



JUDICIAL COUNCIL OF CALIFORNIA

JUDICIAL BRANCH BUDGET
COMMITTEE

JUDICIAL BRANCH BUDGET COMMITTEE

MATERIALS FOR MARCH 18, 2019

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CLOSED SESSION

Item 1 – Innovations Grant Program



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JUDICIAL BRANCH BUDGET COMMITTEE

NOTICE AND AGENDA OF OPEN IN-PERSON MEETING WITH CLOSED SESSION

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.75(c)(1), (d), and (e)(1))

OPEN PORTION OF THIS MEETING IS BEING RECORDED

Date:	March 18, 2019
Time:	10:00 a.m. – 2:00 p.m.
Location:	455 Golden Gate Avenue, San Francisco, California 94102 3 rd Floor, Sequoia Room
Public Call-In Number:	1-877-820-7831; passcode 6677064 (Listen Only)

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

Members of the public seeking to make an audio recording of the open meeting portion of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to JBBC@jud.ca.gov.

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

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

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the January 15, 2019 and September 20, 2018 (as amended), Judicial Branch Budget Committee meetings.

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

In-Person Public Comment

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least 30 minutes prior to the meeting start time. The Chair will establish speaking limits

at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to JBBC@jud.ca.gov or mailed or delivered to Judicial Council, 455 Golden Gate Avenue, San Francisco, California 94102, attention: Ms. Lucy Fogarty. Only written comments received by 10:00 a.m., Friday, March 15, 2019, will be provided to advisory body members prior to the start of the meeting.

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

Item 1

2018-19 \$10 Million Emergency Reserve Funding Request (Action Required)

Request from the Humboldt Superior Court for funds from the \$10 Million Emergency Reserve.

Presenter(s)/Facilitator(s): Mr. Michael M. Roddy, Superior Court of California,
County of San Diego

Item 2

2020-21 Initial Funding Requests (Action Required)

Review of 2020-21 Initial Funding Requests.

Presenter(s)/Facilitator(s): Hon. David M. Rubin, Chair

IV. ADJOURNMENT

Adjourn to Closed Session

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

Item 1

Innovations Grant Program (Cal. Rules of Court, Rule 10.75(d)(9))

Review and discussion of the contingency fund and requests from grantees regarding Innovations Grant Program.

Presenter(s)/Facilitator(s): Ms. Marcela Eggleton, Supervising Analyst, Special
Projects, Leadership Support Services

Adjourn Closed Session



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JUDICIAL BRANCH BUDGET COMMITTEE

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JUDICIAL BRANCH BUDGET COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

January 15, 2019

1:30 p.m. – 3:00 p.m.

455 Golden Gate Avenue, San Francisco, California 94102 3rd Floor, Farallon Room

Advisory Body Members Present: Hon. David M. Rubin, Chair; Hon. Kyle S. Brodie, Vice-Chair; Hon. Marla O. Anderson; Hon. C. Todd Bottke; Hon. Brad R. Hill; Hon. Harold W. Hopp; Hon. Ann Moorman; Mr. Michael M. Roddy; Ms. Andrea K. Wallin-Rohmann

Advisory Body Members Absent: None

Others Present: Hon. Nathan D. Mihara; Hon. Jon B. Streeter; Hon. Jennifer R.S. Detjen; Ms. Lucy Fogarty; Mr. Zlatko Theodorovic; Mr. John Wordlaw; Ms. Marcela Eggleton; Ms. Christy Simons

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 1:30 p.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the October 17, 2018 and November 14, 2018, Judicial Branch Budget Committee meetings.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1 Telephonic Appearance Fees in Civil Cases

Consider whether to recommend circulation of proposed legislative changes to update the statutory framework for telephonic appearance fees.

Action:

The committee reviewed and discussed the proposal and voted to recommend that it circulate for public comment.

ADJOURNMENT

There being no further open meeting business, the meeting was adjourned at 1:50 p.m.

C L O S E D S E S S I O N

**Item 1 Innovations Grant Program
(Cal. Rules of Court, Rule 10.75(d)(9))**

Adjourned closed session at 2:50 p.m.

Approved by the advisory body on enter date.

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Judicial Branch Budget Committee



(Action Item)

Title: 2018-19 \$10 Million Emergency Reserve Funding Request, Humboldt Superior Court

Date: 2/7/2019

Contact: Melissa Ng, Senior Budget Analyst, Budget Services
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Issue

In January 2018, the Superior Court of Humboldt discovered that its acetate microfilm stock had started deteriorating and was becoming unusable. The court is requesting emergency funding in the amount of \$117,124 to expeditiously digitize 1,857 reels of film in order to avoid losing case file information. The court has been operating with a structural budget deficit and cannot afford this additional unanticipated expense.

Background

Government Code section 68502.5(c)(2)(B) requires the Judicial Council to establish a process for trial courts to apply for emergency funding from the \$10 million state-level reserve (see Attachment A). The \$10 million state-level reserve is held within the Trial Court Trust Fund and is available to trial courts for supplemental funding for unavoidable shortfalls, unforeseen emergencies, or unanticipated expenses for existing programs.

Effective October 27, 2016, the Judicial Council implemented its policy on the \$10 Million state-level reserve, which includes, but is not limited to, the following criteria for courts to apply for emergency funding:

1. Allows only trial courts that are projecting a current-year negative fund balance to apply for emergency funding;
2. Defines emergency funding as funding for “unavoidable shortfalls, unforeseen emergencies, and or unanticipated expenses for existing programs;”
3. Requires the request be for either a loan or one-time funding, but not for ongoing funding;
4. Requires the submission, review and approval process to be submitted to the Judicial Council for consideration;
5. Requires requests for emergency funding approved by the council after April 1 of any given fiscal year to be distributed to the court as a cash advance loan until the following

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Report to the Judicial Branch Budget Committee



fiscal year when the court, if necessary, could apply for emergency funding in the new fiscal year in order to repay the cash advance loan; and

6. Requires the replenishment of the reserve to occur on an annual basis as a pro rata reduction to each trial courts' beginning base allocation the following fiscal year.

Attachment B provides the Judicial Council's policy on the \$10 Million State-Level Reserve process.

Application for Emergency Funding

The court's requested amount of \$117,124 is based on the winning bid on a Request for Proposal conducted for the project to digitize court records. A cash advance against the court's 2019-20 allocation was not considered because the court is projecting a 7% budget deficit for 2019-20 and would be unable repay the advance. Due to a 40 percent decrease in civil assessment revenue (approximately \$400,000) from 2014-15 to 2017-18, the court has been balancing its budget with salary savings and other one-time funding sources. The court also continues to operate under reduced hours of public service and has eliminated or held authorized positions vacant in order to offset cost of living adjustments.

Additionally, it is requested that the Judicial Council policy requiring emergency funding approved after April 1 be distributed as a cash advance be waived when considering this request. Per policy, submission of a baseline budget (Schedule 1) must precede an emergency funding application. The allocation of \$75 million in discretionary funding provided in the Budget Act of 2018 was approved by the Judicial Council September 21, 2018, which delayed the submission of Schedule 1 budgets by trial courts until November 7, 2018. Because of this, the court was unable to submit their emergency funding application in time to meet the deadlines to be considered before the Judicial Council May 16-17 business meeting.

Attachment C provides Humboldt Superior Court's application for emergency funding.

Ad Hoc Court Executives Working Group

The working group has reviewed Humboldt Superior Court's application for emergency funding and has met twice to discuss the request. The working group initially raised concerns whether the court has fully utilized its replacement of 2% automation fund allocation, and whether back up records were available and intact. Humboldt Superior Court responded that the replacement of 2% automation funds has been fully reserved for costs related to their case management system in the current fiscal year. Additionally, funds allocated for replacement of 2% automation have been fully spent in previous years. The court has also confirmed that both the backup film and originals are stored in the same facility, which has resulted in deterioration and potential loss of both sets. However, the court does understand the need for offsite storage of backup records and agrees that these records should be moved to a separate site. The court has also noted that they have already experienced some loss of court records that have become unreadable. Based on this

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information, the working group has determined that the Superior Court of Humboldt has demonstrated the need for emergency funding in order to preserve court records that would otherwise be destroyed.

Recommendation

1. Approve a recommendation to the Judicial Council to provide emergency funding of \$117,124 from the \$10 million state-level reserve for the Superior Court of Humboldt to digitize and convert court records, contingent upon a plan to house original records and backup records in different facilities.
2. Waive the requirement that approved emergency funding be distributed as a cash advance loan.

Attachments

Attachment A: Government Code Section 68502.5(c)(2)(B)

Attachment B: Judicial Council \$10 Million State-Level Reserve Policy

Attachment C: Superior Court of California, Humboldt Application for Emergency Funding

Government Code section 68502.5(c)(2)(B)

(B) The Judicial Council shall hold a reserve of ten million dollars (\$10,000,000) in the Trial Court Trust Fund to be available to trial courts for emergencies. The funding shall be administered by the Judicial Council, and any funding allocated shall be replenished on an annual basis from the trial court base allocations. The Judicial Council shall establish a process for trial courts to apply for emergency funding.



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 27–28, 2016

Title

Trial Court Budget: \$10 Million State-Level Reserve Process

Agenda Item Type

Action Required

Effective Date

October 27, 2016

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

October 13, 2016

Recommended by

Judicial Branch Budget Committee
Hon. David M. Rubin, Chair

Contact

Lucy Fogarty, 415-865-7587
lucy.fogarty@jud.ca.gov

Executive Summary

Government Code section 68502.5(c)(2)(B) requires the Judicial Council to establish a process for trial courts to apply for emergency funding from the newly established \$10 million state-level reserve, which replaces the 2 percent state-level reserve. Government Code section 68502.5(c)(2)(C) requires a report to the Legislature, pursuant to section 9795, and to the Department of Finance no later than October 1 of each year detailing all requests and allocations made for the preceding year. The Judicial Branch Budget Committee recommends that the Judicial Council approve the updated process for requesting emergency funding.

Recommendation

The Judicial Branch Budget Committee is unanimously recommending that the Judicial Council adopt the following recommendations effective immediately:

1. **Emergency Funding Request Process.** The process, criteria, and required information for requesting emergency funding as developed from the previous Judicial Council–approved process for the 2 percent state-level reserve and incorporating updates as related to the new statute are as follows:

- a) Allow only trial courts that are projecting a current-year negative fund balance to apply for emergency funding;
- b) Define emergency funding as funding “for unavoidable shortfalls, unforeseen emergencies, or unanticipated expenses for existing programs;”
- c) Require that a request be for either a loan or one-time funding, but not for ongoing funding;
- d) Require the submission, review, and approval process to be:
 - i. All requests will be submitted to the council for consideration;
 - ii. Requests will be submitted to the Administrative Director, Judicial Council, by either the court’s presiding judge or court executive officer;
 - iii. The Administrative Director, Judicial Council, will forward the request to the Director of Budget Services, Judicial Council;
 - iv. Judicial Council Budget Services staff will review the application for completeness, submit the application to the ad hoc court executives’ work group for review and contact with the requesting court, and issue a report to the Judicial Branch Budget Committee;
 - v. The Judicial Branch Budget Committee will review the request and make a recommendation for Judicial Council consideration;
 - vi. The final report will be provided to the requesting court prior to the report being made publicly available on the California Courts website; and
 - vii. The requesting court may send a representative to the council meeting to present its request and respond to questions from the council.
- e) Authorize courts to submit requests for emergency funding only after a proposed baseline budget (Schedule 1) has been submitted by the court;
- f) Allow requests submitted to the Administrative Director, Judicial Council, to be considered at the next regularly scheduled council meeting following the time necessary to review the application;
- g) Require replenishment of the reserve to occur on an annual basis as a pro rata reduction to each trial courts’ beginning base allocation the following fiscal year;

- h) Require requests for emergency funding approved by the council after April 1 of any given fiscal year to be distributed to the court as a cash advance loan until the following fiscal year when the court, if necessary, could apply for emergency funding in the new fiscal year in order to repay the cash advance loan;
- i) Require the following information be submitted by courts when requesting emergency funding:
 - i. a description of what factors caused or are causing the need for funding;
 - ii. if emergency funding was received in the prior year, identify the amount and explain why funding is needed in the current year;
 - iii. if requesting a one-time distribution, an explanation of why a loan would not be appropriate;
 - iv. current status of court fund balance;
 - v. three-year history of year-end fund balances, revenues, and expenditures;
 - vi. current detailed budget projections for the current fiscal year (e.g., 2016–2017), budget year (e.g., 2017–2018), and budget year plus 1 (e.g., 2018–2019);
 - vii. measures the court has taken in the last three years regarding revenue enhancement and/or expenditure reduction, including layoffs, furloughs, reduced hours, and court closures;
 - viii. employee compensation practices (e.g., cost-of-living adjustments) and staffing levels for the past five years;
 - ix. description of the consequences to the court’s operations if the court does not receive funding;
 - x. description of the consequences to the public and access to justice if the court does not receive funding;
 - xi. what measures the court will take to mitigate the consequences to court operations, the public, and access to justice if funding is not approved;
 - xii. five years of filing and disposition numbers;
 - xiii. most recent audit history and remediation measures; and

- xiv. an expenditure/revenue enhancement plan that identifies how the court will resolve its ongoing funding issue if the request for emergency funding is not for a one-time concern.
 - j) Include the condition that the council will consider appropriate terms and conditions that courts must accept in order to receive emergency funding; and
 - k) Require courts that are allocated emergency funding to return the amount that is not needed, if a court determines during the fiscal year that some or all of the allocation is no longer needed due to changes in revenues and/or expenditures.
2. ***Application and Instructions for Emergency Funding.*** The amendment of the Application for Supplemental Funding Form (Attachment E) allowing trial courts to apply for cash advances, loans, and one-time emergency funding, and the corresponding Instructions for Applying for Supplemental Funding (Attachment F), to incorporate recommended changes as necessary, to include templates for each application requirement, and extend the application to include a requirement for courts to elaborate on why 57 courts should assist in funding the request through a pro rata base allocation deduction the following fiscal year.
 3. ***Ad Hoc Court Executives Working Group.*** The establishment of an ad hoc court executives working group, the membership of which will be the court executive officer member of the Judicial Branch Budget Committee, and two other court executive officers appointed by the Chief Justice. The working group will review completed applications and follow up with requesting courts as necessary prior to submitting a report to the Judicial Branch Budget Committee for review. In the event a court executive officer currently on the ad hoc working group is from a requesting court, then an alternate court executive officer will be appointed by the Chief Justice for the purposes of that review.
 4. ***Technical Adjustments and Reporting Requirements.*** Judicial Council Budget Services staff are to have the authority to make technical adjustments to the process and application for requesting emergency funding as needed, and draft and submit the required report to the Legislature following current processes in place by the October 1 deadline for all requests and allocations made in the preceding year.

Previous Council Action

Before the enactment of Senate Bill 1021 (Stats. 2012, ch. 41) on June 27, 2012, Government Code section 77209(b) required the Judicial Council to set aside—in the Trial Court Improvement Fund until March 15—one half of the 1 percent transfer from the Trial Court Trust Fund (TCTF) for allocation only for “urgent needs.” At the Judicial Council’s meeting on October 28, 2011, the Supplemental Funding Working Group presented a recommendation to revise, update, and streamline the forms, processes, and criteria related to requests for supplemental funding for urgent needs then in effect. The working group recommended consolidating the process into a single form and revising the criteria for applying for

supplemental funding and evaluating the requests. The Judicial Council, effective October 28, 2011, adopted many of the recommendations to update the criteria and process for seeking urgent needs funding, and made several other decisions (Attachment A).

On June 27, 2012, the Governor signed into law Senate Bill 1021, which repealed the provisions in Government Code section 77209 related to urgent needs funding from the Trial Court Improvement Fund (TCIF) and added Government Code section 68502.5 (Attachment B), which required that the Judicial Council set aside as a reserve an amount equal to 2 percent of the TCTF appropriation in Program 45.10. The funds must be used to establish a state-level reserve fund that may be allocated to trial courts for unavoidable shortfalls, unforeseen emergencies, or unanticipated expenses for existing programs.

The Trial Court Budget Working Group (TCBWG) at its meeting on July 17, 2012, established the 2% State-level Reserve Subcommittee to address criteria and a process for allocating the reserve. The 2% State-Level Reserve Subcommittee developed a recommendation to revise the existing process, criteria, and required information for requesting supplemental funding for urgent needs under Government Code section 77209, so that it implemented the provision of Government Code section 68502.5. At its meeting on August 22, 2012, the TCBWG adopted the recommendation of the subcommittee and added several other recommendations for consideration by the Judicial Council. In response to this new statute, the Judicial Council, at its August 31, 2012 meeting, approved a policy with regard to the process, criteria, and required information for requesting supplemental funding from the reserve (Attachment C). This process modified what was approved by the council at its October 28, 2011 meeting as it related to requests for supplemental funding for urgent needs from the TCIF.

On June 27, 2014, the Judicial Council approved a 2015–2016 Budget Change Proposal (BCP) for changes to the statutory language regarding the 2 percent TCTF reserve. The Trial Court Budget Advisory Committee (TCBAC), formerly TCBWG, was to reevaluate the entire 2 percent TCTF reserve and allocation process. If the result of the evaluation was to recommend to the council that the process should be changed—for example, a change in the date for allocating the remaining funding to the courts—a BCP to change the language of the statute would need to be submitted to the Department of Finance (DOF).

On October 28, 2014, the Judicial Council approved changes to the Judicial Council–approved process for the allocation of the 2 percent state-level reserve in the TCTF in an effort to assist trial courts with cash management (Attachment D). In 2014–2015, approval was made to expedite the distribution of 75 percent of unexpended reserve funds to trial courts earlier in the fiscal year with the remainder distributed after March 15, to allow courts to apply for a cash advance loan for funding emergencies after the reserve funds have been distributed. The Judicial Council also approved the TCBAC recommendation to propose amendments to the statute that established the 2 percent state-level reserve for 2015–2016.

On June 27, 2016, Government Code section 68502.5 was amended to require the Judicial Council to hold a reserve of \$10 million in the TCTF to be available to trial courts for emergencies (Attachment B). The funding shall be administered by the Judicial Council, and any funding allocated shall be replenished on an annual basis from the trial court base allocations. In addition, the Judicial Council is required to report annually to the Legislature and the DOF, no later than October 1, all requests and allocations made for the preceding year.

Rationale for Recommendation

Recommendation 1: Emergency Funding Request Process

At its September 28, 2016 meeting, the Judicial Branch Budget Committee discussed options and recommendations brought forward by its Statewide Reserve Subcommittee to change the current Judicial Council–approved process for the allocation of the 2 percent state-level reserve in the TCTF into a \$10 million state-level reserve process in accordance with the new statute.

The process, criteria, and required information for requesting supplemental funding from the former 2 percent state-level reserve was looked upon in the development of a recommendation for the \$10 million state-level reserve in an effort to maintain as much consistency as possible while incorporating updates as related to the new statute. This includes keeping the definition for “urgent needs” (now “emergencies”) as unavoidable shortfalls, unforeseen emergencies, or unanticipated expenses for existing programs, allowing only trial courts projecting a current-year negative fund balance to apply for emergency funding, and requiring courts to justify to the Judicial Council why they are identifying a need for emergency funding.

The Judicial Branch Budget Committee chose not to further define what constitutes an “emergency” in order not to inadvertently omit an unknown situation and compromise a court’s ability to request funding, similar to previous action by the Trial Court Budget Working Group. The application deadline was omitted due to the change in statute: the earliest a court can submit a request now is after the court has submitted their proposed budget (Schedule 1). A slight extension was made to the last day a court can submit a request in a fiscal year in consideration of remaining scheduled council meetings and allowing courts an opportunity to obtain advanced information on potential replenishment costs. In addition, clarifying language was added regarding replenishment of the reserve to be clear that all 58 trial courts will have to replenish the \$10 million state-level reserve annually as a pro rata reduction to each courts’ beginning base allocation the following fiscal year.

In line with the Judicial Branch Budget Committee’s charge of assisting the Judicial Council in exercising its duties under rule 10.101 of the California Rules of Court with respect to the judicial branch budget, an additional level of application review by the Judicial Branch Budget Committee was established in order to meet its responsibility to review and make recommendations on the use of the statewide emergency funding for the judicial branch.

Recommendation 2: Application and Instructions for Emergency Funding

At its September 28, 2016 meeting, the Judicial Branch Budget Committee discussed updating the application for applying for emergency funding (Attachment E) and corresponding instructions (Attachment F) to incorporate process changes as well as require additional information when making a request. In requiring courts to elaborate on why 57 courts should assist in funding their request through a pro rata base allocation reduction the following fiscal year, courts are showing that they have considered the implications of their request carefully and thoroughly and have determined that a cash advance or a loan that does not impact all other courts was not an option. In addition, templates for each application requirement will help streamline the application and review process, and ensure consistency in how information is provided, reviewed, and interpreted.

Recommendation 3: Ad Hoc Court Executives Working Group

At its September 28, 2016 meeting, the Judicial Branch Budget Committee discussed adding a second level of application review by an ad hoc court executives working group. This working group, appointed by the Chief Justice, would provide a court administration perspective and may offer alternative methods in an effort to assist courts in finding other means for meeting their funding requirements. There was a discussion by the committee to utilize the ad hoc working group on an “as needed” basis; however, it was determined that all applications would go through this level of review prior to going to the Judicial Branch Budget Committee to allow for consistency and fairness in the funding request process.

Recommendation 4: Technical Adjustments and Reporting Requirements

At its September 28, 2016 meeting, the Judicial Branch Budget Committee discussed allowing Judicial Council Budget Services staff to make technical adjustments to the \$10 million state-level reserve process, the application for requesting supplemental funding for emergencies, and the application instructions as necessary. This will allow for changes to be made and distributed at a faster pace, without requiring approval at a scheduled Judicial Council meeting.

The reporting requirement to the Legislature will follow the process in place when reporting the 2 percent state-level reserve, but the new October 1 deadline will be followed according to statute.

Comments, Alternatives Considered, and Policy Implications

This item was not circulated for comment. Options were considered by the Judicial Branch Budget Committee and are discussed in the Rationale for Recommendations section of the report.

Implementation Requirements, Costs, and Operational Impacts

The implementation requirement for this new policy would include notifying courts and impacted Judicial Council staff of the changes in criteria for the application and review process for emergency funding requests.

There is a potential workload impact on Judicial Council Budget Services staff depending on the timing and number of applications received for review within the fiscal year.

Operational impacts will likely prove to be a relief for courts and Judicial Council staff, since the new \$10 million state-level reserve no longer requires a 2 percent reduction to courts for funding the reserve. The new process allows courts to maintain funds throughout the year and only has a beginning base allocation reduction the following fiscal year in the event of an emergency funding disbursement. It also eliminates the need to reallocate the 2 percent monies to courts two times within the fiscal year. In addition, this process also allows courts better budget-planning opportunities as courts will be informed of any base allocation reductions in the preceding fiscal year.

Relevant Strategic Plan Goals and Operational Plan Objectives

The recommended changes to the process for the \$10 million state-level reserve will address the strategic plan goals of Goal I, Access, Fairness, and Diversity; Goal II, Independence and Accountability; Goal III, Modernization of Management and Administration; Goal IV, Quality of Justice and Service to the Public; and Goal VI, Branchwide Infrastructure for Service Excellence.

Attachments and Links

1. Attachment A: Judicial Council Meeting Minutes, October 27–28, 2011, including Item M: *Trial Court Allocations: Process and Criteria for Supplemental Funding* at <http://www.courts.ca.gov/documents/jc-20111028-minutes.pdf>
2. Attachment B: Government Code section 68502.5(c)(2)(B), at page 9
3. Attachment C: Judicial Council Meeting Minutes, August 30–31, 2012, including Item M: *Trial Court Trust Fund Allocations: Process and Criteria for Allocating 2 Percent State-Level Reserve Funding* at <http://www.courts.ca.gov/documents/jc-20120831-minutes.pdf>
4. Attachment D: Judicial Council Meeting Minutes, October 27–28, 2014, including Item M: *Trial Court Budget: 2 Percent State-Level Reserve Process and Minimum Operating and Emergency Fund Balance Policy* at <http://www.courts.ca.gov/documents/jc-20141028-minutes.pdf>
5. Attachment E: Application for Supplemental Funding Form, at pages 10–11
6. Attachment F: Instructions for Applying for Supplemental Funding, at pages 12–16


Government Code section 68502.5(c)(2)(B) effective June 27, 2012

(B) Upon preliminary determination of the allocations to trial courts pursuant to subparagraph (A), the Judicial Council shall set aside 2 percent of the total funds appropriated in Program 45.10 of Item 0250-101-0932 of the annual Budget Act and these funds shall remain in the Trial Court Trust Fund. These funds shall be administered by the Judicial Council and be allocated to trial courts for unforeseen emergencies, unanticipated expenses for existing programs, or unavoidable funding shortfalls. Unavoidable funding shortfall requests for up to 1.5 percent of these funds shall be submitted by the trial courts to the Judicial Council no later than October 1 of each year. The Judicial Council shall, by October 31 of each year, review and evaluate all requests submitted, select trial courts to receive funds, and notify those selected trial courts. By March 15 of each year, the Judicial Council shall distribute the remaining funds if there has been a request from a trial court for unforeseen emergencies or unanticipated expenses that has been reviewed, evaluated, and approved. Any unexpended funds shall be distributed to the trial courts on a prorated basis.

Government Code section 68502.5(c)(2)(B) effective June 27, 2016

(B) The Judicial Council shall hold a reserve of ten million dollars (\$10,000,000) in the Trial Court Trust Fund to be available to trial courts for emergencies. The funding shall be administered by the Judicial Council, and any funding allocated shall be replenished on an annual basis from the trial court base allocations. The Judicial Council shall establish a process for trial courts to apply for emergency funding.

APPLICATION FOR SUPPLEMENTAL FUNDING FORM

Please check the type of funding that is being requested: <input type="checkbox"/> CASH ADVANCE (Complete Section I only.) <input type="checkbox"/> URGENT NEEDS (Complete Sections I through IV.) <input type="checkbox"/> ONE-TIME DISTRIBUTION <input type="checkbox"/> LOAN		
SECTION I: GENERAL INFORMATION		
SUPERIOR COURT: Click to enter County	PERSON AUTHORIZING REQUEST (Presiding Judge or Court Executive Officer):	
CONTACT PERSON AND CONTACT INFO:		
DATE OF SUBMISSION: Click here to enter a date.	DATE FUNDING IS NEEDED BY: Click here to enter a date.	REQUESTED AMOUNT: \$
REASON FOR REQUEST (Please briefly summarize the reason for this funding request, including the factors that contributed to the need for funding. If your court is applying for a cash advance, please submit a cash flow statement when submitting this application. Please use attachments if additional space is needed.)		
Section II through Section IV of this form is required to be completed if your court is applying for supplemental funding for urgent needs (unavoidable funding shortfall, unforeseen emergency or unanticipated expenses for existing programs). Please submit attachments to respond to Sections II through Section IV.		
SECTION II: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE		
<p>A. What would be the consequence to the public and access to justice if your court did not receive the requested funding?</p> <p>B. What would be the consequence to your court's operations if your court did not receive the requested funding?</p> <p>C. What measures will your court take to mitigate the consequences to access to justice and court operations if funding is not approved by the Judicial Council?</p> <p>D. Please provide five years of filing and termination numbers.</p>		

APPLICATION FOR SUPPLEMENTAL FUNDING FORM (Continued)

SECTION III: REVENUE ENHANCEMENT AND COST CONTROL MEASURES

- A. If supplemental funding was received in prior year, please identify amount received and explain why additional funding is again needed in the current fiscal year.
- B. If the request for supplemental funding is not for a one-time concern, the court must include an expenditure/revenue enhancement plan that identifies how the court will resolve its ongoing funding issue.
- C. What has your court done in the past three fiscal years in terms of revenue enhancement and/or expenditure reductions, including layoffs, furloughs, reduced hours, and court closures?
- D. Please describe the employee compensation changes (e.g. cost of living adjustments and benefit employee contributions) and staffing levels for past five fiscal years for the court.

SECTION IV: FINANCIAL INFORMATION

Please provide the following:

- A. Current detailed budget projections/estimates for the current fiscal year, budget year and budget year plus one (e.g., if current fiscal year is FY 2012-2013, then budget year would be FY 2013-2014 and budget year plus one would be FY 2014-2015).
- B. Current status of your court's fund balance.
- C. Three-year history of your court's year-end fund balances, revenues, and expenditures.
- D. If the trial courts' application is for one-time supplemental funding, please explain why a loan would not be appropriate.
- E. The most recent audit findings of fiscal issues and the remediation measures taken to address them.

Instructions for Applying for Supplemental Funding

To apply for supplemental funding for a cash advance or urgent needs, courts must submit a completed *Application for Supplemental Funding* form. Please see the detailed instructions for applying for each type of supplemental funding below.

Apply for a Cash Advance

Courts that are anticipating cash flow issues during the current fiscal year may apply for a cash advance. Whenever possible, the cash advance will be distributed from a court's remaining Trial Court Trust Fund (TCTF) allocation. It is recommended cash advance applications be submitted at least 30 days prior to the date the advance is needed.

Fill Out the Application Form

1. Check the Cash Advance box at the top of the form.
2. Complete only Section I: General Information.
 - a. **Superior Court:** Select your court by clicking in the cell and scrolling to the appropriate county.
 - b. **Person Authorizing Request:** Enter the name of your court's presiding judge or court executive officer. Only a presiding judge or court executive officer may request supplemental funding for a cash advance.
 - c. **Contact Person's Name and Information:** Enter the contact person's name, phone number, and e-mail address.
 - d. **Date of Submission:** Enter the date your court is submitting the request for a cash advance.
 - e. **Date Funding Is Needed By:** Enter the date by which the cash advance is needed.
 - f. **Requested Amount:** Enter the amount of the cash advance that is needed to address the cash flow issue.
 - g. **Reason for Request:** Complete the attached Cash Flow template demonstrating the timing and the amount of the cash deficit/shortfall to be bridged by the Cash Advance. Complete the attached Monthly Budget projection beginning with the Current Fiscal Year through full recovery of the Cash Advance. Include the receipt of the Cash Advance during the Current Fiscal Year and the monthly recovery amounts providing for full recovery in the shortest time possible, preferably within the current fiscal year. The Cash Advance must be fully recovered within two years of the date on which the Cash Advance was originally received (GC 68502.6). If recovery of the advance will cross fiscal years, please complete as necessary the Budget Year and Budget Year Plus One, in addition to the Current Fiscal Year (e.g., if current fiscal year is FY 2012-13, then budget year would be FY 2013-14 and budget year plus one would be FY 2014-15). Cash advance recovery will be made by netting the recovery amounts from the court's monthly State allocation.

Judicial Council Treasury and Budget Units can assist in completing the application and supporting templates. Treasury Services will complete the beginning actual cash balances and actual month-to-date cash flow information in the Cash Flow template, and the year-to-date actual monthly revenues and expenses on the Monthly Budget template. The requesting court will need to complete the projection information in both templates, including the proposed monthly recovery of the Cash Advance. As a starting point for the Monthly Budget projection, the template will have the projected months populated with the 1/12 of the court's annual budget.

Submit the Application Form, Decision Time Frame, and Receipt of Cash Advance

E-mail the application form and the cash flow and budget analysis to the Judicial Council's Finance

Instructions for Applying for Supplemental Funding

Director, who will render a decision within ten business days after receipt of the application form and analysis. Please note that if your court is requesting a cash advance to be received on a date different than the date of a TCTF monthly distribution, usually the 15th of each month, the cash advance will be sent by mail as a warrant from the State Controller's Office. Receipt of a GC68502.6 advance is subject to the State Controller's Office customary disbursement practices. As mentioned in the opening, it is highly recommended that the request is submitted 30 days prior to the date the cash is needed.

Instructions for Applying for Supplemental Funding

Apply for Urgent Needs Funding

Courts may request urgent needs funding *only* if they are projecting a negative fund balance (i.e., forecasted expenditures exceed forecasted revenues and beginning reserves) in the current fiscal year due to an unavoidable budget shortfall, unforeseen emergency or an unanticipated expense for an existing program.

Unavoidable Budget Shortfalls

Court requests for supplemental funding for urgent needs due to *unavoidable budget shortfalls* must be submitted to the Administrative Director, Judicial Council, by no later than October 1. Courts are encouraged to submit supplemental funding requests for urgent needs before the October 1 deadline, but no earlier than 60 days after the Budget Act is enacted into law. The council will consider supplemental funding requests for unavoidable funding shortfalls at a scheduled business meeting which will occur by October 31 of each fiscal year. The Judicial Council shall allocate up to 75 percent of the 2 percent state-level reserve fund by October 31 of each year to courts requesting supplemental funding for urgent needs due to unavoidable funding shortfalls.

Unforeseen Emergencies or Unanticipated Expenses for Existing Programs

After October 31 and by March 15 of each fiscal year, the Judicial Council shall allocate the remaining funds if there has been an approved request from a trial court(s) requesting supplemental funding for urgent needs due to *unforeseen emergencies or unanticipated expenses for existing programs*. In order for the request to be considered by the Judicial Council at a specific business meeting, it must be received by the Administrative Director of the Courts at least 25 business days before the date of that meeting.

Fill Out the Application Form

1. Check the Urgent Needs box, and then check either the One-Time Distribution or Loan box, located at the top of the form.
2. Complete Section I: General Information.
 - a. **Superior Court:** Select your court by clicking in the cell and scrolling to the appropriate county.
 - b. **Person Authorizing Request:** Enter the name of your court's presiding judge or court executive officer. Only a presiding judge or court executive officer may request supplemental funding for urgent needs.
 - c. **Contact Person's Name and Information:** Enter the contact person's name, phone number, and e-mail address.
 - d. **Date of Submission:** Enter the date your court is submitting the request for urgent needs funding.
 - e. **Date Funding Is Needed By:** Enter the date the by which supplemental funding is needed.

Instructions for Applying for Supplemental Funding

- f. **Requested Amount:** Enter the amount of supplemental funding needed.
 - g. **Reason for Request:** Enter a summary of the reason(s) supplemental funding is needed, including a discussion of the factors that contributed to the need for supplemental funding. Please use attachments if additional space is needed.
3. Using a separate attachment, provide the required information requested in Section II (Trial Court Operations and Access to Justice), Section III (Revenue Enhancement and Cost Control Measures), and Section IV (Financial Information).
 4. Before submitting, ensure that all the required information has been provided. If a request is missing information, the submission date will be revised to be the date that the court provided all the required information.

Submit the Application Form and the Judicial Council Report

E-mail the application form and the attachments to the Administrative Director, Judicial Council.

Before issuing a final report to the Judicial Council, staff will:

- Review the request and, if necessary, ask the court to provide any missing or incomplete information;
- Draft a preliminary report;
- Share a preliminary report with and solicit comments from the court; and
- Provide the final report to the court before it is made publicly available.

Assistance or Questions Regarding the Form


If you need assistance or have any questions, please contact Patrick Ballard, Supervising Budget Analyst at 818-558-3115 or patrick.ballard@jud.ca.gov

Instructions for Applying for Supplemental Funding

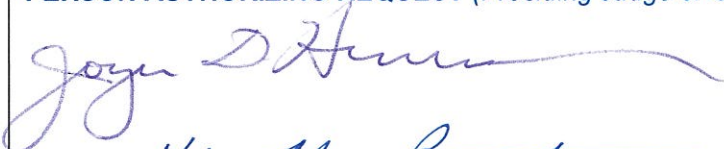

Deadlines for Submitting Applications for Supplemental Funding for Urgent Needs¹

Fiscal Year	Scheduled Judicial Council Business Meeting	Application Deadline
2014-2015	October 28, 2014	October 1, 2014
2014-2015	December 12, 2014	November 4, 2014
2014-2015	January 22, 2015	December 15, 2014
2014-2015	February 20, 2015	January 12, 2015

1. Applications for urgent needs due to *unavoidable funding shortfalls* must be received by the Administrative Director by no later than October 1 to be considered at the Judicial Council's October business meeting. Applications for urgent needs due to *unforeseen emergencies or unanticipated expenses for existing programs*, to be considered by the Judicial Council at a specific business meeting between November 1 and March 15, must be received by the Administrative Director, Judicial Council at least 25 business days before the date of that meeting.

<p>Please check the type of funding that is being requested:</p> <p><input type="checkbox"/> CASH ADVANCE (Complete Section I only.)</p> <p><input checked="" type="checkbox"/> EMERGENCY NEEDS (Complete Sections I through IV.)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> ONE-TIME DISTRIBUTION</p> <p style="padding-left: 20px;"><input type="checkbox"/> LOAN</p>	
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SECTION I: GENERAL INFORMATION

<p>SUPERIOR COURT: Humboldt</p>	<p>PERSON AUTHORIZING REQUEST (<i>Presiding Judge or Court Executive Officer</i>):</p> <div style="text-align: center;">  Joyce D. Hinrichs (PJ) </div> <div style="text-align: center;">  Kim M. Bartleson (CEO) </div>	
<p>CONTACT PERSON AND CONTACT INFO: Kim M. Bartleson, 707-269-1201, Kimb@humboldtcourt.ca.gov</p>		
<p>DATE OF SUBMISSION: 12/11/2018</p>	<p>DATE FUNDING IS NEED BY: As soon as practical</p>	<p>REQUESTED AMOUNT: \$ 117,124</p>

REASON FOR REQUEST (*Please briefly summarize the reason for this funding request, including the factors that contributed to the need for funding. If your court is applying for a cash advance, please submit a cash flow statement when submitting this application. Please use attachments if additional space is needed.*)

In January 2018, the Court discovered that its acetate microfilm stock was permeating an odor akin to vinegar. This indicates the film has begun to deteriorate and will soon be unusable. Some reels are already difficult to unroll. To avoid losing case file information, the Court must expeditiously digitize 1,355 reels of 16mm film and 502 reels of 35mm.

The Court requested emergency funding at the beginning of February 2018. The Court was told it was too late to request emergency funding and we needed to request a cash advance of the Court’s FY2019-20 allocation. The Court is attempting to close a 7% budget deficit for FY2019-20 and cannot afford to add this expense.

The expense was added to the Court’s Schedule 1 budget and the budget was balanced to a \$0.00 ending fund balance by also adding this emergency funding to the revenue section of the Court’s Schedule 1 budget. Without this funding, the Court anticipates there will not be sufficient funds to convert the records. This would create a significant risk for the loss of case information.

The amount of this request is based on the winning bid from an RFP conducted for this project. Any funds not expended will be returned at the end of the project.

Section II through Section IV of this form is required to be completed if your court is applying for emergency funding. Emergency funding is defined as funding needed for unavoidable shortfalls, unforeseen emergencies or unanticipated expenses for existing programs. Please submit attachments to respond to Section II through Section IV.

SECTION II: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

A. What would be the consequence to the public and access to justice if your court did not receive the requested funding?

Court records that only exist on microfilm will be destroyed. These include but are not limited to adoption, parentage, change of name, probate, felony and family law. The most frequently requested records are from citizens who are applying for Social Security benefits and need divorce records from years ago. Lacking access to those records could have a material effect on their Social Security benefits. Other routinely accessed records are felony convictions. Without these records historical convictions could not be proven thereby resulting in delays of ‘strike’ sentences.

APPLICATION FOR EMERGENCY FUNDING

B. What would be the consequence to your court's operations if your court did not receive the requested funding?

Court staff will not be able to access and provide requested case information. When this occurs the Court will have to provide a certified explanation as to why the records are not available.

C. What measures will your court take to mitigate the consequences to access to justice and court operations if the Judicial Council does not approve funding?

The Court does not have the ability or resources to mitigate the consequences at all.

D. Please provide five years of filing and disposition numbers. (*table template provided*)

Information is in the attached table.

SECTION III: REVENUE ENHANCEMENT AND COST CONTROL MEASURES

A. If requesting a one-time distribution of emergency funding, please explain why a loan would not be appropriate.

The Court has been operating with a significant structural deficit and has been balancing its budget with salary savings and other one-time funding sources.

The Court's Civil Assessment revenue has dropped by ≈\$400,000 (≈40%) from three years ago. Psychological Evaluation costs have gone up by ≈\$100,000 (≈400%) from three years ago. This Half Million dollar swing in our finances constitutes an approximate 7% reduction to our general fund budget. This has contributed significantly to our structural deficit.

The Court must also convert its outdated CMS which has been funded through the BCP process.

B. If supplemental funding was received in prior year, please identify the amount of funding received and explain why additional funding is again needed in the current fiscal year.

Supplemental funding for prior years was always in the form of a cash advance to help the Court manage its cash flow. To my knowledge, the Court has not previously received supplemental funding in the form of a one-time distribution.

C. If the request for emergency funding is not for a one-time concern, the court must include an expenditure/revenue enhancement plan that identifies how the court will resolve its ongoing funding issue.

This request is for a one-time concern.

D. What has your court done in the past three fiscal years in terms of revenue enhancement and/or expenditure reductions, including layoffs, furloughs, reduced hours, and court closures? (*table template provided*)

The Court continues to operate under reduced hours of public service. The main clerk's office is only open from 9:00am to 2:00pm. One clerk's window is open for parties and attorneys in the hall between the courtrooms from 8:15am to 3:00pm.

The Court has eliminated or held some authorized and needed positions vacant. The Court has also not 'backfilled' some positions when staff members have been out on long-term leaves of absence. This is to offset modest cost of living adjustments after seven years without them.

The Court has delayed computer replacement and other IT needs, which are now critical.

APPLICATION FOR EMERGENCY FUNDING

The Court continuously evaluates revenue and expenditures to ensure that it is charging agencies when appropriate and not paying expenses that are the responsibility of the county. In addition, the Court is seeking reimbursement from the County of Humboldt for expenses that were erroneously paid by the Court back to 2006. The county is disputing the reimbursement billing and negotiations are ongoing.

E. Please describe the employee compensation changes (e.g. cost of living adjustments and benefit employee contributions) and staffing levels for past five fiscal years for the court. (table template provided)

Since FY08-09:

- No COLAs or salary increases for Seven Years from FY08-09 until FY15-16.
- FY13-14: One-time special pay of \$2,500 per employee (Fund Balance Reduction).
- FY15-16: One-time special pay of \$2,500 per employee.
- FY15-16: 2.5% Pay Equity for process clerks & 3.5% - 4% COLA for all staff.
- FY16-17: 3.35% for Reporters; 2.5% for all other staff.
- FY16-17: One-time special pay of \$300 per employee.
- FY17-18: 2.3% for Reporters; 1.5% for all other staff.
- The Court pays none of the employee portion of retirement costs.
- Monthly Dental Ins. Contribution increase from \$ 42.60 per employee to \$ 45.00 per employee.
- Monthly Health Ins. Contribution increase as follows:

Employee Only	from \$ 455.00	to \$ 727.00	(Reporters to \$637.00)
Employee +1	from \$ 650.00	to \$ 968.00	(Reporters to \$878.00)
Employee +>1	from \$ 760.00	to \$ 1,113.00	(Reporters to \$1,023.00)

Instituted a pre-paid medical Cafeteria 125 plan for ≈ \$900 per year.

F. Please explain why 57 courts should assist in funding the request through a pro rata base allocation deduction the following fiscal year.

This Court has assisted other Courts when they needed emergency funds during the 2% Reserve system. The public will be harmed if these permanent records are lost, and all 58 Courts serve the public.

It is a systemic problem due to the decade-long lack of adequate funding and the years-long restriction on the ability to reserve funds locally for unanticipated and emergent expenses. If we had the ability in previous years to set aside funds for unforeseen expenses, we would not be submitting this request. The \$10M reserve has replaced our ability to independently manage this type of situation. The \$10M reserve is the legislatively and gubernatorially mandated source of funding for this type of expense.

SECTION IV: FINANCIAL INFORMATION

APPLICATION FOR EMERGENCY FUNDING

Please provide the following:

- A. Current detailed budget projections/estimates for the current fiscal year, budget year and budget year plus one (e.g., if current fiscal year is FY 2016–2017, then budget year would be FY 2017–2018 and budget year plus one would be FY 2018–2019). *(table template provided)*

Information is in the attached table.

- B. Current status of your court’s fund balance. *(table template provided)*

Currently projected ending fund balance is \$0.00. If the Court incurs this expense without emergency funding, the Court’s projected ending fund balance will be a Negative -\$117,124. Please see the Court’s FY18-19 Schedule 1 for more detailed information.

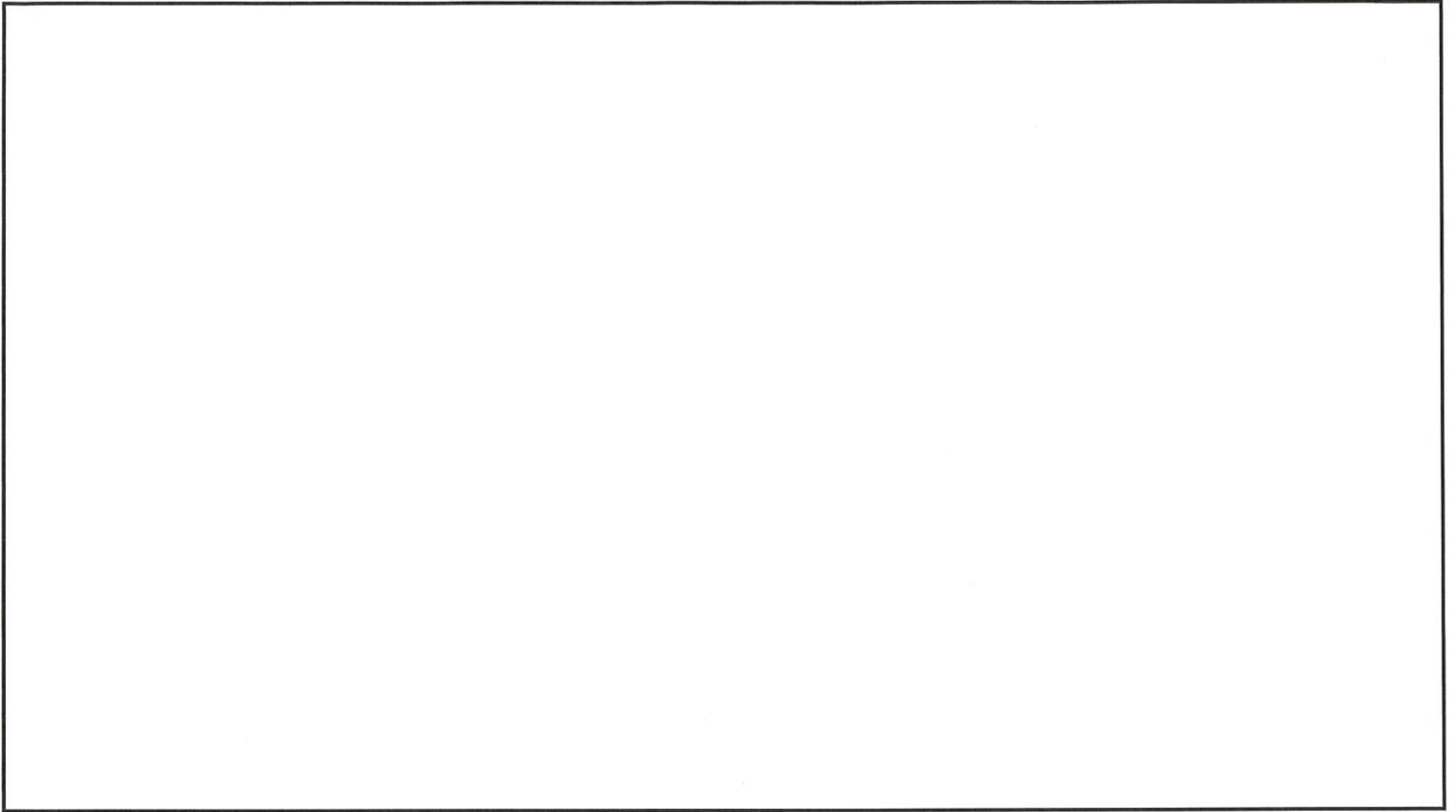
- C. Three-year history of your court’s year-end fund balances, revenues, and expenditures. *(table template provided)*

	<u>FY15-16</u>	<u>FY16-17</u>	<u>FY17-18</u>
Beginning Balance	\$ 407,731	\$ 368,334	\$ 317,080
Total Revenue	\$ 8,537,369	\$ 8,516,079	\$ 8,636,243
Total Expenses	(\$ 8,576,766)	(\$ 8,567,333)	(\$ 8,856,764)
Ending Balance	\$ 368,334	\$ 317,080	\$ 96,559

- D. The most recent audit findings of fiscal issues and the remediation measures taken to address them.

The 2014 State Controller’s Office audit found no substantive exceptions.
The 2015 JCC Internal Audit found no significant financial exceptions.

APPLICATION FOR EMERGENCY FUNDING



Application for Emergency Funding Template
Worksheet for Section 2D

Sec. 2D

Requesting Court: Humboldt

Prior five years of Filing and Disposition Numbers

Description	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	Total
Filing Numbers	27,183	29,317	26,747	24,008	Not Available	107,255
Disposition Numbers	26,400	27,915	25,671	23,493	Not Available	103,479

Waiting on JCC 2018 Court Statistics Report

Requesting Court: Humboldt

Court actions in the past three year in terms of revenue enhancement and/or expenditures reductions

Status Quo	FY 2015-16	FY 2016-17	FY 2017-18
GL Account	Description	Amount	Amount
N/A	FY14-15 focus on C.A. = incr. of \$100k to >\$1M FY16-17 Invoiced County for reimbursements	171,900	
900000	Salaries	36,022	(188,828)
910000	Staff Benefits	(64,779)	(253,645)
920001	General Expense		(246,188)
924000	Printing		
925000	Telecommunications		
926000	Postage		
928000	Insurance		
929000	Travel in State		
931000	Travel Out of State		
933000	Training		
934000	Security	12,960	10,011
935000	Facilities Operations		
936000	Utilities		
938000	Contracted Services	186,929	41,270
940000	Consulting and Professional Services - County Provided		
943000	Information Technology (IT)	82,923	(59,123)
945000	Major Equipment		
950000	Other Items of Expense		
972000	Other		
973000	Debt Service		
983000	Court Construction		
990000	Distributed Administration & Allocation		
Net Revenue (Expense)		(254,055)	377,493

Application for Emergency Funding Template
Worksheet for Section 3E

Sec. 3E

Requesting Court: Humboldt

Prior Five years of Employee Compensation Changes and Staffing Levels

Description	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
% Employee compensation change	-	-	Reporters = 4.0%; All others = 3.5%; LPCs = 2.5% P.E.; Crtm Clerk IIs = 0.4% P.E.	Reporters = 3.5%; All other staff = 2.5%.	Reporters = 2.3%; All other staff = 1.5%.	n/a
Number of Staffing	86.25	88.25	85.85	82.50	80.50	80.50

Application for Emergency Funding Template
Worksheet for Section 4A

Requesting Court: Humboldt

Three year history of year end fund balances, revenues and expenditures

Description	FY 2015-16		FUNDS							TOTAL
	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary			
REVENUES										
State Financing Sources	6,303,089	733,765								7,036,854
Grants			270,906							270,906
Other Financing Sources	1,229,609									1,229,609
TOTAL REVENUES	7,532,698	733,765	270,906							8,537,369
EXPENDITURES										
Salaries	3,808,432	60,996	180,124							4,049,551
Staff Benefits	1,982,950	4,542	-							1,987,491
General Expense	318,663		59,685							378,348
Printing	22,095									22,095
Telecommunications	41,903									41,903
Postage	77,768									77,768
Insurance	-									-
Travel in State	14,860									14,860
Travel Out of State	1,263									1,263
Training	1,780									1,780
Security	183,019									183,019
Facilities Operations	38,749									38,749
Utilities										-
Contracted Services	650,380	705,858								1,356,238
Consulting and Professional Services										
- County Provided	8,000	6,394								14,394
Information Technology (IT)	288,163		-							288,163
Major Equipment	16,920		-							16,920
Other Items of Expense	85									85
Juror Costs	97,071									97,071
Other	-									-
Debt Service										-
Court Construction										-
Distributed Administration & Allocation	(40,493)		40,493							-
Prior Year Expense Adjustment	7,070									7,070
TOTAL EXPENDITURES	7,518,675	777,789	280,302							8,576,766
Operating Transfers In (Out)	41,819	(51,214)	9,395							-
Fund Balance (Deficit)										
Beginning Balance (Deficit)	167,518	240,213	-							407,731
Ending Balance (Deficit)	223,360	144,975	-							368,334

Application for Emergency Funding Template
Worksheet for Section 4A

Requesting Court:

Three year history of year end fund

		FY 2016-17		FUNDS						
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL		
REVENUES										
State Financing Sources	6,425,762	706,708	207,100					7,132,470		
Grants								207,100		
Other Financing Sources	1,176,509							1,176,509		
TOTAL REVENUES	7,602,271	706,708	207,100	-	-	-	-	8,516,079		
EXPENDITURES										
Salaries	3,957,916	91,332	152,799					4,202,047		
Staff Benefits	2,035,528	32,700	69,407					2,137,635		
General Expense	254,019		34,352					288,371		
Printing	16,907							16,907		
Telecommunications	40,567							40,567		
Postage	59,518							59,518		
Insurance	2,843							2,843		
Travel in State	13,743							13,743		
Travel Out of State	-							-		
Training	3,718							3,718		
Security	145,915							145,915		
Facilities Operations	32,008							32,008		
Utilities								-		
Contracted Services	618,679	575,941						1,194,620		
Consulting and Professional Services										
- County Provided	7,471	9,160						16,631		
Information Technology (IT)	268,249							268,249		
Major Equipment	60,874							60,874		
Other Items of Expense	17							17		
Juror Costs	88,695							88,695		
Other	-							-		
Debt Service								-		
Court Construction								-		
Distributed Administration & Allocation	(35,801)		35,801					-		
Prior Year Expense Adjustment	(5,024)							(5,024)		
TOTAL EXPENDITURES	7,565,840	709,133	292,360	-	-	-	-	8,567,333		
Operating Transfers in (Out)	(117,210)	31,951	85,259					-		
Fund Balance (Deficit)										
Beginning Balance (Deficit)	223,360	144,975						368,334		
Ending Balance (Deficit)	142,580	174,500						317,080		

Application for Emergency Funding Template
Worksheet for Section 4A

Requesting Court:

Three year history of year end fund

Description	FY 2017-18									
	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL	FUNDS	
REVENUES										
State Financing Sources	6,468,764	708,071	546,252					7,176,835		
Grants								546,252		
Other Financing Sources	913,156							913,156		
TOTAL REVENUES	7,381,920	708,071	546,252	-	-	-	-	8,636,243		
EXPENDITURES										
Salaries	3,904,444	79,216	173,901					4,157,562		
Staff Benefits	2,177,387	33,062	76,262					2,286,712		
General Expense	231,755		119,467					351,222		
Printing	9,274							9,274		
Telecommunications	42,512							42,512		
Postage	53,179							53,179		
Insurance	2,251							2,251		
Travel in State	24,514							24,514		
Travel Out of State	-							-		
Training	3,071							3,071		
Security	151,942							151,942		
Facilities Operations	32,040							32,040		
Utilities										
Contracted Services	564,123	583,673						1,147,796		
Consulting and Professional Services										
- County Provided	-	12,120						12,120		
Information Technology (IT)	234,407		81,866					316,273		
Major Equipment	-		145,646					145,646		
Other Items of Expense	72							72		
Juror Costs	73,631							73,631		
Other	44,000							44,000		
Debt Service										
Court Construction										
Distributed Administration & Allocation	(45,448)		39,808					(5,640)		
Prior Year Expense Adjustment	8,588							8,588		
TOTAL EXPENDITURES	7,511,743	708,071	636,950	-	-	-	-	8,856,764		
Operating Transfers In (Out)	33,801	(124,500)	90,699							
Fund Balance (Deficit)										
Beginning Balance (Deficit)	142,580	174,500						317,080		
Ending Balance (Deficit)	46,559	50,000						96,559		

Application for Emergency Funding Template
Worksheet for Section 4A

Requesting Court: Humboldt

Current detailed budget projections/estimates for the current fiscal year, budget year and budget year +1

Description	FY 2018-19		FUNDS							TOTAL
	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary			
REVENUES										
State Financing Sources	6,919,807	819,301								7,739,107
Grants			2,307,762							2,307,762
Other Financing Sources	840,550									840,550
TOTAL REVENUES	7,760,357	819,301	2,307,762	-	-	-	-	-	-	10,887,419
EXPENDITURES										
Salaries	3,945,456	83,180	241,574							4,270,210
Staff Benefits	2,453,547	27,135	92,417							2,573,099
General Expense	229,370		691,036							920,406
Printing	17,200									17,200
Telecommunications	41,960									41,960
Postage	57,300									57,300
Insurance	2,500									2,500
Travel in State	42,000									42,000
Travel Out of State	-									-
Training	6,753									6,753
Security	170,548									170,548
Facilities Operations	34,700									34,700
Utilities										-
Contracted Services	564,648	699,186								1,263,834
Consulting and Professional Services										
- County Provided	-	9,800								9,800
Information Technology (IT)	193,673	50,000	1,161,933							1,405,606
Major Equipment			75,902							75,902
Other Items of Expense										-
Juror Costs	92,161									92,161
Other										-
Debt Service										-
Court Construction										-
Distributed Administration & Allocation	(62,473)							62,473		-
Prior Year Expense Adjustment										-
TOTAL EXPENDITURES	7,789,343	869,301	2,325,335	-	-	-	-	-	-	10,983,979
Operating Transfers In (Out)	(17,573)		17,573							-
Fund Balance (Deficit)										
Beginning Balance (Deficit)	46,559	50,000								96,559
Ending Balance (Deficit)	(0)	0								(0)

Application for Emergency Funding Template
Worksheet for Section 4A

Requesting Court:

Current detailed budget projection

Description	FY 2019-20		FUNDS						
	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL	
REVENUES									
State Financing Sources	6,919,807	819,301	959,903					7,739,107	
Grants								959,903	
Other Financing Sources	840,550							840,550	
TOTAL REVENUES	7,760,357	819,301	959,903	-	-	-	-	9,539,560	
EXPENDITURES									
Salaries	3,848,897	83,180	543,927					4,476,004	
Staff Benefits	2,453,547	27,135	72,251					2,552,933	
General Expense	229,370		251,373					480,743	
Printing	17,200							17,200	
Telecommunications	41,960							41,960	
Postage	57,300							57,300	
Insurance	2,500							2,500	
Travel in State	42,000							42,000	
Travel Out of State	-							-	
Training	6,753							6,753	
Security	170,548							170,548	
Facilities Operations	34,700							34,700	
Utilities								-	
Contracted Services	564,648	699,186						1,263,834	
Consulting and Professional Services									
- County Provided	-	9,800						9,800	
Information Technology (IT)	243,673							243,673	
Major Equipment	-							-	
Other Items of Expense									
Juror Costs	92,161							92,161	
Other									
Debt Service									
Court Construction									
Distributed Administration & Allocation	(62,473)		109,924					47,451	
Prior Year Expense Adjustment									
TOTAL EXPENDITURES	7,742,784	819,301	977,476	-	-	-	-	9,539,560	
Operating Transfers in (Out)	(17,573)		17,573						
Fund Balance (Deficit)									
Beginning Balance (Deficit)	(0)	0						(0)	
Ending Balance (Deficit)	(0)	0						(0)	

Application for Emergency Funding Template
Worksheet for Section 4A

Requesting Court:

Current detailed budget projection

FY 2020-21		FUNDS						
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	6,919,807	819,301	338,649					7,739,107
Grants								338,649
Other Financing Sources	840,550							840,550
TOTAL REVENUES	7,760,357	819,301	338,649	-	-	-	-	8,918,307
EXPENDITURES								
Salaries	3,848,897	83,180	189,885					4,121,962
Staff Benefits	2,453,547	27,135	72,251					2,552,933
General Expense	229,370		43,756					273,126
Printing	17,200							17,200
Telecommunications	41,960							41,960
Postage	57,300							57,300
Insurance	2,500							2,500
Travel in State	42,000							42,000
Travel Out of State								-
Training	6,753							6,753
Security	170,548							170,548
Facilities Operations	34,700							34,700
Utilities								-
Contracted Services	564,648	699,186						1,263,834
Consulting and Professional Services - County Provided		9,800						9,800
Information Technology (IT)	243,673							243,673
Major Equipment								-
Other Items of Expense								-
Juror Costs	92,161							92,161
Other								-
Debt Service								-
Court Construction								-
Distributed Administration & Allocation	(62,473)		50,330					(12,143)
Prior Year Expense Adjustment								-
TOTAL EXPENDITURES	7,742,784	819,301	356,222	-	-	-	-	8,918,307
Operating Transfers in (Out)	(17,573)	-	17,573					-
Fund Balance (Deficit)								
Beginning Balance (Deficit)	(0)	0						(0)
Ending Balance (Deficit)	(0)	0	(0)					(0)

Application for Emergency Funding Template
Worksheet for Section 4B

Requesting Court: Humboldt

Current status of Court's Fund Balance (as of FY18-19 Sched 1 on 7-1-18)

Classification	General TCTF	General Non-TCTF	General	Special Revenue		Capital Project	Debt Service	Proprietary Funds	Fiduciary Funds	Total Funds (Info. Purposes Only)
				Non-Grant	Grant					
Nonspendable	26,488		26,488							26,488
Restricted				50,000						50,000
Committed										-
Assigned		20,071	20,071							20,071
Unassigned										-
Total	\$ 26,488	\$ 20,071	\$ 46,559	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 96,559

Requesting Court: Humboldt

Prior three-year History of Year-end Fund balances, Revenues, and Expenditures

FUNDS										
FY 2017-18										
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL		
Beginning Balance	142,580	174,500	-							317,080
Revenues	8,205,273	104,449	326,521							8,636,243
Expenditures	8,301,294	228,949	326,521							8,856,764
Operating Transfers In (Out)	-	-	-							-
Ending Fund Balance	46,559	50,000	-	-	-	-	-			96,559

FUNDS										
FY 2016-17										
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL		
Beginning Balance	223,360	144,975	-							368,334
Revenues	8,266,454	109,425	140,200							8,516,079
Expenditures	8,341,560	85,572	140,200							8,567,333
Operating Transfers In (Out)	(5,673)	5,673	-							-
Ending Fund Balance	142,580	174,500	-	-	-	-	-			317,080

FUNDS										
FY 2015-16										
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL		
Beginning Balance	167,518	240,213	-							407,731
Revenues	8,220,919	133,444	183,006							8,537,369
Expenditures	8,164,139	228,682	183,945							8,576,766
Operating Transfers In (Out)	(939)	-	939							-
Ending Fund Balance	223,360	144,975	-	-	-	-	-			368,334

Judicial Branch
2020-21 IFR Tracking List

- BCP included in the 2019-20 Governor's Budget and is pending legislative approval.
- BCP Proposed for the 2019-20 Governor's Budget and was denied.
- IFR submitted to JBBC in 2019-20 and was denied.

#	IFR Tracking #	JCC Office	Title	Description	# Positions	\$ Estimate	Fund Source	Previous Submittal	JCC Committee	Proposed Lead Advisory Committee	Comments
1	IFR-20-01	TC	Trial Court Reserve Cap	This request is to amend Government Code section 77203, to allow the trial courts to carryover an amount not to exceed 5 percent of their operating budget from the previous year.	0.0	-	N/A	N	TCBAC	TCBAC	
2	IFR-20-02	TC	Trial Court Civil Assessment Backfill	This request is to transition the deposit of civil assessment revenues into the General Fund instead of the Trial Court Trust Fund (TCTF) and provide the trial courts with stable funding in the amount of actual 2017-18 civil assessment collections from the GF.	0.0	\$60.3 M	GF	Y	TCBAC	TCBAC	A similar request was submitted for the 2019-20 Governor's Budget and was combined into one BCP request titled, <u>Stabilization of Civil Assessment Revenue</u> . The BCP was denied.
3	IFR-20-03	TC	Trial Court Civil Assessment Maintenance of Effort	This request is to fund backfill of the MOE obligation to the courts which is currently funded by the civil assessment revenue and transition the deposit of civil assessment revenues to the GF.	0.0	\$48.3 M	GF	Y	TCBAC	TCBAC	
4	IFR-20-04	TC	Funding for 10 of the 50 Judgeships Authorized by AB 159	This request is to fund 10 of the 50 trial court judgeships authorized by Assembly Bill (AB) 159 (Ch. 722, Stats. 2007), accompanying support staff, and facilities-related costs (which are unknown at this time).	0.0	\$7.4 M to \$15.4 M	GF	Y	TCBAC	TCBAC	
5	IFR-20-05	TC	Trial Court Cost Increases	This request is a placeholder for TCBAC to develop an approach to address Trial Courts cost increase. A fully fleshed out concept will be provided to JBBC in May 2019.	0.0	TBD	GF	N	TCBAC	TCBAC	
6	IFR-20-06	LSO	Judicial Branch Litigation Management Program	This request is to support the defense and indemnification of all Judicial Branch entities for government claims and litigation.	3.0	\$6.5 M	GF	Y	LMC	LMC	A similar request was submitted and approved for inclusion in the 2019-20 Governors Budget and is pending legislative approval.
7	IFR-20-07	FS	Trial and Appellate Court Deferred Maintenance Funding	This request is to provide funding to address deferred maintenance in trial and appellate courts.	0.0	\$100 M	GF	Y	TCFMAC	TCFMAC	A similar request for \$ 40 million was submitted and approved for inclusion in the 2019-20 Governors Budget and is pending legislative approval.
8	IFR-20-08	FS	Trial Court Facility Operations and Maintenance Funding	This request is to provide funding for underfunded trial court facility operations and maintenance costs .	25.0	\$51.5 M	GF	Y	TCFMAC	TCFMAC	A similar request was submitted and partially approved (\$ 20.1 million and no positions) for inclusion in the 2019-20 Governors Budget and is pending legislative approval.
9	IFR-20-09	FS	Improve Energy Efficiency	This request is for funding to implement projects that will decrease energy consumption and costs.	0.0	\$32.2 M	GF	Y	TCFMAC	TCFMAC	A similar request was submitted for the 2019-20 Governor's Budget title, <u>Increasing Energy Efficiency in the Judicial Branch</u> . The BCP was denied. However DOF recommended to request GF loan and pay back from savings.
10	IFR-20-10	IT	Electronic (Intelligent) Judicial Council Forms Solution	This request is to support the implementation and deployment of a branch-wide forms solution based on the recommendations of the ITAC's Intelligent Forms Workstream.	4.0	\$1.535 M	GF	Y	JCTC ITAC	JCTC	A similar request was submitted to JBBC in 2019-20 and did not receive approval for development into a BCP.

Judicial Branch
2020-21 IFR Tracking List

#	IFR Tracking #	JCC Office	Title	Description	# Positions	\$ Estimate	Fund Source	Previous Submittal	JCC Committee	Proposed Lead Advisory Committee	Comments
11	IFR-20-11	IT	Productizing California Court Innovation Grants	This request is to further develop and deploy a branchwide strategy for productizing California Court Innovations Grants.	0.0	\$4.88 M	GF	N	JCTC ITAC TCBAC	JCTC	
12	IFR-20-12	IT	Disaster Recovery Consulting Services Solutions - Pilot	This request is to establish a Disaster Recovery (DR) program that provides support and expertise to courts on disaster recovery strategies and solutions.	2.0	\$1.429 M	GF	Y	JCTC ITAC TCBAC	JCTC	A similar request was submitted to JBBC in 2019-20 and did not receive approval for development into a BCP.
13	IFR-20-13	IT	Digitizing Documents Phases 2 and 3	This request is to expand the digitizing of court records with implementation of phase 2 and 3.	0.0	\$17.8 M	GF	N	JCTC ITAC TCBAC	JCTC	A request for phase one of the digitizing court records was submitted and approved for inclusion in the 2019-20 Governors Budget and is pending legislative approval.
14	IFR-20-14	IT	Next Generation Data Hosting Consulting Services	This request is to implement the concepts outlined in the Next Generation Hosting Framework (NGH) at one or more courts.	1.0	\$1.3 M	GF	Y	JCTC ITAC TCBAC	JCTC	A similar request was submitted to JBBC in 2019-20 and did not receive approval for development into a BCP.
15	IFR-20-15	BAP	Judicial Branch Fi\$Cal Staffing Plan	This request is to support the use and administration of the Financial Information System for California (Fi\$Cal).	6.0	\$952,000	GF	Y	JBBC	JBBC	A similar request was submitted and approved for inclusion in the 2019-20 Governors Budget and is pending legislative approval.
16	IFR-20-16	BAP	Implement Phoenix Roadmap	This request is to address critical needs of the Phoenix system to adequately support the administrative needs of the trial courts.	4.0	\$7.711 M	GF	Y	JCTC TCBAC	JCTC	A similar request was submitted and approved for inclusion in the 2019-20 Governors Budget and is pending legislative approval.
17	IFR-20-17	COA	Court Technology Manager	This request is to fund a Court Technology Manager position for the Supreme Court and each Court of	7.0	\$1.571 M	GF	N	APJAC CACCA	APJAC	
18	IFR-20-18	COA	Appellate Court Appointed Counsel Projects	This request is to support increased costs for contractual services in the Supreme Court's Court-Appointed Counsel Project, California Appellate Project – San Francisco (CAP-SF), and the Courts of Appeal Court Appointed Counsel Project Offices (Projects).	0.0	\$1.628 M	GF	Y	APJAC CACCA	APJAC	A similar request was submitted to JBBC in 2019-20 and did not receive approval for development into a BCP.
19	IFR-20-19	COA	Appellate Court Facility Maintenance Program	To establish an Appellate Court Facility Maintenance Program which will include preventative and demand maintenance, and minor facility modifications in all appellate court facilities.	0.0	\$1.4 M	GF	Y	APJAC CACCA	APJAC	A similar request was submitted for the 2019-20 Governor's Budget . The BCP was denied.
20	IFR-20-20	COA	Appellate Court Judicial Workload	This request is to provide funding to add one new justice and the 4 associated chambers staff to meet the workload demands in the 4th DCA- Division 2- Riverside Court.	5.0	\$1.28 M	GF	Y	APJAC CACCA	APJAC	A similar request was submitted for the 2019-20 Governor's Budget and was combined into one BCP titled, <u>Funding to support 10 New judgeships and 1 Appellate Court Justice</u> . The BCP was denied.
21	IFR-20-21	COA	Electronic Resources and Collection Rightsizing Adjustment for Appellate Court Libraries – Westlaw Price Increase Adjustment	This request is to support increased costs for contractual library services in the California Judicial Center Library and the Courts of Appeal libraries for Westlaw and Lexis price increases, and funds to pilot new vendor services in the area of online research technologies subscriptions.	0.0	\$440,000	GF	N	APJAC CACCA	APJAC	
22	IFR-20-22	COA	Appellate Court Security	This request is to support seven California Highway Patrol Judicial Protection Section (CHP-JPS) officers at specified appellate court locations during normal business hours.	0.0	\$1.2 M	GF	Y	APJAC CACCA CSAC	APJAC	A similar request was submitted for the 2019-20 Governor's Budget . The BCP was denied.

**Judicial Branch
2020-21 IFR Tracking List**

#	IFR Tracking #	JCC Office	Title	Description	# Positions	\$ Estimate	Fund Source	Previous Submittal	JCC Committee	Proposed Lead Advisory Committee	Comments
23	IFR-20-23	BS	Judicial Branch Data Governance	This request is to implement a branch wide data governance and analytics framework to meet the reporting and decision-making needs of the Judicial Branch.	5.0	\$983,000	GF	N	JBBC	JBBC	
24	IFR-20-24	Audit	Statutory Statewide Trial Court Audit Program-State Controller's Office	This request is to provide funding to adhere to Government Code, Section 77206(h) which requires the State Controller's Office to conduct a pilot audit of 6 superior courts that focus on their compliance with state rules regarding the revenues, expenditures, and fund balances under their control.	0.0	\$1.6 M	GF	N	ACAFA	ACAFA	
25	IFR-20-25	COS	Language Access Expansion in the California Courts	This request is to reimburse trial courts for language access services, and to fund Video Remote Interpreting (VRI) equipment for the trial courts for an estimated 15 courthouses and to support staff to enable the launch of a VRI program statewide.	3.0	\$18.4 M	GF	Y	LAS- ACPAF ACPAF TCBAC	LAS- ACPAF	A similar request was submitted for the 2019-20 Governor's Budget . The BCP was denied. Funding of \$4 million is included in the 2019-20 Governors Budget to make a one-time allocation of funding permanent and is pending legislative approval.
26	IFR-20-26	FS	Judicial Branch Capital Outlay Projects (Placeholder)	The Judicial Branch facilities program is conducting an assessment of Judicial Branch facilities as directed by Chapter 45, Senate Bill 847, Statues of 2018. This request is a placeholder for the inclusion of Capital Outlay BCPs in 2020-21 Governor's Budget after the assessment is completed.	0.0	TBD	PBCF	N	CFAC	CFAC	

Internal Committees	
JCTC	Judicial Council Technology Committee
LMC	Litigation Management Committee
JBBC	Judicial Branch Budget Committee
Advisory Committees	
ACAFA	Advisory Committee on Audit and Financial Accountability
CIAP	Court Interpreters Advisory Panel
CSAC	Court Security Advisory Committee
CFAC	Court Facility Advisory Committee
TCBAC	Trial Court Budget Advisory Committee
TCFMAC	Trial Court Facility Modification Advisory Committee
LAPTF	Language Access Plan Implementation Task Force
APJAC	Administrative Presiding Justices Advisory Committee
TCPJAC	Trial Court Presiding Judges Advisory Committee
CEAC	Court Executives Advisory Committee
FJLAC	Family & Juvenile Law Advisory Committee
ITAC	Information Technology Advisory Committee
GC-CJER	Governing Committee of CJER
ACPAF	Advisory Committee on Providing Access & Fairness
LAS-ACPAF	Language Access Sub-committee of ACPAF
CACCA	Court of Appeal Clerks



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Chief Justice of California
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Date

February 28, 2019

Action Requested

Please Review and Accept

To

Hon. David M. Rubin,
Chair, Judicial Branch Budget
Committee

Contact

Marsha G. Slough
Marsha.Slough@jud.ca.gov

From

Hon. Marsha G. Slough,
Chair, Judicial Council Technology
Committee

Subject

Prioritization of the Technology Initial
Funding Requests

The purpose of this email is to provide you, in your role as Chair of the Judicial Branch Budget Committee (JBBC), with a prioritization of the technology initial funding requests (IFRs) for the Budget Change Proposals (BCP) for FY 2020-2021, as recommended by the Judicial Council Technology Committee (JCTC). I am submitting this ranking so that the JBBC may consider this when it ultimately ranks all of the potential BCPs for the Judicial Branch.

At its February 26, 2019 meeting, the JCTC reviewed and ranked a total of six technology related BCP IFRs. The committee used the following criteria to rank the BCP IFRs.

- Was it a prior request or deferred?
- Was it tied to an active, next phase, or completed workstream from the Information Technology Advisory Committee (ITAC)?
- Was the item previously funded (i.e., to carry forward)?
- What was the breadth of impact?
- Did it involve security?
- What was the viability for the future?

Using this criteria, the committee evaluated the six concepts. After discussion, the JCTC decided to remove one proposal (Digital Evidence in the Court – Pilot) as it believed that it would benefit from further refinement.

February 28, 2019

Page 2

The committee felt that the remaining five proposals would be of great benefit to the branch and ranked them in the following order.

1. Electronic (Intelligent) Judicial Council Forms Solution
2. Productizing California Court Innovation Grants
3. Disaster Recovery Consulting Services Solutions – Pilot
4. Digitizing Documents Phases 2 – 3
5. Next Generation Data Hosting Consulting Services

Judicial Council Information Technology staff will be forwarding the completed IFRs and Concepts to the Judicial Council Budget Services staff, who will do a final review of these documents and provide to your committee. Please know that I am willing and available to attend a meeting of the JBBC to answer any questions or provide additional information.

Please let me know if you require further information from the Judicial Council Technology Committee. Thank you for considering our prioritized ranking.

Sincerely,



Marsha G. Slough, Chair
Technology Committee

CC: Judicial Council Technology Committee
Judicial Branch Budget Committee
Mr. Martin Hoshino, Administrative Director
Mr. Robert Oyung, Chief Operating Officer

2020-21 Initial Funding Request

Requesting Entity: Trial Court Budget Advisory Committee

Contact: Melissa Ng

Date Prepared: February 21, 2019

Budget Services Liaison: Mike Sun

Document Tracking Number: IFR-20-01

A. Working Title: Trial Court Reserve Cap

B. Description of Funding Request:

The Judicial Council requests trailer bill language to amend Government Code section 77203, to allow the trial courts to carryover an amount not to exceed 5 percent of their operating budget from the previous year. Current law restricts courts to carryover an amount not to exceed 1 percent of their operating budget from the prior fiscal year. The current law limits trial courts' ability to manage their resources effectively and efficiently. Increasing the reserve cap to 5 percent would permit courts to have a reliable reserve that will facilitate responsible budget management including covering unanticipated expenses and weathering economic downturns.

C. Estimated Costs: N/A **One Time** \$ **Ongoing** \$

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

This request supports Goal VII of the Judicial Branch Strategic Plan of adequate, stable and predictable funding for a fully functioning branch. Advocating for a sufficient fund balance reserve meets the branch's goal for trial courts to be able to manage cash flow challenges. The branch has and continues to seek funding for courts that addresses annual cost increases in baseline operations. To maintain necessary services for trial court users and to prevent impacts that negatively affect public access to justice, the trial courts must have reliable funding to fulfill their mission and deliver full and fair access to justice.

E. Required Review/Approvals:

Trial Court Budget Advisory Committee has reviewed and approved this request. No additional advisory body approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Budget Advisory Committee take the lead advisory role as this committee makes recommendations to the council on the preparation, development, and implementation of the budget for the trial courts and provides input to the council on policy issues affecting trial court funding.

2020-21 Initial Funding Request

Requesting Entity: Trial Court Budget Advisory Committee

Contact: Donna Newman

Date Prepared: 2/25/2019

Budget Services Liaison: Donna Newman

Document Tracking Number: IFR-20-02

A. Working Title: Trial Court Civil Assessment Backfill

B. Description of Funding Request:

The Judicial Council requests \$60.3 million General Fund in 2020-21 and ongoing to transition the deposit of civil assessment revenues into the General Fund instead of the Trial Court Trust Fund (TCTF).

Civil assessment revenues, as imposed pursuant to Penal Code (PC) 1214.1, are currently deposited into the TCTF, net of cost recovery pursuant to PC 1463.007. Per Judicial Council policy, the remitted civil assessment revenues are allocated to the trial courts one hundred percent, net of the civil assessment buyout amount. The civil assessment buyout amount of \$48.3 million is maintained in the TCTF to replace the reduced MOE payments made by the counties and supports the trial courts' base allocations.

In addition, this proposal will also request safeguards to this appropriation from funding reductions during times of economic uncertainty, such as a downturn in the economy.

C. Estimated Costs: **One Time** \$ **Ongoing**

The amount of this request reflects the actual value of civil assessment revenue collected and distributed back to the courts in 2017-18. The General Fund augmentation to the TCTF would remain a set amount to ensure fund stability, while the civil assessment revenues remitted into the General Fund would vary based on revenues collected. Any excess civil assessment revenue remitted over the set TCTF augmentation would be to the General Fund's benefit, while the General Fund would take on the risk of any decreases in civil assessments revenue below the TCTF augmentation.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

Under the current civil assessment statute, there could be a perceived conflict of interest between the imposition of the civil assessment by a court and the funding a court receives. This proposal would have civil assessments deposited into the General Fund and would appropriate a set amount from the GF to be transferred to the TCTF.

E. Required Review/Approvals:

Trial Court Budget Advisory Committee has reviewed and approved the request. No additional advisory body approvals required.

2020-21 Initial Funding Request

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Budget Advisory Committee take the lead advisory role as this committee makes recommendations to the Council on the preparation, development, and implementation of the budget for the trial courts and provides input to the council on policy issues affecting trial court funding.

2020-21 Initial Funding Request

Requesting Entity: Trial Court Budget Advisory Committee

Contact: Donna Newman

Date Prepared: 2/25/2019

Budget Services Liaison: Donna Newman

Document Tracking Number: IFR-20-03

A. Working Title: Trial Court Civil Assessment Maintenance of Effort

B. Description of Funding Request:

The Judicial Council requests \$48.3 million General Fund in 2020-21 and ongoing to provide funding to stabilize the Trial Court Trust Fund (TCTF) that support trial court allocations. This proposal will provide for transition of deposit of civil assessment revenues into the General Fund while also providing GF to backfill the amount of retained civil assessment revenues that annually funds a portion of the base trial court allocations.

The civil assessment obligation amount of \$48.3 million is retained in the TCTF to replace the reductions approved by Legislature to the MOE payments made by the counties which supports the trial courts' base allocations. Government Code section 68085.7 required that county revenue MOE obligation amounts be reduced based on the 2003-04 county civil assessment revenues. Each court and county reported revenue, jointly if they agreed, to the California State Association of the Counties (CSAC) and the Judicial Council of California (JCC). As a result, the MOE obligation was reduced by \$48.3 million beginning in 2006-07. In lieu of allocating a reduction to the trial courts based on the revenue shortfall, the JCC opted to cover the \$48.3 million shortfall by retaining in the TCTF that amount of the annual civil assessment revenue remitted by the trial courts and then distribute the remainder to the courts.

C. Estimated Costs:

One Time

\$

Ongoing

\$48.3 million

The amount of this request is consistent with the MOE obligations to the courts which was resulted from reduction to the county payments, totaling \$48.3 million.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

This request will continue to ensure stability of funding in the TCTF and progress towards equity of funding for the 58 trial courts. It is in line with Judicial Branch Goal VII to provide adequate, stable and predictable funding for a fully functioning branch.

E. Required Review/Approvals:

Trial Court Budget Advisory Committee has reviewed and approved this request. No additional advisory body approvals required.

2020-21 Initial Funding Request

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Budget Advisory Committee take the lead advisory role as this committee makes recommendations to the Council on the preparation, development, and implementation of the budget for the trial courts and provides input to the council on policy issues affecting trial court funding.

2020-21 Initial Funding Request

Requesting Entity: Trial Court Budget Advisory Committee

Contact: Leah Rose-Goodwin

Date Prepared: 2/22/19

Budget Services Liaison: Leah Rose-Goodwin

Document Tracking Number: IFR-20-04

A. Working Title: Funding for 10 of the 50 Judgeships Authorized by AB 159

B. Description of Funding Request:

The Judicial Council requests estimated between \$7.4 million and \$15.4 million General Fund in 2020-21 and ongoing to support 10 of the 50 trial court judgeships authorized by Assembly Bill (AB) 159 (Ch. 722, Stats. 2007), accompanying support staff, and facilities-related costs (which are unknown at this time), as applicable.

While the latest Judicial Needs Assessment (2016) shows that the branch needs just over 188 judgeships based on workload metrics, efforts to secure funding for the 50 previously-authorized judgeships have been unsuccessful. The only significant changes in judgeships was the reallocation of four vacant judgeships in the 2017-18 Public Safety Omnibus trailer bill (Chapter 17, Statutes of 2017) which reallocated two vacant judgeships each from the Superior Courts of California, County of Alameda and County of Santa Clara to the Superior Courts of California, County of Riverside and County of San Bernardino, and the addition of two judgeships to Riverside in the Budget Act of 2018.

There remains a critical judicial shortage in the trial courts with the greatest need. The allocation of the 10 judgeships would be based on the methodology outlined in Government Code section 69614 (b), which states that judges shall be allocated, in accordance with the uniform standards for factually determining additional judicial need in each county, as updated and approved by the Judicial Council, pursuant to the Update of Judicial Needs Study, based on the following criteria: (1) Court filings data averaged over a period of three years; (2) Workload standards that represent the average amount of time of bench and non-bench work required to resolve each case type; (3) A ranking methodology that provides consideration for courts that have the greatest need relative to their current complement of judicial officers.

C. Estimated Costs: **One Time** \$ **Ongoing**

Estimated costs of \$7.4 million to \$15.4 million General Fund for 10 trial court judgeships and a complement of court staff needed as identified in the RAS/WAFM model and including a court interpreter complement, and facilities-related costs, as applicable. The range of the cost estimate comes from using a court staff complement of either 3 positions (used in previous BCP requests) or 8.87 positions (the full staff complement using the RAS model estimate of staff need as a ratio to judicial need). Facilities-related costs are unknown at this time and will be dependent on the specifics needs in the jurisdiction for which the judgeships are provided.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The Judicial Council began efforts to seek the most critically needed 150 judgeships with Senate Bill (SB) 56 (Ch. 390, Stats. 2006). This legislation authorized the first fifty most critically-needed

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judgeships and the associated funding. In October 2007, AB 159 was enacted authorizing the second set of 50 judgeships, to be allocated as determined by the council. Initially, funding for these 50 judgeships would have allowed appointments to begin in June 2008. Because of budget constraints, funding was delayed until July 2009, however, no funding was included in the 2009 Budget Act to support the judgeships. Over the past five fiscal years, the council has approved the submission of Budget Change Proposals for critically needed new judgeships, however, to date, only funding for two judgeships has been provided.

E. Required Review/Approvals:

Trial Court Budget Advisory Committee has reviewed and approved this request. The Workload Assessment Advisory Committee should review this request; however, the committee has approved the methodology which determined the total judgeship need. Committee staff will provide the most updated judicial need numbers and judgeship prioritization list, based on its judicial workload study.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Budget Advisory Committee take the lead advisory role as this committee makes recommendations to the Council on the preparation, development, and implementation of the budget for the trial courts and provides input to the council on policy issues affecting trial court funding.

2020-21 Initial Funding Request

Requesting Entity: Trial Court Budget Advisory Committee

Contact: Leah Rose-Goodwin

Date Prepared: 02/22/19

Budget Services Liaison: Leah Rose-Goodwin

Document Tracking Number: IFR-20-05

A. Working Title: Escalation Factor for trial court cost increases - Placeholder

B. Description of Funding Request:

The Trial Court Budget Advisory Committee is in the process of developing an approach to address cost increases. There is insufficient funding available to support existing levels of service due to cost increases.

This is a placeholder that will be presented as a fully fleshed out concept to the Judicial Branch Budget Committee when they consider branch budget change proposal concepts in May of this year.

C. Estimated Costs: **One Time** **Ongoing**

The funding requested will be ongoing in nature. Further information will be provided in May.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

This funding request will allow courts to sustain current levels of service to the public and maintain access to justice.

E. Required Review/Approvals:

Trial Court Budget Advisory Committee has reviewed and approved this request. No additional advisory body approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Budget Advisory Committee take the lead advisory role as this committee makes recommendations to the Council on the preparation, development, and implementation of the budget for the trial courts and provides input to the council on policy issues affecting trial court funding.

2020-21 Initial Funding Request

Requesting Entity: Litigation Management Committee

Contact: Eric Schnurpfeil

Date Prepared: 02/25/19

Budget Services Liaison: Shirley Mohammed

Document Tracking Number: IFR-20-06

A. Working Title: Judicial Branch Litigation Management Program (A contingency submittal)

B. Description of Funding Request:

The Judicial Council requests 3.0 positions and \$6.5 million General Fund in 2020-21 and ongoing to support the defense and indemnification of all Judicial Branch entities for government claims and litigation. The request will also propose provisional language to allow the Judicial Council one additional year to encumber funds, beyond existing Budget Act authority, which will provide greater flexibility to schedule contract payments. Approximately \$5.4 million is budgeted annually from the General Fund and the State Trial Court Improvement and Modernization Fund (IMF) (see detail below). This request also seeks 3.0 additional positions at a total cost of \$700,000 (2 attorneys and 1 senior analyst) to assist with the increasing demand for litigation services. Shifting IMF expenditures to the General Fund will assist with extending the solvency of the IMF as well as centralize the Litigation Management Program into a consolidated pool of available funds to be used for all entities of the Judicial Branch.

C. Estimated Costs: **One Time** \$ **Ongoing**

\$6.5 million General Fund. This request will (1) consolidate the current expenditures from the following fund sources, adding to the existing \$200,000 General Fund allocation, (2) increase the total amount of the consolidated fund by \$449,000 to allow for increases in litigation costs over the period since these funds were *initially* established at the following levels, and (3) add 3.0 additional positions at a total cost of \$700,000 (2 attorneys and 1 senior analyst):

\$200,000 – General Fund

\$4,500,000 – IMF, Trial Court Litigation Management Fund¹

\$651,000 – IMF, Trial Court Transactions Assistance Program²

\$449,000 – Supplemental increased funding

\$700,000 – Three (3) Additional positions (2 attorneys and 1 senior analyst)

¹ The \$4,500,000 historically allocated to the Litigation Management Program from IMF starting in 2000 was reduced to \$4,000,000 for FY15-16 and \$4,160,000 FY 16-17. The reduced amount was insufficient to cover litigation expenditures for the trial courts for FY15-16, and Legal Services was required to request additional fund transfers to LMP, as well as to the \$200,000 General Fund allocation. Additional funds were also required in FY 2016-17 and FY 17-18. The fund is on pace to be fully encumbered for FY18-19.

² For FY13-14, the allocation to the Trial Court Transactions Assistance Program from IMF was reduced to \$451,000 from the previous \$685,000 in FY12-13 and remained at that reduced level until March 2016, when it became clear that the funds would be insufficient to cover expenditures for the trial court arbitrations and PERB matters; transfers from ROAG savings and other funds have supplemented the funding for FY15-16, for a total of \$669,048. FY 16-17 and 17-18 allocations are \$651,000.

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D. Relevance to the Judicial Branch Budget and Other Funding Requests:

Litigation funding is currently divided into three categories: (1) Supreme Court, Courts of Appeal, and Judicial Council litigation and related risk reduction expenditures (General Fund), (2) trial court litigation and related risk reduction expenditures (IMF-Trial Court Litigation Management), and (3) trial court transactional assistance to pay for counsel for labor arbitrations, proceedings before the Public Employment Relations Board, as well as for outside counsel in specialized areas of the law and other risk reduction expenditures (IMF-Trial Court Transactions Assistance Program). A nearly identical BCP for 2019-20 was provisionally granted with the Governor's Proposed Budget. In the event that the 2019-20 BCP does succeed in being incorporated into the final budget, the BCP concept for 2020-21 will be withdrawn. This request is consistent with a previously approved 2016-17 Governor's Budget BCP which shifted costs for the Phoenix Program from the IMF to the General Fund. Consolidating funding and broadening the use of the funds allows the Judicial Council to effectively manage resources and better serve the branch's litigation needs.

E. Required Review/Approvals:

- Litigation Management Committee has reviewed and approved this request. No additional advisory body approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that the Litigation Management Committee take the lead advisory role as this committee oversees litigation and claims against trial and appellate courts, the Judicial Council, and employees of those bodies that seeks recovery of \$100,000 or more or raise important policy issues.

2020-21 Initial Funding Request

Requesting Entity: Trial Court Facility Modification Advisory Committee

Contact: Karen Baker

Date Prepared: 2/22/2019

Budget Services Liaison: Mike Sun

Document Tracking Number: IFR-20-07

A. Working Title: Trial and Appellate Court Deferred Maintenance Funding

B. Description of Funding Request:

The Judicial Council (JCC) requests \$100 million General Fund in 2020-21 to provide funding to address deferred maintenance in trial and appellate courts. The request supports the JCC’s strategic goals by means of sustaining court facilities at an industry level of service; thus, mitigating disruptions that could negatively affect trial and appellate courts from discharging their duties as required by statute.

The JCC’s existing \$2.8 billion deferred maintenance backlog includes building system repairs (i.e. elevators, roofs, fire/life/safety), retrofits, upgrades and other deferred maintenance activities that have been postponed due to funding priorities, but do not represent an imminent threat to the facility or its occupants; however, this insufficient funding has continued to cause the JCC to operate facilities on a “run to failure” basis. The requested funding is necessary to ensure that proper facility maintenance occurs in order to avoid costlier (and earlier than expected) system replacements which contribute to the increased degradation of the state-owned assets.

C. Estimated Costs: **One Time** **Ongoing**

The one-time General Fund augmentation of \$100 million would be exclusively used towards addressing the most urgent deferred maintenance activities. This effort will minimize the rate of decay of state-owned facilities and avoids costly system failures.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The JCC developed a facility master plan for its trial courts, conducting an assessment of the State’s courthouses and prioritizing the need for upgrades or new construction under legislation AB 233 which restructured California’s court system to a state-funded system and created a Task Force on Court Facilities. The Task Force conducted a needs assessment of state’s facilities and reported to the Legislature the need for equality in funding service to trial courts.

Additionally, our programs’ ongoing budget has remained relatively flat over the past five years; however, in the same period an additional 3 million square feet of new courthouse space has been absorbed into the maintenance program. The JCC received one-time funding for deferred maintenance in 2016-17 (\$45 million) and 2018-19 (\$50 million) to address the failures of roofs, elevators, and HVAC systems. The 2019-20 Governor’s budget proposes \$40 million to address fire/life/safety systems. Funding of \$100 million for deferred maintenance allows for continued

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efforts to address deferred maintenance in court facilities to improve the life-expectancy of state assets. The California's courts are aging and the continued lack of re-investment in facilities can lead to early deterioration of buildings and exponentially higher repair or replacement costs.

E. Required Review/Approvals:

Trial Court Facility Modification Advisory Committee reviewed and approved this request. No additional advisory body approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Facility Modification Advisory Committee take the lead advisory role as this committee provides ongoing oversight of the Judicial Branch program that manages renovations, facilities operations, maintenance, and real estate for trial courts throughout the state.

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Requesting Entity: Trial Court Facility Modification Advisory Committee

Contact: Karen Baker

Date Prepared: 02/19/2019

Budget Services Liaison: Mike Sun

Document Tracking Number: IFR-20-08

A. Working Title: Trial Court Facility Operations and Maintenance Funding (A contingency submittal)

B. Description of Funding Request:

The Judicial Council requests 25.0 positions and \$51.5 million General Fund in 2020-21 and ongoing to provide funding for underfunded trial court facility operations and maintenance costs (O&M). Funding is required to provide operations and maintenance services at an industry standard level of service for the entire portfolio.

Maintenance is crucial to efficient facility management, resulting in fewer emergency repairs and increased asset longevity. In order to provide oversight to ensure that maintenance is being done, we propose the creation of 25 new field positions to help provide portfolio oversight. These positions are funded at an average of \$120,000 each, including benefits, for a total of \$3 million. That amount, with the increased funding of \$48.5 million needed to bring the original portfolio’s funding up to the International Facility Management Association (IFMA) standards, brings our request to \$51.5 million in ongoing resources. These resources are requested to bring our level of expenditure up to industry standards for the remainder of the portfolio.

C. Estimated Costs: **One Time** \$ **Ongoing** \$51,500,000

The estimated cost for this request is \$51.5 million which includes \$3 million for additional staffing and \$48.5 million to bring the O&M up to the IFMA standard. The calculation is based on the industry-standard funding level of \$6.90 per square foot times the square footage of the entire portfolio (\$141.81 mil) and subtracting the existing funding of \$73.2 million for the original portfolio and the proposed funding of \$20.15 million in 2019-20 Governor’s Budget for the new square footage. The portfolio includes 17.63 million square feet that are funded at only \$4.15 per square foot rather than at \$6.90 per square foot.

	IFMA 2017 Average Cost per Square Foot	Total Current JCC Facilities Square Footage (net) ^[1]	Portfolio Funding Level Recommended by IFMA	New JCC Facilities Square Footage (net)	IFMA Level funding for new space (19-20 Governor's Budget)	Current Available Funding for 17.63 million square feet	Operations & Maintenance Funding Gap
	a.	b.	c.	d.	e.	f.	= c - e - f
Maintenance	\$3.81	20.55 million	\$78.3 million	2.92 million	\$11.13 million	\$39.8 million	\$27.37 million
Utilities	\$3.09	20.55 million	\$63.5 million	2.92 million	\$9.02 million	\$33.4 million	\$21.08 million
TOTALS:	\$6.90		\$141.8 million		\$20.15 million	\$73.2 million	\$48.45 million

[1] The JCC Portfolio may fluctuate from year to year as properties become inactive due to termination of leases, transfers and sales, etc.

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	FTE	Annual Cost ^[3]	Total
Staff Oversight ^[2]	25	\$120,000	\$3,000,000

[2] Inclusive of proportionate Facilities Services staff in support of additional maintenance funds, to ensure quality assurance and fiscal oversight. Positions would include Facilities Operations Supervisors and Facilities Administrators

[3] Average cost per year, per employee, inclusive of salary, health, and benefits

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The Governor’s Budget for 2019-20 proposes an augmentation to the operations and maintenance funding. The increase is specifically for the additional 2.9 million square feet of space for new construction projects authorized by SB 1732 and SB 1407. This augmentation of \$20.15 million is based on IFMA’s 2017 rate of \$6.90 per square foot for maintenance and utilities. Trial court facilities from the original portfolio comprise 17.63 million square feet and are funded at \$4.15 per square foot; just above 60% of the IFMA industry standard. This underfunding combined with rising utility costs, results in fewer resources available for repairs and preventive maintenance tasks. This work is foundational to the work of the Judicial Branch. Our mission is to ensure that every courthouse be as uniformly well-constructed and maintained as possible with respect to the essential components which make a building inhabitable. Without a fully functional court facility, there is no equal access to justice. This funding request will help us comply with the originating legislative directives that resulted in the creation of the Facilities Services office and to ensure that the many courthouse occupants are safe and comfortable during the course of their time in the buildings.

E. Required Review/Approvals:

Trial Court Facility Modification Advisory Committee has reviewed and approved this request. No additional advisory body approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Facility Modification Advisory Committee take the lead advisory role as this committee provides ongoing oversight of the judicial branch programs that manage renovations, facilities operations, maintenance, and real estate for trial courts throughout the state.

2020-21 Initial Funding Request

Requesting Entity: Trial Court Facility Modification Advisory Committee

Contact: Karen Baker

Date Prepared: 2/22/2019

Budget Services Liaison: Mike Sun

Document Tracking Number: IFR-20-09

A. Working Title: Improve Energy Efficiency

B. Description of Funding Request:

The Judicial Council requests \$32.2 million General Fund in 2020-21 to implement projects that will decrease energy consumption and costs. Higher energy efficiency is critical across our portfolio due to static operating resources and escalating energy costs. Two primary strategies to reduce operational expenses are: (1) decreased consumption of energy, and (2) increased energy efficiency of building systems. This request includes the implementation of strategies, known as energy efficiency measures, that address energy drains. The strategies advance sustainability goals of reducing future energy consumption and energy expenses by better managing electricity usage. Funding would be used to implement the following energy efficiency measures:

- Energy efficiency projects as identified through energy audits,
- Retro-commissioning for facility HVAC system, and
- Energy efficiency lighting retrofits

Table 1 provides an outlook of the gained energy efficiency of implementing suggested energy savings measures with an estimated project cost of \$2.6 million, as identified through energy audits. Funding these projects will provide the measurable results to validate the return on investment of this strategy.

Table 1 Energy Audits – Efficiency Projects

Location	Estimated Project Costs	PG&E Incentives (one time)	Cost Savings (\$/yr)	Projected Cost Savings				
				Year 1*	Year 2	Year 3**	Year 4	Year 5
Phase 1 Projects (12) for Energy Efficiency - Anticipated Cost Savings	\$2,550,671	\$449,587	\$624,965	\$1,074,552	\$1,699,517	\$2,324,482	\$2,949,447	\$3,574,412

*Year 1 includes annual cost savings and one-time incentives

** Return on Investment occurs between Year 3 and Year 4

Retro-commissioning (RCx) is a process to improve the efficiency of an existing building’s equipment and systems. RCx can produce significant cost savings in existing facility operations. The JCC identified RCx opportunities for 277 buildings within its portfolio of 465 buildings. Retro-commissioning project costs are projected at \$15.4 million with a simple payback period of 2.46 years.

Lighting retrofits is a cost-effective energy efficiency option that can result in immediate and long-term energy savings. The JCC has funded some lighting retrofit projects, but there is no identified source of funding to continue this effort throughout the portfolio. LED lighting retrofit opportunities were identified in 189 buildings in the JCC portfolio. These project costs are estimated at \$14.2 million with a simple payback period of 6.17 years.

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C. Estimated Costs: **One Time** \$32,200,000 **Ongoing** \$

Energy Audits Efficiency Projects	2,550,671
Retro-commissioning for facility HVAC systems	15,430,037
Energy efficiency lighting retrofits	14,155,512
	<hr style="border-top: 1px solid black;"/>
	\$32,136,220
	<hr style="border-top: 3px double black;"/>

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

Currently, the Judicial Branch invests in energy efficiency and other sustainability projects through funds dedicated solely to operations and maintenance of trial court facilities operations. Completion of these energy efficiency projects should improve the thermal comfort, and indoor environmental quality of our court facilities, contributing to the health and wellness of our judicial staff and the public alike, as well as reduce our operating costs. This request is in alignment with both the Mission and the Strategic Goals of the Judicial Branch, contributing directly to:

- Goal IV - Branchwide Infrastructure for Service Excellence
- Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

E. Required Review/Approvals:

Trial Court Facility Modification Committee has reviewed and approved this request. No additional advisory body approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Trial Court Facility Modification Advisory Committee take the lead advisory role as this committee provides ongoing oversight of the Judicial Branch programs that manage renovations, facilities operations, maintenance, and real estate for trial courts throughout the state.

2020-21 Initial Funding Request

Requesting Entity: Judicial Council Technology Committee

Contact: John Yee and Virginia Sanders-Hinds

Date Prepared: 2/28/2019

Budget Services Liaison: Nadia Butler

Document Tracking Number: IFR-20-10

A. Working Title: Electronic (Intelligent) Judicial Council Forms Solution

B. Description of Funding Request:

The Judicial Council requests 4.0 positions and approximately \$1.535 million General Fund in 2020-21 and \$635,000 ongoing to support the implementation and deployment of a branch-wide forms solution based on the recommendations of the Information Technology Advisory Committee’s Intelligent Forms Workstream. The one-time funding is to fund consultant services and to procure a platform and software for the modernization and transformation of Judicial Council forms.

Court forms are the most frequent point of contact that the public has with the Judicial Council of California, the browse forms page on the Judicial Council website was accessed 4.8 million times in 2018. In 2016, 92% of the downloads from the Judicial Council website were forms. In 2018, that represented 5.98 million forms.

The current technology solution for managing Judicial Council forms is anticipated to be at the end of life within next two years. The replacement product is a significantly more complex and cumbersome platform that requires specialized technical expertise and training to use. To move forward with the modernization of Judicial Council forms it is essential to have a platform in place for the development of a solution. The Intelligent Forms initiative will enable the Judicial Council Technology Office to establish a platform for the development, deployment, and maintenance of a branch-wide Intelligent Forms solution based on the recommendations of the Intelligent Forms Workstream.

C. Estimated Costs: **One Time \$1.535 million** **Ongoing \$635,031.00**

		FY20/21	
		One time	Ongoing
<i>Full Time Staff Costs</i>			
	1 Attorney		\$190,016
	1 Technology Architect		\$171,007
	1 Sr. Technology Analyst		\$137,004
	1 Sr. Business Systems Analyst		\$137,004
<i>Operational and Deployment Costs</i>			
	Forms platform and software; APIs, professional services; Adaptive Forms Builder; Certification and e-Signature; Versioning.	\$1,535,031 (Est.)	

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D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The *Strategic Plan for California's Judicial Branch* and the *Strategic Plan for Technology 2019-2022* both list access to justice as Goal 1. Providing self-represented litigants access to forms that can be used remotely and at no charge means access to justice, enabling users to file court documents and seek legal remedies. Family law, probate, protective orders, name changes, and other legal processes are largely form-driven. Court forms are critical for improving service and access to self-represented litigants. The Judicial Council, as the official publisher of Judicial Council Forms, is the entity properly charged with the responsibility for delivering the technical infrastructure.

Remote access to reliable, legally accurate, and accessible forms is foundational to access to justice. It further enhances the move towards a “digital court,” and has the potential to significantly increase efficiency as data migrates from the face of a paper form that must be manually input to seamless integration through e-filing and remote interaction.

E. Required Review/Approvals:

Judicial Council Technology Committee and Information Technology Advisory Committee have reviewed and approved this request. No additional advisory body approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Judicial Council Technology Committee take the lead advisory role as this committee oversees the council's policies concerning technology and is responsible in partnership with the courts for coordinating with the Administrative Director and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts.

2020-21 Initial Funding Request

Requesting Entity: Judicial Council Technology Committee

Contact: Heather Pettit

Date Prepared: 3/1/2019

Budget Services Liaison: Nadia Butler

Document Tracking Number: IFR-20-11

A. Working Title: Productizing California Court Innovation Grants

B. Description of Funding Request:

The Judicial Council requests approximately \$4.88 million General Fund in 2020-21 and \$1.8 million ongoing to further develop and deploy a branchwide strategy for productizing California Court Innovations Grants. The courts in partnership with the Judicial Council Information Technology office began an initiative in 2018, called Courtstack to address the need to take the single court solutions that were funded by the Innovations Grants and deploy them to other jurisdictions/courts. The CourtStack initiative provides a digital court platform and “ecosystem” to facilitate the transferable framework for the applications. The scope of this request consists of the development of foundational software services, applications, as well as the support and deployment of those applications throughout the branch so all courts may have the benefit of the innovations.

This initiative will extend the solutions to all courts with a technology platform. This will provide a standard implementation framework and solve many of the technical challenges seen while trying to deploy at different entities.

The courts have taken on the initial effort to create the concept design and have made progress where it coincides with existing innovation grants and local court priorities. The branch has engaged in architecture and standards work. However, to achieve the branch-wide mission, vision, and goals, additional funding is needed.

C. Estimated Costs: **One Time** **Ongoing**

Proposed funding is organized around three main areas (Foundational Services, Application Productization, Branch Support/Deployment).

Description	Courts	Judicial Council	Other Branch Entity	Estimate Total
Sample Foundational Services				
Court CMS Services				
CMS 1	\$500,000	\$100,000		\$600,000
CMS 2	\$500,000	\$100,000		\$600,000
Identity Management	\$50,000	\$10,000		\$60,000
Payment Solution	\$100,000	\$5,000		\$105,000
Court Integration Solution	\$320,000	\$10,000		\$330,000
Total				\$1,695,000

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Sample Application Productization			
CourtHub (Foundational - All Apps)	\$450,000	\$25,000	\$475,000
Mobile App	\$225,000	\$25,000	\$250,000
Court Data Access	\$600,000	\$25,000	\$625,000
Search Court Records	\$125,000	\$5,000	\$130,000
tAccess Court Documents	\$125,000	\$5,000	\$130,000
Pay Court Fee's (User Interface)	\$120,000	\$5,000	\$125,000
Total			\$1,735,000
Support & Deployment			
Year 1 - Provisioning & Deployment Support		\$350,000	\$350,000
Year 2 - Provisioning & Deployment Support		\$475,000	\$475,000
Year 3 - Provisioning & Deployment Support		\$625,000	\$625,000
Total			\$1,450,000
Estimate Totals	\$3,115,000	\$1,765,000	\$0
			\$4,880,000

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

Two years ago, Innovation Grants were awarded throughout the judicial branch. These grants were one-time funded through the state budget to encourage judicial branch innovations. These grants helped incubate a number of technical concepts and solutions that were in alignment with branch strategic technology goals. These solutions are excellent and very useful for the courts that implemented them. Unfortunately, many have been difficult to deploy to other courts. In order to deploy these solutions beyond the proof of concept, a software development team, a significant amount of time, and additional financial resources is needed.

This initiative is in alignment with Branch strategic goals I, III, IV, and VI as it provides an easy to use branch-wide product suite that expands the digital court and will allow the public to access uniform court services throughout the state, where as today many courts have differing public services. The CourtStack vision of a robust, secure, reusable set of foundational services that serve as a core for future solutions is in direct alignment with the guiding principal of reliability and the goal of advancing IT security and infrastructure.

E. Required Review/Approvals:

Judicial Council Technology Committee has reviewed and approved this request. Information Technology Advisory Committee and Trial Court Budget Advisory Committee review and approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Judicial Council Technology Committee take the lead advisory role as this committee oversees the council's policies concerning technology and is responsible in partnership with the courts for coordinating with the Administrative Director and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts.

2020-21 Initial Funding Request

Requesting Entity: Judicial Council Technology Committee

Contact: Matt Nicholls and Michael Derr

Budget Services Liaison: Nadia Butler

Date Prepared: 1/3/2019

Document Tracking Number: IFR-20-12

A. Working Title: Disaster Recovery Consulting Services Solutions - Pilot

B. Description of Funding Request:

The Judicial Council requests 2.0 positions and \$1.429 million General Fund in 2020-21 and \$329,000 ongoing to establish a Disaster Recovery (DR) program that provides support and expertise to courts on disaster recovery strategies and solutions. The program will include DR strategies based on court needs and requirements and will evaluate both cloud-based and on-premise DR services, as well as expertise in designing and implementing DR plans.

The positions within the Judicial Council Information Technology Office are required to:

- Manage the vendor Master Service Agreements (MSAs) and contracts;
- Provide guidance to court during their DR discovery process;
- Make recommendations and provide assistance to courts on their DR strategy;
- Create a roadmap for all courts to utilize as a standard for executing DR plans.

This program allows the branch to begin the process of operationalizing concepts established by the Information Technology Advisory Committee's Disaster Recovery Workstream as it works to modernize the branch's disaster recovery capabilities. No on-going funding would be provided to the courts (i.e., if a court wished to continue the pilot, it must fund on-going costs.)

C. Estimated Costs:

One Time

\$1.1 million

Ongoing

\$329,000.00

One-Time

- Development and issuance of one or more solicitations for both cloud-based and on-premise disaster recovery services and related plan development to facilitate failover to and recovery from these services.
- Execution and publication of MSAs to provide both cloud-based and on-premise disaster recovery services to judicial branch entities.
- Use of disaster recovery consulting services MSAs put in place by the Phase II disaster recovery workstream by two or more courts to establish court-specific disaster recovery solutions.
- Establishment of two or more pilot disaster recovery service engagements that serve to implement the solutions established by disaster recovery consulting service providers, including the development and enactment of supporting disaster recovery plans.

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Ongoing:

- Establishment of 2.0 positions within the Judicial Council to provide guidance and assistance to the courts on the subject of disaster recovery

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

This funding request is in direct support of the *Strategic Plan for Technology 2019-2022*, specifically Goal 3: Advance IT Security and Infrastructure's Objective 3.3 that states "Ensure that critical systems, infrastructure hardware, and data can be recovered in a timely manner after a disaster." It will improve courts' ability to prepare for and recover their IT systems from catastrophic events that would otherwise result in loss of data and/or the ability to serve the public. Additionally, it will help facilitate compliance with the Judicial Branch information security framework, which specifies that effective controls be in place for contingency planning.

E. Required Review/Approvals:

Judicial Council Technology Committee and Information Technology Advisory Committee have reviewed and approved this request. Trial Court Budget Advisory Committee approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes the Judicial Council Technology Committee take the lead advisory role as this committee oversees the council's policies concerning technology and is responsible in partnership with the courts for coordinating with the Administrative Director and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts.

2020-21 Initial Funding Request

Requesting Entity: Judicial Council Technology Committee

Contact: Heather Pettit

Date Prepared: 2/10/19

Budget Services Liaison: Nadia Butler

Document Tracking Number: IFR-20-13

A. Working Title: Digitizing Documents Phases 2 and 3

B. Description of Funding Request:

The Judicial Council requests approximately \$17.8 million General Fund in 2020-21 to expand the digitizing of court records. This extends and supports the Phase 1 of the BCP that is proposed in the 2019-20 Governor’s Budget and is pending final legislative approval.

31-courts responded to the needs survey, and 29 wanted to participate in a pilot. Of the 29 wanting to participate in a pilot, 22 were committed, willing to re-engineer their business processes, provide staffing for the pilot and provide documentation of their experiences so that future implementations would go more smoothly. Each court measured or provided estimates for the quantity of paper and filmed files, for both active and archived cases. In total, the 29 courts reported more than 300,000 linear feet of active case paper files (more than 56 miles). The response to the survey identifies an opportunity for substantial reductions in physical storage, through the digitizing of paper.

C. Estimated Costs: **One Time** **Ongoing**

Courts interested in participating in the program assisted with the estimated costs, implementation strategy, and inventory of paper records; digitizing vendors provided service and equipment estimates. Four-year estimated costs for Phases 2 - 3 are detailed below. Initial budget allocation for FY 2019-2020, included Phase 1 money for equipment, digitizing services, and 1.0 position to manage the project.

Estimate Phase 2-3 Costs

One 15" box =.8 Liner Feet

	Year 2	Year 3	
Estimate Cost Linear Feet	\$5,893,090.00	\$10,363,710.00	
Scanning Equipment	\$650,000.00	\$650,000.00	
Contingency	\$150,000.00	\$100,000.00	Total Year 2-3
	\$6,693,090.00	\$11,113,710.00	\$17,806,800.00

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D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The 2019-20 Governor's Budget proposes the funding of \$5.6 million for the first phase of digitization of mandatory paper court records was for equipment and consulting services for 5 to 7 courts. This budget change proposal is to fund the next two phases of the paper digitization. The funding will cover the conversion of mandated paper case files in at least one case type for approximately 15 courts, including Supreme Court, Court of Appeals and Trial Courts. The tentative implementation strategy is:

Phases	Estimated Linear	Types of Courts
** Phase 1 (BCP FY 19-20)	27,151	5 trial courts/1 court of appeal
Phase 2 (FY 20-21)	28,535	5 trial courts 1/3 of Multiple phase implementation)
Phase 3 (FY 21-22)	50,772	7 trial court/ 1 court of appeal 1/3 of 2 courts multi- phase implementation
106,458 Estimated Total Linear Feet of Documents		

** Included in 2019-20 Governor's proposed budget

This request is in alignment with the Branch strategic goals I, II, III, IV, and VI as it enables faster and easier access to case information for the public, allows greater transparency to the public at lower cost to the courts, reduces the requirement that customers stand in line at the courthouse and the workload on court staff, as well as allowing for access to relevant case information at the convenience of the authorized parties.

Digitizing paper and film files is a foundational requirement that allows the judicial branch to effectively utilize a modern case management system and to realize significant savings by providing electronic service delivery over face-to-face transactions.

E. Required Review/Approvals:

Judicial Council Technology Committee and Information Technology Advisory Committee have reviewed and approved this request. Trial Court Budget Advisory Committee approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes the Judicial Council Technology Committee take the lead advisory role as this committee oversees the council's policies concerning technology and is responsible in partnership with the courts for coordinating with the Administrative Director and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts.

2020-21 Initial Funding Request

Requesting Entity: Judicial Council Technology Committee

Contact: Donna Keating and Davin Cox

Budget Services Liaison: Nadia Butler

Date Prepared: 02/07/19

Document Tracking Number: IFR-20-14

A. Working Title: Next Generation Data Hosting Consulting Services

B. Description of Funding Request:

The Judicial Council requests 1.0 position and approximately \$1.296 million General Fund 2020-21 and \$843,000 over 5 years to implement the concepts outlined in the Next Generation Hosting Framework (NGH) at one or, if funding is available, potentially more courts. The initial funding would be used to operationalize branch-level recommendations as decided by the Information Technology Advisory Committee (ITAC) by working with a court, doing a full IT environment assessment, developing IT hosting scenarios, testing, operational methodologies, support and maintenance options that will be published in an IT Hosting Playbook. The Playbook will be the baseline for hosting options and will be the mechanism to evaluate hosting best practices, methods, procedures and other technologies available for data center hosting services including server infrastructure, network and software that supports mission critical court applications. This could be considered a pilot, so no additional funds would be provided to the court if they court wished to continue with the hosting options that were implemented. Any on-going funds after the pilot would be borne by the court.

The NGH workstream recommendations present guidelines to assist courts in making decisions on hosting court technology systems using modern, scalable, and flexible models. The models range from on-premise local hosting solutions, regional court data centers, cloud computing solutions via third party service providers, or hybrid models of the above. The funding would allow courts to test framework guidelines, to use and refine common service level definitions and expectations, and to take advantage of new hosting technologies available to the branch. Courts may leverage Master Service Agreements (MSAs) negotiated with providers for hosting support for critical applications including: court case management systems, public service portals, jury systems, DMV, payroll, financial, email systems and web services. This request will enable the courts to utilize solutions and leverage the expertise of the workstream’s recommendations to better utilize modern, robust, flexible, and cost-effective hosting solutions that are suitable for each court’s technology environment and needs.

C. Estimated Costs:

One Time

Up to \$1,295,862

Ongoing

\$842,201
(5-year total)

At this time the cost to pilot Next Generation Hosting Solutions is unknown, but as the assessment moves forward we will be better able to gauge the resources needed for this effort. At this point in time, funding for the pilot is expected to include:

- Data center consulting services contract to assist the pilot courts
- 1.0 position for JCC: 1.0 Senior Business Systems Analyst to work with pilot courts to provide hosting guidance based on a defined methodology and playbook, to maintain and

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refine the framework, and to coordinate procurement of services including: developing Requests for Proposals (RFPs), selecting vendors, and executing contracts.

- No additional on-going funding is requested for pilot courts. Courts wishing to continue their pilot implementation would fund any on-going costs.
- The cost estimates are for pilot services for one medium sized court for hardware, software, and services and are based on current California Court Technology Center (CCTC) pricing models.

Category	One Time Costs
Consulting Services	Up to \$1,295,862

	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Senior Business Systems Analyst	\$152,417	\$160,038	\$168,040	\$176,442	\$185,264

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

While next generation hosting is expressly called out under the *Strategic Plan for Technology 2019 - 2022* in Goal 3, Optimize Infrastructure, it also has a direct impact on the branch’s ability to accomplish two more of its strategic technology goals: Promote the Digital court and Optimize Branch Resources. A modern, flexible, scalable, and cost-effective hosting foundation is critical to providing services that extend and enhance public access to the courts, enable data-sharing among the courts, and promote collaboration across the judicial branch. The recommendations are based upon the Court Technology Strategic and Tactical Plan and the best likelihood for achieving the defined goals and objectives. The workstream also partnered with ITAC’s Disaster Recovery Workstream to ensure report findings were in alignment with related initiatives in the Tactical Plan.

E. Required Review/Approvals:

Judicial Council Technology Committee and Information Technology Advisory Committee have reviewed and approved this request Trial Court Budget Advisory Committee review and approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Judicial Council Technology Committee take the lead advisory role as this committee oversees the council’s policies concerning technology and is responsible in partnership with the courts for coordinating with the Administrative Director and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts.

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Requesting Entity: Branch Accounting and Procurement and Budget Services

Contact: Doug Kauffroath, Zlatko Theodorovic

Date Prepared: 02/20/2019

Budget Services Liaison: Michael Sun

Document Tracking Number: IFR-20-015

A. Working Title: Judicial Branch FI\$Cal Staffing Plan (A contingency submittal)

B. Description of Funding Request:

The Judicial Council (JCC) requests 6.0 positions and \$952,000 General Fund in 2020-21 and ongoing to support the use and administration of the Financial Information System for California (FI\$Cal). These resources are essential for the JCC to effectively manage the FI\$Cal system, ensuring accuracy, integrity, transparency of financial information and timely payment of the JCC's obligations for services and goods received.

The JCC implemented the FI\$Cal on July 1, 2018. Since the implementation of the FI\$Cal system, the JCC has discovered that many tasks require more time to perform than in the Oracle system. The benefits of the FI\$Cal system include increased transparency and access to more information regarding budgets, accounting, and procurement. However, the system requires additional and more complicated data entry, review of funding chart fields for procurement and payments, and report tracking by JCC staff to realize these benefits. In addition, the FI\$Cal system was developed through requirements gathered by executive branch agencies and departments. Its functions were designed in line with centralized procurement through the Department of General Services, which the Judicial Council does not use. Finally, the budget application, Hyperion, introduced workload to the Judicial Council that was previously completed by the Department of Finance.

C. Estimated Costs:

One Time

Ongoing

These resources will primarily support costs associated with the following positions:

- 1.0 Fiscal Services Support Supervisor (\$172,000)
- 2.0 Associate Fiscal Analysts (\$323,000)
- 2.0 Administrative Specialists (\$276,000)
- 1.0 Fiscal Analyst (\$181,000)

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The Judicial Council implemented FI\$Cal on July 1, 2018. For fiscal year 2017-18 the JCC received systems implementation funding but no funding for personnel needs. The JCC has now assessed the staffing needs required to keep the system fully operational and this request addresses these needs. An identical BCP was proposed in 2019-20 Governor's Budget. In the event that the 2019-20 BCP does succeed in being incorporated into the final budget, the BCP concept for 2020-21 will be withdrawn.

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E. Required Review/Approvals:

Judicial Branch Budget Committee review and approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Judicial Branch Budget Committee take the lead advisory role as this committee assists the Judicial Council in exercising its duties with respect to the judicial branch budget and makes recommendation of the use of statewide emergency funding for the judicial branch.

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Requesting Entity: Judicial Council Technology Committee

Contact: Bobby Brow

Date Prepared: 02/15/2019

Budget Services Liaison: Michael Sun

Document Tracking Number: IFR-20-16

A. Working Title: Implement Phoenix Roadmap (A contingency submittal)

B. Description of Funding Request:

The Judicial Council requests 4.0 positions and \$7.711 million General Fund in 2020-21, \$4.415 million in 2021-22, and \$3.935 million ongoing starting in 2022 to address critical needs of the Phoenix Program:

- *Phoenix Platform Modernization* – a technical upgrade is required to remain on-track with standard support by the software provider, SAP. The upgrade provides the best opportunity to also migrate from the current technology center to a cloud hosting provider to replace an expired contract and continue providing the most efficient and economical administrative support to the trial courts. Additional resources will be required to assess and complete this work while continuing standard ongoing maintenance of critical administrative processes.
- *Phoenix Payroll Deployments* – several trial courts require migration to Phoenix payroll services, as their current service providers (counties) either no longer wish to provide the services or are providing sub-standard services (counties or other third parties). According to JC Directive 131, Phoenix HR Payroll is an optional service to individual trial courts, subject to available resources. The Phoenix Program has been able to deploy HR Payroll services to eight courts over the last nine years and is in the process of deploying services to one more this year, without any additional investment in existing resources. However, the Program has reached maximum capacity and requires additional funding to provide support to courts that are currently requesting services. At least six trial courts have expressed interest in deployment projects over the next 2 years. To provide the services, some consulting backfill and travel funds are required, as well as ongoing staff to support the additional work of the Program.
- *IMF Funding Shift* – funding for contracts that support the stable, mature system should be paid by the General Fund. A shift of IMF funding to the General Fund will more accurately reflect the status of the Program and provide some relief to an otherwise overburdened funding source.

C. Estimated Costs:

One Time

\$ 4,273,000

Ongoing

\$ 3,935,000

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	20-21	21-22	Total
One-time:			
HANA Cloud Migration and Licenses	3,293,000	-	3,293,000
Payroll Deployments	490,000	490,000	980,000
Total One-time	3,783,000	490,000	4,273,000
	20-21	21-22	22-23
Ongoing OE&E			
HANA Cloud Hosting and Maintenance*	1,686,000	1,683,000	1,693,000
Funding Shift - Consulting ongoing costs*	1,531,000	1,531,000	1,531,000
Total Ongoing OE&E	3,217,000	3,214,000	3,224,000
Ongoing: Staffing			
4.0 Positions	711,000	711,000	711,000
Total Ongoing	3,928,000	3,925,000	3,935,000
Total	7,711,000	4,415,000	
*Request includes General Fund money for costs currently funded by the IMF.			

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The Phoenix system is the enterprise financial and procurement system for all 58 Trial Courts, and the payroll system for 15 courts. As such, it requires constant maintenance and further innovation to adequately support the administrative needs of the courts, and the branch as a whole. The Phoenix Program has enjoyed great success and continues to receive positive feedback across the state as a valued partner of the courts and good steward of public resources. An identical BCP was proposed in 2019-20 Governor’s Budget. In the event that the 2019-20 BCP does succeed in being incorporated into the final budget, the BCP concept for 2020-21 will be withdrawn.

E. Required Review/Approvals:

Judicial Council Technology Committee and Trial Court Budget Advisory Committee review and approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Judicial Council Technology Committee take the lead advisory role as this committee oversees the council’s policies concerning technology and is responsible in partnership with the courts for coordinating with the Administrative Director and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts.

2020-21 Initial Funding Request

Requesting Entity: Administrative Presiding Justices Advisory Committee (pending final approval)

Contact: Deborah Collier-Tucker and Bob Lowney

Date Prepared: 2/28/2019

Budget Services Liaison: Lucy Chin

Document Tracking Number: IFR-20-017

A. Working Title: Court Technology Manager

B. Description of Funding Request:

The Judicial Council requests 7.0 positions and approximately \$1.571 million General Fund in 2020-21 and ongoing to fund a Court Technology Manager position for the Supreme Court and each Court of Appeal. The Appellate Courts have embraced technology over the last 5 to 7 years where the courts, moving to electronic filing, providing remote access to the public and offering many of our services on line. At the same time, the Judicial Council Information Technology staff have been reduced and utilized in ways to promote other missions of the judicial branch. The Appellate Courts are in need of a Technology Manager position to serve as a strategic and visionary manager for many of the complex information technology projects occurring in the courts. Similar to each trial court CIO, the Appellate Courts need a position to advance court technology and modernize the services the courts provide to the public. The Appellate Courts created the classification in February 2018 yet need funding and position authority to fill these vital positions.

C. Estimated Costs:

One Time

\$

Ongoing

\$ 1.571 million

The funds requested are specific to the personal services and related operating expense and equipment as allocated to positions.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

Securing adequate and necessary technology resources for the courts to provide a modern accountable and agile judiciary supports the first four goals of the Judicial Branch's Strategic Plan: Goal I: Access, Fairness, and Diversity; Goal II: Independence and Accountability, Goal III: Modernization of Management and Administration, and Goal IV: Quality of Justice and Service to the Public. Court technology projects are the only way that appellate courts will become efficient and provide the service the public expects of the judicial branch. This position will provide the Supreme Court and each Court of Appeal the expertise to ensure that worthy projects are successfully implemented and in dutiful alignment with the Judicial Branch Strategic Plan for Technology.

E. Required Review/Approvals:

Appellate Court Clerk Executive Officers has reviewed and approved this request. Administrative Presiding Justices Advisory Committee final review and approval required.

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F. Proposed Lead Advisory Committee:

Budget Services proposes that the Administrative Presiding Justices Advisory Committee take the lead advisory role as this committee establishes administrative policies that promote the quality of justice by advancing the efficient functioning of the appellate courts; reviews rules, forms, studies, and recommendations to the council related to appellate court administration; and identifies issues of concern to the appellate courts.

2020-21 Initial Funding Request

Requesting Entity: Administrative Presiding Justices Advisory (pending final approval)

Contact: Deborah Collier-Tucker and Bob Lowney

Date Prepared: 2/27/2019

Budget Services Liaison: Lucy Chin

Document Tracking Number: IFR-20-18

A. Working Title: Appellate Court Appointed Counsel Projects

B. Description of Funding Request:

The Judicial Council requests \$1.628 million General Fund in 2020-21 and ongoing to support increased costs for contractual services in the Supreme Court’s Court-Appointed Counsel Project, California Appellate Project – San Francisco (CAP-SF), and the Courts of Appeal Court Appointed Counsel Project Offices (Projects). The requested funding will aid CAP-SF and the Projects in meeting their obligations to ensure justice through competent and qualified defense counsel for indigent defendants. Prior to 2017-18, CAP-SF and the Project Offices had not received an increase to their contracts since 2007-08; however, the 2017-18 Governor’s Budget provided \$1.041 million General Fund (\$255,000 for CAP-SF and \$786,000 for the Projects) to support three years increased costs for contractual services.

CAP-SF serves as a legal resource center for private counsel appointed in capital appeals, habeas corpus, and clemency proceedings as well as providing direct representation in some of these matters. CAP-SF provides individual case services to appointed attorneys, provides training, and litigation resource material. In addition, CAP-SF assists 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.

California’s Court-Appointed Counsel Program fulfills the constitutional mandate of providing adequate representation for indigent appellants in the Courts of Appeal on non-capital cases. The objectives of California’s appellate court-appointed counsel system are to: (1) ensure the right of indigent clients to receive the effective assistance of appointed appellate counsel as guaranteed to them by the U.S. Constitution; and (2) provide the Courts of Appeal with useful briefings and arguments that allow the Courts to perform its function efficiently and effectively.

C. Estimated Costs:

One Time

\$

Ongoing

\$1.628 million

Supreme Court: The requested amount of \$350,400 (6% of the CAP-SF annual contract) reflects the increased cost to the Supreme Court for services provided by the CAP-SF.

Courts of Appeal: The requested amount of \$1,277,798 (7% of the annual contract for the Courts of Appeal project offices) reflects the increased cost to the Courts of Appeal for services provided by the five Appellate Projects (First District Appellate Project (FDAP), California Appellate Project-Los Angeles (CAP-LA), Central California Appellate Program (CCAP), Appellate Defenders, Inc. (ADI), and Sixth District Appellate Program (SDAP)).

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D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The 6th Amendment to the United States Constitution guarantees the effective assistance of counsel in criminal proceedings as a fundamental part of our judicial system. The State's courts are required to provide counsel to indigent defendants and must do so in all appeals that may come before them. The mission of the California judiciary is to "in a fair, accessible, effective and efficient manner, resolve disputes arising under the law... protect the rights and liberties guaranteed by the Constitutions of California and the United States." Goal I of the Strategic Plan, Access, Fairness, and Diversity, states that "California's courts will treat everyone in a fair and just manner."

E. Required Review/Approvals:

Appellate Court Clerk Executive Officers has reviewed and approved this request. Administrative Presiding Justices Advisory Committee final review and approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that the Administrative Presiding Justices Advisory Committee take the lead advisory role as this committee establishes administrative policies that promote the quality of justice by advancing the efficient functioning of the appellate courts; reviews rules, forms, studies, and recommendations to the council related to appellate court administration; and identifies issues of concern to the appellate courts.

2020-21 Initial Funding Request

Requesting Entity: Administrative Presiding Justices Advisory Committee (pending final approval)
Contact: Deborah Collier-Tucker and Bob Lowney **Date Prepared:** 2/27/2019
Budget Services Liaison: Lucy Chin **Document Tracking Number:** IFR-20-19

A. Working Title: Appellate Court Facility Maintenance Program

B. Description of Funding Request:

The Judicial Council requests \$1.4 million General Fund in 2020-21 and ongoing to establish and support of Appellate Court Facility Maintenance Program which will include preventative and demand maintenance, and minor facility modifications in all appellate court facilities. Preventative maintenance provides that equipment is regularly inspected and maintained before a breakdown occurs and demand maintenance addresses unique, and unforeseen events. Minor facility modifications include projects that restore or improve the designed level of function of a facility or facilities. The appellate courts occupy a total of just over 500,000 square feet of space in nine facilities. Of the nine locations, four are state owned facilities managed by the Department of General Services (DGS), two are state-owned, court managed facilities, and three are in leased space.

Appellate Court	Location	Type of Facility	Square Footage Occupied
First District	San Francisco	State-owned, DGS managed	83,000
Second District	Los Angeles	State-owned, DGS managed	119,000
	Ventura	Leased space	23,000
Third District	Sacramento	State-owned, DGS managed	56,000
Fourth District	San Diego	Leased space	50,000
	Riverside	State-owned, DGS managed	35,000
	Santa Ana	State-owned, court managed	52,000
Fifth District	Fresno	State-owned, court managed	51,000
Sixth District	San Jose	Leased space	39,000

In the past 10 years, there have been significant investments in new appellate court facilities. However, no ongoing funding was provided for a facility maintenance program. Any repairs or improvements must be paid out of the appellate courts general operating budget, which is already strained due to previous budget reductions. With limited funding, only the most urgently needed and/or safety-related projects can proceed, leaving unaddressed system replacements, including roofs, mechanical and electrical systems, that often result in more costly repairs in future years. This request will create a Facility Maintenance Program to take a proactive approach towards identifying, maintaining, and funding critical building needs in the Appellate Courts.

This request reflects an estimated cost for minor facility modifications at \$2.00 per square foot for owned and leased appellate court facilities. Preventive maintenance and demand maintenance efforts for the two, court managed facilities, are estimated at \$3.81 per square foot, based on the International Facility Management Association (IFMA) industry-standard level of funding. Planned facility condition assessments will be performed on the two, court-managed facilities to identify life-cycle replacements of major building components, such as, equipment that has reached

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the end of its useful life. Further, as bonds are retired on the remaining state-owned, DGS-managed facilities, an assessment will need to be performed to determine the available remaining life-cycle of major building components.

C. Estimated Costs: **One-time** **X Ongoing** \$1.4 million

Estimated costs for this request are \$1.4 million for preventative and demand maintenance and minor facility modifications.

	Square Footage Occupied	Estimated Cost per Square Foot	Total
Minor Facility Modifications - all locations	508,000	\$2.00	\$1,016,000
Maintenance (Preventive and Demand) – Court Managed	103,000	\$3.81	\$392,430
			\$1,408,430

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

California’s courts are aging, and continued lack of investment in facility maintenance will lead to continued deterioration of buildings and other basic building components, leading to the inability of the appellate courts to discharge duties required by statute.

While this request seeks a General Fund augmentation, there may be direction given to utilize Appellate Court Trust Fund (ACTF) resources. However, due to declining revenues, the ACTF may be unable to support an ongoing augmentation.

Additionally, it is important to note that in 2008-09 a BCP approved by the Department of Finance for the one-time moving (\$1.628M ACTF) and ongoing operations and maintenance costs (\$70,000 in year 1, \$415,000 ongoing GF) was included in the Governor’s Budget for the new Fourth Appellate, Santa Ana facility. The operations and maintenance costs were based on the then-DGS estimated cost per square foot of \$10.80, less the existing operations and maintenance resources in the Fourth District’s budget. Operations and maintenance funding cover a wide variety of items such as utilities, insurance, and building repairs. However, during budget negotiations funding for the move was approved, but the operations and maintenance funding was deferred and would be considered in future fiscal years. To date, the Judicial Branch has not submitted another request for these costs.

E. Required Review/Approvals:

Appellate Court Clerk Executive Officers has reviewed and approved this request. Administrative Presiding Justices Advisory Committee, and Trial Court Facility Modification Advisory Committee review and approvals required.

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F. Proposed Lead Advisory Committee:

Budget Services proposes that the Administrative Presiding Justices Advisory Committee take the lead advisory role as this committee establishes administrative policies that promote the quality of justice by advancing the efficient functioning of the appellate courts; reviews rules, forms, studies, and recommendations to the council related to appellate court administration; and identifies issues of concern to the appellate courts.

2020-21 Initial Funding Request

Requesting Entity: Administrative Presiding Justices Advisory Committee (pending final approval)
Contact: Deborah Collier-Tucker and Bob Lowney **Date Prepared:** 2/27/2019
Budget Services Liaison: Lucy Chin **Document Tracking Number:** IFR-20-20

A. Working Title: Appellate Court Judicial Workload

B. Description of Funding Request:

The Judicial Council requests 5.0 positions and approximately \$1.28 million General Fund in 2020-21 and ongoing to add one new justice and four necessary chambers staff (three Sr. Attorney and one Judicial Assistant) to meet the substantial and growing workload demands in Division 2 – Riverside Court of the Fourth Appellate District Court of Appeal. The workload in Division 2-Riverside Court is continuing to increase and the existing justices cannot handle the volume of cases. Based on information from the last three years for which data is available, Division 2 has an annual average of 1,190 appeals becoming fully briefed. After applying the weighted case formula, Division 2 receives 117 cases per justice, far exceeding all of the other divisions and far in excess of the optimal number of weighted cases per justice, which is 89. Adding one justice will reduce the weighted workload and prevent cases from being transferred from one division to another, which poses a hardship for litigants who would bear the expense and burden of traveling to a distant division. It will also allow local issues to be decided in the geographic area where the dispute arose.

C. Estimated Costs: **One Time** \$ **Ongoing** \$1.28 million

The estimated cost for one new justice positions and the associated chambers staff is \$1.28 million.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

Securing adequate judicial resources for the courts to timely and efficiently hear the matters that come before them supports the first four goals of the Judicial Branch’s Strategic Plan: Goal I: Access, Fairness, and Diversity; Goal II: Independence and Accountability, Goal III: Modernization of Management and Administration, and Goal IV: Quality of Justice and Service to the Public. The extremely high number of cases per justice becoming fully briefed in Division 2 results in delays in having appeals decided and results in disparate treatment of litigants, denying the state’s fundamental principal of equal access to justice.

E. Required Review/Approvals:

Appellate Court Clerk Executive Officers has reviewed and approved this request. Administrative Presiding Justices Advisory Committee final review and approval required.

2020-21 Initial Funding Request

F. Proposed Lead Advisory Committee:

Budget Services proposes that the Administrative Presiding Justices Advisory Committee take the lead advisory role as this committee establishes administrative policies that promote the quality of justice by advancing the efficient functioning of the appellate courts; reviews rules, forms, studies, and recommendations to the council related to appellate court administration; and identifies issues of concern to the appellate courts.

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Requesting Entity: Administrative Presiding Justices Advisory Committee (pending final approval)
Contact: Donna Williams, CJCL Director and D. Collier-Tucker **Date Prepared:** 2/27/2019
Budget Services Liaison: Lucy Chin **Document Tracking Number:** IFR-20-21

A. Working Title: Electronic Resources and Collection Rightsizing Adjustment for Appellate Court Libraries – Westlaw Price Increase Adjustment

B. Description of Funding Request:

The Judicial Council requests \$440,000 General Fund in 2020-21 and ongoing to support increased costs for contractual library services in the California Judicial Center Library and the Courts of Appeal libraries for Westlaw and Lexis price increases, and funds to pilot new vendor services in the area of online research technologies subscriptions

The increased costs of access to electronic research platforms over the next three to five years, uses the recent price increase of Westlaw.com as an example of expected increases. This amount also includes funds to test new online research technologies, in the hopes that we can move away from supporting the monopoly held by Lexis and Westlaw on electronic legal research, and the increased cost of print materials to augment and support our online research resources

The 12-year contract with Westlaw ended on September 30, 2018. That contract covered Justices, Research Attorneys, and Judicial Assistants from the California Supreme Court and the Courts of Appeal, as well as the Habeas Corpus Resource Center and the Judicial Council. From 2007 to 2018 we had 3% increases each year which ultimately resulted in a 68% increase during that twelve-year time frame. The new Westlaw contract has increased the base price of our court subscription by nearly 30%, though it is still heavily discounted from Westlaw’s retail rates. The Westlaw contract has increased a total of \$132,348 annually. This amount represents the difference between the FY 17-18 year’s pricing of \$37,971 per month, to FY 18-19 revised price of \$49,000 per month, with controlled 1% annual increases.

C. Estimated Costs: **One Time** \$ **Ongoing** \$ 440,000

Law Library Budget Figures

Court	FY 15/16*	FY 16/17*	FY 17/18*	20% Increase
CJCL (Sup.Ct./1 st DCA)	\$728,550	\$743,700	\$750,200	\$150,040
2 nd DCA	\$415,600	\$319,650	\$367,550	\$73,510
3 rd DCA	\$209,800	\$232,200	\$224,200	\$44,840
4 th DCA, Div. 1	\$159,100	\$166,325	\$161,000	\$32,200
4 th DCA, Div. 2	\$179,300	\$171,900	\$171,900	\$34,400
4 th DCA, Div. 3	\$219,800	\$213,150	\$195,280	\$39,050

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5th DCA	\$219,250	\$233,300	\$186,000	\$37,200
6th DCA	\$165,850	\$151,300	\$143,300	\$28,660
TOTAL	\$2,297,250.00	\$2,231,525.00	\$2,199,430.00	\$439,900.00

*These are the Year-End Actual Expenditures that only include Library Purchases and Subscriptions (223) and Automated Legal Research (224).

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The Westlaw Contract covers the California Supreme Court and the Courts of Appeal, as well as the Habeas Corpus Resource Center and the Judicial Council. For the past 12 years, the Westlaw contract for the Judicial Branch (CJCL, COA, HCRC, and Judicial Council legal services) has been locked in at a pre-negotiated rate increase. The prior Westlaw contract ended on September 31, 2018. Westlaw changed their contracting model to provide customers access to all research materials or none of them. This has increased the base price of the court subscription, though it is still heavily discounted from Westlaw's retail rates. The libraries can no longer use labor savings to fund these increased costs. Therefore, the practices we've used to keep our budget stable over the past decade will not work for future years.

Our court system relies upon Westlaw as an online resource covering primary law and secondary sources in digital format. Westlaw is the preferred research tool for the majority of California Justices and Research Attorneys.

E. Required Review/Approvals:

Appellate Court Clerk Executive Officers has reviewed and approved this request. Administrative Presiding Justices Advisory Committee final review and approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that the Administrative Presiding Justices Advisory Committee take the lead advisory role as this committee establishes administrative policies that promote the quality of justice by advancing the efficient functioning of the appellate courts; reviews rules, forms, studies, and recommendations to the council related to appellate court administration; and identifies issues of concern to the appellate courts.

2020-21 Initial Funding Request

Requesting Entity: Administrative Presiding Justices Advisory Committee (pending final approval)

Contact: Deborah Collier-Tucker and Bob Lowney

Date Prepared: 2/27/2019

Budget Services Liaison: Lucy Chin

Document Tracking Number: IFR-20-22

A. Working Title: Appellate Court Security

B. Description of Funding Request:

The Judicial Council requests approximately \$1.2 million General Fund in 2020-21 and ongoing to support seven California Highway Patrol Judicial Protection Section (CHP-JPS) officers at specified appellate court locations during normal business hours. CHP-JPS's primary mission is to provide security and protection for the California Supreme Court, the California Courts of Appeal, its personnel and facilities throughout the State. Currently, the Judicial Council of California has a reimbursable contract with CHP-JPS to provide security services for appellate courts which include but are not limited to: bailiff duties during oral argument; outreach oral argument away from an appellate court's location; training conferences; and the Supreme Court's rotational oral argument in San Francisco, Sacramento, and Los Angeles.

Currently, CHP-JPS deploys officers to nine separate physical appellate court locations. With the exception of the San Francisco and Los Angeles offices, only one CHP Officer is assigned to each of the remaining appellate court locations in Sacramento, Fresno, San Jose, Ventura, Santa Ana, Riverside, and San Diego. If the court officer in one of these seven locations is required to leave their post for any approved reasons, the only line of defense and/or security is an unarmed contracted security guard. The potential for lapse or lessening of security is magnified by an increase in active shooter attacks and incidents of workplace violence, especially at government facilities, a rise in instances of credible threats to Justices and appellate court staff, and general crime in the vicinity of each facility.

In addition to the one CHP officer assigned to each of the seven Courts of Appeal, additional borrowed CHP officer coverage is provided at all appellate courts for:

- Oral argument, one officer is required to sit inside the courtroom and one officer is providing security outside the courtroom
- Specific events at the appellate court which present a greater-than-normal threat to occupant safety (protests, combative litigants, known threats, etc.)
- The assigned officer is required to attend mandatory Department or POST training
- The assigned officer is on scheduled vacation/leave
- The assigned officer is appearing in another court (subpoena)

CHP-JPS officers assigned to San Francisco or Los Angeles are borrowed to provide the additional coverage when available or the court uses local CHP area staff as necessary. Utilizing local and borrowed CHP staff results in additional costs because the court is required to reimburse CHP for overtime, mileage, and travel expenses in addition to the officer's salary and benefit costs. Additionally, local CHP area staff are generally not familiar with court building layout, justices, staff, and protective service assignments, which could result in security lapse.

2020-21 Initial Funding Request

C. Estimated Costs: **X One Time** **X Ongoing**

\$1.2 million ongoing and \$21,000 one-time. Salary and benefits for one CHP officer are approximately \$173,000 annually.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The existence of adequate and consistent CHP-JPS security coverage in the appellate courts during working hours is imperative and would enhance security for the seven locations which only have one CHP-JPS officer assigned to them. There are other pending BCP requests that affect the Judicial Council and Courts of Appeal. However, this is the only request that addresses security in the appellate courts.

E. Required Review/Approvals:

Appellate Court Clerk Executive Officers has reviewed and approved this request. Administrative Presiding Justices Advisory Committee, and Court Security Advisory Committee, review and approvals required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that the Court Security Advisory Committee take lead advisory role as this committee makes recommendations to the council for improving court security, including personal security and emergency response planning.

2020-21 Initial Funding Request

Requesting Entity: Budget Services
Contact: Leah Rose-Goodwin
Budget Services Liaison: Mike Sun

Date Prepared: 2/20/19
Document Tracking Number: IFR-20-23

A. Working Title: Judicial Branch Data Governance

B. Description of Funding Request:

The Judicial Council requests 5.0 positions and \$983,000 General Fund in 2020-21 and \$676,000 annually thereafter to implement a branch wide data governance and analytics framework. This funding request is for 5 positions; 1.0 Principal Manager, 1.0 Senior Analyst, 1.0 Analyst, 1.0 Senior Application Developer Analyst, and 1.0 Attorney. Additionally, a consultant will be brought on board the first year to help establish the program framework.

The Judicial Council is mandated by law to create and report standards and measures that promote the fair and efficient administration of justice for case processing, the efficient use of judicial resources, and for general court administration. Data reported by the trial courts is fundamental to make critical policy decisions. Examples of these types of decisions include: long-range capital planning based on forecasts of judicial workload; the creation and allocation of new judgeships; workload-based funding using estimates of staff workload; estimating the cost to trial courts of implementing new legislation. All of these policy decisions depend on accurate, reliable, standardized operational data reported by the courts.

To meet the reporting needs of the courts and offices, data solutions have been implemented as one-offs to meet a particular need and have been limited to existing technology. These solutions tend to be inefficient, and overly burdensome, requiring staff to fill in the gaps of information and processes. This siloed approach increases the technology footprint and the overall cost of support for the courts and the branch.

The Judicial Branch is undertaking an effort to modernize its data collection methodologies to take advantage of technological advances in data warehousing, compilation, and data analytics and information-sharing. While this effort may take several years to achieve, the branch is in need of a data governance strategy more immediately to protect its current data program as well as to anticipate future needs. A branch data governance strategy is needed to ensure implementation of such policies as the timely submission of data, accuracy of submissions, security and data access.

C. Estimated Costs: **One Time** \$306,110 **Ongoing** \$676,000

2020-21 Initial Funding Request

	Salary				Standard Complement		Total
	Beginning	End	Mid point	Annual	One time	Ongoing	Ongoing
Senior Analyst	6,524	9,786	8,155	97,860	10,807	20,933	118,793
Analyst	6,173	9,259	7,716	92,592	10,807	20,933	113,525
Sr Application Analyst	7,502	11,253	9,378	112,530	10,807	20,933	133,463
Attorney I	10,282	12,339	11,311	135,726	12,882	24,633	160,359
Principal manager	8,606	12,909	10,758	129,090	10,807	20,933	150,023
Consultant					250,000		
Total					306,110		676,163

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

This request dovetails with 2019-20 BCP funding sought for data analytics/business intelligence. While that request focused more heavily on the technology side, this funding request will put in place the administrative infrastructure to institute a governance and an analytics program both for any projects stemming from 2019-20 funding as well as for other branch data sources.

E. Required Review/Approvals:

Judicial Branch Budget Committee review and approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Judicial Branch Budget Committee take the lead advisory role as this committee assists the Judicial Council in exercising its duties with respect to the judicial branch budget and makes recommendation of the use of statewide emergency funding for the judicial branch.

2020-21 Initial Funding Request

Requesting Entity: Advisory Committee on Audits and Financial Accountability (pending approval)

Contact: Grant Parks

Date Prepared: 2/7/19

Budget Services Liaison: Michael Sun

Document Tracking Number: IFR-20-24

A. Working Title: Statutory Statewide Trial Court Audit Program – State Controller’s Office

B. Description of Funding Request:

The Judicial Council requests \$1.6 million General Fund in 2020-21 and ongoing to adhere to Government Code, Section 77206(h) which requires the State Controller’s Office to conduct a pilot audit of 6 superior courts that focus on their compliance with state rules regarding the revenues, expenditures, and fund balances under their control. Upon completion of the pilot audits, state law requires the SCO to estimate the annual ongoing costs of a full statewide audit program where each court is audited every four years.

C. Estimated Costs:

One Time

\$

Ongoing

\$1,600,000

Estimated costs of \$1,600,000 in ongoing costs are requested, which would be charged to the Trial Court Trust Fund (based on the schedule shown below).

Based on the six pilot audits performed, the State Controller’s Office has estimated its annual costs as shown in the schedule below (which is adjusted 2% each year for inflation):

2020-21: \$1,532,595

2021-22: \$1,563,247

2022-23: \$1,594,512

2023-24: \$1,626,402

\$6,316,756

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The Budget Acts of 2017 and 2018 each appropriated \$540,000 for the SCO pilot audits (see item: 0250-101-0932; provision #16). The SCO completed the six pilot audits using funding from the 2017 Budget Act, and the SCO is awaiting word from the Judicial Council that it has the funding to pay for these audits on an ongoing basis. If this request is rejected, the SCO will need to contract with each individual court for the costs of these audits since Government Code, Section 77206(h)(4) requires each audit to be paid from the funds of each local trial court being audited.

State law requires that these audits be performed by the SCO, and it is up to the Legislature to decide whether to continue funding these SCO audit activities. The SCO is also auditing the Judicial Council per GC 77206(i), which parallels the trial court audit requirement discussed in this IFR.

2020-21 Initial Funding Request

E. Required Review/Approvals:

Advisory Committee on Audits and Financial Accountability review and approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that Advisory Committee on Audits and Financial Accountability take the lead advisory role as this committee establishes the annual audit plan for the branch and acts as a central clearinghouse of all audit-related activities affecting the Judicial Branch. Audits performed by the SCO would ultimately come before the audit committee for review. Audits that identify significant branch-wide issues would be communicated by the audit committee to the Judicial Council for potential action (such as changes to trial court policies and procedures).

2020-21 Initial Funding Request

Requesting Entity: Language Access Subcommittee of the Advisory Committee on Providing Access and Fairness

Contact: Bob Lowney

Date Prepared: 2/27/19

Budget Services Liaison: M. Ejercito

Document Tracking Number: IFR-20-25

A. Working Title: Language Access Expansion in the California Courts

B. Description of Funding Request:

The Judicial Council requests 3.0 positions and \$18.4 million in 2020-21 and \$18.1 million ongoing to reimburse trial courts for language access services, and to fund Video Remote Interpreting (VRI) equipment for the trial courts for an estimated 15 courthouses and 3.0 Judicial Council Senior Analysts (one for the Court Operations Office and two for IT) to enable the launch of a VRI program statewide. This request also provides funding for development and maintenance of statewide resources for court-ordered programs and a repository of providers to ensure that these providers are able to provide their services in languages needed by LEP court users who are seeking their services to comply with draft Rule 1.300, which requires court language access services providers to make interpreters available for Limited English Proficiency court users using services via court order.

C. Estimated Costs: **One Time** \$316,000 **Ongoing** \$18.086 million

One- time funding request is for Video Remote Interpreting (VRI) equipment for the trial courts for an estimated 15 courthouses (\$316,000)

Ongoing funding request is to fund:

- 1- continued expansion of court interpreter services (\$17.4 million),
- 2- 3.0 Judicial Council Senior Analysts (\$486,000),
- 3- Development and maintenance of statewide resources for court-ordered programs (\$200,000).

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

The implementation of comprehensive language access across our system of justice requires resources and funding. The California judicial branch has long supported the need for language access services in the courts, and in January 2015 adopted a comprehensive plan to provide recommendations, guidance, and a consistent statewide approach to ensure language access for all limited English proficiency (LEP) court users. The Language Access Plan (LAP) consists of eight goals and 75 recommendations, including priorities in three phases. The Judicial Council and the courts are working to implement these recommendations in the courts over the 5-year period from 2015-2020. The LAP also aligns with the United States Department of Justice's (US DOJ) recommendations for California to expand its language access efforts. Further, it also aligns with recent legislation in California (Assembly Bill 1657; Stats. 2014, ch. 721) that sets priorities for the provision of court interpreters in civil proceedings.

2020-21 Initial Funding Request

E. Required Review/Approvals:

Language Access Subcommittee of the Advisory Committee on Providing Access and Fairness has reviewed and approved the request. Advisory Committee on Providing Access and Fairness and Trial Court Budget Advisory Committee review and approval required.

F. Proposed Lead Advisory Committee:

Budget Services proposes that the Language Access Subcommittee of the Advisory Committee on Providing Access and Fairness take the lead advisory role as this subcommittee was tasked with ensuring that the remaining language access plan recommendations are implemented after the Language Access plan Implementation Task Force sunsets on March 1, 2019.

2020-21 Initial Funding Request

Requesting Entity: Court Facilities Advisory Committee (pending approval)

Contact: Mike Courtney

Date Prepared: 3/8/2019

Budget Services Liaison: Lisa Crownover

Document Tracking Number: IFR-20-26

A. Working Title: Judicial Branch Capital Outlay Projects (Placeholder)

B. Description of Funding Request:

The Judicial Branch facilities program is conducting an assessment of Judicial Branch facilities as directed by Chapter 45, Senate Bill 847, Statutes of 2018. The assessment is due to the legislature on December 31, 2019. After this assessment is complete the scope of the priority projects will be determined and costed so that Capital Outlay Budget Change Proposals can be submitted during the spring of 2020 for inclusion in the 2020-21 budget process.

C. Estimated Costs: **One Time** **Ongoing**

As the assessment is needed to determine the priority of project need, the estimated costs are to be determined.

D. Relevance to the Judicial Branch Budget and Other Funding Requests:

During the 2018-19 budget process, 10 trial court capital outlay projects that had previously been placed on hold due to lack of resources in the Immediate and Critical Needs Account, were funded by bonds that will be repaid with General Fund resources. During budget hearings, the legislature directed that an assessment be conducted to update the Trial Court Capital Outlay plan and Methodology adopted on October 24, 2008. This was done to ensure that the projects that the Judicial Council will submit for future funding reflect the priority needs of the branch.

E. Required Review/Approvals:

Court Facilities Advisory Committee review and approval required.

F. Proposed Lead Advisory Committee:

The Budget Services Office proposes that the Court Facilities Advisory Committee take the lead advisory role as this committee provides ongoing oversight of the judicial branch capital construction program for trial and appellate courts throughout the state, oversees the work of the Judicial Council staff in its effort to implement the judicial branch's statewide capital improvement program, and makes recommendations to the Judicial Council for action.