



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 700 • Sacramento, California 95814-3393
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

April 26, 2011

Hon. Felipe Fuentes, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Subject: AB 973 (Campos), as amended April 7, 2011 –Neutral; support if amended –
Fiscal Impact Statement

Dear Assembly Member Fuentes:

Assembly Bill 973 requires trial courts, prior to adopting a baseline budget plan for the fiscal year, to conduct a public hearing and accept oral and written comments on the proposed plan. It also requires that, during the current 60-day notice period regarding notice of courtroom closures, or closure or reduction in the hours of clerks' offices, the public be given an opportunity to submit written comments on the court's plan.

Fiscal Impact

Trial courts will incur increased and ongoing administrative costs to arrange and conduct the annual public hearings required by this measure. In addition, the courts will face new and increased administrative responsibilities to prepare official responses to public comments received at the public hearing(s), or otherwise submitted by the public. The magnitude of these increased costs is unknown, but potentially major. Some trial courts have experienced staffing cutbacks in the range of 15- 25% due to ongoing branch-wide budget reductions. Insofar as trial courts must perform these additional responsibilities with existing limited resources, diverting staff for these new tasks could have the unintended result of affecting the ability of a court to meet its constitutional and statutory obligations. Additionally, because some courts may not

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have sufficient unused space in the courthouse, those courts will need to lease space from the county or other entity for this purpose. The increase in operating costs to acquire leased space for this purpose is unknown, but likely minor in magnitude. These costs could be alleviated by giving trial courts the flexibility either to conduct public hearings or to accept written testimony consistent with the needs of the community and the available resources of the court. If the bill were so amended, the Judicial Council would support this measure. The Judicial Council is neutral on the bill in print.

Please contact me at 916-323-3121 or henry.sepulveda@jud.ca.gov if you would like further information or have any questions about the fiscal impact of this legislation on the judicial branch.

Sincerely,



Henry Sepulveda

Senior Governmental Affairs Analyst

HS/yt

cc: Members, Assembly Appropriations Committee

Hon. Nora Campos, Member of the Assembly

Mr. Willie Armstrong, Chief of Staff, Office of Assembly Member Campos

Mr. Chuck Nicol, Consultant, Assembly Appropriations Committee

Mr. Allan Cooper, Fiscal Consultant, Assembly Republican Fiscal Office

Mr. Michael Miyao, Budget Analyst, Department of Finance



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April 5, 2011

Hon. Nora Campos
Member of the Assembly
State Capitol, Room 2175
Sacramento, California 95814

Subject: AB 973 (Campos), as proposed to be amended – Neutral; Support, if further amended
Hearing: Assembly Judiciary Committee – April 12, 2011

Dear Assembly Member Campos:

Assembly Bill 973, as proposed to be amended, requires trial courts, prior to adopting a baseline budget plan for the fiscal year, to conduct a public hearing and accept oral and written comments on the proposed plan. It also requires that, during the current 60-day notice period regarding notice of courtroom closures, or closure or reduction in the hours of clerks' offices, the public be given an opportunity to submit written comments on the court's plan. The Judicial Council supports transparency in administrative decision making and accountability in the use of public resources, and would support AB 973 if amended as described below.

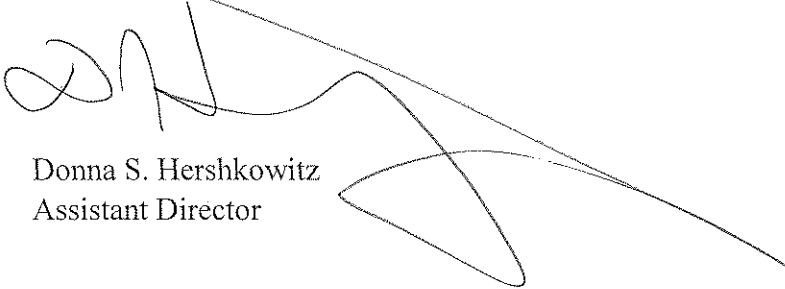
The Judicial Council greatly appreciates your efforts with the proposed amendments to clarify the intent of the bill and tie the public hearing requirement directly to the adoption of the baseline budget plan. The Judicial Council also appreciates your willingness to focus the opportunity to provide input on reductions in courtroom or clerks' office services and hours during the notice period set forth in current law. However, the planning of, finding an

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appropriate facility for, and setting up and conducting a public hearing requires the use of already limited staff resources. During a time when staff resources are being stretched as far as possible in order to meet the court's workload in light of growing vacancy rates, diverting staff for this new task could have the unintended result of impacting the ability of a court to meet its constitutional and statutory obligations. Additionally, some courts may not have sufficient unused space in the courthouse, and would need to lease space from the county or other entity for this purpose. These concerns would be alleviated, and the Judicial Council would be pleased to support your bill if it allowed trial courts the flexibility either to conduct public hearings or to accept written testimony consistent with the needs of the community and the available resources of the court. We look forward to the opportunity to work with you as this bill moves forward.

If you have any questions about the Judicial Council position, please feel free to contact me at 916-323-3121 or donna.hershkowitz@jud.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "Donna S. Hershkowitz", written over a diagonal line that extends from the "Sincerely," text across the signature area.

Donna S. Hershkowitz
Assistant Director

DSH/lmb

cc: Mr. Willie Armstrong, Chief of Staff, Office of Assembly Member Nora Campos
Mr. Janus Norman, Political & Legislative Advocate, AFSCME
Ms. Kirstin Kolpitcke, Deputy Director of Legislation, Governor's Office of Planning and Research
Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor



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CURTIS L. CHILD
Director, Office of Governmental Affairs

June 13, 2011

Hon. Noreen Evans, Chair
Senate Judiciary Committee
State Capitol, Room 4034
Sacramento, California 95814

Subject: AB 973 (Campos), as amended May 27, 2011 – Neutral/Support if amended
Hearing: Senate Judiciary Committee – June 21, 2011

Dear Senator Evans:

Assembly Bill 973 requires trial courts, prior to adopting a baseline budget plan for the fiscal year, to conduct a public hearing and accept oral and written comments on the proposed plan. It also requires that, during the current 60-day notice period regarding notice of courtroom closures, or closure or reduction in the hours of clerks' offices, the public be given an opportunity to submit written comments on the court's plan. The Judicial Council supports transparency in administrative decision making and accountability in the use of public resources, and would support AB 973 if amended as described below.

The Judicial Council greatly appreciates the amendments the author has taken to limit the hearing requirements to only a hearing prior to the adoption of the baseline budget plan, clarify that the public hearing may be conducted in the courthouse, ensure that the notification requirements do not place an unnecessary staff or monetary burden on the courts, and to limit the impact of the public comment on staff by clarifying that the courts do not have to provide formal responses to the comments received.

Hon. Noreen Evans

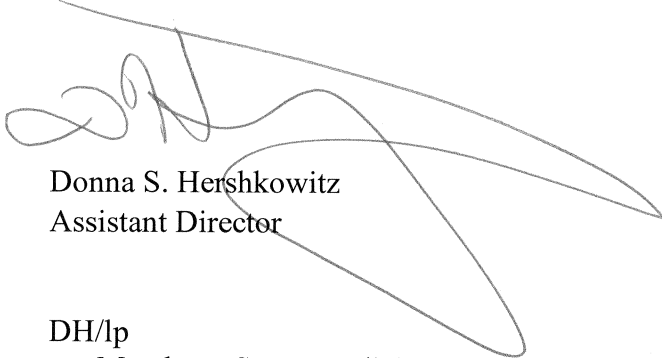
June 13, 2011

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The council continues to have concerns, however, about the impact that planning for, setting up and conducting a public hearing would have on the already limited staff resources. During a time when staff resources are being stretched as far as possible in order to meet the court's workload in light of growing vacancy rates, diverting staff for this new task could have the unintended result of impacting the ability of a court to meet its constitutional and statutory obligations. These concerns would be alleviated, and the Judicial Council would be pleased to support the bill if it allowed trial courts the flexibility either to conduct public hearings or to accept written testimony consistent with the needs of the community and the available resources of the court. We look forward to the opportunity to continue working with the author as this bill moves forward.

If you have any questions about the Judicial Council position, please feel free to contact me at 916-323-3121 or donna.hershkowitz@jud.ca.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Donna S. Hershkowitz', is written over a large, light-colored, stylized graphic that resembles a large, open loop or a stylized 'D'.

Donna S. Hershkowitz
Assistant Director

DH/lp

cc: Members, Senate Judiciary Committee

Hon. Nora Campos, Member of the Assembly

Mr. Amin Nojan, Legislative Assistant, Office of Assembly Member Nora Campos

Mr. Janus Norman, Political & Legislative Advocate, AFSCME

Ms. Saskia Kim, Chief Counsel, Senate Judiciary Committee

Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research

Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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CURTIS L. CHILD

Director, Office of Governmental Affairs

July 1, 2011

Hon. Christine Kehoe, Chair
Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, California 95814

Subject: AB 973 (Campos), as amended June 27, 2011 – Fiscal Impact Statement
Hearing: Senate Appropriations Committee – July 11, 2011

Dear Senator Kehoe:

Assembly Bill 973 requires trial courts, prior to adopting a baseline budget plan for the fiscal year, to give notice and solicit comments from the public on the proposed plan by either conducting a public hearing or by accepting written comments from the public. After January 1, 2015, the public hearing requirement becomes mandatory. This bill also requires a 60-day notice period, including specific electronic notification to individuals who have subscribed to the court's electronic distribution service, regarding courtroom closures, or a closure or reduction in the regular business hours of court clerks' offices.

Fiscal Impact

Trial courts will incur ongoing administrative costs to solicit and review public comments and arrange and conduct the annual public hearings required by this measure. The magnitude of these increased costs is unknown. If each of the State's trial courts expended up to \$2,000 every year to provide notice and/or conduct hearings, the increase in statewide costs could approach \$100,000 annually. However, the bill delays the requirement to conduct public hearings until January 1, 2015.

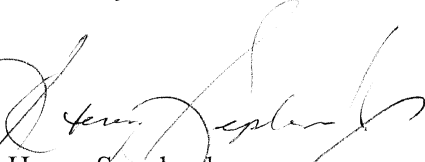
Some trial courts have experienced staffing cutbacks in the range of 15- 25% due to ongoing branch-wide budget reductions. And with the further reductions enacted in the 2011 Budget Act,

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staffing shortages will only continue to go grow and trial courts will continue to have to do more with less. Insofar as trial courts must perform these additional responsibilities with shrinking resources, diverting staff for these new tasks could have the unintended result of impairing a court's ability to meet its other obligations to the public.

Please contact me at 916-323-3121 or henry.sepulveda@jud.ca.gov if you would like further information or have any questions about the fiscal impact of this legislation on the judicial branch.

Sincerely,



Henry Sepulveda
Senior Governmental Affairs Analyst

HS/yt

cc: Members, Senate Appropriations Committee
Hon. Nora Campos, Member of the Assembly
Mr. Amin Nojan, Office of Assembly Member Campos
Ms. Jolie Onodera, Consultant, Senate Appropriations Committee
Mr. Matt Osterli, Fiscal Consultant, Senate Republican Fiscal Office
Mr. Michael Miyao, Budget Analyst, Department of Finance