



JUDICIAL COUNCIL
OF CALIFORNIA

www.courts.ca.gov/daac.htm
research@jud.ca.gov

DATA ANALYTICS ADVISORY COMMITTEE

MATERIALS FOR MAY 13, 2025

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DATA ANALYTICS ADVISORY COMMITTEE

OPEN MEETING WITH CLOSED SESSION AGENDA

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.75(c) and (d))

OPEN PORTION OF THIS MEETING IS BEING RECORDED

Date: May 13, 2025
Time: 1:00 PM
Location: Judicial Council of California
Public Call-in Number: <https://jcc.granicus.com/player/event/4288>

Meeting materials for open portions of the meeting will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call (2:00 p.m. – 2:10 p.m.)

Approval of Minutes

Approve minutes of February 25, 2025, Data Analytics Advisory Committee meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1) - (2))

In-Person Public Comment

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least one hour prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

Written Comment

This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting,

comments should be e-mailed to research@jud.ca.gov or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, California 94102, attention: Ms. Kristin Greenaway. Only written comments received by May 12, 2025, 12:00 p.m. will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1–2)

none

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Item 1

Judicial Workload Study (JWS) update, 2:10 p.m. - 3:10 p.m. (1 hour)

- Presenters will provide an overview of the upcoming Judicial Workload Study update

Presenter(s)/Facilitator(s):

Mr. Mustafa Sagir, Senior Analyst, Judicial Council of California
Ms. Suzanne Tallarico, National Center for State Courts (NCSC)

Item 2

Adjustment Request Proposals (ARPs), 3:10 p.m. - 3:30 p.m. (20 minutes)

- Presenter will give a summary of two ARPs referred to DAAC by the Trial Court Budget Advisory Committee.

Presenter(s)/Facilitator(s):

Ms. Kristin Greenaway, Manager, Judicial Council of California

Item 3

DAAC Workplan, 3:30 p.m. - 4:00 p.m. (30 minutes)

- Develop a workplan and identify items for the coming year.
 - a) RAS items
 - b) ARPs
 - c) Court Cluster Review
 - d) Trial Court Operational Metrics
 - e) Other

Presenter(s)/Facilitator(s):

Hon. Joyce D. Hinrichs, Chair

V. ADJOURNMENT

Adjourn (4:00 p.m.)

VI. CLOSED SESSION (CAL. RULES OF COURT, RULE 10.75(D))

Item 1 (1:00 p.m. – 2:00 p.m.)

This session of the meeting will be closed pursuant to California Rules of Court, rule 10.75 (d)(10).

Adjourn Closed Session 2:00 p.m.



DATA ANALYTICS ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

February 25, 2025

1:00 p.m. - 4:00 p.m.

Electronic

Advisory Body Members Present: Hon. Joyce D. Hinrichs, Chair; Hon. Thomas Kuhnle, Vice-Chair; Hon. Tara M. Desautels; Hon. Lawrence R. Riff; Mr. Brandon Henson; Mr. Darrel E. Parker; Ms. Nocona Soboleski; Mr. David Yamasaki; Dr. Bryan Borys; Mr. Darren Dang; Mr. Christopher Roman; Mr. Travis Trapp

Advisory Body Members Absent: Mr. Sharif Elmallah; Mr. Jake Chatters

Others Present: Ms. Leah Rose-Goodwin; Ms. Kristin Greenaway; Mr. Nicholas Armstrong; Mr. Mustafa Sagir; Mr. Kyle Capuli; Mr. Jonathan Alzate

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 1:00 p.m., and Mr. Nicholas Armstrong took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the September 25, 2024, Data Analytics Advisory Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1–2)

Item 1

RAS: Caseweights

Presenter(s): Ms. Kristin Greenaway, Manager

Mr. Nicholas Armstrong, Senior Research Analyst

Mr. Armstrong discussed how the RAS caseweights have been refined since the previous meeting. The proposed weights now reflect the workload of contractors performing case processing activities. Second, the most recent filings data from FY 2023-24 was obtained from JBSIS and included in the three-year average that is used to build the weights.

With these refinements to the caseweights, JC staff recommended the committee to approve the caseweights and other model parameters and the framework that was used to update the caseweights.

Action:

The committee voted to approve the RAS caseweights and the caseweight methodology.

Item 2

Data Roadmap and 26-27 BCP Concept for Data Analytics

Presenter(s): Ms. Leah Rose-Goodwin, Chief Data and Analytics Officer
Mr. Jack Madans, IT Project Manager

Mr. Madans described the concept of a data analytics roadmap and provided a summary of how an investment in data analytics can positively impact the courts and the public. The data roadmap includes vision statements that highlight the goals of this initiative as well as the activities needed to reach these goals. Key outcomes highlighted by the data roadmap include public dashboards, court dashboards, data modernization, data governance, and branch data literacy.

The committee emphasized that this initiative could cause an increased workload on courts, due to current legacy systems and varying resources across courts. Ms. Rose-Goodwin explained that the approval of a BCP concept would allow for incremental progress on the data roadmap and would propose enough funding to help bring all 58 courts onto the data analytics platform.

Action:

The committee voted to approve the continuing work of the BCP concept.

INFORMATION ONLY ITEMS (ITEMS 1)

Item 1**RAS Caseweights: Focus Group Feedback**

Presenter(s): Mr. Nicholas Armstrong, Senior Research Analyst
Ms. Suzanne Tallarico, National Center for State Courts

Ms. Suzanne Tallarico provided an overview of the focus group discussions that took place in January 2025 between the NCSC and court staff in participating courts. Overall, most participants agreed that the time study period was representative of a typical 4-week period. The focus groups highlighted how changes in case management systems, staffing levels in courts, and other external factors may have impacted case processing time across six case types. However, the feedback gathered from these focus group sessions was not used to adjust the caseweights.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:03 p.m..

Approved by the advisory body on enter date.



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688
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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: May 17, 2019

Title	Agenda Item Type
Judicial Branch Budget: Workload Formula Adjustment Request Process Policy Update	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	May 17, 2019
Recommended by	Date of Report
Trial Court Budget Advisory Committee	April 26, 2019
Hon. Jonathan B. Conklin, Chair	Contact
Leah Rose-Goodwin, Manager, Budget Services	Leah Rose-Goodwin, 415-865-7708 leah.rose-goodwin@jud.ca.gov

Executive Summary

The Workload-based Allocation and Funding Methodology (WAFM) Adjustment Request Process is used by trial courts to suggest modifications to the workload formula used for trial court funding. The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council approve a recommendation to make changes to the language of the policy to replace references to “Workload-based Allocation and Funding Methodology (WAFM)” to “Workload Formula,” to eliminate references to workload need, and to streamline the language of the policy to make it clearer. The updates will also permit the chair of TCBAC to more quickly refer Adjustment Requests to other advisory committees as deemed appropriate.

Recommendation

The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council approve the proposed update to the Workload Formula Adjustment Request Process.

Relevant Previous Council Action

At its August 22, 2013 meeting, the Judicial Council approved a recommendation made by TCBAC to approve the Workload-based Allocation and Funding Methodology (WAFM)

Adjustment Request Process and to direct council staff to develop an application form that the trial courts needed to complete in order to be considered for an adjustment.¹

Effective July 28, 2017,² the council approved revisions to the WAFM Adjustment Request Procedures to (1) make technical changes to reflect organizational changes within the Judicial Council of California; (2) change the submittal date and review timelines by the Funding Methodology Subcommittee (FMS) and TCBAC; (3) formalize that no changes to the WAFM formulae can occur after the March/April Judicial Council meeting if they impact the subsequent fiscal year; and (4) allow the FMS to take expedited action on the request, if directed by TCBAC.

Analysis/Rationale

The changes proposed are intended to reflect current language used to describe the workload formula for trial courts. Other changes have been made to further streamline the process by which TCBAC can refer matters that are the purview of other advisory committees.

Policy implications

This policy is intended to carry out TCBAC's and the council's goals of creating a transparent and equitable process for courts to provide input on the trial court funding model.

Comments

This item was heard at the February 28, 2019 FMS meeting and the March 21, 2019 TCBAC meeting, and was approved unanimously by both. There was no public comment received at either meeting.

Fiscal and Operational Impacts

There are no fiscal or operational impacts of this policy. If anything, having a clear process by which courts can provide input will create clearer direction both to trial courts and the advisory bodies affected, as well as to council staff who support said committees.

Attachments and Links

1. Attachment A: Workload Formula Adjustment Request Procedures (Version 3, Updated March 21, 2019)

¹ See <https://www.courts.ca.gov/documents/jc-20130823-item2.pdf>

² See <https://jcc.legistar.com/View.ashx?M=F&ID=5317311&GUID=34036AC3-3D05-4512-A131-49338D993A33>

Workload Formula Adjustment Request Procedures (Version 3, Updated March 21, 2019)

Submission, review, and approval

The submission, review, and approval process is under the direction of the Judicial Council and is as follows:

1. Initial requests shall be submitted to the Administrative Director either by the trial court's Presiding Judge or Executive Officer no later than January 15 of each year.
2. The Administrative Director shall forward the request to the Director of Judicial Council Budget Services. The Director, in consultation with the Chair of the Trial Court Budget Advisory Committee (TCBAC) shall review each request and refer the request to the Funding Methodology Subcommittee (FMS) no later than April. If the request is more appropriately referred to another advisory committee, the Chair may do so immediately. The Chair will notify TCBAC no later than April of requests that have been referred to other advisory bodies.
3. FMS shall review the referral from TCBAC and prioritize the request into the proposed annual work plan to be submitted back to TCBAC no later than July.
4. Once prioritized, requests will be evaluated by FMS. The review of Workload Formula Adjustment Requests is a three-step process:
 - a. Initial review to determine whether the factor identified in a court's request should form the basis of a potential modification to the Workload Formula;
 - b. Evaluation of whether and how the modification should occur; and
 - c. Evaluation of whether—for those circumstances where it is determined that the factor should ultimately be included in the underlying Resource Assessment Study model (RAS)—an interim adjustment should be made to a trial court's Workload Formula pending a more formal adjustment to the RAS model.
5. FMS shall review any requests and present its recommendation(s) to TCBAC no later than January prior to the year proposed for implementation.
6. TCBAC shall make final recommendations to the Judicial Council for consideration no later than April. Requested adjustments that are approved by the Judicial Council shall be included in the allocation based on the timing included in the recommendation. TCBAC will make no further recommendations for changes to the Workload Formula impacting the next fiscal year.
7. Upon approval by the Judicial Council of an adjustment to the Workload Formula, the Director, in consultation with TCBAC, shall notify all trial courts. In some circumstances, the nature of the adjustment will automatically apply to all courts.
8. This policy does not preclude FMS from taking expedited action per the direction of TCBAC.

Trial court adjustment requests

Trial courts requesting an adjustment in accordance with the Workload Formula Adjustment Request Procedures shall be required to submit detailed information documenting the need for such adjustment as follows:

1. A description of how the factor is not currently accounted for in the Workload Formula;
2. Identification and description of the basis for which the adjustment is requested;
3. A detailed analysis of why the adjustment is necessary;
4. A description of whether the unaccounted-for factor is unique to the applicant court(s) or has broader applications;
5. A detailed description of staffing need(s) and/or costs required to support the factor that is unaccounted for by the Workload Formula;
6. A description of the consequence to the public and access to justice without the funding;
7. A description of the consequences to the requesting court(s) of not receiving the funding; and
8. Any additional information requested by Judicial Council Budget Services, FMS, and/or TCBAC deemed necessary to fully evaluate the request.

(Sent on behalf of Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee)

Lead Staff of the Data Analytics Advisory Committee:

The Workload Formula adjustment request process is used by the trial courts to suggest modifications to the Workload Formula used for trial court funding. Per Judicial Council policy (linked [here](#)), the Trial Court Budget Advisory Committee chair, in consultation with the Judicial Council Budget Services director, reviews each request received from the courts and refers them to the appropriate advisory committee for review and recommendation.

The attached proposals were received from the Superior Courts of Alameda and Stanislaus in response to the 2025 Workload Formula adjustment request process. These proposals could impact the Resource Assessment Study (RAS), which calculates different caseweights to determine the workload-based funding need for the trial courts. Therefore, these requests are being referred to the Data Analytics Advisory Committee for consideration. The courts' submissions are described below:

1. Alameda Superior Court – proposes a minimum staff-to-judge ratio be factored into the RAS as a supplemental need and included in the Workload Formula calculations. This proposal recommends including the minimum staff needed to support the authorized judgeships in the model to calculate a court's funding need.
2. Stanislaus Superior Court – proposes a factor in the RAS model to be included in the Workload Formula calculations that accounts for the additional time and costs to conduct background checks using the Automated Firearms System (AFS) for domestic violence restraining orders required by [AB 3083](#). This bill is effective January 1, 2025, and compliance is contingent on available funding. This proposal recommends including the additional court investigator time to conduct AFS background checks to calculate a court's funding need.

The Trial Court Budget Advisory Committee will be notified of this referral at its February 26, 2025, meeting. If you have any questions, please contact Oksana Tuk, Senior Analyst, Judicial Council Budget Services, at (916) 643-8027 or Oksana.Tuk@jud.ca.gov.

Thank you,
Hon. Jonathan B. Conklin
Chair, Trial Court Budget Advisory Committee

The Workload Formula is the Judicial Council-approved methodology that determines the need for trial court staff and funding based on workload measures. The Workload Formula Adjustment Request Process (ARP) allows the trial courts to request a change in the Workload Formula for unforeseen factors not currently accounted for in the model to better serve the needs of the courts.

Requests for the 2025 ARP submission cycle are **due by Wednesday, January 15, 2025**, and should include the following information:

1. A description of how the factor is not currently accounted for in the Workload Formula.

AB3038 goes into effect January 1, 2025, which requires courts to conduct a criminal search in the Automated Firearms System (AFS) to determine if a subject of a proposed domestic violence restraining order owns or possesses a firearm. The bill amends Family Code 6306 which previously designated this search conditional on available funding and now makes it a requirement. The additional time has not been accounted for that is necessary to include this task in the CLETS background check which is completed on each request for a domestic violence restraining order that the court receives.

2. Identification and description of the basis for which the adjustment is requested.

The additional AFS background screen will require additional time to complete.

3. A detailed analysis of why the adjustment is necessary.

Court Investigators complete over 750 background CLETS searches each month on subjects pertaining to requests for a domestic violence restraining order. The details of this search are transcribed onto an Investigative Summary form and provided to judges for review. The average time to complete this task is one to two and a half hours per day depending upon the number of cases and the extent of the criminal history being reviewed. Initial test cases of the results from AFS show that the data about gun purchases and transfers is detailed including information about the make and model of the firearm, identifying details about the dealer, name and address of the purchaser and date of transaction. Currently, a .25 FTE Court Investigator position is allocated to this task. Depending on the extent of information that will be necessary to transcribe onto the Investigative Summary form from AFS an additional 3 hours (.075 FTE) of time per week could be necessary to fulfill this obligation.

4. A description of whether the unaccounted-for factor is unique to the applicant court(s) or has broader applications.

The passage of AB3038 impacts all courts in California by making it mandatory for all requests for a DVRO to include a search in AFS.

5. Detailed description of staffing need(s) and/or costs required to support the factor that is unaccounted for by the Workload Formula.

The cost to meet this requirement is \$11,422 per year to allocate 3 hours per week of Court Investigator time. The average salary of a court investigator in our court is \$48.81 per hour, and \$73.22 with benefits.

6. Description of the consequences to the public and access to justice without funding.

An essential issue of public safety will not occur in tracking access to firearms by potential violent perpetrators. This will hinder a judge's awareness of the level of risk associated with allegations of violence and the necessity of court action to restrict a potentially dangerous perpetrator from having access to firearms.

7. Description of the consequences to the requesting court(s) of not receiving the funding.

Since doing background checks in AFS is now required, without receiving funding necessary to this task our court will resort to using existing Court Investigation resources which will reduce the allocation of time to other essential job duties such as guardianship and conservatorship investigations. This will result in longer wait times to complete these investigations and leave vulnerable populations such as children without permanent residences and disabled persons in potentially unsafe living environments.

Requests should be submitted to Michelle Curran, Judicial Council Administrative Director, and copied to the Trial Court Budget Advisory Committee mailbox at tcbac@jud.ca.gov.

The ARP procedures are attached for reference. Please contact Oksana Tuk at Oksana.Tuk@jud.ca.gov if you have any questions.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Executive Office

René C. Davidson Courthouse • 1225 Fallon Street, Oakland, CA 94612

Telephone: (510) 891-6012

THOMAS J. NIXON
Presiding Judge

CHAD FINKE
Executive Officer

January 15, 2025

Michelle Curran, Judicial Council Administrative Director
Judicial Council of California
2850 Gateway Oaks Drive
Sacramento, CA 95833

SENT VIA EMAIL

Re: Workload Formula Adjustment Request

Dear Ms. Curran:

On behalf of the Superior Court of Alameda County, we are submitting this Workload Formula ("WF") adjustment request pursuant to the Adjustment Request Process ("ARP") distributed via email to trial court leadership on December 16, 2024. Our request is that the Trial Court Budget Advisory Committee consider adding a "minimum staff-to-judge ratio" factor to the WF as a supplemental/alternative way of measuring each court's staffing-based financial need. Specifically, we believe that in addition to using a court's three-year filings average to determine staffing/funding need, the WF should also factor in each court's number of authorized, funded judgeships, ensuring that every court is funded to allow for some minimum ratio of support staff to judges.¹ In our view, assessing staff need (and the funding associated therewith) via two different measures and funding each court by whichever measure is higher is necessary to ensure an efficient and effective use of judicial resources throughout the state, as required under rule 10.603 of the California Rules of Court, specifically subdivisions (a)(1) and (c)(1)(C).

¹ This request could, in the alternative, be construed as a request to amend the Resource Assessment Study ("RAS") model to assess a court's staffing need not just in relation to its filings, but also by using a minimum staff-to-judge ratio and basing need on whichever approach yields the highest full-time equivalent ("FTE") count. However, in the absence of a formal process for submitting RAS change proposals to the Data Analytics Advisory Committee ("DAAC"), we are submitting this request for consideration through the ARP.

DESCRIPTION OF HOW THE FACTOR IS NOT CURRENTLY ACCOUNTED FOR IN THE WORKLOAD FORMULA

As described in a July 25, 2019, report to the Council, “The branch’s workload formula computes the total resources needed for trial court workload using the Resource Assessment Study (RAS) model and compares that to the total funding allocated for the same purpose.”² In other words, the primary driver that feeds the current iteration of the WF is data from RAS.³

In turn, the stated goal of RAS is “to estimate the number of staff needed to handle the volume of filings coming before the courts.”⁴ To do so, RAS looks at each court’s filings over a three-year period. Weighing those filings, RAS then estimates the number of Program 10 staff (including supervisors and managers) that each court needs and applies a multiplier to determine how many Program 90 staff the court needs on top of that, producing an overall total FTE count needed to process each court’s average number of filings.⁵

In short, neither RAS nor the WF currently account for a court’s number of authorized, funded judgeships in determining that court’s staffing need or resulting funding need.

IDENTIFICATION AND DESCRIPTION OF THE BASIS FOR WHICH THE ADJUSTMENT IS REQUESTED

Please see detailed analysis below.

DETAILED ANALYSIS AS TO WHY THIS FACTOR IS NECESSARY

While we understand why the WF was developed to rely on RAS’s filings-based FTE estimates as the primary measure of a court’s funding needs, our concern is that as funding and staffing levels have evolved over time, that approach has produced untenable outcomes that leave many courts without sufficient funding to ensure that all of their judges are supported by staff at a level that will allow them to perform the work expected of them. Put another way, divorcing a court’s funding needs entirely from its number of funded, statutorily authorized judgeships has resulted in many courts, including ours, being funded at a level that results in an untenably low staff-to-judge ratio.

To illustrate, based on our most recent filings data, RAS estimates that Alameda needs 506 FTEs to handle our current level of filings. By statute, Alameda has 73 funded, authorized judgeships.⁶ This

² <https://jcc.legistar.com/View.ashx?M=F&ID=7338800&GUID=9284F0B3-BCAE-4C0C-A110-49AA99D8A139>

³ See also <https://www.courts.ca.gov/documents/RAS.pdf>, at p. 2: “The full-time equivalent staff need produced by RAS is translated into dollars using average salary costs, adjusting for cost-of-labor differentials using Bureau of Labor Statistics data, and including actual retirement and health care costs. Non-personnel costs and other elements are factored into WF to project the total funding need for each court.”

⁴ <https://www.courts.ca.gov/documents/RAS.pdf>

⁵ We are aware that RAS does not account for all classifications; exclusions include, among other things, interpreters, court attendants, subordinate judicial officers, and the Court Executive Officer.

⁶ It bears noting that the number of funded, authorized, and filled judgeships that each court has is entirely outside of its control. The overall number of authorized judgeships in each county is set by the Legislature via statute.

means that we are effectively funded at a level that will allow a ratio of 6.917 RAS-covered staff per authorized judgeship.⁷

By contrast, we understand that when the Judicial Council seeks funding for new judgeships, the Council requests funding for the judgeship itself plus funding for 9 staff members (which is inclusive of all of the categories covered by RAS, i.e., Program 10 employees and supervisors, plus Program 90 support staff). Thus, there appears to be at least some acknowledgement by the Council that each judge in the state requires 9 staff members in order to do their job effectively.

We believe that there is a disconnect between a model that funds a staffing level based solely on filings versus one—like the one we are advocating for—that establishes an alternative minimum funding “need” based on actual number of funded judgeships. Once again using Alameda as an example, if a ratio of 9 staff per judge were applied, Alameda would need to be funded sufficiently to hire 657 FTEs (73 judges times 9 staff per judge), not the 506 that RAS says we need based on filings alone.

If one were to perform a court-by-court analysis like the one provided for Alameda above, the results would show that there is little consistency among the courts in terms of the ratio of funding for staff and the number of judges. The two are, unfortunately, completely decoupled from one another, which does not reflect the operational realities of running a court.

DESCRIPTION OF WHETHER THE UNACCOUNTED-FOR FACTOR IS UNIQUE TO THE APPLICANT COURT OR HAS BROADER APPLICATIONS

This issue is not unique to Alameda. Rather, it would appear to affect any court in which the number of funded, authorized judgeships is higher than its judicial need as measured by filings. Put another way, this issue would be faced by any court that has reduced its staffing level over time due to a lower number of filings resulting in decreased funding, but where the number of funded, authorized judgeships has not changed over that same period of time.

Whether those judgeships are funded is determined through the state budget process. And whether a funded, authorized judgeship is filled is determined by the Governor, working with their Appointments Secretary.

⁷ For purposes of this request, we are only including judgeships, i.e., we are not including authorized subordinate judicial officer (“SJO”) positions. We make the distinction because the decision whether or not to fill an SJO position lies with the local court whereas—as discussed above in footnote 6—the decision whether to fill a judgeship is entirely outside of the local court’s control.

DETAILED DESCRIPTION OF STAFFING NEEDS AND/OR COSTS REQUIRED TO SUPPORT THE FACTOR THAT IS UNACCOUNTED FOR BY THE WORKLOAD FORMULA

Without a threshold determination as to what the minimum staff-to-judge ratio should be to ensure that each judge is adequately staffed, it is impossible to estimate the cost and staffing need, although certainly there would be additional costs driven solely by the need to fund those additional staff.⁸

Using Alameda as an example, and using a hypothetical 9:1 staff-to-judge ratio, Alameda's staffing need would increase from the current filings-based, RAS level of 506 FTEs to 657 FTEs, an increase of 151 FTEs. Assuming for the sake of illustration a per-FTE cost of \$100,000, the increased funding need for Alameda to be funded at a minimum staff-per-judge level, versus on a strictly per-filings level, would be \$15,100,000. We assume that a corresponding funding need could likewise be calculated for all similarly situated courts once an appropriate ratio and FTE cost is established.

DESCRIPTION OF THE CONSEQUENCES TO THE PUBLIC AND ACCESS TO JUSTICE WITHOUT THE FUNDING

Courts that are not funded at a level sufficient to ensure some adequate level of staffing for each judge are placed in a difficult position. At a fundamental level, it might appear that the solution to this issue is simply to have judges either sit idle or work far below their capacity, i.e., to whatever extent is permitted by the level of staffing the court can afford. We note, however, that Government Code section 69841 is clear that a "clerk of the superior court shall attend each session of the superior court in the county and upon the judges of the court in chambers when required." (Emphasis added.) In other words, judges are limited by law in terms of the types of official work they can do without a clerk present.

Further, as the Commission on Judicial Performance has recently made clear, "[the t]axpayers of the State of California have a right to expect that judges are available to provide the services for which they are paid." (*Severe Public Censure of Judge Howard H. Shore* (2023) p.5.) Having judges sit idly in a courthouse due to lack of sufficient support staff runs the risk of putting those judges in an intractable ethical position, to say nothing of frustrating the expectations of the taxpayers.

To mitigate this concern, a court with more judges than it has staff to support them might make a business decision to use its limited funding to prioritize hiring courtroom clerks and other judicial support staff over other classifications that might be needed.⁹ While this might solve the immediate

⁸ We take no position on what that ratio should be. As noted, the Judicial Council appears to rely on a ratio of 9 staff per judge when seeking funding for a new judgeship, and thus that may be the appropriate ratio to use for the recommended "floor" in the WF and/or RAS as well.

⁹ One might suggest that judges could, in the alternative, share staff. While this might be possible to some extent, it is also not necessarily a solution that would be available to all courts. Many courts have multiple case management systems with staff that are not cross-trained across each. Labor agreements may limit the ability to which a court can readily transfer staff between locations. Further, the number, size, and geographic distance between courthouses in a county may limit the extent to which staff can be shared among judges. On the latter point, we note that in the past other courts have submitted ARPs requesting that "number of courthouses" be

issue of properly staffing each judge, it would also result in other undesirable consequences to the public, including:

- Limiting the hours a clerk's office is open to the public (if courtroom staff were prioritized over office staff);
- Under-resourcing the court in critical infrastructure areas such as information technology; and/or
- Cutting funding to non-mandatory areas that nonetheless improve access to justice, such as Self-Help Centers and Family Law Facilitators Offices.

DESCRIPTION OF THE CONSEQUENCES TO THE REQUESTING COURT(S) WITHOUT THE FUNDING

As noted above, in theory a court could simply decide not to hire sufficient staff to support each judge, effectively leaving some number of judges without clerks and other necessary courtroom staff. While this would solve the immediate funding issue, it would also—as detailed above—potentially create significant ethical issues for those judges who both do not have the staff needed to take the bench and who do not have a necessary level of chambers work in the absence of calendar work to keep them working at capacity.

Alternatively, a court may decide not to prioritize courtroom staff over any other staff, but rather to hire courtroom staff at levels above what RAS says it needs based on its filings, i.e., in excess of the staffing level it is funded for under the WF. The issue with that approach is that, on an annual basis, trial court funding is a zero-sum game, meaning that a court that chooses to hire more staff than RAS says it needs—i.e., more than it is funded for under the WF—has only one way to pay for those “excess” staff members, and that is to reduce other costs. Because the vast majority of trial court expenses are personnel salary and benefits, this means that in actual practice if a court wants to hire more personnel than RAS says it needs, the primary way to do so on an ongoing basis is to keep its salaries artificially low.¹⁰ Put another way, a court in this situation must decide between (a) having the number of staff that RAS says it needs, paid at the proper scale but in insufficient numbers to staff its judges, or (b) having more staff than RAS says it needs who are paid under market and who do not receive the level of annual cost increases that may be available in other courts. Unfortunately, the latter option, which ensures that the judges are staffed to perform their work, is also highly likely to lead to labor unrest, including work stoppages, as well as to impede significantly the court's efforts at recruitment and retention of knowledgeable staff.

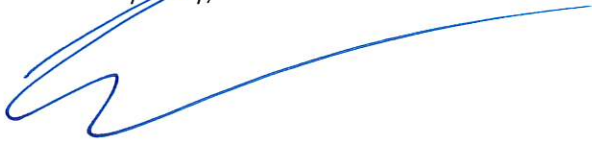
factored into the WF, and we would support and join in such requests. (See, e.g., <https://courts.ca.gov/system/files/file/tcbac-20190617-fms-materials.pdf> at p. 13.)

¹⁰ We acknowledge that courts can also control costs through the reduction of OE&E, but such non-personnel costs can only be reduced so far without eliminating mandatory expenses such as janitorial services, software licenses, necessary supplies, and the like.

CONCLUSION

In summary, we ask that TCBAC (or, as may be appropriate, DAAC) explore whether a minimal “staff to judge” ratio should be included in RAS and/or the WF as an alternative way to measure each court’s funding needs. A part of that examination could include the extent to which such an alternative approach would be appropriate to use for purposes of expressing funding needs to the other branches of government versus being used as a way to reallocate funding among the courts. By looking at both filings-based staffing needs and judge-based staffing need and working to fund each court to whichever level is higher, the system will ensure that all judges are able to perform the functions required of them by law and expected of them by the public, and that every court has the ability to recruit, retain, and pay a fair wage to qualified staff.

Yours Very Truly,



Chad Finke
Court Executive Officer

cc: Members of the Trial Court Budget Advisory Committee
Hon. Thomas J. Nixon, Presiding Judge

Data Analytics Advisory Committee
Annual Agenda¹—2025

Approved by Executive and Planning Committee: December 5, 2024

I. COMMITTEE INFORMATION

Chair:	Hon. Joyce D. Hinrichs, Judge, Superior Court of Humboldt County
Vice Chair:	Hon. Thomas E. Kuhnle, Judge, Superior Court of Santa Clara County
Lead Staff:	Ms. Leah Rose-Goodwin, Chief Data and Analytics Officer, Business Management Services Ms. Kristin Greenaway, Supervising Research Analyst, Business Management Services Mr. Nicholas Armstrong, Senior Research Analyst, Business Management Services
<p>Committee’s Charge/Membership: Rule 10.68 of the California Rules of Court states the charge of the Data Analytics Advisory Committee, which is to make recommendations to the Judicial Council regarding the collection, use, and sharing of judicial branch data and information to inform decision-making, promote transparency, and improve the administration of justice while ensuring the security of nonpublic data and data sources.</p> <p>In addition to the duties described in rule 10.68, the committee must:</p> <ul style="list-style-type: none">(1) Develop and recommend policies, or revisions to existing policies, concerning standards and measures to use in collecting, analyzing, and sharing data and information that will advance the goals of increased access to justice, greater transparency and accountability, and enhanced delivery of services to the public.(2) Develop and recommend performance measures, studies, and methodologies to measure and report on court administration, practices, and procedures, including workload assessments; and(3) Identify, analyze, and report on emerging issues related to branch data and information, including usage of data and information to support branch projects and initiatives. <p>Rule 10.68 sets forth the membership position of the committee. The Data Analytics Advisory Committee currently has 14 members. The current committee roster is available on the committee’s web page.</p>	

¹ The annual agenda outlines the work a committee will focus on in the coming year or cycle and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

Subgroups of the Advisory Committee²:

None.

Meetings Planned for 2025³

January 2025: Videoconference

May 2025: Videoconference

August 2025: Videoconference

October 2025: Videoconference

☐ Check here if in-person meeting is approved by the internal committee oversight chair.

² For the definition of “subcommittee” see Cal. Rules of Court, rule 10.30(c); “working group” see rule 10.70, “workstream,” see rule 10.53(c); and “education curriculum committee,” see rule 10.50(c)(6).

³ Refer to section IV. 2. of the [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

Note: Because of the current budget and staffing constraints, advisory body chairs and staff must first consider meeting remotely. The chair of the Executive and Planning Committee is suspending advisory body in-person meetings for the 2024–2025 annual agenda cycle. If an in-person meeting is needed, the responsible Judicial Council office head must seek final approval from the advisory body’s internal oversight committee chair. Please see the prioritization memo dated July 1, 2024, for additional details.

II. COMMITTEE PROJECTS⁴

#	Ongoing Projects and Activities	
1.	<i>Project Title: Workload Studies (Resource Assessment Study and Judicial)</i>	<i>Priority⁵ 1</i>
		<i>Strategic Plan Goal⁶ III</i>
	<p><i>Project Summary:</i> In October 2013, the Workload Assessment Advisory Committee approved a motion stating that the workload studies (both staff and judicial) should be updated every five years, though not concurrently so that they continue to accurately represent staff and judicial workload. The Resource Assessment Study (RAS) is used to update the caseweights and other model parameters that are needed to estimate workload-based need for the staff in the trial courts. The RAS is used in conjunction with the Workload Formula (WF) to allocate funding to the trial courts. The Judicial Workload Study is used to update the caseweights and other model parameters that are needed to estimate the number of judgeships needed in the trial courts.</p> <p>The latest RAS periodic time study was completed in August 2024. Analysis, supplementary data collection, and a report will be presented, discussed, and approved at the October 28 DAAC in-person meeting. The results will then be submitted to the Judicial Council for approval at the February 2025 business meeting.</p> <p>Additionally, planning for the Judicial Workload Study will begin toward the end of 2024, with the goal of completing the judicial workload study in 2026 to coincide with the legislatively mandated Judicial Needs Assessment report due November 1, 2026. The committee will review the judicial workload model parameters and inputs and consider options for how the branch measures judicial workload.</p> <p><i>Status/Timeline:</i> Ongoing.</p>	

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as implementation or a program in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to or accurately reflect the law; 1(b) Council has directed the committee to consider new or amended rules and forms; 1(c) Change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; or 1(d) Proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk. *For each priority level 1 proposal, the advisory body must provide a specific reason why it should be done this year and how it fits within the identified category.* 2(a) Useful, but not necessary, to implement changes in law; 2(b) Responsive to identified concerns or problems; or 2(c) Helpful in otherwise advancing Judicial Council goals and objectives. *If an advisory committee is interested in pursuing any Priority Level 2 proposals, please include justification as to why the proposal should be approved at this time.*

⁶ Indicate which goal number of The Strategic Plan for California's Judicial Branch the project most closely aligns.

#	Ongoing Projects and Activities	
	<p>Fiscal Impact/Staff Resources: In addition to the use of existing resources, completion of this project will be accomplished with a consultant. Funding for a consultant was approved and received.</p> <p><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial courts.</p> <p>AC Collaboration: Criminal Law Advisory Committee, Civil and Small Claims Advisory Committee, Trial Court Budget Advisory Committee, Family and Juvenile Law Advisory Committee, and Judicial Branch Budget Committee.</p>	
2.	Project Title: Trial Court Operational Metrics Reporting and Review	Priority 1
		Strategic Plan Goal III
	<p>Project Summary: In connection with the required reporting per SB 154, the committee should review existing standards and measures of judicial administration and consider whether existing standards should be updated or modified or if new standards should be adopted. Any new, updated, or modified metrics should be relevant and meaningful to court operations and further progress efficient and effective caseflow management. The committee will continue to assess current standards and measures and may want to consult with the National Center for State Courts or other entities on these standards.</p> <p>Status/Timeline: Ongoing; the committee should work to develop a nonoperational metrics curriculum for court leaders and utilize statewide meetings of court leaders to present on this topic.</p> <p>Fiscal Impact/Staff Resources: Completion of this project will be accomplished with existing resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial courts, Judicial Council, and National Center for State Courts.</p> <p>AC Collaboration: Criminal Law Advisory Committee, Civil and Small Claims Advisory Committee, Trial Court Budget Advisory Committee, Family and Juvenile Law Advisory Committee, Center for Judicial Education and Research Advisory Committee, and Judicial Branch Budget Committee.</p>	

#	Ongoing Projects and Activities	
3.	Project Title: Branchwide Data Analytics Governance and Policy Development	Priority 1
		Strategic Plan Goal III
	<p>Project Summary: As part of branchwide efforts to use technology to innovate and increase access to justice and in recognition of the critical importance of data-driven decision-making, the committee will develop data standards and principles that address (1) data quality; (2) how we access, use, and share data; and (3) data security. These policies will guide the Judicial Council and its advisory bodies in the use of data for decision-making. The committee will review the work completed by the Data Analytics Workstream to develop data governance policy concepts and will consider developing or finalizing one or more policy proposals for Judicial Council review and approval. The committee will develop a workplan for additional policy development. In order to educate branch leadership on the concept of data analytics and the data analytics strategy for the branch, Judicial Council staff, with guidance and support from the committee, will propose an approach to develop and deliver data educational sessions on data analytics policies and concepts for court leadership.</p> <p>Status/Timeline: Ongoing; the committee will work to develop a data analytics governance and policy curriculum for court leaders and utilize statewide meetings of court leaders to present on this topic.</p> <p>Fiscal Impact/Staff Resources: Completion of this project will be accomplished with existing resources with input from Judicial Council offices of Information Technology, Legal Services, and Center for Judicial Education and Research (CJER).</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial courts.</p> <p>AC Collaboration: Artificial Intelligence Task Force</p>	
4.	Project Title: Trial Court Operational Metrics Annual Report (SB 154)	Priority 1
		Strategic Plan Goal III
	<p>Project Summary: As required by budget bill language, the Judicial Council will publish an annual report by February 1 each year to the Legislature on the operations of each trial court with various operational and budgetary metrics, including but are not limited to, time to disposition and case clearance rates by case type, backlogs by case type, court hours of operations including public counter hours, staff vacancy rates by classification, fund balance detail from the prior fiscal year, the calculated funding level of each court and the percent of funding actually provided to each court, and the funding level of each trial court as measured by the Judicial Council—approved workload</p>	

#	Ongoing Projects and Activities	
	<p>formula. The committee will review the metrics and measures that are included in the year one report and provide context for data reported and quality of data. The committee may propose additional metrics and measures for years two and ongoing.</p> <p>Status/Timeline: Ongoing; The annual report is due February 1, 2025.</p> <p>Fiscal Impact/Staff Resources: Completion of this project will be accomplished with existing resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Legislature.</p> <p>AC Collaboration: TBD/As needed.</p>	
5.	Project Title: Branchwide Data Collection	Priority 1
		Strategic Plan Goal III, IV
	<p>Project Summary: The Judicial Council is required to survey the business of the courts. Branch data collection helps to inform court leaders of trends and to make business decisions based on data. The committee should review and make policy recommendations on statewide data collection, including trial court data collection via the Judicial Branch Statistical Information System (JBSIS).</p> <p>Status/Timeline: Ongoing; The committee should catalog other branch data collection efforts and draft a data roadmap for the judicial branch.</p> <p>Fiscal Impact/Staff Resources: Completion of this project will be accomplished with existing resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial and appellate courts.</p> <p>AC Collaboration: JBSIS Subcommittee of CEAC and others TBD.</p>	

#	Ongoing Projects and Activities	
6.	Project Title: Branchwide Data Analytics Education and Building a Data Analytics Community	Priority 1
		Strategic Plan Goal V
	<p>Project Summary: As part of its efforts to expand data analytics capacity, the committee should identify branchwide educational opportunities for judges, justices, and court staff to become more conversant in data collection and usage in order to foster a branchwide data analytics community.</p> <p>Status/Timeline: Ongoing; the committee should work to develop a data analytics curriculum for court leaders and utilize statewide meetings of court leaders to present on topics of general interest and determine areas of need. The committee should liaise with the Center for Judicial Education and Research to include a data focus in its caseflow management curricula. The committee will prepare a report summarizing activities in this area at the end of the year.</p> <p>Fiscal Impact/Staff Resources: TBD; this project will draw on existing resources in the Judicial Council Office of Court Research.</p> <p><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p>Internal/External Stakeholders: Trial and appellate courts.</p> <p>AC Collaboration: CJER Advisory Committee, CEAC, and TCPJAC.</p>	
7.	Project Title Report on Standards and Measures (Gov. Code § 77001.5)	Priority 1
		Strategic Plan Goal III
	<p>Project Summary: Government Code section 77001.5 requires the Judicial Council to report to the Legislature annually on judicial administration standards and measures.</p> <p>Status/Timeline: The annual report will be completed November 1, 2024.</p> <p>Fiscal Impact/Staff Resources: Completion of this project will be accomplished with existing resources.</p> <p><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p>Internal/External Stakeholders: Legislature.</p>	

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> TBD/As needed.	
8.	Project Title Judicial Needs Assessment Report (Gov. Code § 61614(c)(1))	Priority 1 Strategic Plan Goal III
	<p>Project Summary: Government Code section 61614(c)(1) requires the Judicial Council to prepare biennial updates of the Judicial Needs Assessment in even-numbered years. The needs assessment is used as the basis for Budget Change Proposals for new judgeships, subordinate judicial officer conversion requests, and to seek authorization for additional judgeships. The most recent report was issued in November 2022 to reflect the most current workload measures based on most recent Judicial Workload Study (2018).</p> <p>Status/Timeline: The biennial report will be completed November 1, 2024.</p> <p>Fiscal Impact/Staff Resources: Completion of this review will be accomplished with existing resources.</p> <p><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p>Internal/External Stakeholders: Trial courts and Legislature.</p> <p><i>AC Collaboration:</i> TBD/As needed.</p>	

III. LIST OF 2024 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	The Trial Court Operational Metrics: 2024 Report (SB 154) was submitted to the Legislature on January 30, 2024.
2.	A two-day data analytics summit was held on May 28–29, 2024, in Orange County. Approximately 150 data analysts and court leaders attended the event, which focused on increasing data and analytics literacy in courts by sharing best practices, training, and activities to increase data leadership.
3.	Phases I and II of the RAS time study update were successfully completed, including the comprehensive data collection from a sample of trial courts necessary to calculate the RAS caseweights, which are used annually to estimate staff need in all trial courts.