



Judicial Council of California  
Judicial Branch Budget Committee

JUDICIAL BRANCH BUDGET COMMITTEE

MATERIALS FEBRUARY 19, 2026  
OPEN IN-PERSON MEETING

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## Judicial Council of California

Judicial Branch Budget Committee

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should be made at least three business days  
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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

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**Date:** Thursday, February 19, 2026  
**Time:** 1:00 p.m. - 4:00 p.m.  
**Location:** 455 Golden Gate Avenue, San Francisco, CA 94102, Redwood Room  
**Public Videocast:** <https://jcc.granicus.com/player/event/5096>

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

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

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

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

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##### Call to Order and Roll Call

##### Approval of Minutes

Approve minutes of the November 13, 2025, Judicial Branch Budget Committee meeting.

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

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##### 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 an 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 people requesting to speak to be heard at this meeting.

### **Remote Comment**

In accordance with California Rules of Court, rule 10.75(i) and (k), individuals wishing to speak about an agenda item during the public comment part of the meeting, must email a request by 1:00 p.m. on Wednesday, February 18, 2026, to [JBBC@jud.ca.gov](mailto:JBBC@jud.ca.gov). The request must state the speaker's name, the name of the organization that the speaker represents, if any, and the agenda item the speaker wishes to address. Only requests received by 1:00 p.m. on Wednesday, February 18, 2026, will receive a reply providing the virtual meeting link and information needed to speak during the public comment time.

### **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](mailto:JBBC@jud.ca.gov). Only written comments received by 1:00 p.m. on Wednesday, February 18, 2026, will be provided to advisory body members prior to the start of the meeting.

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## **III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1 - 5)**

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### **Item 1**

#### **Trial Court Minimum Operating and Emergency Fund Balance Policy (Action Required)**

Consideration of revisions to the Judicial Council's trial court minimum operating and emergency fund balance requirements.

Presenters: Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

### **Item 2**

#### **Mid-Year Reallocation and Augmentation for Court Interpreters Program for Fiscal Year 2025–26 (Action Required)**

Consideration of a mid-year reallocation of unspent funding for the Court Interpreters Program for fiscal year 2025–26.

Presenters: Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Mr. Douglas Denton, Principal Manager, Judicial Council Leadership Support Services

### **Item 3**

#### **Mid-Year Reallocation for Pretrial Release Program for Fiscal Year 2025–26 (Action Required)**

Consideration of a mid-year reallocation of unspent funding for the Pretrial Release Program for fiscal year 2025–26.

Presenters: Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee

Ms. Deirdre Benedict, Supervising Analyst, Judicial Council Criminal  
Justice Services

**Item 4**

**Allocations for Dependency Counsel Collections Program and Unspent Funding for Fiscal Year 2025–26 (Action Required)**

Consideration of allocations for the Dependency Counsel Collections Program and reallocation of unspent funding for court-appointed juvenile dependency counsel in fiscal year 2025–26.

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 5**

**Judicial Branch Budget Change Concepts for Fiscal Year 2027–28 (Action Required)**

Review of budget change concepts for the judicial branch for fiscal year 2027–28.

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

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**IV. INFORMATION ONLY ITEM (NO ACTION REQUIRED)**

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**Info 1**

**Governor's Budget Update for Fiscal Year 2026–27**

Update on the Governor's Budget proposal for fiscal year 2026–27

Presenter: Mr. Zlatko Theodorovic, Director, Judicial Council Budget Services

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**V. ADJOURNMENT**

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**Adjourn**



Judicial Council of California  
Judicial Branch Budget Committee

[www.courts.ca.gov/jbbc.htm](http://www.courts.ca.gov/jbbc.htm)  
[JBBC@jud.ca.gov](mailto:JBBC@jud.ca.gov)

## JUDICIAL BRANCH BUDGET COMMITTEE

### MINUTES OF OPEN MEETING

Thursday, November 13, 2025

1:00 p.m. - 2:00 p.m.

<https://jcc.granicus.com/player/event/4033>

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**Advisory Body** Hon. Ann C. Moorman, Chair; Hon. Maria Lucy Armendariz; Hon. Charles S. Crompton; Hon. Michael Rhoads; Mr. Charles Johnson; Mr. Darrel E. Parker; and Ms. Rachel Hill

**Advisory Body** Hon. Maria D. Hernandez, Vice-Chair and Hon. Brad R. Hill  
**Members Absent:**

**Others Present:** Hon. Jonathan B. Conklin, Mr. Zlatko Theodorovic, Ms. Fran Mueller, Ms. Sarah Rattanasamay, Ms. Oksana Tuk, Ms. Maria Lira, Mr. Marshall Comia

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### OPEN MEETING

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#### Call to Order and Roll Call

The chair called the meeting to order at 1:00 p.m. and took roll call.

#### Approval of Minutes

The advisory body approved the minutes of the September 4, 2025, Judicial Branch Budget Committee meeting.

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### DISCUSSION AND ACTION ITEMS (ITEMS 1 - 3)

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#### Item 1: Increased Transcript Rate Allocations for Fiscal Year (FY) 2025–26 (Action Required)

Consideration of allocations for FY 2025–26 increased transcript rates.

**Action:** *The Judicial Branch Budget Committee unanimously voted to approve the allocation of the \$7 million to each trial court proportionally using the Judicial Council–approved methodology for FY 2025–26, based on an average of the prior three-year transcript expenditures, as outlined in Attachment A.*

*The recommendation will be considered by the Judicial Council at its December 12, 2025, business meeting.*

#### Item 2: Final Adjustments for Year-End Fund Balances for FY 2024–25 (Action Required)

Consideration of final one-time adjustments for FY 2024–25 year-end fund balances for the trial courts.

**Action:** The Judicial Branch Budget Committee unanimously voted to approve the final FY 2024–25 year-end fund balance reduction of \$2.9 million, which reflects a total reduction of \$20.6 million above the fund balance cap offset by \$17.7 million in applicable Funds Held on Behalf requests. The \$2.9 million reduction will be allocated to the trial courts in January 2026.

*This recommendation will be considered by the Judicial Council at its December 12, 2025, business meeting.*

**Item 3: Trial Court Budget Advisory Committee Annual Agenda for 2026 (Action Required)**

Consideration of the proposed Trial Court Budget Advisory Committee annual agenda for 2026.

**Action:** The Judicial Branch Budget Committee unanimously voted to approve the Trial Court Budget Advisory Committee's annual agenda for 2026.

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**INFORMATION ONLY ITEM (NO ACTION REQUIRED)**

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**Info 1: Funding Methodology Subcommittee Work Plan Update for FY 2025–26**

Update on the Funding Methodology Subcommittee annual work plan for FY 2025–26.

**Action:** No action taken.

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 1:42 p.m.

Approved by the advisory body on enter date

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

**Title:** Trial Court Minimum Operating and Emergency Fund Balance Policy

**Date:** 2/19/2026

**Contact:** Oksana Tuk, Senior Analyst, Judicial Council Budget Services  
916-643-8027 | [oksana.tuk@jud.ca.gov](mailto:oksana.tuk@jud.ca.gov)

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**Issue**

Consideration of a recommendation from the Trial Court Budget Advisory Committee (TCBAC) to suspend the Judicial Council's trial court minimum operating and emergency fund balance policy for one additional year, through June 30, 2027. This will allow time to revise the policy to appropriately reflect current conditions regarding trial court financial operations and reserve needs. The policy has been continuously suspended by the council since fiscal year (FY) 2012–13 due to statutory changes and the availability of other emergency funding options. Council action is required before the current suspension of the policy expires on June 30, 2026.

**Background**

The Judicial Council's minimum operating and emergency fund balance policy (Attachment 1A) requires the trial courts to maintain a fund balance or reserve of approximately 3 to 5 percent of their prior year General Fund expenditures. This policy was first established in fiscal year (FY) 2006–07 to ensure that reserve funding was set aside for use in emergency situations, or when revenue shortfalls or budgetary imbalances might occur. The policy was in place through FY 2011–12.

Beginning in FY 2012–13, the policy was continuously suspended in two-year increments due to several legislative changes and advocacy efforts by the judicial branch to increase the fund balance cap for the trial courts. The current suspension of the policy will expire on June 30, 2026.

**Policy Suspension History**

Beginning in FY 2012–13, Government Code section 68502.5 required a 2 percent reserve be established in the Trial Court Trust Fund (TCTF). Each court contributed to the reserve from its base allocation for operations. On August 31, 2012,<sup>1</sup> the Judicial Council suspended the minimum operating and emergency fund balance requirement for two years to determine the impact of this statutory change.

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Trust Fund Allocations: Statewide Programs* (Aug. 31, 2012), [www.courts.ca.gov/documents/jc-20120831-itemN.pdf](http://www.courts.ca.gov/documents/jc-20120831-itemN.pdf); mins. (Aug. 31, 2012), [www.courts.ca.gov/documents/jc-20120831-minutes.pdf](http://www.courts.ca.gov/documents/jc-20120831-minutes.pdf).

The next fiscal year, Government Code section 77203 (Attachment 1B) imposed a 1 percent cap on the fund balance that courts could carry forward from one fiscal year to the next, effective June 30, 2014. Previously, a trial court could carry over all unexpended funds from the court's operating budget from the previous fiscal year. On October 28, 2014, the council extended the suspension of the policy for two additional years until June 30, 2016.<sup>2</sup>

On January 19, 2017,<sup>3</sup> and May 24, 2018,<sup>4</sup> the council approved additional two-year suspensions of the policy until June 30, 2020, in recognition of the 2 percent reserve in the TCTF and advocacy efforts by the branch to eliminate or increase the 1 percent cap. In FY 2019–20, Government Code section 77203 was amended, and the fund balance cap was increased from 1 percent to 3 percent. This allowed the trial courts to carry over unexpended funds in an amount not to exceed 3 percent of the court's operating budget from the prior fiscal year beginning June 30, 2020.

On July 24, 2020,<sup>5</sup> May 11, 2022,<sup>6</sup> and May 17, 2024,<sup>7</sup> the council again approved additional two-year suspensions of the policy. The last suspension expires on June 30, 2026.

## Fund Balance Cap

As stated, the fund balance cap for the trial courts was increased from 1 percent to 3 percent in FY 2019–20. Since that time, the Judicial Council has continued discussions with the Administration to raise the cap further in recognition of limited resources to support vital programs and services provided by the trial courts.

This resulted in a proposal in the FY 2024–25 Governor's Budget to increase the fund balance cap from 3 percent to 5 percent or \$100,000, whichever is greater, effective June 30, 2024. The proposal was to help the trial courts maintain adequate reserve funding to support operational

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<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: 2 Percent State-Level Reserve Process and Minimum Operating and Emergency Fund Balance Policy* (Oct. 28, 2014), [www.courts.ca.gov/documents/jc-20141028-itemM.pdf](http://www.courts.ca.gov/documents/jc-20141028-itemM.pdf); mins. (Oct. 28, 2014), [www.courts.ca.gov/documents/jc-20141028-minutes.pdf](http://www.courts.ca.gov/documents/jc-20141028-minutes.pdf).

<sup>3</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Minimum Operating and Emergency Fund Balance Policy* (Jan. 19, 2017), <https://jcc.legistar.com/View.ashx?M=F&ID=4885769&GUID=7E02378F-E7AC-407D-BDD2-DA81B5FEB9E8>; mins. (Jan. 19, 2017), <https://jcc.legistar.com/View.ashx?M=M&ID=523723&GUID=AAC05972-68BD-4B48-B46C-240B851E3CEF>.

<sup>4</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Minimum Operating and Emergency Fund Balance Policy* (May 24, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6246424&GUID=FD9DAD84-DD7D-448D-8C94-085FFC2FFBBF>; mins. (May 24, 2018), <https://jcc.legistar.com/View.ashx?M=M&ID=559783&GUID=1C4B0F75-3F17-4F8A-9712-034640BB460C>.

<sup>5</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Minimum Operating and Emergency Fund Balance Policy* (July 24, 2020), <https://jcc.legistar.com/View.ashx?M=F&ID=8648714&GUID=DAA755CB-AD69-4C95-AB23-49AF3B15A37E>; mins. (July 24, 2020), <https://jcc.legistar.com/View.ashx?M=M&ID=711582&GUID=90001AF2-7CEE-4F0F-906B-29A03ED9CB43>.

<sup>6</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Minimum Operating and Emergency Fund Balance Policy* (May 10, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=10831522&GUID=E3E6A833-3D51-41D8-B68D-225383632DEF>; mins. (May 11, 2022), <https://jcc.legistar.com/View.ashx?M=M&ID=869099&GUID=990E26C2-797D-4F24-BAE0-4945FB131549>.

<sup>7</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Minimum Operating and Emergency Fund Balance Policy* (May 6, 2024), <https://jcc.legistar.com/View.ashx?M=F&ID=12906835&GUID=1BD21B0F-1766-4D49-975D-A0984E3CC680>; mins. (May 17, 2024), <https://jcc.legistar.com/View.ashx?M=M&ID=1091340&GUID=CFBAE626-CB09-4BE5-872F-ECB2BCB40B99>.

needs and address emergency expenditures. However, the proposal was not included in the enacted budget, and the fund balance cap remains at 3 percent.

### **Funds Held on Behalf of the Trial Courts**

Government Code section 68502.5(c)(2)(A) requires the Judicial Council to approve preliminary allocations to the trial courts in July and to finalize allocations in January of each fiscal year. Each court's final allocation must be offset by the amount of reserves in excess of the 3 percent cap, unless the court submits a funds held on behalf request to use some or all of this funding.

The Funds Held on Behalf of the Trial Courts program is a Judicial Council–approved process that allows trial courts to request funding that exceeds the 3 percent cap be used to fund allowable projects or expenditures for the benefit of those courts.<sup>8</sup> The process was developed in FY 2015–16 in consultation with the Department of Finance in recognition that courts have limited resources to meet their operational needs. Funds held on behalf requests can be used for expenditures that cannot be funded by a court's annual budget or that require multiyear savings to implement.

Allowable projects include technology improvements or infrastructure (case management systems), court efficiency efforts (online or smart forms for court users), facilities maintenance or repair allowed under California Rules of Court, rule 10.810, and one-time expenditures such as vehicle, equipment, or furniture replacement. Funding for approved projects is held in the TCTF, and courts are reimbursed for actual expenses related to specific projects.

The funds held on behalf process is an important fiscal tool that allows the courts to fund necessary projects or purchases and meet contractual obligations within their limited allocations. This process maximizes available resources, especially given the fund balance cap and recent budget reductions.

### **Other Emergency Funding Options**

There are several funding options available to the trial courts to assist with funding shortfalls, unforeseen emergencies, or unanticipated expenses for existing programs or operations. These options provide flexibility to the trial courts while the minimum operating and emergency fund balance policy has been suspended. These funding options include the following:

**State-Level Reserve** – Government Code section 68502.5(c)(2)(B) authorized a one-time General Fund reserve of \$10 million in the TCTF. This reserve replaced the 2 percent reserve requirement that was in place since FY 2012–13. This reserve funding has only been used one time in FY 2018–19 by the Superior Court of Humboldt County. Assembly Bill 170 (Stats. 2024,

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<sup>8</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Allocations: Trial Court Reserves Held in the Trial Court Trust Fund* (April 15, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4378277&GUID=57D6B686-EA95-497E-9A07-226CA724ADCB>; mins. (Apr. 15, 2016), <https://jcc.legistar.com/View.ashx?M=M&ID=463457&GUID=194A3350-D97F-452B-ACF4-1EBE6C105CCA>.

ch. 51) reduced the emergency reserve in the TCTF from \$10 million to \$5 million as a budget solution and because of the reserve's limited use by the courts.

The Judicial Council established a process for the trial courts to apply for this emergency funding.<sup>9</sup> If funding is used from the reserve, it must be replenished the following fiscal year with all trial courts contributing from their base allocations.

**Cash Advance** – Government Code section 68502.5 (c)(2)(B) and Judicial Council policy<sup>10</sup> also authorized a process by which trial courts experiencing cash flow issues can request a cash advance. Whenever possible, the cash advance will be distributed from a court's remaining TCTF allocation. The cash advance must be repaid by the borrowing court based on the repayment schedule included in the court's approved cash advance application.

**Use of Statutorily Restricted Funds** – Although statutorily restricted funds are to be used for the purpose specified in statute, there are urgent or emergency circumstances when these funds may be used by the courts. Use of these funds are also authorized under Government Code section 68502.5 (c)(2)(B) and Judicial Council policy. This option requires repayment within the same month the funds were borrowed.

### **Policy Options Considered**

The trial court minimum operating and emergency fund balance policy has been suspended for 14 consecutive years. The original policy became outdated and inoperable following statutory changes governing trial court reserves. At the same time, additional statewide mechanisms for emergency funding reduced the need for courts to maintain their own minimum emergency balances. Because of these shifts, the Judicial Council has repeatedly suspended the policy since FY 2012–13.

At its meeting on January 15, 2026,<sup>11</sup> the TCBAC approved (1) an additional one-year suspension through June 30, 2027, to allow time to revise the policy to appropriately reflect current conditions regarding trial court financial operations and reserve needs and (2) adding this item to the Funding Methodology Subcommittee's annual work plan. As this item is currently on the FY 2025–26 work plan to consider repeal of the policy (Attachment 1C), it will be carried over to the FY 2026–27 work plan and updated to consider revisions to the existing policy based on the current fiscal environment for the trial courts.

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<sup>9</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: \$10 Million State-Level Reserve Process* (Oct. 13, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4730556&GUID=B27BB5A7-B14B-44E8-A809-9F6FA97F6536>; mins. (Oct. 28, 2016), <https://jcc.legistar.com/View.ashx?M=M&ID=463482&GUID=71780E2D-3758-4213-B3A5-7100073AB7CF>.

<sup>10</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: \$10 Million State-Level Reserve Policy* (Dec. 16, 2019), <https://jcc.legistar.com/View.ashx?M=F&ID=7972039&GUID=AD0ECAF7-5B7A-41B7-8680-5D1B5D64F90D>; mins. (Jan. 17, 2020), <https://jcc.legistar.com/View.ashx?M=M&ID=711572&GUID=AC46528C-6E37-406A-A1CE-B41CC33E29EB>.

<sup>11</sup> Trial Court Budget Advisory Committee meeting materials (January 15, 2026)  
<https://courts.ca.gov/system/files/file/tcbac-20260115-materials.pdf>

The TCBAC also deliberated a possible repeal of the policy due to multiple suspension extensions and other means of addressing emergency situations and revenue shortages.<sup>12</sup> The committee considered the financial and operational benefits of maintaining a policy to establish a minimum fund balance for emergencies as a best practice for the courts.

### **Recommendation**

Approve a one-year suspension of the Judicial Council's minimum operating and emergency fund balance policy for the trial courts until June 30, 2027, and add this item to the Funding Methodology Subcommittee's annual work plan. This will allow time to revise the policy to appropriately reflect current conditions regarding trial court financial operations and reserve needs.

This recommendation will be considered by the Judicial Council at its business meeting on April 24, 2026.

### **Attachments**

1. **Attachment 1A:** Trial Court Minimum Operating and Emergency Fund Balance Policy
2. **Attachment 1B:** Government Code section 77203
3. **Attachment 1C:** Funding Methodology Subcommittee Fiscal Year 2025–26 Work Plan

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<sup>12</sup> Trial Court Budget Advisory Committee meeting materials (January 15, 2026)  
<https://courts.ca.gov/system/files/file/tcbac-20260115-materials.pdf>

## **Trial Court Financial Policies & Procedures**

### **Fund Balance Policy**

**June 2020**

#### **Fund Balance**

1. As publicly funded entities, and in accordance with good public policy, trial courts must ensure that the funds allocated and received from the state and other sources are used efficiently and accounted for properly and consistently. The trial courts shall account for and report fund balance in accordance with established standards, utilizing approved classifications. Additionally, a fund balance can never be negative.
2. Beginning with the most binding constraints, fund balance amounts must be reported in the following classifications:
  - a. Nonspendable Fund Balance
  - b. Restricted Fund Balance
  - c. Committed Fund Balance
  - d. Assigned Fund Balance
  - e. Unassigned Fund Balance (General Fund only)
3. When allocating fund balance to the classifications and categories, allocations must follow the following prioritization:
  - a. Nonspendable Fund Balance
  - b. Restricted Fund Balance
  - c. Contractual commitments to be paid in the next fiscal year
  - d. The minimum calculated operating and emergency fund balance
  - e. Other Judicial Council mandates to be paid in the next fiscal year
  - f. Contractual commitments to be paid in subsequent fiscal years
  - g. Assigned Fund Balance designations
  - h. Unassigned Fund Balance
4. Nonspendable Fund Balance includes amounts that cannot be spent because they are either (a) not in spendable form (not expected to be converted to cash), or (b) legally or contractually required to be maintained intact. Examples include: Inventories, prepaid amounts, Long-Term Loans and Notes Receivable, and Principal of a Permanent (e.g., endowment) Fund.
5. Restricted Fund Balance includes amounts constrained for a specific purpose by external parties, constitutional provision, or enabling legislation.

- a. Externally imposed—imposed externally by grantors, creditors, contributors, or laws or regulations of other governments (i.e., monies received by a grantor that can only be used for that purpose defined by the grant).
  - b. Imposed by Law (Statutory)—restricted fund balance that consists of unspent, received revenues whose use is statutorily restricted (e.g., children's waiting room and dispute resolution program funding).
6. Committed Fund Balance includes amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Judicial Council. These committed amounts cannot be used for any other purpose unless the Judicial Council removes or changes the specified use by taking the same type of action it employed to previously commit those amounts. Committed Fund Balance must also include contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements. While the requirement to include contractual commitments is a policy decision of the Judicial Council, the type, number, and execution of contracts is within the express authority of presiding judges or their designee.
7. **[NOTE: The minimum operating and emergency fund requirement discussed here is temporarily suspended until the Judicial Council lifts the suspension.]** The Judicial Council has authorized a stabilization arrangement (Operating and Emergency fund category) to be set aside for use in emergency situations or when revenue shortages or budgetary imbalances might exist. The amount is subject to controls that dictate the circumstances under which the court would spend any of the minimum operating and emergency fund balance. Each court must maintain a minimum operating and emergency fund balance at all times during a fiscal year as determined by the following calculation based upon the prior fiscal year's ending total unrestricted general fund expenditures (excluding special revenue, debt service, permanent proprietary, and fiduciary funds), less any material one-time expenditures (e.g., large one-time contracts).

Annual General Fund Expenditures

5 percent of the first \$10,000,000

4 percent of the next \$40,000,000

3 percent of expenditures over \$50,000,000

If a court determines that it is unable to maintain the minimum operating and emergency fund balance level as identified above, the court must immediately notify the Administrative Director, or designee, in writing and provide a plan with a specific time frame to correct the situation.

8. Assigned Fund Balance is constrained by the presiding judge, or designee, with the intent that it be used for specific purposes or designations that are neither unspendable,

restricted, nor committed. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed. Assigned amounts are based on estimates, and explanations of the methodology used to compute or determine the designated amount must be provided.

Assigned Fund Balances include:

- a. All remaining amounts that are reported in governmental funds, other than general funds, that are not classified as nonspendable and are neither restricted nor committed; and
- b. Amounts in the general fund that are intended to be used for a specific purpose in accordance with the provision identified by the presiding judge or designee.

Assigned Fund Balances will be identified according to the following categories:

- a. One-time Facility–Tenant Improvements. Examples include carpet and fixture replacements.
- b. One-time Facility–Other Examples include amounts paid by the Judicial Council on behalf of the courts.
- c. Statewide Administrative Infrastructure Initiatives. Statewide assessment in support of technology initiatives (e.g., Phoenix) will be identified in this designation.
- d. Local Infrastructure (technology and nontechnology needs). Examples include interim case management systems and nonsecurity equipment.
- e. One-time Employee Compensation (leave obligation, retirement, etc.). Amounts included in this category are exclusive of employee compensation amounts already included in the court’s operating budget and not in a designated fund balance category.
  - i. One-time leave payments at separation from employment. If amounts are not already accounted for in a court’s operating budget, estimated one-time payouts for vacation or annual leave to employees planning to separate from employment within the next fiscal year should be in this designated fund balance subcategory. This amount could be computed as the average amount paid out with separations or other leave payments during the last three years. Any anticipated non-normal or unusually high payout for an individual or individuals should be added to at the average amount calculated.

- ii. Unfunded pension obligation. If documented by an actuarial report, the amount of unfunded pension obligation should be included as a designated fund balance. Employer retirement plan contributions for the current fiscal year must be accounted for in the court's operating budget.
- iii. Unfunded retiree health care obligation. If documented by an actuarial report, the amount of unfunded retiree health care obligation should be included as a designated fund balance.

The current year's unfunded retiree health care obligation contains: (i) the current year Annual Required Contribution (ARC) based on a 30-year amortization of retiree health costs as of last fiscal year-end, and (ii) the prior year retiree health care obligation less (iii), the retiree health care employer contributions and any transfers made to an irrevocable trust set up for this purpose. The current year's unfunded retiree health care obligation is to be added to the prior year's obligation.

- iv. Workers' compensation (if managed locally). The amount estimated to be paid out in the next fiscal year.
- v. Use of reserve funds for liquidation of outstanding leave balances for employees in a layoff situation, consistent with the requirements of GASB 45; other examples would include reserving funds for the implementation of "enhanced retirement" or "golden handshake" programs in the interest of eliminating salaries at the "high end" or "top step," and thereby generating salary savings or rehires at the low end of a pay scale for position(s), but realizing one-time costs in the interest of longer-term savings for the court.

- f. Professional and Consultant Services. Examples include human resources, information technology, and other consultants.
- g. Security. Examples include security equipment and pending increases for security service contracts.
- h. Bridge Funding. A court may choose to identify specific short or intermediate term funding amounts needed to address future needs that are otherwise not reportable, nor fit the criteria, in either restricted nor committed classifications, that it believes are necessary to identify through specific designations. These designations must be listed with a description in sufficient detail to determine their purpose and requirements.
- i. Miscellaneous (required to provide detail). Any other planned commitments that are not appropriately included in one of the above designated fund balance subcategories

should be listed here with a description in sufficient detail to determine its purpose and requirements.

9. Unassigned Fund Balance is the residual classification for the general fund. This classification represents fund balance that has not been assigned to any other fund balance classification. The general fund is the only fund that shall report a positive unassigned fund balance amount.

**State of California**

**GOVERNMENT CODE**

**Section 77203**

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77203. (a) Prior to June 30, 2014, a trial court may carry over all unexpended funds from the courts operating budget from the prior fiscal year.

(b) Commencing June 30, 2014, and concluding June 30, 2019, a trial court may carry over unexpended funds in an amount not to exceed 1 percent of the court's operating budget from the prior fiscal year. Commencing June 30, 2020, a trial court may carry over unexpended funds in an amount not to exceed 3 percent of the court's operating budget from the prior fiscal year. The calculation of the percentage authorized to be carried over from the previous fiscal year shall not include funds received by the court pursuant to the following:

- (1) Section 470.5 of the Business and Professions Code.
- (2) Section 116.230 of the Code of Civil Procedure, except for those funds transmitted to the Controller for deposit in the Trial Court Trust Fund pursuant to subdivision (h) of that section.
- (3) Subdivision (f) of Section 13963, Sections 26731, 66006, 68090.8, 70640, 70678, and 76223, subdivision (b) of Section 77207.5, and subdivision (h) of Section 77209.
- (4) The portion of filing fees collected for conversion to micrographics pursuant to former Section 26863, as that section read immediately before its repeal, and Section 27361.4.
- (5) Sections 1027 and 1463.007, subdivision (a) of Section 1463.22, and Sections 4750 and 6005, of the Penal Code.
- (6) Sections 11205.2 and 40508.6 of the Vehicle Code.

(Amended by Stats. 2019, Ch. 36, Sec. 2. (SB 95) Effective June 27, 2019. Section conditionally inoperative as provided in Section 77400. )

**Funding Methodology Subcommittee****Fiscal Year 2025–26 Work Plan****Approved as of October 29, 2025**

The Funding Methodology Subcommittee is responsible for (1) the ongoing review and refinement of the Workload Formula policy and (2) the development of allocation methodologies for funding augmentations and reductions for the trial courts as necessary. The subcommittee will continue its ongoing work to evaluate existing allocation methodologies and consider alternative allocation approaches based on the Workload Formula's core principles to advance the goal of funding equity, stability, and predictability to support trial court operations.

**Ongoing Through FY 2025–26**

1. Reevaluate the court cluster system, which is determined by the number of authorized judicial positions, and the impact of trial courts' cluster placement in the Resource Assessment Study (RAS).
2. Reevaluate the Trial Court Minimum Operating and Emergency Fund Balance Policy and consider if it should be repealed.
3. Evaluate the equity-based reallocation policy including technical refinements and clarification of the application of the existing methodology.
4. Evaluate the impact of the RAS data on the Workload Formula calculation and timing of implementation of new caseweights in the model.
5. Evaluate the Bureau of Labor Statistics factor and its impact on the Workload Formula calculation.
6. Consider a revised allocation methodology for court-appointed juvenile dependency counsel funding to determine an appropriate and effective way to address challenges faced by the trial courts in providing quality representation for children and families.

**Ongoing Annual Updates**

7. Review the Workload Formula policy to address adjustments as needed to ensure that it stays current to advance the goal of funding equity, stability, and predictability to support trial court operations.
8. Review the base funding floor amounts annually, if requested by the applicable courts, for consideration by the Trial Court Budget Advisory Committee no later than December of each year, to determine whether an inflationary adjustment is needed.

9. Review the Workload Formula adjustment request process submissions as referred by the Trial Court Budget Advisory Committee chair.

The following proposals were received in response to the 2025 Workload Formula adjustment request process. As these proposals could impact the RAS, which calculates different caseweights to determine the workload-based funding need for the trial courts, the requests are under consideration by the Data Analytics Advisory Committee.

1. Superior Court of Alameda County – proposed a minimum staff-to judge ratio be factored into the RAS as a supplemental need and included in the Workload Formula calculations.
2. Superior Court of Stanislaus County – proposed a factor in the RAS model to be included in the Workload Formula calculations that accounts for the additional time and costs to conduct background checks using the Automated Firearms System for domestic violence restraining orders required by the Domestic Violence Prevention Act (AB 3083; Stats. 2024, ch. 541).

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

**Title:** **Mid-Year Reallocation and Augmentation for Court Interpreters Program for Fiscal Year 2025–26**

**Date:** 2/19/2026

**Contact:** Douglas Denton, Principal Manager, Judicial Council Leadership Support Services  
415-865-7870 | [douglas.denton@jud.ca.gov](mailto:douglas.denton@jud.ca.gov)

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**Issue**

Consideration of the Trial Court Trust Fund (TCTF) Court Interpreters Program (CIP) mid-year reallocation of \$59,000 and proposed augmentation of \$19.1 million from program reserves for fiscal year (FY) 2025–26 to address anticipated trial court funding shortfalls due to increasing interpreter expenditures.

**Background**

The Judicial Council at its business meetings of February 21, 2025,<sup>1</sup> and April 25, 2025,<sup>2</sup> approved recommendations from the Trial Court Budget Advisory Committee (TCBAC), which included a recommendation to direct council staff to conduct a mid-year survey and reallocation process in FY 2025–26 to determine if the trial courts need additional funding from the remaining program savings to support court interpreter services.

Expenditure increases in the CIP are driven by multiple factors, including increased reliance on contractors across all case types due to staffing shortages, higher contractor rates, wage increases under new agreements, merit-based salary adjustments, and the expansion of interpreter services to all case types. Courts also report that many contractors are asking for rates higher than the council's standard rates<sup>3</sup> and closer to or above current federal rates.<sup>4</sup>

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Use of Court Interpreters Program Savings to Augment 2024–25 and 2025–26 Allocations for Trial Courts* (Feb. 21, 2025), <https://jcc.legistar.com/View.ashx?M=F&ID=13703531&GUID=E64FD46A-FE23-43D7-BADA-96EA524836B2>.

<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Court Interpreters Program Fiscal Year 2024–25 Midyear Reallocation and Augmentation* (Apr. 25, 2025), <https://jcc.legistar.com/View.ashx?M=F&ID=14011686&GUID=1FE5BD1D-7EAB-4D89-83AC-08336557D1D1>.

<sup>3</sup> Payment Policies for Independent Contractor Interpreters (Effective July 1, 2021), <https://www.courts.ca.gov/documents/CIP-Payment-Policies-for-Independent-Contractor-Interpreters.pdf>.

<sup>4</sup> The [Trial Court Interpreters Program Expenditure Report for Fiscal Year 2023–24](#), as required by the Budget Act of 2023, found that contract interpreter expenditures in FY 2023–24 represented 34.6 percent of total expenditures, reflecting an increase from FY 2022–23, when contractor expenses were 26.7 percent of the total expenditures (see [Expenditure Report](#), table 4). Compared to FY 2022–23, expenditures for contract interpreters in FY 2023–24 increased by \$14.091 million (42 percent), and expenditures for court employees in FY 2023–24 decreased by \$2.250 million (-2.4 percent). (*Ibid.*) Given recent cost increases for interpreter services, courts are identifying cost saving measures to ensure prudent use of limited CIP funding.

## Mid-Year Reallocation and Augmentation Process

Based on input from the trial courts<sup>5</sup>, Judicial Council staff sent the mid-year survey early—in November 2025 rather than in February 2026—to all 58 trial courts to obtain their anticipated additional funding need for FY 2025–26. Courts based their estimates on expenditure information from the Phoenix financial system through October 31, 2025. (Attachment 2A.)

All 58 trial courts participated in the mid-year survey. Of these, 36 courts requested additional funding totaling \$19.2 million. The remaining 22 courts did not request additional funding, and 3 of the 22 courts estimated unspent funds of approximately \$59,000 in FY 2025–26. After reallocation of the available \$59,000, the CIP augmentation request from the TCTF program reserves is \$19.1 million based on the survey data.<sup>5</sup>

Table 1 below demonstrates the current program savings balance of \$27.8 million and the requested \$19.1 million augmentation, which will bring the program savings balance to \$8.7 million at the end of FY 2025–26.

The final FY 2025–26 augmentation amount must be approved by the Judicial Council, the Department of Finance, and the Legislature, as the augmentation requires an increase to the budget appropriation.

The appropriation for FY 2026–27 is anticipated to be \$135.1 million.<sup>6</sup> When including savings, the total funding available for FY 2026–27 is estimated at \$143.8 million (\$135.1 million plus \$8.7 million in savings). Based on current expenditure trends, it is anticipated that the full amount of \$143.8 million will be needed in FY 2026–27 to support interpreter services, which will deplete all program reserves.

**Table 1. Mid-Year Reallocation and Augmentation Plan for FY 2025–26 (Dollars in Millions)**

CIP Detail	FY 2022–23	FY 2023–24	FY 2024–25	FY 2025–26	FY 2026–27 (Projected)
Appropriation	\$135.5	\$133.8	\$134.8	\$134.8	\$135.1
Surplus or Mid-year Augmentation Amount	\$9.8	-\$4.6	-\$11.6	-\$19.1**	-\$8.7
Program Savings Balance	\$35.0	\$30.4	\$27.8*	\$8.7	\$0

\*FY 2024–25 program savings balance totaling \$27.8 million: \$18.8 million in savings as of June 30, 2025, \$1.6 million in additional savings from year-end survey, and \$7.4 million in restored funding due to inadvertent spending on ineligible activities.

\*\*FY 2025–26 deficit of \$19.1 million based on mid-year survey data collected from the trial courts.

<sup>5</sup> The council-approved methodology for when courts experience a shortfall is outlined in the council report: Judicial Council of Cal., Advisory Com. Rep., *Allocations and Reimbursements to Trial Courts: Court Interpreters Program Funding and Allocation Methodology* (Jan. 20, 2023),

<https://jcc.legistar.com/View.ashx?M=F&ID=11533862&GUID=BF5043BE-FE6C-4464-B2CE-336C36D5DB40>.

<sup>6</sup> The Judicial Council submitted a budget change proposal (BCP) for increased funding in FY 2026–27 for the TCTF CIP, which was not included in the FY 2026–27 Governor’s Budget released on January 9, 2026.

A final survey will be conducted by Judicial Council staff prior to the end of FY 2025–26 to identify savings for reallocation to those courts with a funding shortfall based on final expenditures for current year.

On January 15, 2026,<sup>7</sup> the TCBAC approved the FY 2025–26 mid-year reallocation of \$59,000 and augmentation of \$19.1 million from the program savings balance of \$27.8 million for recommendation to the Judicial Branch Budget Committee.

### **Recommendation**

Approve the FY 2025–26 mid-year reallocation of \$59,000 and augmentation of \$19.1 million from the program savings balance of \$27.8 million, as outlined in Attachment 2A, including any technical adjustments, for consideration by the Judicial Council at its business meeting on April 24, 2026.

### **Attachment**

**Attachment 2A:** Mid-Year Reallocation for CIP and Augmentation Estimated Amounts for FY 2025–26

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<sup>7</sup> Trial Court Budget Advisory Committee meeting materials (Jan. 15, 2026), <https://courts.ca.gov/system/files/file/tcbac-20260115-materials.pdf> (Item 2).

At its January 15, 2026, meeting, the TCBAC also approved a budget change concept for additional funding for FY 2027–28 due to rising expenditures for the TCTF CIP for consideration by the Judicial Branch Budget Committee (Item 5).

Court Number	Court	Current FY 2025–26 CIP Allocation & Benefits	Estimated FY 2025–26 Funding to be Returned	Estimated FY 2025–26 Additional Funding Requested	Proposed Total CIP Allocation
		A	B	C	D = (A+B+C)
1	Alameda	\$5,802,846	\$0	\$811,000	\$6,613,846
2	Alpine	545	-	1,000	1,545
3	Amador	65,956	-	-	65,956
4	Butte	292,326	-	65,000	357,326
5	Calaveras	44,059	-	-	44,059
6	Colusa	129,857	-	25,000	154,857
7	Contra Costa	3,182,098	-	-	3,182,098
8	Del Norte	29,107	(14,500)	-	14,607
9	El Dorado	254,469	-	29,155	283,624
10	Fresno	2,766,582	-	510,000	3,276,582
11	Glenn	164,755	-	-	164,755
12	Humboldt	104,549	-	10,000	114,549
13	Imperial	778,340	-	37,000	815,340
14	Inyo	62,766	-	-	62,766
15	Kern	3,957,453	-	293,062	4,250,515
16	Kings	719,969	-	21,000	740,969
17	Lake	181,273	-	50,000	231,273
18	Lassen	57,432	-	-	57,432
19	Los Angeles	38,573,574	-	5,026,000	43,599,574
20	Madera	892,686	-	88,500	981,186
21	Marin	832,125	-	276,705	1,108,830
22	Mariposa	58,533	-	-	58,533
23	Mendocino	572,725	-	-	572,725
24	Merced	1,234,534	-	-	1,234,534
25	Modoc	4,872	-	25,000	29,872
26	Mono	72,961	-	25,000	97,961
27	Monterey	1,782,390	-	-	1,782,390
28	Napa	869,592	-	100,000	969,592
29	Nevada	106,681	-	45,000	151,681
30	Orange	9,553,836	-	1,551,386	11,105,222
31	Placer	943,843	-	-	943,843
32	Plumas	2,758	-	-	2,758
33	Riverside	6,944,728	-	971,294	7,916,022
34	Sacramento	5,230,332	-	639,525	5,869,857
35	San Benito	161,127	-	10,000	171,127
36	San Bernardino	6,725,779	-	376,786	7,102,565
37	San Diego	6,929,948	-	-	6,929,948
38	San Francisco	4,711,761	-	1,750,000	6,461,761
39	San Joaquin	2,200,736	-	1,361,049	3,561,785
40	San Luis Obispo	857,810	-	241,155	1,098,965
41	San Mateo	3,589,555	-	1,000,000	4,589,555
42	Santa Barbara	3,129,876	-	422,200	3,552,076
43	Santa Clara	6,748,121	-	1,295,957	8,044,078
44	Santa Cruz	1,025,815	-	175,000	1,200,815
45	Shasta	575,601	(20,601)	-	555,000
46	Sierra	586	-	-	586
47	Siskiyou	69,509	-	-	69,509
48	Solano	895,626	-	396,874	1,292,500
49	Sonoma	1,915,636	-	-	1,915,636
50	Stanislaus	1,744,999	-	350,000	2,094,999
51	Sutter	313,817	-	-	313,817
52	Tehama	253,456	-	-	253,456
53	Trinity	66,692	(23,680)	-	43,012
54	Tulare	2,736,760	-	419,741	3,156,501
55	Tuolumne	75,628	-	-	75,628
56	Ventura	2,930,454	-	500,023	3,430,477
57	Yolo	722,117	-	240,000	962,117
58	Yuba	98,044	-	25,000	123,044
<b>TOTAL</b>		<b>\$134,750,000</b>	<b>-\$58,781</b>	<b>\$19,164,412</b>	<b>\$153,855,631</b>

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

**Title:** Mid-Year Reallocation for Pretrial Release Program for Fiscal Year 2025–26

**Date:** 2/19/2026

**Contact:** Deirdre Benedict, Supervising Analyst, Criminal Justice Services  
415-865-7543 | [deirdre.benedict@jud.ca.gov](mailto:deirdre.benedict@jud.ca.gov)

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**Issue**

Consideration of a mid-year reallocation of unspent funding for the Pretrial Release Program for the trial courts in fiscal year (FY) 2025–26.

**Background**

The Budget Act of 2021 (amended by Sen. Bill 129) provided ongoing funding for “the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail”. SB 129 appropriated \$140 million one-time General Fund in FY 2021–22 and \$70 million annually thereafter to the Judicial Council for distribution to the trial courts for these purposes.

In accordance with the Budget Act of 2025 (amended by Assem. Bill 102), item 0250-101-0001, provision 7, the Judicial Council is required to distribute the funding to all courts based on each county’s relative proportion of the state population that is 18 to 25 years of age.<sup>1</sup>

Each court may retain up to 30 percent of the funding for costs associated with pretrial programs and practices. Except as otherwise authorized<sup>2</sup>, courts must contract for pretrial services with their county’s probation department or other county department or agency and provide that department with the remainder of the funds.

Starting in FY 2021–22, the Trial Court Budget Advisory Committee (TCBAC) has approved staff recommendations for the Pretrial Release Program allocations for each fiscal year for consideration by the Judicial Branch Budget Committee (Budget Committee) and then the Judicial Council.

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<sup>1</sup> U.S. Census Bureau five-year estimates based on each county’s relative proportion of the state population 18 to 25 years of age, American Community Survey, 2023: ACS 5-Year Estimates Subject Tables, Table S0101, [https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06\\$050000&tp=true](https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06$050000&tp=true). The California Department of Finance population data age categories do not match the age categories specified in the SB 129 language. The department broke down the 18-to-25 age category into two groups: 15 to 19 years of age and 20 to 24 years of age. SB 129 specified that the age group be between 18 and 25 years of age.

<sup>2</sup> SB 129 specifically provides that the Superior Court of Santa Clara County may contract with the Office of Pretrial Services in that county and the Superior Court of San Francisco County may contract with the Sheriff’s Office and the existing not-for-profit entity that is performing pretrial services in the city and county for pretrial assessment and supervision services.

The Budget Act of 2025 added language authorizing the Judicial Council to “reallocate unspent funds from counties to other counties with demonstrated needs.”<sup>3</sup> In prior fiscal years, some courts underspent their allocation and returned sizeable amounts of funding to the state’s General Fund. The reallocation authority will provide a mechanism to ensure funding to support pretrial services is utilized fully and appropriately.

On September 2, 2025, the Judicial Council approved the FY 2025–26 allocations and directed council staff to conduct a mid-year survey and recommend a methodology for reallocating funding between trial courts based on demonstrated need.

## **Survey Results**

Council staff conducted the mid-year survey in early November 2025. Thirty-two courts confirmed that they were not requesting additional funds and were not returning any of their allocated funding. One court responded to the survey returning funds in the amount of \$194,000. Twenty-four courts responded to the survey requesting additional funds totaling approximately \$12.2 million.<sup>4</sup>

Of the 24 courts requesting additional funds, 13 requested individual amounts lower than \$194,000. Those courts were required to provide a one-page narrative detailing their specific need for additional funds, how the funds would be used to address the need, and the outcome of receiving/not receiving the funds.

Staff reviewed the one-page narratives, in addition to analyzing each court’s spending patterns from previous fiscal years. Staff focused on the spending patterns for FY 2022–23 through FY 2024–25, as many courts’ spending increased as they moved from implementation to operations. Staff also reviewed the submitted FY 2025–26 budgets for these courts.

Overall, the requests were needed to offset reductions in state pretrial funding and county reductions for probation departments. Primarily, the requesting courts identified reduced services and support from the probation department for the court and the individuals released pretrial. This includes reducing the number of officers available to provide assessment reports in a timely manner to the court, the reduction of electronic and alcohol monitoring tools as well as support services to the individual released pretrial, and the reduction of court staff available to coordinate the pretrial release program.

## **Reallocation**

At its meeting on January 15, 2026, the TCBAC considered the Funding Methodology Subcommittee’s recommendation to approve a one-time methodology reallocating the \$194,000 in available pretrial funding in FY 2025–26<sup>5</sup>. This one-time methodology would reallocate funds based on the smallest requests to fulfill pretrial funding needs up to the \$194,000 that was returned.

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<sup>3</sup> Assem. Bill 102, § 4, item 0250-101-0001, provision 12.5.

<sup>4</sup> One court did not respond to the survey.

<sup>5</sup> Trial Court Budget Advisory Committee meeting materials (Jan. 15, 2026)  
<https://courts.ca.gov/system/files/file/tcbac-20260115-materials.pdf>

This option maximizes the quantity of court requests that can be met with the \$194,000 in reallocated funding and supports the Superior Courts of Plumas, Lassen, El Dorado, Modoc, and Solano Counties at the full amount of their requests. The Superior Court of San Mateo County will be funded at 55 percent of its request.

Staff recommend this option as it allows the amount returned to have the most impact in fully funding smaller communities. Please see Attachment 3B for the narratives submitted by the courts.

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#### **Plumas – \$8,583 request**

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Restore a Deputy Probation Officer to a full-time position, restore electronic/alcohol monitoring to previous levels, make software updates, and provide needed support services.

FY 2024–25 Allocation    \$125,000

FY 2025–26 Allocation    \$115,938

In FY 2024–25, Plumas spent 92 percent of its entire pretrial allocation.

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#### **Lassen – \$14,500 request**

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Maintain probation services through the end of this fiscal year.

FY 2024–25 Allocation    \$200,000

FY 2025–26 Allocation    \$185,500

In FY 2024–25, Lassen spent 97 percent of its entire pretrial allocation.

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#### **El Dorado – \$24,780 request**

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Maintain probation services at current levels and offset the court’s salary expenditures.

FY 2024–25 Allocation    \$234,237

FY 2025–26 Allocation    \$214,729

In FY 2024–25, El Dorado spent 102 percent<sup>6</sup> of its entire pretrial allocation.

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#### **Modoc – \$51,000 request**

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Maintain probation service levels.

FY 2024–25 Allocation    \$200,000

FY 2025–26 Allocation    \$185,500

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<sup>6</sup> Over 100 percent spending reflects a court’s earned interest on the pretrial program that utilized above the yearly allocation amount.

In FY 2024–25, Modoc spent 101 percent<sup>7</sup> of its entire pretrial allocation.

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### **Solano – \$55,452 request**

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Make necessary technical updates to the court’s pretrial case management system.

FY 2024–25 Allocation \$695,875

FY 2025–26 Allocation \$640,422

In FY 2024–25, Solano spent 99 percent of its entire pretrial allocation.

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### **San Mateo – \$72,000 request – Fund at 55 percent**

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Partially funding this request will restore funding for probation staff and fund a transition to a new pretrial risk assessment tool.

FY 2024–25 Allocation \$996,136

FY 2025–26 Allocation \$921,931

In FY 2024–25, San Mateo spent 89 percent of its entire pretrial allocation.

### **Alternatives Considered**

The TCBAC considered a second option wherein each of the 24 courts that requested funding would receive an equal portion of the reallocated funds. Given the amount of funding returned this year, each court would receive approximately \$8,000 each. (See Attachment 3A, Table 2.) While this would ensure that each court receives an amount, the level of funding provided would have very limited impact on larger courts and those that requested more than the \$194,000 available.

The TCBAC also considered resurveying all courts with the known amount of reallocated funding. The initial survey conducted in November 2025 asked courts to specify the amount of reallocation funding they needed, without knowing how much funding was available. However, given the timeline to secure approval from the budget committees and ultimately the Judicial Council before the end of the fiscal year, resurveying all courts was not a practical option.

While the TCBAC acknowledged that option one is not an ideal reallocation methodology, given the limited amount of funding available for reallocation and the compact timeline to get the funding to the courts, the committee approved option one as a one-time methodology for FY 2025–26 for consideration by the Judicial Branch Budget Committee.<sup>8</sup>

### **Recommendation**

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<sup>7</sup> Over 100 percent spending reflects a court’s earned interest on the pretrial program that utilized above the yearly allocation amount.

<sup>8</sup> Trial Court Budget Advisory Committee meeting materials (Jan. 15, 2026)  
<https://courts.ca.gov/system/files/file/tcbac-20260115-materials.pdf>

Approve the mid-year reallocation of \$194,000 in unspent funding for the Pretrial Release Program in FY 2025–26, as outlined in Attachment 3A, Table 1, for consideration by the Judicial Council at its business meeting on April 24, 2026.

**Attachments**

**Attachment 3A:** Reallocation Options for Consideration

**Attachment 3B:** Narrative Responses from Option One Courts

**Table 1:**

**Option One: Reallocate funding based on smallest requests and fulfill the most complete requests up to the \$194,000 that was returned.**

Court	Requested Amount	Funding Proposed
Plumas	\$8,583	\$8,583
Lassen	14,500	14,500
El Dorado	24,780	24,780
Modoc	51,000	51,000
Solano	55,452	55,452
San Mateo	72,000	39,684
<b>Total</b>	<b>\$226,316</b>	<b>\$194,000</b>

**Table 2:**

**Option Two: Reallocate funding equally among all 24 courts that requested funding.**

Court	Requested Amount	Funding Proposed
Plumas	\$8,583	\$8,083
Lassen	14,500	8,083
El Dorado	24,780	8,083
Modoc	51,000	8,083
Solano	55,452	8,083
San Mateo	72,000	8,083
Merced	80,000	8,083
Yuba	85,000	8,083
San Joaquin	100,000	8,083
Yolo	117,885	8,083
Marin	120,000	8,083
Sutter	140,188	8,083
Mendocino	150,000	8,083
Sonoma	200,000	8,083
Butte	252,330	8,083
Placer	327,677	8,083
Sacramento	366,000	8,083
Kern	423,270	8,083
Nevada	492,000	8,083
Santa Cruz	500,000	8,083
Madera	1,171,048	8,083
Santa Clara	1,674,380	8,083
Alameda	2,500,000	8,083
Los Angeles	3,318,512	8,083
<b>Total</b>	<b>\$12,244,606</b>	<b>\$194,0000</b>

Date: December 5, 2025

Plumas Superior Court  
FY2526 Pretrial Release Program  
RE: Narrative in Support of Pretrial Reallocation Funding Need

Plumas Superior Court respectfully requests an additional \$8,583.47 for FY2526. The additional funds which were included in our original budget will be used for the following:

- Restore FTE Pretrial Deputy Probation Officer to 1.0 FTE
- Restore Electronic Monitoring / Soberlink Program to previous levels
- Noble Software Updates
- Provide Cell Phone Service to Clients
- Drug Testing
- Ensure the ability to provide housing, inpatient treatment, and emergency shelter

The outcome of receiving the funding verse not receiving the funding will result in the following:

- The additional funding will support the need for 1.0 FTE Pretrial Deputy Probation Officer. The result in additional funding to support this position will mean more time for the deputy to attend hearings and track outcomes, not only for pretrial supervision clients, but all release categories. If the funding is not approved, it is likely the Probation Department will not have the resources to maintain pretrial services at a level that is acceptable to the Court.
- The additional funding will support the cost for Soberlink Alcohol Detection program and drug testing program for the entire fiscal year. If the funding is not approved the current funds budgeted will most likely be exhausted prior to the end of the fiscal year. The Probation Department does not have other funding sources that can supplement these services, and the services will be discontinued once the funds are exhausted.
- The additional funding will ensure that the Noble Software is updated. If the funding is not approved the software will not be updated and Probation may not be able to comply with future reporting requirements.
- The additional funding will ensure Probation can provide clients with cell phone service to ensure they stay in contact with Probation and can get their hearing reminders. If the funding is not approved Probation will not be able to support this cost for clients making it more difficult to keep in contact with them.
- The additional funding will ensure there are funds support housing, impatent treatment, and emergency shelter needs for clients. If the funding is not approved these services will be eliminated.

Thank you for your consideration.



# Superior Court of California, County of Lassen

Mark R. Nareau  
Presiding Judge

Robert M. Burns  
Assistant Presiding Judge

Megan Reed  
Court Executive Officer

Administrative Office  
2610 Riverside Drive, Susanville, CA 96130  
Telephone: 530-251-8102

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Date: December 5, 2025

To: Budget Committee

From: Samantha Ngotel, Administrative Services Manager

Re: Fiscal Year 2025-2026 Pretrial Reallocation Request Justification

Lassen County Superior Court received an allocation totaling \$185,500 for the Fiscal Year 2025-2026. The allocation was a decrease from the previous fiscal years' awards of \$200,000 per year, the floor allocation. Lassen Court partners with Lassen County Probation Department to facilitate and meet the goals of the Pretrial program. Allocation funds are split on a 70/30 basis between probation and the court. These funds support court and probation department staff in serving the public and achieving the mission of Pretrial as directed by the state. The decrease in allocation from past fiscal years to this current year's award did not dictate a decrease to program activity or needs. Lassen County is a generally underserved community with limited opportunities for employment and therefore great challenges exist in attracting viable candidates to the area. As a result of prior years Pretrial allocations, Probation was able to hire and dedicate staff directly supporting the program. The program continues to operate at the same level and the same cost as it did in prior years. As such, without the court's request to receive an additional \$14,500 reallocation for pretrial being granted, probation's portion of the existing allocation will be elapsed before the completion of the fiscal year. Pretrial costs for the Probation department average \$12,000 per month. The cost of the program for Probation alone is estimated to land around \$144,000 per fiscal year. As of the date of this memo, Probation has billed through October 2025 totaling \$47,804.43. A reallocation of \$14,500 will enable Probation to continue meeting service level requirements. Without the reallocation, Probation will be unable to maintain necessary staffing levels to meet service level needs required to facilitate the Pretrial program. The court and probation staff had dedicated many hours to establishing and developing our pretrial program since its installation and thank you for your consideration in awarding the requested reallocation amount of \$14,500. If awarded this amount, Lassen Court and Probation department will continue to foster and grow our Pretrial program in support of our county and constituents to the level they so deserve.

Sincerely,

*Samantha Ngotel*

Samantha Ngotel  
Administrative Services Manager



# SUPERIOR COURT OF CALIFORNIA COUNTY OF EL DORADO

2850 Fairlane Court, Suite 110  
Placerville, California 95667

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December 4, 2025

Judicial Council of California  
2850 Gateway Oaks Drive, Ste 490  
Sacramento, CA 95833

Re: Pretrial Reallocation

To Whom It May Concern:

Since Fiscal Year 21/22, the Courts have been receiving (and utilizing) an average of \$322,465.36 in Pretrial funding. With this funding, the El Dorado Superior Court (Court), in conjunction with the El Dorado County Department of Probation (EDC Probation), have offset salary expenditures for eight probation officers, where 100% of their regularly scheduled hours were exclusively assigned to pretrial activities. Probation uses these funds to enhance the EDC Probation's Pretrial Services Program, which includes providing information to the Court about a defendant's risk and establishing conditions for release if they are granted pretrial release. They utilize a weighted risk factor tool (Virginia Pretrial Risk Assessment Instrument - VPRAI) to help identify the party's level of risk by examining all charges and identifying the most serious charge category and its impact on the individual's overall risk. There are six levels of risk assessed and four levels of pretrial monitoring or supervision.

Along with this, the Court has offset salary expenditures for 13 Court employees, amounting to approximately \$75,543.42 in salaries allocated to staff's pretrial program hours (data from fiscal year (FY) 24/25). Program hours are dedicated to support staff who are committed to assisting judicial officers with determining pretrial release, assessing a defendant's risk of failing to appear in court or committing a new crime, and providing supervision or other release conditions.

The total allocation amount of \$214,728.76 for FY 25/26 limits the amount of funding provided to Probation necessary to sustain and expand the County's Pretrial Services Program, as well as support the Court in continuing to offset the salaries, benefits, and indirect costs of Court staff assigned to and actively working on the pretrial program.

The additional ask of \$24,780.49 for FY 25/26 will allow the Court to maintain its commitment to the EDC Probation as well as offset the Court's expenditures. This will put us in alignment with the exact amount that the Court received in funding for FY 24/25 (\$239,509.25).

Should the Court not receive the additional funding for FY 25/26, we would limit the level of support we have been able to maintain with EDC Probation since 2021, as well as restrict the full support of Court staff assigned to the pretrial program.

If you have any further questions or need further explanation of our requested additional funding amount, please contact us.

Thank you for your time and consideration.

Sincerely,

Shelby Wineinger  
Court Executive Officer



## MODOC COUNTY PROBATION DEPARTMENT

326 South Main Street - Alturas, California 96101

(530) 233-6324 - FAX (530) 233-6363

Chief Probation Officer Stephen Svetich



### Response for Additional Pretrial Funding

For the past several fiscal years, Modoc County Probation has been entirely dependent on state funding for its budget; this has consisted primarily of realignment (AB109), SB678, and Pretrial funds. Our net General Fund monies make up an insignificant part of our annual revenues.

Historically, the costs of meeting the needs of our Pretrial client base have exceeded our Pretrial allocation of \$140,000 (decreasing to \$130,000 for the current FY), such that we have been forced to make use of our other two funding streams to pay for services rendered to our Pretrial client population.

Of those two funding sources, one, AB109, is a limited line-item which typically only covers Probation costs associated with GPS and alcohol monitoring. Therefore, the majority of our excess Pretrial funding is drawn from SB678. For the past three fiscal years, we have used the entirety of our SB678 grant and been forced to budget from our savings. This year, the state decreased our SB678 funding, a decrease which comes at the same time that we have budgeted the last of our savings.

In order to stay within our budget, we have already begun to limit the amount of alcohol and GPS tracking services recommended by the Court. As this has been one of our court's preferred options for Pretrial services, this has necessarily decreased our scope of Pretrial service. We have also decreased the number and length of housing services we have offered to clients, partly as a result of the changes in California's residency laws and partly due to funding concerns.

Our request for additional funding, therefore, is primarily intended to allow us to continue the same scope of services that we have previously been able to meet: GPS tracking, continuous alcohol monitoring, and the labor costs for same. The amount requested reflects not only the difference in allocation amounts between this fiscal year and the previous, but the historic shortfalls we have incurred in meeting our clients' needs. With these additional funds, we also hope to be able to expand our scope to include other services we have been financially unable to provide, such as transportation to court and clothing vouchers for clients.

Without this additional funding, we project that we may be unable to offer the equivalent scope of services as in previous years, or may be forced to request the county pay for services out of the general fund, thereby reducing services offered elsewhere.



Stephen Svetich  
Chief Probation Officer  
Modoc County Probation



## Superior Court of California County of Solano

Hall of Justice  
600 Union Avenue  
Fairfield, California 94533

Sara J. MacCaughey  
Assistant Court Executive Officer

December 1, 2025

Judicial Council of California  
Via Email: [pretrial@jud.ca.gov](mailto:pretrial@jud.ca.gov)

Re: Pretrial Reallocation

To Whom It May Concern,

The Court is requesting a reallocation of \$55,452 to support the ongoing need for IT troubleshooting and technical support associated with our pretrial system. Our Court IT staff have been working closely with our justice partners, and continued adjustments to the system configuration have been required. In addition, several requests have arisen that fall outside the original scope of the project, resulting in the need for additional staff time and technical resources. This funding will allow Court IT to continue implementing necessary enhancements to improve system performance and streamline processes for all users.

Without this reallocation, the Court would face delays in system updates, reduced capacity to respond to technical issues, and potential impacts on the efficiency and reliability of pretrial operations. Access to these funds ensures we can maintain a fully functional system that supports timely and accurate justice partner collaboration.

If any funds remain after covering Court IT staff time, the Court will use the balance to support county probation expenses, if necessary.

Sincerely,

Sara MacCaughey

*Sara MacCaughey*

Assistant Court Executive Officer  
Superior Court of California, County of Solano  
Email: [sjmaccaughey@solano.courts.ca.gov](mailto:sjmaccaughey@solano.courts.ca.gov)

Cc: Brian Taylor, CEO  
Agnes Shappy, CFO

San Mateo Superior Court  
FY 25-26 Pretrial Allocation  
Justification for Additional MYR Funding

Requested MYR Funding:

\$72,000

Background:

All courts experienced a 7.25% statewide cut to Pretrial Services (PTS) funding, which amounted to an estimated \$72,000 locally for the San Mateo Superior Court. A majority of that funding cut was absorbed through our county probation department despite probation fully utilizing their allocated pretrial funds in prior fiscal years. Consequentially, probation had to make the difficult decision to absorb the cuts by reducing funding in a critical area—probation staffing.

Justification:

Our court has experienced significant delays in receiving timely notification of condition violations due to probation being understaffed in their PTS division. The delay between when the defendant failed to abide by their conditions of supervised release and when the court was notified by way of memo and warrant request was noted in nearly every case being reviewed between September-November 2025. Some of these cases posed a grave threat to public safety, involving serious alcohol-related offenses where the defendant failed to test or tested positive on the Continuous Alcohol Monitoring electronic device. If the court must release defendants on non-financial conditions then it must be insured that the conditions are being abided by. This may be accomplished with more adequate funding and/or restoration of funds for probation staff.

Alternatively, our court is interested in exploring new or improved pretrial risk assessment tools as our bench has identified gaps in information and risk assessment with our current tool. San Mateo current uses VPRAI-R and would like to explore other risk assessment systems that might better meet our needs. The \$72,000 also can be used to fund this targeted project aimed at finding the best pretrial risk assessment tool to meet our local needs.

Additional funding in either of these two areas would have a positive impact to public safety and improving PTS. Therefore, San Mateo requests restoration of funding for FY 25-26 up to the funding cut we experienced at the beginning of the fiscal year of \$72,000.

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

**Title:** **Allocations for Dependency Counsel Collections Program and Unspent Funding for Fiscal Year 2025–26**

**Date:** 2/19/2026

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

Irene Balajadia, Senior Analyst, Judicial Council Center for Families, Children & the Courts | [irene.balajadia@jud.ca.gov](mailto:irene.balajadia@jud.ca.gov) | 415-865-8833

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**Issue**

Consideration of the following recommendations for the redistribution of funding for court-appointed juvenile dependency counsel for fiscal year (FY) 2025–26:

- (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 based on ability to pay. Allocate \$125,145, which is the FY 2024–25 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 \$980,773 in unspent court-appointed dependency counsel (CAC) funding from courts that have identified funds in excess of expected expenditures to courts funded 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,<sup>1</sup> which fulfilled the council's legislative mandate to establish a program to collect reimbursement from parents or minors demonstrating an ability to pay.<sup>2</sup> Additional amendments were adopted by the council at its meeting on August 23, 2013, regarding the issue of equitable allocation of funds remitted through the JDCCP.<sup>3</sup> The council then allocated

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<sup>1</sup> The guidelines took effect January 1, 2013, and are published as Appendix F of the California Rules of Court. See [https://courts.ca.gov/sites/default/files/courts/default/2024-08/appendix\\_f.pdf](https://courts.ca.gov/sites/default/files/courts/default/2024-08/appendix_f.pdf).

<sup>2</sup> Judicial Council of Cal., *Juvenile Dependency: Counsel Collections Program* (Sept. 14, 2012), <https://courts.ca.gov/sites/default/files/courts/default/2024-12/jc-20121026-itema20.pdf>.

<sup>3</sup> Judicial Council of Cal., *Juvenile Dependency: Counsel Collections Program Guidelines* (Aug. 15, 2013), <https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20130823-itemf.pdf>.

funds remitted through the JDCCP for the first time at its meeting on February 20, 2014.<sup>4</sup> Since then, the council has allocated available funds to eligible trial courts annually.

In FY 2024–25, the trial courts remitted a total of \$357,189. 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.

To receive an allocation of these funds, a court must meet the participation and funding need requirements described in section 14 of the JDCCP guidelines.<sup>5</sup> Each 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 2016<sup>6</sup>, and then updated in July 2016<sup>7</sup> and July 2022.<sup>8</sup>

Attachment 4A displays the recommended allocation amount for each court.

### **Court-Appointed Juvenile Dependency 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.<sup>9</sup>

As part of the annual CAC reallocation process, program staff surveyed trial courts<sup>10</sup> to inquire about anticipated unspent CAC funding for FY 2025–26. Two courts confirmed that they would not spend the full allocation and provided an estimate of unspent funding. Attachment 4B, column F shows the total \$45,000 estimate.

In September 2025<sup>11</sup>, the council approved the allocation of FY 2025–26 CAC funds identified by courts through a spending plan survey, making those funds available to assist small courts in

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<sup>4</sup> Judicial Council of Cal., *Trial Court Allocations: Criminal Justice Realignment, Court-Appointed Dependency Counsel, and Workers' Compensation Liabilities* (Feb. 10, 2014), <https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20140220-itemj.pdf>

<sup>5</sup> 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.

<sup>6</sup> 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>.

<sup>7</sup> 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>.

<sup>8</sup> 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>.

<sup>9</sup> Judicial Council of Cal., *Juvenile Dependency: Court-Appointed-Counsel Funding Reallocation* (Apr 8, 2015), <https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20150417-itemi.pdf>.

<sup>10</sup> 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.

<sup>11</sup> Judicial Council of Cal., *Advisory Com. Rep., Trial Court Budget: Fiscal Year 2025-26 Allocation of Court-Appointed Juvenile Dependency Council Funding* (Aug. 25, 2025),

adjusting to FY 2025–26 funding reductions. The council approved the allocation of available funds to impacted small courts that required assistance, with any remaining funds to be allocated to all eligible courts through the regular mid-year reallocation process. A total of \$935,773 remained available for reallocation, increasing the total available reallocation amount to \$980,773. Attachment 4B shows the total funding available and proposed reallocation.

Under the reallocation methodology adopted by the Judicial Council at its April 17, 2015, business meeting, funds are 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 are placed back in the pool and reallocated to courts eligible for and accepting additional funds.<sup>12</sup>

On January 15, 2026, the Trial Court Budget Advisory Committee approved the recommendations for the redistribution of FY 2025–26 allocations for court-appointed counsel funding as outlined in the Recommendation section of this report.<sup>13</sup>

## **Recommendation**

Approve the following FY 2025–26 allocations for court-appointed counsel funding for consideration by the Judicial Council at its business meeting on April 24, 2026:

1. Allocate Juvenile Dependency Counsel Collections Program funds of \$125,145 remitted in FY 2024–25 (Attachment 4A); and
2. Allocate FY 2025–26 estimated unspent dependency counsel funding of \$980,773 from courts that have identified funds they do not anticipate spending to courts that are not fully funded to their need (Attachment 4B).

## **Attachments**

1. **Attachment 4A:** Recommended Fiscal Year 2025–2026 Trial Court Allocations of Juvenile Dependency Counsel Collections Program Funds
2. **Attachment 4B:** Recommended Fiscal Year 2025–2026 Trial Court Allocations of Court-Appointed Counsel Unspent Funding

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<https://jcc.legistar.com/View.ashx?M=A&ID=1335073&GUID=7EA97284-5FF5-49CA-A5BD-A86123AB9CCD>.

<sup>12</sup> On an annual basis, a small amount of court-appointed counsel funds remain unspent at the end of the fiscal year.

<sup>13</sup> Trial Court Budget Advisory Committee Meeting Notice and Agenda (January 15, 2026),

<https://courts.ca.gov/system/files/file/tcbac-20260115-noticeandagenda.pdf>;

Trial Court Budget Advisory Committee Meeting Materials (January 15, 2026),

<https://courts.ca.gov/system/files/file/tcbac-20260115-materials.pdf>.

## Recommended Fiscal Year 2025-26 Trial Court Allocations of Juvenile Dependency Counsel Collections Program Funds

Court	Estimated Funding Need (Circulating Order - September 2025)	Estimated Funding Need as Percentage of Statewide Need	Allocation of Court Appointed Counsel (CAC) Base Funding in 2025-26	Allocation as a Percentage of Total CAC Base Funding in 2025-26	Eligible for JDCCP Funding <sup>1</sup>	Funding Need of Eligible Courts (Col. A when Col. E equals "Y")	Need as a % of Total Need of Eligible Courts (Col. F Total)	Recommended Allocation of 2024-25 JDCCP Collections (Col. G x \$125,145)
	Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H
Alameda	\$ 5,200,616	2.24%	\$ 4,137,757	2.23%	N	\$ -	0%	\$ -
Alpine	18,488	0.01%	18,488	0.01%	N	-	0%	-
Amador	195,107	0.08%	162,137	0.09%	N	-	0%	-
Butte	1,173,237	0.50%	933,460	0.50%	N	-	0%	-
Calaveras	261,689	0.11%	245,673	0.13%	N	-	0%	-
Colusa	92,682	0.04%	72,682	0.04%	N	-	0%	-
Contra Costa	3,028,870	1.30%	2,409,855	1.30%	N	-	0%	-
Del Norte	259,687	0.11%	275,298	0.15%	N	-	0%	-
El Dorado	668,438	0.29%	668,438	0.36%	N	-	0%	-
Fresno	6,453,499	2.78%	4,936,000	2.66%	N	-	0%	-
Glenn	140,795	0.06%	146,455	0.08%	N	-	0%	-
Humboldt	946,581	0.41%	946,581	0.51%	N	-	0%	-
Imperial	702,205	0.30%	797,587	0.43%	N	-	0%	-
Inyo	81,884	0.04%	81,884	0.04%	N	-	0%	-
Kern	5,757,583	2.48%	4,580,896	2.47%	Y	5,757,583.28	4.10%	5,128.78
Kings	1,070,376	0.46%	1,023,513	0.55%	N	-	0%	-
Lake	188,449	0.08%	246,219	0.13%	N	-	0%	-
Lassen	170,559	0.07%	170,559	0.09%	N	-	0%	-
Los Angeles	104,063,283	44.76%	82,795,685	44.57%	Y	104,063,283.47	74.07%	92,698.23
Madera	906,405	0.39%	797,713	0.43%	N	-	0%	-
Marin	398,873	0.17%	398,873	0.21%	N	-	0%	-
Mariposa	109,316	0.05%	104,702	0.06%	N	-	0%	-
Mendocino	666,874	0.29%	666,874	0.36%	N	-	0%	-
Merced	1,619,967	0.70%	1,288,891	0.69%	N	-	0%	-
Modoc	55,531	0.02%	79,436	0.04%	N	-	0%	-
Mono	32,202	0.01%	28,683	0.02%	N	-	0%	-
Monterey	715,812	0.31%	574,546	0.31%	N	-	0%	-
Napa	398,461	0.17%	319,824	0.17%	N	-	0%	-
Nevada	169,292	0.07%	169,292	0.09%	N	-	0%	-
Orange	13,311,808	5.73%	10,591,250	5.70%	N	-	0%	-
Placer	920,382	0.40%	738,744	0.40%	N	-	0%	-
Plumas	98,933	0.04%	137,275	0.07%	N	-	0%	-
Riverside	17,353,158	7.46%	13,806,662	7.43%	Y	17,353,157.66	12.35%	15,457.97
Sacramento	5,655,172	2.43%	4,499,414	2.42%	N	-	0%	-
San Benito	124,179	0.05%	99,672	0.05%	N	-	0%	-
San Bernardino	20,782,763	8.94%	16,535,353	8.90%	N	-	0%	-
San Diego	7,440,278	3.20%	5,919,695	3.19%	Y	7,440,277.58	5.30%	6,627.70
San Francisco	4,328,355	1.86%	3,443,762	1.85%	N	-	0%	-
San Joaquin	4,245,431	1.83%	3,377,785	1.82%	N	-	0%	-
San Luis Obispo	954,201	0.41%	765,888	0.41%	N	-	0%	-
San Mateo	827,243	0.36%	663,986	0.36%	N	-	0%	-
Santa Barbara	1,875,853	0.81%	1,492,481	0.80%	N	-	0%	-
Santa Clara	2,687,186	1.16%	2,138,001	1.15%	N	-	0%	-
Santa Cruz	563,955	0.24%	563,955	0.30%	N	-	0%	-
Shasta	1,313,197	0.56%	1,044,817	0.56%	Y	1,313,196.89	0.93%	1,169.78
Sierra	31,447	0.01%	31,447	0.02%	N	-	0%	-
Siskiyou	172,097	0.07%	250,588	0.13%	N	-	0%	-
Solano	1,386,404	0.60%	1,112,796	0.60%	N	-	0%	-
Sonoma	2,060,600	0.89%	1,639,472	0.88%	N	-	0%	-
Stanislaus	1,614,945	0.69%	1,284,896	0.69%	N	-	0%	-
Sutter	430,755	0.19%	363,813	0.20%	N	-	0%	-
Tehama	339,029	0.15%	339,029	0.18%	N	-	0%	-
Trinity	65,884	0.03%	83,204	0.04%	N	-	0%	-
Tulare	3,753,824	1.61%	1,984,956	1.07%	Y	3,753,823.94	2.67%	3,343.86
Tuolumne	317,223	0.14%	304,674	0.16%	N	-	0%	-
Ventura	1,998,532	0.86%	1,590,089	0.86%	N	-	0%	-
Yolo	1,473,280	0.63%	1,182,527	0.64%	N	-	0%	-
Yuba	807,295	0.35%	600,000	0.32%	Y	807,295.11	0.57%	719.13
Reserve	-	-	100,000					
<b>Total</b>	<b>\$ 232,480,168</b>		<b>\$ 185,764,227</b>			<b>\$ 140,488,617.95</b>	<b>100%</b>	<b>\$ 125,145</b>
Reserved for admin.								\$ 232,043
Distribution amount available to courts								\$ 125,145
Total collected								\$ 357,189

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 (Circulating Order - September 2025)	Estimated Funding Need as Percentage of Statewide Need (Col. A Total)	Allocation of Court-Appointed Counsel (CAC) Base Funding in 2025-26	Allocation as a Percentage of Total CAC Base Funding in 2025-26 (Col. C Total)	Estimated Unspent CAC Funding 2025-26	Eligible for and Accepted Reallocated Funding	Funding Need of Eligible Courts (Col. A when Col. F equals "Y")	Need as a % of Total Need of Eligible Courts (Col. G Total)	Recommended 2025-26 CAC Reallocation
Court	Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I
Alameda	\$ 5,200,616	2.24%	\$ 4,137,757	2.23%	\$ -	Y	\$ 5,200,615.94	2.76%	\$ 27,108.24
Alpine	18,488	0.01%	18,488	0.01%	-	N	-	0%	-
Amador	195,107	0.08%	162,137	0.09%	-	N	-	0%	-
Butte	1,173,237	0.50%	933,460	0.50%	-	Y	1,173,236.95	0.62%	6,115.50
Calaveras	261,689	0.11%	245,673	0.13%	-	N	-	0%	-
Colusa	92,682	0.04%	72,682	0.04%	15,000	N	-	0%	-
Contra Costa	3,028,870	1.30%	2,409,855	1.30%	-	Y	3,028,870.19	1.61%	15,788.00
Del Norte	259,687	0.11%	275,298	0.15%	-	N	-	0%	-
El Dorado	668,438	0.29%	668,438	0.36%	-	N	-	0%	-
Fresno	6,453,499	2.78%	4,936,000	2.66%	-	N	-	0%	-
Glenn	140,795	0.06%	146,455	0.08%	-	N	-	0%	-
Humboldt	946,581	0.41%	946,581	0.51%	-	N	-	0%	-
Imperial	702,205	0.30%	797,587	0.43%	-	N	-	0%	-
Inyo	81,884	0.04%	81,884	0.04%	-	N	-	0%	-
Kern	5,757,583	2.48%	4,580,896	2.47%	-	Y	5,757,583.28	3.06%	30,011.44
Kings	1,070,376	0.46%	1,023,513	0.55%	-	N	-	0%	-
Lake	188,449	0.08%	246,219	0.13%	-	N	-	0%	-
Lassen	170,559	0.07%	170,559	0.09%	-	N	-	0%	-
Los Angeles	104,063,283	44.76%	82,795,685	44.57%	-	Y	104,063,283.47	55.31%	542,430.48
Madera	906,405	0.39%	797,713	0.43%	-	N	-	0%	-
Marin	398,873	0.17%	398,873	0.21%	-	N	-	0%	-
Mariposa	109,316	0.05%	104,702	0.06%	-	N	-	0%	-
Mendocino	666,874	0.29%	666,874	0.36%	-	N	-	0%	-
Merced	1,619,967	0.70%	1,288,891	0.69%	-	Y	1,619,966.66	0.86%	8,444.09
Modoc	55,531	0.02%	79,436	0.04%	-	N	-	0%	-
Mono	32,202	0.01%	28,683	0.02%	-	N	-	0%	-
Monterey	715,812	0.31%	574,546	0.31%	30,000	N	-	0%	-
Napa	398,461	0.17%	319,824	0.17%	-	N	-	0%	-
Nevada	169,292	0.07%	169,292	0.09%	-	N	-	0%	-
Orange	13,311,808	5.73%	10,591,250	5.70%	-	Y	13,311,807.60	7.07%	69,387.88
Placer	920,382	0.40%	738,744	0.40%	-	N	-	0%	-
Plumas	98,933	0.04%	137,275	0.07%	-	N	-	0%	-
Riverside	17,353,158	7.46%	13,806,662	7.43%	-	N	-	0%	-
Sacramento	5,655,172	2.43%	4,499,414	2.42%	-	Y	5,655,171.79	3.01%	29,477.62
San Benito	124,179	0.05%	99,672	0.05%	-	N	-	0%	-
San Bernardino	20,782,763	8.94%	16,535,353	8.90%	-	Y	20,782,762.98	11.05%	108,330.28
San Diego	7,440,278	3.20%	5,919,695	3.19%	-	Y	7,440,277.58	3.95%	38,782.49
San Francisco	4,328,355	1.86%	3,443,762	1.85%	-	Y	4,328,355.30	2.30%	22,561.58
San Joaquin	4,245,431	1.83%	3,377,785	1.82%	-	Y	4,245,431.00	2.26%	22,129.33
San Luis Obispo	954,201	0.41%	765,888	0.41%	-	N	-	0%	-
San Mateo	827,243	0.36%	663,986	0.36%	-	N	-	0%	-
Santa Barbara	1,875,853	0.81%	1,492,481	0.80%	-	Y	1,875,852.58	1.00%	9,777.89
Santa Clara	2,687,186	1.16%	2,138,001	1.15%	-	Y	2,687,185.81	1.43%	14,006.97
Santa Cruz	563,955	0.24%	563,955	0.30%	-	N	-	0%	-
Shasta	1,313,197	0.56%	1,044,817	0.56%	-	Y	1,313,196.89	0.70%	6,845.05
Sierra	31,447	0.01%	31,447	0.02%	-	N	-	0%	-
Siskiyou	172,097	0.07%	250,588	0.13%	-	N	-	0%	-
Solano	1,386,404	0.60%	1,112,796	0.60%	-	N	-	0%	-
Sonoma	2,060,600	0.89%	1,639,472	0.88%	-	Y	2,060,600.31	1.10%	10,740.89
Stanislaus	1,614,945	0.69%	1,284,896	0.69%	-	Y	1,614,945.33	0.86%	8,417.91
Sutter	430,755	0.19%	363,813	0.20%	-	N	-	0%	-
Tehama	339,029	0.15%	339,029	0.18%	-	N	-	0%	-
Trinity	65,884	0.03%	83,204	0.04%	-	N	-	0%	-
Tulare	3,753,824	1.61%	1,984,956	1.07%	-	N	-	0%	-
Tuolumne	317,223	0.14%	304,674	0.16%	-	N	-	0%	-
Ventura	1,998,532	0.86%	1,590,089	0.86%	-	Y	1,998,532.23	1.06%	10,417.36
Yolo	1,473,280	0.63%	1,182,527	0.64%	-	N	-	0%	-
Yuba	807,295	0.35%	600,000	0.32%	-	N	-	0%	-
Unallocated	-		100,000	-	-	-	-	-	-
<b>Total</b>	<b>\$ 232,480,168</b>		<b>\$ 185,764,227</b>		<b>\$ 45,000</b>		<b>\$ 188,157,675.89</b>	<b>100%</b>	<b>\$ 980,773.00</b>
<i>Funding Remaining for Reallocation as of September 2025</i>					<b>\$ 935,773</b>				
<b>Total Returned</b>					<b>\$ 980,773</b>				

**Judicial Branch**  
**2027–28 BCC Tracking List**

February 13, 2026

BCP Proposed for the FY 2026–27 Governor's Budget and was denied.

Concept submitted to the Judicial Branch Budget Committee in FY 2026–27 and was denied.

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
27-01	Budget Services	Inflationary Adjustment for Trial Courts (Consumer Price Index)	Requests \$82.3 million in Fiscal Year (FY) 2027–28 and ongoing to address general inflationary costs for the trial courts based on the estimated consumer price index published by the Department of Finance.	0.0	\$ 82,300	GF	TCBAC	TCBAC	
27-02	LSSACS	Language Access in the California Courts	Requests \$23.5 million in FY 2027–28, and with incrementally increased annual amounts through FY 2030–31, to address rising court interpreter costs and 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.	0.0	\$ 23,500	GF	TCBAC	TCBAC	BCP Proposed for the FY 2026–27 Governor's Budget and was denied.
27-03	IT	Trial Courts Technology Ongoing Support	Requests \$42.5 million in FY 2027–28 to provide financial relief for increased technology cost at the trial courts.	0.0	\$ 42,500	GF	JCTC, TCBAC	TCBAC	
27-04	TCBAC	Improving Branchwide Cybersecurity	Requests \$16.4 million ongoing in FY 2027–28, and an additional \$2.7 million annually through FY 2031–32 to improve the Branch's cybersecurity programs in the supreme court, appellate courts, trial courts and the Judicial Council; provide supplemental funds to extend current cybersecurity programs to enroll additional courts; provide funding to support three new cybersecurity programs for all the courts; provide local assisting funds to support the trial courts' cost of cybersecurity programs; and provide temporary staffing assistance to support the implementation of the cybersecurity programs. The purpose is to ensure the cybersecurity programs provide the necessary security services to protect the Courts of California and Judicial Council.	0.0	\$ 19,100	GF	TCBAC, APJAC	JCTC	
27-05	IT	Appellate Court Technology Modernization and Ongoing Cost Adjustment	Requests 6.0 positions and \$4.5 million ongoing General Fund; and an additional \$300,000 annually through FY 2031–32. To provide application maintenance, enhancement and support of the Appellate Courts Case Management System (ACCMS). The funding will cover the increased operational, software and hosting cost of the ACCMS application. Funding for local assistance is needed for the Courts of Appeals to ensure the courts' equipment and software are maintained, secured, and kept up to date.	6.0	\$ 4,500	GF	Tech, APJAC	APJAC	
27-06	CJS	Addressing the Impact of the Disproportionate Increase in Competency Evaluations	Requests 1.0 position and \$10.4 million General Fund in FY 2027–28, increasing annually through FY 2031–32 up to \$16.3 million ongoing to support; 1) trial courts in addressing the increased number and rising costs of Penal Code (PC) section 1368 competency to stand trial evaluations required throughout the state; and 2) the development of resources to assist courts in identifying and maintaining qualified competency evaluators.	1.0	\$ 10,400	GF	CJCAC, TCBAC	CJCAC	
27-07	LS	Litigation Management Program	Requests an ongoing augmentation of \$3 million in FY 2027–28 for the Litigation Management Program to support the defense and indemnity of all judicial branch entities.	0.0	\$ 3,000	GF	LMC	LMC	Concept submitted to the Judicial Branch Budget Committee in FY 2026–27 and was denied.

**Judicial Branch**  
**2027–28 BCC Tracking List**

February 13, 2026

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
27-08	RAD	Judicial Branch Data Analytics Modernization	Requests 9.0 positions and \$9.8 million in FY 2027–28; 9.0 positions and \$7.24 million in FY 2028–29; 7.0 positions and \$7.24 million in FY 2029–30; and \$5.12 million in FY 2030–31 to improve and modernize branch data collection, enhance data reporting, improve accountability and transparency, and better serve the public.	9.0	\$ 9,800	GF	DAAC, TCBAC	DAAC	
27-09	HCRC	HCRC Case Team Staffing	Requests 30.0 positions and \$7.3 million General Fund in FY 2027–28; 20.0 positions and \$12.2 million General Fund in FY 2028–29; and 20.0 positions and \$17.4 million General Fund in FY 2029–30, for a total request of 70.0 positions to increase staff to address delays and backlog of unrepresented capital defendants in habeas corpus cases.	30.0	\$ 7,300	GF	HCRC	HCRC	Concept submitted to the Judicial Branch Budget Committee in FY 2026–27 and was denied.
27-10	LSSACS	Appellate Court Unarmed Security Guard – Expanded Coverage	Requests \$707,000 ongoing General Fund in FY 2027–28 to provide additional unarmed security guards 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 2029–30, the Judicial Council requests an additional permanent augmentation of \$199,000 for the Sixth Appellate District’s new courthouse scheduled to be completed by 2030.	0.0	\$ 707	GF	APJAC	APJAC	BCP Proposed for the FY 2026–27 Governor’s Budget and was denied.
27-11	LSSACS	Proposition 66 in Courts of Appeal	Requests 14.5 positions and \$10 million General Fund in FY 2027–28 and \$9.4 million ongoing General Fund 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	\$ 10,000	GF	APJAC	APJAC	
27-12	LSSACS	Racial Justice Act Retroactivity (AB 256) for the Appellate Courts and Trial Courts	Requests 17.0 positions and \$22.6 million General Fund in FY 2027–28 and \$28.1 million in FY 2028–29 and 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	\$ 22,600	GF	APJAC	APJAC	BCP Proposed for the FY 2026–27 Governor’s Budget and was denied.
27-13	LSSACS	Appellate Court Facilities Staff	Requests 6.0 positions and \$1.3 million General Fund in FY 2027–28; 2.0 additional positions and an additional \$0.4 million General Fund in FY 2030–31 for a total ongoing amount of 8.0 positions and \$1.6 million to oversee building maintenance for four state-owned Courts of Appeal facilities.	6.0	\$ 1,300	GF	APJAC	APJAC	Concept submitted to the Judicial Branch Budget Committee in FY 2026–27 and was denied.
27-14	LSSACS	Increase Appellate Court Staffing	Requests 18.0 positions and \$5.3 million in FY 2027–28 to continue to address the courts’ existing workload, reduce backlog, and prevent case delays in appellate districts.	18.0	\$ 5,300	GF	APJAC	APJAC	
27-15	LSSACS	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 the provision of electronic trial court transcripts, and for a 30 percent increase in annual contracts for the Courts of Appeal Court-Appointed Counsel Program.	0.0	\$ 24,200	GF	APJAC	APJAC	

**Judicial Branch**  
**2027–28 BCC Tracking List**

February 13, 2026

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
27-16	LSSACS	Supreme Court Capital Court-Appointed Counsel Program	Requests \$3.3 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 California Appellate Court Project Office.	0.0	\$ 3,300	GF	CA - Supreme Court	APJAC	
27-17	LSSACS	Seven California Highway Patrol – Judicial Protection Section (CHP- JPS) Officers	Requests \$2.7 million ongoing for California Highway Patrol Judicial Protection Section (CHP- JPS) officers.	0.0	\$ 2,700	GF	APJAC	APJAC	Concept submitted to the Judicial Branch Budget Committee in FY 2026–27 and was denied.
27-18	FS	Trial Court Facility Modifications	Requests 6.0 positions and \$49.3 million General Fund in FY 2027–28 through FY 2029–30, then \$47 million ongoing thereafter. The request includes \$45 million to address essential facility modifications of trial court buildings. Requests \$525,000 to support the Computer Added Facilities Management (CAFM) software, \$2.2 million one-time funding for three fiscal years to install water leak detection equipment and software in 160 courthouses statewide, and \$1.6 million in personnel services.	6.0	\$ 49,300	GF, SCFCF	TCFMAC, TCBAC	TCFMAC	BCP Proposed for the FY 2026–27 Governor's Budget and was denied.
27-19	FS	Trial Courts Facilities Maintenance and Utilities	Requests 6.0 positions and \$29.5 million in FY 2027–28, and \$22.7 million ongoing to provide industry standard facility operation and maintenance and utilities for the existing portfolio.	6.0	\$ 29,500	GF, CFTF, Reimb.	TCFMAC, TCBAC	TCFMAC	BCP Proposed for the FY 2026–27 Governor's Budget and was denied.
27-20	FS	Trial Court Physical Security Assessment and Evaluation	Requests 3.0 positions and \$2.7 million in FY 2027–28 and \$684,000 ongoing to conduct assessments, evaluations, and identification of physical security deficiencies in trial court facilities statewide.	3.0	\$ 2,700	GF	CSAC, TCBAC	CSAC	BCP Proposed for the FY 2026–27 Governor's Budget and was denied.
27-21	FS	Orange Central Justice Center - Facility Modification	Requests \$78 million one-time 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. The amount of this request is dependent upon funds being appropriated in the 2026–27 enacted State budget. In the proposed Governor's budget for BY 2026–27 includes \$39.6 million in FY 2026–27 and \$38.5 million in FY 2027–28.	0.0	\$ 78,000	GF, SCFCF, Reimb.	TCFMAC, TCBAC	TCFMAC	
27-22	FS	Trial Court Deferred Maintenance	Requests 6.0 positions and \$152.7 million in FY 2027–28, then \$18.7 ongoing starting in FY 2028–29. Of this, \$101.4 million GF and \$32.5 million SCFCF for a total of \$133.9 million one-time funding will address deferred maintenance backlog for trial courts. An additional \$11.7 million GF and \$3.6 million SCFCF annually for five years totaling \$76.4 million will support energy efficiency-optimized lifecycle replacement deferred maintenance backlog work at five courthouses. The proposal also includes \$2 million ongoing GF to conduct a review of Facilities Services Building Management System (BMS) guidelines and to conduct an initial assessment of fifteen facilities as a pilot program to establish ongoing annual BMS program in existing facilities, and \$1.5 million for program support staffing.	6.0	\$ 152,700	GF, SCFCF	TCFMAC, TCBAC	TCFMAC	

**Judicial Branch**  
**2027–28 BCC Tracking List**

February 13, 2026

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
27-23	FS	Courts of Appeal Facility Modification	Requests \$1.1 million ongoing to address urgent and emergency facility modifications at Court of Appeal facilities.	0.0	\$ 1,100	GF	APJAC	APJAC	BCP Proposed for the FY 2026–27 Governor's Budget and was denied.
27-24	FS	Courts of Appeal Maintenance and Utilities	Requests \$955,000 one-time and \$760,000 ongoing for the maintenance and utility needs of Court of Appeal facilities and \$195,000 one-time to conduct electrical power systems arc-flash studies at the Court of Appeal facilities.	0.0	\$ 1,000	GF	APJAC	APJAC	BCP Proposed for the FY 2026–27 Governor's Budget and was denied.
27-25	FS	Courts of Appeal Deferred Maintenance	Requests \$10.5 million one-time to address vital deferred maintenance needs at the Court of Appeal (COA) facilities. This one-time targeted investment protects state assets, avoids higher long-term costs from emergency repairs, and ensures COA buildings remain safe, reliable, and accessible to the public.	0.0	\$ 10,500	GF	APJAC	APJAC	Concept submitted to the Judicial Branch Budget Committee in FY 2026–27 and was denied.
27-26	FS	Superior Court Public Lactation Rooms (AB 1576)	Requests \$16.9 million in FY 2027–28, and \$15 million in FY 2028–29 to construct 92 court user lactation spaces in superior court facilities. This request addresses the statutory requirement to provide public lactation rooms pursuant to Assembly Bill 1576 (Ch. 200, Stats. 2022), as amended by Senate Bill 133 (Ch. 34, Stats. 2023). This request includes provisional language to allow the Judicial Council to encumber and expend funds for three years, to provide the necessary flexibility to manage contraction schedules and payment obligations to successfully complete these projects.	0.0	\$ 16,900	GF	TCFMAC, TCBAC	TCFMAC	
27-27	FS	Los Angeles Spring Street Courthouse - Courtrooms Relocation	Requests \$4.6 million in one-time General Fund to relocate 17 courtrooms and associated operations from the Spring Street Courthouse in Los Angeles County to other existing courthouses within the county. The amount of this request is dependent upon funds being appropriated in the FY 2026–27 enacted State budget. In the proposed Governor's budget for BY 2026–27 includes \$4.6 million in FY 2026–27.	0.0	\$ 4,600	GF	TCFMAC, TCBAC	TCFMAC	
27-51	FS	Capital Outlay Project Reassessment and Program Support	Requests 4.0 positions and \$14 million General Fund in FY 2027–28 and \$4.9 million ongoing in FY 2028–29 to provide court facilities planning services and oversight for facility modifications and capital projects.	4.0	\$ 14,000	GF	CFAC, TCBAC	CFAC	BCP Proposed for the FY 2026–27 Governor's Budget and was denied.
27-52	FS	Capital Outlay Funding: FY 2027–28 through 2031–32	Requests \$1.5 billion in FY 2027–28 for eight capital outlay projects, including four new and four continuing projects.	0.0	\$ 1,500,000	GF, PBFC	CFAC, TCBAC	CFAC	One new and continuing phases of other project has been included in the Governor's Budget.
27-53	FS	Los Angeles Spring Street Courthouse - Chatsworth Buildout	Requests \$34.8 million in FY 2027–28 for the Construction phase of the buildout of six courtrooms, support space, and upgraded holding facilities at the Chatsworth Courthouse for relocating six courtrooms and associated operations from the Spring Street Courthouse in the County of Los Angeles.	0.0	\$ 34,800	GF	CFAC, TCBAC	CFAC	

**Judicial Branch**  
**2027–28 BCC Tracking List**

February 13, 2026

Tracking #	JCC Office/ Branch Entity	Title	Description	# Positions	\$ Estimate (thousands)	Fund Source	JCC Committee Impacted by this concept	Proposed Lead Advisory Committee	Comments
27-54	FS	Statewide: Budget Packages and Advanced Planning	Requests \$500,000 ongoing for statewide planning and studies for completion of planning studies and budget packages for capital outlay projects.	0.0	\$ 500	GF	CFAC, TCBAC	CFAC	
				<b>Total</b>	<b>126.5</b>	<b>\$ 2,168,107</b>			

***Internal Committees***

Executive & Planning Committee	
Judicial Branch Budget Committee	
Technology Committee	
Legislation Committee	
Litigation Management Committee	
Rules Committee	
<i><b>Advisory Committees</b></i>	
APJ	Administrative Presiding Justices Advisory Committee
AFA	Advisory Committee on Audits and Financial Accountability for the Judicial Branch
PAF	Advisory Committee on Providing Access & Fairness
AAC	Appellate Advisory Committee
CJERAC	Center for Judicial Education and Resources Advisory Committee
CSCAC	Civil and Small Claims Advisory Committee
CACI	Civil Jury Instructions Advisory Committee
CJCAC	Collaborative Justice Courts Advisory Committee
CEAC	Court Executives Advisory Committee
CFAC	Court Facilities Advisory Committee
CIAP	Court Interpreters Advisory Panel
CSAC	Court Security Advisory Committee
CALCRIM	Criminal Jury Instructions Advisory Committee
CLAC	Criminal Law Advisory Committee
DAAC	Data Analytics Advisory Committee, formerly Workload Assessment Advisory Committee
Family Juvenile	Family and Juvenile Law Advisory Committee
ITAC	Information Technology Advisory Committee
JBWCP	Judicial Branch Workers' Compensation Program Advisory Committee
PMHAC	Probate and Mental Health Advisory Committee
Shriver	Shriver Civil Counsel Act Implementation Committee
TAC	Traffic Advisory Committee
TCBAC	Trial Court Budget Advisory Committee
TCFMAC	Trial Court Facility Modification Advisory Committee
TCPJAC	Trial Court Presiding Judges Advisory Committee
Forum	Tribal Court–State Court Forum

***Offices***

AS	Audit Services
BAP	Branch Accounting & Procurement
BS	Budget Services
CFCC	Center for Families, Children & the Courts
CJER	Center for Judicial Education & Resources
CJS	Criminal Justice Services
EO	Executive Office
FS	Facilities Services
GA	Governmental Affairs
HR	Human Resources
IT	Information Technology
LSSACS	Leadership Support Services/Appellate Court Services
LS	Legal Services
PA	Public Affairs
RAD	Research, Analytics, and Data

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Trial Court Budget Advisory Committee
<b>Proposal Title</b>	Inflationary Adjustment for Trial Courts (Consumer Price Index)
<b>Proposal Summary</b> The Judicial Council of California requests approximately \$82 million <sup>1</sup> ongoing General Fund in fiscal year (FY) 2027–28 to address inflationary costs for the trial courts. This request is based on the estimated Consumer Price Index (CPI) of 3.2 percent for FY 2027–28 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 <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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>					
<b>Local Assistance</b>	\$82,265,000	\$82,265,000	\$82,265,000	\$82,265,000	\$82,265,000
<b>Total</b>	\$82,265,000	\$82,265,000	\$82,265,000	\$82,265,000	\$82,265,000
One-time					
Ongoing	82,265,000	82,265,000	82,265,000	82,265,000	82,265,000

<sup>1</sup> Estimate based on FY 2025–26 trial court allocations and Department of Finance November 2025 estimates of CPI percentage for FY 2027–28; amount will be updated when FY 2026–27 trial court allocations are available and if the estimated CPI percentage changes.

### Problem or Issue

Without adequate inflationary adjustments, trial court funding has not kept pace with the increasing cost of doing business. In recent years the courts have not been provided funding for operational cost increases, and baseline funding absorbed an ongoing reduction in FY 2024–25 due to the state’s fiscal deficit. Absent funding for inflationary cost increases, the level of court services provided to the public will continue to erode, impacting access to justice. Lacking a statutory requirement for a cost-of-living adjustment to address these cost pressures, courts operational resource levels are insufficient to meet public service obligations and provide equitable access to justice for Californians.

### 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.

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 \$270.5 million General Fund to address inflationary cost increases over the past several fiscal years (FYs 2021–22, 2022–23, 2023–24, and 2025–26). 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 2026–27 Governor's Budget includes \$70 million for operational cost increases, which represents less than the estimated 3.3 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 3.2 percent CPI factor for FY 2027–28 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. In assessing needs of individual courts, 44 of the 58 courts identified CPI Inflationary Adjustment as their number one funding priority for FY 2027–28. Multiple courts cited that reduced funding has led to an increase in staff vacancies and inability to retain or recruit quality staff, straining 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 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 prior fiscal year Workload Formula allocation to address increased costs resulting from inflation. Providing additional funding based on the estimated CPI factor for FY 2027–28 will assist the courts in mitigating the adverse impacts of several years of no increases to fully 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:**

**Contact Name: Oksana Tuk**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Trial Court Budget Advisory Committee
<b>Proposal Title</b>	Language Access in the California Courts
<b>Proposal Summary</b>	
The Judicial Council of California requests \$23.5 million General Fund beginning in fiscal year (FY) 2027–28, increasing annually through FY 2030–31 up to \$48.5 million ongoing, to address rising court interpreter costs, support the ongoing efforts of the <i>Strategic Plan for Language Access in the California Courts</i> , 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 <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: TCTF 0150037–Court Interpreters	

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>					
<b>Local Assistance</b>	\$23,516,000	\$31,417,000	\$39,744,000	\$48,521,000	\$48,521,000
<b>Total</b>	\$23,516,000	\$31,417,000	\$39,744,000	\$48,521,000	\$48,521,000
One-time					
Ongoing	23,516,000	31,417,000	39,744,000	48,521,000	48,521,000

\*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. For FY 2027–28, the program is expected to have a deficit of \$23.5 million. To address the continued anticipated growth in interpreter expenses, and ensure that service levels are maintained, the baseline funding for FY 2027–28 and the outyears should be increased.

## 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 2024–25, there were 786,841 statewide interpretations (Spanish interpretations were approximately 676,000, and non-Spanish interpretations were approximately 111,000).

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 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 expenditures. After the annual true-up process, any unspent funds remain in the TCTF CIP as program savings and may be carried forward to address future funding shortfalls. In FY 2020–21, the CIP received an \$8.3 million augmentation through a Budget Change Proposal (BCP), increasing the program’s appropriation to \$131.4 million. From FY 2020–21 through FY 2022–23, due to COVID-19 impacts, expenditures remained below the annual appropriation, resulting in cumulative program savings of approximately \$35 million.

As costs have risen, courts requested augmentations of \$4.6 million in FY 2023–24 and \$11.6 million in FY 2024–25 from program savings (see Table 1). For FY 2025–26, courts requested an additional \$19.1 million from savings above the base appropriation of \$134.8 million, for a total of \$153.9 million. For FY 2026–27, the CIP appropriation is projected to be \$135.1 million. Due to increased costs, program savings have declined from \$35 million to a projected \$8.7 million by the end of FY 2025–26 (see Table 1). Based on current projections, the remaining \$8.7 million in savings is expected to be fully depleted by June 30, 2027. Absent new funding in FY 2027–28, and with no remaining savings, courts would need to reduce expenditures for court interpreter services to align with the projected appropriation of \$135.1 million.

**Table 1. Mid-Year Reallocations and Augmentations FY 2022–23 Through FY 2026–27  
(Dollars in Millions)**

CIP Detail	FY 2022–23	FY 2023–24	FY 2024–25	FY 2025–26	FY 2026–27 (Projected)
Appropriation	\$135.5	\$133.8	\$134.8	\$134.8	\$135.1
Surplus or Mid-year Augmentation Amount	\$9.8	-\$4.6	-\$11.6	-\$19.1**	-\$8.7
Adjustments to Savings			\$9.0*		
Program Savings Balance	\$35.0	\$30.4	\$27.8	\$8.7	\$0

\*FY 2024–25 program savings balance totaling \$27.8 million after adjustments: \$18.8 million in savings as of June 30, 2025, \$1.6 million in additional savings from year-end survey, and \$7.4 million in restored funding due to inadvertent spending on ineligible activities.

\*\*FY 2025–26 deficit of \$19.1 million based on mid-year survey data collected from the trial courts.

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) 2023–24*, as required by the Budget Act of 2023, found that contract interpreter expenditures in FY 2023–24 represented 34.6 percent of total expenditures, reflecting an increase from FY 2022–23, when contractor expenses were 26.7 percent of the total expenditures (see [Expenditure Report](#), table 4). Compared to FY 2022–23, expenditures for contract interpreters in FY 2023–24 increased by \$14.091 million (42 percent), and expenditures for court employees in FY 2023–24 decreased by \$2.250 million (-2.4 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 recent cost increases for interpreter services, courts are identifying cost saving measures to ensure prudent use of limited TCTF CIP funding.

Projected expenditures for the TCTF CIP reflect: (1) anticipated increases in staffing levels, including interpreter coordinators; (2) higher contractor costs; and (3) cost-of-living adjustments across the four interpreter bargaining regions. Following the depletion of all program reserves in FY 2026–27, projections indicate that trial court expenditures for court interpreter services in FY 2027–28 will result in a \$23.5 million deficit (see Table 2).

**Table 2. Projected Expenditures and Deficits for FY 2027–28 Through FY 2030–31**

Category	FY 2027–28	FY 2028–29	FY 2029–30	FY 2030–31
Employee Pay	\$100,100,000	\$106,106,000	\$112,472,000	\$119,221,000
Contractor Pay	53,900,000	55,517,000	57,183,000	58,898,000
Coordinator Pay	4,637,000	4,915,000	5,210,000	5,523,000
<b>Total Expenses</b>	<b>\$158,637,000</b>	<b>\$166,538,000</b>	<b>\$174,865,000</b>	<b>\$183,642,000</b>
Appropriation	135,121,000	135,121,000	135,121,000	135,121,000
<b>Deficit</b>	<b>(23,516,000)</b>	<b>(31,417,000)</b>	<b>(39,744,000)</b>	<b>(48,521,000)</b>

A funding request of \$23.5 million for FY 2027–28, with incremental annual increases through FY 2030–31, would provide stable funding to enable courts to maintain interpreter services and address rising costs, including contractor expenses and compensation for court interpreter employees and interpreter coordinators. By FY 2030–31, the new CIP baseline would be approximately \$183.6 million (see Table 2). The proposed four-year graduated funding model would help ensure that future funding requests are smaller and more predictable, promoting efficiency and accountable use of state resources.

### **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 for interpreter services in those proceedings where it is mandated.

### **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 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: *Amber Barnett*

Contact Name: Douglas G. Denton

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Trial Court Budget Advisory Committee
<b>Proposal Title</b>	Trial Courts Technology Ongoing Support
<b>Proposal Summary</b> The Judicial Council of California requests \$42.5 million in ongoing General Fund beginning in fiscal year (FY) 2027–28.  The purpose of this request is to allocate additional funding to offset the increased costs of technological enhancements at trial courts.	
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 checked="" type="checkbox"/> No <input type="checkbox"/>	
Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Proposed fund source: General Fund	

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>					
<b>Local Assistance</b>	\$42,500,000	\$42,500,000	\$42,500,000	\$42,500,000	\$42,500,000
<b>Total</b>	\$42,500,000	\$42,500,000	\$42,500,000	\$42,500,000	\$42,500,000
One-time					
Ongoing	42,500,000	42,500,000	42,500,000	42,500,000	42,500,000

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

### **Problem or Issue**

California's trial courts have become increasingly reliant on technology to deliver access to justice. Litigants and the public rely heavily on the courts' technology solutions, which include modern case management systems, electronic filing, public document access portals. The cost of technology equipment, software licenses, cloud storage and services, and information security services have increased significantly since the COVID-19 pandemic. Supply chain challenges and vendors moving to subscription-based pricing models have contributed to the elevated cost in technology. Existing court funds are insufficient to ensure the upkeep of the equipment, software, and services needed to support court operations.

### **Background/History of Problem**

Historically, the trial courts developed technology solutions on a mainframe that had limited data stored in the system, and records were maintained on paper. Data analysis to improve court operations was limited due to limits in stored data. To improve court operations and ensure better public access, trial courts have migrated to modern case management systems that store tremendous amounts of case data, including historic data). Documents are now primarily digitized for better access to litigants, the public, judicial officers, and court staff, and public portals have been created to allow remote electronic filing and access to case information. More recently, to ensure that systems are stable and readily accessible, many technology systems have been transitioned to cloud services. While all of these changes have resulted in improved services to the public and judicial employees alike, each of these migrations has resulted in ballooning costs. The necessity to maintain and expand technology services has imposed a substantial burden on trial court budgets.

### **Impact of Denial of Proposal**

If this funding is denied, the trial courts may have to reduce or defer critical technology services, reducing public trust and confidence and limiting access to justice in the trial courts. Courts will need to extend their software and equipment service life which may create security risks and may impact court operations due to equipment failure.

### **Outcomes and Accountability of Proposal**

Ensures court equipment and software are up to date and secure.

### **Required Review/Approval**

Technology 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

## Judicial Branch 2027–28 Budget Change Proposal Concept

<b>Requesting Entity</b>	JC Information Technology
<b>Proposal Title</b>	Improving Branchwide Cybersecurity
<b>Proposal Summary</b> <p>The Judicial Council of California is requesting \$16.4 million ongoing general funds starting in FY 2027–28, and \$13.9 million in one-time funding starting in FY2027–28 (\$2.7 million annually for the next five years). The funds will be used to improve the Branch's cybersecurity programs in the supreme court, appellate courts, trial courts and the Judicial Council:</p> <ul style="list-style-type: none"><li>• Provide supplemental funds to extend current cybersecurity programs.</li><li>• Provide funding to support three new cybersecurity programs for all the courts.</li><li>• Provide local assisting funds to support the trial courts' cost of cybersecurity programs and</li><li>• Provide temporary staffing assistance to support the implementation of the cybersecurity programs.</li></ul> <p>This requested funding ensures the cybersecurity programs provide the necessary security services to protect the Courts of California and Judicial Council.</p>	
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 checked="" type="checkbox"/> No <input type="checkbox"/>	
Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Proposed fund source: General Funds	

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$10,550,000	\$10,550,000	\$10,550,000	\$10,550,000	\$10,550,000
<b>Local Assistance</b>	8,750,000	8,750,000	8,750,000	8,750,000	8,750,000
<b>Total</b>	\$19,120,000	\$19,120,000	\$19,120,000	\$19,120,000	\$19,120,000
One-time	2,770,000	2,770,000	2,770,000	2,770,000	2,770,000
Ongoing	16,350,000	16,350,000	16,350,000	16,350,000	16,350,000

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

### **Problem or Issue**

Cybersecurity threats affecting state and local government entities continue to increase in frequency, sophistication, and potential operational impact. The Judicial Branch relies on technology systems to support core court functions, including case processing, calendaring, document management, collaboration, and public-facing services. These systems routinely handle sensitive information and records, and disruptions or compromise could materially affect court operations, service delivery, and public confidence.

Over the past several years, the Judicial Council—working in partnership with courts—has made measurable progress establishing foundational cybersecurity capabilities and providing security guidance and technical support. These investments have improved baseline protections, increased security awareness, and expanded the Branch's ability to assist courts that do not have dedicated cybersecurity resources. However, the risk environment continues to evolve, and demand for cybersecurity services has grown as courts further expand digital operations and interconnected services.

### **Background/History of Problem**

Despite progress, cybersecurity maturity and resourcing remain uneven across courts. This variability can limit the branch's ability to apply consistent security practices statewide, rapidly respond to emerging threats, and sustain a uniform level of operational resilience. Continued investment is necessary to strengthen enterprise-wide coordination, expand access to cybersecurity expertise, and standardize core security practices across the Branch, particularly for courts that face structural constraints in recruiting, funding, or maintaining specialized security staff.

This proposal requests additional funding to expand and strengthen branchwide cybersecurity services and support a more consistent security posture statewide. The proposal emphasizes prevention, early risk identification, and timely remediation support, reducing the likelihood that cybersecurity events disrupt court operations or impair access to justice. The requested resources will also improve the branch's capacity to deliver cybersecurity advisory services, security assessments, and technical assistance in a timely manner, ensuring that courts can address risks proactively rather than reactively.

### **Impact of Denial of Proposal**

If not approved, the branch will continue to manage cybersecurity risk with uneven capacity and inconsistent coverage across courts. Existing programs will remain constrained in their ability to meet growing demand, resulting in delayed assistance and lower risk reduction activities. Over time, this increases the probability that a cybersecurity event could interrupt court operations, impede public-facing services, generate legal and financial exposure, and erode public trust and confidence in the judicial system. Proactive investment is a cost-effective approach to reduce the likelihood and magnitude of operational disruption and protect the branch's ability to deliver timely and equitable access to justice.

### **Outcomes and Accountability of Proposal**

Funding will be administered through established governance and oversight practices and evaluated using defined performance measures. Measures will include service delivery outputs (e.g., number of courts assisted, security engagements completed, and training/awareness activities delivered), timeliness indicators (e.g., reduced backlog and improved response time for court requests), and demonstrated improvements in adoption of baseline security practices across participating courts. Collectively, these measures will support reporting, fiscal accountability, and continuous improvement of the branch's cybersecurity posture.

### **Required Review/Approval**

Technology 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

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: John Yee

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Judicial Council Technology Committee
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<b>Proposal Title</b>	Appellate Court Technology Modernization and Ongoing Cost Adjustment
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### Proposal Summary

The Judicial Council of California requests 6.0 positions, \$4.17 million in ongoing General Fund beginning in Fiscal Year (FY) 2027–28; and \$300,000 annually in one-time funds from Fiscal Year (FY) 2027–28 through FY 2031–32, totaling \$1.5 million. This funding will provide for the application maintenance, enhancement, and support needed for the Appellate Courts Case Management System (ACCMS). In addition, the funding will cover the increased operational, software and hosting cost of the ACCMS application. This funding allows the Judicial Council to ensure the ACCMS application meets the evolving needs of California’s Courts of Appeal.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	6	6	6	6	6
<b>Personal Services</b>	\$1,620,000	\$1,620,000	\$1,620,000	\$1,620,000	\$1,620,000
<b>Operating Expenses &amp; Equipment</b>	1,350,000	1,350,000	1,350,000	1,350,000	1,350,000
<b>Local Assistance</b>	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
<b>Total</b>	<b>\$4,470,000</b>	<b>\$4,470,000</b>	<b>\$4,470,000</b>	<b>\$4,470,000</b>	<b>\$4,470,000</b>
One-time	300,000	300,000	300,000	300,000	300,000
Ongoing	4,170,000	4,170,000	4,170,000	4,170,000	4,170,000

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

### Problem or Issue

The funding request aims to address the deficiencies in support of the Appellate Courts. Limited staff and resources have led to a backlog in application development needs that cannot be efficiently processed with current funding levels. Current funding does not provide the necessary staffing and resources required to modernize or enhance the application to meet the needs of the appellate courts. Existing funding only allows for the maintenance of the application.

Modernization of the ACCMS application is essential to ensure the application's long-term operational viability in supporting court functions. The current infrastructure, characterized by aging technology and a deficit of skilled technical personnel, has resulted in increased system downtime, escalating maintenance expenses, and elevated risks and uncertainties. Upgrading the ACCMS application will improve system reliability, lower maintenance costs, and enhance the user experience for court personnel.

Local Assistance funding for the Courts of Appeals is needed to ensure the courts' equipment and software are kept up-to-date and secure. The cost of essential equipment to keep the Appellate courts operational has greatly increased over the last five years. Due to covid pandemic and technology supply chain shortages, the cost of equipment to maintain and modernization has increased substantially. This includes network and security devices (e.g. network switches, M365, Zoom, firewalls, etc.) used to support the daily and remote access of the courts. Without this funding, the courts would be unable to ensure that equipment and software remain consistently updated and secure to support essential court operations.

### Background/History of Problem

The ACCMS was developed almost 15 years ago and has been updated through the years to meet the legislative changes and requirements of the courts. However, operational costs have steadily increased, and the current allocation is insufficient to modernize and maintain critical software essential to the operations of the Courts of Appeals. In 2007, the Judicial Council requested \$1.5 million in annual funding, but only \$660,000 was approved. This amount supported the network refresh for the California Supreme Court and the Appellate Courts; however, current funding levels are inadequate for proper upkeep and maintenance of equipment necessary for the security of the Appellate Courts' operations.

In the last five years, network and security equipment costs have drastically increased due to the demand to support remote and hybrid work environments during and after the COVID-19 pandemic. This has made it challenging for the courts to modernize, keep up to date and secure to meet the new operational needs of the courts. 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.

By prioritizing the use of technology to secure and modernize applications, appellate court operations create systems that are more resilient, scalable, and adaptable to the current and future needs of the appellate courts. This modernization directly improves the speed, simplifies case tracking, and enables remote access to court services; ensuring that individuals, regardless of location or circumstance, can participate fully in the judicial process. As a result, these efforts advance the branch-wide strategic goals of fairness, equity, and inclusion by removing barriers and promoting equal access to justice.

### **Impact of Denial of Proposal**

Without additional personnel and funding for ongoing support costs, the ACCMS application will remain in maintenance only status, receiving only essential updates and fixes. This limitation restricts the ability to modernization and make enhancements needed to meet the evolving needs of the courts. For example, Californians would continue to face delays in accessing real-time case information online, rather than benefiting from a streamlined, user-friendly system that improves transparency and efficiency. A delay in this request increases the technical debt, increases the potential of security vulnerabilities, and increases the cost of required expertise - ultimately increasing the long-term cost of modernizing and upkeeping of the application.

Without the additional local assistance funding, the appellate courts continue to face difficulties in keeping their equipment and software up to date and secure. Equipment may need to be extended for extra service years, raising security risks and vulnerabilities, plus the potential of equipment failure—causing operational disruption and outages.

### **Outcomes and Accountability of Proposal**

Modernization of the ACCMS application to ensure the application is flexible and supportable to meet the needs of the Courts of Appeals.

Local assistance funding to ensure the courts' equipment are secure and kept up to date to support the operational needs of the courts.

### **Required Review/Approval**

Information Technology Advisory Committee

Court Executives Advisory Committee

Appellate Advisory Committee

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

Goal I: Access, Fairness, Diversity, and Inclusion

Goal III: Modernization and Management of Administration

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: *John Yee*

Contact Name: *Angela Gulley*

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Collaborative Justice Courts Advisory Committee
<b>Proposal Title</b>	Addressing the Impact of the Disproportionate Increase in Competency Evaluations
<b>Proposal Summary</b>	
The Judicial Council of California requests 1.0 position and \$10.4 million General Fund in fiscal year (FY) 2027-28, increasing by 12% annually through FY 2031–32 up to \$16.3 million in addressing the increased number and rising costs of Penal Code (PC) section 1368 competency to stand trial evaluations required throughout the state and to support the development of resources to assist courts in identifying and maintaining qualified competency evaluators.	
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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	1.0	1.0	1.0	1.0	1.0
<b>Personal Services</b>	\$186,000	\$186,000	\$186,000	\$186,000	\$186,000
<b>Operating Expenses &amp; Equipment</b>	49,000	36,000	36,000	36,000	36,000
<b>Local Assistance</b>	10,200,000	11,424,000	12,795,000	14,330,000	16,050,000
<b>Total</b>	\$10,435,000	\$11,646,000	\$13,017,000	\$14,552,000	\$16,272,000
One-time					
Ongoing	10,435,000	11,646,000	13,017,000	14,552,000	16,272,000

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

### Problem or Issue

Since the mid 2010's, the state has faced a drastic increase in declarations of doubt about defendants' mental competencies, causing a noticeable increase in court ordered incompetent to stand trial (IST) evaluations and severely impacting court budgets.

Each trial court contracts with IST evaluators and pays for evaluations through their trial court general funds (Cal. Rules of Court, rule 10.810(d), function 10). Although the courts have received general increases in their base-level funding in recent years, no support has been available to specifically address the disproportionate increase in costs associated with the IST evaluation demands. The trial courts are responsible for paying for court-appointed evaluators from their operating budget and often cannot pay competitive rates, making it a challenge to identify qualified evaluators, particularly psychiatrists – the only licensure type that may prescribe medication. Courts have reported that defendants often remain unmedicated and in declining health while in jail awaiting transfer to a state hospital or other competency restoration program.

Recent legislation requires more comprehensive evaluations and more highly trained evaluators that better support informed competency, commitment decisions and address elements tied to newly created treatment options. Reporting requirements have been revised to improve quality, consistency, and defensibility, which has increased the level of clinical expertise, time, and professional accountability required to complete reports. However, this increased complexity has raised the market value of qualified evaluators, and compensation expectations have risen accordingly, while current fee structures have not kept pace. Targeted training to support these standards was funded in 2021 and is made available through the Judicial Council website 'Competency to Stand Trial Corner', with resources for court staff and evaluators, resulting in demonstrable improvements in report quality. It is anticipated that the increased quality of reports will lead to efficiencies and cost savings in outlying years.

The funding will be allocated directly to the courts to fund the costs of competency evaluations. This funding request is needed to offset the impact of the increase in costs associated with IST evaluations over the last many years. The analyst position would directly support trial courts by developing and maintaining resources to assist courts, particularly in smaller and rural counties where access to psychiatrists and psychologists is limited by geography and funding, in identifying and maintaining qualified competency evaluators, ensuring that assessments are conducted timely and to a high standard.

### Background/History of Problem

When doubt about a defendant's mental competency is raised, the trial court must appoint and pay for a psychiatrist or licensed psychologist to evaluate the defendant (Pen. Code, § 1369(a)(1)). The evaluator must assess the defendant's alleged mental disorder and the ability to understand the proceedings and assist counsel in their defense. If the evaluator is a psychiatrist, they can address whether psychiatric medication is necessary (Pen. Code, § 1369(a)(2)).

An estimated 56% of people in state prison, and 64% of people in jail have a mental health issue. Foundational to due process, U.S. and California courts have long determined that a person who is mentally incompetent cannot be tried or adjudicated of their pending criminal charges. (Pate v. Robinson (1966) 383 U.S. 375; People v. Samuel (1981) 29 Cal.3d 489).

According to the most recent Department of State Hospital's (DSH) 2018 Annual Report, felony IST referrals increased 60% from FYs 2013–14 to 2017–18 and from a recent DSH budget report a further 45% increase between FYs 2017–18 and 2023–24. Similarly, Penal Code, § 1368 filings increased from 7,547 in FY 2010–11 to 32,966 in FY 2024–25, an increase of over 330%, averaging approximately 14% growth per year.

Beginning in 2020, courts have required higher-quality competency evaluations. Effective April 1, 2020, court-appointed evaluators must comply with DSH standards requiring specified education and training consistent with best practices. Evaluators have also received training from the Judicial Council led by national subject matter experts, to ensure compliance with these enhanced requirements. Senate Bill 317, enacted in January 2022, requires the court to determine pretrial diversion eligibility (Pen. Code, § 1001.36 (b)) in misdemeanor cases. Courts rely on the competency to stand trial reports to make a determination.

According to a 2023 Judicial Council survey, courts experience numerous challenges as a result of the increased number of IST evaluations, including:

- 1) Increase evaluation costs - Courts reported a 15-25% average annual increase in the number of evaluations needed and higher cost per evaluation.
- 2) Maintaining a sufficient number of evaluators, particularly in rural areas, due to funding limitations and inability to pay market rates and effects of COVID-19; and
- 3) Variation in payment throughout the state ranging from \$300 to \$3,500 per evaluation. Courts in rural areas report the most difficulty in finding qualified evaluators.

Competency evaluation costs continue to rise due to increased evaluation volume, higher fees for evaluators meeting enhanced DSH education and training standards and expanded report content required under Rule of Court 4.130(d)(2). Based on information gathered from national experts and court surveys, it was estimated that the cost of a thorough competency evaluation in 2022 was a minimum of \$1,100. Today, DSH pays IST contractor evaluators up to \$1,800 per completed re-evaluation. Using this information and accounting for the rate of inflation since 2022, it is reasonable to estimate the average cost of an evaluation now to be approximately \$1,700. This fee, multiplied by the average 12% annual increase in filings, shows approximately \$10,200,000 is needed to support the increase in costs of evaluations and number of filings beginning in FY 2027–28. We anticipate that the cost will continue to increase at the same average for some time and are requesting a proportionate increase in funding for 5 years. The funding requested is intended only to address the disproportionate increase in costs of the evaluations and reflect only a portion of the costs associated with IST evaluations to ensure that courts can find appropriate evaluators and improve the quality of competency reports.

Legislation enacted in October 2025, Senate Bill 820, creates an alternative process to allow involuntarily medication of individuals who are confined in county jail and have been found incompetent to stand trial after being charged with a misdemeanor. Funding has been allocated in the Governor's proposed budget to address some of the costs associated with newly created workload for courts in misdemeanor IST cases, including additional hearing costs and certain new requirements in competency evaluations; however, it does not affect the calculations of overall disproportionate cost increase discussed here.

Legislation enacted in January 2025 expands report content and reliance on the evaluative context of reports when determining competency treatment options. Senate Bill 1323 asks the courts if restoration of competency to stand trial in felony cases is in the interests of justice. If restoration is not in the interests of justice, pretrial diversion eligibility must be the mandatory first consideration. This bill also created the requirement for competency reports to provide an opinion on restorability with medication treatment. The increase in scope and depth of evaluation reports requires more time spent by evaluators obtaining collateral information such as social history, health records, and police reports to create a thorough analysis. Senate Bill 184 may impact the number of filings, but the impact is unknown at this time.

### **Impact of Denial of Proposal**

Denying this proposal will perpetuate existing delays in the completion of evaluations following a declaration of doubt, with some trial courts currently waiting four to six weeks for reports and more complex cases taking longer. These delays disrupt court calendars, increase case backlogs, and result in defendants remaining in custody without timely access to clinically appropriate treatment. In addition, denial will continue to place significant strain on court budgets, as courts report having to reallocate funding, defer hiring, or maintain personnel vacancies in order to absorb the escalating costs associated with IST evaluations.

### **Outcomes and Accountability of Proposal**

Funding allocations will be distributed to all counties in the first year. The allocation methodology for the court funding will be identified by the Trial Court Budget Advisory Committee in consultation with the Collaborative Justice Courts Advisory Committee and may utilize PC §1368 filings data reported by courts in Judicial Branch Statistical Information System (JBSIS). The Judicial Council will have improved data reporting by all courts. Courts will have access to an established and regularly updated inventory of qualified competency evaluators. The Judicial Council will have improved data tracking on actual court expenditures on competency to stand trial evaluations.

### **Required Review/Approval**

Collaborative Justice Courts 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: *Francine Byrne*

Contact Name: **Jenny Clarke, Supervising Analyst**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Judicial Council Legal Services Office
<b>Proposal Title</b>	Litigation Management Program
<b>Proposal Summary</b> The Judicial Council requests an ongoing augmentation of \$3 million General Fund beginning in fiscal year (FY) 2027–28 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 <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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
<b>Local Assistance</b>					
<b>Total</b>	\$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

In four of the last six years, the Litigation Management Program (LMP) has exceeded its budget allocation and as a result required additional funding averaging \$1.2 million per year. Unusually, in FY 2024-25 the program had essentially no settlements – had the program experienced an average of settlements of past years; the program would have gone over budget (not including a settlement of \$7 million so as not to skew the data). The average annual aggregate settlement amount for FY 2020-21 through FY 2023-24 was slightly over \$1 million. The fact that the program has regularly exceeded budget 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 experienced shortfalls of \$2 million and \$1.3 million in two of the last three fiscal years. (See chart below in the next section). 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 has proven to be 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.

### 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 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 2019 Budget Act, 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 2020 Budget Act 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 six years, the LMP has received an annual appropriation of \$6.2 million from the General Fund. Much of this funding is for expenditures and settlements related to trial court matters.

The cost of litigation has increased over time due to inflation and general litigation trends. 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 and complicated litigation has also increased and driven up costs.

The chart below reflects the budget shortfalls for each of the last six 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.

<b>Fiscal Year</b>	<b>Budget</b>	<b>Total Expenditures</b>	<b>Difference</b>
2025-26	\$6,237,000	\$3,516,514* (Pending)	
2024-25	\$6,237,000	\$5,801,391**	\$436,609
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)

\* Expenditures as of January 13, 2026 – Exhaustion of funding is projected.

\*\* The LMP had a settlement of \$7.3 million in FY 2024–25. This was an unusual matter and has not been included in the total expenditures to avoid skewing the totals and analysis.

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.

In addition to the augmentation, this request also seeks to include provisional language amending Provision 1 of Item 0250-001-001 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.

### **Outcomes and Accountability of Proposal**

Litigation expenses (attorney fees, costs, judgments, settlements, pre-litigation costs, and fees) are monitored for 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 six 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**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Data Analytics Advisory Committee
<b>Proposal Title</b>	Judicial Branch Data Analytics Modernization
<b>Proposal Summary</b> The Judicial Council of California requests 9 positions and \$9.8 million General Fund in fiscal year (FY) 2027–28; an additional 9 positions and \$12.5 million General Fund in FY 2028–29; an additional 7 positions for an ongoing total of 25 positions and \$13.9 million General Fund in FY 2029–30, \$11.8 million General Fund in FY 2030–31 and \$6.6 million ongoing to address the technology and staffing needs to improve and modernize branch data collection to enhance data reporting, improve accountability and transparency, and better serve the public.	
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 checked="" type="checkbox"/> No <input type="checkbox"/>	
Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Proposed fund source: General Fund	

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	9.0	18.0	25.0	25.0	25.0
<b>Personal Services</b>	\$964,000	\$3,698,000	\$5,083,000	\$5,083,000	\$5,083,000
<b>Operating Expenses &amp; Equipment</b>	8,795,000	8,795,000	8,795,000	6,675,000	1,555,000
<b>Local Assistance</b>					
<b>Total</b>	\$9,759,000	\$12,493,000	\$13,878,000	\$11,758,000	\$6,638,000
One-time	7,240,000	7,240,000	7,240,000	5,120,000	0
Ongoing	2,519,000	5,253,000	6,638,000	6,638,000	6,638,000

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

### Problem or Issue

The Judicial Council aims to modernize its outdated analytics technology to move beyond basic reporting and toward actionable insights. This modernization will enable more frequent and reliable data validation, ensuring decision-makers have access to timely and accurate information. It will also equip courts with analytic tools that unlock meaningful insights from case management system data to support informed business and operational decisions. In addition, improved analytics will strengthen the branch's ability to respond to information requests about programs and outcomes, and to provide high-quality data and analysis in support of branch budget proposals and the evaluation of proposed legislation.

The proposal will reduce data management costs and improve efficiency by consolidating multiple data reporting functions onto a single, modern technology platform and replacing aging technical infrastructure. For example, in 2024, the Judicial Council managed over 170 distinct data collections to meet required statewide reporting obligations. Many of these collections rely on surveys or other manual data entry methods, which are time-intensive and prone to data quality and completeness issues. Modern data solutions can automate or streamline portions of these processes, resulting in greater efficiency, improved accuracy, and more reliable data.

In addition, the proposal addresses critical risks associated with aging technical infrastructure. The Judicial Branch Statistical Information System (JBSIS), a statewide repository for court workload data, is currently housed on unsupported and obsolete technology and must be replaced to ensure system reliability, security, and continuity of operations. The FTE requested in this proposal will be used to manage data reporting, data validation, and analytics across multiple Judicial Council teams that support data reporting at the Council. The staff request is staggered over multiple years as the project transitions from the “build” phase, during which contracted staff will supply the staffing needs doing specialized work to design and build the platform, to the “maintenance and support” phase. Transitioning to modern systems will also reduce the data reporting burden on courts, freeing court staff to focus more of their time on core operational responsibilities.

Improved data management and access directly support the courts' ability to serve the public more effectively and equitably. Analytics enable courts to identify bottlenecks in court processes, allocate resources to meet workload demands, and gather and analyze public feedback. Together, these capabilities enhance transparency, responsiveness, and the branch's ability to make data-informed decisions that improve outcomes for the communities it serves.

### Background/History of Problem

Better data-driven decision-making across California's courts enables long-term planning, supports sound policymaking, and improves the courts' ability to serve the public effectively. These benefits were especially evident during the COVID-19 pandemic, when access to timely and reliable data was critical to helping the Legislature understand the pandemic's impact on court operations and access to justice.

However, many judicial branch data systems rely on antiquated technologies originally designed in the 1990s. These systems are increasingly costly to maintain, as programmers with the specialized skills

needed to support them are difficult to find. Moreover, legacy technologies cannot meet modern security standards or effectively interface with contemporary systems, creating operational risk and limiting the branch's ability to modernize.

Prior legislative investments in modern case management systems for trial courts, as well as pilot programs focused on data analytics, have demonstrated that new approaches to data management can significantly improve statewide data reporting. While case management systems capture critical operational data, they are not designed to perform advanced analytics. When paired with modern data reporting and analytic tools, however, these systems can generate insights into court workflows, identify inefficiencies, and support more effective resource allocation.

Building on these efforts, a series of pilot programs, funded through prior Budget Change Proposals (BCPs) and implemented across a diverse group of courts representing varying sizes and case management systems, tested analytical solutions in real-world settings. These pilots enabled the judicial branch to develop and refine a scalable data model, increasing its complexity and applicability across courts.

This proposal builds on those prior investments by establishing a modern, enterprise-level data platform for trial and appellate courts and the Judicial Council. The platform will integrate with modern case management systems to provide enhanced data management, validation, and analytical capabilities. Together, these tools will help courts more effectively track and manage case flow, support operational decision-making, and advance the branch's core goal of providing timely and equitable access to justice.

### **Impact of Denial of Proposal**

Without this investment, the aging infrastructure that supports JBSIS, the branch's primary data asset for case flow reporting and analysis, would remain at risk of failure and continue to operate on hardware and software that are no longer secure or supported. The judicial branch would also be required to maintain outdated technologies to manage critical data assets, increasing costs, operational risk, and reliance on increasingly scarce technical expertise. In addition, the full value of prior BCP investments would not be realized, as earlier phases and pilot programs were limited to a subset of trial courts, leaving the branch without a consistent, statewide solution.

### **Outcomes and Accountability of Proposal**

This proposal will deliver measurable improvements in how the judicial branch manages, validates, and uses data to support court operations and policy decision-making. By establishing a modern, enterprise-level data and analytics platform, the branch will significantly increase the number of trial and appellate courts with access to analytic tools needed for effective workload management and case flow decision-making. Courts will be better equipped to monitor performance, identify bottlenecks, and allocate resources based on timely and reliable data.

The proposal will also expand the number of validated datasets available on the data reporting platform, improving data quality, consistency, and confidence in statewide reporting. Standardized data management and validation processes will strengthen the branch's ability to respond efficiently to legislative, executive,

and internal data requests related to court operations, programs, and outcomes. As more information becomes readily available through centralized and validated datasets, the need for ad hoc data requests to trial courts will decrease, reducing administrative burden and allowing court staff to focus on core operational responsibilities.

Accountability will be ensured through clear performance measures, including tracking the number of courts onboarded to the analytics platform, the volume of validated datasets available for reporting and analysis, response times to data requests, and reductions in ad hoc reporting requests. Collectively, these outcomes will demonstrate that the proposal not only modernizes the branch's data infrastructure, but also delivers sustained operational efficiencies, improved transparency, and stronger support for data-driven decision-making across California's courts.

### **Required Review/Approval**

Data Analytics Advisory Committee

### **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: Branch wide 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: *Leah Rose-Goodwin*

Contact Name: Leah Rose-Goodwin

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Habeas Corpus Resource Center
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<b>Proposal Title</b>	HCRC Case Team Staffing
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### Proposal Summary

The Judicial Council of California requests 30 positions and \$7.3 million General Fund in fiscal year (FY) 2027–28; an additional 20 positions and \$12.2 million General Fund in FY 2028–29; and an additional 20 positions and \$17.4 million General Fund in FY 2029–30, for a total request of 70 positions and \$17.1 million ongoing funding for the Habeas Corpus Resource Center (HCRC). The funds will be used to increase staff to address delays and reduce the backlog of unrepresented capital defendants in habeas corpus cases. In California, persons convicted and sentenced to death have a statutory right to counsel to investigate and present to the court a petition for writ of habeas corpus. As of December 1, 2025, 346 people are waiting for such counsel.

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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	30.00	50.00	70.00	70.00	70.00
<b>Personal Services</b>	\$5,521,000	\$9,610,000	\$13,698,000	\$13,698,000	\$\$13,698,000
<b>Operating Expenses &amp; Equipment</b>	1,826,000	2,637,000	3,664,000	3,392,000	3,392,000
<b>Local Assistance</b>					
<b>Total</b>	\$7,347,000	\$12,247,000	\$17,362,000	\$17,090,000	\$17,090,000
One-time					
Ongoing	7,347,000	12,247,000	17,362,000	17,090,000	17,090,000

\*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. A habeas corpus petition is a request to a court to review the legality of a person's detention of imprisonment. HCRC is the sole state entity tasked with providing such representation. As of December 31, 2025, the total number of people currently under a sentence of death in California is 563. There are 346 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 346 people represent 61 percent of all condemned persons. This proposal addresses 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 346 without habeas counsel, 142 have had their death judgment affirmed on appeal; 138 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. Government Code section 68661 limits HCRC to hiring up to 34 attorneys. As a result, HCRC has been unable to accept new appointments at a rate sufficient to address the backlog.

The Chief Justice of the California Supreme Court recognized the problem of the backlog and formed a Working Group in February 2025 to address it (available at <https://courts.ca.gov/advisory-body/2025-proposition-66-counsel-working-group>). The purpose of the working group was "to develop recommendations on ways to expand the pool of attorneys available for appointment to represent indigent persons who seek to petition for habeas corpus review of their death penalty judgments." This proposal addresses the problem by expanding 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. This proposal will require amendment to Government Code 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.

Changes in the law and California Rules of Court since 2016 have altered substantially the way habeas cases are currently argued in California's courts. Under California Penal Code section 1509, habeas proceedings now initiate in the trial courts statewide, whereas previously the Supreme Court had only appointed habeas counsel and heard all state habeas cases. Section 1509 has also accelerated the timelines for litigating habeas matters, intensifying the work required by HCRC case teams to research, prepare, and file claims in the trial courts. However, there is a lack of qualified counsel on the statewide panel of attorneys from which the trial courts may appoint habeas counsel; currently only one private lawyer is on an approved panel for the entire state. In addition, because there is no funding source by which the superior court can pay private counsel, HCRC remains the only resource for appointments; that is, no one on the statewide habeas panel (past or present) has been appointed to represent a person sentenced to death. (One attorney was conditionally appointed to represent someone pending the county locating the funds to compensate for counsel. He withdrew before the county located the funds.) The 2025 Proposition 66 Counsel Working Group was formed to address the challenge of expanding the pool of qualified attorneys. Although the working group's recommendations have not yet been published, in 2008 the California Commission for Fair Administration of Justice found that funding an expansion of HCRC was the best, and likely only, means of meeting the state's need for qualified capital habeas corpus attorneys. (Cal. Com. on the Fair Admin. of Justice, Final Rep. (2008), p. 135 (Com. Rep.), available at <https://digitalcommons.law.scu.edu/cgi/viewcontent.cgi?article=1000&context=ncippubs>.)

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 in 2019, 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, 28 people have been sentenced (or, in one case, resentenced) to death. Eighty-six percent of these individuals are people of color. And it is still the case that since January 1, 2022, every person sentenced to death has been a person of color. 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 as 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. Grants of relief are the most common outcomes in capital proceedings. Ultimately, each California death judgment has only a one-in-five chance of being upheld in every court that reviews it,

and a four-in-five chance of reversal. Years-long delays in appointments cause judicial relief for condemned people, consistent with constitutional requirements, to be denied.

A major impact of denying this proposal is that the decades-long wait for relief will continue for the wrongfully convicted, who spend decades on death row when they are innocent. Since California reinstated the death penalty in 1977, eight innocent men—all people of color—have been exonerated from California's death row. 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 imposed nearly 1,100 death judgments. By a conservative estimate, it is likely that 45 of those death judgments were obtained against innocent people. This means that today in California close to four 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. New staff members 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 notes in a footnote that experts say it is a “conservative” estimate that the cost of the death penalty to the state of California up to 2021 had been \$6 billion since 1978. If even half of the 346 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.

### **Required Review/Approval**

HCRC 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:**

A handwritten signature in blue ink, appearing to read "John Larson".

**Contact Name: John Larson**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
<b>Proposal Title</b>	Appellate Court Unarmed Security Guard – Expanded Coverage
<b>Proposal Summary</b>	
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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$707,000	\$707,000	\$906,000	\$906,000	\$906,000
<b>Local Assistance</b>					
<b>Total</b>	\$707,000	\$707,000	\$906,000	\$906,000	\$906,000
One-time					
Ongoing	707,000	707,000	906,000	906,000	906,000

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

### **Problem or Issue**

The Courts of Appeal's current unarmed security contract does not provide after-hours or weekend coverage, leaving court facilities unmonitored outside of regular Monday through Friday business hours. The existing contract with American Guards Services Inc., valued at \$1,537,090 and effective December 1, 2025 through November 30, 2026, limits security services to normal business hours only. This lack of coverage increases the risk of vandalism, unauthorized access, and property damage, which in turn leads to higher maintenance and repair costs. Without additional funding, the Courts cannot extend the current contract to address after-hours and weekend security needs.

The stand-alone state-owned courthouses have experienced significant damage and require costly repairs to the external courthouse as a 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 accessibility to the judicial system.

Approval of this request for \$707,000 in FY 2027–28 and the additional \$199,000 in FY 2029–30 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, thereby increasing safety and security for court users and the public and ensuring equal and safe access to the judicial system in California.

### **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 an unhoused 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 have also been two separate break-ins at the court. In one incident, an individual climbed onto the roof and accessed the court's interior by opening the emergency roof hatch, causing damage to court

property once inside. In another incident, a different individual kicked in a glass door to gain entry and 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 in vandalism; and in FY 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 arson attack by an unhoused individual that caused over \$100,000 in damages, including destruction to the façade, landscaping, and lobby. The growing unhoused 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 unhoused 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 June 2020 through October 2024, the Court has spent many one-time expenses up to \$103,595 and ongoing annual cost up to \$15,660 (California Highway Patrol Officer (CHP) 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. These challenges include encampments, vandalism and damage, specifically after-hours incidents involving graffiti, damage to signs, and even throwing bodily fluids on the entrance doors, walls, parking lot, and surrounding bushes. There are also safety concerns including individuals loitering in front of the building and parking lot after hours, jumping the secured fence and walking around the secured staff parking lot and near exit doors, as well as fights and criminal drug activity around the parking lot. 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, a CHP officer's overtime cost is added on top of their regular hourly salary, and in some cases, using an unarmed guard after hours could reduce overall CHP overtime expenses. 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 had an increase in overtime costs 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 increases for CHP Officers as issues arise after-hours and weekends related to the unhoused population.

Additionally, some individuals also 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 and 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 plants stolen 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 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 compounded when their Judicial Protection Officer is called to the court after hours or on weekends to respond to intrusion alarms.

The courts have experienced an increase in protests, including those noted below, occurring near courthouses during after-hours and on weekends.

Approval of the BCC would provide critical Monday through Friday after-hours and weekend unarmed security coverage to enhance safety and reduce vandalism at courthouse facilities. Escalating protest activity occurring in close proximity to state courthouses underscores the growing need for this funding request. Over the past year, demonstrations related to immigration enforcement have demonstrated a recurring pattern of activity near judicial facilities, frequently occurring outside normal business hours.

In October 2025 in San Francisco, the “No Kings” protests drew thousands of participants and moved through the Civic Center, which houses the Supreme Court of California, the Judicial Council of California, and the First District Court of Appeal. Although the event remained peaceful, the size, mobility, and location of the demonstration highlight the vulnerability of judicial facilities to large-scale protest activity, particularly during evenings and weekends when routine staffing levels are reduced. Similar events in other jurisdictions have escalated into violence and damage to state property.

In June 2025 in Santa Ana and Los Angeles, protests related to ICE enforcement actions occurred near the Ronald Reagan Federal Building, adjacent to the California Court of Appeal, Fourth District, Division Three. Demonstrators engaged in violent behavior, including throwing rocks, bottles, and fireworks at law enforcement. Crowd-control measures were deployed, and vandalism associated with the protest impacted surrounding areas, including court-adjacent property, emphasizing the need for visible security coverage beyond standard operating hours. The Los Angeles protests in response to ICE immigration raids escalated over multiple days in downtown Los Angeles, resulting in freeway closures, widespread vandalism, and burglaries of local businesses. These incidents occurred approximately one mile from the California Court of Appeal, Second District, underscoring the potential for rapid spillover of unrest toward judicial facilities during extended hours and non-business days.

Photos of vandalism, Fourth District, Division 3;



Collectively, these incidents indicate a sustained increase in protest activity near judicial facilities and an elevated risk of vandalism and threats to court employee safety, particularly after business hours and on weekends. Approval of the funds would support expanded after-hours and weekend coverage using unarmed security personnel, providing a visible deterrent to vandalism, enhancing monitoring and rapid reporting of emerging threats, and improving the safety of court employees accessing facilities outside normal operating hours. Enhanced coverage and coordination would strengthen the judiciary's ability to prevent damage and respond effectively to evolving protest-related risks.

### **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, 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 armed guard services vendor provides quarterly status reports on 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.

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: *Amber Barnett*

Contact Name: **Deborah Collier-Tucker**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
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<b>Proposal Title</b>	Proposition 66 in Courts of Appeal
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### Proposal Summary

The Judicial Council of California requests 14.5 positions and \$9.9 million General Fund in fiscal year (FY) 2027–28 and \$9.4 million General Fund in FY 2028–29 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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	14.5	14.5	14.5	14.5	14.5
<b>Personal Services</b>	\$3,718,000	\$3,718,000	\$3,718,000	\$3,718,000	\$3,718,000
<b>Operating Expenses &amp; Equipment</b>	935,000	738,000	738,000	738,000	738,000
<b>Local Assistance/ Contracts</b>	5,275,000	4,965,000	4,965,000	4,965,000	4,965,000
<b>Total</b>	\$9,928,000	\$9,421,000	\$9,421,000	\$9,421,000	\$9,421,000
One-time	310,000				
Ongoing	9,618,000	9,421,000	9,421,000	9,421,000	9,421,000

\*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.

Currently, 50 petitions have proceeded to final disposition in the trial courts and are now in the Courts of Appeal, 43 petitions have been stayed (without counsel) due to lack of funding for habeas corpus appeal counsel. Seven are moving forward despite the lack of funding because counsel comes from an agency such as Habeas Corpus Resource Center or Federal Public Defenders that do not need payment from the Courts of Appeal to proceed with the appeals.

The estimated workload calculation projects that one-fourth (38) of the 150 cases will be appealed in each year beginning in 2027–28. If funding is not provided to the Courts of Appeal, the courts will have to absorb over 12.5 full-time equivalents (FTE) each fiscal year resulting from the estimated 38 cases that will be appealed, with each case requiring approximately four months FTE to review and prepare. This will delay all appeals, slowing down 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 354 California condemned incarcerated persons awaiting appointment of Habeas Corpus counsel, 61 percent of all condemned persons. Of the 354, 142 have had death judgment affirmed and approximately 138 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 354 persons awaiting the appointment of habeas counsel, four have two death judgments for a total of 358 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.

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 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 2028–29.

### **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 is intended to 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 two 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 \$155/hour for

matters in the Courts of Appeal which will help address one aspect of the chronic shortage. However, if the current \$155/hour rate through FY 2025–26 for capital appointments changes in FY 2026–27 (with a separate proposed BCP to increase the current appointment rate by \$25 for FY 2026–27), additional funds will be needed in the FY 2027–28 budget cycle to obtain adequate funds for any approved increases in capital appointment rates. Currently, as of January 2026, there are 61 Prop 66 cases statewide in the Courts of Appeal: 43 cases stayed; 13 cases dismissed; 13 cases under the Federal Public Defenders Office and State Public Defenders Office or in opinion/motion stage. Without funding, the current 43 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 43 Prop 66 cases statewide without counsel being appointed. Denial of this request will increase the number of Prop 66 cases without counsel and create a backlog for 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 354 unrepresented condemned incarcerated persons may have potentially meritorious claims of innocence. Racial and ethnic minorities are disproportionately impacted, with African Americans comprising approximately 33.6 percent of California's death row (as compared to approximately six percent of the general population). Additionally, the Death Row U.S.A Winter 2026 (as of Jan. 1, 2026), a quarterly report by the Legal Defense Fund, lists California's inmates on Death Row in the below categories:

California Death Row Stats as Jan. 1, 2026										
Total	Black		White		Latino/a		Native American		Asian	
580	195	33.6%	187	32.2%	166	28.6%	7	1.2%	25	4.3%

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.

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.

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### **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: Amber Barnett**

**Contact Name: Deborah Collier-Tucker**

## Judicial Branch 2027–28 Budget Change Concept

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

### Proposal Summary

The Judicial Council of California requests 17.0 positions and \$22.6 million General Fund in fiscal year (FY) 2027–28, and \$28.1 million in General Fund in FY 2028–29 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 (SC) and Courts of Appeal (COA)) 17.0 full time positions and \$4.681 million to address the internal operational costs related to RJA support; 2) Provide the Court Appointed Counsel (CAC) Programs SC and COA \$11.6 million to support the capital and appellate court-appointed counsel and project offices on cases with RJA issues; and 3) Provide permanent FY 2027–28 grant funding of \$11.9 million to the Trial Courts 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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	17.00	17.00	17.00	17.00	17.00
<b>Personal Services</b>	\$3,817,000	\$3,817,000	\$3,817,000	\$3,817,000	\$3,817,000
<b>Operating Expenses &amp; Equipment</b>	1,095,000	864,000	864,000	864,000	864,000
<b>Contracts/Special Items of Expense</b>	5,739,000	11,556,000	11,556,000	11,556,000	11,556,000
<b>Local Assistance (Trial Courts)</b>	11,900,000	11,900,000	11,900,000	11,900,000	11,900,000
<b>Total</b>	\$22,551,000	\$28,137,000	\$28,137,000	\$28,137,000	\$28,137,000
<b>One-time</b>	231,000				
<b>Ongoing</b>	22,320,000	28,137,000	28,137,000	28,137,000	28,137,000

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

### 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 increased case flow both in the trial and appellate courts. The purpose of the funds requested is to support both internal SC and COA operations with the addition of 17.0 full time positions: the SC requests 4.0 Attorney positions and 1.0 Deputy Clerk position and the COA requests 10.0 Attorney positions and 2.0 Judicial Assistant positions and \$1.3 million to fund the SC Appointed Counsel and Capital Project – California Appellate Project-San Francisco's (CAP-SF) workload has increased for RJA work. The RJA has impacted the processing of claims and necessitates time-intensive reviews of voir dire, jury questionnaires, and trial records often requiring statistical analysis. The Racial Justice Act has impacted the processing of court-appointed counsel claims and necessitates time-intensive reviews of voir dire, jury questionnaires, and trial records often requiring statistical analysis.

In addition, the funds are also requested for Trial Court resources for consideration of their RJA cases.

These are broad categories encompassing the way the RJA was raised in appeals in 2024. The percentage shown is the proportion that category represents of all substantive RJA issues raised. Looking at the cases by category can help to predict where the COA may see increases after 2026 in a more nuanced way.

- Discovery - 17%
- RJA Motion Appeal filed in the trial court - 21%
- RJA Claim made in trial court proceedings (in context of trial or at sentencing - not a stand-alone motion) - 7%
- RJA issue raised on appeal based on the record - 43%
- General discussion of the RJA in context of other issues 5%
- Motion to stay and remand to file RJA motion - 7%

The funds are requested for Trial Court resources for consideration of RJA cases and external costs related to appointment of counsel in both capital and non-capital cases in the CAC Programs.

### Background/History of Problem

The RJA 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 enacted 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 a 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.

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 SC, COA 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 COA will not have the adequate resources to maintain the level of work needed on these RJA cases or the ability to 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 will be fully in effect retroactively.

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 COA anticipate continued exponential growth as follows:

### **Anticipated Increases:**

SC: The workload for the SC and CAP-SF has increased, and additional staffing is necessary to address the RJA work. Assuming 50 percent of the COA cases will have appointed counsel in the review granted cases from the COA.

- **2027** – 11,296 hours generated from 336 cases; it is estimated half the hours/cases from the review granted cases will cost approximately \$988,000.
- **2027** – CAP-SF's increased RJA workload will cost an estimated \$300,000 (attorney and paralegal).

COA: 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

Cost for Appointed Counsel in COA Programs: 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 20 hours of work per case

- **2025** – 1,680 appellate court appointed counsel hours generated from 84 cases
- **2026** – 3,360 appellate court appointed counsel hours generated from 168 cases resulting in a cost of approximately \$436,800
- **2027** – 6,720 appellate court appointed counsel hours generated from 336 cases resulting in a cost of approximately \$873,600
- **2026** – Appellate projects increased RJA workload estimated at \$1,500,000 (one attorney and one paralegal/staff for each of the five projects)
- **2027** – Appellate projects increased RJA workload estimated at \$1,500,000 (one attorney and one paralegal/staff for each of the five projects)

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

\*\* Add 8-10 percent 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 RJA 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

### **Approval**

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

Director Signature: *Amber Barnett*

Contact Name: **Deborah Collier-Tucker**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
<b>Proposal Title</b>	Appellate Court Facilities Staff
<b>Proposal Summary</b>	
The Judicial Council of California requests 6.0 positions and \$1.3 million General Fund in fiscal year (FY) 2027–28; 2.0 additional positions and an additional \$400,000 General Fund in FY 2028–29 for a total ongoing amount of 8.0 positions and \$1.6 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 <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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	6.0	6.0	6.0	8.0	8.0
<b>Personal Services</b>	\$903,000	\$1,205,000	\$1,205,000	\$1,205,000	\$1,205,000
<b>Operating Expenses &amp; Equipment</b>	386,000	434,000	406,000	406,000	406,000
<b>Local Assistance</b>					
<b>Total</b>	\$1,289,000	\$1,639,000	\$1,611,000	\$1,611,000	\$1,611,000
One-time					
Ongoing	1,289,000	1,639,000	1,611,000	1,611,000	1,611,000

\*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.

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.

\$1.3 million is requested in FY 2027–28 for 6.0 positions at 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’s construction project in FY 2028–29, 2 additional positions are requested for a total of 8 permanent positions and \$1.6 million ongoing General Fund to support 4 Court of Appeal courthouses.

### **Background/History of Problem**

Several standalone Courts of Appeal courthouses have no or limited facilities staff to maintain or support local facilities issues that arise daily, or repair urgent time-sensitive safety issues that may 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, 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 Fourth District Court of Appeal, Santa Ana, 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 conditioning (HVAC) 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 Fourth District Court of Appeal, Riverside (42,251 square feet, built in 1999) and the Fifth District Court of Appeal, Fresno (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 HVAC units, and building controls system. 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 secure spaces, engage with project managers and stakeholders, and facilitate cleanup efforts.

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. Contractor costs, unreliability, and frequent scheduling delays impose hardships on state-owned buildings and their workers, leaving many issues 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 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 three Court Building Supervisors and three Assistant Court Building Supervisors. In fiscal year 2029–2030, the request expands to include one additional Court Building Supervisor and one Assistant Court Building Supervisor to support the San Jose Court of Appeal courthouse, which is expected to encompass 49,798 square feet. Approval of this request will provide the needed services for a total of 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

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: *Amber Barnett*

Contact Name: **Deborah Collier-Tucker**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
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<b>Proposal Title</b>	Increase Appellate Court Staffing
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### Proposal Summary

The Judicial Council of California requests \$5.3 million General Fund and 18.0 positions in fiscal year (FY) 2027–28, and \$5 million 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	2027–28 (FY)	2028–29 (FY+1)	2029–30 (FY+2)	2030–31 (FY+3)	2031–32 (FY+4)
<b>Positions</b>	18.0	18.0	18.0	18.0	18.0
<b>Personal Services</b>	\$4,122,000	\$4,122,000	\$4,122,000	\$4,122,000	\$4,122,000
<b>Operating Expenses &amp; Equipment</b>	1,159,000	914,000	914,000	914,000	914,000
<b>Local Assistance</b>					
<b>Total</b>	\$5,281,000	\$5,036,000	\$5,036,000	\$5,036,000	\$5,036,000
One-time	245,000				
Ongoing	5,036,000	5,036,000	5,036,000	5,036,000	5,036,000

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

### Problem or Issue

The Judicial Council of California requests \$5.3 million General Fund and 18 positions in FY 2027–28 and \$5 million 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.

The time required 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 briefing deadlines are requested, oral argument is waived or promptly scheduled, and no petitions for rehearing or review are sought. These ongoing resources are needed to prevent case delays and backlogs<sup>1</sup>. Ongoing General Fund is requested to address costs for these additional limited-term resources to maintain support for 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.<sup>2</sup>

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 ongoing 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 initial assumption was that the outcome did not involve limited-term positions but rather ongoing positions. The Administrative Presiding Justices' primary assumption was that providing additional resources to address the case-delay phase would result in a greater reduction than the initial request. Instead, the Courts were approved only for limited-term three-year positions (July 1, 2023–June 30, 2026). The limited positions have enabled the Courts of Appeal to reduce delays by setting an initial goal of shortening the decisional phase of appeals to exceed no more than 9 months. Approval of ongoing General Fund resources is needed to retain the positions necessary to continue taking measures to achieve and maintain this goal. The Appellate Court Trust Fund cannot support the ongoing resources required for the

<sup>1</sup> 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](https://newsroom.courts.ca.gov/sites/default/files/newsroom/2022-12/Appellate%20Caseflow%20Workgroup%20Report_Final.pdf).

<sup>2</sup> Cal. Const., art. VI, §§3, 10, 11 &14.

18.0 Courts of Appeal positions. The Courts of Appeal workload continues to increase specifically in three areas; pending appeals, pending fully briefed appeals, and notice of appeals. The 18 positions are also needed to address the Courts' operational needs.

As a result of the 18 additional resources the Courts of Appeal have 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.

### **Notices of Appeal**

In FY 2021–22<sup>3</sup>, 13,627 notices of appeal were filed statewide. In FY 2023–24<sup>4</sup>, 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 (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 (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 (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 appeals and maintain that number in the last few fiscal years show 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.

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

<sup>4</sup> 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.

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.<sup>5</sup> 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.<sup>6</sup> Appellate cases are submitted when the court has heard oral argument or approved its waiver.<sup>7</sup>

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 district.<sup>8</sup> 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.

### **Impact of Denial of Proposal**

If denied, the Courts of Appeal will be unable to secure the ongoing resources necessary to reduce existing backlogs and improve case processing times. This will limit access to justice, exacerbate delays, and undermine the equitable and timely resolution of cases, negatively affecting fairness and public confidence in the appellate system.

Without ongoing 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.

<sup>5</sup> Cal. Code Jud. Ethics, canons 2A, 3B(8).

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

<sup>7</sup> Rule 8.256(d)(1).

<sup>8</sup> 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](https://newsroom.courts.ca.gov/sites/default/files/newsroom/2022-12/Appellate%20Caseflow%20Workgroup%20Report_Final.pdf)

**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 ongoing 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 ongoing 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 I: Access, Fairness, Diversity, and Inclusion

Goal II: Independence and Accountability

Goal III: Modernization and Management of Administration

**Approval**

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

Director Signature: *Amber Barnett*

Contact Name: **Deborah Collier-Tucker**

**Judicial Branch  
2027–28 Budget Change Concept**

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
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<b>Proposal Title</b>	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) 2027–28 and ongoing to support the Courts of Appeal Court-Appointed Counsel (COACAC) Program. The request has two components: (1) \$17.6 million ongoing General Fund augmentation for a \$40 per hour rate increase for non-capital appeal appointments and for costs associated with the electronic trial court transcript costs to improve efficiency and reduce delays; and (2) \$6.6 million ongoing General Fund augmentation for a 30 percent increase in the Appellate Project Offices annual contracts to address rising operational costs and maintain adequate staffing.

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) \***

<b>Fiscal Year</b>	<b>2027–28 (BY)</b>	<b>2028–29 (BY+1)</b>	<b>2029–30 (BY+2)</b>	<b>2030–31 (BY+3)</b>	<b>2031–32 (BY+4)</b>
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$24,152,000	\$24,152,000	\$24,152,000	\$24,152,000	\$24,152,000
<b>Local Assistance</b>					
<b>Total</b>	\$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 to them by the U.S. Constitution; and (2) provide the Courts of Appeal with useful briefings and arguments that allow the Courts to perform their functions effectively and efficiently. The COACAC Program's panel attorneys have received only two modest increases since FY 2016–17 (totaling \$25/hour), and Appellate Project Offices have seen minimal adjustments since FY 2017–18. These incremental changes have not kept pace with inflation, rising operational costs, or market rates.

The Budget Act of 2022 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. Additionally, the Budget Act of 2025 provided an increase of \$4.13 million for a \$10 hourly rate increase for non-capital appeal appointments and \$1.41 million for a seven percent increase in the Appellate Project Offices' annual contracts.

Current rates (\$120–\$140/hour) are significantly below the California Department of General Services benchmark (\$170/hour), driving experienced attorneys away and shrinking the panel from 927 attorneys in 2013 to 643 in 2025, of which 200 accepted less than three or fewer cases in a two-year period. In recent years, several COACAC 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 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 more complex and 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, 93 percent of the cases are assigned to more experienced panel attorneys on an independent appointment basis, an increase of 26 percent since 1997. Assisted assignments are integral to the health of the COACAC Program to provide training and guidance to attorneys who are newer to these types of cases. However, independent assignments are the most cost effective as they require less COACAC Program resources in both Appellate Project Offices oversight and case time.

The gap between current rates and market benchmarks threatens the integrity of California's appellate system. Immediate investment is critical to uphold constitutional rights, maintain timely case resolution, and preserve public trust.

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 indigent appellants in the Courts of Appeal, in non-capital cases.

Since FY 2014–15 the overall average annual operating expenses for rent has increased up to 65 percent, payroll taxes have increased up to 11 percent, and pension costs have increased by up 22 percent.

Additionally, technology upgrades remain unfunded. Appellate Project Offices must leverage resources to maintain and upgrade or implement databases, external websites, conferencing systems, and electronic document retention systems to better serve clients.

### **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 nine years (\$85/\$95/\$105) until July 1, 2016, when the rates of \$95/\$105/\$115 were approved. 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 the current rates to \$160, \$170, and \$180 per hour to provide comparable compensation for these critical services.

In FY 2014–15 the Appellate Project Offices’ annual contracts totaled just under \$17.5 million. Three years later in FY 2017–18 the Appellate Project Offices received a six percent increase for a new total of \$18.2 million. Seven years later, the Appellate Project Offices’ contract amount increased by 10.5 percent with the budget increase received in FY 2022–23 - of which the majority went to narrow but did 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 \$21.56 million with a seven percent increase provided by the Budget Act of 2025.

### **Impact of Denial of Proposal**

The FY 2022–23 and FY 2025–26 increases provided 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 COACAC 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 COACAC 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 will also lose staff to other government entities for more lucrative compensation packages.

### **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 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 COACAC 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: *Amber Barnett*

Contact Name: **Marcela Eggleton**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	California Supreme Court
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<b>Proposal Title</b>	Supreme Court Capital Court Appointed Counsel Program
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### Proposal Summary

The California Supreme Court requests \$3.3 million General Fund in fiscal year (FY) 2027–28 and ongoing to support the Supreme Court Capital Court Appointed Counsel Program. The request has two components: (1) \$1.3 million ongoing General Fund for a \$55 per hour rate increase for capital appeal appointments; and (2) \$2 million ongoing General Fund for a 30 percent increase in the annual contract for Capital Court Appointed Counsel Project Office.

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

### Estimate Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	3,324,000	3,324,000	3,324,000	3,324,000	3,324,000
<b>Local Assistance</b>					
<b>Total</b>	\$3,324,000	\$3,324,000	\$3,324,000	\$3,324,000	\$3,324,000
One-time					
Ongoing	3,324,000	3,324,000	3,324,000	3,324,000	3,324,000

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

### Problem or Issue

The Supreme Court's Capital Court Appointed Counsel Program's ability to recruit and retain qualified attorneys for capital appointments continues to fall short of the number of annual death judgments. The current appointment rate for capital cases is \$155 per hour. Prior to this increase in FY 2022–23, the rate remained at \$145 per hour from October 2007 for many years, which has discouraged new attorneys from seeking and applying for capital appointments. As a result, attracting private attorneys to capital work remains difficult. This challenge is compounded by the fact that the California Department of General Services' 2025–26 Price Book lists a rate of \$170 per hour for external legal advice, a figure that stands in stark contrast to the \$155 per hour rate offered under the Supreme Court Capital Court Appointed Counsel Program.

Even with the modest increase in salary for the Capital Court Appointed Counsel Project Office's (CAP-SF) employees, it continues to struggle to retain its most experienced attorney staff and employees. Several of the Supreme Court's capital appointed attorneys are not taking any additional cases as the appointment rate is too low. In the past, some of the capital appointments have been private attorneys who are from the Court of Appeal Court Appointed Counsel panels, but most of those program's most qualified staff attorneys and panel attorneys have either left the Courts of Appeal panels or are not taking capital appointments. They are moving to representation in federal courts or other state agencies.

Incremental changes have not kept pace with inflation, rising operational costs, or market rates. The Supreme Court Capital Court Appointed Counsel Program received an increase of \$255,000 (4.57 percent) in the Budget Act of 2017 and \$434,000 (seven percent) increase in the Budget Act of 2025 for its 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. Prior to the Budget Act of 2017, CAP-SF had received no new funds to support its ongoing increases in its operating equipment and expenses (OE&E) costs since FY 2007–08. Due to the lack of adequate funding increases for CAP-SF's staff and ongoing increases to its OE&E, CAP-SF must reduce its reserves each year to close the gap in their operations.

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 four percent of condemned inmates may be innocent, suggesting that as many as 14 of California's 345 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 34 percent of California's death row (as compared to approximately six 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 designated 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 FY 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; a \$5 per hour increase effective July 1, 2007, and the final \$10 per hour increase in July 2025. The current rate is \$155, but prior to this, the rate had been \$145 per hour for over 15 years.

The Supreme Court is requesting a \$55 per hour increase to raise the 2026 rate to \$210. The Supreme Court is also requesting \$2.0 million ongoing which provides for a 30 percent increase in the annual contract for CAP-SF. CAP-SF cannot retain and hire experienced attorneys without 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.

The table below illustrates the continued increases in the cost of doing business from FY 2016–17 vs FY 2022–23 which shows CAP-SFs need for a 30 percent funding increase.

CAP-SF Expenditures by Fiscal Year	FY 2016–17 Actuals	FY 2022–23 Actuals	% Increase Expenses from FY 2016–17 vs FY 2022–23	\$ Increase Expenses from FY 2016–17 vs FY 2022–23
Grand total Expenditures	\$5,135,078	\$6,202,572	21%	\$1,067,494

The increase in costs shown in the table above reflects ongoing pressures from increases in rent, technology, salary and benefits, payroll taxes, professional liability insurance, etc. A 21 percent increase in the cost of doing business from FY 2016–17 to FY 2023–24, 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 needs.

### **Impact of Denial of Proposal**

If denied, the Supreme Court's 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. CAP-SF will continue to draw 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. CAP-SF infrastructure will continue to decline without adequate funds to address enhancements such as 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 appointments will continue to increase. The appellants will not receive timely representation in their cases and 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 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 both the victim's and the incarcerated inmate's families. 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.

### **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 capital appointments, and the existing appointed attorneys will continue to retain their cases, as the prior appointment rate of \$145 had been in place since FY 2007–08 and only recently in FY 2025–26 a \$10 hourly rate increase was approved. 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 the appointed counsel in the Court Appointed Counsel 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 six months to one year experience, and eight percent had less than six months of experience. Thirty-six percent of

them left for other employment. Since 2024, the cost of doing business (salaries, benefits, and OE&E) has continued to trend upward.

**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

**Approval**

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

Director Signature: *Amber Barnett*

Contact Name: **Deborah Collier-Tucker**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
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<b>Proposal Title</b>	Seven California Highway Patrol – Judicial Protection Section (CHP JPS) Officers
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### Proposal Summary

The Judicial Council of California (JCC) requests \$2.7 million General Fund in fiscal year (FY) 2027–28 and ongoing to provide 7.0 necessary full-time equivalent (FTE) California Highway Patrol Judicial Protection Section (CHP JPS) officers to provide necessary protective services for the appellate courthouses where only one CHP JPS officer is assigned. 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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000
<b>Local Assistance</b>					
<b>Total</b>	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000	\$2,699,000
<b>One-time</b>					
<b>Ongoing</b>	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.

### Problem or Issue

There are currently inadequate protective services at single-officer courthouses. To address this gap in meeting the minimum level of security to the Supreme Court and Courts of Appeal, seven CHP JPS officers are requested. The seven appellate courthouse locations do not have a permanent minimum level of CHP JPS officer coverage. The JCC requests permanent funds for seven CHP JPS officers to provide the minimum level of appellate courthouse protection at the state-owned appellate courthouses.

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 associated with a single-officer security model assigned to the courts leaves them 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 2022–23, the Judicial Council requested permanent funding for four CHP JPS officers to address the gap in the minimum level of protective services for four of the seven single-officer courthouses. The Three-year Appellate Court Security Pilot Program Budget Change Proposal (BCP) approved four limited-term CHP JPS officers funded by the Appellate Court Trust Fund and provided four appellate courthouses with the minimum two officers needed to provide adequate security coverage. Those limited-term positions will end on June 30, 2026. After that date, each of the seven appellate courthouses will only have one assigned CHP JPS officer for the provision of judicial protection services. This staffing level will not adequately protect the appellate courthouses. Security threats against courts and judicial officers are on the rise and require increased resources and attention. This request will provide permanent funds for seven CHP JPS officers to provide a minimum of two officers at each appellate courthouse. The JCC previously requested seven CHP JPS officers to provide a minimum level of courthouse and judicial protection.

The JCC Appellate Court Security Committee has ongoing safety concerns regarding the security and protection of justices, court staff, and the public at seven single-officer appellate courthouses. This proposal seeks to add seven permanent additional CHP JPS officers. The Appellate Court Security Committee and the CHP JPS have continued to assess and work to address court security concerns over the last three years.

The Appellate Court Security Committee and the CHP have determined from the Appellate Court Security Pilot program that a minimum of two CHP JPS officers are necessary to provide the minimum level of protective services at each appellate courthouse. Safe access to justice requires a minimum level of police protective services at each appellate courthouse. The individual officers assigned to the seven single-officer courthouses are unable to provide adequate police protective services at those locations because they cannot simultaneously: (1) protect the courthouse facilities including the approximately 900 judicial branch appellate court employees and the members of the public using those facilities (e.g., monitor video surveillance, walk the grounds, respond 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, (5) assist individuals without housing seeking access to courthouses (and the State Library in the courthouse in Sacramento), (6) ensure compliance with State and Centers for Disease Control and Prevention mandates, and (7) permit free speech and rights of assembly and association while preventing violence and property damage.

This proposal will support contracted CHP JPS services and will align with CHP JPS best practices and standard operating procedures in providing protective services. This proposal requests seven permanent CHP JPS officers for the seven single-officer courthouses.

### **Rising Threats to Judicial Officers and Court Staff:**

In recent years, there has been a significant and troubling increase in violence and threats directed at members of the judiciary across the United States. These incidents underscore growing risks to judicial safety, court employees, and visitors to court facilities.

### **Threat Statistics**

According to usmarshals.gov, the U.S. Marshals Service investigated the following number of threats against federal judges:

- January 2026 (to date): 176 threats investigated
- 2025: 564 threats investigated
- 2024: 509 threats investigated
- 2023: 630 threats investigated

These figures demonstrate a persistent and ongoing threat environment for members of the judiciary.

### **Documented Incidents of Violence and Threats**

The increase in threats has been accompanied by documented incidents of violence and security breaches, including the following:

#### **2026**

- **January 2026 (California):** San Jose Police Department officers were involved in a fatal shooting of a suspect who had carjacked a vehicle and attempted to flee. The suspect fired at officers just blocks from the Sixth District Court of Appeal (*San Jose Police Department*).
- **January 2026 (Indiana):** Judge Steven Meyer was shot and injured at his home after answering his front door (*Fox News*).

## 2025

- **October 2025 (California):** Los Angeles Police Department responded to a fatal shooting that occurred blocks from the Ronald Reagan State Building, which houses the Second District Court of Appeal. The suspect fled past the building's entrance and was apprehended nearby (*NBC*).
- **January 2025 (Federal):** Chief Justice John Roberts publicly warned of escalating threats to judicial independence, emphasizing the dangers posed by violence and intimidation (*The Guardian*).

## 2024

- **January 2024 (Nevada):** Eighth Judicial District Court Judge Mary Kay Holthus was attacked in her courtroom by a defendant during sentencing on multiple criminal charges.

## 2023

- **October 2023 (Maryland):** Circuit Court Judge Andrew Wilkinson was shot and killed outside his home by an individual dissatisfied with a recent court ruling.
- **June 2023 (California):** Alameda County Superior Court Judge Kevin Murphy was robbed at gunpoint by three masked individuals while parking before entering the courthouse.
- **February 2023 (California):** An individual broke into the Santa Maria courthouse, damaged property, and set fire to a courtroom after previously inquiring about a vandalism case.

## Prior Incidents

- **July 2020 (Federal):** The son of U.S. District Judge Esther Salas was murdered, and her husband critically injured when an assailant disguised as a delivery driver attacked their home.
- **January 2013 (Texas):** District Attorney Mark Hasse was assassinated outside the courthouse where he worked, highlighting longstanding risks faced by legal professionals.

## Security Implications:

These incidents reinforce the urgent need for a minimum level of proactive security presence in all court facilities. A single officer is insufficient to deter threats, manage emergencies, and protect judges, court staff, and the public. As noted above and below, there has been an increase in incidents occurring in and around courthouses throughout California, including protest activity and associated unrest.

## Increase in Protests Near Courthouses in 2025

### October 2025 (California):

The “No Kings” protests drew thousands of participants in San Francisco, with demonstrations moving through the city and into the Civic Center area. This area houses the Supreme Court of California, the Judicial Council of California, and the First District Court of Appeal. While this event remained peaceful, similar protests in other locations have escalated into civil unrest, resulting in violence and damage to state property (*San Francisco Standard*).

### June 2025 (Santa Ana and Los Angeles, California):

Protests related to U.S. Immigration and Customs Enforcement (ICE) enforcement actions occurred near the Ronald Reagan Federal Building. Demonstrators threw rocks, bottles, and fireworks at law enforcement, prompting the deployment of tear gas and rubber bullets for crowd control. The building

shares an intersection with the California Court of Appeal, Fourth District, Division Three, which sustained vandalism associated with the protest activity (*ABC7*).

Protests in downtown Los Angeles responding to ICE immigration raids escalated over several days, resulting in freeway closures, vandalism of buildings, and burglaries of local businesses. These incidents occurred approximately one mile from the California Court of Appeal, Second District (*Los Angeles Times*).

It is unrealistic to expect officers to manage courthouse security alone—particularly in high-risk environments such as courtrooms, where emotions can be heightened, and judicial decisions can have profound personal consequences.

### **The Benefits of Two-Officer Assignments Are Proven:**

In recent years, as a result of the Appellate Court Security Pilot program, a second CHP JPS officer was temporarily provided at four single-officer appellate courthouse locations. The four limited-term CHP JPS officers demonstrated measurable improvements at the courthouses where they were assigned.

Key benefits include:

- Significant Reductions in Overtime & Resource Allocation
  - CHP JPS officer overtime has decreased by 90%.
  - Backfilling at 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 and Incident Response
  - While security incidents involving CHP JPS officers 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 an incident occurs.
- Increased Efficiency in High-Activity Courts
  - Reduces reliance on CHP JPS officers from San Francisco and Los Angeles, lowering overtime costs, vehicle mileage, and travel expenses while ensuring that security personnel are not pulled from other essential locations.
- Enhanced Officer Safety and Job Satisfaction
  - Officers spend more time at their assigned court, developing more familiarity with personnel and courthouse dynamics.
  - A two-officer assignment permits more training, flexible scheduling, and more efficient operations.
- Positive Feedback from Court Personnel
  - Justices, Court Executive Officers, 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 judicial officers, 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**

### **Negative Impact if Two-Officer Assignments Are Not Continued**

If the requested CHP JPS officers for two-officer assignments are discontinued and pilot courts revert to single-officer staffing, the department can expect significant operational, financial, and safety impacts. Overtime usage would likely return to pre-pilot levels, increasing costs, while backfilling demands would rise substantially, diverting officers from high-need regions such as San Francisco and Los Angeles. Single-officer posts reduce the ability to provide proactive security, resulting in delayed responses to incidents and increased safety risks for court personnel, the public, and officers. Reduced staffing would also negatively affect officer morale and job satisfaction, limit training opportunities and scheduling flexibility, and diminish officers' familiarity with courthouse operations. Additionally, the loss of a second officer would degrade the level of service currently valued by Justices, Court Executive Officers, and court staff, ultimately weakening overall courthouse security effectiveness and operational efficiency.

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.

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. 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.

The two-officer assignment model has proven to be more efficient, safer, and cost-effective than single-officer staffing. The 3-year pilot program demonstrated clear accountability in the need for and use of the additional officer, resulting in reductions in overtime and backfilling, improved security presence and incident response, and better allocation of resources statewide. Courts experienced enhanced operational efficiency, increased officer safety and morale, and strong support from judicial leadership and staff. Overall, the two-officer model delivers operational savings while significantly strengthening courthouse security and service quality.

**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

**Approval**

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

Director Signature: *Amber Barnett*

Contact Name: **Deborah Collier-Tucker**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Trial Court Facility Modifications
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### Proposal Summary

The Judicial Council of California requests 6.0 positions and \$49.3 million General Fund in fiscal year (FY) 2027–28 through FY 2029–30, and \$47 million ongoing General Fund thereafter. The request includes \$45 million to address essential facility repairs and improvements across the trial court facilities, \$525,000 to support the Computer Added Facilities Management (CAFM) system, \$2.2 million one-time funding for three-years for water leak detection equipment and software in 160 courthouses statewide, and \$1.6 million in personnel services. This proposal will augment existing resources to address critical building deficiencies, repairs, ensure safe and secure courthouses for the public, court staff, and judicial officers, prevent costly damage, and maintain operational continuity. It also provides ongoing support for the CAFM system, the statewide platform used to manage repairs, maintenance, and operations across more than 400 courthouses 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	2027-28 (BY)	2028-29 (BY+1)	2029-30 (BY+2)	2030-31 (BY+3)	2031-32 (BY+4)
<b>Positions</b>	6.0	6.0	6.0	6.0	6.0
<b>Personal Services</b>	\$1,579,000	\$1,498,000	\$1,498,000	\$1,498,000	\$1,498,000
<b>Operating Expenses &amp; Equipment</b>	47,765,000	47,765,000	47,765,000	45,525,000	45,525,000
<b>Total</b>	\$49,344,000	\$49,263,000	\$49,263,000	\$47,023,000	\$47,023,000
One-time	2,240,000	2,240,000	2,240,000	0	0
Ongoing	47,104,000	47,023,000	47,023,000	47,023,000	47,023,000

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

### Problem or Issue

The current Facilities Modifications (FM) program budget of \$80 million annually is insufficient to meet these needs. Available resources are limited to the most critical building system lifecycle replacements or major renovations, such as heating, ventilation, and air conditioning (HVAC), vertical transportation, and electrical systems. Inflationary increases in construction labor and materials have further eroded purchasing power, forcing the FM program into a “run-to-failure” approach. This reactive model significantly increases the risk of noncompliance with regulatory requirements, costly emergency repairs, and even court closures caused by catastrophic system failures. From FY 2015–16 to FY 2023–24, the Judicial Council has seen the proportion of Priority 1 projects increase from approximately 20 percent to 40 percent of total projects. Priority 1 projects are defined as immediately or potentially critical.

To strengthen the FM program, this proposal requests 6.0 positions. Four Project Managers are needed to scope, plan, design, and oversee execution of FM projects. One Attorney II is needed to provide legal advice and counsel in support of Judicial Council facility modification projects including related procurements and disputes, contract administration, and building maintenance issues and disputes. The attorney will also perform legal research, draft opinions, and manage and direct work by outside legal counsel and experts. One Associate Analyst is needed to provide analytical support throughout all project phases. These positions are critical to expanding project capacity and ensuring timely delivery of essential system repairs and upgrades.

Water leaks are another serious facilities issue. Undetected leaks, often from clogged toilets or hidden plumbing failures, have led to courtroom shutdowns and severe damage to walls, floors, furniture, and equipment. Over the past five years, more than \$20 million has been spent on water-damage repairs, depleting limited FM resources. Annual costs associated with water damage are nearly equivalent to the state’s \$4.8 million water utility expense. Installing water leak detection systems in courthouses will allow hourly monitoring of water usage, automated alerts for leaks, and remote water shutoff at the building level during catastrophic events. This proactive approach will significantly reduce damage, repair costs, and operational disruptions.

Lastly, the CAFM system provides enterprise-grade security, real-time system availability, and continuous software updates. Beyond maintenance management, the CAFM system supports inspections, lifecycle costing, project tracking, real estate lease management, compliance with codes and environmental regulations, and reporting for court-funded projects. It is the central system for managing over 400 court facilities statewide and is essential to ensuring efficiency, accountability, and sound stewardship of state assets. Funding for the CAFM system has been provided for the past five years through funding set aside for this purpose in the Court Facilities Architectural Revolving Fund (CFARF) and will be exhausted in FY 25–26. Continued funding for this system is critical to sustaining courthouse operations, ensuring compliance with statutory requirements, and leveraging technology-driven efficiencies in facilities management statewide.

## Background/History of Problem

The FM program executes emergency, routine, and fire life safety and code compliance projects on building systems and performs building system renovations and other necessary work to ensure safe and secure buildings for the public, court staff, judicial officers, and justice partners. The Judicial Council Facilities Services program administers a statewide portfolio of over 400 trial court facilities, encompassing courthouses, jails, offices, parking structures, and lots. The FM program relies on the CAFM system to manage statewide courthouse operations. Delivered through a Software-as-a-Service (SaaS) model, CAFM consolidates work order management, inspections, lifecycle costing, project management, real estate lease tracking, and compliance monitoring in one platform.

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 and have experienced water leak issues at the facilities. 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 and facility water leaks 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 or 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. Installation of leak detection equipment and software at the building level will help mitigate leaking systems before they become costly and disruptive to court operations. Over the past five fiscal years, there has been a steady average of 8.5% of funding directed to Priority 1 Emergency FMs caused by water leaks.

From FY 2014–15 through FY 2021–22, the annual FM program budget was funded from the State Court Facilities Construction Fund (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. 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 will lead to significant disruption in court services, including the unavailability of courtrooms, postponement of hearings, and delay of various other public services, as essential repairs will prevent safe public access to court facilities. Without an augmentation to funding, the ongoing degradation of facilities will continue, as resources are diverted to the increasing number of Priority 1 Emergency FMs, rather than to proactive and preventative maintenance efforts.

The reserved funding for CAFM in the Court Facilities Architectural Fund is expected to be fully utilized by April 2026. Without dedicated funding for the CAFM system, funding would come from the already overburdened SCFCF. The result would be heightened risk of facility failures and hazards due to fewer facility modification projects, deferred maintenance, and disruptions to court operations, impacting access to justice.

### **Outcomes and Accountability of Proposal**

Ongoing funding for the FM program will enable the proactive completion of prioritized FM projects to prevent trial court facility building systems from deteriorating to the point of failure and mitigate costly water intrusion emergencies. The requested staffing of 6.0 positions will provide essential oversight for project execution, including the installation of water leak detection hardware, associated software, and automatic main building shutoff valve equipment in approximately 53 courthouses. This proactive approach will reduce emergency repairs, extend the lifecycle of building systems, and minimize the risk of courtroom closures.

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, 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

**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:** Sadie Price and Michelle Petrushka

## Judicial Branch 2027-28 Budget Change Concept

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Trial Courts Facilities Maintenance and Utilities
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### Proposal Summary

The Judicial Council of California requests 6.0 positions and \$23.8 million General Fund and \$5.7 million reimbursement authority from the Court Facilities Trust Fund, totaling \$29.5 million in fiscal year (FY) 2027–28, and \$22.7 million ongoing General Fund in FY 2028–29. This request will provide the necessary resources to operate and maintain trial court facilities in accordance with Judicial Council and industry standards and support the long-term sustainability of the state's existing portfolio. This request addresses industry escalation costs across operations and maintenance (O&M), utilities, insurance, and legal fees, as well as secures a new property lease to support ongoing court operations in the City of Bishop, California in Inyo 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 (0001) and Court Facilities Trust Fund (CFTF)

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027-28 (FY)	2028-29 (FY+1)	2029-30 (FY+2)	2030-31 (FY+3)	2031-32 (FY+4)
<b>Positions</b>	6.0	6.0	6.0	6.0	6.0
<b>Personal Services</b>	\$1,348,000	\$1,267,000	\$1,267,000	\$1,267,000	\$1,267,000
<b>Operating Expenses &amp; Equipment</b>	28,129,000	21,429,000	21,429,000	21,429,000	21,429,000
<b>Local Assistance</b>					
<b>Total</b>	\$29,477,000	\$22,696,000	\$22,696,000	\$22,696,000	\$22,696,000
One-time	6,700,000				
Ongoing	22,777,000	22,696,000	22,696,000	22,696,000	22,696,000

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

### Problem or Issue

The Judicial Council requires additional resources to maintain trial court facilities at industry standard levels. This funding is critical for O&M standards established by the Judicial Council that are best practices for the systematic and efficient upkeep of buildings, equipment, and facilities, and for insurance, utilities, leasing court space, and addressing legal and insurance claims as they arise. Without adequate resources Judicial Council cannot maintain safe, reliable, and efficient facilities or manage increasing legal, insurance and space related risks.

Judicial Council Facilities Services (FS) assessed the costs associated with a fully funded facilities program. The funding requirement is based on a methodology that aligns with the costs established through current maintenance contractual agreements. To complete the assessment, FS utilized pricing workbooks from the current service provider performing preventative maintenance (PM), three years of historical Cost-Plus workload data to establish an average benchmark, escalation factors from the California Construction Cost Index published by Department of General Services for operations and maintenance, and the California Public Utilities Commission (CPUC) index for utilities. When projected to 2027 levels, the analysis revealed a \$19.8 million funding gap for O&M and utilities across the state's trial courts. Additional resources are essential to close the shortfall and bring operations maintenance practices in line with the current standards.

Additional resources are also needed to address rising insurance premiums and legal services costs. The request for \$540,000 covers the insurance costs projection for both Judicial Council managed properties and county managed properties. An escalation rate of 20 percent for the total premium cost in FY 2027–28 for property insurance for four San Diego facilities, and earthquake insurance for one San Diego facility, is based on Risk Management's insurance market review and prior years expenditure analysis. The county managed increase is derived from the FY 2024–25 actuals incurred for the county managed insurance costs.

Legal costs fluctuate significantly and cannot be projected using a standard escalation rate due to the inconsistency of historical expenditures and the unknown future litigation costs to come. The Judicial Council experienced a surge in facilities-related claims in FY 2023–24 and a costly lawsuit in FY 2024–25. An ongoing increase of \$1.1 million is requested to establish a \$2 million legal budget allocation to address costly lawsuits and attorney fees.

The Judicial Council must secure a new leased location in the City of Bishop in Inyo County after the City unexpectedly communicated it would only grant a two-year lease renewal. The current space houses two courtrooms and supporting offices. A one-time request of \$6.7 million is needed to support lease-related costs that include \$5 million improvement costs and \$1.7 million to cover the rent from January 1, 2027, to December 31, 2028. The request is for one year as the Judicial Council will begin to realize lease savings late in FY 2028–29 due to the Spring Street relocation initiative to be completed by December 3, 2028. The Judicial Council requests to retain the funds from the Los Angeles Spring Street expired lease and redirect the funding to address the ongoing costs related to the new Bishop lease.

Resource pressures are further compounded by portfolio growth, aging infrastructure, demand for enhanced preventive maintenance, and staffing shortfalls. To address these challenges, the Judicial Council requires additional operational funding of \$1.3 million to support 4.0 Facility Management Administrators, 1.0 Engineering Specialist, and 1.0 Analyst. Without this support, facilities will continue to fall short of industry standards, increasing risks to building performance, safety, and long-term sustainability.

Item of Expenditure	Current Resources	Service Level Need for FY 2027-28	Funding Gap FY 2027-28
Operations and Maintenance	\$95,714,000	\$102,710,000	\$6,996,000
Utilities	\$89,486,000	\$102,279,000	\$12,793,000
Insurance - San Diego	\$2,700,000	\$3,240,000	\$540,000
Legal Cost	\$900,000	\$2,000,000	\$1,100,000
Rent (Bishop lease)	\$20,026,000	\$26,726,000	\$6,700,000
Personal Services	\$0	\$1,348,000	\$1,348,000
	<b>\$208,826,000</b>	<b>\$238,303,000</b>	<b>\$29,477,000</b>

### Background/History of Problem

The FS program requires stable funding to maintain safe, accessible, and fully functional court facilities statewide, which are essential for ensuring equal access to justice and complying with legislative requirements. Industry's best practices include regularly scheduled asset renewals and preventative maintenance to reduce unplanned emergency failures of building components. Without proactive management, emergency repairs and deferred maintenance become more costly and disruptive, and the program currently has no mechanism to address rising expenses outside the budget process.

Beginning in FY 2027–28 utility costs are expected to rise significantly based on CPUC-approved general rate cases for major California utilities and statewide water and wastewater hikes of 18 to 19 percent. Although Judicial Council has reduced consumption through water conservation and solar installations, these externally imposed increases will still elevate operating costs. Insurance premiums are likely to escalate due to construction inflation, and insurers' willingness to write policies in California.

Judicial Council must also secure a new lease for the Inyo County Court because the City of Bishop unexpectedly declined to extend the current lease agreement. A complete renovation is required due to limited local building inventory and lack of quality space. A renovation will necessitate the construction of new courtrooms, chambers, clerk's windows, and holding cells. The Judicial Council requests to retain the funds from the Los Angeles Spring Street lease so those funds can be redirected to the new City of Bishop tenant improvements and lease.

### Impact of Denial of Proposal

Additional funding for escalated costs to O&M, utilities, insurance, and unanticipated legal matters is needed to prevent budget shifts the deferral of renewals and preventative maintenance. This "run-to-failure" approach leads to higher repair costs, avoidable disruptions to court operations, and greater reliance on costly emergency measures such as temporary equipment rentals, fire watch, and off-hours

work. Denying the additional funds for a new Bishop lease would create an additional \$6.7 million dollar funding gap in FY 2027–28. Also, if the realized savings from the Los Angeles Spring Street are swept in FY 2028–29, the Judicial Council will see a growing funding gap in which the rent expenditures will exceed the rent allocation.

### **Outcomes and Accountability of Proposal**

Judicial Council facilities O&M program tracks preventative maintenance and emergency work orders to assess court facilities requirements. The additional staff requested will enhance quality assurance, field verification, and fiscal oversight. A fully funded PM program will reduce emergency repair costs, minimize court interruptions, increase planned and scheduled work, and prevent unnecessary damage or replacement of facilities equipment.

Approval of this request allows for the appropriate funding level to be applied to each component of the facilities program (preventive maintenance, utilities, insurance, and legal), resulting in improved access to justice, and enables the courts to apply general operating budgets to court staff as well as resources to support court services.

The Judicial Council has been lobbying with the City of Bishop for a two- or three-year extension with the City of Bishop to allow time to secure and renovate a new location by the beginning of 2028. The one-time funding request will cover necessary tenant improvement costs and rent until savings are realized from the Los Angeles Spring Street lease and can be redirected to the new lease in Bishop.

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 VI: Branch-wide 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:** Maria Atayde- Scholz

## Judicial Branch 2027-28 Budget Change Concept

<b>Requesting Entity</b>	Court Security Advisory Committee
<b>Proposal Title</b>	Trial Court Physical Security Assessment and Evaluation

### Proposal Summary

The Judicial Council of California requests 3.0 positions and \$2.7 million General Fund in fiscal year (FY) 2027–28 and \$684,000 in FY 2028–29 and ongoing 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 (0001)

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027-28 (FY)	2028-29 (FY+1)	2029-30 (FY+2)	2030-31 (FY+3)	2031-32 (FY+4)
<b>Positions</b>	3.0	3.0	3.0	3.0	3.0
<b>Personal Services</b>	\$725,000	\$684,000	\$684,000	\$684,000	\$684,000
<b>Operating Expenses &amp; Equipment</b>	2,000,000				
<b>Local Assistance</b>					
<b>Total</b>	\$2,725,000	684,000	684,000	684,000	684,000
One-time	2,000,000				
Ongoing	725,000	684,000	684,000	684,000	684,000

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

### Problem or Issue

Many California trial 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. These deficiencies create significant safety risks for the public, judicial officers, court staff, and justice partners.

Information about these deficiencies has been gathered from deferred security facilities modifications; court requests; and limited court security assessment conducted by the Judicial Council's Emergency Planning and Security Coordination Unit. However, this information remains incomplete and fragmented, leaving the Judicial Council without a comprehensive assessment of statewide security needs by category.

Currently, no dedicated funds are available for the evaluation and identification of physical security deficiencies. This request includes the one-time funding to retain consulting services to assist Judicial Council staff with the assessment of 200 court facilities and ongoing resources for the staff necessary to administer the assessments, create prioritization, and implement future projects. Data from the assessments will be analyzed and cost estimates will be used to determine the amount of a funding request to address the identified deficiencies. To address this gap, the Judicial Council requests \$2.0 million one-time funding to retain consulting services to conduct an in-depth security assessment at 200 court facilities beginning in FY 2027–28 with an estimated completion by FY 2029–30. The assessment will provide cost estimates and evaluations of physical security elements to identify deficiencies.

In addition, staffing levels are not adequate to manage and administer the assessment and projects, therefore, 3.0 positions are needed, 1.0 Manager, 1.0 Security Coordinator, and 1.0 Associate Analyst to develop a prioritization plan of the identified deficiencies, manage, administer, and monitor the evaluation process and ongoing analysis of the resulting data. These resources are critical to ensuring that deficiencies are systematically addressed, risks are mitigated, and future funding requests are based on comprehensive, data-driven analysis.

### **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). Key physical 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.

In a prior Budget Change Proposal (BCP), the Judicial Council received funding dedicated to electronic security systems, such as security video, electronic access control, duress alarm, and detention control systems. However, those resources are 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.

The lack of dedicated 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.

While no security program can anticipate or prevent every incident, physical barriers such as bollards, reinforced entryways, and other deterrents are proven measures to reduce threats and limit damage. The absence of such features has resulted in serious security breaches in California court facilities:

In 2007, a man drove his vehicle through the front doors of the Merced County Courthouse. With no bollards in place, he caused significant damage. A year later the same man burst into a packed courtroom wielding two knives and was fatally confronted by law enforcement.

In 2017, a woman drove her vehicle into the Sacramento Jail Courthouse, damaging the entrance and security screening equipment. Again, no protective barriers were present.

In 2022, at the Madera Courthouse, a truck was prevented from striking the building only because an existing concrete bench and stairs served as unintended barriers. The presence of physical security features averted damage or injury.

These incidents underscore the vulnerability of court facilities and the need for systematic evaluation and investment in physical security infrastructure.

### **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

**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:** Edward Ellestad

## Judicial Branch 2027-28 Budget Change Proposal Concept

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
<b>Proposal Title</b>	Orange Central Justice Center - Facility Modification
<b>Proposal Summary</b>	
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 and State Court Facilities Construction Fund reimbursement authority	

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$78,100,000				
<b>Local Assistance</b>					
<b>Total</b>	\$78,100,000				
One-time	\$78,100,000				
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 FYs 2021–22 and 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 fire and life safety (FLS) systems as required by the Office of the State Fire Marshal (OSFM).

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 CJC. This project has encountered delays due to an understated scope of work, unforeseen conditions within the area of improvement, and deteriorating 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 discovery and resolution, impacting both contractors and consultants involved.

As a result of the expanded scope, delay, and cost escalation, the estimated total project cost has risen from \$70.2 million to \$98.3 million. Per the Joint Occupancy Agreement (JOA) executed with the County of Orange, the Judicial Council's percentage share of this facility is 91.2 percent, and the Judicial Council's shared contribution to the project is now approximately \$263 million not including its accompanying reimbursement component of \$18 million.

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 CJC expands the existing FLS systems in response to emergency corrections required by the OSFM.

The CJC is in the city of Santa Ana and is the oldest and largest courthouse for the Superior Court of Orange County. This 591,500 square foot facility was constructed in 1968 and was county-owned until its title was transferred to the state in 2012. It houses 66 courtrooms for criminal, limited/unlimited civil, family law, small claims, probate/mental health, traffic, and appeals case types and provides various other public services such as jury assembly and self-help center services and elder/dependent adult restraining orders. Most of the adjudicated cases in the county are heard in this trial court facility, including nearly all felony trials and the bulk of civil matters. The superior court occupies approximately 91.2 percent of the space in this trial court facility, and the remaining area is occupied by county justice agencies.

The CJC is an 11-story high-rise building, with a basement (parking) and sub-basement. The building was initially provided with a partial sprinkler system that covered only the basement levels and a manual fire alarm and a manual mechanical smoke purge system for the entire building. Prior to the facility's transfer to the state, the county-initiated floor-by-floor renovations, which started at the 11<sup>th</sup> floor and worked downwards to upgrade the existing FLS systems. This work included the installation of a new fire sprinkler system and fire alarm equipped with an Emergency Voice Alarm Communication (EVAC) system on each floor, along with an upgraded smoke purge panel. The FLS systems upgrade began on the 11<sup>th</sup> floor, but the work stopped at the 4<sup>th</sup> floor, prior to the transfer of the facility to the Judicial Council in 2012.

Currently, floors 4–11 are equipped throughout with automatic fire sprinkler, fire alarm, and EVAC systems. Floors 1–3 do not have automatic sprinkler coverage, fire alarm, or an EVAC system. The basement level is fully sprinklered but requires modification as the original use has been converted. A manual smoke purge system along with automatic fan shutdown is provided for floors 4–11. The manual smoke purge system does not control the mechanical equipment located on floors 1–3.

The OSFM issued noncompliance notices to the Judicial Council in 2020 to correct the FLS-systems deficiencies. With initial funding received in FY 2021–22, the facility modification project construction began in 2023 and is projected to correct the deficiencies and bring the building back into compliance in 2027. This delay is due to the additional removal-and-replacement work caused by the excessive ACM, hidden conditions and failing infrastructure.

To date, the Judicial Council has received a total of \$64.1 million through one-time General Fund (GF) allocations: \$4 million in FY 2021–22 and \$60.1 million in FY 2022–23. To accommodate the increased project costs and fulfill its OSFM and contractual obligations, the Judicial Council is requesting \$71 million one-time GF in FY 2027–28 with an extended encumbrance or expenditure availability until June 30, 2029, and accompanying \$7.1 million State Court Facilities Construction Fund reimbursement authority.

### **Impact of Denial of Proposal**

Denial of this proposal would leave the facility modification project unfinished causing 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.

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 the 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: Branch-wide 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: Jagandep Singh**

## Judicial Branch 2027-28 Budget Concept

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Trial Court Deferred Maintenance
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### Proposal Summary

The Judicial Council of California requests 6.0 positions and \$116.6 million one-time General Fund, \$36.1 million one-time reimbursement authority from the State Court Facilities Construction Fund (SCFCF) for a total of \$152.7 million in fiscal year (FY) 2027–28, and \$18.7 million ongoing General Fund in FY 2028–29. Of this, \$101.4 million General Fund and \$32.5 million SCFCF, which is a total of \$133.9 million one-time funding, will address deferred maintenance backlogs for trial courts. In addition, \$11.7 million General Fund and \$3.6 million SCFCF will support energy efficiency-optimized lifecycle replacement deferred maintenance backlog work at five courthouses annually, for a total of \$76.4 million across five years. The proposal also includes \$2 million ongoing General Fund to conduct a review of Facilities Services Building Management System (BMS) guidelines and an initial assessment of 15 facilities as a pilot program to establish ongoing annual BMS program in existing facilities, and \$1.5 million for program support staffing.

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 (0001) and State Court Facilities Construction Fund (3037)

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027-28 (BY)	2028-29 (BY+1)	2029-30 (BY+2)	2030-31 (BY+3)	2031-32 (BY+4)
<b>Positions</b>	6.0	6.0	6.0	6.0	6.0
<b>Personal Services</b>	\$1,514,000	\$1,433,000	\$1,433,000	\$1,433,000	\$1,433,000
<b>Operating Expenses &amp; Equipment</b>	\$151,200,000	\$17,300,000	\$17,300,000	\$17,300,000	\$17,300,000
<b>Total</b>	\$152,714,000	\$18,733,000	\$18,733,000	\$18,733,000	\$18,733,000
<b>One-time</b>	\$149,200,000	\$15,300,000	\$15,300,000	\$15,300,000	\$15,300,000
<b>Ongoing</b>	\$3,514,000	\$3,433,000	\$3,433,000	\$3,433,000	\$3,433,000

\*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 22,396 deferred maintenance projects through FY 2026–27. These projects are estimated to cost \$5.4 billion, with the Judicial Council’s portion amounting to \$3.9 billion. Although past budgets appropriated one-time resources for deferred maintenance projects, the absence of ongoing funding has left the Judicial Council unable to effectively tackle the growing deferred maintenance backlog and plan for the necessary repairs to maintain the facilities in a condition that is safe and free of hazard for court staff and public.

This proposal requests ongoing funding for deferred maintenance to address the estimated \$3.9 billion funding needed to reduce the number of outstanding deferred maintenance projects. To effectively manage this effort, this request includes 6.0 positions to support the additional deferred maintenance projects. To manage these projects, (1) Manager and (3) Project Managers are needed to develop detailed project scopes for the execution of Deferred Maintenance (DM) projects and to administer the planning, design, and construction of repair and renewal projects. Additionally, an (1) Associate Analyst is needed to support the Project Managers with contract execution, invoice processing, budget analysis, database management, and prioritization of DMs., and a (1) 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 sufficient level of funding and an appropriate staffing level to complete deferred maintenance projects, allowing a more stable and efficient approach to maintaining California’s trial court facilities.

Additionally, funding is requested for deep energy retrofits to address deferred maintenance needs and improve building energy performance at five Judicial Council courthouses, which exhibited the most critical efficiency concerns in FY 2022–23. Unlike end-of-life system replacements, deep energy retrofits use a comprehensive approach that allows for greater improvements to building durability and energy use, as well as human health and comfort. The five proposed courthouses are slated to remain in the portfolio for another two decades and these retrofits are projected to collectively yield savings of \$1.3 million annually. Due to the magnitude of the Judicial Council deferred maintenance funding backlog (\$5.4B as of the Five-year Deferred Maintenance Report for Fiscal Year 2026–27) projects like these often go neglected for years, without adequate resourcing, until they become critical repairs (Priority 1 facility modifications).

The five courthouses, totaling 823,000 square feet are:

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

The financial and environmental benefits of the energy retrofits are estimated to be significant. When these projects were initially proposed, the average energy cost across the five facilities was \$4.40 per square foot. Subsequent improvements have already reduced the cost by 21 percent to \$3.52 per square foot,

saving about \$750,000 annually. With the planned retrofits, the average cost is projected to drop further to \$2.64 per square foot, yielding an estimated \$1.4 million in annual savings. Although these five courthouses represent only 3.9 percent of the tracked portfolio's total floor area, they account for nearly 10 percent of the Judicial Council's tracked carbon dioxide emissions. Investing in these retrofits will reduce operating expenses, lower carbon dioxide emissions, and establish a model for similar upgrades across the statewide court system.

This proposal also includes funding to update the BMS guidelines in the Facilities Standards, which is to be followed by the design builders for installing or upgrading the BMS systems in Judicial Council facilities. The guidelines need to be reviewed by a BMS technical expert to update the Judicial Council requirements and performance criteria. Judicial Council staff do not have technical expertise in this area, or 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 assess the functionality and value of these systems and revise the 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 15 facilities. Each subsequent annual fund will be used to assess 15 additional facilities. The funds to install or upgrade prioritized facilities will be included in subsequent Budget Change Proposals.

### **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 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 unsafe respiratory conditions; and
- Failed plumbing systems causing flooding incidents.

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

- In 2018–19, \$50 million was applied to facility assessments and projects replacing roofs, elevators, and wheelchair lifts and upgrading building automation systems (BAS).
- In 2019–20, \$15 million was applied to fire alarm systems and protection projects.
- In 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 BMS.

By leveraging these funds, Judicial Council Facilities Services was able to address some of the 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. The list of deferred maintenance projects has increased from 8,750 to 22,396 projects from FY 2018–19 through FY 2026–27. The total cost of these projects also increased from an estimated \$2.8 billion to \$5.4 billion, with the Judicial Council’s share of these costs increasing from \$2.4 billion to \$3.9 billion.

Energy system enhancement is a key area of maintenance often postponed due to lack of funding. As infrastructure ages, it requires more resources to function optimally. Efficient energy use is critical, especially with static operating funds and escalating energy costs. Retrofitting these systems promote energy efficiency, leading to long-term cost savings.

Judicial Council 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’s facilities has not been conducted 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 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. With the rising expenses of reactive repair and maintenance services and the escalating energy costs associated with equipment and building systems being beyond their useful life. The failure to perform the retrofits will not only impact public services but also pose risks to court staff working in inadequate facilities and could result in non-compliant carbon emission levels.

Denial of the ongoing \$2 million General Fund request for BMS, will result in outdated BMS guidelines used for the design of Judicial Council projects. It will not address the need for installation of new BMS systems in the existing facilities.

### **Outcomes and Accountability of Proposal**

An ongoing, systematic approach to address deferred maintenance enables Facilities Services to efficiently allocate resources and establish a consistent strategy to address the Judicial Council's estimated \$3.9 billion share of the backlog. Additional staff 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 TCFMAC on these costs.

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

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.

This funding request aligns with Senate Bill 1203 (Becker, 2022), which aims to achieve net-zero emissions by 2035. Upon approval, the Judicial Council will be able to initiate the architectural and engineering design of the energy retrofits of the five least energy-efficient buildings, thereby reducing costs and greenhouse gas emissions.

The BMS 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 a BMS installation or upgrade.

### **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: Branch-wide 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: Sadie Price

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
<b>Proposal Title</b>	Courts of Appeal Facility Modifications
<b>Proposal Summary</b>	
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 (0001)	

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027-28 (BY)	2028-29 (BY+1)	2029-30 (BY+2)	2030-31 (BY+3)	2031-32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$1,132,000	\$1,132,000	\$1,132,000	\$1,132,000	\$1,132,000
<b>Local Assistance</b>					
<b>Total</b>	\$1,132,000	\$1,132,000	\$1,132,000	\$1,132,000	\$1,132,000
One-time					
Ongoing	1,132,000	1,132,000	1,132,000	1,132,000	1,132,000

\*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 California Supreme Court and Courts of Appeal. However, these courts lack a dedicated funding source for urgent and emergency facility modifications. Currently, the Judicial Council doesn't have any funding source for facility modifications. A facility modification is a physical modification to a facility or its components that restores or improves the designed level of function of a facility or facility components.

Without additional resources, immediate or potentially critical, necessary, and needed, deficiencies jeopardize building safety, energy efficiency, and overall operational reliability. To restore facilities to industry level of function and protect public access to justice, the Judicial Council requests \$1.1 million in ongoing funding to address immediate or potentially critical, and necessary urgent and emergency infrastructure repairs and modifications within the Courts of Appeal portfolio.

### **Background/History of Problem**

The Judicial Council Facilities Services Program oversees the overall care and management of building assets within the judicial branch. 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 10 facilities of which three are Judicial Council owned and managed. The Courts of Appeal are currently funded at 2017 IFMA rates for maintenance and utilities only and there has been a significant price escalation since this funding level was established, they do not have specifically identified funding for emergency facility modifications and repairs for their buildings. The primary source for funding facilities work is the Courts of Appeal general operational budgets, which are strained with other competing program costs.

Without adequate funding to perform emergency facility modifications and repairs vital systems will fail, causing disruptions to the courts and limiting public access to justice.

### **Impact of Denial of Proposal**

If this proposal is not funded, the Supreme Court and the Courts of Appeal facilities will continue to deteriorate due to insufficient resources for urgent repairs. Critical building systems will remain at risk of failure, leading to more frequent emergencies, higher long-term repair costs, and potential safety hazards. In addition, the cost of addressing unplanned failures will place ongoing pressure on the Supreme Court and the Courts of Appeal operating budgets, diverting funds from core judicial services and undermining reliable public access to justice.

### **Outcomes and Accountability of Proposal**

An allocated source of funds for the Courts of Appeal urgent and emergency facilities modification and repairs in the Judicial Council portfolio allows for response to the degradation of the State's building assets. The Administrative Presiding Justices Advisory Committee provides ongoing oversight of the facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management.

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



**Contact Name: Laura Stark**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
<b>Proposal Title</b>	Courts of Appeal Maintenance and Utilities

### Proposal Summary

The Judicial Council of California requests \$955,000 General Fund in fiscal year (FY) 2027–28 and \$760,000 in FY 2028–29 and ongoing. This request includes \$760,000 ongoing to provide for the maintenance and utility needs of Court of Appeal (COA) facilities and \$195,000 one-time to conduct electrical power systems arc-flash studies at the COA facilities. This funding is critical to ensuring the continued safe and reliable operation of the Court of Appeal in support of the appellate courts' constitutional role as courts of review. Well-maintained infrastructure is essential to the effective administration of justice statewide. In addition, accurate Arc-flash labeling alerts electricians and building engineers to potential electrocution hazards and identifies required personal protective equipment to support safe maintenance and repair operations.

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: 0001

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$955,000	\$760,000	\$760,000	\$760,000	\$760,000
<b>Local Assistance</b>					
<b>Total</b>	\$955,000	\$760,000	\$760,000	\$760,000	\$760,000
One-time	195,000				
Ongoing	760,000	760,000	760,000	760,000	760,000

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

### **Problem or Issue**

The Judicial Council is responsible for ensuring safety for ensuring a safe environment for employees, contractors, and all users of the facilities it manages. At present, the Judicial Council lacks a program that provides electrical safety procedures for contracted employees who work in the vicinity of energized electrical systems.

Arc-flash, also known as arc-blast, is a sudden, explosive electrical discharge that occurs when a short circuit travels through the air. Moisture, dust, or other conductive particles can create a path for this discharge, placing nearby workers at serious risk. An arc-flash can vaporize metal, ignite fires, and cause deafness, severe burn injuries or death.

Arc-flash is recognized by the Occupational Safety and Health Administration (OSHA), the administrator and enforcer of the OSHA Act. California Electrical Code Section 110.16 requires that electrical equipment such as switchboards, panelboards, industrial control panels, meter socket enclosures, and motor control centers—when serviced while energized—be field-marked to warn qualified personnel of potential arc-flash hazards.

This proposal establishes a safety program to comply with California Electrical Code Section 110.16 that requires facilities electrical equipment – switchboards, panelboards, industrial control panels, meter socket enclosures, and motor control centers that require examination, adjustment, servicing, or maintenance while energized – to be field marked to warn trained persons of potential electric arc-flash hazards.

Without a dedicated safety program to implement these requirements, the Judicial Council remains out of compliance with both the California Electrical Code and the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act of 1970. The General Duty Clause mandates that employers provide a workplace free from recognized hazards likely to cause death or serious injury. Continued noncompliance exposes the Judicial Council to regulatory penalties, legal liability, and, most critically, the risk of serious injury or loss of life.<sup>1</sup>

### **Background/History of Problem**

The Judicial Council Facilities Services Program oversees the overall care and management of building assets across the judicial branch. Its' primary objective is to ensure safe, functional, and accessible facilities that support access to justice in California's trial courts, COA, and the Supreme Court.

The Courts of Appeal occupy ten facilities, three of which are owned and managed by the Judicial Council. Funding for maintenance and utilities is currently based on 2017 IFMA rates. Since that time, there has been significant escalation in costs, creating a growing gap between available resources and the funding required to maintain these facilities at industry-standard levels.

The National Fire Protection Association (NFPA) issued the first Standard for Electrical Safety in the Workplace (NFPA 70E) in 1979 to guide employers in creating workplaces free from avoidable electrical hazards. The OSHA requires compliance with NFPA 70E by mandating that employers establish an

<sup>1</sup> General Duty Clause, Section 5(a)(1) - Occupational Safety and Health Act of 1970

electrical safety program, identify and analyze electrical hazards, and communicate those hazards including the personal protective equipment (PPE) required through accurate equipment labeling.

The Judicial Council Facilities Service program providers, who perform routine and demand maintenance as well as repairs, are contractually obligated to follow all OSHA safety rules and regulations. To meet these requirements, contractors must know the exact level of electrical hazard present. Accurate labeling enables them to choose appropriate PPE. Without clear labeling, a contractor may refuse to service the equipment, wear excessive PPE that slows work and raises costs, or underuse PPE, exposing themselves to serious injury and placing the Judicial Council at risk of OSHA violations.

Assessing the hazards of equipment operating at 208 to 480 volts or higher requires a comprehensive engineered evaluation that combines short-circuit, coordination, and arc-flash analyses—collectively known as an arc-flash study. This study produces an arc-flash assessment, detailed electrical distribution system reports, and single-line diagrams identifying hazards throughout a building. Based on these findings, durable labels are affixed to electrical panels and other hazardous equipment to inform building engineers, electricians, and anyone entering an electrical room of the potential energy behind equipment covers, the PPE required before opening those covers, and the minimum safe approach distances for personnel and tools, regardless of the PPE worn.

Implementing this program provides the data and labeling necessary to safeguard workers, ensure compliance with OSHA and California Electrical Code requirements, and maintain safe conditions in all court facilities managed by the Judicial Council.

### **Impact of Denial of Proposal**

Denial of this proposal will result in further degradation of Court of Appeal facilities due to limited funding for repairs and continued impact to Court of Appeal operational budgets for ongoing maintenance costs. Additionally, denial will result in continued non-compliance with regulations and risk from electrical hazards that are likely to cause death or serious physical harm – from shock, burn, explosion or fire – to Judicial Council employees, contractors, other court employees and users of court facilities. The chance for occurrence of serious harm will continue to rise with time as electrical equipment ages and maintenance needs increase.

### **Outcomes and Accountability of Proposal**

An increase to the allocated source of funds for COA facilities in the Judicial Council portfolio allows for appropriate 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 facilities-related costs, inclusive of operations and maintenance, facility modifications, leases, and portfolio management.

The expected outcome is for every Judicial Council owned or maintained COA facility to be in full Electrical Safety in the Workplace compliance within five years of embarking on the proposed concept. The Judicial Council currently has a Quality Compliance program to review electrical service work to

ensure compliance with contracts. The Administrative Presiding Justices Advisory Committee provides ongoing oversight of the facilities-related costs.

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

## Judicial Branch 2027-28 Budget Change Concept

<b>Requesting Entity</b>	Administrative Presiding Justices Advisory Committee
<b>Proposal Title</b>	Courts of Appeal Deferred Maintenance
<b>Proposal Summary</b>	
The Judicial Council of California requests \$10.5 million one-time General Fund in fiscal year 2027–28 to address vital deferred maintenance needs at the Court of Appeal (COA) facilities. This one-time targeted investment protects state assets, avoids higher long-term costs from emergency repairs, and ensures COA buildings remain safe, reliable, and accessible to the public. This amount shall be available for encumbrance or expenditure until June 30, 2030.	
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 (0001)	

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027-28 (BY)	2028-29 (BY+1)	2029-30 (BY+2)	2030-31 (BY+3)	2031-32 (BY+4)
<b>Positions</b>					
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$10,483,000				
<b>Local Assistance</b>					
<b>Total</b>	\$10,483,000				
One-time	10,483,000				
Ongoing					

\*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; however, no designated funding exists for ongoing maintenance and operations. Audits of the three Judicial Council-owned and managed COA buildings identified 191 deferred maintenance projects with an estimated cost of \$26 million. Limited funding has prevented these projects from being addressed, forcing facilities into a run-to-failure mode that increases long-term costs, heightens the risk of emergency system failures, and jeopardizes court operations.

Facilities Services conducted audits on the three Judicial Council owned-managed COA facilities, revealing a backlog of 191 deferred maintenance projects backlog with an estimated \$26.0 million cost to repair or renew. The backlog includes critical building systems that fall short of industry standards for safety, security, energy efficiency, and reliability. Without targeted investment, deficiencies such as compromised roofing, outdated fire and life safety systems, failed elevators, and deteriorating HVAC and plumbing systems will continue to escalate, leading to costly emergency repairs and disruptions to court operations.

To address the most urgent needs and stabilize operations, this proposal requests \$10.5 million in one-time funding for priority deferred maintenance projects across the COA portfolio. The Judicial Council is unable to address this backlog effectively due to the current available resources, which are resulting in a run-to-failure mode for many building systems.

### **Background/History of Problem**

The Judicial Council's Facilities Services Program is responsible for managing the care and operation of judicial branch facilities to ensure safe, reliable, and accessible courthouses that support access to justice across California. The COA occupies ten facilities, three of which are Judicial Council owned and managed. Unlike the trial courts, however, the COA do not have a dedicated funding source for building maintenance or operations. Instead, facility costs must be drawn from already strained operating budgets, which limits the ability to address maintenance and system renewal needs.

Without adequate funding, preventative maintenance and critical repairs are routinely deferred, leaving essential building systems vulnerable to failure. roofs, fire and life safety systems, elevators, HVAC equipment, and plumbing infrastructure have already experienced serious deficiencies that pose risks to safety, reliability, and continued court operations. These issues not only create higher long-term costs due to emergency repairs but also jeopardize the ability of the COA to provide consistent public access to justice.

The absence of a stable dedicated funding source has allowed the backlog of deferred maintenance projects to grow, driving facilities into a run-to-failure mode. Targeted investment is needed to restore facilities to industry standards, preserve state assets, and ensure the uninterrupted operation of the appellate courts.

### **Impact of Denial of Proposal**

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

### **Outcomes and Accountability of Proposal**

A systematic approach to address deferred maintenance is essential for efficiently allocating resources and establishing a sustainable ongoing strategy to tackle the deferred maintenance backlog.

The Administrative Presiding Justices Advisory Committee provides ongoing oversight of the facilities-related costs.

The judicial branch is responsible for providing courthouses that are uniformly well-constructed and maintained buildings 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.

Additionally, this Budget Change Proposal also advances the diversity, equity, and inclusion priorities of the administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (the federal Americans with Disabilities Act, the California Building Code) that ensure full access by all individuals, regardless of their abilities.

The essence of the enabling legislation of the judicial branch's facilities program is equity across the state 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:** Nanci Connelly

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Superior Court Public Lactation Rooms (AB 1576)
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### Proposal Summary

The Judicial Council of California requests \$16.9 million General Fund in fiscal year (FY) 2027–28 and \$15.0 million General Fund in FY 2028–29 to construct 92 court user lactation spaces in superior court facilities. This request addresses the statutory requirement to provide public lactation rooms in Assembly Bill (AB) 1576 (Ch. 200, Stats. 2022), as amended by Senate Bill 133 (Ch. 34, Stats. 2023). This request includes provisional language to allow the Judicial Council to encumber and expend funds for three years, and to provide the necessary flexibility to manage construction schedules and payment obligations to successfully complete these projects.

Additionally, the Judicial Council requests provisional budget bill language to extend the statutory compliance deadline from July 1, 2026, to July 1, 2031, to align with available funding and ensure successful implementation across all affected court facilities.

Does this proposal require a statutory change? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does this proposal have an information technology component? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does this proposal require data collection or reporting? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Proposed fund source: General Fund (0001)

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Positions</b>	0.0	0.0	0.0	0.0	0.0
<b>Personal Services</b>					
<b>Operating Expenses &amp; Equipment</b>	\$16,900,000	\$15,000,000			
<b>Local Assistance</b>					
<b>Total</b>	\$16,900,000	\$15,000,000			
One-time	16,900,000	15,000,000			
Ongoing					

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

### **Problem or Issue**

The Judicial Council is working to provide court user lactation spaces statewide, in compliance with AB 1576. A total of 218 facilities have been identified as needing a lactation space for court users. To date, the Judicial Council has received \$20.4 million in funding to support 126 of these locations. An additional \$31.9 million is needed to complete the remaining 92 facilities. Many of these remaining facilities present significant challenges due to space constraints, aging infrastructure, and the need for accessibility upgrades, all of which contribute to increased cost and longer timelines for completion.

Without these additional resources, the Judicial Council will not meet the statutory requirements of AB 1576.

### **Background/History of Problem**

AB 1576 requires superior courts to provide private, clean, and safe lactation rooms for employees, attorneys, and members of the public. The original compliance deadline of July 1, 2024, was extended by SB 133 to July 1, 2026.

Government Code Section 69894, added by AB 1576, requires that:

- Public lactation rooms must be provided in courthouses that already have staff lactation rooms, consistent with Labor Code Section 1031.
- The rooms must be accessible to court users, shielded from view, free from intrusion, and may not be located in a restroom.
- Courts may use cost-effective solutions, including portable lactation rooms, and have some flexibility in meeting Labor Code subdivision (d) requirements if limited by operational, financial, or space constraints.

As of September 30, 2025, the Judicial Council has received \$20.4 million in funding to construct court-user lactation space and has completed 53 projects. The Judicial Council has 49 additional projects in varying stages of design or construction, and 24 projects are in the planning stage. An additional \$31.9 million in funding is requested to complete the remaining 92 facilities. This progress reflects the Judicial Council's continued efforts to meet the statutory deadline of July 1, 2026.

### **Impact of Denial of Proposal**

Denial of the requested funds will negatively impact the Judicial Council's ability to comply with AB 1576 and subsequent amendment requirements. Further, denial of this proposal impedes upon the Judicial Council's goal to provide fair and equal access to justice for all Californians, including those who require the use of lactation facilities.

### **Outcomes and Accountability of Proposal**

In compliance with Government Code §69894.2, the Judicial Council is required to submit an annual report to the Legislature detailing the Judicial Council's progress in providing lactation rooms for court users. The reporting requirement took effect on January 1, 2025, and reports are required until all courts are in compliance or until all previously allocated funds have been spent.

### **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 IV: Quality of Justice and Service to the Public

Goal VI: Branch wide Infrastructure for Service Excellence

Supports the California Legislature's public health lactation goals on establishing breastfeeding norms and providing civic spaces for nursing mothers.

### **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:** Robert Carlson

**Judicial Branch**  
**2027-28 Budget Change Concept**

<b>Requesting Entity</b>	Trial Court Facility Modification Advisory Committee
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<b>Proposal Title</b>	Los Angeles Spring Street Courthouse - Courtrooms Relocation
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**Proposal Summary**

The Judicial Council of California requests \$4.6 million in one-time General Fund in fiscal year (FY) 2027–28 to relocate 17 courtrooms and associated operations from the Spring Street Courthouse in Los Angeles County to other existing courthouses within the county. This funding request is necessary due to the federal government's planned divestment of the Spring Street building, which the Superior Court of Los Angeles County is leasing in the Civic Center area of downtown Los Angeles. The amount of this request is dependent upon funds being appropriated in the Budget Act of 2026 (FY 2026–27). Currently, \$4.6 million is included in the Governor's proposed budget for FY 2026–27.

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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Operating Expenses &amp; Equipment</b>	\$4,574,000				
<b>Total</b>	\$4,574,000				
One-time	\$4,574,000				
Ongoing					

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

### Problem or Issue

The Judicial Council was notified by the U.S. General Services Administration (GSA) that the federal government is divesting from the building currently housing the Spring Street Courthouse in downtown Los Angeles. The Superior Court of Los Angeles County's lease for this facility expires on December 31, 2028, and will not be extended. This request is therefore necessary to relocate 17 of the courthouse's 24 courtrooms and associated operations to other existing courthouses within the county. Six additional courtrooms require relocation to the Chatsworth Courthouse, which is a separate project whose first two phases (Preliminary Plans and Working Drawings) are included for funding in the Governor's proposed budget for FY 2026–27 and construction phase is proposed in a 2027–28 Capital Outlay Budget Change Concept.

The Judicial Council is contractually obligated to relocate the superior court's courtrooms and operations from the Spring Street Courthouse prior to the end of the lease. However, the Judicial Council does not have sufficient financial resources to complete a relocation project of this scale, given the large number of courtrooms and operations involved, as well as the limited resources of the statewide facility modification program.

The superior court faces a significant challenge in relocating from the Spring Street Courthouse. Currently, there are 17 court departments with assigned caseloads that require relocation. Given the large number of judicial officers and caseload, the reassignment must be made to 17 existing courtrooms across six court districts and nine different existing courthouses as shown in the table below.

Court District	Existing Courtrooms	Existing Courthouse	Estimated Cost <sup>1, 2</sup>	Plan for Space Needs
Northwest	17	Van Nuys West	\$4,574,000	Existing courtrooms may require buildouts of new jury boxes or workstations; and/or installation of new audiovisual components or systems, and furniture, fixtures, and equipment (FF&E).
North Central		Burbank		
West		Santa Monica		
South Central		Compton		
Southeast		Downey Norwalk Whittier		
Central		East Los Angeles Metropolitan		

Table Footnotes:

1. Costs reflect an occupied building requiring night/weekend work only.
2. Costs include court department moving expenses and judicial officer/staff relocation.

To accommodate the superior court's relocation of courtrooms, the Judicial Council requests \$4.6 million in FY 2027–28 to complete the facility modifications. To ensure all courtrooms are ready to accommodate all existing judicial officers with assigned caseload by December 2028, it is essential funds are encumbered in FY 2027–28 to maintain a schedule that assumes approximately one year for design and bid/award and one year for construction/move-in.

As these superior courthouses will remain indefinitely in the Judicial Council's portfolio, investing in these facilities helps further the longevity of these assets, ensuring safety and access to justice to Los Angeles County court users. All courthouses listed in the table above will only receive courtroom improvements necessary to expedite their ability to accommodate the relocation rather than more costly code and standards upgrades for permanent, long-term space solutions for the relocated judicial officers.

### **Background/History of Problem**

The Superior Court of Los Angeles County is one of the primary tenants of the federally owned building at 312 North Spring Street in the civic center area of downtown Los Angeles. Other building tenants include the U.S. Attorney, U.S. Small Business Administration, National Labor Relations Board, and GSA field office. The court's lease is for a portion of the building's space, which is approximately 202,000 square feet, to operate a 24-courtroom, civil courthouse, known as the Spring Street Courthouse. This courthouse's courtrooms hear a variety of civil case types organized by complex litigation, personal injury, independent calendar, limited civil, and civil trials.

The Superior Court of Los Angeles County is divided into 12 districts (Central, East, West, North, North Central, North Valley, Northeast, Northwest, South, South Central, Southeast, and Southwest) with full-service operations in all litigation types, except for juvenile dependency, probate, and mental health in each district. Administrative functions and certain civil case types are centralized and headquartered in the Central District in the civic center of downtown Los Angeles, and optional venue filing rules place a disproportionate amount of the family, civil, and criminal case load in the Central District. Caseload originating within each district is assigned to one or more courthouses in the district, except as just noted. Each district should have the capacity to address the caseload that originates in that district (but allowing for the extra burdens placed on the Central District for certain cases countywide).

### **Impact of Denial of Proposal**

Timely access to justice for all Californians is a judicial branch priority. Without relocating the court departments and judicial officers currently serving at the Spring Street Courthouse to adequate courtrooms within existing superior courthouses, court users will need to wait longer to have their civil case assigned to a judicial officer, to receive a judgment, or to have their matter resolved.

### **Outcomes and Accountability of Proposal**

Upon approval of this budget proposal, Judicial Council Facilities Services will be able to fund facility modifications to accommodate the Spring Street Courthouse court departments and judicial officers in 17 existing courtrooms across nine existing courthouses. These 17 existing court departments will be accommodated to maintain service to the public from six superior court districts. The proposed facility modification projects will produce reliable, safe, and improved courtrooms that ensure the public's timely access to justice.

Each facility modification project will be held accountable by the Trial Court Facility Modification Advisory Committee and will follow the established policy and procedures for approval and commitment of funds. The Judicial Council provides annual reports to the Legislature on the expenses related to the facility modification program.

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: Branch-wide 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:** Sadie Price

## Judicial Branch 2027-28 Budget Change Concept

Requesting Entity	Court Facilities Advisory Committee
Proposal Title	Capital Outlay Project Reassessment and Program Support

### Proposal Summary

The Judicial Council of California requests four (4.0) permanent positions and \$14 million General Fund in fiscal year (FY) 2027–28 and \$4.9 million ongoing beginning in FY 2028–29 to provide court facilities planning services and oversight for facility modifications and capital projects.

Does this proposal require a statutory change? Yes  No

Does this proposal have an information technology component? Yes  No

Does this proposal require data collection or reporting? Yes  No

Proposed fund source: General Fund

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (FY)	2028–9 (FY+1)	2029–30 (FY+2)	2030–31 (FY+3)	2031–32 (FY+4)
<b>Positions</b>	4.0	4.0	4.0	4.0	4.0
<b>Personal Services</b>	1,062,000	1,007,000	1,007,000	1,007,000	1,007,000
<b>Operating Expenses &amp; Equipment</b>	12,900,000	3,900,000	3,900,000	3,900,000	3,900,000
<b>Total</b>	<b>\$13,962,000</b>	<b>\$4,907,000</b>	<b>\$4,907,000</b>	<b>\$4,907,000</b>	<b>\$4,907,000</b>
One-time	9,000,000	0	0	0	0
Ongoing	4,962,000	4,907,000	4,907,000	4,907,000	4,907,000

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

### Problem or Issue

The Judicial Council lacks sufficient resources 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.

Key areas of need include program management consultants, and the implementation of a web-based project management tool for capital projects. Additional funding is also needed for providing staffing to oversee the facilities program and prioritize capital projects.

The proposal includes one-time funding of \$9 million to initiate a comprehensive reassessment of capital projects, with completion targeted for 2029. This reassessment will incorporate facility condition assessments (FCAs) to determine the capital reserves required for infrastructure lifecycle repair and

replacement needs over the ten-year lifecycle. The resulting FCA projections become the basis for the Facility Condition Index, an integral and critical component of the capital project scoring methodology.

To support these efforts, the proposal establishes four (4.0) permanent positions dedicated to providing appropriate facilities program support: 1.0 Senior Project Manager, 1.0 Project Manager, 1.0 Senior Facilities Analyst, and 1.0 Attorney II. These positions will provide essential support and expertise in managing capital projects and ensuring compliance with environmental and safety regulations. The attorney will provide legal advice and counsel in support of courthouse capital construction projects including construction-related contract procurement, contract administration, contract close-out, warranty enforcement, disputes, claims, and litigation. The attorney will also perform legal research, draft opinions, and manage and direct work by outside legal counsel and experts.

### **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 critical infrastructure needs. Since 2002, 32 trial court capital outlay projects have been completed: 28 new courthouses and four major renovations of existing buildings. Another six capital projects are projected to be completed by the end of 2026. Of the state's 58 trial courts, 32 would benefit from these completed projects.

In 2019, a reassessment of all unfunded projects was required by Government Code section 70371.9, producing the council's *Statewide List of Trial Court Capital-Outlay Projects*. This list of 80 projects impacts 41 trial courts and approximately 165 facilities that represent more than one-third of the judicial branch's real estate portfolio. Since this list was developed in 2019, only 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 of which are over 50 years old. Ongoing facility modifications are critical to meet modern operational requirements, including technology for hybrid and remote access to justice. Larger and more complex capital renewal projects are also necessary to maintain infrastructure and support court operations. The usefulness of the existing portfolio requires more inspection and study to develop comprehensive budget packages that fully describe and anticipate the project scope, cost, and schedule.

To effectively manage and prioritize these projects, the Judicial 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 fully funded and completed project 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. 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 court facilities planning, facility modifications, and capital project programs, supporting the completion of planning studies, adding a consultant for program management services, implementing a web-based project management tool, adding staff needed to provide oversight and coordination of various aspects of the facilities program, and preparing for another reassessment of capital projects.

The Court Facilities Advisory Committee provides ongoing oversight of capital projects in the Judicial Council's five-year infrastructure plan and courthouse construction program.

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**

Court Facilities Advisory Committee  
Trial Court Budget Advisory Committee

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

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal II: Independence and Accountability  
Goal IV: Quality of Justice and Service to the Public  
Goal VI: Branch-wide 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: Jagan Singh**

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Court Facilities Advisory Committee
<b>Proposal Title</b>	Capital Outlay Funding: Fiscal Year 2027–28 through 2031–32

### Proposal Summary

The Judicial Council of California requests \$27 million General Fund and \$1.4 billion Public Buildings Construction Fund totaling \$1.5 billion one-time funding in fiscal year (FY) 2027–28 for eight capital outlay projects, including four new and four continuing projects. A total request of \$4.2 billion is proposed over five years of initial and/or continuing phases for 21 capital outlay projects. This request is estimated based on the projects in the Judicial Council's latest plan for capital outlay but adjusted on the assumption that the funding for the three project phases supported in the Governor's proposed budget for FY 2026–27 will be included in the Budget Act of 2026. Page 4 presents the draft projects table titled *Draft Five-Year Plan for Trial Court Capital-Outlay Projects*. The Court Facilities Advisory Committee (CFAC) will review any updates to the projects table in March 2026 and review a complete draft *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2027–28* in May 2026 for recommendation to the Judicial Council in July 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 and Public Buildings Construction Fund

### Estimated Cost (Enter whole dollars rounded to thousands) \*

Fiscal Year	2027–28 (FY)	2028–29 (FY+1)	2029–30 (FY+2)	2030–31 (FY+3)	2031–32 (FY+4)
<b>Capital Outlay</b>	1,464,842	866,417	321,753	353,913	1,214,981
<b>Total</b>	\$1,464,842	\$866,417	\$321,753	\$353,913	\$1,214,981
One-time	1,464,842	866,417	321,753	353,913	1,214,981
Ongoing					

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

### Problem or Issue

The Judicial Council courthouse construction program funding request is based on the projects outlined in the council's latest plan for capital outlay. However, it is adjusted under the assumption that the funding for the three project phases supported in the Governor's proposed budget for FY 2026–27 will be included in the Budget Act of 2026. The capital outlay plan will be updated once the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2027–28* has been approved by the CFAC and the Judicial Council. The five-year infrastructure plan is updated annually for Judicial Council adoption.

This plan represents the funding priority for projects in the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects* and five-year infrastructure plans for trial and appellate court facilities. Primary drivers of court facility needs include providing safe and secure facilities, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding the public's physical, remote, and equal access to the courts. For smaller projects in the range of 1–4 courtrooms, the CFAC aims to reduce their cost per courtroom and lessen their risk from being skipped over for funding by the Governor for larger projects with more economical costs per courtroom.

### Background/History of Problem

In 2002, the responsibility of California's courthouses funding and operation shifted from the counties to the state under the Trial Court Facilities Act (Sen. Bill 1732, Stats. 2002, Ch. 1082). With this shift, the Judicial Council began to address the shortage of space, antiquated facilities, and inadequate infrastructure that threaten the ability of the justice system to accommodate the needs of residents and businesses. Addressing the state's aging and deficient court buildings requires substantial long-term funding to renovate, replace, and create new court facilities. Since 2002, 32 trial court capital outlay projects have been completed: 28 new courthouses and four major renovations of existing buildings. Another six capital projects are projected to be completed by the end of 2026. Of the state's 58 trial courts, 32 would benefit from these completed projects.

The need to renovate or replace trial court facilities statewide is reflected in the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects*. This list contains 80 projects affecting 41 trial courts and approximately 165 facilities, which represent more than one-third of the facilities in the judicial branch's real estate portfolio. (The other 17 trial courts had operational needs that translated into noncapital projects, such as facility modifications addressed under a separate program.) Government Code section 70371.9 required the Judicial Council to conduct a reassessment of all trial court capital outlay projects that had not been fully funded up to and through the Budget Act of 2018 (FY 2018–19). Through this reassessment and with trial court input, this list was produced. Since this list was developed in 2019, 12 of the 80 projects have received initial funding and are underway.

### **Impact of Denial of Proposal**

Delay in capital outlay funding postpones advancement of the Judicial Council's five-year infrastructure plan and the funding of capital projects from the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects*. Funding delays inhibit the Judicial Council's ability to replace or renovate a significant portion of the facilities in the judicial branch's real estate portfolio. This causes trial courts to continue to operate from facilities with deficiencies that hinder service to the public.

### **Outcomes and Accountability of Proposal**

The CFAC provides ongoing oversight of the Judicial Council's five-year infrastructure plan and courthouse construction program. If the funding for the three project phases in the Governor's proposed budget for FY 2026–27 is included in the Budget Act of 2026 (FY 2026–27), then the courthouse construction program would advance as follows: The New San Luis Obispo Courthouse would be funded for design-build and fully funded, removing it from the five-year plan, and the New Nevada City and New Quincy courthouses would advance to develop performance criteria. Each fully funded and completed project expands the public's physical, remote, and equal access to the courts.

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**

Court Facilities Advisory Committee  
Trial Court Budget Advisory Committee

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

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

**January 2026 Court Facilities Advisory Committee Action**  
**DRAFT Five-Year Plan for Trial Court Capital-Outlay Projects<sup>1</sup>**  
(Dollars in Thousands)

				1	2	3		4		5	
	County	Project Name	Courtrooms	FY 2027–28	FY 2028–29	FY 2029–30		FY 2030–31		FY 2031–32	
BY 1 Continuation	Nevada	New Nevada City Courthouse	6	\$ 195,583	B						
	Solano	New Solano Hall of Justice (Fairfield)	12	\$ 316,779	B						
	Fresno	New Fresno Courthouse	36	\$ 925,288	B						
	Los Angeles	New Santa Clarita Courthouse	24	\$ 12,460	D	\$ 627,033	B				
	Lake	Clearlake Courthouse Renovation	1	\$ 1,107	P	\$ 1,605	W	\$ 21,845	C		
	San Joaquin	New Tracy Courthouse	2	\$ 3,503	D	\$ 65,854	B				
	Kern	New East County Courthouse	3	\$ 4,765	AS			\$ 1,643	D	\$ 64,014	B
	Placer	Tahoe Courthouse Renovation	1	\$ 5,357	AS			\$ 1,082	D	\$ 17,540	B
	Plumas	New Quincy Courthouse	2			\$ 69,598	B				
	Contra Costa	New Richmond Courthouse	6			\$ 19,846	AS			\$ 2,580	D
BY 2 Starts	San Francisco	New San Francisco Hall of Justice	24			\$ 67,230	AS			\$ 14,972	D
	Orange	New Orange County Collaborative Courthouse	4			\$ 15,251	AS			\$ 1,595	D
	Santa Barbara	New Santa Barbara Criminal Courthouse	8					\$ 11,528	D	\$ 235,614	B
	Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	100					\$ 276,479	AS		\$ 49,148
	El Dorado	New Placerville Courthouse	6					\$ 9,176	AS		\$ 2,973
	Fresno	Fresno Juvenile Delinquency Courthouse Renovation	2							\$ 1,333	PW
	Inyo	New Inyo County Courthouse	2							\$ 4,125	AS
	San Bernardino	New Victorville Courthouse	31							\$ 12,140	AS
	Mariposa	New Mariposa Courthouse	2								\$ 3,570
	Santa Cruz	New Santa Cruz Courthouse	9								\$ 11,801
BY 3 Starts	San Diego	New San Diego Juvenile Courthouse	10								\$ 16,481
		<b>Totals</b>	<b>291</b>	<b>\$ 1,464,842</b>		<b>\$ 866,417</b>		<b>\$ 321,753</b>		<b>\$ 353,913</b>	
BY 4 Starts											
BY 5 Starts											

**Table Footnote:**

1. Estimated project phase costs do not include construction cost escalation from May 2025 to April 2026. Costs will be updated in the final version of the five-year plan.

**Table Legend:**

BY = Budget Year; S = Study; A = Acquisition; P = Preliminary Plans; W = Working Drawings; C = Construction; D = Performance Criteria; B = Design-Build

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Court Facilities Advisory Committee
<b>Proposal Title</b>	Los Angeles Spring Street Courthouse - Chatsworth Buildout

### Proposal Summary

The Judicial Council of California requests \$34.8 million one-time General Fund in fiscal year (FY) 2027–28 for the Construction phase of the buildup of six courtrooms, support space, and upgraded holding facilities at the Chatsworth Courthouse for relocating six courtrooms and associated operations from the Spring Street Courthouse in the County of Los Angeles. A total request of \$41.1 million for the total cost of the project is proposed over two fiscal years, based on \$6.3 million for the project's first two phases (Preliminary Plans and Working Drawings) included in the Governor's proposed budget for FY 2026–27. The total project cost of \$41.1 million would be requested in FY 2027–28 if funding for Preliminary Plans and Working Drawings is not included in the Budget Act of 2026 (FY 2026–27). This funding request is necessary due to the of federal government's planned divestment of the Spring Street building, which the Superior Court of Los Angeles County is leasing in the Civic Center area of downtown Los Angeles.

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	2027–28 (BY)	2028–29 (BY+1)	2029–30 (BY+2)	2030–31 (BY+3)	2031–32 (BY+4)
<b>Capital Outlay</b>	34,847,000				
<b>Total</b>	\$34,847,000				
<b>One-time</b>	34,847,000				
<b>Ongoing</b>					

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

### Problem or Issue

The Judicial Council was informed by the U.S. General Services Administration (GSA) that the federal government is divesting from the building that is currently housing the Spring Street Courthouse in downtown Los Angeles and that the lease for the superior court, which expires on December 31, 2028, will not be extended. This request is necessary to build out and relocate six of the existing 24 courtrooms and operations to the Chatsworth Courthouse. Of the remaining 18 existing courtrooms, only 17 courtrooms require relocation across six court districts in nine existing courthouses, which is a separate project included for funding in the Governor's proposed budget for FY 2026–27.

The Judicial Council is obligated to ensure continued equal access to justice by relocating the superior court's courtrooms and operations from the Spring Street Courthouse prior to the end of the lease expiration. However, this obligation is challenged by significant financial constraints. The facility's large number of courtrooms and the scale of its operations require substantial resources, which exceed the current funds of the statewide facility modification program.

To ensure the buildout of six courtrooms is ready to accommodate all six existing judicial officers with assigned caseload by December 2028, it is essential \$34.8 million in construction funds are encumbered in FY 2027–28 to maintain a schedule that assumes approximately one year for design and bid/award and one year for construction/move-in.

The superior court faces a significant challenge in moving from the Spring Street Courthouse, as there are six court departments with assigned civil caseload that require relocation. In addition, upgrading the existing Chatsworth Courthouse holding facilities addresses the current deficiency that disallows criminal case matters originating in the superior court's North Valley District from being heard in the Chatsworth Courthouse. These matters are currently heard outside the district at the Clara Shortridge Foltz Criminal Justice Center (located in the Central District). The Chatsworth Courthouse will remain indefinitely in the Judicial Council's portfolio to provide public service, investing in this facility helps further the longevity of these assets, ensuring safety and access to justice.

### Background/History of Problem

The Superior Court of Los Angeles County is one of the primary tenants of the federally owned building at 312 North Spring Street in the civic center area of downtown Los Angeles. Other building tenants include the U.S. Attorney, U.S. Small Business Administration, National Labor Relations Board, and GSA field office. The court's lease is for a portion of the building's space, which is approximately 202,000 square feet, to operate a 24-courtroom civil courthouse, known as the Spring Street Courthouse. This courthouse's courtrooms hear a variety of civil case types organized by complex litigation, personal injury, independent calendar, limited civil, and civil trials.

The Superior Court of Los Angeles County is divided into 12 districts (Central, East, West, North, North Central, North Valley, Northeast, Northwest, South, South Central, Southeast, and Southwest) with full-service operations in all litigation types, except for juvenile dependency, probate, and mental health in each district. Administrative functions and certain civil case types are centralized and headquartered in the Central District in the civic center of downtown Los Angeles, and optional venue filing rules place a

disproportionate amount of the family, civil, and criminal case load in the Central District. Caseload originating within each district is assigned to one or more courthouses in the district, except as just noted. Each district should have the capacity to address the caseload that originates in that district (but allowing for the extra burdens placed on the Central District for certain cases countywide).

### **Impact of Denial of Proposal**

Timely access to justice for all Californians is a judicial branch priority. Without relocating the court departments and judicial officers currently serving at the Spring Street Courthouse to adequate courtrooms within existing superior courthouses, court users will need to wait longer to have their civil case assigned to a judicial officer, to receive a judgment, or to have their matter resolved.

### **Outcomes and Accountability of Proposal**

Upon approval of this budget proposal, Judicial Council Facilities Services will be able to fund this buildout to accommodate the Spring Street Courthouse court departments and judicial officers in six existing courtrooms within the Chatsworth Courthouse. These six existing court departments will be accommodated to maintain service to the public within the court's North Valley District. The outcome of this proposed capital outlay project will be reliable, safe, and improved courtrooms, support space, and upgraded holding facilities that ensure the efficient utilization of the judicial resources for the public's access to timely justice. The proposal ensures a fiscally responsibly approach that minimizes adverse impacts on the court's program and operations, while leveraging an existing courthouse building to accommodate judicial officers and support staff.

This capital outlay project will be accountable through the Court Facilities Advisory Committee and will follow the established policy and procedures for approval and commitment of funds. The Judicial Council provides reporting to the Legislature on the expenses related to the capital outlay program.

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**

Court Executives 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

**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:** Jagan Singh

## Judicial Branch 2027–28 Budget Change Concept

<b>Requesting Entity</b>	Court Facilities Advisory Committee
<b>Proposal Title</b>	Statewide: Budget Packages and Advanced Planning
<b>Proposal Summary</b> The Judicial Council of California requests \$500,000 ongoing General Fund in fiscal year (FY) 2027–28 for statewide planning and studies. The proposed funding will allow the completion of planning studies and budget packages for capital outlay projects. The planning studies will inform and validate scope, schedule, and budget for projects by developing budget packages, assessing the number of courtrooms needed, and supporting preliminary site searches.	
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	2027–28 (FY)	2028–29 (FY+1)	2029–30 (FY+2)	2030–31 (FY+3)	2031–32 (FY+4)
<b>Capital Outlay</b>	500,000	500,000	500,000	500,000	500,000
<b>Total</b>	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
One-time					
Ongoing	500,000	500,000	500,000	500,000	500,000

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

### Problem or Issue

The Judicial Council does not have a dedicated funding source for planning studies. As court operations and services continue to evolve, planning studies are an important resource for evaluating how these changes affect project scopes, schedules, and budgets. A court may need to consolidate operations from multiple locations, provide new services such as public lactation facilities, or accommodate space for future new judgeships and support staff. Planning studies are also important for identifying preliminary site search areas, including test fits of possible site sizes to determine whether the estimated building footprint and parking needs can function within the site's boundaries.

When developing a Capital Outlay Budget Change Proposal (COBCP), the Judicial Council uses court construction cost data from completed projects to determine the budget for future projects. However, each project is different and depending on the unique set of circumstances may require analysis of potential site locations, utility improvements, swing space, and the effect on other facilities court operations and service to the public.

### Background/History of Problem

The number of studies the Judicial Council has been able to perform has been limited, funded by the courts themselves or through the state budget process. Not every court can afford a planning study. The requested ongoing funding is based on analysis of the actual cost of the completed studies and the experience and knowledge of council staff. Examples of in-progress/recently completed planning studies include:

1. *New Orange County Collaborative Courthouse Feasibility Study* (in progress/referenced during the September 25, 2025, Court Facilities Advisory Committee (CFAC) meeting).
2. *Los Angeles Superior Court Long-Range Planning Study*, which is available at [courts.ca.gov/system/files/file/los-angeles-planning-study.pdf](https://courts.ca.gov/system/files/file/los-angeles-planning-study.pdf).
3. *New San Francisco Hall of Justice Feasibility Study*, which is available at [courts.ca.gov/system/files/file/cfac-20240625-materials.pdf](https://courts.ca.gov/system/files/file/cfac-20240625-materials.pdf) (under Tab 03B of the June 25, 2024, CFAC meeting materials).
4. *New Nevada City Courthouse Planning Study*, which is available at [courts.ca.gov/system/files/file/facilities\\_nevada\\_planning\\_study.pdf](https://courts.ca.gov/system/files/file/facilities_nevada_planning_study.pdf).
5. *Court of Appeal, Sixth Appellate District: New Courthouse Feasibility Study*, which is available at [courts.ca.gov/system/files/file/cfac-20220617-materials.pdf](https://courts.ca.gov/system/files/file/cfac-20220617-materials.pdf) (under Tab 03A of the June 17, 2022, CFAC meeting materials).
6. *Placer Tahoe Courthouse Study* at Tahoe Justice Complex, which is available at [courts.ca.gov/system/files/file/cfac-20230322-materials.pdf](https://courts.ca.gov/system/files/file/cfac-20230322-materials.pdf) (under Tab 03B of the March 22, 2023, CFAC meeting materials).

### **Impact of Denial of Proposal**

Denial of this proposal would result in only trial and appellate courts that can afford studies benefiting their COBCPs and budget packages. Also, certain projects could become more costly without comparison of different project options, preparation of detailed space programs, and testing of site feasibility or without planning for space for new judgeships and support staff in new or existing buildings.

### **Outcomes and Accountability of Proposal**

Upon approval of this budget proposal, Judicial Council Facilities Services will be able to do the following:

1. Improve how a capital outlay project's scope, schedule, and budget are defined to assist COBCP preparation.
2. Compare different project options such as new construction or renovation.
3. Develop detailed space programs.
4. Evaluate the feasibility of phased construction and swing space options.
5. Test proposed sizes of new buildings to inform site acquisition acreage requests.
6. Plan for accommodating space for new judgeships and support staff in new or existing buildings (comparing costs of construction to long-term leases), which may also affect projects within the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects* and the *Judicial Branch Five-Year Infrastructure Plan*.
7. Plan for project scope changes (e.g., from new construction to renovation) as directed by the CFAC.

Candidate study projects would be selected based on complexity, such as complex construction due to urban settings, swing space evaluation, determination of utility availability, and phased construction. There are many complex capital projects in the council's statewide list and five-year plan.

Planning studies and budget packages for capital outlay projects are accountable through the CFAC and will follow the established policy and procedures for approval and commitment of funds. The Judicial Council makes such budget packages and studies available to the Legislature.

Primary drivers of court facility need include providing a safe and secure facility, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding the public's physical, remote, and equal access to the courts. This funding request also advances the diversity, equity, and inclusion priorities of the Administration by ensuring that residents from every California county have access to buildings that are designed, built, and maintained according to standards (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**

Court Facilities Advisory Committee  
Trial Court Budget Advisory Committee

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

Goal I: Access, Fairness, Diversity, and Inclusion  
Goal 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:** Jagan Singh