



Judicial Council of California

Judicial Branch Budget Committee

JUDICIAL BRANCH BUDGET COMMITTEE

MATERIALS FEBRUARY 20, 2025

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Judicial Council of California
Judicial Branch Budget Committee

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

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JUDICIAL BRANCH BUDGET COMMITTEE

NOTICE AND AGENDA OF OPEN IN-PERSON MEETING

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

THIS MEETING IS BEING RECORDED

Date: Thursday, February 20, 2025
Time: 12:30 p.m. - 3:30 p.m.
Location: 455 Golden Gate Avenue, San Francisco, CA 94102, Catalina Room
Public Call-in Number: <https://jcc.granicus.com/player/event/4028>

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

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [insert e-mail address].

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

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

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the January 29, 2025, Judicial Branch Budget Committee meeting.

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

In-Person Public Comment

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least one hour prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to JBBC@jud.ca.gov. Only written comments received by 12:30 p.m. on Wednesday, February 19, 2025, will be provided to advisory body members prior to the start of the meeting.

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

Item 1

Fiscal Year (FY) 2024–25 Allocations for Dependency Counsel Collections Program and Expected Unspent Program Funding (Action Required)

Consideration of FY 2024–25 allocations for Dependency Counsel Collections Program and expected unspent program funding.

Presenters: Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Kelly Meehleib, Supervising Analyst, Judicial Council Center for Families, Children & the Courts

Item 2

FY 2026–27 Judicial Branch Budget Change Concepts (Action Required)

Review of FY 2026–27 budget change concepts for the judicial branch.

Facilitator: Hon. Ann C. Moorman, Chair, Judicial Branch Budget Committee

IV. ADJOURNMENT

Adjourn

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

Title: **Fiscal Year (FY) 2024–25 Allocations for Dependency Counsel Collections Program and Expected Unspent Program Funding**

Date: 2/20/2025

Contact: Kelly Meehleib, Supervising Analyst, Judicial Council Center for Families, Children & the Courts | kelly.meehleib@jud.ca.gov | 916-263-1693

Penelope Davis, Senior Analyst, Judicial Council Center for Families, Children & the Courts | penny.davis@jud.ca.gov | 415-865-7421

Issue

Consider the following two recommendations from the Trial Court Budget Advisory Committee for the redistribution of funding for court-appointed juvenile dependency counsel for fiscal year (FY) 2024–25, for consideration by the Judicial Council at its April 25, 2025, business meeting:

- (1) Under the Juvenile Dependency Counsel Collections Program (JDCCP), and as authorized in Welfare and Institutions Code section 903.1, courts collect reimbursements from parents and other responsible persons liable for the cost of dependency-related legal services to the extent that those persons are able to pay. Allocate \$363,458, which is the FY 2023–24 statutorily restricted JDCCP funds remitted in excess of dependency counsel program administrative costs to trial courts according to the methodology adopted by the Judicial Council at its August 23, 2013, business meeting.
- (2) Reallocate \$843,000 in unspent dependency counsel funding from courts that have identified funds they do not intend to spend to courts funded at below the average statewide funding level pursuant to Judicial Council action in April 2015.

Background

Juvenile Dependency Counsel Collections Program

At its meeting on October 26, 2012, the Judicial Council adopted the JDCCP guidelines,¹ which fulfilled the council’s legislative mandate to establish a program to collect reimbursement from parents or minors demonstrating an ability to pay.² Additional amendments were adopted by the council at its meeting on August 23, 2013, regarding the issue of equitable allocation of

¹ The guidelines took effect January 1, 2013, and are published as Appendix F of the California Rules of Court. See www.courts.ca.gov/documents/appendix_f.pdf.

² Judicial Council of Cal., *Juvenile Dependency: Counsel Collections Program* (Sept. 14, 2012), www.courts.ca.gov/documents/jc-20121026-itemA20.pdf.

funds remitted through the JDCCP.³ The council then allocated funds remitted through the JDCCP for the first time at its meeting on February 20, 2014.⁴ Since then, the council has allocated available funds to eligible trial courts annually.

In FY 2023–24, the trial courts remitted a total of \$622,982. The statute requires the council to allocate the remitted monies in excess of dependency counsel program administrative costs to the trial courts for the purpose of reducing court-appointed attorney caseloads to the council’s approved standard.

For a court to be eligible to receive an allocation of these funds, it must meet the participation and funding need requirements described in section 14 of the JDCCP guidelines.⁵ Every court that satisfies those requirements receives an allocation. The amount of JDCCP funds each eligible court receives is determined by the court’s share of the aggregate funding need of all eligible courts. Estimates of courts’ funding needs are computed using the dependency workload model approved by the council in April 2016⁶, and then updated in July 2016⁷ and July 2022.⁸

Attachment A displays the recommended allocation amount for each court.

Court-Appointed Counsel Funding Reallocation

At its business meeting on April 17, 2015, the council approved a methodology for reallocating funds unspent by courts for court-appointed counsel in dependency cases.⁹

Program staff contacted trial courts¹⁰ to inquire whether the court anticipated any unspent court-appointed counsel funding for FY 2024–25. Of those courts, five confirmed that they would not spend the full allocation and provided an estimate of unspent funding. Attachment B shows the total \$843,000 estimate and proposed reallocation. Under the reallocation methodology adopted at the Judicial Council business meeting on April 17, 2015, funds are

³ Judicial Council of Cal., *Juvenile Dependency: Counsel Collections Program Guidelines* (Aug. 15, 2013), www.courts.ca.gov/documents/jc-20130823-itemF.pdf.

⁴ Judicial Council of Cal., *Trial Court Allocations: Criminal Justice Realignment, Court-Appointed Dependency Counsel, and Workers’ Compensation Liabilities* (Feb. 10, 2014), www.courts.ca.gov/documents/jc-20140220-itemJ.pdf.

⁵ As described in section 14 of the JDCCP guidelines, a court can demonstrate its participation in the program by submitting annual reports as required by section 13 and adopting a local rule or policy to inquire regarding a responsible person’s ability to reimburse the cost of appointed counsel at each dispositional hearing.

⁶ Judicial Council of Cal., *Juvenile Dependency: Court-Appointed Dependency Counsel Workload and Funding Methodology* (Apr. 1, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4382676&GUID=E8BCCA8A-5DED-48C3-B946-6E21EBB0BEAF>.

⁷ Judicial Council of Cal., *Juvenile Dependency: Court-Appointed Dependency Counsel Workload and Funding Methodology Options* (Jul. 18, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4572873&GUID=C33C7410-DDA2-451A-9004-024D84910504>.

⁸ Judicial Council of Cal., *Trial Court Budget: Fiscal Year 2022–23 Allocation of Court-Appointed Juvenile Dependency Counsel Funding* (Jun. 24, 2022),

<https://jcc.legistar.com/View.ashx?M=F&ID=11019079&GUID=CB0A2EE1-B3CF-43AC-B92B-F4724B5D209C>.

⁹ Judicial Council of Cal., *Juvenile Dependency: Court-Appointed-Counsel Funding Reallocation* (Apr 8, 2015), <http://www.courts.ca.gov/documents/jc-20150417-itemI.pdf>

¹⁰ Program staff contacted 38 of the 58 trial courts as the Judicial Council administers the court-appointed dependency counsel budget for the remaining 20 courts through the Dependency Representation, Administration, Funding, and Training program.

reallocated proportionally by workload to courts that (1) did not remit unspent funds, and (2) are not fully funded to their need.

To ensure use of the reallocation funds, additional outreach to eligible trial courts was conducted to confirm the court's ability to completely expend funds during the fiscal year. Declined funds were placed back in the pool and reallocated to those courts eligible for and accepting additional funds.¹¹

Recommendation

Approve the following FY 2024–25 allocations for court-appointed counsel funding for consideration by the Judicial Council at its April 25, 2025, business meeting:

1. Allocate Juvenile Dependency Counsel Collections Program funds of \$363,458 remitted in FY 2023–24 (Attachment A); and
2. Allocate FY 2024–25 estimated unspent dependency counsel funding of \$843,000 from courts that have identified funds they do not intend to spend to courts that are not fully funded to their need (Attachment B).

Attachments

1. **Attachment A:** Recommended Fiscal Year 2024–2025 Trial Court Allocations of Juvenile Dependency Counsel Collections Program Funds
2. **Attachment B:** Recommended Fiscal Year 2024–2025 Trial Court Allocations of Court-Appointed Counsel Unspent Funding

¹¹ On an annual basis, a small amount of court-appointed counsel funds remain unspent at the end of the fiscal year.

	Estimated Funding Need (JC Report - July 2024)	Estimated Funding Need as Percentage of Statewide Need	Allocation of Court Appointed Counsel (CAC) Base Funding in 2024-25	Allocation as a Percentage of Total CAC Base Funding in 2024-25	Eligible for JDCCP Funding ¹	Funding Need of Eligible Courts	Need as a % of Total Need of Eligible Courts	Recommended Allocation of 2023-24 JDCCP Collections
		(Col. A Total)		(Col. C Total)		(Col. A when Col. E equals "Y")	(Col. F Total)	(Col. G x \$363,458)
Court	Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H
Alameda	\$5,507,175	2.24%	\$4,150,739	2.22%	N	-	0.00%	-
Alpine	\$19,301	0.01%	\$18,999	0.01%	N	-	0.00%	-
Amador	\$200,569	0.08%	\$155,513	0.08%	N	-	0.00%	-
Butte	\$1,276,798	0.52%	\$962,319	0.52%	N	-	0.00%	-
Calaveras	\$258,697	0.11%	\$231,546	0.12%	N	-	0.00%	-
Colusa†	\$99,107	0.04%	\$101,811	0.05%	N	-	0.00%	-
Contra Costa	\$3,343,233	1.36%	\$2,519,783	1.35%	N	-	0.00%	-
Del Norte	\$269,344	0.11%	\$269,768	0.14%	N	-	0.00%	-
El Dorado	\$601,436	0.25%	\$601,356	0.32%	N	-	0.00%	-
Fresno	\$6,778,404	2.76%	\$5,108,860	2.74%	N	-	0.00%	-
Glenn	\$142,637	0.06%	\$141,039	0.08%	N	-	0.00%	-
Humboldt	\$988,193	0.40%	\$744,798	0.40%	N	-	0.00%	-
Imperial	\$747,666	0.30%	\$809,029	0.43%	N	-	0.00%	-
Inyo	\$88,156	0.04%	\$85,907	0.05%	N	-	0.00%	-
Kern	\$5,481,045	2.23%	\$4,131,045	2.21%	Y	\$5,481,044.90	3.58%	\$13,008.49
Kings	\$1,093,705	0.45%	\$824,322	0.44%	Y	\$1,093,705.15	0.71%	\$2,595.76
Lake	\$184,195	0.08%	\$247,103	0.13%	N	-	0.00%	-
Lassen	\$184,025	0.08%	\$173,075	0.09%	N	-	0.00%	-
Los Angeles	\$115,214,556	46.96%	\$86,836,815	46.51%	Y	\$115,214,555.92	75.23%	\$273,445.51
Madera	\$998,990	0.41%	\$824,032	0.44%	N	-	0.00%	-
Marin	\$385,919	0.16%	\$386,687	0.21%	N	-	0.00%	-
Mariposa	\$86,998	0.04%	\$75,764	0.04%	N	-	0.00%	-
Mendocino	\$704,430	0.29%	\$662,845	0.36%	N	-	0.00%	-
Merced	\$1,548,128	0.63%	\$1,166,819	0.62%	N	-	0.00%	-
Modoc	\$48,248	0.02%	\$65,582	0.04%	N	-	0.00%	-
Mono	\$32,047	0.01%	\$26,958	0.01%	N	-	0.00%	-
Monterey	\$694,915	0.28%	\$528,532	0.28%	N	-	0.00%	-
Napa	\$469,074	0.19%	\$356,764	0.19%	N	-	0.00%	-
Nevada	\$193,343	0.08%	\$193,301	0.10%	N	-	0.00%	-
Orange	\$12,943,647	5.28%	\$9,755,582	5.23%	N	-	0.00%	-
Placer	\$849,058	0.35%	\$645,769	0.35%	N	-	0.00%	-
Plumas	\$91,447	0.04%	\$128,921	0.07%	N	-	0.00%	-
Riverside	\$15,792,508	6.44%	\$11,902,759	6.38%	Y	\$15,792,508.06	10.31%	\$37,481.29
Sacramento	\$6,269,231	2.56%	\$4,725,098	2.53%	N	-	0.00%	-
San Benito	\$124,742	0.05%	\$94,875	0.05%	N	-	0.00%	-
San Bernardino	\$21,326,805	8.69%	\$16,073,940	8.61%	N	-	0.00%	-
San Diego	\$8,073,185	3.29%	\$6,084,732	3.26%	Y	\$8,073,185.00	5.27%	\$19,160.57
San Francisco	\$4,131,224	1.68%	\$3,113,689	1.67%	N	-	0.00%	-
San Joaquin	\$4,223,902	1.72%	\$3,183,540	1.71%	N	-	0.00%	-
San Luis Obispo	\$940,973	0.38%	\$732,191	0.39%	N	-	0.00%	-
San Mateo	\$952,983	0.39%	\$724,811	0.39%	N	-	0.00%	-
Santa Barbara	\$1,911,090	0.78%	\$1,440,382	0.77%	N	-	0.00%	-
Santa Clara	\$3,270,112	1.33%	\$2,464,672	1.32%	Y	\$3,270,112.09	2.14%	\$7,761.15
Santa Cruz	\$586,717	0.24%	\$584,471	0.31%	N	-	0.00%	-
Shasta	\$1,236,665	0.50%	\$932,070	0.50%	N	-	0.00%	-
Sierra	\$34,732	0.01%	\$36,894	0.02%	N	-	0.00%	-
Siskiyou	\$175,297	0.07%	\$255,222	0.14%	N	-	0.00%	-
Solano	\$1,520,292	0.62%	\$1,145,839	0.61%	N	-	0.00%	-
Sonoma	\$2,170,223	0.88%	\$1,635,689	0.88%	N	-	0.00%	-
Stanislaus	\$1,800,657	0.73%	\$1,357,149	0.73%	N	-	0.00%	-
Sutter	\$418,535	0.17%	\$337,171	0.18%	N	-	0.00%	-
Tehama	\$308,871	0.13%	\$313,954	0.17%	N	-	0.00%	-
Trinity	\$75,925	0.03%	\$83,204	0.04%	N	-	0.00%	-
Tulare	\$3,474,774	1.42%	\$2,618,925	1.40%	Y	\$3,474,773.59	2.27%	\$8,246.89
Tuolumne	\$325,449	0.13%	\$300,491	0.16%	N	-	0.00%	-
Ventura	\$2,249,805	0.92%	\$1,695,670	0.91%	N	-	0.00%	-
Yolo	\$1,681,966	0.69%	\$1,267,692	0.68%	N	-	0.00%	-
Yuba	\$740,872	0.30%	\$563,486	0.30%	Y	\$740,871.98	0.48%	\$1,758.36
Unallocated	\$0		\$100,000					
Total	\$245,342,019		\$186,700,000			\$153,140,756.69	100.00%	\$363,458.00
Reserved for admin.								\$259,524.00
Distribution amount available to courts								\$363,458.00
Total collected								\$622,982.00

1. A court is eligible for an allocation if the court has met both the Funding Need and Participation requirements described in section 14 of the JDCCP Guidelines. This table indicates a court's eligibility to receive an allocation based on the Funding Need criteria. Courts that meet the Funding Need criteria must also meet the Participation requirements in order to receive an allocation.

	Estimated Funding Need (JC Report - July 2024)	Estimated Funding Need as Percentage of Statewide Need (Col. A Total)	Allocation of Court Appointed Counsel (CAC) Base Funding in 2024-25 (Col. C Total)	Allocation as a Percentage of Total CAC Base Funding in 2024-25 (Col. D Total)	Est. Unspent CAC Funding 2024-25 (Col. E)	Eligible for and Accepted Reallocated Funding (Col. F)	Funding Need of Eligible Courts (Col. A when Col. F equals "Y") (Col. G Total)	Need as a % of Total Need of Eligible Courts (Col. H Total)	Recommended 2024-25 CAC Reallocation (Col. I)
Court	Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I
Alameda	\$5,507,175	2.24%	\$4,150,739	2.22%	-	Y	\$5,507,174.93	2.60%	\$22,147.86
Alpine	\$19,301	0.01%	\$18,999	0.01%	-	N	-	0.00%	-
Amador	\$200,569	0.08%	\$155,513	0.08%	-	N	-	0.00%	-
Butte	\$1,276,798	0.52%	\$962,319	0.52%	-	N	-	0.00%	-
Calaveras	\$258,697	0.11%	\$231,546	0.12%	-	N	-	0.00%	-
Colusa	\$99,107	0.04%	\$101,811	0.05%	\$20,000	N	-	0.00%	-
Contra Costa	\$3,343,233	1.36%	\$2,519,783	1.35%	-	Y	\$3,343,233.03	1.58%	\$13,445.27
Del Norte	\$269,344	0.11%	\$269,768	0.14%	-	N	-	0.00%	-
El Dorado	\$601,436	0.25%	\$601,356	0.32%	-	N	-	0.00%	-
Fresno	\$6,778,404	2.76%	\$5,108,860	2.74%	-	Y	\$6,778,404.14	3.20%	\$24,577.16
Glenn	\$142,637	0.06%	\$141,039	0.08%	-	N	-	0.00%	-
Humboldt	\$988,193	0.40%	\$744,798	0.40%	-	Y	\$988,193.36	0.47%	\$3,582.99
Imperial	\$747,666	0.30%	\$809,029	0.43%	-	N	-	0.00%	-
Inyo	\$88,156	0.04%	\$85,907	0.05%	-	N	-	0.00%	-
Kern	\$5,481,045	2.23%	\$4,131,045	2.21%	-	Y	\$5,481,044.90	2.59%	\$22,042.78
Kings	\$1,093,705	0.45%	\$824,322	0.44%	-	N	-	0.00%	-
Lake	\$184,195	0.08%	\$247,103	0.13%	-	N	-	0.00%	-
Lassen	\$184,025	0.08%	\$173,075	0.09%	-	N	-	0.00%	-
Los Angeles	\$115,214,556	46.96%	\$86,836,815	46.51%	-	Y	\$115,214,555.92	54.40%	\$463,351.22
Madera	\$998,990	0.41%	\$824,032	0.44%	-	N	-	0.00%	-
Marin	\$385,919	0.16%	\$386,687	0.21%	-	N	-	0.00%	-
Mariposa	\$86,998	0.04%	\$75,764	0.04%	-	N	-	0.00%	-
Mendocino	\$704,430	0.29%	\$662,845	0.36%	-	N	-	0.00%	-
Merced	\$1,548,128	0.63%	\$1,166,819	0.62%	-	Y	\$1,548,128.19	0.73%	\$5,613.21
Modoc	\$48,248	0.02%	\$65,582	0.04%	-	N	-	0.00%	-
Mono	\$32,047	0.01%	\$26,958	0.01%	-	N	-	0.00%	-
Monterey	\$694,915	0.28%	\$528,532	0.28%	\$100,000	N	-	0.00%	-
Napa	\$469,074	0.19%	\$356,764	0.19%	\$5,000	N	-	0.00%	-
Nevada	\$193,343	0.08%	\$193,301	0.10%	-	N	-	0.00%	-
Orange	\$12,943,647	5.28%	\$9,755,582	5.23%	-	Y	\$12,943,647.11	6.11%	\$46,931.12
Placer	\$849,058	0.35%	\$645,769	0.35%	-	N	-	0.00%	-
Plumas	\$91,447	0.04%	\$128,921	0.07%	-	N	-	0.00%	-
Riverside	\$15,792,508	6.44%	\$11,902,759	6.38%	-	N	-	0.00%	-
Sacramento	\$6,269,231	2.56%	\$4,725,098	2.53%	-	Y	\$6,269,231.30	2.96%	\$25,212.58
San Benito	\$124,742	0.05%	\$94,875	0.05%	-	Y	\$124,742.14	0.06%	\$501.67
San Bernardino	\$21,326,805	8.69%	\$16,073,940	8.61%	-	Y	\$21,326,805.32	10.07%	\$85,768.69
San Diego	\$8,073,185	3.29%	\$6,084,732	3.26%	-	Y	\$8,073,185.00	3.81%	\$32,467.43
San Francisco	\$4,131,224	1.68%	\$3,113,689	1.67%	-	Y	\$4,131,223.57	1.95%	\$16,614.29
San Joaquin	\$4,223,902	1.72%	\$3,183,540	1.71%	-	Y	\$4,223,901.99	1.99%	\$16,987.00
San Luis Obispo	\$940,973	0.38%	\$732,191	0.39%	-	N	-	0.00%	-
San Mateo	\$952,983	0.39%	\$724,811	0.39%	-	N	-	0.00%	-
Santa Barbara	\$1,911,090	0.78%	\$1,440,382	0.77%	-	Y	\$1,911,090.23	0.90%	\$7,685.71
Santa Clara	\$3,270,112	1.33%	\$2,464,672	1.32%	-	Y	\$3,270,112.09	1.54%	\$13,151.21
Santa Cruz	\$586,717	0.24%	\$584,471	0.31%	-	N	-	0.00%	-
Shasta	\$1,236,665	0.50%	\$932,070	0.50%	-	Y	\$1,236,664.83	0.58%	\$4,973.42
Sierra	\$34,732	0.01%	\$36,894	0.02%	-	N	-	0.00%	-
Siskiyou	\$175,297	0.07%	\$255,222	0.14%	\$10,000	N	-	0.00%	-
Solano	\$1,520,292	0.62%	\$1,145,839	0.61%	-	Y	\$1,520,292.07	0.72%	\$6,114.06
Sonoma	\$2,170,223	0.88%	\$1,635,689	0.88%	-	Y	\$2,170,222.67	1.02%	\$8,727.85
Stanislaus	\$1,800,657	0.73%	\$1,357,149	0.73%	-	Y	\$1,800,656.70	0.85%	\$7,241.59
Sutter	\$418,535	0.17%	\$337,171	0.18%	-	N	-	0.00%	-
Tehama	\$308,871	0.13%	\$313,954	0.17%	-	N	-	0.00%	-
Trinity	\$75,925	0.03%	\$83,204	0.04%	-	N	-	0.00%	-
Tulare	\$3,474,774	1.42%	\$2,618,925	1.40%	\$708,000	N	-	0.00%	-
Tuolumne	\$325,449	0.13%	\$300,491	0.16%	-	N	-	0.00%	-
Ventura	\$2,249,805	0.92%	\$1,695,670	0.91%	-	Y	\$2,249,804.99	1.06%	\$9,047.90
Yolo	\$1,681,966	0.69%	\$1,267,692	0.68%	-	Y	\$1,681,965.51	0.79%	\$6,764.26
Yuba	\$740,872	0.30%	\$563,486	0.30%	-	N	-	0.00%	-
Unallocated	\$0		\$100,000						
Total	\$253,429,531		\$186,700,000		\$843,000		\$211,794,280	100.00%	\$842,949.26
Total Returned									\$843,000.00

**Judicial Branch
2026-27 Budget Change Concept Tracking List**

February 13, 2025

BCP Proposed for the 2025–26 Governor's Budget and was denied.

Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.

Tracking #	JCC Office/Branch Entity	Title	Description	# Positions	\$ Estimate (in thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
26-01	TCBAC	Inflationary Adjustment for Trial Courts (Consumer Price Index)	Requests \$66 million in Fiscal Year (FY) 2026–27 and ongoing to address general inflationary costs for the trial courts based on the Consumer Price Index published by the Department of Finance.	0.0	\$ 65,603	GF	TCBAC	TCBAC	BCP Proposed for the 2025–26 Governor's Budget and \$40 million funding was included in the Governor's Budget for increases in trial court operational costs.
26-02	TCBAC	Trial Court Equity Funding to Statewide Average	Requests \$45.3 million in FY 2026–27 and ongoing to fund all trial courts to at least the statewide average funding level as determined by the judicial branch's Workload Formula methodology.	0.0	\$ 45,324	GF	TCBAC	TCBAC	BCP Proposed for the 2025–26 Governor's Budget and was denied.
26-03	CFCC	Court-Appointed Dependency Counsel: Expanding Court Services, Supporting Federal Match, and Workload Study	Requests 12.0 positions including 1.0 two-year limited term position and \$3.8 million in FY 2026–27, \$2.6 million in FY 2027–28, \$2.3 million in FY 2028–29 and ongoing to support addition of 20 courts to the Dependency, Representation, Administration, Funding, and Training program; administration of the Federally Funded Dependency Representation Program to access up to \$66 million in federal match funds, and to conduct a workload study for court-appointed dependency counsel.	12.0	\$ 3,766	GF	TCBAC, FJLAC	FJLAC	Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.
26-04	CFCC	Language Access Expansion in the California Courts	Requests \$50 million in FY 2026–27 and ongoing to support the Strategic Plan for Language Access in the California Courts and ensure trial courts are fully funded for the provision of interpreter services in all case types.	0.0	\$ 50,000	GF	TCBAC	TCBAC	
26-05	LS	Litigation Management Program	Requests an ongoing augmentation of \$3 million in FY 2026–27 for the Litigation Management Program to support the defense and indemnity of all judicial branch entities.	0.0	\$ 3,000	GF	LMC	LMC	BCP Proposed for the 2025–26 Governor's Budget and was denied.
26-06		NO CONCEPT SUBMITTED							
26-07	LSS	Supreme Court Capital Court-Appointed Counsel Program	Requests \$3.5 million ongoing to support the Supreme Court's Capital Court-Appointed Counsel Program by providing a \$55 per hour rate increase for capital appeal appointments and a 30 percent increase in the contract for the California Appellate Court – San Francisco project office.	0.0	\$ 3,496	GF	CA- Supreme Court	CA- Supreme Court	BCP proposed for the 2025-26 Governor's Budget and was partially approved.
26-08	LSS	Courts of Appeal Court Appointed Counsel Program	Requests \$24.2 million ongoing to support a \$40 per hour rate increase for non-capital appeal appointments, for costs associated with electronic court transcripts, and for a 30 percent increase in annual contracts for the Courts of Appeal Court-Appointed Counsel Program.	0.0	\$ 24,152	GF	APJAC	APJAC	BCP proposed for the 2025-26 Governor's Budget and was partially approved.
26-09	LSS	Appellate Court Unarmed Security Guard – Expanded Coverage	Requests \$707,000 ongoing to provide additional unarmed security guards services for the evenings and weekends for the state-owned courthouses for the Courts of Appeal.	0.0	\$ 707	GF	APJAC	APJAC	
26-10	LSS	Appellate Court Facilities Staff	Requests 6.0 positions and \$1.3 million in FY 2026–27; 2.0 additional positions and an additional \$0.4 million in FY 2029–30 for a total ongoing amount of 8.0 positions and \$1.7 million to oversee building maintenance in four state-owned Courts of Appeal facilities.	6.0	\$ 1,331	GF	APJAC	APJAC	

**Judicial Branch
2026-27 Budget Change Concept Tracking List**

February 13, 2025

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (in thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
26-11	LSS	Racial Justice Act Retroactivity (AB 256) for the Appellate Courts and Trial Courts	Requests 17 positions and \$TBD million in FY 2026–27 ongoing to support statewide appellate court operations for adjudicating cases pursuant to the Racial Justice Act (RJA). Requests funding for the Supreme Court and Courts of Appeal, Supreme and Appellate Court Appointed Counsel Programs, and the trial courts to address the costs related to RJA support.	17.0	TBD	GF	APJAC	APJAC	
26-12	LSS	Seven California Highway Patrol – Judicial Protection Section (CHP-JPS) Officers	Requests \$2.7 million ongoing for California Highway Patrol Judicial Protection Section officers.	0.0	\$ 2,699	GF	APJAC	APJAC	
26-13	LSS	Proposition 66 in Courts of Appeal	Requests 14.5 positions and \$10.2 million in FY 2026–27 and \$9.8 million ongoing for the Courts of Appeal to address the new workload associated with the implementation of Proposition 66, Death Penalty Reform and Savings Act of 2016.	14.5	\$ 10,156	GF	APJAC	APJAC	Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.
26-14	LSS	Increase Appellate Court Staffing	Requests 18.0 positions and \$6.1 million in FY 2026–27 to continue to address the courts’ existing workload, reduce backlogs, and prevent case delays in appellate districts.	18.0	\$ 6,145	GF	APJAC	APJAC	
26-15		NO CONCEPT SUBMITTED							
26-16	FS	Facilities Program Support	Requests 6.0 positions and \$9.7 million in FY 2026–27 and FY 2027–28, and \$5.1 million ongoing in FY 2028–29 to provide court facilities planning services for facility modifications and capital projects.	6.0	\$ 9,680	GF	TCFMAC, TCBAC	TCFMAC	BCP Proposed for the 2025–26 Governor’s Budget and was denied.
26-17	FS	Orange Central Justice Center - Facility Modification	Requests \$28.1 million one-time to supplement previously approved funding for the completion of the active facility modification at the Central Justice Center in Orange County.	0.0	\$ 28,083	GF	TCFMAC, TCBAC	TCFMAC	
26-18	FS	Trial Court Facility Modifications	Requests 5.0 positions and \$27.9 million to address essential facility modifications of trial court building assets to maintain safe and secure buildings.	5.0	\$ 27,955	GF	TCFMAC, TCBAC	TCFMAC	Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.
26-19	FS	Trial Courts Facilities Maintenance and Utilities	Requests 3.0 positions and \$74.1 million ongoing to provide industry-standard facility operation and maintenance and utilities for the existing portfolio.	3.0	\$ 74,163	GF SCFCF Reimb.	TCFMAC, TCBAC	TCFMAC	
26-20	FS	Water Conservation and Leak Detection Measures in Courthouses	Requests \$22.4 million each year for three fiscal years to install water leak detection equipment and software at 160 courthouses, audit and replace outdated water fixtures at 136 Judicial Council managed courthouses older than 2011, and convert landscapes to drought tolerance.	0.0	\$ 22,364	GF SCFCF Reimb.	TCFMAC, TCBAC	TCFMAC	Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.
26-21	FS	Building Management Systems Guidelines and Assessment	Requests \$2.0 million ongoing to conduct a review of Facilities Services Building Management System guidelines and an initial assessment of fifteen facilities as a pilot program to establish ongoing annual Building Management System program in existing facilities.	0.0	\$ 2,000	GF	TCFMAC TCBAC	TCFMAC	
26-22	FS	Waterborne Pathogen Management Program Implementation	Requests 1.0 position and \$2.6 million in FY 2026–27, and \$2.3 million ongoing thereafter to support the Waterborne Pathogen Management Program designed to identify and manage actions to reduce the potential for Legionella in Judicial Council owned and managed facility water systems to prevent occupant exposure and illness.	1.0	\$ 2,604	GF	TCFMAC TCBAC	TCFMAC	Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.

**Judicial Branch
2026-27 Budget Change Concept Tracking List**

February 13, 2025

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (in thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
26-23	FS	Trial Court Deferred Maintenance	Requests 5.0 positions and \$133.9 million ongoing to support deferred maintenance projects for trial courts.	5.0	\$ 133,917	GF SCFCF Reimb.	TCFMAC TCBAC	TCFMAC	Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.
26-24	FS	Trial Court Physical Security Assessment and Evaluation	Requests 3.0 positions, \$2.8 million to conduct assessments, evaluations, and identification of physical security deficiencies in trial court facilities statewide.	3.0	\$ 2,825	GF	TCFMAC TCBAC CSAC	TCFMAC	BCP Proposed for the 2025–26 Governor's Budget and was denied.
26-25	FS	Courts of Appeal Deferred Maintenance, Facility Modification, and Maintenance	Requests \$19 million one-time and \$730,000 ongoing to address deferred maintenance projects and facility modifications for Court of Appeal facilities.	0.0	\$ 18,960	GF	APJAC	APJAC	
26-26	IT	Court Technology Remote Proceedings Program	Requests 8.0 positions and \$35 million to meet the Judicial Council's minimum technology standards for remote proceedings.	8.0	\$ 35,000	GF	Tech	Tech	
26-27	IT LSS	Appellate Court Information Technology Services and Operations	Requests \$250,000 one-time and \$2.25 million ongoing to support the completion of appellate reporting tools and the modernization of the Appellate Courts Case Management System.	0.0	\$ 2,500	GF	Tech	Tech	
26-28	IT	Modern Digital Courts' Systems Quality and Ongoing Support Services	Requests 11 positions and \$3.7 million ongoing for the operations and maintenance of performing and sustaining the work of the judicial branch modernization efforts and recruiting essential technical staff.	11.0	\$ 3,745	GF	Tech	Tech	
26-29	IT	Core Application Modernization and Sustained Operational Maintenance	Requests \$4 million one-time in FY 2026–27, \$2.5 million in FY 2027–28, and \$650,000 ongoing for the operations and maintenance of seven (7) judicial branch systems used to perform and sustain the operations of the trial and appellate courts.	0.0	\$ 4,000	GF	Tech	Tech	
26-30	HCRC	HCRC Case Team Staffing	Requests 30.0 positions and \$8.0 million in FY 2026–27; 20.0 positions and \$13.5 million in FY 2027–28; and 20 positions and \$19.0 million in FY 2028–29 to increase staff to address delays and backlog of unrepresented defendants in habeas cases.	30.0	\$ 8,005	GF	HCRC	HCRC	Concept submitted to the Judicial Branch Budget Committee in 2025–26 and was denied.
Total				139.5	\$ 592,180				

<i>Internal Committees</i>	
LMC	Litigation Management Committee
Tech	Judicial Council Technology Committee
<i>Advisory Committees</i>	
APJAC	Administrative Presiding Justices Advisory Committee
CSAC	Court Security Advisory Committee
CFAC	Court Facility Advisory Committee
FJLAC	Family & Juvenile Law Advisory Committee
HCRC	Habeas Corpus Resource Center
ITAC	Information Technology Advisory Committee
TCBAC	Trial Court Budget Advisory Committee
TCFMAC	Trial Court Facility Modification Advisory Committee

**Judicial Branch
2026–27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Budget Advisory Committee
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Proposal Title	Inflationary Adjustment for Trial Courts (Consumer Price Index)
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Proposal Summary

The Judicial Council of California requests approximately \$66 million¹ ongoing General Fund in fiscal year (FY) 2026–27 to address inflationary costs for the trial courts. This request is based on the estimated Consumer Price Index (CPI) of 2.6 percent for FY 2026–27 from the Department of Finance. This funding will help the trial courts address the rise in operational costs and mitigate reductions to core programs and services provided to court users and the public.

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 (0001)

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026–27 (BY)	2027–28 (BY+1)	2028–29 (BY+2)	2029–30 (BY+3)	2030–31 (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	\$65,603,000	\$65,603,000	\$65,603,000	\$65,603,000	\$65,603,000
Total	\$65,603,000	\$65,603,000	\$65,603,000	\$65,603,000	\$65,603,000
One-time	0	0	0	0	0
Ongoing	\$65,603,000	\$65,603,000	\$65,603,000	\$65,603,000	\$65,603,000

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

¹ Estimate based on FY 2024–25 trial court allocations and CPI percentage; amount will be updated when FY 2025–26 trial court allocations are available and if the estimated CPI percentage changes.

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Problem or Issue

Currently, there is no ongoing inflationary adjustment to address increased operational costs and ensure adequate resources for the trial courts to fulfill their public service obligations and meet the needs of Californians. Absent funding for inflationary cost increases, the level of court services provided to the public will continue to erode, thus impacting access to justice. Trial court funding has not kept pace with the increasing cost of doing business. The courts have not been provided funding for operational cost increases similar to other state entities and their baseline funding was reduced on an ongoing basis in FY 2024–25 due to the state’s fiscal deficit. Absent an ongoing funding adjustment process to address these cost increases, the branch will have to submit this request each year.

Background/History of Problem

In 1998, the Lockyer-Eisenberg Trial Court Funding Act (AB 233, Stats. 1997, ch. 850) created a new structure in which the 58 county-funded courts became primarily state-funded. The intent of this change in funding structure was to address the great disparity in funding levels across the county court systems and ensure that all Californians have access to justice and similar experiences in resolving their legal disputes in trial courts throughout the state. The act also required the state to assume full responsibility for any growth in the cost of trial court operations.

In FY 2005–06, the Governor and the Legislature agreed on a funding approach (known as the State Appropriations Limit Adjustment) for the trial courts (Government Code section 77202) to ensure that (1) state appropriations for the trial courts are not eroded, (2) sufficient funding is provided to sustain service levels, and (3) operational cost changes are accommodated without degrading the quality of court services to the public. Government Code section 77202 also authorized the use of a cost-of-living and growth adjustment. The factors used to calculate changes for the trial courts were intended to capture increasing costs and the appropriate funding adjustment. This funding adjustment process was in place for several years before it was suspended during the Great Recession, beginning in FY 2009–10, and was never reinstated.

Based on recommendations from working groups that evaluated the state’s progress in achieving the goals of the Trial Court Funding Act and existing allocation methodologies, the Judicial Council adopted foundational changes to the way funds were allocated to the trial courts. The most significant change was approval of the Workload-Based Allocation and Funding Methodology (WAFM) in April 2013. The model used the Resource Assessment Study (RAS) to capture the level of funding needed for each trial court based on their caseload and other factors, and it demonstrated that trial courts were funded below necessary levels.

Following a five-year transition plan, modifications were made to the WAFM methodology. In 2018, the Judicial Council approved new policy parameters for the allocation process now known as the Workload Formula. The intent of the Workload Formula was to further the objectives in reaching workload-based equitable funding for the trial courts. The guiding principles of the Workload Formula were modified from a primary focus on equity to also reflect the need for greater stability and predictability in funding for the courts.

Judicial Branch
2026–27 Budget Change Proposal Concept

The Workload Formula model does not account for increased costs for ongoing trial court operations such as staff costs, goods and services vendors (janitors, legal publications, per diem court reporters, office supplies, postage, technology equipment and services, etc.), and other professional contractors (trial experts, forensic services, mediators, court-appointed counsel, etc.). 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 providing or procuring these services. Over time, this has resulted in diminished purchasing power for the trial courts and an erosion or elimination of critical services, which adversely impacts access to justice.

The trial courts received a total of \$230.5 million General Fund, or a cumulative 10.5 percent, to address inflationary cost increases over a three-year period (FYs 2021–22, 2022–23, and 2023–24). In addition, the Budget Act of 2022 included \$100 million ongoing General Fund to promote fiscal equity among the trial courts.

The Budget Act of 2024 did not include an inflationary adjustment due to the state’s fiscal deficit. In addition, the trial courts also had a \$97 million ongoing reduction (which was revised to a \$55 million reduction) in their operational funding, further compromising their ability to provide core programs and services to court users and the public. The proposed FY 2025–26 Governor’s Budget includes \$40 million for operational cost increases, which represents less than the estimated 2.7 percent CPI factor for that fiscal year.

The courts play an essential role in ensuring equal access to justice and protecting constitutional rights for all Californians. Providing the trial courts an inflationary adjustment will help mitigate the effects of the lack of cost-of-doing business increases in recent years, coupled with the ongoing \$55 million reduction in FY 2024–25. The trial courts require adequate, stable, and predictable funding to ensure consistent service levels for court users across the state.

This proposal is based on the current 2.6 percent CPI factor for FY 2026–27 and will be updated to reflect the most recent CPI projection.

Impact of Denial of Proposal

As courts are managing an ongoing reduction of \$55 million included in the Budget Act of 2024, they continue to experience increased operating costs. Reduced funding further strains the courts’ ability to sustain an adequate workforce and provide core services to the public. Without an inflationary adjustment to offset rising operational costs, courts have implemented hiring freezes and furloughs, closed courthouses and courtrooms, and reduced the hours that clerk and telephone services are available. These necessary steps impact court users with longer lines and processing times for services such as record requests. Court users are waiting longer for their cases to be processed and for judgements to be issued in civil case types, including family law matters. Staffing reductions also impact self-help centers, thereby limiting the number of self-represented litigants who can get legal help.

When funding does not keep pace with inflation, service reductions typically occur first in nonmandated services. The reduction or elimination of these services often disproportionately impacts the most marginalized Californians, such as children, homeless populations, non-English speakers, victims of domestic violence, those with mental health issues, and low-income/fixed-income adults. Services that

Judicial Branch
2026–27 Budget Change Proposal Concept

assist 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. Typically, courts must prioritize criminal case processing over case types that affect 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

This 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 to address increased costs resulting from inflation. Providing additional funding based on the estimated CPI factor for FY 2026–27 will assist the courts in mitigating the adverse impacts of several years of no increases to address inflation and a \$55 million ongoing reduction in FY 2024–25.

Required Review/Approval

Trial Court Budget Advisory Committee

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

- Goal I: Access, Fairness, Diversity, and Inclusion
- 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
2026–27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Budget Advisory Committee
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Proposal Title	Trial Court Equity Funding to Statewide Average
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Proposal Summary

The Judicial Council of California requests \$45.3 million¹ ongoing General Fund in fiscal year (FY) 2026–27 to fund all trial courts to at least the statewide average funding level as determined by the judicial branch’s Workload Formula methodology. Adequate, stable, and predictable funding is needed by the trial courts to provide core services and ensure equal access to justice for all Californians 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 (0001)

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026–27 (BY)	2027–28 (BY+1)	2028–29 (BY+2)	2029–30 (BY+3)	2030–31 (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	\$45,324,000	\$45,324,000	\$45,324,000	\$45,324,000	\$45,324,000
Total	\$45,324,000	\$45,324,000	\$45,324,000	\$45,324,000	\$45,324,000
One-time					
Ongoing	\$45,324,000	\$45,324,000	\$45,324,000	\$45,324,000	\$45,324,000

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

¹ Calculation will be updated when FY 2025–26 Workload Formula allocations and need are determined.

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2026–27 Budget Change Proposal Concept

Problem or Issue

The Judicial Council has allocated the majority of funding to the trial courts according to its approved allocation methodology, known as the Workload Formula, in addition to other allocation methodologies. The Workload Formula determines the need for trial court staff and funding based on workload measures. Based on the Workload Formula’s calculated amount of funding needed, and the available funding included in the Budget Act of 2024, the statewide funding level is 92.8 percent. This means that the budget funds 92.8 percent of the courts’ workload at the statewide level and there are courts funded above and below the statewide average.

While trial courts have never been funded at 100 percent of the statewide funding need, funding the courts below the statewide average to at least 92.8 percent will address inequities in funding and improve the quality of justice for court users in these lower-funded jurisdictions. Through Workload Formula allocations of new funding, the Judicial Council has improved trial court funding equity. However, additional funding is needed to continue the council’s efforts to have the trial courts more equitably funded, which is consistent with the goals of the Lockyer-Eisenberg Trial Court Funding Act.

Background/History of Problem

In 1998, the Lockyer-Eisenberg Trial Court Funding Act (AB 233, Stats. 1997, ch. 850) created a new structure in which the 58 county-funded courts became primarily state-funded. The intent of this change in funding structure was to address the great disparity in funding levels across the county court systems and ensure that all Californians have access to justice and similar experiences in resolving their legal disputes in trial courts throughout the state. The act also required the state to assume full responsibility for any growth in the cost of trial court operations.

Based on recommendations from working groups that evaluated the state’s progress in achieving the goals of the Trial Court Funding Act and existing allocation methodologies, the Judicial Council adopted foundational changes to the way funds were allocated to the trial courts. The most significant change was approval of the Workload-Based Allocation and Funding Methodology (WAFM) in April 2013. The model used the Resource Assessment Study (RAS) to capture the level of funding needed for each trial court based on their caseload and other factors, and it demonstrated that trial courts were funded below necessary levels.

Following a five-year transition plan, modifications were made to the WAFM methodology. In 2018, the Judicial Council approved new policy parameters for the allocation process now known as the Workload Formula. The intent of the Workload Formula was to further the objectives in reaching workload-based equitable funding for the trial courts. The guiding principles of the Workload Formula were modified from a primary focus on equity to also reflect the need for greater stability and predictability in funding for the courts.

The Budget Act of 2022 included \$100 million ongoing General Fund to promote fiscal equity among the trial courts. This funding was allocated by the Judicial Council according to the Workload Formula and distributed to 22 of the 58 courts below the statewide average funding level to bring them as close to the

Judicial Branch
2026–27 Budget Change Proposal Concept

statewide average as calculated for FY 2022–23. The budget also included funding for new judgeships and civil assessment backfill that was allocated via the Workload Formula methodology.

The Budget Act of 2018 included \$75 million in discretionary funding intended to benefit all trial courts and allocated according to a methodology determined by the Judicial Council. The budget also included \$47.8 million that was allocated by the Judicial Council according to WAFM to 35 courts to equalize funding and bring all courts up to the statewide average funding level based on case weights at that time.

Impact of Denial of Proposal

Courts operating with funding that is below their measured need experience a lack of adequate resources which contributes to operational delays and is a barrier to access to justice. Without adequate funding based on each court’s workload need, trial courts across the state will continue to experience difficulties in providing quality services and responding to the diverse needs of court users. In addition, courts are managing an ongoing reduction of \$55 million included in the Budget Act of 2024, which has further eroded services to the public and reduced access to the courts.

Outcomes and Accountability of Proposal

The funding will bring trial courts below the statewide funding average to the statewide level of 92.8 percent, which will further support funding equity among the trial courts and improve access to justice for court users in lower-funded jurisdictions. The funding will be provided to 27 of the 58 trial courts and will assist in improving service levels to the public and mitigate the impact of recent reductions to court operational funding included in the Budget Act of 2024. The funding will bring all courts to at least the current statewide average and establish a new statewide average of 94.5 percent.

This request will advance funding stability and progress toward achieving funding equity for the trial courts. Under this proposal, courts will still not be funded at 100 percent of their measured workload need. Thus, there will continue to be gaps in critical services that will impact access to justice.

Required Review/Approval

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

Judicial Branch
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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: *Zlatko Theodorovic*

Contact Name: Oksana Tuk

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Family and Juvenile Law Advisory Committee
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Proposal Title	Court-Appointed Dependency Counsel: Expanding Court Services, Supporting Federal Match, and Workload Study
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Proposal Summary

The Judicial Council of California requests 12.0 positions including 1.0 two-year limited term position and \$3.8 million General Fund in fiscal year (FY) 2026–27, \$2.6 million in FY 2027–28, and \$2.3 million in FY 2028–29 and ongoing to 1) support 20 additional courts joining the Dependency Representation, Administration, Funding, and Training program; 2) support administration of the Federally Funded Dependency Representation Program to access up to \$66 million in federal match funds; and 3) to conduct a workload study for court-appointed dependency counsel.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	12.0	12.0	11.0	11.0	11.0
Personal Services	\$2,538,000	\$2,538,000	\$2,318,000	\$2,318,000	\$2,318,000
Operating Expenses & Equipment	\$1,576,000	\$380,000	\$348,000	\$348,000	\$348,000
Local Assistance					
Federal Match	(\$348,000)	(\$321,000)	(\$321,000)	(\$321,000)	(\$321,000)
Total	\$3,766,000	\$2,597,000	\$2,345,000	\$2,345,000	\$2,345,000
One-time	\$1,169,000	\$252,000			
Ongoing	\$2,597,000	\$2,345,000	\$2,345,000	\$2,345,000	\$2,345,000

*Please include all costs associated with request including costs for other offices and courts.
Note: The General Fund support requested is less than the total funding need because of federal match funding that can be recovered for administrative expenses.

Problem or Issue

Dependency Representation, Administration, Funding, and Training (DRAFT) Program Expansion:
Court-Appointed Dependency Counsel (CAC) is a legislatively mandated service which ensures that children and parents in foster care proceedings are represented by counsel. The Judicial Council is appropriated \$186.7 million annually in the state budget to fund CAC in all 58 trial courts. The Judicial Council’s [DRAFT Program](#) manages the court appointed counsel program on behalf of 20 courts with a

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total allocation of \$118 million to ensure that their CAC needs are met. This includes identifying and securing dependency counsel, contracting directly with legal services providers, and providing training and technical assistance. Benefits of the program include the application of consistent performance and administrative standards to court-appointed counsel in multiple counties, relieving courts from the need to negotiate with and monitor legal services vendors who are appearing before the court and reducing administrative costs through economies of scale.

Twenty¹ additional courts have expressed interest in joining DRAFT, but existing resources are insufficient to administer the DRAFT program for these additional courts. Currently, DRAFT staffing includes five partial positions totaling approximately 3.0 FTE. However, DRAFT has been operating with a staffing deficit of approximately 1.0 FTE for nearly a decade as all DRAFT staff currently perform work on other Judicial Council programs. We are requesting 6.0 new positions to fully support DRAFT program administration for 20 additional courts and to fill the existing unmet staffing need for the existing 20 courts.

Federal Match Administration: Federally Funded Dependency Representation Program (FFDRP) was established in 2019 to support the courts and CAC providers with newly available federal funds to improve legal representation services for families and children in dependency proceedings. Due to severe administrative understaffing, FFDRP experiences an ongoing backlog of invoice review resulting in significant delays to critical program 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. FFDRP is currently staffed with 7.5 positions including 3.5 for the Center for Families, Children & the Courts (CFCC) and 4.0 for Branch Accounting and Procurement. An estimated workload analysis conducted for this proposal indicates that 5.0 additional CFCC positions are required to administer the FFDRP program.

FFDRP staff are funded by a General Fund allocation of \$1.5 million, of which \$1.21 million was designated for staff support and federal match funding of up to approximately \$436,000 in reimbursements. The remaining \$290,000 is designated for operating expenses including technology to support FFDRP billing. The current allocation does not cover all workload. The requested positions will increase the amount of federal match funding available to support administration.

The workload for FFDRP invoice processing alone requires significant CFCC staff time; and the existing 3.5 CFCC positions dedicated to FFDRP only have the capacity to cover 26 percent of the workload as the remainder of their time is spent working on other critical tasks to administer the program. The 5.0 positions requested for CFCC will provide the staffing needed to fully support the FFDRP workload including invoice review and processing, budgeting, financial and programmatic data tracking, procurement, onboarding new providers, monitoring contract compliance, maintaining and updating program resources and tools, and providing technical assistance.

Workload Study for CAC: The General Fund appropriation for CAC is \$186.7 million. The CAC funding methodology used to allocate this funding to trial courts, approved by the Judicial Council in [2016](#) and

¹ The Superior Courts of Alpine, Butte, Calaveras, Colusa, Glenn, Humboldt, Kern, Lassen, Modoc, Mono, Monterey, Napa, Nevada, San Benito, San Mateo, Shasta, Sierra, Siskiyou, Tulare, and Tuolumne Counties.

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amended in [2022](#), may be outdated based on several changes to federal and state laws that impact juvenile dependency practice and workload. The current methodology assumes a standard caseload of 141 clients per full-time dependency attorney, based on a workload study published in 2004. Attorney caseloads are one of the key factors used in the current CAC funding methodology to determine the total statewide funding need for dependency counsel. It is urgent that the council conduct a workload study on dependency representation to determine whether the factors used in the current CAC funding methodology require revision. Generating an accurate funding need for dependency counsel is crucial as it will allow the Judicial Branch to assess whether resources are meeting the needs of California's most vulnerable population. Establishing reasonable dependency caseload standards will also help ensure the consistent provision of high-quality legal services for dependent children and their parents in trial courts statewide. We are requesting funding to support the costs for a contractor to conduct a comprehensive workload study and a two-year limited term Analyst as the Judicial Council currently does not have the staffing or resources to perform this work.

Diversity, Equity, and Inclusion: Court-appointed dependency counsel providers including those funded through CAC, DRAFT, and FFDRP serve clients that cannot afford representation; client populations include those that have been historically overrepresented in the child welfare system as compared to their portion of California's population.

Background/History of Problem

DRAFT Program Expansion: Juvenile courts in each of California's counties preside over cases that are filed by county social services agencies when a child has been, or is suspected of being, abused or neglected. Parents and children in these cases are statutorily entitled to legal representation, but usually cannot afford to pay for their own attorneys. The court appoints attorneys to represent indigent parents and all children, and the state pays for the attorneys through funds administered by the Judicial Council. The DRAFT program was implemented at the request of the courts in 2004. Under DRAFT, the Judicial Council collaborates with courts to identify and select juvenile dependency counsel and is responsible for direct attorney contracting, service administration, identifying training needs, providing technical assistance, and resolving compliance and performance issues when needed. The staffing needed to support courts through DRAFT is impacted by factors including the size of the court, the number of contracted providers, the geographic region, and the pool of available attorneys. After implementing the DRAFT program for nearly 20 years we have found that large DRAFT courts typically require less staffing time than the small and smallest courts. Since most large DRAFT courts have only two providers, the workload of processing solicitations and monitoring contracts is lower. In addition, it is typically less time consuming to identify and secure attorneys for large courts as there are more interested and available attorneys in those regions. Typically, the small and smallest DRAFT courts require more staff time spent on contracting and procurement as these courts utilize multiple single attorney providers. In addition, considerable efforts are expended on identifying and recruiting qualified providers in small counties where there are very few public-interest attorneys.

The DRAFT program currently administers the CAC funding for 20 courts including courts categorized as large, small, and smallest courts under the CAC program (10 large, 3 small, 7 smallest). An additional twenty courts have expressed interest in joining the DRAFT program. Of these, a total of 15 are in the small and smallest court categories (5 large, 1 small, and 14 smallest). These courts face challenges with

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identifying and selecting CAC providers, negotiating, and maintaining contracts, controlling costs, overseeing attorney performance, and resolving compliance and other issues related to dependency representation. These challenges are particularly difficult for the small and smallest courts.

Currently, DRAFT staffing for the existing 20 DRAFT courts includes five partial positions totaling approximately 3.0 FTE with an unmet staffing need of approximately 1.0 FTE. Six dedicated positions are required to support expansion of the DRAFT program to the additional 20 courts.

Federal Match Administration: FFDRP provides up to \$66 million in federal funding to the statewide CAC program which 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.

Currently 52 providers from 31 courts across the state participate in the program. In FY 2024-25, FFDRP expects participation from a total of 85 providers from 37 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. FFDRP expects to process at least 1,275 invoices containing approximately 30,000 pages of time records and other expenditure records annually.

FFDRP has worked actively to streamline and reduce workload. Beginning in late FY 2022-23 FFDRP implemented a streamlined invoice review process for well-established providers to reduce overall workload and processing times. Program staff also regularly provide technical assistance to providers to minimize errors that lead to lengthy processing times. FFDRP is also currently working with a contractor to finalize a billing system that will allow users to automate complex invoice components. While the billing system will automate the submission of provider invoices, FFDRP staff is required to review all expenses claimed and verify all supporting documentation to ensure compliance with stringent reimbursement eligibility requirements.

Based on analysis of current invoice processing times for CFCC staff, we project that invoice processing alone will require approximately 11,500 hours annually. Implementation of the streamlined invoice review process and other improvements have been factored into this request.

All current FFDRP staff perform additional program administration duties outside of invoice review including program budgeting, contracting and procurement, processing program applications, tracking program data and financials, and maintaining program resources and tools. Existing CFCC FFDRP staff cover approximately 3,000 hours of the invoice processing workload leaving a remaining need of approximately 8,500 hours or 5 positions.

Workload Study for CAC: One of the key factors used in the current CAC funding methodology to determine the total statewide funding need for dependency counsel is attorney caseloads. The current methodology assumes a standard caseload of 141 clients per full-time dependency attorney, based on a

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workload study published in 2004. Since the workload study was published in 2004, there have been several federal and state changes to laws that impact juvenile dependency practice, including the introduction of a new category of foster youth aged 19 to 21 (non-minor dependents), the widespread implementation of the Indian Child Welfare Act, extensive new responsibilities for attorneys related to psychotropic medication orders for children, and most recently the federal legislation promoting family connections and preventive services (the Family First Prevention Services Act), which have all contributed to a change in the workload of dependency attorneys. Because the workload standards utilized in the methodology have not been revisited since 2004, they may not accurately reflect the current juvenile dependency attorney workload. A current workload study will assist the Judicial Council in determining whether the target caseload of 141 used in the current methodology to determine funding need should be revised so that the total need accurately reflects current workload.

Diversity, Equity, and Inclusion: DRAFT, CAC, and FFDRP funded providers serve clients that cannot afford representation; client populations include those that have been historically overrepresented in the child welfare system as compared to their portion of California's population. The Judicial Council's 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 less than one percent of dependency representation costs annually.

Impact of Denial of Proposal

DRAFT Program Expansion: Several courts requesting to join the DRAFT program have indicated challenges with securing and retaining quality court-appointed counsel for juvenile dependency cases due to issues related to caseloads, compensation, and the difficulty of finding attorneys interested and willing to provide dependency representation at the current funding levels. The challenges are more pronounced for the smaller courts. If this proposal is denied, the 20 DRAFT courts requesting to join the DRAFT program must continue utilizing their limited staff resources to ensure that their dependency counsel needs are met. This may also impact children and parents in the dependency system as they may experience more attorney turnover and longer times in the dependency system.

Federal Match Administration: Delays in invoice processing will impede FFDRP providers' ability to fund required efforts to enhance the quality of 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. 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.

Workload Study for CAC: If this proposal is denied, the total funding need for court-appointed dependency counsel that is used to allocate CAC funding may be incorrect and result in an over or understated total funding need for CAC statewide and individual courts. Underestimating funding will result in attorneys carrying unrealistic caseloads and impact their ability to provide quality representation, as well as the Judicial Council's ability to attract new attorneys into the profession. Furthermore, an understated funding need based on inaccurate workload and caseload standards will impact access to justice for

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dependency clients that cannot afford representation in dependency cases, including populations that have been historically overrepresented in child welfare cases.

Outcomes and Accountability of Proposal

DRAFT program staff will ensure that participating courts have attorneys to provide high quality legal representation in dependency cases by overseeing the courts' CAC budget, negotiating contracts with legal service providers, conducting solicitations when a DRAFT court is in need, facilitating transitions when there is a change in providers; and providing training and technical assistance to the courts and providers.

New staff administering federal match funds will (1) provide timely and legally accurate contracts to the attorney providers and the courts; (2) decrease overall 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.

Conducting a comprehensive workload study on dependency counsel practice will enable the Judicial Council to determine whether the current CAC funding methodology accurately reflects the current funding need and strengthen access to justice for vulnerable dependency populations.

The program conducts statewide, comprehensive data collection to document these outcomes.

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, Diversity, and Inclusion
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: Kelly Meehleib, Supervising Analyst

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Requesting Entity	Trial Court Budget Advisory Committee
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Proposal Title	Language Access Expansion in the California Courts
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Proposal Summary

The Judicial Council of California requests \$50 million General Fund beginning in fiscal year (FY) 2026–27 and annually thereafter, to support the ongoing efforts of the *Strategic Plan for Language Access in the California Courts* and ensure trial courts are fully funded for the provision of interpreter services in all 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: TCTF 0150037–Court Interpreters

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment					
Local Assistance	50,000,000	50,000,000	50,000,000	50,000,000	50,000,000
Total	50,000,000	50,000,000	50,000,000	50,000,000	50,000,000
One-time					
Ongoing	50,000,000	50,000,000	50,000,000	50,000,000	50,000,000

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

Problem or Issue

The Court Interpreters Program (CIP) receives an annual appropriation of approximately \$135 million (from the General Fund and transferred into the Trial Court Trust Fund (TCTF)) for trial court interpreter expenses that are allocated to trial courts. Program savings are approximately \$35 million. For FY 2023–24, due to increasing interpreter costs, use of program savings is necessary to address a deficit of approximately \$4.6 million. Remaining program savings of \$30 million will be needed to address anticipated deficiencies in FY 2024–25 and FY 2025–26. To address the continued anticipated growth in interpreter expenses, and ensure that service levels are maintained, the baseline funding for FY 2026–27 and the out years should be increased.

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Background/History of Problem

Over 200 languages are spoken in the California courts. Over 1,800 certified and registered court interpreters—by far the largest court interpreter workforce in the nation—are on the Judicial Council’s Master List. In FY 2023–24, there were 728,332 statewide interpretations (the total interpretations in Spanish were approximately 635,000, and total other-than-Spanish interpretations were approximately 93,000).

Article 1, section 14 of the California Constitution provides that a person unable to understand English who is charged with a crime has a right to an interpreter throughout the proceedings, and under Evidence Code section 752, witnesses with limited English proficiency must also be provided with an interpreter. Effective January 1, 2015, the enactment of AB 1657 (which created Evidence Code section 756) expanded California's constitutional mandate and authorized courts to provide interpreters to all parties in civil matters, regardless of income, and set forth a priority and preference order when courts do not have enough resources to provide interpreters for all persons. Government Code section 68092.1 was also added in 2015, setting forth the joint commitment of the legislative and judicial branches of government to carry out the goal of providing interpreters to all parties who require one, regardless of case type and level of income.

The Judicial Branch has long supported the need for language access services in the courts, and in January 2015 adopted the *Strategic Plan for Language Access in the California Courts*, a comprehensive plan to provide recommendations, guidance, and a consistent statewide approach to ensure language access for all limited English proficiency (LEP) court users. The Language Access Plan (LAP) consists of eight goals and 75 recommendations, including priorities in three phases. The LAP also aligns with the United States Department of Justice's (US DOJ) recommendations for California to expand its language access efforts. Further, it aligns with legislation in California, Chapter 721, Statutes of 2014 (AB 1657), that established Evidence Code section 756 and the prioritization of civil case types when there is inadequate funding for interpreter services.

Courts receive an annual allocation based on a three-year average of prior expenses (expenses for FY 2020–21, considered the COVID-19 pandemic year, are excluded when calculating the three-year average). Following the annual true-up process, any unspent funds remain in the CIP as savings and are carried over for future use as needed to address annual program deficiencies. Since the pandemic, expenditures from FY 2020–21 through 2022–23 were less than the annual appropriation, resulting in cumulative program savings of approximately \$35 million.

In FY 2020–21, the CIP received an augmentation of \$9.3 million through a BCP request, which increased the CIP appropriation to \$131.4 million. For FY 2024–25, the appropriation is \$134.8 million. As noted above, since the COVID-19 pandemic and until recently, expenditures have been less than the annual appropriation, resulting in cumulative program savings of approximately \$35 million. Based on current projections, the accumulated savings are expected to be depleted by June 30, 2026.

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One factor that has led to the recent marked increase in court interpreter expenses is the high rates charged by independent contractors. The *Trial Court Interpreters Program Expenditure Report for Fiscal Year (FY) 2022–23*, as required by the Budget Act of 2022, found that contract interpreter expenditures in FY 2022–23 represented 26.7 percent of total expenditures, reflecting an increase from FY 2021–22, when contractor expenses were 21.7 percent of the total expenditures (see *Expenditure Report*, table 4). Compared to FY 2021–22, expenditures for contract interpreters in FY 2022–23 increased by \$8.264 million (32.7 percent), and expenditures for court employees in FY 2022–23 increased by \$850,000 (0.9 percent). (Ibid.) Courts have reported that many contractors are demanding rates over the council’s standard rates for contractors and are asking for rates that are commensurate with or over current federal rates. Given the current budget reductions, courts are identifying cost saving measures so that available CIP funding is not being spent down too quickly.

Projected expenditures include the following: (1) anticipated increases in staffing levels, including interpreter coordinators; (2) projected increases in staff workload costs; (3) the ongoing expansion of court interpreter services into all civil matters pursuant to AB 1657; (4) increased contractor costs; and (5) cost of living adjustments for the four bargaining regions and estimated benefit costs. Following spend-down of the \$35 million in program savings, projections indicate that expenditures for court interpreter services by the trial courts in FY 2026–27 will result in a deficit of \$48.88 million. The ongoing request of \$50 million will provide stable funding for courts to maintain interpreter services and will address rising expenditures, including expenditures for contractors, court interpreter employees, and interpreter coordinators.

Another cause of increased costs is the difficulty courts have in finding qualified interpreters to hire as court employees. The Judicial Council has implemented a training program to increase the exam passage rate for near passers; implemented a work force expansion program per the 2023 Budget Act; and instituted an extensive recruitment program. However, due to various factors, we expect costs to continue to rise, including the long timelines involved in recruiting, testing and training new court interpreters, and the large number of low-demand languages that will require contractor services.

On December 10, 2024, the Judicial Branch Budget Committee approved the following TCBAC recommendations for council consideration at its February 21, 2025, meeting: (1) Address the \$4.6 million shortfall in FY 2023–24 by allocating this amount from the \$35 million CIP fund balance from the TCTF in FY 2024–25 to courts that exceeded their allocation; (2) Approve the remaining CIP fund balance from the TCTF to be allocated to courts midyear to address any CIP shortfalls for FY 2024–25 and 2025–26, based on available program savings; and (3) Direct Judicial Council staff to continue to monitor CIP funding and program expenditures, provide regular updates to the TCBAC to report any changes, and work with the trial courts to develop a funding request for additional CIP resources beginning in FY 2026–27.

Impact of Denial of Proposal

Denial of this proposal means that courts may have to cut back interpreter services in civil matters, which significantly impacts the rights of LEP court users and their ability to address remedies. There may also be insufficient funds to fully provide interpreter services in those proceedings where it is mandated.

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Outcomes and Accountability of Proposal

Funding for court interpreter services will allow more courts to provide interpreters in multiple languages in growing numbers of civil cases and case types. Expansion of court interpreter services in civil matters is consistent with the direction of the US DOJ and the findings set forth in Government Code section 68092.1, that it is imperative that courts provide interpreters for all parties who require one, and that both the legislative and judicial branches of government continue in their joint commitment to carry out this shared goal. Courts will continue to report on interpreter usage and expenditures by case type.

Required Review/Approval

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

LAP recommendation 8 states, “Qualified interpreters must be provided in the California courts to LEP court users in all court proceedings, including civil proceedings as prioritized in Evidence Code section 756, and including Family Court Services mediation.” (footnotes or references to attachments omitted)

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: Douglas G. Denton

**Judicial Branch
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Requesting Entity	Judicial Council Legal Services Office
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Proposal Title	Litigation Management Program
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Proposal Summary

The Judicial Council requests an ongoing augmentation of \$3 million General Fund beginning in fiscal year (FY) 2026–27 for the Litigation Management Program to support the defense and indemnity (as permitted) of all judicial branch entities. This will bring the total funding for this purpose up to \$9.2 million. This request includes provisional language to allow the Judicial Council to encumber and expend funds over two years to provide greater flexibility to schedule contract payments.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Local Assistance					
Total	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
One-time					
Ongoing	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000

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

Problem or Issue

Litigation costs have steadily increased and are trending upwards as reflected by increased attorney fees and costs, increasing complexity of litigation subjects and procedure, and expensive discovery and expert costs. The current funding allocation is now insufficient to meet the statutory obligations to defend and indemnify the judicial branch for litigation despite ongoing and increasing efforts to manage the efficiency of outside counsel in litigation matters, promote efficient resolution of litigation matters, and reduce non-essential and non-mandatory services.

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In four of the last five years (FY 2019-20, 2021-22, 2022-23, 2023-24), the Litigation Management Program (LMP) has exceeded its budget allocation and as a result required additional funding of an average of \$1.2 million per year. This has forced the program to rely upon additional allocations from the General Fund and the State Trial Court Improvement and Modernization Fund (IMF). The LMP has experienced shortfalls of \$2 million and \$1.3 million in the last two fiscal years, respectively. Given the uncertain nature of litigation and the generally rising costs, there is no definitive way to determine how much will be needed to meet demand in any given year. While the average shortfall over the last five fiscal years was \$1.2 million, it is foreseeable that the shortfall could exceed \$3 million in a given fiscal year. Last fiscal year the shortfall exceeded \$2 million and there is demonstrated yearly growth in the size of the deficiency, rising litigation related expense, and increasing settlement amounts. The augmentation request for \$3 million addresses not only the average shortfall but protects against additional expenditures that could foreseeably amount to \$3 million above current allocations and allows the program to function without the need to seek repeated fund increases for what over time will be inevitable expenditure growth.

Background/History of Problem

The Judicial Council manages litigation and provides for the defense and indemnification of all judicial branch entities, bench officers, and employees. Defense of these parties is for government claims, pre-litigation claims, and litigation, as well as for various risk reduction measures, as required by Government Code Sections 810-811.9, 825-825.6, 900.3, 995-996.6, and California Rules of Court, rules 10.201-10.202. Litigation-related matters include lawsuits, writs and appeals, subpoenas, judicial disqualification statements, and labor-related proceedings. The LMP was established by the Judicial Council in 1999 and pays for all outside counsel costs and the payment of settlements and/or judgments on behalf of judicial branch clients.

Since 2003, \$200,000 General Fund had been allocated for appellate court and Judicial Council litigation. In the Budget Act of 2019, the General Fund provided an additional \$5.6 million for a total of \$5.8 million and budget language allowed for encumbrance of the funding over two fiscal years.

Additionally, the Judicial Council received \$437,000 General Fund in the Budget Act of 2020 to pay for legal services provided by the Department of Justice. This allocation can only be encumbered or expended in one year.

For the last five years, the LMP has received an annual appropriation of \$6.2 million from the General Fund. The majority of this funding is for expenditures and settlements related to trial court matters.

The cost of litigation has increased over time due to inflation. Law firms routinely seek rate increases to meet rising business costs and the total value of settlements have also increased, particularly in employment matters where plaintiffs are entitled to recover attorney's fees as a component of the settlement. The number of matters that have required more extensive litigation has also increased and driven up costs.

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The chart below reflects the budget shortfalls for each of the last five years and demonstrates an upward trend in expenditures. FYs 2020–21 and 2021–22 were impacted by the COVID pandemic during which there was a drop in litigation filings, overall activity, and significantly fewer settlements.

Fiscal Year	Budget	Total Expenditures	Difference
2024-25	\$6,237,000	Pending	
2023-24	\$6,237,000	\$8,251,907	-\$2,014,907
2022-23	\$6,237,000	\$7,527,219	-\$1,296,519
2021-22	\$6,237,000	\$6,942,361	-\$ 711,661
2020-21	\$6,237,000	\$5,873,925	\$ 356,775
2019-20	\$6,237,000	\$7,029,060	-\$ 798,360

In FY 2022–23, additional funding was provided from Judicial Council General Fund savings, while the shortfalls in the past fiscal year were addressed through a request for increased allocation from the IMF. The requests for additional allocations are contingent upon availability and do not represent a long-term solution to this ongoing problem. The LMP requires consistent and stable funding to ensure that the Judicial Council’s statutory obligations can be satisfied.

Augmenting this funding by \$3 million will allow more flexible handling of large expensive matters and should provide sufficient funding to address rising costs for at least 5–10 years. As stated above, litigation is uncertain and every year is different – selecting an augmentation amount is commensurately difficult. The program must be able to respond to demand to ensure the ability to provide for the legal defense of the judicial branch. While the average shortfall over the last five fiscal years was \$1.2 million, it is foreseeable and inevitable that the shortfall will eventually exceed \$3 million from the current allocation. Attorney fees and litigation related costs, including expert and consultant expense and settlement amounts, will rise every year – these are not stagnant elements. The augmentation request for \$3 million addresses not only the average shortfall, but protects against expenditures that could foreseeably amount to \$3 million above the current allocation and allow the program to function with secure available funding without the need to seek repeated fund increases for what over time will be inevitable expenditure growth.

In addition to the augmentation, this request also seeks to amend Provision 1 of Item 0250-001-0001 to integrate the \$3 million augmentation with the original \$5.8 million and allow for the encumbrance and expenditure of the ongoing funding for two years, to provide the most efficient use of the funds.

Impact of Denial of Proposal

If this proposal is denied, LMP budget shortfalls are projected to continue and increase over time. Denying the proposal will jeopardize the ability of the LMP to meet statutory obligations to defend and indemnify the branch for litigation and will make the program reliant upon the uncertain availability of alternative fund sources, thereby placing an unnecessary strain on other fund resources.

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Outcomes and Accountability of Proposal

Litigation expenses (attorney fees, costs, judgments, settlements, pre-litigation costs, and fees) are monitored each fiscal year and a detailed annual report is provided to the Litigation Management Committee. The five-year chart in the section above reflects the ongoing trend that has resulted in significant litigation budget shortfalls for four of the last five fiscal years.

Required Review/Approval

Litigation Management 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 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: *Michael Etchepare*

Contact Name: Eric Schnurpfeil, Deputy General Counsel, Legal Services

26-06
No Concept Submitted

**Judicial Branch
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Requesting Entity	California Supreme Court
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Proposal Title	Supreme Court Capital Court-Appointed Counsel Program
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Proposal Summary

The California Supreme Court requests \$3.5 million General Fund in fiscal year (FY) 2026–27 and ongoing to support the Supreme Court’s Capital Court-Appointed Counsel Program. The request has two components: (1) \$1.5 million General Fund for a \$55 per hour rate increase for capital appeal appointments; and (2) \$2.0 million General Fund for a 30 percent increase in the annual contract for California Appellate Court – San Francisco Project Office (CAP-SF).

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	\$3,496,000	\$3,496,000	\$3,496,000	\$3,496,000	\$3,496,000
Local Assistance					
Total	\$3,496,000	\$3,496,000	\$3,496,000	\$3,496,000	\$3,496,000
One-time					
Ongoing	\$3,496,000	\$3,496,000	\$3,496,000	\$3,496,000	\$3,496,000

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

Problem or Issue

The Supreme Court’s Capital Court Appointed Program received an increase of \$255,000 (a 4.57 percentage increase) in the 2017 Budget Act for its Capital Court Appointed Counsel Project Office (CAP-SF). In FY 2022–23, the Supreme Court approved internal funds for a pay parity increase of \$155,000 (2.67 percent) for CAP-SF’s employees only, and no new funds have been approved for the ongoing increases in CAP-SF’s OE&E costs since FY 2007–08. Because of the lack of adequate funding increases for CAP-SF’s staff and ongoing increases in its operating equipment and expenses (OE&E), CAP-SF must reduce its reserves each year to close the gap in their operations.

Judicial Branch
2026-27 Budget Change Proposal Concept

Even the appointment rate for capital cases is currently \$145 per hour and has been in place since October 2007, thus impacting new attorneys from accepting capital work.

The Capital Court-Appointed Counsel Program's ability to continue attracting qualified attorneys to apply for capital appointments continues to fall short of the number of annual death judgments. Even with the modest increase in salary for CAP-SF's employees, CAP-SF continues to struggle to retain its most experienced attorney staff and employees. Several of the program's most qualified staff attorneys and panel attorneys have either left the panel or not taken a new capital appointment. They are moving to representation in federal courts or other state agencies. For example, the California Department of General Services 2023-24 Price Book of \$170 per hour for external legal advice continues to stand in stark comparison to the current rate of \$145 per hour offered by the Supreme Court Capital Court-Appointed Counsel Program.

With the approval of this proposal many underrepresented groups would benefit from timely administration of justice. The National Academy of Sciences has estimated that approximately 4 percent of condemned inmates may be innocent, suggesting that as many as 14 of the California's 364 unrepresented condemned inmates may have potentially meritorious claims of innocence. Many more likely have at least viable claims of unjust conviction and /or sentence. Racial and ethnic minorities are disproportionately impacted, with African Americans comprising approximately 35 percent of California's death row (as compared to approximately 6 percent of the general population).

Background/History of Problem

Indigent defendants convicted of a felony have been guaranteed the constitutional right to an appointed appellate attorney since 1963 (*Douglas v. California* (1963) 372 U.S. 353), and the high court has expressly required that such counsel be competent since 1985 (*Evitts v. Lucey* (1985) 469 U.S. 387; see *Douglas v. California* (1963) 372 U.S. 353; *Griffin v. Illinois* (1956) 351 U.S. 12, 20.) This authority is reflected in two Rules of Court: rule 8.300 (Courts of Appeal) and rule 8.605 (Supreme Court, death penalty cases). Rule 8.300 states in 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 [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).) For death penalty cases, rule 8.605 states in part: 'Appointed counsel' or 'appointed attorney' means an attorney appointed to represent a person in a death penalty appeal or death penalty-related habeas corpus proceeding in the Supreme Court..." And 'Assisting counsel or entity' means an attorney or entity designed by the Supreme Court to provide appointed counsel with consultation and resource assistance. Entities that may be designated include the Office of the State Public Defender, the Habeas Corpus Resource Center, and the California Appellate Project of San Francisco." (Cal. Rules of Court, rule 8.605(c)(1) and (c)(5).) Both the California Appellate Project-San Francisco and the various Court-Appointed Counsel projects for the Courts of Appeal fulfill these rights.

Prior to 2004-05, the capital appointment rate was \$125 per hour. Effective October 1, 2005, the rate 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. The current rate \$145 per hour has been in place for over 15 years.

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The Supreme Court is requesting a \$55 per hour increase to raise the 2026 rate to \$200.

The Supreme Court is requesting an ongoing \$2.0 million (30 percent increase) in the annual contract for the Supreme Court’s Capital Appellate Project – San Francisco (CAP-SF).

CAP-SF cannot retain and hire experienced attorneys with adequate funds and address the continued increases in the operational costs for operating a non-profit organization. No permanent increase since 2017 has impacted the stability of the program. Below illustrates the continued increases in the cost of doing business from fiscal year 2016–17 vs 2022-23 and CAP-SF need the requested 30 percent increase.

CAP-SF Expenditures by Fiscal Year	2006-07 Actuals	2007-08 Actuals	2016-17 Actuals	2022-23 Actuals	% Increase Expenses from 2016-17 vs 2022-23	\$ Increase Expenses from 2016-17 vs 2022-23
Grand total Expenditures	\$5,003,036	\$5,124,378	\$5,135,078	\$6,202,572	21%	\$1,067,494

The above cost of doing business increases are ongoing pressures from increases in rent, technology, salary and benefits, payroll taxes, professional liability insurance, etc. The 21 percent increase in the cost of doing business from FY 2016–17 to FY 2022–23, reflects a \$1.1 million increase in business related cost pressures. The 30 percent increase will allow CAP-SF to provide adequate salary adjustments and operational areas.

Impact of Denial of Proposal

If denied, the Supreme Court and the Capital Project Office (CAP-SF) will be unable to recruit new attorneys and will continue to lose the most experienced capital panel attorneys to other government entities for more lucrative compensation and job security. The Supreme Court Capital Project Office (CAP-SF) will continue to withdraw from its reserves and be underfunded and unable to absorb increased costs while struggling to maintain office operations, including recruitment and retention of experienced staff. The CAP-SF infrastructure will continue to decline without adequate funds to address enhancements such a website upgrades, document management improvements, and digitizing of its case records.

The capital appointment of attorneys will continue to decrease and the backlog for capital cases without appointment will continue to increase. The appellants will not receive timely representation in their cases justice will not be provided for either party. Timely processing of these cases provides equity for all Californians where families are seeking timely justice for the victims and the families of inmates in the capital appeal cases. Without additional funds to address the appellants without counsel and to address backlog there will continue to be a delay in providing justice for the victim’s family and the incarcerated inmate’s family. In addition, without these funds to process these cases, innocent incarcerated inmates are serving longer times in prison, as the families on both sides continue to wait for their day in court and closure.

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Outcomes and Accountability of Proposal

Provide equal public access to justice, timely, and adequate legal representation for indigent appellants for capital appeals in California. The goal for CAP-SF and the Supreme Court is to have a stable CAP-SF organization that can provide the contractual services required to handle capital appointments. It is difficult to measure outcomes when the appeal for capital cases can last many years. The Supreme Court expects that a \$55 rate increase will draw new attorneys to seek the capital appointments, and the existing appointed attorneys will continue to retain their cases, as the appointment rate of \$145 has been in place since 2007-08. The requested funds will support CAP-SF in its contractual obligation by retaining experienced staff attorneys and recruiting experienced staff attorneys to support capital contractual services in a timely manner to the Supreme Court and appointed counsel in the CAC program for the represented and unrepresented appellants.

CAP-SF has experienced a 52.9 percent turnover since January 2021 and February 2024. Twenty-six percent of them had 5-10 years of experience, twenty-one percent had over 10 years of experience, fifteen percent had 3-5 years' experience, fifteen percent had 1-3 years' experience, fifteen percent had 6 months to 1 year experience, and five percent had less than 6 months of experience. Thirty-six percent of them left for other employment

Required Review/Approval

Administrative Presiding Justices Advisory Committee

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

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: *Laura Speed*

Contact Name: Deborah Collier-Tucker, ACS Manager, 415-865-4251

**Judicial Branch
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Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Courts of Appeal Court Appointed Counsel Program
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Proposal Summary

The Judicial Council of California requests \$24.2 million General Fund in Fiscal Year (FY) 2026-27 and ongoing to support the Courts of Appeal Court-Appointed Counsel (CAC) Program. The request has two components: (1) \$17.6 million permanent General Fund augmentation for a \$40 per hour rate increase for non-capital appeal appointments and for costs associated with the provision of electronic trial court transcripts; and (2) \$6.6 million permanent General Fund augmentation for a 30 percent increase in the Appellate Project Offices annual contracts.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	24,152,000	24,152,000	24,152,000	24,152,000	24,152,000
Local Assistance					
Total	24,152,000	24,152,000	24,152,000	24,152,000	24,152,000
One-time					
Ongoing	24,152,000	24,152,000	24,152,000	24,152,000	24,152,000

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

Problem or Issue

The objectives of California’s appellate court-appointed counsel system are to: (1) ensure the right of indigent clients to receive the effective assistance of appointed appellate counsel as guaranteed 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.

The CAC Program’s panel attorneys had not received any hourly rate increase since FY 2016–17 and the five Appellate Project Offices had not received any new funding since FY 2017–18 until the 2022–23 budget provided an increase of \$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 Project Offices annual contracts, and the 2025–26 governor’s proposal budget includes an increase of \$4.13 million for a \$10 hourly rate

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increase for non-capital appeal appointments and \$1.41 million for a 7.0 percent increase for the Appellate Project Offices annual contracts.

The 22–23 increase and the proposed 2025–26 increase will provide an opportunity to chip away at the impact of years without an increase to the panel attorney hourly rate and to the Appellate Project Offices for operation and staff salary increases but do not sufficiently bridge the gap, leaving a critical need for additional resources to close the remaining gap and further address recruitment and retention in both panel attorneys and in Appellate Project Offices staff, provide for additional costs incurred by the panel attorneys in receiving electronic trial court transcripts, and to provide for continually increasing operating costs of the Appellate Project Offices.

The current appointment rates (\$110, \$120, and \$130) are negatively affecting the CAC 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 court-appointed counsel program. Before the proposed 2025–26 hourly rate increase of \$10 and the previous 2022–23 hourly rate increase of \$10, the last hourly rate increases 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 \$40 per hour rate increase is necessary for the continued recruitment of 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 more appointments, and complex and more serious cases. The hourly rate structure includes three tiers to reflect the complexity of the case and to differentiate between assisted and independent cases. Currently, 92 percent of the cases are assigned to more experienced panel attorneys on an independent appointment basis, an increase of 25 percent since 1997. Assisted assignments are integral to the health of the CAC Program to provide training and guidance to attorneys who are newer to these types of cases, but independent assignments are the most cost effective as they require less CAC Program resources in both Appellate Project Offices oversight and case time.

The CAC 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 CAC Program’s most qualified attorneys have either left the panel or greatly reduced the number of cases they are willing to accept, many in favor of more lucrative representation in federal courts or other state agencies. The panel size in July of 2024 included 623 attorneys (as compared to 858 in July of 2003 and 927 in July of 2013) of which 232 accepted less than three or fewer cases in a two-year period. For example, The California Department of General Services 2024–2025 Price Book of \$170 per hour for external legal advice continues to stand in stark comparison to the current rate of \$120 - \$140 per hour offered by Courts of Appeal Court-Appointed Counsel Program. Without continued and significant reduction of this pay gap, the CAC Program will continue to struggle to maintain a healthy panel able to timely accept appointments.

In addition, the current funding for the five Appellate Project Offices (nonprofit organizations) that provide legal support to the private appointed attorneys is inadequate to support continued increases in operational costs. California’s Appellate Court-Appointed Counsel Program, through the annual contracts of the Five Appellate Project Offices fulfills the constitutional mandate of providing adequate representation for

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indigent appellants in the Courts of Appeal, in non-capital cases. Since 2014-15 the overall average annual operating expenses for rent has increased by over 29% (some Appellate Project Offices experiencing an increase of as high as 65%), payroll taxes have increased by 4.6% (with some Appellate Project Offices seeing an increase as high as 11%) and pension has increased by 22% (where some Appellate Project Offices contribution percentage has decreased in this area to address funding gaps and have not returned to normal competitive contribution rates). The costs for technology have not greatly increased since 2014–15 in the Appellate Project Offices due to lack of resources, not lack of need. To better serve the CAC Program clients, it is critical the Appellate Project Offices are able to leverage resources to maintain and upgrade or implement when needed databases, external websites, conferencing systems, and electronic document retention systems.

Background/History of Problem

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. Twenty-two 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. 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 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)(1) and (e)(1).)

California’s Court-Appointed Counsel Program (in place for about 31 years), with the Appellate Project Offices and the private sector panel attorneys fulfill these rights for indigent defendants. The panel attorneys provide critical and constitutionally required representation to indigent individuals in criminal, juvenile delinquency, and dependence appeals. Through contracts with the California Courts of Appeal the Appellate Project Offices (non-profit organization) oversee the statewide panel of attorneys who receive appointments in that district. The Appellate Project Offices 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 a \$5 per hour increase became effective July 1, 2007. These rates then remained stagnant for over 9 years (\$85/\$95/\$105) 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 and then for another three years when the rates of \$120/\$130/\$140 effective July 1, 2025 were approved. The Judicial Council is requesting a \$40 per hour increase to raise these 2025 rates to \$160, \$170, and \$180 per hour to provide comparable compensation for these critical services.

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In 2014-15 the Appellate Project Offices' annual contracts totaled just under \$17.5 million. Three years later in 2017-28 the Appellate Project Offices received a 6% increase for a new total of \$18.2 million. Seven years later, the Appellate Project Offices' contract amount increased by 10.5% with the budget increase of 2022-23 - of which the majority went to narrow but not close the gap between the administrative and staff attorneys' rates as compared to that provided in similar type agencies and firms. Three years later, the Appellate Project Offices' annual contracts total \$21.58 million with a 7% increase provided by the 2025-26 budget.

Impact of Denial of Proposal

The FY 2022-23 and proposed FY 2025-26 increases will provide an opportunity to chip away at the impact of years without sufficient and consistent increases to the panel attorney hourly rate and to Appellate Project Offices for operation and staff salary increases; but there is still a critical need for additional resources to bridge the gap to address recruitment and retention in both panel attorneys and in Appellate Project Offices staff.

If denied, the Appellate Court-Appointed Counsel Program will struggle to provide the oversight to the panel attorneys as they will continue to be unable to recruit new panel attorneys and will continue to lose the most experienced panel attorneys to other government entities for more lucrative compensation and job security.

The CAC Program will continue to see lower panel attorney numbers, especially the loss of those individuals with experience in serving the program's indigent clients, which impacts the CAC Program's ability to make timely appointments as the remaining experienced panel attorneys are often not sufficient to accept appointments on the current complex cases and the less experienced panel attorneys accept fewer appointments in their early years as a panel attorney.

The Appellate Project Offices will continue to be underfunded and face increased costs to maintain office operations, including recruitment and retention of experienced staff to other government entities for more lucrative compensation. The Appellate Project Offices also lose staff to other government entities for a more lucrative compensation package.

Outcomes and Accountability of Proposal

The Appellate Indigent Defense Oversight Advisory Committee (AIDOAC) regularly monitors the efficiency of the appellate court-appointed counsel system by analyzing cost, workload, and a variety of other factors to ensure the Appellate Project Offices and the panel attorneys are continuing to provide the value to the Courts of Appeal and the indigent litigants as required by the courts and the Constitution. AIDOAC reviews trends and re-evaluates 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 Office directors to refine the guidelines of when it is appropriate to seek compensation in this category and monitor 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 and grow their experience so they can take

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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 the continued tracking of panel attorney numbers (as discussed previously), and the continued tracking of turnover rates, longevity, and attrition to other government entities or retirement. In addition, the nonprofit Appellate Project Offices 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, Diversity, and Inclusion
- 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 Judicial Council’s long-range Strategic Plan for California’s Judicial Branch, (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.” Goal I of the strategic plan, Access, Fairness, and Diversity, and Inclusion states that “The branch must work to remove all barriers to access and fairness by being responsive... to all people. Branch efforts in this regard must include ensuring that the courts are free from both bias and the appearance of bias... remaining receptive to the needs of all branch constituents, ensuring that court procedures are fair and understandable...” 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

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

Director Signature: *Laura Speed*

Contact Name: Marcela Eggleton, Appellate Court Appointed Counsel Programs, Manager, 916- 263-1738

**Judicial Branch
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Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Appellate Court Unarmed Security Guard – Expanded Coverage
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Proposal Summary

The Judicial Council of California requests an ongoing augmentation of \$707,000 General Fund in fiscal year (FY) 2026–27 to provide additional unarmed security guards services for the evenings and weekends for the state-owned courthouses for the Courts of Appeal which include: the Fifth Appellate District, the Fourth Appellate District, Divisions Two and Three, and the Second Appellate District, Division Six. In FY 2030–31, the Judicial Council requests an additional ongoing augmentation of \$199,000 for the Sixth Appellate District’s new courthouse scheduled to be complete by 2030.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	707,000	707,000	707,000	707,000	906,000
Local Assistance					
Total	707,000	707,000	707,000	707,000	906,000
One-time					
Ongoing	707,000	707,000	707,000	707,000	906,000

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

Problem or Issue

Currently, the Courts of Appeal unarmed security contract does not provide for after-hour security coverage nor weekend security coverage.

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The current unarmed guard services are through the American Guards Services Inc., and the contract amount is \$1,485,031, for the period of December 1, 2024, thru November 30, 2025. Without new funding, the Courts cannot extend the existing contract to cover the security services for after-hours and weekends.

The stand-alone state-owned courthouses have experienced significant damage and require costly repairs to the external courthouse as result of vandalism and maintenance clean-up for the unhoused populations. Court-targeted acts of violence are on the rise and continue to occur in California and nationwide, posing a heightened risk to court users, employees, and the public. The stand-alone Court of Appeal courthouses in Ventura, Riverside, Santa Ana, and Fresno face significant security challenges due to insufficient funding to provide adequate security coverage, particularly during after-hours and weekends when security is currently nonexistent.

The absence of security personnel during after-hours and weekends creates critical gaps in safety, leaving these state-owned courthouses vulnerable to acts of vandalism, break-ins, or potential violence. Without proper security coverage during these times, the courts are unable to ensure a secure environment, undermining the accessibility to the judicial system.

Approval of this request for \$707,000 in FY 2026–27 and the additional \$199,000 in FY 2030–31 would directly address these vulnerabilities by enabling the addition of security guards to cover these gaps. This funding is essential to increase safety and security for court users and the public, providing a necessary safeguard to support equal and safe access to the judicial system for Californians.

Background/History of Problem

Acts of violence targeting courts are increasing in California and across the nation, with standalone courthouses experiencing a notable rise in vandalism, break-ins, and other security threats. The judicial branch is committed to enhancing access to justice by maintaining secure physical locations statewide where the public and employees can safely conduct court business. This proposal aims to ensure a minimum level of protective services for standalone appellate courthouses, aligning with the Judicial Council’s Strategic Plan. Adequate security protection will benefit justices, judicial branch employees, and the public by enabling dispute resolution in a safe, secure environment.

The Fourth Appellate District, Division Two, located in downtown Riverside, continues to struggle with property defacement and vandalism to its facility. Incidents include broken lobby windows, which compromised court security, and an arson attack by a homeless individual that affected palm trees adjacent to the court along Lime Street and on a separate occasion, an arson incident on the northeast corner of the property causing major damage to the adjacent freeway offramp. Within the last several years, there has also been two separate break-ins into the court. One individual managed to climb onto the roof and accessed the inside of the court by opening the emergency roof hatch. Once inside he caused damage to court property. Another individual kicked in a glass door and accessed the court. This individual also caused damage to court property once inside. Over the past three years Riverside has experienced ongoing vandalism: in FY 2019-2020 over \$10,000 in vandalism; in FY 2020-2021 a total of \$12,814 of vandalism; and in 2023-2024 the front lobby window was broken.

The Fourth Appellate District, Division Three, located in downtown Santa Ana, has faced significant property damage. Incidents include broken lobby windows, which compromised court security, and an

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arson attack by a homeless individual that caused over \$100,000 in damages, including destruction to the façade, landscaping, and lobby. The growing homeless population in downtown Santa Ana has exacerbated related issues. Hazmat concerns include the need to regularly power wash the courthouse exterior to remove human waste and dispose of used needles, backpacks, and tents left on the property. These issues represent a public health risk for both employees and the public and do not align with the Judicial Council's strategic plan which places an emphasis on maintaining safe and dignified facilities for conducting court business. There have also been safety incidents, such as a naked homeless individual confronting a court employee at the entrance, creating an unsafe environment. Being located within a Civic Center, the Santa Ana Courthouse faces additional challenges over weekends when most nearby buildings are vacant, making the courthouse more vulnerable to vandalism. Current resources and funding are insufficient to provide security officers for after-hours and for weekend patrols. Between 2020-21 thru October 2024, the Court has spent one-time expenses up to \$103,595 and ongoing annual cost up to \$15,660 (CHP Officer overtime and court staff) for after-hour clean-ups and feces removals as a result of addressing unhoused people from sleeping in the patio/grounds.

The Second Appellate District, Division Six, located in downtown Ventura, has faced some challenges with no evening or weekend coverage. This has resulted in this court facing various challenges related to homelessness and an increase in criminal activity around the building: Encampments, Vandalism and Damage— after hours individuals causing vandalism such as graffiti, damage to signs, throwing bodily fluids on the entrance doors, walls, parking lot, and surrounding bushes: Safety Concerns— Individuals hanging in the front of the building and parking lot after hours, individuals jumping the secured fence and walking in the secured staff parking lot and near exits doors, fights in the parking lot and criminal drug activity. Additionally, attempts to enter the building by force and defecation on the sidewalk and parking lot for entry to the Courthouse have also occurred. On average CHP Officer's overtime cost is \$638 per hour on top of their regular hourly salary and there are times where unarmed guard after-hours could reduce their CHP overtime cost. The Second Appellate District, Division Six, is a leased building and most of the costs for vandalism and damages are covered by the landlord. However, the Court has an increase in overtime cost for their CHP Officer because of the criminal activity around the building.

The Fifth Appellate District is regularly faced with vandalism and defacement of property stemming from the unhoused population and criminals. A common issue the court sees is urination and defecation on court property, including on/at the front entrance, in flower beds, in water features and on court grounds in other areas. Both men and women routinely wash themselves (while 100% naked) in the court's front water feature, leaving behind urine, feces, blood, and soiled undergarments. Also found in the water feature are needles, tampons, pads, condoms, and other personal hygiene items. The overtime on average for CHP Officers as issues arises after-hours and weekends related to the unhoused population.

Additionally, these criminals vandalize lighting fixtures and electrical panels so that area(s) outside remain dark, allowing them to sleep and be hidden at night. During summer months, they intentionally break sprinklers to obtain fresh source(s) of water. They break into irrigation controller pedestals to disable the irrigation controllers and commandeer the electrical outlet(s) for personal use. The court has been faced with criminals stealing plants out of the landscape multiple times. One or more trucks have been seen stopping in front of the court, with individuals using shovels to dig out plants. Graffiti is another common issue seen, where the court's main sign is defaced with graffiti and other signage has been keyed and scratched to beyond what repairs can remedy. Over the years, the court has had windows broken after

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hours and on weekends by rocks being thrown at them, and other windows broken by bullets being fired at them. Nearly all these issues are recurring events in various frequencies. The statewide cost for the courts is compound when their Judicial Protection Officer is called to the court after hours or on weekends to respond to intrusion alarms.

Impact of Denial of Proposal

Failure to approve the proposal will likely result in continued and potentially escalating risks to the safety and security of the standalone appellate courthouses. Specific consequences include:

1. **Increased Security Vulnerabilities:** Without additional protective services, incidents of vandalism, property damage, and breaches to court facilities are likely to persist or worsen. This compromises the ability of courts to operate safely and securely.
2. **Heightened Safety Risks:** Employees, justices, and members of the public may face ongoing or increased threats to their safety, such as confrontations with individuals exhibiting unstable behavior. It should be noted that some employees, including justices, work outside of normal business hours (including weekends) which places them at even greater vulnerability given the gap in security.
3. **Financial Strain from Repeated Repairs:** The cost of repairing damage, such as broken windows, arson-related destruction, and cleanup of hazmat issues (e.g., human waste and used needles), will continue to burden limited court resources, diverting funds from other critical judicial functions.
4. **Erosion of Public Trust and Accessibility:** Without adequate protection, the courts' ability to provide a safe, neutral environment for justice will be undermined, potentially discouraging public engagement, and diminishing trust in the judicial system.
5. **Non-Compliance with Strategic Goals:** The inability to ensure secure and functional courthouses undermines the Judicial Council's Strategic Plan, which prioritizes maintaining safe and accessible facilities to improve access to justice.

Approving the proposal is essential to address these issues and prevent further harm to the courts, their employees, and the public.

Outcomes and Accountability of Proposal

The current security guard's vendor American Guard Services (AGS) has policies and procedures in place for the management of their personnel and workload. These include departmental written policy, departmental and unit-specific standard operating procedures, and scheduled review with the Judicial Council project manager, who also monitors contract costs.

The security guard's vendor meets regularly with management in each appellate court to address security related issues. In addition, the current AGS vendor provide quarterly status reports on the security issues and the Appellate Court Clerk Executive Officers monitor the quarterly reports and will continue to monitor and evaluate the minimum level of protective services required at each of the standalone courthouses.

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Upon enactment of the FY 2026–27 Budget Act, the existing contract between the Judicial Council and security guard services will be amended based on the approved amount of new spending authority. Based on current operational practices, the vendor will immediately conduct interviews, hire officers, train the new officers, and deploy them statewide at court facilities in a manner consistent with the need described in this proposal. Existing office space will be utilized.

Required Review/Approval

Administrative Presiding Justices 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

Approval

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

Director Signature: *Laura Speed*

Contact Name: Deborah Collier-Tucker

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Appellate Court Facilities Staff
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Proposal Summary

The Judicial Council of California requests 6.0 positions and \$1.3 million General Fund in fiscal year (FY) 2026–27; 2.0 additional positions and an additional \$0.4 million General Fund in FY 2029-30 for a total ongoing amount of 8.0 positions and \$1.7 million to oversee building maintenance for four state-owned Courts of Appeal facilities. The funds will be used for the recruitment of Court Building Supervisor and Assistant Court Building Supervisor positions. This funding will be used for in-house facility management staff to support four Court of Appeal state-owned facilities.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	6.0	6.0	6.0	8.0	8.0
Personal Services	945,000	945,000	945,000	1,258,000	1,258,000
Operating Expenses & Equipment	386,000	305,000	305,000	434,000	407,000
Local Assistance					
Total	1,331,000	1,250,000	1,250,000	1,692,000	1,665,000
One-time					
Ongoing	1,331,000	1,250,000	1,250,000	1,692,000	1,665,000

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

Problem or Issue

The Courts of Appeal face a critical shortfall in dedicated in-house facility management staff, leaving essential maintenance and repair tasks to external contractors and/or administrative teams with limited expertise. This gap threatens the long-term integrity, safety, and functionality of key judicial facilities. Consequently, Court Executives must rely on external contractors for expertise in critical building repairs and maintenance decisions.

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The addition of a Court Building Supervisor and an Assistant Court Building Supervisor for each standalone court will provide several key benefits to the state. These positions will ensure dedicated, on-site expertise to manage the complex and growing maintenance needs of state-owned Courts of Appeal facilities. By having in-house staff, the Courts of Appeal can reduce reliance on external contractors, resulting in potential cost savings and faster response times for repairs and maintenance. Moreover, these roles will improve the long-term preservation of facilities by implementing proactive maintenance strategies, lessening costly emergency repairs, and extending the lifespan of state assets. The enhanced oversight and management will also ensure compliance with safety, environmental, and accessibility regulations, reducing the risk of penalties or legal challenges. Fully functional court facilities are essential to providing equal access to justice.

Initial request of \$1,331,000 in permanent funds for fiscal year (FY) 2026–27, is requested to support facility staff of 6.0 FTEs for 3 courthouse facilities – Fifth District Court of Appeal and Fourth District Court of Appeal, Divisions 2 and 3. Following the completion of the Sixth District Court of Appeal construction in FY 2029–30, the request will increase funds to cover the 2 additional positions and provide a total of 8 FTEs permanent positions and \$1,692,000 in ongoing General Fund support for 4 Court of Appeal courthouses state-owned facilities.

Background/History of Problem

Several standalone Courts of Appeal courthouses have no or limited facility staff to maintain or support local facilities issues that arise daily, and repair urgent time-sensitive safety issues that occur. The Judicial Council oversees the management of 155,211 square feet of state-owned facilities, including the Fourth District Division Two, the Fourth District Division Three and the Fifth District. Additionally, the Sixth District Court of Appeal (San Jose), a new standalone facility spanning 49,798 square feet, is set for completion in 2028.

In FY 2021–22, \$1.1 million was approved through a Budget Change Proposal to support the operations and maintenance of Courts of Appeal facilities at industry-standard levels. This funding was aligned with the International Facilities Management Association standards, which outline appropriate funding levels for effective operations and maintenance programs. While this funding addressed some critical needs, it did not include provisions for in-house staffing to oversee, support and contribute to facility maintenance efforts.

For example, the Santa Ana Court of Appeal, a 51,960-square-foot facility built in 2009, has experienced increasing maintenance and compliance demands as it has aged. The responsibility for repairs and upkeep has largely fallen to the Presiding Justice and administrative staff, who have limited expertise in facility maintenance. Major projects undertaken by the court include installing a new roof, replacing a domestic hot water boiler, upgrading computer room air conditioner (AC) units, repairing pipe leaks, and conducting water remediation. These tasks have required court staff to work weekends, after hours, and overtime in addition to managing their regular operational responsibilities.

Other standalone facilities, such as the Riverside Court of Appeal (42,251 square feet, built in 1999) and the Fresno Court of Appeal (61,000 square feet, built in 2005), have also required significant repairs and upgrades. The Fifth District Court of Appeal undertook a major heating, ventilation, and air conditioning (HVAC) replacement project, including replacing all variable air volumes, rooftop units, computer room AC units, and building controls system.

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Additionally, the court had to replace all exhaust fans and domestic water booster pumps. Before these projects, the court had to replace two failing boilers. Projects such as these, which are necessary and commonplace in owned buildings, require staff to oversee work being completed, hold contractors accountable, escort contractors into secured spaces, engage with project managers and stakeholders, and facilitate cleanup efforts.

Additionally, ongoing routine tasks such as replacing burnt out lights, replacing failed lighting ballasts, checking fire extinguishers, testing emergency exit illuminated signs, performing maintenance on vehicle gates, cleaning debris off roofs, cleaning graffiti, frequently removing fecal matter from animals (e.g. ducks and dogs), repairing gates/doors, monitoring HVAC equipment (e.g. boilers, air handlers, filters, etc.) among a host of other tasks that come with managing a facility, require experienced staff or contractors to be onsite regularly. The cost, unreliability, and frequent scheduling delays seen with contractors undoubtedly put the state-owned buildings and those that work in the buildings in a hardship, while issues fester and remain unaddressed.

With growing maintenance demands and a lack of in-house staff dedicated to facility management, the Courts of Appeal will struggle to sustain this workload in the future without appropriate staffing and support.

Impact of Denial of Proposal

Denying this proposal will prolong the courts' dependence on external contractors and the limited facility expertise of Court Executives to manage and maintain state courthouses effectively. Without adequate in-house staffing and support, critical decisions on resource allocation and maintenance will be hindered, leaving aging facilities increasingly vulnerable and jeopardizing their accessibility, functionality, and compliance statewide. Without proper oversight, the state risks costly emergency repairs, reduced facility lifespan, and potential noncompliance with safety and accessibility regulations compromising the ability to provide justice.

This funding request will help uphold legislative mandates by ensuring courthouses across the state remain accessible, operational, and compliant. Adding a Court Building Supervisor and an Assistant Court Building Supervisor is essential to ensuring these facilities remain fully functional, safe, and compliant. These positions will allow the state to adopt proactive maintenance strategies, reduce dependency on expensive contractors, and ensure timely responses to maintenance issues. Fully functional court facilities are essential to providing equal access to justice and preserving the investments made constructing these facilities.

Outcomes and Accountability of Proposal

The Judicial Council's existing control protocols for operations and maintenance (O&M) assessments, approvals and ongoing reviews will ensure appropriate use of the requested funding. Funding these positions allows for the Judicial Council to benchmark facility performance with similarly funded programs. Continued monthly review will contribute to the accountability and monitoring of activities—through monthly budget and financial reporting already in place.

An appropriately funded facilities program provides for longevity of the state's assets, extending the useful life of building systems and replacing aged systems in a timely manner to reduce system failure rates. Premature failure of building systems results in an emergency event, creating higher building maintenance and repair costs, and diminishing access to justice due to court closures and impacted court operations. Approval of this request ensures

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adequate funding for each court to maintain the necessary in-house staff to manage and execute the preventive maintenance.

This funding will ensure that operations and maintenance are conducted by providing adequate staffing to manage a total of 155,211 square feet of facilities. The proposal includes ongoing funding for 3 Court Building Supervisors and 3 Assistant Court Building Supervisors. In fiscal year 2029-2030, the request expands to include 1 additional Court Building Supervisor and 1 additional Assistant Court Building Supervisor to support the San Jose Court of Appeal courthouse, which is expected to encompass 49,798 square feet. The outcome of approving the request will provide needed services for a total 205,009 square feet for four standalone Court of Appeal courthouses..

Required Review/Approval

Administrative Presiding Justices Advisory Committee

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

Goal I: Access, Fairness, Diversity, and Inclusion
Goal II: Independence and Accountability
Goal VI: Branchwide Infrastructure for Service Excellence
Please use this space to add any additional considerations.

Providing fair and equal access to justice for all Californians is the primary mission of the Judicial Council. Court facilities are highly specialized and heavily used and are not comparable to regular office buildings due to the programmatic activities of these buildings. These specialized activities require extra measures to ensure the safety and security of the public, in-custody defendants, law enforcement, court employees, and judicial officers. Failures of court facilities systems negatively impact access to justice, a strategic goal of the judicial branch.

This request aligns with the Branch’s Strategic Goals — including the adequate funding needs of Judicial Council facilities and supporting Goals, I, II, and VI.

Approval

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

Director Signature: *Laura Speed*

Contact Name: Deborah Collier-Tucker

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Racial Justice Act Retroactivity (AB 256) for the Appellate Courts and Trial Courts
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Proposal Summary

The Judicial Council of California requests **\$TBD** million General Fund in fiscal year (FY) 2026–27 and **\$TBD** million General Fund in FY 2027–28 and ongoing to support statewide appellate court operations for adjudicating cases pursuant to the Racial Justice Act (RJA), enacted in 2020 and expanded in 2022 by AB 256. (Pen. Code §745; AB 2542; AB256.) This General Fund request consists of three components 1) Provide the Appellate Courts (Supreme Court and Courts of Appeal) 17.0 full time positions and \$5.7 million to address the internal operational costs related to RJA support; 2) Provide the Court Appointed Counsel Programs (Supreme Court and Courts of Appeal) funds to support counsel appointed on cases with RJA issues; and 3) Provide the Trial Courts **\$TBD** million to address the costs related to RJA support.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	17	17	17	17	17
Personal Services	4,606,000	4,606,000	4,606,000	4,606,000	4,606,000
Operating Expenses & Equipment	1,096,000	1,096,000	1,096,000	1,096,000	1,096,000
Local Assistance					
Total	TBD	TBD	TBD	TBD	TBD
One-time					
Ongoing					

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

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Problem or Issue

The passage of the RJA in 2020 and its expansion in 2022 to include all past juvenile adjudications and judgments regardless of when they were final has created an exponentially increasing case flow both in the trial and appellate courts. The purpose of the funds requested is to support both internal Supreme Court and Courts of Appeal operations with the addition of 17.0 full time positions: Supreme Court requests 4.0 Attorney positions and 1.0 Deputy Clerk position and Courts of Appeal requests 10 Attorney positions and 2.0 Judicial Assistant positions. In addition, the funds are requested for Trial Court resources related to the consideration of RJA cases and external costs related to appointment of counsel in both capital and non-capital cases in the Court Appointed Counsel Programs.

Background/History of Problem

The Racial Justice Act (RJA), enacted in 2020, prohibits the state from seeking or obtaining a criminal conviction or seeking, obtaining, or imposing a sentence on the basis of race, ethnicity, or national origin. (Pen. Code §745; AB 2542.) The RJA permits those alleging a criminal conviction or sentence was entered against them in violation of the RJA to petition the court for relief regardless of when the judgment became final. The RJA also applies to juvenile adjudications and dispositions. (Pen. Code §745, subd. (f).) Relief under the RJA can be sought:

- By motion filed in the trial court (Pen. Code §745, subd. (b).)
- By petition for writ of habeas corpus or a motion under Section 1473.7 in the trial court. (Pen. Code §745, subd. (b).)
- For claims based on the trial record, on direct appeal from the conviction or sentence. (Pen. Code §745, subd. (b).)
- A defendant may move to stay their appeal and request remand to the superior court to file a motion raising RJA issues. (Pen. Code §745, subd. (b).)
- A defendant can request discovery related to potential RJA issues by motion filed in the trial court. (Pen. Code §745, subd. (d).)

Anticipated proceedings in the trial court could involve multiple additional filings, appointment of counsel, and possible multiple hearings, including evidentiary hearings. RJA proceedings will require consideration of complex legal and factual issues including:

- Disclosure of evidence unless a statutory privilege or constitutional privacy right cannot be adequately protected by redaction or a protective order;
- Nonstatistical evidence and the totality of the evidence in determining whether a significant difference in seeking or obtaining convictions or in imposing sentences has been established; and
- Statistical evidence showing systemic and institutional racial bias, racial profiling, and historical patterns of racially biased policing and prosecution to determine whether such evidence may have contributed to, or caused differences observed in, the data or impacted the availability of data overall.

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If relief is granted, a defendant could be entitled to a new trial. (Pen. Code §745, subd. (e).) Proceedings in the court of appeal related to the RJA will include a significant increase in writ matters, and increases in notices of appeal, and expansion of issues that can be raised in an appeal to include complex fact driven RJA issues. (Pen. Code §745, subds. (b).) No permanent funds were approved for the Supreme Court, Courts of Appeal and the Trial Courts to address the internal workload and additional staff needed to administer and handle work related to RJA.

In 2022, the Legislature expanded the retroactivity of the RJA when it passed AB 256. AB 256 made the RJA progressively retroactive. By 2026, the RJA will apply to any conviction or sentence irrespective of when the judgment became final. (Pen. Code §745, subd. (j); AB 256.)

As amended by AB 256, Penal Code 745 has annual implementation dates beginning January 1, 2023, through January 1, 2026. Due to the lack of responsive and specific quantitative data at the trial court level, the actual number of filings as well as the workload and cost impact to the trial courts is difficult to determine and may need to be reassessed after AB 256 is fully implemented.

Impact of Denial of Proposal

Without additional funding to support the new workload related to AB 256 (RJA issues) in the cases under appeal, the Superior Courts and Courts of Appeal will not have the adequate resources to maintain the level of work needed on these new RJA cases and control the potential backlog from these RJA cases.

Outcomes and Accountability of Proposal

Appellate Analysis

The Judicial Council expects that by extending the availability of relief under the RJA to all juvenile disposition and criminal convictions regardless of when the judgment became final, AB 256 will require additional funds to support the adjudication of appellate cases. By the time this proposal is implemented, the changes in retroactivity will be fully in effect.

The Judicial Council has gathered data regarding opinions and writ petitions filed raising RJA issues since its implementation in 2021 and can document the exponential growth of RJA workload through December 2024. As full implementation will not occur until 2026, the courts of appeal anticipate continued exponential growth as follows:

Anticipated Increases:

Supreme Court's workload has increased and additional staffing is necessary to address the RJA work. Courts of Appeal: Assuming an average of *200% increase each year in 2025, 2026 and 2027* based on greatly expanded eligibility in 2025 and 2026 with an average of *30 hours of work per case**:

- **2025** – 84 cases = 2520 hours** (+304 non-substantive) = **2824** hours
- **2026** – 168 cases = 5040 hours (+608) = **5648** hours
- **2027** – 336 cases = 10,080 hours (+1216) = **11,296** hours

*Based on *attorney hours* spent on cases where RJA issues are raised substantively.

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** Add 8-10% of attorney time to calculate JA time based on actual data from 4th District Court of Appeal.

Judicial Council staff used the calculated estimates for trial court caseloads under AB 256 and assumed a 25% rate of appellate filings, based on Court Statistics Report data and subject matter expert feedback, to estimate the potential appellate caseload. In 2024-25, Judicial Council staff estimate a caseload of 300 with a cost of \$300,000. In FY 2025-26, the caseload estimate is 1,300, with a cost of \$1.5 million. In FY 2026-27, the caseload estimate is 1,000, with a cost of \$1.15 million. The costs per case were calculated using the Judicial Council's workload cost model. The estimates may need to be adjusted once more information and data is available on Racial Justice Act cases.

Required Review/Approval

Administrative Presiding Justices Advisory Committee

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

Goal IV: Quality of Justice and Service to the Public
Goal VI: Branchwide Infrastructure for Service Excellence
Goal IV: Quality of Justice and Service to the Public

Approval

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

Director Signature: *Laura Speed*

Contact Name: Deborah Collier-Tucker

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Seven California Highway Patrol – Judicial Protection Section (CHP-JPS) Officers
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Proposal Summary

The Judicial Council of California requests \$2.7 million General Fund in fiscal year (FY) 2026–27 and ongoing to provide 7.0 necessary full-time equivalent (FTE) California Highway Patrol Judicial Protection Section (CHP- JPS) officers. These seven officers will replace the previous four limited term CHP-JPS Officers funded by the Appellate Court Trust Fund whose positions are ending June 30, 2026. The 7.0 FTE CHP-JPS Officers will support single-officer courthouses of the state appellate courts, consisting of the California Supreme Court and the six appellate districts and divisions of the Court of Appeal. It has been documented that court-targeted acts of violence are on the rise, and the 7.0 requested CHP-JPS officers are necessary to provide minimum police protective services and respond to anticipated threats and acts of violence at those courthouses.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000
Local Assistance					
Total	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000
One-time					
Ongoing	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000

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

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Problem or Issue

Court-targeted acts of violence are on the rise, and the additional CHP-JPS officers are necessary and essential to provide minimum police protective services and respond to anticipated threats and increasing acts of violence at those courthouses. Existing resources and funding do not provide enough officers to staff the appellate court facilities in Sacramento, San Jose, Fresno, Ventura, Santa Ana, Riverside, and San Diego. Pursuant to the contract, CHP-JPS is required to provide police protective services to (1) the courthouse facilities including the approximately 900 judicial branch employees and members of the public using those facilities including monitoring video surveillance, walking the grounds, and responding to incidents; (2) provide protection at oral arguments, hearings, meetings and events taking place on and off site including providing bailiff duties inside the courtroom; (3) protect the judicial officers as they work in chambers; (4) protect judicial officers who are traveling on state business; and (5) address challenges and concerns related to providing security in the event of unforeseen circumstances, i.e. the COVID-19 pandemic.

The inability to provide needed security protection increases when an officer falls ill or takes earned vacation time. The security footprint of these single officer locations is problematic since the officer would only be able to address one issue at a time and does not have immediate backup, presenting a vulnerability to court security operations.

The Risks of a Single-Officer Security Model

Courts with only one assigned officer are inherently vulnerable. If an incident occurs, a single officer may be forced to choose between:

- Calling for backup, which may take critical minutes to arrive.
- Engaging an armed threat alone, with no cover or support.
- Assisting court personnel and the public in evacuating or sheltering in place.

This is an untenable situation, as no officer should be expected to handle all security responsibilities alone, especially in high-risk environments like courtrooms where emotions can run high, and decisions impact people's lives profoundly.

Background/History of Problem

In a 2010 study, the National Center for State Courts documented 185 court-targeted acts of violence including shootings, bombings, and arson. A more recent nationwide study identified an additional 209 attacks including knifings and other assaults. A further nationwide report identified another 409 incidents and concluded that such incidents of violence are on the rise.

In 2015, a Texas judge was shot and wounded in the driveway of her home in Austin.

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In 2017, an individual entered the Ronald Reagan State Office Building in Los Angeles, which houses the Second Appellate District and oral arguments for the California Supreme Court and acted in such a threatening manner that the use of lethal force became necessary to protect the facility and the public. Also in 2017, an Ohio judge was shot and injured in an ambush-style attack outside the courthouse.

In 2018, Federal Marshals identified 4,542 threats and inappropriate communications against the federal judiciary, and identified 4,449 threats and inappropriate communications in 2019, up from 926 such incidents in 2015.

In 2019, a 22-year-old man opened fire at the Earle Cabell Federal Building and Courthouse in Dallas, Texas. At the time of the shooting, the gunman had more than 150 rounds of ammunition on him.

In 2020, two Federal Protective Service officers were shot from a passing vehicle outside the federal courthouse in Oakland, California. One of the officers passed away due to his injuries.

Further in 2020, the California Appellate Courts in Los Angeles and Sacramento were defaced, causing several temporary building closures across the state. The clerk's office of the California Supreme Court was also temporarily closed because of "continued civil unrest" and a San Francisco curfew. Also in 2020, the federal courthouse in Brooklyn, New York, was temporarily closed after several security officers from the building tested positive for COVID-19.

2020

July 19, 2020 – A gunman posing as a delivery driver attacked U.S. District Judge Esther Salas' home in New Jersey, killing her 20-year-old son and critically injuring her husband. The shooter, an attorney with anti-feminist views, later died by suicide.

2021

Throughout 2021 – The U.S. Marshals Service recorded a sharp rise in threats against federal judges, increasing from 224 in fiscal year 2021 to 457 in fiscal year 2023. (Reuters)

January 6, 2021 – Federal judges handling election-related cases received numerous threats, with the FBI reporting increased online discussions advocating violence.

2022

October 2022 – A Department of Homeland Security memo warned of escalating threats against federal judges, fueled by anti-government extremism. (Wired)

June 8, 2022 – An armed individual was arrested near Supreme Court Justice Brett Kavanaugh's home, intending to harm him over anticipated court decisions.

2023

October 19, 2023 – Maryland Circuit Court Judge Andrew Wilkinson was shot and killed outside his home by a litigant in a recent divorce case. The suspect was later found dead from a self-inflicted gunshot wound.

Throughout 2023 – The U.S. Marshals Service investigated 457 threats against federal judges, a significant increase from previous years. (Reuters)

2024

December 31, 2024 – Chief Justice Roberts cautioned against increasing intimidation and disinformation

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targeting judges, as well as calls to disregard court rulings. (Reuters)
February 2024 – Reports revealed that serious threats against U.S. federal judges had more than doubled over the past three years, driven largely by political tensions. (Reuters)
2025

January 1, 2025 – Chief Justice John Roberts warned of rising threats to judicial independence, emphasizing the dangers of violence and intimidation. (The Guardian)

February 4, 2025 – FBI employees filed lawsuits against the U.S. Justice Department to protect the identities of agents involved in January 6 investigations, fearing retribution after some rioters identified them on social media. (Reuters)

The need for adequate security protection continues to increase.

The addition of a second officer at all single-officer courts is mission critical for Judicial Protection Section. The current model, in which a single officer is responsible for court security, poses significant risks to both the judiciary and the public. Security data collected and national trends indicate that a single officer is insufficient to effectively manage threats, respond to incidents, and ensure the safety of court personnel.

The Growing Threat to Judicial Safety:

In recent years, there has been a troubling rise in violence and threats against members of the judiciary across the country. As noted above, In 2023 alone, the U.S. Marshals Service investigated 457 threats against federal judges, more than double the 224 cases in 2022. These threats are not abstract—they have resulted in real-world tragedies.

These attacks reinforce the necessity of a robust and proactive security presence in all courts. A single officer is simply not enough to manage potential threats, control an unfolding incident, and simultaneously protect justices, court staff, and the public.

The Risks of a Single-Officer Security Model are Noted Below

Courts with only one assigned officer are inherently vulnerable. If an incident occurs, a single officer may be forced to choose between:

- Calling for backup, which may take critical minutes to arrive.
- Engaging an armed threat alone, with no cover or support.
- Assisting court personnel and the public in evacuating or sheltering in place.

This is an untenable situation, as no officer should be expected to handle all security responsibilities alone, especially in high-risk environments like courtrooms where emotions can run high, and decisions impact people's lives profoundly.

Proven Benefits of a Two-Officer Model are Presented Below

The addition of a second officer has already demonstrated measurable improvements in satellite courts where it has been implemented.

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Key benefits include:

- Significant Reductions in Overtime & Resource Allocation
 - JPS officer overtime has decreased by 90%.
 - Backfilling at satellite courts has been reduced by 46%, with projections indicating a 55% reduction if expanded across all locations.
 - These efficiencies free up resources for deployment in higher-need areas such as San Francisco and Los Angeles.
- Improved Security & Incident Response
 - While security incidents involving JPS officers at satellite courts increased by 34%, this is likely due to improved officer presence and responsiveness rather than an actual rise in incidents.
 - With a second officer, security teams can take a proactive approach rather than reacting after a situation escalates.
- Increased Efficiency in High-Activity Courts
 - Reduces reliance on JPS officers from San Francisco and Los Angeles, lowering overtime costs, vehicle mileage, travel expenses while ensuring that security personnel are not pulled from other essential locations.
- Enhanced Officer Safety & Job Satisfaction
 - Officers report greater continuity by working in their assigned courts, leading to more familiarity with personnel and case dynamics.
 - A two-officer system allows for more training opportunities, flexible scheduling, and more efficient operations.
- Positive Feedback from Court Personnel
 - Justices, CEOs, and court employees have expressed strong support for the two-officer model, citing increased safety, improved officer availability, and greater support during oral arguments, court outreach, and special events.

Approval of the request is a necessary step to protect the California Courts of Appeal.

The role of the judiciary is fundamental to our democracy, and the security measures in place must reflect the growing threats faced by judges, attorneys, and court personnel. A single officer per court is no longer a sufficient safeguard against modern security risks. The evidence is clear—adding a second officer is a proven solution that enhances safety, reduces costs, and ensures that every court operates with the highest level of security preparedness. The implementation of a second officer at all single-officer courts is mission critical. This is not simply an operational improvement but an essential measure to protect the people who uphold our legal system.

Impact of Denial of Proposal

If funding is not provided for this proposal, police protective services will not keep pace with increasing threats and acts of violence. CHP-JPS will be unable to maintain the minimum level of requested police protective services; will lack the needed officers to secure judicial events, conferences, outreach activities and other protective service detail operations; officer safety will be jeopardized; and inefficient and/or costly backfilling will be the rule rather than the rare exception. Denial of this proposal will maintain the current untenable and unacceptable gap in protection and current increased inefficiencies, and may permit acts of violence against justices, judicial branch employees, and members of the public seeking access to justice.

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Further, denial of this proposal may result in increased civil liability against the state and the appellate courts for not taking proper security measures to prevent court-directed violent incidents from occurring; increased chances of harm to justices, court employees, and the public as a result of inadequate security measures; decreased public confidence in the ability to safely conduct business at appellate court facilities and the court's ability to ensure public access to justice; and decreased ability to mitigate injury to justices, court employees, and the public as well as damage to court property.

Outcomes and Accountability of Proposal

This proposal would address a historical security deficit at the appellate courts, reducing potential civil liability against the state while increasing public confidence in the ability to safely conduct business at appellate court facilities. This proposal would also result in greater efficiency. Backfilling officers from other locations to provide needed coverage is extremely inefficient, and backfilled officers are not always available. Further, backfilled officers incur increased travel costs and overtime. This proposal will also provide greater safety and minimum protection not just for judicial officers and judicial branch employees, but also for California citizens who visit and use the appellate courts for access to justice. Lastly, this proposal will enhance officer safety and assist the court and CHP in adhering to health-related guidelines.

Required Review/Approval

Administrative Presiding Justices Advisory Committee

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

Goal VI: Branchwide Infrastructure for Service Excellence

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

The judicial branch improves access to justice by, among other things, maintaining secure physical locations around the state where members of the public can safely conduct court business. This proposal would allow CHP-JPS to provide the level of police protective services needed for safe access to justice in the appellate courts. Such protection furthers the goals of the JCC's Strategic Plan. Justices, judicial branch employees, and members of the public would benefit from adequate police protective services that permit the resolution of disputes in a safe, secure, and peaceful environment.

Approval

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

Director Signature: *Laura Speed*

Contact Name: Deborah Collier-Tucker

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Proposition 66 in Courts of Appeal
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Proposal Summary

The Judicial Council of California requests 14.5 positions and \$10.2 million General Fund in fiscal year (FY) 2026–27 and \$9.8 million General Fund in FY 2027–28 and ongoing 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 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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	14.5	14.5	14.5	14.5	14.5
Personal Services	4,547,000	4,547,000	4,547,000	4,547,000	4,547,000
Operating Expenses & Equipment	5,609,000	5,443,000	5,443,000	5,443,000	5,443,000
Local Assistance					
Total	10,156,000	9,990,000	9,990,000	9,990,000	9,990,000
One-time	310,000	0	0	0	0
Ongoing	9,846,000	9,990,000	9,990,000	9,990,000	9,990,000

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

Problem or Issue

Prop 66 was approved without funding or resources and the new workload cannot be absorbed by existing resources and staffing for the Courts of Appeal. Approximately 150 petitions were transferred from the Supreme Court to the trial courts, a majority of which are still pending in the trial courts and will likely result in an appeal under Prop 66.

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Currently, 46 petitions have proceeded to final disposition in the trial courts and are now in the Courts of Appeal. Thirty-six have been stayed due to lack of funding for habeas corpus appeal counsel. Ten are moving forward despite the lack of funding because counsel is an agency such as Habeas Corpus Resource Center (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 2026–27. If funding is not provided to the Courts of Appeal, the courts will have to absorb over 12.5 full-time 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 is a backlog and there are approximately **364 California condemned** incarcerated persons awaiting appointment of habeas corpus counsel. Approximately 123 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. Prop 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. The requested funding will promote the interests of the fair administration of justice by allowing cases to proceed to final resolution, benefiting both the unrepresented and the victim’s family members. Of the 364 persons awaiting the appointment of habeas counsel, four have two death judgments for a total of 368 death judgments. Of those 142 (39 percent) have been affirmed on direct appeal.

The Courts of Appeal staff will be required to do different and additional work than what 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 to 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

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of Appeal cannot assume, however, that because a petitioner had representation in the trial court, the petitioner will also 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 FY 2027–28.

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 Prop 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 includes one supervising appellate court attorney, 11.5 senior appellate court attorneys, and two judicial assistants.

The Courts of Appeal request for new additional staff will handle these appeals. Because these cases involve the death penalty, they are extraordinarily hard fought and involve many complex issues. The Courts of Appeal will be required to do different and additional work than was required of the Supreme Court in resolving pre-Prop 66 petitions. Unlike the Supreme Court, the Courts of Appeal will have to issue full written opinions, resolve interlocutory writ petitions taken from superior court rulings, decide multiple pre-decision motions, and consider petitions for rehearing. The estimated workload calculation is based on averaging 2 types of anticipated appeals: appeals from initial petitions, which will require extensive work, and appeals from second or subsequent petitions, which will require less work.

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. 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. However, if the current \$145/hour rate through FY 2024–25 for capital appointments, changes in FY 2025-26 (with proposed BCP to increase current appointment rate by \$10 for FY 2025-26), additional funds will be requested in the FY 2026-27 budget cycle to obtain adequate funds for any approved increases in capital appointment rates. Currently, as of January 2025, there is 70 Prop 66 cases statewide in the Courts of

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Appeal: 44 cases stayed (without counsel); 12 cases dismissed; 11 cases under the Federal Public Defenders Office (FPDO) and State Public Defenders Office (SPDO) or in opinion/motion stage. Without funding the 44 Prop 66 statewide cases will continue to be stayed and access to justice will be denied to appellants and families of victims.

Impact of Denial of Proposal

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.

As noted there are currently 44 Prop 66 cases statewide without counsel appointed, denial of this request will increase the number of Prop 66 cases without counsel and create a backlog for the Prop 66 cases.

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 to review and render timely opinions to provide relief to prisoners without counsel. The Courts of Appeal will have the necessary resources (funding and staff) 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. 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 California’s approximately 364 unrepresented condemned incarcerated persons may have potentially meritorious claims of innocence. Racial and ethnic minorities are disparately impacted, with African Americans comprising approximately 34.6 percent of California’s death row (as compared to approximately 6 percent of the general population). Additionally, the Death Row U.S.A (DRUSA) Winter 2024 (as of Jan. 1, 2024), a quarterly report by Legal Defense Fund, lists California’s inmates on Death Row in the below categories:

California Death Row Stats as Jan. 1, 2024													
State of CA	Total	Black		White		Latino/a		Native American		Asian		Unknown	
	641	222	34.6%	209	32.6%	175	27.3%	9	1.4%	26	4.1%	0	—

Approval of this proposal will also provide timely processing of these cases and provide equity for all Californian’s including families who are seeking timely justice for the victims and families of incarcerated persons in the habeas corpus petition cases. In addition, these funds will reduce the amount of time innocent incarcerated persons serve in prison awaiting an appeal, as the families on both sides continue to wait for their day in court and closure.

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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 overwhelming 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

Goal I: Access, Fairness, Diversity, and Inclusion
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: *Laura Speed*

Contact Name: Deborah Collier-Tucker, Manager

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Increase Appellate Court Staffing
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Proposal Summary

The Judicial Council of California requests \$6.1 million General Fund and 18.0 positions in fiscal year (FY) 2026–27, \$5.9 million and 18.0 positions ongoing to continue to address the courts’ existing workload, reduce backlogs, and prevent case delays in appellate districts. The requested funding will replace currently authorized Appellate Court Trust Fund for 18.0 positions, funded on a limited term basis ending June 30, 2026.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026–27 (BY)	2027–28 (BY+1)	2028–29 (BY+2)	2029–30 (BY+3)	2030–31 (BY+4)
Positions	18.0	18.0	18.0	18.0	18.0
Personal Services	\$4,986,000	\$4,986,000	\$4,986,000	\$4,986,000	\$4,986,000
Operating Expenses & Equipment	\$1,159,000	\$914,000	\$914,000	\$914,000	\$914,000
Local Assistance					
Total	\$6,145,000	\$5,900,000	\$5,900,000	\$5,900,000	\$5,900,000
One-time	\$245,000				
Ongoing	\$6,145,000	\$5,900,000	\$5,900,000	\$5,900,000	\$5,900,000

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

Problem or Issue

The Judicial Council of California requests \$6.1 million General Fund and 18 positions in FY 2026–27, \$5.9 million and 18.0 positions ongoing to continue to address the courts’ existing workload, reduce backlogs, and prevent case delays in appellate districts. The current three-year limited term positions will expire on June 30, 2026, and additional workload continues to be a challenge for the Appellate Courts.

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The amount of time needed to process and resolve appeals is substantial even in best-case scenarios, such as when the record is timely prepared and filed, no record augmentations are sought, no extensions of the briefing deadlines are requested, oral argument is waived or promptly scheduled, no difficulties arise during the court's review and analysis of the issues or during its preparation and circulation of the draft memorandum or opinion, all panel members agree on the analysis and disposition, and no petitions for rehearing or review are sought. These ongoing resources are needed to prevent case delays and backlogs¹. The permanent General Fund increase is requested to address costs for these additional limited-term resources to maintain support to the Appellate Caseflow Workgroup report.

Background/History of Problem

The Courts of Appeal are charged by the California Constitution to render judgments on matters subject to the appellate courts and court of original jurisdiction, and to issue decisions in writing with reasons stated for judgments that determine causes.²

Workload for the appellate courts has increased due to the greater complexity of appeals and writs handled by the Courts of Appeal. The complexities stem from the increasingly aggressive style of appellate advocacy and changes in the law and by voter approved initiatives. Thus, additional permanent resources are needed to maintain efficient case processing and workflow for Writs and Appeals.

Because of the severe backlogs that have plagued the Courts of Appeal for decades, the Administrative Presiding Justices have been compelled to define an excessive delay as one in which the decisional phase takes more than 12 months. However, this 12-month period is too long, exceeds national standards, and should be shortened. The National Center for State Courts has stated the time to complete all three phases of appeals should not exceed 570 days (one year and seven months) in 95 percent of civil cases, and it should not exceed 600 days (approximately one year and eight months) in criminal cases.

The Administrative Presiding Justices' primary assumption was that providing additional resources to work on the case delay phase would increase reduction to the initial request where the Courts were approved for limited-term three-year positions (July 1, 2023-June 30, 2026). With the initial request for limited positions, the Courts of Appeal has reduced delays by setting an initial goal of shortening the decisional phase of appeals to exceed no more than 9 months. Approval of permanent General Fund resources is needed to retain the positions necessary to continue taking measures to achieve and maintain this goal. Funding from the Appellate Court Trust Fund is not a source to support the ongoing permanent resources required for the 18.0 Courts of Appeal positions. The Courts of Appeal workload continues to increase specifically in the areas Pending Appeals, Fully Briefed Appeal, and Notice of Appeals, and the 18 positions are needed to address the Courts' operational needs.

¹ Appellate Caseflow Workgroup: Report to the Chief Justice, December 6, 2022, p. 9
https://newsroom.courts.ca.gov/sites/default/files/newsroom/2022-12/Appellate%20Caseflow%20Workgroup%20Report_Final.pdf.

² Cal. Const., art. VI, §§ 3, 10, 11 & 14.

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As a result of the 18 additional resources the Courts of Appeal has addressed the backlog related to the Pending Fully Briefed Appeals. In FY 2020–21 the number of pending fully briefed appeals was 3,424 and with the additional resources over the past two fiscal years the number of pending fully briefed appeals have dropped to 2,642 in FY 2023–24 and is more in line with the timely processing of fully briefed and ready for trial cases.

Appeals Pending and Notices of Appeal Statewide

	<i>FY 2020–21</i>	<i>FY 2021–22</i>	<i>FY 2022–23</i>	<i>FY 2023–24</i>
<i>Pending Appeals</i>	12,312	12,401	14,887	14,435
<i>Pending Fully Briefed Appeals</i>	3,424	2,609	2,589	2,642
<i>Notices of Appeal</i>	12,538	13,627	16,258	17,772

Notices of Appeal

In FY 2021–22³, 13,627 notices of appeal were filed statewide. In FY 2023–24,⁴ 17,772 notices of appeal were filed statewide. Since emerging from the pandemic, notices of appeal have rebounded significantly and for the last two years have exceeded pre-pandemic levels (during which time approximately 14,000 notices of appeal were filed in each of the fiscal years leading up to the pandemic). The substantial increase in notices of appeal forecasts an increased number of appeals for the Courts of Appeal statewide, and thus an increasingly greater workload for the courts to handle.

Pending Appeals

At the conclusion of FY 2021–22, there were 12,401 appeals pending statewide. In FY 2023–24, there were 14,435 appeals pending statewide. Since emerging from the pandemic, pending appeals have also risen significantly and correspond to the increase in notices of appeal. For the last two years, pending appeals have returned to pre-pandemic levels (during which time approximately 14,000 appeals were similarly pending in each of the fiscal years leading up to the pandemic).

Pending Fully Briefed Appeals

At the conclusion of FY 2021–22, there were 2,609 pending fully briefed appeals statewide. In FY 2023–24, there were 2,642 pending fully briefed appeals statewide. Since emerging from the pandemic, pending fully briefed appeals have remained steady and have not returned to pre-pandemic levels (during which time approximately 4,000 fully briefed appeals were similarly pending in each of the fiscal years leading up to the pandemic). The ability for the Courts of Appeal to reduce the number of pending fully briefed

³ FY 2021–22 is the last fiscal year prior to the approval of the limited-term three-year attorney position.

⁴ FY 2023–24 is the most recent fiscal year since the approval of the limited-term three-year attorney position for which we have full data.

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appeals and maintain that number in the last few fiscal years reflects how the additional resources instituted following the Appellate Caseflow Workgroup recommendations, including the limited term attorney positions, notwithstanding the material uptick in notices of appeal and pending appeals.

The three-year limited term attorney positions have been critical in reducing backlog and maintaining the number of pending fully briefed appeals over the last two fiscal years in which the Courts of Appeal have been experiencing a resurgence in notices of appeal following the drop in cases during the pandemic. These positions have better enabled appellate justices to dispose of pending fully briefed appeals assigned to their chambers more promptly and efficiently, which promotes more confidence in the state judiciary. Maintaining these positions through the General Fund is needed to prevent any backsliding into prolonged backlogs.

Assessments Affecting Appellate Case Processing

How quickly appeals can be processed is affected by several factors, many of which are unique to California.

The Code of Judicial Ethics requires judges to dispose of judicial matters fairly, promptly, and efficiently and to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary.⁵ Other authority indicates that judges are expected to decide matters assigned to them within 90 days after an appeal is “submitted,” and they are prohibited from receiving their salaries when they have an undecided matter under submission for more than 90 days.⁶ Appellate cases are submitted when the court has heard oral argument or approved its waiver.⁷

While the Appellate Caseflow Workgroup found that the statewide backlog of fully briefed cases in the Courts of Appeals has been reduced, the workgroup also recommended that more be done to prevent excessive case delays from developing in any appellate district⁸. To address the courts’ workload, case processing time, and case backlog, the Courts of Appeal hired new attorneys and judicial assistants beginning in 2022–23. These positions have made inroads in the statewide backlog. Therefore, this request is to provide permanent General Funds to support these positions.

Impact of Denial of Proposal

The ability for the Courts of Appeal to secure permanent resources to reduce backlogs and case processing times and provide increased access to justice, which results in more equality, fairness, and processing of cases in a just and timely manner.

⁵ Cal. Code Jud. Ethics, canons 2A, 3B(8).

⁶ Cal. Const., art. VI, § 19; *Mardikian v. Commission on Judicial Performance* (1985) 40 Cal.3d 473, 477, fn. 4.

⁷ Rule 8.256(d)(1).

⁸ Appellate Caseflow Workgroup: Report to the Chief Justice, December 6, 2022, p. 2

https://newsroom.courts.ca.gov/sites/default/files/newsroom/2022-12/Appellate%20Caseflow%20Workgroup%20Report_Final.pdf

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Without permanent General Fund for the limited-term positions, the backlogs and case processing times will increase in the Courts of Appeal and the public will be negatively impacted:

Access to Justice:

Access to the courts is fundamentally compromised by a lack of adequate resources. Every Californian is constitutionally entitled to impartial and timely dispute resolution through the courts.

Equality, Fairness:

Backlogs inhibit fair, timely, and equitable justice.

Timeliness:

The judicial branch is responsible for providing a court system that resolves disputes in a just and timely manner and operates efficiently and effectively. The judicial branch is obligated to provide timely access to the courts to those seeking its services.

Outcomes and Accountability of Proposal

This request will continue to provide the additional permanent resources that are needed to improve and maintain case output and production and to resolve parties' disputes in a just, efficient, and timely manner. The requested General Funds will allow the courts to have permanent funds for these positions and maintain a reduction in backlogs and case processing times and support the operational needs of each court. The outcomes and accountability associated with this request will provide – Access to Justice, Equality and Fairness, and timely disposition of appeals.

Required Review/Approval

Administrative Presiding Justices 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 I: Access, Fairness, and Diversity

Approval

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

Director Signature: *Laura Speed*

Contact Name: Deborah Collier-Tucker, Manager

26-15
No Concept Submitted

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Facilities Program Support
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Proposal Summary

The Judicial Council of California requests 6.0 positions and \$9.7 million General Fund in fiscal years 2026–27 and 2027–28 and \$5.1 million ongoing beginning in fiscal year 2028–29 to provide court facilities planning services and oversight for facility modifications and capital projects. This funding will also support the new judgeships planning, manage existing and new user licenses for Computer Aided Facilities Management software.
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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	6.0	6.0	6.0	6.0	6.0
Personal Services	\$1,655,000	\$1,550,000	\$1,550,000	\$1,550,000	\$1,550,000
Operating Expenses & Equipment	\$8,025,000	\$8,025,000	\$3,525,000	\$3,525,000	\$3,525,000
Local Assistance					
Total	\$9,680,000	\$9,575,000	\$5,075,000	\$5,075,000	\$5,075,000
One-time	\$4,500,000	\$4,500,000			
Ongoing	\$5,180,000	\$5,075,000	\$5,075,000	\$5,075,000	\$5,075,000

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

Problem or Issue

The Judicial Council lacks sufficient funding to support critical court facilities planning for facility modifications and capital projects, and expansion services to focus on strengthening court facilities planning and management to support new judgeships, capital projects, and infrastructure sustainability.
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Key areas of need include planning resources for new judgeships, program management consultants, and the implementation of a web-based project management tool for capital projects. Additional funding is needed for managing Computer Aided Facilities Management (CAFM) software licenses and providing staffing to oversee the facilities program and prioritize capital projects.

Ongoing funds are necessary to provide resources to plan space for future new judgeships. Whether space is reconfigured in existing court facilities or provided through new lease facilities or modular buildings, timely planning has been essential for superior courts to have space needs met to increase service level capacity by reducing the caseload per courtroom that improves access to justice.

The CAFM system, which supports facility repairs and maintenance, requires ongoing funding for additional user licenses to support over 900 users in facilities management, compliance, and lifecycle analysis.

The proposal includes one-time funding of \$9.0 million over two years to begin a reassessment of capital projects, with target completion in 2029. This reassessment will include facility condition assessments (FCAs) to identify the capital reserves for infrastructure lifecycle repair and replacement needs over the ten-year lifecycle. The FCA projections become the basis for the Facility Condition Index, which is an integral component of the capital project scoring methodology.

To support these efforts, the proposal includes 6.0 positions to provide appropriate facilities program support: 1.0 Senior Project Manager, 1.0 Project Manager, 1.0 Senior Facilities Analyst, 1.0 Associate Analyst, 1.0 Engineer, and 1.0 Administrative Specialist. These positions will provide necessary support for managing capital projects, ensuring compliance with environmental and safety regulations, reviewing designs for building code compliance, and addressing the increasing workload in Real Estate.

Background/History of Problem

In 2002, California shifted responsibility for courthouse funding and operation from counties to the state under the Trial Court Facilities Act (Sen. Bill 1732; Stats. 2002, ch. 1082). Since then, the Judicial Council has worked to address space shortages, antiquated facilities, and infrastructure needs. This has involved completing 32 trial court capital outlay projects, including 28 new courthouses and 4 major renovations of existing buildings. However, a significant backlog of 80 projects remains in the Judicial Council's Statewide List of Trial Court Capital-Outlay Projects, impacting 41 trial courts and approximately 165 facilities, which represents more than one-third of the judicial branch's real estate portfolio. A reassessment of all unfunded projects, required by Government Code section 70371.9 was conducted in 2019. A total of 12 of the 80 projects have received initial funding and are underway.

In addition to new construction, the Judicial Council manages approximately 430 facilities statewide, many over 50 years old. Facility modifications are necessary to ensure the facilities meet modern operational needs, including technology for hybrid and remote access to justice. Larger and more complex capital renewal projects are necessary to maintain infrastructure and support court operations. The usefulness of the existing portfolio requires more investigation and study to develop budget packages that fully describe and anticipate the project scope, cost, and schedule.

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The provision of space for new judgeships has been critical to the improvement of access to justice. Based on the facility plans developed as part of the 2019 reassessment and current conditions, superior courts have inadequate facilities to accommodate new judgeships and their support staff. Based on the Judicial Council's latest judicial needs assessment, a total of 98 new judgeships are needed statewide. These new judgeships will require carefully planned courtrooms and support spaces when the positions become authorized and funded.

To effectively manage and prioritize these projects, the Council requires updated systems and new staffing resources.

Impact of Denial of Proposal

Delay in facilities program funding affects advancement of the Judicial Council's programs of court facilities planning, facility modifications, and capital projects that correct or replace court facilities with deficiencies hindering service to the public. Each project that becomes fully funded and completed expands the public's physical, remote, and equal access to the courts.

Deficiencies hindering service not only impact public access to the courts but also pose risks to court staff working in inadequate facilities. Many court buildings are outdated, with aging infrastructure that may not meet modern safety, accessibility, or operational standards. Delays in facility modifications and capital renewal projects can lead to structural deficiencies, insufficient workspace, and inadequate environmental controls, creating potential hazards for judicial officers, court employees, and the public. Additionally, the lack of properly planned space for new judgeships and court personnel strains existing resources, increasing workload pressures and reducing operational efficiency. Without adequate funding to address these facility deficiencies, court staff are at greater risk of working in unsafe or substandard conditions, ultimately affecting the judiciary's ability to provide essential services effectively.

Outcomes and Accountability of Proposal

The Judicial Council will be able to advance its programs of court facilities planning, facility modifications, and capital projects, supporting the completion of planning studies, adding a consultant for program management services, implementing a web-based project management tool, managing existing/creating new user licenses for CAFM software, adding staff needed to provide oversight and coordination of various aspects of the facilities program, and preparing for another reassessment of capital projects.

The Trial Court Facility Modification Advisory Committee provides oversight of facility modifications including those providing space for new judgeships.

This funding request will uphold the originating legislative directives aimed at making courthouses throughout the state accessible and functional. Additionally, it aligns with the priorities of diversity, equity, and inclusion set by the Newsom administration. It ensures that residents from every county in California have access to buildings that are designed, built, and maintained according to standards such as the Federal Americans with Disabilities Act Standards for Accessible Design and the California Building Code, which ensure full access to all individuals, regardless of their abilities.

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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 I: Access, Fairness, Diversity, and Inclusion
Goal II: Independence and Accountability
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:

Contact Name: Tamer Ahmed, Director

**Judicial Branch
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Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Orange Central Justice Center - Facility Modification
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Proposal Summary

The Judicial Council of California requests \$28.1 million one-time General Fund with an extended encumbrance or expenditure availability until June 30, 2028 and accompanying \$2.5 million State Court Facilities Construction Fund reimbursement authority to supplement previously approved funding. This additional support is necessary to address cost increases and to recoup the counties share for the completion of the active facility modification at the Central Justice Center in Orange County.

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 authority

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	\$28,083,000				
Local Assistance					
Total	\$28,083,000				
One-time	\$28,083,000				
Ongoing					

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

Problem or Issue

This funding request seeks additional resources in addition to funds received in fiscal year (FY) 2021–22 and FY 2022–23 for the state’s portion of the facility modification project at the state-owned Central Justice Center in Orange County (CJC). The CJC, built in 1968, is a shared occupancy building managed by the superior court through Judicial Council delegation. The Judicial Council was required to initiate a major, multi-year, facility modification project to resolve deficiencies by expanding the FLS systems as required by the Office of the State Fire Marshal (OSFM).

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As it is a shared-use facility between the Judicial Council and County of Orange, both parties are responsible for their respective shares of the total project cost based on their occupancy percentages. The Judicial Council has a contractual obligation to fund the state's portion of this project, but it does not have sufficient financial resources owing to the size, scope, and limited resources of the statewide facility modification program.

Judicial Council Facilities Services faces a significant challenge in completing the active and major, multi-year facility modification at the Central Justice Center). This project has encountered delays due to an understated scope of work, unforeseen conditions within the area of improvement, and deteriorated condition of the facility. The facility has been found to contain far more asbestos-containing materials (ACM) than anticipated. Over time, these materials have dislodged and saturated its surroundings. Consequently, this condition has caused expansion of the project scope to address the removal and replacement of more extensive amounts of preexisting insulation, ductwork, ceilings, wiring, drywall, and various other materials than anticipated. Examples of this removal-and-replacement work because of ACM-affected areas.

These unforeseen challenges have increased both the direct costs and indirect costs associated with problem discovering and resolution, impacting both contractors and consultants involved.

As the CJC will remain indefinitely in the Judicial Council's portfolio as the superior court's largest court facility providing the greatest public service countywide, investing in this facility provides for the longevity of this asset, ensuring safety and access to justice.

Background/History of Problem

The facility modification project at the Central Justice Center (CJC) is a critical effort to expand and upgrade the fire and life safety (FLS) systems in response to corrections required by the Office of the State Fire Marshal (OSFM).

Located in Santa Ana, the CJC is the oldest and largest courthouse in Orange County, serving as the primary trial court facility for the region. Built in 1968, this 591,500-square-foot building was county-owned until its transfer to the state in 2012. It houses 66 courtrooms, supporting a wide range of case types, including criminal, civil, family law, probate, small claims, traffic, and appeals. Additionally, it provides vital public services, such as jury assembly, self-help center services, and elder/dependent adult restraining orders. Given its high volume of cases—handling nearly all felony trials and the majority of civil matters in the county—the CJC is a critical piece of judicial infrastructure. The Superior Court occupies 92 percent of the facility, while county justice agencies use the remaining space.

The CJC is an 11-story high-rise with a basement and sub-basement, originally built with only partial fire sprinkler coverage limited to the basement levels. It was also equipped with a manual fire alarm and a mechanical smoke purge system. Prior to transferring the facility to the state, the county initiated an FLS upgrade, beginning on the 11th floor and working downward. This renovation included the installation of a new fire sprinkler system, an upgraded fire alarm with an Emergency Voice Alarm Communication (EVAC) system, and an enhanced smoke purge panel. However, the work stopped at the 4th floor before

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the facility was transferred to the Judicial Council in 2012, leaving the lower floors without these critical upgrades.

Floors 4–11 have automatic fire sprinklers, fire alarms, and EVAC systems, while floors 1–3 lack these critical protections. The Basement is fully sprinklered, but modifications are needed due to changes in use. The manual smoke purge system and automatic fan shutdown serve floors 4–11, but the system does not control mechanical equipment on floors 1–3.

In 2020, the OSFM issued noncompliance notices requiring the Judicial Council to correct these deficiencies. With initial funding received in FY 2021–22, construction began in 2023 with a goal of bringing the building into compliance by 2027. However, the project has faced delays due to extensive asbestos-containing materials (ACM) removal, hidden structural conditions, and failing infrastructure, which have significantly expanded the project’s scope.

The total project cost has increased from \$70.2 million to \$98.3 million due to these unforeseen challenges. Under the Joint Occupancy Agreement (JOA) with the County of Orange, the Judicial Council is responsible for 91.17 percent of the facility, making its contribution approximately \$263 million, with an \$18 million reimbursement component.

To date, the Judicial Council has received \$64.1 million in one-time General Fund allocations \$4 million in FY 2021–22, \$60.1 million in FY 2022–23.

To complete the project and meet both OSFM requirements and contractual obligations, the Judicial Council is requesting an additional one-time funding allocation of \$28.1 million.

As the largest court facility in Orange County, the CJC will remain a key asset in the Judicial Council’s portfolio for the foreseeable future. Investing in this project ensures long-term safety, compliance, and access to justice by protecting the public, court staff, and essential judicial operations.

Impact of Denial of Proposal

Denial of this proposal would leave the facility modification project unfinished causing the CJC to remain noncompliant with the OSFM as well as breaching contractual obligations to fund the renovations at the jointly utilized CJC. With the project unfinished, the CJC would be in an inadequate and unreliable state with potential disruption to court operations and public access to justice.

Outcomes and Accountability of Proposal

The Judicial Council will obligate funding for the facility modification project at the CJC per JOA contractual requirements and for the benefit of the superior court and facilities program.

The Judicial Council will monitor the project progress and expenses to ensure fiscal accountability.

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The Trial Court Facility Modification Advisory Committee provides oversight of the facilities program and is regularly informed of facility-related costs for operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Judicial Council Facilities Services is obligated by rule of court to provide regular reporting to the committee on these costs.

This funding request 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 (such as the federal Americans with Disabilities Act and the California Building Code) that ensure full access by all individuals regardless of their abilities. The essence of the 2002 enabling legislation of the judicial branch’s facilities program is equity across the state, and the goals of uniformly safe, secure, and well-maintained facilities remain the same.

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 I: Access, Fairness, Diversity, and Inclusion
- Goal II: Independence and Accountability
- 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:

Contact Name: Tamer Ahmed, Director

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Trial Court Facility Modifications
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Proposal Summary

The Judicial Council of California requests 5.0 positions and \$27.9 million, of which \$21.5 million in ongoing General Fund and \$6.5 million in ongoing reimbursement authority from the State Court Facilities Construction Fund. This funding is to augment the current level of funding for essential facility modifications of building assets, to maintain safe and secure buildings that serve the public, court staff, judicial officers, and justice partners.

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/SCFCF Reimbursement

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	5.0	5.0	5.0	5.0	5.0
Personal Services	\$1,455,000	\$1,367,000	\$1,367,000	\$1,367,000	\$1,367,000
Operating Expenses & Equipment	\$26,500,000	\$26,500,000	\$26,500,000	\$26,500,000	\$26,500,000
Local Assistance					
Total	\$27,955,000	\$27,867,000	\$27,867,000	\$27,867,000	\$27,867,000
One-time					
Ongoing	\$27,955,000	\$27,867,000	\$27,867,000	\$27,867,000	\$27,867,000

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

Problem or Issue

This proposal will increase the facility modifications (FMs) program budget to provide essential modifications to building assets that maintain safe and secure buildings serving the public, court staff, judicial officers, and justice partners.

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Currently, the \$80 million annual FM program budget addresses only the most critical building system lifecycle replacements or renovations of major building systems, such as heating, ventilation, and air conditioning (HVAC), vertical transportation, and electrical equipment. The costs associated with repairs and replacements within the FM program have risen due to inflationary trends for construction trade labor and materials. The diminishing purchasing power of the available resources forces the FM program to operate in run-to-failure mode for many building systems. This approach poses significant risks including but not limited to noncompliance with regulatory requirements and court closures from catastrophic system failures.

Furthermore, this proposal requests 5.0 positions to support the FM program. Four Project Managers are needed to develop detailed FM project scopes of systems repairs and upgrades and to execute project planning, design, and construction, and an Associate Analyst is needed to support these Project Managers throughout all FM project phases.

In addition to the General Fund augmentation request, a State Court Facilities Construction Fund (SCFCF) reimbursement authority increase of \$6.5 million is requested to augment the current authority of \$17 million, which is insufficient to support the increasing shared costs of the FM program.

Background/History of Problem

The facility modification program executes emergency, routine, and preventive maintenance on building systems and performs building system renovations and many other functions required to produce safe and secure buildings for the public, court staff, judicial officers, and justice partners. Judicial Council Facilities Services administers a portfolio of over 400 trial court facilities of a variety of building types including courthouses, jails, offices, parking structures, and parking lots.

California's trial court facilities are aging and deteriorating, leading to an exponential increase in building maintenance and equipment repair costs. The facilities throughout the portfolio have an extensive backlog of deferred maintenance. This backlog of maintenance contributes to the challenge of maintaining the facilities at industry standards for security, energy efficiency, and systems optimization.

Building system failures result in emergency events, creating higher building maintenance and repair costs, and posing the risk of court closures. Building system failures are more costly to address due to the immediate need for action created by an unexpected failure and the lack of time to plan the repair/replacement effort carefully and cost-effectively. Although emergency events are a recognized aspect in an FM program, the percentage budget allotment for emergency work should be minimal. In the past five fiscal years, there has been a steady increase in the percentage of funding directed to Emergency FMs.

From fiscal year (FY) 2014–15 through FY 2021–22, the annual FM program budget was funded from the SCFCF in the amount of \$65 million with \$13 million in reimbursement authority. In FY 2022–23, an additional \$15 million ongoing General Fund and \$4 million SCFCF reimbursement authority was received, increasing the FM program budget to \$80 million with \$17 million in reimbursement authority.

**Judicial Branch
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The reimbursement authority represents the counties' estimated shared cost in the FM program, based on all facilities shared by the counties and Judicial Council with costs distributed accordingly.

Impact of Denial of Proposal

Denial of the proposal can lead to significant disruption in court services, such as unavailability of courtrooms, postponement of hearings, and delay of various other public services, as essential repairs and upgrades remain unaddressed. Moreover, inadequate funding for FMs can pose serious health and safety risks to court users including poor ventilation, lack of accessibility features, and outdated security measures. The ongoing degradation of facilities will continue, as resources are diverted to the increasing number of Priority 1 Emergency FMs, maintaining facilities in a run-to-failure mode.

Outcomes and Accountability of Proposal

Ongoing funding for the FM program enables the proactive completion of prioritized FM projects that help prevent trial court facility building systems from reaching complete states of failure. The additional staff will provide the needed oversight for execution of these projects.

The Trial Court Facility Modification Advisory Committee (TCFMAC) provides oversight of the FM program including the FMs prioritization process, reporting, accountability, and fiscal oversight. Additionally, the TCFMAC provides oversight of the facilities program and is regularly informed of facility-related costs for operations and maintenance (O&M), FMs, leases, and portfolio management. To ensure accountability, Judicial Council Facilities Services is obligated by rule of court to provide regular reporting to the committee on these costs.

This funding request 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 (such as the federal Americans with Disabilities Act and the California Building Code) that ensure full access by all individuals regardless of their abilities. The essence of the 2002 enabling legislation of the judicial branch's facilities program is equity across the state, and the goals of uniformly safe, secure, and well-maintained facilities remain the same.

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 I: Access, Fairness, Diversity, and Inclusion
Goal II: Independence and Accountability
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

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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:

Contact Name: Tamer Ahmed, Director

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Trial Courts Facilities Maintenance and Utilities
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Proposal Summary

The Judicial Council of California requests 3.0 positions and \$61.1 million ongoing General Fund and \$13.1 million ongoing reimbursement authority from the Court Facilities Trust Fund, totaling \$74.2 million. These funds will ensure that facility operations and maintenance meet industry standards and address increasing utility cost for the existing real estate portfolio.
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/CFTF Reimbursement

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	3.0	3.0	3.0	3.0	3.0
Personal Services	\$767,000	\$714,000	\$714,000	\$714,000	\$714,000
Operating Expenses & Equipment	\$73,396,000	\$73,396,000	\$73,396,000	\$73,396,000	\$73,396,000
Local Assistance					
Total	\$74,163,000	\$74,110,000	\$74,110,000	\$74,110,000	\$74,110,000
One-time					
Ongoing	\$74,163,000	\$74,110,000	\$74,110,000	\$74,110,000	\$74,110,000

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

Problem or Issue

This proposal requests increased funding to operate the Judicial Council trial court facilities at industry standard levels. Maintenance industry standards, such as those established by the International Facility Management Association (IFMA), provide guidelines and best practices for the systematic and efficient maintenance of building assets, equipment, and facilities, ensuring optimal performance, reliability, and safety. Judicial Council Facilities Services evaluated the costs associated with a fully funded facilities program, using the IFMA rate as the industry standard cost benchmarking measure. The analysis identified multiple areas within facilities management that currently lack adequate maintenance and operations funding for trial courts.
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The basis of the current funding is the 2017 IFMA rate. By applying the 2022 IFMA rate and Consumer Price Index escalation to 2026, a funding gap of \$73.4 million for the trial courts has been identified. Additional funding is required to bridge the gap and align maintenance practices with the updated IFMA rate.

Given the increase in portfolio square footage, the age of buildings, and demand for enhanced preventive maintenance, there is a need for 3.0 additional Facility Management Administrators. Facility Management Administrators currently manage on average 1,076,256.48 SQFT each. These positions will administer, ensure effective performance by our contracted service providers, ensure accountability for preventative maintenance efforts, conduct monthly facility condition assessments, and provide emergency response.

Background/History of Problem

Facility maintenance is foundational to the work of the Judicial Council Facilities Services program. Without fully functioning court facilities, there is no equal access to justice. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are safe, accessible, and functional throughout the state.

Industry standards and best practices include regularly scheduled asset renewals and preventative maintenance to reduce unplanned emergency failures of building components. The cost to repair failed building components in a reactive emergency mode is more costly and disruptive to the facility users. A well-managed facilities program anticipates maintenance and utility cost increases to avoid redirection of preventative maintenance funds or deferral of maintenance to cover rising utility costs or emergency repairs. Currently no mechanism is in place for Facilities Services to address cost escalation other than the budget change process.

This funding request aligns with the priorities of diversity, equity, and inclusion set by the Administration. It ensures that residents from every county in California have access to court buildings that are designed, built, and maintained according to standards such as the federal Americans with Disabilities Act and the California Building Code, which ensure full access to all individuals, regardless of their abilities.

The core principle embedded in enabling legislation of the judicial branch's facilities program is equity across the state. The program's mission, which dates back to 2002 and remains unchanged today, is to provide uniformly safe, secure, and well-maintained facilities reflecting this commitment of equity.

Impact of Denial of Proposal

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.

Outcomes and Accountability of Proposal

The Trial Court Facility Modification Advisory Committee (TCFMAC) provides ongoing oversight of the

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Judicial Council 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 California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

As a best practice, Judicial Council Facilities Services tracks the number of routine Preventive Maintenance (PM) and emergency or unplanned urgent maintenance service work orders to assess the effectiveness of the court facilities operations and maintenance (O&M) quality control requirements. The requested additional staff will enhance the quality assurance, field verification, and fiscal oversight of the funding.

The outcome of a fully funded preventive maintenance program is as follows:

- Reductions in the total cost of emergency and unplanned urgent maintenance.
- Fewer court interruptions due to equipment breakdowns and subsequent emergency and unplanned urgent repairs.
- Increases in the volume of work that can be consistently planned and scheduled.
- Decreases in high priority, randomly occurring, and unscheduled work.
- Reduced unnecessary damage to or replacement of facilities equipment.

The Judicial Council's existing control protocols for O&M assessments, approvals, and ongoing reviews will ensure appropriate use of the requested funding. Funding for the program at IFMA industry standard levels allows for the Judicial Council to benchmark facility performance with similarly funded programs. Continued monthly review will contribute to the accountability and monitoring of activities through monthly budget and financial reporting.

An appropriately funded facilities program provides for longevity of the state's assets, extending the useful life of building systems and replacing aged systems in a timely manner to reduce system failure rates. Premature failure of a building system results in an emergency event, creating higher building maintenance and repair costs, and diminishing access to justice due to court closures and impacted court operations. Approval of this request allows for the appropriate funding level to be applied to each component of the facilities program (preventive maintenance, utilities, leases, system replacements), resulting in improved access to justice.

In addition, this funding request 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 established 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

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

Goal I: Access, Fairness, Diversity, and Inclusion
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:



Contact Name: Tamer Ahmed, Director

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Water Conservation and Leak Detection Measures in Courthouses
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Proposal Summary

The Judicial Council of California requests \$22.4 million annually for three consecutive fiscal years (FYs), FYs 2026-27 through 2028-29, totaling \$67.1 million. This funding includes \$50.7 million of General Fund and \$16.4 million reimbursement authority from State Court Facilities Construction Fund over the three-year period. The annual \$22.4 million includes \$16.9 million from the General Fund and \$5.5 million reimbursement authority from the State Court Facilities Construction Fund.

The purpose of the funding is to install water leak detection equipment and software at 160 courthouses, audit and replace outdated water fixtures at 136 courthouses older than 2011 and convert landscapes to drought tolerance at nine courthouses. These projects will help minimize property damage from leaks, conserve water, and contribute to addressing the ongoing drought conditions in California.

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 /SCFCF Reimbursement

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	\$22,364,000	\$22,364,000	\$22,364,000		
Local Assistance					
Total	\$22,364,000	\$22,364,000	\$22,364,000		
One-time	\$22,364,000	\$22,364,000	\$22,364,000		
Ongoing					

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

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Problem or Issue

Water leaks have become a costly issue for the state's courthouses, often causing courtroom shutdowns. These leaks and major floods, typically caused by clogged toilets or faulty pipes hidden within walls, can go undetected for 30 to 60 days. During this time, they can inflict significant damage on walls, floors, court furniture, and equipment. The Facilities Services Program has been heavily impacted by numerous undetected water leaks, which are far more expensive to repair than catching them early on. Over the past five years, more than \$20 million has been spent on damage caused by water leaks, impacting the already limited resources for the program. Alarmingly, the costs associated with repairing leaks are nearly equivalent to the annual water expense of \$4.8 million, underscoring the urgent need for effective leak detection and management.

Currently, the Facilities Services Program only receives water usage data through utility bills that arrive monthly, bi-monthly, or quarterly. This delayed reporting severely limits our ability to identify and address leaks that may be hidden within walls, allowing problems to escalate before we even become aware of them.

By installing water leak detection equipment, it will allow us to track water use hourly, receive automated leak alerts via email or text, and even have the ability to shut off water at the building level if there is a catastrophic leak.

To combat drought conditions in California and promote water conservation efforts, funding is needed to initiate several key projects. These projects include improving water usage data visibility, upgrading plumbing fixtures in buildings, using drought-tolerant plants for landscaping, and installing smart irrigation system controllers. Taking these steps is essential for reducing waste and protecting our valuable water resources, while also alleviating pressure on our already strained budget.

Background/History of Problem

The Judicial Council's portfolio includes aging plumbing fixtures that consume more water than a modern code-compliant system, leading to unnecessary water waste and financial loss. Annually, the Judicial Council spends nearly \$4.8 million on 300 million gallons of water across its 160 facilities. Water leaks not only contribute significantly to this water usage and increased costs but also disrupt court operations and hinder access to justice.

To address these challenges, we must implement targeted improvements aligned with the goals set forth in the Judicial Council's 2015 Water Conservation Policy, which aims for a 30% reduction in water use. This proposal focuses on high-water usage facilities for replacing old plumbing fixtures with low-flow alternatives and assessing opportunities for turf replacement.

Current California regulations, including the Water Conservation in Landscaping Act and the California Green Building Standards Code, emphasize the importance of efficient water use and mandate the

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installation of water-saving fixtures in new and renovated buildings. Addressing these issues is essential for compliance with state regulations and protecting our resources.

Impact of Denial of Proposal

Without a dedicated source of funding for leak detection, water leaks will continue to be silent destroyers of our facilities, leading to significant damage that strains already limited budgets for repairs. Additionally, outdated and often leaky plumbing fixtures will continue to waste hundreds of thousands of gallons of water if not replaced with modern, water-saving alternatives. This situation is unsustainable and requires immediate action to protect our resources.

Outcomes and Accountability of Proposal

This proposal targets a 30% reduction in water consumption and leak-related costs. Importantly, the leak monitoring service is expected to pay for itself after three years. By securing this funding, we can detect leaks early, minimize costly repairs and ensure court operations run smoothly, ultimately reducing courtroom closures and maintaining access to justice for all.

The funding will provide the necessary equipment and services to implement water leak detection across 160 facilities. Ongoing measurement and verification of water usage will enable proactive identification of water leaks, helping to conserve water resources and prevent unnecessary damage to facilities. The leak detection equipment will help mitigate leaking systems before they become costly and disruptive to court operations. Additionally, the fixture upgrades at 136 courthouses will significantly improve water efficiency, with results validated through the data collected for water use monitoring and leak detection.

The Trial Court Facility Modification Advisory Committee (TCFMAC) will provide ongoing oversight of the Judicial Council Facilities Program and is regularly informed of facilities-related costs, including operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Facilities Services is obligated by the California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

Furthermore, this funding request supports the administration's diversity, equity, and inclusion priorities by ensuring that all residents across California 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 core mission of judicial branch's facilities program is to provide uniformly safe, secure, and well-maintained facilities – a goal established in 2002 and remain the mission of the facilities program today.

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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 I: Access, Fairness, Diversity, and Inclusion
Goal II: Independence and Accountability
Goal III: Modernization and Management of Administration
Goal V: Education for Branchwide Professional 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:

Contact Name: Tamer Ahmed, Director

**Judicial Branch
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Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Building Management System Guidelines and Assessment
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Proposal Summary

The Judicial Council of California requests \$2.0 million one-time General Fund in FY 2026-27 and \$2.0 million ongoing General Fund. The initial funding in FY 2026-27 will be used to conduct a review of Facilities Services Building Management System guidelines and conduct an initial assessment of fifteen facilities as a pilot program. The \$2.0 million ongoing funding is to establish an ongoing annual Building Management System program for existing facilities.

The assessments will evaluate the existing portfolio of Judicial Council owned facilities, determine the value received from the completed Building Management System projects, and propose an annual Building Management System program for the existing facilities. The assessment will focus on evaluation, determination, prioritization, and proposal of scope and cost for each facility that requires a Building Management System installation or upgrade.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Local Assistance					
Total	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
One-time	\$2,000,000				
Ongoing		\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000

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

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Problem or Issue

Facilities Standards outline the Judicial Council requirements for design and construction of our facilities. Building Management System (BMS) guidelines are included in the Facilities Standards, to be followed by the design builders for installing or upgrading the BMS systems in Council facilities. The guidelines need to be reviewed by a BMS technical expert to establish Council requirements and performance criteria. The Council staff does not have technical expertise in this area, nor is there an established position specializing in BMS design. A consultant needs to be retained for a holistic study of the BMS systems in place in Judicial Council facilities, review and assessment of the functionality and value of these systems, and to update the currently published BMS guidelines to align with Judicial Council expectations. The technology in the BMS systems is changing and the software and systems are getting obsolete much faster.

Approval of this proposal will aid the Facilities Services staff in developing current BMS guidelines in alignment with industry standards and completing a comprehensive study of the existing conditions at Judicial Council facilities focusing on evaluation, determination, prioritization, and proposal of scope and cost for each facility to meet the BMS guidelines.

The first year's funds will be used to complete the revisions to BMS guidelines and assess fifteen facilities. Each subsequent annual fund will be used to assess fifteen additional facilities. The funds to install or upgrade prioritized facilities will be included in subsequent BCPs.

Background/History of Problem

The Facilities Services oversees the overall care and management of building assets within the judicial branch. The Judicial Council continues to work toward achieving increased energy efficiency in our facilities. In order to track the energy usage in a facility, a well-functioning BMS system is imperative. The BMS system helps track the usage data and access it remotely for monitoring and system adjustment as needed.

A thorough assessment of Judicial Council facilities has not been done previously for applicability of BMS systems and how well the installed BMS systems are performing.

Impact of Denial of Proposal

Denial of this proposal will result in outdated BMS guidelines based on which Judicial Council projects are being designed. It will also not address the need to study which existing facilities require the installation of new BMS systems.

Outcomes and Accountability of Proposal

The assessment will evaluate the existing portfolio of Judicial Council owned facilities, determine the value received from the completed BMS projects, and propose an annual BMS program for the existing facilities. The assessment will focus on evaluation, determination, prioritization, and proposals of scope and cost for each facility that requires BMS install or upgrade.

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This funding request also advances the diversity, equity, and inclusion priorities of the Council by ensuring that Californians have access to buildings that are designed, built, and maintained according to standards (including the federal Americans with Disabilities Act and 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

Court Facilities Advisory Committee

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

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:



Contact Name: Tamer Ahmed, Director

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Waterborne Pathogen Management Program Implementation
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Proposal Summary

The Judicial Council of California requests 1.0 position and \$2.6 million one-time General Fund in fiscal year (FY) 2026–27, which includes \$289,000 for one-time implementation cost, and \$2.3 million ongoing General Fund beginning in FY 2027–28 to support the Waterborne Pathogen Management Program (WPMP). The \$289,000 for one-time implementation costs includes the creation of standardized templates, characterization of facility water systems, performance of required risk assessments and hazard control plan development which will align with the Standards of Care that establish minimum Legionella risk management requirements for building water systems. This program is designed to identify and manage actions to reduce the potential for Legionella in Judicial Council owned and managed facility water systems to prevent occupant exposure and illness. The WPMP will produce a global guidance document with standardized implementation procedures which will be applied to each owned and managed building in the Judicial Council’s 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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	1.0	1.0	1.0	1.0	1.0
Personal Services	\$266,000	\$249,000	\$249,000	\$249,000	\$249,000
Operating Expenses & Equipment	\$2,338,000	\$2,060,000	\$2,060,000	\$2,060,000	\$2,060,000
Local Assistance					
Total	\$2,604,000	\$2,309,000	\$2,309,000	\$2,309,000	\$2,309,000
One-time	\$2,604,000				
Ongoing		\$2,309,000	\$2,309,000	\$2,309,000	\$2,309,000

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

Problem or Issue

Legionella is a bacterium that occurs naturally in freshwater environments, like lakes and streams.

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It can become a health concern when it grows and spreads in building water systems like cooling towers, hot and cold-water systems, and fixtures (e.g., showerheads, faucets, and drinking fountains). If Legionella grows and multiplies in a building water system, water containing Legionella can spread in droplets small enough for people to breathe in from mists and aerosols, or from accidental aspiration of drinking water into the lungs. Exposure to Legionella can cause Legionnaires' disease a very serious type of pneumonia (lung disease). There are no vaccines that can prevent Legionnaires' disease and 1 in 10 people infected with the disease will die from the infection.

The key to preventing Legionnaires' disease is to reduce the risk of Legionella growth and spread. The Judicial Council has responded to high levels of Legionella at five state-owned facilities over the past three years. These experiences have demonstrated the urgent need to develop and implement a Judicial Council Waterborne Pathogen Management Program (WPMP) for the entire portfolio of Judicial Council owned and managed facilities to assist in reducing the risk of Legionella growth and spread to prevent occupant exposure and illness from Legionella. The development of a WPMP reduces the risk for Legionella by identifying hazardous conditions and implementing steps to minimize the growth and transmission of Legionella and other waterborne pathogens in building water systems. This differs from equipment water management, which tests for water chemistry to prevent corrosion in the building equipment. The WPMP protects the health of people through pathogen management practices.

An Analyst position will be needed to support the implementation and ongoing activities required for the WPMP . Ongoing program maintenance activities include program administration, recordkeeping, document management, ongoing training, program verification and validation.

Background/History of Problem

The Judicial Council WPMP will establish a global approach for use in facilitating implementation of Legionella management practices. The WPMP will be developed drawing upon the Standards of Care established by the American Society of Heating, Refrigerating, and Air Conditioning Engineers, the Centers for Disease Control and Prevention, and the American Industrial Hygiene Association. These Standards of Care establish minimum Legionella risk management requirements for building water systems that will be followed by the Judicial Council when undertaking the identified implementation activities and ongoing program maintenance activities.

The essence of the WPMP is to provide the foundation for developing building specific facility plans that address the building specific systems and characteristics. The WPMP will take a global, programmatic approach and will include standardized templates that can be applied to a variety of buildings and systems for consistency across the portfolio.

The key activities required to develop the building-specific WPMP include: (1) Characterization of the facility water system; (2) Risk assessment and hazard control plan development; (3) Program administration; and (4) Program verification and validation. These actions will be implemented by multidisciplinary water management teams who are able to review and modify plans as needed in response

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to changing conditions, to ensure continuous improvement and will align with the established Standards of Care for Legionella risk management requirements.

Impact of Denial of Proposal

Denial of this proposal will not allow the Judicial Council to implement the actions required to identify hazardous conditions that may exist due to Legionella within Judicial Council owned and managed facilities. Without performing the required risk assessment as defined in the established Standards of Care for Legionella risk management requirements, the Judicial Council cannot take action to minimize any growth of Legionella in building water systems or to prevent occupant exposure and illness from Legionella. In responding to previous Legionella events, the lack of an established WPMP at each of the facilities hindered the Judicial Council's ability to respond quickly and increased the overall costs of the remediation efforts. Denial of this effort will not allow the Judicial Council to be adequately prepared to respond in an effective and fiscally efficient manner to protect occupant exposure and illness from Legionella.

Outcomes and Accountability of Proposal

The outcomes of the approval of this proposal include the characterization of facility water systems, performance of required risk assessments, development of a hazard control plans, and program verification and validation at all Judicial Council owned and managed facilities. This will allow the Judicial Council to identify and manage actions to reduce the potential for Legionella in Judicial Council owned and managed facility water systems.

The Trial Court Facility Modification Advisory Committee (TCFMAC) provides ongoing oversight of the Judicial Council 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 California Rules of Court to provide regular reporting of facilities operations, maintenance, and leasing costs to the advisory committee.

This funding request 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 established in 2002 and remain the mission of the facilities program today.

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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 I: Access, Fairness, Diversity, and Inclusion
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:



Contact Name: Tamer Ahmed, Director

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Trial Court Deferred Maintenance
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Proposal Summary

The Judicial Council of California requests 5.0 positions and \$133.9 million ongoing General Fund. This includes \$101.4 million ongoing General Fund and \$32.5 million in ongoing reimbursement authority from the State Court Facilities Construction Fund to support deferred maintenance projects in trial court facilities.
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 /SCFCF Reimbursement

Estimated Cost (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	5.0	5.0	5.0	5.0	5.0
Personal Services	\$1,417,000	\$1,329,000	\$1,329,000	\$1,329,000	\$1,329,000
Operating Expenses & Equipment	\$132,500,000	\$132,500,000	\$132,500,000	\$132,500,000	\$132,500,000
Local Assistance					
Total	\$133,917,000	\$133,829,000	\$133,829,000	\$133,829,000	\$133,829,000
One-time					
Ongoing	\$133,917,000	\$133,829,000	\$133,829,000	\$133,829,000	\$133,829,000

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

Problem or Issue

Judicial Council Facilities Services faces a significant challenge due to insufficient funding to address routine maintenance and repairs, resulting in an estimated backlog of 22,673 deferred maintenance (DM) projects through fiscal year (FY) 2025–26. These projects are estimated to cost \$5.2 billion, with the Judicial Council’s portion amounting to \$3.8 billion.

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Although past budgets have provided substantial one-time resources for deferred maintenance projects, the absence of ongoing funding has left the Judicial Council unable to tackle the growing deferred maintenance backlog effectively and plan for the necessary repairs to maintain the facilities in an acceptable condition.

This proposal requests ongoing funding for deferred maintenance, enabling sustained efforts to reduce the number of outstanding deferred maintenance projects. To effectively manage this effort, this request includes 5.0 positions to support the additional deferred maintenance projects. There is insufficient capacity to manage the expanded workload at the existing staffing level. To manage these projects, three Project Managers are needed to develop detailed project scopes for the execution of deferred maintenance projects and will administer the planning design, and construction of repair and renewal projects. Additionally, an Associate Analyst is needed to support the Project Managers in all aspects of executing DMs, and a Facilities Analyst is needed to support the development and monitoring of sustainability infrastructure, cost, scope, estimating and objectives as part of these projects, ensuring optimal resource utilization and compliance with regulatory requirements.

This proposal ensures a dependable level of funding and the appropriate staffing to complete deferred maintenance projects, allowing a more stable and efficient approach to maintaining California's trial court facilities.

Background/History of Problem

Judicial Council Facilities Services oversees the overall care and management of building assets within the judicial branch. Its primary objective is to ensure access to justice in California's trial courts, Courts of Appeal, and the Supreme Court. It executes a wide range of responsibilities including emergency responses, routine and preventive maintenance on building systems, portfolio and lease management, building system renovations, and various other functions essential for creating safe and secure facilities for the public, court staff, and judicial officers.

At the current level of funding, Judicial Council Facilities Services can only maintain facilities in run-to-failure mode, focusing exclusively on projects related to failed building systems. This approach causes the inability to address what are otherwise avoidable disruptions to court operations because necessary updates and renewals of building systems are not conducted in a timely manner. Consequently, court operations are affected by issues such as heating, ventilation, and air conditioning (HVAC) system failures, electrical service outages, and facility closures resulting from water leaks. Without adequate funding to replace these critical assets, vital systems will continue to fail, causing disruptions in court proceedings and limiting public access to justice. It is crucial to prioritize these projects to maintain continuity of court operations in facilities throughout the state. Examples of such critical system replacements include, but are not limited to, the following:

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

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- Failed plumbing systems causing flooding incidents.

The Judicial Council has received increments of one-time funding to address its the deferred maintenance backlog:

- In FY 2018–19, \$50 million was provided for facility assessments, projects replacing roofs elevators, and wheelchair lifts, and upgrading building automation systems.
- In FY 2019–20, \$15 million was applied to fire alarm systems and protection projects.
- In FY 2021–22, \$180 million, later reduced to \$132.6 million, was applied to replace roofs and elevators and to upgrade fire protection, electrical, and HVAC systems, and building management systems.

By leveraging these funds, Judicial Council Facilities Services was able to address some backlogged projects, providing opportunities for reducing operational costs and environmental impacts. For example, in 2023, roofs replaced in southern California effectively withstood the impact of Hurricane Hilary.

Even with increments of one-time funding, the challenge of deferred maintenance persists. The lack of adequate funding exacerbates the deferral of these renewals, further contributing to the growing list of deferred maintenance projects. From FY 2018–19 estimated through FY 2025–26, this list has increased from 8,750 to 22,673 projects and from a total estimated cost of \$2.8 billion to \$5.2 billion—the Judicial Council share has increased from \$2.4 billion to \$3.8 billion.

Impact of Denial of Proposal

Denial of this proposal will result in the persistence of a growing deferred maintenance backlog and a corresponding rise in emergency repairs. This stems from the inverse relationship between underfunded deferred maintenance and the occurrence of emergency repairs. When a building system fails, there is an immediate need for urgent action that leads to higher costs due to the unexpected nature of the failures and the lack of time to plan the repair or replacement effort carefully and cost-effectively. Buildings will continue to operate in run-to-failure mode, with aging building systems being replaced only when they reach a point of failure. This approach to facilities management increases the expenses associated with replacements and repairs while needlessly depleting the ongoing maintenance funding of the program.

Outcomes and Accountability of Proposal

An ongoing, systematic approach to address deferred maintenance enables the program to efficiently allocate resources and establish an ongoing strategy to address the Judicial Council’s estimated \$3.8 billion share of the backlog. The additional staffing will provide the needed oversight for execution, management, and monitoring 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 oversight of the facilities program and is regularly informed of facility-related costs for operations and maintenance, facility modifications, leases, and portfolio management. To ensure accountability, Judicial Council Facilities Services is obligated by rule of court to provide regular reporting to the committee on these costs.

Without adequate funding for deferred maintenance, trial court facilities in California face a critical dilemma. These aging and deteriorating facilities will lead to exponentially increasing building

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maintenance and equipment repairs. It is the responsibility of the judicial branch to ensure that every courthouse is well-constructed and properly maintained. Failure to maintain functional court facilities compromises equal access to justice. This funding request is essential for adhering to legislative directives of funding construction, maintenance, and improvement of court facilities across the state, to ensure courthouses remain accessible and functional.

This funding request 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 (such as the federal Americans with Disabilities Act and the California Building Code) that ensure full access by all individuals regardless of their abilities. The essence of the 2002 enabling legislation of the judicial branch's facilities program is equity across the state, and the goals of uniformly safe, secure, and well-maintained facilities remain the same.

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 I: Access, Fairness, Diversity, and Inclusion
Goal II: Independence and Accountability
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:

Contact Name: Tamer Ahmed, Director

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Trial Court Facility Modification Advisory Committee
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Proposal Title	Trial Court Physical Security Assessment and Evaluation
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Proposal Summary

The Judicial Council of California requests 3.0 positions and \$2.9 million General Fund in fiscal year (FY) 2026–27, which includes \$825,000 ongoing General Fund in 2026-27 and \$772,000 ongoing starting in 2027-28 and \$2.0 million one-time General fund to conduct assessments, evaluations, and identification of physical security deficiencies in trial court facilities statewide.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	3.0	3.0	3.0	3.0	3.0
Personal Services	\$825,000	\$772,000	\$772,000	\$772,000	\$772,000
Operating Expenses & Equipment	\$2,000,000				
Local Assistance					
Total	\$2,825,000	\$772,000	\$772,000	\$772,000	\$772,000
One-time	\$2,000,000				
Ongoing	\$825,000	\$772,000	\$772,000	\$772,000	\$772,000

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

Problem or Issue

Many court facilities lack adequate physical security elements as recognized by the Judicial Council’s California Trial Court Facilities Standards (CTCFS) and the National Center for State Courts (NCSC) publication Steps to Best Practices for Court Building Security.

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For instance, in 2007, a distraught man rammed his car through the front doors of the Merced County Courthouse. Because there were no bollards in place, he was able to reach the building and cause damage. A year later, the same man was shot and killed when he burst into a packed courtroom wielding two knives.

In another example, in 2017, a woman drove her vehicle into the front entrance of the Sacramento Jail Courthouse on I Street, damaging the doors and magnetometer and displacing the x-ray machine. There were no bollards in place at the time.

More recently, in 2022, a man drove his truck over the curb at the Madera Courthouse. The physical security features, such as a concrete bench and stairs, effectively prevented him from crashing into the building, avoiding potential damage or injury.

These examples underscores the urgent need for consistent and effective physical security measures at court facilities. Information gathered from deferred security facilities modifications, court requests, and limited court security assessment has highlighted a range of deficiencies across facilities. This information has been used to categorize and prioritize the type of security deficiencies that needs to be addressed to better protect court facilities and ensure the safety.

Currently, there are no dedicated funds or sufficient staffing to evaluate or address physical security deficiencies across court facilities. This request seeks \$2.0 million one-time funding to retain consulting services to assist Judicial Council staff with the assessment of 200 court facilities. The consultants will evaluate the physical security elements of each facility, identify deficiencies, and provide cost estimates. This data will be used to inform a funding request to address the identified deficiencies. Additionally, ongoing funding is requested to support 3.0 positions: 1.0 Security Manager, 1.0 Security Coordinator, and 1.0 Associate Analyst. These staff will manage and administer the evaluation process, develop prioritization plans based on the identified deficiencies, and monitor the ongoing analysis of the data. The requested positions are essential for ensuring that the security assessments are properly executed, the results are analyzed, and future security projects are effectively implemented.

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 provided after approval of a previous BCP. That funding is not available for use for assessing, evaluating, and identifying physical security deficiencies in trial courts.

The CTCFS 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 200 facilities older than 2005.

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The lack of resources has limited the ability to assess and identify 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 CTCFS. 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

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 Court Security Advisory Committee (CSAC). The evaluated projects will be monitored and accounted for using appropriate inventory tracking methods and standard general accounting principles.

CSAC makes recommendations to the council for improving court security, including personal security and emergency response planning. The committee provides ongoing oversight of the Judicial Council Facilities Security programs and is regularly informed of facilities security related costs, Facilities Services is obligated by the California Rules of Court to provide regular reporting to the advisory committee.

In addition, this funding request 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 established in 2002 and remain the mission of the facilities program today.

Required Review/Approval

Court Security Advisory Committee
Trial Court Budget Advisory Committee

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

Goal I: Access, Fairness, Diversity, and Inclusion
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:

Contact Name: Tamer Ahmed, Director

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Administrative Presiding Justices Advisory Committee
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Proposal Title	Courts of Appeal Deferred Maintenance, Facility Modification, and Maintenance
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Proposal Summary

The Judicial Council of California requests \$19.0 million General Fund, which includes \$9.6 million one-time funding to address vital deferred maintenance projects, \$8.7 million one-time for facility modifications, and \$729,000 ongoing for maintenance for the Court of Appeal facilities.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions					
Personal Services					
Operating Expenses & Equipment	18,960,000	729,000	729,000	729,000	729,000
Local Assistance					
Total	18,960,000	729,000	729,000	729,000	729,000
One-time	18,231,000				
Ongoing	729,000	729,000	729,000	729,000	729,000

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

Problem or Issue

The Judicial Council is responsible for the facility needs of the Supreme Court and Courts of Appeal. The Courts of Appeal have identified a need for additional funding to address facility maintenance and operations, facility modifications and deferred maintenance.

Facilities Services conducted audits on the three Judicial Council owned-managed Court of Appeal facilities, revealing a backlog of 163 deferred maintenance projects with an estimated \$26.0 million cost to repair or renew. The Judicial Council is unable to address this backlog effectively due to limited funding, which is resulting in a run-to-failure mode for many building systems.

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The Court of Appeal portfolio requires additional funding to return the facilities to industry standards for security, energy efficiency, and systems maintenance. This proposal seeks \$9.58 million for the most critical deferred maintenance projects, \$8.65 million to address facility modifications and repairs, and \$729,000 for ongoing maintenance, operations, and utilities. The funding will allow staff to implement an efficient approach to maintaining Appellate Court facilities.

Background/History of Problem

The Judicial Council Facilities Services Program oversees the overall care and management of building assets within the Judicial Branch. The Facilities Services Program's primary objective is to ensure access to justice in California's trial courts, Courts of Appeal, and the Supreme Court.

The Courts of Appeal occupy ten facilities, three of which are Judicial Council owned and managed. Currently, the Courts of Appeal do not have funding specifically identified for the maintenance and operations of these buildings, including deferred maintenance and necessary facility modifications. The primary source for funding facilities work primarily comes from the general operational budgets of the Courts of Appeal, which are already strained by competing program costs.

Without adequate funding to provide preventative maintenance, facility modifications, and the resolution of deferred maintenance issues, vital systems are at risk of failure. This could lead to significant disruptions in court operations and public access to justice.

The system replacements most urgently needed include the following:

- Compromised roofing systems that risk costly water intrusion mitigation;
- Non-code compliant fire, life and safety monitoring systems that create occupant safety issues;
- Failed elevator systems causing entrapments;
- Inefficient HVAC equipment causing uncomfortable or unsafe respiratory conditions; and
- Failed plumbing systems causing flooding incidents.

The lack of funding exacerbates the deferral of these renewals, contributing to the growing backlog of deferred maintenance projects.

Impact of Denial of Proposal

Denial of this proposal will result in further degradation of the Court of Appeal facilities due to limited funding for repairs and continued impact on Court of Appeal operational budgets for ongoing maintenance emergency repair costs.

Outcomes and Accountability of Proposal

An ongoing and systematic approach to provide preventative maintenance, perform facility modifications, and address deferred maintenance is essential for efficiently allocating resources and establishing a sustainable ongoing strategy to tackle the deferred maintenance backlog. Having a designated allocated source of funding for Court of Appeal facilities in the Judicial Council portfolio allows for appropriate

Judicial Branch
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funding levels of facilities maintenance, ensuring standardization across the portfolio, and slowing the degradation of the state’s building assets.

The Administrative Presiding Justices Advisory Committee provides ongoing oversight of the of facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management.

The judicial branch is responsible for providing courthouses that are uniformly well-constructed and maintained to provide equal access to justice. Without fully functional court facilities, equal access may become compromised. This funding request will safeguard compliance with the originating legislative directives to ensure that courthouses are accessible and functional throughout the state.

This funding request 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 –ensuring that all facilities are uniformly safe, secure, and well-maintained has been the goal since 2002 and remains the mission of the facilities program today.

Required Review/Approval

Administrative Presiding Justices Advisory Committee

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

- Goal I: Access, Fairness, Diversity, and Inclusion
- Goal II: Independence and Accountability
- 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:

Contact Name: Tamer Ahmed, Director

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Judicial Council Technology Committee
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Proposal Title	Court Technology Remote Proceedings Program
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Proposal Summary

The Judicial Council requests a total of eight full-time equivalent (FTE) positions, along with an ongoing General Fund augmentation of \$35 million over a three-year period from fiscal year (FY) 2026–27 through FY 2028–29, dropping to \$23 million annually beginning in FY 2029–30.

These funds will be dedicated to establishing a program designed to support the refresh and maintenance of remote proceedings technology across the Superior Courts of California. The funding will facilitate the procurement of essential hardware, the recruitment of staff, ongoing training initiatives, site visits, and the maintenance of necessary equipment. Furthermore, the program will include the development of a mock courtroom for testing purposes. Through these efforts, the trial courts will be equipped to meet the Judicial Council’s Minimum Technology Standards for Remote Proceedings, as outlined in Senate Bill 133 (2023, Chapter 34).

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	8.0	8.0	8.0	8.0	8.0
Personal Services	\$1,675,000	1,675,000	1,675,000	1,675,000	1,675,000
Operating Expenses & Equipment	1,325,000	1,325,000	1,325,000	1,325,000	1,325,000
Local Assistance	32,000,000	32,000,000	32,000,000	20,000,000	20,000,000
Total	\$35,000,000	\$35,000,000	\$35,000,000	\$23,000,000	\$23,000,000
One-time					
Ongoing	35,000,000	35,000,000	35,000,000	\$23,000,000	\$23,000,000

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

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Problem or Issue

Since the onset of the COVID-19 pandemic, California’s courts have conducted remote proceedings, and the branch continues to advocate for the ability to conduct remote proceedings to expand safe and reliable access to justice. The Legislature recognized the need to implement technology standards to enable California courts to conduct remote proceedings, which the Judicial Council adopted as required by SB 133. However, many courts that conduct remote proceedings do so in courtrooms that do not meet the minimum level of technology mandated by Code of Civil Procedure section 367.76(o). This proposal will provide the resources needed to close the gap between the technology currently in use and the minimum required technology as defined in SB133 and the *Judicial Council Minimum Technology Standards for Remote Proceedings*.

Background/History of Problem

Prior to the COVID-19 pandemic, court proceedings were conducted primarily in person. Since then, the judicial branch has shifted towards adopting technologies that support remote access to court proceedings, propelled by the efforts of the Judicial Council and the Legislature. Remote proceedings further an impartial and accessible justice system for all Californians by reducing travel barriers, accommodating those with mobility challenges, and creating a more approachable environment for participants.

There are 2,158 courtrooms across California’s 58 superior courts. Although a significant investment has been made to bring courtrooms into alignment with previous legislation, including AB 716, those upgrades do not completely address subsequent standards and legislative requirements. Additional, consistent, and stable funding is needed to bring courtrooms into alignment with these new mandates, and continuously maintain technology in a manner that will scale to accommodate future expansion of remote proceedings. These upgrades could include hardware, software, network infrastructure, cabling, electrical work, and the services necessary to install and configure upgraded devices.

Effective January 1, 2025, the Judicial Council’s 2025 legislative priorities continue to sponsor or support legislation that improves judicial branch operational efficiencies and the ability to conduct proceedings, in whole or in part, using remote technology (refer to [Report to the Judicial Council Item #24-173](#)). Judicial Council staff continues to monitor current and upcoming fiscal year (FY) 2025–26 remote proceedings legislation and relevant administrative orders from the Chief Justice. A short list of related references is below.

- **Code of Civil Procedure section 367.76(o):** By April 1, 2024, the Judicial Council shall adopt, and trial courts shall implement by July 1, 2024, minimum standards for the courtroom technology necessary to permit remote participation in proceedings subject to this section. Those standards shall include, but not be limited to, hard-wired or other reliable high-speed internet connections in the courtroom for the judicial officer and court reporter, and monitors, dedicated cameras, speakers, and microphones so the judicial officer, court reporter, and court interpreter can appropriately see and hear remote participants, as well as to ensure that remote participants can appropriately see and hear the judicial officer and other courtroom participants.

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- **Code of Civil Procedure section 367.76(f)(2):** Beginning July 1, 2024, when the court conducts proceedings [defined in Code Civ. Proc., § 376.76(a)(1)] that will be reported by an official reporter or official reporter pro tempore, the reporter shall be physically present in the same room as the judicial officer if the court cannot provide the technology standards described in subdivision (o).
- **Welfare & Institutions Code section 679.5(n):** By April 1, 2024, the Judicial Council shall adopt, and trial courts shall implement by July 1, 2024, minimum standards for the courtroom technology necessary to permit remote participation in **juvenile justice proceedings**. Such standards shall include, but not be limited to, hard-wired or other reliable high-speed internet connections in the courtroom for the judicial officer and court reporter, and monitors, dedicated cameras, speakers, and microphones so the judicial officer, court reporter, and court interpreter can appropriately see and hear remote participants, as well as to ensure that remote participants can appropriately see and hear the judicial officer and other courtroom participants.
- **Welfare & Institutions Code section 679.5(k)(2):** Beginning July 1, 2024, when the court conducts proceedings [defined in Welf. & Inst. Code, § 679.5(b)] that will be reported by an official reporter or official reporter pro tempore, the reporter shall be physically present in the same room as the judicial officer if the court cannot provide the technology standards described in subdivision (n).
- **AB 170 (Committee on Budget), CH. 51:** Effective Immediately, extends existing deadlines for both juvenile and civil remote proceedings from January 1, 2026, to January 1, 2027. Beginning October 1, 2025, and annually thereafter, requires courts to report to the Judicial Council on technical issues experienced during **criminal remote proceedings** and certify that all courtrooms used for remote proceedings meet the minimum technology standards. Requires the Judicial Council to submit a legislative report on the court responses by December 31, 2025, and December 31, 2026. Sunsets the reporting requirements for both the courts and the Judicial Council on January 1, 2027. Authorizes from January 1, 2025, until January 1, 2027, for a court reporter to be in a separate court facility when a significant delay would otherwise occur. By April 1, 2025, requires the Judicial Council to adopt minimum standards for courtroom technology to allow for remote participation in criminal proceedings. Requires the courts to implement the minimum standards by July 1, 2025, and extends the authority for remote proceedings until January 1, 2027.
- **AB 3013 (Maienschein), CH. 250:** Effective January 1, 2025 Authorizes the Superior Courts of Alameda, Contra Costa, Los Angeles, Mendocino, Monterey, Orange, San Bernardino, San Diego, San Joaquin, San Mateo, Santa Clara, Tulare, and Ventura Counties to **conduct pilot projects to study the potential use of remote court reporting** to make the verbatim record of certain court proceedings. Specifies the technology that must be in place in a courtroom where remote reporting is taking place. (GOV add and repeal 69959.5)

Impact of Denial of Proposal

Without consistent and stable funding, it will not be possible for all courts and relevant courtrooms to comply with statutory mandates for remote proceedings, resulting in limited and unequal remote access to justice for constituents of courts with technology shortcomings.

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Outcomes and Accountability of Proposal

Through the use of technology, remote proceedings increase participation and accessibility for court users, especially those with travel and mobility challenges. This may include those lacking reliable transportation, located in remote locations far from a courthouse, and with health and other related issues that impede in-person attendance.

The Information Technology Advisory Committee, at the behest of the Judicial Council Technology Committee, will provide oversight for this program.

Metrics demonstrating the positive impact of the proposal over time include the:

- Number of courtrooms that have added one or more of the essential elements above, sorted by quantity and category;
- Number of courtrooms providing a full complement of monitors, dedicated cameras, speakers, and microphones to meet all standards and legislative requirements for remote proceedings; and
- Percentage of courtrooms by court that meet all standards and requirements for remote proceedings.

Required Review/Approval

Technology 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 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: *John Yee*

Contact Name: **Andrae Randolph (and Kackie Cohen)**

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Judicial Council Technology Committee
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Proposal Title	Appellate Court Information Technology Services and Operations
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Proposal Summary

The Judicial Council of California requests one-time \$250,000 General Fund in 2026-27 to support the modernization of appellate reporting tools; and \$2.25 million ongoing General Fund starting in 2026-27 to complete the modernization of the Appellate Courts Case Management System (ACCMS). The funding will address the increased system operational expenses for database licensing, hosting, and data services, as well as appellate information technology (IT) infrastructure refreshes and maintenance.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Operating Expenses	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000
Total	2,500,000	2,250,000	2,250,000	2,250,000	2,250,000
One-time	250,000				
Ongoing	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000

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

Problem or Issue

The funding request addresses several deficiencies supporting the appellate courts:

- Database licensing:** \$250,000 is needed to acquire database licenses supporting ACCMS. Current database licenses are funded under the branchwide licensing program; this program is set to be discontinued. New database licenses will be required to ensure continued operation and support of the ACCMS program.
- Hosting increase:** \$250,000 is needed to address the increased cost of hosting services for the ACCMS application.
- Core system modernization:** \$250,000 is needed to address the cost of development and maintenance of the modernized version of ACCMS. Current funding only covers the maintenance and support of the current application version but does not cover the costs incurred through modernization.

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4. **Infrastructure and equipment updates:** \$1.5 million is needed to address critical infrastructure and equipment improvements supporting the Supreme Court and District Courts of Appeal. This funding will ensure continuous upkeep and security of appellate court IT equipment and critical systems. The appellate courts have not received regular funding to support improvements since 2007.
5. **Reporting modernization:** \$250,000 is needed one-time to replace the existing ACCMS reporting platform. The current reporting platform is no longer available or supported by the vendor. Replacing this system is essential to maintain the appellate courts' ability to perform their critical daily operational reporting tasks. The funding will support the procurement and conversion of existing reports to the new reporting platform.

In partnership with the Judicial Council, the appellate courts have explored alternative funding sources to stabilize operations. However, current funding remains inadequate. An augmentation of \$250,000 one-time and \$2.25 million ongoing in funding is crucial to securely modernize the courts' computing environments, ensure operational stability and alignment with modern standards.

Background/History of Problem

In 2021, the Judicial Council received approval for an annual allocation of \$1 million from the IT Modernization budget change proposal to support appellate court operations. Operational costs have steadily increased, and the current allocation no longer adequately covers these expenses. Appellate court operations prioritize the utilization of technology to secure and modernize applications; ensure fair and equitable access to justice; and align with branchwide strategic goals of fairness, equity, and inclusion. Appellate court operations currently require a baseline budget of \$2 million to deliver the highest quality of justice and service to the public; however, budget allocations have not kept pace with operational demands.

In 2007, the Judicial Council requested \$1.5 million in annual funding but only \$660,000 was approved. This initial allocation was intended to support a network refresh for the California Supreme Court, Courts of Appeal, and ACCMS. Since then, costs for hardware, software, and licensing escalated significantly. The initial allocation is insufficient to maintain and modernize the courts' infrastructure. Collaborative efforts by the Judicial Council and the appellate courts to identify alternative solutions have been constrained by limited financial resources. Without increased funding, the ability to sustain reliable and secure operations continues to decline. Appellate court infrastructure requires a baseline budget of \$1.5 million to remain responsive to the varying needs of diverse court users.

Impact of Denial of Proposal

The ACCMS is a critical component of the Judicial Council's digital infrastructure, supporting the operational needs of the appellate courts. However, without sustained and increased funding, its stability, compliance, and long-term viability are at significant risk. Failure to secure necessary funding for key operational expenses will not only impact the functionality of ACCMS but will also expose the Judicial Council and appellate courts to legal, financial, and security vulnerabilities.

One of the most immediate concerns is ensuring database licensing. Without the continued procurement of necessary licenses, ACCMS will be out of compliance, potentially forcing a suspension of operations until the issue is resolved. Operating without proper licensing not only disrupts essential court functions but also

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exposes the Judicial Council to legal risks that could result in costly litigation. This would not only burden the courts financially but also erode trust in the judiciary's ability to manage its digital infrastructure effectively.

In addition to licensing, the stability and supportability of ACCMS rely heavily on sufficient funding for hosting. As software and services continue to evolve, inadequate funding will result in system degradation, making it increasingly difficult to maintain operational efficiency. Without full funding, ACCMS may become inoperable, leading to increased downtime, decreased reliability, and escalating costs in the long run. The failure to invest in stable hosting solutions will severely impact the courts' ability to function efficiently and meet modern technological standards.

Another pressing issue is the ongoing development and maintenance of ACCMS. Without dedicated funding, modernization efforts will come to a halt, severely limiting the ability to enhance or adapt the system in response to appellate court needs. This stagnation will lead to an accumulation of technical debt, making future improvements more expensive and difficult to implement. As technology advances, an outdated ACCMS will become a liability, impeding the courts' ability to manage cases effectively and undermining judicial efficiency.

Additionally, the sustainability of court operations depends on maintaining critical infrastructure and equipment. Without ongoing investment, aging infrastructure will eventually fail, jeopardizing the ability of appellate courts to function effectively. The consequences of outdated and inadequate infrastructure are severe, ranging from operational disruptions and increased downtime to heightened security risks. Without proactive investment, the courts face a greater likelihood of major security breaches, which could compromise sensitive judicial data and erode public trust.

Finally, and beyond the core application, the ACCMS Reporting System is essential for daily court operations. If funding is not secured to replace and modernize this system, its eventual failure is inevitable. This will directly impact the courts' ability to generate critical reports, leading to decreased accuracy, reduced efficiency, and an increase in data integrity issues. A compromised reporting system will impair decision-making, weaken transparency, and introduce inefficiencies that disrupt case management oversight.

The long-term success of ACCMS and the integrity of the judicial system depend on securing sufficient operational funding. Without it, the appellate courts will face diminished reliability, increased costs, and heightened security vulnerabilities. Proactive investment in licensing, hosting, development, infrastructure, and reporting is essential to ensure that ACCMS remains a stable, secure, and effective tool for the administration of justice.

Outcomes and Accountability of Proposal

Approval of this proposal will enable the Appellate Courts to strengthen security, maintain uninterrupted operations, enhance infrastructure, and achieve critical modernization goals. These goals align with the guiding principles of the *Strategic Plan for Technology*. To ensure measurable progress and accountability, our efforts are aligned with the Judicial Council's technology strategic goals, driving meaningful outcomes that strengthen court operations and IT infrastructure. By focusing on key priorities, we create a direct link between technology initiatives and the broader objectives that support the courts and the public they serve.

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One critical outcome is increased system resilience, which enhances disaster recovery capabilities, minimizes downtime, and ensures seamless service delivery. By reinforcing operational continuity, this initiative directly advances **Goal 1: Advance the Digital Court**, ensuring that courts remain accessible and responsive even in the face of disruptions.

Equally important is the modernization of our computing environment. A flexible and scalable infrastructure enables virtualized operations, allowing courts to adapt to evolving demands efficiently. This transformation aligns with **Goal 4: Advance IT Security and Infrastructure**, ensuring that technology investments support long-term agility and sustainability.

Strengthening security remains a top priority. By enhancing security protocols across networks, applications, and data, we mitigate risks, improve reporting integrity, and reduce vulnerabilities. These improvements uphold **Goal 4: Advance IT Security and Infrastructure**, reinforcing trust in the reliability and confidentiality of judicial information systems.

Finally, our commitment to operational efficiency and streamlined workflows drives better resource allocation and supports the council's strategic objectives. Enhancing infrastructure and optimizing processes contribute to both **Goal 1: Advance the Digital Court** and **Goal 4: Advance IT Security and Infrastructure**, ensuring that our systems not only function securely but also improve overall service delivery.

By aligning anticipated outcomes with strategic goals, we reinforce accountability and ensure that each initiative delivers tangible benefits. This structured approach strengthens the courts' ability to serve the public effectively while maintaining a resilient and forward-looking IT environment.

Required Review/Approval

Technology Committee
Trial Court Budget Advisory Committee

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

Goal I: Access, Fairness, Diversity, and Inclusion

Approval

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

Director Signature: *John Yee*

Contact Name: Angela Gulley

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Judicial Council Technology Committee
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Proposal Title	Modern Digital Courts' Systems Quality and Ongoing Support Services
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Proposal Summary

The Judicial Council of California requests 11 positions and \$3.745 million General Fund in 2026-27, and \$3.713 million ongoing General Fund thereafter for the operations and maintenance of performing and sustaining the work of the judicial branch modernization efforts and recruiting essential technical staff for the management, support, and quality assurance for court digital services (e.g., branch-hosted websites, virtual customer services, court transcript assembly software, and voice-to-text translation application) developed and supported by the council's Information Technology (IT) team.

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 (Enter whole dollars rounded to thousands)

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Total Positions	11.0	11.0	11.0	11.0	11.0
Personal Services	\$2,581,000	\$2,581,000	\$2,581,000	\$2,581,000	\$2,581,000
Operating Expenses & Equipment	\$1,164,000	\$1,132,000	\$1,132,000	\$1,132,000	\$1,132,000
Local Assistance					
Total	\$3,745,000	\$3,713,000	\$3,713,000	\$3,713,000	\$3,713,000
One-time					
Ongoing	\$3,745,000	\$3,713,000	\$3,713,000	\$3,713,000	\$3,713,000

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

Problem or Issue

This funding request aims to address critical staffing and operational challenges that impact service availability, reliability, and quality. Currently, the program operates with insufficient staff, relying heavily on limited contractor resources—a situation that is unsustainable in the long term.

To mitigate this risk, the request includes the addition of 11 positions dedicated to managing and sustaining services, ensuring their continued reliability and effectiveness. Additionally, \$1.1 million in operating

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expenses and equipment (OE&E) is required for support essential operational needs, including system maintenance and enhancements.

A key component of this request is securing ongoing funding for the court website hosting services, which has now matured and requires sustained investment for maintenance and support. The funding provided via the 2022-23 IT Modernization BCP has been exhausted for this program, and thus additional funding is necessary to continue program services.

This request benefits the public to ensure the council and courts' websites are available, reliable, and kept updated. In addition, this request ensures the key applications have the ongoing staff to provide the management and support that impacts both the trial and appellate courts.

This request benefits the public to ensure the council and courts' websites are available, reliable, and kept updated. In addition, this request ensures the key applications have the ongoing staff to provide the management and support that impacts both the trial and appellate courts.

Background/History of the Problem

The software applications and programs, such as Electronic Courts of Appeals Records and Transcripts (eCART), Virtual Customer Service Center (VCSC) and chatbots, CA Courts Translator (voice to text translations), accessible mobile friendly websites, SharePoint programs and more, were piloted via the IT Modernization Program. The program and its funding are intended to explore and develop applications that are beneficial to the public and the courts of California. The investments made to these programs demonstrated their value and impact. The programs are now mature enough to continue to provide ongoing services but lacks the staffing and funding to do so.

Ongoing funds to cover the software licenses, subscriptions, management, and support for the branch-hosted website program (including branch and court websites—totaling over 65+ websites) is essential. Services such as CA Courts Translator and chatbots are indispensable tools for improving access for limited English-proficient users and increasing court efficiency. Six courts use chatbots to increase efficiency by answering questions and reducing the need for court users to obtain answers in person. Voice-to-text is used by 29 courts to assist limited English-proficient court users through automatic translations. Appellate litigants in 31 courts use eCART to obtain essential records and transcripts. Demand for these services have outpaced the resources required to sustain them, and scaling these highly impactful applications requires ongoing technical support from skilled professionals to ensure efficiency and effectiveness.

Despite these achievements, growing adoption and complexity of these technologies requires a skilled workforce to maintain and expand the branch's digital transformation. Recruiting, developing, and retaining developers, analysts, and quality assurance engineers is critical to sustaining and improving these systems. Current staff shortages have led to a reactive approach, limiting the ability to drive innovation and address future needs effectively.

The requested funding will enable the Judicial Council to hire the expertise necessary to continue to support these programs.

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Impact of Denial of Proposal

Currently, the website hosting and modernization program relies on one-time funding each year, which is unsustainable. This uncertainty leaves the courts vulnerable to gaps in service and support. To ensure stability and sustainability, we require regular, ongoing funding to maintain and enhance these services.

Additionally, continued reliance on contractors instead of full-time technology professionals for critical areas like SharePoint services, voice-to-text, chatbots, and eCart will result in knowledge gaps, higher long-term costs, a destabilized workforce, and diminished organizational capacity. The lack of sufficient technical personnel will delay essential system upgrades, jeopardizing the council's ability to deliver accessible, efficient, and indispensable court services. This increases operational risks, weakens the organization's technological infrastructure, and compromises efforts to keep pace with modernization.

Outcomes and Accountability of Proposal

1. Improved product quality through effective quality assurance testing and validation.
2. Reduced solution downtime, enhancing system reliability and resiliency.
3. Enhanced knowledge retention, reducing dependency on external resources.
4. Sustained modernization effort with streamlined processes, continuous enhancements, ongoing product evolution, and adaptability to changing stakeholder needs.
5. Reduced technical debt, ensuring long-term maintainability and efficiency.
6. Increased and consistent accessibility to the courts through reliable and user-friendly services.
7. Enabled ability for the IT Modernization Program to invest in new innovation efforts.

Required Review/Approval

Technology 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 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.

Director Signature: *John Yee*

Contact Name: Angela Gulley (and Hema Krishnamurthy)

**Judicial Branch
2026-27 Budget Change Proposal Concept**

Requesting Entity	Judicial Council Technology Committee
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Proposal Title	Core Application Modernization and Sustained Operational Maintenance
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Proposal Summary

The Judicial Council requests \$4 million one-time General Fund in 2026–27, \$2.5 million in 2027-28, and \$650,000 ongoing starting 2027–28 and thereafter for the operations and maintenance of seven (7) judicial branch systems used to perform and sustain the operations of the trial and appellate courts. The wide range of systems supports key judicial administrative operational functions including court fee distribution, appointed counsel payments, appellate case management, judge assignments, data exchange, and HR functions.

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	0	0	0	0	0
Personal Services (Consulting Services)	3,800,000	2,850,000	350,000	350,000	350,000
Operating Expenses & Equipment	200,000	300,000	300,000	300,000	300,000
Local Assistance	0	0	0	0	0
Total	4,000,000	3,150,000	650,000	650,000	650,000
One-time	4,000,000	2,500,000	0	0	0
Ongoing		650,000	650,000	650,000	650,000

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

Problem or Issue

Several critical systems, detailed below, currently subsist on aging infrastructure and unsupported technology. These Judicial Council-hosted applications require critical upgrades to meet the branch-recommended technology standards, address unsupported software, comply with security guidelines. In addition, these systems will require hiring qualified support staff.

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Systems' details and functions are as follows:

- Supreme Court Appointed Counsel System (SCACS): Manages payment requests for Supreme Court-appointed counsel representing indigent parties.
- District Courts Appointed Counsel System (DCACS): Handles payment requests for District Court-appointed counsel representing indigent parties.
- Uniform Civil Fees System (UCFS): Manages distribution and reporting of uniform civil fees collected by Superior Courts.
- Judicial Information System (JIS): Supports payments for Temporary Assigned Judges and assigns retired judges as mediators in civil cases.
- Appellate Courts Case Management System (ACCMS): Tracks and manages appellate court case information, calendars, and document filings.
- Talend: Facilitates data conversion and system integration for data exchange.
- Human Resource and Education Management System (HREMS): Provides HR support including payroll, talent recruitment, training compliance, and performance management.

Background/History of the Problem

The systems mentioned support essential functions, ensuring efficient administration of case dispensation and processing. These systems aid in managing cases for appellate courts, as well as for felony, civil, family, juvenile, probate, and mental health matters. They also handle judge assignments for civil mediation and indigent cases and provide support to courts dealing with backlogs.

These activities cannot function efficiently without the support of automated systems for processing, tracking, and dispensation. The current business-critical systems rely on outdated and unsupported technology infrastructure, some of which have been in production for over 20 years. To ensure that Judicial Council-developed and maintained applications remain sustainable, secure, and reliably serve its customers and the public, it is essential to invest in critical infrastructure upgrades.

Impact of Denial of Proposal

Without this funding, the branch will be unable to provide resilient, secure, supported, and operational systems for the above programs, leading to case processing immobilization. Additionally, ensuring application stability cannot be guaranteed, resulting in increased system outages and negatively impacting the quality of services provided to the courts and the public at all levels of the state judiciary. Furthermore, the branch risks forfeiting approximately 20 years of investment in these heavily relied upon systems.

Outcomes and Accountability of Proposal

These critical upgrades will enhance data security, improve system stability, and ensure long-term support. The systems will also have ongoing support and maintenance. Specifics include:

1. Upgrading infrastructure and platforms for SCACS, DCACS, JIS, and UCFS to current technological standards.

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2. Continuing essential operational upgrades and development support for SCACS, DCACS, JIS, UCFS, HREMS, ACCMS, and Talend.
3. Hiring qualified support staff for operations and maintenance activities.

Required Review/Approval

Technology Committee

Will also seek support from Administrative Presiding Justices and Appellate Court Clerk Executive Officers.

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

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: *John Yee*

Contact Name: Daphne Light (and Peng Li)

**Judicial Branch
 2026-27 Budget Change Proposal Concept**

Requesting Entity	Habeas Corpus Resource Center
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Proposal Title	HCRC Case Team Staffing
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Proposal Summary

The Judicial Council of California requests 30.0 positions and \$8.0 million General Fund in fiscal year (FY) 2026–27; an additional 20.0 positions and \$13.5 million General Fund in FY 2027–28; and an additional 20.0 positions and \$19.0 million General Fund in FY 2028–29, for a total request of 70.0 new positions and \$18.8 million ongoing funding for the Habeas Corpus Resource Center (HCRC). The funds will be used to increase staff to address and reduce delays and the backlog of unrepresented defendants in habeas cases. (A habeas corpus petition is a request to a court to review the legality of a person’s detention of imprisonment. In California, persons convicted and sentenced to death have a statutory right to a lawyer to investigate and present to the court a petition for writ of habeas corpus. Nearly 350 people are waiting for such a lawyer.)

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 (Enter whole dollars rounded to thousands) *

Fiscal Year	2026-27 (BY)	2027-28 (BY+1)	2028-29 (BY+2)	2029-30 (BY+3)	2030-31 (BY+4)
Positions	30.0	50.0	70.0	70.0	70.0
Personal Services	6,229,000	10,822,000	15,418,000	15,418,000	15,418,000
Operating Expenses & Equipment	1,776,000	2,627,000	3,614,000	3,342,000	3,342,000
Local Assistance	0	0	0	0	0
Total	8,005,000	13,449,000	19,032,000	18,760,000	18,760,000
One-time	0	0	0	0	0
Ongoing	8,005,000	13,449,000	19,032,000	18,760,000	18,760,000

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

Problem or Issue

In California, persons sentenced to death are statutorily entitled to an attorney to investigate, develop, and present a petition for writ of habeas corpus to the appropriate state court. HCRC is the sole state entity tasked with providing such representation.

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As of December 2024, the total number of people currently under a sentence of death in California is 576. There are 348 people sentenced to death in California who have a right to counsel but who are still waiting for appointment of counsel for their initial state habeas (post-conviction) proceedings. These 348 people represent 60 percent of all condemned persons. This proposal is to address the state's need to find representation for the increasing number of indigent people on death row and further HCRC's statutory mission to decrease the number of unrepresented persons on death row. Of the 348 without habeas counsel, 125 have been waiting over 20 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 to address the backlog. It currently represents 59 clients in multiple cases at different stages, including actively litigating 16 cases with Orders to Show Cause (OSCs); pending evidentiary hearings; awaiting decision following an evidentiary hearing.

This proposal would expand 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. The supervisory positions will ensure appropriate training, mentoring, and adherence to standards for case team members, enabling HCRC to maintain high quality representation for a maximum number of cases. Currently Government Code Section 68661 caps the number of attorneys that HCRC may employ at 34. This proposal will require amendment to Section 68661 to authorize HCRC to employ up to 68 attorneys.

Background/History of Problem

The backlog of capital post-conviction representation is the direct result of California's 58 counties sending people to death row at a rate far faster than the courts have been able to appoint qualified post-conviction counsel. The HCRC was established in 1998 to accept appointments in state and federal post-conviction death penalty 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 to (1) provide timely, high-quality legal representation for indigent petitioners in death penalty habeas corpus proceedings in state and federal courts; (2) 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) reduce the number of unrepresented indigent people 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 altered the way habeas cases are argued in California's courts. Under California Penal Code section 1509, habeas proceedings now initiate in the trial courts statewide, whereas a single court—the Supreme Court—previously appointed habeas counsel and heard all state habeas cases. However, there is lack of qualified counsel on the statewide panel of attorneys from which the trial courts may appoint habeas counsel. Only three private lawyers have been approved for the entire state; because there is no funding source by which the superior court can pay private counsel, HCRC remains the only resource for appointments. Penal Code section 1509 has also accelerated the timelines for litigating habeas matters, resulting in “one-year cases” that intensify the work required by HCRC case teams to research, prepare, and file claims in the trial courts.

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This request also addresses a fundamental equity issue in the administration of the death penalty. When Governor Gavin Newsom placed a moratorium on carrying out executions in California, he 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.” Although Black and Latino individuals represent just 6.5 percent and 36 percent of California’s population, respectively, almost 66 percent of the death row population is made up of people of color. While the moratorium paused executions, it did not permanently end them.

Since the moratorium, 23 people have been sentenced (or, in one case, resentenced) to death. Eighty-three percent of these individuals are people of color. And since January 1, 2022, every person sentenced to death has been Black or Latino. Resources provided through this proposal will be used to confront this inequity as HCRC will be able to represent more condemned persons faster.

Impact of Denial of Proposal

The length of time to make an impact and reduce the backlog in appointments 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. However, HCRC’s number of attorneys is still at the same level it was two decades ago. With level resources and death sentences continuing to be imposed the time it takes to complete capital case post-conviction review continues to get longer. Currently a person condemned to death in California can 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. These delays cause judicial relief for condemned people, consistent with constitutional requirements, to be denied. Grants of relief are the most common outcome in capital proceedings. Ultimately, each California death judgment has a one-in-five chance of being upheld in every court that reviews it, and a four-in-five chance of reversal.

The impact of denying this proposal is that the decades-long wait for relief continues for the wrongfully convicted who spend decades on death row when they are innocent. Since California reinstated the death penalty in 1977, five innocent men—all people of color—have been fully exonerated and released. As Governor Newsom noted, a 2014 study showed that at least 4.1% of people sentenced to death were likely wrongfully convicted. Since 1977, California has sentenced 1,016 people to die. By a conservative estimate, it is likely that 42 of them are innocent. This means that today in California more than three dozen innocent people are either currently under a death sentence or have died on death row.

Outcomes and Accountability of Proposal

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 people sentenced to death. 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 in the absence of a hiring freeze. New staff members

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receive intensive training and mentorship from senior and other experienced staff members to ensure that proven protocols and best practices are applied in all cases.

The current 20+ year delay in appointment of counsel also increases the long-term incarceration costs of the death row population. According to the analysis of Proposition 62 in the Voter Information Guide for 2016 (an ultimately unsuccessful proposal to eliminate the death penalty), the death penalty costs the state approximately \$150 million per year. The Committee on the Revision of the Penal Code concluded in its 2021 Death Penalty Report: “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.” If California were to spend more money on attorney resources in the short term to reduce the habeas backlog and move these cases to conclusion it would save money in the long run. The Death Penalty Report continued: “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 348 unrepresented people on death row were to receive counsel sooner and obtain timely relief consistent with 40-year trends in sentence reversals, the state could realize a savings of millions of dollars per year in incarceration costs 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.

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 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: John A. Larson, Assistant Director