



JUDICIAL COUNCIL OF CALIFORNIA

JUDICIAL BRANCH BUDGET
COMMITTEE

www.courts.ca.gov/jbbc.htm
JBBC@jud.ca.gov

JUDICIAL BRANCH BUDGET COMMITTEE

MINUTES OF OPEN MEETING

December 7, 2021

1:00 p.m. to 3:30 p.m.

<http://jcc.granicus.com/player/event/1477>

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

Advisory Body Members Absent: n/a

Others Present: Mr. John Wordlaw, Mr. Zlatko Theodorovic, Ms. Fran Mueller; Hon. Jonathan Conklin, Ms. Rebecca Fleming, Ms. Angela Cowan, Ms. Heather Pettit, Mr. Catrayel Wood, Ms. Oksana Tuk

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 1:03 p.m. and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the November 4, 2021 Judicial Branch Budget Committee (Budget Committee) meeting.

DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-8)

Item 1 - \$7 million ongoing Court Reporter Funding Allocation Methodology (Action Required)

Consideration of a recommendation from the Trial Court Budget Advisory Committee (TCBAC) on an allocation methodology for \$7 million included in the Budget Act of 2021 to cover costs associated with increased transcript rates.

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

Action: *The Budget Committee unanimously approved the following recommendations from the TCBAC to be considered by the Judicial Council at its January 20-21, 2022 business meeting:*

1. Approve an allocation methodology that allocates the \$7 million appropriation to each trial court proportionally, based on an average of the prior three-year transcript expenditures;
2. Establish 2020-21 actual expenditures, adjusted to reflect the September 23, 2021 effective date of the increased transcript rate outlined in Attachment 1B, as a baseline to determine cost increases and identify unspent funds for General Fund reversion each fiscal year as necessary; and
3. Direct staff to update the three-year average for the allocation methodology each year based on the most recent data available for actual expenditures on transcripts.

Item 2 - \$30 million ongoing Court Reporter Funding Allocation Methodology (Action Required)

Consideration of a recommendation from the TCBCAC on an allocation methodology for \$30 million included in the Budget Act of 2021 to increase the number of court reporters in family and civil law case types.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Rebecca Fleming, Cochair, Funding Methodology Subcommittee

Action: The Budget Committee unanimously approved the following recommendations from the TCBCAC, to be considered by the Judicial Council at its January 20-21, 2022 business meeting:

1. Approve an allocation methodology that allocates the \$30 million funding proportionally to each trial court based on the most-recently published non-criminal AJN, and after a \$25,000 funding floor is provided to those courts that fall below the floor amount through the model;
2. Capture a baseline number and associated costs for court reporters in non-criminal case types, effective July 1, 2021, to ensure that these funds are not being used to supplant existing expenditures in these areas, consistent with the requirements in the budget language;
3. Update the AJN data and Schedule 7A data used each year based on the most recent information available at the time of allocation for each fiscal year; and
4. Identify unspent funds for General Fund reversion each fiscal year as necessary.

Item 3- Court Interpreter Program (CIP) Allocation Methodology (Action Required)

Consideration of a recommendation from the TCBCAC of an allocation methodology for CIP funding effective July 1, 2022.

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

Action: The Budget Committee unanimously approved the following recommendations from the TCBCAC to be considered by the Judicial Council at its January 21, 2022, business meeting:

1. Approve a proportional allocation methodology based on a three-year average of expenditure data available (2017-18, 2018-19, and 2019-20), up to the CIP appropriation amount effective

2022-23, while the subcommittee continues review of pandemic impact and reporting data considerations effective in 2023-24;

2. Require courts to return to the Judicial Council all unspent 2021-22, 2022-23 and ongoing CIP allocated funds, which will first reimburse courts with a shortfall in each respective year not to exceed the overall appropriation amount, with any remaining funds reverting to the TCTF as restricted program funding;

3. Allocate staff interpreter benefits dollar-for-dollar to courts reporting cost benefit changes effective 2022-23; and

4. Require receiving courts to offset extraordinary interpreter expenses to courts providing cross-assignments (or "home courts") and charge the subcommittee with working with Judicial Council staff on development of a payment/reimbursement method.

Item 4- Base Funding Floor Increase Requests (Action Required)

Consideration of a recommendation from the TCBAC on a base funding floor increase for the Superior Courts of Alpine and Sierra Counties, effective July 1, 2022.

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

Action: *The Budget Committee unanimously approved the recommendation from the TCBAC to approve a \$150,000 increase to the current base funding floor amount of \$800,000 effective July 1, 2022, for both Alpine and Sierra Superior Courts, for consideration by the Judicial Council at its January 20-21, 2022 business meeting.*

Item 5 - 2021-22 State Trial Court Improvement and Modernization Fund (IMF) Allocation Adjustment for the Judicial Council Information Technology Office (Action Required)

Consideration of a recommendation from the TCBAC to adjust the 2021-22 IMF allocation for Information Technology (IT) telecommunications, statewide planning, and development support programs.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Heather Pettit, Chief Information Officer/Director, Judicial Council Information Technology Services
Mr. Jason Haas, Senior Analyst, Judicial Council Budget Services

Action: *The Budget Committee unanimously approved the following recommendation to be considered by the Judicial Council at its March 12, 2022 business meeting:*

Approve a change to the 2021-22 approved LA allocation from the IT Statewide Planning and Development Support program (SPDS) (\$168,667) and the IT Telecommunications Support program (\$195,750), totaling \$364,417, shifting this amount to SO to allow for the hire of 4.0 FTE positions for the SPDS and 5.5 FTE positions for the Telecommunications Support program. Approval of this funding shift request for 2021-22 allocations carries the understanding that future year allocation requests for these positions will be the same. Long-term funding for the 9.5 FTEs

will result in no additional cost to the previous 2022-23 IT SPDS and Telecommunications Support program estimated expenditures

Item 6 - Delegation of Trial Court Trust Fund (TCTF) Authority (Action Required)

Consideration of a recommendation from the TCBAC to delegate authority to the Judicial Council Administrative Director to transfer TCTF funding allocations approved by the Judicial Council between programs or projects.

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

Action: *The Budget Committee unanimously approved the TCBAC recommendation to delegate authority to the Judicial Council Administrative Director to transfer TCTF funding allocations approved by the Judicial Council from one program or project to another, subject to any restrictions or conditions provided by the council, as necessary, to address unanticipated needs and contingencies, for consideration by the Judicial Council at its January 20-21, 2022 business meeting.*

Item 7 - 2020-21 Final One-Time Reduction for 3 Percent Fund Balance Cap (Action Required)

Consideration of a recommendation from the TCBAC on final one-time reductions for 2020- 21 fund balances related to the 3 percent fund balance cap.

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

Action: *The Budget Committee unanimously approved the TCBAC recommendation to approve the 3 percent fund balance cap reduction allocation of \$7,669,000 to match the trial courts' final calculations of the amount above the 3 percent fund balance cap, which nets to \$232,000 with offsetting FHOB requests, for consideration and recommendation to the council at its January 20-21, 2022 business meeting.*

Item 8- 2022 TCBAC Annual Agenda (Action Required)

Consideration of the 2022 annual agenda of the TCBAC.

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

Action: *The Budget Committee unanimously approved the 2022 annual agenda of the TCBAC.*

INFORMATION ONLY ITEMS (NO ACTION REQUIRED ITEMS 1)

Info 1 - Trial Court Trust Fund Funds Held on Behalf (FHOB) Expenditure Reporting

Quarterly report on the 2021-22 FHOB project expenditures 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

Action: *No action taken*

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 2:19 p.m.

Approved by the advisory body on March 9, 2022.