



JUDICIAL COUNCIL OF CALIFORNIA

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July 28, 2016

Hon. Lorena Gonzalez, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Subject: SB 917 (Jackson), as amended June 23, 2016 – Fiscal Impact Statement
Hearing: Assembly Appropriations Committee – August 3, 2016

Dear Assembly Member Gonzalez:

SB 917, should it be signed into law, would require family law courts to provide a written, detailed, official order setting forth the basic terms of any order made in open court at any hearing held under the Family Code within two court days to any party who was present at the hearing. The bill states that the order may be provided electronically, and that, after such an order is provided, the court may still require parties or attorneys to provide more detailed orders after hearings. The bill also requires Judicial Council to adopt a rule of court and prepare any forms necessary for implementation of SB 917 by July 1, 2017. Below is the estimated fiscal impact for SB 917.

Should SB 917 be signed into law, many of California's medium and large family law courts estimate they would need to hire one or more family law clerks *for each family law courtroom* in order to comply with subsection (a). Even if funding was available, it would be impossible for

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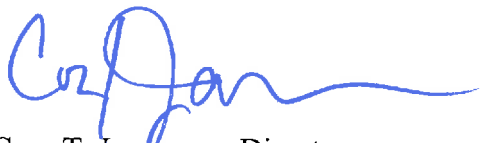
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courts to be in compliance on January 1, 2017, the date the bill would become effective if signed into law, because of the need to hire new appropriate qualified staff. Moreover, absent new funding, there is no way for the courts to hire the necessary staff because trial court budgets for the current fiscal year have already been approved and funded, precluding the availability of money available for the significant new staff required to implement the bill. Calculations from 14 of California's largest trial courts estimate that a minimum of \$19 million in ongoing annual costs would be required to staff courtrooms with additional clerks, judicial assistants, and administrative staff. An additional \$500,000 (minimum) would be required in one-time funds for computer stations, networking capacity, and other infrastructure (such as desks, chairs, etc.) to provide workspace for these additional courtroom staff members. These one-time costs do not include, nor do we have an estimate on the costs, for updating case management systems. This is a potentially significant cost considering that nearly 30 of California's courts are currently in the process of updating their case management systems, and the provisions of SB 917 may not have been included in work orders. Changing the work orders could result in even higher implementation costs should SB 917 become law.

Based on current filings and utilizing the workload-based allocation and funding methodology (WAFM) to calculate the dollars needed for court operations, California's 58 trial courts are currently under-resourced by an estimated \$400 million annually. Even if the timing to implement SB 917 could be worked out, the courts would need the significant infusion of funds described above to comply with the provisions of SB 917 in order to avoid impacting existing court operations, services and priorities, and, more importantly, to avoid severely limiting the number of family law litigants who could be served each day. Without additional funding, if courts are required to comply with the provisions of SB 917, the funds would have to come from existing court operations, leaving court users in other case types, including civil, small claims, unlawful detainer, probate, conservatorships, guardianships, mental health, and others, without access to justice.

Please note that this fiscal analysis is not intended to serve as or represent a Judicial Council position on SB 917. Please contact Andi Liebenbaum in my office if you have questions about the information contained in this analysis at andi.liebenbaum@jud.ca.gov and 916-323-3121.

Sincerely,



Cory T. Jasperson, Director
Governmental Affairs

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cc: Members, Assembly Appropriations Committee

Hon. Hannah-Beth Jackson, Member of the Senate

Mr. Pedro Reyes, Chief Consultant, Assembly Appropriations Committee

Mr. Allan Cooper, Fiscal Consultant, Assembly Republican Fiscal Office

Ms. Leora Gershenzon, Deputy Chief Counsel, Assembly Judiciary Committee

Mr. Paul Dress, Consultant, Assembly Republican Office of Policy

Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Emma Jungwirth, Budget Analyst, Department of Finance

Mr. Martin Hoshino, Administrative Director, Judicial Council of California