



THE JUDICIAL COUNCIL OF CALIFORNIA

Administrative Office of the Courts

303 Second Street, South Tower • San Francisco, California 94107 • FAX (415) 396-9281

To: Members of the Judicial Council

From: Honorable Steven E. Jahr, Chair
Task Force on Trial Court Funding

Date: April 25, 1996

Re: Final Report to the Judicial Council

A. Overview of Governor Wilson's Trial Court Funding Proposal

On January 10, 1996, Governor Pete Wilson delivered his budget message to the legislature which included a proposal to change significantly the manner in which trial court operations are funded in California.

The Governor's message noted that the funding mechanism which has been in place the last several years has produced an environment of divided funding responsibility, uncertainty on the part of both the state and counties concerning their financial obligations, a resulting inhibition of the trial courts' ability to engage in long term planning exercises, and a limitation on the ability of the Judicial Council to fairly allocate resources. The Governor concluded that as a consequence, a disparity in access to justice from county to county is on the increase.

The Governor proposes to consolidate the costs of operating the trial courts at the state level using a single state budget process, excepting from state responsibility only the costs for facilities, local judicial benefits, and revenue collection which are to remain direct county responsibilities. The participation of the counties with respect to operations funding would be in the form of an annual contribution to the state Trial Court Trust Fund, capped at the level that each county contributed to court operations in FY 1994-95.

At its January meeting, the Judicial Council voted to support, in concept, the state funding proposal made by Governor Wilson.

B. The Formation of, and Charge to the Task Force

Along with his proposal, the Governor requested interested organizations, including the counties and the Judicial Council, to provide feedback on the proposal for the purpose of addressing questions and concerns and ultimately, so as to develop a consensus on the details of a proposal that could be presented to the legislature. In response to the Governor's request, the Judicial Council formed the Task Force on Trial Court Funding which was charged by the Chief Justice to survey the trial courts, to assess the survey responses and identify issues raised by the courts relative to the Governor's proposal, to review suggestions and alternatives presented by the trial courts, and to make specific recommendations on the best approach to address those issues the trial courts deemed integral to the Governor's proposal.

What follows is a review of the activities of the Task Force and its final recommendations.

C. Summary of Task Force Activity

As an initial measure, a survey was distributed by the Administrative Office of the Courts (AOC) to all trial courts on February 8, 1996. The results were reviewed at the first meeting of the Task Force on Trial Court Funding on February 21, 1996. An interim report to the Judicial Council was presented at its February 23, 1996 meeting and distributed to the courts as well as other interested parties and groups with an invitation to comment.

The Task Force met again on March 12, 1996 and developed additional recommendations for the council, which were considered at the council's meeting on March 29 and, as with the earlier recommendations, approved in concept by the council. An updated interim report of the Task Force was again disseminated to the courts and to interested parties for review and further comment.

The Task Force met again on April 8 and then finally on April 22 to complete its work. During the course of the process, input was provided by the State Bar Association, the California Judges Association, the California State Association of Counties and by individual trial courts and associations of trial courts throughout California.

As an illustration, the Metropolitan Municipal Courts Association presented written recommendations that were considered by the Task Force at its April 22 meeting, at which Judges Stephen Manley and Michael Orfield were present to comment on behalf of the association.

By way of further examples, the Metropolitan Superior Courts Association distributed at the close of the first meeting of the Task Force a draft of an alternative funding proposal which was agendized for the following meeting. At the next meeting, Judge Gary Klausner, a Task Force member and a representative of the association, offered, in lieu of the proposals set forth in the draft, a set of five principles which were acted on by the Task Force. Thereafter, Judge Klausner, on behalf of the Los Angeles County Superior Court, on April 17, presented a written alternative to the Governor's proposal which was agendized for

discussion at the final meeting on April 22 where it was distributed, although Judge Klausner chose not to make a verbal presentation of the proposal.

At the close of the April 22 meeting, the members of the Task Force voted, without dissent, to recommend that the following are elements necessary for the successful implementation of Governor Wilson's proposal.

D. Recommendations

The recommendations of the Task Force on Trial Court Funding to the Judicial Council are as follows:

- ✓ 1. Request funding that meets the actual Trial Court Budget Commission/Judicial Council budget request of 1.727 Billion for fiscal year 1996-97 (which is \$120 million dollars above the Governor's budget proposal).

(Comment: The TCBC approved budget is based upon its determination of the needs of the trial courts. The TCBC process considers issues of accountability, minimum standards, performance issues, etc., in producing an approved budget for the trial courts.)

- ✓ 2. Maintain status quo with respect to employee status, i.e. employees remain county/court employees.

As with several of the recommendations of the Task Force, this recommendation reflects the consensus that a single, stable source of funding of the kind proposed by Governor Wilson should not be accompanied by an overly centralized organizational structure for California's trial courts. Rather, by drawing on recent experiences in the private sector, advantageous features of decentralization should be retained to provide maximum flexibility to the trial courts at the local level.

The single state source of funding model proposed by the Governor creates a new dynamic in the area of collective bargaining with employees who will remain employees of the local courts. An extensive study of this problem was made by a subcommittee formed within the Task Force. The full report of the Subcommittee is attached (Attachment #1). The Task Force approved these recommendations.

3. Use the Trial Court Budget Commission budget review process to insure local input and to preserve the flexibility and control of operations at the local court level.
 - (a) The TCBC budget evaluation criteria and process is retained and refined to provide a single budgetary process.
 - (b) Statutory authority, California Rules of Court, and TCBC policies are to be evaluated and assessed.

✓ 4

Allow courts and counties to continue to collaborate so that the ultimate goal of efficient collections is realized.

- (a) Courts have a strong interest in ensuring that courts and counties continue to collaborate so that both goals of efficient collection and enforcement of court orders are achieved.
- (b) Court collections can be transferred from court to county by mutual agreement. To ensure compliance with orders, trial courts must retain ultimate authority to determine where collections will be made.

✓ 5

Utilize the Trial Court Budget Commission allocation process to provide mechanisms for emergency and mid-year changes in funding.

- (a) Retain current policy which allows a court to transfer funds among functional categories as necessary during a given fiscal year. Following a transfer at the local level between functional budgeting categories, a review of those actions will take place through the TCBC process.
- (b) Policies, Rules of Court, and statutory authority will be evaluated and assessed.

✓ 6

Authorize courts to negotiate with either the county or outside vendors for non-direct administrative support and for the purchase of equipment, supplies, and services heretofore provided solely by the county.

- (a) The courts, in any case, shall have the option to continue to use county services.
- (b) The counties should receive fair compensation for services rendered, provided, however, that increases in charges by counties for services and supplies shall not exceed that charged for comparable services and supplies to departments of that county.
- (c) In-county services offered to county departments shall also be offered to the courts.

✓ 7

Ensure that services provided and costs absorbed by a county which have not been charged back to the courts as of January 1, 1996, shall continue to be provided and absorbed at no less than the level provided in FY 1995-96 and without charge to the courts.

8.

Irrespective of the sources of funding, the statute must reflect an unequivocal state responsibility to provide a stable system for funding the operations of the trial courts.

(Comment: The Task Force has considered alternate proposals that the judicial branch of government should take a position with respect to the sources of revenue for funding court operations and the proportionate share to be provided by those sources. The Task Force has also observed that the estimates of the revenues to be generated by the proposed fee increases are estimates, only. It is the assessment of the Task Force that, in addressing the Governor's proposal, the judicial branch should be concerned principally with the development of a statutory structure which clearly identifies the state's responsibility to provide for stable, reliable, adequate funding for trial court operations.)

9. Support the Governor's proposed authorization of twenty new judgeships.

(a) This element of the Governor's proposal does not, however, resolve present deficiencies in the number of authorized judicial positions.

(b) Future judgeship needs should be determined based only on workload analysis.

10.

Support creation of a "three-strikes team" to deal with significant increases in criminal case activity as outlined in the Governor's proposal. The Task Force recognizes that additional long term solutions must be identified and implemented.

11.

Retain local trial court authority and control over personnel, expenditures, and individual court operations.

12.

Provide a process for courts to deal with the impact of new laws or policies (state or county).

(a) Fiscal notes (prepared by the LAO or the AOC) identifying operational costs that would result from adoption of proposed legislation should be required.

(b) The statute should build in recognition of the responsibility for adequate funding which will address the impact of actions at the state and local levels on the operations costs for the trial courts. Statutes should embrace the concept that the state will be responsible to fully fund newly mandated operations costs (e.g., the equivalent of the SB90 process which provides counties with the assurance that new state mandates will be funded) and that a similar mechanism should be devised providing for additional county responsibility to the extent that counties mandate additional court operations costs by their actions.

13. Ensure that costs for construction and renovation of "court facilities" shall remain county responsibility.

Comment: Court facilities include, without limitation, all rooms, chambers and buildings necessary for the discharge of court judicial, administrative, and clerical business along with ancillary facilities (e.g. jury assembly and deliberation facilities and in-court detention facilities). A line of demarcation must be drawn between responsibility for repair as distinguished from maintenance. The line of demarcation should be drawn at the point where costs are not identified under California Rules of Court, Rule 810, as approved costs. Counties should be required to pay those "non-810" costs.

- ✓ 14. Provide that with respect to defense and indemnification for claims and suits, the state shall undertake to defend, indemnify and hold harmless judges against liability claims and in general civil actions, whether in state or federal court; while the counties shall remain responsible to defend, indemnify, and hold harmless court staff (including subordinate bench officers) against liability claims and in general civil actions, whether in state or federal court, consistent with the employee status recommendations noted above.

The responsibility to provide legal assistance to the courts, heretofore borne by the county counsel offices in the respective counties (e.g., responding to petitions for writs of mandate to the court of appeal, preparation of affidavits in connection with C.C.P. §170.1 challenges) remain with the counties.

15. Repeal Government Code §68108, which provides that counties may schedule furlough days for the courts (see Attachment #2).
16. Provide, prospectively, that a fixed share for penalty assessments which accrue to counties shall be deposited into the county court construction fund and shall not be subject to diversion by county government for non-court construction purposes.
17. The statute must provide that counties shall remain responsible for all "non Rule 810" costs associated with the operation of the justice system.

E. Conclusion

The Governor's Proposed Budget for FY 1996-97 provides a simplified budgeting process in which the state is responsible for funding the trial court operations. This system would allow the trial courts a measure of independence and accountability that they are unable to achieve under the current funding structure. The sixteen recommendations set forth above highlight points of implementation to meet the key needs of the trial courts for the foreseeable future.

The Task Force on Trial Court Funding recommends that the Judicial Council:

Continue to support the Governor's Proposed Budget for FY 1996-97 in concept based upon inclusion of the sixteen recommendations contained above.

The members of the Task Force trust that the foregoing will be of assistance to the Judicial Council in its discussions with representatives of the Governor and Legislature branches, representatives of the counties, and other interested parties. The Task Force stands ready to receive further direction and instruction from the Judicial Council

TASK FORCE ON TRIAL COURT FUNDING

MEMBERSHIP ROSTER

TASK FORCE CHAIR: HONORABLE STEVEN E. JAHR
MEETING FACILITATOR: MR. MICHAEL BERGEISEN

TASK FORCE MEMBERS:

Honorable James A. Ardaiz (Presiding Justice, Court of Appeal, Fifth Appellate District)
Ms. Tamara Beard (Executive Officer, Fresno County Courts)
Honorable Joseph F. Biafore, Jr. (Presiding Judge, Santa Clara County Superior Court)
Honorable Paul Boland (President, California Judges Association)
Mr. Alan Carlson (Executive Officer/Clerk, San Francisco Superior and Municipal Courts)
Honorable Marjorie Laird Carter (Presiding Judge, Central Orange County Municipal Court)
Honorable Lloyd Connelly (Judge, Sacramento County Municipal and Superior Court)
Ms. Sheila Gonzalez (Joint Court Exec. Officer, Ventura County Superior & Muni. Courts)
Mr. Howard Hanson (County Clerk/Administrator, Marin County Superior Court)
Honorable Steven J. Howell (Judge, South Butte County Municipal Court)
Honorable Steven E. Jahr (Judge, Shasta County Superior Court)
Honorable Gary Klausner (Presiding Judge, Los Angeles County Superior Court)
Mr. Ken Martone (Executive Officer, San Diego County Superior Court)
Honorable Jon M. Mayeda (Judge, Los Angeles Municipal Court)
Honorable Douglas V. Mewhinney (Presiding Judge, Calaveras County Municipal Court)
Mr. Frederick K. Ohlrich (Court Administrator, Los Angeles Municipal Court)
Honorable Kathleen O'Leary (Judge, Orange County Superior Court)
Mr. Ron Overholt (Executive Officer, Alameda County Superior Court)
Honorable Robert W. Parkin (Judge, Los Angeles County Superior Court)

AOC STAFF

Mr. Michael Bergeisen, General Counsel to the AOC
Ms. Kiri Torre, Director, Trial Court Services, AOC
Mr. Michael Corbett, Legislative Representative
Mr. Jerry Yalon, Coordinator, Trial Court Budget Commission
Ms. Lesley Duncan, Analyst, Trial Court Budget Commission

Final Report of the Subcommittee on Employee Status Task Force on Trial Court Funding

Executive Summary

The Governor's proposal for trial court funding places funding responsibility entirely with the State. Initial reaction from the Legislative Analyst's Office (LAO) and others suggested that court employees would likely migrate to state employee status. The responses to a survey of courts throughout the State reveal that there is a strong position among judges and court employees that court employees need to remain in a locally based personnel system. This issue was identified by the Task Force on Trial Court Funding and court officials throughout the State as a critical issue which must be addressed. At the first meeting of the Task Force, a subcommittee was established to review the matter and make recommendations to the Task Force on the status of court employees as it relates to the Governor's proposal.

The Report to the Legislature on the Future Status of Trial Court Employees (Perren Report) pursuant to Government Code §68520 (b) was prepared and submitted to the Judicial Council and legislature in 1992. The study was conducted by a committee created by the Judicial Council in response to legislative intent to establish a funding structure which would have the State responsible for 70% of the costs of the trial courts while the counties would be responsible for 30% of the trial court costs. The report contained 17 recommendations with regard to the definition of court employees, the structure of personnel models, the determination of compensation levels, and implementation of the model. The subcommittee reviewed the recommendations to determine if they were relevant and appropriate considering that the Governor's current proposal places funding responsibility entirely with the State.

Following review by the subcommittee and the Task Force, the recommendations of the 1992 report have been amended, supplemented and deleted as appropriate. The specific recommendations of the subcommittee follow this summary. The subcommittee recommends a personnel structure for court employees which provides the flexibility for existing structures to remain in place where appropriate as determined by the local court. The subcommittee believes that local labor market factors should be reflected in any structure and that existing collective bargaining and labor relations structures should be maintained as presently constituted.

The subcommittee proposes an approach to compensation which will reflect local market factors, and will provide accountability to the state for compensation increases. Compensation shall include salary and benefits. This proposal would establish a "floating cap" on county funding levels for trial court employee compensation costs. Compensation levels will continue to be negotiated and approved through the existing county level structure. Compensation increases for court employees must be comparable to any increases provided for county employees. The county "cap" may float up or down depending on compensation increases provided by the county in relation to the average salary increases annually provided for state employees. Should a county approve compensation increases for court and county employees which exceeds those for state employees in any given year, the county will be responsible for the differences between the two. Should the increases provided by the state in any given year exceed that provided by a county, the county "cap" will float down. Research on increases provided by the State and counties in recent years indicate that the salary increases tend to equalize over time. It is anticipated that the county "cap" would remain relatively constant over time. This floating cap is one element of

providing accountability for trial court employee costs, but is not an essential element to the need for maintaining a locally controlled personnel system.

The subcommittee believes that significant costs associated with establishing a statewide office of court personnel administration will be avoided by the local model proposed. A review of National Center for State Courts research showed that states which did bring trial court employees under a State administered personnel system experienced higher than expected costs, especially when dealing with compensation parity issues across counties and developing a statewide court personnel administrative office. Preliminary analysis indicates an approximate additional minimum cost of between \$4,000,000 and \$5,000,000 would be needed annually in order to staff a division of the Administrative Office of the Courts to manage the personnel related issues of assuming oversight for 15,500 non-judicial trial court employees. In order to address the issue of determining costs associated with equalization of classifications across counties, an additional minimum of \$44, 582,866 would be needed annually (see attached memo, pages 6-9).

The subcommittee recognizes that there will likely be local personnel issues which are in progress during the transition to full State funding which may not be addressed by the actions of the Task Force. The subcommittee recommends that the Task Force recommend that the TCBC be given authority to approve actions taken during the transition period, taking into consideration the local conditions, comparability with county compensation, existing labor agreements, and the local employment situations.

Subcommittee on Employee Status Recommendations

Definition:

- 1). Trial courts shall include Municipal, Superior, and any Consolidated or Coordinated court. Court employees, including staff working for or providing services to more than one court, are hired under the authority of the local trial court or courts, or under the authority of the judges of a local trial court or courts, and are court employees for all purposes except as otherwise provided. To the extent that the county clerk serves as the Clerk of the court, his or her employees are employees of the court;
- 2). Marshals and their appointees who (1) serve at the pleasure of the judges and (2) provide statutory services are court employees;
- 3). The definition of court employees is not intended to modify rule 810 of the California Rules of Court (CRC) as to what is funded, in whole or in part, from state trial court funds. Services as defined in rule 810 of the California Rules of Court should continue to be paid out of trial court funding, whether or not performed by court employees, as provided in rule 810.
- 4). The trial court may contract for services with independent contractors who shall not be considered employees of the court;

Structure:

- 5). Each trial court shall maintain a locally managed personnel system. A transition provision shall grandparent trial court employees contained in the TCBC approved FY 95-96 budget, plus any new positions approved by the counties for the trial courts during the FY 95 - 96 fiscal year, notwithstanding court specific staffing statutes. Where feasible, courts are

encouraged to use the uniform standards for court classifications (job descriptions, functions, and titles) adopted by the Judicial Council.

- 6). Nothing above shall limit the right of a trial court, at its sole discretion, to opt into or out of a county personnel system.
- 7). Existing employer-employee relationships between employee organizations, counties and trial courts shall remain unchanged;

Compensation

- 8). Trial court employee compensation (salary and benefit) increases shall be comparable to compensation increases negotiated or scheduled for county employees in comparable classifications. There shall be no requirement that the average salary increase given to state employees be given to trial court employees;
- 9). In a given year, each county's cap, as defined in the Governor's proposed budget, shall be increased by the amount of any compensation increase negotiated for trial court employees that exceeds the average state salary. The average state salary increase shall be determined pursuant to Government Code §68203. Conversely, a county's cap shall be decreased by the amount of any salary increase by the state which exceeds a compensation increase for trial court employees. Should there be identical increases for state employees and county and trial court employees, or if there is no increase for either group of employees, the county's cap shall remain the same. The cap shall be adjusted annually as necessary.
- 10). The total State funding level shall be determined independent of methods for determining compensation;
- 11). State funding for trial court employee costs shall be at least (1) the amount expended for compensation in the prior year, and (2) the average salary increase granted to state employees pursuant to GC §68203. When the state grants a salary increase, that increase shall be applied to the county's cap pursuant to #9 above;
- 12). Court budgets, including number of court employees, new employees, and compensation shall be reviewed through the Trial Court Budget Commission process;

Implementation:

- 13). The established model be implemented upon full state funding, effective July 1, 1996.



THE JUDICIAL COUNCIL OF CALIFORNIA

Administrative Office of the Courts

303 Second Street, South Tower • San Francisco, California 94107 • FAX (415) 396-9281

TO: Subcommittee on Employee Status Members

FROM: Lesley Duncan, Staff Analyst
Sako Hara, Staff Analyst

RE: Potential State Personnel System Costs

DATE: April 17, 1996

The Subcommittee directed staff to gather data relating to the following issues:

1). In order to address the issue of costs associated with the implementation of a statewide personnel system, the Subcommittee on Employee Status consultant, Joseph Wiley of Corbett and Kane, estimated an approximate additional cost of between \$4,000,000 and \$5,000,000 would be needed annually in order to staff a division of the Administrative Office of the Courts to manage the personnel related issues of assuming oversight for 15,500 non-judicial trial court employees (based on estimates of 1 professional at the AOC for each 400 employees in the courts).

2). In order to address the issue of determining costs associated with equalization of classifications across counties, Administrative Office of the Courts staff examined current budget data relating to county employee status. Staff findings were as follows:

- A. Current statewide average employee salary and benefits equal \$47,772 (salary \$36,118, benefits \$11,654).
- B. Using a statewide average, raising the classification scale of those counties whose employee salary and benefits are currently below the average, would cost the state a minimum of \$44,582,866 (salary \$27,497,751 and benefits \$17,085,115).

The figures were compiled using an accrued estimate of the top step categories listed in Schedule A of each county's Budget Development Package of 1996 - 1997, and included only permanent employee salary levels (excludes court interpreters, bailiffs and judicial salaries).

*SUBCOMMITTEE ON EMPLOYEE STATUS
TASK FORCE ON TRIAL COURT FUNDING*

MEMBERSHIP ROSTER

SUBCOMMITTEE CHAIR: MR. RONALD OVERHOLT

SUBCOMMITTEE MEMBERS:

Honorable James A. Ardaiz (Presiding Justice, Court of Appeal, Fifth Appellate District)
Ms. Tamara Beard (Executive Officer, Fresno County Courts)
Honorable Joseph F. Biafore, Jr. (Presiding Judge, Santa Clara County Superior Court)
Mr. Alan Carlson (Executive Officer/Clerk, San Francisco Superior and Muni. Courts)
Honorable Steven J. Howell (Judge, South Butte County Municipal Court)
Mr. Ken Martone (Executive Officer, San Diego County Superior Court)
Mr. Ron Overholt (Executive Officer, Alameda County Superior Court)

CONSULTANT

Mr. Joe Wiley (Corbett & Kane Law Firm)

AOC STAFF

Ms. Lesley Duncan, Analyst, Trial Court Budget Commission
Mr. Michael Fischer, Attorney, Legal Department



THE JUDICIAL COUNCIL OF CALIFORNIA

Administrative Office of the Courts

303 Second Street, South Tower • San Francisco, California 94107 • FAX (415) 396-9281

MEMORANDUM

TO: Mr. Ronald Overholt, Chair
Subcommittee on Employee Status

FROM: Lesley Duncan, AOC Staff Analyst

DATE: April 24, 1996

SUBJECT: Potential State Personnel System Costs
Comparable State Department Personnel Ratios
County/Court Employee Ratios
Comparison of State and County Cost of Living Adjustments

As per the request of the members of the Subcommittee on Employee Status, I am attaching the following information:

1. Potential State Personnel System Costs

a). In order to address the issue of costs associated with the implementation of a statewide personnel system, the Subcommittee on Employee Status consultant, Joseph Wiley of Corbett and Kane, estimated an approximate additional minimum cost of between \$4,000,000 and \$5,000,000 would be needed annually in order to staff a division of the Administrative Office of the Courts to manage the personnel related issues of assuming oversight for 15,500 non-judicial trial court employees (based on estimates of 1 professional at the AOC for each 400 employees in the courts).

b). In order to address the issue of determining costs associated with equalization of classifications across counties, Administrative Office of the Courts staff examined current budget data relating to county employee status. Staff findings were as follows:

I. Current statewide average employee salary and benefits equal \$47,772 (salary \$36,118, benefits \$11,654).

- II. Using a statewide average, raising the classification scale of those counties whose employee salary and benefits are currently below the average, would cost the state a minimum of \$44,582,866 (salary \$27,497,751 and benefits \$17,085,115).

The figures were compiled using an accrued estimate of the top step categories listed in Schedule A of each county's Budget Development Package of 1996 - 1997, and included only permanent employee salary levels (excludes court interpreters, bailiffs and judicial salaries).

2. Comparable State Department Personnel Ratios

According to Alfonso Ramirez of the State Department of Personnel, the two largest departments in California are the Department of Corrections with approximately 30,000 FTEs and CalTrans, with approximately 17,000 FTEs.

CalTrans has just completed a centralization of their staff, moving employees to a central office in Sacramento, with a satellite service center in Santa Ana. They employ approximately 100 FTEs to process payroll, etc., and approximately 50 personnel analysts/managers for human resource issues. Fiscal information for those functions was not available at the time I prepared this report.

3. County/Court Employee Ratios

Attached for your review are charts (pages 9-14) detailing the FTEs per court in each county and Employment Development Department information regarding the numbers of county employees (non-educational) per county. This information was requested in order to compare approximate percentage of court to county employee ratios.

4. Comparison of State and County Cost of Living Adjustments

Attached for your review is a spreadsheet (page 15) which compares cost of living adjustments (COLAs) for state employees and employees of selected counties. Please note: State COLAs were obtained from the state Department of Personnel Administration. It appears that county COLAs must be obtained from each county, rather than from a central source such as the California State Association of Counties (CSAC). The attached information is based on phone calls to Los Angeles, Santa Clara, Alameda, Marin, San Diego and Yuba counties, where available with three days notice.

Direct comparisons of COLAs are sometimes unclear because of staggered implementation dates, differences between employee groups, and tradeoffs for benefits in lieu of salary COLAs. Most COLAs take effect in July or January. In 1991/92, the state cut salaries 5% for managers on July 1, 1991, for supervisors on October 1, 1991, and for all employees on July 1, 1992. In Santa Clara (1992) and Yuba (1993) counties, there were zero COLAs in exchange for 2% at 55 PERS retirement upgrades. In Yuba County, there was a zero COLA in 1996, but

another 5% step was added to the top of the pay scale for long-term employees (10 years or more) who have been at top step for at least a year. Yuba has an MOU in place that provides future COLAs of 2% (1997), 3% (1998) and 4% (1999). San Diego also has an MOU in place for a 1.5% increase effective July of 1996.

Impact on Labor Negotiations
Number of Trial Court Employees to Number of County Employees

	Trial Court	County
	Permanent FTEs (Non-Judicial)	Permanent FTEs (Non-Educational)
	(A)	(B)
STATEWIDE:	15508.17	286,191
ALAMEDA:		N/A
ALAMEDA SUPERIOR	337.38	
ALAMEDA MUNI	21.00	
BERKELEY-ALBANY	37.00	
FREMONT-NEWARK-UNION-CITY	77.33	
LIVERMORE-PLEASANTON	31.00	
OAKLAND-PIEDMONT-EMERYVILL	182.00	
SAN LEANDRO-HAYWARD	71.75	
ALPINE:		100
ALPINE CONSOLIDATED	3.60	
AMADOR:		400
AMADOR CONSOLIDATED	23.50	
BUTTE:		1,680
BUTTE CONSOLIDATED	80.50	
CALAVERAS:		408
CALAVERAS	7.25	
CALAVERAS MUNI	10.75	
COLUSA:		350
COLUSA	4.58	
COLUSA-WILLIAMS MUNI	7.00	
CONTRA COSTA:		N/A
CONTRA COSTA	152.50	
CONTRA COSTA CONSOLID.	191.50	
DEL NORTE:		400
DEL NORTE CONSOLIDATED	21.00	
EL DORADO:		N/A
EL DORADO	46.50	
EL DORADO MUNI	35.00	
FRESNO:		9,066
FRESNO SUPERIOR	145.50	
CONSOLIDATED FRESNO	109.00	
CENTRAL VALLEY	43.00	
GLENN:		450
GLENN	7.75	
GLENN MUNI	10.00	

Impact on Labor Negotiations
Number of Trial Court Employees to Number of County Employees

	Trial Court Permanent FTEs	County Permanent FTEs
	(Non-Judicial) (A)	(Non-Educational) (B)
STATEWIDE:	15508.17	286,191
HUMBOLDT: HUMBOLDT CONSOLIDATED	82.20	1700
IMPERIAL: IMPERIAL SUPERIOR IMPERIAL MUNI	8.00 3.50	1,508
INYO: INYO SUPERIOR INYO MUNI	5.00 6.00	600
KERN: KERN SUPERIOR BAKERSFIELD EAST KERN NORTH KERN SOUTH KERN	144.00 108.00 32.00 27.00 28.00	7,660
KINGS: KINGS CONSOLIDATED	42.00	1100
LAKE: LAKE CONSOLIDATED	30.00	800
LASSEN: LASSEN CONSOLIDATED	12.00	400
LOS ANGELES: LOS ANGELES ALHAMBRA ANTELOPE BEVERLY HILLS BURBANK	2299.90 34.02 44.10 35.62 31.30	84,808
CITRUS COMPTON CULVER DOWNEY EAST LOS ANGELES	70.00 137.38 28.41 47.12 39.59	
RIO HONDO GLENDALE INGLEWOOD LONG BEACH LOS ANGELES MUNI	41.80 39.10 71.21 126.76 1062.66	
LOS CERRITOS MALIBU NEWHALL	35.07 30.16 28.71	

Impact on Labor Negotiations
Number of Trial Court Employees to Number of County Employees

	Trial Court	County
	Permanent FTEs	Permanent FTEs
	(Non-Judicial)	(Non-Educational)
	(A)	(B)
STATEWIDE:	15508.17	286,191
LOS ANGELES:		
PASADENA	44.00	
POMONA	51.97	
SANTA ANITA	24.46	
SANTA MONICA	43.28	
SOUTH BAY (L.A.)	100.39	
WHITTIER	42.42	
SOUTHEAST	61.65	
MADERA:		N/A
MADERA	23.00	
CHOWCHILLA MUNI (MADERA)	4.00	
MADERA MUNI	11.25	
SIERRA MUNI (MADERA)	5.00	
BORDEN MUNI (MADERA)	5.00	
MARIN:		1200
MARIN	56.25	
CENTRAL (MARIN)	65.50	
MARIPOSA:		330
MARIPOSA CONSOLIDATED	7.00	
MENDOCINO:		1200
MENDOCINO	21.00	
ANDERSON (MENDOCINO)	1.05	
TEN MILE (MENDOCINO)	5.00	
MT.SAN HEDRIN (MENDOCINO)	20.00	
ARENA MUNI (MENDOCINO)	2.25	
LONG VALLEY (MENDOCINO)	2.00	
ROUND VALLEY (MENDOCINO)	1.80	
MERCED:		2,730
MERCED	26.00	
MERCED MUNI	58.00	
MODOC:		400
MODOC CONSOLIDATED	9.00	
MONO:		420
MONO CONSOLIDATED	10.00	
MONTEREY:		N/A
MONTEREY	63.50	
MONTEREY MUNI (CONS.)	93.00	

Impact on Labor Negotiations
Number of Trial Court Employees to Number of County Employees

	Trial Court	County
	Permanent FTEs (Non-Judicial)	Permanent FTEs (Non-Educational)
	(A)	(B)
STATEWIDE:	15508.17	286,191
NAPA: NAPA CONSOLIDATED	60.25	N/A
NEVADA: NEVADA NEVADA	23.50 31.00	991
ORANGE: ORANGE CENTRAL ORANGE COUNTY NORTH ORANGE COUNTY ORANGE COUNTRY HARBOR SOUTH ORANGE MUNI WEST ORANGE MUNI	616.00 172.00 162.00 131.00 129.00 145.00	16,675
PLACER: PLACER CONSOLIDATED	78.30	N/A
PLUMAS: PLUMAS PLUMAS MUNI	10.00 9.75	400
RIVERSIDE: MT. SAN JACINTO THREE LAKES RIVERSIDE CONSOLIDATED	53.00 41.00 480.00	N/A
SACRAMENTO: SOUTH SACRAMENTO SACRAMENTO CONSOLIDATED	9.50 603.50	14,783
SAN BENITO: SAN BENITO CONSOLIDATED	13.25	400
SAN BERNARDINO: SAN BERNARDINO CONSOLID.	607.00	
SAN DIEGO: SAN DIEGO SUPERIOR EL CAJON NORTH COUNTY MUNI SAN DIEGO MUNI SOUTH BAY (S. DIEGO)	718.00 106.00 133.00 357.00 91.75	18,050
SAN FRANCISCO: SAN FRANCISCO CONSOLID.	470.00	N/A

Impact on Labor Negotiations
Number of Trial Court Employees to Number of County Employees

	Trial Court Permanent FTEs	County Permanent FTEs
	(Non-Judicial)	(Non-Educational)
	(A)	(B)
STATEWIDE:	15508.17	286,191
SAN JOAQUIN: SAN JOAQUIN SUPERIOR LODI MANTECA-RIPON-ESCALON-TRAC STOCKTON	104.00 15.00 24.00 66.00	N/A
SAN LUIS OBISPO: SAN LUIS OBISPO SAN LUIS OBISPO MUNI	58.35 62.90	2380
SAN MATEO SAN MATEO SAN MATEO MUNI	127.75 175.00	N/A
SANTA BARBARA: SANTA BARBARA SANTA BARBARA MUNI NO. SANTA BARBARA CONS.	106.35 67.50 50.50	N/A
SANTA CLARA: SANTA CLARA SANTA CLARA MUNI	308.00 369.00	N/A
SANTA CRUZ: SANTA CRUZ CONSOLIDATED	120.50	2,380
SHASTA: SHASTA CONSOLIDATED	99.50	1,760
SIERRA: SIERRA CONSOLIDATED	4.00	100
SISKIYOU: SISKIYOU CONSOLIDATED	30.75	700
SOLANO: SOLANO VALLEJO-BENICA NORTHERN SOLANO (CONS.)	76.00 54.50 86.50	N/A
SONOMA: SONOMA CONSOLIDATED	145.50	N/A

Impact on Labor Negotiations
Number of Trial Court Employees to Number of County Employees

	Trial Court	County
	Permanent FTEs	Permanent FTEs
	(Non-Judicial)	(Non-Educational)
	(A)	(B)
STATEWIDE:	15508.17	286,191
STANISLAUS:		N/A
STANISLAUS	52.00	
STANISLAUS MUNI	62.00	
SUTTER:		N/A
SUTTER CONSOLIDATED	25.00	
TEHAMA:		758
TEHAMA CONSOLIDATED	48.00	
TRINITY:		490
TRINITY CONSOLIDATED	26.75	
TULARE:		3,460
TULARE SUPERIOR	61.75	
TULARE MUNI	110.00	
TUOLUMNE:		950
TUOLUMNE SUPERIOR	18.00	
TUOLUMNE MUNI	9.50	
VENTURA:		7,450
VENTURA CONSOLIDATED	344.00	
YOLO:		1400
YOLO CONSOLIDATED	67.00	
YUBA:		1600
YUBA SUPERIOR	22.00	
YUBA MUNI	15.00	

COMPARISON OF STATE AND COUNTY
COST OF LIVING ADJUSTMENTS

Date	State	Los Angeles	Santa Clara	Yuba	Fresno	San Diego	Marin
1/1/99	n/a	n/a	n/a	4		n/a	n/a
1/1/98	n/a	n/a	n/a	3		n/a	n/a
1/1/97	n/a	n/a	n/a	2		3	1
3/1/96	n/a	n/a	n/a	longevity increase	15	0	2
1/1/96	n/a	n/a	n/a				
7/1/95		0.34	muni 2, sup 3				
1/1/95	3			2	3	0	2
11/1/94			muni 3				
7/1/94		0.41		2	0	0	2
1/1/94	5						
7/1/93	0	1.97	sup 3	PERS incr	3	0	n/a
1/1/93							
7/1/92	employees (5)	3.31	PERS incr	4	n/a	0	n/a
1/1/92							
10/1/91	suprs (5)					0	
7/1/91	mgrs (5)	3.62	muni 3	4	n/a	5	n/a
1/1/91	5						
7/1/90							
1/1/90	4	n/a	n/a	n/a	n/a	n/a	n/a
6/1/89	6	n/a	n/a	n/a	n/a	5	n/a
1/1/88	3.75						
7/1/86	5						
7/1/85	6						
7/1/84	8						
1/1/84	6						
7/1/82	0						

§ 68108. Unpaid furlough days; superior, municipal, and justice court employees; court proceedings on emergency basis; drop box for filing of documents

(a) With respect to the superior, municipal, and justice courts, to the extent that the county's Consolidated Memorandum of Understanding for county employees designates certain days as unpaid furlough days for employees assigned to regular positions in the superior, municipal, and justice courts, including all superior court, municipal court, and county employees assigned to the courts, the courts shall not be in session on those days except as ordered by the presiding judge upon a finding by the presiding judge of a judicial emergency as defined in Chapter 1.1 (commencing with Section 68116). On these furlough days, although the clerk's office shall not be open to the public, each court shall permit

documents to be filed at a drop box pursuant to subdivision (b), and an appropriate judicial officer shall be available to conduct arraignments and examinations as required pursuant to Section 825 of the Penal Code, and to sign any necessary documents on an emergency basis.

(b) A drop box shall provide for an automated, official time and date stamping mechanism or other means of determining the actual date on which a document was deposited in the drop box.

(Added by Stats.1993, c. 70 (S.B.86), § 3, eff. June 30, 1993.)