4%
Mendocino	4,941,594	299,349	4,642,245	0.3%	(76,082)	(79,079)	2,996	-3.9%
Merced	10,443,095	-	10,443,095	0.6%	(171,153)	(167,117)	(4,036)	2.4%
Modoc	1,101,749	789	1,100,960	0.1%	(18,044)	(17,631)	(413)	2.3%
Mono	1,417,236	24,156	1,393,080	0.1%	(22,831)	(22,680)	(152)	0.7%
Monterey	15,970,046	870,000	15,100,046	0.9%	(247,476)	(255,563)	8,087	-3.3%
Napa	7,495,781	295,552	7,200,229	0.4%	(118,005)	(119,952)	1,947	-1.7%
Nevada	5,077,545	433,431	4,644,114	0.3%	(76,113)	(81,254)	5,141	-6.8%
Orange	143,371,602	2,733,776	140,637,826	8.3%	(2,304,929)	(2,294,328)	(10,601)	0.5%
Placer	13,395,483	-	13,395,483	0.8%	(219,540)	(214,363)	(5,177)	2.4%

One-Time Allocation of 2% Holdback

	2012-2013 Beginning Base Allocation	2011-2012 Security Allocation	Adjusted Base	% of Total Adjusted Base	Recommended Pro-Rata Share of 2% Holdback	Pro-Rata Using Beginning Base	Variance	% Variance
Court	A	B	C (A-B)	D	E	F	G (E - F)	H G/E
Plumas	1,652,863	-	1,652,863	0.1%	(27,089)	(26,450)	(639)	2.4%
Riverside	70,606,776	1,931,520	68,675,256	4.0%	(1,125,527)	(1,129,897)	4,370	-0.4%
Sacramento	73,305,995	1,864,424	71,441,571	4.2%	(1,170,864)	(1,173,091)	2,227	-0.2%
San Benito	2,856,982	-	2,856,982	0.2%	(46,823)	(45,719)	(1,104)	2.4%
San Bernardino	76,326,257	3,269,446	73,056,811	4.3%	(1,197,336)	(1,221,424)	24,087	-2.0%
San Diego	142,274,303	657,192	141,617,111	8.3%	(2,320,979)	(2,276,768)	(44,211)	1.9%
San Francisco	62,880,502	-	62,880,502	3.7%	(1,030,556)	(1,006,256)	(24,300)	2.4%
San Joaquin	27,281,906	287,747	26,994,159	1.6%	(442,410)	(436,583)	(5,827)	1.3%
San Luis Obispo	13,152,412	241,676	12,910,736	0.8%	(211,596)	(210,474)	(1,122)	0.5%
San Mateo	36,130,391	443,042	35,687,349	2.1%	(584,884)	(578,183)	(6,701)	1.1%
Santa Barbara	21,986,762	1,055,112	20,931,650	1.2%	(343,051)	(351,847)	8,796	-2.6%
Santa Clara	86,365,237	-	86,365,237	5.1%	(1,415,450)	(1,382,074)	(33,376)	2.4%
Santa Cruz	11,594,996	-	11,594,996	0.7%	(190,032)	(185,551)	(4,481)	2.4%
Shasta	11,258,143	2,389,668	8,868,475	0.5%	(145,346)	(180,160)	34,814	-24.0%
Sierra	614,465	-	614,465	0.0%	(10,071)	(9,833)	(237)	2.4%
Siskiyou	3,760,082	-	3,760,082	0.2%	(61,624)	(60,171)	(1,453)	2.4%
Solano	18,499,167	435,400	18,063,767	1.1%	(296,049)	(296,036)	(13)	0.0%
Sonoma	21,874,603	440,000	21,434,603	1.3%	(351,294)	(350,052)	(1,242)	0.4%
Stanislaus	17,253,129	9,326	17,243,803	1.0%	(282,611)	(276,096)	(6,515)	2.3%
Sutter	4,107,540	247,071	3,860,469	0.2%	(63,270)	(65,732)	2,462	-3.9%
Tehama	3,293,218	-	3,293,218	0.2%	(53,973)	(52,700)	(1,273)	2.4%
Trinity	1,573,346	450,608	1,122,738	0.1%	(18,401)	(25,178)	6,777	-36.8%
Tulare	14,662,222	15,576	14,646,646	0.9%	(240,046)	(234,635)	(5,411)	2.3%
Tuolumne	3,266,745	220,516	3,046,229	0.2%	(49,925)	(52,277)	2,352	-4.7%
Ventura	29,911,573	1,559,157	28,352,416	1.7%	(464,671)	(478,665)	13,994	-3.0%
Yolo	8,422,926	582,889	7,840,037	0.5%	(128,491)	(134,789)	6,298	-4.9%
Yuba	3,797,975	132,569	3,665,406	0.2%	(60,073)	(60,778)	705	-1.2%
Total	1,738,081,611	40,983,089	1,697,098,522	100.0%	(27,813,940)	(27,813,940)	-	0.0%

1 monthly, and the total amount assessed from these funds may not exceed
2 the total expenditures incurred by the Controller for the Apportionment
3 Payment System for the 2012–13 fiscal year.

4 SEC. 26.00. (a) It is the intent of the Legislature, in enacting this
5 section, to provide flexibility for the administrative approval of intrasched-
6 ule transfers within individual items of appropriation in those instances
7 where the transfers are necessary for the efficient and cost-effective im-
8 plementation of the programs, projects, and functions funded by this act.
9 No transfer shall be authorized under this section to either eliminate any
10 program, project, or function, except when implementation is found to
11 be no longer feasible in light of changing circumstances or new informa-
12 tion, or establish any new program, project, or function.

13 (b) The Director of Finance may, pursuant to a request by the officer,
14 department, division, bureau, board, commission, or other agency to which
15 an appropriation is made by this act, authorize the augmentation of the
16 amount available for expenditure in any schedule set forth for that appro-
17 priation, by making a transfer from any of the other designated programs,
18 projects, or functions within the same schedule. No intraschedule transfer
19 may be made under this section to fund any capital outlay purpose, regard-
20 less of whether budgeted in a capital outlay or a local assistance appropri-
21 ation. Upon the conclusion of the 2012–13 fiscal year, the Director of
22 Finance shall furnish the chairpersons of the committees in each house
23 of the Legislature that consider appropriations and the State Budget, and
24 the Chairperson of the Joint Legislative Budget Committee, with a report
25 on all authorizations given pursuant to this section during that fiscal year.

26 (c) Intraschedule transfers of the amounts available for expenditure for
27 a program, project, or function designated in any line of any schedule set
28 forth for that appropriation by transfer from any of the other designated
29 programs, projects, or functions within the same schedule shall not exceed,
30 during any fiscal year:

31 (1) 20 percent of the amount so scheduled on that line for those appro-
32 priations made by this act that are \$2,000,000 or less.

33 (2) \$400,000 of the amount so scheduled on that line for those appro-
34 priations made by this act that are more than \$2,000,000 but equal to or
35 less than \$4,000,000.

36 (3) 10 percent of the amount so scheduled on that line for those appro-
37 priations made by this act that are more than \$4,000,000.

38 (4) The Department of Transportation Highway Program shall be lim-
39 ited to a schedule change of 10 percent.

40 (d) Any transfer in excess of \$200,000 may be authorized pursuant to
41 this section not sooner than 30 days after notification in writing of the
42 necessity therefor is provided to the chairpersons of the committees in
43 each house of the Legislature that consider appropriations and the Chair-
44 person of the Joint Legislative Budget Committee, or not sooner than
45 whatever lesser time after that notification the chairperson of the joint
46 committee, or his or her designee, may in each instance determine.

1 (e) Any transfer in excess of the limitations provided in subdivision
2 (c) may be authorized not sooner than 30 days after notification in writing
3 of the necessity to exceed the limitations is provided to the chairpersons
4 of the committees in each house of the Legislature that consider appropri-
5 ations and the Chairperson of the Joint Legislative Budget Committee,
6 or not sooner than whatever lesser time after that notification the chairper-
7 son of the joint committee, or his or her designee, may in each instance
8 determine.

9 SEC. 28.00. (a) It is the intent of the Legislature in enacting this section
10 to provide flexibility for administrative approval of augmentations for
11 the expenditure of unanticipated federal funds or other nonstate funds in
12 cases that meet the criteria set forth in this section. However, this section
13 does not provide an alternative budget process, and proposals for additional
14 spending ordinarily should be considered in the annual State Budget or
15 other state legislation. Specifically, augmentations for items which the
16 administration had knowledge to include in its 2012–13 budget plan should
17 not be submitted through the process provided by this section. Augmen-
18 tations for items which can be deferred to the 2013–14 fiscal year should
19 be included in the administration’s 2013–14 fiscal year budget proposals.

20 (b) The Director of Finance may authorize the augmentation of the
21 amount available for expenditure for any program, project, or function in
22 the schedule of any appropriation in this act or any additional program,
23 project, or function equal to the amount of any additional, unanticipated
24 funds that he or she estimates will be received by the state during the
25 2012–13 fiscal year from any agency of local government or the federal
26 government, or from any other nonstate source, provided that the additional
27 funding meets all of the following requirements:

28 (1) The funds will be expended for a purpose that is consistent with
29 state law.

30 (2) The funds are made available to the state under conditions permitting
31 their use only for a specified purpose, and the additional expenditure
32 proposed under this section would apply to that specified funding purpose.

33 (3) Acceptance of the additional funding does not impose on the state
34 any requirement to commit or expend new state funds for any program
35 or purpose.

36 (4) The need exists to expend the additional funding during the 2012–13
37 fiscal year.

38 (c) In order to receive consideration for an augmentation, an agency
39 shall either (1) notify the director within 45 days of receiving official
40 notice of the availability of additional, unanticipated funds, or (2) explain
41 in writing to the director why that notification was infeasible or impracti-
42 cal. In either case, the recipient agency shall provide the director a copy
43 of the official notice of fund availability.

44 (d) The director also may reduce any program, project, or function
45 whenever he or she determines that funds to be received will be less than
46 the amount taken into consideration in the schedule.

Trial Court Funding Reduction History/Recommendation

		2009-2010	2010-2011	2011-2012	Recommended 2012-2013	Estimated 2013-2014
#	I. General Fund Reduction	A	B	C	D	E
1	Ongoing	-260,809,000	-285,809,000	-285,809,000	-605,766,575	-605,766,575
2	One-Time	-100,000,000	-30,000,000			
3	Budget Act/Council Action			-319,957,575		
4	Budget Act of 2012 ¹				-536,000,000	-111,000,000
5	Total, Reduction	-360,809,000	-315,809,000	-605,766,575	-1,141,766,575	-716,766,575
7	II. Offsets					
8	Various	135,000,000	160,000,000	302,400,000	0	0
9	Budget Act of 2012 (see Attachment H for details)	-	-	-	401,000,000	100,000,000
10	Additional offsets from TCTF	0	0	0	47,500,000	0
11	Total, Offsets	135,000,000	160,000,000	302,400,000	448,500,000	100,000,000
13	III. New Revenues					
14	Various	18,000,000	66,290,000	70,580,000	70,580,000	70,580,000
15	SB 1021 (new and increased fees)	-	-	-	50,400,000	50,400,000
16	Total, New Revenues	18,000,000	66,290,000	70,580,000	120,980,000	120,980,000
18	Total Net Reduction	-207,809,000	-89,519,000	-232,786,575	-572,286,575	-495,786,575
20	IV. Reduction Adjustments					
21	Add: Share of Reduction - Other State Trial Court Funding Programs (see Attachment I for details)	-	3,713,000	5,190,444	15,141,778	15,141,778
22	Add: Security Share of Reduction	17,682,408	17,049,000	17,049,000	17,049,000	17,049,000
23	Less: Court Appointed Counsel Ongoing Shortfall	-	-7,075,000	-3,537,500	-	-
24	Total, Reduction Adjustments	17,682,408	13,687,000	18,701,944	32,190,778	32,190,778
26	Cumulative net court operations reduction from 2008-09	-190,126,592	-75,832,000	-214,084,631	-540,095,797	-463,595,797
28	Statewide 2% reserve				-27,813,940	-30,293,940
29	Cumulative net court operations reduction from 2008-09 with 2% holdback	-190,126,592	-75,832,000	-214,084,631	-567,909,737	-493,889,737
31	Change from prior year before 2% holdback		114,294,592	-138,252,631	-326,011,166	76,500,000
32	Change from prior year after 2% holdback		114,294,592	-138,252,631	-353,825,106	74,020,000
34	Offset to \$385 million reduction before 2% holdback				58,988,834	
35	Offset to \$385 million reduction after 2% holdback				31,174,894	

1. Assumes the ongoing \$10 million offset to the trial court funding reduction of \$121 million in 2013-2014 is a General Fund augmentation.

Detail of Offsets Included or Assumed in the Budget Act of 2012

#	Offsets	2012-13	2013-14
1	<i>Distribution from:</i>		
2	Immediate & Critical Needs Account (SB 1407)	240,000,000	50,000,000
3	<i>Transfers to TCTF:</i>		
4	State Court Facilities Construction Fund (SB 1732)	59,486,000	-
5	Modernization Fund savings and fund balance	23,000,000	20,000,000
6	Improvement Fund savings related to AOC staff	594,000	-
7	Improvement Fund -- Deloitte refund	3,629,000	
8	<i>TCTF:</i>		
9	CCMS V4 savings	46,000,000	30,000,000
10	Deloitte refund	12,371,000	-
11	CCMS V2/V3 savings	10,000,000	-
12	TCTF fund balance	5,000,000	-
13	TCTF savings related to AOC staff	920,000	-
14	Total	401,000,000	100,000,000

Allocation of Reduction to Other State Trial Court Funding Programs/Grants -- History and Recommendations

#	Item	Fund Source	Program / Element	FY 2010-11 Base Budget	Reduction in FY 2010-11	Cumulative Reduction in FY 2011-12	Cumulative Reduction in FY 2012-13 as Enacted or Proposed	Enacted FY 2012-13 Appropriation or Recommended Allocation	% Reduction
				A	B	C	D	E (A+D)	F (D/A)
1	Prisoner Hearings Costs	GF	45.10	2,829,000	(101,000)	(284,000)	(101,000)	2,728,000	-3.6%
2	Cost of Homicide Trials	GF	45.10	282,000	(10,000)	(28,000)	(10,000)	272,000	-3.5%
3	Service of Process for Protective Orders	GF	45.10	3,319,000	(118,000)	(332,000)	(118,000)	3,201,000	-3.6%
4	Drug Court Projects	GF	45.55	1,203,000	(43,000)	(121,000)	(43,000)	1,160,000	-3.6%
5	Equal Access	GF	45.090	10,776,000	(384,000)	(1,080,000)	(384,000)	10,392,000	-3.6%
6	CASA	TCTF	45.55	2,291,928	(82,000)	(230,000)	(82,000)	2,209,928	-3.6%
7	Model Self-Help	TCTF	45.55	991,104	(35,000)	(99,000)	(35,000)	956,104	-3.5%
8	Equal Access	TCTF	45.55	5,685,317	(203,000)	(577,000)	(203,000)	5,482,317	-3.6%
9	Family Law Information Centers	TCTF	45.55	357,369	(13,000)	(36,000)	(13,000)	344,369	-3.6%
10	Civil Case Coordination	TCTF	45.55	447,663	(16,000)	(45,000)	(16,000)	431,663	-3.6%
11	Interpreters	TCTF	45.45	92,794,000	-	-	-	92,794,000	0.0%
12	Judges' Compensation	TCTF	45.25		(1,500,000)	(1,500,000)	(1,500,000)	n/a	n/a
13	Sheriff Security	TCTF	45.10		(17,049,000)	(17,049,000)	(17,049,000)	n/a	n/a
14	Processing of Elder Abuse Protective Orders	TCTF	45.10	368,340	(12,000)	(36,000)	(36,000)	332,340	-9.8%
15	Jury	TCTF	45.10	35,600,778	(1,196,000)	(822,444)	(18,600,778)	17,000,000	-52.2%
16	Jury - estimated savings redirected to CCMS	TCTF	45.10				6,000,000	n/a	
17	Court Appointed Dependency Counsel	TCTF	45.10	103,725,445	7,075,000	3,537,500	-	103,725,445	n/a
18	Total				(13,687,000)	(18,701,944)	(32,190,778)		n/a

Trial Court Trust Fund -- Summary Fund Condition Statement

		Actual	Estimate		
		2010-11	2011-12	2012-13	2013-14
		A	B	C	D
1	Beginning Balance	103,839,928	72,918,702	119,320,124	34,075,476
2	Prior-Year Adjustments	2,236,204	51,099,124	-	-
3	Adjusted Beginning Balance	106,076,131	124,017,826	119,320,124	34,075,476
4					
5	Revenue/Net Transfers	3,037,610,810	2,484,915,382	1,755,041,981	2,162,412,981
6					
7	Total Resources (row 3 + 5)	3,143,686,942	2,608,933,208	1,874,362,105	2,196,488,456
8					
9	Expenditures/Encumbrances/Allocations	3,070,768,240	2,489,613,084	1,840,286,629	2,159,629,512
10					
11	Total Fund Balance (row 7 - 9)	72,918,702	119,320,124	34,075,476	36,858,944
12	Net Revenue/Transfers Over or (Under) Expenditure (row 5 - 9)	(33,157,429)	(4,697,701)	(85,244,649)	2,783,468
13					
14	<i>Restricted Fund Balance</i>	-	-	-	-
15	Court Interpreter	4,506,988	10,211,953	10,211,953	10,211,953
16	Court-Appointed Dependency Counsel	781,026	901,151	901,151	901,151
17	Total Restricted Fund Balance	5,288,014	11,113,105	11,113,105	11,113,105
18					
19	Total Unrestricted Fund Balance	67,630,688	108,207,020	22,962,371	25,745,839

One-Time Allocation of \$58.988 Million Reduction Offset

	2012-2013 Beginning Base Allocation	2011-2012 Security Allocation	Adjusted Base	% of Total Adjusted Base	Recommended: Pro-Rata Using Adjusted Base	Pro-Rata Using Beginning Base	Variance	% Variance
Court	A	B	C (A-B)	D	E	F	G (E - F)	H G/E
Alameda	85,128,205	3,177,924	81,950,281	4.8%	2,848,480	2,889,170	(40,690)	-1.4%
Alpine	624,271	-	624,271	0.0%	21,699	21,187	512	2.4%
Amador	2,376,119	-	2,376,119	0.1%	82,591	80,643	1,947	2.4%
Butte	9,046,734	467,145	8,579,589	0.5%	298,215	307,038	(8,823)	-3.0%
Calaveras	2,178,130	-	2,178,130	0.1%	75,709	73,924	1,785	2.4%
Colusa	1,544,857	-	1,544,857	0.1%	53,697	52,431	1,266	2.4%
Contra Costa	38,367,987	-	38,367,987	2.3%	1,333,619	1,302,173	31,446	2.4%
Del Norte	2,605,956	-	2,605,956	0.2%	90,579	88,444	2,136	2.4%
El Dorado	6,745,775	-	6,745,775	0.4%	234,474	228,945	5,529	2.4%
Fresno	38,599,493	-	38,599,493	2.3%	1,341,666	1,310,030	31,636	2.4%
Glenn	2,050,176	9,779	2,040,397	0.1%	70,921	69,581	1,340	1.9%
Humboldt	5,999,285	167,800	5,831,485	0.3%	202,694	203,610	(916)	-0.5%
Imperial	7,587,595	420,479	7,167,116	0.4%	249,119	257,516	(8,397)	-3.4%
Inyo	2,058,919	186,658	1,872,261	0.1%	65,077	69,878	(4,801)	-7.4%
Kern	34,087,708	65,567	34,022,141	2.0%	1,182,563	1,156,904	25,659	2.2%
Kings	6,146,561	421,918	5,724,643	0.3%	198,981	208,608	(9,628)	-4.8%
Lake	3,643,626	196,493	3,447,133	0.2%	119,818	123,661	(3,844)	-3.2%
Lassen	2,508,572	293,836	2,214,736	0.1%	76,981	85,139	(8,157)	-10.6%
Los Angeles	491,011,446	14,294,467	476,716,979	28.1%	16,570,033	16,664,461	(94,428)	-0.6%
Madera	7,096,460	381,406	6,715,054	0.4%	233,406	240,847	(7,441)	-3.2%
Marin	15,662,429	9,625	15,652,804	0.9%	544,070	531,568	12,502	2.3%
Mariposa	1,086,660	-	1,086,660	0.1%	37,771	36,880	891	2.4%
Mendocino	4,941,594	299,349	4,642,245	0.3%	161,358	167,713	(6,355)	-3.9%
Merced	10,443,095	-	10,443,095	0.6%	362,988	354,429	8,559	2.4%
Modoc	1,101,749	789	1,100,960	0.1%	38,268	37,392	876	2.3%
Mono	1,417,236	24,156	1,393,080	0.1%	48,422	48,100	322	0.7%
Monterey	15,970,046	870,000	15,100,046	0.9%	524,857	542,008	(17,151)	-3.3%
Napa	7,495,781	295,552	7,200,229	0.4%	250,270	254,400	(4,130)	-1.7%
Nevada	5,077,545	433,431	4,644,114	0.3%	161,423	172,327	(10,904)	-6.8%
Orange	143,371,602	2,733,776	140,637,826	8.3%	4,888,379	4,865,896	22,484	0.5%
Placer	13,395,483	-	13,395,483	0.8%	465,609	454,630	10,979	2.4%

One-Time Allocation of \$58.988 Million Reduction Offset

	2012-2013 Beginning Base Allocation	2011-2012 Security Allocation	Adjusted Base	% of Total Adjusted Base	Recommended: Pro-Rata Using Adjusted Base	Pro-Rata Using Beginning Base	Variance	% Variance
Court	A	B	C (A-B)	D	E	F	G (E - F)	H G/E
Plumas	1,652,863	-	1,652,863	0.1%	57,451	56,097	1,355	2.4%
Riverside	70,606,776	1,931,520	68,675,256	4.0%	2,387,058	2,396,327	(9,268)	-0.4%
Sacramento	73,305,995	1,864,424	71,441,571	4.2%	2,483,212	2,487,936	(4,724)	-0.2%
San Benito	2,856,982	-	2,856,982	0.2%	99,305	96,963	2,342	2.4%
San Bernardino	76,326,257	3,269,446	73,056,811	4.3%	2,539,355	2,590,440	(51,085)	-2.0%
San Diego	142,274,303	657,192	141,617,111	8.3%	4,922,418	4,828,654	93,764	1.9%
San Francisco	62,880,502	-	62,880,502	3.7%	2,185,641	2,134,104	51,536	2.4%
San Joaquin	27,281,906	287,747	26,994,159	1.6%	938,280	925,922	12,358	1.3%
San Luis Obispo	13,152,412	241,676	12,910,736	0.8%	448,760	446,380	2,379	0.5%
San Mateo	36,130,391	443,042	35,687,349	2.1%	1,240,444	1,226,231	14,213	1.1%
Santa Barbara	21,986,762	1,055,112	20,931,650	1.2%	727,556	746,210	(18,654)	-2.6%
Santa Clara	86,365,237	-	86,365,237	5.1%	3,001,938	2,931,154	70,784	2.4%
Santa Cruz	11,594,996	-	11,594,996	0.7%	403,026	393,523	9,503	2.4%
Shasta	11,258,143	2,389,668	8,868,475	0.5%	308,256	382,091	(73,835)	-24.0%
Sierra	614,465	-	614,465	0.0%	21,358	20,854	504	2.4%
Siskiyou	3,760,082	-	3,760,082	0.2%	130,695	127,614	3,082	2.4%
Solano	18,499,167	435,400	18,063,767	1.1%	627,872	627,844	28	0.0%
Sonoma	21,874,603	440,000	21,434,603	1.3%	745,038	742,403	2,634	0.4%
Stanislaus	17,253,129	9,326	17,243,803	1.0%	599,371	585,555	13,816	2.3%
Sutter	4,107,540	247,071	3,860,469	0.2%	134,185	139,406	(5,221)	-3.9%
Tehama	3,293,218	-	3,293,218	0.2%	114,468	111,769	2,699	2.4%
Trinity	1,573,346	450,608	1,122,738	0.1%	39,025	53,398	(14,373)	-36.8%
Tulare	14,662,222	15,576	14,646,646	0.9%	509,097	497,622	11,476	2.3%
Tuolumne	3,266,745	220,516	3,046,229	0.2%	105,883	110,870	(4,987)	-4.7%
Ventura	29,911,573	1,559,157	28,352,416	1.7%	985,491	1,015,170	(29,679)	-3.0%
Yolo	8,422,926	582,889	7,840,037	0.5%	272,509	285,866	(13,357)	-4.9%
Yuba	3,797,975	132,569	3,665,406	0.2%	127,405	128,900	(1,495)	-1.2%
Total	1,738,081,611	40,983,089	1,697,098,522	100.0%	58,988,834	58,988,834	-	0.0%

Estimate of 2012-2013 TCTF Program 45.10 Allocations

#	Description	Type	2012-13	Recommendation
1	I. Prior Year Ending Base Allocation	Ongoing	1,684,326,038	1
3	II. Prior Year Adjustments			
4	Reduction for 2011-12 Appointed Converted SJO Positions	Ongoing	-1,545,824	
5	New Screening Station Funding	Ongoing	114,509	
6	Total, Prior Year Adjustments		-1,431,315	
8	III. FY 2012-2013 Allocations			
9	\$385 Million Reduction	One-Time	-385,000,000	3, 4
10	Recommended Reduction Offset	One-Time	58,988,834	6
11	\$240 Million Adjustment for Funding to be Distributed from ICNA	One-Time	-240,000,000	
12	2.0% Holdback	One-Time	-27,813,940	5
13	1.5% & 0.5% Emergency Funding & Unspent Funding Allocated Back to Courts	One-Time	27,813,940	5
14	San Luis Obispo CMS Replacement ¹	One-Time	3,360,000	
15	Prior Year Judicial Council-Approved Allocations for screening stations and facilities operations and security	One-Time	192,136	
16	Parole Revocation Hearing Realignment Funding	Ongoing	9,223,000	2
17	Non-Sheriff's Base Security Funding	Ongoing	3,615,864	1
18	Prior Year Judicial Council-Approved Allocations for screening stations	Ongoing	505,426	
19	Total, FY 2012-2013 Allocations		-549,114,740	
21	IV. Reimbursements			
22	Court-Appointed Dependency Counsel (including DRAFT program vendors)	One-Time	103,725,445	6
23	Jury	One-Time	17,000,000	6
24	PC Replacement	One-Time	7,400,000	
25	Replacement Screening Stations	One-Time	2,286,000	
26	Self-Help Center ²	One-Time	2,500,000	

Estimate of 2012-2013 TCTF Program 45.10 Allocations

#	Description	Type	2012-13	Recommendation
27	Elder Abuse	One-Time	332,340	6
28	Total, Reimbursements		133,243,785	
30	V. Revenue Distributions			
31	Civil Assessment	One-Time	96,996,491	
32	Fees Returned to Courts	One-Time	18,036,810	
33	Replacement of 2% automation allocation from TCIF	One-Time	10,907,494	
34	Children's Waiting Room	One-Time	4,012,388	
35	Automated Recordkeeping and Micrographics	One-Time	3,149,166	
36	Telephonic Appearances Revenue Sharing	One-Time	943,840	
37	Total, Revenue Distributions		134,046,190	
39	VI. Miscellaneous Charges			
40	Judicial Branch Worker's Compensation Program Premiums	One-Time	-16,516,037	
41	Statewide Administrative Infrastructure Charges	One-Time	-12,467,887	
42	Total, Miscellaneous Charges		-28,983,924	
44	Total, Ongoing Program 45.10 Allocations		1,696,239,013	
45	Total, One-Time Program 45.10 Allocations		-324,152,979	
47	Total, Estimated FY 2012-13 Program 45.10 Trial Court Distributions		1,372,086,034	
49	Estimated Program 45.10 Appropriation		1,367,913,375	
51	Estimated Program 45.10 Appropriation Excess or (Deficit)		-4,172,659	

1. At its June 22, 2012 business meeting, the Judicial Council approved an allocation of up to \$3.36 million to the Superior Court of San Luis Obispo County to address the costs to replace the court's failing case management system.
2. \$3.7 million in self-help center funding was allocated ongoing to the trial courts in September 2006 and is included in the ending base allocation in row 1.

**Court Share of \$235 Million Reduction Using 2011-
2012 Fund Balance as of 7/26/2012**

Court	FY 2011-2012 Total Fund Balance as of July 26, 2012	% of Total	Share of Reduction
	A	B	C
Alameda	30,106,431	5.5%	(12,846,531)
Alpine	733,233	0.1%	(312,873)
Amador	803,779	0.1%	(342,976)
Butte	5,546,949	1.0%	(2,366,904)
Calaveras	1,709,984	0.3%	(729,657)
Colusa	1,814,276	0.3%	(774,159)
Contra Costa	18,865,203	3.4%	(8,049,855)
Del Norte	4,287,487	0.8%	(1,829,487)
El Dorado	2,802,513	0.5%	(1,195,843)
Fresno	9,182,906	1.7%	(3,918,382)
Glenn	759,290	0.1%	(323,992)
Humboldt	1,518,758	0.3%	(648,060)
Imperial	9,093,579	1.7%	(3,880,265)
Inyo	3,221,581	0.6%	(1,374,661)
Kern	14,300,502	2.6%	(6,102,080)
Kings	1,249,110	0.2%	(533,000)
Lake	535,737	0.1%	(228,601)
Lassen	1,250,889	0.2%	(533,759)
Los Angeles	143,468,957	26.1%	(61,218,760)
Madera	2,970,236	0.5%	(1,267,411)
Marin	4,640,439	0.8%	(1,980,093)
Mariposa	598,734	0.1%	(255,482)
Mendocino	659,375	0.1%	(281,358)
Merced	5,722,629	1.0%	(2,441,868)
Modoc	164,855	0.0%	(70,344)
Mono	1,326,339	0.2%	(565,954)
Monterey	6,634,116	1.2%	(2,830,803)
Napa	2,563,500	0.5%	(1,093,855)
Nevada	463,023	0.1%	(197,573)
Orange	54,291,925	9.9%	(23,166,575)
Placer	3,093,180	0.6%	(1,319,872)
Plumas	1,054,293	0.2%	(449,871)
Riverside	17,129,778	3.1%	(7,309,343)
Sacramento	23,537,848	4.3%	(10,043,691)
San Benito	2,254,505	0.4%	(962,006)
San Bernardino	32,840,844	6.0%	(14,013,316)
San Diego	25,179,395	4.6%	(10,744,145)
San Francisco	13,161,302	2.4%	(5,615,978)
San Joaquin	1,273,842	0.2%	(543,553)
San Luis Obispo	4,366,315	0.8%	(1,863,124)
San Mateo	9,060,192	1.6%	(3,866,019)
Santa Barbara	9,599,471	1.7%	(4,096,131)
Santa Clara	28,290,091	5.1%	(12,071,491)
Santa Cruz	4,260,253	0.8%	(1,817,866)
Shasta	3,872,450	0.7%	(1,652,389)
Sierra	161,645	0.0%	(68,974)
Siskiyou	2,906,653	0.5%	(1,240,280)
Solano	2,382,183	0.4%	(1,016,487)
Sonoma	7,342,333	1.3%	(3,133,002)
Stanislaus	8,565,520	1.6%	(3,654,941)
Sutter	1,757,473	0.3%	(749,921)
Tehama	2,104,371	0.4%	(897,943)
Trinity	784,517	0.1%	(334,757)
Tulare	2,247,607	0.4%	(959,062)
Tuolumne	943,242	0.2%	(402,485)
Ventura	5,633,325	1.0%	(2,403,762)
Yolo	4,682,618	0.9%	(1,998,091)
Yuba	961,641	0.2%	(410,336)
Total	550,733,220	100.0%	(235,000,000)