



JUDICIAL COUNCIL OF CALIFORNIA

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April 24, 2015

Hon. Jimmy Gomez, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Subject: AB 749 (Bloom), as amended April 16, 2015 – Fiscal Impact Statement
Appropriations committee, May 6, 2015

Dear Assembly Member Gomez:

If enacted, AB 749 would require courts to provide shorthand court reporters in child custody and domestic violence hearings. Specifically, AB 749 adds sections 3013 and 6230 to the Family Code which require that at any hearing under the designated division at which testimony is received, an official reporter or official reporter pro tempore shall take down in shorthand all testimony and all of the statements and remarks of the judge and all persons appearing at the hearing. On behalf of the Judicial Council of California, I respectfully request that AB 749 be placed on the Assembly Suspense File for thorough consideration of the cost implications of the bill, if enacted, on California's trial courts.

Fiscal Impacts

In light of budget cuts to the trial courts totaling more than \$1 billion since 2008, and taking into consideration the ongoing trial court budget funding gap of at least \$600 million, despite recent augmentations to the trial court budgets of nearly \$150 million, the costs of hiring the court reporters necessary to satisfy the mandates included in AB 749 are significant and will have the unfortunate result of negatively impacting other trial court operations and thus reducing access to justice. While salaries, including benefits, for court reporters vary across the state, a common

salary including benefits is in excess of \$100,000 per year. Currently, at least 26 courts do not provide court reporters in family law hearings. While AB 749 only requires official court reporting in domestic violence and child custody hearings, (as opposed to all/other case types under the umbrella of family law), courts likely will be required to hire full-time reporters, rather than part-time reporters, for their family law calendars to ensure coverage in compliance with the terms of AB 749.¹ If the 26 courts that do not currently provide court reporting in family law cases are required to hire a single full time court reporter, the ongoing annual cost to the courts is \$2.6 million. Many of those courts have sizable family law calendars, which would, per the terms of the bill, require more than a single full-time court reporter.

For these reasons, the Judicial Council believes that AB 749 as amended on April 16, 2015, should be heard in Assembly Appropriations for fair and reasonable consideration of its costs to California's trial courts. Please note that the information contained in this request does not constitute a position in favor of or against the proposed legislation by the Judicial Council of California, and sets forth only the considerations related to the fiscal burdens that would be faced by the branch and branch entities should the bill be enacted into law.

Please contact me if you have questions about the information contained in this letter.

Sincerely,



Andi Liebenbaum

Senior Governmental Affairs Analyst

AL/ka

cc: Members, Assembly Appropriations Committee
Hon. Richard Bloom, Member of the Assembly
Mr. Chuck Nicol, Deputy Chief Consultant, Assembly Appropriations Committee
Mr. J. Allen Cooper, Senior Consultant, Assembly Republican Fiscal Office
Ms. Leora Gershenzon, Deputy Chief Counsel, Assembly Judiciary Committee
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Madelynn McClain, Budget Analyst, Department of Finance

¹ As a result of the diversity of family law needs and taking into consideration the most efficient flow of family law cases in each court, family law calendars are not organized to group child custody and domestic violence hearings apart from other family law cases. In other words, child custody and domestic violence matters are interspersed on family law calendars with other case types.