



Judicial Council of California

Judicial Branch Budget Committee

JUDICIAL BRANCH BUDGET COMMITTEE

MATERIALS MAY 17, 2023

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Judicial Council of California

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Request for ADA accommodations should be made at least three business days before the meeting and directed to:
JCCAccessCoordinator@jud.ca.gov

JUDICIAL BRANCH BUDGET COMMITTEE
NOTICE AND AGENDA OF OPEN MEETING
WITH CLOSED SESSION

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.75(c), (d), and (e)(1))
THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS
OPEN PORTION OF THIS MEETING IS BEING RECORDED

Date: May 17, 2023
Time: 1:00 pm to 4:30 pm
Public Videocast: <https://jcc.granicus.com/player/event/2736>

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

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

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

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

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the April 14, 2023 Judicial Branch Budget Committee meeting.

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 Tuesday, May 16, 2023 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1–8)

Item 1

2023-24 Community Assistance, Recovery, and Empowerment (CARE) Act Allocations Methodology (Action Required)

Consideration of a Trial Court Budget Advisory Committee (TCBAC) recommendation on a methodology for 2023-24 CARE Act allocations.

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

Item 2

2023-24 Court-Appointed Dependency Counsel Allocations (Action Required)

Consideration of a TCBAC recommendation on 2023-24 allocations for court-appointed dependency counsel.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Audrey Fancy, Principal Managing Attorney, Judicial Council Center for Families, Children & the Courts

Item 3

2023-24 AB 1058 Funding Methodologies and Allocations (Action Required)

Consideration of a TCBAC recommendation on 2023-24 methodologies and allocations for the child support commissioner and family law facilitator program.

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

Item 4

2023-24 Court Reporter Allocations (Action Required)

Consideration of a TCBAC recommendation on 2023-24 allocations for \$30 million in court reporter funding.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Mr. Chris Belloli, Manager, Judicial Council Business Management Services

Item 5

2023-24 Pretrial Allocations (Action Required)

Consideration of a TCBAC recommendation on 2023-24 pretrial allocations and funding floor adjustment.

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

Item 6

2023-24 Allocations from the State Trial Court Improvement and Modernization Fund (IMF) (Action Required)

Consideration of Trial Court Budget Advisory Committee recommendations on 2023-24 allocations from the IMF.

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

Item 7

2023-24 Allocations from the Trial Court Trust Fund (TCTF) and Trial Court Allocations (Action Required)

Consideration of TCBAC recommendations on 2023-24 allocations from the TCTF and 2023-24 trial court allocations, including proposed funding, interpreter funding, and the Workload Formula.

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

Item 8

2024-25 Budget Change Concepts (Action Required)

Review of 2024-25 judicial branch Budget Change Concepts.

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

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

2023-24 Self-Help Annual Update

Annual informational update of the three-year average population data from the California Department of Finance, Demographic Research Unit, and population estimates for cities, counties, and the state.

Presenter(s)/Facilitator(s): Mr. Nick Armstrong, Senior Research Analyst, Judicial Council Business Management Services

Info 2

2023-24 May Revision Budget Update (No Action Required)

Update on the 2023-24 May Revision to the Governor's Budget.

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

V. ADJOURNMENT

Adjourn to Closed Session

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

Call to Order and Roll Call

Approval of Minutes

Approve closed meeting minutes of the March 14, 2023, Judicial Branch Budget Committee meeting.

Item 1

Innovations Grant Program (California Rules of Court, Rule 10.75 (D)(9))

Grant program status updates.

Review and discussion of administrative matters regarding Innovations Grant.

Adjourn Closed Session



JUDICIAL BRANCH BUDGET COMMITTEE

MINUTES OF OPEN MEETING

April 14, 2023

12:00 p.m. to 1:30 p.m.

<https://jcc.granicus.com/player/event/2223>

Advisory Body Members Present: Hon. David. M. Rubin, Chair, Hon. Ann Moorman, Vice Chair;
Hon. Brad R. Hill, Hon. Maria Lucy Armendariz, Hon. C. Todd Bottke, Hon.
Harold W. Hopp, Ms. Rachel W. Hill, and Mr. David H. Yamasaki

Advisory Body Members Absent: Hon. Carin T. Fujisaki

Others Present: Hon. Jonathan Conklin, Ms. Rebecca Fleming, Mr. John Wordlaw, Mr. Zlatko Theodorovic, Ms. Angela Cowan, Ms. Brandy Olivera, Mr. Jessie Romine.

OPEN MEETING

Call to Order and Roll Call

The vice chair called the meeting to order at 12:04 p.m. and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes from the March 14, 2023 Judicial Branch Budget Committee (Budget Committee) Meeting.

DISCUSSION AND POSSIBLE ACTION ITEMS (ITEM 1-4)

Item 1 -Workload Formula Adjustment Request Process (ARP) (Action Required)

Consideration of a Trial Court Budget Advisory Committee (TCBAC) recommendation for the Santa Clara Superior Court ARP submission effective July 1, 2023.

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 voted to adopt the Trial Court Budget Advisory Committee recommendation with one modification. The committee voted to approve a \$2.5 million increase to fund the full \$4.031 million amount of Santa Clara Superior Court's debt service obligation utilizing civil

assessment backfill funding, effective July 1, 2023, until the debt service obligation is satisfied, for consideration by the council at its business meeting on May 12, 2023.

Item 2- 2022-23 Trial Court Trust Fund (TCTF) Allocation Adjustments for the Judicial Council Information Technology (IT) Office (Action Required)

Consideration of TCBCAC recommendations to adjust the 2022-23 TCTF allocation for the IT Data Center and Cloud Services program and a new Electronic Courts of Appeal Record and Transcripts program.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Heather Pettit, Director, Judicial Council Information Technology

Action: The Budget Committee unanimously voted to adopt the Trial Court Budget Advisory Committee recommendation to approve the following recommendation for consideration by the council at its business meeting on May 12, 2023:

Adjust the 2022–23 allocations from the TCTF to provide the Judicial Council IT office with funding for these expenditures:

- 1. \$424,000 TCTF allocation increase for Data Center and Cloud Services to its current year allocation of \$689,000, for a total current year allocation of \$1.1 million to account for a new expense for Microsoft Office 365 that has been approved by the trial courts. These costs will be reimbursed by trial courts through the Schedule C process, resulting in a net neutral impact to the TCTF.*
- 2. \$200,000 TCTF allocation to create a new eCART program and as approved by the trial courts. These costs will be reimbursed by trial courts through the Schedule C process, resulting in a net neutral impact to the TCTF.*

Item 3 - 2022-23 TCTF Allocations Adjustment for Elder Abuse Program Reimbursements (Action Required)

Consideration of a TCBCAC recommendation to adjust the 2022-23 TCTF allocation for elder abuse program reimbursements to the trial courts.

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

Action: The Budget Committee unanimously voted to adopt the Trial Court Budget Advisory Committee recommendation to approve the following recommendation for consideration by the council at its business meeting on May 11–12, 2023:

Approve a \$550,000 increase for the elder abuse reimbursement allocation for 2022–23 from the TCTF, for a total allocation of \$1.2 million.

Item 4 - 2023-24 through 2024-25 Firearm Relinquishment Grant Program Recommendations (Action Required)

Consideration of Family and Juvenile Law Advisory Committee and TCBAC recommendations to allocate one-time funding included in the 2022 Budget Act to one trial court to support a court-based firearm relinquishment program.

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

Action: The Budget Committee voted to adopt, with one abstention, the Trial Court Budget Advisory Committee recommendation to approve the following recommendation for consideration by the council at its business meeting on May 11–12, 2023:

- 1. Approve the allocation and distribution of \$1.5 million to the Orange Superior Court to fund a new firearm relinquishment program for 2023–24 through 2024–25; and*
- 2. Delegate authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funding allocated to any of the awarded courts in Cycles 1 and 2, based on the same criteria established during the application period.*

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:30 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: 2023-24 Community Assistance, Recovery, and Empowerment (CARE) Act Allocation Methodology

Date: 5/17/2023

Contact: Don Will, Principal Manager, Judicial Council Center for Families, Children & the Courts
415-865-7557 | don.will@jud.ca.gov

Issue

Consider methodology options for allocating the funding included in the 2023-24 Governor’s Budget for court operations related to the CARE Act, and provisions for reallocating the funding among courts during the fiscal year.

Background

On January 20, 2023, the Judicial Council approved an allocation methodology to distribute \$2.8 million in planning funds to the seven courts making up the first cohort of courts implementing the CARE Act in 2022-23.¹ The council also directed the Trial Court Budget Advisory Committee (TCBAC) to develop an allocation methodology for CARE Act funding to the courts in 2023-24 and subsequent years.

The 2023-24 Governor’s Budget includes a total of \$20 million to fund court operations related to the CARE Act in 2023-24 (Attachment 1A). This funding consists of \$8.7 million to support hearing-related costs for courts in Cohort One that will hear CARE Act cases in 2023-24 (Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne), and \$11.3 million to support other court staff and operations for all courts. Attachment 1A includes the detail on how the hearing-related and other court operations costs were estimated.

This section presents methodology options for three allocations of the 2023-24 funds to the courts:

1. All hearing-related funds allocated to Cohort One courts;
2. Other court staff and operations funds allocated to Cohort One courts, and
3. Other court staff and operations funds allocated to Cohort Two courts for planning.

¹ Judicial Council meeting report (January 20, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=11534097&GUID=9FC7F7C5-8C5F-4D79-970C-FC1A78752C5A>; Judicial Council meeting minutes (January 20, 2023), <https://jcc.legistar.com/View.ashx?M=M&ID=989262&GUID=469D83CC-3971-47BE-B5FC-22D1052C8643>.

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Consistent with the January 2023 council report, all three allocations are presented with the following methodology options:

1. Allocation by county population;
2. Allocation by total filings;
3. Allocation by the 2022-23 Workload Formula data; and
4. Allocation by the 2022-23 Workload Formula with a floor to ensure that small courts have sufficient resources to plan implementation.

Workload Formula estimate. The allocation estimates in this report to the Trial Court Budget Advisory Committee (TCBAC) are based on the pending 2023-24 Workload Formula.

Option 1: Allocate \$8.7 million for hearing-related funds to the courts in Cohort One.

Table 1 compares the four allocation methodologies for Option 1. In the fourth methodology, Workload Formula with a floor funding amount, the floor selected was 25 CARE Act cases at an estimated cost of \$93,225.

Option 2: Allocate an additional approximate amount of \$3.6–\$4.5 million in other court operations funds to the courts in Cohort One.

In the CARE Act Budget Change Proposal (Link A), the Department of Finance has proposed that other court operations funds be estimated at a statewide amount of \$21.2 million which is approximately 116 full time equivalent positions in the courts. This amount is phased in over three fiscal years: \$11.3 million in 2023-24; \$17.2 million in 2024-25; and \$21.2 million in 2025-26.

The \$11.3 million allocated in 2023-24 is for two purposes. The first is to fund the operations other than hearing-related costs of the Cohort One courts that will be hearing cases in the fiscal year. The second is to fund planning activities of the Cohort Two courts that will begin hearing cases in 2024-25.

Staff estimated what the range of methodologies would be to allocate to all courts when the operations funds, totaling \$17.2 million for 2024-25 are available in Table 2. Allocating this amount for operations to the Cohort One courts only would ensure that their allocation does not drop when Cohort Two begins operations in 2024-25. Table 3a shows the Cohort One courts with this “full” operations amount allocated.

Since the council approved the recommendation of a \$98,000 floor in allocating the operations funds to ensure that small courts have sufficient resources, this floor was retained in Table 2 and following.

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(Action Item)

Option 3: Allocate an additional approximate amount of \$6.7–\$7.7 million in other court operations funds to the courts in Cohort Two.

This option is presented in Table 3b. The available funds distributed by the four different methodologies were arrived at by netting out the amount distributed to the Cohort One courts in Option 2.

Los Angeles Superior Court. The 2023-24 Governor’s Budget does not include estimates for 2023-24 implementation costs for Los Angeles to join Cohort One. For Los Angeles beginning December 1, 2023, staff estimate that hearing-related costs and other court operation costs to serve CARE Act cases will be approximately \$9.4 million in 2023-24 utilizing the same methodology.

Reallocation. Judicial Council staff are currently engaged with court leadership of Cohort One courts that are planning implementation while executive branch and county leadership also plan CARE Act implementation. The number of CARE Act petitions, CARE Act cases, and the cost of the workload associated for the courts is uncertain. The TCBAC recommends that Cohort One courts be surveyed in the event that case numbers and costs from January–February 2024 change, and for there to be a proposal for reallocating unspent funds that is brought to the TCBAC for March 2024 Judicial Council action.

Potential Impacts to Allocations

Allocation changes may be necessary to the extent there are changes to the CARE Act appropriation and associated language in the 2023 Budget Act.

Recommendations

The TCBAC asks the committee to consider the following recommendations for consideration by the Judicial Council:

1. Approve, for Cohort One courts implementing the CARE Act, an allocation methodology that employs the Workload Formula with a base of 25 CARE Act cases, calculated at \$93,225, for 2023-24.
2. Approve, for Cohort One courts implementing the CARE Act, an allocation methodology that employs the Workload Formula with a base of \$98,000, pro-rated to the amount of funding Cohort One courts are estimated to receive in 2024-25 when all courts are implementing the CARE Act.
3. Approve, for Cohort Two courts, an allocation methodology that employs the Workload Formula with a base of \$98,000, pro-rated to the amount that remains after the allocation described in Recommendation 2 and is reduced by 0.5 percent to hold as a reserve for

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(Action Item)

Cohort One courts that require additional program funding. Any unspent funding from the court allocations and this reserve will be redistributed through the reallocation process and via the approved methodology.

4. Direct Judicial Council staff to survey Cohort One courts by February 2024 and bring a reallocation proposal to the TCBAC for March 2024 Judicial Council action.

Attachments

1. **Link A:** Budget Request 0250-107-BCP-2023-GB Ongoing CARE Act Court Implementation,
https://esd.dof.ca.gov/Documents/bcp/2324/FY2324_ORG0250_BCP6672.pdf.
2. **Attachment 1A:** Allocation Tables 1 through 3b.

Table 1. Allocating Hearing-Related Funds to Cohort 1 Courts

| 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 |
|---------------|--------------------------------|----------------|---------------------|----------------------------|----------------|---------------------|--|----------------|---------------------|--|---------------------------|---------------------|
| Court | Allocated by County Population | | | Allocated by Total Filings | | | Allocated by Final Workload Allocation | | | Allocated by Final Workload Allocation with 25 Case Base | | |
| | Population | Percent | Distribution | Total Filings | Percent | Distribution | Final Workload Allocation | Percent | Distribution | Base: 25 Cases | Final Workload Allocation | Total Distribution |
| Glenn | 28,750 | 0.28% | \$ 24,212 | 825 | 0.08% | \$ 7,049 | 3,222,223 | 0.53% | \$ 46,079 | \$ 93,225 | \$ - | \$ 93,225 |
| Orange | 3,162,245 | 30.52% | 2,663,103 | 356,727 | 34.93% | 3,048,070 | 195,578,610 | 32.05% | 2,796,874 | \$ 93,225 | 2,623,007 | 2,716,232 |
| Riverside | 2,435,525 | 23.51% | 2,051,091 | 270,180 | 26.46% | 2,308,565 | 137,615,761 | 22.55% | 1,967,976 | \$ 93,225 | 1,845,637 | 1,938,862 |
| San Diego | 3,287,306 | 31.73% | 2,768,424 | 268,198 | 26.26% | 2,291,630 | 173,529,679 | 28.44% | 2,481,563 | \$ 93,225 | 2,327,297 | 2,420,522 |
| San Francisco | 842,754 | 8.13% | 709,730 | 57,681 | 5.65% | 492,858 | 63,222,900 | 10.36% | 904,120 | \$ 93,225 | 847,915 | 941,140 |
| Stanislaus | 549,466 | 5.30% | 462,736 | 60,913 | 5.96% | 520,474 | 32,019,398 | 5.25% | 457,894 | \$ 93,225 | 429,429 | 522,654 |
| Tuolumne | 55,291 | 0.53% | 46,564 | 6,696 | 0.66% | 57,214 | 4,989,596 | 0.82% | 71,354 | \$ 93,225 | - | 93,225 |
| Total | 10,361,337 | 100.00% | \$ 8,725,860 | 1,021,220 | 100.00% | \$ 8,725,860 | \$ 610,178,167 | 100.00% | \$ 8,725,860 | \$ 652,575 | \$ 8,073,285 | \$ 8,725,860 |

Total Court Allocation 2022-23 \$ 8,725,860

Notes. Base. \$93,225 is an estimate of the cost of 25 Case Filings (including cost of 38 Petitions)

Table 2. Estimating Allocation of Court Operations Budget when all Courts Participate in FY 2024-2025

| 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 |
|----------------|--------------------------------|---------|--------------|----------------------------|---------|--------------|--|---------|--------------|--|---------------------------|--------------------|
| Court | Allocated by County Population | | | Allocated by Total Filings | | | Allocated by Final Workload Allocation | | | Allocated by Final Workload Allocation with 0.5 FTE Base | | |
| | Population | Percent | Distribution | Total Filings | Percent | Distribution | Final Workload Allocation | Percent | Distribution | Base: 0.50 FTE | Final Workload Allocation | Total Distribution |
| Alameda | 1,651,979 | 4.22% | 724,010 | 175,241 | 3.98% | 683,341 | 89,736,650 | 3.56% | 611,174 | 98,000 | \$ 440,370 | \$ 538,370 |
| Alpine | 1,200 | 0.00% | 526 | 1,578 | 0.04% | 6,153 | 978,500 | 0.04% | 6,664 | 98,000 | \$ - | \$ 98,000 |
| Amador | 40,297 | 0.10% | 17,661 | 5,664 | 0.13% | 22,086 | 4,508,080 | 0.18% | 30,703 | 98,000 | \$ - | \$ 98,000 |
| Butte | 201,608 | 0.51% | 88,358 | 26,130 | 0.59% | 101,892 | 13,967,813 | 0.55% | 95,131 | 98,000 | \$ - | \$ 98,000 |
| Calaveras | 45,049 | 0.11% | 19,744 | 3,879 | 0.09% | 15,126 | 3,478,322 | 0.14% | 23,690 | 98,000 | \$ - | \$ 98,000 |
| Colusa | 21,807 | 0.06% | 9,557 | 6,785 | 0.15% | 26,458 | 2,635,558 | 0.10% | 17,950 | 98,000 | \$ - | \$ 98,000 |
| Contra Costa | 1,156,555 | 2.95% | 506,881 | 96,049 | 2.18% | 374,537 | 54,381,614 | 2.16% | 370,380 | 98,000 | \$ 266,870 | \$ 364,870 |
| Del Norte | 27,218 | 0.07% | 11,929 | 6,026 | 0.14% | 23,498 | 3,867,969 | 0.15% | 26,344 | 98,000 | \$ - | \$ 98,000 |
| El Dorado | 190,465 | 0.49% | 83,475 | 16,195 | 0.37% | 63,151 | 9,727,953 | 0.39% | 66,255 | 98,000 | \$ - | \$ 98,000 |
| Fresno | 1,011,273 | 2.58% | 443,209 | 111,680 | 2.54% | 435,489 | 62,889,322 | 2.49% | 428,324 | 98,000 | \$ 308,621 | \$ 406,621 |
| Glenn | 28,750 | 0.07% | 12,600 | 825 | 0.02% | 3,217 | 3,222,223 | 0.13% | 21,946 | 98,000 | \$ - | \$ 98,000 |
| Humboldt | 135,168 | 0.34% | 59,240 | 16,127 | 0.37% | 62,886 | 8,921,606 | 0.35% | 60,763 | 98,000 | \$ - | \$ 98,000 |
| Imperial | 179,329 | 0.46% | 78,594 | 38,108 | 0.87% | 148,600 | 10,504,343 | 0.42% | 71,543 | 98,000 | \$ - | \$ 98,000 |
| Inyo | 18,978 | 0.05% | 8,317 | 10,431 | 0.24% | 40,675 | 2,549,184 | 0.10% | 17,362 | 98,000 | \$ - | \$ 98,000 |
| Kern | 909,813 | 2.32% | 398,742 | 123,000 | 2.79% | 479,631 | 63,185,616 | 2.51% | 430,342 | 98,000 | \$ 310,075 | \$ 408,075 |
| Kings | 152,023 | 0.39% | 66,627 | 20,962 | 0.48% | 81,740 | 11,046,668 | 0.44% | 75,236 | 98,000 | \$ - | \$ 98,000 |
| Lake | 67,407 | 0.17% | 29,542 | 9,247 | 0.21% | 36,058 | 5,099,882 | 0.20% | 34,734 | 98,000 | \$ - | \$ 98,000 |
| Lassen | 30,274 | 0.08% | 13,268 | 4,809 | 0.11% | 18,752 | 2,800,148 | 0.11% | 19,071 | 98,000 | \$ - | \$ 98,000 |
| Los Angeles | 9,861,224 | 25.17% | 4,321,860 | 1,198,563 | 27.21% | 4,673,721 | 726,309,756 | 28.80% | 4,946,719 | 98,000 | \$ 3,564,263 | \$ 3,662,263 |
| Madera | 157,396 | 0.40% | 68,982 | 21,984 | 0.50% | 85,725 | 12,327,553 | 0.49% | 83,960 | 98,000 | \$ - | \$ 98,000 |
| Marin | 257,135 | 0.66% | 112,694 | 32,466 | 0.74% | 126,599 | 14,336,608 | 0.57% | 97,643 | 98,000 | \$ - | \$ 98,000 |
| Mariposa | 17,045 | 0.04% | 7,470 | 2,163 | 0.05% | 8,434 | 1,853,846 | 0.07% | 12,626 | 98,000 | \$ - | \$ 98,000 |
| Mendocino | 89,999 | 0.23% | 39,444 | 18,539 | 0.42% | 72,292 | 7,646,197 | 0.30% | 52,076 | 98,000 | \$ - | \$ 98,000 |
| Merced | 284,338 | 0.73% | 124,616 | 48,719 | 1.11% | 189,977 | 16,833,536 | 0.67% | 114,649 | 98,000 | \$ 82,608 | \$ 180,608 |
| Modoc | 8,690 | 0.02% | 3,809 | 1,723 | 0.04% | 6,719 | 1,406,022 | 0.06% | 9,576 | 98,000 | \$ - | \$ 98,000 |
| Mono | 13,379 | 0.03% | 5,864 | 6,843 | 0.16% | 26,684 | 2,439,556 | 0.10% | 16,615 | 98,000 | \$ - | \$ 98,000 |
| Monterey | 433,716 | 1.11% | 190,084 | 50,844 | 1.15% | 198,263 | 26,067,191 | 1.03% | 177,537 | 98,000 | \$ 127,921 | \$ 225,921 |
| Napa | 136,179 | 0.35% | 59,683 | 13,821 | 0.31% | 53,894 | 9,621,209 | 0.38% | 65,528 | 98,000 | \$ - | \$ 98,000 |
| Nevada | 101,242 | 0.26% | 44,371 | 11,036 | 0.25% | 43,034 | 7,143,111 | 0.28% | 48,650 | 98,000 | \$ - | \$ 98,000 |
| Orange | 3,162,245 | 8.07% | 1,385,911 | 356,727 | 8.10% | 1,391,035 | 195,578,610 | 7.76% | 1,332,038 | 98,000 | \$ 959,775 | \$ 1,057,775 |
| Placer | 409,025 | 1.04% | 179,263 | 35,657 | 0.81% | 139,042 | 24,891,327 | 0.99% | 169,529 | 98,000 | \$ 122,151 | \$ 220,151 |
| Plumas | 18,942 | 0.05% | 8,302 | 2,262 | 0.05% | 8,821 | 1,915,282 | 0.08% | 13,045 | 98,000 | \$ - | \$ 98,000 |
| Riverside | 2,435,525 | 6.22% | 1,067,413 | 270,180 | 6.13% | 1,053,550 | 137,615,761 | 5.46% | 937,267 | 98,000 | \$ 675,330 | \$ 773,330 |
| Sacramento | 1,576,618 | 4.02% | 690,981 | 203,094 | 4.61% | 791,952 | 108,135,136 | 4.29% | 736,482 | 98,000 | \$ 530,658 | \$ 628,658 |
| San Benito | 65,479 | 0.17% | 28,697 | 6,235 | 0.14% | 24,313 | 4,808,390 | 0.19% | 32,749 | 98,000 | \$ - | \$ 98,000 |
| San Bernardino | 2,187,665 | 5.58% | 958,784 | 242,713 | 5.51% | 946,444 | 142,464,966 | 5.65% | 970,294 | 98,000 | \$ 699,127 | \$ 797,127 |

| | | | | | | | | | | | | |
|-----------|-----------|-------|-----------|---------|-------|-----------|-------------|-------|-----------|--------|------------|------------|
| San Diego | 3,287,306 | 8.39% | 1,440,721 | 268,198 | 6.09% | 1,045,821 | 173,529,679 | 6.88% | 1,181,868 | 98,000 | \$ 851,572 | \$ 949,572 |
|-----------|-----------|-------|-----------|---------|-------|-----------|-------------|-------|-----------|--------|------------|------------|

| | | | | | | | | | | | | |
|-----------------|-------------------|----------------|-------------------|------------------|----------------|-------------------|----------------------|----------------|-------------------|------------------|-------------------|-------------------|
| San Francisco | 842,754 | 2.15% | 369,352 | 57,681 | 1.31% | 224,923 | 63,222,900 | 2.51% | 430,596 | 98,000 | \$ 310,257 | \$ 408,257 |
| San Joaquin | 784,298 | 2.00% | 343,733 | 80,765 | 1.83% | 314,938 | 50,883,863 | 2.02% | 346,558 | 98,000 | \$ 249,705 | \$ 347,705 |
| San Luis Obispo | 280,721 | 0.72% | 123,031 | 40,157 | 0.91% | 156,590 | 18,559,755 | 0.74% | 126,406 | 98,000 | \$ 91,079 | \$ 189,079 |
| San Mateo | 744,662 | 1.90% | 326,362 | 93,767 | 2.13% | 365,639 | 46,395,272 | 1.84% | 315,987 | 98,000 | \$ 227,678 | \$ 325,678 |
| Santa Barbara | 445,164 | 1.14% | 195,101 | 55,658 | 1.26% | 217,035 | 27,480,379 | 1.09% | 187,162 | 98,000 | \$ 134,856 | \$ 232,856 |
| Santa Clara | 1,894,783 | 4.84% | 830,423 | 143,331 | 3.25% | 558,910 | 96,087,855 | 3.81% | 654,431 | 98,000 | \$ 471,538 | \$ 569,538 |
| Santa Cruz | 266,564 | 0.68% | 116,826 | 29,207 | 0.66% | 113,891 | 16,815,052 | 0.67% | 114,523 | 98,000 | \$ 82,518 | \$ 180,518 |
| Shasta | 180,531 | 0.46% | 79,121 | 36,616 | 0.83% | 142,782 | 16,211,577 | 0.64% | 110,413 | 98,000 | \$ 79,556 | \$ 177,556 |
| Sierra | 3,229 | 0.01% | 1,415 | 498 | 0.01% | 1,942 | 978,500 | 0.04% | 6,664 | 98,000 | \$ - | \$ 98,000 |
| Siskiyou | 43,830 | 0.11% | 19,209 | 9,527 | 0.22% | 37,150 | 4,425,390 | 0.18% | 30,140 | 98,000 | \$ - | \$ 98,000 |
| Solano | 447,241 | 1.14% | 196,011 | 46,447 | 1.05% | 181,117 | 29,049,268 | 1.15% | 197,847 | 98,000 | \$ 142,555 | \$ 240,555 |
| Sonoma | 482,404 | 1.23% | 211,422 | 45,596 | 1.04% | 177,799 | 30,150,057 | 1.20% | 205,345 | 98,000 | \$ 147,957 | \$ 245,957 |
| Stanislaus | 549,466 | 1.40% | 240,813 | 60,913 | 1.38% | 237,526 | 32,019,398 | 1.27% | 218,076 | 98,000 | \$ 157,131 | \$ 255,131 |
| Sutter | 99,145 | 0.25% | 43,452 | 14,733 | 0.33% | 57,450 | 8,571,816 | 0.34% | 58,381 | 98,000 | \$ - | \$ 98,000 |
| Tehama | 65,052 | 0.17% | 28,510 | 11,045 | 0.25% | 43,069 | 6,076,723 | 0.24% | 41,387 | 98,000 | \$ - | \$ 98,000 |
| Trinity | 16,023 | 0.04% | 7,022 | 2,535 | 0.06% | 9,885 | 2,142,278 | 0.08% | 14,591 | 98,000 | \$ - | \$ 98,000 |
| Tulare | 475,014 | 1.21% | 208,183 | 67,667 | 1.54% | 263,863 | 32,806,762 | 1.30% | 223,439 | 98,000 | \$ 160,995 | \$ 258,995 |
| Tuolumne | 55,291 | 0.14% | 24,232 | 6,696 | 0.15% | 26,111 | 4,989,596 | 0.20% | 33,983 | 98,000 | \$ - | \$ 98,000 |
| Ventura | 833,652 | 2.13% | 365,363 | 104,140 | 2.36% | 406,087 | 44,759,938 | 1.78% | 304,849 | 98,000 | \$ 219,653 | \$ 317,653 |
| Yolo | 221,165 | 0.56% | 96,930 | 22,826 | 0.52% | 89,009 | 15,279,425 | 0.61% | 104,064 | 98,000 | \$ 74,982 | \$ 172,982 |
| Yuba | 82,275 | 0.21% | 36,059 | 9,866 | 0.22% | 38,472 | 6,239,055 | 0.25% | 42,493 | 98,000 | \$ - | \$ 98,000 |
| Total | 39,185,605 | 100.00% | 17,173,800 | 4,404,174 | 100.00% | 17,173,800 | 2,521,570,045 | 100.00% | 17,173,800 | 5,684,000 | 11,489,800 | 17,173,800 |

Total Court Alloca FY 2024-25 \$ 17,173,800

Table 3. Allocation of Court Operations Budget for Cohort 1 and Cohort 2

Table 3a. Cohort 1 Allocation

| Court | Allocated by County Population | | | Allocated by Total Filings | | | Allocated by Final Workload Allocation | | | Allocated by Final Workload Allocation with 0.5 FTE Base | | |
|---------------|--------------------------------|---------------|------------------|----------------------------|---------------|------------------|--|---------------|------------------|--|---------------------------|--------------------|
| | Population | Percent | Distribution | Total Filings | Percent | Distribution | Final Workload Allocation | Percent | Distribution | Base: 0.50 FTE | Final Workload Allocation | Total Distribution |
| | Col. B | Col. C | Col. D | Col. E | Col. F | Col. G | Col. H | Col. I | Col. J | Col. K | Col. L | Col. M |
| Glenn | 28,750 | 0.07% | 12,600 | 825 | 0.02% | 3,217 | 3,222,223 | 0.13% | 21,946 | 98,000 | 0 | 98,000 |
| Orange | 3,162,245 | 8.07% | 1,385,911 | 356,727 | 8.10% | 1,391,035 | 195,578,610 | 7.76% | 1,332,038 | 98,000 | 959,775 | 1,057,775 |
| Riverside | 2,435,525 | 6.22% | 1,067,413 | 270,180 | 6.13% | 1,053,550 | 137,615,761 | 5.46% | 937,267 | 98,000 | 675,330 | 773,330 |
| San Diego | 3,287,306 | 8.39% | 1,440,721 | 268,198 | 6.09% | 1,045,821 | 173,529,679 | 6.88% | 1,181,868 | 98,000 | 851,572 | 949,572 |
| San Francisco | 842,754 | 2.15% | 369,352 | 57,681 | 1.31% | 224,923 | 63,222,900 | 2.51% | 430,596 | 98,000 | 310,257 | 408,257 |
| Stanislaus | 549,466 | 1.40% | 240,813 | 60,913 | 1.38% | 237,526 | 32,019,398 | 1.27% | 218,076 | 98,000 | 157,131 | 255,131 |
| Tuolumne | 55,291 | 0.14% | 24,232 | 6,696 | 0.15% | 26,111 | 4,989,596 | 0.20% | 33,983 | 98,000 | 0 | 98,000 |
| Total | 10,361,337 | 26.44% | 4,541,043 | 1,021,220 | 23.19% | 3,982,183 | 610,178,167 | 24.20% | 4,155,775 | 686,000 | 2,954,065 | 3,640,065 |

Table 3b. Cohort 2 Allocation

| 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 |
|-----------------|--------------------------------|---------|--------------|----------------------------|---------|--------------|--|---------|--------------|--|---------------------------|--------------------|
| Court | Allocated by County Population | | | Allocated by Total Filings | | | Allocated by Final Workload Allocation | | | Allocated by Final Workload Allocation with 0.5 FTE Base | | |
| | Population | Percent | Distribution | Total Filings | Percent | Distribution | Final Workload Allocation | Percent | Distribution | Base: 0.50 FTE | Final Workload Allocation | Total Distribution |
| Alameda | 1,651,979 | 5.73% | 386,003 | 175,241 | 5.18% | 377,692 | 89,736,650 | 4.69% | 334,199 | 98,000 | \$ 147,272 | \$ 245,272 |
| Alpine | 1,200 | 0.00% | 280 | 1,578 | 0.05% | 3,401 | 978,500 | 0.05% | 3,644 | 98,000 | \$ - | \$ 98,000 |
| Amador | 40,297 | 0.14% | 9,416 | 5,664 | 0.17% | 12,207 | 4,508,080 | 0.24% | 16,789 | 98,000 | \$ - | \$ 98,000 |
| Butte | 201,608 | 0.70% | 47,108 | 26,130 | 0.77% | 56,317 | 13,967,813 | 0.73% | 52,019 | 98,000 | \$ - | \$ 98,000 |
| Calaveras | 45,049 | 0.16% | 10,526 | 3,879 | 0.11% | 8,360 | 3,478,322 | 0.18% | 12,954 | 98,000 | \$ - | \$ 98,000 |
| Colusa | 21,807 | 0.08% | 5,095 | 6,785 | 0.20% | 14,624 | 2,635,558 | 0.14% | 9,815 | 98,000 | \$ - | \$ 98,000 |
| Contra Costa | 1,156,555 | 4.01% | 270,242 | 96,049 | 2.84% | 207,011 | 54,381,614 | 2.85% | 202,529 | 98,000 | \$ 89,249 | \$ 187,249 |
| Del Norte | 27,218 | 0.09% | 6,360 | 6,026 | 0.18% | 12,988 | 3,867,969 | 0.20% | 14,405 | 98,000 | \$ - | \$ 98,000 |
| El Dorado | 190,465 | 0.66% | 44,504 | 16,195 | 0.48% | 34,905 | 9,727,953 | 0.51% | 36,229 | 98,000 | \$ - | \$ 98,000 |
| Fresno | 1,011,273 | 3.51% | 236,295 | 111,680 | 3.30% | 240,700 | 62,889,322 | 3.29% | 234,214 | 98,000 | \$ 103,211 | \$ 201,211 |
| Humboldt | 135,168 | 0.47% | 31,584 | 16,127 | 0.48% | 34,758 | 8,921,606 | 0.47% | 33,226 | 98,000 | \$ - | \$ 98,000 |
| Imperial | 179,329 | 0.62% | 41,902 | 38,108 | 1.13% | 82,133 | 10,504,343 | 0.55% | 39,121 | 98,000 | \$ - | \$ 98,000 |
| Inyo | 18,978 | 0.07% | 4,434 | 10,431 | 0.31% | 22,482 | 2,549,184 | 0.13% | 9,494 | 98,000 | \$ - | \$ 98,000 |
| Kern | 909,813 | 3.16% | 212,588 | 123,000 | 3.64% | 265,098 | 63,185,616 | 3.31% | 235,317 | 98,000 | \$ 103,697 | \$ 201,697 |
| Kings | 152,023 | 0.53% | 35,522 | 20,962 | 0.62% | 45,179 | 11,046,668 | 0.58% | 41,140 | 98,000 | \$ - | \$ 98,000 |
| Lake | 67,407 | 0.23% | 15,750 | 9,247 | 0.27% | 19,930 | 5,099,882 | 0.27% | 18,993 | 98,000 | \$ - | \$ 98,000 |
| Lassen | 30,274 | 0.11% | 7,074 | 4,809 | 0.14% | 10,365 | 2,800,148 | 0.15% | 10,428 | 98,000 | \$ - | \$ 98,000 |
| Los Angeles | 9,861,224 | 34.21% | 2,304,185 | 1,198,563 | 35.43% | 2,583,226 | 726,309,756 | 38.00% | 2,704,941 | 98,000 | \$ 1,191,985 | \$ 1,289,985 |
| Madera | 157,396 | 0.55% | 36,777 | 21,984 | 0.65% | 47,381 | 12,327,553 | 0.64% | 45,911 | 98,000 | \$ - | \$ 98,000 |
| Marin | 257,135 | 0.89% | 60,082 | 32,466 | 0.96% | 69,973 | 14,336,608 | 0.75% | 53,393 | 98,000 | \$ - | \$ 98,000 |
| Mariposa | 17,045 | 0.06% | 3,983 | 2,163 | 0.06% | 4,662 | 1,853,846 | 0.10% | 6,904 | 98,000 | \$ - | \$ 98,000 |
| Mendocino | 89,999 | 0.31% | 21,029 | 18,539 | 0.55% | 39,957 | 7,646,197 | 0.40% | 28,476 | 98,000 | \$ - | \$ 98,000 |
| Merced | 284,338 | 0.99% | 66,439 | 48,719 | 1.44% | 105,003 | 16,833,536 | 0.88% | 62,692 | 98,000 | \$ - | \$ 98,000 |
| Modoc | 8,690 | 0.03% | 2,031 | 1,723 | 0.05% | 3,714 | 1,406,022 | 0.07% | 5,236 | 98,000 | \$ - | \$ 98,000 |
| Mono | 13,379 | 0.05% | 3,126 | 6,843 | 0.20% | 14,749 | 2,439,556 | 0.13% | 9,085 | 98,000 | \$ - | \$ 98,000 |
| Monterey | 433,716 | 1.50% | 101,343 | 50,844 | 1.50% | 109,583 | 26,067,191 | 1.36% | 97,080 | 98,000 | \$ - | \$ 98,000 |
| Napa | 136,179 | 0.47% | 31,820 | 13,821 | 0.41% | 29,788 | 9,621,209 | 0.50% | 35,832 | 98,000 | \$ - | \$ 98,000 |
| Nevada | 101,242 | 0.35% | 23,656 | 11,036 | 0.33% | 23,786 | 7,143,111 | 0.37% | 26,603 | 98,000 | \$ - | \$ 98,000 |
| Placer | 409,025 | 1.42% | 95,573 | 35,657 | 1.05% | 76,850 | 24,891,327 | 1.30% | 92,701 | 98,000 | \$ - | \$ 98,000 |
| Plumas | 18,942 | 0.07% | 4,426 | 2,262 | 0.07% | 4,875 | 1,915,282 | 0.10% | 7,133 | 98,000 | \$ - | \$ 98,000 |
| Sacramento | 1,576,618 | 5.47% | 368,394 | 203,094 | 6.00% | 437,722 | 108,135,136 | 5.66% | 402,720 | 98,000 | \$ 177,466 | \$ 275,466 |
| San Benito | 65,479 | 0.23% | 15,300 | 6,235 | 0.18% | 13,438 | 4,808,390 | 0.25% | 17,908 | 98,000 | \$ - | \$ 98,000 |
| San Bernardino | 2,187,665 | 7.59% | 511,172 | 242,713 | 7.17% | 523,112 | 142,464,966 | 7.45% | 530,572 | 98,000 | \$ 233,807 | \$ 331,807 |
| San Joaquin | 784,298 | 2.72% | 183,260 | 80,765 | 2.39% | 174,070 | 50,883,863 | 2.66% | 189,503 | 98,000 | \$ 83,508 | \$ 181,508 |
| San Luis Obispo | 280,721 | 0.97% | 65,594 | 40,157 | 1.19% | 86,549 | 18,559,755 | 0.97% | 69,121 | 98,000 | \$ - | \$ 98,000 |
| San Mateo | 744,662 | 2.58% | 173,999 | 93,767 | 2.77% | 202,093 | 46,395,272 | 2.43% | 172,786 | 98,000 | \$ 76,142 | \$ 174,142 |

| | | | | | | | | | | | | |
|----------------|-------------------|----------------|------------------|------------------|----------------|------------------|----------------------|----------------|------------------|------------------|------------------|------------------|
| Santa Barbara | 445,164 | 1.54% | 104,018 | 55,658 | 1.65% | 119,958 | 27,480,379 | 1.44% | 102,343 | 98,000 | \$ 45,100 | \$ 143,100 |
| Santa Clara | 1,894,783 | 6.57% | 442,737 | 143,331 | 4.24% | 308,917 | 96,087,855 | 5.03% | 357,853 | 98,000 | \$ 157,695 | \$ 255,695 |
| Santa Cruz | 266,564 | 0.92% | 62,286 | 29,207 | 0.86% | 62,949 | 16,815,052 | 0.88% | 62,623 | 98,000 | \$ - | \$ 98,000 |
| Shasta | 180,531 | 0.63% | 42,183 | 36,616 | 1.08% | 78,917 | 16,211,577 | 0.85% | 60,376 | 98,000 | \$ - | \$ 98,000 |
| Sierra | 3,229 | 0.01% | 754 | 498 | 0.01% | 1,073 | 978,500 | 0.05% | 3,644 | 98,000 | \$ - | \$ 98,000 |
| Siskiyou | 43,830 | 0.15% | 10,241 | 9,527 | 0.28% | 20,533 | 4,425,390 | 0.23% | 16,481 | 98,000 | \$ - | \$ 98,000 |
| Solano | 447,241 | 1.55% | 104,503 | 46,447 | 1.37% | 100,106 | 29,049,268 | 1.52% | 108,186 | 98,000 | \$ 47,674 | \$ 145,674 |
| Sonoma | 482,404 | 1.67% | 112,719 | 45,596 | 1.35% | 98,272 | 30,150,057 | 1.58% | 112,286 | 98,000 | \$ 49,481 | \$ 147,481 |
| Sutter | 99,145 | 0.34% | 23,166 | 14,733 | 0.44% | 31,754 | 8,571,816 | 0.45% | 31,923 | 98,000 | \$ - | \$ 98,000 |
| Tehama | 65,052 | 0.23% | 15,200 | 11,045 | 0.33% | 23,805 | 6,076,723 | 0.32% | 22,631 | 98,000 | \$ - | \$ 98,000 |
| Trinity | 16,023 | 0.06% | 3,744 | 2,535 | 0.07% | 5,464 | 2,142,278 | 0.11% | 7,978 | 98,000 | \$ - | \$ 98,000 |
| Tulare | 475,014 | 1.65% | 110,992 | 67,667 | 2.00% | 145,841 | 32,806,762 | 1.72% | 122,180 | 98,000 | \$ 53,841 | \$ 151,841 |
| Ventura | 833,652 | 2.89% | 194,792 | 104,140 | 3.08% | 224,450 | 44,759,938 | 2.34% | 166,696 | 98,000 | \$ 73,458 | \$ 171,458 |
| Yolo | 221,165 | 0.77% | 51,678 | 22,826 | 0.67% | 49,196 | 15,279,425 | 0.80% | 56,904 | 98,000 | \$ - | \$ 98,000 |
| Yuba | 82,275 | 0.29% | 19,224 | 9,866 | 0.29% | 21,264 | 6,239,055 | 0.33% | 23,236 | 98,000 | \$ - | \$ 98,000 |
| Total | 28,824,268 | 100.00% | 6,735,112 | 3,382,954 | 100.00% | 7,291,178 | 1,911,391,879 | 100.00% | 7,118,454 | 4,998,000 | 2,633,585 | 7,631,585 |
| Reserve | | | 33,845 | | | 36,639 | | | 35,771 | | | 38,350 |

Department of Finance, Population Estimates for Cities, Counties and the State (E1)

<https://dof.ca.gov/forecasting/demographics/estimates-e1/>

Judicial Council, May 2023. Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2023-24, Unpublished.

Attachment C: 2022-23 Workload Formula Allocation

Judicial Council, Court Statistics Report. Appendix G. County Tables. Caseloads and Judicial Positions, by County Superior Courts Fiscal Year 2021-22

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

Title: 2023-24 Court-Appointed Dependency Counsel Allocations

Date: 5/4/2023

Contact: Kelly Meehleib, Supervising Analyst, Judicial Council Center for Families, Children & the Courts
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Issue

Consideration of the Trial Court Budget Advisory Committee (TCBAC) recommendation to approve the 2023-24 court-appointed dependency counsel funding allocations for consideration by the Judicial Council at its July 20-21, 2022 business meeting.

Background

Court-appointed dependency counsel became a state fiscal responsibility in 1989 through the Brown-Presley Trial Court Funding Act (Senate Bill 612; Stats. 1988, ch. 945). The act added section 77003 to the Government Code, defined “court operations” in that section as including court-appointed dependency counsel, and made an appropriation to fund trial court operations. In 1997, the Lockyer-Isenberg Trial Court Funding Act (AB 233; Stats. 1997, ch. 850) provided the funding for, and delineated the parameters of, the transition to state trial court funding that had been outlined in the earlier legislation.

In 2015, the council approved recommendations of the Trial Court Budget Advisory Committee (TCBAC) to reallocate funding for court-appointed dependency counsel among the trial courts based on a caseload funding model in an effort to provide a more equitable allocation of funding among the courts.¹ In addition, the council directed that a joint subcommittee of the TCBAC and the Family and Juvenile Law Advisory Committee be formed to review that workload model for

¹ Judicial Council meeting report (April 17, 2015), www.courts.ca.gov/documents/jc-20150417-itemI.pdf; Judicial Council meeting minutes (April 17, 2015), jc-20150417-minutes.pdf (ca.gov).

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

possible updates and revisions. After a year of research and analysis, the methodology recommended by this joint subcommittee was approved by the council.²

In July 2016, the council directed the Executive and Planning Committee to form a working group to consider changes to the court-appointed juvenile dependency counsel funding methodology as it relates to small courts.

In May 2017, the council adopted the modified funding methodology recommended by the Executive and Planning Committee working group for small courts to address the unique circumstances of each small court. The adjustments include: (1) suspending reallocation-related budget reductions for the smallest courts with caseloads under 200, (2) adjusting the local economic index for the small courts with dependency caseloads under 400, and (3) slightly reducing the funding allocations of the larger courts receiving increases related to the reallocation to compensate for these increases to the small court budgets for 2017–18 and 2018–19, and ongoing effective July 1, 2019.³

In July 2022, the council adopted a recommendation by the TCBAC⁴ to revise the current methodology to adjust *all* large court budgets to offset the costs for small court funding rather than only those large courts receiving increases.⁵ Based on current workload and filing information, 31 courts remain in the small court category with 25 courts meeting the “smallest” court criteria.

The council also adopted the TCBAC recommendation to clarify the court-appointed dependency counsel funding allocation methodology as it relates to the survey of entry-level county counsel, specifically, that the county counsel median salary be updated on an annual basis as the update cycle was not specified in the methodology set forth in the April 2016 council report.

² Judicial Council meeting report (April 15, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4382676&GUID=E8BCCA8A-5DED-48C3-B946-6E21EBB0BEAF>; Judicial Council meeting minutes (April 15, 2016), [Meeting Minutes \(legistar.com\)](#).

³ Judicial Council meeting report (January 15, 2019), <https://jcc.legistar.com/View.ashx?M=F&ID=6913216&GUID=4DEB6A82-B007-46D8-9885-8D11D907DBF5>; Judicial Council meeting minutes (January 15, 2019), [Meeting Minutes \(legistar.com\)](#).

⁴ Judicial Council of meeting report (July 15, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11019079&GUID=CB0A2EE1-B3CF-43AC-B92B-F4724B5D209C>; Judicial Council meeting minutes (July 15, 2022), [Meeting Minutes \(legistar.com\)](#).

⁵ The cost of these adjustments requires a transfer of approximately \$1 million from the larger courts to the small court allocations. The previous methodology specified that the offset be provided by reducing the budgets of larger courts receiving increases. In 2021-22, the council received a one-time funding augmentation of \$10 million for COVID-related expenses in dependency counsel. As a result, in 2022-23, almost all large courts received allocation decreases, and those few courts receiving an increase would have been heavily impacted by the small court adjustments. Since the “reallocation” referenced in the January 2019 report was completed, and all courts were funded at the same percentage of need, it was recommended that the current methodology be revised so that funding for all large courts be adjusted to offset the costs for small court funding.

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

Alternatives Considered

No alternatives were considered because the recommended allocation outlined in Attachment 2A was determined using the methodology approved by the council.

Recommendation

It is recommended that the Judicial Branch Budget Committee approve the TCBAC recommendation for 2023-24 court-appointed dependency counsel funding allocations, as outlined in Attachment A,⁶ for consideration by the Judicial Council at its July 20-21, 2023 business meeting. Attachment B details the total funding need for court-appointed dependency counsel using the methodology designated in the Judicial Council reports listed above.

Attachments

Attachment A: Recommended 2023-24 Court-Appointed Dependency Counsel Allocations

Attachment B: 2023-24 Total Funding Need for Court-Appointed Dependency Counsel

⁶ The allocations may change based on final appropriations included in the final 2023 Budget Act.

2023-24 Allocation of Dependency Counsel Funding

| Court | Caseload Funding Model Estimated Funding Need Prior Year 22-23 | Caseload Funding Model Estimated Funding Need Current Year 23-24 | 2016-17 Allocation | 2017-18 Allocation | 2018-19 Allocation | 2019-20 Allocation | 2020-21 Allocation | 2021-22 Allocation | 2022-23 Allocation | 2023-24 Proposed Allocation |
|-----------------|--|--|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|-----------------------------|
| | A | B | C | D | E | F | G | H | I | J |
| Alameda | \$5,224,818 | \$5,340,545 | \$3,618,313 | \$3,565,629 | \$3,399,620 | \$3,629,342 | \$3,422,591 | \$3,348,652 | \$3,840,167 | \$3,903,699 |
| Alpine | \$21,826 | \$25,622 | \$399 | \$1,799 | \$2,628 | \$7,226 | \$11,439 | \$19,616 | \$19,850 | \$25,764 |
| Amador | \$195,640 | \$212,023 | \$115,233 | \$143,696 | \$144,678 | \$145,653 | \$126,205 | \$128,301 | \$144,314 | \$158,374 |
| Butte | \$1,260,325 | \$1,293,234 | \$627,554 | \$794,546 | \$799,814 | \$926,951 | \$891,346 | \$872,569 | \$926,321 | \$945,296 |
| Calaveras | \$216,733 | \$216,619 | \$142,758 | \$220,822 | \$191,355 | \$203,567 | \$202,088 | \$189,010 | \$161,288 | \$190,388 |
| Colusa | \$116,873 | \$111,138 | \$40,667 | \$43,948 | \$72,637 | \$103,517 | \$117,871 | \$112,668 | \$99,064 | \$111,854 |
| Contra Costa | \$3,739,116 | \$3,629,916 | \$2,600,337 | \$2,363,610 | \$2,294,410 | \$2,617,772 | \$2,571,073 | \$2,651,024 | \$2,748,197 | \$2,653,306 |
| Del Norte | \$251,570 | \$268,195 | \$214,730 | \$214,730 | \$214,730 | \$214,730 | \$203,096 | \$214,730 | \$214,730 | \$256,964 |
| El Dorado | \$750,054 | \$644,987 | \$655,569 | \$548,764 | \$505,148 | \$582,746 | \$560,863 | \$579,296 | \$553,278 | \$474,903 |
| Fresno | \$6,072,068 | \$6,549,587 | \$2,670,600 | \$3,015,746 | \$2,800,979 | \$3,209,875 | \$3,302,907 | \$3,735,438 | \$4,462,884 | \$4,787,455 |
| Glenn | \$167,242 | \$143,780 | \$90,417 | \$111,158 | \$122,690 | \$140,011 | \$154,825 | \$164,905 | \$146,444 | \$143,016 |
| Humboldt | \$1,059,437 | \$998,462 | \$462,558 | \$522,682 | \$657,658 | \$615,068 | \$665,891 | \$715,427 | \$778,671 | \$729,831 |
| Imperial | \$927,440 | \$795,309 | \$518,512 | \$576,150 | \$562,114 | \$645,919 | \$693,729 | \$669,610 | \$681,656 | \$581,336 |
| Inyo | \$45,308 | \$72,350 | \$72,277 | \$45,459 | \$51,626 | \$48,006 | \$39,570 | \$41,562 | \$58,143 | \$76,990 |
| Kern | \$4,418,848 | \$4,985,989 | \$2,277,753 | \$2,664,810 | \$2,627,276 | \$2,864,207 | \$2,720,713 | \$2,748,308 | \$3,247,790 | \$3,644,535 |
| Kings | \$1,076,639 | \$1,060,814 | \$443,478 | \$700,757 | \$713,352 | \$696,307 | \$659,612 | \$690,969 | \$791,315 | \$775,408 |
| Lake | \$217,530 | \$203,493 | \$296,119 | \$272,201 | \$276,158 | \$285,153 | \$288,934 | \$280,183 | \$296,119 | \$277,755 |
| Lassen | \$164,699 | \$191,506 | \$106,891 | \$106,891 | \$108,967 | \$128,825 | \$130,683 | \$135,339 | \$129,091 | \$174,612 |
| Los Angeles | \$126,460,174 | \$124,470,473 | \$45,149,389 | \$60,560,884 | \$62,434,046 | \$73,864,405 | \$75,809,513 | \$82,722,770 | \$92,946,429 | \$90,982,340 |
| Madera | \$992,466 | \$1,060,009 | \$293,833 | \$535,074 | \$589,946 | \$674,047 | \$631,797 | \$643,573 | \$732,094 | \$844,825 |
| Marin | \$363,420 | \$357,998 | \$388,488 | \$311,538 | \$304,984 | \$270,557 | \$287,842 | \$288,497 | \$357,163 | \$358,761 |
| Mariposa | \$91,991 | \$87,640 | \$38,070 | \$38,070 | \$41,897 | \$54,019 | \$48,793 | \$60,059 | \$67,857 | \$73,918 |
| Mendocino | \$653,698 | \$658,478 | \$566,908 | \$440,581 | \$458,911 | \$527,624 | \$510,212 | \$529,357 | \$511,024 | \$608,018 |
| Merced | \$1,403,353 | \$1,440,319 | \$751,397 | \$844,260 | \$775,718 | \$825,284 | \$840,466 | \$894,211 | \$1,031,445 | \$1,052,809 |
| Modoc | \$47,359 | \$38,874 | \$17,128 | \$24,065 | \$37,161 | \$49,493 | \$59,313 | \$52,855 | \$51,256 | \$50,853 |
| Mono | \$26,864 | \$26,616 | \$13,956 | \$13,956 | \$14,615 | \$14,550 | \$18,114 | \$18,392 | \$19,817 | \$21,591 |
| Monterey | \$909,023 | \$798,660 | \$494,823 | \$682,574 | \$715,702 | \$829,349 | \$797,204 | \$738,059 | \$670,542 | \$595,734 |
| Napa | \$609,803 | \$510,600 | \$232,362 | \$315,051 | \$311,403 | \$384,039 | \$417,108 | \$435,215 | \$449,822 | \$375,955 |
| Nevada | \$233,139 | \$204,648 | \$226,123 | \$202,832 | \$174,058 | \$173,215 | \$178,805 | \$185,041 | \$226,123 | \$203,761 |
| Orange | \$11,916,056 | \$12,540,527 | \$5,648,065 | \$5,366,139 | \$5,355,390 | \$6,553,748 | \$6,915,607 | \$7,611,043 | \$8,758,132 | \$9,166,564 |
| Placer | \$883,659 | \$930,735 | \$687,985 | \$895,552 | \$747,111 | \$710,846 | \$600,593 | \$622,053 | \$651,832 | \$704,472 |
| Plumas | \$133,438 | \$112,340 | \$154,059 | \$151,555 | \$154,059 | \$154,059 | \$154,059 | \$154,059 | \$154,059 | \$159,634 |
| Riverside | \$12,604,128 | \$14,649,029 | \$6,411,055 | \$8,806,009 | \$8,173,324 | \$7,999,219 | \$6,877,392 | \$7,422,498 | \$9,263,855 | \$10,707,784 |
| Sacramento | \$6,927,596 | \$6,710,957 | \$4,832,997 | \$5,609,080 | \$5,161,591 | \$5,586,032 | \$5,017,201 | \$4,920,141 | \$5,091,685 | \$4,905,409 |
| San Benito | \$140,103 | \$129,390 | \$89,163 | \$112,410 | \$104,920 | \$107,040 | \$109,317 | \$99,288 | \$103,347 | \$95,270 |
| San Bernardino | \$20,165,787 | \$20,604,882 | \$5,731,210 | \$8,514,703 | \$9,751,976 | \$11,957,781 | \$12,446,717 | \$13,045,926 | \$14,821,566 | \$15,061,246 |
| San Diego | \$8,338,202 | \$8,578,420 | \$7,711,177 | \$6,132,621 | \$5,339,513 | \$5,525,422 | \$5,141,307 | \$5,323,538 | \$6,128,460 | \$6,270,441 |
| San Francisco | \$3,955,189 | \$3,887,680 | \$3,296,146 | \$3,060,973 | \$2,754,101 | \$2,926,579 | \$2,698,254 | \$2,671,880 | \$2,907,007 | \$2,841,720 |
| San Joaquin | \$3,927,784 | \$3,889,728 | \$2,601,178 | \$2,480,278 | \$2,399,805 | \$2,739,513 | \$2,729,427 | \$2,706,301 | \$2,886,866 | \$2,843,217 |
| San Luis Obispo | \$1,095,741 | \$957,999 | \$647,980 | \$703,001 | \$672,046 | \$795,812 | \$803,509 | \$797,919 | \$805,354 | \$700,254 |
| San Mateo | \$1,124,519 | \$1,039,566 | \$668,643 | \$960,903 | \$934,702 | \$984,479 | \$837,813 | \$829,202 | \$829,503 | \$765,432 |
| Santa Barbara | \$1,791,151 | \$1,908,246 | \$1,267,448 | \$979,287 | \$826,760 | \$865,438 | \$889,172 | \$1,012,943 | \$1,316,470 | \$1,394,843 |
| Santa Clara | \$4,988,971 | \$4,145,634 | \$3,780,956 | \$3,223,912 | \$2,947,634 | \$3,290,686 | \$3,262,294 | \$3,404,630 | \$3,666,823 | \$3,030,273 |
| Santa Cruz | \$683,612 | \$607,692 | \$713,676 | \$598,314 | \$544,197 | \$619,253 | \$557,112 | \$526,052 | \$504,267 | \$623,754 |
| Shasta | \$1,024,871 | \$1,124,351 | \$621,700 | \$680,076 | \$614,678 | \$690,857 | \$662,855 | \$670,839 | \$753,266 | \$821,850 |
| Sierra | \$0 | \$38,625 | \$13,759 | \$9,848 | \$8,323 | \$5,045 | \$10,829 | \$13,759 | \$22,459 | \$28,440 |
| Siskiyou | \$217,904 | \$196,638 | \$245,373 | \$245,373 | \$245,373 | \$245,373 | \$245,373 | \$245,373 | \$245,373 | \$256,552 |
| Solano | \$1,557,531 | \$1,590,035 | \$801,057 | \$883,349 | \$805,489 | \$880,251 | \$868,262 | \$957,238 | \$1,144,763 | \$1,162,244 |
| Sonoma | \$2,151,188 | \$2,223,386 | \$990,021 | \$918,101 | \$945,770 | \$1,262,354 | \$1,405,793 | \$1,477,889 | \$1,581,093 | \$1,625,196 |
| Stanislaus | \$2,031,179 | \$1,942,404 | \$1,004,470 | \$1,092,505 | \$1,091,719 | \$1,424,350 | \$1,448,878 | \$1,452,004 | \$1,492,887 | \$1,419,811 |
| Sutter | \$467,969 | \$434,175 | \$146,804 | \$220,511 | \$260,937 | \$353,444 | \$374,781 | \$363,107 | \$345,198 | \$336,571 |
| Tehama | \$301,516 | \$299,901 | \$177,634 | \$319,793 | \$362,975 | \$392,840 | \$340,323 | \$293,399 | \$241,836 | \$294,234 |
| Trinity | \$93,113 | \$78,441 | \$93,829 | \$96,021 | \$93,829 | \$93,829 | \$93,829 | \$93,829 | \$93,829 | \$83,204 |
| Tulare | \$3,387,290 | \$3,306,098 | \$1,032,410 | \$1,591,232 | \$1,714,221 | \$2,067,711 | \$2,155,983 | \$2,290,172 | \$2,489,610 | \$2,416,609 |
| Tuolumne | \$409,884 | \$341,239 | \$110,593 | \$159,147 | \$168,548 | \$187,463 | \$257,399 | \$338,350 | \$313,321 | \$307,665 |
| Ventura | \$2,578,652 | \$2,521,856 | \$1,284,628 | \$1,835,753 | \$1,833,055 | \$2,017,019 | \$1,802,468 | \$1,741,369 | \$1,895,272 | \$1,843,364 |
| Yolo | \$1,841,836 | \$1,689,887 | \$430,429 | \$596,503 | \$712,428 | \$1,021,991 | \$1,167,029 | \$1,272,273 | \$1,353,723 | \$1,235,231 |
| Yuba | \$508,707 | \$551,781 | \$278,909 | \$474,768 | \$471,244 | \$410,105 | \$363,820 | \$377,291 | \$375,249 | \$418,668 |
| Reserve | \$0 | \$0 | \$100,000 | \$100,000 | \$100,000 | \$100,000 | \$100,000 | \$100,000 | \$100,000 | \$100,000 |
| Total | \$252,965,035 | \$253,429,531 | \$114,700,000 | \$136,700,000 | \$136,700,000 | \$156,700,000 | \$156,700,000 | \$166,700,000 | \$186,700,000 | \$186,700,000 |

Note: Allocations are based on filings data obtained from the Office of Court Research and caseload data obtained from the California Child Welfare Indicators Project (CCWIP) as of July 1, 2022.

*Updated on May 3, 2023

Total Funding Need for Court-Appointed Dependency Counsel Based on 2016 Workload Methodology

| | Average Original Filings FY19 - FY21 | Average CW Cases July 2020, 2021, 2022 | Filings % | Cases % | Sum of Weighted % | Partially Redistributed Caseload | BLS Index 2019-2021 | Annual Salary | Caseload Multiplied by Estimated Child-to-Parent Case Ratio | Attorneys Needed Per Caseload | Total Salaries | Total Funding Need |
|-----------------|--------------------------------------|--|----------------|----------------|-------------------|----------------------------------|---------------------|---------------------|---|-------------------------------|-----------------------|-----------------------|
| Court | A | B | C | D | E (.3C+.7D) | F (B*E) | G | H (G*Median Salary) | I (F*1.8) | J (I/141) | K (H*J) | L (K/.45) |
| Alameda | 577 | 1,267 | 1.60% | 1.80% | 1.74% | 1,226 | 1.50 | \$ 153,567 | 2,207 | 15.65 | \$ 2,403,245 | \$ 5,340,545 |
| *Alpine | 9 | 10 | 0.02% | 0.01% | 0.02% | 12 | 0.73 | \$ 74,696 | 22 | 0.15 | \$ 11,530 | \$ 25,622 |
| *Amador | 40 | 72 | 0.11% | 0.10% | 0.11% | 74 | 0.98 | \$ 100,552 | 134 | 0.95 | \$ 95,411 | \$ 212,023 |
| Butte | 242 | 500 | 0.67% | 0.71% | 0.70% | 492 | 0.90 | \$ 92,580 | 886 | 6.29 | \$ 581,955 | \$ 1,293,234 |
| *Calaveras | 62 | 75 | 0.17% | 0.11% | 0.13% | 89 | 0.83 | \$ 85,457 | 161 | 1.14 | \$ 97,479 | \$ 216,619 |
| *Colusa | 27 | 52 | 0.08% | 0.07% | 0.07% | 52 | 0.73 | \$ 74,628 | 94 | 0.67 | \$ 50,012 | \$ 111,138 |
| Contra Costa | 616 | 816 | 1.71% | 1.16% | 1.32% | 933 | 1.34 | \$ 137,136 | 1,679 | 11.91 | \$ 1,633,462 | \$ 3,629,916 |
| *Del Norte | 67 | 116 | 0.19% | 0.17% | 0.17% | 121 | 0.76 | \$ 78,391 | 217 | 1.54 | \$ 120,688 | \$ 268,195 |
| *El Dorado | 107 | 201 | 0.30% | 0.29% | 0.29% | 204 | 1.09 | \$ 111,670 | 366 | 2.60 | \$ 290,244 | \$ 644,987 |
| Fresno | 1,131 | 2,523 | 3.14% | 3.58% | 3.45% | 2,431 | 0.93 | \$ 94,987 | 4,375 | 31.03 | \$ 2,947,314 | \$ 6,549,587 |
| *Glenn | 28 | 73 | 0.08% | 0.10% | 0.10% | 67 | 0.74 | \$ 75,510 | 121 | 0.86 | \$ 64,701 | \$ 143,780 |
| Humboldt | 222 | 480 | 0.62% | 0.68% | 0.66% | 466 | 0.74 | \$ 75,497 | 839 | 5.95 | \$ 449,308 | \$ 998,462 |
| Imperial | 165 | 422 | 0.46% | 0.60% | 0.56% | 392 | 0.70 | \$ 71,463 | 706 | 5.01 | \$ 357,889 | \$ 795,309 |
| *Inyo | 19 | 31 | 0.05% | 0.04% | 0.05% | 32 | 0.77 | \$ 78,634 | 58 | 0.41 | \$ 32,557 | \$ 72,350 |
| Kern | 887 | 1,929 | 2.47% | 2.74% | 2.66% | 1,872 | 0.91 | \$ 93,896 | 3,369 | 23.90 | \$ 2,243,695 | \$ 4,985,989 |
| Kings | 220 | 410 | 0.61% | 0.58% | 0.59% | 417 | 0.87 | \$ 89,743 | 750 | 5.32 | \$ 477,366 | \$ 1,060,814 |
| *Lake | 48 | 96 | 0.13% | 0.14% | 0.14% | 95 | 0.73 | \$ 75,191 | 172 | 1.22 | \$ 91,572 | \$ 203,493 |
| *Lassen | 49 | 76 | 0.14% | 0.11% | 0.12% | 82 | 0.80 | \$ 82,376 | 148 | 1.05 | \$ 86,178 | \$ 191,506 |
| Los Angeles | 15,763 | 30,692 | 43.83% | 43.58% | 43.66% | 30,745 | 1.39 | \$ 142,711 | 55,340 | 392.48 | \$ 56,011,713 | \$ 124,470,473 |
| *Madera | 277 | 334 | 0.77% | 0.47% | 0.56% | 396 | 0.92 | \$ 94,239 | 714 | 5.06 | \$ 477,004 | \$ 1,060,009 |
| *Marin | 49 | 92 | 0.14% | 0.13% | 0.13% | 93 | 1.32 | \$ 135,083 | 168 | 1.19 | \$ 161,099 | \$ 357,998 |
| *Mariposa | 19 | 33 | 0.05% | 0.05% | 0.05% | 35 | 0.87 | \$ 89,052 | 62 | 0.44 | \$ 39,438 | \$ 87,640 |
| *Mendocino | 147 | 284 | 0.41% | 0.40% | 0.41% | 285 | 0.79 | \$ 81,342 | 514 | 3.64 | \$ 296,315 | \$ 658,478 |
| Merced | 325 | 609 | 0.90% | 0.86% | 0.88% | 617 | 0.80 | \$ 82,262 | 1,111 | 7.88 | \$ 648,144 | \$ 1,440,319 |
| *Modoc | 16 | 21 | 0.04% | 0.03% | 0.03% | 24 | 0.56 | \$ 57,416 | 43 | 0.30 | \$ 17,493 | \$ 38,874 |
| *Mono | 5 | 10 | 0.01% | 0.01% | 0.01% | 10 | 0.90 | \$ 92,589 | 18 | 0.13 | \$ 11,977 | \$ 26,616 |
| *Monterey | 100 | 261 | 0.28% | 0.37% | 0.34% | 241 | 1.14 | \$ 116,582 | 435 | 3.08 | \$ 359,397 | \$ 798,660 |
| *Napa | 79 | 132 | 0.22% | 0.19% | 0.20% | 139 | 1.26 | \$ 129,264 | 251 | 1.78 | \$ 229,770 | \$ 510,600 |
| *Nevada | 41 | 59 | 0.11% | 0.08% | 0.09% | 66 | 1.07 | \$ 109,607 | 118 | 0.84 | \$ 92,092 | \$ 204,648 |
| Orange | 1,856 | 3,390 | 5.16% | 4.81% | 4.92% | 3,464 | 1.24 | \$ 127,630 | 6,234 | 44.22 | \$ 5,643,237 | \$ 12,540,527 |
| *Placer | 169 | 247 | 0.47% | 0.35% | 0.39% | 272 | 1.17 | \$ 120,538 | 490 | 3.47 | \$ 418,831 | \$ 930,735 |
| *Plumas | 27 | 56 | 0.08% | 0.08% | 0.08% | 55 | 0.70 | \$ 72,225 | 99 | 0.70 | \$ 50,553 | \$ 112,340 |
| Riverside | 2,687 | 4,290 | 7.47% | 6.09% | 6.51% | 4,582 | 1.10 | \$ 112,708 | 8,247 | 58.49 | \$ 6,592,063 | \$ 14,649,029 |
| Sacramento | 736 | 1,879 | 2.05% | 2.67% | 2.48% | 1,748 | 1.32 | \$ 135,357 | 3,146 | 22.31 | \$ 3,019,931 | \$ 6,710,957 |
| *San Benito | 25 | 41 | 0.07% | 0.06% | 0.06% | 44 | 1.02 | \$ 104,562 | 79 | 0.56 | \$ 58,226 | \$ 129,390 |
| San Bernardino | 3,032 | 6,521 | 8.43% | 9.26% | 9.01% | 6,346 | 1.12 | \$ 114,451 | 11,423 | 81.01 | \$ 9,272,197 | \$ 20,604,882 |
| San Diego | 1,171 | 2,622 | 3.26% | 3.72% | 3.58% | 2,523 | 1.17 | \$ 119,858 | 4,541 | 32.21 | \$ 3,860,289 | \$ 8,578,420 |
| San Francisco | 379 | 855 | 1.05% | 1.21% | 1.17% | 821 | 1.63 | \$ 166,848 | 1,478 | 10.49 | \$ 1,749,456 | \$ 3,887,680 |
| San Joaquin | 600 | 1,336 | 1.67% | 1.90% | 1.83% | 1,287 | 1.04 | \$ 106,499 | 2,317 | 16.44 | \$ 1,750,378 | \$ 3,889,728 |
| San Luis Obispo | 146 | 332 | 0.41% | 0.47% | 0.45% | 318 | 1.04 | \$ 106,279 | 572 | 4.06 | \$ 431,099 | \$ 957,999 |
| *San Mateo | 123 | 225 | 0.34% | 0.32% | 0.33% | 230 | 1.55 | \$ 159,518 | 413 | 2.93 | \$ 467,805 | \$ 1,039,566 |
| Santa Barbara | 310 | 510 | 0.86% | 0.72% | 0.77% | 539 | 1.22 | \$ 124,725 | 971 | 6.88 | \$ 858,711 | \$ 1,908,246 |
| Santa Clara | 405 | 1,017 | 1.13% | 1.44% | 1.35% | 950 | 1.50 | \$ 153,847 | 1,710 | 12.13 | \$ 1,865,535 | \$ 4,145,634 |
| *Santa Cruz | 94 | 183 | 0.26% | 0.26% | 0.26% | 183 | 1.14 | \$ 116,873 | 330 | 2.34 | \$ 273,462 | \$ 607,692 |
| Shasta | 235 | 428 | 0.65% | 0.61% | 0.62% | 438 | 0.88 | \$ 90,566 | 788 | 5.59 | \$ 505,958 | \$ 1,124,351 |
| *Sierra | 11 | 10 | 0.03% | 0.01% | 0.02% | 13 | 1.00 | \$ 102,631 | 24 | 0.17 | \$ 17,381 | \$ 38,625 |
| *Siskiyou | 60 | 90 | 0.17% | 0.13% | 0.14% | 98 | 0.69 | \$ 70,550 | 177 | 1.25 | \$ 88,487 | \$ 196,638 |
| Solano | 243 | 445 | 0.67% | 0.63% | 0.64% | 454 | 1.20 | \$ 123,502 | 817 | 5.79 | \$ 715,516 | \$ 1,590,035 |
| Sonoma | 303 | 646 | 0.84% | 0.92% | 0.89% | 630 | 1.21 | \$ 124,402 | 1,134 | 8.04 | \$ 1,000,524 | \$ 2,223,386 |
| Stanislaus | 298 | 673 | 0.83% | 0.96% | 0.92% | 646 | 1.03 | \$ 105,969 | 1,163 | 8.25 | \$ 874,082 | \$ 1,942,404 |
| *Sutter | 120 | 125 | 0.33% | 0.18% | 0.22% | 158 | 0.94 | \$ 96,890 | 284 | 2.02 | \$ 195,379 | \$ 434,175 |
| *Tehama | 83 | 127 | 0.23% | 0.18% | 0.20% | 138 | 0.75 | \$ 76,555 | 249 | 1.76 | \$ 134,956 | \$ 299,901 |
| *Trinity | 30 | 30 | 0.08% | 0.04% | 0.05% | 39 | 0.70 | \$ 71,658 | 69 | 0.49 | \$ 35,299 | \$ 78,441 |
| Tulare | 642 | 1,163 | 1.79% | 1.65% | 1.69% | 1,191 | 0.95 | \$ 97,832 | 2,144 | 15.21 | \$ 1,487,744 | \$ 3,306,098 |
| *Tuolumne | 112 | 112 | 0.31% | 0.16% | 0.21% | 144 | 0.81 | \$ 83,305 | 260 | 1.84 | \$ 153,558 | \$ 341,239 |
| Ventura | 340 | 699 | 0.94% | 0.99% | 0.98% | 689 | 1.26 | \$ 129,050 | 1,240 | 8.79 | \$ 1,134,835 | \$ 2,521,856 |
| Yolo | 287 | 502 | 0.80% | 0.71% | 0.74% | 520 | 1.12 | \$ 114,648 | 935 | 6.63 | \$ 760,449 | \$ 1,689,887 |
| *Yuba | 99 | 197 | 0.28% | 0.28% | 0.28% | 196 | 0.96 | \$ 98,989 | 354 | 2.51 | \$ 248,301 | \$ 551,781 |
| Total | 35,964 | 70,426 | 100.00% | 100.00% | 100.00% | 70,426 | 1.00 | | 126,767 | 899 | \$ 114,043,289 | \$ 253,429,531 |

Median annual salary of county attorneys \$ 102,631

*Courts with small court adjustments



Judicial Council of California

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

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-

For business meeting on July 20-21, 2023

Title

Child Support: Updating AB 1058 Program
Funding Methodologies and Adopting 2023–
24 Funding Allocations

Rules, Forms, Standards, or Statutes Affected

None

Recommended by

Trial Court Budget Advisory Committee
Hon. Jonathan B. Conklin, Chair
Ms. Rebecca Fleming, Vice Chair

Agenda Item Type

Action Required

Effective Date

July 21, 2023

Date of Report

May 12, 2023

Contact

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Executive Summary

The Trial Court Budget Advisory Committee recommends reallocating funds for the Assembly Bill 1058 Child Support Commissioner and Family Law Facilitator Program based on the current funding methodologies, with updated workload and population data. The Child Support Commissioner program workload-based funding methodology was implemented in 2019–20, and the Family Law Facilitator program population-based funding methodology was implemented in 2021–22, and the underlying data for both are updated every two years. The committee also recommends approving base and federal drawdown allocations for the Assembly Bill 1058 Child Support Commissioner and Family Law Facilitator Program for 2023–24. The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council, which requires the council to annually approve the Assembly Bill 1058 Program funding allocations.

Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 21, 2023:

1. Approve the recommended base allocation for the Child Support Commissioner program for 2023–24 and 2024–25, as described below and stated in Attachment A, maintaining the current funding methodology approved by the council in 2019, with updated workload data;
2. Approve the recommended base allocation for the Family Law Facilitator program for 2023–24 and 2024–25, as described below and stated in Attachment B, maintaining the current funding methodology approved by the council in 2021, with updated population data; and
3. Approve the committee’s recommendation for 2023–24 Assembly Bill 1058 Program court funding comprised of the base funding allocations derived from recommendations 1 and 2 and the federal drawdown funding based on the methodology adopted by the Judicial Council in January 2019, as stated in Attachments C1 and C2.

Relevant Previous Council Action

The Judicial Council is required to annually allocate non-trial court funding to the Assembly Bill (AB) 1058 Program and has done so since 1997.¹ A cooperative agreement between the California Department of Child Support Services (DCSS) and the council provides the funds for this program and requires the council to approve the funding allocation annually. 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.

The AB 1058 Funding Allocation Joint Subcommittee was formed in 2015 to review the historical AB 1058 Program funding methodology. In January 2019, the council approved a new workload-based funding methodology for the AB 1058 Child Support Commissioner (CSC) Program while maintaining the historical Family Law Facilitator (FLF) funding methodology until 2021–22, as recommended by the subcommittee.² In July 2021, the 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. Additionally, the council directed the Family and Juvenile Law Advisory Committee to defer making a recommendation for funding a minimum service level for smaller courts and reviewing the implementation of the CSC workload-based methodology until 2023–24.³

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 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>.

³ This and all subsequent year spans are fiscal years, unless otherwise stated. Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding*

On September 25, 2020, the council approved a temporary budget reduction methodology to allocate a \$7 million budget reduction to the AB 1058 CSC and FLF Program as a result of the COVID-19 pandemic.⁴ Funding was then restored at the July 2021 council meeting for 2021–22. In October 2021, the council approved an allocation of \$4.45 million in new base funding made available to the AB 1058 Program in the 2021 Budget Act. Of the new funding, 75 percent was distributed to the CSC side of the program and prorated to courts with unmet need, as determined by the CSC workload-based funding methodology. The remainder of the new funding was distributed to the FLF side of the program, with the majority prorated to courts with unmet need and the remainder prorated to all courts as determined by the FLF population-based funding methodology.⁵

Analysis/Rationale

Child Support Commissioner and Family Law Facilitator base funding allocations

The CSC funding methodology was initially adopted by the council in January 2019. This recommendation included that funds should continue to be reallocated on an ongoing basis every two years, with updated workload data. The committee recommends that funding for the CSC program continue to be allocated using the existing funding methodology, which caps funding changes for individual courts at no greater than five percent. Attachment A details the CSC base allocation using 2021–22 funding levels and updated workload metrics.

The FLF funding methodology was approved by the council effective July 2021. This recommendation included that funds should continue to be reallocated on an ongoing basis every two years, with updated population data. The committee recommends that funding for the FLF program continue to be allocated using the existing funding methodology, which also caps funding changes for individual courts at no greater than five percent. Attachment B details the FLF base allocation using 2021–22 funding levels and updated population data.

Fiscal year 2023–24 AB 1058 Program funding

The total AB 1058 CSC and FLF Program funding for the courts comprises the base funding allocations and federal drawdown funding, with specific amounts designated for each side of the program. Base funding for a court is derived from the respective funding methodologies for the programs. As approved by the council in January 2019, federal drawdown funds are allocated proportionally to each court based on the new funding allocations, up to the amount that a court

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 Judicial Council of Cal., Adv. Com. Rep., *Child Support: AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Reduction FY 2020–21* (Aug. 31, 2020),

<https://jcc.legistar.com/View.ashx?M=F&ID=8756383&GUID=22DA9015-18BC-4538-83A4-60738BA29A6F>

⁵ Judicial Council of Cal., Advisory Com. Rep., *Child Support: \$4.45 Million AB 1058 Reimbursement Authority Increase* (Aug. 17, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9785545&GUID=1B601890-C92F-4A13-AD9A-09EA90FCC1DC>.

requests and can match. If the request for federal drawdown funds exceeds the amount available to allocate, these funds are allocated in proportion to a court's base funding. This proportional allocation is continued until all drawdown funds are allocated to those courts that are willing and able to provide the matching funds.

Funding for 2023–24 for the CSC program will be \$35.0 million in base funding and \$12.6 million in federal drawdown funding. A remaining \$429,383 in federal drawdown funds that were not initially requested at the beginning of the fiscal year will be available for courts during the 2023–24 midyear reallocation process for the CSC program. Funding for 2023–24 for the Family Law Facilitator program will be \$11.9 million in base funding and \$4.4 million in federal drawdown funds. The total program base allocation is \$46.8 million, and the total federal drawdown allocation is \$17.5 million. See Attachments C1 and C2 for more details.

Child Support Commissioner program: Minimum funding for smaller courts, and impact of funding methodology

When the CSC funding methodology was initially adopted in January 2019, the council directed the Family and Juvenile Law Advisory Committee to make a recommendation for funding a minimum service level for smaller courts and to review the implementation of this funding methodology, including the impact on the performance of the program as federally mandated for 2021–22. At the July 2021 council meeting, these directives were deferred until 2023–24 because of the impact of funding changes and the COVID-19 pandemic on court operations.

Funding a minimum service level for smaller courts

The committee examined three service level alternatives for smaller courts:

1. Continue the current methodology of maintaining smaller court funding levels at the funding level in 2019–20;
2. Allocate funding based on prorated workload need for all courts, including smaller courts; and
3. Provide a base to smaller courts that would fund a 0.20 full-time equivalent (FTE) child support commissioner.

Alternative 1: Continue the current methodology of maintaining smaller court funding levels at the funding level in 2019–20

For each court to provide AB 1058 Program services as federally mandated, every court must receive a level of funding that makes program maintenance possible. Under the current CSC methodology, Cluster 1 courts and courts that are in an intra-branch agreement with another court continue to receive funding at the 2019–20 allocation or receive a funding increase if the methodology shows they are not at their current prorated need.

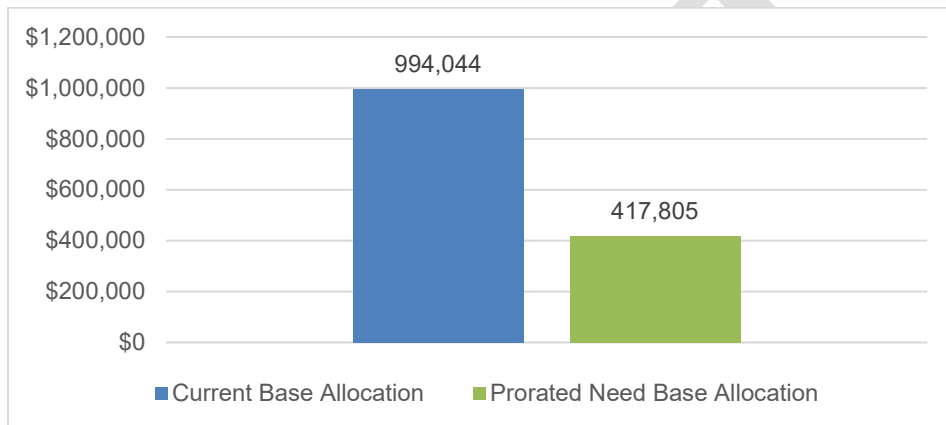
The total amount of funding that Cluster 1 courts currently receive is \$994,044, which is about 3 percent of the total funding for the CSC program. Based on historical budget requests, this

funding has enabled the smaller courts to maintain the necessary staffing levels to meet their hearing workload.

Alternative 2: Allocate funding based on prorated workload need for all courts, including smaller courts

Based on the workload methodology, Cluster 1 courts' prorated need is \$417,805. Without the current protection for Cluster 1 courts, their funding would eventually be reduced by more than 50 percent, as shown in Figure 1. This reduction would not give Cluster 1 courts sufficient funds to operate a program and meet the mandatory timelines.

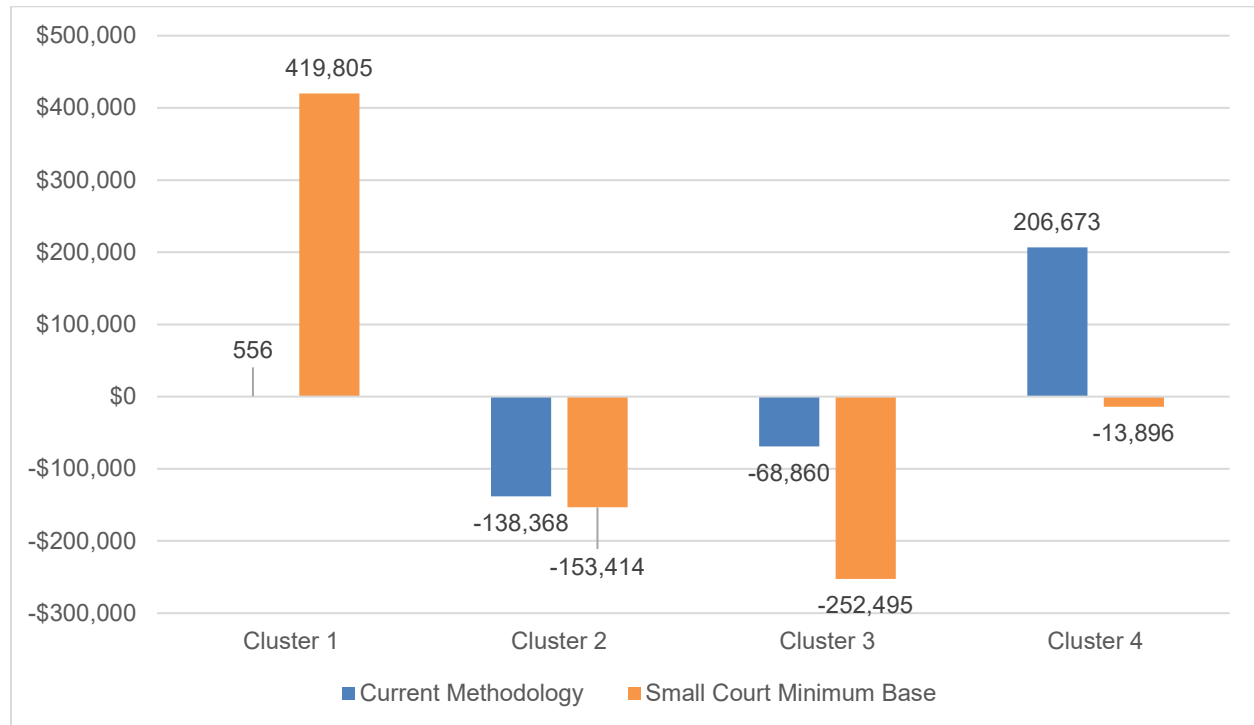
Figure 1. Cluster 1 Current Base Allocation Versus Prorated Need Allocation



Alternative 3: Provide a base to smaller courts that would fund a 0.20 FTE CSC

The committee considered the use of a minimum funding base for smaller courts based on 0.20 FTE for a CSC and 0.60 FTE for support staff. Using the average salary of commissioners and court clerks, the average cost to fund these positions at the FTEs listed above is \$125,624. If small courts were given this funding as their base allocation, overall Cluster 1 courts would receive an additional \$419,805, for a total allocation of \$1.4 million. This alternative would result in a decrease to all other clusters. Figure 2 details the amount of increase or decrease each cluster would receive based on current methodology versus implementation of a minimum base to any small court currently funded under \$125,634.

Figure 2. Change in Allocation by Cluster Based on Current Methodology versus Small Court Minimum Base



To implement the base, Cluster 1 courts would be receiving a much larger increase than five percent, and some courts in other clusters would receive up to an 11.4 percent decrease. The percentage funding increase or decrease that would result from applying the models is demonstrated in Table 1 below.

Table 1. Percent Change From Current Allocation

| Models Compared by % Change | Cluster 1 | Cluster 2 | Cluster 3 | Cluster 4 |
|------------------------------|-----------|-----------|-----------|-----------|
| Current Methodology (5% cap) | 0.1% | -2.9% | -0.8% | 1.0% |
| Small Court Minimum Base | 42.3% | -3.2% | -3.1% | -0.1% |

Any changes to funding for smaller courts will have an impact on the funding available for the other court clusters. See Table 2 for a breakdown of allocations for each alternative.

Table 2. Comparison of Alternative Funding Allocations by Cluster

| Court Cluster | Alternative 1 (Current Methodology) | Alternative 2 (Prorated Workload Need) | Alternative 3 (Small Court Minimum Base) |
|---------------|-------------------------------------|--|--|
| Cluster 1 | \$994,044 | \$417,805 | \$1,413,293 |
| Cluster 2 | \$4,618,860 | \$3,383,330 | \$4,603,814 |
| Cluster 3 | \$8,173,287 | \$8,207,897 | \$7,989,652 |
| Cluster 4 | \$21,168,246 | \$23,111,557 | \$20,947,677 |

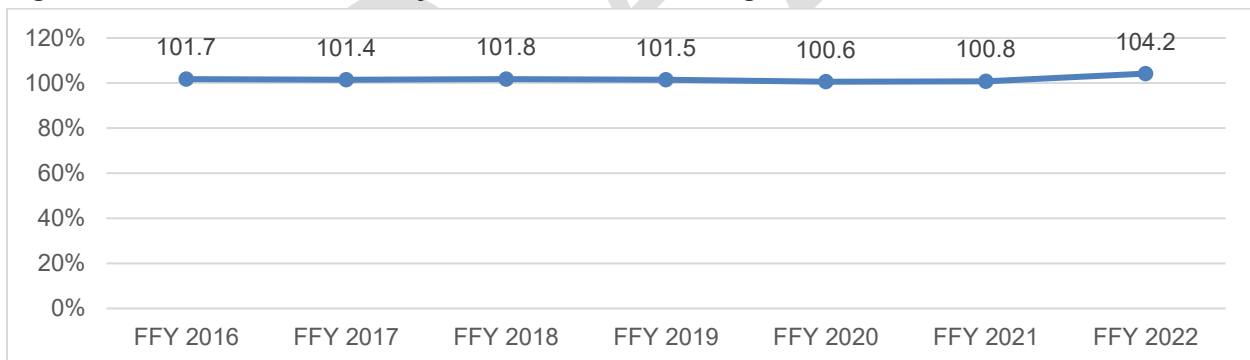
The current methodology allows the smallest courts to maintain program services as federally mandated without making substantial reductions to courts in other clusters.

Implementation and impact of funding methodology

The CSC methodology was first implemented for 2019–20. To review the implementation and impact of the funding methodology on program performance, as federally mandated, program performance data was compiled from a variety of sources. Because of the timing of the initial implementation of the funding methodology beginning in July 2019 and the COVID-19 pandemic commencing in March 2020, it is still difficult to correlate any changes in performance of the CSC program to the funding methodology alone. However, the program-related data show that with implementation of the funding methodology and navigation of a very tumultuous period, courts have succeeded in maintaining program services and meeting federal requirements.

Each year, DCSS publishes a report that includes statistics on federal performance measures.⁶ Two of the reported federal performance measures—IV-D Paternity Establishment Percentage and Cases with Support Orders Established—are directly affected by court operations. Figures 3 and 4 demonstrate that the statewide percentages for these metrics have been consistent and have remained at high levels throughout the implementation of the funding methodology, despite the impact of COVID-19 on program funding and court operations.

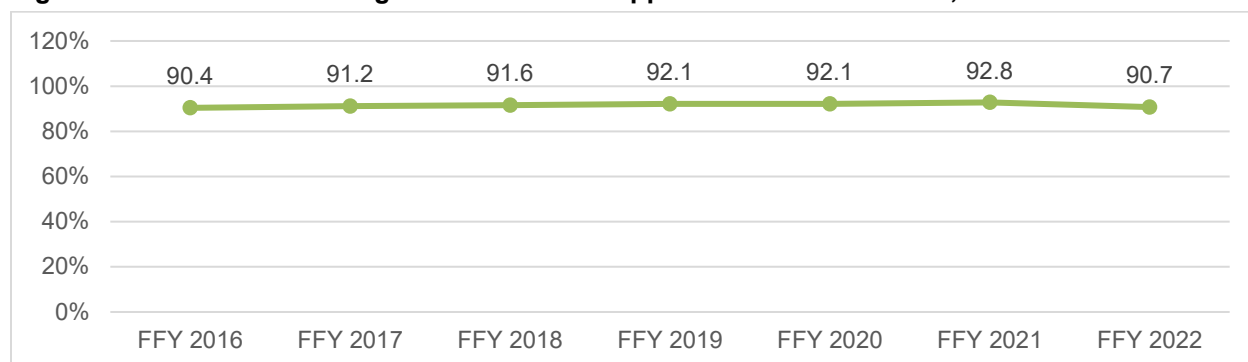
Figure 3. Statewide IV-D Paternity Establishment Percentage, FFY 2016–2022



FFY = federal fiscal year.

⁶ California Child Support Services, Federal Fiscal Year Performance Data, <https://dcss.ca.gov/reports/>.

Figure 4. Statewide Percentage of Cases With Support Orders Established, FFY 2016–2022



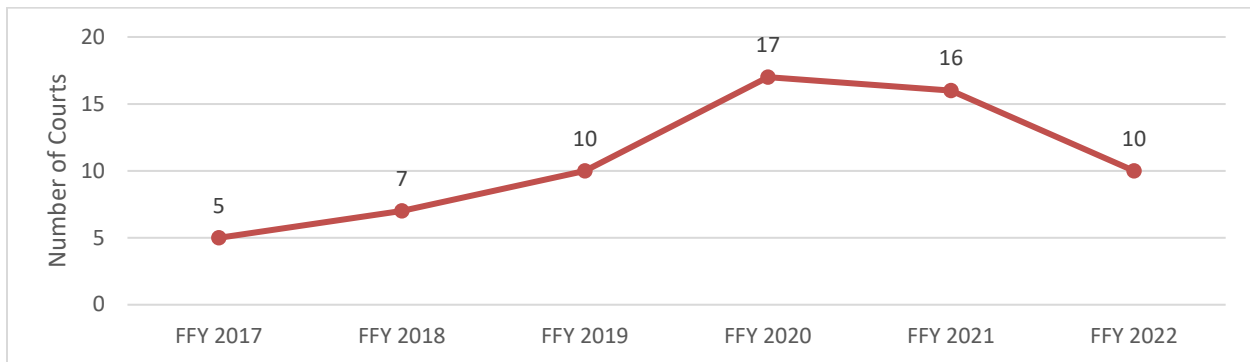
On January 31, 2023, the council submitted to the Legislature *Trial Court Operational Metrics: Year One Report*, which details various operational and budgetary metrics in the trial courts as required by Senate Bill 154 (Stats. 2022, ch. 43).⁷ The metrics from the report include pre-pandemic and pandemic clearance rates by case type by looking at the number of filings and number of dispositions for each case type in each period. The pre-pandemic period is March to August of 2019 and the pandemic period is March 2020 to June 2022. As shown in the report, during the pre-pandemic period, child support cases had a 98 percent clearance rate, which dropped to 93 percent during the pandemic period. Although the average clearance rate for child support cases did decrease, this dip was less severe than the decrease for similar case types (i.e., dissolution and parentage cases), which indicates no major decline in the delivery of program services.

DCSS’s Child Support Enforcement system collects notice-of-motion data for IV-D child support cases, including the average days to hearing.⁸ In the plan of cooperation between courts and local child support agencies, the goal is for courts to have a hearing within 60 days of the filing date to provide timely access to due process for child support case participants. As Figure 5 demonstrates, the COVID-19 pandemic and corresponding funding changes increased the number of courts with an average of more than 60 days to hearing. However, it also demonstrates that the number of courts meeting the 60-day goal is back to pre-pandemic numbers. Additionally, of the 10 courts that currently have average days to hearing of more than 60 days, 70 percent will either receive an increase in funds or have no change to their base allocation based on the updated workload methodology.

⁷ Judicial Council of Cal., *Trial Court Operational Metrics: Year One Report* (Jan. 31, 2023), p.11, www.courts.ca.gov/documents/lr-2023-tc-operational-metrics-BA2022-ch43.pdf.

⁸ The number of days to hearing is calculated using the date the pleading is generated in the Child Support Enforcement system, not the date of the filing with the court. According to DCSS, the filing comes typically 10–15 days after the motion is generated.

Figure 5. Number of Courts With Average Days to Hearing of More Than 60 Days



Overall, the current funding methodology allows for the program to meet federal performance requirements and maintain the timely disposition and hearing of cases in the vast majority of courts. Moving forward, the implementation and impact of the CSC funding methodology will continue to be monitored by council program staff to ensure all courts are able to meet the needs of the program and federal requirements.

Policy implications

There is a need to balance the statutory directive that each court provide the AB 1058 CSC and FLF Program with the limited funding available. To ensure that each court can meet that requirement within the funding for the program, each court must receive a level of funding that makes it possible to employ someone in each of these positions in order to provide services to the public and increase access to justice. In addition, it is critical that the funding for the program is such that California continues to meet federal performance measures that allow the federal funds to flow to the program. Courts are currently meeting those performance measures, and the implementation of the methodologies will continue to be monitored to prevent any loss of performance in the program.

Comments

The report was not circulated for comment and no comments were received in advance of the meeting.

Alternatives considered

No alternatives were considered because the recommended allocations contained in Attachment A, Attachment B, and Attachments C1 and C2 were calculated using the funding methodology for the AB 1058 CSC and FLF Program.

Fiscal and Operational Impacts

The committee does not anticipate that these recommendations will result in any costs to the branch, but the reallocation of funds will decrease funds available for some courts, which may affect their ability to meet program objectives.

Attachments and Links

1. Attachment A: Recommended CSC Funding Allocation Model (+/- Maximum 5% Change)
2. Attachment B: Recommended FLF Funding Allocation Model (+/- Maximum 5% Change)
3. Attachment C1: CSC Program Allocation, 2023–24
4. Attachment C2: FLF Program Allocation, 2023–24

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Attachment A: Recommended Child Support Commissioner Funding Allocation Model (+/- Maximum 5% Change)

| Cluster Col. A | Court Col. B | CSC Funding Need Col. C | CSC Staff (non-FLF) Funding Need Col. D | Total CSC and Staff Need (C+D) Col. E | Prorate to available funding Col. F | JC FY 21-22 Base Allocation Col. G | Final Allocation Adjust to limit to max. 5% increase/decrease Col. H | Difference (H-G) Col. I | Percentage Difference Col. J |
|----------------|-----------------|-------------------------|---|---------------------------------------|-------------------------------------|------------------------------------|--|-------------------------|------------------------------|
| 4 | Alameda | 455,815 | 1,890,479 | 2,346,294 | 1,474,740 | 1,506,792 | 1,474,740 | (32,052) | -2.1% |
| 1 | Alpine | 137 | 425 | 562 | 353 | | 0 | | |
| 1 | Amador | 14,513 | 51,198 | 65,711 | 41,302 | 140,250 | 140,250 | 0 | 0.0% |
| 2 | Butte | 56,349 | 166,544 | 222,893 | 140,097 | 272,690 | 259,055 | (13,634) | -5.0% |
| 1 | Calaveras | 13,954 | 45,898 | 59,851 | 37,619 | 132,667 | 132,667 | 0 | 0.0% |
| 1 | Colusa | 11,070 | 31,861 | 42,931 | 26,984 | 45,691 | 45,691 | 0 | 0.0% |
| 3 | Contra Costa | 127,213 | 494,417 | 621,631 | 390,720 | 793,527 | 753,850 | (39,676) | -5.0% |
| 1 | Del Norte | 24,100 | 78,418 | 102,518 | 64,436 | 63,235 | 63,791 | 556 | 0.9% |
| 2 | El Dorado | 36,891 | 126,408 | 163,299 | 102,640 | 203,169 | 203,169 | 0 | 0.0% |
| 3 | Fresno | 730,732 | 2,015,550 | 2,746,282 | 1,726,148 | 1,686,748 | 1,704,980 | 18,231 | 1.1% |
| 1 | Glenn | 20,456 | 71,414 | 91,869 | 57,744 | 120,030 | 120,030 | 0 | 0.0% |
| 2 | Humboldt | 48,376 | 120,643 | 169,018 | 106,235 | 117,051 | 111,198 | (5,853) | -5.0% |
| 2 | Imperial | 127,590 | 301,606 | 429,196 | 269,767 | 219,020 | 224,088 | 5,067 | 2.3% |
| 1 | Inyo | 6,477 | 20,811 | 27,289 | 17,152 | 79,264 | 79,264 | 0 | 0.0% |
| 3 | Kern | 609,831 | 1,714,402 | 2,324,233 | 1,460,874 | 1,054,951 | 1,079,358 | 24,408 | 2.3% |
| 2 | Kings | 81,842 | 229,319 | 311,161 | 195,577 | 275,061 | 261,308 | (13,753) | -5.0% |
| 2 | Lake | 37,504 | 95,258 | 132,762 | 83,446 | 141,004 | 133,954 | (7,050) | -5.0% |
| 1 | Lassen | 12,161 | 37,934 | 50,096 | 31,487 | 60,000 | 60,000 | 0 | 0.0% |
| 4 | Los Angeles | 2,820,102 | 11,081,844 | 13,901,946 | 8,737,931 | 6,766,426 | 6,922,976 | 156,550 | 2.3% |
| 2 | Madera | 114,741 | 332,241 | 446,982 | 280,946 | 242,269 | 247,874 | 5,605 | 2.3% |
| 2 | Marin | 34,205 | 135,660 | 169,864 | 106,767 | 114,719 | 108,983 | (5,736) | -5.0% |
| 1 | Mariposa | 4,120 | 14,118 | 18,238 | 11,464 | 75,216 | 75,216 | 0 | 0.0% |
| 2 | Mendocino | 33,524 | 90,033 | 123,557 | 77,661 | 154,769 | 147,030 | (7,738) | -5.0% |
| 2 | Merced | 197,227 | 520,234 | 717,461 | 450,953 | 490,598 | 466,068 | (24,530) | -5.0% |
| 1 | Modoc | 4,551 | 12,042 | 16,592 | 10,429 | | 0 | | |
| 1 | Mono | 3,192 | 11,358 | 14,550 | 9,145 | 45,974 | 45,974 | 0 | 0.0% |
| 3 | Monterey | 143,339 | 508,078 | 651,417 | 409,442 | 356,969 | 365,228 | 8,259 | 2.3% |
| 2 | Napa | 28,659 | 110,366 | 139,025 | 87,383 | 95,745 | 90,958 | (4,787) | -5.0% |
| 2 | Nevada | 35,229 | 116,196 | 151,425 | 95,177 | 327,593 | 327,593 | 0 | 0.0% |
| 4 | Orange | 768,658 | 2,680,327 | 3,448,985 | 2,167,826 | 2,133,505 | 2,149,386 | 15,881 | 0.7% |
| 2 | Placer | 92,604 | 340,459 | 433,064 | 272,198 | 312,320 | 296,704 | (15,616) | -5.0% |
| 1 | Plumas | 12,390 | 38,428 | 50,818 | 31,941 | 95,777 | 95,777 | 0 | 0.0% |
| 4 | Riverside | 730,728 | 2,384,827 | 3,115,555 | 1,958,251 | 1,598,603 | 1,635,589 | 36,986 | 2.3% |
| 4 | Sacramento | 510,745 | 1,903,820 | 2,414,565 | 1,517,651 | 1,413,338 | 1,446,037 | 32,699 | 2.3% |
| 1 | San Benito | 17,227 | 64,059 | 81,286 | 51,091 | 135,384 | 135,384 | 0 | 0.0% |
| 4 | San Bernardino | 1,415,217 | 4,606,306 | 6,021,524 | 3,784,770 | 3,186,397 | 3,260,118 | 73,721 | 2.3% |
| 4 | San Diego | 843,094 | 2,832,326 | 3,675,420 | 2,310,149 | 1,923,982 | 1,968,496 | 44,514 | 2.3% |
| 4 | San Francisco | 143,039 | 643,645 | 786,684 | 494,462 | 820,297 | 779,283 | (41,015) | -5.0% |
| 3 | San Joaquin | 410,068 | 1,236,435 | 1,646,503 | 1,034,893 | 846,981 | 866,577 | 19,596 | 2.3% |
| 2 | San Luis Obispo | 64,060 | 203,124 | 267,184 | 167,936 | 209,688 | 199,204 | (10,484) | -5.0% |
| 3 | San Mateo | 93,550 | 397,818 | 491,368 | 308,845 | 354,193 | 336,483 | (17,710) | -5.0% |
| 3 | Santa Barbara | 90,818 | 312,247 | 403,065 | 253,342 | 435,112 | 413,356 | (21,756) | -5.0% |
| 4 | Santa Clara | 204,810 | 854,434 | 1,059,244 | 665,778 | 1,612,233 | 1,531,621 | (80,612) | -5.0% |
| 2 | Santa Cruz | 26,561 | 94,636 | 121,197 | 76,177 | 177,299 | 168,434 | (8,865) | -5.0% |
| 2 | Shasta | 93,562 | 269,409 | 362,971 | 228,142 | 417,575 | 417,575 | 0 | 0.0% |
| 1 | Sierra | 1,594 | 2,356 | 3,950 | 2,483 | | 0 | 0 | 0.0% |
| 2 | Siskiyou | 21,216 | 53,225 | 74,441 | 46,789 | 118,484 | 112,559 | (5,924) | -5.0% |
| 3 | Solano | 205,035 | 718,018 | 923,054 | 580,176 | 524,428 | 536,562 | 12,133 | 2.3% |
| 3 | Sonoma | 95,180 | 338,480 | 433,661 | 272,573 | 453,390 | 430,721 | (22,670) | -5.0% |
| 3 | Stanislaus | 214,600 | 673,304 | 887,903 | 558,083 | 700,912 | 665,867 | (35,046) | -5.0% |
| 2 | Sutter | 46,225 | 144,887 | 191,112 | 120,122 | 182,623 | 173,492 | (9,131) | -5.0% |
| 2 | Tehama | 58,385 | 154,394 | 212,779 | 133,740 | 111,871 | 114,459 | 2,588 | 2.3% |
| 1 | Trinity | 10,173 | 28,289 | 38,462 | 24,175 | | 0 | 0 | 0.0% |
| 3 | Tulare | 247,572 | 771,155 | 1,018,728 | 640,311 | 507,485 | 519,227 | 11,741 | 2.3% |
| 2 | Tuolumne | 16,752 | 48,869 | 65,621 | 41,245 | 158,566 | 150,638 | (7,928) | -5.0% |
| 3 | Ventura | 139,934 | 506,542 | 646,476 | 406,336 | 527,450 | 501,078 | (26,373) | -5.0% |
| 2 | Yolo | 69,349 | 250,612 | 319,961 | 201,109 | 211,965 | 201,367 | (10,598) | -5.0% |
| 2 | Yuba | 37,268 | 120,596 | 157,864 | 99,224 | 203,149 | 203,149 | 0 | 0.0% |
| | Total | 12,514,314 | 43,097,782 | 55,612,096 | 34,954,436 | 34,954,436 | 34,954,436 | | |

Attachment B: Recommended Family Law Facilitator Funding Allocation Model (+/- Maximum 5% Change)

| Cluster Col. A | Court Col. B | Population Based Methodology Col. C | JC FY 2021-22 Base Allocation Col. D | Difference Col. E | Final Allocation Max. 5% increase/ decrease Col. F | Difference (F-D) Col. G | Percentage Difference Col. H |
|----------------|-----------------|-------------------------------------|--------------------------------------|-------------------|--|-------------------------|------------------------------|
| 4 | Alameda | 452,558 | 420,326 | 32,232 | 427,656 | 7,330 | 1.7% |
| 1 | Alpine | 34,297 | | 34,297 | 0 | | |
| 1 | Amador | 43,929 | 47,097 | (3,168) | 47,097 | 0 | 0.0% |
| 2 | Butte | 85,933 | 97,903 | (11,970) | 93,008 | (4,895) | -5.0% |
| 1 | Calaveras | 45,362 | 70,907 | (25,545) | 70,907 | 0 | 0.0% |
| 1 | Colusa | 39,498 | 38,250 | 1,248 | 38,685 | 435 | 1.1% |
| 3 | Contra Costa | 325,463 | 334,681 | (9,218) | 325,463 | (9,218) | -2.8% |
| 1 | Del Norte | 40,894 | 50,155 | (9,261) | 50,155 | 0 | 0.0% |
| 2 | El Dorado* | 82,256 | 107,111 | (24,855) | 107,111 | 0 | 0.0% |
| 3 | Fresno | 289,564 | 380,506 | (90,942) | 361,481 | (19,025) | -5.0% |
| 1 | Glenn | 41,299 | 75,971 | (34,671) | 75,971 | 0 | 0.0% |
| 2 | Humboldt | 67,922 | 85,479 | (17,557) | 81,205 | (4,274) | -5.0% |
| 2 | Imperial | 79,976 | 68,492 | 11,484 | 69,686 | 1,194 | 1.7% |
| 1 | Inyo | 38,747 | 57,289 | (18,541) | 57,289 | 0 | 0.0% |
| 3 | Kern | 263,605 | 342,484 | (78,879) | 325,360 | (17,124) | -5.0% |
| 2 | Kings | 72,344 | 66,952 | 5,391 | 68,120 | 1,168 | 1.7% |
| 2 | Lake | 50,716 | 55,052 | (4,336) | 52,299 | (2,753) | -5.0% |
| 1 | Lassen | 41,576 | 65,167 | (23,591) | 65,167 | 0 | 0.0% |
| 4 | Los Angeles | 2,549,915 | 2,314,376 | 235,539 | 2,354,734 | 40,358 | 1.7% |
| 2 | Madera | 73,623 | 77,642 | (4,018) | 73,759 | (3,882) | -5.0% |
| 2 | Marin | 99,277 | 131,218 | (31,941) | 124,657 | (6,561) | -5.0% |
| 1 | Mariposa | 38,381 | 45,491 | (7,110) | 45,491 | 0 | 0.0% |
| 2 | Mendocino | 56,553 | 57,935 | (1,382) | 56,553 | (1,382) | -2.4% |
| 2 | Merced | 105,344 | 101,777 | 3,567 | 103,021 | 1,244 | 1.2% |
| 1 | Modoc | 36,256 | 70,995 | (34,739) | 70,995 | 0 | 0.0% |
| 1 | Mono | 37,370 | 48,322 | (10,952) | 48,322 | 0 | 0.0% |
| 3 | Monterey | 144,037 | 136,783 | 7,253 | 139,169 | 2,385 | 1.7% |
| 2 | Napa | 68,658 | 67,188 | 1,470 | 67,700 | 513 | 0.8% |
| 2 | Nevada* | 59,295 | 116,579 | (57,284) | 116,579 | 0 | 0.0% |
| 4 | Orange | 833,816 | 707,122 | 126,695 | 719,452 | 12,331 | 1.7% |
| 2 | Placer | 136,453 | 114,143 | 22,310 | 116,133 | 1,990 | 1.7% |
| 1 | Plumas | 38,767 | 55,935 | (17,168) | 55,935 | 0 | 0.0% |
| 4 | Riverside | 647,113 | 649,668 | (2,554) | 647,113 | (2,554) | -0.4% |
| 4 | Sacramento | 429,672 | 376,094 | 53,578 | 382,653 | 6,558 | 1.7% |
| 1 | San Benito | 50,171 | 60,627 | (10,456) | 60,627 | 0 | 0.0% |
| 4 | San Bernardino | 583,986 | 536,755 | 47,231 | 546,115 | 9,360 | 1.7% |
| 4 | San Diego | 866,816 | 760,746 | 106,070 | 774,012 | 13,266 | 1.7% |
| 4 | San Francisco | 251,460 | 248,672 | 2,788 | 249,644 | 972 | 0.4% |
| 3 | San Joaquin | 230,493 | 218,392 | 12,100 | 222,201 | 3,808 | 1.7% |
| 2 | San Luis Obispo | 104,333 | 87,277 | 17,055 | 88,799 | 1,522 | 1.7% |
| 3 | San Mateo | 224,548 | 181,237 | 43,311 | 184,398 | 3,160 | 1.7% |
| 3 | Santa Barbara | 146,564 | 164,701 | (18,138) | 156,466 | (8,235) | -5.0% |
| 4 | Santa Clara | 517,985 | 501,084 | 16,901 | 506,978 | 5,894 | 1.2% |
| 2 | Santa Cruz | 101,533 | 90,635 | 10,898 | 92,216 | 1,580 | 1.7% |
| 2 | Shasta* | 79,389 | 186,519 | (107,131) | 186,519 | 0 | 0.0% |
| 1 | Sierra | 34,811 | | 34,811 | 0 | 0 | |
| 2 | Siskiyou | 45,101 | 71,166 | (26,065) | 67,608 | (3,558) | -5.0% |
| 3 | Solano | 146,291 | 139,451 | 6,840 | 141,837 | 2,385 | 1.7% |
| 3 | Sonoma | 156,587 | 152,948 | 3,639 | 154,217 | 1,269 | 0.8% |
| 3 | Stanislaus | 173,283 | 211,222 | (37,939) | 200,661 | (10,561) | -5.0% |
| 2 | Sutter | 59,088 | 63,527 | (4,440) | 60,351 | (3,176) | -5.0% |
| 2 | Tehama | 50,419 | 39,032 | 11,387 | 39,713 | 681 | 1.7% |
| 1 | Trinity | 37,830 | | 37,830 | 0 | 0 | |
| 3 | Tulare | 153,981 | 295,159 | (141,178) | 280,401 | (14,758) | -5.0% |
| 2 | Tuolumne | 47,853 | 61,613 | (13,760) | 58,532 | (3,081) | -5.0% |
| 3 | Ventura | 245,297 | 247,940 | (2,643) | 245,297 | (2,643) | -1.1% |
| 2 | Yolo | 89,423 | 85,337 | 4,086 | 86,762 | 1,425 | 1.7% |
| 2 | Yuba | 54,415 | 62,994 | (8,579) | 59,845 | (3,150) | -5.0% |
| | Total | 11,902,126 | 11,902,126 | | 11,902,126 | | |

| Child Support Commissioner (CSC) Program Allocation, 2023–24 | | | | | | | |
|--|------------------------|-------------------------|-----------------------------------|------------------------------------|----------------------------------|------------------------|-----------------------|
| | | 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 | 1,474,740 | 549,815 | 362,878 | 186,937 | 2,024,555 | 1,837,618 |
| 2 | Alpine (see El Dorado) | 0 | | | | | |
| 3 | Amador | 140,250 | 45,736 | 30,186 | 15,550 | 185,986 | 170,436 |
| 4 | Butte | 259,055 | 0 | 0 | 0 | 259,055 | 259,055 |
| 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 | 753,850 | 0 | 0 | 0 | 753,850 | 753,850 |
| 8 | Del Norte | 63,791 | 29,023 | 19,155 | 9,868 | 92,814 | 82,946 |
| 9 | El Dorado | 203,169 | 100,382 | 66,252 | 34,130 | 303,551 | 269,421 |
| 10 | Fresno | 1,704,980 | 1,141,685 | 753,512 | 388,173 | 2,846,665 | 2,458,492 |
| 11 | Glenn | 120,030 | 0 | 0 | 0 | 120,030 | 120,030 |
| 12 | Humboldt | 111,198 | 59,801 | 39,469 | 20,332 | 170,999 | 150,667 |
| 13 | Imperial | 224,088 | 147,000 | 97,020 | 49,980 | 371,088 | 321,108 |
| 14 | Inyo | 79,264 | 0 | 0 | 0 | 79,264 | 79,264 |
| 15 | Kern | 1,079,358 | 200,000 | 132,000 | 68,000 | 1,279,358 | 1,211,358 |
| 16 | Kings | 261,308 | 166,716 | 110,033 | 56,683 | 428,024 | 371,341 |
| 17 | Lake | 133,954 | 113,250 | 74,745 | 38,505 | 247,204 | 208,699 |
| 18 | Lassen | 60,000 | 0 | 0 | 0 | 60,000 | 60,000 |
| 19 | Los Angeles | 6,922,976 | 3,198,270 | 2,110,858 | 1,087,412 | 10,121,246 | 9,033,835 |
| 20 | Madera | 247,874 | 88,000 | 58,080 | 29,920 | 335,874 | 305,954 |
| 21 | Marin | 108,983 | 40,396 | 26,661 | 13,735 | 149,379 | 135,644 |
| 22 | Mariposa | 75,216 | | 0 | 0 | 75,216 | 75,216 |
| 23 | Mendocino | 147,030 | 56,550 | 37,323 | 19,227 | 203,580 | 184,353 |
| 24 | Merced | 466,068 | 297,354 | 196,254 | 101,100 | 763,422 | 662,321 |
| 25 | Modoc | 0 | 0 | | | | |
| 26 | Mono | 45,974 | | 0 | 0 | 45,974 | 45,974 |
| 27 | Monterey | 365,228 | 137,550 | 90,783 | 46,767 | 502,778 | 456,011 |
| 28 | Napa | 90,958 | | 0 | 0 | 90,958 | 90,958 |
| 29 | Nevada | 327,593 | 0 | 0 | 0 | 327,593 | 327,593 |
| 30 | Orange | 2,149,386 | 424,810 | 280,375 | 144,435 | 2,574,196 | 2,429,761 |
| 31 | Placer | 296,704 | 0 | 0 | 0 | 296,704 | 296,704 |
| 32 | Plumas | 95,777 | 0 | 0 | 0 | 95,777 | 95,777 |
| 33 | Riverside | 1,635,589 | 0 | 0 | 0 | 1,635,589 | 1,635,589 |
| 34 | Sacramento | 1,446,037 | 500,000 | 330,000 | 170,000 | 1,946,037 | 1,776,037 |
| 35 | San Benito | 135,384 | 50,000 | 33,000 | 17,000 | 185,384 | 168,384 |
| 36 | San Bernardino | 3,260,118 | 870,733 | 574,684 | 296,049 | 4,130,851 | 3,834,802 |
| 37 | San Diego | 1,968,496 | 1,048,079 | 691,732 | 356,347 | 3,016,575 | 2,660,228 |
| 38 | San Francisco | 779,283 | 363,320 | 239,791 | 123,529 | 1,142,603 | 1,019,074 |
| 39 | San Joaquin | 866,577 | 83,046 | 54,810 | 28,236 | 949,623 | 921,388 |
| 40 | San Luis Obispo | 199,204 | 127,093 | 83,881 | 43,212 | 326,297 | 283,085 |
| 41 | San Mateo | 336,483 | 225,411 | 148,771 | 76,640 | 561,894 | 485,254 |
| 42 | Santa Barbara | 413,356 | 264,204 | 174,375 | 89,829 | 677,560 | 587,731 |
| 43 | Santa Clara | 1,531,621 | 977,183 | 644,941 | 332,242 | 2,508,804 | 2,176,562 |
| 44 | Santa Cruz | 168,434 | 98,140 | 64,772 | 33,368 | 266,574 | 233,207 |
| 45 | Shasta | 417,575 | 205,874 | 135,877 | 69,997 | 623,449 | 553,452 |
| 46 | Sierra (see Nevada) | 0 | | | | | |
| 47 | Siskiyou | 112,559 | 0 | 0 | 0 | 112,559 | 112,559 |
| 48 | Solano | 536,562 | 95,481 | 63,017 | 32,464 | 632,043 | 599,579 |
| 49 | Sonoma | 430,721 | 5,656 | 3,733 | 1,923 | 436,377 | 434,454 |
| 50 | Stanislaus | 665,867 | 360,000 | 237,600 | 122,400 | 1,025,867 | 903,467 |
| 51 | Sutter | 173,492 | 63,487 | 41,901 | 21,586 | 236,979 | 215,394 |
| 52 | Tehama | 114,459 | 56,982 | 37,608 | 19,374 | 171,441 | 152,067 |
| 53 | Trinity (see Shasta) | 0 | | | | | |
| 54 | Tulare | 519,227 | 69,388 | 45,796 | 23,592 | 588,615 | 565,023 |
| 55 | Tuolumne | 150,638 | 78,346 | 51,708 | 26,638 | 228,984 | 202,346 |
| 56 | Ventura | 501,078 | 175,000 | 115,500 | 59,500 | 676,078 | 616,578 |
| 57 | Yolo | 201,367 | 15,000 | 9,900 | 5,100 | 216,367 | 211,267 |
| 58 | Yuba | 203,149 | 50,000 | 33,000 | 17,000 | 253,149 | 236,149 |
| TOTAL | | 34,954,436 | 12,609,570 | 8,322,316 | 4,287,254 | 47,564,006 | 43,276,752 |

| | |
|-------------------------|------------|
| CSC Base Funds | 34,954,436 |
| CSC Federal Drawdown | 12,609,570 |
| Total Funding Allocated | 47,564,006 |

| Family Law Facilitator (FLF) Program Allocation, 2023–24 | | | | | | | |
|--|------------------------|-------------------------|-----------------------------------|------------------------------------|----------------------------------|------------------------|-------------------------|
| | | A | B | C | D | E | F |
| # | 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 | 427,656 | 247,743 | 163,510 | 84,233 | 675,399 | 591,166 |
| 2 | Alpine (see El Dorado) | 0 | | | | | |
| 3 | Amador | 47,097 | 4,701 | 3,103 | 1,598 | 51,798 | 50,200 |
| 4 | Butte | 93,008 | 61,250 | 40,425 | 20,825 | 154,258 | 133,433 |
| 5 | Calaveras | 70,907 | 8,000 | 5,280 | 2,720 | 78,907 | 76,187 |
| 6 | Colusa | 38,685 | 8,900 | 5,874 | 3,026 | 47,585 | 44,559 |
| 7 | Contra Costa | 325,463 | 0 | 0 | 0 | 325,463 | 325,463 |
| 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 | 361,481 | 198,479 | 130,996 | 67,483 | 559,960 | 492,477 |
| 11 | Glenn | 75,971 | 0 | 0 | 0 | 75,971 | 75,971 |
| 12 | Humboldt | 81,205 | 12,443 | 8,212 | 4,231 | 93,648 | 89,417 |
| 13 | Imperial | 69,686 | 36,940 | 24,380 | 12,560 | 106,626 | 94,066 |
| 14 | Inyo | 57,289 | 0 | 0 | 0 | 57,289 | 57,289 |
| 15 | Kern | 325,360 | 210,696 | 139,059 | 71,637 | 536,056 | 464,420 |
| 16 | Kings | 68,120 | 0 | 0 | 0 | 68,120 | 68,120 |
| 17 | Lake | 52,299 | 28,555 | 18,846 | 9,709 | 80,854 | 71,146 |
| 18 | Lassen | 65,167 | 0 | 0 | 0 | 65,167 | 65,167 |
| 19 | Los Angeles | 2,354,734 | 803,431 | 530,264 | 273,167 | 3,158,165 | 2,884,998 |
| 20 | Madera | 73,759 | 26,840 | 17,714 | 9,126 | 100,599 | 91,474 |
| 21 | Marin | 124,657 | 0 | 0 | 0 | 124,657 | 124,657 |
| 22 | Mariposa | 45,491 | 0 | 0 | 0 | 45,491 | 45,491 |
| 23 | Mendocino | 56,553 | 30,722 | 20,277 | 10,446 | 87,275 | 76,830 |
| 24 | Merced | 103,021 | 70,778 | 46,713 | 24,065 | 173,799 | 149,735 |
| 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 | 139,169 | 61,633 | 40,678 | 20,955 | 200,802 | 179,846 |
| 28 | Napa | 67,700 | 41,337 | 27,282 | 14,055 | 109,037 | 94,983 |
| 29 | Nevada | 116,579 | 0 | 0 | 0 | 116,579 | 116,579 |
| 30 | Orange | 719,452 | 128,948 | 85,106 | 43,842 | 848,400 | 804,558 |
| 31 | Placer | 116,133 | 0 | 0 | 0 | 116,133 | 116,133 |
| 32 | Plumas | 55,935 | 7,803 | 5,150 | 2,653 | 63,738 | 61,085 |
| 33 | Riverside | 647,113 | 239,380 | 157,991 | 81,389 | 886,493 | 805,104 |
| 34 | Sacramento | 382,653 | 223,578 | 147,561 | 76,017 | 606,231 | 530,214 |
| 35 | San Benito | 60,627 | 29,907 | 19,738 | 10,168 | 90,534 | 80,366 |
| 36 | San Bernardino | 546,115 | 330,331 | 218,018 | 112,313 | 876,446 | 764,134 |
| 37 | San Diego | 774,012 | 278,385 | 183,734 | 94,651 | 1,052,397 | 957,746 |
| 38 | San Francisco | 249,644 | 2,144 | 1,415 | 729 | 251,788 | 251,059 |
| 39 | San Joaquin | 222,201 | 85,349 | 56,330 | 29,019 | 307,550 | 278,531 |
| 40 | San Luis Obispo | 88,799 | 32,246 | 21,282 | 10,964 | 121,045 | 110,082 |
| 41 | San Mateo | 184,398 | 92,455 | 61,020 | 31,435 | 276,853 | 245,418 |
| 42 | Santa Barbara | 156,466 | 77,323 | 51,033 | 26,290 | 233,789 | 207,499 |
| 43 | Santa Clara | 506,978 | 210,712 | 139,070 | 71,642 | 717,690 | 646,048 |
| 44 | Santa Cruz | 92,216 | 45,951 | 30,328 | 15,623 | 138,167 | 122,543 |
| 45 | Shasta | 186,519 | 111,913 | 73,863 | 38,050 | 298,432 | 260,382 |
| 46 | Sierra (see Nevada) | 0 | | | | | |
| 47 | Siskiyou | 67,608 | 37,222 | 24,567 | 12,655 | 104,830 | 92,175 |
| 48 | Solano | 141,837 | 39,710 | 26,209 | 13,501 | 181,547 | 168,045 |
| 49 | Sonoma | 154,217 | 65,519 | 43,243 | 22,276 | 219,736 | 197,460 |
| 50 | Stanislaus | 200,661 | 123,963 | 81,816 | 42,147 | 324,624 | 282,477 |
| 51 | Sutter | 60,351 | 31,409 | 20,730 | 10,679 | 91,760 | 81,081 |
| 52 | Tehama | 39,713 | 3,535 | 2,333 | 1,202 | 43,248 | 42,046 |
| 53 | Trinity (see Shasta) | 0 | | | | | |
| 54 | Tulare | 280,401 | 141,511 | 93,397 | 48,114 | 421,912 | 373,798 |
| 55 | Tuolumne | 58,532 | 30,084 | 19,855 | 10,229 | 88,616 | 78,388 |
| 56 | Ventura | 245,297 | 85,800 | 56,628 | 29,172 | 331,097 | 301,925 |
| 57 | Yolo | 86,762 | 38,154 | 25,182 | 12,972 | 124,916 | 111,944 |
| 58 | Yuba | 59,845 | 44,953 | 29,669 | 15,284 | 104,798 | 89,513 |
| 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
(Action Item)

Title: 2023-24 Court Reporter Allocation
Date: 5/17/2023
Contact: Chris Belloli, Manager, Business Management Services
415-865-7658 | chris.belloli@jud.ca.gov

Issue

Consideration of a recommendation from the Trial Court Budget Advisory Committee (TCBAC) of 2023-24 allocations in the amount of \$30 million to increase the number of court reporters in family law and civil law case types.

Background

Budget Language

Senate Bill 170 (Ch. 240, Stats. 2021), which amended the 2021 Budget Act, included \$30 million ongoing General Fund to the Judicial Council for establishing a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The budget language in the 2022 Budget Act and ongoing expanded the use of this funding. However, these changes do not impact how these funds are allocated to the courts.

Allocation Methodology

In the first year of funding in 2021-22, the Funding Methodology Subcommittee of the Trial Court Budget Advisory Committee (TCBAC) established the Ad Hoc Court Reporter Funding Subcommittee consisting of members from the TCBAC to develop an allocation methodology recommendation for 2021-22. Through deliberations, the ad hoc subcommittee developed a recommendation for an allocation methodology for the \$30 million and presented it to the TCBAC at its November 30, 2021 meeting and to the Budget Committee on December 7, 2021. The Judicial Council approved the allocation methodology at its January 21, 2022 business meeting and directed Judicial Council staff to update the allocation methodology used for this ongoing funding based on the most recent data available.

The council-approved allocation methodology was developed based on the 2020 Judicial Needs Assessment (JNA), which was the most current study at the time. Judicial workload, as described by the JNA, is measured by a court's Assessed Judicial Need (AJN) and was identified as the best metric for the allocation methodology because of the parallel workload drivers between judgeships and court reporters. In addition, the AJN data includes separate non-criminal and

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

criminal judicial workload metrics by court. Focusing on non-criminal judicial need, consistent with the requirements in the budget language, the proposed methodology for allocating funds to the trial courts is as follows:

- a) Identify the proportion of judicial workload, as measured by the AJN, for non-criminal need by court;
- b) Apply a \$25,000 funding floor to all courts. This would result in an increased amount, compared to using a purely proportional calculation to 11 courts totaling \$275,000, which represents an approximate 0.25 full-time equivalent using the average salary for court reporters from the Schedule 7A;
- c) After applying the funding floor amount to 11 courts, allocate the remaining \$29.7 million proportionally to all other courts based on their non-criminal judicial need; and
- d) Allocate the funding in one lump sum upon approval by the council.

The AJN data used in the allocation methodology for 2023-24 was updated based on the 2022 JNA and the detail of the allocations by court is included as Attachment 3A.

Potential Impacts to Allocations

Allocation changes may be necessary to the extent there are changes to the court reporter appropriation and associated language in the 2023 Budget Act.

Recommendation

Approve the allocation of the \$30 million to the trial courts on a proportional basis using the council-approved methodology with updated AJN data based on the 2022 JNA as outlined in Attachment 3A.

Attachments

Attachment 4A: Court Reporter Funding – Recommended 2023-24 Allocations

Court Reporter Funding: FY 2023-24 Allocations

| Cluster | Court | Initial Allocation of \$30M based on Noncriminal AJN | | | Allocation of \$30M with Funding Floor of \$25,000 | | | | | |
|---------|-----------------|---|-----------------------------------|------------------------|--|------------------|--|----------------------|---------------------|----------------------|
| | | Noncriminal AJN * | Proportion of Statewide AJN | Proportion of \$30M | Funding Floor Court? | Floor Funding | Revised AJN Proportion for Non-floor Courts | Non floor Funding | Final Allocation | Change with Floor |
| | Statewide | 1,067 | 100% | \$30,000,000 | | \$275,000 | | \$29,725,000 | \$30,000,000 | \$0 |
| 4 | Alameda | 36.8 | 3.45% | \$1,035,628 | | | 3.47% | \$1,031,041 | \$1,031,041 | (\$4,588) |
| 1 | Alpine | 0.1 | 0.01% | \$1,772 | X | \$25,000 | | | \$25,000 | \$23,228 |
| 1 | Amador | 1.1 | 0.11% | \$31,681 | | | 0.11% | \$31,541 | \$31,541 | (\$140) |
| 2 | Butte | 6.1 | 0.57% | \$170,509 | | | 0.57% | \$169,753 | \$169,753 | (\$755) |
| 1 | Calaveras | 1.3 | 0.12% | \$36,871 | | | 0.12% | \$36,707 | \$36,707 | (\$163) |
| 1 | Colusa | 0.5 | 0.04% | \$13,233 | X | \$25,000 | | | \$25,000 | \$11,767 |
| 3 | Contra Costa | 23.2 | 2.18% | \$653,080 | | | 2.19% | \$650,187 | \$650,187 | (\$2,893) |
| 1 | Del Norte | 1.2 | 0.11% | \$34,107 | | | 0.11% | \$33,956 | \$33,956 | (\$151) |
| 2 | El Dorado | 4.2 | 0.40% | \$118,797 | | | 0.40% | \$118,271 | \$118,271 | (\$526) |
| 3 | Fresno | 28.4 | 2.67% | \$799,663 | | | 2.68% | \$796,121 | \$796,121 | (\$3,543) |
| 1 | Glenn | 0.8 | 0.08% | \$22,664 | X | \$25,000 | | | \$25,000 | \$2,336 |
| 2 | Humboldt | 4.5 | 0.42% | \$126,583 | | | 0.42% | \$126,022 | \$126,022 | (\$561) |
| 2 | Imperial | 4.4 | 0.41% | \$124,280 | | | 0.42% | \$123,729 | \$123,729 | (\$551) |
| 1 | Inyo | 0.5 | 0.05% | \$14,140 | X | \$25,000 | | | \$25,000 | \$10,860 |
| 3 | Kern | 24.9 | 2.33% | \$699,077 | | | 2.34% | \$695,980 | \$695,980 | (\$3,097) |
| 2 | Kings | 4.5 | 0.42% | \$125,132 | | | 0.42% | \$124,578 | \$124,578 | (\$554) |
| 2 | Lake | 2.4 | 0.22% | \$66,690 | | | 0.22% | \$66,394 | \$66,394 | (\$295) |
| 1 | Lassen | 0.8 | 0.07% | \$22,384 | X | \$25,000 | | | \$25,000 | \$2,616 |
| 4 | Los Angeles | 341.3 | 31.99% | \$9,595,553 | | | 32.14% | \$9,553,044 | \$9,553,044 | (\$42,508) |
| 2 | Madera | 6.0 | 0.56% | \$167,484 | | | 0.56% | \$166,742 | \$166,742 | (\$742) |
| 2 | Marin | 5.1 | 0.48% | \$143,271 | | | 0.48% | \$142,636 | \$142,636 | (\$635) |
| 1 | Mariposa | 0.4 | 0.03% | \$10,220 | X | \$25,000 | | | \$25,000 | \$14,780 |
| 2 | Mendocino | 2.7 | 0.25% | \$74,961 | | | 0.25% | \$74,629 | \$74,629 | (\$332) |
| 2 | Merced | 7.3 | 0.68% | \$204,434 | | | 0.68% | \$203,529 | \$203,529 | (\$906) |
| 1 | Modoc | 0.4 | 0.04% | \$10,649 | X | \$25,000 | | | \$25,000 | \$14,351 |
| 1 | Mono | 0.3 | 0.03% | \$8,108 | X | \$25,000 | | | \$25,000 | \$16,892 |
| 3 | Monterey | 9.4 | 0.88% | \$264,158 | | | 0.88% | \$262,987 | \$262,987 | (\$1,170) |
| 2 | Napa | 3.6 | 0.34% | \$101,381 | | | 0.34% | \$100,932 | \$100,932 | (\$449) |
| 2 | Nevada | 2.6 | 0.24% | \$72,625 | | | 0.24% | \$72,304 | \$72,304 | (\$322) |
| 4 | Orange | 77.0 | 7.22% | \$2,165,597 | | | 7.25% | \$2,156,003 | \$2,156,003 | (\$9,594) |
| 2 | Placer | 9.3 | 0.88% | \$262,673 | | | 0.88% | \$261,509 | \$261,509 | (\$1,164) |
| 1 | Plumas | 0.6 | 0.06% | \$18,029 | X | \$25,000 | | | \$25,000 | \$6,971 |
| 4 | Riverside | 62.8 | 5.88% | \$1,764,521 | | | 5.91% | \$1,756,704 | \$1,756,704 | (\$7,817) |
| 4 | Sacramento | 43.7 | 4.10% | \$1,228,562 | | | 4.11% | \$1,223,119 | \$1,223,119 | (\$5,443) |
| 1 | San Benito | 1.4 | 0.14% | \$40,658 | | | 0.14% | \$40,478 | \$40,478 | (\$180) |
| 4 | San Bernardino | 69.2 | 6.49% | \$1,946,259 | | | 6.52% | \$1,937,637 | \$1,937,637 | (\$8,622) |
| 4 | San Diego | 77.9 | 7.30% | \$2,188,860 | | | 7.33% | \$2,179,163 | \$2,179,163 | (\$9,697) |
| 3 | San Francisco | 25.1 | 2.35% | \$706,220 | | | 2.37% | \$703,092 | \$703,092 | (\$3,129) |
| 3 | San Joaquin | 19.9 | 1.87% | \$560,134 | | | 1.88% | \$557,652 | \$557,652 | (\$2,481) |
| 2 | San Luis Obispo | 6.0 | 0.56% | \$167,914 | | | 0.56% | \$167,170 | \$167,170 | (\$744) |
| 3 | San Mateo | 13.5 | 1.26% | \$378,323 | | | 1.27% | \$376,647 | \$376,647 | (\$1,676) |
| 3 | Santa Barbara | 9.2 | 0.86% | \$259,174 | | | 0.87% | \$258,026 | \$258,026 | (\$1,148) |
| 4 | Santa Clara | 30.9 | 2.90% | \$869,883 | | | 2.91% | \$866,029 | \$866,029 | (\$3,854) |
| 2 | Santa Cruz | 5.2 | 0.49% | \$146,710 | | | 0.49% | \$146,060 | \$146,060 | (\$650) |
| 2 | Shasta | 6.2 | 0.58% | \$174,268 | | | 0.58% | \$173,496 | \$173,496 | (\$772) |
| 1 | Sierra | 0.1 | 0.01% | \$2,864 | X | \$25,000 | | | \$25,000 | \$22,136 |

Court Reporter Funding: FY 2023-24 Allocations

| Initial Allocation of \$30M based on Noncriminal AJN | | | | | Allocation of \$30M with Funding Floor of \$25,000 | | | | | |
|---|------------|----------------------|---------------------|------------------------|--|---------------------------|---------------------|----------------------|-----------|-----------|
| Cluster | Court | Proportion | | | Funding Floor Court? | Revised AJN Allocation of | | | | |
| | | Noncriminal AJN * | of Statewide AJN | Proportion of \$30M | | Non floor Funding | Final Allocation | Change with Floor | | |
| Statewide | | 1,067 | 100% | \$30,000,000 | | \$275,000 | \$29,725,000 | \$30,000,000 | \$0 | |
| 2 | Siskiyou | 1.5 | 0.14% | \$42,968 | | | 0.14% | \$42,778 | \$42,778 | (\$190) |
| 3 | Solano | 11.0 | 1.03% | \$308,123 | | | 1.03% | \$306,758 | \$306,758 | (\$1,365) |
| 3 | Sonoma | 10.8 | 1.01% | \$304,216 | | | 1.02% | \$302,868 | \$302,868 | (\$1,348) |
| 3 | Stanislaus | 14.1 | 1.32% | \$395,570 | | | 1.32% | \$393,817 | \$393,817 | (\$1,752) |
| 2 | Sutter | 3.0 | 0.28% | \$83,779 | | | 0.28% | \$83,408 | \$83,408 | (\$371) |
| 2 | Tehama | 2.3 | 0.22% | \$65,022 | | | 0.22% | \$64,733 | \$64,733 | (\$288) |
| 1 | Trinity | 0.7 | 0.06% | \$18,668 | X | \$25,000 | | | \$25,000 | \$6,332 |
| 3 | Tulare | 13.3 | 1.24% | \$373,261 | | | 1.25% | \$371,607 | \$371,607 | (\$1,654) |
| 2 | Tuolumne | 1.9 | 0.18% | \$54,387 | | | 0.18% | \$54,146 | \$54,146 | (\$241) |
| 3 | Ventura | 18.0 | 1.68% | \$505,389 | | | 1.69% | \$503,150 | \$503,150 | (\$2,239) |
| 2 | Yolo | 5.3 | 0.50% | \$149,071 | | | 0.50% | \$148,410 | \$148,410 | (\$660) |
| 2 | Yuba | 2.5 | 0.23% | \$69,763 | | | 0.23% | \$69,454 | \$69,454 | (\$309) |

* Assessed Judicial Need (AJN) based on the updated 2022 data.

Noncriminal case types: Civil, Family, Juvenile, Probate, Mental Health

Criminal case types: Felony, Misdemeanors, Infractions

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

Title: \$68.95 Million Pretrial Funding
Date: 5/9/2023
Contact: Deirdre Benedict, Supervising Analyst, Judicial Council Criminal Justice Services
415-865-7543 | deirdre.benedict@jud.ca.gov

Issue

The 2023-24 Governor’s Budget provides \$68.95¹ million in 2023-24 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 other county department or agency—except for those that have primary responsibility for making arrests or prosecuting criminal offenses²—and provide that department with the remainder of the funds.

The Trial Court Budget Advisory Committee recommends the 2023-24 allocations of the Pretrial Release Program funding for approval and submission to the Judicial Council for consideration at its July 21, 2023 business meeting.

Background

Senate Bill (SB) 129 (Stats. 2021, ch. 69), which amended the 2021 Budget Act, provided 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 appropriated \$140 million in 2021-22 and \$70 million in ongoing funding for the Judicial Council’s distribution to the courts for these purposes.

¹ SB 129 had allowed the Judicial Council to retain up to five percent (\$1.05 million) of the funding that may be retained by the trial courts, for costs associated with implementing, supporting, and evaluating pretrial programs across the state. In the 2023-24 Governor’s Budget, the \$1.05 million allocated to the Judicial Council for administrative costs has been moved to Item 0250-001-0001, reducing the original \$70 million for pretrial release for allocation to the courts to \$68.95 million.

² SB 129 specifically provides that the Santa Clara Superior Court may contract with the Office of Pretrial Services in that county, and that the San Francisco Superior Court 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.

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At its business meeting on October 1, 2021, the Judicial Council approved the 2021-22 Pretrial Release Allocations of \$140 million General Fund for the trial courts in accordance with methodologies outlined in SB 129 and included minimum funding floors³.

The 2022 Budget Act (SB 154, stats. 2022, ch. 43) appropriated \$70 million to the trial courts to continue implementing and/or operating their pretrial programs in 2022-23. Additionally, it allowed the trial courts to carry any unexpended balances of the \$70 million ongoing funding appropriated by SB 129 to June 30, 2023. The Judicial Council approved the 2022-23 allocations via circulating order on July 28, 2022⁴.

Analysis/Rationale

2023–24—Ongoing Pretrial Release Funding for All Courts

The Judicial Council is mandated to distribute \$68.95 million in ongoing funding to all courts based on each county’s relative proportion of the state population 18 to 25 years of age⁵. These funds must be encumbered or expended by June 30, 2024. The breakdown for these ongoing allocation recommendations is reflected in Attachment 4A.

Funding Floor

The 2021-22 and 2022-23 pretrial release allocations included a recommendation to provide small and small/medium courts with a minimum funding floor of \$200,000 with a commitment from CJS staff to monitor and evaluate the impact and necessity for the floor, and that staff would return to the Trial Court Budget Advisory Committee (TCBAC) and the Budget Committee with a recommendation to either rescind or adjust the floor. The original \$200,000 floor is equivalent to the floor used in the funding methodology for the California Community Corrections Performance Incentives Act of 2009 (SB 678, stats. 2009, ch. 608)⁶.

The funding floor has been in effect for 2021-22 and 2022-23. During this time, 23 courts received the floor⁷.

³ Judicial Council meeting minutes (October 21, 2021), [Meeting Minutes \(legistar.com\)](#).

⁴ Judicial Council circulating order minutes (July 28, 2022), [View.ashx \(legistar.com\)](#).

⁵ The U.S. Census Bureau five-year estimates based on each county’s relative proportion of the state population 18 to 25 years of age is complete and has all 58 counties’ population:
<https://data.census.gov/cedsci/table?q=age%20by%20county&g=0400000US06.050000&tid=ACSST5Y2019.S0101&hidePreview=true&tp=true>.

The California Department of Finance (DOF) population data age categories do not match the age categories specified in the SB 129 language. The DOF broke down the 18 to 25 age category into two groups: 15 to 19 years of age and 20 to 24 years of age. SB 129 specified that the age group be between 18 and 25 years of age.

⁶ Stats. 2009, ch. 608, www.courts.ca.gov/documents/sb678.pdf.

⁷ Alpine, Amador, Calaveras, Colusa, Del Norte, Glenn, Inyo, Lake, Lassen, Mariposa, Mendocino, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Siskiyou, Sutter, Tehama, Tuolumne, and Yuba Superior Courts will receive \$200,000. Trinity Superior Court will receive \$100,000.

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In March 2023, CJS staff reached out to the funding floor courts and provided three possible options to consider. They could request to 1) receive a floor of \$200,000; 2) receive a floor of \$100,000; or 3) receive the non-floor allocation. The options were determined after analysis of overall spending of the 23 funding floor courts and should allow the courts to continue operating their pretrial programs. CJS staff reached out to the courts individually to solicit their feedback and asked them to take into consideration the court's spending from the last two fiscal years and its ongoing expenses to operate the program. As a result, 22 courts requested to keep the funding floor, and one court requested to lower its floor to \$100,000.

The minimum funding floor allocation has allowed small and small/medium courts to implement robust pretrial programs and provide services to their pretrial population. Many of the courts that received the minimum funding floor in 2021-22 and 2022-23 have expended significantly above their non-floor allocations. For example, without the funding floor, the Sierra Superior Court would have received a total of \$2,511 per fiscal year. In 2021-22, Sierra Superior Court expended \$193,375; in 2022-23, the court has already expended \$44,619 in the first half of the fiscal year and is on track to spend its entire funding floor allocation by the end of 2022-23.

If the minimum funding floor allocation is rescinded, small and small/medium courts will not have the financial resources to operate their pretrial programs. These courts will be forced to downsize their programs by eliminating critical positions and reducing services. Again, using the Sierra Superior Court as an example, in 2021-22 the court spent approximately \$150,000 on its pretrial service provider, approximately \$19,000 on court personnel, and approximately \$4,000 on indirect costs. This left approximately \$27,000 for operating costs or unplanned expenses. Even with the floor in effect, courts and their pretrial partners are still operating with limited financial resources. Ensuring that small and small/medium courts have stable funding allows them to continue to abide by the legislation set forth in SB 129.

After a detailed analysis of planned budgets, actual spending, and individual outreach and conversations with the affected courts, CJS staff recommend the following for 2023-24:

- 22 courts to continue to receive the floor of \$200,000; and
- 1 court to receive a new floor of \$100,000.

CJS staff will continue to monitor and evaluate whether the floor provides small and small/medium courts with the resources necessary to meet the mandates of the legislation. If this analysis changes, staff will return to the TCBAC and the Budget Committee with a recommendation to rescind or adjust the floor.

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Alternatives Considered

CJS staff considered two alternatives:

- A. **Provide the 23 courts with the full funding floor allocation of \$200,000.** One funding floor court chose to reduce its funding floor by \$100,000. This option would reduce the overall allocation amount to the remaining 35 non-funding floor courts by \$100,000 and guarantee that there will be a return of at least \$100,000 at the end of the fiscal year.

- B. **Provide the 23 courts with a non-funding floor allocation.** More than half of the courts expended or will expend over 100 percent of their non-funding floor allocation. Moreover, in 2023-24, 90 percent of the funding floor courts budgeted over 100 percent of their non-funding floor allocation. This option does not provide enough funding for the courts to continue operating their pretrial programs.

Recommendation

The TCBAC recommends approval of the 2023-24 allocations for Pretrial Release funding, as outlined in Attachment 4A, for consideration by the Judicial Council at its July 21, 2023 business meeting.

Attachment

Attachment 5A: Recommended 2023-24 Pretrial Release Ongoing Allocations

Attachment 5A: Recommended 2023–24 Pretrial Release Ongoing Allocations**

| Court | Total 18–24 yr. olds* | % of total population of all CA 18–24 yr. olds | \$ allocation of \$68.95M, based on % of 18–24 yr. olds |
|----------------|------------------------------|---|--|
| Alameda | 135,182 | 3.76% | \$ 2,423,036 |
| Alpine | N/A† | N/A† | \$ 200,000 |
| Amador | N/A | N/A | \$ 200,000 |
| Butte | 31,407 | 0.87% | \$ 562,947 |
| Calaveras | N/A | N/A | \$ 200,000 |
| Colusa | N/A | N/A | \$ 200,000 |
| Contra Costa | 93,115 | 2.59% | \$ 1,669,016 |
| Del Norte | N/A | N/A | \$ 200,000 |
| El Dorado | 13,056 | 0.36% | \$ 234,019 |
| Fresno | 97,463 | 2.71% | \$ 1,746,951 |
| Glenn | N/A | N/A | \$ 200,000 |
| Humboldt | 16,955 | 0.47% | \$ 303,906 |
| Imperial | 17,919 | 0.50% | \$ 321,185 |
| Inyo | N/A | N/A | \$ 200,000 |
| Kern | 90,413 | 2.51% | \$ 1,620,585 |
| Kings | 16,280 | 0.45% | \$ 291,807 |
| Lake | N/A | N/A | \$ 200,000 |
| Lassen | N/A | N/A | \$ 200,000 |
| Los Angeles | 928,491 | 25.82% | \$ 16,642,502 |
| Madera | 14,543 | 0.40% | \$ 260,672 |
| Marin | 17,233 | 0.48% | \$ 308,889 |
| Mariposa | N/A | N/A | \$ 200,000 |
| Mendocino | N/A | N/A | \$ 200,000 |
| Merced | 31,111 | 0.87% | \$ 557,641 |
| Modoc | N/A | N/A | \$ 200,000 |
| Mono | N/A | N/A | \$ 200,000 |
| Monterey | 42,995 | 1.20% | \$ 770,653 |
| Napa | 11,846 | 0.33% | \$ 212,331 |
| Nevada | N/A | N/A | \$ 200,000 |
| Orange | 286,042 | 7.96% | \$ 5,127,087 |
| Placer | 29,035 | 0.81% | \$ 520,431 |
| Plumas | N/A | N/A | \$ 200,000 |
| Riverside | 229,998 | 6.40% | \$ 4,122,541 |
| Sacramento | 131,291 | 3.65% | \$ 2,353,292 |
| San Benito | N/A | N/A | \$ 200,000 |
| San Bernardino | 219,421 | 6.10% | \$ 3,932,956 |
| San Diego | 331,158 | 9.21% | \$ 5,935,758 |
| San Francisco | 58,770 | 1.63% | \$ 1,053,408 |
| San Joaquin | 73,498 | 2.04% | \$ 1,317,396 |

| Court | Total 18–24 yr. olds* | % of total population of all CA 18–24 yr. olds | \$ allocation of \$68.95M, based on % of 18–24 yr. olds |
|-----------------|-----------------------|--|---|
| San Luis Obispo | 42,233 | 1.17% | \$ 756,995 |
| San Mateo | 54,996 | 1.53% | \$ 985,762 |
| Santa Barbara | 69,263 | 1.93% | \$ 1,241,487 |
| Santa Clara | 160,587 | 4.47% | \$ 2,878,401 |
| Santa Cruz | 40,168 | 1.12% | \$ 719,981 |
| Shasta | 13,703 | 0.38% | \$ 245,616 |
| Sierra | N/A | N/A | \$ 200,000 |
| Siskiyou | N/A | N/A | \$ 200,000 |
| Solano | 38,477 | 1.07% | \$ 689,671 |
| Sonoma | 39,257 | 1.09% | \$ 703,652 |
| Stanislaus | 51,569 | 1.43% | \$ 924,335 |
| Sutter | N/A | N/A | \$ 200,000 |
| Tehama | N/A | N/A | \$ 200,000 |
| Trinity | N/A | N/A | \$ 100,000 |
| Tulare | 47,427 | 1.32% | \$ 850,093 |
| Tuolumne | N/A | N/A | \$ 200,000 |
| Ventura | 77,220 | 2.15% | \$ 1,384,110 |
| Yolo | 43,566 | 1.21% | \$ 780,888 |
| Yuba | N/A | N/A | \$ 200,000 |
| Total | 3,595,688 | 100% | \$ 68,950,000 |

** 2023-24 funding must be spent or encumbered by June 30, 2024.

* Source:

<https://data.census.gov/cedsci/table?q=age%20by%20&g=0400000US06.050000&tid=ACSST5Y2019.S0101&hidePreview=true&tp=true>.

† For courts that indicate “N/A,” a minimal funding floor of \$200,000 has been imposed to ensure adequate funding for small and small-medium courts to meet the legislative mandate, except Trinity Superior Court, which will receive a funding floor of \$100,000.

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

Title: 2023-24 Allocations from the State Trial Court Improvement and Modernization Fund (IMF)

Date: 5/9/2023

Contact: Michael Sun, Senior Analyst, Judicial Council Budget Services
415-865-4037 | michael.sun@jud.ca.gov

Issue

Consider adopting recommendations from the Trial Court Budget Advisory Committee for the preliminary 2023-24 allocations from the IMF for consideration by the Judicial Council at its July 20-21, 2023 business meeting.

Proposed 2023-24 Preliminary Allocations

Over the last two fiscal years, the IMF was facing possible insolvency as early as 2022-23 due to declining revenues. However, with a one-time revenue deposit of \$5 million in 2021-22 from audit findings and the addition of budget bill language in the 2022 Budget Act that authorizes backfill revenue in the amount needed to support the fund, there are no insolvency concerns in 2023-24.

As approved by the Judicial Council at its June 24, 2016 business meeting, the IMF fund condition also includes a reserve of \$2 million to protect against possible declines in revenue and is available for expenditure if needed to support program operations¹. This reserve is not expected to be needed to support the 2023-24 allocation recommendations included in Attachment 6A. Attachment 6B provides narrative descriptions of the programs receiving IMF funding allocations.

The following are the proposed 2023-24 allocation requests by Judicial Council offices:

- **Audit Services** – Conducts operational audits, risk assessments, and recommends improvements to all judicial branch entities.
 - a. *Approve an allocation of \$372,000; an increase of \$18,000 from the 2022–23 allocation (Attachment 6A, column G, row 1).*
 - i. The allocation is for conducting performance and compliance audits of the 58 trial courts.

¹ Judicial Council meeting (June 24, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4496693&GUID=FE6C1F1D-A68F-4CB8-B4E7-0596B5A59994>; Judicial Council meeting minutes (June 24, 2016), <https://jcc.legistar.com/View.ashx?M=M&ID=463476&GUID=26AF2EFA-74F7-4F01-AE8D-2A556C3986CD>.

JUDICIAL COUNCIL OF CALIFORNIA
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- ii. The increase is due to increased staffing costs and travel. The increases are partially offset by a reduction in training and supply costs.
- **Branch Accounting and Procurement** – Supports the trial courts’ financial and human resources Phoenix System.
 - a. *Approve an allocation of \$292,000; an increase of \$123,000 from the 2022–23 allocation (Attachment 6A, column G, rows 2 and 3).*
 - i. The Treasury Services Unit was transferred to Branch Accounting and Procurement from Budget Services in January 2023. This results in an increase to this allocation and a corresponding decrease in the request from Budget Services for support of this unit.
 - ii. The allocation is for one treasury staff and one accounting staff as well as providing contract-related services to produce statewide leveraged procurement agreements.
 - iii. Excluding the transfer of the Treasury Services Unit, increased staffing costs of the existing accounting staff also contributed to the increase.
- **Business Management Services** – Supports the judicial branch research, data, and analytic programs and manages the Temporary Assigned Judges Program.
 - a. *Approve an allocation of \$9,000; there is no change from the 2022–23 allocation (Attachment 6B, column G, row 4).*
 - i. The allocation is for committee meeting expenses for court personnel and judges related to workload studies.
 - ii. The committee being supported by this program is now the Data Analytics Advisory Committee effective 2022–23; the Workload Assessment Advisory Committee has sunset.
- **Budget Services** – Supports meetings of various committees and subcommittees as they relate to trial court funding, policies, and other issues.
 - a. *Approve an allocation of \$35,000; a decrease of \$115,000 from the 2022–23 allocation (Attachment 6A, column G, rows 5-7).*
 - i. The allocation is for the Trial Court Budget Advisory Committee and subcommittee meetings, and annual trainings for Revenue Distribution and the Collections Reporting Template.
 - ii. Treasury Services was transferred from Budget Services to Branch Accounting and Procurement resulting in a decrease to the allocation request.
- **Center for Families, Children & the Courts** – Supports various programs within the courts for litigants.

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- a. *Approve an allocation of \$6.3 million; a decrease of \$149,000 from the 2022–23 allocation (Attachment 6A, column G, rows 8-14).*
 - i. The allocation is for providing Domestic Violence forms in languages other than English to all courts; enabling all courts to use Hotdocs Document Assembly Applications while filing documents; court-based assistance to self-represented litigants; supporting the Beyond the Bench conference, Child & Family Focused Education Conference, and Youth Summit; funding for legal services agencies and their court partners to provide representation to indigent persons; updating the Self-represented Litigants Statewide Support Program and expanding the online California Courts Self-Help Center on the judicial branch website; and for recruitment of new interpreters.
 - ii. The decrease is for the specific use of funds for the Shriver Civil Counsel Program from cy pres funds that are held in reserve in the fund and may only be used for this purpose. This statutorily provided funding was expected to only be collected in 2019-20; however, some revenue has continued to come in after the planned sunset date. This request represents the use of the remaining available balance of that revenue.
 - iii. Provisional language in the budget requires unspent funds for Self-Help to revert to the General Fund.
- **Center for Judicial Education and Research** – Provides education to judges, court leaders, court staff faculty, managers, supervisors, and lead staff.
 - a. *Approve an allocation of \$1.2 million; a decrease of \$503,000 from the 2022–23 allocation (Attachment 6A, column G, rows 15-18).*
 - i. The allocation is for faculty development participant expenses, training for court leaders, the Court Clerks Training Institute, and for newly elected or appointed judges and subordinate judicial officers’ education programs.
 - ii. Additional 2022–23 funding was requested for a mandatory in-person training for judicial officers that was previously postponed due to the COVID-19 pandemic. All training is on schedule for 2023–24, thus the decrease from 2022–23.
- **Criminal Justice Services** – Supports the Judicial Council’s Criminal Jury Instructions Advisory Committee.
 - a. *Approve an allocation of \$9,000; there is no change from the 2022-23 allocation (Attachment 6A, column G, row 19).*
 - i. The allocation is for the criminal portion of the Jury Instructions and is self-funded by royalties generated from their sales.

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- **Human Resources** – Supports the Trial Court Labor Relations Academy to assist trial court staff in addressing various labor issues (not mandated).
 - a. *Approve \$23,000; an increase of \$23,000 from the 2022-23 allocation (Attachment 6A, column G, row 20).*
 - i. The allocation is for the Labor Relations Academy and Forum to provide court management staff with comprehensive labor relations knowledge to assist the courts in addressing their labor needs.
 - ii. The increase is due to the Trial Court Labor Relations Academy and Forum which is held every other year. There was no academy in 2022–23, therefore, funding is needed for 2023–24.

- 9. **Information Technology** – Supports information technology systems for the 58 trial courts.
 - a. *Approve an allocation of \$34.1 million; an increase of \$252,000 from the 2022–23 allocation (Attachment 6A, column G, rows 21-29).*
 - i. The allocation is for the Data Center and Cloud Service to host some level of services for the 58 California trial courts, the appellate courts, and the Supreme Court; the distribution and mandated reporting of uniform civil fees collected by all 58 trial courts; the California Courts Protective Order Registry; for developing and supporting a standardized level of network infrastructure for the trial courts; the Enterprise Policy and Planning program which provides a variety of Oracle products to the courts; Data Integration; and the Jury Management System.
 - ii. The increase is primarily due to costs associated with a hardware refresh cycle and associated vendor services and increased staffing costs. The increases are partially offset by the expiration of the 2019–20 Case Management System Replacement Budget Change Proposal funding, one-time identified savings, and removal of Department of Justice router equipment.

- 10. **Legal Services** – Supports the Judicial Council staff divisions and the courts, manages litigation, and is responsible for rules and projects including the California Rules of Court and Judicial Council forms as well as the Judicial Council’s Civil Jury Instructions Advisory Committee.
 - a. *Approve an allocation of \$871,000; an increase of \$1,000 from the 2022-23 allocation (Attachment 6A, column G, rows 30 and 31).*
 - i. The allocation is for the Regional Office Assistance Group of Legal Services to provide direct services to the trial courts; and for the civil portion of the Jury Instructions which is self-funded by royalties generated from their sales.
 - ii. The increase is due to increased staffing costs, which are partially offset by reduced operating expenses and equipment costs.

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11. **Leadership Support Services** – Supports the trial court judicial officers for the Commission on Judicial Performance defense master insurance policy.
- a. *Approve an allocation of \$1.9 million; this is an increase of \$119,000 from the 2022–23 allocation (Attachment 6A, column G, row 32).*
 - i. The allocation is for the Judicial Performance Defense Insurance program which is used to pay the insurance premium for trial court judges and judicial officers for the Commission on Judicial Performance defense master insurance policy.
 - ii. The increase is due to increased premium costs.

The 2023–24 IMF allocation request of \$45.2 million is reflected in the IMF Fund Condition Statement. Based on current revenue estimates, the fund is estimated to have a sufficient balance for the requested allocations (see Attachment 6C, Row 25).

Recommendation

The following recommendation from the Trial Court Budget Advisory Committee is presented to the Judicial Branch Budget Committee for consideration:

Adopt a recommendation to approve a total of \$45.2 million in preliminary allocations for 2023-24 from the IMF for consideration by the council at its July 20-21, 2023 business meeting.

Attachments

Attachment 6A: Judicial Council of California Approved 2022-23 and Proposed 2023-24 Allocations from the IMF – State Operations and Local Assistance Appropriations

Attachment 6B: IMF Summary of Programs

Attachment 6C: IMF Fund Condition Statement

Judicial Council of California
Approved 2022-23 and Proposed 2023-24 Allocations
State Trial Court Improvement and Modernization Fund
State Operations and Local Assistance Appropriations

| # | Program Name and Adjustments | Office | 2022-23 Allocations | Recommended 2023-24 Allocations | | | \$ Change from 2022-23 | % Change from 2022-23 |
|----|---|--------|---------------------------------------|---------------------------------|----------------------|----------------------|------------------------|-----------------------|
| | | | Judicial Council Approved Allocations | State Operations | Local Assistance | Total | | |
| A | B | C | D | E | F | G = (E + F) | H = (G - D) | I = (H/D) |
| 1 | Audit Services | AS | \$ 354,000 | \$ 372,000 | \$ - | \$ 372,000 | \$ 18,000 | 5.1% |
| 2 | Trial Court Master Agreements | BAP | 169,000 | 182,000 | - | 182,000 | 13,000 | 7.7% |
| 3 | Treasury Services - Cash Management | BAP | - | 110,000 | - | 110,000 | 110,000 | |
| 4 | Data Analytics Advisory Committee | BMS | 9,000 | - | 9,000 | 9,000 | - | 0.0% |
| 5 | Budget Focused Training and Meetings | BS | 30,000 | - | 25,000 | 25,000 | (5,000) | -16.7% |
| 6 | Revenue Distribution Training | BS | 10,000 | - | 10,000 | 10,000 | - | 0.0% |
| 7 | Treasury Services - Cash Management | BS | 110,000 | - | - | - | (110,000) | -100.0% |
| 8 | Domestic Violence Forms Translation | CFCC | 17,000 | - | 17,000 | 17,000 | - | 0.0% |
| 9 | Interactive Software - Self-Rep Electronic Forms | CFCC | 60,000 | - | 60,000 | 60,000 | - | 0.0% |
| 10 | Self-Help Center | CFCC | 5,000,000 | - | 5,000,000 | 5,000,000 | - | 0.0% |
| 11 | Statewide Multidisciplinary Education | CFCC | 67,000 | - | 67,000 | 67,000 | - | 0.0% |
| 12 | Shriver Civil Counsel - cy pres Funding | CFCC | 1,042,000 | - | 893,000 | 893,000 | (149,000) | -14.3% |
| 13 | Statewide Support for Self-Help Programs | CFCC | 100,000 | - | 100,000 | 100,000 | - | 0.0% |
| 14 | Court Interpreter Testing etc. | CFCC | 143,000 | - | 143,000 | 143,000 | - | 0.0% |
| 15 | CJER Faculty | CJER | 48,000 | - | 48,000 | 48,000 | - | 0.0% |
| 16 | Essential Court Management Education | CJER | 40,000 | 40,000 | - | 40,000 | - | 0.0% |
| 17 | Essential Court Personnel Education | CJER | 130,000 | - | 130,000 | 130,000 | - | 0.0% |
| 18 | Judicial Education | CJER | 1,487,000 | - | 984,000 | 984,000 | (503,000) | -33.8% |
| 19 | Jury System Improvement Projects | CJS | 9,000 | - | 9,000 | 9,000 | - | 0.0% |
| 20 | Trial Court Labor Relations Academies and Forums | HR | - | - | 23,000 | 23,000 | 23,000 | |
| 21 | Data Center and Cloud Service | IT | 7,096,000 | 2,215,000 | 4,471,000 | 6,686,000 | (410,000) | -5.8% |
| 22 | Uniform Civil Filing Services | IT | 432,000 | 399,000 | 3,000 | 402,000 | (30,000) | -6.9% |
| 23 | California Courts Protective Order Registry (CCPOR) | IT | 951,000 | 418,000 | 537,000 | 955,000 | 4,000 | 0.4% |
| 24 | Telecommunications | IT | 13,470,000 | - | 14,500,000 | 14,500,000 | 1,030,000 | 7.6% |
| 25 | Enterprise Policy & Planning (Statewide Planning and Dev Support) | IT | 3,905,000 | 1,044,000 | 2,500,000 | 3,544,000 | (361,000) | -9.2% |
| 26 | Data Integration | IT | 1,783,000 | 703,000 | 993,000 | 1,696,000 | (87,000) | -4.9% |
| 27 | Jury Management System | IT | 665,000 | - | 665,000 | 665,000 | - | 0.0% |
| 28 | Case Management System Replacement | IT | 66,000 | - | - | - | (66,000) | -100.0% |
| 29 | Telecom | IT | 5,509,000 | 1,297,000 | 4,384,000 | 5,681,000 | 172,000 | 3.1% |
| 30 | Jury System Improvement Projects | LS | 10,000 | - | 10,000 | 10,000 | - | 0.0% |
| 31 | Regional Office Assistance Group | LS | 860,000 | 861,000 | - | 861,000 | 1,000 | 0.1% |
| 32 | Judicial Performance Defense Insurance | LSS | 1,812,000 | - | 1,931,000 | 1,931,000 | 119,000 | 6.6% |
| 33 | Total | | \$ 45,384,000 | \$ 7,641,000 | \$ 37,512,000 | \$ 45,153,000 | \$ (231,000) | -0.5% |

| Totals by Office | | Office | Judicial Council Approved Allocations | State Operations | Local Assistance | Total | \$ Change from 2022-23 | % Change from 2022-23 |
|--------------------------|--|--------|---------------------------------------|---------------------|----------------------|----------------------|------------------------|-----------------------|
| Legend | | C | D | E | F | G = (E + F) | H = (G - D) | I = (H/D) |
| 34 | Audit Services | AS | \$ 354,000 | \$ 372,000 | \$ - | \$ 372,000 | \$ 18,000 | 5.1% |
| 35 | Branch Accounting and Procurement | BAP | 169,000 | 292,000 | - | 292,000 | 123,000 | 72.8% |
| 36 | Business Management Services | BMS | 9,000 | - | 9,000 | 9,000 | - | 0.0% |
| 37 | Budget Services | BS | 150,000 | - | 35,000 | 35,000 | (115,000) | -76.7% |
| 38 | Center for Families, Children and the Courts | CFCC | 6,429,000 | - | 6,280,000 | 6,280,000 | (149,000) | -2.3% |
| 39 | Center for Judicial Education and Research | CJER | 1,705,000 | 40,000 | 1,162,000 | 1,202,000 | (503,000) | -29.5% |
| 40 | Criminal Justice Services | CJS | 9,000 | - | 9,000 | 9,000 | - | 100.0% |
| 41 | Human Resources | HR | - | - | 23,000 | 23,000 | 23,000 | |
| 42 | Information Technology | IT | 33,877,000 | 6,076,000 | 28,053,000 | 34,129,000 | 252,000 | 0.7% |
| 43 | Legal Services | LS | 870,000 | 861,000 | 10,000 | 871,000 | 1,000 | 0.1% |
| 44 | Leadership Services | LSS | 1,812,000 | - | 1,931,000 | 1,931,000 | 119,000 | 100.0% |
| Total Allocations | | | \$ 45,384,000 | \$ 7,641,000 | \$ 37,512,000 | \$ 45,153,000 | \$ (231,000) | -0.5% |

**State Trial Court Improvement and Modernization Fund
Summary of Programs**

| Row # | Program Name | Office | Program Description |
|--------|--|--------|--|
| A | B | C | D |
| 1 | Audit Services | AS | Conducts performance and compliance audits of the State's 58 trial courts per the annual audit plan. |
| 2 | Trial Court Procurement/TCAS-MSA-IMF | BAP | Pays for personal services, phone services, and rent allocation for one accounting staff in Branch Accounting and Procurement to provide contract related services for the production of statewide leveraged procurement agreements. |
| 3, 7 | Treasury Services - Cash Management | BAP | Used for one treasury staff as well as contract-related services. |
| 4 | Data Analytics Advisory Committee | BMS | Pays for meeting expenses of the Data Analytics Advisory Committee and travel expenses for court personnel and judges related to data analytics meetings and activities. |
| 5 | Budget Focused Training and Meetings | BS | Supports meetings of the Trial Court Budget Advisory Committee and associated subcommittees on the preparation, development, and implementation of the budget for trial courts and provides input to the Judicial Council on policy issues affecting Trial Court Funding. |
| 6 | Revenue Distribution Training | BS | Pays for annual training on Revenue Distribution to all the collection programs as well as annual CRT training. |
| 8 | Domestic Violence Forms Translation | CFCC | This program makes available to all courts, translation of domestic violence protective order forms in languages other than English. Since 2000, these forms have been translated into Spanish, Vietnamese, Chinese and Korean based on data from various language needs studies. |
| 9 | Interactive Software - Self-Rep Electronic Forms | CFCC | This program enables all courts to use Document Assembly Applications, which present court users with a Q&A format that automatically populates fields across all filing documents. |
| 10 | Self-Help Center | CFCC | Provides court-based assistance to self-represented litigants. |
| 11 | Statewide Multidisciplinary Education | CFCC | Supports the biannual Beyond the Bench Conference, biannual Child & Family Focused Education Conference and annual Youth Summit. |
| 12 | Shriver Civil Counsel- cy près Funding | CFCC | This program provides funding for legal services agencies and their court partners to provide representation to indigent persons in cases involving housing, child custody, guardianship, conservatorships, and domestic violence. |
| 13 | Statewide Support for Self-Help Programs | CFCC | The Self-represented Litigants Statewide Support Program updates and expands the online Self-Help Guide to the California Courts on the judicial branch website. Further, this program facilitates the translating of over 50 Judicial Council forms that are used regularly by self-represented litigants. |
| 14 | Court Interpreter Testing etc. | CFCC | Pays for the testing, orientation, and recruitment of new interpreters. |
| 15 | CJER Faculty | CJER | Lodging, meals, and travel for faculty development participants. Primarily development of pro bono judge and court staff faculty who will teach all CJER programs for the trial courts. |
| 16 | Essential Court Management Education | CJER | National and statewide training for court leaders, including Institute for Court Management (ICM) courses, CJER Core 40 and Core 24 courses, & other local & regional courses for managers, supervisors and lead staff. |
| 17 | Essential Court Personnel Education | CJER | The Court Clerks Training Institute - courtroom and court legal process education in civil, traffic, criminal, probate, family, juvenile, appellate. Regional and local court personnel courses. The biennial Trial Court Judicial Attorneys Institute. |
| 18 | Judicial Education | CJER | Programs for all newly elected or appointed judges and subordinate judicial officers required by Rule of Court 10.462 (c)(1) to complete the new judge education programs offered by CJER; Judicial Institutes, courses for experienced judges; programs for PJs, CEOs & Supervising Judges. |
| 19, 30 | Jury System Improvement Projects | CJS/LS | This program is related to Jury Instructions and is a "self-funding" public contract code. Funds in this account are generated by royalties generated from sales of criminal and civil jury instructions. The funds are deposited under the Government Code. |
| 20 | Trial Court Labor Relations Academies and Forums | HR | The Labor Relations Academy and Forums provide court management staff with comprehensive labor relations knowledge that assists the courts in meeting its labor challenges. The Academies are held once per year in the spring and the Forums are held once per year in the fall. The allocation pays for costs tied to the setup and operations of HR's annual Labor Relations Academies and Forums. Typical expenses include: reimbursement of travel expenses for trial court employees who participate as faculty; lodging for all trial court attendees (including those who serve as faculty); meeting room/conference room rental fees; books/reference materials if needed; and meals for trial court participants of the Labor Relations Forum. Following each Academy, program staff send out surveys to gather feedback and receive suggestions for future events. In addition, participant attendance is gathered and reported to the Judicial Council as part of the Administrative Director's Report to the Council. |

**State Trial Court Improvement and Modernization Fund
Summary of Programs**

| Row # | Program Name | Office | Program Description |
|--------|--|--------|--|
| A | B | C | D |
| 21 | Data Center and Cloud Service (formerly CCTC and/or CCTC Operations) | IT | <p>The CCTC hosts some level of services for the 58 California superior courts, all the Courts of Appeal and the Supreme Court and has over 10,000 supported users. Major installations in the CCTC include the following:</p> <ul style="list-style-type: none"> • Appellate Court Case Management System (ACCMS) • California Court Protective Order Registry (CCPOR) • Phoenix - Trial Court Financial and Human Resources System • Sustain Interim Case Management System (ICMS) • Computer Aided Facilities Management (CAFM) system • Civil, Small Claims, Probate, and Mental Health Trial Court Case Management System (V3) • Integration Services Backbone (ISB) <p>This program provides consistent, cost effective, and secure hosting services, including ongoing maintenance and operational support, data network management, desktop computing and local server support, tape back-up and recovery, help desk services, email services, and a disaster recovery program.</p> |
| 22 | Uniform Civil Filing Services | IT | <p>This program supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of \$52 million distributed per month. The system generates reports for the State Controller's Office and various entities that receive the distributed funds. There are over 200 fee types collected by each court, distributed to 31 different entities (e.g. Trial Court Trust Fund, County, Equal Access Fund, Law Library, etc.), requiring 65,938 corresponding distribution rules that are maintained by UCFS. UCFS benefits the public by minimizing the amount of penalties paid to the state for incorrect or late distributions and ensuring that the entities entitled to a portion of the civil fees collected, as mandated by law, receive their correct distributions.</p> |
| 23 | California Courts Protective Order Registry (CCPOR) | IT | <p>The California Courts Protective Order Registry (CCPOR) is a statewide repository of protective orders containing both data and scanned images of orders that can be accessed by judges, court staff, and law enforcement officers. CCPOR allows judges and law enforcement officers to view orders issued by other court divisions and across county lines.</p> |
| 24, 29 | Telecommunications Support | IT | <p>This program develops and supports a standardized level of network infrastructure for the California superior courts. This infrastructure provides a foundation for local systems (email, jury, CMS, VOIP, etc.) and enterprise system applications such as Phoenix, via shared services at the CCTC provides operational efficiencies, and secures valuable court information resources.</p> |
| 25 | Enterprise Policy & Planning (Statewide Planning and Dev Support) | IT | <p>The Enterprise Policy and Planning program provides the trial courts access to a variety of Oracle products (e.g., Oracle Enterprise Database, Real Application Clusters, Oracle Security Suite, Oracle Advanced Security, Diagnostic Packs, Oracle WebLogic Application Server) without cost to the courts.</p> |
| 26 | ISB Support (Data Integration) | IT | <p>Data Integration provides system interfaces between Judicial Council systems and the computer systems of our justice partners, be they courts, law enforcement agencies, the department of justice and others. Without the Integrated Services Backbone (ISB), the current systems for sharing protective orders, for example, would not function.</p> |
| 27 | Jury Management System | IT | <p>The allocation for the Jury Program is used to distribute funds to the trial courts in the form of grants to improve court jury management systems. All trial courts are eligible to apply for the jury funding. The number of courts receiving grants varies according to the amount of grant funding available and the number of jury grant requests received.</p> |
| 28 | V3 Case Management System | IT | <p>V3 is used by the California Superior Courts of Orange, Sacramento, San Diego, and Ventura Counties. The courts use it to process approximately 25% of civil, small claims, probate, and mental health cases statewide.</p> |
| 31 | Regional Office Assistance Group | LS | <p>The allocation for the Regional Office Assistance Group is used to pay for attorneys and support personnel to provide direct legal services to the trial courts in the areas of transactions/business operations, legal opinions, ethics, and labor and employment law.</p> |
| 32 | Judicial Performance Defense Insurance | LSS | <p>The allocation for the Judicial Performance Defense Insurance program is used to pay the insurance premium for trial court judges and judicial officers for the Commission on Judicial Performance (CJP) defense master insurance policy. The program (1) covers defense costs in CJP proceedings related to CJP complaints; (2) protects judicial officers from exposure to excessive financial risk for acts committed within the scope of their judicial duties, and (3) lowers the risk of conduct that could lead to complaints through required ethics training for judicial officers.</p> |

State Trial Court Improvement and Modernization Fund
Fund Condition Statement
April 2023

Updated: April 20, 2023

| # | Description | 2020-21 (Year-end Financial Statement) | 2021-22 (Year-end Financial Statement) | Estimated | | |
|----|--|---|---|-------------------|-------------------|-------------------|
| | | | | 2022-23 | 2023-24 | 2024-25 |
| | | | | A | B | C |
| 1 | Beginning Balance | 21,152,288 | 16,886,288 | 23,242,054 | 23,412,000 | 26,531,000 |
| 2 | Prior-Year Adjustments | 2,422,000 | 8,176,338 | -2,054 | 0 | |
| 3 | Adjusted Beginning Balance | 23,574,288 | 25,062,626 | 23,240,000 | 23,412,000 | 26,531,000 |
| 4 | REVENUES¹: | | | | | |
| 12 | Subtotal Revenues | 17,264,000 | 15,428,439 | 15,369,000 | 18,162,000 | 17,371,000 |
| 13 | Transfers and Other Adjustments | | | | | |
| 14 | To Trial Court Trust Fund (Gov. Code, § 77209(j)) | -13,397,000 | -13,397,000 | -13,397,000 | -13,397,000 | -13,397,000 |
| 15 | To Trial Court Trust Fund (Budget Act) | -594,000 | -594,000 | -594,000 | -594,000 | -594,000 |
| 16 | General Fund Transfer (Gov. Code § 20825.1) | | -270,000 | 0 | 0 | 0 |
| 17 | Total Revenues, Transfers, and Other Adjustments | 3,273,000 | 1,167,439 | 1,378,000 | 4,171,000 | 3,380,000 |
| 18 | Total Resources | 26,847,288 | 26,230,065 | 24,618,000 | 27,583,000 | 29,911,000 |
| 19 | EXPENDITURES²: | | | | | |
| 20 | Judicial Branch Total State Operations | 4,635,000 | 5,217,956 | 7,452,000 | 7,641,000 | 7,860,000 |
| 21 | Judicial Branch Total Local Assistance | 47,825,000 | 44,734,883 | 37,857,000 | 37,512,000 | 38,104,000 |
| 22 | Pro Rata and Other Adjustments | 289,000 | 307,171 | 181,000 | 117,000 | 117,000 |
| 23 | Less funding provided by General Fund (Local Assistance) | -42,788,000 | -47,272,000 | -44,284,000 | -44,218,000 | -44,218,000 |
| 24 | Total Expenditures and Adjustments | 9,961,000 | 2,988,011 | 1,206,000 | 1,052,000 | 1,863,000 |
| 25 | Fund Balance | 16,886,288 | 23,242,054 | 23,412,000 | 26,531,000 | 28,048,000 |
| 26 | Fund Balance - less restricted funds | 12,775,459 | 19,677,611 | 21,002,694 | 24,354,694 | 25,981,693 |
| 27 | Structural Balance | -6,688,000 | -1,820,572 | 172,000 | 3,119,000 | 1,517,000 |

¹ Revenue estimates include actuals through February 2023.

² The 2022-23 expenditures reflect anticipated savings as recognized by programs in relation to the 2022-23 Judicial Council-approved allocations.

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

Title: 2023-24 Allocations from the Trial Court Trust Fund (TCTF) and Trial Court Allocations

Date: 5/10/2023

Contact: Oksana Tuk, Senior Analyst, Judicial Council Budget Services
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Issue

Government Code section 68502.5(c)(2)(A) requires the Judicial Council to make a preliminary allocation to the trial courts in July and to finalize allocations in January of each fiscal year. Included for the Judicial Branch Budget Committee’s (Budget Committee) review and approval is the Trial Court Budget Advisory Committee’s (TCBAC) recommendations on the 2023-24 trial court TCTF and General Fund (GF) allocations for consideration by the Judicial Council at its July 20-21, 2023 business meeting.

2023-24 Governor’s Budget Proposals

The 2023-24 Governor’s Budget includes \$5.3 billion in operating and facility funds for the judicial branch. The proposed budget reflects funding to maintain critical programs and services provided by the branch to advance access to justice for all Californians.

In recognition of increasing trial court operational cost pressures due to inflation, the proposed budget includes \$74.1 million ongoing GF to provide a 3 percent funding increase. Based on the prior years’ business practice, the allocation of this \$74.1 million will be provided as a 3 percent increase over each trial court’s 2022-23 Workload Formula (WF) allocation.

Base, Discretionary, and Non-Discretionary Programs

1. Program 0140010 – Judicial Council
 - a. Revenue and Expenditure (R&E) Subcommittee allocation recommendations¹ for Judicial Council staff of \$4.4 million (Attachment 7A, column J, line 30).
2. Program 0150010 – Support for Operation of the Trial Courts
 - a. TCTF allocation of \$2.6 billion (Attachment 7B, column W).
 - b. New allocations include:
 - i. Proposed inflationary increase of \$74.1 million for trial court operations included in the 2023-24 Governor’s Budget (Attachment 7B, column D);

¹ R&E meeting materials (April 13, 2023), <https://www.courts.ca.gov/documents/tcbac-20230413-rande-materials.pdf>.

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

- ii. \$11.2 million for non-court interpreter benefits cost change for 2023-24 (Attachment 7B, column E); and
 - c. R&E Subcommittee allocation recommendation for support of operation of trial courts of \$48 million (Attachment 7A, column J, line 31).
- 3. Program 0150011 – Court Appointed Dependency Counsel
 - a. An allocation of \$186.7 million for Court-Appointed Dependency Counsel (Attachment 7A, column J, line 32).
 - i. This item is included as a single amount; the detail is presented under Item 2 of this meeting’s agenda.
- 4. Program 0150010 – Pretrial Funding
 - a. An allocation of \$68.9 million for pretrial (Attachment 7B, column U).
 - i. This item is included as a single amount; the detail is presented under Item 5 of this meeting’s agenda.
- 5. Program 0150010 – CARE Act Funding
 - a. An allocation of \$20 million for the CARE Act (Attachment 7B, column V).
 - i. This item is included as a single amount; the detail is presented under Item 1 of this meeting’s agenda.
- 6. Program 0150037 – Court Interpreters
 - a. R&E Subcommittee allocation recommendation of \$87,000 for the Court Interpreter Data Collection System (Attachment 7A, column J, line 33).
- 7. Program 0150095 – Expenses on Behalf of the Trial Courts
 - a. R&E Subcommittee allocation recommendation of \$15 million for expenditures incurred by the Judicial Council on behalf of the trial courts (Attachment 7A, column J, line 34).

General Fund

\$68.8 million GF for employee benefits (Attachment 7B, column T) and \$50.0 million GF for operation of the trial courts (Attachment 7B, column S). The \$50.0 million allocation was previously funded by the State Court Facilities Construction Fund (SCFCF); however, GF is proposed in the 2023-24 Governor’s Budget to support this allocation to allow for solvency of the SCFCF.

2023-24 Workload Formula Allocation

The 2023-24 WF allocation includes allocations, revenues, and adjustments of \$2.5 billion (Attachment 7C, column X).

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

Changes to the prior year WF allocation include:

- a. Adjustment to the subordinate judicial officer allocation totaling -\$2.9 million (Attachment 7C, column M);
- b. A change of \$53,000 in Automated Recordkeeping and Micrographics collections from 2020-21 to 2021-22 (Attachment 7C, column N);
- c. 2023-24 non-interpreter benefits cost changes totaling \$11.2 million (Attachment 7C, column O);
- d. Criminal Justice Realignment funding of \$9.2 million (Attachment 7C, column P);
- e. 2021-22 revenues collected totaling \$48 million (Attachment 7C, column Q)²;
- f. \$74.1 million in proposed funding as outlined in the ‘2023-24 Governor’s Budget Proposals’ section (Attachment 7C, column R); and
- g. An increase to the base funding floor amount for two courts, Alpine and Sierra, to \$978,500 as approved by the council effective 2023-24 to allow these courts to retain inflationary adjustments above the base funding floor amount (Attachment 7C, column T).

Resource Assessment Study (RAS) Model Update and Workload Formula

For 2023-24, the RAS model, which is the foundation of the WF, uses the most recent three-year average filings (2019-20, 2020-21, 2021-22).

The 2019-20 filings include the first four months of the pandemic (March-June 2020), a period of time when many courts had to close and adjust their operations to comply with state and local health and safety requirements. Temporary emergency orders were put into place to extend statutory timeframes for processing court workload while these adjustments took place.

Since many courts were unable to process filings during that period of time, the former Workload Assessment Advisory Committee approved replacing the four months of pandemic-impacted data with data that is more representative of the expected trend in filings for that four-month period.³

Pending Allocations

Items pending allocation from the Program 0150010 appropriation include:

- a. The final 2023 Budget Act is anticipated to include \$100 million in civil assessment backfill funding, which is a reduction of \$10 million from the prior year. The Funding Methodology Subcommittee and a subsequent TCBAC meeting will reconsider how this

² Includes all other applicable revenue sources as recommended by the Funding Methodology Subcommittee, excluding civil assessment revenue as of 2022-23. Revenue does not reflect an allocation of funding to the trial courts but is used in the calculation of the Workload Formula Allocation.

³ Workload Assessment Advisory Committee materials (April 23, 2021), <https://www.courts.ca.gov/documents/waac-20210423-materials.pdf>.

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

funding will be allocated to each court in 2023-24. Therefore, this funding is not reflected in the attached allocation tables.

- b. 2023-24 funding floor adjustment, with all other courts sharing a pro rata reduction in the funding floor allocation (Attachment 7C, column U). The funding floor adjustment will be completed after civil assessment allocations are finalized and may change based on final appropriations included in the 2023 Budget Act.
- c. Under Government Code section 77203(b), a trial court may carry over unexpended funds in an amount not to exceed 3 percent of the court's operating budget from the prior fiscal year, effective June 30, 2022. Since the courts have until July 15, 2023, to provide their preliminary 2022-23 ending fund balances, the preliminary reduction amounts related to trial court reserves above the 3 percent cap referenced in Government Code section 68502.5(c)(2)(A) will not be available for consideration by the TCBAC and Budget Committee prior to recommendation to the council at its July 20-21, 2023 business meeting. The TCBAC will consider the final allocation reductions for fund balances above the 3 percent cap prior to recommendation to the Budget Committee and the Judicial Council before January 2024.
- d. In 2022-23, an ongoing \$30 million was provided for increasing the number of court reporters in family law and civil cases as well as an ongoing \$7 million to cover the costs associated with increased transcript rates. An update to the funding methodology and allocation recommendation for 2023-24 is being presented to the Budget Committee under Item 4 of this meeting agenda.
- e. The allocation of funding, using the council-approved formula, collected through the dependency counsel collections program will be brought to the TCBAC, the Budget Committee, and council once final 2022-23 collections are known.
- f. Various revenue distributions as required by statute or as authorized charges for the cost of programs or cash advances.

Potential Impacts to Allocations

- a. Allocation changes may be necessary to the extent there are changes to appropriations and associated language in the 2023 Budget Act.
- b. The \$10 million in urgent needs funding assumes no allocations in 2023-24. If funding is allocated in 2023-24, courts would need to replenish the funding up to what was allocated by the council from their 2024-25 base allocation⁴.

The projected 2023-24 ending TCTF fund balance is \$207.7 million (Attachment 7D, column E, row 27). Of this amount, approximately \$100.3 million is either statutorily restricted or restricted by the council (Attachment 7D, column E, row 29). The estimated unrestricted fund balance is \$107.4 million (Attachment 7D, column E, row 30). The 2023-24 preliminary allocation requests totaling \$3 billion can be supported by the TCTF based on revenue projections and projected savings in the current year.

⁴ Judicial Branch Budget Committee report (March 18, 2019), <https://www.courts.ca.gov/documents/jbbc-20190318-materials.pdf>.

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

Recommendation

The following recommendations presented to the Budget Committee for consideration include R&E subcommittee and TCBAC recommendations, an informational update on RAS filings data related to the WF, and assume the funding proposed in the 2023-24 Governor’s Budget will remain in the final 2023 Budget Act:

- Approve base, discretionary, and non-discretionary programs from the TCTF of \$3 billion (Attachment 7B, column AD), including:
 - GF allocation of \$50.0 million for support for operation of the trial courts (Attachment 7B, column S); and
 - GF allocation in of \$68.8 million for employee benefits (Attachment 7B, column T).
- As a subset of the \$3 billion total allocation, approve a Workload Allocation of \$2.5 billion based on methodologies approved by the Judicial Council (Attachment 7C, column S).

Attachments

Attachment 7A: Judicial Council Approved 2022-23 and Proposed 2023-24 State Operations and Local Assistance Allocations from the TCTF

Attachment 7B: 2023-24 TCTF Recommended Preliminary Allocation

Attachment 7C: 2023-24 Workload Formula Allocation

Attachment 7D: TCTF Fund Condition Statement

Judicial Council of California
Approved 2022-23 and Proposed 2023-24 Allocations
State Operations and Local Assistance
Trial Court Trust Fund

| # | Program Name | Program Number | Office | 2022-23 Allocations | | | Recommended 2023-24 Allocations | | | SS Change from 2022-23 | % Change from 2022-23 |
|----|--|----------------|--------|---------------------|------------------|----------------------------|---------------------------------|------------------|----------------------------|------------------------|-----------------------|
| | | | | State Operations | Local Assistance | Total Approved Allocations | State Operations | Local Assistance | Total Proposed Allocations | | |
| A | B | C | D | E | F | G (E + F) | H | I | J (H + I) | K (J - G) | L (K / G) |
| 1 | SCO Audit - Pilot program per GC 77206 (h)(4) | 0150095 | AS | | \$ 540,000 | \$ 540,000 | | \$ 540,000 | \$ 540,000 | - | 0% |
| 2 | California State Auditor Audits | 0150010 | AS | | 325,000 | 325,000 | | | - | (325,000) | -100% |
| 3 | Phoenix Financial Services | 0140010 | BAP | 86,857 | | 86,857 | 94,000 | | 94,000 | 7,143 | 8% |
| 4 | Phoenix HR Services | 0140010 | BAP | 1,623,808 | | 1,623,808 | 1,756,000 | | 1,756,000 | 132,192 | 8% |
| 5 | Other Post Employment Benefits Valuations | 0150095 | BAP | | 122,750 | 122,750 | | 530,850 | 530,850 | 408,100 | 332% |
| 6 | Statewide Support for Collections Programs | 0140010 | BS | 551,000 | | 551,000 | 601,000 | | 601,000 | 50,000 | 9% |
| 7 | Jury | 0150010 | BS | | 14,500,000 | 14,500,000 | | 18,700,000 | 18,700,000 | 4,200,000 | 29% |
| 8 | Elder Abuse | 0150010 | BS | | 1,200,000 | 1,200,000 | | 1,300,000 | 1,300,000 | 100,000 | 8% |
| 9 | SCO Administrative Costs per GC 68085(g) | 0150010 | BS | | 275,000 | 275,000 | | 75,000 | 75,000 | (200,000) | -73% |
| 10 | Children in Dependency Case Training | 0150095 | CFCC | | 113,000 | 113,000 | | 113,000 | 113,000 | - | 0% |
| 11 | Sargent Shriver Civil Counsel Pilot Program | 0140010 | CFCC | 573,000 | | 573,000 | 1,073,000 | | 1,073,000 | 500,000 | 87% |
| 12 | Sargent Shriver Civil Counsel Pilot Program | 0150095 | CFCC | | 12,265,725 | 12,265,725 | | 12,265,725 | 12,265,725 | - | 0% |
| 13 | Equal Access Fund | 0140010 | CFCC | 246,000 | | 246,000 | 274,000 | | 274,000 | 28,000 | 11% |
| 14 | Court-Appointed Dependency Counsel Collections | 0140010 | CFCC | 260,000 | | 260,000 | 556,000 | | 556,000 | 296,000 | 114% |
| 15 | Court-Appointed Dependency Counsel | 0150011 | CFCC | | 186,700,000 | 186,700,000 | | 186,700,000 | 186,700,000 | - | 0% |
| 16 | Juvenile Dependency Collections Reimbursement | 0150010 | CFCC | | 1,144,748 | 1,144,748 | | 364,976 | 364,976 | (779,772) | -68% |
| 17 | Self-Help Center | 0150010 | CFCC | | 25,300,000 | 25,300,000 | | 25,300,000 | 25,300,000 | - | 0% |
| 18 | Screening Equipment Replacement | 0150010 | FS | | 2,286,000 | 2,286,000 | | 2,286,000 | 2,286,000 | - | 0% |
| 19 | Court Interpreters Data Collections System (CIDCS) | 0150037 | IT | 87,000 | | 87,000 | 87,000 | | 87,000 | - | 0% |
| 20 | Civil, Small Claims, Probate and Mental Health (V3) CMS | 0150095 | IT | | 1,680,998 | 1,680,998 | | | - | (1,680,998) | -100% |
| 21 | Data Center and Cloud Services | 0150095 | IT | | 1,112,803 | 1,112,803 | | 1,372,457 | 1,372,457 | 259,654 | 23% |
| 22 | Electronic Courts of Appeal Record and Transcripts (eCART) Program | 0150095 | IT | | 200,000 | 200,000 | | 200,000 | 200,000 | - | 0% |
| 23 | Total Allocations | | | \$ 3,427,665 | \$ 247,766,024 | \$ 251,193,689 | \$ 4,441,000 | \$ 249,748,008 | \$ 254,189,008 | \$ 2,995,319 | 1.19% |

| Totals by Office | | | Office | State Operations | Local Assistance | Total Approved Allocations | State Operations | Local Assistance | Total Proposed Allocations | SS Change from 2022-23 | % Change from 2022-23 |
|--------------------------|--|------|--------------|------------------|------------------|----------------------------|------------------|------------------|----------------------------|------------------------|-----------------------|
| Legend | | | | | | | | | | | |
| 24 | Audit Services | AS | \$ - | \$ 865,000 | \$ 865,000 | \$ - | \$ 540,000 | \$ 540,000 | \$ (325,000) | -37.57% | |
| 25 | Branch Accounting and Procurement | BAP | 1,710,665 | 122,750 | 1,833,415 | 1,850,000 | 530,850 | 2,380,850 | 547,435 | 29.86% | |
| 26 | Budget Services | BS | 551,000 | 15,975,000 | 16,526,000 | 601,000 | 20,075,000 | 20,676,000 | 4,150,000 | 25.11% | |
| 27 | Center for Families, Children and the Courts | CFCC | 1,079,000 | 225,523,473 | 226,602,473 | 1,903,000 | 224,743,701 | 226,646,701 | 44,228 | 0.02% | |
| 28 | Facility Services | FS | - | 2,286,000 | 2,286,000 | - | 2,286,000 | 2,286,000 | - | 0.00% | |
| 29 | Information Technology | IT | 87,000 | 2,993,801 | 3,080,801 | 87,000 | 1,572,457 | 1,659,457 | (1,421,344) | -46.14% | |
| Total Allocations | | | \$ 3,427,665 | \$ 247,766,024 | \$ 251,193,689 | \$ 4,441,000 | \$ 249,748,008 | \$ 254,189,008 | \$ 2,995,319 | 1.19% | |

| Totals by Program | | | Program Number | State Operations | Local Assistance | Total Approved Allocations | State Operations | Local Assistance | Total Proposed Allocations | SS Change from 2022-23 | % Change from 2022-23 |
|--------------------------|---|---------|----------------|------------------|------------------|----------------------------|------------------|------------------|----------------------------|------------------------|-----------------------|
| Legend | | | | | | | | | | | |
| 30 | Judicial Council (Staff) | 0140010 | \$ 3,340,665 | \$ - | \$ 3,340,665 | \$ 4,354,000 | \$ - | \$ 4,354,000 | \$ 1,013,335 | 30.33% | |
| 31 | Support for the Operation of the Trial Courts | 0150010 | - | 45,030,748 | 45,030,748 | - | 48,025,976 | 48,025,976 | 2,995,228 | 6.65% | |
| 32 | Court Appointed Dependency Counsel | 0150011 | - | 186,700,000 | 186,700,000 | - | 186,700,000 | 186,700,000 | - | 0.00% | |
| 33 | Court Interpreters | 0150037 | 87,000 | - | 87,000 | 87,000 | - | 87,000 | - | 0.00% | |
| 34 | Expenses on Behalf of the Trial Courts | 0150095 | - | 16,035,276 | 16,035,276 | - | 15,022,032 | 15,022,032 | (1,013,244) | -6.32% | |
| Total Allocations | | | \$ 3,427,665 | \$ 247,766,024 | \$ 251,193,689 | \$ 4,441,000 | \$ 249,748,008 | \$ 254,189,008 | \$ 2,995,319 | 1.19% | |

| Court | 2022-23 ONGOING BASE ADJUSTMENTS | | | 2023-24 ONGOING BASE ALLOCATIONS | | | OTHER ONE-TIME TCTF ALLOCATIONS | | | | |
|-----------------|--|---|--|--|--|---------------------------|---------------------------------|------------------------------|--------------------------------|---|---------------------------------|
| | 2022-23 Ending Trial Court Trust Fund (TCTF) Ongoing Base Allocation | 2022-23 | 2022-23 Adjusted Ending TCTF Ongoing Base Allocation | GL 812110 | | | GL 812110 | | | | |
| | | Placeholder Adjustment of 2022-23 Civil Assessment Backfill Pending Final Allocation for 2023-24* | | 2023-24 Inflationary Adjustment Funding of \$74.1m (3 Percent) | 2023-24 Non-Interpreter Benefit Cost Change Funding ¹ | Total Ongoing Allocations | Telephonic Appearances | Criminal Justice Realignment | Court Reporters SB 170 Funding | Increased Transcript Rates SB 170 Funding | Total One-Time Base Allocations |
| A | B | C (A+B) | D | E | F (D+E) | G | H | I | J | K (G+J) | |
| Alameda | 84,421,035 | (1,023,593) | 83,397,443 | 2,652,865 | 134,353 | 2,787,218 | - | 159,891 | - | - | 159,891 |
| Alpine | 886,022 | - | 886,022 | 28,500 | 11,514 | 40,014 | - | 474 | - | - | 474 |
| Amador | 3,987,300 | - | 3,987,300 | 119,320 | 172,218 | 291,538 | 5,790 | 5,764 | - | - | 11,554 |
| Butte | 13,503,991 | (223,924) | 13,280,067 | 402,314 | 202,875 | 605,189 | 15,210 | 149,942 | - | - | 165,152 |
| Calaveras | 3,082,492 | - | 3,082,492 | 98,632 | 79,796 | 178,428 | 791 | 7,580 | - | - | 8,371 |
| Colusa | 2,236,377 | - | 2,236,377 | 71,098 | 37,916 | 109,014 | - | 7,343 | - | - | 7,343 |
| Contra Costa | 47,950,059 | (1,511,254) | 46,438,805 | 1,557,426 | 586,905 | 2,144,331 | - | 40,269 | - | - | 40,269 |
| Del Norte | 3,452,934 | - | 3,452,934 | 111,653 | 37,879 | 149,532 | - | 14,686 | - | - | 14,686 |
| El Dorado | 8,583,153 | (129,338) | 8,453,815 | 282,132 | 44,465 | 326,597 | 24,418 | 41,690 | - | - | 66,108 |
| Fresno | 58,154,078 | (1,865,347) | 56,288,731 | 1,922,337 | (706,248) | 1,216,089 | 75,930 | 173,867 | - | - | 249,797 |
| Glenn | 2,710,148 | - | 2,710,148 | 87,397 | - | 87,397 | 1,230 | 4,738 | - | - | 5,968 |
| Humboldt | 7,758,536 | (104,892) | 7,653,644 | 252,157 | 17,486 | 269,643 | 12,250 | 24,398 | - | - | 36,648 |
| Imperial | 9,861,262 | - | 9,861,262 | 303,832 | 198,243 | 502,074 | 25,465 | 26,530 | - | - | 51,995 |
| Inyo | 2,406,403 | - | 2,406,403 | 73,939 | 25,086 | 99,025 | 1,395 | 7,817 | - | - | 9,212 |
| Kern | 56,277,697 | (1,888,221) | 54,389,476 | 1,945,910 | (74,973) | 1,870,937 | 38,700 | 289,936 | - | - | 328,636 |
| Kings | 10,026,532 | (312,333) | 9,714,199 | 321,875 | 97,652 | 419,527 | 5,935 | 68,220 | - | - | 74,155 |
| Lake | 4,991,278 | (144,785) | 4,846,493 | 149,208 | 22,123 | 171,331 | - | 12,554 | - | - | 12,554 |
| Lassen | 2,589,338 | - | 2,589,338 | 75,164 | 79,329 | 154,493 | 4,241 | 8,764 | - | - | 13,006 |
| Los Angeles | 680,597,999 | (21,126,821) | 659,471,178 | 21,772,286 | 5,930,570 | 27,702,856 | - | 3,050,014 | - | - | 3,050,014 |
| Madera | 11,560,181 | (350,567) | 11,209,614 | 361,278 | 13,410 | 374,688 | - | 41,453 | - | - | 41,453 |
| Marin | 12,423,546 | (174,063) | 12,249,483 | 423,227 | (33,482) | 389,745 | 42,540 | 22,977 | - | - | 65,517 |
| Mariposa | 1,706,871 | - | 1,706,871 | 54,296 | 12,770 | 67,067 | - | 3,790 | - | - | 3,790 |
| Mendocino | 7,004,281 | (58,932) | 6,945,348 | 229,529 | 31,898 | 261,427 | 8,520 | 64,193 | - | - | 72,713 |
| Merced | 15,203,840 | (483,440) | 14,720,400 | 498,210 | 75,615 | 573,826 | 13,095 | 57,798 | - | - | 70,893 |
| Modoc | 1,204,402 | - | 1,204,402 | 39,869 | 14,285 | 54,154 | 776 | 3,158 | - | - | 3,934 |
| Mono | 2,144,960 | - | 2,144,960 | 70,405 | - | 70,405 | - | - | - | - | - |
| Monterey | 24,913,368 | (737,493) | 24,175,875 | 760,025 | 294,765 | 1,054,790 | - | 54,245 | - | - | 54,245 |
| Napa | 8,449,022 | (115,140) | 8,333,881 | 279,400 | 76,066 | 355,466 | 14,590 | 30,557 | - | - | 45,147 |
| Nevada | 6,846,625 | (190,881) | 6,655,744 | 196,712 | 25,134 | 221,846 | - | 6,396 | - | - | 6,396 |
| Orange | 172,433,536 | (5,364,415) | 167,069,121 | 5,528,308 | (453,971) | 5,074,337 | - | 535,813 | - | - | 535,813 |
| Placer | 23,889,070 | (704,473) | 23,184,596 | 725,996 | 236,489 | 962,486 | 24,920 | 43,585 | - | - | 68,505 |
| Plumas | 1,728,168 | - | 1,728,168 | 55,546 | - | 55,546 | 2,448 | 13,265 | - | - | 15,713 |
| Riverside | 129,627,227 | (3,873,460) | 125,753,767 | 3,991,802 | 2,463,814 | 6,455,615 | - | 863,650 | - | - | 863,650 |
| Sacramento | 101,714,709 | (3,079,318) | 98,635,391 | 3,173,397 | 237,934 | 3,411,332 | 43,920 | 167,234 | - | - | 211,154 |
| San Benito | 4,412,520 | - | 4,412,520 | 139,869 | - | 139,869 | - | 15,239 | - | - | 15,239 |
| San Bernardino | 140,897,876 | (4,053,883) | 136,843,993 | 4,177,737 | (865,298) | 3,312,439 | 239,760 | 1,062,625 | - | - | 1,302,385 |
| San Diego | 161,837,533 | (2,130,881) | 159,706,652 | 5,099,211 | 1,160,226 | 6,259,437 | - | 340,864 | - | - | 340,864 |
| San Francisco | 54,213,965 | - | 54,213,965 | 1,909,468 | (910,113) | 999,356 | 17,515 | 108,015 | - | - | 125,530 |
| San Joaquin | 47,955,933 | (1,464,125) | 46,491,809 | 1,508,857 | 413,723 | 1,922,579 | 51,955 | 77,222 | - | - | 129,177 |
| San Luis Obispo | 17,531,130 | (529,032) | 17,002,098 | 545,195 | 117,156 | 662,351 | 18,700 | 83,143 | - | - | 101,843 |
| San Mateo | 40,801,236 | (551,661) | 40,249,575 | 1,319,206 | (1,881,585) | (562,379) | 39,742 | 93,092 | - | - | 132,835 |
| Santa Barbara | 25,371,632 | (325,198) | 25,046,434 | 794,159 | 158,945 | 953,103 | 44,719 | 24,398 | - | - | 69,117 |
| Santa Clara | 86,611,419 | (1,154,167) | 85,457,252 | 2,746,980 | 619,688 | 3,366,668 | - | 134,782 | - | - | 134,782 |
| Santa Cruz | 15,559,617 | (439,448) | 15,120,169 | 490,812 | 86,449 | 577,262 | 21,904 | 33,400 | - | - | 55,303 |
| Shasta | 17,604,093 | (388,554) | 17,215,540 | 467,949 | 366,748 | 834,697 | 9,190 | 156,575 | - | - | 165,765 |
| Sierra | 795,086 | - | 795,086 | 28,500 | 27,821 | 56,321 | 630 | 237 | - | - | 867 |
| Siskiyou | 4,130,910 | (123,205) | 4,007,705 | 126,969 | 53,878 | 180,847 | - | 3,316 | - | - | 3,316 |
| Solano | 27,103,872 | (573,749) | 26,530,124 | 847,269 | 420,285 | 1,267,553 | 42,765 | 151,837 | - | - | 194,602 |
| Sonoma | 28,497,042 | (872,797) | 27,624,245 | 899,463 | - | 899,463 | 14,895 | 77,222 | - | - | 92,117 |
| Stanislaus | 28,908,707 | (889,759) | 28,018,948 | 930,866 | 425,880 | 1,356,746 | - | 151,837 | - | - | 151,837 |
| Sutter | 7,645,121 | (230,173) | 7,414,948 | 237,205 | 55,827 | 293,032 | 2,795 | 15,634 | - | - | 18,429 |
| Tehama | 5,453,383 | (121,923) | 5,331,460 | 173,135 | 130,146 | 303,282 | 1,340 | 21,082 | - | - | 22,422 |
| Trinity | 2,436,062 | - | 2,436,062 | 61,900 | - | 61,900 | 400 | 3,316 | - | - | 3,716 |
| Tulare | 30,166,727 | (900,115) | 29,266,612 | 927,616 | 557,498 | 1,485,114 | 12,890 | 89,065 | - | - | 101,955 |
| Tuolumne | 4,626,776 | (58,439) | 4,568,336 | 143,566 | 74,016 | 217,582 | 6,280 | 10,896 | - | - | 17,176 |
| Ventura | 41,699,814 | (601,850) | 41,097,964 | 1,299,160 | 72,178 | 1,371,337 | - | 503,361 | - | - | 503,361 |
| Yolo | 15,046,385 | (440,621) | 14,605,764 | 454,083 | 177,976 | 632,059 | - | 28,188 | - | - | 28,188 |
| Yuba | 5,732,764 | - | 5,732,764 | 179,780 | 77,709 | 257,489 | 9,456 | 35,058 | - | - | 44,514 |
| Unallocated | - | - | - | - | - | - | - | - | 30,000,000 | 7,000,000 | 37,000,000 |
| Total | 2,339,366,045 | (59,312,271) | 2,280,053,774 | 74,125,000 | 11,231,071 | 85,356,071 | 897,100 | 9,223,000 | 30,000,000 | 7,000,000 | 47,120,100 |

* \$100 million civil assessment backfill funding for 2023-24 is not reflected in the allocation tables pending a final allocation methodology.

¹ Benefits funding reflects actual cost changes as identified by the court and is fiscally neutral.

| Court | 2023-24 BASE ALLOCATION ADJUSTMENTS | | | | | | 2023-24 Total TCTF Base Allocation | 2023-24 OTHER NON-TCTF BASE ALLOCATIONS | | | | 2023-24 Total Base Allocation |
|-----------------|-------------------------------------|----------------------------------|--|--|--|-----------------------------------|------------------------------------|--|--------------------------------|---|---|-------------------------------|
| | GL 812110 | | | | | | | GL 812110 | GL 816111 | GL 816111 | GL 831013 | |
| | Floor Allocation Adjustment | Floor Reduction Allocation (TBD) | Reduction for SJO Conversion (Annualization) | Supplemental Funding (\$10m Reserve) Replenishment | One-Time Reduction for Fund Balance Above the 3% Cap | Total Base Allocation Adjustments | | Trial Court Operations Allocation Funded from General Fund | General Fund Employee Benefits | General Fund Pretrial Funding (Ongoing) | General Fund CARE Act Funding (Ongoing) | |
| | L | M | N | O | P | Q (L-P) | | R (C+F+K+Q) | S | T | U | |
| Alameda | - | - | - | - | - | - | 86,344,552 | 2,104,111 | 3,102,046 | | | 91,550,709 |
| Alpine | (47,667) | - | - | - | - | (47,667) | 878,843 | 21,282 | 20,340 | | | 920,465 |
| Amador | - | - | - | - | - | - | 4,290,392 | 62,182 | 51,756 | | | 4,404,330 |
| Butte | - | - | - | - | - | - | 14,050,408 | 273,524 | 124,077 | | | 14,448,009 |
| Calaveras | - | - | - | - | - | - | 3,269,292 | 58,645 | 50,506 | | | 3,378,443 |
| Colusa | - | - | - | - | - | - | 2,352,735 | 48,701 | 24,773 | | | 2,426,209 |
| Contra Costa | - | - | - | - | - | - | 48,623,405 | 1,132,213 | 1,396,191 | | | 51,151,809 |
| Del Norte | - | - | - | - | - | - | 3,617,152 | 69,702 | 94,130 | | | 3,780,984 |
| El Dorado | - | - | - | - | - | - | 8,846,519 | 186,535 | 213,120 | | | 9,246,174 |
| Fresno | - | - | - | - | - | - | 57,754,617 | 1,211,523 | 3,340,363 | | | 62,306,503 |
| Glenn | - | - | - | - | - | - | 2,803,513 | 52,813 | 54,665 | | | 2,910,991 |
| Humboldt | - | - | - | - | - | - | 7,959,935 | 172,432 | 73,084 | | | 8,205,451 |
| Imperial | - | - | - | - | - | - | 10,415,331 | 237,510 | 125,539 | | | 10,778,380 |
| Inyo | - | - | - | - | - | - | 2,514,640 | 57,003 | 75,586 | | | 2,647,229 |
| Kern | - | - | - | - | - | - | 56,589,050 | 1,122,339 | 3,544,268 | | | 61,255,657 |
| Kings | - | - | - | - | - | - | 10,207,881 | 185,312 | 45,118 | | | 10,438,311 |
| Lake | - | - | - | - | - | - | 5,030,379 | 93,356 | 9,123 | | | 5,132,858 |
| Lassen | - | - | - | - | - | - | 2,756,836 | 65,929 | 7,839 | | | 2,830,604 |
| Los Angeles | - | - | - | - | - | - | 690,224,047 | 14,700,731 | 18,887,968 | | | 723,812,746 |
| Madera | - | - | - | - | - | - | 11,625,755 | 200,598 | 384,825 | | | 12,211,178 |
| Marin | - | - | - | - | - | - | 12,704,745 | 337,855 | 644,511 | | | 13,687,111 |
| Mariposa | - | - | - | - | - | - | 1,777,727 | 33,001 | 22,301 | | | 1,833,029 |
| Mendocino | - | - | - | - | - | - | 7,279,489 | 139,029 | 311,771 | | | 7,730,289 |
| Merced | - | - | - | - | - | - | 15,365,118 | 312,868 | 774,827 | | | 16,452,813 |
| Modoc | - | - | - | - | - | - | 1,262,491 | 26,220 | 31,967 | | | 1,320,678 |
| Mono | - | - | - | - | - | - | 2,215,366 | 43,038 | 85,641 | | | 2,344,045 |
| Monterey | - | - | - | - | - | - | 25,284,910 | 472,462 | 277,496 | | | 26,034,868 |
| Napa | - | - | - | - | - | - | 8,734,494 | 199,584 | 309,795 | | | 9,243,873 |
| Nevada | - | - | - | - | - | - | 6,883,986 | 139,614 | 95,495 | | | 7,119,095 |
| Orange | - | - | - | - | - | - | 172,679,271 | 3,891,207 | 6,929,920 | | | 183,500,398 |
| Placer | - | - | - | - | - | - | 24,215,587 | 410,174 | 634,796 | | | 25,260,557 |
| Plumas | - | - | - | - | - | - | 1,799,426 | 36,529 | 14,929 | | | 1,850,884 |
| Riverside | - | - | - | - | - | - | 133,073,032 | 2,296,005 | 923,656 | | | 136,292,693 |
| Sacramento | - | - | - | - | - | - | 102,257,877 | 2,090,813 | 3,560,591 | | | 107,909,281 |
| San Benito | - | - | - | - | - | - | 4,567,627 | 70,059 | 34,642 | | | 4,672,328 |
| San Bernardino | - | - | - | - | - | - | 141,458,817 | 2,569,673 | 1,264,732 | | | 145,293,222 |
| San Diego | - | - | - | - | - | - | 166,306,953 | 3,882,649 | 2,853,598 | | | 173,043,200 |
| San Francisco | - | - | - | - | - | - | 55,338,851 | 1,531,727 | 5,487,134 | | | 62,357,712 |
| San Joaquin | - | - | - | - | - | - | 48,543,565 | 859,541 | 1,245,356 | | | 50,648,462 |
| San Luis Obispo | - | - | - | - | - | - | 17,766,292 | 376,713 | 298,957 | | | 18,441,962 |
| San Mateo | - | - | - | - | - | - | 39,820,031 | 932,577 | 2,411,112 | | | 43,163,720 |
| Santa Barbara | - | - | - | - | - | - | 26,068,654 | 569,017 | 1,597,661 | | | 28,235,332 |
| Santa Clara | - | - | - | - | - | - | 88,958,702 | 2,129,236 | 2,309,466 | | | 93,397,404 |
| Santa Cruz | - | - | - | - | - | - | 15,752,734 | 321,970 | 203,558 | | | 16,278,262 |
| Shasta | - | - | - | - | - | - | 18,216,002 | 337,674 | 262,221 | | | 18,815,897 |
| Sierra | 56,116 | - | - | - | - | 56,116 | 908,390 | 21,571 | 9,616 | | | 939,577 |
| Siskiyou | - | - | - | - | - | - | 4,191,869 | 85,800 | 91,038 | | | 4,368,707 |
| Solano | - | - | - | - | - | - | 27,992,280 | 559,362 | 353,778 | | | 28,905,420 |
| Sonoma | - | - | - | - | - | - | 28,615,824 | 643,923 | 1,172,049 | | | 30,431,796 |
| Stanislaus | - | - | - | - | - | - | 29,527,532 | 540,457 | 1,305,229 | | | 31,373,218 |
| Sutter | - | - | - | - | - | - | 7,726,409 | 127,407 | 159,761 | | | 8,013,577 |
| Tehama | - | - | - | - | - | - | 5,657,164 | 98,606 | 108,184 | | | 5,863,954 |
| Trinity | - | - | - | - | - | - | 2,501,678 | 47,850 | 53,679 | | | 2,603,207 |
| Tulare | - | - | - | - | - | - | 30,853,681 | 457,506 | 33,744 | | | 31,344,931 |
| Tuolumne | - | - | - | - | - | - | 4,803,094 | 85,983 | 50,352 | | | 4,939,429 |
| Ventura | - | - | - | - | - | - | 42,972,662 | 914,809 | 968,752 | | | 44,856,223 |
| Yolo | - | - | - | - | - | - | 15,266,011 | 245,500 | 210,076 | | | 15,721,587 |
| Yuba | - | - | - | - | - | - | 6,034,767 | 105,550 | 90,867 | | | 6,231,184 |
| Unallocated | - | - | - | - | - | - | 37,000,000 | - | - | 68,950,000 | 20,035,860 | 125,985,860 |
| Total | 8,449 | - | - | - | - | 8,449 | 2,412,538,394 | 50,000,000 | 68,818,575 | 68,950,000 | 20,035,860 | 2,620,342,829 |

¹ Benefits funding reflects actual cost changes as identified by the court and is fiscally neutral.

| Court | 2023-24 NON-BASE ALLOCATIONS | | | | | | 2023-24 Trial Court Allocation |
|-----------------|------------------------------|-------------------|---|----------------------|---|----------------------------|--------------------------------|
| | GL 812167 | GL 832010 | GL 834010 | GL 834010 | GL 832012 | Total Non-Base Allocations | |
| | 2% Automation Replacement | Self-Help | Court Interpreters Program (CIP) Allocation | CIP Ongoing Benefits | Dependency Counsel Allocation (\$186.7m with Reserve) | | |
| | X | Y | Z | AA | AB | | |
| | | | | | | AD (W+AC) | |
| Alameda | 424,792 | 1,009,970 | 5,855,151 | 37,690 | | 7,327,603 | 98,878,312 |
| Alpine | 2,034 | 34,675 | 882 | - | | 37,591 | 958,056 |
| Amador | 11,006 | 56,263 | 66,706 | 108,453 | | 242,428 | 4,646,758 |
| Butte | 59,332 | 163,674 | 263,022 | - | | 486,028 | 14,934,037 |
| Calaveras | 18,652 | 60,407 | 68,993 | - | | 148,052 | 3,526,495 |
| Colusa | 13,708 | 46,905 | 139,071 | - | | 199,684 | 2,625,893 |
| Contra Costa | 218,186 | 709,092 | 3,315,644 | 18,853 | | 4,261,775 | 55,413,584 |
| Del Norte | 11,208 | 49,989 | 52,538 | - | | 113,735 | 3,894,719 |
| El Dorado | 54,374 | 145,931 | 251,822 | - | | 452,127 | 9,698,302 |
| Fresno | 181,080 | 629,073 | 2,599,229 | (12,508) | | 3,396,874 | 65,703,377 |
| Glenn | 19,264 | 51,045 | 139,285 | - | | 209,594 | 3,120,585 |
| Humboldt | 48,160 | 112,977 | 192,364 | (91) | | 353,410 | 8,558,862 |
| Imperial | 67,678 | 145,188 | 647,846 | 9,436 | | 870,149 | 11,648,529 |
| Inyo | 30,402 | 44,882 | 70,698 | - | | 145,982 | 2,793,211 |
| Kern | 277,328 | 568,760 | 4,178,597 | (2,062,752) | | 2,961,933 | 64,217,589 |
| Kings | 57,026 | 123,584 | 611,944 | 1,035 | | 793,589 | 11,231,901 |
| Lake | 20,328 | 71,903 | 134,170 | - | | 226,401 | 5,359,259 |
| Lassen | 20,156 | 51,546 | 55,450 | - | | 127,152 | 2,957,756 |
| Los Angeles | 3,144,530 | 6,028,083 | 41,816,164 | 715,520 | | 51,704,297 | 775,517,043 |
| Madera | 52,502 | 127,019 | 708,662 | 8,817 | | 896,999 | 13,108,178 |
| Marin | 114,766 | 187,724 | 754,380 | (5,258) | | 1,051,613 | 14,738,724 |
| Mariposa | 3,904 | 44,591 | 41,817 | 1,084 | | 91,396 | 1,924,426 |
| Mendocino | 30,068 | 85,968 | 449,846 | (633) | | 565,249 | 8,295,538 |
| Merced | 55,652 | 199,206 | 1,164,572 | 1,989 | | 1,421,419 | 17,874,232 |
| Modoc | 6,134 | 39,618 | 5,118 | - | | 50,870 | 1,371,547 |
| Mono | 12,446 | 41,983 | 67,013 | - | | 121,442 | 2,465,487 |
| Monterey | 183,464 | 293,559 | 1,556,669 | 24,740 | | 2,058,432 | 28,093,300 |
| Napa | 30,550 | 116,203 | 780,667 | (17) | | 927,403 | 10,171,276 |
| Nevada | 49,946 | 91,807 | 83,050 | - | | 224,803 | 7,343,898 |
| Orange | 923,882 | 1,915,141 | 11,114,740 | 83,991 | | 14,037,754 | 197,538,152 |
| Placer | 77,378 | 266,252 | 641,753 | 5,781 | | 991,164 | 26,251,722 |
| Plumas | 9,206 | 45,284 | 10,752 | - | | 65,242 | 1,916,126 |
| Riverside | 532,226 | 1,458,505 | 6,611,571 | 152,773 | | 8,755,075 | 145,047,768 |
| Sacramento | 340,254 | 937,891 | 4,830,091 | 41,158 | | 6,149,394 | 114,058,675 |
| San Benito | 14,700 | 69,472 | 132,951 | - | | 217,123 | 4,889,452 |
| San Bernardino | 435,474 | 1,311,982 | 6,931,156 | (124,402) | | 8,554,211 | 153,847,433 |
| San Diego | 718,442 | 1,992,172 | 6,810,072 | 7,173 | | 9,527,859 | 182,571,059 |
| San Francisco | 272,528 | 554,282 | 4,235,905 | (23,879) | | 5,038,837 | 67,396,549 |
| San Joaquin | 201,698 | 483,455 | 2,015,908 | 10,003 | | 2,711,064 | 53,359,525 |
| San Luis Obispo | 130,020 | 197,513 | 927,433 | 14,425 | | 1,269,391 | 19,711,354 |
| San Mateo | 329,518 | 487,187 | 3,080,562 | (68,846) | | 3,828,421 | 46,992,140 |
| Santa Barbara | 162,858 | 299,425 | 2,631,873 | (5,388) | | 3,088,768 | 31,324,100 |
| Santa Clara | 452,782 | 1,180,269 | 6,903,538 | 42,237 | | 8,578,826 | 101,976,230 |
| Santa Cruz | 113,210 | 194,628 | 1,041,204 | 7,704 | | 1,356,746 | 17,635,009 |
| Shasta | 44,394 | 138,439 | 432,228 | - | | 615,061 | 19,430,958 |
| Sierra | 1,830 | 35,878 | 428 | - | | 38,136 | 977,713 |
| Siskiyou | 37,000 | 60,087 | 60,938 | - | | 158,025 | 4,526,732 |
| Solano | 119,364 | 291,897 | 775,347 | 42,331 | | 1,228,939 | 30,134,358 |
| Sonoma | 119,004 | 326,183 | 1,675,144 | 7,067 | | 2,127,398 | 32,559,194 |
| Stanislaus | 88,718 | 360,402 | 1,726,479 | 5,899 | | 2,181,497 | 33,554,715 |
| Sutter | 37,382 | 91,672 | 323,657 | - | | 452,711 | 8,466,288 |
| Tehama | 28,100 | 71,778 | 226,677 | 1,142 | | 327,697 | 6,191,651 |
| Trinity | 7,648 | 41,977 | 68,299 | - | | 117,924 | 2,721,131 |
| Tulare | 204,932 | 314,070 | 2,008,697 | 17,896 | | 2,545,594 | 33,890,525 |
| Tuolumne | 16,642 | 66,058 | 69,441 | - | | 152,141 | 5,091,571 |
| Ventura | 205,304 | 533,382 | 2,392,242 | 6,416 | | 3,137,343 | 47,993,567 |
| Yolo | 48,556 | 163,904 | 892,624 | 4,182 | | 1,109,265 | 16,830,852 |
| Yuba | 15,788 | 79,190 | 74,899 | - | | 169,877 | 6,401,061 |
| Unallocated | - | - | - | - | 186,700,000 | 186,700,000 | 312,685,860 |
| Total | 10,907,514 | 25,300,000 | 134,717,977 | (925,977) | 186,700,000 | 356,699,514 | 2,977,042,343 |

¹ Benefits funding reflects actual cost changes as identified by the court and is fiscally neutral.

| Court | 2022-23 Adjusted Ending Trial Court Trust Fund (TCTF) Ongoing Base Allocation | Trial Court Operations Allocation Funded from General Fund | General Fund Employee Benefits | Total Base Allocation | 2022-23 NON-BASE ADJUSTMENTS USED TO CALCULATE WORKLOAD ALLOCATION | | | 2022-23 BASE ADJUSTMENTS USED TO CALCULATE WORKLOAD ALLOCATION | | |
|-----------------|---|--|--------------------------------|-----------------------|--|---------------------------|-------------------|--|---|--|
| | | | | | Automated Recordkeeping & Micrographics | 2% Automation Replacement | Self-Help | Security Base Adjustment | Subordinate Judicial Officer (SJO) Adjustment | Total Workload Formula Related Adjustments |
| | | | | | E | F | G | H | I | J (E-I) |
| Alameda | 83,397,443 | 2,104,111 | 3,102,046 | 88,603,600 | 89,332 | 424,792 | 1,009,970 | (3,355,024) | (2,298,736) | (4,129,666) |
| Alpine | 886,022 | 21,282 | 20,340 | 927,644 | 15 | 2,034 | 34,675 | - | - | 36,724 |
| Amador | 3,987,300 | 62,182 | 51,756 | 4,101,238 | 724 | 11,006 | 56,263 | - | (145,917) | (77,923) |
| Butte | 13,280,067 | 273,524 | 124,077 | 13,677,668 | 10,665 | 59,332 | 163,674 | (493,178) | (444,458) | (703,965) |
| Calaveras | 3,082,492 | 58,645 | 50,506 | 3,191,643 | 849 | 18,652 | 60,407 | - | - | 79,908 |
| Colusa | 2,236,377 | 48,701 | 24,773 | 2,309,851 | 343 | 13,708 | 46,905 | - | - | 60,956 |
| Contra Costa | 46,438,805 | 1,132,213 | 1,396,191 | 48,967,209 | 55,697 | 218,186 | 709,092 | - | (801,947) | 181,028 |
| Del Norte | 3,452,934 | 69,702 | 94,130 | 3,616,766 | 435 | 11,208 | 49,989 | - | - | 61,632 |
| El Dorado | 8,453,815 | 186,535 | 213,120 | 8,853,470 | 3,402 | 54,374 | 145,931 | - | (112,515) | 91,192 |
| Fresno | 56,288,731 | 1,211,523 | 3,340,363 | 60,840,617 | 58,869 | 181,080 | 629,073 | - | (1,237,004) | (367,983) |
| Glenn | 2,710,148 | 52,813 | 54,665 | 2,817,626 | 446 | 19,264 | 51,045 | (10,324) | - | 60,431 |
| Humboldt | 7,653,644 | 172,432 | 73,084 | 7,899,160 | 7,590 | 48,160 | 112,977 | (177,151) | (146,856) | (155,280) |
| Imperial | 9,861,262 | 237,510 | 125,539 | 10,224,311 | 9,348 | 67,678 | 145,188 | (443,912) | (169,548) | (391,246) |
| Inyo | 2,406,403 | 57,003 | 75,586 | 2,538,992 | 267 | 30,402 | 44,882 | (197,060) | - | (121,510) |
| Kern | 54,389,476 | 1,122,339 | 3,544,268 | 59,056,083 | 54,488 | 277,328 | 568,760 | (69,221) | (2,046,112) | (1,214,757) |
| Kings | 9,714,199 | 185,312 | 45,118 | 9,944,629 | 7,840 | 57,026 | 123,584 | (445,431) | (328,167) | (585,148) |
| Lake | 4,846,493 | 93,356 | 9,123 | 4,948,972 | 1,215 | 20,328 | 71,903 | (207,443) | (67,162) | (181,159) |
| Lassen | 2,589,338 | 65,929 | 7,839 | 2,663,106 | 384 | 20,156 | 51,546 | (310,211) | - | (238,124) |
| Los Angeles | 659,471,178 | 14,700,731 | 18,887,968 | 693,059,877 | 887,079 | 3,144,530 | 6,028,083 | (15,091,072) | (20,652,516) | (25,683,896) |
| Madera | 11,209,614 | 200,598 | 384,825 | 11,795,037 | 2,569 | 52,502 | 127,019 | (402,661) | - | (220,571) |
| Marin | 12,249,483 | 337,855 | 644,511 | 13,231,849 | 13,741 | 114,766 | 187,724 | (10,161) | (55,945) | 250,125 |
| Mariposa | 1,706,871 | 33,001 | 22,301 | 1,762,173 | 316 | 3,904 | 44,591 | - | (40,902) | 7,909 |
| Mendocino | 6,945,348 | 139,029 | 311,771 | 7,396,148 | 4,604 | 30,068 | 95,968 | (316,031) | - | (195,391) |
| Merced | 14,720,400 | 312,868 | 774,827 | 15,808,095 | 14,426 | 55,652 | 199,206 | - | (380,228) | (110,944) |
| Modoc | 1,204,402 | 26,220 | 31,967 | 1,262,589 | 230 | 6,134 | 39,618 | (833) | - | 45,149 |
| Mono | 2,144,960 | 43,038 | 85,641 | 2,273,639 | 214 | 12,446 | 41,983 | (25,502) | - | 29,141 |
| Monterey | 24,175,875 | 472,462 | 277,496 | 24,925,833 | 19,244 | 183,464 | 293,559 | (918,484) | (387,572) | (809,788) |
| Napa | 8,333,881 | 199,584 | 309,795 | 8,843,260 | 2,862 | 30,550 | 116,203 | (312,023) | - | (162,408) |
| Nevada | 6,655,744 | 139,614 | 95,495 | 6,890,853 | 5,159 | 49,946 | 91,807 | (457,585) | (390,311) | (700,984) |
| Orange | 167,069,121 | 3,891,207 | 6,929,920 | 177,890,248 | 249,411 | 923,882 | 1,915,141 | (2,886,124) | (4,029,860) | (3,827,550) |
| Placer | 23,184,596 | 410,174 | 634,796 | 24,229,566 | 23,529 | 77,378 | 266,252 | - | (1,095,673) | (728,514) |
| Plumas | 1,728,168 | 36,529 | 14,929 | 1,779,626 | 316 | 9,206 | 45,284 | - | - | 54,806 |
| Riverside | 125,753,767 | 2,296,005 | 923,656 | 128,973,428 | 54,550 | 532,226 | 1,458,505 | (2,039,160) | (3,832,784) | (3,826,663) |
| Sacramento | 98,635,391 | 2,090,813 | 3,560,591 | 104,286,795 | 108,406 | 340,254 | 937,891 | (1,968,325) | (2,401,059) | (2,982,833) |
| San Benito | 4,412,520 | 70,059 | 34,642 | 4,517,221 | 1,065 | 14,700 | 69,472 | - | (24,802) | 60,435 |
| San Bernardino | 136,843,993 | 2,569,673 | 1,264,732 | 140,678,398 | 151,085 | 435,474 | 1,311,982 | (3,451,646) | (3,845,363) | (5,398,468) |
| San Diego | 159,706,652 | 3,882,649 | 2,853,598 | 166,442,899 | 221,802 | 718,442 | 1,992,172 | (693,816) | (4,482,924) | (2,244,324) |
| San Francisco | 54,213,965 | 1,531,727 | 5,487,134 | 61,232,826 | 57,583 | 272,528 | 554,282 | - | (525,679) | 358,714 |
| San Joaquin | 46,491,809 | 859,541 | 1,245,356 | 48,596,706 | 47,669 | 201,698 | 483,455 | (303,783) | (1,208,232) | (779,193) |
| San Luis Obispo | 17,002,098 | 376,713 | 298,957 | 17,677,768 | 15,360 | 130,020 | 197,513 | (255,144) | (480,199) | (392,451) |
| San Mateo | 40,249,575 | 932,577 | 2,411,112 | 43,593,264 | 13,119 | 329,518 | 487,187 | (467,732) | (1,250,738) | (888,646) |
| Santa Barbara | 25,046,434 | 569,017 | 1,597,661 | 27,213,112 | 22,066 | 162,858 | 299,425 | (1,113,911) | (640,424) | (1,269,986) |
| Santa Clara | 85,457,252 | 2,129,236 | 2,309,466 | 89,895,954 | 88,742 | 452,782 | 1,180,269 | - | (937,289) | 784,504 |
| Santa Cruz | 15,120,169 | 321,970 | 203,558 | 15,645,697 | 12,405 | 113,210 | 194,628 | - | (228,021) | 92,222 |
| Shasta | 17,215,540 | 337,674 | 262,221 | 17,815,435 | 3,622 | 44,394 | 138,439 | (2,780,637) | (338,218) | (2,932,400) |
| Sierra | 795,086 | 21,571 | 9,616 | 826,273 | 49 | 1,830 | 35,878 | - | - | 37,757 |
| Siskiyou | 4,007,705 | 85,800 | 91,038 | 4,184,543 | 821 | 37,000 | 60,087 | - | (233,455) | (135,547) |
| Solano | 26,530,124 | 559,362 | 353,778 | 27,443,264 | 27,698 | 119,364 | 291,897 | (459,664) | (667,028) | (687,734) |
| Sonoma | 27,624,245 | 643,923 | 1,172,049 | 29,440,217 | 29,105 | 119,004 | 326,183 | (464,520) | (718,378) | (708,606) |
| Stanislaus | 28,018,948 | 540,457 | 1,305,229 | 29,864,634 | 31,811 | 88,718 | 360,402 | (9,846) | (604,199) | (133,114) |
| Sutter | 7,414,948 | 127,407 | 159,761 | 7,702,116 | 1,854 | 37,382 | 91,672 | (260,840) | - | (129,932) |
| Tehama | 5,331,460 | 98,606 | 108,184 | 5,538,250 | 1,225 | 28,100 | 71,778 | - | - | 101,103 |
| Trinity | 2,436,062 | 47,850 | 53,679 | 2,537,591 | 793 | 7,648 | 41,977 | (543,614) | - | (493,196) |
| Tulare | 29,266,612 | 457,506 | 33,744 | 29,757,862 | 23,625 | 204,932 | 314,070 | (16,444) | (514,699) | 11,484 |
| Tuolumne | 4,568,336 | 85,983 | 50,352 | 4,704,671 | 875 | 16,642 | 66,058 | (232,805) | (74,146) | (223,376) |
| Ventura | 41,097,964 | 914,809 | 968,752 | 42,981,525 | 55,682 | 205,304 | 533,382 | (1,646,046) | (877,010) | (1,728,688) |
| Yolo | 14,605,764 | 245,500 | 210,076 | 15,061,340 | 10,013 | 48,556 | 163,904 | (615,372) | (309,302) | (702,201) |
| Yuba | 5,732,764 | 105,550 | 90,867 | 5,929,181 | 1,532 | 15,788 | 79,190 | (139,957) | - | (43,447) |
| Unallocated | - | - | - | - | - | - | - | - | - | - |
| Total | 2,280,053,774 | 50,000,000 | 68,818,575 | 2,398,872,349 | 2,508,164 | 10,907,514 | 25,300,000 | (43,592,694) | (59,025,378) | (63,902,393) |

¹ Revenue does not reflect an allocation of funding to the trial courts, but is used in the calculation of the Workload Formula allocation.

| Court | WORKLOAD ALLOCATION ADJUSTMENTS | | | | | | | | |
|-----------------|---------------------------------------|------------------------------|---|--|---|------------------------------|---|--|---|
| | 2023-24 Beginning Workload Allocation | Fiscal Neutral Cost Change | Fiscal Neutral Offset | Change in Revenue Collected | Fiscal Neutral Cost Change | Current Methodology | Revenue Collected | Proposed Inflationary Adjustment | 2023-24 Workload Allocation (Prior to Implementing Funding Floor) |
| | | Reduction for SJO Conversion | SJO Adjustment (Change from Prior Year) | Automated Recordkeeping & Micrographics (Change from Prior Year) | 2023-24 Non-Interpreter Benefit Cost Change Funding | Criminal Justice Realignment | All Other Applicable Revenue Sources ¹ | 2023-24 Inflationary Adjustment Funding of \$74.1m (3 Percent) | |
| | K (D+) | L | M | N | O | P | Q | R | S (K-R) |
| Alameda | 84,473,934 | - | (59,133) | 6,075 | 134,353 | 159,891 | 1,889,654 | 2,652,865 | 89,257,640 |
| Alpine | 964,368 | - | - | 21 | 11,514 | 474 | 21,290 | 28,500 | 1,026,167 |
| Amador | 4,023,315 | - | (2,715) | (22) | 172,218 | 5,764 | 190,215 | 119,320 | 4,508,095 |
| Butte | 12,973,703 | - | (12,397) | 417 | 202,875 | 149,942 | 78,501 | 402,314 | 13,795,355 |
| Calaveras | 3,271,551 | - | - | 4 | 79,796 | 7,580 | 20,770 | 98,632 | 3,478,334 |
| Colusa | 2,370,807 | - | - | 3 | 37,916 | 7,343 | 19,482 | 71,098 | 2,506,650 |
| Contra Costa | 49,148,237 | - | (90,094) | 12,531 | 586,905 | 40,269 | 837,683 | 1,557,426 | 52,092,957 |
| Del Norte | 3,678,398 | - | - | (6) | 37,879 | 14,686 | 25,372 | 111,653 | 3,867,982 |
| El Dorado | 8,944,662 | - | (34,770) | (200) | 44,465 | 41,690 | 146,843 | 282,132 | 9,424,822 |
| Fresno | 60,472,634 | - | (89,881) | (1,322) | (706,248) | 173,867 | 505,044 | 1,922,337 | 62,276,431 |
| Glenn | 2,878,056 | - | - | (63) | - | 4,738 | 26,927 | 87,397 | 2,997,055 |
| Humboldt | 7,743,880 | - | (11,413) | 203 | 17,486 | 24,398 | 811,617 | 252,157 | 8,838,328 |
| Imperial | 9,833,065 | - | (14,854) | (371) | 198,243 | 26,530 | 157,934 | 303,832 | 10,504,378 |
| Inyo | 2,417,482 | - | - | 8 | 25,086 | 7,817 | 24,861 | 73,939 | 2,549,192 |
| Kern | 57,841,326 | - | 101,363 | (2,868) | (74,973) | 289,936 | 2,472,573 | 1,945,910 | 62,573,268 |
| Kings | 9,359,481 | - | (38,772) | 1 | 97,652 | 68,220 | 1,046,541 | 321,875 | 10,854,999 |
| Lake | 4,767,813 | - | (5,437) | 71 | 22,123 | 12,554 | 36,245 | 149,208 | 4,982,578 |
| Lassen | 2,424,981 | - | - | 28 | 79,329 | 8,764 | 211,891 | 75,164 | 2,800,158 |
| Los Angeles | 667,375,981 | - | (287,674) | (51,606) | 5,930,570 | 3,050,014 | 18,263,198 | 21,772,286 | 716,052,768 |
| Madera | 11,574,466 | - | - | (170) | 13,410 | 41,453 | 136,962 | 361,278 | 12,127,398 |
| Marin | 13,481,974 | - | (6,461) | 1,051 | (33,482) | 22,977 | 301,383 | 423,227 | 14,190,668 |
| Mariposa | 1,770,081 | - | (2,768) | (42) | 12,770 | 3,790 | 15,724 | 54,296 | 1,853,852 |
| Mendocino | 7,200,757 | - | - | (121) | 31,898 | 64,193 | 119,965 | 229,529 | 7,646,223 |
| Merced | 15,697,151 | - | (18,044) | (663) | 75,615 | 57,798 | 321,288 | 498,210 | 16,631,356 |
| Modoc | 1,307,738 | - | - | 125 | 14,285 | 3,158 | 40,851 | 39,869 | 1,406,026 |
| Mono | 2,302,780 | - | - | 6 | - | - | 66,373 | 70,405 | 2,439,564 |
| Monterey | 24,116,045 | - | (23,896) | (1,045) | 294,765 | 54,245 | 547,942 | 760,025 | 25,748,081 |
| Napa | 8,680,852 | - | (240,011) | (302) | 76,066 | 30,557 | 341,067 | 279,400 | 9,167,629 |
| Nevada | 6,189,869 | - | (31,437) | 227 | 25,134 | 6,396 | 61,729 | 196,712 | 6,448,630 |
| Orange | 174,062,697 | - | (328,371) | (11,898) | (453,971) | 535,813 | 4,537,275 | 5,528,308 | 183,869,854 |
| Placer | 23,501,052 | - | (128,677) | (1,205) | 236,489 | 43,585 | 240,823 | 725,996 | 24,618,065 |
| Plumas | 1,834,432 | - | - | (29) | - | 13,265 | 12,074 | 55,546 | 1,915,288 |
| Riverside | 125,146,765 | - | (86,199) | 3,312 | 2,463,814 | 863,650 | 2,331,754 | 3,991,802 | 134,714,896 |
| Sacramento | 101,303,962 | - | (268,220) | 116,027 | 237,934 | 167,234 | 1,835,243 | 3,173,397 | 106,565,577 |
| San Benito | 4,577,656 | - | 24,802 | (6) | - | 15,239 | 50,847 | 139,869 | 4,808,406 |
| San Bernardino | 135,279,930 | - | (245,534) | (1,885) | (865,298) | 1,062,625 | 1,647,656 | 4,177,737 | 141,055,233 |
| San Diego | 164,198,575 | - | (599,177) | (9,500) | 1,160,226 | 340,864 | 1,598,387 | 5,099,211 | 171,788,586 |
| San Francisco | 61,591,540 | - | 17,778 | 3,316 | (910,113) | 108,015 | 503,107 | 1,909,468 | 63,223,112 |
| San Joaquin | 47,817,513 | - | 6,392 | 961 | 413,723 | 77,222 | 571,566 | 1,508,857 | 50,396,234 |
| San Luis Obispo | 17,285,317 | - | (36,959) | (546) | 117,156 | 83,143 | 388,769 | 545,195 | 18,382,076 |
| San Mateo | 42,704,618 | - | (59,054) | (1,013) | (1,881,585) | 93,092 | 619,767 | 1,319,206 | 42,795,030 |
| Santa Barbara | 25,943,126 | - | 74,368 | 373 | 158,945 | 24,398 | 221,840 | 794,159 | 27,217,209 |
| Santa Clara | 90,680,458 | - | (79,234) | 758 | 619,688 | 134,782 | 1,086,589 | 2,746,980 | 95,190,021 |
| Santa Cruz | 15,737,919 | - | 25,190 | (66) | 86,449 | 33,400 | 283,084 | 490,812 | 16,656,788 |
| Shasta | 14,883,035 | - | (26,364) | (96) | 366,748 | 156,575 | 205,742 | 467,949 | 16,053,589 |
| Sierra | 864,030 | - | - | (1) | 27,821 | 237 | 1,797 | 28,500 | 922,384 |
| Siskiyou | 4,048,996 | - | (23,182) | 26 | 53,878 | 3,316 | 30,300 | 126,969 | 4,240,304 |
| Solano | 26,755,530 | - | (99,113) | (511) | 420,285 | 151,837 | 552,934 | 847,269 | 28,628,231 |
| Sonoma | 28,731,610 | - | (28,679) | (1,519) | - | 77,222 | 188,447 | 899,463 | 29,866,544 |
| Stanislaus | 29,731,520 | - | (29,183) | 354 | 425,880 | 151,837 | 390,519 | 930,866 | 31,601,794 |
| Sutter | 7,572,185 | - | - | (117) | 55,827 | 15,634 | 53,708 | 237,205 | 7,934,441 |
| Tehama | 5,639,353 | - | (9,222) | (85) | 130,146 | 21,082 | 63,204 | 173,135 | 6,017,613 |
| Trinity | 2,044,395 | - | - | (114) | - | 3,316 | 32,787 | 61,900 | 2,142,285 |
| Tulare | 29,769,346 | - | (140,925) | 755 | 557,498 | 89,065 | 252,249 | 927,616 | 31,455,605 |
| Tuolumne | 4,481,295 | - | 9,363 | 76 | 74,016 | 10,896 | 270,401 | 143,566 | 4,989,613 |
| Ventura | 41,252,836 | - | (4,968) | (5,964) | 72,178 | 503,361 | 1,208,253 | 1,299,160 | 44,324,856 |
| Yolo | 14,359,139 | - | (3,411) | (240) | 177,976 | 28,188 | 114,003 | 454,083 | 15,129,739 |
| Yuba | 5,885,735 | - | - | 55 | 77,709 | 35,058 | 60,740 | 179,780 | 6,239,076 |
| Unallocated | - | - | - | - | - | - | - | - | - |
| Total | 2,334,969,956 | - | (2,906,974) | 53,192 | 11,231,071 | 9,223,000 | 48,093,787 | 74,125,000 | 2,474,789,032 |

¹ Revenue does not reflect an allocation of funding to the trail courts, but is used in the calculation of the Workload Formula allocation.

| Court | WORKLOAD ALLOCATION ADJUSTMENTS | | | | | WORKLOAD FORMULA | | FOR DISPLAY ONLY |
|-----------------|---|-----------------------------|-------------------------------------|----------------------------|-----------------------------------|--------------------------|-----------------------------|--|
| | 2023-24 Workload Funding Floor Adjustment | | | | 2023-24 Final Workload Allocation | 2023-24 Workload Formula | Workload Formula Percentage | 2023-24 Civil Assessment Backfill Debt Obligations |
| | Applied Funding Floor | Floor Allocation Adjustment | Percentage Share of Reduction (TBD) | Reduction Allocation (TBD) | | | | |
| T | U | V | W | X (S+U+W) | Y | Z (X/Y) | | |
| Alameda | | | | | 89,257,640 | 89,736,951 | 99.5% | - |
| Alpine | 978,500 | (47,667) | | | 978,500 | 513,054 | 190.7% | - |
| Amador | | | | | 4,508,095 | 4,318,194 | 104.4% | - |
| Butte | | | | | 13,795,355 | 15,020,326 | 91.8% | - |
| Calaveras | | | | | 3,478,334 | 3,434,244 | 101.3% | - |
| Colusa | | | | | 2,506,650 | 2,635,567 | 95.1% | - |
| Contra Costa | | | | | 52,092,957 | 58,792,180 | 88.6% | - |
| Del Norte | | | | | 3,867,982 | 3,822,121 | 101.2% | - |
| El Dorado | | | | | 9,424,822 | 10,536,589 | 89.4% | - |
| Fresno | | | | | 62,276,431 | 66,190,564 | 94.1% | 500,000 |
| Glenn | | | | | 2,997,055 | 3,222,234 | 93.0% | - |
| Humboldt | | | | | 8,838,328 | 8,993,983 | 98.3% | - |
| Imperial | | | | | 10,504,378 | 8,363,980 | 125.6% | - |
| Inyo | | | | | 2,549,192 | 2,499,943 | 102.0% | - |
| Kern | | | | | 62,573,268 | 66,131,988 | 94.6% | - |
| Kings | | | | | 10,854,999 | 11,937,681 | 90.9% | - |
| Lake | | | | | 4,982,578 | 5,522,043 | 90.2% | - |
| Lassen | | | | | 2,800,158 | 2,332,823 | 120.0% | - |
| Los Angeles | | | | | 716,052,768 | 782,911,052 | 91.5% | - |
| Madera | | | | | 12,127,398 | 13,312,566 | 91.1% | - |
| Marin | | | | | 14,190,668 | 15,317,860 | 92.6% | - |
| Mariposa | | | | | 1,853,852 | 1,805,697 | 102.7% | - |
| Mendocino | | | | | 7,646,223 | 7,231,739 | 105.7% | - |
| Merced | | | | | 16,631,356 | 18,090,994 | 91.9% | 310,000 |
| Modoc | | | | | 1,406,026 | 1,279,449 | 109.9% | - |
| Mono | | | | | 2,439,564 | 2,061,575 | 118.3% | - |
| Monterey | | | | | 25,748,081 | 28,026,310 | 91.9% | - |
| Napa | | | | | 9,167,629 | 10,386,823 | 88.3% | - |
| Nevada | | | | | 6,448,630 | 7,599,777 | 84.9% | - |
| Orange | | | | | 183,869,854 | 210,173,824 | 87.5% | - |
| Placer | | | | | 24,618,065 | 26,685,022 | 92.3% | - |
| Plumas | | | | | 1,915,288 | 1,548,909 | 123.7% | - |
| Riverside | | | | | 134,714,896 | 148,941,935 | 90.4% | - |
| Sacramento | | | | | 106,565,577 | 116,609,120 | 91.4% | - |
| San Benito | | | | | 4,808,406 | 3,952,945 | 121.6% | - |
| San Bernardino | | | | | 141,055,233 | 151,789,230 | 92.9% | - |
| San Diego | | | | | 171,788,586 | 185,202,539 | 92.8% | - |
| San Francisco | | | | | 63,223,112 | 52,730,196 | 119.9% | - |
| San Joaquin | | | | | 50,396,234 | 52,662,950 | 95.7% | - |
| San Luis Obispo | | | | | 18,382,076 | 19,188,902 | 95.8% | - |
| San Mateo | | | | | 42,795,030 | 49,452,194 | 86.5% | - |
| Santa Barbara | | | | | 27,217,209 | 28,421,722 | 95.8% | - |
| Santa Clara | | | | | 95,190,021 | 96,965,024 | 98.2% | 4,031,257 |
| Santa Cruz | | | | | 16,656,788 | 17,092,256 | 97.5% | 75,000 |
| Shasta | | | | | 16,053,589 | 17,062,242 | 94.1% | - |
| Sierra | 978,500 | 56,116 | | | 978,500 | 447,006 | 218.9% | - |
| Siskiyou | | | | | 4,240,304 | 4,784,619 | 88.6% | - |
| Solano | | | | | 28,628,231 | 31,325,060 | 91.4% | - |
| Sonoma | | | | | 29,866,544 | 30,618,988 | 97.5% | - |
| Stanislaus | | | | | 31,601,794 | 34,469,129 | 91.7% | - |
| Sutter | | | | | 7,934,441 | 9,151,367 | 86.7% | - |
| Tehama | | | | | 6,017,613 | 6,383,645 | 94.3% | - |
| Trinity | | | | | 2,142,285 | 2,141,889 | 100.0% | - |
| Tulare | | | | | 31,455,605 | 35,475,356 | 88.7% | - |
| Tuolumne | | | | | 4,989,613 | 4,885,338 | 102.1% | - |
| Ventura | | | | | 44,324,856 | 46,987,643 | 94.3% | - |
| Yolo | | | | | 15,129,739 | 16,165,652 | 93.6% | - |
| Yuba | | | | | 6,239,076 | 5,858,507 | 106.5% | - |
| Unallocated | | | | | - | - | - | - |
| Total | 1,957,000 | 8,449 | 0.00% | - | 2,474,797,480 | 2,659,201,515 | 93.1% | 4,916,257 |

¹ Revenue does not reflect an allocation of funding to the trail courts, but is used in the calculation of the Workload Formula allocation.

| Trial Court Trust Fund Fund Condition Statement April 2023 | | | | | | |
|---|---|---|---|----------------------|----------------------|----------------------|
| # | Description A | YEAR END FINANCIAL STATEMENT | | ESTIMATES | | |
| | | 2020-21 (Financial Statements) B | 2021-22 (Financial Statements Est) C | 2022-23 D | 2023-24 E | 2024-25 F |
| 1 | Beginning Fund Balance | 84,663,432 | 162,032,593 | 180,993,913 | 210,142,537 | 207,664,505 |
| 2 | Prior-Year Adjustments | 21,449,000 | (2,639,686) | (12,384,000) | - | |
| 3 | TOTAL REVENUES AND TRANSFERS | 1,200,868,158 | 1,129,104,894 | 1,148,763,000 | 1,124,384,000 | 1,124,384,000 |
| 4 | <i>Total Revenues¹</i> | <i>1,182,553,158</i> | <i>1,212,074,088</i> | <i>1,119,286,000</i> | <i>1,110,393,000</i> | <i>1,110,393,000</i> |
| 5 | Transfers/Charges/Reimbursements | | | | | |
| 6 | General Fund Loan - Statewide E-Filing | (1,162,000) | | | | |
| 7 | Reduction Offset Transfers | 19,477,000 | (82,969,194) | 29,477,000 | 13,991,000 | 13,991,000 |
| 8 | <i>FISCAL Assessment</i> | | | | | |
| 9 | Net Other Transfers/Charges/Reimbursements | 13,397,000 | 10,950,806 | 23,397,000 | 13,397,000 | 13,397,000 |
| 10 | Total Resources | 1,306,980,590 | 1,288,497,801 | 1,317,372,913 | 1,334,526,537 | 1,332,048,505 |
| 11 | EXPENDITURES/ENCUMBRANCES/ALLOCATIONS | | | | | |
| 12 | Program 0140010/0150037 - Judicial Council (Staff) | 3,688,354 | 3,678,027 | 3,340,665 | 4,441,000 | 4,441,000 |
| 13 | Program 0150010 - Support for Operation of the Trial Courts | 1,966,753,144 | 2,254,884,000 | 2,461,813,000 | 2,628,057,000 | 2,628,057,000 |
| 14 | Program 0150011 - Court-Appointed Dependency Counsel | 156,525,184 | 196,700,000 | 186,700,000 | 186,700,000 | 186,700,000 |
| 15 | Program 0150019 - Compensation of Superior Court Judges | 380,761,790 | 398,004,000 | 408,355,000 | 435,667,000 | 435,667,000 |
| 16 | Program 0150028 - Assigned Judges | 14,218,450 | 47,371,000 | 25,400,000 | 31,092,000 | 31,092,000 |
| 17 | Program 0150037 - Court Interpreters | 110,584,015 | 121,413,000 | 123,502,000 | 136,088,000 | 136,175,000 |
| 18 | Program 0150075 - Grants | 10,328,980 | 9,426,000 | 30,329,000 | 30,329,000 | 30,329,000 |
| 19 | Program 0150095 - Expenses on Behalf of the Trial Courts | 12,703,251 | 14,944,000 | 16,035,276 | 15,022,032 | 15,022,032 |
| 20 | Total Local Assistance | 2,652,100,000 | 3,042,742,000 | 3,252,134,276 | 3,462,955,032 | 3,463,042,032 |
| 21 | <i>FISCAL Assessment</i> | <i>174,000</i> | <i>174,000</i> | <i>174,000</i> | <i>174,000</i> | <i>174,000</i> |
| 22 | <i>Pro Rata/State Ops</i> | <i>209,643</i> | <i>209,861</i> | <i>185,000</i> | <i>92,000</i> | <i>92,000</i> |
| 23 | <i>Supplemental Pension Payments</i> | <i>76,000</i> | <i>76,000</i> | <i>76,000</i> | <i>58,000</i> | <i>58,000</i> |
| 24 | Total Expenditures (includes State Ops and LA) | 2,655,788,354 | 3,046,420,027 | 3,255,474,941 | 3,467,396,032 | 3,467,483,032 |
| 25 | <i>Less Funding Provided by General Fund:</i> | <i>1,511,300,000</i> | <i>1,939,376,000</i> | <i>2,148,679,565</i> | <i>2,340,858,000</i> | <i>2,340,858,000</i> |
| 26 | Total Expenditures and Expenditure Adjustments | 1,144,947,997 | 1,107,503,888 | 1,107,230,376 | 1,126,862,032 | 1,126,949,032 |
| 27 | Ending Fund Balance^{2,3} | 162,032,593 | 180,993,913 | 210,142,537 | 207,664,505 | 205,099,473 |
| 28 | Restricted Funds | | | | | |
| 29 | Total Restricted/Reserved Funds | 54,743,739 | 105,221,660 | 100,276,645 | 100,276,645 | 100,276,645 |
| 30 | Ending Unrestricted Fund Balance | 107,288,854 | 75,772,253 | 109,865,892 | 107,387,860 | 104,822,828 |

¹ Revenues reflect current projections as of February 2023 actuals.

² 2019-20 Fund Balance includes \$100M loan from the ICNA that was paid back in 2021-22.

³ 2021-22 fund balance includes \$59.4M that will show up as a past year revenue adjustment in 2022-23.

**Judicial Branch
2024-25 BCP Concept Tracking List**

May 17, 2023

- BCP included in the 2023-24 Governor's Budget and is pending legislative approval.
- BCP Proposed for the 2023-24 Governor's Budget and was denied.
- Request submitted to JBBC in 2023-24 and was denied.

| Tracking # | JCC Office | Title | Description | # Positions | \$ Estimate (in thousands) | Fund Source | Previous FY Submittal | JCC Committee | Proposed Lead Advisory Committee | Comments |
|------------|------------|---|--|-------------|----------------------------|------------------|-----------------------|---------------|----------------------------------|--|
| 24-01 | EO/Audit | Statewide External Audit Program | Proposes to fully fund the statewide external audit program (total of \$1.85 million annually, or an increase of \$1.31 million over current funding levels). | 0.0 | 1,310 | GF | N | | ACAFA | Similar proposal included in 2020-21 Governor's Budget was withdrawn by Administration due to pandemic fiscal condition. |
| 24-02 | ACS | Courts of Appeal Court-Appointed Counsel Program | To support the Courts of Appeal Court-Appointed Counsel Program (1) for a \$10 per hour rate increase for non-capital appeal appointments; and (2) 7.0 percent increase in the Project Offices annual contracts. | 0.0 | 5,543 | GF | N | | APJAC | |
| 24-03 | ACS | Proposition 66 Costs in Courts of Appeal | For the Courts of Appeal to address the new workload associated with the implementation of Proposition 66 (Prop 66), the Death Penalty Reform and Savings Act of 2016. | 14.5 | 9,475 | GF | Y | | APJAC | A similar BCP submitted for inclusion in 2023-24 Governor's Budget and was denied by DOF. |
| 24-04 | FS | Trial Courts Facilities Maintenance and Utilities | To provide industry level facility operations, maintenance, and utilities to the Judicial Council real estate portfolio. | 0.0 | 108,708 | GF/CFTF Reimb. | Y | TCBAC | TCFMAC | |
| 24-05 | FS | Facility Modifications Prioritization and Costs | To address facility modification needs within the JCC-managed portfolio. | 0.0 | 53,000 | GF/ SCFCF Reimb. | Y | TCBAC | TCFMAC | A similar BCP submitted for inclusion in 2023-24 Governor's Budget and was denied by DOF. |
| 24-06 | FS | Trial Court and Courts of Appeal Deferred Maintenance | To support deferred maintenance projects for trial courts and Courts of Appeal. | 4.0 | 140,825 | GF/ SCFCF Reimb. | Y | TCBAC | TCFMAC | A similar BCP submitted for inclusion in 2023-24 Governor's Budget and was denied by DOF. |
| 24-07 | FS | Electrical Systems Safety and Reliability Study and Implementation - Statewide Facilities | To establish an electrical safety program and protocols to improve facilities electrical systems safety & reliability in compliance with the National Fire Protection Association Standard 70E – Electrical Safety in the Workplace. | 0.0 | 2,938 | GF | N | TCBAC | TCFMAC | |
| 24-08 | FS | Energy Retrofit Deferred Maintenance | To perform energy retrofits on the five worst performing buildings in the portfolio. | 0.0 | 25,000 | GF/ SCFCF Reimb. | N | TCBAC | TCFMAC | |

**Judicial Branch
2024-25 BCP Concept Tracking List**

May 17, 2023

| Tracking # | JCC Office | Title | Description | # Positions | \$ Estimate (in thousands) | Fund Source | Previous FY Submittal | JCC Committee | Proposed Lead Advisory Committee | Comments |
|------------|------------|---|---|-------------|----------------------------|-----------------|-----------------------|---------------|----------------------------------|---|
| 24-09 | FS | Water Conservation and Leak Detection Measures in Courthouses | To implement water leak detection equipment and software for water meter data logging and replacement of outdated water fixtures in an estimated 160 courthouses within the JCC portfolio to help conserve water. | 0.0 | 15,720 | GF/SCFCF Reimb. | Y | TCBAC | TCFMAC | A similar BCP submitted for inclusion in 2023-24 Governor's Budget and was denied by DOF. |
| 24-10 | FS | Trial Court Physical Security Assessment and Evaluation | To implement a program to evaluate and identify physical security deficiencies in trial court facilities statewide. | 3.0 | 2,657 | GF | N | | CSAC | |
| 24-11 | FS | Capital Outlay Program Support | To provide the necessary resources for capital project assessments/capital program support to support the projects in the JCCs latest capital outlay plan. | 0.0 | 5,000 | GF | N | CFAC | TCBAC | |
| 24-12 | FS | Capital Outlay Funding FY 2024-25 through 2028-29 | For six capital outlay projects to provide the necessary resources for project assessments. | 0.0 | 196,531 | GF | Y | CFAC | TCBAC | Similar BCP was submitted for inclusion in the Governor's Budget and is pending legislative approval. |
| 24-13 | IT | Funding for Cost Increases for Remote Access to Court Proceedings (AB 716) | One-time funding over two years to meet the requirements of AB 716 for remote access to court proceeding using audio and video. | 0.0 | 41,713 | GF | N | Tech TCBAC | ITAC | Funding provided in Budget Act of 2022 for provisions of SB 712. |
| 24-14 | CFCC | Staff Support for Federally Funded Dependency Representation Program | To provide expanded court-appointed counsel services to children and families in child welfare by supporting administration of the Federally Funded Dependency Representation Program. | 6.0 | 969 | GF | N | FJLAC TCBAC | TCBAC | |
| 24-15 | CFCC | Court-Based Self Help Centers – Continuation of Operating Funds | To provide (1) an ongoing continuation of current funding, and (2) provide needed funding and legal support to the courts to expand services in critical case types. | 2.0 | 32,773 | GF | Y | | ACPAF | A similar BCP submitted for inclusion in 2023-24 Governor's Budget and was denied by DOF. |
| 24-16 | CFCC | Access to Visitation Grant Program: Expanding Professional Supervised Visitation Services Serving Low-Income Families Statewide | To address the trial courts' need for safe, professionally supervised visitation for low-income parents in child custody cases. | 1.0 | 1,287 | GF | N | | FJLAC | |
| 24-17 | HCRC | HCRC Case Team Staff and Establishment of Los Angeles Office | The funds will be used to increase staff and establish a Los Angeles office to reduce delays and the backlog of unrepresented defendants in habeas cases. | 30.0 | 8,406 | GF | Y | | HCRC | A similar BCP submitted for inclusion in 2023-24 Governor's Budget and was denied by DOF. |

**Judicial Branch
2024-25 BCP Concept Tracking List**

May 17, 2023

| Tracking # | JCC Office | Title | Description | # Positions | \$ Estimate (in thousands) | Fund Source | Previous FY Submittal | JCC Committee | Proposed Lead Advisory Committee | Comments |
|------------|------------|---|--|-------------|----------------------------|-------------|-----------------------|---------------|----------------------------------|--|
| 24-18 | TCBAC | Inflationary Adjustment for Trial Courts (Consumer Price Index) | To address general inflationary cost increases for trial courts based on the Consumer Price Index (CPI) published by the Department of Finance. The CPI for 2024-25 is currently estimated at 3.3 percent. | 0.0 | 81,537 | GF | Y | | TCBAC | Similar BCP was submitted for inclusion in the Governor's Budget and is pending legislative approval. Previous request was for an increase in 2023-24 with an ongoing automatic inflationary adjustment in future years and was approved for a 3% increase in 2023-24. |
| 24-19 | TCBAC | Funding for 50 New Judgeships | To fund 50 new trial court judgeships in courts that show a need for new judicial positions according to the 2022 Judicial Needs Assessment. | 0.0 | 261,100-486,100 | GF | N | | TCBAC | |
| 24-20 | TCBAC | Maintaining a Sufficient Pool of Competency to Stand Trial Court Evaluators | To support trial courts in addressing the increased number and costs of Penal Code (PC) § 1368 competency to stand trial evaluations required throughout the state and to implement a training, technical assistance, and data collection program to support courts implementing mental health diversion programs. | 2.0 | 12,275 | GF | Y | TCBAC | CJCAC | A similar BCP submitted for inclusion in 2023-24 Governor's Budget and was denied by DOF. |

**The concepts for Phoenix Payroll and Innovation Support, Supreme Court Capital Court Appointed Counsel Program, Establish Project Management Office have been withdrawn. The concept for the Data Governance and Analytics has been deferred to 2025-26*

**Judicial Branch
2024-25 BCP Concept Tracking List**

May 17, 2023

| Tracking # | JCC Office | Title | Description | # Positions | \$ Estimate (in thousands) | Fund Source | Previous FY Submittal | JCC Committee | Proposed Lead Advisory Committee | Comments |
|----------------------------|------------|-------|--|-------------|----------------------------|-------------|-----------------------|---------------|----------------------------------|----------|
| Internal Committees | | | | | | | | | | |
| | Tech | | Judicial Council Technology Committee | | | | | | | |
| | Litigation | | Litigation Management Committee | | | | | | | |
| | Budget | | Judicial Branch Budget Committee | | | | | | | |
| Advisory Committees | | | | | | | | | | |
| | ACAFA | | Advisory Committee on Audit and Financial Accountability | | | | | | | |
| | CIAP | | Court Interpreters Advisory Panel | | | | | | | |
| | CSAC | | Court Security Advisory Committee | | | | | | | |
| | CFAC | | Court Facility Advisory Committee | | | | | | | |
| | TCBAC | | Trial Court Budget Advisory Committee | | | | | | | |
| | TCFMAC | | Trial Court Facility Modification Advisory Committee | | | | | | | |
| | LAPTF | | Language Access Plan Implementation Task Force | | | | | | | |
| | APJAC | | Administrative Presiding Justices Advisory Committee | | | | | | | |
| | TCPJAC | | Trial Court Presiding Judges Advisory Committee | | | | | | | |
| | CEAC | | Court Executives Advisory Committee | | | | | | | |
| | FJLAC | | Family & Juvenile Law Advisory Committee | | | | | | | |
| | ITAC | | Information Technology Advisory Committee | | | | | | | |
| | GC-CJER | | Governing Committee of CJER | | | | | | | |
| | ACPAF | | Advisory Committee on Providing Access & Fairness | | | | | | | |
| | LAS-ACPAF | | Language Access Sub-committee of ACPAF | | | | | | | |
| | CACCA | | Court of Appeal Clerks | | | | | | | |

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

| | |
|--------------------------|--|
| Requesting Entity | Advisory Committee for Audits and Financial Accountability |
|--------------------------|--|

| | |
|-----------------------|----------------------------------|
| Proposal Title | Statewide External Audit Program |
|-----------------------|----------------------------------|

Proposal Summary

[Government Code Section 77206\(h\)](#) requires the trial courts to be audited by an external governmental audit organization (i.e., State Controller’s Office (SCO), State Auditor, or Department of Finance). Statute further requires that each trial court be audited by such an organization every four years.

Current spending authority in the annual budget provides \$540,000, which is enough to cover the costs of only five audits as opposed to the 14-15 audits needed to get to a four-year cycle as required by statute. The Judicial Council of California (JCC) requests additional General Fund to fully fund the statewide external audit program (total of \$1.85 million annually, or an increase of \$1.31 million over current funding levels) based on cost estimates provided by the SCO.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: Trial Court Trust Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-----------------|-------------------|-------------------|-------------------|-------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | \$1,310 | \$1,347 | \$1,385 | \$1,423 | \$1,463 |
| Local Assistance | | | | | |
| Total | \$1,310 | \$1,347 | \$1,385 | \$1,423 | \$1,463 |
| One-time | | | | | |
| Ongoing | \$1,310 | \$1,347 | \$1,385 | \$1,423 | \$1,463 |

*Please include all costs associated with request including costs for other offices and courts.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

Problem or Issue

Government Code Section 77206(h) requires every trial court to be audited at least once every four years by an external governmental audit organization. In order to meet this requirement, 14-15 trial courts must be audited each fiscal year. Currently, the annual budget act provides only \$540,000, which is sufficient for just five audits each fiscal year. By seeking additional funding from the General Fund, the judicial branch is demonstrating its ongoing commitment to fiscal accountability and adherence to the Legislature's oversight requirements as expressed in law.

Background/History of Problem

Government Code Section 77206(h)(2) states that based on the results of the pilot program audits, the entity contracted (which is the SCO) shall, on or before December 15, 2013, commence an audit of the trial courts, provided that every trial court is audited at least once every four years. However, with the current budget of \$540,000, the SCO is only able to audit 5 trial courts per year instead of the 14 to 15 trial court audits that it needs to perform to meet the statutory requirement.

This concept mirrors a previous budget change proposal that was initially accepted by the Administration and later withdrawn as part of the Governor's efforts to balance the budget due to the COVID-19 pandemic ([0250-018-BCP-2020-GB](#)).

Impact of Denial of Proposal

Without adequate funding, the JCC will fail to meet its statutory requirement as outlined in Government Code 77206(h)(2). Specifically, the SCO, whom the JCC contracts with, will not be able to perform the required 14 to 15 trial court audits each year to meet the requirement that every trial court is audited at least once every four-years.

Outcomes and Accountability of Proposal

The JCC will be in compliance with the statutory requirement of Government Code 77206(h)(2). In addition, the revenues, expenditures, and fund balances audits conducted by the SCO will produce an audit report and thereby provide fiscal accountability and transparency.

Required Review/Approval

Advisory Committee on Audits and Financial Accountability for the Judicial Branch

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal II: Independence and Accountability
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Dawn Tomita*

Contact Name: Dawn Tomita

**Judicial Branch
 2024-25 Budget Change Proposal Concept**

| | |
|--------------------------|--|
| Requesting Entity | Administrative Presiding Justices Advisory Committee |
|--------------------------|--|

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| Proposal Title | Courts of Appeal Court-Appointed Counsel Program |
|-----------------------|--|

Proposal Summary

The Judicial Council of California (JCC) is requesting \$5.5 million ongoing General Fund to support the Courts of Appeal Court-Appointed Counsel (CAC) Program. The request has two components: (1) \$4.1 million General Fund for a \$10 per hour rate increase for non-capital appeal appointments; and (2) \$1.4 million General Fund for permanent 7 percent increase in the appellate projects’ annual contracts. The United States Constitution guarantees indigent defendants the right to adequate counsel and California fulfills this obligation, and those under California Rule of Court 8.300, through the CAC Program, which is administered through contracts with 5 private, non-profit corporations, or appellate projects. Appellate projects provide services relating to the appointment of counsel in non-capital criminal cases and juvenile delinquency and dependency matters and other cases where persons have a right to appointed counsel on appeal, except for capital cases.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-----------------|-------------------|-------------------|-------------------|-------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | \$5,543 | \$5,543 | \$5,543 | \$5,543 | \$5,543 |
| Local Assistance | | | | | |
| Total | \$5,543 | \$5,543 | \$5,543 | \$5,543 | \$5,543 |
| One-time | | | | | |
| Ongoing | \$5,543 | \$5,543 | \$5,543 | \$5,543 | \$5,543 |

*Please include all costs associated with request including costs for other offices and courts.

Problem or Issue

Until the recent Budget Act increase providing \$6.4 million for a \$15 hourly rate increase for non-capital appeal appointments, and \$1.9 million for a 10.5 percent increase in the appellate projects’ annual contracts, the CAC panel attorneys had not received hourly rate increases between 2007-08 and 2016-17. The five appellate projects had not received any new funding between 2007-08 and 2017-18.

**Judicial Branch
2024-25 Budget Change Proposal Concept**

The 2022-23 increase provided an opportunity to begin addressing the impact of years without a panel attorney hourly rate increase nor appellate projects staff salaries but there still is, and there will continue to be, a need for additional resources to address recruitment and retention in both panel attorneys and appellate projects' staff as many have either left the panel or greatly reduced the number of cases they are willing to accept in favor of more lucrative representation in federal courts or other state agencies.

The United States Constitution guarantees indigent defendants the right to adequate counsel and California fulfills this obligation, and those under California Rule of Court 8.300, through the CAC, which is administered through contracts with 5 private, non-profit corporations, or appellate projects. Appellate projects provide services relating to the appointment of counsel in non-capital criminal cases and juvenile delinquency and dependency matters and other cases where persons have a right to appointed counsel on appeal, except for capital cases.

The current appointment rates, even though the recent increase has alleviated some hurdles, are negatively affecting the program in the areas of the recruitment of new panel attorneys and the retention of existing competent and experienced counsel, which are at the heart of an efficient and cost-effective CAC program. Before 2022-23 the last hourly rate increase for statewide panel attorneys occurred in 2016, which increased the rate by \$10 per hour for non-capital appeals. Prior to 2016, the last increase was in 2007. The proposed \$10 per hour rate increase is necessary for the continued recruitment of new competent attorneys, for the retention of experienced attorneys, and to allow the newer panel members to continue to serve on the panel while they gain the expertise to take on the more complex and more serious cases. Currently, 88 percent of the cases are assigned to more experienced panel attorneys on an independent appointment basis, an increase of 21 percent since 1997 as independent assignments are the most cost effective.

The program's ability to continue this level of independent assignments while providing competent representation is threatened by ongoing reductions in the statewide pool of experienced attorneys. In recent years, a number of the program's most qualified attorneys have either left the panel or greatly reduced the number of cases they are willing to accept in favor of more lucrative representation in federal courts or other state agencies. For example, The California Department of General Services 2022-2023 Price Book of \$170 per hour for external legal advice continues to stand in stark comparison to the current rate of \$110 - \$130 per hour offered by the CAC Program. Without continued reduction of this pay gap, the program will continue struggle.

Also, the current funding for the five appellate projects (non-profit corporations) that provide legal support to the private appointed attorneys is inadequate to support continued increases in operational costs. California's CAC Program through the annual contracts of the five appellate project offices fulfills the constitutional mandate of providing adequate representation for indigent appellants in the Courts of Appeal in non-capital cases. The objectives of California's appellate court-appointed counsel system and the CAC Program are to: (1) ensure the right of indigent clients to receive the effective assistance of appointed appellate counsel as guaranteed them by the U.S. Constitution; and (2) provide the Courts of Appeal with useful briefings and arguments that allow the Courts to perform their functions effectively and efficiently.

Background/History of Problem

**Judicial Branch
2024-25 Budget Change Proposal Concept**

In 1963, *Douglas v. California* (372 U.S. 353) held that the U.S. Constitution guarantees an indigent defendant convicted of a felony the right to a court-appointed attorney for the initial appeal. 22 years later, in 1985, the Court clarified in *Evitts v. Lucey* (469 U.S. 387), that the guarantee of court appointed counsel requires that counsel be competent. As indicated in *Evitts v. Lucey*, “[W]e have held that the Fourteenth Amendment guarantees a criminal appellant pursuing a first appeal as a right certain minimum safeguards necessary to make that appeal “adequate and effective,” see *Griffin v. Illinois*, 351 U.S. 12, 20 (1956); among those safeguards is the right to counsel, see *Douglas v. California*, 372 U.S. 353 (1963).” “[T]he promise of *Douglas* that a criminal defendant has a right to counsel on appeal — like the promise of *Gideon* that a criminal defendant has a right to counsel at trial — would be a futile gesture unless it comprehended the right to the effective assistance of counsel.”

Rule 8.300 states in applicable part: “Each Court of Appeal must adopt procedures for appointing appellate counsel for indigents not represented by the State Public Defender in all cases in which indigents are entitled to appointed counsel.... The court may contract with an administrator [appellate project] having substantial experience in handling appellate court appointments to perform any of the duties prescribed by this rule.” (Cal. Rules of Court, rule 8.300(a) and (e)(1).) The statewide panel attorneys in the CAC Program for the Courts of Appeal fulfill these rights for indigent defendants.

California’s CAC Program, with panel attorneys in the private sector, has been in place for about 30 years. The CAC Program’s panel attorneys provide critical and constitutionally required representation to indigent individuals in criminal, juvenile delinquency, and dependence appeals. The California Courts of Appeal contracts with appellate projects (non-profit organization) to oversee the statewide panel of attorneys who receive appointments in that district. The appellate projects are responsible for working with the panel attorneys to ensure effective assistance is provided; reviewing claims for payment for the work performed by the panel attorneys (to provide consistency and controls over the expenditure of these public monies); and training attorneys to ensure continuity of quality.

From 1989 to 1995, the hourly rate for all appointed cases was \$65 per hour. In 1995, a second tier was added at \$75 per hour to differentiate compensation in assisted and independent cases. A third tier at \$85 per hour was added in 1998 for the most serious and complex matters. Effective October 1, 2005, the rates increased by \$5 per hour; a \$10 per hour increase was put in place July 1, 2006; and one final \$5 per hour increase effective July 1, 2007. For over 9 years the same hourly rates (\$85/\$95/\$105) were in place until July 1, 2016, when the rates of \$95/\$105/\$115 were approved; and for another six years when the rates of \$110/\$120/\$130 effective July 1, 2022 were approved. The Judicial Council is requesting a \$10 per hr. increase to raise these 2024 rates to \$120, \$130, and \$140 per hour in 2024.

Impact of Denial of Proposal

If denied, the CAC Program through the appellate projects will be unable to recruit new attorneys and will continue to lose the most experienced panel attorneys to other government entities for more lucrative compensation and job security. The appellate projects will continue to be underfunded and unable to absorb increased costs while struggling to maintain office operations, including recruitment and retention of experienced staff. Underfunding in both these areas will negatively impact access to justice causing delays in or inability to access adequate and effective representation.

**Judicial Branch
2024-25 Budget Change Proposal Concept**

Outcomes and Accountability of Proposal

The Appellate Indigent Defense Oversight Advisory Committee (AIDOAC) regularly monitors the efficiency of the court-appointed counsel system (including both the appellate projects and the panels) analyzes cost and workload, and a variety of other factors to ensure the appellate projects and the panel attorneys are continuing to provide the value to the Courts of Appeal and the litigants required by the courts and the Constitution. AIDOAC reviews trends and re-evaluates course direction when appropriate. For example, noticing an increase in the amount of time spent and compensated for “unbriefed issues,” AIDOAC worked with the appellate project directors to refine the guidelines of when it is appropriate to seek compensation in this category; and monitors this line item as part of its quarterly reviews to determine the impact of this change in guidelines. If approved, this proposal will provide a more comparable compensation for panel attorneys handling cases on appeal; provide adequate representation for the indigent appellants in California’s Courts of Appeal; attract and retain new and existing panel attorneys; grow their experience so they can take on more complex and more serious matters; and reduce attrition of experienced and new panel attorneys to other government entities. These outcomes will be measured by tracking turnover rates, longevity, and attrition due to other government entities or retirement. In addition, the nonprofit appellate projects will be able to increase recruitment and retention of experienced staff and provide the needed services to the appointed counsel and the individual courts.

Required Review/Approval

Administrative Presiding Justices Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

- Goal I: Access, Fairness, and Diversity
- Goal IV: Quality of Justice and Service to the Public
- Goal VI: Branchwide Infrastructure for Service Excellence

The United States Constitution’s 6th Amendment guarantees the effective assistance of counsel in criminal proceedings as a fundamental part of our judicial system. The courts are required to provide counsel to indigent defendants and must do so in all appeals that may come before them. As set forth in the JCC’s long-range Strategic Plan for California’s Judicial Branch (JB), (adopted December 2006; readopted and revised December 2014, and reaffirmed in 2019), the mission of the California judiciary is to “in a fair, accessible, effective and efficient manner, resolve disputes arising under the law... protect the rights and liberties guaranteed by the Constitutions of California and the United States.” As set forth in the Goal I of the strategic plan, Access, Fairness, and Diversity, states that “California’s courts will treat everyone in a fair and just manner. All Californians will have equal access to the courts proceeding and programs. Court procedures will be fair and understandable to court users. Members of the JB community will strive to understand and be responsive to the needs of court users.” The objectives of California’s appellate CAC system are to: (1)ensure the right of indigent clients to receive effective assistance of appointed counsel, as guaranteed to them by the Constitution; and (2) provide the Courts of Appeal with useful briefings/arguments that allow them to perform their function efficiently and effectively.

Approval

Tracking
Number: 24-02

**Judicial Branch
2024-25 Budget Change Proposal Concept**

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.



Director Signature:

Contact Name: Marcela Eggleton

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|------------------|
| Requesting Entity | Courts of Appeal |
|--------------------------|------------------|

| | |
|-----------------------|--|
| Proposal Title | Proposition 66 Costs in Courts of Appeal |
|-----------------------|--|

Proposal Summary

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|--|
| The Judicial Council of California (JCC) requests 14.5 positions and \$9.5 million for 2024-25 and \$9.2 million ongoing General Fund for the Courts of Appeal to address the new workload associated with the implementation of Proposition 66 (Prop 66), the Death Penalty Reform and Savings Act of 2016. |
| Does this proposal require a statutory change? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> |
| Does this proposal have an information technology component? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Proposed fund source: General Fund |

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | 14.5 | 14.5 | 14.5 | 14.5 | 14.5 |
| Personal Services | 3,866 | 3,866 | 3,866 | 3,866 | 3,866 |
| Operating Expenses & Equipment | 5,609 | 5,284 | 5,284 | 5,284 | 5,284 |
| Local Assistance | | | | | |
| Total | 9,475 | 9,150 | 9,150 | 9,150 | 9,150 |
| One-time | 325 | | | | |
| Ongoing | 9,150 | 9,150 | 9,150 | 9,150 | 9,150 |

*Please include all costs associated with request including costs for other offices and courts.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

Problem or Issue

Proposition 66 did not appropriate funds to the Courts of Appeal for additional resources to address the new petitions related to Prop 66. In addition, the current resources and staff of the Courts of Appeal cannot absorb the anticipated increase in workload.

Approximately 150 petitions were transferred from the Supreme Court to the trial courts, and the majority of those petitions are still pending in the trial courts and will likely result in an appeal under Proposition 66. Currently, 46 petitions have proceeded to final disposition in the trial courts and now are in the Courts of Appeal. Thirty-six have been stayed due to lack of funding to pay habeas corpus appeal counsel. Ten are moving forward despite the lack of funding because counsel is an agency such as HCRC or Federal Public Defenders (FPD) that does not need payment from the Courts of Appeal to proceed with the appeals.

The estimated workload calculation projects that one-fourth (38) of the pending 150 cases will be appealed in each year beginning in 2024-25. If funding is not provided to the Courts of Appeal, the courts will have to absorb over 12.5 work year equivalents each fiscal year resulting from the estimated 38 cases that will be appealed, with each case requiring approximately four months FTE (full-time equivalent) to review and prepare. This will delay all appeals, slowing the process of justice, which is precisely the opposite of what the proponents of Prop 66 and, by extension, the majority of Californians wanted when Prop 66 was passed.

Currently there are approximately 360 California condemned incarcerated persons awaiting appointment of habeas corpus counsel. Some of these incarcerated persons have been waiting for counsel for more than 20 years. Incarcerated persons are being denied their constitutional and statutory rights to challenge their convictions and sentences. Prior to passage of Prop 66, the Supreme Court handled the appointment of counsel, and habeas corpus petitions were filed directly in the Supreme Court. Prop 66 transferred initial appointment authority to the trial courts and directed the filing of habeas petitions there to be followed by an appeal to the courts of appeal. The requested funding will promote the interests of the fair administration of justice by allowing cases to proceed to final resolution, benefitting both the unrepresented and victim family members.

There is also a backlog of incarcerated persons on California's death row who have the right to counsel in state post-conviction proceedings, but currently must wait as long as 24 years for appointment of an attorney. These delays in appointment of counsel are not only against the interests of justice and fairness but substantially increase both the litigation costs of each case and the incarceration costs associated with the delay in providing a substantial number of condemned incarcerated persons potential relief from their death judgments. As of mid-2018, 367 incarcerated persons were without habeas counsel. Although the issue of responsible party for payment to appointed counsel for trial court habeas proceedings and the rate of pay is still to be determined, the component of this request that seeks additional funding for appointed and assisted counsel at the current capital case rate of \$145/hour for matters in the Courts of Appeal will help address one aspect of the chronic shortage.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

The Courts of Appeal staff will be required to do different and additional work than was required of the Supreme Court when it considered death-penalty petitions before Prop 66. Unlike what was required by the Supreme Court, the Courts of Appeal will be required to issue full written opinions, resolve interlocutory writ petitions taken from trial court rulings, decide multiple pre-decision motions, and consider petitions for rehearing.

The estimated workload calculation is based on averaging two types of anticipated appeals: appeals from initial petitions, which will require extensive work; and appeals from second or subsequent petitions, which will often require less work. For appeals from initial petitions, an FTE position will need an average of six months to prepare a draft opinion. For appeals from second or subsequent petitions, an FTE position will need from one week to several months to prepare a memorandum or draft decision. Averaging these estimates results in the need for one FTE position to work on a case for four months.

Courts of Appeal Appointed Counsel: Counsel has already been appointed in virtually all 150 cases transferred to the trial courts, and most of the decisions issued in these cases will be appealed under Prop 66. The Courts of Appeal cannot assume, however, that because a petitioner had representation in the trial court, the petitioner will have representation on appeal. Under applicable court rules, unless the petitioner and counsel expressly request continued representation, new counsel must be appointed. This concept projects that the Courts of Appeal will be required to appoint and compensate counsel in half of the estimated 38 appeals filed each year through 2026-27.

Background/History of Problem

On November 8, 2016, the California electorate approved Prop 66, the Death Penalty Reform and Savings Act of 2016. This act made a variety of changes to the statutes relating to review of death penalty (or “capital”) cases in the California courts, many of which were focused on reducing the time spent on this review. Among other provisions, Prop 66 effected several changes to the procedures for filing, hearing, and making decisions on death penalty-related habeas corpus petitions. The act did not take effect immediately on approval by the electorate because its constitutionality was challenged in a petition filed in the California Supreme Court, *Briggs v. Brown* (S238309). On Oct. 25, 2017, the Supreme Court’s opinion in *Briggs v. Brown* became final (2017 3 Cal.5th 808), and the act took effect.

Before Proposition 66, habeas corpus petitions related to capital convictions were filed in and decided by the Supreme Court. Under Prop 66, these petitions are generally to be decided by the trial courts and then appealed to the Courts of Appeal. Habeas corpus proceedings represent a new workload and the need for new staffing for the Courts of Appeal. Staffing requested 14.5 positions (personal services and operating expenses and equipment): 1.0 supervising appellate court attorney, 11.5 senior appellate court attorneys, and 2.0 judicial assistants.

Impact of Denial of Proposal

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

The Courts of Appeal will not have the resources (i.e., funding and staff) to address the new workload resulting from the passage of Prop 66, the Death Penalty Reform and Savings Act of 2016. All habeas corpus petitions related to capital convictions appeals will be delayed, slowing the process of justice, which is inconsistent with the intent of Prop 66 when passed by the California voters.

Outcomes and Accountability of Proposal

With approval of this proposal, the Courts of Appeal will be able to hire and develop professional staff to handle habeas corpus appeals in order to review and render timely opinions to provide relief to prisoners without counsel. The Courts of Appeal will have the necessary resources to support the new workload and other costs (including appointed counsel, investigation, records storage, and technology upgrades) to adequately address the appeals and the costs associated with the implementation of Prop 66 in the Courts of Appeal.

With the approval of this proposal, many underrepresented groups would benefit from providing timely justice, and The National Academy of Sciences and others have estimated that approximately 4 percent of condemned incarcerated persons may be innocent, suggesting that as many as 14 of the California's 360 unrepresented condemned incarcerated persons may have potentially meritorious claims of innocence. Racial and ethnic minorities are disparately impacted, with African Americans comprising approximately 35 percent of California's death row (as compared to approximately 6 percent of the general population).

Approval of this proposal will also provide timely processing of these cases, provide equity for all Californian's where families are seeking timely justice for the victims and the families of incarcerated persons in the habeas corpus petition cases. In addition, these funds will reduce the time of innocent incarcerated persons serving longer times in prison, as the families on both sides continue to wait for their day in court and closure.

Finally, successful implementation of this proposal will be manifested through prompt hiring and training of new staff members, allowing the new workload created by Prop 66 to be addressed appropriately and not overwhelm the Courts of Appeal. Accountability will be measured through attorney recruitment and will help in the process of reducing the backlog of habeas counsel appointments to prisoners on death row.

Required Review/Approval

Administrative Presiding Justices Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Goal I: Access, Fairness, and Diversity
Goal IV: Quality of Justice and Service to the Public
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Goal I of the strategic plan, Access, Fairness, and Diversity, states that “California’s courts will treat everyone in a fair and just manner. All Californians will have equal access to the court’s proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users.” Prop 66 specifically requires the JCC to adopt rules “designed to expedite the processing of capital appeals and state habeas corpus review” (Penal Code Section 190.6(d)). This direction is consistent with the provision in Prop 66 that provides that death penalty-related habeas corpus proceedings “be conducted as expeditiously as possible” (Penal Code Section 1509(f)). This concept also fulfills the Judicial Branch Strategic Plan Goals: IV: Quality of Justice and Service to the Public and VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch.

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.



Director Signature:

Contact Name: Deborah Collier-Tucker

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

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| Requesting Entity | Trial Courts Facilities Modification Advisory Committee |
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| Proposal Title | Trial Courts Facilities Maintenance and Utilities |
|-----------------------|---|

Proposal Summary

The Judicial Council of California (JCC) requests \$96.86 million ongoing General Fund in 2024-25 and \$11.85 million in ongoing reimbursement authority for the Construction Facilities Trust Fund (CFTF) for a total of \$108.71 million to provide industry standard level facility operations, maintenance, and utilities to the Judicial Council real estate portfolio. The request includes \$5.97 million in new funding for nine courthouses that will open in 2024-25, \$3.57 million in new funding for the Stanislaus – New Modesto Courthouse currently under construction, and \$87.32 million to increase the Operations & Maintenance (O&M) and utilities budget from the 2017 International Facility Management Association (IFMA) rate to 2022 IFMA rate on the existing statewide JCC trial court portfolio.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-----------------|-------------------|-------------------|-------------------|-------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | 108,708 | 108,708 | 108,708 | 108,708 | 108,708 |
| Local Assistance | | | | | |
| Total | 108,708 | 108,708 | 108,708 | 108,708 | 108,708 |
| One-time | | | | | |
| Ongoing | 108,708 | 108,708 | 108,708 | 108,708 | 108,708 |

*Please include all costs associated with request including costs for other offices and courts.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

Problem or Issue

Currently, no mechanism exists for funding increases in facility operations and maintenance (O&M), and utilities for court facilities. Due to increasing utility costs and other inflationary cost pressures which are beyond our control, and to stay within our limited resources maintenance is reduced. Deferring maintenance leads to inadequately maintained buildings, which in turn leads to failures. This proposal requests an increase of \$96.86 million to the O&M and utility budget. This proposal is based on the 2022 IFMA Benchmark Report and 2022-23 projections of gas and electric utilities cost increases as follows:

Court Facilities

- a) *Placeholder* \$5.97 million: New funding for the nine new trial Court Facilities to fund the 737,000 net SF JCC managed space increase. If included in the Budget Act this item will be reduced for the 2024-25 proposal.
- b) \$3.57 million: New funding for the 309,284 SF Modesto courthouse to-be completed in 2024-25.
- c) \$87.32 million: Incremental funding increase from 2017 IFMA rate to 2022 IFMA rate for the existing, entire, statewide portfolio of JCC managed Trial Court facilities

Background/History of Problem

Funding increases to account for inflation of facility O&M and utilities do not currently exist. The available funding for facilities operations costs has been overrun by growth of the JCC portfolio and increased ongoing costs. The requested increase in funding from 2017 IFMA rates to 2022 IFMA rates, will help address the ongoing funding deficit currently incurred/planned to be incurred.

Impact of Denial of Proposal

Denial of this proposal will require shifting budget from renewals and preventative maintenance to cover increasing utility costs. The change will result in a return to run-to failure practice of facility maintenance and increase the deferred maintenance backlog. A lack of renewals and preventative maintenance increases unplanned emergency failures of building components. The cost to repair failed building components in a reactive emergency mode is more costly. This run-to failure environment results in otherwise avoidable disruptions to court operations because needed renewals of building systems are not timely performed.

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Outcomes and Accountability of Proposal

The Trial Court Facility Modification Advisory Committee oversees trial court facility maintenance and repairs that must be performed periodically throughout the life of a facility to keep the building, equipment, and utilities infrastructure in a condition adequate to support its designed level of service. Broad oversight of the entire existing facility management program under one advisory committee helps ensure that the various aspects of the program are coordinated and are as cost-effective as possible. Critical to this effort is annual O&M funding that eliminates draining already limited resources.

California’s trial court facilities are aging and deteriorating. Facilities have exponentially escalating building maintenance and equipment repair costs. The judicial branch’s responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are accessible and functional throughout the state.

This concept also advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and are still the mission of the facilities program today.

Required Review/Approval

Trial Court Facility Modification Advisory Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal II: Independence and Accountability
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Tracking
Number: 24-04

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|---|
| Requesting Entity | Trial Court Facility Modifications Advisory Committee |
|--------------------------|---|

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|-----------------------|--|
| Proposal Title | Facility Modification Prioritization and Costs |
|-----------------------|--|

Proposal Summary

The Judicial Council of California (JCC) requests \$41.6 million General Fund in 2024-25 including \$6.6 million in one-time funding to hire a contractor to replace electrical panels and switchgear at four JCC-managed portfolio properties, and \$11.4 million in ongoing reimbursement authority for the State Court Facilities Construction Fund (SCFCF) and \$35 million in 2025-26 in General Fund (GF) annually thereafter to address Facilities Modifications to the judicial branch building assets required to maintain a safe and secure buildings for the public, court staff, and judicial officers.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund and State Court Facilities Trust Fund reimbursement

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | 53,000 | 46,400 | 46,400 | 46,400 | 46,400 |
| Local Assistance | | | | | |
| Total | \$53,000 | \$46,400 | \$46,400 | \$46,400 | \$46,400 |
| One-time | 6,600 | | | | |
| Ongoing | 46,400 | 46,400 | 46,400 | 46,400 | 46,400 |

*Please include all costs associated with request including costs for other offices and courts.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

Problem or Issue

Annual funds budgeted for Facility Modifications (FM) from the SCFCF have remained steady at \$65 million with reimbursement authority of \$13 million since 2014. In 2022-23 the JCC received an additional \$15 million ongoing GF and \$4 million reimbursement authority, bringing the FM program budget to \$80 million with \$17 million in reimbursement authority for 2022-23. However, \$15 million of the FM programs \$65 million SCFCF funding is set to sunset at the end of 2023-24 reverting the FM programs budget back down to \$65 million again \$50 million from SCFCF and \$15 million from GF. The \$65 million annual FM program budget funds only the most critical building system lifecycle replacements or renovation of major building systems such as HVAC, vertical transportation, and electrical equipment. The cost of repairs and replacements under the FM program have increased correspondingly with inflationary cost trends for construction trade labor and materials in California in the economy. The reduced purchasing power of the available resources forces the JCC FM program to operate on a run-to-failure mode for many building systems and posing the risk of non-compliance of accessibility requirements and court closures.

A corresponding reimbursement authority increase of \$11.4 million is required for the SCFCF. The current reimbursement authority of \$17 million would be insufficient to support the shared costs of the FM program with the augmented funding.

Additionally, onetime funding of \$6.6 million is requested to provide for the replacement of the electrical panels and switchgear at McCourtney Juvenile Courthouse, Santa Monica Courthouse, Pomona South Courthouse and Whitter Courthouse. The electrical panels and circuit breakers currently in use are at high risk of failure and have been found to have latent fire and shock hazards. These components need to be replaced. The one-time cost also includes an assessment of the rest of the portfolio to identify the locations where the risk of failure is also high.

Background/History of Problem

California's trial court facilities are aging, and deteriorating facilities have exponentially escalating building maintenance and equipment repair costs. The judicial branch's responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are accessible and functional throughout the state. This resource request also advances the diversity, equity, and inclusion priorities of the Administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch's facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remain the mission of the facilities program today.

**Judicial Branch
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Impact of Denial of Proposal

Denial of the proposal will result in fewer FMs completed under the current \$65 million FM budget and \$13 million reimbursement authority. Facilities will continue to degrade owing to the current run-to-failure environment and resources drained as the need increases for more Priority 1 - Emergency FMs.

If the electrical panel funding request is denied it could potential lead to fire hazard and extended closure of the facilities as the new equipment will need to be ordered and can cause operational impacts. Failure of building systems results in emergency events, creating higher building maintenance and repair costs, and reduced safety for court staff, judicial officers, and the public.

Outcomes and Accountability of Proposal

Supplementing the FM program’s funding allows for prioritized FMs to be completed prior to failure. The Trial Court Facility Modification Advisory Committee provides oversight of the prioritization process and requires ongoing reporting, accountability, and fiscal oversight of the FM program.

Required Review/Approval

Trial Court Facility Modification Advisory Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals

Goal II: Independence and Accountability
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|--|
| Requesting Entity | Trial Court Facility Modification Advisory Committee |
|--------------------------|--|

| | |
|-----------------------|--|
| Proposal Title | Trial Court and Court of Appeal Deferred Maintenance |
|-----------------------|--|

Proposal Summary

The Judicial Council of California (JCC) requests 4.0 positions and \$140.8 million ongoing General Fund and an additional \$32.5 million in ongoing reimbursement authority from the State Court Facilities Construction Fund to support deferred maintenance projects for trial courts and Courts of Appeal.

The \$140.8 million represents ongoing funding of \$133.5 million for trial court facilities and ongoing funding of \$7.3 million for Court of Appeal facilities, which includes ongoing funding of \$2.0 million for Fresno Court of Appeal, \$4.0 million for Riverside Court of Appeal, and \$1.3 million for Orange Court of Appeal.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund and State Court Facilities Construction Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-----------------|-------------------|-------------------|-------------------|-------------------|
| Positions | 4 | 4 | 4 | 4 | 4 |
| Personal Services | 1,025 | 980 | 980 | 980 | 980 |
| Operating Expenses & Equipment | 139,800 | 139,800 | 139,800 | 139,800 | 139,800 |
| Local Assistance | | | | | |
| Total | 140,825 | 140,780 | 140,780 | 140,780 | 140,780 |
| One-time | | | | | |
| Ongoing | 140,825 | 140,780 | 140,780 | 140,780 | 140,780 |

*Please include all costs associated with request including costs for other offices and courts.

Problem or Issue

**Judicial Branch
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(4 Page Maximum Length)**

In 2019 staff completed Facilities Conditions Assessments (FCAs) for most occupied court facilities in the JCC portfolio. The FCAs were funded from \$5 million of one-time, General Fund available for statewide deferred maintenance funding. The Five-year Deferred Maintenance Report for Fiscal Year 2022–23 presented a deferred maintenance backlog of \$4.5 billion.

Due to lack of adequate funding to address normal routine maintenance and repairs, the JCC has a backlog of 22,042 deferred maintenance projects at an estimated cost of \$4.5 billion, of which \$3.3 billion is the Judicial Council’s share. Prior budgets have appropriated significant one-time resources for deferred maintenance projects, however without ongoing funding JCC is unable to address the growing deferred maintenance backlog or plan resources to provide the necessary repairs to keep the facilities in acceptable condition.

This proposal is requesting ongoing funding for deferred maintenance to enable continuous efforts to address the JCC’s need for \$3.3 billion and to ultimately reduce the number of deferred maintenance projects. Being able to rely on a regular level of funding and the appropriate staffing level to complete deferred maintenance projects is a more stable and efficient approach to maintaining California’s trial and appellate court facilities.

Background/History of Problem

The JCC Facilities Services program oversees the overall care and management of the judicial branch building assets, ensuring access to justice in California’s trial courts, Courts of Appeal, and the Supreme Court. The facilities program executes emergency, routine and preventive maintenance on building systems, portfolio and lease management, building system renovations, and many other functions required to produce a safe and secure building for the public, court staff, and judicial officers.

Because facility needs exceed current funding, Judicial Council staff maintain facilities in a run-to-failure environment that focuses exclusively on projects responding to failed building systems. This run-to-failure environment results in otherwise avoidable disruptions to court operations because needed renewals of building systems are not timely performed. Court operations are affected by issues such as HVAC system failures, electrical service outages, and facility closures resulting from water leaks. Without an adequate budget to replace these assets, these critical systems will continue to fail, interrupt court operations, and limit the public’s access to justice. These projects are a priority to maintain continuity of court operations in facilities throughout the state. Examples of these critical system replacements that place the public’s safety at risk in court facilities include but are not limited to the following:

- Failed roofing systems causing interior structural damage;
- Failed fire protection monitoring systems causing safety issues;
- Failed elevator systems causing entrapments;
- Failed HVAC equipment causing uncomfortable or unsafe respiratory conditions; and
- Failed plumbing systems causing flooding.

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

This lack of funding causes more of these renewals to be deferred and hence adds to the list of deferred maintenance projects. Over the last five fiscal years from 2018–19 to 2022–23, this list has increased from 8,750 to 22,042 projects and from a total estimated cost of \$2.8 to \$4.5 billion—the Judicial Council share increasing from \$2.4 to \$3.3 billion.

Impact of Denial of Proposal

Denial of this proposal will result in a deferred maintenance backlog that will continue to grow and a corresponding increase in the number of emergency repairs. This is because of the inverse relationship between underfunded deferred maintenance and emergency repairs. System failures create a higher cost due to the immediate need for action created by an unexpected failure and the lack of time to carefully and cost-effectively plan the repair/replacement effort. Buildings will continue in a run-to-failure mode, with aged building systems being replaced only at the point of failure. This approach to facilities management increases the costs of replacements and repairs and unnecessarily depletes the ongoing maintenance funding of the program.

Outcomes and Accountability of Proposal

An ongoing, systematic approach to addressing deferred maintenance allows for the program to plan resources and outline an ongoing plan for addressing the \$4.5 billion backlog, of which \$3.3 billion is the Judicial Council’s share. Identified staff will provide the needed oversight for execution of the projects. Projects will be executed as facility modifications and will be subject to review and reporting to the Trial Court Facility Modification Advisory Committee (TCFMAC).

The TCFMAC provides ongoing oversight of the JCC Facilities Program and is regularly informed of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

The State of California’s trial court facilities are aging and deteriorating facilities have exponentially escalating building maintenance and equipment repair costs. The judicial branch’s responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are accessible and functional throughout the state. This BCP also advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remains the mission of the facilities program today.

**Judicial Branch
2024-25 Budget Change Proposal Concept
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Required Review/Approval

Trial Court Facility Modification Advisory Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal II: Independence and Accountability
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|--|
| Requesting Entity | Trial Court Facility Modification Advisory Committee |
|--------------------------|--|

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|-----------------------|---|
| Proposal Title | Electrical Systems Safety & Reliability Study & Implementation – Statewide Facilities |
|-----------------------|---|

Proposal Summary

| |
|--|
| The Judicial Council of California (JCC) requests \$2.9 million General Fund in 2024-25 and ongoing to establish an electrical safety program and protocols to improve facilities electrical systems safety & reliability in compliance with the National Fire Protection Association (NFPA) Standard 70E – Electrical Safety in the Workplace in JCC building assets. |
| Does this proposal require a statutory change? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Does this proposal have an information technology component? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Proposed fund source: General Fund |

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | 2,938 | 2,938 | 2,938 | 2,938 | 2,938 |
| Local Assistance | | | | | |
| Total | 2,938 | 2,938 | 2,938 | 2,938 | 2,938 |
| One-time | | | | | |
| Ongoing | 2,938 | 2,938 | 2,938 | 2,938 | 2,938 |

*Please include all costs associated with request including costs for other offices and courts.

Problem or Issue

| |
|--|
| Judicial Council is responsible for providing safe and reliable facilities for all court users. A program outlining all aspects of the branch’s electrical safety policy, including, work permits, lockout/tagout procedures, assessment of electrical hazards, and maintenance procedures is needed to ensure safe facilities and workplace safety. |
|--|

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Establishing these critical safety programs and protocols that the JCC currently lacks will help preserve the State's investment in the JCC's building assets required to maintain a safe and secure buildings for the public, court staff, and judicial officers by providing safe electrical systems.

Background/History of Problem

The JCC is responsible for providing safe and reliable facilities for all court users, contractors, staff and court officers. Currently the JCC lacks a program outlining all aspects of the branch's electrical safety policy, including, work permits, lockout/tagout procedures, assessment of electrical hazards, and maintenance procedures. JCC program staff have identified the need for such a program to continue providing safe facilities for service provider technicians, staff and court officers who are at risk daily from electrical shock injury due to the lack of a proper safety policy and protocols. Typically, in the United States, between five to ten arc flash incidents (a phenomenon where a flashover of electric current leaves its intended path and travels through the air from one conductor to another, or to ground) occur every day.

The Proposal includes establishing a safety program to comply with California Electrical Code Section 110.16 that requires facilities electrical equipment - switchboards, panelboards, industrial control panels, meter socket enclosures, and motor control centers that require examination, adjustment, servicing, or maintenance while energize - to be field marked to warn trained persons of potential electric arc-flash hazards. Arc-flash is a recognized hazard by OSHA. Arc-flash - also known as arc-blast - is a sudden, explosive electrical arc that results from a short circuit through air. Such short circuits may be enabled by moist or dusty air which can enable a conductive path toward a nearby worker. Ultimately, the potential for electrical arc-flash explosion is a dangerous situation: it can vaporize surrounding metal, set fires, and cause deafness, severe burn injuries and death. The JCC building assets electrical systems must be inherently safe for all technicians. The definition of inherently safe is that danger is materially reduced to as low a level as possible, even if an abnormality occurs. This contrasts with relying on a process of available training and personal protective equipment.

This proposal provides arc-flash analysis, by establishing a one-line diagram of the courthouse as-built electrical system by a California licensed professional electrical engineer. A short circuit and coordination study of the system with recommendations will provide the basis for an arc-flash analysis and determination of Personal Protective Equipment (PPE) requirement at the electrical equipment. The arc-flash hazard analysis and report should be updated every five years.

The request is for 190 court facilities distributed as follows: Southern Region Office (80 facilities), Northern California Region Office (48 facilities) and Bay Area Northern California Region Office (62 facilities).

Safety improvement extends to systems reliability improvement. Improving safety includes identifying and reducing fatigued components, which reduce the chances of unplanned electrical outage inconvenience. Therefore, the program would prioritize facilities in order of risk.

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Impact of Denial of Proposal

Denial of this proposal will result in the risk of electrical shock, burn, fire and unplanned outage incident continues. The chance for occurrence of a serious or fatal incident will increase with time. Delay in addressing the possibility of electrical arc-flash explosion is a dangerous situation: arch-flash can vaporize surrounding metal, set fires, and cause deafness, severe burn injuries and death.

Outcomes and Accountability of Proposal

Expected outcome is for every JCC owned or maintained Court facility to be in full Electrical Safety in the Workplace compliance within five (5) years of embarking on the proposed concept. Facilities Services currently has a Quality Compliance program to review electrical service work to ensure compliance with contract. At the end of that five-year period the effort will recure as required by regulation as deterioration and/or alteration of these electrical power systems is expected.

California’s trial court facilities are aging, and deteriorating facilities have exponentially escalating building maintenance and equipment repair costs. The judicial branch’s responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are accessible and functional throughout the state.

This concept also advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remain the mission of the facilities program today.

Required Review/Approval

Trial Court Facility Modification Advisory Committee
Trial Court Budget Advisory Committee
Choose from drop down, advisory body(ies) who should review this proposal.

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal II: Independence and Accountability
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

Tracking
Number: 24-07

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

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| Requesting Entity | Trial Court Facility Modifications Advisory Committee |
|--------------------------|---|

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|-----------------------|--------------------------------------|
| Proposal Title | Energy Retrofit Deferred Maintenance |
|-----------------------|--------------------------------------|

Proposal Summary

The Judicial Council of California (JCC) requests \$25 million per year for three years, totaling \$75 million. The \$25 million includes \$18.87 million in General Fund and reimbursement authority of \$6.125 million from the State Court Facilities Construction Fund (SCFCF) to perform energy efficiency-optimized lifecycle replacement deferred maintenance backlog work at five courthouses in the portfolio with the highest critical need of energy systems beyond useful life upgrades. The five facilities included in this request will remain in the portfolio within the twenty-year time horizon.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund and State Court Facilities Construction Fund Reimbursement

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | 25,000 | 25,000 | 25,000 | | |
| Local Assistance | | | | | |
| Total | 25,000 | 25,000 | 25,000 | | |
| One-time | 25,000 | 25,000 | 25,000 | | |
| Ongoing | | | | | |

*Please include all costs associated with request including costs for other offices and courts.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

Problem or Issue

Funding is requested to accelerate energy retrofits for the five long-term building assets of the JCC portfolio with the most critical energy efficiency concerns. The benefits will include reduced carbon emission, energy, and costs. The cost estimates for the deep energy retrofit work are based on the 2019 Facility Condition Assessments.

The five facilities totaling 823,000 square feet are:

- 19-AG1 Compton Courthouse
- 19-AL1 Bellflower Courthouse
- 19-C1 Torrance Courthouse
- 30-B1 Betty Lou Lamoreaux Justice Center
- 36-J1 Barstow Courthouse

The average utility cost per square foot for the Judicial Council-managed portfolio in 2021 was \$3.08 per square foot. These five facilities had a total annual energy usage cost of \$2.9M in 2021, which translates to an average cost of \$3.52 per square foot, roughly 14% higher than the average of the portfolio. In addition, the current annual carbon emission levels for these facilities are over 7,300 metric tons of carbon dioxide equivalent (MTCO_{2e}). This equates to being 245% higher than the portfolio average emissions per square foot of floor area. The five buildings represent over 9.5% of the JCC managed portfolio's Scope 1 & 2 carbon dioxide emissions, despite only having a 3.9% share of the tracked portfolio floor area.

The proposed deep energy retrofits (DER) will tackle multiple deferred maintenance needs simultaneously in order to optimize the cost of delivery. DERs are energy conservation measures that increase building performance. Deep energy retrofits use current technologies, materials, and construction techniques to reduce on-site energy use by 50% or more relative to the baseline energy use (measured using utility bills analysis). Unlike ordinary single system facility modifications or energy retrofits, DERs have multiple energy and non-energy benefits. To balance energy, indoor air quality, durability, and thermal comfort, the building structure may be remodeled. The deep energy retrofits will use integrated project delivery. Typically end of life lifecycle retrofits are not evaluated for return on investment, since the retrofits need to be carried out for the buildings to remain operable. Nevertheless, when compared with typical non-optimized single system deferred maintenance, the incremental cost of the optimized with architectural and engineering design approach in this funding request, provides an additional \$2M of average annual savings. Following the retrofits, these buildings are projected to incur an initial year one annual saving of \$1.3M, and an average annual saving of \$3.4M over the lifespan of the equipment of 20 years. The average cost is anticipated to reduce from \$3.52/sf to \$2.11/sf, which is 32% lower than the 2021 portfolio average. The anticipated annual carbon emission level will be improved by approximately 59%, resulting in an annual reduction of 5063 tons of carbon dioxide and aggregate twenty-year reduction of 101,255 metric tons. The DERs will result in significant reduction in energy usage and carbon emissions for the five facilities.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

Background/History of Problem

JCC facilities have an extensive backlog of deferred maintenance due to the decade long transfer of court maintenance responsibilities. This led to significant facility degradation. Real property capital improvement, also known as "lifecycle replacement," is the process of upgrading or replacing the various components and systems within a building or property to maintain its value and functionality over time. This process is essential for ensuring that the properties remain comfortable and safe for occupants. By regularly investing in capital improvements, property owners can enhance the building's performance, reduce energy consumption and operating costs, and extend its lifespan. Capital improvements can also help the property stay in compliance with local building codes and regulations and improve the overall safety and security of the property.

An important area of maintenance that is often postponed due to lack of funding is upgrading the energy systems in a facility. As the buildings' infrastructure gets older, it requires more resources to function properly. If buildings are not using energy efficiently, it can have negative financial effects on operations. Higher energy efficiency is critical across our portfolio due to static operating funds and escalating energy costs. These retrofits promote energy efficiency, thereby saving money in the long run.

The recently enacted Senate Bill 1203 (Becker, 2022) ("SB 1203") in 2022 requires "state agencies" to take specified steps to achieve net-zero emissions of greenhouse gasses resulting from their operations by no later than January 1, 2035, or as soon as feasible thereafter. This request will serve as a pilot for the branch's approach to voluntarily align with SB 1203's objectives through improved energy efficiency. The findings of the approach will be documented and disseminated within the Judicial Branch and with relevant stakeholders. The Judicial Council is currently procuring an Architectural/Engineering consultant study to validate the 2019 Facility Condition Assessments cost estimates and to further optimize the DER approach for a subset of the twenty buildings. The five buildings included in the current request are to be prioritized by the consultant study for completion before the FY22-23 year-end. The request for \$75M funding is part of a larger Deferred Maintenance backlog of \$5 Billion in the [Governor's California Five-Year Infrastructure Plan](#). The \$75M would be used for lifecycle replacement upgrades to maintain the long-term operability, efficiency, and comfort of the buildings. The project should not be evaluated through a simple payback methodology because these upgrades are necessary for the buildings' continued functioning. The \$1.2M in annual utility savings is an additional bonus of reducing the DM backlog in the five courthouses in a more strategic and optimized manner. Preventative maintenance is important to avoid Deferred Maintenance problems and the need for costly budget expenditures to replace worn-out building components. Without regular investments, the cost to maintain obsolete or worn-out building components increases exponentially. Experts (*Handbook of Facility Assessment, 2021*) (*Guidelines for Life Cycle Cost Analysis, 2005*) estimate that Deferred Maintenance costs are 15 to 30 times the cost of early intervention. Therefore, through funding these building retrofits can avoid the Deferred Maintenance backlog problems at those five facilities and ultimately save the state money.

Piper, J. E. (2021). *Handbook of Facility Assessment*. River Publishers.

Stanford University, (2005). *Guidelines for Life Cycle Cost Analysis*. Stanford University.

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Impact of Denial of Proposal

Denial of this proposal to perform deferred maintenance retrofits optimized for energy efficiency wastes financial resources with the growing costs of reactive repairs maintenance services and escalating energy costs within buildings due to equipment and building systems being beyond their useful life. The failure to perform the retrofits will negatively impact occupant comfort and will result in high and noncompliant carbon emission levels, as compared with other State of California buildings. Further deferring maintenance can lead to increased energy consumption, as broken systems require longer operation to meet occupant comfort, resulting in higher water, fuel, and electricity usage. Delayed upkeep can also cause equipment to become obsolete and unsupported by manufacturers, leading to emergency repairs at significantly higher costs. Additionally, denial of services due to building unavailability can create budget demands from relocation costs, new signage and letterhead, and customer impacts. Deferred Maintenance can compromise a building's life expectancy and return on investment, leading to a capital outlay new construction replacement as the only cost-effective solution, often at a higher cost than if maintenance had been done earlier. If this request is denied, JCC will be limited to carrying out system-level upgrades only when DM funding becomes available or upon system failure, which are disruptive to court operations and significantly more costly.

Outcomes and Accountability of Proposal

Upon approval of one-time funding, JCC will be able to procure the architectural/engineering design of the energy retrofits of the five least-energy efficient buildings and initiate the retrofits, thereby reducing both costs and greenhouse gas emissions. Cost savings per year will exceed \$1.1 million and will approximate \$55 million over a 30-year term. Furthermore, the Judicial Branch Deferred Maintenance backlog will be reduced by \$75M and that will be reflected in the 5-Year infrastructure plan as the work is allocated funding through this request. Funding these projects will provide the measurable results to validate the return on investment of this strategy. JCC's use of utility data and facility Building Automation System data before and after the interventions will enable measurement and verification of the achieved energy efficiency improvements and associated savings. The actual usage statistics will be tracked each year and consolidated into an annual report for the JCC Trial Court Facility Modification Advisory Committee (TCFMAC).

California's trial court facilities are aging and deteriorating facilities and have exponentially escalating building maintenance and equipment repair costs. The judicial branch's responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with legislative directives to ensure that courthouses are accessible and functional throughout the state. The essence of the enabling legislation of the judicial branch's facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remain the mission of the judicial branch.

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Required Review/Approval

Trial Court Facility Modification Advisory Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal II: Independence and Accountability
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|---|
| Requesting Entity | Trial Court Facility Modifications Advisory Committee |
|--------------------------|---|

| | |
|-----------------------|---|
| Proposal Title | Water Conservation and Leak Detection Measures in Courthouses |
|-----------------------|---|

Proposal Summary

The Judicial Council of California (JCC) requests \$35.61 million of General Fund and \$11.55 million reimbursement authority from State Court Facilities Construction Fund (SCFCF) over three fiscal years, totaling \$47.16 million to 1) install water leak detection equipment and software at 160 courthouses; 2) audit and replace outdated water fixtures at 136 Judicial Council managed courthouses older than 2011; 3) convert landscapes to drought tolerant at 9 courthouses. These projects will minimize property damage from leaks, conserve water and help address the ongoing drought conditions in California. The annual \$15.72 million includes \$11.87 million from the General Fund and \$3.85 million reimbursement authority from State Court Facilities Construction Fund (SCFCF).

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund and State Court Facilities Construction Fund Reimbursement

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | 15,720 | 15,720 | 15,720 | | |
| Local Assistance | | | | | |
| Total | 15,720 | 15,720 | 15,720 | | |
| One-time | 15,720 | 15,720 | 15,720 | | |
| Ongoing | | | | | |

*Please include all costs associated with request including costs for other offices and courts.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

Problem or Issue

To address ongoing drought conditions in California and assist with water conservation efforts funding is needed to implement water conservation initiatives such as improved data visibility, replacing interior facility fixtures, and upgrading landscapes to drought-tolerant plant species and weather-based irrigation controllers. Currently the Judicial Council only receives water consumption data through the relevant water vendor utility bills, which are monthly, bi-monthly or quarterly. This funding request will provide hourly usage; automated leak alerts via email or text message and ability to shut off water supplies at the building level if a catastrophic leak parameter is encountered.

In addition, water leaks have become an expensive problem for the state’s courthouses. Leaks and catastrophic floods often originate from a plugged toilet/urinal or from a failed pipe within the walls. The failure of water system components and the lack of systematic ways of identifying excessive water usage result in massive flooding of a facility and damage to walls, floors, court furniture, and equipment. Due to the concealed nature of water pipes within walls and the inner structure of a facility, a water leak may not be detected for 30 to 60 days. Within that timeframe, water resources are wasted, water usage costs are increased, and substantial building structure damage is incurred.

Water leaks are disruptive and costly to court operations and limit access to justice when a facility undergo unplanned reactive maintenance to restore the building.

Background/History of Problem

JCC’s portfolio includes aging fixtures that use more water than code compliant plumbing fixtures, wasting both water and money. The JCC spends over \$3 million per year on more than 339.5 million gallons of water in the 160 facilities under the direct management of the JCC. Targeted facility improvements need to be made to reduce the consumption of water by 30% by 2030. The proposal is in alignment with specific goals defined in the JCC's [2015 Water Conservation Policy](#): “Big water users in Judicial Council–managed facilities should be evaluated for potential plumbing fixture replacement to low-flow fixtures, if feasible.”, “Big water users in Judicial Council–managed facilities should be evaluated for potential turf replacement, if feasible”. Due to lack of funding progress to-date has been very limited.

In addition, the Facilities Services program has been substantially impacted by many undetected water leaks. Undetected water leak repairs require a larger scope and increased costs when compared to early detection and remediation of the leak. JCC has spent over \$20M in the past five fiscal years on repairs and damage remediation caused by water leaks. This proposal will target a 30% reduction of the incurred domestic water and fixture leak damage costs which will enable the leak monitoring service to become self-funding after the third fiscal year. Furthermore, in a lot of cases the leaks have negatively impacted court operations and access to justice, and more particularly case disposition since parts of the facilities have had to undergo repairs.

The cost summary table below identifies the category and budget need of the \$47 million request in the concept.

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| <i>Cost Summary</i> | |
|--|----------------------|
| <i>Category</i> | <i>Budget Need</i> |
| <i>Turf Removal</i> | \$ 7,920,469 |
| <i>Water Fixtures</i> | \$ 32,739,945 |
| <i>Water Data Monitoring/Building level valves</i> | \$ 4,498,357 |
| <i>RCx Water Controllers</i> | \$ 2,000,000 |
| <i>Total</i> | \$ 47,158,771 |

Impact of Denial of Proposal

Without an identified source of funds for leak detection, water leaks will continue to be a silent destroyer of facilities, causing an unnecessarily substantial amount of damage, which draws from already impacted budgets for facility repairs, as well as negatively impacting court operations through disruptive reactive repairs. Similarly, outdated, beyond their useful life leaky plumbing fixtures will continue to waste hundreds of thousands of gallons of water if not replaced with modern water conserving fixtures.

Outcomes and Accountability of Proposal

Upon approval of the one-time funding, the JCC will be able to procure the necessary equipment and services required to implement water leak detection in approximately 160 facilities owned and managed by the JCC. Ongoing measurement and verification of water usage will be available to proactively identify water leaks, conserve water resources, and prevent unnecessary damage to facilities. The water leak equipment will help identify and mitigate leaking systems before it becomes a very costly repair and disruptive to court operations and services. The fixture upgrades at 136 courthouses will have a long-lasting effect in terms of improving the efficiency of water utilization within the facilities, and that will be validated through the data that will become available for water use monitoring and leak detection purposes.

California’s trial court facilities are aging and deteriorating facilities have exponentially escalating building maintenance and equipment repair costs. The judicial branch’s responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with legislative directives to ensure that courthouses are accessible and functional throughout the state. The essence of the enabling legislation of the judicial branch’s facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remain the mission of the Judicial Branch.

Required Review/Approval

Trial Court Facility Modification Advisory Committee
 Trial Court Budget Advisory Committee

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Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal II: Independence and Accountability
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|-----------------------------------|
| Requesting Entity | Court Security Advisory Committee |
|--------------------------|-----------------------------------|

| | |
|-----------------------|---|
| Proposal Title | Trial Court Physical Security Assessment and Evaluation |
|-----------------------|---|

Proposal Summary

The Judicial Council of California (JCC) requests \$2.657 million in 2024-25 and \$622,000 ongoing annually from the General Fund to assess, evaluate and identify physical security deficiencies in trial court facilities statewide. This proposal would provide one-time funding to conduct security assessments at 200 court facilities and ongoing funding for two Security Coordinators and one Associate Analyst to manage and administer the assessment and evaluation process and ongoing analysis of the resulting data to prepare an in-depth cost estimate to address the identified deficiencies.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | 3.0 | 3.0 | 3.0 | 3.0 | 3.0 |
| Personal Services | 516 | 516 | 516 | 516 | 516 |
| Operating Expenses & Equipment | 2,173 | 106 | 106 | 106 | 106 |
| Local Assistance | | | | | |
| Total | 2,657 | 622 | 622 | 622 | 622 |
| One-time | 2,000 | | | | |
| Ongoing | 622 | 622 | 622 | 622 | 622 |

*Please include all costs associated with request including costs for other offices and courts.

Problem or Issue

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The administration of justice provides an open, welcoming atmosphere to the public--as such, courthouses have been identified as the weakest link in the criminal justice security chain. Many court facilities lack adequate physical security elements as recognized by the California Trial Court Facilities Standards (CTCFS) and the National Center for State Courts (NCSC) publication [Steps to Best Practices for Court Building Security](#).

Information relating to physical security issues was gathered from three main sources. The sources include existing deferred security facilities modifications; court requests; and very limited court security assessment (performed by Emergency Planning and Security Coordination Unit staff) recommendations. The information was used to identify a sampling of the type of deficiencies and create a list by category.

Funding provided by this proposal will allow the JCC to conduct in-depth assessments and evaluations of physical security elements to identify deficiencies and to develop a prioritization plan and estimate of costs to address them. Competitively bid master agreements would be utilized to perform site evaluations to identify security deficiencies using a list of pre-determined categories provided by the JCC. The list will serve as the basis for a future funding request to address the identified deficiencies.

No dedicated funds are currently available for the evaluation and identification of physical security deficiencies. In addition, staffing levels are not adequate to manage and administer the project. This request includes the one-time funding to retain consulting services to assist JCC staff with the assessment of 200 court facilities and ongoing funding for the staff necessary to administer the assessments, create the prioritization, and to implement future projects. Data from the assessments will be analyzed and cost estimates will be used to determine the amount of a funding request to address the identified deficiencies.

The assessment project will begin in FY 2024-25, and it is estimated that up to 100 assessments will be completed annually and that all 200 assessments will be complete by FY 2026-27.

Background/History of Problem

Physical security requirements and best practices have evolved significantly over the years, as detailed in the CTCFS and the NCSC publication “Steps to Best Practices for Court Building Security” (rev. June 2022). Security elements—consisting of ballistic glazing, secure judicial parking, vehicle barriers, clerk’s counters and weapons screening vestibules are vital components in ensuring security of the public, judicial officers, and court personnel.

Funding specifically identified for, and dedicated to addressing electronic security systems, such as security video, electronic access control, duress alarm, and detention control systems, was awarded as a result of a previous BCP. That funding is not available for use for assessing, evaluating and identifying physical security deficiencies in Trial Courts.

The Trial Court Facilities Standards ensures that the physical security features are included in the design and construction of new court facilities. The requested funding will be used to assess older facilities.

**Judicial Branch
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The lack of resources has resulted in assessing and identifying very few physical security deficiencies. As a result, most of the facilities have not had improvements or upgrades in this area resulting in the facility operating without many of the security features identified in the NCSC best practices document or the Trial Court Facilities Standards. Because dedicated funding to assess, evaluate and identify physical security deficiencies has not been allocated, a comprehensive list of deficiencies and related projects is not available.

Impact of Denial of Proposal

Denial of the proposal will result in the continued lack of assessment, evaluation, and identification of physical security deficiencies in many courthouses. Failure to identify existing security deficiencies will result in continued vulnerability, risk and liability to facilities, the public and court staff. Insufficient funds exist to absorb the proposed assessment and evaluation project into current programs. Continued delays in evaluating and identifying physical security deficiencies will result in higher cost in addressing them in future fiscal years due to normal escalation cost increases for labor and materials.

Outcomes and Accountability of Proposal

Security improvement projects can be measured by the effect physical security features have on the overall security profile of the courts. Physical security features address threats, reduce vulnerabilities and their associated risks in maintaining public safety. As aforementioned, many older courthouses lack the physical security features necessary to protect the facilities and users as described in the NCSC best practices documents and the CTCFS.

Physical security assessments of up to 200 trial court facilities will be completed with the proposed funds and will be overseen and approved by the Trial Court Security Advisory Committee. The evaluation projects will be monitored and accounted for using appropriate inventory tracking methods and standard general accounting principles.

A safe and secure environment is a critical aspect of ensuring equal and fair access to justice. Utilizing competitively bid contracts solicited following Judicial Branch Contracting Manual guidelines assists in ensuring that diversity, equity and inclusivity are considered by encouraging the participation of DVBE and small business vendors.

California's trial court facilities are aging. Deteriorating facilities have exponentially escalating building maintenance and equipment repair costs. The judicial branch's responsibility is to ensure that every courthouse is uniformly well-constructed and maintained. Without a fully functional court facility, there is no equal access to justice. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are accessible and functional throughout the state. This concept also advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full

**Judicial Branch
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access by all individuals, regardless of their abilities. The essence of the enabling legislation of the judicial branch's facilities program is equity across the state – uniformly safe, secure, and well-maintained facilities were the goals back in 2002 and remain the mission of the facilities program today.

Required Review/Approval

Court Security Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity

Goal VI: Branchwide Infrastructure for Service Excellence

Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick

**Judicial Branch
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(4 Page Maximum Length)**

| | |
|--------------------------|-------------------------------------|
| Requesting Entity | Court Facilities Advisory Committee |
|--------------------------|-------------------------------------|

| | |
|-----------------------|--------------------------------|
| Proposal Title | Capital Outlay Program Support |
|-----------------------|--------------------------------|

Proposal Summary

The Judicial Council of California (JCC) requests \$5 million ongoing General Fund to provide the necessary resources for capital project assessments/capital program support. This request is based on the need to support the projects in the JCC’s latest plan for capital outlay—the Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24. This plan includes a total of \$4.8 billion proposed over five years of initial and/or continuing phases for 22 judicial branch capital-outlay projects.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Capital Outlay | \$0 | \$0 | \$0 | \$0 | \$0 |
| Operating Expenses & Equipment | \$5,000 | \$5,000 | \$5,000 | \$5,000 | \$5,000 |
| Total | \$5,000 | \$5,000 | \$5,000 | \$5,000 | \$5,000 |
| One-time | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ongoing | \$5,000 | \$5,000 | \$5,000 | \$5,000 | \$5,000 |

*Please include all costs associated with request including costs for other offices and courts.

Problem or Issue

Adopted by the JCC in July 2022, the Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24 represents the funding priority for projects in the JCC’s Statewide List of Trial Court Capital-Outlay Projects and five-year infrastructure plans for trial and appellate court facilities. Primary drivers of court facility needs include providing a safe and secure facility, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding the public’s physical, remote, and equal access to the courts.

For 2024–25, the JCC proposes an ongoing investment of \$5 million in the JCC courthouse construction program. It will provide resources for project assessments, such as confirmation of scopes, schedules, and budgets, and program support including development of policies and standards.

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Background/History of Problem

In 2002, the responsibility of California’s courthouses shifted from the counties to the state under the Trial Court Facilities Act (Sen. Bill 1732; Stats. 2002, Ch. 1082). With this shift, the JCC began to address the shortage of space, antiquated facilities, and inadequate infrastructure that threaten the ability of the justice system to accommodate the needs of residents and businesses. Addressing the state’s aging and deficient court buildings with substantial long-term funding required to renovate, replace, and create new court facilities has been critical. This continued support for the JCC’s courthouse construction program is evident by the Governor’s Proposed Budget for 2023–24—which proposes funding for the start of two new projects and continuation of two active projects in the five-year plan.

Impact of Denial of Proposal

Delay in capital outlay program support funding affects advancement of the JCC’s five-year infrastructure plan, which includes projects planned to correct or replace court facilities with deficiencies that hinder service to the public.

Outcomes and Accountability of Proposal

The Court Facilities Advisory Committee provides ongoing oversight of the JCC’s five-year infrastructure plan and the JCC’s courthouse construction program.

Required Review/Approval

Court Facilities Advisory Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, Diversity, and Inclusion
Goal IV: Quality of Justice and Service to the Public
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

| | |
|--------------------------|-------------------------------------|
| Requesting Entity | Court Facilities Advisory Committee |
|--------------------------|-------------------------------------|

| | |
|-----------------------|---|
| Proposal Title | Capital Outlay Funding: 2024–25 through 2028–29 |
|-----------------------|---|

Proposal Summary

The Judicial Council of California (JCC) requests \$197 million one-time General Fund in 2024–25 for six capital outlay projects. A total request of \$4.8 billion is proposed over five years of initial and/or continuing phases for 22 capital projects. This request is based on projects in the JCC’s latest plan for capital outlay—the Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund and Public Buildings Construction Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|-----------------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Capital Outlay | \$196,531 | \$2,173,374 | \$349,030 | \$950,897 | \$1,108,976 |
| Total | \$196,531 | \$2,173,374 | \$349,030 | \$950,897 | \$1,108,976 |
| One-time | \$196,531 | \$2,173,374 | \$349,030 | \$950,897 | \$1,108,976 |
| Ongoing | \$0 | \$0 | \$0 | \$0 | \$0 |

*Please include all costs associated with request including costs for other offices and courts.

Problem or Issue

This JCC courthouse construction program funding request is based on the Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24. Adopted by the JCC in July 2022, this plan represents the funding priority for projects in the JCC’s Statewide List of Trial Court Capital-Outlay Projects and five-year infrastructure plans for trial and appellate court facilities. Primary drivers of court facility needs include providing a safe and secure facility, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding the public’s physical, remote, and equal access to the courts.

For 2024–25, the JCC proposes an investment of \$197 million in the JCC courthouse construction program for six projects in the five-year plan. These six projects benefit five trial courts and one appellate court. Of these, three would be for new project starts and three would be for continuation of active projects.

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(4 Page Maximum Length)**

Background/History of Problem

In 2002, the responsibility of California’s courthouses shifted from the counties to the state under the Trial Court Facilities Act (Sen. Bill 1732; Stats. 2002, Ch. 1082). With this shift, the JCC began to address the shortage of space, antiquated facilities, and inadequate infrastructure that threaten the ability of the justice system to accommodate the needs of residents and businesses. Addressing the state’s aging and deficient court buildings with substantial long-term funding required to renovate, replace, and create new court facilities has been critical. This continued support for the JCC’s courthouse construction program is evident by the Governor’s Proposed Budget for 2023–24—which proposes funding for the start of two new projects and continuation of two active projects in the five-year plan.

Impact of Denial of Proposal

Delay in capital outlay funding postpones advancement of the JCC’s five-year infrastructure plan. This causes trial courts to continue to operate from facilities with deficiencies that hinder service to the public.

Outcomes and Accountability of Proposal

The Court Facilities Advisory Committee provides ongoing oversight of the JCC’s five-year infrastructure plan and the JCC’s courthouse construction program.

Required Review/Approval

Court Facilities Advisory Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, Diversity, and Inclusion
Goal IV: Quality of Justice and Service to the Public
Goal VI: Branchwide Infrastructure for Service Excellence
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Pella McCormick*

Contact Name: Pella McCormick, Director

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|------------------------|
| Requesting Entity | Information Technology |
|--------------------------|------------------------|

| | |
|-----------------------|--|
| Proposal Title | Funding for Cost Increases for Remote Access to Court Proceedings (AB 716) |
|-----------------------|--|

Proposal Summary

The Judicial Council of California (JCC) is requesting \$41.7 million General Fund in 2024-25 and 2025-26, for a total of \$83.4 million General Fund, to meet the requirements of Assembly Bill (AB) 716 for remote access to court proceedings using audio and video due to cost increases.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | 41,713 | 41,713 | | | |
| Local Assistance | | | | | |
| Total | | | | | |
| One-time | 41,713 | 41,713 | | | |
| Ongoing | | | | | |

*Please include all costs associated with request including costs for other offices and courts.

Judicial Branch
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(4 Page Maximum Length)

Problem or Issue

The JCC received funding in fiscal years 2022-23 and 2023-24 to implement the requirements of AB 716 which involves upgrades to courtroom audio and video (AV) for remote access to proceedings via budget change proposal (BCP) 0250-125-BCP-2022-GB. The original proposed funding was based on 2020 pre-pandemic pricing and was intended to upgrade AV in 1,775 courtrooms built before the year 2000. However, due to supply chain and labor issues during the height of the pandemic, prices for AV equipment have sky-rocketed to three times the original cost, and delivery of equipment has also been delayed by many months. The current funding is no longer sufficient to fully upgrade AV in all of the eligible courtrooms; it can only support upgrading audio only. Due to continued price increases, video upgrades must be deferred. This funding request will address the shortfall for courtroom video upgrades.

Background/History of Problem

In October 2021, the legislature passed AB 716 to ensure access to court proceedings in case a courthouse needs to be physically closed. AB 716 stated:

“This bill would prohibit a court from excluding the public from physical access to the court because remote access is available unless it is necessary to restrict or limit physical access to protect the health or safety of the public or court personnel. The bill would require the court to provide, at a minimum, a public audio stream or telephonic means by which to listen to the proceedings when the courthouse is physically closed, except when the law authorizes or requires the proceedings to be closed.”

A fiscal estimate was provided to the Department of Finance (DOF) in early 2021, using courtroom upgrade costs obtained prior to the pandemic and supply chain issues. In August 2021, the JCC wrote a BCP for funding courtroom upgrades to adhere to AB 716. This BCP based the average cost of \$50,000 per courtroom for Audio and Visual (AV) upgrades to be compliant with the legislation. However, with the initial investments from the one-time modernization funding in Fiscal years 2020-2021 and 2021-2022, we were able to reduce the average from \$50,000 per courtroom to \$35,000 per courtroom, specifically for courtrooms built before the year 2000 to update audio and video to modern standards.

During late 2021 and 2022, judicial branch entities began to see significant increases in costs for labor and materials, driving the cost to upgrade courtrooms to nearly triple that of pre-pandemic pricing. Los Angeles Superior Court issued a branchwide request for proposal for AV equipment and services in October 2022. All of the equipment and services had markups that doubled the original price. Once the JCC was made aware of the new pricing, DOF was notified that the approved funding requested in the original BCP would not be sufficient to address the scope of work for all 1,775 courtrooms audio and video replacement.

Original Budget Change Proposal Scope:

- Upgrading AV for all courtrooms built before the year 2000 for remote access to court proceedings.
- Pre-pandemic estimates for AV averaging \$35,000 per courtroom with initial one-time modernization investments.
- 1,775 courtrooms were built before the year 2000, totaling \$62.125 million over two years (1,775 x \$35,000 = \$62.125 million).

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

New Budget Change Proposal Scope (New 2022-2023 pricing and timelines):

- Low-end estimate for courtroom upgrade costs is \$50,000 for audio and \$85,000 for video upgrades, totaling *\$135,000 average* per courtroom.
- With the initial investments made from the past three years of information technology modernization funding, the average cost for courtroom video upgrades have been reduced to *\$47,000 average* per courtroom.
- Funding from the original BCP will fund the audio upgrades only of all courtrooms built before the year 2000.
- New funding needed for video upgrades based on courtroom average of \$47,000 is \$83.425 million over two years (or \$41.713 million per year).

Impact of Denial of Proposal

If this proposal is denied, the courts will not have sufficient funding to upgrade courtroom video for courtrooms built before the year 2000. The courts will only have sufficient funding for audio upgrades required by AB 716.

Outcomes and Accountability of Proposal

All 1,775 courtrooms built before the year 2000 will be upgraded to provide remote access to court proceedings using AV solutions via the internet.

Required Review/Approval

Information Technology Advisory Committee
Technology Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity
Goal III: Modernization and Management of Administration
Goal IV: Quality of Justice and Service to the Public
Goal VI: Branchwide Infrastructure for Service Excellence

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Heather Pettit*

Contact Name: Heather Pettit

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|--|
| Requesting Entity | Center for Families, Children & the Courts |
|--------------------------|--|

| | |
|-----------------------|--|
| Proposal Title | Staff Support for Federally Funded Dependency Representation Program |
|-----------------------|--|

Proposal Summary

| |
|--|
| The Judicial Council of California (JCC) requests 6.0 positions and \$969,000 General Fund in 2024-25 and \$906,000 in 2025-26 and ongoing to continue providing expanded court-appointed counsel services to children and families in child welfare by supporting administration of the Federally Funded Dependency Representation Program (FFDRP). |
| Does this proposal require a statutory change? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Does this proposal have an information technology component? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Does this proposal require data collection or reporting? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Proposed fund source: General Fund |

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-----------------|-------------------|-------------------|-------------------|-------------------|
| Positions | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 |
| Personal Services | \$1,021 | \$1,021 | \$1,021 | \$1,021 | \$1,021 |
| Operating Expenses & Equipment | \$298 | \$212 | \$212 | \$212 | \$212 |
| Local Assistance | | | | | |
| Subtotal | \$1,319 | \$1,233 | \$1,233 | \$1,233 | \$1,233 |
| Federal Match | (\$350) | (\$327) | (\$327) | (\$327) | (\$327) |
| Total | \$969 | \$906 | \$906 | \$906 | \$906 |
| One-time | \$63 | | | | |
| Ongoing | \$906 | \$906 | \$906 | \$906 | \$906 |

*Please include all costs associated with request including costs for other offices and courts.

The estimated total funding needed to support the requested positions is \$1,319,000 in 2024-25 and \$1,233,000 in 2025-26 and ongoing. The General Fund support requested is less than the total funding need as FFDRP is a federal match program with the ability to generate federal match funding to cover the remaining costs.

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Problem or Issue

After administering FFDRP for three fiscal years, the JCC now has a better understanding of the ongoing staffing need. Per the workload analysis presented in this proposal, we are requesting the additional positions required to administer the FFDRP program: 6.0 new positions including 1.0 Supervising Analyst, 1.0 Analyst, 3.0 Associate Analyst, and 1.0 Administrative Specialist.

FFDRP was established in 2019 to support the courts and Court Appointed Counsel (CAC) providers with newly available federal funds to implement enhanced legal representation services for families and children in dependency proceedings. Within the Center for Families Children & the Courts (CFCC), FFDRP is currently supported by 0.5 Attorney II, 1.0 Senior Analyst, 1.0 Analyst, and 1.0 Administrative Coordinator, which is inadequate to support this complex program. These existing 3.5 CFCC positions are funded by a General Fund allocation of \$1.5 million, of which \$1.0 million was designated for staff support (for 3.5 CFCC and 4.0 Branch Accounting and Procurement staff) and federal match funding of \$361,000.

The new 6.0 positions will give the JCC the capacity to manage approximately \$96 million in FFDRP funding, including \$66 million in federal funding, and an additional \$30 million in ongoing state funding to address FFDRP shortfalls that was subsequently added after FFDRP was implemented in 2019 through the 2021 Budget Act. The additional staffing is necessary to meet workload demands that were unanticipated when FFDRP was first developed and increased workload demands resulting from the additional state funding. Increased workload demands include budget oversight; contract administration activities (e.g., procurement and invoice processing); providing technical assistance to courts and attorney providers; developing and maintaining program resources; and data collection and analysis for reporting requirements to the California Department of Social Services (CDSS), the Legislature, and the federal government.

As detailed below, the workload for FFDRP invoice processing requires approximately 12,700 hours of staff time and the existing 3.5 CFCC positions dedicated to FFDRP only have the capacity to cover 24 percent of that workload. Due to this severe understaffing, FFDRP experiences an ongoing and extensive backlog of invoices resulting in significant delays to critical activities including budgeting, procurement, development and maintenance of program reference materials relied on by participating courts and providers, and most notably, delayed payments to providers.

It is imperative that FFDRP allocate funding, issue contracts, and process invoices in a timely manner to avoid backlogs, as even minor delays significantly impact the ability of FFDRP providers to implement required efforts to enhance the quality of legal representation supported by the program. The additional 6.0 positions will enable FFDRP to fully cover its workload needs with respect to invoice processing, data maintenance, program budgeting, procurement, technical assistance, overall program oversight and administration, and provide reimbursements to providers in a timely manner.

FFDRP has been relying on temporary staff to assist with ongoing backlogs, however the resources utilized to fund temporary staff (AFR funding and salary savings) cannot be sustained. In addition, FFDRP is currently supervised by a Supervising Analyst that oversees four other complex programs, which is not sustainable as FFDRP requires full-time supervision and oversight. FFDRP is currently accumulating a

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backlog for 2022-23 and without additional staff, the program will continue to experience backlogs and delayed payments to providers.

As indicated above, FFDRP currently draws down federal match funding that may be used for staffing; however, the match funding available does not cover the total cost for staffing needs.

Background/History of Problem

FFDRP provides up to \$66 million in federal funding to a statewide court program that has been historically underfunded. Expanded dependency counsel representation funded through FFDRP helps to ensure that the complex requirements in juvenile law for case planning, notice, and timeliness are adhered to, thereby reducing case delays, improving court case processing and the quality of information provided to the judge, and ultimately shortening the time children spend in foster care.

CAC in juvenile dependency is a court funding responsibility. All parents and children in dependency proceedings in California have a statutory right to representation by an attorney. In 2016, the JCC established a caseload and caseload-based funding formula to ensure that funding to courts was aligned with workload with a target caseload of 141 dependency cases per attorney. The General Fund allocation to the JCC for dependency counsel is \$186.7 million, enough to meet 73.8 percent of the funding need. FFDRP will provide up to \$66 million in federal funding for 2022-23. Administering the federal funding through FFDRP has and will continue to enable the state to greatly enhance its investment in court-appointed dependency counsel. FFDRP funding, which the JCC began providing to courts and dependency providers in 2019-20, will allow the state to meet 99.9 percent of the need in 2022-23. Additional resources are needed now for administration of the program.

To adequately staff FFDRP, CFCC requires 6.0 additional positions: 1.0 Supervising Analyst, 1.0 Analyst, 3.0 Associate Analysts, and 1.0 Administrative Specialist.

FFDRP expects participation from 70 providers from 35 courts across the state and anticipates additional court participation in future years. Providers include solo attorneys, panel organizations, and mid-to large-size firms. FFDRP invoice review is a very complex and detailed process. Difficulty of invoice review ranges from simple to medium, to medium-difficult, and difficult. FFDRP expects to process at least 840 invoices containing approximately 30,000 pages of time records and other expenditure records annually.

Based on analysis of invoice processing times for 2021-22, we project that invoice processing alone will require approximately 12,700 hours annually (see table below).

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| Invoice Review Difficulty | # of Providers | Review Hours | Hours/Mo. | Hours/Yr. | Secondary Review | Budget Review |
|----------------------------------|-----------------------|---------------------|------------------|------------------|-------------------------|----------------------|
| Simple | 37 | 8 | 296 | 3,552 | 8 | 296 |
| Medium | 10 | 12 | 120 | 1,440 | 12 | 160 |
| Medium-Difficult | 19 | 16 | 304 | 3,648 | 16 | 304 |
| Difficult | 4 | 253 | 253 | 3,036 | 144 | 96 |
| Total | 70 | 289 | 973 | 11,676 | 180 | 856 |

Total Hours Needed per Year 12,712

Existing CFCC FFDRP staff cover approximately 3,025 hours of the invoice processing workload leaving a remaining need of approximately 9,675 hours. All current FFDRP staff perform additional program administration duties outside of invoice review. As indicated above, while these existing FFDRP positions are funded by General Fund and federal match funding, the positions were not incorporated through the budget change proposal process.

FFDRP has implemented several efforts to streamline and reduce workload. Program staff have had several meetings with JCC partners to discuss possible ways to reduce workload while still maintaining compliance with state and federal guidelines. CFCC is currently piloting a streamlined invoice review process at the end of 2022-23 for well-established providers based on sampling in order to reduce overall workload and processing times—potentially reducing the need by 1.0 Associate Analyst. However, at present, the efficacy of the streamlined invoice review process has yet to be determined. FFDRP is also currently working with a contractor to develop a billing system that will allow users to automate complex invoice components. Program staff also regularly provide technical assistance to providers in order to minimize errors that lead to lengthy processing times.

FFDRP providers serve clients that cannot afford representation. CFCC administers the Juvenile Dependency Counsel Collections Program (JDCCP), established to collect reimbursement from parents or minors demonstrating an ability to pay for representation. JDCCP recovers an average of only 0.5 percent of dependency representation costs annually.

Impact of Denial of Proposal

The timely administration of FFDRP federal match and state funding is an urgent need for many courts and FFDRP providers statewide. Without sufficient program staffing, California will be unable to enter into contracts, process invoices, and provide training and technical assistance to the courts and attorney providers in a timely fashion. The JCC’s current resources cannot absorb the current workload because as indicated above, existing CFCC FFDRP staff cover approximately 3,025 hours of the invoice processing workload leaving a remaining need of approximately 9,675 hours. Delays in invoice processing will impede FFDRP providers’ ability to fund required efforts to enhance the quality legal representation that are supported through the FFDRP program, including staffing, reducing caseloads, and implementing interdisciplinary representation models. This may impact children and parents in the dependency system as they may experience attorney turnover, may not have access to multidisciplinary services, and may experience longer times in the dependency system.

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Other delays may arise as existing FFDRP staff will be unable to maintain program resources relied upon by providers and provide crucial technical assistance. In addition, inadequate staffing will impact timeliness for distribution of the \$30 million in state funding to address FFDRP shortfalls.

Outcomes and Accountability of Proposal

Fully implementing FFDRP and providing dependency counsel providers with timely administration and funding allows the state to retain and increase the number of court-appointed dependency attorneys, improve the quality of representation by lowering attorney caseloads, and support implementation of interdisciplinary representation models, including increased use of social workers and investigators, and training. New staff will (1) provide timely and legally accurate contracts to the attorney providers and the courts; (2) decrease invoice processing and payment times; (3) develop and maintain current program resources; (4) provide timely technical assistance and training to the courts and attorney providers; and (5) collect and maintain data for accurate and timely reporting to the Legislature and federal government.

Diversity, Equity, and Inclusion. The timely administration of program activities will support FFDRP providers that perform work that increases services to groups of people historically underrepresented but overrepresented in the child welfare system.

Required Review/Approval

Family and Juvenile Law Advisory Committee
Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity
Goal IV: Quality of Justice and Service to the Public
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Charlene Depner*

Contact Name: Don Will and Kelly Meehleib

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| Requesting Entity | Advisory Committee on Providing Access and Fairness |
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|-----------------------|---|
| Proposal Title | Court-Based Self Help Centers – Continuation of Operating Funds and Expansion |
|-----------------------|---|

Proposal Summary

The Judicial Council of California (JCC) requests 2.0 positions and \$32.773 million General Fund in 2024-25 and \$45.750 million in 2025-26 and ongoing for court-based self-help centers in all counties of California. The funding request will (1) provide an ongoing continuation of current funding, and (2) provide needed funding and legal support to the courts to expand services in critical case types.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 |
| Personal Services | 673 | 650 | 650 | 650 | 650 |
| Operating Expenses & Equipment | | | | | |
| Local Assistance | 32,100 | 45,100 | 45,100 | 45,100 | 45,100 |
| Total | 32,773 | 45,750 | 45,750 | 45,750 | 45,750 |
| One-time | | | | | |
| Ongoing | 32,773 | 45,750 | 45,750 | 75,750 | 45,750 |

*Please include all costs associated with request including costs for other offices and courts.

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Problem or Issue

Court-based self-help centers in California provide instances of assistance to self-represented litigants more than one million times per year. For the past six years the centers have used their \$30.3 million operating budget to serve these members of the public. A \$19.1 million augmentation of the operating budget received in 2018 allowed centers to add staff, extend workshop assistance, extend service hours, add new locations, and add support for new case types including evictions, consumer debt and conservatorships. Numbers served more than doubled, and in the pandemic the centers demonstrated their ability to quickly shift to remote modes of service and provide assistance to all members of the public who contacted the center. Customer satisfaction data and focus groups of judicial officers and court staff confirmed the vital role self-help centers play in access to justice for self-represented litigants.

Data reported by the self-help centers on all instances of service provided to the public shows a significant unmet need for services in evictions, consumer debt, guardianship and conservatorship proceedings, domestic violence and civil restraining orders, and child custody. Courts also report customer demand that outstrips the current General Fund allocation and requires a significant commitment of additional resources, as well as struggling to maintain a consistent level of service with an allocation which has remained flat since 2018.

Background/History of Problem

In 2007, \$11.2 million was allocated to self-help centers and the JCC established an annual funding formula, which remains in effect today. This provides all 58 courts with a baseline of \$34,000 per year and distributes the remainder based on county population.

The JCC requires that at least 80 percent of the funding allocated be used for staff, and that the courts make provisions to provide services to persons with limited English proficiency. Coordination of funding has allowed courts to address issues faced by the public as efficiently and effectively as possible.

The JCC received a three-year General Fund augmentation for self-help centers of \$19.1 million per year in the 2018 Budget Act, which was requested to allow courts “to address critical unmet needs in family, domestic violence, as well as civil cases such as landlord/tenant, consumer debt, employment law and small claims where there is often no assistance available.” This supplemented the \$11.2 million base funding for a total of \$30.3 million. That funding was continued by the Budget Act of 2021 on a three-year, limited term basis.

The JCC report *Impact of Self-Help Center Expansion in California Courts* documented that the \$19.1 million allowed the self-help centers to meet all of the goals outlined in the original Budget Change Proposal, including increasing the number of in-depth instances of service by 62 percent and providing self-represented litigants with more than one million instances of service per year. As a result of the augmented funding courts added self-help staff, including 84 bilingual staff full time equivalents (45 courts); extended the number or type of workshops (32); extended service hours (22); added support for new case types (34); expanded services in languages other than English (26), and expanded their use of

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technology tools, including online document assembly programs to expand efficiency and serve even more litigants effectively (42).¹

The report documents that in 2019 courts provided instances of assistance to self-represented litigants over 1,095,000 times -- a 125% increase in service. One-on-one services increased by 62% due to the expansion, with 37,000 of these services provided in a language other than English. Courts expanded their settlement services to help litigants complete their cases and conducted 9,617 settlement conferences. They also expanded courtroom services to self-represented litigants, providing assistance 55,500 times in 2019 to litigants by explaining court processes or preparing orders after hearings documenting the court's decision to enable them to enforce the order.²

An analysis of data reported by self-help centers since the expansion funding shows that there are still significant gaps in courts' ability to serve the public in certain case types including evictions, consumer debt, guardianship and conservatorship proceedings, domestic violence and civil restraining orders, and child custody. In FY 2022-23 the number of self-represented litigants seeking assistance with eviction cases grew by 70 percent, assistance with domestic violence cases by 22 percent, and civil restraining orders by 13 percent. These numbers are growing to surpass pre-pandemic levels. The current unfunded need is estimated at \$26 million.

In addition, an analysis of self-help center workload data from the previous 12 months shows that many self-help centers, including in the most populous California counties, are not resourced to provide adequate services in civil and guardianship/conservatorship case types. While filings in eviction cases represented 15 percent of the total filings of case types most assisted by self-help centers, eviction cases made up less than 10 percent of the total self-help center case load in all of the 10 largest courts, and under 5 percent in 6 of those 10 courts. In guardianship/conservatorship cases, 8 of the 10 largest courts reported that these cases make up less than 5 percent of their self-help center caseload. These data are confirmed by qualitative reports from self-help center managers, who say that they do not have the resources to develop the complex materials required to assist litigants in these case types, nor the time these cases require.

The 2.0 Attorney II positions will allow the JCC to develop legal toolkits and education in these expanding case types. One attorney will specialize in conservatorship and guardianship law, and the other in housing and consumer debt law. Resources and distance education provided at the state level can be used by all self-help centers in the state and allow local self-help attorneys more time to spend with the public.

An analysis of the cost of providing self-help center services shows an increase of 17 percent in the average self-help attorney annual salary between FY 2018-2019 and FY 2022-2023, and 9 percent in the average salary of self-help support staff. Personnel accounts for over 90 percent of self-help center expenses, resulting in a reduction in buying power from \$30.3 million in FY 2018-2019 to \$26.7 million or less in FY 2022-2023.

A very high proportion of the customers served by self-help centers are from historically underserved groups. Data from a statewide survey of self-help center customers in 2017-18 found that the median

¹ *Impact* at p. 4-5.

² *Id.*, Chapter 10 and 14.

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monthly income of customers reporting a monthly income was between \$1,000 and \$2,000 per month. 80 percent of all customers reported less than \$3,000 of monthly income. The same statewide survey showed that historically underserved racial/ethnic groups were served by self-help centers at a greater proportion than their underlying state population. 11.7 percent of the self-represented litigants served in 2017-18 were Black, compared to 5.8 percent in the statewide population; 47.1 percent were Hispanic/Latino, compared to 39.6 percent in the statewide population; and 28.4 percent were White, compared to 37.9 percent in the statewide population. The self-help center expansion described above also greatly augmented the number of bilingual staff to serve seven percent of all customers in languages other than English.

The Supplement to Impact of Self-Help Center Expansion in California Courts, submitted to the legislature in June 2022, quantified the economic benefits of the 2018 expansion in terms of avoided costs and loss of work time that self-help centers provide, the benefits to courts in increased efficiency, and a significant benefit to cost ratio:

- Provided a benefit to self-represented litigants in avoided costs of as much as \$242.00 per case filing.
- Provided a benefit to court operations in avoided costs of as much as \$315.00 per case filing.
- For one-on-one services, provided a benefit to the self-represented litigant and the court of an estimated \$3.30 for each dollar the service cost; and
- For workshops, provided a benefit to the self-represented litigant and the court of an estimated \$4.35 for each dollar the service cost.

Impact of Denial of Proposal

Self-help centers at the level currently funded are a critical part of court infrastructure to promote access to justice. Failing to renew the \$19.1 million self-help allocation will reduce the self-help center budget by approximately two-thirds and result in corresponding reductions to services to the public. Also, absent the phased funding increase of \$13 million in 2024-25 and \$26 million in 2025-26 will preclude courts from filing the gap in self-help services. Up to 700,000 members of the public who are unable to afford an attorney will be unable to receive assistance from a self-help center, resulting in higher costs to the litigants and the courts. Public access to justice will be severely impacted when persons who cannot afford an attorney and who may need services in languages other than English are unable to receive assistance from a self-help center. Court operations will also be severely impacted. Self-help centers are integrated into court operations and include assisting litigants with e-filing, ensuring that court filings are complete and accurate before they reach the court clerk and judicial officer, and assisting the litigant with receiving and understanding orders after hearing.

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Outcomes and Accountability of Proposal

- Continue to meet self-help center goals of providing more than one million instances of assistance to self-represented litigants every year.
- Expand service provision by 500,000 instances of service annually by FY 2026-2027.
- Continue to collect and analyze data on self-help center services statewide.
- Continue to expand the efficiency measures outlined in the *Impact* report, including solutions using technology to deploy self-help center attorneys regionally and workshops.
- Continue to develop capacity to serve self-represented litigants in a range of case types including conservatorship and consumer debt.

Required Review/Approval

Advisory Committee on Providing Access & Fairness

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity

Goal IV: Quality of Justice and Service to the Public

Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Charlene Depner*

Contact Name: Don Will Melanie Snyder

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| Requesting Entity | Family and Juvenile Law Advisory Committee |
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| | |
|-----------------------|---|
| Proposal Title | Access to Visitation Grant Program: Expanding Professional Supervised Visitation Services Serving Low-Income Families Statewide |
|-----------------------|---|

Proposal Summary

The Judicial Council of California (JCC) requests 1.0 position and \$1.3 million ongoing General Fund in 2024-25 to expand professional supervised visitation programs for low income parents in child custody cases by an additional 15 counties to a total of 25 counties served.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands)*

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| Personal Services | \$141 | \$141 | \$141 | \$141 | \$141 |
| Operating Expenses & Equipment | 146 | 136 | 136 | 136 | 136 |
| Local Assistance | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 |
| Total | 1,287 | 1,277 | 1,277 | 1,277 | 1,277 |
| One-time | 10 | | | | |
| Ongoing | \$1,277 | \$1,277 | \$1,277 | \$1,277 | \$1,277 |

*Please include all costs associated with request including costs for other offices and courts.

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Problem or Issue

The JCC requests \$1.3 million ongoing General Fund in 2024-25 and 1.0 Administrative Coordinator position, to expand services for the provision of professional supervised visitation services to low-income families in California to at least an additional 15 courts.

Family Code section 3204(a) requires the JCC to apply annually for federal Child Access and Visitation Grant Program funding from the federal Administration for Children and Families and to award this funding to the superior courts throughout California using a competitive request for proposal process. The federal grant is broadly defined to provide safe access to visitation. The competitive process is unusual for a court funding program. The total amount of funding is capped, and the amount of funding that any given court can receive depends on the county population. The JCC's Family and Juvenile Law Advisory Committee reviews the proposals and makes recommendations to the council. The JCC's Center for Families, Children & the Courts (CFCC) staff is responsible for managing the grant program.

With approximately \$800,000 in federal funds, the JCC is currently able to support professional supervised visitation programs in only nine counties. Courts use these programs to order multiple visitation services per year for up to 850 low-income children with their non-custodial parent. This represents a fraction of the urgent need to protect children by providing safe, supervised visitation in the state.

The requested General Fund augmentation would allow the JCC to expand the service to at least 15 additional counties and provide the service to an additional 1,100 low-income children. The unmet need for AV services is difficult to quantify. The program is currently able to serve only 9 of 58 courts, which represent only 14 percent of California's total family law filings and 21 percent of California's total population of children living in poverty. In the current cycle of grants, despite funding only 9 courts, the program was able to fund only 80 percent of the total amount requested, despite the cap on maximum funding per court by county population size.

Funding allocations to states are based on the number of single-parent households and the total number of children. California receives the maximum amount of eligible funds (approximately \$800,000 annually), and states are required under the grant to provide a 10 percent state match share. The California Access to Visitation (AV) Grant Program requires an additional 10 percent match for a total of 20 percent (non-federal) match from participating courts and providers under the grant program.

The federal funding allocation to California for federal fiscal year 2020–2021 was \$898,000, and for federal fiscal year 2021–2022 was \$803,000. On January 22, 2021, the JCC approved the annual funding allocation and distribution of approximately \$655,000 to \$670,000 to nine superior courts for California's AV Grant Program for fiscal years 2021–22 through 2023–24.

From October 1, 2019 through September 30, 2021, the Access to Visitation Grant Program provided grants to nine superior courts that served a total of 800 noncustodial parents and 1,091 children across 14

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counties.¹ With the additional funding requested, over a two-year period, the program would be able to serve a total of over 1,600 noncustodial parents and 2,182 children across approximately 25 counties. Given that a portion of data from 2019 to 2021 was collected during the height of the pandemic, the estimated numbers of low-income families served going forward can reasonably be even greater, as the demand for services continues to increase post-pandemic.

The federal funding for this program is extremely limited, with no increase expected in the near future. As such, additional General Fund resources are required to expand the level of service. By increasing the amount of funding that is currently going to courts by almost 100 percent, it is estimated that both the number of courts participating in the AV program and the number of low-income parents and children served would be doubled. From 2019 through 2021, the AV Grant Program provided \$655,000 in grants to nine superior courts that served a total of 800 non-custodial parents and 1,100 children across 14 counties. With the additional funding requested, over a two-year period, the program would be able to serve a total of over 1,600 non-custodial parents and 2,200 children across approximately 25 counties. The program is currently staffed by one senior analyst who is paid through the federal grant. The additional staff requested will allow the program to build capacity by conducting outreach to the courts and potential supervised visitation providers, conduct trainings, increase the numbers of providers, and pursue program expansion through expanded use of remote services which proved to be highly effective during the pandemic. Additional funding can also be used to supplement existing staff or administrative resources dedicated to the requisite education, orientation, and data collection that will be necessary to onboard the new courts and counties to the AV Grant Program.

Background/History of Problem

The primary goals of California's Access to Visitation Grant Program are (1) to enable parents and children to participate in supervised visitation, education, and group counseling programs irrespective of the parent's marital status and whether the parties are living separately on a permanent or temporary bases, and (2) to promote and encourage healthy relationships between noncustodial parents and their children while ensuring the children's health, safety, and welfare. The overarching policy goal of the grant program has been to ensure accessible and available services statewide for low-income families with children whose custody and visitation issues who are now or have been before the family courts².

Despite the many historical accomplishments of California's Access to Visitation Grant Program, especially during the COVID-19 pandemic, the lack of additional federal funding to support the courts and subcontractors to provide these vital services continues to impede their ability to adequately meet the increased need for professional supervised visitation services for low-income parents statewide.

¹ Based on AV Grant Program annual data survey submitted to OCSE (Office of Child Support Enforcement) for FYs 2019–2021.

² See California's Access to Visitation Grant Program, 2022 Report to the Legislature. Judicial Council of California, 2022. https://www.courts.ca.gov/documents/Access_to_Visitation_Report_to_the_Legislature_March_2022.pdf

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Direct client services were significantly reduced as a result of 1) the pandemic’s shut down of in-person services, and 2) the time period required to transition to remote virtual services in trying to meet the continued need for professional supervised visitation. However, in the last year, service providers have reported waiting lists and increased demand for AV-funded services. In addition, with data showing a disturbing rise in domestic violence and gun violence, as well as increased mental health issues among both adults and children during the pandemic, service providers are anticipating a corresponding increase in demand for services through court referrals, as California transitions to end the COVID-19 state of emergency federal funding (as the grant program had been stagnant with no increase in funds from 1997 until 2022, when a slight increase of approximately \$15,000 was awarded over the previous year’s grant funding). The inability of the grant program to meet the demand for services with this limited funding is underscored through repeated requests for additional funding from courts and subcontractors during the annual mid-year reallocation process and bi-annual progress summary reports collected by the AV Grant Program.

Impact of Denial of Proposal

The impact of denying this proposal would mean that low-income parents and children in California will disproportionately not have the means to access professionally supervised visitation required through child custody and visitation court orders that typically costs upwards of \$50 to \$100 per hour. This is especially concerning given that most cases requiring professional supervised visitation involve domestic violence. The lack of an affordable, safe option for professional supervised visitation with trained providers for a court to refer families may mean that no visitation or contact occurs with a parent, or that a less safe and secure alternative—such as non-professional supervised visitation—is ordered.

In California, 63 percent of children living in poverty are African American/Black, Hispanic/Latino, or Asian American, with Hispanic/Latino children having the highest rate of living in poverty at 24.7 percent according to the *Public Policy Institute of California & Stanford Center on Poverty and Inequality*, [California Poverty Measure](#) (Sept. 2021). Statewide, this means that communities of color are disparately impacted by the lack of safe, secure, and affordable options for professional supervised visitation for cases involving the most risk of harm, such as domestic violence. The AV Grant Program enables courts and counties to provide high quality, safe, professional supervised visitation for no-cost or a very low-cost, based on a sliding scale, for low-income families.

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Outcomes and Accountability of Proposal

The additional \$1.3 million General Fund to help support the continuation and expansion of the Access to Visitation Grant Program for professional supervised visitation, exchange, and parent education serving low-income families statewide, would support the following program priorities:

- Professional supervised visitation, exchange, and parent education serving low-income families to double the number of courts/counties that the program is currently able to fund from 800 noncustodial parents and 1,091 children across 14 counties to over 1,600 noncustodial parents and 2,182 children across approximately 25 counties.
- 1.0 Administrative Coordinator position to assist with the daily administrative activities required for the Access to Visitation Grant Program including providing support for over 15 Standard 5.20/Advanced Skills trainings for supervised visitation providers annually; semi-annual grantee meetings; annual grantee contract procurements; the bi-annual Report to the Legislature; submission of the state’s federal application for AV funding and the request for proposal AV grant application and review process from courts every three years; and assistance with the required data collection reports from grantees throughout the year.
- Procurement of an online browser-based data collection software license to replace Microsoft Access that is currently used by AV grantees to input and report required demographic categories for clients served that the JCC must submit to the federal funder annually.
- Development of Standards of Practice specifically for cases involving off site/community-based supervised visitation services and best practices for the intersection of supervised visitation and domestic violence.
- A training and education institute and a centralized statewide clearinghouse for the field of practice of supervised visitation and exchange services.
- Continuing education and training programs for professional providers to increase their knowledge, skills, and competency in the field of practice when working with parents and children.

Required Review/Approval

Family and Juvenile Law Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity
Goal III: Modernization and Management of Administration
Goal IV: Quality of Justice and Service to the Public

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Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Charlene Depner*

Contact Name: Don Will, Greg Tanaka

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The branch has made substantial progress in the design and execution of the Data Analytics/Data Integration platform, using an incremental approach to ensure that the technology scaled up appropriately and that platform demonstrated its value. Without additional funding, the branch would have to slow its progress in bringing on additional courts to the platform. If this work is not funded, the JCC's ability to produce timely and complete data on court processes will be limited.

Outcomes and Accountability of Proposal

Enroll additional courts onto JBSIS platform; provide more frequent and timely reporting of data for use in analysis; increased data-driven decision-making to help understand business operations, predict workload, and implement new programs to better serve the public.

Required Review/Approval

Information Technology Advisory Committee
Data Analytics Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal II: Independence and Accountability
Goal III: Modernization and Management of Administration
Goal VI: Branchwide Infrastructure for Service Excellence

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Robert Oyung*

Contact Name: Leah Rose-Goodwin

**Judicial Branch
 2024-25 Budget Change Proposal Concept
 (4 Page Maximum Length)**

| | |
|--------------------------|--------------------------------------|
| Requesting Entity | Habeas Corpus Resource Center (HCRC) |
|--------------------------|--------------------------------------|

| | |
|-----------------------|---|
| Proposal Title | HCRC Case Team Staffing and Establishment of Los Angeles Office |
|-----------------------|---|

Proposal Summary

| | |
|---|--|
| The Judicial Council of California (JCC) requests 30.0 positions and an ongoing \$8.4 million General Fund, including \$450,000 in one-time funding, in 2024-25; an additional 20.0 positions and ongoing \$12.6 million General Fund in 2025-26, to total 50 positions; and a further 20 positions and \$17.4 million ongoing General Fund in 2026-27 to sum total 70.0 new positions and \$17.1 million ongoing funding for the Habeas Corpus Resource Center (HCRC). The funds will be used to increase staff and establish a Los Angeles office to address and reduce delays and the backlog of unrepresented defendants in habeas cases. | |
| Does this proposal require a statutory change? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |
| Does this proposal have an information technology component? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Does this proposal require data collection or reporting? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |
| Proposed fund source: General Fund | |

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | 30.0 | 50.0 | 70.0 | 70.0 | 70.0 |
| Personal Services | \$5,180 | \$8,961 | \$12,742 | \$12,742 | \$12,742 |
| Operating Expenses & Equipment | \$3,226 | \$3,640 | \$4,619 | \$4,389 | \$4,389 |
| Local Assistance | | | | | |
| Total | \$8,406 | \$12,601 | \$17,361 | \$17,131 | \$17,131 |
| One-time | \$450 | | | | |
| Ongoing | \$7,956 | \$12,601 | \$17,361 | \$17,131 | \$17,131 |

*Please include all costs associated with request including costs for other offices and courts.

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(4 Page Maximum Length)

Problem or Issue

As of February 2023, of the 665 men and women on California's death row there are 364 condemned incarcerated individuals who have a right to counsel in state habeas corpus (post-conviction) proceedings but who are still waiting for appointment of counsel. These 364 represent 55 percent of all condemned inmates. This backlog is the direct result of California's 58 counties sending men and women to death row at a rate far faster than the courts have been able to appoint qualified post-conviction counsel. Although there is currently a moratorium on carrying out executions, judgments of death are still being imposed in California courts.

This proposal begins to address the state's need to find representation for the increasing number of indigent inmates on death row and further HCRC's statutory mission to decrease the number of unrepresented inmates on death row. Of the 364 inmates without habeas counsel, 280 inmates, or 77 percent of this group, have been waiting 10 years or more for counsel; 34 of these inmates have been waiting over 25 years for appointment of habeas counsel.

HCRC is the sole governmental agency tasked with post-conviction representation, and its attorney staffing levels have remained virtually unchanged since its formation in 1998. HCRC has been unable to accept new appointments at a rate sufficient enough to address the backlog because it is currently litigating 67 cases, including 20 Order to Show Cause cases requiring numerous work-intensive evidentiary hearings in the trial courts.

This proposal expands HCRC's capacity to accept capital habeas corpus representation through measured growth in HCRC staff, creating up to 15 additional case teams made up of attorneys, paralegals, investigators, and case assistants, as well as four supervisory positions, phased in over a three-year period. These supervisory positions will ensure appropriate training, mentoring, and adherence to standards for case team members and the leadership necessary to enable the HCRC to maintain its high quality of representation for a maximum number of cases.

Background/History of Problem

The HCRC was established in 1998 to accept appointments in state and federal post-conviction death penalty habeas corpus proceedings and to serve as a resource for private attorneys appointed to these cases (see [Government Code Section 68661](#)). By statute, the mission of the HCRC is (1) to provide timely, high-quality legal representation for indigent petitioners in death penalty habeas corpus proceedings in state and federal courts; (2) to recruit and train attorneys to expand the pool of private counsel qualified to accept appointments in death penalty habeas corpus proceedings, and to serve as a resource to them; and thereby (3) to reduce the number of unrepresented indigent inmates on California's death row.

Developments in recent years have substantially impacted habeas representation. Changes in the law and California Rules of Court since 2016 have changed the way habeas cases are argued in California's courts. Habeas cases now initiate in the trial courts, whereas the Supreme Court previously appointed habeas counsel and heard all state habeas cases. California Penal Code section 1509 has accelerated the timelines

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for litigating habeas cases, resulting in “one-year cases” that intensify the work required by HCRC case teams to research, prepare, and file claims in the trial courts. However, there is lack of qualified counsel on the statewide panel of attorneys from which the courts may appoint habeas counsel. Only four new private lawyers have been approved for the entire state; HCRC remains the main resource for appointments.

This request also addresses a fundamental equity issue in the administration of the death penalty. When Governor Gavin Newsom instituted Executive Order N-09-19, placing a moratorium on carrying out executions in California, the Governor explained that “California’s death penalty system is unfair, unjust, wasteful, protracted and does not make our state safer.” The Governor also stated, “death sentences are unevenly and unfairly applied to people of color, people with mental disabilities, and people who cannot afford costly legal representation.” Overall, while only representing 6.5 percent of California’s population, 36 percent of death row inmates are Black; 25 percent are Latinx and 32 percent are White, meaning that almost two-thirds of the death row population is made up of people of color. Since the moratorium, there have been an additional 15 judgments of death imposed and the racial and ethnic disparity observed by the Governor in his statement accompanying the order is reflected in these sentences as well. Additional resources budgeted to HCRC will be used to confront this inequity by representing more condemned inmates faster.

There is also geographic disparity in where death sentences are imposed. From 2015–2020, six counties imposed 89 percent of the death sentences in the state, and just two of these counties—Los Angeles and Riverside—imposed 61 percent of all death sentences in California. This is consistent with historical trends where the majority of death sentences were imposed in these two counties as well as in Orange and San Bernardino Counties. Because habeas cases will now commence in the trial courts, HCRC proposes hiring new case teams based in an office to be set up in Los Angeles County in order to have access to the trial courts, legal resources, and attorneys in Southern California where a large portion of the backlogged habeas cases that will be addressed by this request will proceed.

Impact of Denial of Proposal

The length of time to make an impact and reduce backlog is directly related to the level of resources devoted to the problem. Additional case teams are critical if the HCRC is to expand the number of capital habeas corpus appointments it can accept every year. The state has not increased HCRC’s number of attorneys beyond its initial start-up numbers in 1998 when there was a total of 513 prisoners under a sentence of death. By 2018, this number had grown to 743; it currently stands at 665, almost entirely the result of deaths by natural causes.

Because resources for habeas representation have not increased over the last 25 years at the same rate as death sentences are imposed, the length of time someone waits for their case to move through all phases of state post-conviction review has continued to increase. A person condemned to death in California can currently expect to wait more than 30 years from a sentence of death to final resolution of state habeas proceedings. In 2020, the average time from sentencing to resolution was 20 years, up from 17 years in 2015, and 12 years in 2008. Completing the federal habeas review process adds additional time. If the proposal is denied the likelihood of finding adequate alternatives, such as private counsel to accept capital habeas corpus appointments, is extremely low.

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If the proposal is denied, judicial relief for condemned inmates consistent with constitutional requirements will continue to be denied, including the wrongfully convicted spending decades on death row when they are innocent. Looking at history since California reinstated the death penalty in 1977, as of 2020 only 116 of the more than 1,000 people sentenced to death in California since 1977 have completed the post-conviction review process in both state and federal court. Sixty percent have received some form of post-conviction relief that invalidated the death judgments and resulted in their either being released or transferred to the general population. Moreover, five innocent men on death row have been fully exonerated and released since California's reinstatement of the death penalty. All five are people of color. The Loyola Project for the Innocent currently has five additional California death penalty cases under active investigation with credible, new evidence of innocence.

Outcomes and Accountability of Proposal

Successful implementation of this proposal will be manifested through prompt hiring and training of new staff members and quantified through the number of new cases appointed to the HCRC each year. The HCRC has a documented track record of promptly and effectively filling new and vacant positions and has mechanisms in place to ensure that complete training is provided so that new cases are developed according to proven protocols and best practices. New staff members receive intensive training and mentorship from senior and other experienced staff members to ensure that these practices are applied in all cases. With the requested increase in staff, the HCRC will achieve the proposal's goal by accepting a growing number of cases each year and increasing assistance provided to private counsel, thereby decreasing the backlog in unrepresented death row inmates.

The current 20+ year delay in appointment of counsel also increases the long-term incarceration costs of the death row population. The [Death Penalty Report](#) (the Report) issued in November 2021 by the Committee on Revision of the Penal Code noted that according to the analysis of Proposition 62 (an ultimately unsuccessful proposal to eliminate the death penalty) in the Voter Information Guide for 2016, the California death penalty costs the state approximately \$150 million per year. The Report continued: "Even with those costs, the state is not spending enough money: people sentenced to death routinely wait decades to be assigned post-conviction lawyers because the state does not pay for more attorneys. According to the calculations of some experts, California has executed 13 people [since the reimposition of the death penalty in 1977] at a cost of \$4 billion." If even half of the 364 unrepresented inmates on death row were to timely receive counsel and obtain relief consistent with the long-standing 40-year trends of penalty reversals, the state could realize a savings of millions of dollars per year in incarceration savings alone.

Required Review/Approval

Habeas Corpus Resource Center is an independent entity within the Judicial Branch and the Executive Director provides the necessary review and approval.

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Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity
Goal IV: Quality of Justice and Service to the Public
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch
Gov. Code Section 68661

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.



Director Signature:

Contact Name: John A. Larson, Assistant Director

**Judicial Branch
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 (4 Page Maximum Length)**

| | |
|--------------------------|---------------------------------------|
| Requesting Entity | Trail Court Budget Advisory Committee |
|--------------------------|---------------------------------------|

| | |
|-----------------------|---|
| Proposal Title | Inflationary Adjustment for Trial Courts (Consumer Price Index) |
|-----------------------|---|

Proposal Summary

The Judicial Council of California requests \$81.5 million General Fund in 2024-25 and ongoing to address general inflationary cost increases for trial courts based on the Consumer Price Index (CPI) published by the Department of Finance. The CPI for 2024-25 is currently estimated at 3.3 percent.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | 0 | 0 | 0 | 0 | 0 |
| Personal Services | 0 | 0 | 0 | 0 | 0 |
| Operating Expenses & Equipment | 0 | 0 | 0 | 0 | 0 |
| Local Assistance | \$81,537 | \$81,537 | \$81,537 | \$81,537 | \$81,537 |
| Total | \$81,537 | \$81,537 | \$81,537 | \$81,537 | \$81,537 |
| One-time | 0 | 0 | 0 | 0 | 0 |
| Ongoing | \$81,537 | \$81,537 | \$81,537 | \$81,537 | \$81,537 |

*Please include all costs associated with request including costs for other offices and courts.

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Problem or Issue

Trial courts must support their infrastructure and baseline business costs, for which there is currently no ongoing inflationary adjustment, to account for increasing fiscal pressures. Absent funding that recognizes inflationary cost increases, courts would be unable to sustain their current level of services, risking the quantity and quality of court services to the public and impacting access to justice.

Due to those inflationary pressures, courts are currently facing price increases placing pressures on operating budgets and eroding their purchasing power. The CPI climbed almost 7 percent in 2021-22 and another 7 percent in 2022-23, the two largest 12-month gains in the United States since 1982 according to United States Department of Labor data.

Background/History of Problem

In 1998, the Lockyer-Eisenberg Trial Court Funding Act was enacted by the Legislature. It created a new structure in which the 58 county-funded limited and general jurisdiction courts became state-funded. The Legislature's intent was to address the great disparity in funding levels found in the county court systems to ensure that all Californians would have access to justice and similar experiences across jurisdictions in resolving their legal disputes in the trial courts.

In 2005-06, the Legislature codified a funding approach for the trial courts in Government Code section 77202 to ensure that state appropriations for the trial courts are not eroded and that sufficient funding is provided to sustain service levels and accommodate operational cost changes without degrading the quality of court services to the public.

In addition to state General Fund appropriations for the judicial branch to support the trial courts, Government Code section 77202 authorizes the use of a cost-of-living and growth adjustment computed by multiplying the year-to-year percentage change in the state appropriation limit as described in Section 3 of Article XIII B of the California Constitution and as specified.

Costs related to various areas of operation such as goods and services vendors (e.g., janitors, legal publications, per diem court reporters, office supplies, postage, technology equipment and services, etc.) and other professional contractors (e.g., trial experts, forensic services, mediators, court appointed counsel, etc.) continue to increase. The judicial branch's Workload Formula methodology, which is used to allocate funding to the trial courts, does not address these cost increases to maintain service levels and sustain ongoing trial court operations. Over time, this has resulted in less purchasing power for the trial courts and an erosion or elimination of critical services. The public relies on the courts to support their infrastructure and baseline business costs to maintain equal access to the justice system. These are the costs for which there is currently no inflationary factor to account for ongoing and regular cost increases experienced by trial courts when procuring and providing these services.

The 2021 Budget Act included \$72.2 million ongoing General Fund to provide the trial courts with a 3.7 percent CPI adjustment to address inflationary cost increases. The 2022 Budget Act included \$84.2 million ongoing General Fund for a second year CPI adjustment of 3.8 percent to address trial court operational

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cost increases due to inflationary pressures facing all government operations. In addition, the 2022 Budget Act included \$100 million ongoing General Fund to promote fiscal equity among the trial courts.

The 2023-24 Governor’s Budget includes \$74.1 million ongoing General Fund for trial courts to provide a 3.0 percent funding increase in recognition of trial court operational cost pressures due to rising inflation. Continuing to provide the trial courts an inflationary-based adjustment will help to maintain consistent service levels for court users and support access to justice through more stable and predictable funding. This proposal is based on the currently estimated CPI for 2024-25 at 3.3 percent and will be updated later to reflect the most recent CPI projections.

Continuing to provide the trial courts an inflationary-based adjustment will help to maintain consistent service levels for court users and support access to justice through more stable and predictable funding.

Impact of Denial of Proposal

Without this inflationary adjustment, courts may be compelled to reduce and/or eliminate service levels to close the gap between available funds and escalating costs. When funding does not keep pace with inflation, service reductions typically occur first in non-mandated services. Services that assist California’s marginalized populations come directly from trial court budgets, such as minor’s counsel in family law disputes, probate investigators, family mediators, self-help staff and outreach, collaborative justice courts, and translation of forms and public information into multiple languages.

The decline or elimination of these services often disproportionately affects the most marginalized Californians (e.g., children, persons with mental disabilities, displaced non-English speakers, victims of domestic violence, and low-income/fixed-income adults). Typically, courts must prioritize criminal case processing over case types that impact other vulnerable court users or that leverage county partnerships to address underlying social issues, such as homelessness and mental health issues.

Outcomes and Accountability of Proposal

The inflationary increase funding will be allocated according to a methodology established by the Judicial Council and is intended to benefit all 58 trial courts.

Based on past practice, the inflationary percentage change is typically applied to each trial court’s Workload Formula allocation, recognizing that the adjustment was used exclusively to ensure that actual service levels are not diminished for operating costs and that they reflect the increased costs resulting from inflation. Providing an inflationary percentage adjustment based upon CPI would assist the courts in maintaining services to the public and protect against further service reductions including reducing court hours, closing court locations, and increasing wait times and case processing delays.

Required Review/Approval

Trial Court Budget Advisory Committee

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Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity
Goal II: Independence and Accountability
Goal III: Modernization and Management of Administration
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Zlatko Theodorovic*

Contact Name: Oksana Tuk

**Judicial Branch
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 (4 Page Maximum Length)**

| | |
|--------------------------|---------------------------------------|
| Requesting Entity | Trial Court Budget Advisory Committee |
|--------------------------|---------------------------------------|

| | |
|-----------------------|-------------------------------|
| Proposal Title | Funding for 50 New Judgeships |
|-----------------------|-------------------------------|

Proposal Summary

The Judicial Council of California (JCC) seeks \$86.1 million in ongoing General Fund and between \$175 to \$400 million in one-time funding for 50 new trial court judgeships in courts that show a need for new judicial positions according to the 2022 Judicial Needs Assessment.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Positions | | | | | |
| Personal Services | | | | | |
| Operating Expenses & Equipment | 261,000- 486,000 | 86,100 | 86,100 | 86,100 | 86,100 |
| Local Assistance | | | | | |
| Total | 261,100- 486,100 | 86,100 | 86,100 | 86,100 | 86,100 |
| One-time | \$175,000- 400,000 | 0 | 0 | 0 | 0 |
| Ongoing | 86,100 | 86,100 | 86,100 | 86,100 | 86,100 |

*Please include all costs associated with request including costs for other offices and courts.

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Problem or Issue

The public's right to timely access to justice is contingent on having adequate judicial resources in every jurisdiction. Based on the 2022 Judicial Needs Assessment (JNA) report, there are 17 trial courts with a workload-based judgeship need. In recent years, the branch has received funding for 50 judgeships authorized by AB 159 (Stats. 2007, ch. 722). This funding has greatly minimized the gap between the number of authorized judgeships and judicial need. However, there continues to be workload-based judicial need in some superior courts.

Background/History of Problem

The methodology for determining the number of judgeships needed in the trial courts, and the methodology for allocating new judgeships, was first approved by the Judicial Council in August 2001 and is outlined in Government Code section 69614 (b), which states that judges shall be allocated, in accordance with the uniform standards for factually determining additional judicial need in each county, as updated and approved by the Judicial Council, pursuant to the Update of Judicial Needs Study, based on the following criteria: (1) Court filings data averaged over a period of three years; (2) Workload standards that represent the average amount of time of bench and non-bench work required to resolve each case type; (3) A ranking methodology that provides consideration for courts that have the greatest need relative to their current complement of judicial officers. The council's methodology will direct new judicial resources to the courts that are in greatest need of judgeships and therefore will help equalize access to justice more expeditiously.

Government Code Section 69614(C)(1) & (3) further requires the Council to quantify the need for new judgeships biennially, in the even-numbered years. These updates form the basis for assessing judicial need relative to authorized positions and updated workload inputs and have been used to identify courts that need additional judicial officers based on workload.

Costs

Operational Costs

One judgeship is approximately \$1.7 million per year and includes funding for approximately 9 clerical staff.

Facility Costs

The cost to provide a new judgeship multipurpose courtroom in existing court space will vary depending on the circumstances and existing conditions. A reasonable budget to build out planned unfinished shelled courtroom space is approximately \$6 million.

Renovating existing non-courtroom space varies greatly and will cost between \$3.5 million to \$8 million, or more depending on the existing conditions. Variables such as the presence of hazardous materials, code required improvements due to change in use and occupancy, inadequate utility capacity, or ongoing costs to lease space to house the displaced function can add greatly to the cost.

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Impact of Denial of Proposal

Timely access to justice for all Californians is a judicial branch priority. Without adequate judgeships, court users have to wait longer to get a case assigned to a judge, to receive a judgment, or to have their matter resolved. While funding in recent years has provided for additional judicial resources across the state, reducing overall need from a statewide perspective, the 2022 Judicial Needs Assessment report still identifies the need for new judgeships in 17 superior courts, with some courts having an assessed judicial need 20-30% over their authorized judicial positions.

Outcomes and Accountability of Proposal

New judgeships should be directed to the courts with the greatest resource need as described in the latest Judicial Needs Assessment (JNA) update report. The determination of which courts are to receive judgeships is based on the Judicial Council's prioritization and ranking methodology, which considers courts with the greatest need relative to the current complement of judicial officers and the goal to improve access to courts for the greatest number of users. With the proposed additional 50 judgeships, only ten courts would continue to show a workload-based judicial need, and no court would have a need over 18% of their authorized judicial positions (AJP). Only three of the remaining ten courts with judicial need would be above 10% of their AJP.

Required Review/Approval

Trial Court Budget Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity
Goal IV: Quality of Justice and Service to the Public
Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Director Signature: *Leah Rose-Goodwin*

Contact Name: Nick Armstrong, Business Management Services

**Judicial Branch
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 (4 Page Maximum Length)**

| | |
|--------------------------|---|
| Requesting Entity | Collaborative Justice Courts Advisory Committee |
|--------------------------|---|

| | |
|-----------------------|---|
| Proposal Title | Maintaining a Sufficient Pool of Competency to Stand Trial Court Evaluators |
|-----------------------|---|

Proposal Summary

The Judicial Council of California (JCC) requests 2.0 positions and \$12.2 million General Fund beginning in 2024-25 and \$10 million on-going to support trial courts in addressing the increased number and costs of Penal Code (PC) § 1368 competency to stand trial evaluations required throughout the state and to implement a training, technical assistance, and data collection program to support courts implementing mental health diversion programs. This proposal would also provide for the development of a statewide inventory of qualified evaluators that courts can access when appointing a court ordered competency to stand trial evaluation and a system for ongoing recruitment for evaluators throughout the state.

Does this proposal require a statutory change? Yes No

Does this proposal have an information technology component? Yes No

Does this proposal require data collection or reporting? Yes No

Proposed fund source: General Fund

Estimated Cost (Rounded to thousands) *

| Fiscal Year | 2024-25 (BY) | 2025-26 (BY+1) | 2026-27 (BY+2) | 2027-28 (BY+3) | 2028-29 (BY+4) |
|---|-----------------|-------------------|-------------------|-------------------|-------------------|
| Positions | 2 | 2 | 2 | 2 | 2 |
| Personal Services | \$381 | \$381 | \$381 | \$381 | \$381 |
| Operating Expenses & Equipment | \$94 | \$71 | \$71 | \$71 | \$71 |
| Local Assistance | \$11,800 | \$10,000 | \$10,000 | \$10,000 | \$10,000 |
| Total | \$12,275 | \$10,452 | \$10,452 | \$10,452 | \$10,452 |
| One-time | \$1,800 | | | | |
| Ongoing | \$10,475 | \$10,452 | \$10,452 | \$10,452 | \$10,452 |

*Please include all costs associated with request including costs for other offices and courts.

Problem or Issue

The United States is facing an unprecedented mental health crisis and its impact is felt on the court and criminal justice system. Courts do not have sufficient resources to effectively implement legislative mandates to divert people with mental illness out of the system and they struggle to keep up with the increased need for incompetent to stand trial (IST) evaluations. This proposal is intended to address these

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(4 Page Maximum Length)

issues by developing a pilot program and conducting an evaluation for a mental health diversion court, providing funding for the courts to improve the timeliness and quality of IST evaluations, and developing resources for the courts to identify and retain qualified mental health evaluators.

Challenges implementing Mental Health Diversion (\$1.8 million one-time in 2024-25 for pilot program): AB 1810, signed into law in 2018, authorized courts to divert certain individuals, whose mental illness played a role in their charged offense, away from typical criminal justice proceedings and into treatment. Unfortunately, no funding was made available to support the courts in implementing the programs and implementation efforts varied throughout the state. Courts report having a lack of service options available to which participants can be referred and express public safety concerns about not having supervision.

Timeliness and quality issues related to IST evaluations (\$10 million ongoing):

When doubt about a defendant's mental competency is raised, court proceedings must be suspended until the defendant is evaluated to determine whether they are competent to continue through court proceedings or whether they are incompetent to stand trial (IST). During this suspension, defendants are typically held in jails where they can further decompensate as jail facilities are not designed to adequately provide mental health treatment that meets their level of need. The trial courts are responsible for paying for court-appointed evaluators from their operating budget and struggle with identifying qualified evaluators that will accept their rates. The lack of qualified evaluators impacts the wait times and the quality of the reports. Courts have reported that defendants often remain unmedicated and decompensating while in jail awaiting transfer to a state hospital or other competency restoration program.

Background/History of Problem

Many individuals in the criminal justice system struggle with mental illness. An estimated 56% of people in state prison, and 64% of people in jail have a mental health issue. Mental illness is a barrier to individual's access to justice and it creates a workload burden on the courts. There are opportunities to ensure access to effective and efficient justice and preserve due process rights at many stages in the adjudication process. This proposal focuses on both diverting appropriate individuals away from the criminal justice system and on preserving the rights of other individuals who may be unable to participate effectively in the adjudication process due to their mental illness.

Mental Health Diversion Pilot Project:

In 2018, the state Legislature passed AB 1810 that authorized the courts to develop mental health diversion programs; however, the lack of funding and program implementation guidance has been a barrier to widescale implementation of the programs. Courts report challenges related to the lack of service availability and supervision options and are reluctant to process cases through mental health diversion without those components in place. Mental Health Courts and other collaborative justice model courts have been proven to be effective in reducing recidivism by providing participants with treatment, services and on-going judicial monitoring. Most mental health courts operate as post-sentencing models in which participants engage in the program as a condition of their probation sentences; however, some counties report success with pre-plea mental health courts.

Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)

If funded, this project would support up to three pilot collaborative justice model mental health diversion programs for three years. By modeling these programs after evidence based collaborative justice courts, they will address the main challenges that courts point to impeding the success and expansion of the diversion programs—the lack of mental health services and supervision. If the pilot proves to be successful, information gathered from the program will be used to develop an on-going training and technical assistance program for courts throughout the state. One Senior Analyst will be devoted to developing and implementing a data collection and program evaluation component that will identify promising practices.

Support to Improve Timeliness and Quality of IST Evaluations:

Foundational to due process, U.S. and California courts have long determined that a person who is mentally incompetent cannot be tried or adjudicated of their pending criminal charges. (*Pate v. Robinson* (1966) 383 U.S. 375; *People v. Samuel* (1981) 29 Cal.3d 489). When doubt about a defendant's mental competency is raised, the trial court must appoint and pay for a psychiatrist or licensed psychologist to evaluate the defendant. (Pen. Code, § 1369(a)(1).) The evaluator must assess the defendant's alleged mental disorder and the ability to understand the proceedings and assist counsel in their defense. If the evaluator is a psychiatrist, they can address whether psychiatric medication is necessary. (Pen. Code, § 1369(a)(2).)

Felony IST referrals to the Department of State Hospitals (DSH) have increased nearly 80% from 2013-14 to 2021-22, according to the most recent data available. This increase is also reflected in the number of filings for declaring doubt about the defendant's competency and suspension of proceedings (Pen. Code, § 1368). From 2010-11 to 2018-19, Penal Code section 1368 (including both felony and misdemeanor) filings increased from 7,547 annually to 22,638 annually, an increase of nearly 200%.

Although the rates of evaluations vary based on a number of factors, national subject matter experts suggest that a thorough competency evaluation costs approximately \$950. Using this rate and assuming a 16% annual increase (the average increase over the 5 years prior to the Covid-19 pandemic), approximately \$10 million is needed annually to cover the estimated increased costs between 2022-23 (30,146 evaluations x \$950 = \$28,639,776) and estimated 2024-25 (estimated 40,565 evaluations x \$950 = \$38,536,337 or rounded \$28.6-38.5 = \$9.9 million) alone.

If funded, this proposal will assist courts in offsetting the cost of competency evaluations and support Judicial Council costs related to the development and maintenance of an inventory of evaluators that courts can use when appointing qualified experts. One analyst will be devoted to identifying and maintaining a list of evaluators throughout the state, maintaining information related to evaluator fee schedules, implementing a recruitment program that may include partnering with medical schools, and developing an online resource for courts that includes information on evaluator requirements.

With the exception of the 1.0 analyst and 1.0 senior analyst (estimated at \$381,000 including wages, benefits and overhead costs) the requested funding will be allocated directly to the courts. \$1.8 million in one-time funding will be awarded to up to three courts for a three-year pilot program to develop

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

collaborative justice model mental health diversion programs. \$10 million will be allocated to the trial courts to fund the increased costs of competency evaluations. This funding request is needed to offset the impact of the increase in costs associated with IST evaluations. The allocation methodology for the court funding will be identified by the Trial Court Budget Advisory Committee in consultation with the Collaborative Justice Courts Advisory Committee and may utilize PC §1368 filings data reported by courts in Judicial Branch Statistical Information System (JBSIS).

Impact of Denial of Proposal

By denying this proposal, trial courts will continue to experience delays in the time it takes to receive an evaluation after doubt is declared. Some courts wait four to six weeks to receive the report, and more complicated cases can take even longer. These delays will impact court calendars and can cause defendants to wait in jail without access to needed treatment. Denying this proposal will also continue to strain the court budgets. Courts report needing to adjust budgets and staffing to accommodate the increased costs related to IST evaluations, including carrying personnel vacancies to offset evaluation costs.

Outcomes and Accountability of Proposal

Funding allocations will be distributed to all counties in the first year. The Judicial Council will have improved data reporting by all courts that include disaggregated mental health filing data. Courts will have access to an established and regularly updated inventory of qualified competency evaluators. The Judicial Council will have improved data tracking on actual court expenditures on competency to stand trial evaluations.

Required Review/Approval

Trial Court Budget Advisory Committee
Collaborative Justice Courts Advisory Committee

Proposal is Consistent with the Following Strategic Plan Goals/Other Considerations

Goal I: Access, Fairness, and Diversity
Goal II: Independence and Accountability
Goal III: Modernization and Management of Administration

Approval

I certify that I have reviewed this concept and an accurate, succinct, well written, and effectively justified request is being submitted.

Tracking
Number: 24-21

**Judicial Branch
2024-25 Budget Change Proposal Concept
(4 Page Maximum Length)**

Director Signature: *Francine Byrne*

Contact Name: William Vongdeuane

Input from other Advisory Bodies



Judicial Council of California
Trial Court Budget Advisory Committee

www.courts.ca.gov/tcbac.htm

tcbac@jud.ca.gov

TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

February 24, 2023
12:00 p.m. – 2:00 p.m.

<https://jcc.granicus.com/player/event/2252>

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Wendy G. Getty, Hon. Kimberly A. Gaab, Hon. Patricia L. Kelly, Hon. Erick L. Larsh, Hon. Michael J. Reinhart, Hon. Michael A. Sachs, and Hon. Kevin M. Seibert.

Executive Officers: Ms. Rebecca Fleming (Vice Chair), Mr. Chad Finke, Mr. James Kim, Mr. Shawn Landry, Ms. Krista LeVier, Mr. Brandon E. Riley, Mr. Chris Ruhl, Mr. Neal Taniguchi, and Mr. David Yamasaki.

Advisory Body Members Absent: Hon. Jill C. Fannin, Hon. Kimberly Merrifield, Ms. Kim Bartleson, and Ms. Stephanie Cameron.

Others Present: Hon. David Kalemkarian, Hon. David Rubin, Mr. John Wordlaw, Mr. Zlatko Theodorovic, Ms. Fran Mueller, Ms. Brandy Olivera, Mr. Jessie Romine, Ms. Rose Lane, and Ms. Jesse Henderson.

OPEN MEETING

Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 12:10 p.m. and took roll call.

Approval of Minutes

The advisory body reviewed and approved minutes from the January 13, 2023 Trial Court Budget Advisory Committee (TCBAC) virtual meeting and the February 9, 2023 TCBAC Action by E-mail Between Meetings.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1 – Trial Court Budget Change Proposals for 2024-25 (Action Required)

Finalization of the 2024-25 budget change proposal concepts from the trial courts for consideration by the Judicial Branch Budget Committee.

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

Action: TCBCAC voted to finalize and prioritize the 2024-25 budget change concept proposals for the trial courts for consideration by the Judicial Branch Budget Committee at its March 14, 2023, meeting as follows:

1. Inflationary Adjustment (Consumer Price Index)
2. Facilities Funding
3. Additional Judgeships
4. Self-Help Funding
5. Mental Health Funding – Mental Health Diversions and Forensic, Psychological, and Mental Health Evaluations

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1 – 2023 Trial Court Budget Advisory Committee Annual Agenda

Update on the agenda approved by the Judicial Branch Budget Committee for 2023.

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

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 1:54 p.m.

Approved by the advisory body on March 9, 2023.



JUDICIAL COUNCIL OF CALIFORNIA

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HON. PATRICIA GUERRERO
Chief Justice of California
Chair of the Judicial Council

MS. MILLICENT TIDWELL
Acting Administrative Director,
Judicial Council

TECHNOLOGY COMMITTEE

HON. KYLE S. BRODIE
Chair

HON. C. TODD BOTTKE
Vice-Chair

Hon. Kevin C. Brazile
Hon. Jonathan B. Conklin
Hon. Carol A. Corrigan
Ms. Rebecca J. Fleming
Mr. David D. Fu
Hon. Glenn Mondo

Date

March 16, 2023

Action Requested

Please Review

To

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

Deadline

N/A

Contact

Kyle S. Brodie
kbrodie@sb-court.org

Heather L. Pettit
Heather.Pettit@jud.ca.gov

From

Hon. Kyle S. Brodie,
Chair, Judicial Council Technology
Committee

Subject

Technology-Related Budget Change
Concepts for FY 2024-25

This letter is to provide you, in your role as Chair of the Judicial Branch Budget Committee (JBBC), with the Technology Committee's review of the technology-related Budget Change Concepts (BCCs) at the March 13 Technology Committee meeting. These concepts were to be evaluated by affected entities to allow comment or determine if they are appropriate.

The Technology Committee is charged with overseeing the council's policies concerning technology and the funding of branchwide initiatives and projects. Under the California Rules of Court, rule [10.16\(g\)](#), the committee "*reviews, prioritizes, and recommends requests for the funding of branchwide technology initiatives and projects with input from advisory committees. Factors to be considered by the committee include overall return on investment, business risk, alignment with the technology goals approved by the council in the strategic technology plan, and the availability of sufficient funding from an identifiable funding source.*"

The Technology Committee reviewed four BCCs (summaries follow) to ensure that they were in alignment with the Judicial Council's *Strategic and Tactical Plans for Technology*.

BCC Summaries:

Requesting Entity: Judicial Council Administration Division: Branch Accounting and Procurement

Proposal Title: Phoenix Payroll and Innovation Support

Project Summary:

The budget change requested is to support continued innovations and the expansion of the SAP enterprise resource management system and administrative services provided by Branch Accounting and Procurement for the trial courts. The proposal includes \$732,000 in personal services for 4.0 full time positions and \$507,000 for operating expenses in fiscal year 2024-25, and \$732,000 in ongoing personal services for those same 4.0 full time positions and \$460,000 in annual operating expenses for fiscal year 2025-26 and ongoing. This proposal is a continuation of the FY 2019-20 BCP, which was the first step of a multi-step upgrade and expansion of the Phoenix payroll solution to several more courts. The newly requested resources will allow the Phoenix Program to maintain the software investment now that the final steps of the upgrade are being completed, and improve and extend the Phoenix payroll solution further, since several new courts have expressed an interest.

Requesting Entity: Data Analytics Advisory Committee

Proposal Title: Data Governance and Analytics

Project Summary:

The Judicial Council of California (JCC) requests \$1.1 million one-time General Fund in 2024-25 and \$1.0 million one-time General Fund in 2025-26 and 2026-27; and 5.0 positions and \$17.3 million ongoing General Fund beginning in 2024-25 to fund investments in data and information governance needed to improve and expand judicial branch data access, use, and sharing in trial courts. This proposal builds on previous, incremental investments in branch data analytics and aligns with investment in branch technological infrastructure to modernize data management protocols and platforms for ongoing data collection and data management. This proposal also funds data analytics resources in trial courts to meet new and ongoing data reporting requirements and to increase local use of analytics for decision making and planning.

Requesting Entity: Courts of Appeal

Proposal Title: Proposition 66 Costs in Courts of Appeal

Project Summary:

The Judicial Council of California (JCC) requests 14.5 positions and \$9.5 million for 2024-25 and \$9.2 million ongoing General Fund for the Courts of Appeal to address the new workload associated with the implementation of Proposition 66 (Prop 66), the Death Penalty Reform and Savings Act of 2016.

Requesting Entity: Judicial Council Operations & Programs Division: Information Technology

Proposal Title: Additional Funding for Remote Access to Court Proceedings

Project Summary:

The Judicial Council of California (JCC) requests an additional \$40-80 million one-time funding over two years to meet the requirements of BCP 250-125-BCP-2022-GB for remote access to court proceeding using audio and video. The JCC received BCP funding for fiscal years 2022-2023 and 2023-24 for the implementation of AB 716 to upgrade courtroom audio and video (AV) for remote access to proceedings. The original proposed funding was based on 2020 pre-pandemic pricing and was intended to upgrade AV in 1775 courtrooms built before the year 2000. However, during the height of the pandemic supply chain and labor issues occurred, and prices for AV equipment have sky-rocketed to three times the original cost and have also delayed delivery of equipment by months. The current funding is no longer enough to upgrade video in all the eligible courtrooms; in fact, it can only support upgrading audio only. Due to continued price increases, video must not be deferred. This funding request is to address the shortfall for courtroom video upgrades.

Technology Committee Review

The Technology Committee hear the presentations of the concepts and did not express any concerns with their development. The committee also found all of the potential BCCs to be in alignment with the Judicial Council's *Strategic and Tactical Plans for Technology*.

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

Sincerely,



Hon. Kyle S. Brodie, Chair
Judicial Council Technology Committee

CC: Judicial Council Technology Committee
Judicial Branch Budget Committee
Ms. Millicent Tillwell, Acting Administrative Director
Mr. Robert Oyung, Chief Operating Officer

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

Title: 2023-24 Self-Help Annual Update
Date: 4/21/2023
Contact: Nicholas Armstrong, Senior Research Analyst, Office of Court Research,
Business Management Services

Issue

This report is to inform the trial courts of the latest three-year population average derived from data published by the California Department of Finance. Specifically, this report serves to keep the courts aware of population shifts and how those shifts could impact self-help funding allocations when the next three-year update is conducted in 2024-25.

Background

At its September 21, 2018 business meeting, the Judicial Council adopted the following policy recommendations for the allocation of self-help funding effective for the 2019-20 allocations and ongoing¹:

1. Adopt a three-year population update schedule using rolling three-year average population data;
2. Provide annual population updates to trial courts using rolling three-year average data for informational purposes only; and
3. Maintain the current self-help allocation baseline of \$34,000 per court and revisit in 2021 after the November 30, 2020 report to the Legislature.

On July 9, 2021, the council voted to approve the continued use of the \$34,000 base with the remainder of the funds allocated by proportion of state population². The three previous recommendations were retained.

This report responds to #2 of the approved council recommendations to provide a yearly, informational only update of the rolling three-year population average. This will keep courts aware of population shifts and allow preparation for potential funding changes that could occur

¹ Judicial Council meeting report (September 21, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6631465&GUID=98405B9A-39EF-4D54-8C11-BAC963D1239D>; Judicial Council meeting minutes (September 21, 2018), <https://jcc.legistar.com/View.ashx?M=M&ID=559788&GUID=1AF2481A-79EE-44AD-A8E6-1D5F9E02CC7A>.

² Judicial Council meeting report (July 9, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9481308&GUID=D05A08D1-E39B-4880-BCA1-A551C9B8F20C>; Judicial Council meeting minutes (July 9, 2021), <https://jcc.legistar.com/View.ashx?M=M&ID=803683&GUID=7A91FDD5-4839-4018-9831-79E23D4383BF>.

from the allocation recalculation done every three years. The next allocation recalculation is scheduled for 2024-25.

Population Update

The allocation methodology for self-help funding has two components; a baseline level of funding and then a proportionate share of funding based on county population relative to the total state population. The allocation of self-help funds through 2023-24 will remain unchanged and is based on the three-year average of population data using 2018, 2019, and 2020 data³. For purposes of informing the courts of population changes that may impact future allocations, an informational update of the most current three-year average of population data (2020, 2021, 2022) is provided.

Table 1 shows the current three-year population average used for the self-help allocation (2018-2020) with the corresponding percentage of the state total. This is followed by the updated three-year population average (2020-2022) with the new corresponding percentage of the state population. The population averages are shown in columns A and C, while the proportions to the state total are shown in columns B and D. Column E shows the percent change in population, whereas column F shows the change in the proportion of the state total.

Table 1: Population Average, Percentage of State Total, Percent Change in Population Average, and Change in State Population

| County | Allocation Population (3-Year Avg. 2018-20) | (%) of State Population | Informational Population Update (3-Year Avg. 2020-22) | (%) of State Population | (%) Change in Population Avg. | Change in (%) of State Population (D - B) |
|--------------|---|-------------------------|---|-------------------------|-------------------------------|---|
| | A | B | C | D | E | F |
| Alameda | 1,666,779 | 4.184% | 1,659,154 | 4.213% | (-0.46%) | 0.029% |
| Alpine | 1,153 | 0.003% | 1,180 | 0.003% | 2.37% | 0.000% |
| Amador | 38,021 | 0.095% | 39,419 | 0.100% | 3.68% | 0.005% |
| Butte | 221,459 | 0.556% | 205,733 | 0.522% | (-7.10%) | (-0.034%) |
| Calaveras | 45,099 | 0.113% | 45,107 | 0.115% | 0.02% | 0.002% |
| Colusa | 22,039 | 0.055% | 21,870 | 0.056% | (-0.77%) | 0.001% |
| Contra Costa | 1,152,934 | 2.894% | 1,155,911 | 2.935% | 0.26% | 0.041% |
| Del Norte | 27,307 | 0.069% | 27,347 | 0.069% | 0.15% | 0.000% |
| El Dorado | 191,158 | 0.480% | 191,679 | 0.487% | 0.27% | 0.007% |
| Fresno | 1,016,276 | 2.551% | 1,013,599 | 2.574% | (-0.26%) | 0.023% |
| Glenn | 29,109 | 0.073% | 29,040 | 0.074% | (-0.24%) | 0.001% |
| Humboldt | 134,879 | 0.339% | 134,515 | 0.342% | (-0.27%) | 0.003% |
| Imperial | 189,889 | 0.477% | 182,413 | 0.463% | (-3.94%) | (-0.014%) |
| Inyo | 18,585 | 0.047% | 18,848 | 0.048% | 1.42% | 0.001% |

³ E-1: California Department of Finance, Demographic Research Unit, Population Estimates for Cities and Counties and the State.

| County | Allocation Population (3-Year Avg. 2018-20) | (%) of State Population | Informational Population Update (3-Year Avg. 2020-22) | (%) of State Population | (%) Change in Population Avg. | Change in (%) of State Population (D - B) |
|-----------------|---|-------------------------|---|-------------------------|-------------------------------|---|
| | A | B | C | D | E | F |
| Kern | 913,273 | 2.292% | 911,322 | 2.314% | (-0.21%) | 0.022% |
| Kings | 152,993 | 0.384% | 152,090 | 0.386% | (-0.59%) | 0.002% |
| Lake | 64,731 | 0.162% | 66,354 | 0.169% | 2.51% | 0.007% |
| Lassen | 29,965 | 0.075% | 30,024 | 0.076% | 0.20% | 0.001% |
| Los Angeles | 10,236,799 | 25.695% | 9,976,059 | 25.333% | (-2.55%) | (-0.362%) |
| Madera | 158,859 | 0.399% | 157,461 | 0.400% | (-0.88%) | 0.001% |
| Marin | 262,532 | 0.659% | 259,012 | 0.658% | (-1.34%) | (-0.001%) |
| Mariposa | 18,088 | 0.045% | 17,395 | 0.044% | (-3.83%) | (-0.001%) |
| Mendocino | 88,751 | 0.223% | 89,459 | 0.227% | 0.80% | 0.004% |
| Merced | 282,142 | 0.708% | 283,188 | 0.719% | 0.37% | 0.011% |
| Modoc | 9,595 | 0.024% | 8,953 | 0.023% | (-6.69%) | (-0.001%) |
| Mono | 13,634 | 0.034% | 13,376 | 0.034% | (-1.89%) | (-0.000%) |
| Monterey | 443,279 | 1.113% | 436,610 | 1.109% | (-1.50%) | (-0.004%) |
| Napa | 140,387 | 0.352% | 137,566 | 0.349% | (-2.01%) | (-0.003%) |
| Nevada | 98,724 | 0.248% | 100,312 | 0.255% | 1.61% | 0.007% |
| Orange | 3,212,644 | 8.064% | 3,170,759 | 8.052% | (-1.30%) | (-0.012%) |
| Placer | 396,645 | 0.996% | 405,186 | 1.029% | 2.15% | 0.033% |
| Plumas | 19,271 | 0.048% | 18,924 | 0.048% | (-1.80%) | 0.000% |
| Riverside | 2,432,794 | 6.106% | 2,433,610 | 6.180% | 0.03% | 0.074% |
| Sacramento | 1,543,680 | 3.875% | 1,570,133 | 3.987% | 1.71% | 0.112% |
| San Benito | 60,579 | 0.152% | 64,245 | 0.163% | 6.05% | 0.011% |
| San Bernardino | 2,182,559 | 5.478% | 2,181,811 | 5.541% | (-0.03%) | 0.063% |
| San Diego | 3,344,199 | 8.394% | 3,302,363 | 8.386% | (-1.25%) | (-0.008%) |
| San Francisco | 888,546 | 2.230% | 860,671 | 2.186% | (-3.14%) | (-0.044%) |
| San Joaquin | 767,587 | 1.927% | 780,058 | 1.981% | 1.62% | 0.054% |
| San Luis Obispo | 279,251 | 0.701% | 279,083 | 0.709% | (-0.06%) | 0.008% |
| San Mateo | 773,961 | 1.943% | 755,773 | 1.919% | (-2.35%) | (-0.024%) |
| Santa Barbara | 453,297 | 1.138% | 446,450 | 1.134% | (-1.51%) | (-0.004%) |
| Santa Clara | 1,957,618 | 4.914% | 1,915,881 | 4.865% | (-2.13%) | (-0.049%) |
| Santa Cruz | 274,323 | 0.689% | 267,830 | 0.680% | (-2.37%) | (-0.009%) |
| Shasta | 178,363 | 0.448% | 180,029 | 0.457% | 0.93% | 0.009% |
| Sierra | 3,207 | 0.008% | 3,218 | 0.008% | 0.34% | 0.000% |
| Siskiyou | 44,552 | 0.112% | 44,075 | 0.112% | (-1.07%) | (-0.000%) |
| Solano | 440,441 | 1.106% | 445,472 | 1.131% | 1.14% | 0.025% |
| Sonoma | 498,996 | 1.253% | 486,144 | 1.235% | (-2.58%) | (-0.018%) |
| Stanislaus | 557,435 | 1.399% | 552,045 | 1.402% | (-0.97%) | 0.003% |
| Sutter | 98,493 | 0.247% | 99,797 | 0.253% | 1.32% | 0.006% |
| Tehama | 64,518 | 0.162% | 65,184 | 0.166% | 1.03% | 0.004% |

| County | Allocation Population (3-Year Avg. 2018-20) | (%) of State Population | Informational Population Update (3-Year Avg. 2020-22) | (%) of State Population | (%) Change in Population Avg. | Change in (%) of State Population (D - B) |
|--------------|---|-------------------------|---|-------------------------|-------------------------------|---|
| | A | B | C | D | E | F |
| Trinity | 13,624 | 0.034% | 15,208 | 0.039% | 11.63% | 0.005% |
| Tulare | 478,308 | 1.201% | 476,150 | 1.209% | (-0.45%) | 0.008% |
| Tuolumne | 54,749 | 0.137% | 55,002 | 0.140% | 0.46% | 0.003% |
| Ventura | 852,852 | 2.141% | 838,321 | 2.129% | (-1.70%) | (-0.012%) |
| Yolo | 221,852 | 0.557% | 219,893 | 0.558% | (-0.88%) | 0.001% |
| Yuba | 77,177 | 0.194% | 80,924 | 0.206% | 4.86% | 0.012% |
| Total | 39,839,959 | 100% | 39,379,233 | 100% | | |