



JUDICIAL COUNCIL OF CALIFORNIA

JUDICIAL BRANCH BUDGET
COMMITTEE

JUDICIAL BRANCH BUDGET COMMITTEE

MATERIALS FOR AUGUST 13, 2021

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JUDICIAL BRANCH BUDGET COMMITTEE

NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

Date: August 13, 2021
Time: 12:00 p.m. to 1:00 p.m.
Public Videocast: <https://jcc.granicus.com/player/event/1358>

Meeting materials 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 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 May 18, 2021 Judicial Branch Budget Committee meeting and the May 26, 2021 action by email.

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

This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to JBBC@jud.ca.gov, attention: Angela Cowan. Only written comments received by 12:00 p.m. on Thursday, August 12, 2021 will be provided to committee members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-3)

Item 1

\$60 Million One-Time COVID-Driven Caseload Backlog Funding (Action Required)

Consideration of the 2021-22 one-time trial court allocation recommendation from the Trial Court Budget Advisory Committee (TCBAC) to address backlogs and workload delays resulting from the COVID-19 pandemic.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Leah Rose-Goodwin, Manager, Judicial Council Business Management Services
Ms. Oksana Tuk Senior Analyst, Judicial Council Budget Services

Item 2

\$140 Million Pretrial Funding (Action Required)

Consideration of the 2021-22 one-time and ongoing allocation recommendation from TCBAC for trial courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Deirdre Benedict, Supervising Analyst, Judicial Council Criminal Justice Services

Item 3

\$4.45 Million AB 1058 Reimbursement Authority Increase (Action Required)

Consideration of a recommendation from TCBAC to utilize increased reimbursement authority to cover the increased contract amount with the Department of Child Support Services in support of the AB 1058 Child Support Commissioner and Family Law Facilitator Program.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Mr. Don Will, Deputy Director, Judicial Council Center for Families, Children, & the Courts
Ms. Anna Maves, Supervising Attorney, Judicial Council Center for Families, Children & the Courts

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

2021-22 Budget Update

Update on the enacted 2021-22 judicial branch budget.

Presenter(s)/Facilitator(s): Mr. Zlatko Theodorovic, Deputy Director, Judicial Council Budget Services

Info 2

Annual Funding Methodology Subcommittee (FMS) Work Plan Update

Overview of the annual FMS work plan update as approved by TCBAC.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Mr. Catrayel Wood, Senior Analyst, Judicial Council Budget Services

Info 3

Trial Court Executive Summary Display

Overview of the 2021-22 allocation summary display for distribution to all 58 trial courts.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

Info 4

Trial Court Trust Fund Funds Held on Behalf Expenditure Reporting

Overview of the quarterly report to the TCBAC on how funds were expended for trial court projects and planned expenditures that are complete.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Mr. Catrayel Wood, Senior Analyst, Judicial Council Budget Services

V. ADJOURNMENT

Adjourn



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JUDICIAL BRANCH BUDGET COMMITTEE

MINUTES OF OPEN MEETING

May 18, 2021

1:00 p.m. to 4:00 p.m.

<http://jcc.granicus.com/player/event/1293?>

Advisory Body Members Present: Hon. David. M. Rubin, Chair; Hon. Ann Moorman, Vice Chair; Hon. C. Todd Bottke; Hon. Carin T. Fujisaki, Hon. Brad R. Hill; Hon. Harold W. Hopp; Mr. Kevin Harrigan

Advisory Body Members Absent:

Others Present: Mr. John Wordlaw, Mr. Zlatko Theodorovic, Ms. Fran Mueller; Hon. Jonathan Conklin, Ms. Rebecca Fleming, Ms. Angela Cowan, Ms. Laura Speed, Mr. Doug Kauffroath, Ms. Charlene Depner, Ms. Shelley Curran, Ms. Pella McCormick, Mr. John Larson, Mr. Michael Hersek, Ms. Heather Petit, Mr. Eric Schnurpfeil, Ms. Leah Rose-Goodwin, Ms. Laura Speed, Ms. Brandy Olivera, Ms. Marcela Eggleton,

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 1:02 p.m. and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the March 11, 2021, Judicial Branch Budget Committee meeting.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED ITEMS 1-2)

Info 1 - 2021-22 May Revision Budget Update

Update on the 2021-22 May Revision to the Governor's Budget

Presenter(s)/Facilitator(s): Mr. Zlatko Theodorovic, Deputy Director, Judicial Council Budget Services

Action: No action taken

Info 2 - Report on Allocation Activities of Trial Court Budget Advisory Committee (TCBAC)

Report on allocation activities of the TCBAC.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee

Action: No action taken

DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-2)

Item 1 - 2022-23 Budget Change Concepts (Action Required)

Review of 2022-23 Budget Change Concepts.

Presenter(s)/Facilitator(s): Hon. David M. Rubin, Chair, Judicial Branch Budget Committee (Budget Committee)

Action: The Budget Committee unanimously approved a recommendation to the Judicial Council, for its July 9, 2021 business meeting, that the following budget change proposal concepts be developed into budget change proposals for submission to the State Department of Finance in September 2021:

- A. The following groups of concepts shall be combined into one funding request:
 - 1. 22-01 Proposition 66 Costs in the Courts of Appeal
22-16 Habeas Corpus Case Team Staffing and Establishment of Los Angeles Office – Proposition 66
 - 2. 22-04 Phoenix System Functional Requirements
22-17 Judicial Branch Office of Information Security
22-18 Rural Court Internet Connectivity (Placeholder)
22-19 Judicial Branch IT Modernization
22-26 Information Technology Modernization for Supreme Court and Courts of Appeal
 - 3. 22-06 Sex Offender Registration Termination
22-07 Collaborative Court Justice Program: Trial Court and Statewide Administrative Support
22-08 Maintaining a Sufficient Pool of Competency to State Trial Court Evaluators
 - 4. 22-11 Trial Court and Court of Appeal Deferred Maintenance
22-15 Water Conservation and Leak Detection Measure in Courthouses
 - 5. 22-13 Trial Court Facilities Modification and Prioritization and Costs
22-14 San Diego Hall of Justice Facility Modernization

- B. The following concepts are approved as stand-alone concepts:
 - 1. 22-02 Appellate Court Security
 - 2. 22-03 Court of Appeal Court Appointed Counsel Program
 - 3. 22-05 Self-help Centers in Trial Courts- Expanding In-Person and Online Resources

4. 22-09 Trial Court Capital-Outlay Funding 2022-23 through 2025-26
5. 22-20 Language Access Efforts in California Courts
6. 22-21 Additional Legal Services Staff for Public Access Work
7. 22-23 Trial Court Workload Formula Gap Funding to 85 Percent
8. 22-27 Judicial Branch Data and Information Governance

Item 2 - Allocation Methodology of Trial Court Funding in 2021-22 Governor's Budget (Action Required)

Consider a recommendation from the TCBAC on an allocation methodology for the \$72.2 million in new, discretionary funding included in the 2021-22 Governor's Budget.

Presenter(s)/Facilitator(s): Mr. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Rebecca Fleming, Vice Chair, Trial Court Budget Advisory Committee
Ms. Brandy Olivera, Manager, Judicial Council Budget Services

Action: *The Budget Committee unanimously approved a recommendation to the Judicial Council for its July 9, business meeting that the \$72.2 million in new funding included in the 2021-22 Governor's Budget proposal be allocated to all courts using a 3.7 percent Consumer Price Index-based increase over each court's fiscal year 2020-21 workload formula allocation.*

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 3:26 p.m.

Approved by the advisory body on enter date.



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JUDICIAL BRANCH BUDGET COMMITTEE

MINUTES OF OPEN MEETING

May 26, 2021

11:30 a.m.

Action by Email Between Meetings

Advisory Body Members Present: Hon. David M. Rubin (Chair), Hon. Ann Moorman (Vice Chair), Hon. C. Todd Bottke, Hon. Carin T. Fujisaki, Hon. Brad R. Hill, Hon. Harold W. Hopp, Mr. Kevin Harrigan

Advisory Body Members Absent: none

Others Present: Ms. Angela Cowan

OPEN MEETING

Vote

Voting was opened at 11:34 a.m.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item

Consideration of a recommendation from the Trial Court Budget Advisory Committee for the 2021-22 allocations from the State Trial Court Improvement and Modernization Fund for consideration by the Judicial Council at its July 8-9, 2021 business meeting.

Action: *The Judicial Branch Budget Committee voted unanimously to approve the recommendation from the Trial Court Budget Advisory Committee.*

ADJOURNMENT

Voting closed at 5:00 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: \$60 Million One-Time COVID-Driven Caseload Backlog Funding
Date: 8/13/2021
Contact: Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services
916-643-8027 | oksana.tuk@jud.ca.gov

Issue

Consideration of a Trial Court Budget Advisory Committee (TCBAC) recommendation for allocating the \$60 million one-time COVID-driven caseload backlog funding included in the 2021 Budget Act for Judicial Council consideration at its October 1, 2021 business meeting.

Background

Prior Year \$50 Million One-Time COVID-19 Backlog Funding

The 2020 Budget Act included \$50 million in one-time funding to assist courts in addressing the backlog of filings that have accumulated due to court closures in response to the COVID-19 pandemic. These funds were eligible for expenditure only for the 2020-21 fiscal year.

The first \$25 million was approved for allocation to the trial courts at the July 24, 2020 Judicial Council meeting, on a pro rata basis¹. At its January 22, 2021 business meeting, the Judicial Council approved an allocation methodology for distribution of the second \$25 million that was data driven, allocating funds proportionally based on each court's share of total statewide backlog. The backlog was measured using a weighted count of dispositions in the pre-pandemic period compared to a pandemic period². The net change in average dispositions from these two points of time were used to identify those courts eligible for funding, and proxies based on statewide averages were used where necessary.

One court, Sierra, did not receive funding as part of the data-driven methodology. In addition, six courts returned funds that were not needed for a redistribution that occurred at the end of the 2020-21 fiscal year³.

¹Judicial Council report (July 24, 2020);
<https://jcc.legistar.com/View.ashx?M=F&ID=8651228&GUID=27A3B6D8-9783-4865-8C5A-F6697EB58734>.

Judicial Council minutes (July 24, 2020);
<https://jcc.legistar.com/View.ashx?M=M&ID=711582&GUID=90001AF2-7CEE-4F0F-906B-29A03ED9CB43>.

²Judicial Council report (January 22, 2021);
<https://jcc.legistar.com/View.ashx?M=F&ID=9054988&GUID=54812C82-983E-4812-848C-2F4FD9F6F97A>.

Judicial Council minutes (January 22, 2021);
<https://jcc.legistar.com/View.ashx?M=M&ID=803674&GUID=B66B9C94-CE8A-41B1-8F5F-1BC9A3B278E1>.

³Includes Mariposa, Modoc, Mono, Napa, Plumas, and Trinity Superior Courts.

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

Current Year \$60 Million One-Time COVID-Driven Caseload Backlog Funding

The 2021 Budget Act includes \$60 million in one-time General Fund for the trial courts to specifically address backlogs and workload delays resulting from the COVID-19 pandemic, with the funding available for expenditure through the 2022-23 fiscal year.

Case data was provided to the Administration and Legislature during budget negotiations to demonstrate the backlog and was the basis for this funding augmentation; that data is used here and is court-specific for allocation purposes.

Data Updates

For allocation of the \$60 million one-time funding, the data elements used towards last year's methodology have been upgraded to include filings data by casetype to determine the clearance rate⁴. In addition, the data compares clearance rates from March to August 2019 (pre-pandemic) to those of March 2020 to March 2021 which captures all pandemic impact, and applies pre-pandemic clearance rates to pandemic sums of filings less dispositions to identify the casetypes in which a backlog exists.

These identified areas of backlog for each court are then included in the methodology to determine the proportional allocation of funding. For those courts unable to report complete disposition and filings data for the time period noted, proxies were applied to those courts for each time period to establish those courts' backlog for the purpose of allocating funds.

Case data collection by the branch will continue and updated data will be evaluated to determine progress made by the trial courts in addressing the workload backlogs related to the pandemic.

The outcome in applying available data through March 2021 to the allocation methodology is outlined in Attachment A. First, aggregate, non-weighted clearance rates are displayed as informational, followed by weighted clearance rates for backlog casetypes only. Next, total caseload is converted into minutes, weighted by casetype, and displayed separately to show non-backlog, backlog, and the total. Only the backlog weighted minutes are used to determine each courts' percent of backlog, which is then applied to the \$60 million in new funding and allocated proportionally.

Quarterly Reporting

At its January 22, 2021 business meeting, the Judicial Council approved quarterly reporting by the trial courts on the progress in reducing the COVID-19 related backlog⁵. The first quarterly

⁴Casetypes include certification, child support, civil – limited, civil – unlimited, conservatorship/guardianship, dissolution, domestic violence, estates/trusts, felony, infractions, juvenile delinquency, juvenile dependency, mental health, misdemeanor – non traffic, misdemeanor – traffic, other family petition, parentage, small claims, and unlawful detainers. Asbestos, complex, and Employment Development Department (Sacramento only) cases were not included in the analysis because there was no monthly 2019 data for those casetypes, which is needed for the backlog calculation.

⁵Judicial Council report (January 22, 2021);

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

report was provided to the council as an informational item at its July 9, 2021 business meeting⁶. The report includes progress in reducing COVID-19 backlog from March 2020 to March 2021. Quarterly informational reporting on COVID-19 backlog progress will continue.

Methodology Considerations

The 2021-22 Budget narrative states that the \$60 million in one-time funding is for the trial courts to specifically address backlogs and workload delays resulting from the pandemic. During the TCBAC meeting on August 5, 2021⁷, two options were considered using court specific backlog data:

- A. Split the allocation and allocate \$30 million in October 2021 based on data available through March 2021 and allocate the second \$30 million in January 2022 based on the most recent data available at the time (both after council approval). Given that courts are continuing to make progress in addressing the backlog, this option would allocate funding in two phases utilizing the most current backlog data available at the time of distribution; or
- B. Allocate the full \$60 million in October 2021 (and after council approval) based on data available through March 2021.

Recommendation

In support of the current methodology to allocate the \$60 million for COVID-driven backlog, and to assist the courts in planning for the use of this funding to address backlog-related costs, TCBAC recommends the following:

- 1) Approval of the updated data driven methodology for allocation of the \$60 million one-time COVID-driven caseload backlog funding.
- 2) Allocate 100 percent of the \$60 million in a single distribution following approval by the Judicial Council at its October 1, 2021 business meeting.
- 3) In the event there is future funding for COVID-driven caseload backlog, TCBAC will include complex case types (e.g., asbestos and complex) in the data used for the allocation methodology.

Attachments

Attachment A: \$60 Million COVID-Driven Caseload Backlog Funding

<https://jcc.legistar.com/View.ashx?M=F&ID=9054988&GUID=54812C82-983E-4812-848C-2F4FD9F6F97A>.

⁶Judicial Council report (July 9, 2021); <https://jcc.legistar.com/View.ashx?M=F&ID=9499529&GUID=91D6ED5D-CF6F-42AA-9788-E2D6D8C7AF3F>.

⁷TCBAC meeting materials (August 5, 2021), <https://www.courts.ca.gov/documents/tcbac-20210805-materials.pdf>.

\$60 Million COVID-Driven Caseload Backlog Funding¹

August 2021

Court	AGGREGATE , NON - WEIGHTED INFORMATION											WEIGHTED INFO		
	March to August 2019 (Pre Pandemic)					March 2020 to March 2021 (All Pandemic)					Clearance Rate Difference	2019	2020	Clearance Rate Difference
	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Overall Clearance Rate	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Overall Clearance Rate		Clearance for Casetypes w/ Backlog	Clearance for Casetypes w/ Backlog	
	A	B	C	D	E (D / C)	F	G	H	I	J (I / H)	K (J - E)	L	M	N
Alameda*	131,197	115,480	21,866	19,247	88.0%	171,868	144,596	13,221	11,123	84.1%	-3.89%	87.6%	82.32%	-5.28%
Alpine	613	594	102	99	96.9%	1,022	1,010	79	78	98.8%	1.93%	100.9%	100.41%	-0.48%
Amador	4,057	3,032	676	505	74.7%	6,178	5,134	475	395	83.1%	8.37%	85.3%	66.25%	-19.10%
Butte	17,607	15,413	2,935	2,569	87.5%	26,337	24,048	2,026	1,850	91.3%	3.77%	97.2%	81.95%	-15.28%
Calaveras	2,981	2,573	497	429	86.3%	4,550	4,315	350	332	94.8%	8.52%	132.1%	114.45%	-17.64%
Colusa*	3,946	2,514	658	419	63.7%	3,529	4,077	271	314	115.5%	51.84%	77.8%	49.78%	-28.03%
Contra Costa	65,993	57,514	10,999	9,586	87.2%	81,492	82,571	6,269	6,352	101.3%	14.17%	84.4%	74.73%	-9.65%
Del Norte	4,006	7,721	668	1,287	192.7%	5,487	10,046	422	773	183.1%	-9.65%	198.6%	171.56%	-27.03%
El Dorado	10,584	6,754	1,764	1,126	63.8%	20,545	13,696	1,580	1,054	66.7%	2.85%	79.7%	70.49%	-9.16%
Fresno	90,354	85,144	15,059	14,191	94.2%	110,652	115,630	8,512	8,895	104.5%	10.26%	89.8%	69.07%	-20.77%
Glenn*	3,272	2,578	545	430	78.8%	3,273	1,459	252	112	44.6%	-34.20%	90.9%	73.69%	-17.20%
Humboldt*	14,159	11,612	2,360	1,935	82.0%	18,931	16,088	1,456	1,238	85.0%	2.97%	91.7%	74.08%	-17.67%
Imperial	27,017	25,065	4,503	4,178	92.8%	31,205	32,547	2,400	2,504	104.3%	11.53%	132.4%	98.74%	-33.67%
Inyo	5,301	4,805	884	801	90.6%	9,647	7,895	742	607	81.8%	-8.80%	92.3%	81.68%	-10.61%
Kern	93,207	82,100	15,535	13,683	88.1%	138,038	117,546	10,618	9,042	85.2%	-2.93%	87.0%	69.30%	-17.73%
Kings	14,978	12,113	2,496	2,019	80.9%	26,324	18,934	2,025	1,456	71.9%	-8.95%	86.3%	58.96%	-27.31%
Lake	6,381	6,406	1,064	1,068	100.4%	9,047	6,702	696	516	74.1%	-26.31%	177.7%	65.70%	-111.97%
Lassen*	3,910	3,356	652	559	85.8%	7,800	6,593	600	507	84.5%	-1.30%	163.2%	90.38%	-72.86%
Los Angeles	881,592	784,324	146,932	130,721	89.0%	1,252,994	929,775	96,384	71,521	74.2%	-14.76%	89.4%	71.18%	-18.24%
Madera	19,626	14,253	3,271	2,376	72.6%	22,438	20,708	1,726	1,593	92.3%	19.67%	98.7%	53.35%	-45.35%
Marin	22,539	23,185	3,757	3,864	102.9%	31,178	25,542	2,398	1,965	81.9%	-20.94%	103.7%	82.37%	-21.32%
Mariposa*	2,246	1,759	374	293	78.3%	3,075	2,394	237	184	77.9%	-0.45%	84.2%	58.28%	-25.88%
Mendocino	11,379	9,957	1,897	1,660	87.5%	13,098	18,991	1,008	1,461	145.0%	57.49%	108.4%	88.56%	-19.83%
Merced*	29,207	23,169	4,868	3,861	79.3%	40,743	36,775	3,134	2,829	90.3%	10.93%	89.7%	65.25%	-24.46%
Modoc	1,080	1,036	180	173	95.9%	2,354	2,060	181	158	87.5%	-8.42%	134.2%	71.26%	-62.95%
Mono	4,283	3,954	714	659	92.3%	8,081	7,439	622	572	92.1%	-0.26%	94.4%	89.00%	-5.42%
Monterey	32,537	29,722	5,423	4,954	91.3%	56,393	49,888	4,338	3,838	88.5%	-2.88%	96.1%	89.32%	-6.76%
Napa*	9,898	10,113	1,650	1,685	102.2%	10,945	9,722	842	748	88.8%	-13.34%	106.7%	94.35%	-12.37%
Nevada	8,484	7,099	1,414	1,183	83.7%	13,187	12,724	1,014	979	96.5%	12.81%	93.1%	56.28%	-36.80%
Orange*	241,671	221,600	40,279	36,933	91.7%	213,387	291,423	16,414	22,417	136.6%	44.88%	92.5%	81.84%	-10.62%
Placer*	25,361	15,580	4,227	2,597	61.4%	34,430	21,149	2,648	1,627	61.4%	-0.01%	100.6%	77.74%	-22.88%
Plumas*	2,226	1,592	371	265	71.5%	3,153	3,386	243	260	107.4%	35.88%	87.4%	68.34%	-19.09%
Riverside*	179,440	164,595	29,907	27,433	91.7%	279,972	201,846	21,536	15,527	72.1%	-19.63%	93.9%	72.23%	-21.69%
Sacramento	150,492	67,824	25,082	11,304	45.1%	186,286	75,996	14,330	5,846	40.8%	-4.27%	77.9%	62.12%	-15.73%
San Benito	4,738	3,228	790	538	68.1%	5,099	4,041	392	311	79.3%	11.12%	101.8%	86.15%	-15.60%
San Bernardino*	162,852	161,242	27,142	26,874	99.0%	276,856	243,991	21,297	18,769	88.1%	-10.88%	100.5%	87.29%	-13.19%
San Diego	245,204	175,838	40,867	29,306	71.7%	292,943	205,270	22,534	15,790	70.1%	-1.64%	70.2%	66.8%	-3.38%
San Francisco*	54,575	57,156	9,096	9,526	104.7%	56,952	30,727	4,381	2,364	54.0%	-50.78%	115.8%	49.9%	-65.91%
San Joaquin*	71,219	48,567	11,870	8,095	68.2%	110,631	64,904	8,510	4,993	58.7%	-9.53%	69.5%	57.4%	-12.16%
San Luis Obispo	25,175	23,852	4,196	3,975	94.7%	36,102	30,249	2,777	2,327	83.8%	-10.96%	95.3%	84.2%	-11.06%
San Mateo	76,796	70,463	12,799	11,744	91.8%	92,043	83,012	7,080	6,386	90.2%	-1.57%	89.2%	65.9%	-23.29%

\$60 Million COVID-Driven Caseload Backlog Funding¹

August 2021

Court	AGGREGATE , NON - WEIGHTED INFORMATION											WEIGHTED INFO		
	March to August 2019 (Pre Pandemic)					March 2020 to March 2021 (All Pandemic)					Clearance Rate Difference	2019	2020	Clearance Rate Difference
	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Overall Clearance Rate	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Overall Clearance Rate		Clearance for Casetypes w/ Backlog	Clearance for Casetypes w/ Backlog	
	A	B	C	D	E (D / C)	F	G	H	I	J (I / H)	K (J - E)	L	M	N
Santa Barbara	38,337	36,045	6,390	6,008	94.0%	50,230	40,416	3,864	3,109	80.5%	-13.56%	96.2%	79.6%	-16.51%
Santa Clara*	115,309	85,508	19,218	14,251	74.2%	84,343	96,938	6,488	7,457	114.9%	40.78%	85.0%	67.3%	-17.76%
Santa Cruz	22,943	18,932	3,824	3,155	82.5%	30,663	27,336	2,359	2,103	89.1%	6.63%	114.9%	80.9%	-34.08%
Shasta	21,503	19,735	3,584	3,289	91.8%	36,362	32,930	2,797	2,533	90.6%	-1.22%	94.0%	81.5%	-12.54%
Sierra*	311	288	52	48	92.6%	491	460	38	35	93.7%	1.05%	104.1%	87.7%	-16.33%
Siskiyou	7,475	5,791	1,246	965	77.5%	9,182	6,218	706	478	67.7%	-9.75%	83.8%	65.7%	-18.08%
Solano	36,253	31,296	6,042	5,216	86.3%	62,603	49,036	4,816	3,772	78.3%	-8.00%	90.5%	74.7%	-15.87%
Sonoma	32,635	44,631	5,439	7,439	136.8%	51,840	73,810	3,988	5,678	142.4%	5.62%	94.3%	55.2%	-39.12%
Stanislaus	39,340	32,565	6,557	5,428	82.8%	59,409	45,519	4,570	3,501	76.6%	-6.16%	111.7%	70.4%	-41.25%
Sutter*	10,178	8,624	1,696	1,437	84.7%	14,701	13,307	1,131	1,024	90.5%	5.78%	84.4%	67.7%	-16.68%
Tehama	8,241	6,977	1,374	1,163	84.7%	11,615	10,013	893	770	86.2%	1.54%	88.7%	67.9%	-20.79%
Trinity	1,678	1,515	280	253	90.3%	2,533	2,517	195	194	99.4%	9.08%	89.8%	52.5%	-37.25%
Tulare	37,359	34,037	6,227	5,673	91.1%	59,709	52,266	4,593	4,020	87.5%	-3.57%	92.4%	66.8%	-25.56%
Tuolumne*	5,021	4,731	837	789	94.2%	6,279	6,002	483	462	95.6%	1.37%	87.1%	64.0%	-23.12%
Ventura	80,195	80,900	13,366	13,483	100.9%	103,760	91,211	7,982	7,016	87.9%	-12.97%	101.8%	84.9%	-16.93%
Yolo	17,328	15,711	2,888	2,619	90.7%	21,255	17,750	1,635	1,365	83.5%	-7.16%	93.4%	82.3%	-11.10%
Yuba	5,520	4,390	920	732	79.5%	9,591	6,663	738	513	69.5%	-10.06%	79.5%	65.6%	-14.00%
	3,241,809	2,796,557	540,302	466,093	86.3%	4,332,830	3,557,292	333,295	273,638	82.1%	-4.16%	5739.7%	4387.3%	-1352.39%

¹ Includes Certification, Child Support, Civil - Limited, Civil - Unlimited, Conservatorship/Guardianship, Dissolution, Domestic Violence, Estates/Trusts, Felony, Infractions, Juvenile Delinquency, Juvenile Dependency, Mental Health, Misdemeanor - Non Traffic, Misdemeanor - Traffic, Other Family Petition, Parentage, Small Claims, and Unlawful Detainer.

Excludes Asbestos, Complex, and Employment Development Department (Sacramento Only) as data is not available for all periods; less than a 1 percent impact.

Floor courts
Cluster 1 courts

*Proxy applied to some data.

\$60 Million COVID-Driven Caseload Backlog Funding

August 2021

Court	Non-Backlog Weighted Minutes	All Pandemic Backlog Weighted Minutes	Total Caseload Weighted Minutes	All Pandemic Backlog Weighted Minutes	% of Backlog	\$60m Allocation	\$30m Allocation
	O	P	Q (O + P)	R (= P)	S (R / TOTAL R)	T (S * \$60m)	U (S* 0.50)
Alameda*	(1,184,571)	2,272,032	1,087,461	2,272,032	1.763%	\$1,057,842	\$528,921
Alpine	(9,722)	2,290	(7,432)	2,290	0.002%	1,066	533
Amador	(92,524)	74,735	(17,789)	74,735	0.058%	34,796	17,398
Butte	(755,179)	529,612	(225,567)	529,612	0.411%	246,584	123,292
Calaveras	(170,977)	70,171	(100,806)	70,171	0.054%	32,671	16,336
Colusa*	(171,999)	70,470	(101,529)	70,470	0.055%	32,811	16,405
Contra Costa	(1,883,986)	1,304,290	(579,696)	1,304,290	1.012%	607,268	303,634
Del Norte	(410,922)	275,086	(135,836)	275,086	0.213%	128,078	64,039
El Dorado	(361,150)	189,982	(171,169)	189,982	0.147%	88,454	44,227
Fresno	(1,609,470)	4,249,514	2,640,044	4,249,514	3.298%	1,978,544	989,272
Glenn*	(66,095)	158,135	92,040	158,135	0.123%	73,627	36,813
Humboldt*	(228,352)	587,683	359,331	587,683	0.456%	273,621	136,811
Imperial	(358,254)	972,580	614,326	972,580	0.755%	452,826	226,413
Inyo	(87,000)	142,181	55,182	142,181	0.110%	66,198	33,099
Kern	(1,011,452)	4,061,563	3,050,111	4,061,563	3.152%	1,891,035	945,517
Kings	(178,916)	1,536,600	1,357,684	1,536,600	1.192%	715,430	357,715
Lake	(31,130)	1,227,273	1,196,143	1,227,273	0.952%	571,410	285,705
Lassen*	(42,751)	455,049	412,298	455,049	0.353%	211,868	105,934
Los Angeles	(5,178,726)	32,241,900	27,063,174	32,241,900	25.019%	15,011,602	7,505,801
Madera	(443,526)	1,698,754	1,255,228	1,698,754	1.318%	790,928	395,464
Marin	(97,345)	1,093,269	995,924	1,093,269	0.848%	509,018	254,509
Mariposa*	(74,505)	78,445	3,940	78,445	0.061%	36,523	18,262
Mendocino	(1,538,436)	210,006	(1,328,430)	210,006	0.163%	97,777	48,889
Merced*	(788,832)	1,029,325	240,493	1,029,325	0.799%	479,247	239,623
Modoc	(8,443)	217,343	208,900	217,343	0.169%	101,193	50,597
Mono	(168,203)	92,048	(76,155)	92,048	0.071%	42,857	21,429
Monterey	(747,802)	535,045	(212,757)	535,045	0.415%	249,113	124,557
Napa*	(114,460)	431,047	316,587	431,047	0.334%	200,692	100,346
Nevada	(223,147)	416,297	193,150	416,297	0.323%	193,825	96,912
Orange*	(4,930,899)	8,098,597	3,167,699	8,098,597	6.284%	3,770,650	1,885,325
Placer*	(250,959)	651,442	400,483	651,442	0.506%	303,307	151,653
Plumas*	(78,760)	51,682	(27,079)	51,682	0.040%	24,063	12,031
Riverside*	(2,347,550)	7,000,753	4,653,203	7,000,753	5.433%	3,259,501	1,629,751
Sacramento	(1,093,089)	5,931,305	4,838,217	5,931,305	4.603%	2,761,574	1,380,787
San Benito	(248,356)	124,092	(124,264)	124,092	0.096%	57,777	28,888
San Bernardino*	(1,317,357)	12,630,254	11,312,898	12,630,254	9.801%	5,880,558	2,940,279
San Diego	(1,324,872)	6,832,170	5,507,298	6,832,170	5.302%	3,181,011	1,590,505
San Francisco*	(1,271,928)	1,828,604	556,675	1,828,604	1.419%	851,385	425,692
San Joaquin*	(1,674,653)	1,146,534	(528,119)	1,146,534	0.890%	533,818	266,909
San Luis Obispo	(192,356)	1,522,064	1,329,708	1,522,064	1.181%	708,662	354,331
San Mateo	(620,461)	2,935,370	2,314,909	2,935,370	2.278%	1,366,688	683,344

\$60 Million COVID-Driven Caseload Backlog Funding

August 2021

Court	Non-Backlog Weighted Minutes	All Pandemic Backlog Weighted Minutes	Total Caseload Weighted Minutes	All Pandemic Backlog Weighted Minutes	% of Backlog	\$60m Allocation	\$30m Allocation
	O	P	Q (O + P)	R (= P)	S (R / TOTAL R)	T (S * \$60m)	U (S* 0.50)
Santa Barbara	(370,921)	1,485,667	1,114,747	1,485,667	1.153%	691,716	345,858
Santa Clara*	(3,086,704)	2,997,247	(89,457)	2,997,247	2.326%	1,395,497	697,749
Santa Cruz	(1,003,645)	935,843	(67,802)	935,843	0.726%	435,722	217,861
Shasta	(203,363)	961,048	757,685	961,048	0.746%	447,457	223,729
Sierra*	(42,903)	20,064	(22,839)	20,064	0.016%	9,342	4,671
Siskiyou	(190,895)	284,600	93,704	284,600	0.221%	132,508	66,254
Solano	(1,244,832)	1,778,422	533,590	1,778,422	1.380%	828,021	414,010
Sonoma	(878,811)	2,715,869	1,837,058	2,715,869	2.107%	1,264,490	632,245
Stanislaus	(357,422)	3,734,267	3,376,845	3,734,267	2.898%	1,738,648	869,324
Sutter*	(177,513)	412,581	235,069	412,581	0.320%	192,095	96,048
Tehama	(141,968)	587,481	445,513	587,481	0.456%	273,527	136,763
Trinity	(27,883)	297,252	269,368	297,252	0.231%	138,398	69,199
Tulare	(627,876)	2,507,612	1,879,736	2,507,612	1.946%	1,167,526	583,763
Tuolumne*	(146,061)	576,310	430,249	576,310	0.447%	268,326	134,163
Ventura	(1,486,907)	3,523,832	2,036,926	3,523,832	2.734%	1,640,672	820,336
Yolo	(215,107)	551,154	336,048	551,154	0.428%	256,614	128,307
Yuba	(173,177)	523,082	349,906	523,082	0.406%	243,543	121,772
	(43,765,100)	128,867,922	85,102,822	128,867,922	100.000%	\$60,000,000	\$30,000,000

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

(Action Item)

Title: \$140 Million Pretrial Funding
Date: August 5, 2021
Contact: Deirdre Benedict, Supervising Analyst, Judicial Council Criminal Justice Services
415-865-7543 | deirdre.benedict@jud.ca.gov

Issue

The 2021-22 Budget provides funding of \$140 million in 2021-22, and \$70 million in ongoing funding to the Judicial Council for distribution to the courts for the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.

Each court may retain up to 30 percent of the funding for costs associated with pretrial release programs and practices. Courts are required to contract for pretrial services with their county’s probation department or any county department or agency other than those that have primary responsibility for making arrests or prosecuting criminal offenses,¹ and provide those departments with the remainder of the funds.

The current annual budget available to the courts for the Pretrial Release Program is \$137.9 million.²

Judicial Council Criminal Justice Services (CJS) staff present the 2021-22 allocations of the Pretrial Release funding for Judicial Branch Budget Committee consideration at its August 13, 2021 meeting and for Judicial Council consideration at its October 1, 2021 business meeting.

Background

Senate Bill (SB) 129 (Stats. 2021, ch. 69), which amended the Budget Act of 2021, provides funding for “the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.” (SB 129, sec. 4, item 0250-101-0001, provision 9.) SB 129 appropriates funding of \$140 million

¹ SB 129 specifically provides that the Superior Court of California, County of Santa Clara, may contract with the Office of Pretrial Services in that county, and that the Superior Court of California, County of San Francisco, may contract with the Sheriff’s Office and the existing not-for-profit entity that is performing pretrial services in the city and county for pretrial assessment and supervision services.

² SB 129 authorizes the Judicial Council to retain up to 5 percent of the amounts available to the courts for costs associated with implementing, supporting, and evaluating pretrial programs in courts.

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

in 2021-22, and \$70 million in ongoing funding to the Judicial Council for distribution to the courts for these purposes.

Funding Methodology

SB 129 specifies two formulas for the Judicial Council to use in distributing pretrial release program funding.

One-Time Pretrial Release Funding for Non-Pretrial Pilot Program Courts

Half of the budget year funding (\$70 million) is to be distributed to the 41 courts that did not receive Pretrial Pilot Program funding (provided in the Budget Act of 2019), with funding allocated to the courts based on each county's relative proportion of the state population 18 to 25 years of age. The funds are available for encumbrance or expenditure for three fiscal years, until June 30, 2024. The breakdown for these one-time funds is reflected in Attachment A.

Ongoing Pretrial Release Funding for All Courts

The Judicial Council is required to distribute the remaining \$70 million in budget year funding to *all* courts based on each county's relative proportion of the state population 18 to 25 years of age. These funds must be encumbered or expended by June 30, 2022. It is anticipated that allocation of the ongoing \$70 million in pretrial release program funding for all the superior courts will be based on the same formula in future years. The breakdown for these ongoing funds is reflected in Attachment B.

Funding Floor

A minimum funding floor of \$200,000 is recommended for both funding formulas. This recommendation is based on analysis of planned budgets vs. actual spending by small courts³ participating in the Pretrial Pilot Program in 2019-20 and 2020-21. It is also equivalent to the floor used in the funding methodology for California Community Corrections Performance Incentives Act of 2009 (SB 678)⁴. This floor will ensure that both small and small/medium courts have the resources necessary to comply with the legislation.

Recommendation

The Trial Court Budget Advisory Committee recommends approval of the 2021-22 Pretrial Release allocations for recommendation to the Judicial Council at its October 1, 2021 business meeting, as outlined in Attachment C.

³ The court-size category is based on the authorized number of judicial positions (AJP) within a county: small (2–5 AJP), small-medium (6–15 AJP), medium (16–47 AJP), and large (48+ AJP).

⁴ Stats. 2009, ch. 608, www.courts.ca.gov/documents/sb678.pdf.

JUDICIAL COUNCIL OF CALIFORNIA
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Attachments

Attachment A: One-Time Allocation for Non-Pretrial Pilot Program Courts

Attachment B: Ongoing Pretrial Release Allocations for All Courts

Attachment C: Recommended 2021-22 Pretrial Release Allocations

Attachment A: Funding Formula for One-Time Allocation for Non-Pretrial Pilot Program Courts

Non-Pilot Courts	Total 18-24 yr. ¹ olds ²	% of total population of 18-24 yr. olds in Non-Pilot Courts	% of \$68.95M
Alpine	N/A ³	N/A	\$200,000.00
Amador	N/A	N/A	\$200,000.00
Butte	32,869	1.578%	\$1,040,835.47
Colusa	N/A	N/A	\$200,000.00
Contra Costa	93,870	4.507%	\$2,972,503.73
Del Norte	N/A	N/A	\$200,000.00
El Dorado	13,613	0.654%	\$431,071.62
Fresno	99,540	4.779%	\$3,152,050.93
Glenn	N/A	N/A	\$200,000.00
Humboldt	17,340	0.833%	\$549,091.45
Imperial	18,273	0.877%	\$578,635.99
Inyo	N/A	N/A	\$200,000.00
Kern	91,753	4.406%	\$2,905,466.44
Lake	N/A	N/A	\$200,000.00
Lassen	N/A	N/A	\$200,000.00
Madera	15,053	0.723%	\$476,670.91
Marin	16,907	0.812%	\$535,380.00
Mariposa	N/A	N/A	\$200,000.00
Mendocino	6,517	0.313%	\$206,368.46
Merced	30,535	1.466%	\$966,926.61
Mono	N/A	N/A	\$200,000.00
Monterey	43,873	2.107%	\$1,389,290.04
Orange	295,112	14.170%	\$9,345,067.86
Placer	28,784	1.382%	\$911,479.14
Plumas	N/A	N/A	\$200,000.00
Riverside	237,421	11.400%	\$7,518,214.63
San Benito	N/A	N/A	\$200,000.00
San Bernardino	226,843	10.892%	\$7,183,249.84
San Diego	346,764	16.650%	\$10,980,689.06
San Francisco	62,085	2.981%	\$1,965,994.39
San Luis Obispo	43,132	2.071%	\$1,365,825.40
Santa Clara	164,130	7.881%	\$5,197,369.09
Santa Cruz	40,841	1.961%	\$1,293,278.20

¹ The legislation specifies 18-25 year olds, however census data is only available for 18-24 year olds.

² Source: https://data.census.gov/cedsci/table?q=age%20by%20county&g=0400000US06_050000&tid=ACST5Y2019_S0101&hidePreview=true&tp=true

³For courts that indicate "N/A", a minimal funding floor of \$200,000 has been imposed to ensure adequate funding to meet the mandate.

Attachment A: Funding Formula for One-Time Allocation for Non-Pretrial Pilot Program Courts

Non-Pilot Courts	Total 18-24 yr. olds ⁴	% of total population of 18-24 yr. olds in Non-Pilot Courts	
			% of \$68.95M
Siskiyou	N/A	N/A	\$200,000.00
Solano	39,291	1.887%	\$1,244,195.63
Stanislaus	51,945	2.494%	\$1,644,899.39
Sutter	8,424	0.404%	\$266,755.85
Tehama	N/A	N/A	\$200,000.00
Trinity	N/A	N/A	\$200,000.00
Yolo	43,740	2.100%	\$1,385,078.44
Total	2,082,664		\$ 68,950,000.00

⁴Source: <https://data.census.gov/cedsci/table?q=age%20by%20county&g=0400000US06.050000&tid=ACST5Y2019.S0101&hidePreview=true&tp=true>

Attachment B: Funding Formulas for Ongoing Pretrial Release Allocations

All Courts	Total 18-24 yr. olds ¹	% of total population of all CA 18-24 yr. olds	% of \$68.95M
Alameda	140,065	3.767%	\$2,424,168.67
Alpine	N/A ²	N/A	\$200,000.00
Amador	N/A	N/A	\$200,000.00
Butte	32,869	0.884%	\$568,878.73
Calaveras	N/A	N/A	\$200,000.00
Colusa	N/A	N/A	\$200,000.00
Contra Costa	93,870	2.525%	\$1,624,650.79
Del Norte	N/A	N/A	\$200,000.00
El Dorado	13,613	N/A	\$235,606.38
Fresno	99,540	2.677%	\$1,722,784.06
Glenn	N/A	N/A	\$200,000.00
Humboldt	17,340	0.466%	\$300,111.27
Imperial	18,273	0.491%	\$316,259.12
Inyo	N/A	N/A	\$200,000.00
Kern	91,753	2.468%	\$1,588,010.91
Kings	16,736	0.450%	\$289,657.57
Lake	N/A	N/A	\$200,000.00
Lassen	N/A	N/A	\$200,000.00
Los Angeles	979,915	26.356%	\$16,959,834.67
Madera	15,053	0.405%	\$260,529.12
Marin	16,907	0.455%	\$292,617.14
Mariposa	N/A	N/A	\$200,000.00
Mendocino	N/A	N/A	\$200,000.00
Merced	30,535	0.821%	\$528,483.14
Modoc	N/A	N/A	\$200,000.00
Mono	N/A	N/A	\$200,000.00
Monterey	43,873	1.180%	\$759,329.97
Napa	12,199	N/A	\$211,133.64
Nevada	N/A	N/A	\$200,000.00
Orange	295,112	7.937%	\$5,107,637.63
Placer	28,784	0.774%	\$498,177.78
Plumas	N/A	N/A	\$200,000.00
Riverside	237,421	6.386%	\$4,109,153.25
Sacramento	132,797	3.572%	\$2,298,378.09
San Benito	N/A	N/A	\$200,000.00

¹ Source: <https://data.census.gov/cedsci/table?q=age%20by%20county&g=0400000US06.050000&tid=ACST5Y2019.S0101&hidePreview=true&tp=true>

² For courts that indicate "N/A", a minimal funding floor of \$200,000 has been imposed to ensure adequate funding to meet the mandate.

Attachment B: Funding Formulas for Ongoing Pretrial Release Allocations

All Courts	Total 18-24 yr. olds	% of total population of all CA 18-24 yr. olds	% of \$68.95M
San Bernardino	226843	6.101%	\$3,926,074.99
San Diego	346764	9.326%	\$6,001,602.29
San Francisco	62085	1.670%	\$1,074,533.34
San Joaquin	72447	1.949%	\$1,253,873.19
San Luis Obispo	43132	1.160%	\$746,505.14
San Mateo	56629	1.523%	\$980,103.86
Santa Barbara	70553	1.898%	\$1,221,092.87
Santa Clara	164130	4.414%	\$2,840,672.57
Santa Cruz	40841	1.098%	\$706,853.77
Shasta	14009	N/A	\$242,460.14
Sierra	N/A	N/A	\$200,000.00
Siskiyou	N/A	N/A	\$200,000.00
Solano	39291	1.057%	\$680,027.21
Sonoma	41268	1.110%	\$714,244.05
Stanislaus	51945	1.397%	\$899,035.74
Sutter	N/A	N/A	\$200,000.00
Tehama	N/A	N/A	\$200,000.00
Trinity	N/A	N/A	\$200,000.00
Tulare	47389	1.275%	\$820,182.98
Tuolumne	N/A	N/A	\$200,000.00
Ventura	80330	2.161%	\$1,390,307.85
Yolo	43740	1.176%	\$757,028.08
Yuba	N/A	N/A	\$200,000.00
Total	3,718,051		\$ 68,950,000.00

Attachment C: Total Allocations for Pretrial Release Funding by Court

All Courts	One-Time Allocation	Ongoing Allocation	Total Allocation
Alameda		\$2,424,168.67	\$2,424,168.67
Alpine	\$200,000.00	\$200,000.00	\$400,000.00
Amador	\$200,000.00	\$200,000.00	\$400,000.00
Butte	\$1,040,835.47	\$568,878.73	\$1,609,714.20
Calaveras		\$200,000.00	\$200,000.00
Colusa	\$200,000.00	\$200,000.00	\$400,000.00
Contra Costa	\$2,972,503.73	\$1,624,650.79	\$4,597,154.52
Del Norte	\$200,000.00	\$200,000.00	\$400,000.00
El Dorado	\$431,071.62	\$235,606.38	\$666,678.00
Fresno	\$3,152,050.93	\$1,722,784.06	\$4,874,834.99
Glenn	\$200,000.00	\$200,000.00	\$400,000.00
Humboldt	\$549,091.45	\$300,111.27	\$849,202.72
Imperial	\$578,635.99	\$316,259.12	\$894,895.11
Inyo	\$200,000.00	\$200,000.00	\$400,000.00
Kern	\$2,905,466.44	\$1,588,010.91	\$4,493,477.35
Kings		\$289,657.57	\$289,657.57
Lake	\$200,000.00	\$200,000.00	\$400,000.00
Lassen	\$200,000.00	\$200,000.00	\$400,000.00
Los Angeles		\$16,959,834.67	\$16,959,834.67
Madera	\$476,670.91	\$260,529.12	\$737,200.03
Marin	\$535,380.00	\$292,617.14	\$827,997.14
Mariposa	\$200,000.00	\$200,000.00	\$400,000.00
Mendocino	\$206,368.46	\$200,000.00	\$406,368.46
Merced	\$966,926.61	\$528,483.14	\$1,495,409.75
Modoc		\$200,000.00	\$200,000.00
Mono	\$200,000.00	\$200,000.00	\$400,000.00
Monterey	\$1,389,290.04	\$759,329.97	\$2,148,620.01
Napa		\$211,133.64	\$211,133.64
Nevada		\$200,000.00	\$200,000.00
Orange	\$9,345,067.86	\$5,107,637.63	\$14,452,705.49
Placer	\$911,479.14	\$498,177.78	\$1,409,656.92
Plumas	\$200,000.00	\$200,000.00	\$400,000.00
Riverside	\$7,518,214.63	\$4,109,153.25	\$11,627,367.88
Sacramento		\$2,298,378.09	\$2,298,378.09
San Benito	\$200,000.00	\$200,000.00	\$400,000.00
San Bernardino	\$7,183,249.84	\$3,926,074.99	\$11,109,324.83
San Diego	\$10,980,689.06	\$6,001,602.29	\$16,982,291.35
San Francisco	\$1,965,994.39	\$1,074,533.34	\$3,040,527.73
San Joaquin		\$1,253,873.19	\$1,253,873.19

Attachment C: Total Allocations for Pretrial Release Funding by Court

All Courts	One-Time Allocation	Ongoing Allocation	Total Allocation
San Luis Obispo	\$1,365,825.40	\$746,505.14	\$2,112,330.54
San Mateo		\$980,103.86	\$980,103.86
Santa Barbara		\$1,221,092.87	\$1,221,092.87
Santa Clara	\$5,197,369.09	\$2,840,672.57	\$8,038,041.66
Santa Cruz	\$1,293,278.20	\$706,853.77	\$2,000,131.97
Shasta	\$443,611.43	\$242,460.14	\$686,071.57
Sierra		\$200,000.00	\$200,000.00
Siskiyou	\$200,000.00	\$200,000.00	\$400,000.00
Solano	\$1,244,195.63	\$680,027.21	\$1,924,222.84
Sonoma		\$714,244.05	\$714,244.05
Stanislaus	\$1,644,899.39	\$899,035.74	\$2,543,935.13
Sutter	\$266,755.85	\$200,000.00	\$466,755.85
Tehama	\$200,000.00	\$200,000.00	\$400,000.00
Trinity	\$200,000.00	\$200,000.00	\$400,000.00
Tulare		\$820,182.98	\$820,182.98
Tuolumne		\$200,000.00	\$200,000.00
Ventura		\$1,390,307.85	\$1,390,307.85
Yolo	\$1,385,078.44	\$757,028.08	\$2,142,106.52
Yuba		\$200,000.00	\$200,000.00
		Total:	\$137,900,000.00

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Judicial Branch Budget Committee
(Action Item)

Title: Child Support: \$4.45 Million AB 1058 Reimbursement Authority Increase
Date: 8/13/2021
Contact: Anna L. Maves, AB 1058 Program Manager, Center for Families, Children and the Courts
916-263-8624 | anna.maves@jud.ca.gov

Issue

Consider recommendations for the allocation of an additional and ongoing \$4.45 million in base funding for the AB 1058 Child Support Commissioner (CSC) and Family Law Facilitator (FLF) program based on current funding methodologies and approve a technical adjustment to 2021-22 CSC base allocations.

Background

The Judicial Council is required to annually allocate non-trial court funding to the AB 1058 program and has done so since 1997.¹ A cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council provides the funds for this program and requires the council to annually approve the funding allocation. Two-thirds of the funds are federal, and one-third comes from the state General Fund (non-trial court funding). Any funds left unspent at the end of the fiscal year revert to the state General Fund and cannot be used in subsequent years.

In 2015, the AB 1058 Funding Allocation Joint Subcommittee was formed to review the historical AB 1058 program funding methodology. On January 16, 2019, the Judicial Council approved a new workload-based funding methodology for the CSC program and maintained the historical FLF funding methodology until 2021–22 as recommended by the subcommittee.²

¹ Assembly Bill 1058 added article 4 to chapter 2 of part 2 of division 9 of the Family Code, which at section 4252(b)(6) requires the Judicial Council to “[e]stablish procedures for the distribution of funding to the courts for child support commissioners, family law facilitators pursuant to [Family Code] Division 14 (commencing with Section 10000), and related allowable costs.”

² More details can be found in the Judicial Council report for the January 2019 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Allocation* (Nov. 21, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6953308&GUID=A6F15A78-08B6-42DA-8826-19A6AF0B7CB1>.

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

On July 9, 2021, the Judicial Council approved a new population-based methodology for the FLF program and maintained the workload-based methodology with updated workload data for the CSC program.³

Child Support Commissioner Additional Funds Allocation

Except for a onetime funding reduction in 2020-21, the base funding allocation for the CSC program has been \$31.62 million since 2008-09, representing 75 percent of total AB 1058 program base funds.⁴ The Judicial Council’s cooperative agreement with the DCSS for fiscal year 2021–22 designates \$3.34 million in additional funds for the CSC program (75 percent of the \$4.45 million) resulting in a new base funding allocation of \$34.96 million.

The Trial Court Budget Advisory Committee (TCBAC) considered options based on the current workload-based methodology approved by the Judicial Council on January 16, 2019. The CSC methodology uses the same workload and cost structures as the Workload Formula used to distribute trial court funds. The methodology maintains current funding levels for smaller courts and caps any increases or decreases to funding at five percent in order to distribute available funds without administering any severe decreases to funding that would impact a court’s ability to continue operating their CSC program.⁵

The committee recommends allocating the additional funding according to the workload-based methodology but allocating funds only to those courts whose current allocation is less than the funding need determined by the methodology. For these funds, the committee also recommended not applying the five percent cap to increases and decreases used in the methodology. See Attachment A for details.

Family Law Facilitator Additional Funds Allocation

Except for a onetime funding reduction in 2020–21, the base funding allocation for the FLF program has been \$10.79 million since 2008-09, representing 25 percent of total AB 1058 program base funds. The Judicial Council’s cooperative agreement with the DCSS for fiscal year

³ More details can be found in the Judicial Council report for the July 2021 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding Methodology, Adopting a Family Law Facilitator Program Funding Methodology, and Adopting 2021–22 AB 1058 Program Funding Allocations* (May 14, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9508521&GUID=BC737E96-AFD8-4E22-A046-AE9E16A5C422>.

⁴ Historically, AB 1058 program funds have been allocated to the courts as follows: 75 percent to the CSC program and 25 percent to the FLF program.

⁵ More details can be found in the Judicial Council report for the January 2019 meeting: Judicial Council of Cal., Advisory Com. Rep., *AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Allocation* (Nov. 21, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6953308&GUID=A6F15A78-08B6-42DA-8826-19A6AF0B7CB1>.

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

2021–22 designates \$1.11 million in additional funds (25 percent of the \$4.45 million) resulting in a new base funding allocation of \$11.90 million.

TCBAC considered options to allocate the additional \$1.11 million for the FLF program based on the current population-based methodology approved by the Judicial Council on July 9, 2021. The FLF funding methodology allocates a base amount of \$34,000 to all courts and then allocates the remainder of funds by county population. Mirroring the CSC methodology, the FLF methodology has the same protections for smaller courts and implements a five percent cap on funding changes.⁶

The committee recommended allocating the additional funding according to the population-based methodology, with the majority of funding distributed to courts whose current allocation is less than the allocation determined by the methodology and then the remainder of the funding distributed to all courts based on their percentage of statewide population. Distributing the increase by this method improves the average percentage of base funding to the population-based funding allocation among those 25 courts that receive less than the population-based allocation from 81.5 percent to 91.2 percent. To address the needs of courts with the highest need, the model does not limit increases to five percent. See Attachment B for details.

The committee also recommended a technical adjustment to the base allocation, as shown in Attachment A.

Recommendation

1. Allocate additional funding to the CSC program for 2021–22, and a technical adjustment to a small number of courts' base allocation approved by the Judicial Council on July 9, 2021, as set forth in Attachment A. This allocation distributes 75 percent of the \$4.45 million to the CSC program.
2. Allocate additional funding to the FLF program for 2021–22 as set forth in Attachment B. This allocation distributes 25 percent of the \$4.45 million to the FLF program.
3. Approve the committee's recommendation for 2021–22 AB 1058 program funding for the courts for the total base funding allocations derived from recommendations 1 and 2, and the application of the additional federal drawdown funding, as set forth in Attachment C1 and C2.

⁶ More details can be found in the Judicial Council report for the July 2021 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding Methodology, Adopting a Family Law Facilitator Program Funding Methodology, and Adopting 2021–22 AB 1058 Program Funding Allocations* (May 14, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9508521&GUID=BC737E96-AFD8-4E22-A046-AE9E16A5C422>.

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

Attachments

- Attachment A: Child Support Commissioner Additional Funding Allocation
- Attachment B: Family Law Facilitator Additional Funding Allocation
- Attachment C1: Child Support Commissioner Program Final Allocation, 2021–22
- Attachment C2: Family Law Facilitator Program Final Allocation, 2021–22

Attachment A: Child Support Commissioner Additional Funding Allocation

Cluster	Court	CSC Funding Need	CSC Staff (non-FLF) Funding Need	Total CSC and Staff Need (C+D)	Percentage of Total Need	Prorate to Available Funding	Original FY 21-22 Base Allocation	Adjusted FY 21-22 Base Allocation	Base Allocation Adjustment (I-H)	Amount of Unmet Need (G-I)	Percentage of Unmet Need	Amount Increase	Final Allocation (I+M)	Total Net Increase (M+J)	Percentage Difference (O/H)
Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L	Col. M	Col. N	Col. O	Col. P
4	Alameda	651,921	2,702,537	3,354,459	5.5%	1,937,833	1,159,405	1,158,644	(761)	779,189	10.4%	348,148	1,506,792	347,387	30.0%
1	Alpine (See El Dorado)	280	849	1,128		-	-	-	-	-		0	-	-	
1	Amador	15,745	54,969	70,714	0.1%	40,851	140,250	140,250	-	-		0	140,250	-	0.0%
2	Butte	87,392	266,083	353,475	0.6%	204,198	272,690	272,690	-	-		0	272,690	-	0.0%
1	Calaveras	15,933	53,263	69,196	0.1%	39,974	132,667	132,667	-	-		0	132,667	-	0.0%
1	Colusa	6,856	19,824	26,680	0.0%	15,413	45,691	45,691	-	-		0	45,691	-	0.0%
3	Contra Costa	155,298	605,185	760,483	1.3%	439,322	793,527	793,527	-	-		0	793,527	-	0.0%
1	Del Norte	31,351	101,819	133,170	0.2%	76,931	52,207	52,173	(34)	24,758	0.3%	11,062	63,235	11,028	21.1%
2	El Dorado*	52,265	183,283	235,547	0.4%	136,725	203,169	203,169	-	-		0	203,169	-	0.0%
3	Fresno	803,010	2,302,564	3,105,575	5.1%	1,794,055	1,593,057	1,600,077	7,020	193,978	2.6%	86,671	1,686,748	93,691	5.9%
1	Glenn	23,912	75,984	99,896	0.2%	57,709	120,030	120,030	-	-		0	120,030	-	0.0%
2	Humboldt	59,360	154,206	213,566	0.4%	123,375	111,943	111,943	-	11,432	0.2%	5,108	117,051	5,108	4.6%
2	Imperial	133,528	329,822	463,350	0.8%	267,672	179,843	179,725	(118)	87,947	1.2%	39,295	219,020	39,177	21.8%
1	Inyo	7,198	23,032	30,230	0.0%	17,464	79,264	79,264	-	-		0	79,264	-	0.0%
3	Kern	633,103	1,892,203	2,525,306	4.2%	1,458,841	729,210	728,732	(478)	730,109	9.8%	326,219	1,054,951	325,740	44.7%
2	Kings	95,340	281,018	376,357	0.6%	217,417	275,061	275,061	-	-		0	275,061	-	0.0%
2	Lake	39,459	104,370	143,828	0.2%	83,088	141,004	141,004	-	-		0	141,004	-	0.0%
1	Lassen	14,595	45,548	60,143	0.1%	34,744	60,000	60,000	-	-		0	60,000	-	0.0%
4	Los Angeles	2,680,920	11,211,637	13,892,557	23.0%	8,025,572	5,753,199	5,749,425	(3,775)	2,276,147	30.5%	1,017,002	6,766,426	1,013,227	17.6%
2	Madera	118,458	363,172	481,630	0.8%	278,232	213,361	213,221	(140)	65,011	0.9%	29,047	242,269	28,907	13.5%
2	Marin	33,164	135,673	168,837	0.3%	97,535	114,719	114,719	-	-		0	114,719	-	0.0%
1	Mariposa	7,262	24,487	31,749	0.1%	18,341	75,216	75,216	-	-		0	75,216	-	0.0%
2	Mendocino	42,766	117,234	160,000	0.3%	92,430	154,769	154,769	-	-		0	154,769	-	0.0%
2	Merced	222,471	617,029	839,500	1.4%	484,970	490,598	490,598	-	-		0	490,598	-	0.0%
1	Modoc**											0			
1	Mono	2,996	10,571	13,566	0.0%	7,837	45,974	45,974	-	-		0	45,974	-	0.0%
3	Monterey	130,900	476,352	607,252	1.0%	350,803	356,969	356,969	-	-		0	356,969	-	0.0%
2	Napa	33,145	133,246	166,390	0.3%	96,122	95,441	95,441	-	681	0.0%	304	95,745	304	0.3%
2	Nevada*	31,504	106,457	137,961	0.2%	79,699	316,593	316,593	-	-		0	316,593	-	0.0%
4	Orange	811,356	2,975,448	3,786,804	6.3%	2,187,594	2,089,818	2,089,818	-	97,776	1.3%	43,687	2,133,505	43,687	2.1%
2	Placer	94,444	366,114	460,558	0.8%	266,059	312,320	312,320	-	-		0	312,320	-	0.0%
1	Plumas	11,578	34,221	45,799	0.1%	26,457	95,777	95,777	-	-		0	95,777	-	0.0%
4	Riverside	866,196	2,985,345	3,851,541	6.4%	2,224,992	1,093,392	1,092,674	(717)	1,132,317	15.2%	505,929	1,598,603	505,211	46.2%
4	Sacramento	618,008	2,424,592	3,042,600	5.0%	1,757,676	1,135,964	1,135,219	(745)	622,457	8.3%	278,119	1,413,338	277,373	24.4%
1	San Benito	17,927	66,178	84,105	0.1%	48,587	135,384	135,384	-	-		0	135,384	-	0.0%
4	San Bernardino	1,505,925	4,852,900	6,358,825	10.5%	3,673,421	2,794,865	2,793,031	(1,834)	880,390	11.8%	393,365	3,186,397	391,532	14.0%
4	San Diego	804,114	2,755,069	3,559,184	5.9%	2,056,100	1,818,465	1,817,272	(1,193)	238,828	3.2%	106,710	1,923,982	105,517	5.8%
4	San Francisco	170,541	793,435	963,976	1.6%	556,878	820,297	820,297	-	-		0	820,297	-	0.0%
3	San Joaquin	399,744	1,286,053	1,685,797	2.8%	973,866	744,987	744,498	(489)	229,368	3.1%	102,483	846,981	101,995	13.7%
2	San Luis Obispo	57,837	193,761	251,597	0.4%	145,345	209,688	209,688	-	-		0	209,688	-	0.0%
3	San Mateo	78,669	332,106	410,775	0.7%	237,300	354,193	354,193	-	-		0	354,193	-	0.0%
3	Santa Barbara	106,699	377,216	483,914	0.8%	279,552	435,112	435,112	-	-		0	435,112	-	0.0%
4	Santa Clara	230,529	972,631	1,203,159	2.0%	695,051	1,612,233	1,612,233	-	-		0	1,612,233	-	0.0%
2	Santa Cruz	29,285	108,748	138,033	0.2%	79,740	177,299	177,299	-	-		0	177,299	-	0.0%
2	Shasta*	88,917	263,622	352,539	0.6%	203,658	398,675	398,675	-	-		0	398,675	-	0.0%
1	Sierra	1,409	3,992	5,401	0.0%	3,120	11,000	11,000	-	-		0	11,000	-	0.0%
2	Siskiyou	28,409	74,095	102,504	0.2%	59,215	118,484	118,484	-	-		0	118,484	-	0.0%
3	Solano	210,452	750,699	961,151	1.6%	555,246	497,167	499,537	2,370	55,709	0.7%	24,891	524,428	27,261	5.5%
3	Sonoma	104,101	372,056	476,156	0.8%	275,070	453,390	453,390	-	-		0	453,390	-	0.0%
3	Stanislaus	245,186	789,524	1,034,710	1.7%	597,740	700,912	700,912	-	-		0	700,912	-	0.0%
2	Sutter	62,371	206,179	268,550	0.4%	155,138	182,623	182,623	-	-		0	182,623	-	0.0%
2	Tehama*	55,194	158,682	213,876	0.4%	123,554	102,502	102,435	(67)	21,119	0.3%	9,436	111,871	9,369	9.1%
1	Trinity	6,991	19,595	26,587	0.0%	15,359	18,900	18,900	-	-		0	18,900	-	0.0%
3	Tulare	196,168	627,580	823,748	1.4%	475,870	507,485	507,485	-	-		0	507,485	-	0.0%
2	Tuolumne*	20,127	59,975	80,102	0.1%	46,274	158,566	158,566	-	-		0	158,566	-	0.0%
3	Ventura	164,608	606,324	770,931	1.3%	445,358	527,450	527,450	-	-		0	527,450	-	0.0%
2	Yolo	84,769	303,633	388,402	0.6%	224,375	200,980	201,942	961	22,434	0.3%	10,023	211,965	10,985	5.5%
2	Yuba*	36,151	117,376	153,527	0.3%	88,691	203,149	203,149	-	-		0	203,149	-	0.0%
	Total	13,237,832	47,269,565	60,507,398	100.0%	34,954,436	31,616,936	31,616,936	0	7,469,647	100.0%	3,337,500	34,954,436	3,337,500	

* Cluster 2 courts with existing intra-branch agreements for the Child Support Commissioner program.

** Modoc does not have a Child Support Commissioner program.

Attachment B: Family Law Facilitator Additional Funding Allocation

Cluster	Court	% of State Population	Population Based Methodology	JC FY 21-22 Base Allocation	Amount of Unmet Need	Percentage of Unmet Need	Allocate 80% of Additional Funding	Allocate 20% of Additional Funding	Amount Increase (H+I)	Final Allocation (E+J)	Percent Difference
Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L
4	Alameda	4.2%	449,445	376,007	73,439	3.9%	35,011	9,309	44,319	420,326	11.8%
1	Alpine	0.0%	34,287				-	6	6	6	
1	Amador	0.1%	43,477	46,885	-		-	212	212	47,097	0.5%
2	Butte	0.6%	89,199	96,666	-		-	1,237	1,237	97,903	1.3%
1	Calaveras	0.1%	45,241	70,655	-		-	252	252	70,907	0.4%
1	Colusa	0.1%	39,493	36,882	2,611	0.1%	1,245	123	1,368	38,250	3.7%
3	Contra Costa	2.9%	321,369	328,242	-		-	6,439	6,439	334,681	2.0%
1	Del Norte	0.1%	40,806	50,002	-		-	153	153	50,155	0.3%
2	El Dorado*	0.5%	81,646	106,037	-		-	1,068	1,068	107,105	1.0%
3	Fresno	2.6%	287,307	374,830	-		-	5,676	5,676	380,506	1.5%
1	Glenn	0.1%	41,255	75,808	-		-	163	163	75,971	0.2%
2	Humboldt	0.3%	67,619	84,726	-		-	753	753	85,479	0.9%
2	Imperial	0.5%	81,330	54,768	26,562	1.4%	12,663	1,061	13,723	68,492	25.1%
1	Inyo	0.0%	38,632	57,185	-		-	104	104	57,289	0.2%
3	Kern	2.3%	261,634	337,384	-		-	5,100	5,100	342,484	1.5%
2	Kings	0.4%	72,134	60,599	11,535	0.6%	5,499	854	6,353	66,952	10.5%
2	Lake	0.2%	50,134	54,691	-		-	362	362	55,052	0.7%
1	Lassen	0.1%	41,469	65,000	-		-	167	167	65,167	0.3%
4	Los Angeles	25.7%	2,585,526	1,958,080	627,447	33.6%	299,125	57,171	356,296	2,314,376	18.2%
2	Madera	0.4%	73,596	76,754	-		-	887	887	77,642	1.2%
2	Marin	0.7%	99,436	129,752	-		-	1,466	1,466	131,218	1.1%
1	Mariposa	0.0%	38,508	45,390	-		-	101	101	45,491	0.2%
2	Mendocino	0.2%	56,121	57,439	-		-	496	496	57,935	0.9%
2	Merced	0.7%	104,324	96,445	7,879	0.4%	3,756	1,576	5,332	101,777	5.5%
1	Modoc	0.0%	36,392	70,941	-		-	54	54	70,995	0.1%
1	Mono	0.0%	37,398	48,246	-		-	76	76	48,322	0.2%
3	Monterey	1.1%	144,487	125,033	19,454	1.0%	9,274	2,476	11,750	136,783	9.4%
2	Napa	0.4%	68,992	64,046	4,946	0.3%	2,358	784	3,142	67,188	4.9%
2	Nevada*	0.2%	58,607	116,010	-		-	551	551	116,561	0.5%
4	Orange	8.1%	834,753	556,551	278,202	14.9%	132,628	17,942	150,570	707,122	27.1%
2	Placer	1.0%	132,864	92,853	40,011	2.1%	19,075	2,215	21,290	114,143	22.9%
1	Plumas	0.0%	38,803	55,827	-		-	108	108	55,935	0.2%
4	Riverside	6.1%	640,375	632,169	8,206	0.4%	3,912	13,587	17,499	649,668	2.8%
4	Sacramento	3.9%	418,763	320,744	98,019	5.3%	46,729	8,621	55,350	376,094	17.3%
1	San Benito	0.2%	49,099	60,289	-		-	338	338	60,627	0.6%
4	San Bernardino	5.5%	578,004	475,881	102,123	5.5%	48,686	12,189	60,875	536,755	12.8%
4	San Diego	8.4%	867,543	627,754	239,789	12.8%	114,316	18,677	132,993	760,746	21.2%
4	San Francisco	2.2%	255,470	232,994	22,476	1.2%	10,715	4,962	15,678	248,672	6.7%
3	San Joaquin	1.9%	225,321	203,887	21,434	1.1%	10,218	4,287	14,505	218,392	7.1%
2	San Luis Obispo	0.7%	103,603	69,423	34,181	1.8%	16,295	1,560	17,855	87,277	25.7%
3	San Mateo	1.9%	226,910	131,365	95,545	5.1%	45,549	4,322	49,872	181,237	38.0%
3	Santa Barbara	1.1%	146,984	162,170	-		-	2,532	2,532	164,701	1.6%
4	Santa Clara	4.9%	521,937	461,191	60,746	3.3%	28,960	10,933	39,893	501,084	8.6%
2	Santa Cruz	0.7%	102,375	77,011	25,364	1.4%	12,092	1,532	13,624	90,635	17.7%
2	Shasta*	0.4%	78,457	185,447	-		-	996	996	186,443	0.5%
1	Sierra	0.0%	34,799				-	18	18	18	
2	Siskiyou	0.1%	45,105	70,918	-		-	249	249	71,166	0.4%
3	Solano	1.1%	143,780	130,806	12,974	0.7%	6,185	2,460	8,645	139,451	6.6%
3	Sonoma	1.3%	158,375	142,678	15,697	0.8%	7,483	2,787	10,270	152,948	7.2%
3	Stanislaus	1.4%	172,941	208,109	-		-	3,113	3,113	211,222	1.5%
2	Sutter	0.2%	58,549	62,977	-		-	550	550	63,527	0.9%
2	Tehama	0.2%	50,081	28,277	21,804	1.2%	10,395	360	10,755	39,032	38.0%
1	Trinity	0.0%	37,396				-	76	76	76	
3	Tulare	1.2%	153,218	292,488	-		-	2,671	2,671	295,159	0.9%
2	Tuolumne	0.1%	47,646	61,307	-		-	306	306	61,613	0.5%
3	Ventura	2.1%	246,574	240,082	6,492	0.3%	3,095	4,763	7,858	247,940	3.3%
2	Yolo	0.6%	89,297	79,362	9,935	0.5%	4,736	1,239	5,975	85,337	7.5%
2	Yuba	0.2%	53,236	62,563	-		-	431	431	62,994	0.7%
	Total		11,902,126	10,789,626	1,866,869	100.0%	890,000	222,500	1,112,500	11,902,126	

* Cluster 2 courts with existing intra-branch agreements for the Family Law Facilitator program.

Child Support Commissioner (CSC) Program Allocation, 2021–2022							
		A	B	C	D	E	F
#	CSC Court	Updated Base Allocation	Beginning Federal Drawdown Option	Federal Share 66% (Column B * .66)	Court Share 34% (Column B * .34)	Total Allocation (A+B)	Contract Amount (A+C)
1	Alameda	1,506,792	549,815	362,878	186,937	2,056,607	1,869,670
2	Alpine (see El Dorado)						
3	Amador	140,250	45,736	30,186	15,550	185,986	170,436
4	Butte	272,690	0	0	0	272,690	272,690
5	Calaveras	132,667	10,000	6,600	3,400	142,667	139,267
6	Colusa	45,691	20,809	13,734	7,075	66,500	59,425
7	Contra Costa	793,527	0	0	0	793,527	793,527
8	Del Norte	63,235	29,023	19,155	9,868	92,258	82,390
9	El Dorado	203,169	100,382	66,252	34,130	303,551	269,421
10	Fresno	1,686,748	843,800	556,908	286,892	2,530,548	2,243,656
11	Glenn	120,030	63,012	41,588	21,424	183,042	161,618
12	Humboldt	117,051	59,801	39,469	20,332	176,852	156,520
13	Imperial	219,020	103,940	68,600	35,340	322,960	287,621
14	Inyo	79,264	45,640	30,122	15,518	124,904	109,386
15	Kern	1,054,951	360,000	237,600	122,400	1,414,951	1,292,551
16	Kings	275,061	166,716	110,033	56,683	441,777	385,094
17	Lake	141,004	37,000	24,420	12,580	178,004	165,424
18	Lassen	60,000	0	0	0	60,000	60,000
19	Los Angeles	6,766,426	3,198,270	2,110,858	1,087,412	9,964,696	8,877,285
20	Madera	242,269	83,000	54,780	28,220	325,269	297,049
21	Marin	114,719	40,396	26,661	13,735	155,115	141,380
22	Mariposa	75,216	0	0	0	75,216	75,216
23	Mendocino	154,769	56,550	37,323	19,227	211,319	192,092
24	Merced	490,598	297,354	196,254	101,100	787,952	686,851
25	Modoc						
26	Mono	45,974	5,000	3,300	1,700	50,974	49,274
27	Monterey	356,969	109,094	72,002	37,092	466,063	428,971
28	Napa	95,745	0	0	0	95,745	95,745
29	Nevada	327,593	0	0	0	327,593	327,593
30	Orange	2,133,505	424,810	280,375	144,435	2,558,315	2,413,880
31	Placer	312,320	25,440	16,790	8,650	337,760	329,111
32	Plumas	95,777	0	0	0	95,777	95,777
33	Riverside	1,598,603	106,795	70,485	36,310	1,705,398	1,669,088
34	Sacramento	1,413,338	500,000	330,000	170,000	1,913,338	1,743,338
35	San Benito	135,384	30,000	19,800	10,200	165,384	155,184
36	San Bernardino	3,186,397	1,393,318	919,590	473,728	4,579,715	4,105,986
37	San Diego	1,923,982	1,010,905	667,197	343,708	2,934,887	2,591,179
38	San Francisco	820,297	441,796	291,585	150,211	1,262,093	1,111,883
39	San Joaquin	846,981	83,046	54,810	28,236	930,027	901,792
40	San Luis Obispo	209,688	127,093	83,881	43,212	336,781	293,570
41	San Mateo	354,193	214,678	141,687	72,991	568,871	495,880
42	Santa Barbara	435,112	170,267	112,376	57,891	605,379	547,488
43	Santa Clara	1,612,233	977,183	644,941	332,242	2,589,416	2,257,173
44	Santa Cruz	177,299	36,000	23,760	12,240	213,299	201,059
45	Shasta	417,575	205,874	135,877	69,997	623,449	553,452
46	Sierra (see Nevada)						
47	Siskiyou	118,484	0	0	0	118,484	118,484
48	Solano	524,428	95,481	63,017	32,464	619,909	587,446
49	Sonoma	453,390	221,104	145,929	75,175	674,494	599,319
50	Stanislaus	700,912	260,000	171,600	88,400	960,912	872,512
51	Sutter	182,623	63,487	41,901	21,586	246,110	224,525
52	Tehama	111,871	56,982	37,608	19,374	168,853	149,479
53	Trinity (see Shasta)						
54	Tulare	507,485	92,308	60,923	31,385	599,793	568,409
55	Tuolumne	158,566	78,346	51,708	26,638	236,912	210,274
56	Ventura	527,450	106,527	70,308	36,219	633,977	597,758
57	Yolo	211,965	42,175	27,836	14,340	254,140	239,801
58	Yuba	203,149	50,000	33,000	17,000	253,149	236,149
TOTAL		34,954,436	13,038,953	8,605,709	4,433,244	47,993,389	43,560,145

CSC Base Funds	34,954,436
CSC Federal Drawdown	13,038,953
Total Funding Allocated	47,993,389

Family Law Facilitator (FLF) Program Allocation, 2021–2022							
		A	B	G	H	I	J
#	FLF Court	Updated Base Allocation	Beginning Federal Drawdown Option	Federal Share 66% (Column B * .66)	Court Share 34% (Column F * .34)	Total Allocation (A+B)	Contract Amount (A + C)
1	Alameda	420,326	247,743	163,510	84,233	668,069	583,836
2	Alpine (see El Dorado)						
3	Amador	47,097	4,701	3,103	1,598	51,798	50,200
4	Butte	97,903	61,250	40,425	20,825	159,153	138,328
5	Calaveras	70,907	8,000	5,280	2,720	78,907	76,187
6	Colusa	38,250	8,900	5,874	3,026	47,150	44,124
7	Contra Costa	334,681	0	0	0	334,681	334,681
8	Del Norte	50,155	5,971	3,941	2,030	56,126	54,095
9	El Dorado	107,111	50,384	33,253	17,131	157,495	140,364
10	Fresno	380,506	186,596	123,153	63,443	567,102	503,659
11	Glenn	75,971	0	0	0	75,971	75,971
12	Humboldt	85,479	9,774	6,451	3,323	95,253	91,930
13	Imperial	68,492	36,086	23,817	12,269	104,578	92,308
14	Inyo	57,289	27,171	17,933	9,238	84,460	75,222
15	Kern	342,484	200,000	132,000	68,000	542,484	474,484
16	Kings	66,952	32,000	21,120	10,880	98,952	88,072
17	Lake	55,052	26,836	17,712	9,124	81,888	72,764
18	Lassen	65,167	0	0	0	65,167	65,167
19	Los Angeles	2,314,376	803,431	530,264	273,167	3,117,807	2,844,640
20	Madera	77,642	25,383	16,753	8,630	103,025	94,394
21	Marin	131,218	0	0	0	131,218	131,218
22	Mariposa	45,491	0	0	0	45,491	45,491
23	Mendocino	57,935	30,000	19,800	10,200	87,935	77,735
24	Merced	101,777	67,473	44,532	22,941	169,250	146,309
25	Modoc	70,995	1,247	823	424	72,242	71,818
26	Mono	48,322	1,350	891	459	49,672	49,213
27	Monterey	136,783	57,179	37,738	19,441	193,962	174,522
28	Napa	67,188	40,000	26,400	13,600	107,188	93,588
29	Nevada	116,579	0	0	0	116,579	116,579
30	Orange	707,122	114,738	75,727	39,011	821,860	782,849
31	Placer	114,143	0	0	0	114,143	114,143
32	Plumas	55,935	7,803	5,150	2,653	63,738	61,085
33	Riverside	649,668	218,500	144,210	74,290	868,168	793,878
34	Sacramento	376,094	211,331	139,478	71,853	587,425	515,573
35	San Benito	60,627	29,151	19,240	9,911	89,778	79,867
36	San Bernardino	536,755	313,548	206,942	106,606	850,303	743,697
37	San Diego	760,746	253,614	167,385	86,229	1,014,360	928,132
38	San Francisco	248,672	113,795	75,105	38,690	362,467	323,776
39	San Joaquin	218,392	78,238	51,637	26,601	296,630	270,029
40	San Luis Obispo	87,277	32,246	21,282	10,964	119,523	108,560
41	San Mateo	181,237	86,554	57,126	29,428	267,791	238,363
42	Santa Barbara	164,701	77,323	51,033	26,290	242,024	215,735
43	Santa Clara	501,084	210,712	139,070	71,642	711,796	640,154
44	Santa Cruz	90,635	43,000	28,380	14,620	133,635	119,015
45	Shasta	186,519	111,913	73,863	38,050	298,432	260,382
46	Sierra (see Nevada)						
47	Siskiyou	71,166	35,000	23,100	11,900	106,166	94,266
48	Solano	139,451	39,710	26,209	13,501	179,161	165,660
49	Sonoma	152,948	65,519	43,243	22,276	218,467	196,190
50	Stanislaus	211,222	120,000	79,200	40,800	331,222	290,422
51	Sutter	63,527	31,409	20,730	10,679	94,936	84,257
52	Tehama	39,032	3,535	2,333	1,202	42,567	41,365
53	Trinity (see Shasta)						
54	Tulare	295,159	132,293	87,313	44,980	427,452	382,473
55	Tuolumne	61,613	30,084	19,855	10,229	91,697	81,469
56	Ventura	247,940	77,864	51,390	26,474	325,804	299,330
57	Yolo	85,337	35,377	23,349	12,028	120,714	108,686
58	Yuba	62,994	44,953	29,669	15,284	107,947	92,663
TOTAL		11,902,126	4,449,685	2,936,792	1,512,893	16,351,811	14,838,918

FLF Base Funds	11,902,126
FLF Federal Drawdown	4,449,685
Total Funding Allocated	16,351,811

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Judicial Branch Budget Committee
(Information Only)

Title: Annual Funding Methodology Subcommittee (FMS) Work Plan Update
Date: 8/13/2021
Contact: Catrayel Wood, Senior Analyst, Budget Services
916-643-7008 | Catrayel.Wood@jud.ca.gov

Issue

Informational update on the annual FMS Work Plan as approved by the Trial Court Budget Advisory Committee (TCBAC) at its August 5, 2021 meeting¹.

Background

The FMS reviews and updates the annual work plan to direct its efforts in developing and refining the Workload Formula, as well as other methodologies including self-help, court-appointed dependency counsel, and interpreter funding, for approval by the TCBAC every year.

Last year's work plan, as approved by the TCBAC on July 16, 2020, is provided as Attachment 2A.

Updated Annual FMS Work Plan

The TCBAC voted to approve updates to the FMS Work Plan as follows:

1. Move as ongoing through 2021-22: Items 1, 2, and 3.
2. Update the language for Item 2 based on recent changes to the interpreter funding model and areas of focus for the development of an ongoing allocation methodology.
3. Track the work of the Family and Juvenile Law Advisory Committee to ensure implementation of an allocation methodology for the AB 1058 Child Support Family Law Facilitator Program in 2022-23.

The updated work plan as approved is included as Attachment 2B.

Attachments

Attachment 2A: 2020-21 FMS Work Plan, Updated on July 16, 2020
Attachment 2B: 2021-22 FMS Work Plan, Updated on August 5, 2021

¹TCBAC meeting materials (August 5, 2021),
<https://www.courts.ca.gov/documents/tcbac-20210805-materials.pdf>.

FUNDING METHODOLOGY SUBCOMMITTEE WORK PLAN
As Approved by the Trial Court Budget Advisory Committee on July 16, 2020

Charge of the Funding Methodology Subcommittee

Focus on the ongoing review and refinement of the Workload Formula, develop a methodology for allocations from the Trial Court Trust Fund Court Interpreter Program (0150037) in the event of a funding shortfall, and consider funding allocation methodologies for other non-discretionary dollars as necessary.

2020-21

1. Identify and evaluate the impact of Judicial Council-provided services versus those that are funded by local trial court operations funds.
2. Develop a methodology for reimbursement of expenditures for the Court Interpreter Program in the event of a funding shortfall.
3. Initiate an ad hoc subcommittee to reevaluate the cluster system and floor funding.

Ongoing Through 2021-22

4. Track the work of the Family and Juvenile Law Advisory Committee to ensure implementation of an allocation methodology for the AB 1058 Child Support Family Law Facilitator Program in 2022-23.

Annual Updates

5. Review the base funding floor amounts annually, if requested by the applicable courts, for presentation to the TCBAC no later than December, to determine whether an inflationary adjustment is needed.

FUNDING METHODOLOGY SUBCOMMITTEE WORK PLAN
As Approved by the Trial Court Budget Advisory Committee on August 5, 2021

Charge of the Funding Methodology Subcommittee

Focus on the ongoing review and refinement of the Workload Formula, develop a methodology for allocations from the Trial Court Trust Fund Court Interpreter Program (0150037) in the event of a funding shortfall, and consider funding allocation methodologies for other non-discretionary dollars as necessary.

Ongoing Through 2021-22

1. Identify and evaluate the impact of Judicial Council-provided services versus those that are funded by local trial court operations funds.
2. Develop an ongoing, workload-based methodology for allocation of Court Interpreter Program (CIP) funding, including but not limited to video remote interpreting and cross assignments, effective in 2022-23.
3. Initiate an ad hoc subcommittee to reevaluate the cluster system and floor funding.
4. Track the work of the Family and Juvenile Law Advisory Committee to ensure implementation of an allocation methodology for the AB 1058 Child Support Family Law Facilitator Program in 2022-23.

Annual Updates

5. Review the base funding floor amounts annually, if requested by the applicable courts, for presentation to the TCBAC no later than December, to determine whether an inflationary adjustment is needed.

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee

(Information Only)

Title: Trial Court Executive Summary Display
Date: 8/5/2021
Contact: Oksana Tuk, Senior Analyst, Judicial Council Budget Services
916-643-8027 | oksana.tuk@jud.ca.gov

Issue

Provide the updated single-court executive summary display for 2021-22 trial court allocations, including the Workload Formula.

Background

At its July 25, 2019 meeting, the Trial Court Budget Advisory Committee (TCBAC) approved a single-court executive summary display for each court that includes current allocation highlights, comparisons to prior year, and relevant statewide perspectives for reference.

The allocation information is updated each fiscal year based on funding changes included in the final budget and Judicial Council approved allocations. For 2021-22, the display includes, but is not limited to, each court's share of \$167.8 million in restoration funding, \$72.7 million in new funding to address inflationary cost increases, \$60 million in one-time funding for COVID-related caseload backlogs, as well as funding for pretrial services and court-appointed dependency counsel. The summary documents are preliminary until all allocations are approved by the council. The TCBAC allocation recommendations for the \$60 million for COVID backlog and the pretrial funding, included in agenda Item 1 and Item 2, will be considered by the Judicial Branch Budget Committee at its August 13, 2021 meeting and the Judicial Council at its October 1, 2021 business meeting.

For illustrative purposes, three examples of the executive summary are provided and represent a large court (Alameda, Attachment A), a medium court (Monterey, Attachment B), and a small court (Yuba, Attachment C).

Allocation details for each court are available in the 2021-22 Trial Court Trust Fund and trial court allocations approved by the Judicial Council at its July 9, 2021 business meeting.¹

¹ [Report to the Judicial Council: Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for Fiscal Year 2021-22 \(Attachments B and C\)](#)

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee

Attachments

Attachment A: 2021-22 Allocation Summary for Alameda (large court)

Attachment B: 2021-22 Allocation Summary for Monterey (medium court)

Attachment C: 2021-22 Allocation Summary for Yuba (small court)



SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
2021-22 ALLOCATION SUMMARY*
 AUGUST 2021

	Court Perspective		Statewide Perspective	
	Prior Year 2020-21	Current Year 2021-22	Prior Year 2020-21	Current Year 2021-22
Workload Formula	\$88,487,371	\$91,263,264	\$2,626,768,921	\$2,754,156,851
Workload Formula Allocation	74,075,309	82,853,797	1,950,625,393	2,215,166,791
<i>Share of \$168m Reduction/Restoration</i>	(6,685,811)	6,685,811	(167,831,000)	167,831,000
<i>Share of \$72.2m CPI Funding</i>	---	2,740,781	---	72,173,000
<i>Workload Formula Local Revenues</i>	3,912,553	2,934,872	104,343,805	93,416,548
<i>Funding Floor Adjustment</i>	(2,946)	4,556	0	0
<i>Percent of Workload Formula Funded</i>	84%	91%	74%	80%
Other Allocations	15,924,767	TBD	441,123,660	TBD
Total Allocation*	\$90,023,700	\$TBD	\$2,388,749,053	\$TBD

Additional Court Information

2021-22 Workload Allocation Highlights

Self-Help	\$1,009,970
Benefit Cost Change Funding	527,836
Current Year Benefit Adjustment	TBD
2% Automation Replacement	424,792
Criminal Justice Realignment	181,356
Auto. Recordkeeping/Micrographics (2020-21)	93,225
TCTF Reduction for SJO Conversions	0

2021-22 Other Allocation Highlights

\$60m COVID-Driven Backlog	\$TBD
Court Interpreters Program	5,371,012
Non-Sheriff Security Base	3,317,864
Subordinate Judicial Officers	2,233,064
Telephonic Appearances	0

Reserve Cap → 3%

<u>Pretrial Funding</u>				<u>Court-Appointed Dependency Counsel</u>			
	<u>Court</u>	<u>Statewide</u>		<u>Court</u>	<u>Statewide</u>		
2019-20	\$14,359,400	\$67,899,682	<i>One-time</i>	2020-21	\$3,422,591	\$156,600,000	
						<i>+ 100,000 Reserve</i>	
						\$156,700,000 Total	
<i>Funding is for pilot projects to implement, operate, or evaluate programs in at least 10 courts related to pretrial decision-making.</i>							
2021-22	\$TBD	\$TBD	<i>One-time</i>	2021-22	\$3,348,652	\$166,600,000	
	<u>+ TBD</u>	<u>+ TBD</u>	<i>Ongoing</i>			<i>+ 100,000 Reserve</i>	
	\$TBD	\$TBD	Total			\$166,700,000 Total	
<i>Funding is for courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.</i>							
Federal Title IV-E Reimbursement							
<u>2021-22</u>							
\$30,000,000							

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*Not inclusive of all allocations such as restricted funding, reimbursements, and local revenues.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY
2021-22 ALLOCATION SUMMARY*
 AUGUST 2021

	Court Perspective		Statewide Perspective	
	Prior Year 2020-21	Current Year 2021-22	Prior Year 2020-21	Current Year 2021-22
Workload Formula	\$26,713,867	\$27,857,633	\$2,626,768,921	\$2,754,156,851
Workload Formula Allocation	20,188,513	23,012,580	1,950,625,393	2,215,166,791
<i>Share of \$168m Reduction/Restoration</i>	(1,751,272)	1,751,272	(167,831,000)	167,831,000
<i>Share of \$72.2m CPI Funding</i>	---	746,974	---	72,173,000
<i>Workload Formula Local Revenues</i>	1,240,004	1,140,343	104,343,805	93,416,548
<i>Funding Floor Adjustment</i>	(803)	1,266	0	0
<i>Percent of Workload Formula Funded</i>	76%	83%	74%	80%
Other Allocations	4,175,195	TBD	441,123,660	TBD
Total Allocation*	\$30,889,062	\$TBD	\$2,388,749,053	\$TBD

Additional Court Information

2021-22 Workload Allocation Highlights

Self-Help	\$293,559
Benefit Cost Change Funding	413,524
Current Year Benefit Adjustment	TBD
2% Automation Replacement	183,464
Criminal Justice Realignment	44,540
Auto. Recordkeeping/Micrographics (2020-21)	21,708
TCTF Reduction for SJO Conversions	0

2021-22 Other Allocation Highlights

\$60m COVID-Driven Backlog	\$TBD
Court Interpreters Program	5,371,012
Non-Sheriff Security Base	908,310
Subordinate Judicial Officers	345,025
Telephonic Appearances	0

Reserve Cap → 3%

<u>Pretrial Funding</u>				<u>Court-Appointed Dependency Counsel</u>			
	<u>Court</u>	<u>Statewide</u>		<u>Court</u>	<u>Statewide</u>		
2019-20	\$0	\$67,899,682	<i>One-time</i>	2020-21	\$797,204	\$156,600,000	
						<i>+ 100,000 Reserve</i>	
						\$156,700,000 Total	
<i>Funding is for pilot projects to implement, operate, or evaluate programs in at least 10 courts related to pretrial decision-making.</i>							
2021-22	\$TBD	\$TBD	<i>One-time</i>	2021-22	\$738,059	\$166,600,000	
	<i>+ TBD</i>	<i>+ TBD</i>	<i>Ongoing</i>			<i>+ 100,000 Reserve</i>	
	\$TBD	\$TBD	Total			\$166,700,000 Total	
<i>Funding is for courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.</i>							
Federal Title IV-E Reimbursement							
2021-22							
\$30,000,000							

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*Not inclusive of all allocations such as restricted funding, reimbursements, and local revenues.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA
2021-22 ALLOCATION SUMMARY*
 AUGUST 2021

	Court Perspective		Statewide Perspective	
	Prior Year 2020-21	Current Year 2021-22	Prior Year 2020-21	Current Year 2021-22
Workload Formula	\$5,139,860	\$5,150,429	\$2,626,768,921	\$2,754,156,851
Workload Formula Allocation	5,135,790	5,898,802	1,950,625,393	2,215,166,791
Share of \$168m Reduction/Restoration	(388,043)	388,043	(167,831,000)	167,831,000
Share of \$72.2m CPI Funding	---	190,174	---	72,173,000
Workload Formula Local Revenues	256,531	277,552	104,343,805	93,416,548
Funding Floor Adjustment	(204)	324	0	0
Percent of Workload Formula Funded	100%	115%	74%	80%
Other Allocations	659,401	TBD	441,123,660	TBD
Total Allocation*	\$5,799,261	\$TBD	\$2,388,749,053	\$TBD

Additional Court Information

2021-22 Workload Allocation Highlights

Self-Help	\$179,190
Benefit Cost Change Funding	134,553
Current Year Benefit Adjustment	TBD
2% Automation Replacement	15,788
Criminal Justice Realignment	38,147
Auto. Recordkeeping/Micrographics (2020-21)	1,714
TCTF Reduction for SJO Conversions	0

2021-22 Other Allocation Highlights

\$60m COVID-Driven Backlog	\$TBD
Court Interpreters Program	57,285
Non-Sheriff Security Base	138,407
Subordinate Judicial Officers	0
Telephonic Appearances	9,456

Reserve Cap → 3%

<u>Pretrial Funding</u>				<u>Court-Appointed Dependency Counsel</u>			
	<u>Court</u>	<u>Statewide</u>		<u>Court</u>	<u>Statewide</u>		
2019-20	\$841,300	\$67,899,682	<i>One-time</i>	2020-21	\$363,820	\$156,600,000	
						+ 100,000	<i>Reserve</i>
						\$156,700,000	Total
<i>Funding is for pilot projects to implement, operate, or evaluate programs in at least 10 courts related to pretrial decision-making.</i>							
2021-22	\$TBD	\$TBD	<i>One-time</i>	2021-22	\$377,291	\$166,600,000	
	+ TBD	+ TBD	<i>Ongoing</i>			+ 100,000	<i>Reserve</i>
	\$TBD	\$TBD	Total			\$166,700,000	Total
<i>Funding is for courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.</i>							
Federal Title IV-E Reimbursement							
2021-22							
\$30,000,000							

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*Not inclusive of all allocations such as restricted funding, reimbursements, and local revenues.

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee

(Information Only)

Title: Trial Court Trust Fund (TCTF) Funds Held on Behalf Expenditure Reporting
Date: 8/5/2021
Contact: Catrayel Wood, Senior Analyst, Judicial Council Budget Services
916-643-7008 | Catrayel.Wood@jud.ca.gov

Issue

Upon completion of TCTF Funds Held on Behalf (FHOB) projects or planned expenditures, courts are required to report to the Trial Court Budget Advisory Committee (TCBAC) within 90 days on the project or planned expenditure and how the funds were expended.

Background

Government Code section 68502.5(c)(2)(A) requires the Judicial Council, when setting the allocations for trial courts, to set a preliminary allocation in July of each fiscal year. In January of each fiscal year, after review of available trial court reserves as of June 30 of the prior fiscal year, the Judicial Council is required to finalize allocations and each court's final allocation is offset by the amount of reserves that exceed the amount authorized to be carried over pursuant to Government Code section 77203(b). Under this section, a trial court may, beginning June 30, 2014 and concluding June 30, 2019, carryover unexpended funds in an amount not to exceed 1 percent of the court's operating budget from the prior fiscal year. Effective June 30, 2020, the carryover amount increased to 3 percent.

At its business meeting on July 29, 2014, the Judicial Council, approved an annual process beginning in 2015-16 for courts to provide preliminary and final computations of the portion of their ending fund balance that is subject to the 1 percent cap.

At its business meeting on April 15, 2016, the Judicial Council adopted a process, criteria, and procedures for trial courts to request that TCTF-reduced allocations related to the 1 percent fund balance cap be retained in the TCTF as restricted fund balance for the benefit of those courts that make the request. The FHOB process is intended only for expenditures that cannot be funded by a court's annual budget or three-year encumbrance term and that require multiyear savings to implement. The process also requires reporting on the use of the funds.

The Judicial Council adopted revisions to the policy, including streamlining the submission schedule, making a change to the recipient of the request, and providing language corrections to better align with court year-end closing, trial court allocation offsets, and requests to amend previously reviewed requests at its business meeting on January 17, 2020 (see Attachment A).

Judicial Council Budget Services staff submitted its initial expenditure report to the TCBAC at

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee

its July 25, 2019 meeting and established quarterly reporting on the status of FHOB projects or planned expenditures from those courts that indicate completion.

Report of Status

In July 2021, Budget Services staff requested a status on projects or planned expenditures from those courts that indicated completion through July 22, 2021:

Court	Council Approval Date	Project or Planned Expenditure	Completion Date	Approved FHOB	Expended FHOB	Unspent FHOB Returning to TCTF
Alameda	11/13/20	Tenant improvement projects	05/28/21	\$483,830	\$482,095	\$1,735
Mendocino	09/24/19	Case Management System	07/01/21	\$777,000	\$777,000	\$0
Solano	11/13/20	Audio and visual systems	05/31/21	\$358,767	\$358,767	\$0
				\$1,619,597	\$1,617,862	\$1,735

Attachments

Attachment A: *Summary of Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts*

Attachment B: *Funds Held on Behalf of the Court Project Completion Reporting*

Summary of Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts

Recommended Process for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts

1. Trial Court Trust Fund fund balance will be held on behalf of trial courts only for expenditures or projects that cannot be funded by a court's annual budget or three-year encumbrance term and that require multiyear savings to implement.
 - a. Categories or activities include, but are not limited to:
 - i) Projects that extend beyond the original planned three-year term process such as expenses related to the delayed opening of new facilities or delayed deployment of new information systems;
 - ii) Technology improvements or infrastructure such as installing a local data center, data center equipment replacement, case management system deployment, converting to a VoIP telephone system, desktop computer replacement, and replacement of backup emergency power systems;
 - iii) Facilities maintenance and repair allowed under rule 10.810 of the California Rules of Court such as flooring replacement and renovation as well as professional facilities maintenance equipment;
 - iv) Court efficiencies projects such as online and smart forms for court users and RFID systems for tracking case files; and
 - v) Other court infrastructure projects such as vehicle replacement and copymachine replacement.
2. The submission, review, and approval process is as follows:
 - a. All requests will be submitted to the Judicial Council for consideration.
 - b. Requests will be submitted to the *director of Budget Services* by the court's presiding judge or court executive officer.
 - c. *Budget Services* staff will review the request, ask the court to provide any missing or incomplete information, draft a preliminary report, share the preliminary report with the court for its comments, revise as necessary, and issue the report to the *Fiscal Planning Subcommittee* of the Trial Court Budget Advisory Committee (TCBAC); the *subcommittee* will meet to review the request, hear any presentation of the court representative, and ask questions of the representative if one participates on behalf of the court; and *Budget Services* office staff will issue a final report on behalf of the *subcommittee* for the council.
 - d. The final report to the *subcommittee* and the Judicial Council will be provided to the requesting court before the report is made publicly available on the California Courts website.
 - e. The court may send a representative to the *subcommittee* and Judicial Council meetings to present its request and respond to questions.

3. To be considered at a scheduled Judicial Council business meeting, requests must be submitted to the *director of Budget Services* at least 40 business days (approximately eight weeks) before that business meeting.
4. The Judicial Council may consider including appropriate terms and conditions that courts must accept for the council to approve designating TCTF fund balance on the court's behalf.
 - a. Failure to comply with the terms and conditions would result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
5. Approved requests that courts subsequently determine need to be revised to reflect a change (1) in the amounts by year to be distributed to the court for the planned annual expenditures and/or encumbrances, (2) in the total amount of the planned expenditures, or (3) of more than 10 percent of the total request among the categories of expense will need to be amended and resubmitted following the submission, review, and approval process discussed in 1–3 above.
 - a. Denied revised requests will result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
6. Approved requests that courts subsequently determine have a change in purpose will need to be amended and resubmitted following the submission, review, and approval process discussed in 1–3 above, along with a request that the TCTF funds held on behalf of the court for the previously approved request continue to be held on behalf of the court for this new purpose.
 - a. Denied new requests tied to previously approved requests will result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
7. On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended.
8. As part of the courts' audits in the scope of the normal audit cycle, a review of any funds that were held on behalf of the courts will be made to confirm that they were used for their stated approved purpose.

Recommended Criteria for Eligibility for TCTF Fund Balance Held on Behalf of the Courts

TCTF fund balance will be held on behalf of the trial courts only for expenditures or projects that cannot be funded by the court's annual budget or three-year encumbrance term and that require multiyear savings to implement.

Recommended Information Required to Be Provided by Trial Courts for TCTF Fund Balance Held on Behalf of the Courts

Below is the information required to be provided by trial courts on the *Application for TCTF Funds Held on Behalf of the Court*:

SECTION I

General Information

- Superior court
- Date of submission
- Person authorizing the request
- Contact person and contact information
- Time period covered by the request (includes contribution and expenditure)
- Requested amount
- A description providing a brief summary of the request

SECTION II

Amended Request Changes

- Sections and answers amended
- A summary of changes to request

SECTION III

Trial Court Operations and Access to Justice


- An explanation as to why the request does not fit within the court's annual operational budget process and the three-year encumbrance term
- A description of how the request will enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs
- If a cost efficiency, cost comparison (*table template provided*)
- A description of the consequences to the court's operations if the court request is not approved
- A description of the consequences to the public and access to justice if the court request is not approved
- The alternatives that the court has identified if the request is not approved, and the reason why holding funding in the TCTF is the preferred alternative

SECTION IV

Financial Information

- Three-year history of year-end fund balances, revenues, and expenditures (*table template provided*)
- Current detailed budget projections for the fiscal years during which the trial court would either be contributing to the TCTF fund balance held on the court's behalf or receiving distributions from the TCTF fund balance held on the court's behalf (*table template provided*)
- Identification of all costs, by category and amount, needed to fully implement the project (*table template provided*)
- A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year (*table template provided*)

FUNDS HELD ON BEHALF OF THE COURT PROJECT COMPLETION REPORTING

REQUEST NUMBER: 01-2019-1	
SECTION I: GENERAL INFORMATION	
SUPERIOR COURT: Alameda	
JC APPROVED DATE: 11/13/2020	JC APPROVED AMOUNT: \$483,830
REASON PROVIDED ON APPLICATION:	
<p>The Court is requesting TCTF Funds Held on Behalf for the following funds for tenant improvement projects (Projects) that are currently in the process of being completed. Due to the COVID-19 pandemic the Projects experienced significant delays due to both restrictions preventing their ability to work and interruptions in their supply chain, delaying purchase and delivery of supplies necessary to complete their work.</p> <p>The total amount requested is \$483,830.53 for the following contractors.</p> <ul style="list-style-type: none"> • G4S Secure Integration, LLC, \$5,982.42 • Technical Builders Inc., \$446,619.00 • The Key Shack Inc., \$31,229.11 	
SECTION II: PROJECT STATUS OF COMPLETION (TO BE COMPLETED BY COURT)	
<input checked="" type="checkbox"/> PROJECT COMPLETE	
<p><i>Per Judicial Council policy, "On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended."</i></p> <p>PLEASE PROVIDE A DESCRIPTION OF HOW THE FUNDS WERE EXPENDED: The tenant improvement projects were completed for alterations in both employee and public areas, and security updates (replacement of keys and locks and/or adding electronic key card access for employees) at multiple courthouses.</p> <p>TOTAL COST OF PROJECT OR PLANNED EXPENDITURE: \$482,095</p> <p>COMPLETION DATE OF PROJECT: 5/28/2021</p>	
<input type="checkbox"/> PROJECT NOT COMPLETED	
<p>PLEASE PROVIDE A PROGRESS REPORT:</p> <p>ESTIMATED DATE OF COMPLETION: Click here to enter a date.</p>	
CONTACT PERSON AND CONTACT INFO: Melanie Lewis, Finance Director, 510-891-6038, mlewis@alameda.courts.ca.gov	
PERSON AUTHORIZING REQUEST (<i>Presiding Judge or Court Executive Officer</i>): 	

FUNDS HELD ON BEHALF OF THE COURT PROJECT COMPLETION REPORTING

REQUEST NUMBER: 23-2018-1

SECTION I: GENERAL INFORMATION

SUPERIOR COURT:

Mendocino

JC APPROVED DATE:

9/24/2019

JC APPROVED AMOUNT:

\$777,000

REASON PROVIDED ON APPLICATION:

The court plans to replace its sub-standard case management system (CMS) with a new CMS that includes functionality that will enable e-filing and will facilitate the court's transition to paperless files and business processes that use modern workflow technology. In order for this to occur, the court must first upgrade and stabilize its network and Wi-Fi capabilities, including replacement of some routing and switching equipment and implementation of greater external bandwidth. The court must also upgrade hardware at each user desktop to ensure adequate responsiveness and speed for data transmission.

Accordingly the request for the Judicial Council to hold funds on behalf of the court will be for these three discrete projects: 1) analyze, upgrade and stabilize network and Wi-Fi technology, including stress testing and load balancing; 2) replace hardware devices to optimize performance for each court user; and 3) purchase and install a new California-certified CMS with e-filing capabilities, workflow functionality and fully developed interfaces to external justice partners.

SECTION II: PROJECT STATUS OF COMPLETION (TO BE COMPLETED BY COURT)

PROJECT COMPLETE

Per Judicial Council policy, "On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended."

PLEASE PROVIDE A DESCRIPTION OF HOW THE FUNDS WERE EXPENDED:

All funds were expended on completion of Odyssey case management system. Funds were used to pay Tyler Technologies for the new system.

TOTAL COST OF PROJECT OR PLANNED EXPENDITURE: \$777,000

COMPLETION DATE OF PROJECT: 7/1/2021

PROJECT NOT COMPLETED

PLEASE PROVIDE A PROGRESS REPORT:

ESTIMATED DATE OF COMPLETION: [Click here to enter a date.](#)

CONTACT PERSON AND CONTACT INFO: Kim Turner, kim.turner@mendocino.courts.ca.gov

PERSON AUTHORIZING REQUEST (*Presiding Judge or Court Executive Officer*):

Kim Turner, CEO

FUNDS HELD ON BEHALF OF THE COURT PROJECT COMPLETION REPORTING

REQUEST NUMBER: 48-2019-1

SECTION I: GENERAL INFORMATION

SUPERIOR COURT:

Solano

JC APPROVED DATE:

11/13/2020

JC APPROVED AMOUNT:

\$358,767

REASON PROVIDED ON APPLICATION:

The Court is in need of replacing audio and visual systems in almost all courtrooms in three courthouses – the Hall of Justice, Law and Justice Center and Vallejo Courthouse. The court needs to bring many systems up to current JC A/V standards. The total number of courtrooms needing replacement is 23. The court's current systems are outdated and do not function for a modern courtroom setting. Many of the systems are over 25 years old. The inadequacy of the equipment became very apparent with the COVID-19 pandemic and the need to switch very quickly to remote operations. Many courtroom A/V systems were not compatible with modern technology, which limited the court's ability to quickly shift to virtual court proceedings. The court hired a consultant from the Judicial Council's MSA list for a full evaluation of an A/V replacement. The consultant's evaluation was used to obtain bids and is available if needed for this request.

SECTION II: PROJECT STATUS OF COMPLETION (TO BE COMPLETED BY COURT)

PROJECT COMPLETE

Per Judicial Council policy, "On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended."

PLEASE PROVIDE A DESCRIPTION OF HOW THE FUNDS WERE EXPENDED: AV Audiovisual Systems in nine (9) courtrooms.

TOTAL COST OF PROJECT OR PLANNED EXPENDITURE: \$358,767

COMPLETION DATE OF PROJECT: 5/31/2021

PROJECT NOT COMPLETED

PLEASE PROVIDE A PROGRESS REPORT:

ESTIMATED DATE OF COMPLETION: [Click here to enter a date.](#)

CONTACT PERSON AND CONTACT INFO: Agnes shappy, Chief Financial Officer acshappy@solano.courts.ca.gov

PERSON AUTHORIZING REQUEST (*Presiding Judge or Court Executive Officer*):

BRIAN TAYLOR, COURT EXECUTIVE OFFICER