



JUDICIAL COUNCIL OF CALIFORNIA MEETINGS

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.6(a))

Ronald M. George State Office Complex

William C. Vickrey Judicial Council Conference Center

Malcolm M. Lucas Board Room

455 Golden Gate Avenue • San Francisco, California 94102-3688

Thursday, August 20, 2015 • 2:30 p.m.–3:45 p.m.

Friday, August 21, 2015 • 8:30 a.m.–2:50 p.m.

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by Judicial Council Support. Please check the agenda at [CHECK FOR UPDATED LINK](#) for recent postings of hyperlinked reports.

THURSDAY, AUGUST 20, 2015 AGENDA

OPEN SESSION (RULE 10.6(a))— MEETING AGENDA (ITEMS 1A–1C THROUGH ITEM 3)

2:30–2:35 p.m. Approval of Minutes
Approve minutes of the July 28, 2015, Judicial Council meeting.

2:35–3:15 p.m. Trial Court Facility Modifications and Maintenance

ITEM 1A Five-Year Master Plan—Deferred Maintenance Report Fiscal Year 2015–2016 (Action Required)

The Facilities Management Unit of Real Estate and Facilities Management has prepared a report of deferred maintenance within branch facilities. This report is requested on an annual basis by Department of Finance. The log shows over 2,500 registered system renovations with a projected rough order of magnitude value of \$2.1 billion. Staff recommends that the Judicial Council approve the log to be submitted to DOF in September 2015.

ITEM 1B Court Facilities: Budget Allocations for Statewide Trial Court Facility Modifications and Planning in Fiscal Year 2015–2016 and Related Matters (Action Required)

NOTE: Time is estimated. Actual start and end times may vary.

The Trial Court Facility Modification Advisory Committee (TCFMAC) recommends allocations of the \$65 million appropriated by the Legislature for trial court facility modifications in the fiscal year (FY) 2015–2016 budget. The recommended allocations support facility modification planning and facility modifications for emergency and critical needs, but continue to defer funding of almost all planned facility modifications. The Committee also recommends that vigorous efforts be made to obtain additional General Fund money in FY 2016–2017 for Fund 3066, the Trial Court Trust Fund, which pays for utilities, leases, insurance, and routine/preventative maintenance of courthouses. As of June 30, 2016, all accumulated reserves in Fund 3066 will be gone, and the anticipated costs in FY 2016–2017 for the most minimal level of preventative maintenance and other Fund 3066 expenses will exceed anticipated revenue. The existing pattern of “run to failure” response to known problems will become worse if no additional funds are located for Fund 3066.

ITEM 1C Budget: Fiscal Year 2016–2017 Budget Requests for Trial Court Facilities Operations Needs (Action Required)

The TCFMAC recommends that the Judicial Council approve the proposed FY 2016–2017 budget requests for trial court facilities operations related needs. Submittal of budget change proposals (BCPs) is the standard process for proposing funding adjustments in the State Budget. This year, the BCPs are to be submitted to the state Department of Finance by September 2, 2015.

Speakers: Hon. David E. Power, Chair, Trial Court Facility Modification Advisory Committee
Hon. William Highberger, Vice Chair, Trial Court Facility Modification Advisory Committee
Mr. Curt Soderlund, Chief Administrative Officer
Mr. Zlatko Theodorovic, Finance
Mr. Patrick McGrath, Facilities Operations

3:15–3:25 p.m. ITEM 2

Judicial Branch Administration: Report on California Rules of Court, Rule 10.75 (Meetings of Advisory Bodies) (Action Required)

Under California Rules of Court, rule 10.75(p), the Judicial Council must review the rule’s impact within one year of its adoption to determine whether amendments are needed. After considering the issue, the chairs of the Judicial Council’s five internal committees have concluded that there are no amendments needed at this time. There were a total of 293 meetings held during the first year and 149 meetings, 51 percent, were opened to the public. The chairs recommend that the council accept this report and direct that the attached letter to be sent to the Joint Legislative Budget Committee as required by the Supplemental Report of the 2013–2014 Budget Package.

Speakers: Hon. Douglas P. Miller, Chair, Executive and Planning Committee
Hon. David Rubin, Chair, Litigation Management Committee

NOTE: Time is estimated. Actual start and end times may vary.

3:25–3:45 p.m. ITEM 3

Judicial Administration: Implementation of Court Technology Governance and Strategic Plan (Action Required)

The Judicial Council Technology Committee (JCTC) recommends amending California Rules of Court, rules 10.16 and 10.53, the rules governing JCTC and the Court Technology Advisory Committee (CTAC), respectively. The amended rule would implement the *Court Technology Governance and Strategic Plan*, recommended by the Technology Planning Task Force and adopted by the Judicial Council in 2014, by revising the roles and responsibilities of JCTC and CTAC. It would also change CTAC’s name to the Information Technology Advisory Committee to reflect its broader role and responsibilities as a sponsor of branchwide technology initiatives.

Speakers: Hon. James E. Herman, Chair, Judicial Council Technology Committee
 Hon. David De Alba, Vice Chair, Judicial Council Technology Committee

3:45 p.m. Adjourn

5:00–6:00 p.m. Judicial Council Distinguished Service Award and the Aranda Access to Justice Award: 2015 Honorees (There are no materials for this item. No action required.)

The Judicial Council honors the recipients of its annual Distinguished Service Award for significant contributions to court administration in California. Additionally, the Judicial Council, California Judges Association, State Bar of California, and Commission on Access to Justice jointly confer the *Aranda Access to Justice Award*, honoring members of the judiciary who have demonstrated a long-term commitment to improving equal access to courts for low- and moderate-income Californians.

2015 Distinguished Service Award Recipients:

Hon. Maria P. Rivera, Associate Justice, California Court of Appeal, First Appellate District, Division Four

Hon. Manuel J. Covarrubias, Superior Court Judge, Superior Court of California, County of Ventura

Hon. David Edwin Power, Superior Court Judge, Superior Court of California, County of Solano

Mr. David H. Yamasaki, Court Executive Officer, Superior Court of California, County of Santa Clara

2015 *Aranda Access to Justice Award* Recipient:

Hon. Garry T. Ichikawa, Superior Court Judge, Superior Court of California, County of Solano

NOTE: Time is estimated. Actual start and end times may vary.

FRIDAY, AUGUST 21, 2015 AGENDA

CLOSED SESSION (RULE 10.6(b))—PERSONNEL AND OTHER CONFIDENTIAL MATTERS

8:30–10:15 a.m. **Session**

10:15–10:30 a.m. **Transitional Break**

OPEN SESSION (RULE 10.6(a))—MEETING AGENDA

10:30–10:40 a.m. **Chief Justice’s Report**
Chief Justice Tani G. Cantil-Sakauye will report.

10:40–10:50 a.m. **Administrative Director’s Report**
Mr. Martin Hoshino, Administrative Director, will report.

10:50–11:30 a.m. **Judicial Council Committee Presentations**
Executive and Planning Committee
 Hon. Douglas P. Miller, Chair
Policy Coordination and Liaison Committee
 Hon. Kenneth K. So, Chair
Rules and Projects Committee
 Hon. Harry E. Hull, Jr., Chair
Technology Committee
 Hon. James E. Herman, Chair

11:30 a.m.–12:00 p.m.

Judicial Council Members’ Liaison Reports
 Judicial Council members will report on their liaison work.

12:00–12:30 p.m. **Public Comment**
The Judicial Council welcomes public comment on general matters of judicial administration and on specific agenda items, as it can enhance the council’s understanding of the issues coming before it.

Please see our [public comment procedures](#).

- 1) Submit advance requests to speak by **4:00 p.m., Tuesday, August 18, 2015**.
- 2) Submit written comments for this meeting by **1:00 p.m. on Wednesday, August 19, 2015**.

Contact information for advance requests to speak, written comments, and questions:

E-mail: judicialcouncil@jud.ca.gov

Postal mail or delivery in person:

Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102-3688
Attention: Cliff Alumno

12:30–1:00 p.m. Break

CONSENT AGENDA (ITEMS A1–A2 THROUGH ITEM H)

A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Nancy Carlisle at 415-865-7614 at least 48 hours before the meeting.

ITEMS A1–A2 RULES AND FORMS

Criminal Jury Instructions

Item A1 Jury Instructions: Revisions to Criminal Jury Instructions (Action Required)

The Advisory Committee on Criminal Jury Instructions recommends approval of the proposed revisions to the *Judicial Council of California Criminal Jury Instructions (CALCRIM)*. These changes will keep CALCRIM current with statutory and case authority.

Traffic

Item A2 Trial Courts: Permanent Authorization for Remote Video Proceedings and Implementation of Rule 4.105 in Traffic Infraction Cases (Action Required)

The Traffic Advisory Committee and the Court Technology Advisory Committee recommend amending rule 4.220 of the California Rules of Court, which authorizes trial courts to establish remote video pilot projects in cases involving traffic infraction violations,

NOTE: Time is estimated. Actual start and end times may vary.

and revising corresponding forms to convert the rule into a standing rule of court and to implement new rule 4.105. To comply with rule 4.105, the effective date of all changes is September 1, 2015.

Item B Judicial Branch: Workers' Compensation Program Allocation Methodology (Action Required)

Per direction received by the Judicial Council at the June 26, 2015 Business Meeting, the Judicial Branch Workers' Compensation Program Advisory Committee was directed to provide information for the proposed changes to the premium allocation methodology to the Court Executives Advisory Committee (CEAC) and the Trial Court Presiding Judges Advisory Committee (TCPJAC) prior to the Judicial Council making a decision on the proposed funding options submitted to the Judicial Council at the June business meeting. The Judicial Branch Workers' Compensation Program Advisory Committee is bringing back to the Judicial Council the information obtained from the Court Executive Advisory Committee and recommends adopting an allocation methodology that will increase allocations from the participants, with the goal of reducing the current gap between program's projected liabilities and assets.

Item C Judicial Branch Contract Reporting Requirement: Executed Contracts and Vendor Payments from January 1 through June 30, 2015 (Action Required)

Public Contract Code section 19209 and the Judicial Branch Contracting Manual require that the Judicial Council submit a report semiannually to the Joint Legislative Budget Committee and the State Auditor listing (1) all vendors or contractors receiving payments from any judicial branch entity and their associated distinct contracts, and (2) for every vendor or contractor receiving more than one payment, the amount of the payment, type of service or good provided, and judicial branch entity receiving the good or service. Therefore, the Judicial Council staff recommends submitting this semiannual report, which lists all judicial branch entity contracts that were amended during the reporting period covering January 1 through June 30, 2015.

Item D Court Facilities: Sale of Equity Interest in Banning Courthouse as Surplus Property (Action Required)

In keeping with the Judicial Council's authority and responsibility to dispose of surplus court facilities under Government Code section 70391(c) and rule 10.183 of the California Rules of Court, the Facilities Policies Working Group recommends that the Judicial Council (1) declare as surplus property the Judicial Council's 60.37% equity interest in the Banning Courthouse, and (2) authorize the sale of the Equity Interest to the County of Riverside.

Item E Court Facilities: Naming Request for the Merced–New Los Banos Courthouse (Action Required)

The Court Facilities Advisory Committee recommends that the Judicial Council approve the request for naming the new courthouse under construction in the City of Los Banos as the *Robert M. Falasco Justice Center*.

Item F Court Facilities: Senate Bill 1407 Project Funding Requests and Judicial Branch AB 1473 Five-Year Infrastructure Plan for Fiscal Year 2016–2017 (Action Required)

The Court Facilities Advisory Committee, to meet the state Department of Finance’s September 2015 deadline, recommends the submission of funding requests for the next phase of Senate Bill 1407 projects eligible for available SB 1407 funds and of the annual update of the *Judicial Branch AB 1473 Five-Year Infrastructure Plan for Fiscal Year 2016–2017*.

Item G Judicial Council: Court Public Parking Management Policy (Action Required)

The Judicial Council controls a number of parking spaces that were either acquired through the Trial Court Facilities Act of 2002 (Sen. Bill 1732; Stats. 2002, ch. 1082) or provided in conjunction with new courthouse construction. Before SB 1732, the counties managed parking spaces, making some available for free and others for a fee. On-site parking provides an expedient feature for the employees, jurors, and other users of courts. The intent of the attached document is to initiate a branchwide policy to implement a methodical approach in developing paid parking at courthouses where feasible.

Item H Collaborative Justice: Recommended Allocations of Fiscal Year 2015–2016 Substance Abuse Focus Grants (Action Required) (FORMERLY ITEM X)

The Collaborative Justice Courts Advisory Committee recommends that funding allocations for Collaborative Justice Courts Substance Abuse Focus Grants, through the California Collaborative and Drug Court Projects in the Budget Act of 2015 (Stats. 2015, ch. 10; § 45.55.020, item 0250-101-0001), and the Dependency Drug Court Augmentation to the Substance Abuse Focus Grants, through the federal Court Improvement Program funds for fiscal (FY) year 2015–2016 [item 0250-101-0890], be distributed to court programs as proposed in the attached table. This report details the committee’s recommendations for funding programs in 50 courts for FY 2015–2016 with these annual grants distributed by the Judicial Council to expand or enhance promising collaborative justice programs around the state.

DISCUSSION AGENDA (ITEMS I–L)

1:00–1:20 p.m. ITEM I

Judicial Administration: Statewide Traffic Tickets/Infraction Amnesty Program (Action Required)

Judicial Council staff recommend approval of the Traffic Tickets/Infraction Amnesty Program guidelines developed for use by court and county collection programs statewide in the implementation of the one-time amnesty program, as authorized by Vehicle Code section 42008.8. The amnesty program provides relief to individuals with violations of eligible Vehicle and non-Vehicle Code infractions and specified misdemeanors by reducing

outstanding court-ordered debt by 50 or 80 percent and/or reinstating suspended driver's licenses. The 18-month amnesty program will operate from October 1, 2015 through March 31, 2017.

Speakers: Ms. Mary Beth Todd, Chair, Court Executives Advisory Committee
Mr. Cory Jaspersen, Governmental Affairs
Mr. Bob Fleshman, Finance
Mr. Courtney Tucker, Criminal Justice Services

1:20–2:10 p.m. ITEM J

Budget: Fiscal Year 2016–2017 Budget Proposals for Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center (Action Required)

Fiscal year 2016–17 budget proposals for the Supreme Court, Courts of Appeal, Judicial Council, Judicial Council Facility Program, Trial Courts, and Habeas Corpus Resource Center are recommended for approval by the delegated internal committees. In addition, the Judicial Council staff recommends delegating authority to the Administrative Director to make technical changes to any budget proposals, as necessary. Submittal of BCPs is the standard process for proposing funding adjustments in the State Budget, which must be submitted to the state Department of Finance by September 2, 2015.

Speakers: Mr. Curt Soderlund, Chief Administrative Officer
Mr. Zlatko Theodorovic, Finance

2:10–2:30 p.m. ITEM K

Trial Courts: State Trial Court Improvement and Modernization Fund Allocation Adjustments for Fiscal Year 2015–2016 (Action Required)

The TCBAC is recommending adjustments, totaling a net of \$938,823, to FY 2015–2016 allocations made by the Judicial Council in April and June 2015.

Speakers: Hon. Laurie M. Earl, Chair, Trial Court Budget Advisory Committee
Mr. Zlatko Theodorovic, Finance

2:30–2:50 p.m. ITEM L

Subordinate Judicial Officers: Update of Subordinate Judicial Officer Conversions Using More Current Workload Data (Action Required)

At the direction of the Executive and Planning Committee (E&P), which has the authority to confirm subordinate judicial officer (SJO) conversions, the Workload Assessment Advisory Committee has provided an analysis on how the remaining 45 SJO conversions under Government Code section 69615 would be allocated if current workload data were used to identify the courts with SJOs eligible for conversion. E&P recommends that the Judicial Council adopt the recommendation to allocate the remaining conversions using more recent

workload data and to direct staff to seek legislation that would update references in the current statute to the list of positions eligible for conversion. Council action is needed so that courts have more certainty about the need to convert positions in light of changes in judicial workload since the original workload analysis was completed in 2007.

Speakers: Hon. Douglas P. Miller, Chair, Executive and Planning Committee
Ms. Leah Rose-Goodwin, Office of Court Research

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

INFO 1 Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring

The chair of E&P presents this informational report on the implementation of the Judicial Council Directives on Staff Restructuring, as approved by the Judicial Council on August 31, 2012. The Judicial Council Staff Restructuring Directives specifically direct the Administrative Director to report to E&P before each council meeting on every directive. This informational report provides an update on the progress of implementation efforts.

INFO 2 Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code, § 68106—Report No. 33)

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 33rd report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, one superior court—County of Sutter—has issued a revised notice.

INFO 3 Trial Courts: Annual Investment Report for Fiscal Year 2014–2015

This *Trial Court Annual Investment Report* provides the financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report is submitted under agenda item 10, Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004, and the report covers the period of July 1, 2014, through June 30, 2015.

INFO 4 Court Facilities: Trial Court Facility Modification Quarterly Activity Report for Quarter 4 of Fiscal Year 2014–2015

The TCFMAC has completed its facility modification funding for the fourth quarter of FY 2014–2015. In compliance with the *Trial Court Facility Modifications Policy*, the advisory body is submitting its *Trial Court Facility Modification Quarterly Activity Report: Quarter*

4, *Fiscal Year 2014–2015* as information for the council. This report summarizes the activities of the TCFMAC from April 1, 2015, to June 30, 2015.

INFO 5 Trial Courts: Court Realignment Data (Calendar Year 2014)

Pursuant to Penal Code section 13155, commencing January 1, 2013, the Judicial Council must collect information from trial courts regarding the implementation of the 2011 Criminal Justice Realignment Legislation and submit the data annually to the California Department of Finance (DOF), the Board of State and Community Corrections (BSCC), and the Joint Legislative Budget Committee (JLBC), by September 1. This is the third annual court realignment data report to the DOF, BSCC, and the JLBC.

There were no Circulating Orders since the last business meeting.

There were no Appointment Orders since the last business meeting.



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 August 21, 2015

| | |
|--|--|
| Title | Agenda Item Type |
| Judicial Branch: Workers' Compensation Program Allocation Methodology | Action Required |
| Rules, Forms, Standards, or Statutes Affected | Effective Date |
| N/A | July 1, 2015 |
| Recommended by | Date of Report |
| Judicial Branch Workers' Compensation Program Advisory Committee Tania Ugrin-Capobianco, Chair | August 10, 2015 |
| | Contact |
| | Linda Cox, Senior Manager Human Resources 415-865-4290 linda.cox@jud.ca.gov |

Executive Summary

Per direction received by the Judicial Council at the June 26, 2015 Business Meeting, the Judicial Branch Workers' Compensation Program Advisory Committee was directed to provide information for the proposed changes to the premium allocation methodology to the Court Executives Advisory Committee (CEAC) and the Trial Court Presiding Judges Advisory Committee (TCPJAC) prior to the Judicial Council making a decision on the proposed funding options submitted to the Judicial Council at the June business meeting. The Judicial Branch Workers' Compensation Program Advisory Committee is bringing back to the Judicial Council the information obtained from the Court Executive Advisory Committee and recommends adopting an allocation methodology that will increase allocations from the participants, with the goal of reducing the current gap between program's projected liabilities and assets.

Recommendation

The Judicial Branch Workers' Compensation Program (JBWCP) Advisory Committee recommends that the Judicial Council, effective July 1, 2015:

1. Adopt and implement an allocation methodology that charges premiums on an ultimate-cost basis as opposed to the current methodology, which is based on cash flow;
2. Allow the JBWCP Advisory Committee to identify surpluses or deficiencies based on each year's claims cost, which may necessitate funding adjustments to allocations to ensure that each year's claims costs are maintained, with the goal of fully funding the JBWCP.

Previous Council Action

June 26, 2015 Business Meeting, the Judicial Branch Workers' Compensation Program Advisory Committee presented recommendations for a change to the current funding methodology for the JBWCP. The JBWCP Advisory Committee meets with the court executive officers to confirm their understanding of the proposal to change the funding methodology.

Rationale for Recommendation

There are two basic methods for funding self-insurance programs such as the JBWCP:

1. Current JBWCP Funding Methodology—Cash-Flow Funding

In cash-flow funding, premium charges cover the cost of claims paid in a given fiscal year. Annual program costs are broken down into two main components, loss premium and expense premium. An actuarial study is performed each year for the JBWCP to determine the total loss premium for the upcoming fiscal year. Loss premium covers medical benefits, indemnity benefits, and other allocated program costs such as legal fees. Expense premium includes excess insurance costs, claims handling fees provided by the TPA, and brokerage/consulting fees.

2. Recommended Funding Methodology for Fiscal Year 2015–2016—Ultimate-Cost Basis

The ultimate-cost basis methodology involves the annual collection of premiums to cover the total estimated costs of claims for each fiscal year and therefore provides a matching of assets with the corresponding ultimate liability for claims. This methodology provides for more accurate funding of the annual costs incurred during a given year and is less likely to result in program liabilities that exceed assets because of future liabilities on incurred claims.

Current cash-flow funding methodology contributes to JBWCP asset erosion

Bickmore is a risk management consultant engaged by the Judicial Council to perform an actuarial review of the JBWCP (Attachment A). Bickmore's current actuarial projections indicate that the cash-flow method will generate roughly \$2 million less than the ultimate costs incurred annually, which, if continued, would eventually erode the JBWCP assets. Table 1 compares the two different methods of funding the JBWCP for fiscal year 2015–2016.

Table 1. JBWCP Funding Methods for Fiscal Year 2015–2016

| Program Costs | Cash-Flow Basis | Ultimate Basis | Difference |
|--------------------------|----------------------|----------------------|---------------------|
| Loss and ALAE* | \$ 15,148,077 | 17,240,980 | \$ 2,092,903 |
| Claims Administration | 2,250,000 | 2,250,000 | — |
| Excess Insurance | 655,029 | 655,029 | — |
| Consulting and Brokerage | 465,591 | 465,591 | — |
| Total | \$ 18,518,697 | \$ 20,611,600 | \$ 2,092,903 |

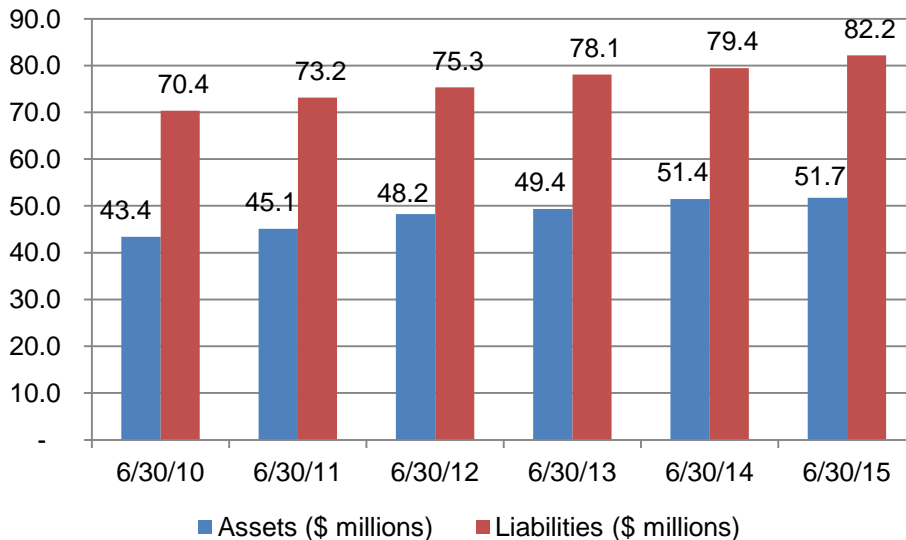
* ALAE = Allocated Loss Adjustment Expense

In general, when surpluses or deficiencies develop on outstanding liabilities and funding adjustments are necessary, they should be identified so that the policy of funding each year’s claims costs is maintained. Because the goal is to work toward fully funding the program, fiscal year 2015–2016 program funding should increase by at least \$2,092,903, as indicated in table 1.

Ultimate-cost basis prevents growth of the asset-to-liability gap

Figure 1 shows a five-year history of assets and liabilities for the program, as well as a projection for June 30, 2015. During the past five years, the cash-flow funding method appears not to have significantly reduced the asset base of the JBWCP; however, as of June 30, 2015, assets for the program are projected to be approximately \$51.7 million. The amount of these assets is approximately \$30.5 million less than the expected liability for the program of \$82.2 million, so the program is not fully funded relative to the expected liability. Of note, however, assets are sufficient to cover expected cash flow for the year by a substantial margin.

Figure 1. JBWCP Assets and Liabilities (2010–2015)



Note: Figures include trial courts and the judiciary. The figure for 2015 is a projection.

Changing to an ultimate-cost funding methodology this year will prevent the asset-to-liability gap from growing, but it does not close the gap entirely. The next step is to reduce the gap to

zero and fully fund the program. Achieving the full-funding goal will take a multiyear approach, and the committee intends to develop a plan to fully fund the program over time.

Ultimate-cost basis is the first step to fully funding the JBWCP

Over the course of the 2015–2016 program year, the committee will meet to develop a plan for fully funding the program over time. The plan will take into consideration several key factors, including:

- **Discounting**

A discount rate, sometimes used interchangeably with “interest rate,” is used in the calculation of funding rates and unpaid claims liabilities. The expected investment income earned on the funds set aside to pay claims is taken as a credit to reduce the amount collected or retained. The higher the expected investment income, the less cash is necessary to fund the liabilities. If the expected investment income is lower, more cash will be necessary to fund the liabilities.

- **Increasing Premiums**

Premiums may need to be increased above the level needed for new claims by an additional amount necessary to reduce the deficit on old claims. This increase may be achieved over a five- or ten-year period (or longer, if necessary). Once the program is fully funded, then premiums will be reduced to the level necessary for funding new claims only.

The principles that will guide the JBWCP in developing this plan include (1) ensuring the financial integrity of the program, (2) providing annual budgetary stability for members, and (3) ensuring that cost allocation formulas reflect funding requirements in the long run.

Comments, Alternatives Considered, and Policy Implications

External comments

The public was invited to call in and listen to the Trial Court Budget Advisory Committee meeting on May 18, 2015. At that meeting, Court Executive Officer David Yamasaki, a member of the committee, presented an update on the JBWCP and proposed cost allocations for fiscal year 2015–2016 that would fully fund the JBWCP. No comments were received on this matter.

CEAC comments

As requested, the JBWCP worked with the CEAC Chair, Mary Beth Todd and provided additional information to the August 7, 2015 CEAC business meeting (Attachment B: Chart-Cash-flow Funding verses Ultimate Funding Changes by Court) The Chair called for a vote of the proposed funding changes. The CEAC members voted in favor of the recommendation with the exception of one member, the Court Executive of the Superior Court of San Bernardino, Christina Volkers.

TCPJAC comments

The JBWCP staff spoke with the Chair of the CEAC, Mary Beth Todd. She offered to work directly with the Chair of the TCPJAC, Judge Marsha Slough. Judge Slough deferred the matter to CEAC for their decision on the proposed allocation funding options. Therefore, there was not a separate meeting with the TCPJA.

Internal comments

At the April 10, 2015, JBWCP Advisory Committee meeting, the funding methodology was discussed, as was whether the committee should look at more holistic ways to reduce the funding gap before the methodology is changed. The committee agreed that it wants to immediately move away from the cash-flow funding method and, in the following year, approach any deficits that may exist.

Alternatives

Use cash-flow funding methodology. The current cash-flow methodology could be maintained for the current year while plans are developed to determine long-term goals to reduce the gap in liabilities versus assets. If this methodology were maintained, it could result in a \$2 million reduction to the \$51.7 million JBWCP fund.

Attachments and Links

1. Attachment A: Bickmore Actuarial Report (Draft)
2. Attachment B: Chart-Cash-flow Funding verses Ultimate Funding Changes by Court



Actuarial Review of the Self-Insured Judicial Branch Workers' Compensation Program

Member Premium Allocation for Fiscal Year 2015-16

Presented to
Judicial Council of California

June 4, 2015 DRAFT

DRAFT



Thursday, June 4, 2015

Ms. Linda M. Cox
Senior Human Resources Manager
Human Resources Services Office
Judicial and Court Administrative Services Division
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Re: Member Cost Allocation for Fiscal Year 2015-16

Dear Ms. Cox:

We have completed our review of the Judicial Council of California (the Judicial Council), Judicial Branch Workers' Compensation Program (JBWCP), and have updated the member cost allocation for fiscal year 2015-16 program premiums. The premiums include a provision for:

- Expected loss and ALAE payments
- Third-Party Claims Administration Fees
- Excess Insurance
- Consulting and Brokerage Expenses

The JBWCP is a self-insured program in which each entity pays a share of cost based on each member's workers' compensation claims experience and historical payroll. The total cost for this program is broken up into three groups: 1) Judicial, which includes member coverage for the Trial Court Justices, Judges, and Retired Judges in the Assigned Judges Program, 2) Trial Court employees and volunteers, which includes the membership of 57 out of the 58 California Trial Courts, and 3) State Judiciary, which includes the membership of the Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, California Judicial Center Library, Commission on Judicial Performance, and the Judicial Council and provides coverage for all of their employees and volunteers.

Given the low volume of loss experience and exposure for the Trial Court Judges and the State Judiciary, and in order to provide a credible actuarial estimate, the Judicial and the State Judiciary groups are valued together for purposes of determining total program cost. Thus for the purpose of the analysis, the three groups are consolidated to two groups, Trial Courts and the State Judiciary.

JBWCP Methodology

The methodology used by the JBWCP utilizes a calculation derived from experience and exposure, along with program costs, such as excess insurance, third party administrator (TPA) claim handling, and brokerage fees. Given the relative sizes of the courts and judiciary entities participating in the JBWCP, the JBWCP's methodology has features which make it appropriate for entities of all sizes.

Each year JBWCP retains an actuary to undertake an actuarial analysis and estimate of loss costs. The actuarial projections are based on loss data from the inception of the JBWCP program (1/1/2001), provided by the Judicial Council and the third party claims administrators. Additionally, historical and projected payroll is provided. The actuary determines the estimated outstanding liabilities since program inception and the forecasted program costs for the upcoming policy term. They also provide an estimate of the loss payments that will be made during the upcoming fiscal year. It is the amount of loss payments expected to be made that is allocated among the participating courts.

For purposes of calculating the allocation, the actuarial data is combined with cost data, consisting of excess insurance premiums, TPA fees, and brokerage and consulting costs. The allocation formula uses a combination of a 3-year loss distribution and a 3-year payroll distribution for calculating the annual charge to each member using a weighting formula. For determining 2015-16 premiums, the experience period used includes the 2011-12, 2012-13, and 2013-14 program years.

The weighting formula was developed with the following goals in mind:

- To establish adequate funding to cover the annual expected loss payments, excess premiums, and expenses associated with the JBWCP.
- To provide incentives to control workers' compensation losses by making the allocation responsive to recent loss experience.
- To minimize year-to-year volatility for budgetary planning purposes.
- To recognize that thresholds of acceptable volatility will vary according to the size of the court.

The weight given to the loss component of the allocation for each individual court is calculated using the following formula:

$$\sqrt[3]{\frac{\text{Individual Court Payroll for 3 – Yr Period (\$000's)}}{649,204}}$$

where 649,204 is a constant derived to set the weight given to the largest court at 80%.

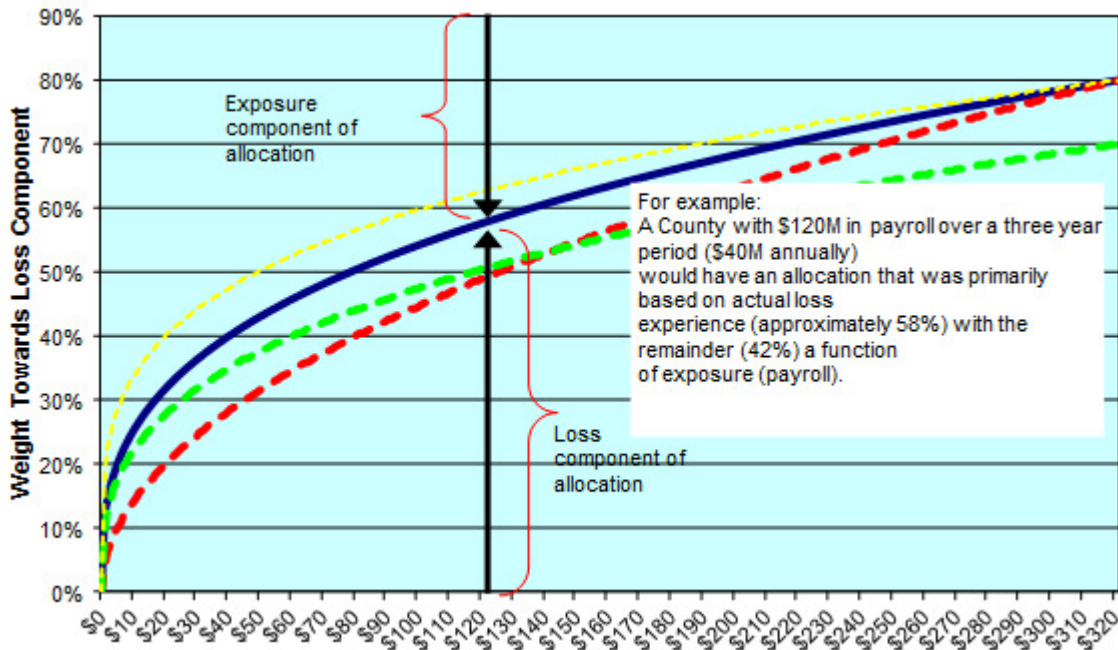
Inputs:

- 332,392 = Largest Court Payroll for 3-Yr Period (\$000's)
- 80% = Weight Given to Loss Component for Largest Court
- 3 = Exponent

For purposes of determining loss distribution, a cap of \$75,000 per occurrence is applied. This eliminates the volatility of large loss impact on distribution to individual courts. Ninety-five percent of all claims are within \$75,000 per occurrence.

The largest court by 3-year payroll size has a weighting of 80% of loss experience and 20% payroll. The smallest court by payroll size has a weighting of at least 10% loss experience. All other courts are weighted by payroll and loss experience along that continuum. This ensures that the larger courts with more predictable losses are subject to an allocation that emphasizes losses, while the smaller courts' allocations are more reliant upon payroll to ensure more year-to-year budget stability.

Here is a graphic illustration of the continuum:



The selected parameters of 80% weight and power of 3 are shown as the solid line above. Other parameters are shown as dashed lines for comparison.

The expense component, including claim handling and brokerage fees, is allocated based on 80% losses and 20% payroll, on the theory that these expenses are incurred regardless of claims activity and therefore should have at least some component of

exposure used in the allocation. Excess insurance costs are allocated based upon the distribution of payroll by member and is only applied to the Trial Courts. The State Judiciary is currently fully self-insured (i.e. No excess insurance).

Funding Options

In addition to the standard premium allocation (Option 1), this report includes allocations for two alternative funding options:

2. Ultimate Cost Funding – For this option, rather than using projected loss and ALAE payments in the premium calculation, ultimate loss and ALAE is included. This option fully funds the current year exposure. Results shown on Exhibit TC-4 (Option 2) and Exhibit J-4 (Option 2).
3. Ultimate Cost Funding with Judiciary Excess Insurance – This option is the same as option 2, but also includes excess insurance premium for the Judiciary. Results shown on Exhibit J-4 (Option 3), Exhibit J-4 (Option 4) and Exhibit J-4 (Option 5).

We appreciate the opportunity to be of service the Judicial Council of California in preparing this report. Please feel free to call Mike Harrington at (916) 244-1162 or Becky Richard at (916) 244-1183 with any questions you may have concerning this report.

Sincerely,

Bickmore

DRAFT

Mike Harrington, FCAS, MAAA
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Fellow, Casualty Actuarial Society
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Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Allocation of 2015-16 Costs

| Court | 2011-12 to 2013-14 Payroll (\$000) (A) | Percent Payroll (B) | 2015-16 Indicated Allocation Based on Payroll (C) | 2011-12 to 2013-14 Incurred Limited to \$75K (D) | Percent Limited Losses (E) | 2015-16 Indicated Allocation Based on Losses (F) | Weighting (G) | 2015-16 Weighted Allocation (H) | 2015-16 Adjusted Allocation (I) | Allocation of Excess Premium (J) | Allocation of Claims Handling (TPA) Fees (K) | Allocation of Program Admin. (L) | Allocation Brokerage / Consulting (M) | 2015-16 Total Allocation (N) | 2015-16 Percent of Allocation (O) |
|-----------------|--|---------------------------|--|--|-------------------------------------|---|------------------|--|--|---|--|---|--|---------------------------------------|---|
| Alameda | \$153,990 | 6.14% | \$881,802 | \$1,189,650 | 5.12% | \$736,347 | 61.90% | \$791,763 | \$814,618 | \$29,465 | \$107,440 | \$0 | \$22,232 | \$973,756 | 5.63% |
| Alpine | 618 | 0.02% | 3,539 | 0 | 0.00% | 0 | 9.84% | 3,191 | 3,283 | 118 | 99 | 0 | 21 | 3,521 | 0.02% |
| Amador | 4,642 | 0.18% | 26,580 | 64,668 | 0.28% | 40,027 | 19.26% | 29,171 | 30,013 | 888 | 5,241 | 0 | 1,084 | 37,226 | 0.22% |
| Butte | 18,540 | 0.74% | 106,166 | 180,936 | 0.78% | 111,993 | 30.57% | 107,947 | 111,063 | 3,547 | 15,556 | 0 | 3,219 | 133,386 | 0.77% |
| Calaveras | 4,950 | 0.20% | 28,345 | 11,303 | 0.05% | 6,996 | 19.68% | 24,143 | 24,840 | 947 | 1,581 | 0 | 327 | 27,696 | 0.16% |
| Colusa | 2,602 | 0.10% | 14,903 | 0 | 0.00% | 0 | 15.89% | 12,535 | 12,897 | 498 | 418 | 0 | 87 | 13,900 | 0.08% |
| Contra Costa | 72,104 | 2.87% | 412,896 | 1,161,056 | 5.00% | 718,649 | 48.07% | 559,867 | 576,028 | 13,797 | 92,289 | 0 | 19,097 | 701,211 | 4.06% |
| Del Norte | 4,751 | 0.19% | 27,207 | 23,646 | 0.10% | 14,636 | 19.42% | 24,766 | 25,481 | 909 | 2,407 | 0 | 498 | 29,296 | 0.17% |
| El Dorado | 13,656 | 0.54% | 78,201 | 89,210 | 0.38% | 55,218 | 27.60% | 71,856 | 73,931 | 2,613 | 8,396 | 0 | 1,737 | 86,677 | 0.50% |
| Fresno | 75,391 | 3.00% | 431,716 | 1,201,391 | 5.18% | 743,614 | 48.79% | 583,885 | 600,740 | 14,426 | 95,621 | 0 | 19,787 | 730,573 | 4.23% |
| Glenn | 3,465 | 0.14% | 19,840 | 63,157 | 0.27% | 39,092 | 17.48% | 23,204 | 23,874 | 663 | 4,947 | 0 | 1,024 | 30,507 | 0.18% |
| Humboldt | 11,402 | 0.45% | 65,289 | 269,990 | 1.16% | 167,113 | 25.99% | 91,757 | 94,405 | 2,182 | 20,598 | 0 | 4,262 | 121,448 | 0.70% |
| Imperial | 18,455 | 0.74% | 105,678 | 147,205 | 0.63% | 91,114 | 30.52% | 101,233 | 104,155 | 3,531 | 13,198 | 0 | 2,731 | 123,616 | 0.72% |
| Inyo | 3,632 | 0.14% | 20,800 | 35,774 | 0.15% | 22,142 | 17.75% | 21,038 | 21,645 | 695 | 3,070 | 0 | 635 | 26,046 | 0.15% |
| Kern | 69,742 | 2.78% | 399,368 | 721,388 | 3.11% | 446,511 | 47.54% | 421,779 | 433,954 | 13,345 | 61,351 | 0 | 12,695 | 521,345 | 3.02% |
| Kings | 12,737 | 0.51% | 72,939 | 228,144 | 0.98% | 141,212 | 26.97% | 91,353 | 93,990 | 2,437 | 17,904 | 0 | 3,705 | 118,037 | 0.68% |
| Lake | 5,181 | 0.21% | 29,669 | 81,066 | 0.35% | 50,177 | 19.98% | 33,767 | 34,742 | 991 | 6,467 | 0 | 1,338 | 43,539 | 0.25% |
| Lassen | 4,872 | 0.19% | 27,900 | 79 | 0.00% | 49 | 19.58% | 22,448 | 23,096 | 932 | 789 | 0 | 163 | 24,980 | 0.14% |
| Madera | 15,357 | 0.61% | 87,941 | 255,231 | 1.10% | 157,978 | 28.71% | 108,046 | 111,165 | 2,939 | 20,208 | 0 | 4,182 | 138,493 | 0.80% |
| Marin | 26,206 | 1.04% | 150,067 | 153,401 | 0.66% | 94,950 | 34.30% | 131,160 | 134,946 | 5,014 | 14,875 | 0 | 3,078 | 157,913 | 0.91% |
| Mariposa | 1,892 | 0.08% | 10,837 | 0 | 0.00% | 0 | 14.28% | 9,289 | 9,557 | 362 | 304 | 0 | 63 | 10,286 | 0.06% |
| Mendocino | 9,402 | 0.37% | 53,840 | 250,223 | 1.08% | 154,878 | 24.38% | 78,468 | 80,733 | 1,799 | 18,903 | 0 | 3,912 | 105,346 | 0.61% |
| Merced | 17,385 | 0.69% | 99,550 | 196,956 | 0.85% | 121,908 | 29.92% | 106,239 | 109,306 | 3,326 | 16,484 | 0 | 3,411 | 132,527 | 0.77% |
| Modoc | 1,677 | 0.07% | 9,602 | 0 | 0.00% | 0 | 13.72% | 8,285 | 8,524 | 321 | 270 | 0 | 56 | 9,170 | 0.05% |
| Mono | 2,488 | 0.10% | 14,247 | 101,505 | 0.44% | 62,828 | 15.65% | 21,849 | 22,480 | 476 | 7,455 | 0 | 1,543 | 31,953 | 0.18% |
| Monterey | 35,409 | 1.41% | 202,768 | 310,753 | 1.34% | 192,344 | 37.92% | 198,815 | 204,554 | 6,775 | 27,291 | 0 | 5,647 | 244,267 | 1.41% |
| Napa | 15,707 | 0.63% | 89,947 | 110,418 | 0.48% | 68,344 | 28.92% | 83,699 | 86,115 | 3,006 | 10,200 | 0 | 2,111 | 101,430 | 0.59% |
| Nevada | 9,878 | 0.39% | 56,568 | 56,584 | 0.24% | 35,023 | 24.78% | 51,229 | 52,708 | 1,890 | 5,521 | 0 | 1,142 | 61,261 | 0.35% |
| Orange | 332,392 | 13.25% | 1,903,404 | 1,592,287 | 6.86% | 985,564 | 80.00% | 1,169,132 | 1,202,881 | 63,601 | 164,104 | 0 | 33,958 | 1,464,545 | 8.47% |
| Placer | 25,360 | 1.01% | 145,221 | 49,437 | 0.21% | 30,599 | 33.93% | 106,329 | 109,399 | 4,852 | 7,513 | 0 | 1,555 | 123,319 | 0.71% |
| Plumas | 2,415 | 0.10% | 13,827 | 0 | 0.00% | 0 | 15.49% | 11,685 | 12,222 | 462 | 388 | 0 | 80 | 12,953 | 0.07% |
| Riverside | 185,162 | 7.38% | 1,060,308 | 1,628,016 | 7.01% | 1,007,679 | 65.82% | 1,025,665 | 1,055,273 | 35,430 | 142,919 | 0 | 29,574 | 1,263,196 | 7.31% |
| Sacramento | 139,150 | 5.55% | 796,823 | 774,052 | 3.33% | 479,108 | 59.85% | 606,684 | 624,197 | 26,626 | 76,169 | 0 | 15,762 | 742,753 | 4.30% |
| San Benito | 5,409 | 0.22% | 30,975 | 21,282 | 0.09% | 13,173 | 20.27% | 27,366 | 28,156 | 1,035 | 2,349 | 0 | 486 | 32,026 | 0.19% |
| San Bernardino | 159,754 | 6.37% | 914,810 | 1,440,485 | 6.21% | 891,605 | 62.66% | 900,268 | 926,256 | 30,568 | 125,801 | 0 | 26,032 | 1,108,657 | 6.41% |
| San Diego | 262,259 | 10.45% | 1,501,795 | 2,541,962 | 10.95% | 1,573,376 | 73.92% | 1,554,711 | 1,599,590 | 50,182 | 218,836 | 0 | 45,284 | 1,913,892 | 11.07% |
| San Francisco | 115,576 | 4.61% | 661,832 | 1,308,293 | 5.64% | 809,783 | 56.26% | 745,062 | 766,569 | 22,115 | 109,511 | 0 | 22,661 | 920,856 | 5.33% |
| San Joaquin | 49,069 | 1.96% | 280,990 | 682,235 | 2.94% | 422,277 | 42.28% | 340,727 | 350,563 | 9,389 | 55,306 | 0 | 11,444 | 426,702 | 2.47% |
| San Luis Obispo | 26,128 | 1.04% | 149,621 | 177,934 | 0.77% | 110,134 | 34.27% | 136,089 | 140,018 | 5,000 | 16,567 | 0 | 3,428 | 165,013 | 0.95% |
| San Mateo | 61,118 | 2.44% | 349,982 | 1,021,701 | 4.40% | 632,393 | 45.49% | 478,455 | 492,266 | 11,695 | 80,837 | 0 | 16,728 | 601,526 | 3.48% |
| Santa Barbara | 47,572 | 1.90% | 272,414 | 407,899 | 1.76% | 252,474 | 41.85% | 264,070 | 271,693 | 9,103 | 35,998 | 0 | 7,449 | 324,243 | 1.88% |
| Santa Clara | 158,588 | 6.32% | 908,136 | 1,456,291 | 6.27% | 901,388 | 62.51% | 903,917 | 930,010 | 30,345 | 126,712 | 0 | 26,220 | 1,113,288 | 6.44% |
| Santa Cruz | 24,440 | 0.97% | 139,955 | 208,193 | 0.90% | 128,864 | 33.52% | 136,237 | 140,170 | 4,677 | 18,399 | 0 | 3,807 | 167,053 | 0.97% |
| Shasta | 27,019 | 1.08% | 154,719 | 375,307 | 1.62% | 232,301 | 34.65% | 181,605 | 186,847 | 5,170 | 30,429 | 0 | 6,297 | 228,742 | 1.32% |
| Sierra | 651 | 0.03% | 3,725 | 0 | 0.00% | 0 | 10.01% | 3,352 | 3,449 | 124 | 105 | 0 | 22 | 3,700 | 0.02% |
| Siskiyou | 7,703 | 0.31% | 44,111 | 49,899 | 0.21% | 30,886 | 22.81% | 41,094 | 42,281 | 1,474 | 4,707 | 0 | 974 | 49,435 | 0.29% |

**Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts**

Allocation of 2015-16 Costs

| Court | 2011-12 to 2013-14 Payroll (\$000) (A) | Percent Payroll (B) | 2015-16 Indicated Allocation Based on Payroll (C) | 2011-12 to 2013-14 Incurred Limited to \$75K (D) | Percent Limited Losses (E) | 2015-16 Indicated Allocation Based on Losses (F) | Weighting (G) | 2015-16 Weighted Allocation (H) | 2015-16 Adjusted Allocation (I) | Allocation of Excess Premium (J) | Allocation of Claims Handling (TPA) Fees (K) | Allocation of Program Admin. (L) | Allocation Brokerage / Consulting (M) | 2015-16 Total Allocation (N) | 2015-16 Percent of Allocation (O) |
|------------|--|---------------------------|--|--|-------------------------------------|---|------------------|--|--|---|--|---|--|---------------------------------------|---|
| Solano | 38,490 | 1.53% | 220,406 | 896,342 | 3.86% | 554,801 | 38.99% | 350,797 | 360,923 | 7,365 | 68,487 | 0 | 14,172 | 450,946 | 2.61% |
| Sonoma | 38,084 | 1.52% | 218,086 | 163,460 | 0.70% | 101,175 | 38.86% | 172,659 | 177,644 | 7,287 | 17,483 | 0 | 3,618 | 206,032 | 1.19% |
| Stanislaus | 36,304 | 1.45% | 207,891 | 338,122 | 1.46% | 209,284 | 38.24% | 208,424 | 214,440 | 6,947 | 29,337 | 0 | 6,071 | 256,794 | 1.49% |
| Sutter | 8,802 | 0.35% | 50,406 | 30,226 | 0.13% | 18,709 | 23.85% | 42,848 | 44,084 | 1,684 | 3,516 | 0 | 728 | 50,012 | 0.29% |
| Tehama | 6,627 | 0.26% | 37,948 | 43,355 | 0.19% | 26,835 | 21.69% | 35,538 | 36,563 | 1,268 | 4,079 | 0 | 844 | 42,754 | 0.25% |
| Trinity | 2,428 | 0.10% | 13,904 | 76,876 | 0.33% | 47,583 | 15.52% | 19,132 | 19,684 | 465 | 5,734 | 0 | 1,186 | 27,069 | 0.16% |
| Tulare | 33,123 | 1.32% | 189,676 | 251,589 | 1.08% | 155,724 | 37.09% | 177,083 | 182,195 | 6,338 | 22,811 | 0 | 4,720 | 216,065 | 1.25% |
| Tuolumne | 6,418 | 0.26% | 36,750 | 140,707 | 0.61% | 87,092 | 21.46% | 47,554 | 48,927 | 1,228 | 10,811 | 0 | 2,237 | 63,204 | 0.37% |
| Ventura | 68,381 | 2.73% | 391,575 | 411,206 | 1.77% | 254,520 | 47.23% | 326,849 | 336,284 | 13,084 | 39,573 | 0 | 8,189 | 397,130 | 2.30% |
| Yolo | 15,750 | 0.63% | 90,190 | 112,491 | 0.48% | 69,628 | 28.95% | 84,238 | 86,669 | 3,014 | 10,350 | 0 | 2,142 | 102,175 | 0.59% |
| Yuba | 8,854 | 0.35% | 50,700 | 110,323 | 0.48% | 68,286 | 23.89% | 54,902 | 56,486 | 1,694 | 9,091 | 0 | 1,881 | 69,153 | 0.40% |
| All Courts | \$2,509,158 | 100.00% | \$14,368,384 | \$23,213,702 | 100.00% | \$14,368,384 | | \$13,965,252 | \$14,368,384 | \$480,114 | \$2,016,805 | \$0 | \$417,336 | \$17,282,639 | 100.00% |

Notes:

- (A): From Exhibit TC-2.
- (B): (A)/[Total (A)]
- (C): (B) x [Total (C)]. Total (C) was provided by Judicial Branch Workers' Compensation Program.
- (D): From Exhibit TC-3.
- (E): (D)/[Total (D)]
- (F): (E) x [Total (F)]. Total (F) was provided by Judicial Branch Workers' Compensation Program.
- (G): Based on relative size (according the (A)) of each court. The largest is subjectively set to an 80.00% weight. The weight of all other courts are based on that standard.
- (H): (H) x (F) + [1-(H)] x (G)
- (I): (H) subject to an adjustment of 1.029.
- (J): (B) x [Total (J)]. Total (J) was provided by Judicial Branch Workers' Compensation Program.
- (K): [(B) x 0.20 + (E) x 0.80] x Total (K). Total (K) was provided by Judicial Branch Workers' Compensation Program.
- (L): (B) x [Total (L)]. Total (L) was provided by Judicial Branch Workers' Compensation Program.
- (M): [(B) x 0.20 + (E) x 0.80] x Total (M). Total (M) was provided by Judicial Branch Workers' Compensation Program.
- (N): Sum[(I)..(M)]
- (O): (N)/[Total (N)]

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Summary of Payroll

| Court | Payroll | | |
|-----------------|--------------|--------------|--------------|
| | 2011-12 | 2012-13 | 2013-14 |
| Alameda | \$52,941,334 | \$49,655,539 | \$51,392,643 |
| Alpine | 248,333 | 193,967 | 175,765 |
| Amador | 1,620,086 | 1,549,721 | 1,471,884 |
| Butte | 6,317,202 | 6,860,643 | 5,361,954 |
| Calaveras | 1,676,368 | 1,628,174 | 1,645,407 |
| Colusa | 883,800 | 841,818 | 876,863 |
| Contra Costa | 24,833,848 | 24,443,199 | 22,827,248 |
| Del Norte | 1,536,762 | 1,543,344 | 1,671,038 |
| El Dorado | 4,968,583 | 4,601,205 | 4,086,446 |
| Fresno | 27,449,870 | 23,220,885 | 24,720,023 |
| Glenn | 1,080,958 | 1,179,293 | 1,204,445 |
| Humboldt | 3,626,881 | 3,700,308 | 4,074,323 |
| Imperial | 6,335,229 | 5,995,723 | 6,123,601 |
| Inyo | 1,219,647 | 1,134,299 | 1,278,293 |
| Kern | 25,060,148 | 21,817,926 | 22,863,775 |
| Kings | 4,400,121 | 4,111,328 | 4,225,888 |
| Lake | 2,029,880 | 1,533,921 | 1,617,288 |
| Lassen | 1,824,791 | 1,713,189 | 1,334,297 |
| Madera | 5,341,744 | 5,047,741 | 4,967,640 |
| Marin | 9,059,145 | 8,686,260 | 8,460,909 |
| Mariposa | 617,822 | 617,737 | 656,857 |
| Mendocino | 3,212,415 | 2,999,889 | 3,189,732 |
| Merced | 5,962,267 | 5,799,760 | 5,622,523 |
| Modoc | 575,379 | 546,417 | 555,061 |
| Mono | 837,361 | 827,414 | 823,132 |
| Monterey | 12,293,541 | 11,068,298 | 12,047,639 |
| Napa | 5,600,789 | 4,980,101 | 5,126,534 |
| Nevada | 3,413,323 | 3,258,549 | 3,206,545 |
| Orange | 115,117,566 | 108,702,345 | 108,572,489 |
| Placer | 9,287,884 | 8,385,338 | 7,686,753 |
| Plumas | 792,290 | 723,835 | 898,577 |
| Riverside | 64,019,578 | 60,698,399 | 60,444,097 |
| Sacramento | 49,746,329 | 44,153,791 | 45,249,453 |
| San Benito | 1,741,721 | 1,763,213 | 1,904,229 |
| San Bernardino | 56,019,666 | 52,089,616 | 51,644,432 |
| San Diego | 95,624,137 | 85,925,807 | 80,709,371 |
| San Francisco | 38,755,030 | 37,490,945 | 39,330,020 |
| San Joaquin | 17,550,740 | 15,678,398 | 15,840,228 |
| San Luis Obispo | 8,834,564 | 8,238,022 | 9,055,874 |
| San Mateo | 22,023,835 | 20,045,369 | 19,048,416 |
| Santa Barbara | 16,620,004 | 16,359,422 | 14,592,446 |
| Santa Clara | 54,735,641 | 52,732,588 | 51,119,967 |
| Santa Cruz | 8,182,488 | 7,607,928 | 8,649,932 |
| Shasta | 8,860,263 | 8,803,769 | 9,354,640 |
| Sierra | 218,724 | 208,768 | 223,042 |
| Siskiyou | 2,759,245 | 2,499,489 | 2,444,339 |

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Summary of Payroll

| Court | Payroll | | |
|------------|---------------|---------------|---------------|
| | 2011-12 | 2012-13 | 2013-14 |
| Solano | 13,962,463 | 11,653,483 | 12,873,645 |
| Sonoma | 13,445,565 | 12,394,983 | 12,243,891 |
| Stanislaus | 13,142,867 | 12,049,239 | 11,111,956 |
| Sutter | 3,334,647 | 2,784,136 | 2,683,627 |
| Tehama | 2,203,720 | 2,252,405 | 2,170,782 |
| Trinity | 749,583 | 816,855 | 861,615 |
| Tulare | 11,607,049 | 10,439,525 | 11,076,669 |
| Tuolumne | 2,185,317 | 2,193,229 | 2,039,140 |
| Ventura | 24,151,663 | 21,682,357 | 22,546,961 |
| Yolo | 5,544,346 | 5,109,655 | 5,096,011 |
| Yuba | 3,139,661 | 2,942,396 | 2,771,729 |
| All Courts | \$879,324,211 | \$815,981,951 | \$813,852,084 |

Notes:

Provided by Judicial Branch Workers' Compensation Program.

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Summary of Loss Data

| Court | Incurred Losses | | | Incurred Losses Capped at \$75K | | |
|-----------------|-----------------|-----------|-----------|---------------------------------|-----------|-----------|
| | 2011-12 | 2012-13 | 2013-14 | 2011-12 | 2012-13 | 2013-14 |
| Alameda | \$216,885 | \$775,205 | \$455,766 | \$216,885 | \$608,593 | \$364,171 |
| Alpine | 0 | 0 | 0 | 0 | 0 | 0 |
| Amador | 396 | 0 | 64,271 | 396 | 0 | 64,271 |
| Butte | 2,814 | 213,749 | 375 | 2,814 | 177,748 | 375 |
| Calaveras | 815 | 0 | 10,488 | 815 | 0 | 10,488 |
| Colusa | 0 | 0 | 0 | 0 | 0 | 0 |
| Contra Costa | 659,096 | 386,571 | 398,053 | 494,074 | 294,332 | 372,649 |
| Del Norte | 23,646 | 0 | 0 | 23,646 | 0 | 0 |
| El Dorado | 33,511 | 55,699 | 0 | 33,511 | 55,699 | 0 |
| Fresno | 614,799 | 490,509 | 389,156 | 399,575 | 463,071 | 338,745 |
| Glenn | 41,940 | 21,217 | 0 | 41,940 | 21,217 | 0 |
| Humboldt | 111,081 | 151,492 | 31,883 | 86,614 | 151,492 | 31,883 |
| Imperial | 118,164 | 4,227 | 24,813 | 118,164 | 4,227 | 24,813 |
| Inyo | 0 | 35,774 | 0 | 0 | 35,774 | 0 |
| Kern | 483,999 | 296,392 | 65,673 | 359,322 | 296,392 | 65,673 |
| Kings | 186,762 | 6,141 | 43,931 | 178,072 | 6,141 | 43,931 |
| Lake | 4,571 | 47,895 | 28,601 | 4,571 | 47,895 | 28,601 |
| Lassen | 79 | 0 | 0 | 79 | 0 | 0 |
| Madera | 283,933 | 5,567 | 80,231 | 171,758 | 5,567 | 77,906 |
| Marin | 132,601 | 7,295 | 29,900 | 116,207 | 7,295 | 29,900 |
| Mariposa | 0 | 0 | 0 | 0 | 0 | 0 |
| Mendocino | 366,975 | 25,436 | 18,943 | 205,843 | 25,436 | 18,943 |
| Merced | 162,219 | 17,693 | 17,044 | 162,219 | 17,693 | 17,044 |
| Modoc | 0 | 0 | 0 | 0 | 0 | 0 |
| Mono | 75,903 | 25,602 | 0 | 75,903 | 25,602 | 0 |
| Monterey | 20,818 | 231,188 | 68,563 | 20,818 | 221,371 | 68,563 |
| Napa | 13,058 | 4,591 | 92,769 | 13,058 | 4,591 | 92,769 |
| Nevada | 1,019 | 55,565 | 0 | 1,019 | 55,565 | 0 |
| Orange | 885,308 | 658,249 | 625,083 | 659,577 | 487,048 | 445,662 |
| Placer | 8,514 | 40,647 | 276 | 8,514 | 40,647 | 276 |
| Plumas | 0 | 0 | 0 | 0 | 0 | 0 |
| Riverside | 798,693 | 630,298 | 490,899 | 566,526 | 570,592 | 490,899 |
| Sacramento | 225,300 | 373,507 | 201,048 | 210,216 | 362,788 | 201,048 |
| San Benito | 2,253 | 19,029 | 0 | 2,253 | 19,029 | 0 |
| San Bernardino | 707,456 | 775,124 | 351,726 | 513,614 | 575,144 | 351,726 |
| San Diego | 1,054,082 | 1,266,490 | 537,141 | 953,049 | 1,051,773 | 537,141 |
| San Francisco | 863,845 | 457,296 | 333,174 | 685,780 | 392,333 | 230,180 |
| San Joaquin | 280,667 | 388,170 | 130,021 | 256,307 | 295,907 | 130,021 |
| San Luis Obispo | 157,025 | 17,300 | 27,112 | 133,523 | 17,300 | 27,112 |
| San Mateo | 550,125 | 137,207 | 556,936 | 415,554 | 137,207 | 468,940 |
| Santa Barbara | 256,809 | 195,386 | 36,099 | 230,201 | 141,599 | 36,099 |
| Santa Clara | 608,454 | 749,061 | 355,794 | 516,889 | 628,770 | 310,632 |
| Santa Cruz | 26,361 | 72,020 | 109,812 | 26,361 | 72,020 | 109,812 |
| Shasta | 350,985 | 55,970 | 39,467 | 279,871 | 55,970 | 39,467 |
| Sierra | 0 | 0 | 0 | 0 | 0 | 0 |
| Siskiyou | 586 | 26,608 | 22,706 | 586 | 26,608 | 22,706 |

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Summary of Loss Data

| Court | Incurred Losses | | | Incurred Losses Capped at \$75K | | |
|------------|-----------------|------------|-----------|---------------------------------|-----------|-----------|
| | 2011-12 | 2012-13 | 2013-14 | 2011-12 | 2012-13 | 2013-14 |
| Solano | 135,895 | 604,475 | 277,524 | 135,895 | 482,923 | 277,524 |
| Sonoma | 3,464 | 153,509 | 76,270 | 3,464 | 83,727 | 76,270 |
| Stanislaus | 156,402 | 155,677 | 26,042 | 156,402 | 155,677 | 26,042 |
| Sutter | 5,603 | 162 | 24,461 | 5,603 | 162 | 24,461 |
| Tehama | 0 | 38,561 | 4,794 | 0 | 38,561 | 4,794 |
| Trinity | 0 | 252,431 | 386 | 0 | 76,490 | 386 |
| Tulare | 33,616 | 87,972 | 176,770 | 33,616 | 87,972 | 130,001 |
| Tuolumne | 82,784 | 34,139 | 23,783 | 82,784 | 34,139 | 23,783 |
| Ventura | 114,392 | 172,340 | 297,274 | 86,787 | 171,889 | 152,530 |
| Yolo | 123,296 | 9,075 | 23,886 | 79,530 | 9,075 | 23,886 |
| Yuba | 2,690 | 922 | 106,711 | 2,690 | 922 | 106,711 |
| All Courts | 10,989,692 | 10,229,431 | 6,675,657 | 8,772,897 | 8,541,970 | 5,898,834 |

Notes:

Provided by Judicial Branch Workers' Compensation Program.

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|-----------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Alameda | \$1,063,406 | \$973,756 | -\$89,650 | -8.43% |
| Alpine | 3,897 | 3,521 | -376 | -9.64% |
| Amador | 37,669 | 37,226 | -443 | -1.18% |
| Butte | 116,447 | 133,386 | 16,939 | 14.55% |
| Calaveras | 23,955 | 27,696 | 3,741 | 15.62% |
| Colusa | 12,911 | 13,900 | 990 | 7.67% |
| Contra Costa | 648,300 | 701,211 | 52,911 | 8.16% |
| Del Norte | 30,468 | 29,296 | -1,172 | -3.85% |
| El Dorado | 87,536 | 86,677 | -859 | -0.98% |
| Fresno | 657,745 | 730,573 | 72,828 | 11.07% |
| Glenn | 23,901 | 30,507 | 6,606 | 27.64% |
| Humboldt | 94,866 | 121,448 | 26,582 | 28.02% |
| Imperial | 128,149 | 123,616 | -4,534 | -3.54% |
| Inyo | 24,586 | 26,046 | 1,460 | 5.94% |
| Kern | 642,799 | 521,345 | -121,454 | -18.89% |
| Kings | 111,997 | 118,037 | 6,040 | 5.39% |
| Lake | 38,192 | 43,539 | 5,347 | 14.00% |
| Lassen | 26,297 | 24,980 | -1,317 | -5.01% |
| Madera | 109,842 | 138,493 | 28,651 | 26.08% |
| Marin | 145,382 | 157,913 | 12,531 | 8.62% |
| Mariposa | 9,165 | 10,286 | 1,121 | 12.23% |
| Mendocino | 106,294 | 105,346 | -948 | -0.89% |
| Merced | 122,928 | 132,527 | 9,599 | 7.81% |
| Modoc | 8,985 | 9,170 | 185 | 2.06% |
| Mono | 41,833 | 31,953 | -9,880 | -23.62% |
| Monterey | 211,439 | 244,267 | 32,829 | 15.53% |
| Napa | 79,844 | 101,430 | 21,587 | 27.04% |
| Nevada | 64,787 | 61,261 | -3,526 | -5.44% |
| Orange | 1,185,950 | 1,464,545 | 278,594 | 23.49% |
| Placer | 156,099 | 123,319 | -32,780 | -21.00% |
| Plumas | 11,998 | 12,953 | 955 | 7.96% |
| Riverside | 1,008,959 | 1,263,196 | 254,237 | 25.20% |
| Sacramento | 753,144 | 742,753 | -10,392 | -1.38% |
| San Benito | 29,315 | 32,026 | 2,710 | 9.25% |
| San Bernardino | 1,012,334 | 1,108,657 | 96,322 | 9.51% |
| San Diego | 1,825,315 | 1,913,892 | 88,577 | 4.85% |
| San Francisco | 1,256,600 | 920,856 | -335,744 | -26.72% |
| San Joaquin | 397,229 | 426,702 | 29,473 | 7.42% |
| San Luis Obispo | 182,220 | 165,013 | -17,207 | -9.44% |
| San Mateo | 490,254 | 601,526 | 111,271 | 22.70% |
| Santa Barbara | 258,450 | 324,243 | 65,792 | 25.46% |
| Santa Clara | 1,125,772 | 1,113,288 | -12,484 | -1.11% |
| Santa Cruz | 141,190 | 167,053 | 25,864 | 18.32% |
| Shasta | 249,252 | 228,742 | -20,510 | -8.23% |
| Sierra | 3,891 | 3,700 | -191 | -4.91% |
| Siskiyou | 75,392 | 49,435 | -25,957 | -34.43% |

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Solano | 365,577 | 450,946 | 85,370 | 23.35% |
| Sonoma | 206,763 | 206,032 | -731 | -0.35% |
| Stanislaus | 247,147 | 256,794 | 9,647 | 3.90% |
| Sutter | 73,709 | 50,012 | -23,697 | -32.15% |
| Tehama | 48,787 | 42,754 | -6,033 | -12.37% |
| Trinity | 24,264 | 27,069 | 2,805 | 11.56% |
| Tulare | 194,874 | 216,065 | 21,190 | 10.87% |
| Tuolumne | 60,167 | 63,204 | 3,037 | 5.05% |
| Ventura | 333,915 | 397,130 | 63,216 | 18.93% |
| Yolo | 101,192 | 102,175 | 983 | 0.97% |
| Yuba | 42,636 | 69,153 | 26,517 | 62.19% |
| All Courts | \$16,536,018 | \$17,282,639 | \$746,621 | 4.52% |

Notes:

- (A): From Prior Allocation.
- (B): From Exhibit TC-1.
- (C): (B) - (A)
- (D): (C) / (A)

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|-----------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Alameda | \$1,063,406 | \$1,090,810 | \$27,404 | 2.58% |
| Alpine | 3,897 | 3,993 | 96 | 2.47% |
| Amador | 37,669 | 41,539 | 3,870 | 10.27% |
| Butte | 116,447 | 149,344 | 32,897 | 28.25% |
| Calaveras | 23,955 | 31,265 | 7,310 | 30.52% |
| Colusa | 12,911 | 15,753 | 2,843 | 22.02% |
| Contra Costa | 648,300 | 783,982 | 135,682 | 20.93% |
| Del Norte | 30,468 | 32,957 | 2,489 | 8.17% |
| El Dorado | 87,536 | 97,300 | 9,764 | 11.15% |
| Fresno | 657,745 | 816,894 | 159,149 | 24.20% |
| Glenn | 23,901 | 33,938 | 10,037 | 41.99% |
| Humboldt | 94,866 | 135,013 | 40,147 | 42.32% |
| Imperial | 128,149 | 138,582 | 10,433 | 8.14% |
| Inyo | 24,586 | 29,156 | 4,571 | 18.59% |
| Kern | 642,799 | 583,700 | -59,098 | -9.19% |
| Kings | 111,997 | 131,542 | 19,546 | 17.45% |
| Lake | 38,192 | 48,531 | 10,339 | 27.07% |
| Lassen | 26,297 | 28,298 | 2,002 | 7.61% |
| Madera | 109,842 | 154,467 | 44,625 | 40.63% |
| Marin | 145,382 | 177,304 | 31,922 | 21.96% |
| Mariposa | 9,165 | 11,659 | 2,494 | 27.21% |
| Mendocino | 106,294 | 116,947 | 10,653 | 10.02% |
| Merced | 122,928 | 148,234 | 25,305 | 20.59% |
| Modoc | 8,985 | 10,395 | 1,410 | 15.69% |
| Mono | 41,833 | 35,184 | -6,650 | -15.90% |
| Monterey | 211,439 | 273,660 | 62,221 | 29.43% |
| Napa | 79,844 | 113,804 | 33,961 | 42.53% |
| Nevada | 64,787 | 68,835 | 4,047 | 6.25% |
| Orange | 1,185,950 | 1,637,389 | 451,438 | 38.07% |
| Placer | 156,099 | 139,038 | -17,061 | -10.93% |
| Plumas | 11,998 | 14,680 | 2,682 | 22.35% |
| Riverside | 1,008,959 | 1,414,830 | 405,870 | 40.23% |
| Sacramento | 753,144 | 832,445 | 79,300 | 10.53% |
| San Benito | 29,315 | 36,071 | 6,756 | 23.05% |
| San Bernardino | 1,012,334 | 1,241,752 | 229,418 | 22.66% |
| San Diego | 1,825,315 | 2,143,739 | 318,424 | 17.44% |
| San Francisco | 1,256,600 | 1,031,006 | -225,595 | -17.95% |
| San Joaquin | 397,229 | 477,075 | 79,846 | 20.10% |
| San Luis Obispo | 182,220 | 185,132 | 2,912 | 1.60% |
| San Mateo | 490,254 | 672,260 | 182,006 | 37.12% |
| Santa Barbara | 258,450 | 363,282 | 104,832 | 40.56% |
| Santa Clara | 1,125,772 | 1,246,922 | 121,150 | 10.76% |
| Santa Cruz | 141,190 | 187,194 | 46,005 | 32.58% |
| Shasta | 249,252 | 255,590 | 6,338 | 2.54% |
| Sierra | 3,891 | 4,196 | 305 | 7.83% |
| Siskiyou | 75,392 | 55,510 | -19,882 | -26.37% |

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Solano | 365,577 | 502,808 | 137,231 | 37.54% |
| Sonoma | 206,763 | 231,558 | 24,795 | 11.99% |
| Stanislaus | 247,147 | 287,607 | 40,460 | 16.37% |
| Sutter | 73,709 | 56,347 | -17,363 | -23.56% |
| Tehama | 48,787 | 48,008 | -779 | -1.60% |
| Trinity | 24,264 | 29,897 | 5,633 | 23.22% |
| Tulare | 194,874 | 242,245 | 47,370 | 24.31% |
| Tuolumne | 60,167 | 70,234 | 10,068 | 16.73% |
| Ventura | 333,915 | 445,452 | 111,537 | 33.40% |
| Yolo | 101,192 | 114,629 | 13,437 | 13.28% |
| Yuba | 42,636 | 77,270 | 34,634 | 81.23% |
| All Courts | \$16,536,018 | \$19,347,255 | \$2,811,237 | 17.00% |

Notes:

- (A): From Prior Allocation.
- (B): From Exhibit TC-1.
- (C): (B) - (A)
- (D): (C) / (A)

Judicial Branch Workers' Compensation Program Workers' Compensation Cost Allocation for Fiscal Year 2015-16 State Judiciary

Allocation of 2015-16 Costs

| Court | 2011-12 to 2013-14 Payroll (\$000) (A) | Percent Payroll (B) | 2015-16 Indicated Allocation Based on Payroll (C) | 2011-12 to 2013-14 Incurred Limited to \$75K (D) | Percent Limited Losses (E) | 2015-16 Indicated Allocation Based on Losses (F) | Weighting (G) | 2015-16 Weighted Allocation (H) | 2015-16 Adjusted Allocation (I) | Allocation of Excess Premium (J) | Allocation of Claims Handling (TPA) Fees (K) | Allocation of Program Admin. (L) | Allocation Brokerage / Consulting (M) | 2015-16 Total Allocation (N) | 2015-16 Percent of Allocation (O) |
|--------------------|--|---------------------|---|--|----------------------------|--|---------------|---------------------------------|---------------------------------|----------------------------------|--|----------------------------------|---------------------------------------|------------------------------|-----------------------------------|
| Supreme Court | \$49,536 | 3.56% | \$27,793 | \$92,949 | 9.50% | \$74,066 | 31.00% | \$42,139 | \$45,737 | \$0 | \$14,829 | \$0 | \$3,068 | \$63,634 | 6.00% |
| 1st District Court | 41,194 | 2.96% | 23,113 | 6,361 | 0.65% | 5,069 | 29.15% | 17,852 | 19,377 | 0 | 2,550 | 0 | 528 | 22,455 | 2.12% |
| 2nd District Court | 83,751 | 6.03% | 46,991 | 11,041 | 1.13% | 8,798 | 36.93% | 32,885 | 35,692 | 0 | 4,924 | 0 | 1,019 | 41,636 | 3.92% |
| 3rd District Court | 27,017 | 1.94% | 15,159 | 1,592 | 0.16% | 1,268 | 25.33% | 11,640 | 12,634 | 0 | 1,317 | 0 | 272 | 14,223 | 1.34% |
| 4th District Court | 65,666 | 4.73% | 36,843 | 427 | 0.04% | 340 | 34.06% | 24,411 | 26,496 | 0 | 2,726 | 0 | 564 | 29,786 | 2.81% |
| 5th District Court | 24,256 | 1.75% | 13,609 | 54,369 | 5.56% | 43,324 | 24.44% | 20,870 | 22,652 | 0 | 8,482 | 0 | 1,755 | 32,890 | 3.10% |
| 6th District Court | 17,350 | 1.25% | 9,734 | 22,400 | 2.29% | 17,849 | 21.85% | 11,508 | 12,490 | 0 | 3,793 | 0 | 785 | 17,069 | 1.61% |
| AOC | 203,551 | 14.65% | 114,207 | 430,635 | 44.01% | 343,149 | 49.66% | 227,895 | 247,354 | 0 | 67,647 | 0 | 13,998 | 328,999 | 31.00% |
| CJCL | 1,793 | 0.13% | 1,006 | 0 | 0.00% | 0 | 10.25% | 903 | 980 | 0 | 73 | 0 | 15 | 1,068 | 0.10% |
| CJP | 5,883 | 0.42% | 3,301 | 0 | 0.00% | 0 | 15.24% | 2,798 | 3,037 | 0 | 239 | 0 | 49 | 3,325 | 0.31% |
| HCRC | 18,563 | 1.34% | 10,415 | 14,804 | 1.51% | 11,797 | 22.35% | 10,724 | 11,639 | 0 | 2,795 | 0 | 578 | 15,013 | 1.41% |
| Trial Court Judges | 851,081 | 61.24% | 477,521 | 343,899 | 35.15% | 274,034 | 80.00% | 314,731 | 341,604 | 0 | 123,820 | 0 | 25,622 | 491,046 | 46.28% |
| All Courts | \$1,389,640 | 100.00% | \$779,693 | \$978,477 | 100.00% | \$779,693 | | \$718,357 | \$779,693 | \$0 | \$233,195 | \$0 | \$48,255 | \$1,061,143 | 100.00% |

Notes:

- (A): From Exhibit J-2.
- (B): (A)/[Total (A)]
- (C): (B) x [Total (C)]. Total (C) was provided by Judicial Branch Workers' Compensation Program.
- (D): From Exhibit J-3.
- (E): (D)/[Total (D)]
- (F): (E) x [Total (F)]. Total (F) was provided by Judicial Branch Workers' Compensation Program.
- (G): Based on relative size (according the (A)) of each court. The largest is subjectively set to an 80.00% weight. The weight of all other courts are based on that standard.
- (H): (H) x (F) + [1-(H)] x (G)
- (I): (H) subject to an adjustment of 1.085.
- (J): (B) x [Total (J)]. Total (J) was provided by Judicial Branch Workers' Compensation Program.
- (K): [(B) x 0.20 + (E) x 0.80] x Total (K). Total (K) was provided by Judicial Branch Workers' Compensation Program.
- (L): (B) x [Total (L)]. Total (L) was provided by Judicial Branch Workers' Compensation Program.
- (M): [(B) x 0.20 + (E) x 0.80] x Total (M). Total (M) was provided by Judicial Branch Workers' Compensation Program.
- (N): Sum[(I)..(M)]
- (O): (N)/[Total (N)]

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Summary of Payroll

| Court | Payroll | | |
|--------------------|---------------|---------------|---------------|
| | 2011-12 | 2012-13 | 2013-14 |
| Supreme Court | \$16,553,702 | \$16,847,795 | \$16,134,138 |
| 1st District Court | 14,306,263 | 13,969,192 | 12,918,969 |
| 2nd District Court | 28,202,512 | 28,367,200 | 27,181,425 |
| 3rd District Court | 8,976,838 | 8,940,133 | 9,100,274 |
| 4th District Court | 21,504,654 | 22,137,823 | 22,023,226 |
| 5th District Court | 8,220,039 | 8,001,512 | 8,034,066 |
| 6th District Court | 5,629,524 | 5,843,524 | 5,876,586 |
| AOC | 74,385,708 | 64,337,995 | 64,827,084 |
| CJCL | 624,723 | 576,806 | 590,975 |
| CJP | 1,968,550 | 1,903,435 | 2,011,012 |
| HCRC | 6,241,346 | 6,303,418 | 6,017,821 |
| Trial Court Judges | 283,818,591 | 280,795,205 | 286,467,580 |
| All Courts | \$470,432,450 | \$458,024,038 | \$461,183,156 |

Notes:

Provided by Judicial Branch Workers' Compensation Program.

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Summary of Loss Data

| Court | <u>Incurred Losses</u> | | | <u>Incurred Losses Capped at \$75K</u> | | |
|--------------------|------------------------|---------|---------|--|---------|---------|
| | 2011-12 | 2012-13 | 2013-14 | 2011-12 | 2012-13 | 2013-14 |
| Supreme Court | \$92,949 | \$0 | \$0 | \$92,949 | \$0 | \$0 |
| 1st District Court | 6,361 | 0 | 0 | 6,361 | 0 | 0 |
| 2nd District Court | 1,917 | 0 | 9,124 | 1,917 | 0 | 9,124 |
| 3rd District Court | 930 | 662 | 0 | 930 | 662 | 0 |
| 4th District Court | 427 | 0 | 0 | 427 | 0 | 0 |
| 5th District Court | 0 | 54,369 | 0 | 0 | 54,369 | 0 |
| 6th District Court | 0 | 0 | 22,400 | 0 | 0 | 22,400 |
| AOC | 480,766 | 19,164 | 49,453 | 362,018 | 19,164 | 49,453 |
| CJCL | 0 | 0 | 0 | 0 | 0 | 0 |
| CJP | 0 | 0 | 0 | 0 | 0 | 0 |
| HCRC | 14,804 | 0 | 0 | 14,804 | 0 | 0 |
| Trial Court Judges | 68,803 | 461,237 | 0 | 68,803 | 275,096 | 0 |
| All Courts | 666,957 | 535,432 | 80,977 | 548,208 | 349,291 | 80,977 |

Notes:

Provided by Judicial Branch Workers' Compensation Program.

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|--------------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Supreme Court | \$44,525 | \$63,634 | \$19,109 | 42.92% |
| 1st District Court | 22,975 | 22,455 | -521 | -2.27% |
| 2nd District Court | 61,888 | 41,636 | -20,252 | -32.72% |
| 3rd District Court | 14,214 | 14,223 | 9 | 0.07% |
| 4th District Court | 29,591 | 29,786 | 194 | 0.66% |
| 5th District Court | 13,924 | 32,890 | 18,966 | 136.21% |
| 6th District Court | 14,367 | 17,069 | 2,702 | 18.81% |
| AOC | 321,267 | 328,999 | 7,732 | 2.41% |
| CJCL | 970 | 1,068 | 98 | 10.05% |
| CJP | 3,748 | 3,325 | -423 | -11.29% |
| HCRC | 16,899 | 15,013 | -1,885 | -11.16% |
| Trial Court Judges | 562,692 | 491,046 | -71,646 | -12.73% |
| All Courts | \$1,107,061 | \$1,061,143 | -\$45,917 | -4.15% |

Notes:

- (A): From Prior Allocation.
- (B): From Exhibit J-1.
- (C): (B) - (A)
- (D): (C) / (A)

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|--------------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Supreme Court | \$44,525 | \$66,234 | \$21,708 | 48.76% |
| 1st District Court | 22,975 | 23,556 | 580 | 2.53% |
| 2nd District Court | 61,888 | 43,664 | -18,224 | -29.45% |
| 3rd District Court | 14,214 | 14,941 | 727 | 5.12% |
| 4th District Court | 29,591 | 31,291 | 1,700 | 5.75% |
| 5th District Court | 13,924 | 34,177 | 20,253 | 145.45% |
| 6th District Court | 14,367 | 17,779 | 3,412 | 23.75% |
| AOC | 321,267 | 343,056 | 21,788 | 6.78% |
| CJCL | 970 | 1,123 | 153 | 15.79% |
| CJP | 3,748 | 3,498 | -250 | -6.68% |
| HCRC | 16,899 | 15,675 | -1,224 | -7.24% |
| Trial Court Judges | 562,692 | 510,458 | -52,234 | -9.28% |
| All Courts | \$1,107,061 | \$1,105,450 | -\$1,610 | -0.15% |

Notes:

- (A): From Prior Allocation.
- (B): From Exhibit J-1.
- (C): (B) - (A)
- (D): (C) / (A)

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|--------------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Supreme Court | \$44,525 | \$75,500 | \$30,974 | 69.57% |
| 1st District Court | 22,975 | 31,644 | 8,669 | 37.73% |
| 2nd District Court | 61,888 | 60,185 | -1,703 | -2.75% |
| 3rd District Court | 14,214 | 20,248 | 6,034 | 42.45% |
| 4th District Court | 29,591 | 44,275 | 14,684 | 49.62% |
| 5th District Court | 13,924 | 38,709 | 24,785 | 178.00% |
| 6th District Court | 14,367 | 21,096 | 6,730 | 46.84% |
| AOC | 321,267 | 379,912 | 58,645 | 18.25% |
| CJCL | 970 | 1,472 | 502 | 51.79% |
| CJP | 3,748 | 4,647 | 899 | 23.99% |
| HCRC | 16,899 | 19,260 | 2,361 | 13.97% |
| Trial Court Judges | 562,692 | 678,774 | 116,082 | 20.63% |
| All Courts | \$1,107,061 | \$1,375,722 | \$268,661 | 24.27% |

Notes:

- (A): From Prior Allocation.
- (B): From Exhibit J-1.
- (C): (B) - (A)
- (D): (C) / (A)

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|--------------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Supreme Court | \$44,525 | \$73,651 | \$29,125 | 65.41% |
| 1st District Court | 22,975 | 30,107 | 7,132 | 31.04% |
| 2nd District Court | 61,888 | 57,059 | -4,829 | -7.80% |
| 3rd District Court | 14,214 | 19,239 | 5,025 | 35.35% |
| 4th District Court | 29,591 | 41,824 | 12,233 | 41.34% |
| 5th District Court | 13,924 | 37,803 | 23,880 | 171.50% |
| 6th District Court | 14,367 | 20,449 | 6,082 | 42.33% |
| AOC | 321,267 | 372,315 | 51,048 | 15.89% |
| CJCL | 970 | 1,405 | 435 | 44.89% |
| CJP | 3,748 | 4,428 | 680 | 18.13% |
| HCRC | 16,899 | 18,567 | 1,668 | 9.87% |
| Trial Court Judges | 562,692 | 647,010 | 84,317 | 14.98% |
| All Courts | \$1,107,061 | \$1,323,857 | \$216,796 | 19.58% |

Notes:

- (A): From Prior Allocation.
- (B): From Exhibit J-1.
- (C): (B) - (A)
- (D): (C) / (A)

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Comparison to Prior Allocation

| Court | 2014-15 Total Allocation (A) | 2015-16 Total Allocation (B) | Difference (C) | Percent Change (D) |
|--------------------|---------------------------------------|---------------------------------------|-------------------|--------------------------|
| Supreme Court | \$44,525 | \$71,530 | \$27,005 | 60.65% |
| 1st District Court | 22,975 | 28,343 | 5,368 | 23.36% |
| 2nd District Court | 61,888 | 53,473 | -8,414 | -13.60% |
| 3rd District Court | 14,214 | 18,083 | 3,869 | 27.22% |
| 4th District Court | 29,591 | 39,013 | 9,422 | 31.84% |
| 5th District Court | 13,924 | 36,765 | 22,841 | 164.04% |
| 6th District Court | 14,367 | 19,706 | 5,339 | 37.16% |
| AOC | 321,267 | 363,601 | 42,333 | 13.18% |
| CJCL | 970 | 1,329 | 359 | 36.98% |
| CJP | 3,748 | 4,176 | 428 | 11.41% |
| HCRC | 16,899 | 17,772 | 874 | 5.17% |
| Trial Court Judges | 562,692 | 610,574 | 47,882 | 8.51% |
| All Courts | \$1,107,061 | \$1,264,366 | \$157,305 | 14.21% |

Notes:

- (A): From Prior Allocation.
- (B): From Exhibit J-1.
- (C): (B) - (A)
- (D): (C) / (A)

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
State Judiciary

Summary of Payroll, Losses and Expenses

| Division | 2011-12 to 2013-14 Payroll (\$000) (A) | Percent Payroll (B) | 2011-12 to 2013-14 Incurred Limited to \$75K (C) | Percent Limited Losses (D) | 2015-16 Claims Handling (E) | 2015-16 Program Admin. (F) | 2015-16 Brokerage / Consulting (G) |
|--------------------|--|---------------------------|--|-------------------------------------|--------------------------------------|-------------------------------------|---|
| Trial Courts | \$2,509,158 | 64.36% | \$23,213,702 | 95.96% | \$2,016,805 | \$0 | \$417,336 |
| Judiciary | 538,558 | 13.81% | 634,578 | 2.62% | 109,376 | 0 | 22,633 |
| Trial Court Judges | 851,081 | 21.83% | 343,899 | 1.42% | 123,820 | 0 | 25,622 |
| Total | \$3,898,798 | 100.00% | \$24,192,178 | 100.00% | \$2,250,000 | \$0 | \$465,591 |

Notes:

Provided by Judicial Branch Workers' Compensation Program.

Judicial Branch Workers' Compensation Program
Workers' Compensation Cost Allocation for Fiscal Year 2015-16
Trial Courts
Comparison to Prior Allocation

| Court | 2014-15 | 2015-16 | 2015-16 | Change from Prior Year | Cash Flow | Additional Funding | Ultimate |
|-------------------|--|--|---|---|-----------------------------|---|-----------------------------------|
| | Total Allocation Cash Flow Funding (A) | Total Allocation Cash Flow Funding (B) | Total Allocation Ultimate Funding (C) | Cash Flow Funding Col (B) - Col (A) (D) | % Change From Prior Year | For Ultimate Losses Col (C) - Col (B) (E) | Funding % Increase for 2015 |
| Alameda | \$1,063,406 | \$973,756 | \$1,090,810 | (\$89,650) | -8% | \$117,054 | 12% |
| Alpine | 3,897 | 3,521 | 3,993 | (\$376) | -10% | 472 | 13% |
| Amador | 37,669 | 37,226 | 41,539 | (\$443) | -1% | 4,313 | 12% |
| Butte | 116,447 | 133,386 | 149,344 | \$16,939 | 15% | 15,958 | 12% |
| Calaveras | 23,955 | 27,696 | 31,265 | \$3,741 | 16% | 3,569 | 13% |
| Colusa | 12,911 | 13,900 | 15,753 | \$989 | 8% | 1,853 | 13% |
| Contra Costa | 648,300 | 701,211 | 783,982 | \$52,911 | 8% | 82,771 | 12% |
| Del Norte | 30,468 | 29,296 | 32,957 | (\$1,172) | -4% | 3,661 | 12% |
| El Dorado | 87,536 | 86,677 | 97,300 | (\$859) | -1% | 10,623 | 12% |
| Fresno | 657,745 | 730,573 | 816,894 | \$72,828 | 11% | 86,321 | 12% |
| Glenn | 23,901 | 30,507 | 33,938 | \$6,606 | 28% | 3,431 | 11% |
| Humboldt | 94,866 | 121,448 | 135,013 | \$26,582 | 28% | 13,565 | 11% |
| Imperial | 128,149 | 123,616 | 138,582 | (\$4,533) | -4% | 14,966 | 12% |
| Inyo | 24,586 | 26,046 | 29,156 | \$1,460 | 6% | 3,110 | 12% |
| Kern | 642,799 | 521,345 | 583,700 | (\$121,454) | -19% | 62,355 | 12% |
| Kings | 111,997 | 118,037 | 131,542 | \$6,040 | 5% | 13,505 | 11% |
| Lake | 38,192 | 43,539 | 48,531 | \$5,347 | 14% | 4,992 | 11% |
| Lassen | 26,297 | 24,980 | 28,298 | (\$1,317) | -5% | 3,318 | 13% |
| Madera | 109,842 | 138,493 | 154,467 | \$28,651 | 26% | 15,974 | 12% |
| Marin | 145,382 | 157,913 | 177,304 | \$12,531 | 9% | 19,391 | 12% |
| Mariposa | 9,165 | 10,286 | 11,659 | \$1,121 | 12% | 1,373 | 13% |
| Mendocino | 106,294 | 105,346 | 116,947 | (\$948) | -1% | 11,601 | 11% |
| Merced | 122,928 | 132,527 | 148,234 | \$9,599 | 8% | 15,707 | 12% |
| Modoc | 8,985 | 9,170 | 10,395 | \$185 | 2% | 1,225 | 13% |
| Mono | 41,833 | 31,953 | 35,184 | (\$9,880) | -24% | 3,231 | 10% |
| Monterey | 211,439 | 244,267 | 273,660 | \$32,828 | 16% | 29,393 | 12% |
| Napa | 79,844 | 101,430 | 113,804 | \$21,586 | 27% | 12,374 | 12% |
| Nevada | 64,787 | 61,261 | 68,835 | (\$3,526) | -5% | 7,574 | 12% |
| Orange | 1,185,950 | 1,464,545 | 1,637,389 | \$278,595 | 23% | 172,844 | 12% |
| Placer | 156,099 | 123,319 | 139,038 | (\$32,780) | -21% | 15,719 | 13% |
| Plumas | 11,998 | 12,953 | 14,680 | \$955 | 8% | 1,727 | 13% |
| Riverside | 1,008,959 | 1,263,196 | 1,414,830 | \$254,237 | 25% | 151,634 | 12% |
| Sacramento | 753,144 | 742,753 | 832,445 | (\$10,391) | -1% | 89,692 | 12% |
| San Benito | 29,315 | 32,026 | 36,071 | \$2,711 | 9% | 4,045 | 13% |
| San Bernardino | 1,012,334 | 1,108,657 | 1,241,752 | \$96,323 | 10% | 133,095 | 12% |
| San Diego | 1,825,315 | 1,913,892 | 2,143,739 | \$88,577 | 5% | 229,847 | 12% |
| San Francisco | 1,256,600 | 920,856 | 1,031,006 | (\$335,744) | -27% | 110,150 | 12% |
| San Joaquin | 397,229 | 426,702 | 477,075 | \$29,473 | 7% | 50,373 | 12% |
| San Luis Obispo | 182,220 | 165,013 | 185,132 | (\$17,207) | -9% | 20,119 | 12% |
| San Mateo | 490,254 | 601,526 | 672,260 | \$111,272 | 23% | 70,734 | 12% |
| Santa Barbara | 258,450 | 324,243 | 363,282 | \$65,793 | 25% | 39,039 | 12% |
| Santa Clara | 1,125,772 | 1,113,288 | 1,246,922 | (\$12,484) | -1% | 133,634 | 12% |
| Santa Cruz | 141,190 | 167,053 | 187,194 | \$25,863 | 18% | 20,141 | 12% |
| Shasta | 249,252 | 228,742 | 255,590 | (\$20,510) | -8% | 26,848 | 12% |
| Sierra | 3,891 | 3,700 | 4,196 | (\$191) | -5% | 496 | 13% |
| Siskiyou | 75,392 | 49,435 | 55,510 | (\$25,957) | -34% | 6,075 | 12% |
| Solano | 365,577 | 450,946 | 502,808 | \$85,369 | 23% | 51,862 | 12% |
| Sonoma | 206,763 | 206,032 | 231,558 | (\$731) | 0% | 25,526 | 12% |
| Stanislaus | 247,147 | 256,794 | 287,607 | \$9,647 | 4% | 30,813 | 12% |
| Sutter | 73,709 | 50,012 | 56,347 | (\$23,697) | -32% | 6,335 | 13% |
| Tehama | 48,787 | 42,754 | 48,008 | (\$6,033) | -12% | 5,254 | 12% |
| Trinity | 24,264 | 27,069 | 29,897 | \$2,805 | 12% | 2,828 | 10% |
| Tulare | 194,874 | 216,065 | 242,245 | \$21,191 | 11% | 26,180 | 12% |
| Tuolumne | 60,167 | 63,204 | 70,234 | \$3,037 | 5% | 7,030 | 11% |
| Ventura | 333,915 | 397,130 | 445,452 | \$63,215 | 19% | 48,322 | 12% |
| Yolo | 101,192 | 102,175 | 114,629 | \$983 | 1% | 12,454 | 12% |
| Yuba | 42,636 | 69,153 | 77,270 | \$26,517 | 62% | 8,117 | 12% |
| All Courts | \$16,536,018 | \$17,282,639 | \$19,347,255 | \$746,624 | 4% | \$2,064,613 | 12% |



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 21, 2015

| | |
|--|---|
| Title | Agenda Item Type |
| Collaborative Justice: Recommended Allocations of Fiscal Year 2015–2016 Substance Abuse Focus Grants | Action Required |
| Rules, Forms, Standards, or Statutes Affected | Effective Date |
| None | August 21, 2015 |
| Recommended by | Date of Report |
| Collaborative Justice Courts Advisory Committee | August 11, 2015 |
| Hon. Richard Vlavianos, Chair | Contact |
| | Carrie Zoller, 415-865-8829 carrie.zoller@jud.ca.gov |

Executive Summary

The Collaborative Justice Courts Advisory Committee recommends that funding allocations for Collaborative Justice Courts Substance Abuse Focus Grants, through the California Collaborative and Drug Court Projects in the Budget Act of 2015 (Stats. 2015, ch. 10; § 45.55.020, item 0250-101-0001), and the Dependency Drug Court Augmentation to the Substance Abuse Focus Grants, through the federal Court Improvement Program funds for fiscal (FY) year 2015–2016 [item 0250-101-0890], be distributed to court programs as proposed in the attached table. This report details the committee’s recommendations for funding programs in XX courts for FY 2015–2016 with these annual grants distributed by the Judicial Council to expand or enhance promising collaborative justice programs around the state.

Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective August 21, 2015, approve the distribution of Collaborative Justice Courts Substance Abuse Focus Grants for 2015–2016 as proposed in the last column of the attached table (see Attachment C), *Allocation Summary: Fiscal Years 2014–2015 and 2015–2016*.

Previous Council Action

The Judicial Council has approved the annual funding allocation for the Substance Abuse Focus Grants since FY 1998–1999. In November 2005, at the recommendation of the Collaborative Justice Courts Advisory Committee, the Judicial Council approved a Caseload-Based Funding-Level Formula for distributing the funds, as shown on the grant calculation worksheet in Attachment B. Grant funds from the federal Court Improvement Program were made available as an augmentation to the Substance Abuse Focus Grants by the U.S. Department of Health and Human Services, Administration for Children and Families in July 2014.

Rationale for Recommendation

Substance abuse focus grant

This year's funding authorization for the annual grants comes from a legislative mandate under California Collaborative and Drug Court Projects in the Budget Act of 2015, as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2015–2016 in allocation amounts calculated with the same formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2015–2016 State Budget allocates \$1.16 million for these projects. This is the same level of funding that was allocated for the Collaborative Justice Courts Substance Abuse Focus Grants in FY 2014–2015.

As in previous years, grants are awarded to all proposed projects that meet the following criteria:

- Consistency with both the California Standards of Judicial Administration and the *Guiding Principles of Collaborative Justice Courts* (see Attachment A);
- Involvement of a local steering committee; and
- Fulfillment of statistical and financial reporting requirements for previous grant funding periods (if applicable).

As in previous years, courts were permitted to apply for grants for more than one project and at more than one site. The funding formula worksheet, which weighs total adjusted funding allocation, type of program, and number of individuals served by each program, follows this report as Attachment B.

The formula starts with the presumption that all projects that meet the grant criteria start with a base funding amount of \$12,000 per county. This base figure is then adjusted upward or downward to reflect the actual amount of total funding approved by the Legislature for the year and the number of court projects eligible for grants from those funds. Each project's adjusted base figure may then be augmented depending on the program's focus and the number of participants who may potentially benefit from the program. Programs that focus on treatment receive higher allocations than those that do not, in recognition of the intensive case management required in treatment court programs. Courts can also request grants for program planning, which

may include an augmentation for the estimated number of participants if the project will become operational before the end of the fiscal year. These adjustments combine to arrive at the algorithm applied against the year's total allocation to determine each program's grant award.

For the 2014–2015 fiscal year, the \$1.16 million allocation supported 155 court projects in 51 counties. The types of projects funded were adult drug courts (35), juvenile drug courts (18), dependency drug courts (19), peer and truancy courts (9), adult mental health/dual-diagnosis courts (15), juvenile mental health/dual-diagnosis courts (4), DUI courts (6), domestic violence courts (6), homeless courts (2), and veterans courts (10), as well as other collaborative justice court programs (18).

Dependency drug court augmentation grant

Federal Court Improvement Program funds in the amount of up to \$75,000 have been made available to support dependency drug courts. In past years, the Judicial Council's Collaborative Justice Court's Advisory Committee (CJCAC) has made grants available through a formulaic distribution available to all eligible dependency drug courts requesting funding through the Substance Abuse Focus Grant program for the purpose of implementing, maintaining, enhancing, or expanding their dependency drug courts. As these augmentation funds are federal funds, this grant augmentation shall be administered in compliance with conditions set forth in part B of title VI of the Social Security Act (specifically, section 438B of the act: the approved state application and plan, including all assurances, approved amendments, and revisions) and with applicable federal regulations, program policies, and instructions. These funds augment the Substance Abuse Focus Grant awards.

Application process

Judge Richard Vlavianos, chair of the Collaborative Justice Courts Advisory Committee, informed the presiding judges and court executive officers of the superior courts of this year's grant opportunity on July 8, 2015. Courts submitted project action plans, which staff of the Judicial Council's Center for Families, Children & the Courts reviewed to confirm that the proposed projects met the requirements of addressing substance abuse issues and adhering to the collaborative justice court principles; see Attachment A, *Guiding Principles of Collaborative Justice Courts*.

Comments, Alternatives Considered, and Policy Implications

All program proposals that meet grant guidelines, including those for planning grants, are considered eligible for funding. The committee considered introducing a competitive process for determining which programs deserve awards, but rejected the idea because distributing funds to all qualified applicants by straight formula has proven to be an effective and efficient process.

Implementation Requirements, Costs, and Operational Impacts

In FY 2010–2011, substance abuse focus grants changed from reimbursable to deliverable. Under the reimbursement model, courts were required to submit semiannual statistical data

reports and monthly invoices to receive reimbursement for their program costs. Under the deliverable model, courts now submit only basic program information, two progress reports, and two invoices. This change has streamlined the process for distributing funding to the courts, resulting in significant time savings for the courts and for the grant processing staff at the Judicial Council.

Relevant Strategic Plan Goals and Operational Plan Objectives

This funding allocation enables interested courts to expand and enhance collaborative justice court programs that focus on improved services and outcomes for court users. The improvements introduced by these courts as a result of the grants help fulfill strategic plan Goal IV, Quality of Justice and Service to the Public, and operational plan Goal IV, Objective 1: “Foster excellence in public service to ensure that all court users receive satisfactory services and outcomes.”

Attachments

1. Attachment A: *Guiding Principles of Collaborative Justice Courts*
2. Attachment B: *Caseload-Based Funding-Level Formula: Fiscal Year 2015–2016*
3. Attachment C: *Allocation Summary: Fiscal Years 2014–2015 and 2015–2016*

Guiding Principles of Collaborative Justice Courts

Using the National Drug Court Institute's 10 key components of drug courts as a model, the Collaborative Justice Courts Advisory Committee identified 11 essential components as the guiding principles of collaborative justice courts:

1. Integrate services with justice system processing;
2. Achieve the desired goals without the use of the traditional adversarial process;
3. Intervene early and promptly to place participants in the collaborative justice court program;
4. Provide access to a continuum of services, including treatment and rehabilitation services;
5. Use a coordinated strategy that governs the court's response to participant compliance, using a system of sanctions and incentives to foster compliance;
6. Use ongoing judicial interaction with each collaborative justice court participant;
7. Use monitoring and evaluation to measure the achievement of program goals and gauge effectiveness;
8. Ensure continuing interdisciplinary education;
9. Forge partnerships among collaborative justice courts, public agencies, and community-based organizations to increase the availability of services;
10. Enhance the program's effectiveness and generate local support; and
11. Emphasize team and individual commitments to cultural competency.

**Caseload-Based Funding-Level Formula:
2015–2016 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program**

FUNDING CALCULATION TABLE

| Program Focus Category | Base Amount | Number of Total Program(s) Participants | | | | | | Enhancement | |
|----------------------------------|-------------|---|---------|---------|----------|----------|----------|-------------|---------|
| | | 5–19 | 20–49 | 50–99 | 100–199 | 200–499 | 500+ | 10–24 | 25+ |
| Treatment Court | \$12,000 | \$0 | \$4,000 | \$8,000 | \$12,000 | \$20,000 | \$30,000 | \$2,000 | \$3,000 |
| Education / Nontreatment Program | \$12,000 | \$0 | \$2,000 | \$4,000 | \$6,000 | \$10,000 | \$15,000 | \$1,000 | \$2,000 |

INSTRUCTIONS

1. **Program Focus Category:** Identify whether the primary focus of the program is on treatment or education.

2. **Base Amount:** Minimum base program funding level. Only one base amount can be included in funding calculation.

3. **Number of Total Program(s) Participants:** Number of total participants that will be directly served by the grant program for FY 15–16.
 - a. Find the number range of participants for your program.
 - b. Match it with the appropriate Program Focus Category. **Note:** For treatment-focused programs, include all participants enrolled in the program, not just the participants receiving a particular level or kind of treatment.
 - c. Add the matching funding amount to the Base Amount—**this is your maximum funding level.**

* **Example:** \$12,000 (Base) + \$12,000 (Treatment Court Focus with 125 program participants) = \$24,000 eligible maximum funding level.

4. **Enhancement:** For court program(s) that will increase the maximum number of participants they can serve to be larger than their FY 14–15 program capacity.
 A minimum of 10 additional participants is required for enhancement funding.
 * **Example:** \$12,000 (Base) + \$12,000 (Treatment Court Focus w/ 125 program participants) + \$2,000 (increase in program capacity from previous year by 15 additional participants) = \$26,000 eligible maximum funding level.

CALCULATION TOOL

| 5. Court Calculation | Base | Treatment | Nontreat | Enhance | Maximum Funding Level |
|----------------------|----------|-----------|----------|---------|-----------------------|
| Enter numbers here: | \$12,000 | \$0 | \$0 | \$0 | \$12,000 |
| | | | | | Total |

Note: This tool is provided to assist courts in calculating the appropriate level of funding to request. Actual award amounts will be based upon the number of courts applying and the total allocation available in the 2015 California State Budget.

Allocation Summary: Fiscal Years 2014–2015 and 2015–2016

Collaborative Justice Project—Substance Abuse Focus Grant and Dependency Drug Court Augmentation Awards (by Court)

| | County | FY 14-15 Allocation Based on Formula | FY 14-15 Final SAFG Funding Allocation ¹ | FY 15-16 Dependency Drug Court Augmentation Allocation ² | FY 14-15 Total Allocation (SAFG + DDC) | FY 15-16 Allocation Based on Formula | FY 15-16 Final SAFG Funding Allocation ³ | FY 15-16 Dependency Drug Court Augmentation Allocation ⁴ | FY 15-16 Total Allocation (SAFG + DDC) |
|-----|------------------------|--------------------------------------|---|---|--|--------------------------------------|---|---|--|
| 1. | Alameda | \$31,000 | \$24,855 | \$1,172 | \$26,027 | | | | |
| 2. | Amador | \$18,000 | \$14,432 | | \$14,432 | | | | |
| 3. | Butte | \$32,000 | \$25,657 | | \$25,657 | | | | |
| 4. | Calaveras | \$12,000 | \$12,000 | | \$12,000 | | | | |
| 5. | Contra Costa | \$29,000 | \$23,251 | | \$23,251 | | | | |
| 6. | Del Norte | \$24,000 | \$19,242 | | \$19,242 | | | | |
| 7. | El Dorado ³ | \$20,000 | \$16,035 | \$469 | \$16,504 | | | | |
| 8. | Fresno | \$45,000 | \$36,080 | \$703 | \$36,783 | | | | |
| 9. | Glenn | \$24,000 | \$19,242 | | \$19,242 | | | | |
| 10. | Humboldt | \$18,000 | \$14,432 | | \$14,432 | | | | |
| 11. | Inyo | \$12,000 | \$12,000 | | \$12,000 | | | | |
| 12. | Kern | \$42,000 | \$33,674 | | \$33,674 | | | | |
| 13. | Kings | \$20,000 | \$16,035 | | \$16,035 | | | | |
| 14. | Lake | \$12,000 | \$12,000 | | \$12,000 | | | | |
| 15. | Lassen | \$19,000 | \$15,234 | | \$15,234 | | | | |
| 16. | Los Angeles | \$45,000 | \$36,080 | \$7,812 | \$43,892 | | | | |
| 17. | Madera | \$24,000 | \$19,242 | | \$19,242 | | | | |
| 18. | Marin | \$23,000 | \$18,441 | | \$18,441 | | | | |
| 19. | Mendocino | \$24,000 | \$19,242 | \$2,539 | \$21,781 | | | | |
| 20. | Merced | \$12,000 | \$12,000 | | \$12,000 | | | | |
| 21. | Modoc | \$16,000 | \$12,828 | \$391 | \$13,219 | | | | |
| 22. | Monterey | \$45,000 | \$36,080 | | \$36,080 | | | | |

¹ The maximum SAFG grant award is capped at \$45,000. To match the projected state allocation, the maximum allowable funding amount based on formula was adjusted downward by approximately 20% percent. The courts which requested less than the base amount or their maximum funding amount are not adjusted downward.

² Dependency Drug Court augmentation funds were allocated based on number of participants at the rate of approximately \$39 per person.

³ The maximum SAFG grant award is capped at \$45,000. To match the projected state allocation, the maximum allowable funding amount based on formula was adjusted downward by approximately xx% percent. The courts which requested less than the base amount or their maximum funding amount are not adjusted downward.

⁴ Dependency Drug Court augmentation funds were allocated based on number of participants at the rate of approximately \$xx per person.

⁵ The Superior Courts of California, Counties of xxx, xx, and x did not apply for funding in fiscal year 2014–2015, but have applied in fiscal year 2015–2016.

| | County | FY 14-15 Allocation Based on Formula | FY 14-15 Final SAFG Funding Allocation ¹ | FY 15-16 Dependency Drug Court Augmentation Allocation ² | FY 14-15 Total Allocation (SAFG + DDC) | FY 15-16 Allocation Based on Formula | FY 15-16 Final SAFG Funding Allocation ³ | FY 15-16 Dependency Drug Court Augmentation Allocation ⁴ | FY 15-16 Total Allocation (SAFG + DDC) |
|-----|----------------------|--------------------------------------|---|---|--|--------------------------------------|---|---|--|
| 23. | Napa ⁵ | \$24,000 | \$19,242 | \$2,344 | \$21,586 | | | | |
| 24. | Nevada | \$24,000 | \$19,242 | | \$19,242 | | | | |
| 25. | Orange | \$42,000 | \$33,674 | | \$33,674 | | | | |
| 26. | Plumas | \$26,000 | \$20,846 | | \$20,846 | | | | |
| 27. | Riverside | \$35,000 | \$28,062 | \$13,672 | \$41,734 | | | | |
| 28. | Sacramento | \$42,000 | \$33,674 | \$9,375 | \$43,049 | | | | |
| 29. | San Bernardino | \$42,000 | \$33,674 | | \$33,674 | | | | |
| 30. | San Diego | \$42,000 | \$33,674 | | \$33,674 | | | | |
| 31. | San Francisco | \$45,000 | \$36,080 | \$1,953 | \$38,033 | | | | |
| 32. | San Joaquin | \$45,000 | \$36,080 | \$17,578 | \$53,658 | | | | |
| 33. | San Luis Obispo | \$32,000 | \$25,657 | \$2,930 | \$28,587 | | | | |
| 34. | San Mateo | \$32,000 | \$25,657 | | \$25,657 | | | | |
| 35. | Santa Barbara | \$44,000 | \$35,278 | | \$35,278 | | | | |
| 36. | Santa Clara | \$34,000 | \$27,260 | \$4,687 | \$31,947 | | | | |
| 37. | Santa Cruz | \$45,000 | \$36,080 | | \$36,080 | | | | |
| 38. | Shasta | \$28,000 | \$22,450 | | \$22,450 | | | | |
| 39. | Sierra | \$12,000 | \$12,000 | | \$12,000 | | | | |
| 40. | Siskiyou | \$24,000 | \$19,242 | \$1,953 | \$21,195 | | | | |
| 41. | Solano | \$42,000 | \$33,674 | \$1,953 | \$35,627 | | | | |
| 42. | Sonoma | \$45,000 | \$36,080 | \$1,563 | \$37,643 | | | | |
| 43. | Stanislaus | \$20,000 | \$16,035 | | \$16,035 | | | | |
| 44. | Sutter ³ | \$16,000 | \$12,828 | | \$12,828 | | | | |
| 45. | Tehama | \$24,000 | \$19,242 | \$586 | \$19,828 | | | | |
| 46. | Trinity ³ | \$15,000 | \$12,028 | | \$12,027 | | | | |
| 47. | Tulare | \$16,000 | \$12,828 | | \$12,828 | | | | |
| 48. | Tuolumne | \$20,000 | \$16,035 | \$1,953 | \$17,988 | | | | |
| 49. | Ventura | \$32,000 | \$25,657 | \$1,367 | \$27,024 | | | | |
| 50. | Yolo | \$12,000 | \$12,000 | | \$12,000 | | | | |
| 51. | Yuba | \$22,000 | \$17,639 | | \$17,639 | | | | |
| | Total | \$1,429,000 | \$1,160,000 | \$75,000 | \$1,235,000 | | \$1,160,000 | \$75,000 | |



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: August 21, 2015

| | |
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| Title | Agenda Item Type |
| Judicial Administration: Statewide Traffic Tickets/Infraction Amnesty Program | Action Required |
| Rules, Forms, Standards, or Statutes Affected | Effective Date |
| N/A | August 21, 2015 |
| Recommended by | Date of Report |
| Mary Beth Todd, Chair, Court Executives Advisory Committee | August 10, 2015 |
| Cory Jaspersen, Director, Judicial Council Government Affairs | Contact |
| Bob Fleshman, Supervisor, Judicial Council Finance | Bob Fleshman, 415-865-7531 bob.fleshman@jud.ca.gov |

Executive Summary

Judicial Council staff recommend approval of the Traffic Tickets/Infraction Amnesty Program guidelines developed for use by court and county collection programs statewide in the implementation of the one-time amnesty program, as authorized by Vehicle Code section 42008.8. The amnesty program provides relief to individuals with violations of eligible Vehicle and non-Vehicle Code infractions and specified misdemeanors by reducing outstanding court-ordered debt by 50 or 80 percent and/or reinstating suspended driver's licenses. The 18-month amnesty program will operate from October 1, 2015 through March 31, 2017.

Recommendation

Judicial Council staff recommend that the Judicial Council, effective August 21, 2015:

1. Approve the Traffic Tickets/Infraction Amnesty Program Guidelines (Attachment A) and direct each superior court to collaborate with its county to implement the mandatory infraction amnesty program and consider extending amnesty to specified Vehicle Code misdemeanors that meet the eligibility requirements, as required by Vehicle Code section 42008.8. This includes a sample Amnesty Program Participant Form (Attachment B).
2. Direct each court and county to jointly complete and submit the Amnesty Program Collections Report (Attachment C), which includes certain data elements required under Vehicle Code section 42008.8 as well as some additional data points designed to improve tracking of various programmatic components.
3. Delegate authority to the Administrative Director to revise the guidelines in response to any legislative or related action impacting amnesty program parameters.

Previous Council Action

There has been no previous Judicial Council action related to this report.

In 2011, the Judicial Council approved guidelines in conjunction with a one-time amnesty program that occurred between January 1, 2012, and June 30, 2012. A summary of that program is provided in [this report](#).

Rationale for Recommendation

On June 24, 2015, Senate Bill 85 (Stats. 2015, ch 26) added section 42008.8 to the Vehicle Code. The statute authorizes and sets the general guidelines for a one-time mandatory amnesty program, effective October 1, 2015 through June 30, 2017, for eligible unpaid bail or fines for traffic and non-traffic Vehicle Code violations. The statute requires that the Judicial Council adopt guidelines for the amnesty program no later than October 1, 2015 and that the program be implemented in accordance with the adopted guidelines.

The program provides relief through a 50 percent or 80 percent discount to qualified individuals who have found themselves in default of a court-ordered obligation because they have unpaid bail or fines for traffic and non-traffic violations. The statute also allows, upon court and county agreement, amnesty to be extended for specified Vehicle Code misdemeanors.

Additional relief may be provided to individuals who are in violation of court-ordered obligation stemming from traffic and non-traffic infractions and eligible misdemeanors by reinstating suspended driver's licenses. The reinstatement of licenses will run concurrent with the amnesty program that reduces eligible delinquent account balances by 50 or 80 percent, depending on eligibility.

Delegated authority is being sought primarily due to potential legislative action that may alter program parameters. The council's next scheduled business meeting is in late October, which occurs after the program implementation date of October 1.

Comments, Alternatives Considered, and Policy Implications

Due to time constraints, this report was not circulated for public comment.

The guidelines and associated documents were developed in conjunction with the Informal Collections Working Group, which includes court and county representatives with collections expertise as well as representatives from the California State Association of Counties, California Revenue Officers Association, and the Victim Compensation and Government Claims Board, among others. The working group met by phone seven times between July 10 and August 10, 2015, to provide input and guidance on the guidelines, sample participation form, and reporting tool. This effort was facilitated by significant support from various council offices, including staff from Communications, Criminal Justice Services, Finance, Government Affairs, and Legal Services.

In early August, various Judicial Council advisory bodies were consulted and feedback sought regarding the guidelines:

- Traffic Advisory Committee August 4
- Trial Court Presiding Judges Advisory Committee August 6¹
- Court Executives Advisory Committee August 7

There was robust discussion with each of the committees, but no substantive changes to the guidelines were recommended. Some elements of the discussions will be reflected in a Frequently Asked Questions document being developed by staff to assist courts and counties with program implementation. The initial version of that resource is expected to be completed and made available to programs by early September.

Alternatives

No alternatives were considered.

Implementation Requirements, Costs, and Operational Impacts

The entity responsible for the collection of delinquent court-ordered debt as required by statute will be responsible for implementation of the amnesty program, unless agreed to otherwise by the court and the county in writing.

The court and county collections program will be allowed to recover allowable operating costs incurred under the amnesty program. In addition, each collections program (court or county) may also charge an amnesty program fee of fifty dollars (\$50) per participant, as authorized by Vehicle Code section 42008.8.

¹ August 6 represented a joint meeting of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee.

Case management system reprogramming activities may disproportionately affect certain programs, depending on technical capabilities, resulting in significant resource impacts. In addition, more complex program elements as compared to the 2012 program—such as the driver’s license reinstatement element—are expected to increase the volume of program participants and potentially the amount of time spent on each case to determine eligibility.

Case management and accounting system limitations may have an operational impact on the collection of revenue under the amnesty program, due to the separate accounting and reporting (from delinquent and non-delinquent collections activity) that is required by statute.

Relevant Strategic Plan Goals and Operational Plan Objectives

The recommendations contained in this report pertain to statutory requirements.

The guidelines support Operational Plan Goal III, Objective 4, as it pertains to upholding the integrity of court orders, by improving the collection of fines, fees, penalties, and assessments statewide.

Attachments and Links

1. Attachment A: Traffic Tickets/Infraction Amnesty Program Guidelines
2. Attachment B: Sample Amnesty Program Participant Form
3. Attachment C: Amnesty Program Collections Report

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

1. Program Authority

On June 24, 2015, Senate Bill 85 (Stats. 2015, ch 26) added section 42008.8 to the Vehicle Code (Attachment A). The statute authorizes and sets the general guidelines for a one-time mandatory amnesty program in each county that reduces bail and fine amounts for vehicle code and non-vehicle code infractions meeting the eligibility requirements. The statute also allows, upon court and county agreement, a one-time amnesty program for specified Vehicle Code misdemeanors.

The statute requires that the amnesty program be implemented in accordance with guidelines adopted by the Judicial Council. These Traffic Tickets/Infraction Amnesty Program Guidelines (guidelines) may not address every situation involving a collection program's implementation. Courts and counties should consider the intent of the legislation when developing local policies and procedures for their amnesty programs.

2. Program Purpose

The purpose of the one-time amnesty program is to provide relief to qualified individuals who have found themselves in default of a court-ordered obligation because they have unpaid bail or fines for traffic and non-traffic violations. The program also may provide relief to individuals who have had their driving privileges suspended pursuant to Vehicle Code section 13365. Encouraging payment of old debt that has remained unpaid will allow court and county collection programs to resolve older delinquent cases and focus limited resources on collecting on more recent cases.

3. Court and County Participation

Unless agreed to otherwise by the court and the county in writing, the entity responsible for the collection of delinquent court-ordered debt under Penal Code section 1463.010(b) will be responsible for implementation of the amnesty program.

The court and county *shall* implement an amnesty program to include infractions and violations under Vehicle Code section 40508(a) or (b) or Penal Code section 853.7. Juvenile traffic infractions are also included in the program.

The court and county *may* jointly agree to extend the one-time amnesty program to bail and fines imposed for a misdemeanor violation of the Vehicle Code. (See Section 8, Optional Program Components)

The amnesty program does not apply to: parking violations; violations of Vehicle Code sections 23103, 23104, and 23105 (reckless driving) or Vehicle Code sections 23152 and 23153 (driving under the influence).

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

4. Program Costs

Costs of operating the amnesty program, excluding capital expenditures, may be deducted from the revenues collected under the amnesty program by the court or county that incurred the expense, per Penal Code section 1463.007.

Each collections program (court or county) may also charge an amnesty program fee of fifty dollars (\$50) per participant. On cases that are paid in one lump sum, the \$50 amnesty program fee may be added to the reduced balance owed. On amnesty payment plans, the first payment will include the agreed to monthly installment amount and the \$50 program fee. Regardless of the reduction amount, all participants that make a lump sum payment or enter into an installment payment plan may be charged the \$50 amnesty program fee. In addition, participants that are not eligible for the reduction, but are eligible to have their license reinstated, may be charged the \$50 amnesty program fee. For participants with unpaid tickets in multiple counties, the amnesty program fee may be charged by each court or county collections program in which the participant is seeking relief.

The \$50 amnesty program fee is the total fee that may be added to a case to offset any administrative costs.

A collections program (including a third party vendor) may not add additional administrative fees, as authorized by Vehicle Code section 40510.5 or Penal Code section 1205(e), to offset costs of administering an installment payment or accounts receivable plan under the amnesty program.

Any previously imposed administrative fees, under Vehicle Code section 40510.5 or Penal Code section 1205(e), may be reduced and collected under the amnesty program.

The Judicial Council's *Guidelines and Standards for Cost Recovery* can be used as a reference to determine cost allocation and revenue distribution and is available [here](#).

5. Amnesty Period

The one-time amnesty program shall operate from October 1, 2015, through March 31, 2017.

6. Eligibility

All adult Vehicle Code and non-Vehicle Code infraction violations and adult Vehicle Code misdemeanor violations with specified exceptions are eligible for the amnesty program. Juvenile Vehicle Code and non-Vehicle Code infraction violations are also eligible. Under Vehicle Code section 42008.8, the terms "bail" and "fine" refer to the total bail amount or fine balance due in connection with a specific Vehicle Code and/or non-Vehicle Code infraction and misdemeanor violations. Local programs should post on their websites a list of the misdemeanor violations that the court and county have jointly agreed to include in the amnesty program, if applicable.

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

For amnesty program purposes, any remaining balance of a civil assessment amount imposed pursuant to Penal Code section 1214.1 must be deducted from the outstanding bail or fine amount *before* any amnesty reduction calculations and *shall* not be collected.

Each program should determine how to adjust the deducted amount in accounts receivable.

7. Mandatory Program Components

The mandatory amnesty program includes all traffic and non-traffic infraction violations, including those where a misdemeanor under Vehicle Code section 40508(a) or (b) or Penal Code section 853.7 has been added.

Violations are eligible for the mandatory amnesty program only if the following requirements are met:

1. The violation is: a) an infraction violation filed with the court; or b) a violation of Vehicle Code section 40508(a) or (b) or a violation of Penal Code section 853.7 that was added to an infraction violation filed with the court.
2. The initial due date for payment of the bail or fine was on or before January 1, 2013.
 - A failure to appear case is eligible for amnesty *if* the case is currently on failure to appear status *and* the appearance date was on or before January 1, 2013.
 - A failure to pay case is eligible for amnesty *if* the fine due date *and* the last payment made on an installment plan or accounts receivable was on or before January 1, 2013.
3. The defendant does not owe restitution to a victim on any case within the county where the violation was issued.
4. There are no outstanding misdemeanors or felony warrants for the defendant within the county where the violation was issued, except for misdemeanor warrants for violations authorized by the court and county for inclusion in the amnesty program.
5. The person is not currently making payments (on an amnesty eligible violation) to a comprehensive collection program pursuant to Penal Code section 1463.007(c).

Any payment made (on the specific case(s) on which amnesty is requested), after January 1, 2013, either voluntarily or involuntarily, disqualifies the case from eligibility for a reduction of the outstanding amount. However, an individual's driver's license may be reinstated.

The terms "bail" and "fine" as used in Vehicle Code section 42008.8 refer to the total bail amount or fine balance due that includes court-ordered fees, forfeitures, surcharges, penalties and assessments. For the purpose of this amnesty program, civil assessments are not included in the "bail" or "fine" amount.

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

For amnesty program purposes, any remaining balance of a civil assessment amount imposed pursuant to Penal Code section 1214.1 must be deducted from the outstanding bail or fine amount *before* any amnesty reduction calculations and *shall* not be collected.

Driver's License Reinstatement and Issuance

Concurrent with the amnesty program, and *only* between October 1, 2015 and March 31, 2017, the amnesty program may provide relief to individuals who have found themselves in violation of court-ordered obligation stemming from traffic and non-traffic infractions and eligible misdemeanors that have resulted in driving privilege restrictions. The \$50 amnesty program fee applies for driver's license reinstatement.

If an individual is in good standing in a comprehensive collections program (e.g., current on an installment payment plan) and he/she has appeared in court, paid the fine in full or has agreed to the terms of the amnesty payment plan, or has otherwise satisfied the court, the court must notify the DMV, as authorized by Vehicle Code section 40509 (a) and (b).

Any payment made (on the specific case(s) on which amnesty is requested), after January 1, 2013, either voluntarily or involuntarily, disqualifies the case from eligibility for a reduction of the outstanding amount. However, an individual's driver's license may be reinstated.

Prior to notifying the DMV, when a person is eligible for amnesty, the court or county is responsible for confirming that an individual meets eligibility requirements 1 and 2, and individuals will be required to certify or sign under penalty of perjury that they meet eligibility requirements 3 to 4 of the Mandatory Program Components section above. (See Attachment B sample *Amnesty Participation Form*)

The courts and the DMV will use existing reporting processes to release a hold or reinstate a suspended driver's license for amnesty eligible cases.

The DMV will also charge a \$55 driver's license reinstatement fee as it does for any license reinstatement.

8. Optional Program Components

In addition to, and at the same time as the mandatory amnesty program, the court and the county may agree to extend the amnesty program to fines and bail imposed for specified misdemeanor violations of the Vehicle Code with the exception of parking violations and violations of Vehicle Code sections 23103, 23104, and 23105 (reckless driving) or Vehicle Code sections 23152 and 23153 (driving under the influence). (See eligibility requirements in section 7 above.)

Local programs should post on their websites a list of the misdemeanor violations that the court and county have jointly agreed to include in the amnesty program, if applicable.

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

9. Amnesty Payment Plan

In setting up monthly payment plans, the court or county should use the individual's monthly income to calculate a monthly payment amount that the individual can afford to pay, consistent with Government Code sections 68633 and 68634. Programs are encouraged to use existing procedures to determine an individual's ability to pay.

Depending on qualifications, an individual may choose to make installment payments under the amnesty payment plan option.

Individuals applying for an 80 percent reduction must certify under penalty of perjury receipt of specified public benefits or monthly income that is 125 percent or less than the current federal poverty guidelines available at <http://aspe.hhs.gov/poverty/15poverty.cfm#guidelines>. The collecting entity may not require/request proof of income level or receipt of benefit(s) to determine eligibility.

The court or county shall collect all relevant information to allow for the collection of any amount in which a participant is delinquent or otherwise defaults on their amnesty payment plan. (See Attachment B, sample *Amnesty Participation Form*)

Default on Amnesty Payment Plan:

If a participant defaults on one or more installment payments, the collections program shall mail a notice to the participant advising them that they have failed to make a payment and that they have 30 days to either make a payment or request a change in the payment amount.

If a participant fails to respond to the notice within 30 days, the collections program may refer the case to the Franchise Tax Board Court-ordered Debt program (FTB-COD) for collection of the remaining balance owed using existing protocols. FTB-COD's standard administrative costs may apply to any amounts collected.

During the amnesty period, the court and county may utilize collection efforts authorized by Penal Code section 1463.007, except initiating driver's license suspension or hold actions.

10. Payment Processing

Vehicle Code section 42008.8 requires that each court or county accept in full satisfaction of eligible bail or fine:

- 50 percent of the outstanding fine or bail amount; or
- 20 percent of the outstanding fine or bail amount *if* the participant certifies under penalty of perjury that he/she receives any of the public benefits listed in Government Code section 68632 (a), or is within the conditions described in Government Code section 68632 (b).

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

For amnesty program purposes, any remaining balance of a civil assessment amount imposed pursuant to Penal Code section 1214.1 must be deducted from the outstanding bail or fine amount *before* any amnesty reduction calculations and *shall* not be collected.

Courts should ensure that court record(s) reflect the authority under Vehicle Code section 42008.8 to deduct and not collect any remaining balance of a civil assessment amount imposed. Each program should determine how to adjust the deducted amount.

The courts and counties are responsible for determining that the individual meets the eligibility criteria outlined in section 7, Mandatory Program Components. Participation in the amnesty program is granted after confirming that an individual meets eligibility requirements 1 and 2 and the individual attests to the following:

- That they do not owe restitution to a victim on any case within the county where they are seeking amnesty;
- That they do not have outstanding misdemeanor or felony warrants, within the county where they are seeking amnesty; and
- That they are not currently making payments to the court or county on the case for which they are seeking amnesty.

For individuals who attest to meeting these criteria, the court or county must accept in full satisfaction 50 percent of the eligible fine or bail amount (after deducting any unpaid civil assessment), plus the amnesty program fee.

For individuals who sign under penalty of perjury that they are receiving specified public benefits or that their monthly income is 125 percent or less of the current federal poverty guidelines (<http://aspe.hhs.gov/poverty/15poverty.cfm#guidelines>), the court or county must accept in full satisfaction 20 percent of the eligible fine or bail amount (after deducting any unpaid civil assessment), plus the amnesty program fee.

Payment Considerations:

- a. All forms of payment currently accepted by the collection program are acceptable for the amnesty program.
- b. Payment under the amnesty program may be made in one lump sum or in installment payments (see Amnesty Payment Plan section above).
- c. The total amount of revenue collected under the amnesty program will be deposited in the county treasury and/or the account established under Government Code section 77009.
- d. The program must maintain a separate accounting of all revenues collected and operating costs expended under the amnesty program.
- e. No criminal action shall be brought against a person for delinquent bail amount or fine balance paid under the amnesty program.

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- f. Each program will need to determine how to adjust the deducted civil assessment amount from their accounts receivable.
- g. A collections program (including a third party vendor) may not add additional administrative fees, as authorized by Vehicle Code section 40510.5 or Penal Code section 1205(s), to offset costs of administering an installment payment or accounts receivable plan under the amnesty program.
- h. Any previously imposed administrative fees, under Vehicle Code section 40510.5 or Penal Code section 1205(e), may be reduced and collected under the amnesty program.
- i. The court and county should not allow an eligible individual to sign up for traffic school in lieu of making the reduced payment amount, as the distribution under amnesty is not consistent with the statutory distribution required under traffic violator school.

11. Accounting

Courts and counties should refer to section 13, Reporting Requirements, for mandatory data reporting elements and consider these when developing accounting procedures for the amnesty program.

For courts, a reporting element will be added to the Phoenix Financial System to track amnesty program related revenues and expenditures. Contact your General Ledger account lead with any questions.

12. Distribution

Revenue collected under the amnesty program shall be deposited in the county treasury or the account established under Government Code section 77009. After acceptance of the amnesty revenue, notwithstanding Penal Code section 1203.1(d), the remaining revenues collected under the amnesty program shall be distributed on a pro rata basis in the same manner as a partial payment distributed pursuant to Penal Code section 1462.5.

The California State Controller's Office (SCO) shall be responsible for the special distributions outlined in Vehicle Code section 42008.8. Amnesty operating costs, including commission fees, should be prorated among all funds collected under the comprehensive collection program, pursuant to Penal Code 1463.007. The SCO's manual and *Assembly Bill 3000 Court Surcharge Distribution Guidelines* are available at <http://www.courts.ca.gov/revenue-distribution.htm>.

The Judicial Council's *Guidelines and Standards for Cost Recovery* can be used as a reference to determine cost allocation and revenue distribution and is available at Judicial Council's Revenue and Collections website at <http://www.courts.ca.gov/partners/455.htm>.

13. Reporting Requirements

Each court or county collection program will jointly submit the Amnesty Program Collections Report (see Attachment C) on or before the dates indicated below. The report *shall* include

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monthly data on the number of cases resolved, the amount of money collected, and the operating costs attributable to the amnesty program. Additional program detail should be reported to the extent possible.

Quarterly reports are to be submitted electronically to the Judicial Council's Revenue and Collections Unit at collections@jud.ca.gov on or before the following dates:

January 31, 2016

May 31, 2016

September 30, 2016

January 31, 2017

May 31, 2017 (final report)

The Judicial Council is required to submit a report to the Legislature summarizing the information provided by each court or county on or before August 31, 2017.

14. Amnesty Program Action Plan

The Judicial Council is responsible for the following:

- An outreach plan, that includes maintaining and updating an Internet website with relevant amnesty information and links to all court and county websites;
- Developing and distributing the Amnesty Program Guidelines to court and county collecting entities no later than October 1, 2015;
- Compiling amnesty program information (see Attachment C, *Amnesty Program Collections Report*) for inclusion in the required report to the Legislature; and
- Reimbursing the DMV for costs incurred, up to \$250,000, for: 1) insert to be included with each motor vehicle registration renewal notice; 2) staff costs; and 3) posting on the department's web site information regarding the amnesty program.

The DMV is responsible for the following:

- Providing a summary of the amnesty program established pursuant to this section that is compliant with Government Code section 7292. That summary will be included on a separate insert with each motor vehicle registration renewal notice.
- Posting on their web site information regarding the amnesty program.

The courts and counties should collaborate with each other on the development of local policies and procedures for the implementation of this amnesty program. In order for the amnesty program to be implemented successfully, each court and county should develop a joint process for:

- Accepting and posting payments made under the amnesty program;

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- An amnesty payment plan option that is consistent with Government Code section 68632 (a) and (b) requirements;
- Notifying the DMV, as required by law;
- Maintaining separate accounting of all amnesty revenues including cost recovery collected and operating costs expended under the amnesty program;
- Upon contact by individual, confirming eligibility on individual cases based on criteria established in Vehicle Code section 42008.8;
- Tracking and reporting the monthly number of cases resolved and revenue collected at the 50 and 80 percent reduction rate, and whether these payments were paid in one lump sum or in installments; and
- Tracking and reporting monthly operating costs and recovered costs.

The court and county should also consider developing a joint procedure for:

- Distributing informational materials to justice partners and third party collection vendors; and
- Designating staff at each court or county satellite location to process all amnesty payments received by mail or in person.

The State Controller's Office is responsible for the following:

- Handling of any special distribution(s) outlined in Vehicle Section 42008.8; and
- Transferring the first two hundred fifty thousand dollars (\$250,000) received from amnesty program-related collections revenues to the Judicial Council for purposes of reimbursing the Department of Motor Vehicles for amnesty related costs (not to exceed \$250,000).

15. Third Party Collections

Private Vendor

As outlined in the Statement of Work of the Statewide Collections Master Agreement, vendors are required to provide collection services for *any other legally enforceable debt owed to a Participating Entity (e.g., court or county) or that a Participating Entity has a right to collect*, which includes debt identified by each program as eligible under the amnesty program. A private vendor that currently provides collection services for delinquent court-ordered debt, as permitted by the Statewide Collections Services Master Agreement may collect amnesty eligible debt.

The commission fee listed by each vendor on their pricing proposal for the collection of other legally enforceable debt is an allowable operating cost and applies to this amnesty program.

Court and county collection programs that do not currently contract with a private vendor under the Master Agreement for collection services may enter into a contract with a vendor for the collection of amnesty eligible cases using the Participation Agreement. The Master Agreement, Participation Agreement and the Pricing List are available [here](#).

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As stated in the Master Agreement, in addition to the reporting requirements of Penal Code section 1463.010, each private vendor must comply with reporting requirements of any other applicable state law and as specified by the Judicial Council; this would include the reporting requirement referenced in Vehicle Code section 42008.8 (1).

Each participating private vendor is responsible for:

- Accepting and posting payments made through the amnesty program;
- Maintaining separate accounting of all amnesty revenues;
- Tracking and reporting the monthly number of cases resolved and revenue collected at the 50 and 80 percent reduction rate, and whether these payments were paid in one lump sum or in installments.

Franchise Tax Board Court-Ordered Debt Program (FTB-COD)

The court or county may refer amnesty cases that default on their payment plans to the FTB-COD for collection of the remaining delinquent balance, using existing protocols. The FTB-COD may charge an administrative cost, up to fifteen percent as prescribed in the Revenue and Taxation Code section 19282, for collecting on any amnesty cases referred by a court or county program.

Revenue and Taxation Code section 19280 requires an aggregate balance owed of at least \$100 for the amounts due referred to FTB for collection and authorizes FTB “to establish criteria for referral that shall include setting forth a minimum dollar amount subject to referral and collection.” The FTB established \$25 as the minimum referral amount; therefore, the case balance must be at least \$25 and the total amount owed by the debtor must equal \$100.

Intra-branch Program

A court or county that currently contracts with another court (an Intra-branch program) for collection services may amend existing agreements to include the collection of amnesty eligible debt.

Overpayments

To reduce the possibility of overpayments involving a third party vendor, it is recommended that local collections programs develop appropriate protocols for the following:

- Notifying the third party vendor when an amnesty-eligible case referred to it has been enrolled in the amnesty program.
- Withdrawing from the third party vendor any amnesty-eligible cases that have been enrolled into the amnesty program.

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

Attachment A

Senate Bill No. 85

CHAPTER 26

An act to amend Section 135 of the Code of Civil Procedure, to amend Sections 30029.05, 30061, 70602.6, 70616, 70617, 70657, and 70677 of the Government Code, to amend Sections 1230, 1231, 1232, 1233.1, 1233.3, 1233.5, 1233.6, 1233.61, 1233.9, 1233.10, 1369.1, 1370, 6402, and 13602.1 of, to amend and repeal Section 13602 of, to amend, repeal, and add Sections 13600, 13601, and 13603 of, to add 1370.6 to, to repeal Sections 1233, 1233.15, and 1233.2 of, and to repeal and add Section 1233.4 of, the Penal Code, to add Section 42008.8 to the Vehicle Code, to amend Sections 4117 and 4143 of, and to add Sections 3313, 4023.6, 4023.7, and 4023.8 to, the Welfare and Institutions Code, to amend the Budget Act of 2014 (Chapter 25 of the Statutes of 2014) by amending Item 0250-101-3259 of, and to add Item 5227-491 to, Section 2.00 of that act, relating to public safety, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor June 24, 2015. Filed with Secretary of State June 24, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 85, Committee on Budget and Fiscal Review. Public safety.

SEC. 42. Section 42008.8 is added to the Vehicle Code, to read:

42008.8. (a) The Legislature finds and declares that a one-time infraction amnesty program would do all of the following:

- (1) Provide relief to individuals who have found themselves in violation of a court-ordered obligation because they have unpaid traffic bail or fines.
- (2) Provide relief to individuals who have found themselves in violation of a court-ordered obligation or who have had their driving privileges suspended pursuant to Section 13365.
- (3) Provide increased revenue at a time when revenue is scarce by encouraging payment of old fines that have remained unpaid.
- (4) Allow courts and counties to resolve older delinquent cases and focus limited resources on collections for more recent cases.

(b) A one-time amnesty program for fines and bail meeting the eligibility requirements set forth in subdivision (e) shall be established in each county. Unless agreed otherwise by the court and the county in writing, the government entities that are responsible for the collection of delinquent court-ordered debt shall be responsible for implementation of the amnesty program as to that

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

debt, maintaining the same division of responsibility in place with respect to the collection of court-ordered debt under subdivision (b) of Section 1463.010 of the Penal Code.

(c) As used in this section, the term “fine” or “bail” refers to the total amounts due in connection with a specific violation, which include, but are not limited to, all of the following:

- (1) Base fine or bail, as established by court order, by statute, or by the court’s bail schedule.
- (2) Penalty assessments imposed pursuant to Section 1464 of the Penal Code, and Sections 70372, 76000, 76000.5, 76104.6, and 76104.7 of, and paragraph (1) of subdivision (c) of Section 76000.10 of, the Government Code, and Section 42006 of this code.
- (3) State surcharges imposed pursuant to Section 1465.7 of the Penal Code.
- (4) Court operations assessments imposed pursuant to Section 1465.8 of the Penal Code.
- (5) Criminal conviction assessments pursuant to Section 70373 of the Government Code.

(d) Notwithstanding subdivision (c), any civil assessment imposed pursuant to Section 1214.1 of the Penal Code shall not be collected, nor shall the payment of that assessment be a requirement of participation in the amnesty program.

(e) Concurrent with the amnesty program established pursuant to subdivision (b), between October 1, 2015, to March 31, 2017, inclusive, the following shall apply:

(1) The court shall issue and file with the Department of Motor Vehicles the appropriate certificate pursuant to subdivisions (a) and (b) of Section 40509 for any participant of the one-time amnesty program established pursuant to subdivision (b) demonstrating that the participant has appeared in court, paid the fine, or otherwise satisfied the court, if the driving privilege of that participant was suspended pursuant to Section 13365 in connection with a specific violation described in paragraph (1), (2), or (3) of subdivision (g).

(2) The court shall issue and file with the department the appropriate certificate pursuant to subdivisions (a) and (b) of Section 40509 for any person in good standing in a comprehensive collection program pursuant to subdivision (c) of Section 1463.007 of the Penal Code demonstrating that the person has appeared in court, paid the fine, or otherwise satisfied the court, if the driving privilege was suspended pursuant to Section 13365 in connection with a specific violation described in paragraph (1), (2), or (3) of subdivision (g).

(3) Any person who is eligible for a driver’s license pursuant to Section 12801, 12801.5, or 12801.9 shall be eligible for the amnesty program established pursuant to subdivision (b) for any specific violation described in subdivision (g). The department shall issue a driver’s license to any person who is eligible pursuant to Section 12801, 12801.5, or 12801.9 if the person is participating in the amnesty program and is otherwise eligible for the driver’s license but for the fines or bail to be collected through the program.

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

(4) The Department of Motor Vehicles shall not deny reinstating the driving privilege of any person who participates in the amnesty program established pursuant to subdivision (b) for any fines or bail in connection with the specific violation that is the basis for participation in the amnesty program.

(f) In addition to, and at the same time as, the mandatory one-time amnesty program is established pursuant to subdivision (b), the court and the county may jointly agree to extend that amnesty program to fines and bail imposed for a misdemeanor violation of this code and a violation of Section 853.7 of the Penal Code that was added to the misdemeanor case otherwise subject to the amnesty. The amnesty program authorized pursuant to this subdivision shall not apply to parking violations and violations of Sections 23103, 23104, 23105, 23152, and 23153.

(g) A violation is only eligible for amnesty if paragraph (1), (2), or (3) applies, and the requirements of paragraphs (4) to (7), inclusive, are met:

(1) The violation is an infraction violation filed with the court.

(2) It is a violation of subdivision (a) or (b) of Section 40508, or a violation of Section 853.7 of the Penal Code that was added to the case subject to paragraph (1).

(3) The violation is a misdemeanor violation filed with the court to which subdivision (f) applies.

(4) The initial due date for payment of the fine or bail was on or before January 1, 2013.

(5) There are no outstanding misdemeanor or felony warrants for the defendant within the county, except for misdemeanor warrants for misdemeanor violations subject to this section.

(6) The person does not owe victim restitution on any case within the county.

(7) The person is not currently making payments to a comprehensive collection program pursuant to subdivision (c) of Section 1463.007 of the Penal Code.

(h) (1) Except as provided in paragraph (2), each amnesty program shall accept, in full satisfaction of any eligible fine or bail, 50 percent of the fine or bail amount, as defined in subdivision (c).

(2) If the participant certifies under penalty of perjury that he or she receives any of the public benefits listed in subdivision (a) of Section 68632 of the Government Code or is within the conditions described in subdivision (b) of Section 68632 of the Government Code, the amnesty program shall accept, in full satisfaction of any eligible fine or bail, 20 percent of the fine or bail amount, as defined in subdivision (c).

(i) The Judicial Council, in consultation with the California State Association of Counties, shall adopt guidelines for the amnesty program no later than October 1, 2015, and each program shall be conducted in accordance with the Judicial Council's guidelines. As part of its guidelines, the Judicial Council shall include all of the following:

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

- (1) Each court or county responsible for implementation of the amnesty program pursuant to subdivision (b) shall recover costs pursuant to subdivision (a) of Section 1463.007 of the Penal Code and may charge an amnesty program fee of fifty dollars (\$50) that may be collected with the receipt of the first payment of a participant.
- (2) A payment plan option created pursuant to Judicial Council guidelines in which a monthly payment is equal to the amount that an eligible participant can afford to pay per month consistent with Sections 68633 and 68634 of the Government Code. If a participant chooses the payment plan option, the county or court shall collect all relevant information to allow for collection by the Franchise Tax Board pursuant to existing protocols prescribed by the Franchise Tax Board to collect delinquent debts of any amount in which a participant is delinquent or otherwise in default under his or her amnesty payment plan.
- (3) If a participant does not comply with the terms of his or her payment plan under the amnesty program, including failing to make one or more payments, the appropriate agency shall send a notice to the participant that he or she has failed to make one or more payments and that the participant has 30 days to either resume making payments or to request that the agency change the payment amount. If the participant fails to respond to the notice within 30 days, the appropriate agency may refer the participant to the Franchise Tax Board for collection of any remaining balance owed, including an amount equal to the reasonable administrative costs incurred by the Franchise Tax Board to collect the delinquent amount owed. The Franchise Tax Board shall collect any delinquent amounts owed pursuant to existing protocols prescribed by the Franchise Tax Board. The comprehensive collection program may also utilize additional collection efforts pursuant to Section 1463.007 of the Penal Code, except for subparagraph (C) of paragraph (4) of subdivision (c) of that section.
- (4) A plan for outreach that will, at a minimum, make available via an Internet Web site relevant information regarding the amnesty program, including how an individual may participate in the amnesty program.
- (5) The Judicial Council shall reimburse costs incurred by the Department of Motor Vehicles up to an amount not to exceed two hundred fifty thousand dollars (\$250,000), including all of the following:
 - (A) Providing on a separate insert with each motor vehicle registration renewal notice a summary of the amnesty program established pursuant to this section that is compliant with Section 7292 of the Government Code.
 - (B) Posting on the department's Internet Web site information regarding the amnesty program.
 - (C) Personnel costs associated with the amnesty program.
- (j) No criminal action shall be brought against a person for a delinquent fine or bail paid under the amnesty program.

STATEWIDE TRAFFIC TICKETS/INFRACTION AMNESTY PROGRAM GUIDELINES

(k) (1) The total amount of funds collected under the amnesty program shall, as soon as practical after receipt thereof, be deposited in the county treasury or the account established under Section 77009 of the Government Code. After acceptance of the amount specified in subdivision (h), notwithstanding Section 1203.1d of the Penal Code, the remaining revenues collected under the amnesty program shall be distributed on a pro rata basis in the same manner as a partial payment distributed pursuant to Section 1462.5 of the Penal Code.

(2) Notwithstanding Section 1464 of the Penal Code, the amount of funds collected pursuant to this section that would be available for distribution pursuant to subdivision (f) of Section 1464 of the Penal Code shall instead be distributed as follows:

(A) The first two hundred fifty thousand dollars (\$250,000) received shall be transferred to the Judicial Council.

(B) Following the transfer of the funds described in subparagraph (A), once a month, both of the following transfers shall occur:

(i) An amount equal to 82.20 percent of the amount of funds collected pursuant to this section during the preceding month shall be transferred into the Peace Officers' Training Fund.

(ii) An amount equal to 17.80 percent of the amount of funds collected pursuant to this section during the preceding month shall be transferred into the Corrections Training Fund.

(l) Each court or county implementing an amnesty program shall file, not later than May 31, 2017, a written report with the Judicial Council, on a form approved by the Judicial Council. The report shall include information about the number of cases resolved, the amount of money collected, and the operating costs of the amnesty program. Notwithstanding Section 10231.5 of the Government Code, on or before August 31, 2017, the Judicial Council shall submit a report to the Legislature summarizing the information provided by each court or county.

**Vehicle Code section 42008.8
October 1, 2015 to March 31, 2017**

Date: _____ Driver's License Number: _____
 Name: _____ Email: _____
 Current Address: _____
 Contact Number(s): Home: _____ Mobile: _____ Work: _____

I am seeking: Reduction in eligible unpaid bail/fines/fees and/or Driver's License Reinstatement

I declare all of the following are true:

- I do not owe restitution to a victim within the county where the violation occurred.
- I do not have any outstanding misdemeanor or felony warrants within the county the violation occurred.
- I am not currently making payments to the court or county for the eligible violation (applies to Amnesty Reduction option only).

I understand each of the following:

- I must pay the reduced balance owed in full at this time or comply with terms of the court-approved payment plan.
- I understand that I am responsible for an Amnesty Program fee of \$50 to be paid with my first payment.
- I understand if I default or stop making payments on my amnesty case, the remaining balance may be referred to the Franchise Tax Board or a third party for further collections.

Complete either Section A or B as directed:

A. I receive the following public assistance (include all that apply):

- Supplemental Security Income/SSI County Relief, General Relief, or General Assistance
- State Supplementary Payment/SSP CalWORKS
- Tribal Temporary Assistance (TANF) Cash Assistance Program / CAPI
- California Food Assistance Program or SNAP Medi-Cal
- In-Home Supportive Services (IHSS)

B. I certify the following:

My total gross monthly household income is \$ _____, and a total of _____ dependents live in the household.

I declare under penalty of perjury under the Laws of the State of California that the foregoing statements are true and correct to the best of my knowledge and belief. I understand if I do not provide correct information to determine the level of debt reduction, I may be responsible for an adjusted amount.

Signature _____

Date _____

COLLECTION PROGRAM USE ONLY

Citation due date: _____ Total outstanding balance: _____
 Citation number: _____ Amnesty payment due: _____

The County of _____ OR the Superior Court of _____ County has verified case eligibility for the amnesty program and has determined the following:

50% reduction _____ 80% reduction _____ Full Payment _____ Payment Plan _____ Driver's License Reinstatement _____

Certified by: _____

AMNESTY PROGRAM COLLECTIONS REPORT OCTOBER 1, 2015 TO MARCH 31, 2017

| Mandatory (Infraction) Amnesty Program | | | | |
|---|-----------------------|-------------------|------------------------|----------------|
| | No. Accounts Resolved | Revenue Collected | Program Operating Cost | Recovered Cost |
| October 2015 | | | | |
| November 2015 | | | | |
| December 2015 | | | | |
| January 2016 | | | | |
| February 2016 | | | | |
| March 2016 | | | | |
| April 2016 | | | | |
| May 2016 | | | | |
| June 2016 | | | | |
| July 2016 | | | | |
| August 2016 | | | | |
| September 2016 | | | | |
| October 2016 | | | | |
| November 2016 | | | | |
| December 2016 | | | | |
| January 2017 | | | | |
| February 2017 | | | | |
| March 2017 | | | | |
| TOTAL | 0 | \$0.00 | \$0.00 | \$0.00 |

| Optional (Misd.) Amnesty Program | | | | |
|---|-----------------------|-------------------|------------------------|----------------|
| | No. Accounts Resolved | Revenue Collected | Program Operating Cost | Recovered Cost |
| October 2015 | | | | |
| November 2015 | | | | |
| December 2015 | | | | |
| January 2016 | | | | |
| February 2016 | | | | |
| March 2016 | | | | |
| April 2016 | | | | |
| May 2016 | | | | |
| June 2016 | | | | |
| July 2016 | | | | |
| August 2016 | | | | |
| September 2016 | | | | |
| October 2016 | | | | |
| November 2016 | | | | |
| December 2016 | | | | |
| January 2017 | | | | |
| February 2017 | | | | |
| March 2017 | | | | |
| TOTAL | 0 | \$0.00 | \$0.00 | \$0.00 |

Court/County:

Completed by:

Title:

Phone No.:

Email:

| Additional Program Detail | | | | | | | | | | | | | | | | | | | |
|---------------------------|-----------------------|--------------------------------|--------------------------------|--------------------------------|-----------------------------------|-----------------------------------|--------------------------------|--------------------------------|-----------------------------------|-----------------------------------|-------------------------|---------------------------|------------------------------|---|---|--|--|---|--|
| Mandatory Amnesty Program | No. Accounts Eligible | Total Value: Eligible Accounts | Total Collected: One Pymt. 50% | No. Accounts: 50% Payment Plan | Total Collected: Payment Plan 50% | Ending Balance: 50% Payment Plans | Total Collected: One Pymt. 20% | No. Accounts: 20% Payment Plan | Total Collected: Payment Plan 20% | Ending Balance: 20% Payment Plans | No. Cases w/Civil Asst. | Total Waived: Civil Asst. | Average Age of Resolved Debt | No. Licenses Reinstated (DL Only Abstract) ¹ | No. Licenses Reinstated (PIF Abstract) ² | No. Payment Plan Defaults ³ | Value of Cases: "Court Satisfied" ⁴ | No. Cases Deemed Ineligible After Program Review ⁵ | |
| October 2015 | | | | | | | | | | | | | | | | | | | |
| November 2015 | | | | | | | | | | | | | | | | | | | |
| December 2015 | | | | | | | | | | | | | | | | | | | |
| January 2016 | | | | | | | | | | | | | | | | | | | |
| February 2016 | | | | | | | | | | | | | | | | | | | |
| March 2016 | | | | | | | | | | | | | | | | | | | |
| April 2016 | | | | | | | | | | | | | | | | | | | |
| May 2016 | | | | | | | | | | | | | | | | | | | |
| June 2016 | | | | | | | | | | | | | | | | | | | |
| July 2016 | | | | | | | | | | | | | | | | | | | |
| August 2016 | | | | | | | | | | | | | | | | | | | |
| September 2016 | | | | | | | | | | | | | | | | | | | |
| October 2016 | | | | | | | | | | | | | | | | | | | |
| November 2016 | | | | | | | | | | | | | | | | | | | |
| December 2016 | | | | | | | | | | | | | | | | | | | |
| January 2017 | | | | | | | | | | | | | | | | | | | |
| February 2017 | | | | | | | | | | | | | | | | | | | |
| March 2017 | | | | | | | | | | | | | | | | | | | |
| TOTAL | 0 | \$0.00 | \$0.00 | 0 | \$0.00 | \$0.00 | \$0.00 | 0 | \$0.00 | \$0.00 | 0 | \$0.00 | 0 | 0 | 0 | 0 | \$0.00 | 0 | |

| Additional Program Detail | | | | | | | | | | | | | | | | | | | |
|---------------------------|-----------------------|--------------------------------|-------------------------------|--------------------------------|-----------------------------------|-----------------------------------|-------------------------------|--------------------------------|-----------------------------------|-----------------------------------|-------------------------|---------------------------|------------------------------|---|---|--|--|---|--|
| Optional Amnesty Program | No. Accounts Eligible | Total Value: Eligible Accounts | Total Collected: One Pymt 50% | No. Accounts: 50% Payment Plan | Total Collected: Payment Plan 50% | Ending Balance: 50% Payment Plans | Total Collected: One Pymt 20% | No. Accounts: 20% Payment Plan | Total Collected: Payment Plan 20% | Ending Balance: 20% Payment Plans | No. Cases w/Civil Asst. | Total Waived: Civil Asst. | Average Age of Resolved Debt | No. Licenses Reinstated (DL Only Abstract) ¹ | No. Licenses Reinstated (PIF Abstract) ² | No. Payment Plan Defaults ³ | Value of Cases: "Court Satisfied" ⁴ | No. Cases Deemed Ineligible After Program Review ⁵ | |
| October 2015 | | | | | | | | | | | | | | | | | | | |
| November 2015 | | | | | | | | | | | | | | | | | | | |
| December 2015 | | | | | | | | | | | | | | | | | | | |
| January 2016 | | | | | | | | | | | | | | | | | | | |
| February 2016 | | | | | | | | | | | | | | | | | | | |
| March 2016 | | | | | | | | | | | | | | | | | | | |
| April 2016 | | | | | | | | | | | | | | | | | | | |
| May 2016 | | | | | | | | | | | | | | | | | | | |
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| July 2016 | | | | | | | | | | | | | | | | | | | |
| August 2016 | | | | | | | | | | | | | | | | | | | |
| September 2016 | | | | | | | | | | | | | | | | | | | |
| October 2016 | | | | | | | | | | | | | | | | | | | |
| November 2016 | | | | | | | | | | | | | | | | | | | |
| December 2016 | | | | | | | | | | | | | | | | | | | |
| January 2017 | | | | | | | | | | | | | | | | | | | |
| February 2017 | | | | | | | | | | | | | | | | | | | |
| March 2017 | | | | | | | | | | | | | | | | | | | |
| TOTAL | 0 | \$0.00 | \$0.00 | 0 | \$0.00 | \$0.00 | \$0.00 | 0 | \$0.00 | \$0.00 | 0 | \$0.00 | 0 | 0 | 0 | 0 | \$0.00 | 0 | |

¹ Number of case where *only* driver's license was reinstated, the individual did not qualify for the reduced amount under amnesty.

² Number of cases where the driver's license was reinstated and the individual paid the reduced balance amount under amnesty (either in one lump sum or installments).

³ Number of cases that were set-up on an amnesty installment payment plan and the individual defaulted.

⁴ Value of cases in which "the court is satisfied" via alternate sentencing; e.g., cases in which community service or other is permitted and the value reduced or waived.

⁵ Number of cases deemed ineligible based on the program's review of the individuals qualifications (e.g., eligibility criteria unmet).

Court/County:
 Completed by:
 Title:
 Phone No.:
 Email:



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on August 21, 2015

| | |
|---|--|
| Title | Agenda Item Type |
| Budget: Fiscal Year 2016–2017 Budget Proposals for Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center | Action Required |
| Rules, Forms, Standards, or Statutes Affected | Effective Date |
| None | August 21, 2015 |
| Recommended by | Date of Report |
| Martin Hoshino, Administrative Director | August 10, 2015 |
| Mr. Curt Soderlund, Chief Administrative Officer | Contact |
| Mr. Zlatko Theodorovic, Chief Financial Officer, Director of Finance | Zlatko Theodorovic, 916-263-1397 zlatko.theodorovic@jud.ca.gov |

Executive Summary

The delegated committees of the Judicial Council recommend approving fiscal year 2016-2017 budget proposals for the Supreme Court, Courts of Appeal, Judicial Council, Judicial Council Facility Program, Trial Courts, and Habeas Corpus Resource Center. In addition, the Judicial Council staff recommends delegating authority to the Administrative Director to make technical changes to any budget proposals, as necessary. Submittal of budget change proposals is the standard process for proposing funding adjustments in the State Budget, which must be submitted to the state Department of Finance by September 2, 2015.

Recommendation

Effective August 21, 2015, the following Judicial Council advisory committees and boards recommend that the Judicial Council approved the fiscal year 2016-2017 budget proposals for submission to the state Department of Finance:

1. The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch for Judicial Council and the Judicial Branch Facilities Program.
2. The Administrative Presiding Justices Advisory Committee for the Judicial Branch for the Supreme Court and Courts of Appeal.
3. The Trial Court Facility Modification Advisory Committee for the Judicial Branch Facilities Program.
4. The Trial Court Budget Advisory Committee for the Trial Courts.
5. The Habeas Corpus Resource Center board of directors for the Habeas Corpus Resource Center.

Further, the Administrative Director recommends that the Judicial Council:

6. Approve the fiscal year 2016-2017 budget proposal for Sustainability of the Immediate and Critical Needs Account for the Judicial Branch Facilities Program.
7. Delegate authority to the Administrative Director to make technical changes to budget change proposals (BCPs), as necessary.
8. Prioritize all approved BCPs for submission to the state Department of Finance as follows:
 1. Support for Trial Court Operations.
 2. New Appellate Court Justices.
 3. Court-Appointed Dependency Counsel.
 4. New Judgeships (Assembly Bill 159).
 5. Appellate Court-Appointed Counsel Cost Increases.
 6. Implementation of Language Access Plan.
 7. Court Case Management System V3 Replacement.
 8. Funding for Court-Provided Security.
 9. Sustainability of the Immediate and Critical Needs Account.
 10. Courthouse Operations Costs.
 11. Supreme Court Workload.
 12. Increased Operations costs for Existing and New/Renovated Courthouses.
 13. Judicial Branch Information Systems Control Enhancements.

14. Judicial Branch Risk Management Program—Trial Courts.
15. Green Pilot Projects.
16. Print and Online Subscriptions.
17. Case Staffing Teams.
18. Transfer of funding for East County Hall of Justice, Alameda Courthouse Project.

Previous Council Action

The Judicial Council has statutory authority to approve budget proposals on behalf of the Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center. The recommendations in this report are consistent with the council's past practice under this authority.

Rationale for Recommendation

Each year, the Judicial Council staff presents budget proposals for review by the council. Budget proposals approved by the council will be finalized into BCPs and required supporting documents.

Delegation of authority to make technical changes

If council staff receives additional information that requires technical changes to the funding requests identified in this report, BCPs being submitted to the Department of Finance may require modification. For some of the proposals included in this report, the actual amounts may change as updated information is received. Delegating authority to the Administrative Director to make minor adjustments to these proposals in advance rather than requesting that council staff return to the Judicial Council to seek authority to do so will facilitate a dynamic budget process. In addition, each year during the course of developing the State Budget, issues arise that may need to be addressed on short notice. In those instances, it is advisable for the Administrative Director to have the ability to update and add funding proposals in an efficient and flexible manner. All completed BCPs will be submitted to the chair of the Executive and Planning Committee.

Judicial Council Approval of budget proposals

Judicial Council approval is requested on the following 2016-17 budget proposals to address baseline resources for the state judiciary. The current estimated budgetary need is indicated in parentheses after the program titles.

Supreme Court and Courts of Appeal (\$TBD million).

New Appellate Court Justices. Proposed ongoing General Fund augmentation for two additional appellate court justices and their necessary chambers staff for Division Two of the Fourth Appellate District to meet substantial and growing workload demands. Division Two has an annual average of 1,165 appeals becoming fully briefed, resulting in a case weight of 119 cases per justice—far exceeding all of the other divisions. Adding two justices would reduce the

weighted workload to 93 weighted cases per justice—still above the optimal number of 89 cases per justice, and would prevent cases from being transferred from one division to another, which would pose a hardship for litigants who would bear the expense and burden of traveling to a distant division. It would also allow local issues to be decided in the geographic area in where the dispute arose.

Appellate Court-Appointed Counsel Cost Increases (\$TBD million):

- *Appellate Projects for the Courts of Appeal.* Proposed ongoing General Fund augmentation to increase the contract amounts for the appellate projects, which are responsible for administering the appointment of counsel by contract with the Courts of Appeal. The projects are responsible for managing the court-appointed counsel system in their respective districts and performing quality control functions. Each project oversees a panel of attorneys who receive appointments in the district. The projects are responsible for working with the panel attorneys to ensure that effective assistance is provided, ensuring continuity of quality, including reviewing claims for payment submitted by panel attorneys. Funding for the appellate projects comes almost entirely from their contracts with the Courts of Appeal, and despite significant increases in the cost of doing business; the projects have received no increases in the amounts of their contracts since 2007, while being held to the same required billable-hours and quality-of-service expectations.
- *California Appellate Project – San Francisco.* Proposed ongoing General Fund augmentation to support an increase in its contract with the California Appellate Project—San Francisco (CAP-SF), which provides assistance and oversight to the panel of private attorneys appointed in capital appeals and habeas corpus and clemency proceedings for indigent defendants. CAP-SF is also responsible for assisting unrepresented death row inmates by collecting and preserving records and evidence for later post-conviction use, and by providing advocacy needed before counsel is appointed. The funding would support significant increases in the cost of rent and staff benefits, new staff, salary increases, training, and increased costs for record collection and preservation.
- *Panel Attorneys.* Proposed ongoing augmentation of \$4.2 million General Fund to provide an increase of \$10 per hour (from \$85/95/105 to \$95/105/115) for court-appointed counsel representing indigent parties in appeals of criminal and juvenile matters before the California Courts of Appeal. This would be the first compensation increase since 2007. Recruiting competent court-appointed attorneys who are willing and able to make a career of representing indigent appellants and retaining these experienced attorneys are at the heart of a stable, efficient, and cost-effective court-appointed counsel program. The lack of compensation increases has affected the program’s recruitment and retention efforts and could jeopardize the constitutional obligation to provide effective assistance of counsel for indigent defendants.

Supreme Court Workload. Proposed ongoing augmentation of \$1.2 million General Fund for the Supreme Court’s budget to provide stable, permanent funding for six positions: one Senior Executive Judicial Assistant to the Chief Justice position, one Senior Legal Advisor position, and one critically-needed Legal Advisor IV position to support the Supreme Court Committee on Judicial Ethics Opinions, two Senior Supreme Court Attorney positions on the Supreme Court’s Capital Central Staff, and one Deputy Clerk position in the Capital Appeals Unit of its clerk’s office.

Print and Online Subscriptions. Proposed ongoing General Fund augmentation to address the increased costs of law library print and online resources for the California Judicial Center Library and the law libraries of the Courts of Appeal. The amount requested will represent observed and predicted increases in the costs of supplying libraries, judicial chambers, and staff collections in all court libraries and contractually required increases in the costs of providing access to the major online legal research services.

Trial Courts (\$TBD million):

Support for Trial Court Operations (\$TBD million).

- ***Funding for trial courts equal to 10 percent of the Workload-Based Allocation and Funding Methodology (WAFM) estimated funding need.*** Proposed ongoing augmentation of \$238.0 million General Fund for transfer to the Trial Court Trust Fund to provide 10 percent of the WAFM funding need. The WAFM provides a budget development and allocation process building on accepted measures of trial court workload and creating formulas to allocate funding to the trial courts in a more equitable manner. The process is designed to create a baseline funding formula for each court using identifiable, relevant, and reliable data consistently applied to all courts. The process is rooted in workload assessment, established by the Judicial Council–approved Resource Assessment Study (RAS) model which assesses court staffing needs using a three-year rolling average of filings weighted based on the workload associated with each case type that makes up the total filings. Using RAS and other identifiable cost drivers, WAFM estimates the funding need for each superior court. The allocation method is premised on identifying funding need for court operations and then comparing that amount to equivalent, available funding in order to help the state’s most under-resourced courts. Based on the 2015–2016 WAFM funding need estimate, total equivalent, available funding is only 71.6 percent to 80.4 percent of the funding need. The proposal requests 10 percent of the amount of funding needed by the courts based on the 2015–2016 WAFM estimate to reduce the gap between funding need and available funding.
- ***Cost-of-living adjustment for trial court employees consistent with increases to be provided to executive branch employees.*** Proposed ongoing General Fund augmentation for transfer to the Trial Court Trust Fund to provide a cost-of-living adjustment for trial court employees, similar to the increases received by the Executive branch agencies in 2014-2015 (2 percent) and 2015–2016 (2.5 percent).

Court-Appointed Dependency Counsel. Proposed ongoing augmentation of \$22.4 million General Fund for transfer to the Trial Court Trust Fund to support court-appointed dependency counsel workload. The 2015–2016 base budget for court-appointed dependency counsel is \$114.7 million, which includes an additional \$11 million in funding provided in the 2015 Budget Act. The need based on the current workload model is \$137.1 million—an ongoing need of \$22.4 million in new funding to address the costs for court-appointed counsel for parents and children. The new funding would enable the reduction of caseloads from the current rate of 250 clients per attorney to 188. The American Bar Association recommends 100 clients per attorney. New funding will be allocated—as approved by the Judicial Council at its April 17, 2015, meeting—to courts with a ratio of historical base funding to workload-based funding that is below the statewide ratio of total base funding required to meet the workload standard. Adequately funding effective counsel for parents and children has resulted in numerous benefits both for the courts and for children in foster care. Effective counsel can ensure that the complex requirements in juvenile law for case planning, notice, and timeliness are adhered to, thereby reducing case delays and improving court case processing and the quality of information provided to the judge. Unnecessary delays also result in children spending long periods of time in foster care, a situation that has improved greatly in the past few years through the courts’ focus on effective representation and adherence to statutory timelines.

New Judgeships (Assembly Bill 159). Proposed ongoing General Fund augmentation for transfer to the Trial Court Trust Fund for 12 new judgeships and necessary supporting staff. Although the second of three sets of 50 judgeships was authorized by the Legislature in Assembly Bill 159 (Stats. 2007, Ch. 722), funding was not appropriated and the judges were never appointed. In spring of 2015, the Budget Conference Committee approved \$7.8 million for 12 new judgeships, removing funding for court security costs from the \$10 million that Senate Subcommittee for Corrections, Public Safety and the Judiciary had approved earlier. The Legislature also proposed budget bill language that the allocation of 12 judgeships be based on the judicial workloads needs assessment, and placed in courtrooms that were active at the time of the 2011 Criminal Realignment Act but then subsequently closed, thereby not increasing the need for court security beyond the level already funded through the 2011 realignment. Although a General Fund augmentation was not included in the final 2015 Budget Act, this proposal would request funding for an additional 12 new judgeships based on the current Judicial Needs Assessment. The most current Judicial Needs Assessment, which was presented to the Judicial Council in December 2014, showed a need for 270 new judges. That assessment was based on filings data for 2010–2011 through 2012–2013. Although statewide filings have been declining, the decline (5 percent since the 2012 Judicial Needs Assessment) has tended to be in the types of cases that take less judicial time to adjudicate.

Implementation of Language Access Plan. Proposed one-time augmentation of \$945,000 General Fund to help support implementation of the *Strategic Plan for Language Access in the California Courts* (adopted by the Judicial Council on January 22, 2015). The requested funding would support the following items: (1) translation of Judicial Council forms and creation of

multilingual videos to assist limited-English-proficiency (LEP) court users, and (2) the work of the task force to conduct both business and community meetings, including the provision of interpreters and translated materials for LEP individuals attending or participating in said meetings, and consultant services to create work products.

In addition, staff is continuing to more fully flesh out the need for additional staff resources, and will present a more comprehensive request for staff support to the task force in time to submit a spring Finance Letter.

Court Case Management System V3 Replacement. Proposed one-time General Fund augmentation for transfer to the Trial Court Trust Fund to replace the Court Case Management System V3 with a vendor-supplied case management system in Orange, Sacramento, San Diego, and Ventura Counties. Because of the projected deficit in the Trial Court Improvement and Modernization Fund (IMF), the Judicial Council determined the need to eliminate funding from the IMF for the V3 Case Management System. Hence, by July 2019, the four identified courts will be responsible for self-funding their case management systems. CMS V3 is a robust application that automates processing for the civil, small claims, probate, and mental health case types. The cost to maintain and support CMS V3 from the IMF is comparatively high to support four courts. The courts have determined that to replace CMS V3 with a vendor-supplied CMS will be more cost-effective. Moreover, action by the Legislature in July 2012 prevents the branch from using funds to improve CMS V3, restricting funding to “maintenance and operations” unless approved by the Legislature. This action effectively prohibits the Judicial Council from developing and deploying any further significant automation to increase efficiencies for the courts, making CMS V3 a legacy system. Although ongoing support costs for a vendor CMS would be lower, the courts are unable to support the one-time deployment costs.

Funding for Court-Provided Security. Proposed ongoing General Fund augmentation for transfer to the Trial Court Trust Fund to address increased costs for court-provided (non-sheriff) security. When criminal justice realignment occurred in 2011, funding for sheriff-provided security was transferred to the counties. As a result, in July of 2011 trial court base budgets were reduced by the total amount for sheriff-provided security—\$484.6 million—while a total of \$41.0 million remained in the base budgets for the 39 courts with court-provided security costs (private security contracts, court attendants, marshals, and other costs such as alarm systems). Currently, county-provided sheriff security receives growth funding from the Trial Court Security Growth Special Account; however, courts have not received any funding for increased costs for private security contracts since 2010–2011. Courts do, however, receive funding for benefit adjustments for marshal and court security staff through the benefit funding process. This proposal would request a General Fund augmentation to address increased costs for court-provided (non-sheriff) security for the maintenance of funding at 2010–2011 security levels.

Judicial Branch Facilities Program (\$TBD million).

Sustainability of the Immediate and Critical Needs Account:

- *Replace \$50 million transfer from the Immediate and Critical Needs Account with General Fund to support trial court operations.* Proposed ongoing augmentation of \$50 million General Fund for transfer to the Trial Court Trust Fund to support trial court operations. Beginning with the 2013-14 fiscal year, \$50 million is transferred annually from the Immediate and Critical Needs Account to the Trial Court Trust Fund to support trial court operations. This request would eliminate the transfer from the Immediate and Critical Needs Account and replace it with \$50 million from the General Fund to provide the same level of funding to support trial court operations.
- *Replace funding from previous General Fund transfers from the Immediate and Critical Needs Account.* Proposed one-time augmentation of \$510 million General Fund for transfer to the Immediate and Critical Needs Account. During the recession, significant funds were transferred from the Immediate and Critical Needs Account to offset General Fund budget reductions that impacted trial court operations. In total, \$510.3 million was transferred to from the Immediate and Critical Needs Account to the General Fund (\$310.3 million in 2011-12 and \$200.0 million in 2013-14). Restoration of funds will also allow for cash funding – rather than financing – of construction projects with significant reductions to the overall cost of the SB 1407 courthouse construction program.

Courthouse Operations Costs:

- *Trial Court Facilities Operating Expenses.* Proposed ongoing augmentation of \$27.6 million General Fund for transfer to the Court Facilities Trust Fund to support 4.0 positions to maintain trial court facilities at industry standard levels using the Building Owners and Managers Association average.
- *Trial Court Facility Modification Projects.* Proposed ongoing augmentation of \$12.6 million General Fund for transfer to the State Court Facilities Construction Fund and 4.0 positions to ensure timely facility modification project implementation.
- *Facility Modification for the Michael Antonovich Antelope Valley Courthouse.* Proposed one-time augmentation of \$3.5 million from the Immediate and Critical Needs Account for a facility modification project for the Superior Court of Los Angeles County, Michael Antonovich Antelope Valley Courthouse.
- *Trial Court Security Equipment.* Proposed ongoing augmentation of \$3.905 million General Fund for transfer to the Court Facilities Trust Fund to maintain and replace camera, electronic access, and duress alarm and intrusion alarm systems in state trial court facilities

Increased Operations costs for Existing and New/Renovated Courthouses:

- ***Increase Operations Costs for Existing Courthouse Operations Costs.*** Proposed ongoing General Fund augmentation in 2016-2017 for transfer to the Trial Court Trust Fund for operations support costs that are allowable under California Rule of Court, rule 10.810.
- ***Increased Operations Costs for New/Renovated Courthouses.*** Proposed augmentation of \$3.6 million in 2016-2017 and \$4.4 million 2017-2018 and ongoing from the General Fund for transfer to the Court Facilities Trust Fund to address the increased facility operating costs for four newly constructed or renovated facilities in Merced, San Diego, San Joaquin, and Tehama counties, which will be opening in 2016-2017.

Judicial Branch Risk Management Program—Trial Courts. Proposed ongoing augmentation of \$3.931 million General Fund for transfer to the Court Facilities Trust Fund for facilities-related insurance premiums for effective risk management of trial court facilities. County facility payments provide \$2.934 million for insurance, and total property and liability costs associated with court facility operations are estimated at \$6.865 million. This request addresses the unfunded need. The Trial Court Facility Modification Advisory Committee supports this request.

Green Pilot Projects. Proposed one-time augmentation of \$5.250 million in 2016-2017 and \$5.25 million in 2017-2018 from Cap and Trade funds for up to six “green” pilot projects to further advance energy efficiency and water conservation efforts. Six courthouse facilities—the Marina Courthouse in Monterey County, Barstow Courthouse, San Bernardino Juvenile Dependency Courthouse, Amador County Courthouse, B.T. Collins Juvenile Justice Center in Sacramento, and Carol Miller— have all been identified as potential pilot projects. The Trial Court Facility Modification Advisory Committee supports this request.

Transfer of funding for East County Hall of Justice, Alameda Courthouse Project. Proposed transfer of \$903,000 annually from the Court Facilities Trust Fund to the Immediate and Critical Needs Account (ICNA) to support the financial plan for the construction of the Alameda County—New East County Hall of Justice. The transfer would be in place until the loan from the ICNA is fully paid off, which is estimated to occur in seven to eight years. This item was presented to the Trial Court Facility Modification Advisory Committee as an informational item. It was previously approved by the Judicial Council for submittal as a BCP in August 2008.

Judicial Council (\$3.2 million).

Judicial Branch Information Systems Control Enhancements. Proposed ongoing augmentation of \$3.2 million General Fund in 2016-2017 and \$2.0 million General Fund in 2017-2018 and ongoing for the initial implementation of a court information security program to ensure the security and reliability of court data. With the Judicial Branch Contract Law, enacted in 2011, the branch is now subject to biennial audits under which court procurement activities are inspected by the California State Auditor (Pub. Contract Code, § 19210). The auditors may also perform a general systems audit to assess the security and reliability of local court information

technology infrastructure and the data hosted on that infrastructure. On July 29, 2015, the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch reviewed this request as it pertains to Judicial Council funding and supports the submission of this BCP.

Habeas Corpus Resource Center (\$TBD million).

Case Staffing Teams. Proposed ongoing General Fund augmentation to create four additional legal case teams to accept additional appointments in death-penalty post-conviction cases. This proposal is necessary to reduce the increasing backlog of inmates on California’s death row who lack counsel for state habeas corpus proceedings. As of July 17, 2015, 358 inmates are without counsel, and nearly half of those inmates have waited for more than 10 years. In July 2014, a federal district court judge ruled that California’s failure to adequately fund the post-conviction process has rendered California’s capital punishment system arbitrary and thus unconstitutional. That order has been appealed, but the delays and concomitant constitutional violations will continue to worsen without additional funding for post-conviction counsel.

Comments, Alternatives Considered, and Policy Implications

An alternative to recommendations 6 is for the council staff to return to the Judicial Council before submission of the BCPs any time technical adjustments are necessary or unanticipated issues arise. This approach could cause delays in timely updating and submitting proposals, and for this reason, this alternative is not recommended. Council staff will report to the Judicial Council on changes made to the proposals in this report.

Implementation Requirements, Costs, and Operational Impacts

Not applicable.

Relevant Strategic Plan Goals and Operational Plan Objectives

The funding proposals requested for the appellate courts, Habeas Corpus Resource Center, Judicial Council, and Judicial Branch Facilities Program will address the strategic plan goals of Access, Fairness, and Diversity (Goal I); Modernization of Management and Administration (Goal III); and Quality of Justice and Service to the Public (Goal IV).

Attachments and Links

1. Attachment A: Department of Finance 2016–17 Budget Policy Letter #15-09, issued July 24, 2015

BUDGET LETTER

| | |
|--|---|
| SUBJECT: 2016-17 BUDGET POLICY | NUMBER: 15-09 DATE ISSUED: July 24, 2015 |
| REFERENCES: BL14-07, BL 15-01, AND BL15-05 | SUPERSEDES: 14-12 |

TO: Agency Secretaries
 Department Directors
 Department Chief Counsels
 Department Budget and Accounting Officers
 Department of Finance Budget and Accounting Staff

FROM: DEPARTMENT OF FINANCE

This Budget Letter sets forth the Governor's policy direction for his proposed 2016-17 Budget. As a reminder, BL15-05, issued May 27, 2015, outlines the technical and procedural requirements for preparation of the 2016-17 Governor's Budget.

Priorities

The Administration's overarching budget focus continues to be maintaining a structurally balanced budget that preserves critical state services and pays down state debts and obligations. Departments should seek to control costs and increase efficiency. Given the state's precarious fiscal balance and the expiration of Proposition 30 revenues, departments should refrain from creating new—or expanding existing—programs.

Budget Change Proposals (BCPs) and Enrollment/Caseload/Population (ECP) Policy

To maintain a structurally balanced budget, departments' ability to submit BCPs or ECP policy changes for the 2016-17 Budget remains limited.

Accordingly, departments (including those not under the Governor's direct authority) should limit BCPs or ECP policy changes for the 2016-17 Budget to the following circumstances:

- a. Statutory changes necessary for departments to manage within their budgets.
- b. Expected changes in programs' ECPs only as required under current law.
- c. Paying down state debts and liabilities.
- d. Reducing deferred maintenance.
- e. Existing or ongoing Information Technology (IT) projects.
- f. Existing or ongoing Capital Outlay projects.
- g. New Capital Outlay projects, if critical, such as fire, life, safety, or court-ordered projects.
- h. Cost-cutting measures or implementing efficiencies to offset unavoidable costs.
- i. Improved budgeting practices related to zero-base budgeting, performance measures, and other efforts as directed by Executive Order B-13-11.

In the event there is a critical need that does not meet the criteria outlined above and the agency secretary believes a new BCP or ECP adjustment is needed to address problems a department will or is encountering, contact your Finance Program Budget Manager before the BCP or ECP due date. **I strongly encourage you to work collaboratively with your Finance Program Budget Manager on a plan for prioritizing your budget requests.**

Departments should assess whether statutory changes (including budget bill language) are necessary to effectuate any BCP or ECP change that is submitted. If statutory changes are necessary, the department's BCP or ECP proposal must include a copy of the proposed legislation. This requirement is necessary for Finance to comply with its obligations under Government Code §13308 to submit proposed statutory changes to the Legislature, through the Legislative Counsel. BCPs, including requests for Budget Bill language changes, must be submitted to Finance no later than **September 2, 2015**. Contact your Finance Budget Analyst for ECP due dates.

FI\$Cal Wave 1 and 2 departments will enter or upload information directly into the new FI\$Cal System for 2016-17 BCPs and ECP changes and all non-Wave 1 and 2 departments will use the BCP template. Departments must use the July 2015 version of the BCP template, which has been posted on the Finance website and reflects the latest chart of account codes and several enhancements. Do not use older versions of the BCP template. The older versions contain outdated chart of account codes that will not upload properly to Hyperion. Departments may obtain the updated forms on the Finance website: <http://www.dof.ca.gov/budgeting/forms/view.php>

Position Budget Transparency

Pursuant to the 2015-16 Budget, Government Code section 12439 was repealed. Departmental positions remaining vacant for six or more consecutive months will no longer be abolished. To improve budget transparency, Finance is implementing a new budget process and departmental budget display for the Governor's Budget which more accurately captures departments' true expenditures for personal services, staff benefits, and operating expenses and equipment. As part of this new budget process, departments will retain authorized positions and, if necessary, funding will be shifted to the appropriate expenditure category. The new process will be part of the 2016-17 budget development process and instructions will be provided in a forthcoming budget letter.

Budget Confidentiality

Information contained in BCPs and ECP proposals are an integral part of the Governor's deliberation process. Accordingly, proposals must be treated as privileged and confidential until and unless the proposal is released to the Legislature as part of the Governor's Budget, the April 1 Finance Letter process, or the May Revision. Disapproved, unapproved, and draft BCPs or ECP changes (i.e., proposals not released to the Legislature) remain confidential indefinitely, and may not be released. Final BCPs are those that contain a Finance supervisor's signature/approval attesting that the BCP has been submitted to the Legislature.

Questions about Public Records Act or litigation discovery requests for budget documents should be directed to department legal staff and, if necessary, to Finance legal staff.

If you have any questions about this Budget Letter, please contact your Finance budget analyst.

/s/ Michael Cohen

MICHAEL COHEN
Director



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courtinfo.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on August 21, 2015

| | |
|---|--|
| Title | Agenda Item Type |
| Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code, § 68106— Report No. 33) | Information Only |
| | Date of Report |
| | August 6, 2015 |
| Submitted by | Contact |
| Jody Patel, Chief of Staff Pam Reynolds, Manager Leadership Services Division | Pam Reynolds, 916-263-1462 pam.reynolds@jud.ca.gov |

Executive Summary

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 33rd report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, one superior court—Sutter County—has issued a revised notice.

Previous Council Action

In 2010, the Legislature enacted a Judiciary Budget Trailer Bill with fee increases and fund transfers for the courts that also added section 68106 to the Government Code.¹ Section 68106 requires trial courts to notify the public and the Judicial Council in advance of any closures or reductions in service, and the council in turn to post all such notices on its website and report them to the Legislature. Since the enactment of section 68106, a total of 48 courts have issued

¹ Sen. Bill 857; Stats. 2010, ch. 720, § 13. Attachment A contains the full text of Government Code section 68106, as amended effective January 1, 2011, and June 27, 2012.

notice under its requirements.² The Judicial Council has received 32 prior informational reports listing such notices as they have been received.

Notice Received From One Court Since Last Report

This is the 33rd report provided to date on trial court notices submitted under Government Code section 68106. Since the previous report, the Judicial Council has received one revised notice of closure or reduced hours:

1. In June of this year, the Superior Court of **Sutter County** provided notice of permanent closure of the Sutter County Courthouse, located at 446 Second Street and 463 Second Street in Yuba City, effective August 28, 2015. The court has now provided a **revised** notice advising that effective October 2, 2015, at 12:00 p.m., the Sutter County Courthouse located at 446 Second Street and 463 Second Street in Yuba City will permanently close. Public services currently available at the Sutter County Courthouse will be relocated to the new Sutter County Courthouse at 1170 Civic Center Boulevard in Yuba City. Public services will resume at the new Sutter County Courthouse on October 5, 2015, at 8:30 a.m.

The Sutter County Courthouse located at 446 Second Street and 463 Second Street in Yuba City will be temporarily closed from 10:00 a.m. to 12:00 p.m. on August 24, 2015, to permit court staff to attend the dedication ceremony for the new Sutter County Courthouse.

A drop box for depositing documents to be filed with the clerk will be provided either at the security station at 446 Second Street, Yuba City or at the security station at 463 Second Street, Yuba City on the following dates and times: (**Attachment B**)

- August 24, 2015, between the hours of 10:00 a.m. and 12:00 p.m.
- October 2, 2015, between the hours of 12:00 p.m. and 4:30 p.m.

Mandate in Government Code Section 68106

In providing fee increases and fund transfers for the courts in the Judiciary Budget Trailer Bill in 2010, the Legislature expressly declared its intention that trial courts remain open to the public on all days that are not judicial holidays and that access to court services for civil litigants be preserved to the extent practicable. Statements in Government Code section 68106 affirmed this intent, and the recent amendment of the statute strengthened it.

Section 68106 imposes the following requirements on trial courts and the Judicial Council:

² All courts' notices are listed and posted at www.courts.ca.gov/12973.htm. Some courts have given more than one notice.

- Trial courts must provide written notice to the public at least 60 days before closing any courtroom or closing or reducing the hours of clerks' offices, although "[n]othing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions."³ The trial court is to provide this notice "by conspicuous posting within or about its facilities, on its public Internet Web site, by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council"⁴ The notice must describe the scope of the closure or reduction in hours, state the financial constraints or other reasons that make the closure or reduction necessary, and invite public comment.⁵ Courts expressly are *not* obligated to respond to comments received.⁶ If a court changes its plan "as a result of the comments received or for any other reason" during the 60-day notice period, it must "immediately provide notice to the public" by posting and distributing "a revised notice" using the procedure previously described, including distribution to the council.⁷ The change in plan does not require notification, however, beyond the original 60-day period.⁸
- The Judicial Council must, within 15 days of receiving a notice from a trial court, "conspicuously" post the notice "on its Internet Web site" and forward a copy to the chairs and vice-chairs of both houses' Committees on the Judiciary, the chair of the Assembly Committee on Budget, and the chair of the Senate Committee on Budget and Fiscal Review.⁹

Implementation Efforts

Judicial Council staff notified all trial court presiding judges and court executive officers of the enactment of this statutory mandate, and the Judicial Council Legal Services (LS) staff provided legal guidance to help courts comply with the requirements of the statute. Trial courts have been requested to e-mail such notices to Debora Morrison, LS Senior Attorney, who has provided legal review of the courts' notices since Government Code section 68106 first took effect in 2010.

To fulfill the Judicial Council's obligations under section 68106, the Judicial Council staff has placed on the home page of the California Courts website a prominent link to the Reduced Court Services page (www.courts.ca.gov/12973.htm), which contains a summary of Government Code section 68106 and all notices received from trial courts about closures of courtrooms or clerks' offices or reductions in clerks' office hours. Since the previous report to the council, the notices from the courts detailed above have been added to the web page. The Judicial Council staff has also forwarded the notices from these courts to the designated legislative leaders.

³ Gov. Code, § 68106(c).

⁴ *Id.*, § 68106(b)(1).

⁵ *Id.*, § 68106(b)(1), (2)(A).

⁶ *Id.*, § 68106(b)(2)(B).

⁷ *Id.*, § 68106(b)(3).

⁸ *Id.*, § 68106(b)(2)(A).

⁹ *Id.*, § 68106(b)(3).

Attachments

Attachment A: Government Code section 68106

Attachment B: Notice from the Superior Court of Sutter, July 30, 2015

Government Code section 68106:

(a) (1) In making appropriations for the support of the trial courts, the Legislature recognizes the importance of increased revenues from litigants and lawyers, including increased revenues from civil filing fees. It is therefore the intent of the Legislature that courts give the highest priority to keeping courtrooms open for civil and criminal proceedings. It is also the intent of the Legislature that, to the extent practicable, in the allocation of resources by and for trial courts, access to court services for civil litigants be preserved, budget cuts not fall disproportionately on civil cases, and the right to trial by jury be preserved.

(2) Furthermore, it is the intent of the Legislature in enacting the Budget Act of 2010, which includes increases in civil and criminal court fees and penalties, that trial courts remain open to the public on all days except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115.

(b)(1) A trial court shall provide written notification to the public by conspicuous posting within or about its facilities, on its public Internet Web site, and by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council, not less than 60 days prior to closing any courtroom, or closing or reducing the hours of clerks' offices during regular business hours on any day except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115. The notification shall include the scope of the closure or reduction in hours, and the financial constraints or other reasons that make the closure or reduction necessary.

(2)(A) The notification required pursuant to paragraph (1) shall include information on how the public may provide written comments during the 60-day period on the court's plan for closing a courtroom, or closing or reducing the hours of clerks' offices. The court shall review and consider all public comments received. If the court plan for closing a courtroom, or closing or reducing the hours of clerks' offices, changes as a result of the comments received or for any other reason, the court shall immediately provide notice to the public by posting a revised notice within or about its facilities, on its public Internet Web site, and by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council. Any change in the court's plan pursuant to this paragraph shall not require notification beyond the initial 60-day period.

(B) This paragraph shall not be construed to obligate courts to provide responses to the comments received.

(3) Within 15 days of receipt of a notice from a trial court, the Judicial Council shall conspicuously post on its Internet Web site and provide the chairs and vice chairs of the Committees on Judiciary, the Chair of the Assembly Committee on Budget, and the Chair of the Senate Committee on Budget and Fiscal Review a copy of any notice received pursuant to this subdivision. The Legislature intends to review the information obtained pursuant to this section to ensure that California trial courts remain open and accessible to the public.

(c) Nothing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions.



M. B. TODD
COURT EXECUTIVE OFFICER

SUPERIOR COURT OF CALIFORNIA COUNTY OF SUTTER

Courthouse West, 446 Second Street, Yuba City, CA 95991

Administration

(530) 822-3309 FAX: (530) 822-3509

REVISED

PUBLIC NOTICE CALIFORNIA GOVERNMENT CODE SECTION 68106

7/30/15

NOTICE OF CLOSURE AND RELOCATION

Effective October 2, 2015 at 12:00 p.m., the Sutter County Courthouse located at 446 Second Street and 463 Second Street in Yuba City will be permanently closed. Public services currently available at the Sutter County Courthouse will be relocated to the new Sutter County Courthouse at 1175 Civic Center Boulevard in Yuba City. Public services will resume at the new Sutter County Courthouse on October 5, 2015 at 8:30 a.m.

The Sutter County Courthouse located at 446 Second Street and 463 Second Street in Yuba City will be temporarily closed from 10:00 a.m. to 12:00 p.m. on August 24, 2015, to permit court staff to attend the dedication ceremony for the new Sutter County Courthouse.

Pursuant to California Rules of Court, Rule 2.210, a drop box for depositing documents to be filed with the clerk will be provided either at the security station at 446 Second Street, Yuba City or at the security station at 463 Second Street, Yuba City on the following dates and times:

August 24, 2015 between the hours of 10:00 a.m. and 12:00 p.m.

October 2, 2015 between the hours of 12:00 p.m. and 4:30 p.m.

As a part of the Judicial Branch of government, the Superior Court receives its annual budget allocation through the Judicial Council of California, an entity of the State. The Judicial Council is also responsible for the construction and maintenance of Court facilities throughout the State. The Council has undertaken construction of a new courthouse in order to better serve the residents of Sutter County. This facility is funded in its entirety by Civil and Criminal Court user fees as provided for by SB1407 (2008).

All services previously offered at the Sutter County Courthouse will be available at the new Sutter County Courthouse, located at 1175 Civic Center Boulevard in Yuba City. The Sutter County Courthouse will have office hours of 8:30 a.m. to 4:30 p.m. Monday through Friday, excluding Judicial Holidays.

Any written comments related to this notice may be made through the Court's website: www.suttercourts.com.