



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

June 4, 2013

Hon. Cristina Garcia
Member of the Assembly
State Capitol, Room 5164
Sacramento, California 95814

Subject: AB 619 (Garcia), as introduced – Support/Sponsor

Dear Assembly Member Garcia:

The Judicial Council is pleased to co-sponsor AB 619, which would provide that penalty payments on the delinquent transfer of court fees to the State Court Facilities Construction Fund (SCFCF) and the Immediate and Critical Needs Account (ICNA) of the State Court Facilities Construction Fund should be made by the entity responsible for the error (or other action that caused the failure to pay), as determined by the Controller. This bill also limits the penalty when notice of the delinquent transfer is not made to the responsible entity until some later date. In determining the rate of interest on the delinquent payment, AB 619 requires the Controller to apply the average monthly Local Agency Investment Fund (LAIF) rate over the period of delinquency, and to calculate the penalty at a daily rate equal to 1.5 percent per month from the day 30 days after the date of issuance by the Controller of the final audit report concerning the failure to pay. The provisions of AB 619 were modeled after the same relief that was provided to counties and courts with respect to delinquent payments to the Trial Court Trust Fund, under SB 539 (Margett), Stats. 2007, ch. 435.

AB 619 mirrors one of the Judicial Council's efficiency, cost savings, and new revenue proposals
In December of 2011, the Judicial Council adopted legislative priorities for 2012. The first priority was to “advocate for a combination of solutions to restore some of the funding eliminated from the branch in

recent years.” The action included pursuing legislation to implement cost savings, efficiencies, and new revenue.

Proposals for efficiencies, costs savings, and new revenue were initially solicited from presiding judges and court executive officers. The proposals were forwarded to the Office of Governmental Affairs (OGA) to coordinate next steps. The chair of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee each appointed seven members for a 14-person PJ/CEO Trial Court Efficiencies Working Group. The proposals were circulated to the group; additional proposals were added as they were received. The group met three times, reviewing each of the proposals. The working group recommended that roughly one-half of those proposals be forwarded on for consideration for Judicial Council sponsorship. In the meantime, the chairs of most of the council’s subject matter advisory committees, the Open Courts Coalition, and the president of the California Judges Association, were asked to designate members to participate on an Ad Hoc Advisory Committee on Court Efficiencies, Cost Savings, and New Revenue. The committee was created to ensure that all of the proposals could be acted on timely, while providing the council with the benefit of the expertise of the various advisory committees. The Ad Hoc Advisory Committee met four times to review the proposals recommended by the Trial Court Efficiencies Working Group. The advisory committee further winnowed the proposals for recommendation for council sponsorship.

This past December, the Judicial Council voted to include 17 proposals for cost recovery, revenue generation and court efficiencies among the branch’s legislative priorities for 2013. On April 25th, the Judicial Council voted to add six additional efficiency, cost saving, and revenue generating proposals to its 2013 legislative agenda. Of these 23 total proposals, 11 are included in Trailer Bill Language, and several others are included in other policy bills (AB 648, AB 1293, AB 1352, and AB 1004). The proposal included in AB 619, adjusting the calculation of interest on late payments to the court construction funds, was among the latter six proposals that were vetted through the process described above, and approved for sponsorship by the Judicial Council in April.

The Judicial Council appreciates your leadership on AB 619 and is pleased to provide this letter of co-sponsorship, along with the State Association of County Auditors, for AB 619.

Sincerely,

A handwritten signature in black ink, appearing to read "Andi Liebenbaum", with a stylized, flowing script.

Andi Liebenbaum
Senior Governmental Affairs Analyst

AL/yc-s

cc: Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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CORY T. JASPERSON
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June 11, 2013

Hon. Noreen Evans, Chair
Senate Judiciary Committee
State Capitol, Room 4085
Sacramento, California 95814

Subject: AB 619 (Garcia), as introduced – Support/Sponsor
Hearing: Senate Judiciary Committee – June 18, 2013

Dear Senator Evans:

The Judicial Council is pleased to co-sponsor AB 619, which would provide that penalty payments on the delinquent transfer of court fees to the State Court Facilities Construction Fund (SCFCF) and the Immediate and Critical Needs Account (ICNA) of the State Court Facilities Construction Fund should be made by the entity responsible for the error (or other action that caused the failure to pay), as determined by the Controller. This bill also limits the penalty when notice of the delinquent transfer is not made to the responsible entity until some later date. In determining the rate of interest on the delinquent payment, AB 619 requires the Controller to apply the average monthly Local Agency Investment Fund (LAIF) rate over the period of delinquency, and to calculate the penalty at a daily rate equal to 1.5 percent per month from the day 30 days after the date of issuance by the Controller of the final audit report concerning the failure to pay. The provisions of AB 619 were modeled after the same relief that was provided to counties and courts with respect to delinquent payments to the Trial Court Trust Fund, under SB 539 (Margett), Stats. 2007, ch. 435.

AB 619 mirrors one of the Judicial Council's efficiency, cost savings, and new revenue proposals
In December of 2011, the Judicial Council adopted legislative priorities for 2012. The first priority was to "advocate for a combination of solutions to restore some of the funding eliminated from the branch in recent years." The action included pursuing legislation to implement cost savings, efficiencies, and new revenue.

Proposals for efficiencies, costs savings, and new revenue were initially solicited from presiding judges and court executive officers. The proposals were forwarded to the Office of Governmental Affairs (OGA) to coordinate next steps. The chair of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee each appointed seven members for a 14-person PJ/CEO Trial Court Efficiencies Working Group. The proposals were circulated to the group; additional proposals were added as they were received. The group met three times, reviewing each of the proposals. The working group recommended that roughly one-half of those proposals be forwarded on for consideration for Judicial Council sponsorship. In the meantime, the chairs of most of the council's subject matter advisory committees, the Open Courts Coalition, and the president of the California Judges Association, were asked to designate members to participate on an Ad Hoc Advisory Committee on Court Efficiencies, Cost Savings, and New Revenue. The committee was created to ensure that all of the proposals could be acted on timely, while providing the council with the benefit of the expertise of the various advisory committees. The Ad Hoc Advisory Committee met four times to review the proposals recommended by the Trial Court Efficiencies Working Group. The advisory committee further winnowed the proposals for recommendation for council sponsorship.

This past December, the Judicial Council voted to include 17 proposals for cost recovery, revenue generation and court efficiencies among the branch's legislative priorities for 2013. On April 25th, the Judicial Council voted to add six additional efficiency, cost saving, and revenue generating proposals to its 2013 legislative agenda. Of these 23 total proposals, 11 are included in Trailer Bill Language, and several others are included in other policy bills (AB 648, AB 1293, AB 1352, and AB 1004). The proposal included in AB 619, adjusting the calculation of interest on late payments to the court construction funds, was among the latter six proposals that were vetted through the process described above, and approved for sponsorship by the Judicial Council in April.

For these reasons, the Judicial Council asks for your "aye" vote.

Sincerely,



Andi Liebenbaum
Senior Governmental Affairs Analyst

AL/yc-s

cc: Members, Senate Judiciary Committee
Hon. Cristina Garcia, Member of the Assembly
Mr. Benjamin Palmer, Chief Counsel, Senate Judiciary Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

August 28, 2013

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 619 (Garcia) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to co-sponsor AB 619, which would provide that penalty payments on the delinquent transfer of court fees to the State Court Facilities Construction Fund (SCFCF) and the Immediate and Critical Needs Account (ICNA) of the State Court Facilities Construction Fund should be made by the entity responsible for the error (or resulting from some other action that caused the failure to pay), as determined by the Controller. This bill limits the penalty when notice of the delinquent transfer is not made to the responsible entity until some later date. In determining the rate of interest on the delinquent payment, AB 619 requires the Controller to apply the average monthly Local Agency Investment Fund (LAIF) rate over the period of delinquency, and to calculate the penalty at a daily rate equal to 1.5 percent per month from the day 30 days *after* the date of issuance by the Controller of the final audit report concerning the failure to pay. The provisions of AB 619 were modeled after the same relief that was provided to counties and courts with respect to delinquent payments to the Trial Court Trust Fund, under SB 539 (Margett), Stats. 2007, ch. 435.

AB 619 mirrors one of the Judicial Council's efficiency, cost savings, and new revenue proposals. In December of 2011, the Judicial Council adopted legislative priorities for 2012. The first priority was to "advocate for a combination of solutions to restore some of the funding eliminated from the branch in recent years." The action included pursuing legislation to implement cost savings, efficiencies, and new revenue. Changing the late fee calculation method for the State Court Facilities Construction Fund (SCFCF) and the Immediate and Critical Needs Account (ICNA) of the State Court Facilities Construction Fund was among those proposals.

Hon. Edmund G. Brown, Jr.

August 27, 2013

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By way of background, proposals for efficiencies, costs savings, and new revenue were initially solicited from presiding judges and court executive officers. The proposals were forwarded to the Judicial Council's Office of Governmental Affairs (OGA) to coordinate next steps. The chair of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee each appointed seven members for a 14-person Trial Court Efficiencies Working Group. The proposals were circulated to the group; additional proposals were added as they were received. The group met three times, reviewing each of the proposals. The working group recommended that roughly one-half of those proposals be forwarded on for consideration for Judicial Council sponsorship. In the meantime, the chairs of most of the council's subject matter advisory committees, the Open Courts Coalition, and the president of the California Judges Association, were asked to designate members to participate on an Ad Hoc Advisory Committee on Court Efficiencies, Cost Savings, and New Revenue. The committee was created to ensure that all of the proposals could be acted on timely, while providing the council with the benefit of the expertise of the various advisory committees. The Ad Hoc Advisory Committee met four times to review the proposals recommended by the Trial Court Efficiencies Working Group. The advisory committee further winnowed the proposals for recommendation for council sponsorship.

Last December, the Judicial Council voted to include 17 proposals for cost recovery, revenue generation and court efficiencies among the branch's legislative priorities for 2013. On April 25th, the Judicial Council voted to add six additional efficiency, cost saving, and revenue generating proposals to its 2013 legislative agenda. Of these 23 total proposals, four were included in Trailer Bill Language, and several others are included in policy bills (AB 619, AB 648, AB 1293, AB 1352, and AB 1004). The proposal included in AB 619, adjusting the calculation of interest on late payments to the court construction funds, was among the latter proposals vetted through the process described above and approved for sponsorship by the Judicial Council in April.

The subject of AB 619 was thoroughly considered by a broad spectrum of court leaders and court users. It promotes fairness and consistency for the purpose of assigning late fees to the branch. And, it provides greater fairness and flexibility should the branch be responsible for paying the late fees contemplated by the bill. For these reasons, the Judicial Council requests as for your support of, and your signature on AB 619.

Sincerely,

Andi Liebenbaum

Senior Governmental Affairs Analyst

AL/nco

cc: Hon. Cristina Garcia, Member of the Assembly
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor