



JUDICIAL COUNCIL
OF CALIFORNIA

ADMINISTRATIVE OFFICE
OF THE COURTS

Trial Court Budget Advisory Committee

Wednesday, August 14, 10:00 a.m. to 3:00 p.m.

JCC Board Room, San Francisco

Time	Item	Presenter
10:00 – 10:30 a.m.	Welcome/Opening Remarks Agenda & Overall Goals Public Comments Action Item #1: Approve 7/9/13 Meeting Minutes (p. 3 - 7)	Hon. Laurie Earl, Co-Chair, Presiding Judge of the Sacramento Superior Court Mr. Zlatko Theodorovic, Co-Chair, Director, AOC Fiscal Services Office
10:30 – 11:05 a.m.	Action Item #2: Funding Methodology Subcommittee -- Update & WAFM Adjustment Process (p. 8 - 10)	Judge Earl, Zlatko Theodorovic, and Jake Chatters, Executive Officer of the Placer Superior Court
11:05 – 12:05 p.m.	Action Item #3: FY 2013–2014 IMF and TCTF Program 30 Allocations (p. 11 - 97)	Hon. Rob Trentacosta, Co-Chair Revenue and Expenditure Subcommittee, Presiding Judge of the San Diego Superior Court Ms. Sherri R. Carter, Co-Chair Revenue and Expenditure Subcommittee, Executive Officer of the Riverside Superior Court
12:05 – 12:15 p.m.	Trial Court Trust Fund Program 45.10 Expenditure Authority (p. 98 - 99)	Steven Chang, AOC Fiscal Services Office
12:15 – 12:25 p.m.	Action Item #4: IMF Delegation of Authority Guidelines for the Administrative Director of the Courts (p. 100 - 101)	Steven Chang
12:25 – 1:10 p.m.	Lunch Break	
1:10 – 1:35 p.m.	Action Item #5: Court-Appointed Dependency Counsel: Amendments to Collections Program Guidelines (p. 102 - 129)	Hon. Mary Ann O'Malley, Judge of the Contra Costa Superior Court
1:35 – 2:15 p.m.	Action Item #6: Fresno CMS Allocation Request (p. 130 - 183)	Hon. James Herman, Judge of the Santa Barbara Superior Court Hon. Gary Hoff, Presiding Judge, Superior Court of California, County of Fresno Ms. Sheran Morton, Court Executive Officer Ms. Patty Wallace-Rixman, Assistant Court Executive Officer Mr. Brian Cotta, Director of Technology



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Time	Item	Presenter
2:15 – 2:50 p.m.	Action Item #7: Budget Change Proposals (p. 184 - 263)	Judge Earl & Zlatko Theodorovic
2:50 – 3:00 p.m.	Wrap-Up	Judge Earl & Zlatko Theodorovic

**Trial Court Budget Advisory Committee
AOC San Francisco Office – Judicial Council Boardroom
July 9, 2013 Meeting
Minutes**

A total of 32 of 34 advisory committee members were in attendance (absent: Jody Patel and Curt Child).

Action Item 1 – Allocation of Criminal Justice Realignment Act Funding

The Trial Court Budget Advisory Committee (TCBAC) by unanimous vote approved the four recommendations of the Revocation Subcommittee of the former Trial Court Budget Working Group and Option 1 presented by staff of the Administrative Office of the Courts (AOC), as follows:

1. Allocate \$5,183 to the Superior Court of Mariposa County for the four petitions for revocation filed in FY 2012–2013 based on the FY 2012–2013 methodology (\$1,296 per petition) from the \$150,000 held in reserve from the FY 2012–2013 realignment funding. The remaining \$144,817 will continue to be held in reserve to address costs that exceed a court’s FY 2013–2014 allocation. Unlike in FY 2012–2013, none of the \$9.223 million will be held in reserve from the FY 2013–2014 allocation.
2. Courts should retain any unspent FY 2012–2013 realignment funding.
3. Allocate initially one-half of the \$9.223 million in ongoing realignment funding to the trial courts in July 2013 based on the allocation methodology used in FY 2012–2013 (see column F, Table 1A) After the first quarter of FY 2013–2014 realignment data collected from the courts as required by Penal Code section 13155 has been received and analyzed, a new methodology will be developed and proposed for allocation of the funding.
4. AOC staff will survey courts to obtain their FY 2013–2014 expenditures on both parole and post release community supervision related to criminal justice realignment. This information, in conjunction with the workload data that courts are collecting, will be used to determine if additional funding beyond the \$9.223 million is needed to address these costs. If funding is required, the information will be presented to the Department of Finance in support of a request for augmentation. During this same period, staff will develop the capability for courts to report the expenditure data in Phoenix.

Option 1 -- Allocate \$7,776 or \$1,296 per petition to the Superior Court of Trinity County from the \$150,000 reserve. The court submitted FY 2012–2013 realignment statistics after the

subcommittee met and made its recommendations. The court's information indicates that 6 petitions to revoke post release community supervision were filed in FY 2012–2013.

Action Item 2 – Allocations for Various Trial Court Costs Reimbursed from the Trial Court Trust Fund (Program 45.10 Expenditure Authority)

The TCBAC took the actions indicated below in the specific program areas for FY 2013–2014. All votes were unanimous except for the vote on the audits item, which had one no vote.

Court-Appointed Dependency Counsel

Approve maintenance of the \$103.725 million annual allocation for court-appointed counsel in juvenile dependency proceedings, the same base level provided in fiscal year (FY) 2011–2012.

Jury

Approve maintenance of the \$16.0 million annual allocation for eligible juror costs, the same base level provided in FY 2012–2013.

Self-Help Centers

Approve maintenance of the \$2.5 million annual allocation for self-help centers, the same base level provided in FY 2012–2013.

Replacement Screening Stations

Approve \$2.286 million allocation for the trial court weapons screening replacement program. This is the base level provided in all years since the program was funded in FY 2006–2007 through a Budget Change Proposal, except for FY 2012–2013, when it was reduced to \$1.0 million.

Elder/Dependent Adult Abuse

Approve maintenance of the \$332,000 allocation for the elder/dependent adult abuse program, the same level provided in FY 2012–2013.

Audits

Approve the allocation of \$325,000 from the Trial Court Trust Fund (TCTF) to the Bureau of State Audits for the costs of trial court audits incurred by the California State Auditor pursuant to Section 19210 of the Public Contract Code.

Action Item 3A – Allocation of \$261 million Ongoing Reduction

The TCBAC approved, by a unanimous vote, the allocation to the courts of the \$261 million in ongoing reductions as provided in Table 3A, column 11. The methodology for the reductions was approved by the Judicial Council at its April 26, 2013 meeting.

Action Item 3B – Workload-Based Allocation and Funding Model (WAFM) Cost of Labor Adjustment

The TCBAC approved, by a unanimous vote, an amended cost of labor methodology as part of WAFM that includes the following elements:

- Establish the unadjusted base per Resource Assessment Study (RAS) Full-Time Equivalent (FTE) value to apply to each position estimated in the model** – Using FY 12/13 Trial Court 7A data, calculate the average salary of a position in the trial courts. This was a two step process. 1) Calculate the average salary in each trial court by dividing total salary costs on the 7A by total positions (excluding positions not included in the workload model and excluding the CEO’s salary) then 2) Averaging the values of all 58 courts. This resulted in a single unadjusted base to use per calculated FTE for the workload model. **This figure is not meant to establish an average salary for individual trial court employees.** Although a single state average is used to calculate need, this does not presume nor imply a single salary statewide. Because the average includes all RAS related employees – clerks, custodians, mediators, investigators, court reporters, management, etc – and because not every court uses employees for these functions (for example, a small court does not have sufficient workload to have a full-time employee) it is simply an estimation tool and should not be used to evaluate individual salaries.

Additionally, because the average 1) is an average of all positions within a court that is then 2) averaged between all courts, it provides only a baseline factor that can be used in conjunction with the BLS adjustment factor (below) to project total salary needs. An average of averages is used because the same methodology is used to calculate the Bureau of Labor Statistics (BLS) salary adjustment factor outlined below.

- Compute Unadjusted Base Total** – A total unadjusted base for each court is computed by multiplying the projected number of FTE for each court (less one FTE for the CEO) by the unadjusted base per FTE calculated above.
- Add Court Executive Salary based on the cluster average** – Previously the CEO actual salary was added into the salary need after adjustment. In the amended method the CEO salary will be added to the unadjusted salary total using the cluster average CEO salary.
- Adjust the unadjusted base for local cost of labor using BLS Category 92**

 - The BLS identifies multiple industry categories. The work group is recommending the use of Bureau of Labor Statistics (BLS) Quarterly Census of Employment and Wages (QCEW) for “Public Administration 92”, which included the closest match to trial court

salaries¹. The BLS series reports an average salary for this set of government entities for each county. The average includes **all classifications**. An average of the BLS county averages is calculated. A ratio for each county is then calculated by dividing the BLS series average for a specific county by the state BLS average. The ratio indicates what each county's average is relative to the state average.

County's Category 92 Average Salary
---divided by--
Statewide Category 92 Average Salary
=County's "New" Salary Adjustment Factor

- **Review government employment mix when determining the use of BLS Category 92** – Category 92 can be limited to local government or can include both state and local government employment. The original application of the BLS in the WAFM compared court salaries to local government salaries. Some courts, however, were concerned that their local cost of labor was driven more by state government employee salaries rather than local government employee salaries. To address this issue, the subcommittee is recommending that:

For courts where the government workforce is less than 50% state employees – the Category 92 – Local Government will be used.

For courts where the government workforce is more than 50% state employees – the Category 92 – State and Local Government will be used.

In both cases, government workforce is determined using data available from BLS.

Table 1C shows how the BLS adjustment was calculated for each court.

- **Determine Total Pre-Benefits Workload Allocation Need** –The total unadjusted base for each county is then multiplied by the BLS Salary Adjustment Factor to project a total adjusted base need amount for each trial court.

Action Item 3C – WAFM Computation

The TCBAC unanimously approved the WAFM computation of each court's share of total funding need based on workload captured by the RAS, as displayed in Table 3E, columns Q, Q1, S, and S1.

¹ Bureau of Labor Statistics Cost of Labor adjustment based on Quarterly Census of Wages & Employment, 2011. Salaries of Local or State Government are used for comparison based on Public Administration (North American Industrial Classification System (NAICS), 92)

Action Item 3D – Computation and Allocation of Adjustments to Base Funding

The TCBAC approved, with one no vote, Option 1 as displayed in Table 3G, which excludes cluster 1 courts from the reallocation of \$60 million in base funding. \$60 million in base funding is reduced from all other courts in proportion to their current historical funding share and then \$60 million is allocated to the same courts in proportion to their WAFM share.

Action Item 4 – Allocation of 2 Percent Reserve in the Trial Court Trust Fund

The TCBAC approved unanimously the use of the same methodology for the calculation of the 2 percent reserve allocation of the TCTF as used in FY 2012–2013, with an adjustment to column A6 of Table 4A that uses the April 13, 2013 computation for the \$261 million reduction, as approved in action item 3A.

These action items will be incorporated as TCBAC recommendations into an allocations report for the July 25, 2013 Judicial Council meeting.

Workload Allocation Funding Model (WAFM) Adjustment Request Process

1. Purpose and Definition of the WAFM Adjustment Request Process:

The primary purpose of the WAFM Adjustment Request Process is to provide trial courts the opportunity to identify factors that they believe the Workload Allocation Funding Model (WAFM) does not yet address and to assist in the evolution and refinement of WAFM in order to insure the continued improvement in equity of trial court funding and equal access to justice throughout California.

WAFM is based on the measurement of workload in the trial courts. However, while WAFM accounts for most of the workload of the trial courts, it may not account for all, and there may be factors which are not yet accounted for in WAFM but are essential to the fundamental operation of a trial court. The WAFM Adjustment Request Process is intended to provide trial courts the opportunity to identify those factors not yet accounted for in WAFM and request ongoing adjustments to WAFM funding need.

The WAFM Adjustment Request Process is not intended to address one time emergency circumstances nor supplement funding for urgent needs which is the exclusive domain of the Government Code section 68502.5 set-aside and reallocation process for the 2% reserve taken from the Trial Court Trust Fund. The WAFM Adjustment Request Process is also not intended to address shortfalls in court security funding that is allocated directly from the State to each County.

Additionally, inadequacy of funding, cost of labor issues, and/or a trial court's local decision to provide specialized services for discrete court populations will not constitute sufficient factors to warrant adjustment.

2. WAFM Adjustment Request Procedures:

- a. This process provides an opportunity for trial courts to identify factors not yet accounted for in WAFM but essential to the fundamental operation of a trial court(s) and request ongoing adjustment to funding need determined under WAFM.
- b. The submission, review and approval process shall be under the direction of the Judicial Council.
 - i. Initial requests shall be submitted to the Administrative Director of the Courts either by the trial court's Presiding Judge or CEO. The Administrative Director of the

- Courts shall forward the request to the AOC Director of the Fiscal Services Office and the Chair(s) of the Trial Court Budget Advisory Committee (TCBAC). The AOC Director of Fiscal Services in consultation with the Chair(s) of the TCBAC shall review each request, obtain additional information from the trial court as needed and prepare a preliminary report to the TCBAC and the requesting court. (The timeline for submission and consideration of requests is set forth in section v, below.)
- ii. The TCBAC, through the Funding Methodology sub-committee, shall review all requests and present its recommendations to the TCBAC which, in turn, shall present its recommendations to the Judicial Council.
 - iii. The review of WAFM Adjustment Requests shall include a three-step process including initial review to determine whether the factor identified in a court's request should form the basis of a potential modification to WAFM, a second step to evaluate whether and how the modification should occur, and a third step to evaluate whether, for those circumstances where it is determined that the factor should ultimately be included in the underlying Resource Assessment Study model (RAS), an interim adjustment should be made to a trial court's WAFM funding need pending a more formal adjustment to the RAS model.
 - iv. Upon approval by the Judicial Council of an adjustment to WAFM, the Director of the Fiscal Services Office, in consultation with the TCBAC, shall notify all trial courts to allow the opportunity to demonstrate eligibility for similar adjustment (note: in some circumstances, the nature of the adjustment will automatically apply to all courts. Notification will still occur, but demonstration of eligibility may not be necessary).
 - v. The timeline for application and review of WAFM Adjustment Requests shall be as follows: Trial court requests shall be submitted no later than October 15 of each year, commencing October 15, 2013. The Department of Fiscal Services shall review the requests and submit a preliminary report to the Funding Methodology Subcommittee no later than January 15. The Funding Methodology Subcommittee shall review any requests and submit a recommendation(s) to the TCBAC no later than March 15. The TCBAC shall make final recommendations to the Judicial Council for consideration at the April Judicial Council meeting. Any requested adjustments that are approved by the Judicial Council shall be included in the July and/or August allocation.
- c. Adjustments to WAFM will impact the funding need for each trial court that is subject to the adjustment, along with the overall statewide funding need. Therefore final allocations will be implemented consistent with the WAFM allocation implementation plan as approved by the Judicial Council or as amended in the future. (Note: Because funding need is currently greater than available funding and because only a portion of Trial Court Funding is currently allocated under the WAFM, allocated funding will not equal, and

may be substantially less than, the funding need identified for the adjustment being made. Just as the allocated funding is substantially less than the entire WAFM funding need.)

REQUIRED INFORMATION TO SUPPORT REQUEST

Trial courts requesting adjustment in accordance with the WAFM Adjustment Request Process shall be required to submit detailed information documenting the need for such adjustment. The Director of Fiscal Services shall develop an application form that solicits the following information:

1. A description of how the factor is not currently accounted for in WAFM.
2. Identification and description of the basis for which adjustment is requested.
3. A detailed analysis of why the adjustment is necessary.
4. A description of whether the unaccounted for factor is unique to the applicant court(s) or has broader application.
5. Detailed description of staffing need(s) and/or costs required to support the unaccounted for factor. *Employee compensation must be based on WAFM compensation levels, not the requesting court's actual cost.
6. Description of the consequence to the public and access to justice without the funding.
7. Description of the consequences to the requesting court(s) of not receiving the funding.
8. Any additional information requested by the Fiscal Services Office, Funding Methodology sub-committee or TCBAC deemed necessary to fully evaluate the request.

2013–2014 Allocation for Projects and Programs from the State Trial Court Improvement and Modernization Fund and Trial Court Trust Fund (Programs 30.05 and 30.15)

(The meeting materials include a description and the purpose of each project/program and an explanation and/or justification for any proposed increase or decrease from the 2012–2013 allocation level.)

Issue

With enactment of the state budget, FY 2013–2014 funding allocations for those projects and programs supported by the State Trial Court Improvement and Modernization Fund (STCIMF) and the Trial Court Trust Fund (TCTF) Programs 30.05 and 30.15 still need to be approved by the Judicial Council, which is scheduled to meet on August 23, 2013. The council will consider the recommendations of the Trial Court Budget Advisory Committee (TCBAC). This report provides the recommendations of the Revenue and Expenditure Subcommittee (subcommittee) to the TCBAC.

Background

As part of its meeting materials and also provided in the materials for the TCBAC meeting on August 14, 2013, the subcommittee considered 2013–2014 allocation levels for various projects/programs recommended by AOC staff, including several new allocations. AOC staff proposed a total allocation of \$77.5 million from the STCIMF and \$23.4 million from the TCTF (Programs 30.05 and 30.15). Thirteen members of the TCBAC, seven judges and six court executive officers, volunteered to serve on the subcommittee. The subcommittee convened on August 1, 2013, with presentations provided by applicable offices of the AOC on project and program narratives, discussion on the impacts of funding options, and additional information was provided to subcommittee members as requested. Based on this review, recommendations regarding allocations were developed.

Subcommittee Recommendations

STCIMF

Recommendation 1

Approve proposed program and project allocations totaling \$58,352,669 (refer to column 4, row 82 of the “Proposed 2013–14 STCIMF Allocations” chart). All recommendations were approved unanimously or with one or two no votes, except for the Treasury program. Four members opposed increased funding of \$14,000 for the Treasury Services – Cash Management program (refer to column 4, row 54 of the chart). As part of this recommendation, the subcommittee is recommending the following:

- Approve allocation levels as proposed by AOC staff, except where the subcommittee is recommending a partial or full reduction.

- Reduce or deny \$1,198,876 in allocations proposed by AOC staff (refer to column 6, row 82 of the chart) as follows:
 - Reduce the proposed funding level by \$34,000 for the EAP for Bench Officers program due to historically low service utilization rates, and cancel the contract with the current service vendor and change from blanket service coverage to per-call base service (refer to column 6, row 58 of chart).
 - Deny the new funding request of \$1.16 million for the Courts Linked by Information and Knowledge (CLIK) project due to the non-urgency of the system re-write and/or replacement and the system is mainly available and used by the AOC staff (refer to column 6, row 75 chart).
- Reduce the STCIMF allocation for the Domestic Violence – Family Law Interpreter Program by \$1.73 million, and instead use \$1.73 million of the TCTF Program 45.45 appropriation to pay for costs related to the program (refer to column 5, row 5 of the chart). The Program 45.45 expenditure authority may be used to pay for interpretation costs related to civil cases. However, there is a question about the extent to which current state statute allows courts, in various types of civil proceedings, to incur costs in lieu of civil litigants without reimbursement. An ad hoc group appointed by the Chief Justice is looking into this and other matters related to court interpreter funding.

Recommendation 2

The subcommittee did not believe it had sufficient information, including historical and detailed cost information, to make a recommendation on whether to support the proposed allocation increase for one program and a new allocation for a project, and so refers the following funding requests to the TCBAC for full committee review and action (refer to column 7, row 82 chart):

- \$15,608,480 total request, which is a \$6.9 million increase above the 2012–2013 allocation level, for Telecommunications Support (refer to column 7, row 64 of the chart).
- \$609,000 total request for the Orange Superior Court Telecommunications Network Upgrade Project (refer to column 7, row 76 of the chart). This would be a new allocation.

The subcommittee has requested AOC staff to provide the TCBAC additional information on information technology expenses.

Recommendation 3

Have the subcommittee review the court-by-court allocation for the Complex Civil Litigation Program and possibly develop a recommendation for changing the allocation methodology starting in FY 2014–2015 to the TCBAC (refer to column 4, row 45 of the chart). As part of

recommendation 1, the subcommittee is recommending that the 2013–2014 allocation be maintained at the 2012–2013 level of \$4.001 million using the current allocation methodology.

TCTF

All recommendations were approved unanimously or with one or two no votes.

Recommendation 1

Approve all the Program 30.05 and 30.15 allocations, totaling \$14,656,217, as proposed by AOC staff (refer to column 8, row 18 of the “Proposed 2013–2014 TCTF Allocations” chart).

Recommendation 2

Have the subcommittee review the future allocations for the Civil, Small Claim, Probate and Mental Health (V3) Case Management System and Criminal and Traffic (V2) Case Management System and possibly recommend a new methodology for allocating monies for trial court technology programs and projects in general and case management systems in particular (refer to column 8, rows 11 and 12 of the chart).

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JUDICIAL AND COURT OPERATIONS SERVICES DIVISION

Office of Security

Trial Court Security Grants

Proposed 2013–2014 Allocation – \$1,200,000; no change from 2012–2013

Description

In FY 2013–2014 the Office of Security will utilize existing statewide master agreements for the purchase, installation and maintenance of duress alarm, video surveillance, and access systems, as well as other security enhancement projects at Trial Court Facilities.

Trial Court Security Grants are determined in part as the result of security assessments conducted by Office of Security staff. A number of courts are currently scheduled for security enhancements as a result of assessments conducted in FY 2012–2013, but deferred to FY 2013–2014 due to a lack of funds in last year’s budget.

The list below does not represent all projects to be completed in FY 2013–2014. The unallocated amounts listed on the last two lines of the chart are for projects pending cost estimates and an amount held in reserve to address emergencies.

COUNTY	FACILITY	PROJECT	ESTIMATED COST
AOC	CCTV/Access (Siemens)	Time & materials service calls	150,000.00
AOC	Duress alarm systems (StopTech)	Service agreements	30,000.00
AOC	COOP, Emergency Training (Bold Planning)	Maintenance and training	100,000.00
Unallocated	System upgrades and replacements	Projects pending cost estimates	670,000.00
Unallocated		emergency reserve	250,000.00
		Total	1,200,000.00

Purpose

Video Surveillance (CCTV) and Access Systems – A one year warranty is included in the cost of installation of new CCTV and access systems. In prior years, extended service agreements averaging between \$300 and \$400k annually were purchased. As a cost saving measure, service agreements were not purchased beginning in FY 2011–2012, and service calls have been addressed on a time and materials basis. This practice will continue in FY 2013–2014 and \$150k has been estimated based on expenditures in FY 2012–2013.

Duress Alarm Systems – A two year warranty is included in the cost of installation for new duress alarm systems. Over 130 systems have been installed with Trial Court Security Grant funds. Approximately \$30k has been estimated for the renewal of extended service agreements in FY 2013–2014.

Emergency Plans – The contract with Bold Planning Solutions includes an annual system maintenance fee of \$78k to maintain the web based tool used by the courts for their various emergency plans. In addition, funds are used to provide training to court staff in the completion and maintenance of their plans. An anticipated amount of \$22k has been allocated for on site and web based training sessions.

Deferred Projects – A number of projects were deferred from FY 2012–2013 due to lack of funds. These projects will add necessary elements to existing video surveillance and duress alarm systems and will be a priority in the current year funding.

System Upgrades and Replacement – Security equipment, like all electronics, has a finite lifespan. The systems in place in court facilities need to be upgraded and in some cases, replaced. Properly functioning equipment is a critical element in ensuring the safety and security of judicial officers, court personnel and the public. This year emphasis will be placed on updating systems installed by the Office of Security. Fourteen sites will be evaluated to determine if technical upgrades are required on systems that were installed in FY 2007–2008.

Emergency Reserve – This amount will be held in reserve to address unforeseen emergencies and will be allocated to system upgrade and replacement projects near the end of the fiscal year. The amount held in reserve for FY 2012–2013 was \$230k. That amount was used to address urgent court requests and the entire budget of \$1.2 million was used.

Center for Families, Children, and the Courts

Self-Represented Litigants Statewide Support

Proposed 2013–2014 Allocation – \$100,000; no change from 2012–2013

Description

This allocation is the only source of statewide operational support for court self-help centers in all of California’s 58 trial courts. The allocation amount has been cut 2/3 from \$300,000 to \$100,000 since 2011. Due to workforce reductions in courts and the AOC, FY 2013–2014 funding will be used to add new content, tools, and resources that can be accessed directly by users of the statewide self-help website. These tools will allow litigants to get information and assistance with their legal issues at home or other locations so that they can either avoid the need to come to a self-help center or require less time at the center. The self-help website also provides links to local court self-help services. There are links to the “Ask a Librarian” website that enables users to get information from a law librarian. Additional links are provided to many legal resources, such as local lawyer referral services, domestic violence hotlines, and the State Bar website. The judicial branch website design includes many additional features, such as video clips developed by the local courts and the AOC. Additional content will be translated into Spanish and reviewed by a bilingual attorney to ensure legal accuracy.

The self-help section of the judicial branch website at <http://www.courts.ca.gov/selfhelp.htm>, includes instructional videos and materials from local self-help programs that have been adapted for statewide use. Many courts have requested the development of additional videos and other multi-media products for self-represented litigants as an alternative source of information in a time of staff reductions. Funds are also used for translation of forms and instructional materials as requested by trial courts.

In FY 2013–2014, funding will support workshops for self-help court staff including family law facilitators and court partners in legal aid, law librarians, mediators, and small claims advisors. The workshops will provide MCLE and other professional credit on topics of significance to this audience (e.g., changes in family law, consumer debt, international service requirements) as well as strategies for effectively serving the greatest possible number of people (e.g., leveraging technology and forming collaborative partnerships).

Purpose

In February 2004, the Judicial Council adopted a Statewide Action Plan for Serving Self-Represented Litigants that called upon the AOC to develop resources that can be used by programs statewide (e.g, distributing information and local court innovations for use by all other courts). Demand for these services is high. The website provides local courts with information that they would otherwise need to research, translate, and post on their own. Providing this service statewide prevents hundreds of hours of duplicative work for local courts. Over 4 million users view the self-help website annually. The self-help website usage has increased by 135% over the last eight years.

Domestic Violence – Family Law Interpreter Program

Proposed 2013–2014 Allocation – \$1,750,000; no change from 2012–2013

Description

Funding in FY 2013–2014 will be used to provide interpreters in domestic violence, elder abuse, and family law matters. \$1,730,000 of the \$1,750,000 allocation is distributed directly to the courts. None of these funds are used for AOC administrative costs.

Court funding is used entirely for court staffing and service-related travel. The remaining \$20,000 of the allocation is used to pay for the translation of domestic violence forms and instructions and to make them available to all courts. There is a critical need to keep these forms updated to reflect legislative changes. Funding is available to all 58 courts. Forty-eight courts requested funding from this allocation in FY 2012–2013. Awards are based on prior year actual costs and the availability of program resources. An estimated 40,000 interpretations are completed with these funds annually.

Purpose

This program was established by the Judicial Council in 2001, following a pilot program implementing California legislation (Assem. Bill 1884 (Stats. 1998, ch. 981)). That bill directed the Judicial Council to implement a one year pilot program to provide interpreters in specified domestic violence and child custody matters and to collect data and report back to the legislature. Based upon the evaluation of that pilot, the Judicial Council authorized funds and established the Domestic Violence-Family Law Interpreter Program. The allocation was further augmented in 2005.

There is strong demand for this funding. At the current level, the funding falls far short of court needs. Court requests typically total \$3.0 to \$3.5 million in each fiscal year--about twice the amount available from this allocation.

Without these funds, limited English proficiency (LEP) individuals would have reduced access to the courts. Availability of interpreters supports efficient court proceedings and reduces the costs associated with continuances. Availability of interpreters enhances public safety,

facilitating the timely processing of restraining orders and promoting the quality and enforceability of orders, which in turn affects law enforcement, schools, and others who interpret orders in these cases.

Self-Help Centers

Proposed 2013–2014 Allocation – \$5,000,000; no change from 2012–2013

Description

Funds are distributed directly to support self-help center programs and operations in all 58 trial courts. None of these funds are used for AOC administrative costs. An additional \$6.2 million in funds are provided from the TCTF. The combined minimum allocation to each court is \$34,000, with the remainder distributed according to population size in the county where the trial court is located. Ninety-two percent of the funds are used by the courts for staffing.

Self-help centers provide assistance to self-represented litigants in a wide array of civil law matters to save the courts significant time and expense in the clerk's office and in the courtroom. Self-help centers serve over 450,000 persons per year with the STCIMF and TCTF funds.

Purpose

The Statewide Action Plan for Serving Self-Represented Litigants, which was approved by the Judicial Council in 2004, calls for self-help centers in all counties. California Rule of Court 10.960 provides that self-help services are a core function of courts and should be budgeted accordingly. The California Budget Act provides that “up to \$5,000,000 [from the Trial Court Improvement Fund] shall be available for support of services for self-represented litigants.” Based upon recommendations by the Trial Court Budget Working Group, the Judicial Council has allocated an additional \$6,200,000 for self-help services from the Trial Court Trust Fund since 2007.

Reducing self-help services would increase court's other costs. When self-help staff are decreased, the number of questions and issues at the public counter increases substantially, therefore increasing line lengths and wait times. Similarly, self-help services improve the quality of documents filed, thereby reducing follow-up and clean-up work in the clerk's office. Evaluations show that court-based assistance to self-represented litigants is operationally effective and results in measurable short and long-term savings to the court. One study found that self-help center workshops save \$1.00 for every \$.23 spent. When the court provides one-on-one individual assistance to self-represented litigants, savings of \$1.00 can be achieved from expenditures ranging from \$.36 to \$.55. If the self-help center also provides assistance to self-represented litigants to bring their cases to disposition at the first court appearance, the court saves \$1.00 for every \$.45 spent.

Demand for self-help services is strong. Courts indicate that they are not able to keep up with increasing public demand for self-help services and need additional staff. In a 2007 survey, the courts identified a need of \$44 million in additional funds to fully support self-help. The judicial branch has been able to allocate a quarter of the amount needed in 2007, \$11.2 million annually.

Interactive Software – Self-Rep Electronic Forms

Proposed 2013–2014 Allocation – \$60,000

Increase of \$20,000 from 2012–2013

CFCC is requesting an increase of \$20,000 to hire a consultant to maintain service to courts in updating form sets. The lead AOC staff attorney who created the document assembly program is on extended leave. CFCC has no employees with the required legal and technical skills to cover his duties.

A number of new courts have asked for the AOC to adapt the automated document assembly programs that it has developed to provide assistance for self represented litigants to complete required legal forms. With AOC workforce reductions, this work must be contracted out. Funds would enable the AOC to bundle the work, updating forms and making other critical changes for all courts. The requested funding will result in substantial time savings. Interactive programs create efficiencies for self represented litigants or those helping them, including self-help center staff, JusticeCorps and other volunteers, and community helpers, such as domestic violence shelter staff. They result in pleadings that are complete

Description

Funding in FY 2013–2014 provides all 58 courts access to the National Legal Document Assembly Server, operated by ProBonoNet. This server makes it possible for courts to develop software programs that assist self-help centers to complete forms quickly, as well as to provide programs on the California Court’s On-Line Self-Help Center. The cost of the server and technical support for this project is \$40,000 per year. This allocation is used to extend the ProBonoNet contract. None of these funds are used for AOC administrative costs.

The courts have a pressing need to transition to ProBonoNet as an alternative to EZLegalFile and ICAN!, both of which will now be charging for usage. Programs designed by the AOC using the National Legal Document Assembly Server in self-help centers are now being adapted so that the public can access free tools to complete their forms online and, whenever possible, avoid the need to use in-person services at self-help centers.

Currently more than 60,000 litigants complete forms using interactive forms in self-help centers. With wider access to web-based programs, the number of litigants able to access interactive forms is expected to rise significantly.

Purpose

The Statewide Action Plan for Serving Self-Represented Litigants, which was approved by the Judicial Council in 2004, called on the AOC to develop interactive forms to create case-specific documents as well as to continue to develop resources for local court self-help programs.

In the current economy, demand for self-help services is increasing just as courts’ resources are dramatically reduced. By populating Judicial Council forms with information gathered from litigants using a “Turbo-Tax” approach, interactive forms enable litigants to complete many required documents with no assistance or with the use of Justice Corps or other volunteers. As many litigants are now used to shopping on-line, this style of answering questions is much easier for them than trying to complete a Judicial Council form in a standard PDF. Branching logic in the program skips over questions that are not necessary to answer, based on prior responses.

For example, if a litigant answers that there are no children of the marriage, the program does not ask further questions about child custody or support. The process produces typewritten documents with more complete information. It provides more instructions and can ask questions in a way that more self-represented litigants can understand and answer appropriately. Litigants can then complete the remainder of the pleadings in a workshop setting, saving significant time for self-help center staff. Persons preparing the pleadings can also find more information on the

self-help web site.

Automated document assembly programs facilitate a more efficient use of self-help center resources, supporting litigants to avoid unnecessary use of court self-help center resources. One court reports that the method saves at least one hour per litigant preparing restraining order forms. Another indicates that they will save their self-help center 3 hours per litigant in preparing conservatorship pleadings.

Since Judicial Council forms are used statewide, it is much more cost-effective to develop document assembly programs on a statewide basis and to make any adjustments required by a local court to accommodate its practice and procedure. A number of courts have developed self-help center services based on the programs developed by AOC staff and using the existing ProBonoNet license. Courts can use the server and license paid for with this allocation to host their own HotDocs forms. The branching logic requires legal understanding of the court processes, as well as technical ability with the program. While the forms creation program is designed to be used by attorneys and paralegals who do not have a technology background, experience has shown that it takes a significant investment of time to become proficient, and few courts can dedicate staff time to creating these programs.

CFCC Educational Program

Proposed 2013–2014 Allocation – \$90,000; no change from 2012–2013

Description

CFCC Educational Programs provide multidisciplinary and specialized education and mandatory trainings for court professionals. Due to budget reductions, statewide programs such as Beyond the Bench and Family Law Education Programs are now offered every other fiscal year. CFCC and CJER work closely to coordinate offerings to make all required training available to judges and court staff every calendar year.

The FY 2013–2014 allocation will be used to assist judicial officers and court employees in attending the 2013 Beyond the Bench conference. Attendance to the conference is open to all 58 court systems. The FY 2013–2014 allocation will also be used to support youth involvement at the 2013 Beyond the Bench conference. These funds will also provide assistance for California's annual statewide Youth Court Summit.

Purpose

Beyond the Bench is a nationally recognized multidisciplinary conference that brings together professionals in juvenile dependency, delinquency, family, and collaborative courts, including judicial officers, attorneys, court professionals, CASAs, probation officers, educators, mental health professionals, and service providers across California to learn about the emerging issues, current research, and best practices for improving proceedings involving children and families. Program content is strengthened by the contributions of youth who have been in the dependency and juvenile justice systems or participated in youth/peer courts. STCIMF funds will support travel expenses for judges and court employees attending the 2013 Beyond the Bench conference. Beyond the Bench meets professional continuing education requirements for participants; costs to courts for providing the mandatory training are reduced through this event. The cost of training is far below the rate of outside vendors. A statewide conference also provides the opportunity for face-to-face collaboration with colleagues across the state and a forum to exchange effective approaches to meeting the challenges of the current economic

climate.

This year, Beyond the Bench shares the venue with the Chief Justice’s Summit on “Keeping Kids in School and Out of Courts,” which will bring renewed focus on ways courts can collaborate with schools, communities, and other stakeholders to prevent involvement in the juvenile justice system by increasing engagement in schools. The summit is supported with funding from foundations and the federal Juvenile Court Improvement grant. It will not rely on STCIMF funds. STCIMF funding also provides partial support for California’s annual statewide Youth Court Summit, a collaborative effort among local youth, or peer courts, the California Association of Youth Courts, Inc., and the Judicial Branch. The Summit will bring together youth and peer court staff, juvenile bench officers, education experts, judges, and youth-focused associations to share ideas and best practices about youth courts.

CFCC Publications

Proposed 2013–2014 Allocation – \$20,000; no change from 2012–2013

Description

In FY 2013–2014, the allocation will be used to support maintenance of the *California Dependency Online Guide*. This resource is available statewide. *The California Dependency Online Guide* is a chief training and information resource used by 2,000 court-appointed attorneys in dependency proceedings across the state and a source of relevant, up-to-date information for judicial officers, attorneys, and all professionals working in California’s child welfare system.

Purpose

The *California Dependency Online Guide* saves costs of print publications, in-person training, and attorney time by providing easy access to practice resources. The online guide is an important resource supporting the quality of practice in dependency cases as well as efficient and effective use of valuable court time. The guide is not a public resource, but children and families benefit from the quality of practice it supports.

Over 4,800 individual entries are available on the *California Dependency Online Guide*, including a comprehensive case law page with summaries and case text for California dependency and related state and federal cases; links to legal resources, including California Rules of Court, Judicial Council forms, California statutes, and state and federal regulations; sample briefs, motions, and writs; a calendar of upcoming conferences and trainings; distance-learning courses, including for-credit online courses that meet the eight-hour training requirement for new dependency attorneys; educational content, such as handouts from the Beyond the Bench conference and other conferences, articles, brochures, videos, reference charts, publications; expert witness listings, including links to other databases of experts; information about county-specific reunification and family maintenance service providers, in areas such as substance abuse treatment and therapy and domestic violence counseling, including links to county or regional databases of service providers serving most California counties; juvenile court–related links to resource libraries, directories, service and training organizations, courts, and government agencies; and child welfare news, including timely updates about new and pending statutes, cases, California Rules of Court, and Judicial Council forms.

Proposed Allocation Funded from the Trial Court Trust Fund

Children in Dependency Case Training

Proposed 2013–2014 Allocation – \$113,000; no change from 2012–2013

Description

Funding in FY 2013–2014 will be awarded through a competitive process to a contractor who will provide training and technical assistance in trial skills to the providers of court-appointed dependency counsel throughout the state. The contractor will hold workshops across the state to train 100 mentor attorneys for every court or region. The contractor will also provide technical assistance to court-appointed counsel providers to develop a program that will match the mentor attorneys to attorneys in need of consultation, case review, and training. The contractor will also provide direct technical assistance to previously trained attorneys to strengthen their competency in mentoring new or less experienced dependency attorneys. As part of this program, staff will establish a database to track the training and skills improvement of these dependency attorneys.

The program will directly impact 100 mentor attorneys, 100 managers of court-appointed counsel providers, and the approximately 2,000 court-appointed dependency counsel in California who will work with the mentor attorneys.

Purpose

Funding and overseeing court-appointed dependency counsel is a judicial branch function. Senate Bill 2160 (Stats. 2000, ch. 450) amended Section 317 of the Welfare and Institutions Code to require (1) the appointment of counsel for children in almost all dependency cases; (2) caseloads and training for appointed counsel that ensure adequate representation; and (3) Judicial Council promulgation of rules establishing caseload standards, training requirements, and guidelines for appointment of counsel for children.

All court-appointed counsel are required to receive education in basic dependency law. Trial skills training results in a demonstrated improvement in lowered foster care caseloads, improved reunifications and placements with relatives, and a lower proportion of children reentering foster care.

Attorneys educated in advanced trial skills save court costs by improving hearing efficiency, avoiding continuances, and adhering to federal standards for timeliness. Attorneys educated in establishing an adequate record, identifying issues for appeal, and knowing the appropriate timelines for writs and appeals, save the appellate courts considerable time by providing adequate filings.

The mentorship model used in this program is significantly less costly than providing training to all attorneys in the state. In addition, the curriculum and content of the education sessions will be available online on CALdog, a website open to courts and child welfare professionals. Contractor training and technical support funded through this allocation saves training expenses for individual courts.

Sargent Shriver Civil Counsel Pilot Program

Proposed 2013–2014 Allocation – \$9,500,000; no change from 2012–2013

Description

Funding in FY 2013–2014 continues to support implementation of a pilot program required by Government Code section 68651 (AB 590-Feuer). The funding supports seven pilot programs, which are each a partnership of a legal services nonprofit corporation, the court, and other legal services providers in the community. The programs provide legal representation to low-income Californians (at or below 200 percent of the federal poverty level) in housing, child custody, probate conservatorship, and guardianship matters. Since not all eligible low-income parties with meritorious cases can be provided with legal representation, the court partners receive funds to implement improved court procedures, personnel training, case management and administration methods, and best practices.

Project funds come from a restricted \$10 supplemental filing fee on certain postjudgment motions. \$9.5 million has been allocated to legal services agencies and their court partners. \$500,000 is set aside in the Budget Act for administration of the program. Of that, \$290,000 has been encumbered with an independent evaluation firm to work on the legislatively mandated evaluation. The remainder of the funding is being used to pay portions of salaries of staff who work on administration and evaluation of the project, and a small budget is for travel expenses for administrative site visits. The scope of the legislatively mandated evaluation is quite broad and while much work has been contracted out, it is more cost-effective to do some of the work in-house.

Applications for seven pilots were selected through a competitive RFP process and approved by the Judicial Council. Pilot programs are located in Kern, Los Angeles, Sacramento, San Diego, San Francisco, Santa Barbara, and Yolo counties.

Purpose

Government Code section 68651 (AB 590-Feuer) establishes pilot programs and requires the Judicial Council to conduct a study to demonstrate the effectiveness and continued need for the pilot program and report its findings and recommendations to the Governor and the Legislature on or before January 31, 2016. The Shriver Civil Counsel Act Implementation Committee was appointed by the Judicial Council to review applications and make recommendations about funding. Chaired by Justice Earl Johnson, Jr. (Ret.), the committee includes representatives from the judiciary, legal services providers, the Chamber of Commerce, State Bar, and others.

The pilots focus on providing representation in cases where one side is generally represented and the other is not. These are typically the most difficult cases for both the litigants and the courts. The intent is not only to improve access to the courts and the quality of justice obtained by those low-income individuals who would otherwise not have counsel, but also to allow court calendars that currently include many self-represented litigants to be handled more effectively and efficiently. The legislature found that the absence of representation not only disadvantages parties, but has a negative effect on the functioning of the judicial system. When parties lack legal counsel, courts must cope with the need to provide guidance and assistance to ensure that the matter is properly administered and the parties receive a fair trial or hearing. Such efforts, however, deplete scarce court resources and negatively affect the courts' ability to function as intended, including causing erroneous and incomplete pleadings, inaccurate information, unproductive court appearances, improper defaults, unnecessary continuances, delays in proceedings for all court users and other problems that can ultimately subvert the administration of justice.

Equal Access Fund

Proposed 2013–2014 Allocation – \$ 294,602; no change from 2012–2013

Description

Funding from the state General Fund and the Trial Court Trust Fund in FY 2013–2014 will be used to support civil legal assistance for low-income persons in all 58 counties. The program assists low income persons in addressing their legal needs and assists the courts in handling cases with self-represented litigants.

The requirement for this program in the General Fund has been in each Budget Act since 1999. The TCTF portion of the funding was added in 2005. Ninety percent of the funds support civil legal assistance for low-income persons. The Business and Professions Code sets forth the criteria for distribution of those funds. Ten percent of the funds support partnership grants to eligible legal services agencies providing self-help assistance at local courts. Organizations must complete specific applications for these funds and have the approval of their courts. The Budget Act allocates up to 5% for administrative costs. Two thirds of the administrative costs go to the State Bar and one third to AOC.

AOC administrative funds cover the costs of staffing to distribute and administer the grants, make site visits to each of the 101 legal services recipients every three years, provide technical assistance and training support for the legal services agencies and courts, as well as the costs of commission expenses, accounting, and programmatic review.

The program serves all 58 courts by providing support to legal services programs which assist litigants with their legal matters. Thirty-three partnership grant programs operate self-help centers in 28 courts.

Purpose

For the last 13 years, the state Budget Act has contained a provision for the allotment of \$10 million to an Equal Access Fund “to improve equal access and the fair administration of justice.” In 2005, the Uniform Civil Fees and Standard Fee Schedule Act was approved by the Legislature and the Governor. That act established a new distribution of \$4.80 per filing fee to the Equal Access Fund in the Trial Court Trust Fund. The estimated revenue from filing fees for the fund is \$5.7 million per year.

The budget control language requires the Judicial Council to distribute the Equal Access Fund monies to legal services providers through the State Bar Legal Services Trust Fund Commission. The State Bar created the commission to administer the law regulating attorneys’ interest-bearing (IOLTA) trust accounts. The Budget Act further requires that

“The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. . . . The Judicial Council may establish additional reporting or quality control requirements. . . .”

The council established those requirements in 1999. Under the Budget Act, the Chief Justice, as chair of the Judicial Council, appoints one-third of the voting members to the commission: five attorney members and two public members, one of whom is a court administrator. The Chief Justice also appoints three nonvoting judges to the commission: two trial court judges and one

appellate justice.

The funds support 101 organizations providing services in all 58 counties. Partnership grants directly assist the courts by providing funding for 33 self-help centers in 28 different counties. Parties who receive legal services – either fully or partly represented or helped in self-help centers – save the court valuable time and resources by helping litigants have better prepared pleadings, more organized evidence, and more effective presentation of their cases. Legal services programs also save significant time for courts by helping litigants understand their cases and helping them to settle whenever possible. Often a consultation with a lawyer is helpful for potential litigants to understand when they do not have a viable court case.

Programs provide assistance to litigants in cases involving domestic violence, guardianships, family law, landlords and tenants, expungement of criminal records, and general civil assistance. The nation's first appellate self-help center has also been created through this program.

Court-Appointed Dependency Counsel Collection

Proposed 2013–2014 Allocation – \$260,000

Increase from 2012–2013 – \$50,522

An additional \$50,522 in funding is requested for FY 2013–2014 for implementation of the guidelines, including communications, legal services, technical assistance, and other support requested by the courts. Distribution of the funds according to the Judicial Council guidelines will require staff to establish and maintain a system to track court data submissions and review amounts submitted. Staff must also work on development of the reimbursement model for distributing money to the courts according to the Judicial Council guidelines. Staff will visit courts that request on-site assistance in implementing the collections, conduct the required survey of courts at the end of the first year, assist with legal questions on implementing the guidelines, and develop any changes in rules, and forms and guidelines required in the first year of implementation. The final guidelines for this program will be reviewed by the Judicial Council at its August 2013 meeting.

Description

Funding in FY 2013–2014 will be used to assist courts in collecting court-appointed dependency counsel reimbursements from parents and to allocate these funds to courts. In accordance with the guidelines specified in Assembly Bill 131 (Stats. 2009, ch. 413) and approved by the Judicial Council in FY 2012–2013 and FY 2013–2014, funding will support courts in implementing a program of assessment of all parents for ability to pay as well as court hearings on the assessment if requested, collection of reimbursement, and reporting. Administrative costs include legal and technical assistance for implementation. In addition, the staff maintain data on caseloads and attorney staffing around the state to support the allocation of collected funds to the courts. Staff also support a work group as it completes guidelines for allocating the funds collected.

Funding is allocated in accordance with the guidelines specified in AB 131. Current estimates of the funds that will be collected are in excess of \$2 million. There will be a process for courts to opt out of the program if funds collected do not exceed costs incurred. Unless courts opt out, they will participate in the collections program.

All funding will be distributed directly to the courts except for administrative costs.

Purpose

The program implements AB 131, which requires the Judicial Council to establish a program to collect reimbursements from the person liable for the cost of appointed counsel in juvenile dependency proceedings. It further requires the trial courts to deposit money collected under the program in the manner specified in Government Code section 68085.1, and the Administrative Office of the Courts to transfer that money into the Trial Court Trust Fund. The process is being guided by the Dependency Counsel Reimbursement Working Group of the Trial Court Budget Working Group. The Budget Act authorizes administrative costs to be charged against the reimbursements that are collected.

The purpose of the project is to increase funding available to reimburse trial courts for the statutorily required expense of providing counsel to most children and parents in juvenile dependency proceedings and to reduce caseloads for counsel appointed to represent parents and children in dependency proceedings in accordance with the caseload standard approved by the Judicial Council in 2007. Those courts with underfunded court-appointed counsel allocations will benefit through an increase in funding. In addition, all courts will benefit from a program that implements the statute in a way that no court is forced to incur unpaid costs.

Lower caseloads for court-appointed dependency counsel result in more timely hearings, more cases meeting federal timeliness standards, a demonstrated improvement in lowered foster care caseloads, improved reunifications and placements with relatives, shorter stays in foster care, and a lower proportion of children reentering foster care.

Center for Judiciary Education and Research (CJER)

CJER Summary and Explanation of Proposed Total Allocation

Proposed 2013–2014 Allocation – \$1,263,000

Increase of \$70,000 from 2012–2013

The budget requirements for CJER change from year to year for two primary reasons. First, the number of judicial appointments varies each year and consequently, the new judge education funding requirements (NJO, the College, and PAOs) differ from year to year. Second, because the CJER Governing Committee develops education plans on a two-year cycle, different programs are offered in different years. Judicial Institutes, for example, are typically offered every other year; some years, four Institutes are offered and in others, five Institutes are offered.

New Judge Education costs will increase by an estimated \$143,000 in FY13-14. CJER's budget request significantly mitigates these additional costs by making reductions in other areas, resulting in an aggregate proposed restoration of \$70,000. The proposed allocations by subcategory are as follows, reflecting an increase of \$70,000 from the total amount allocated in FY 2012–2013.

CJER proposes that funding be allocated at the five subcategory levels to allow CJER to meet changing needs during the year while maintaining the Council's intent of funding at different levels for different audiences. This would enable more timely flexibility to respond to changing needs and efficient use of the approved funds as final costs of individual programs often change

due to varying attendance levels, faculty availability, and venue-related contract terms. For example, last year CJER requested and received permission to transfer \$20,000 from the Judicial Institute line item to New Judge Orientation line item to meet increased need. CJER would submit any requests for funding changes between categories for approval to the Judicial Council or, if the authority is delegated by the Council, to the Administrative Director of the Courts.

Subcategory	Amount
A. Mandated, Essential & Other Education for Judicial Officers	\$693,000
B. Essential & Other Education for CEOs, Managers, and Supervisors	\$31,000
C. Essential and Other Education for Court Personnel	\$130,000
D. Faculty and Curriculum Development	\$262,000
E. Distance Learning	\$147,000
TOTAL	\$1,263,000

Descriptions and the estimated funding need for the individual programs within each subcategory are provided to facilitate allocation decisions at a more granular level if the Trial Court Budget Advisory Committee and Judicial Council opt to allocate funding at the program level instead.

A. Mandated, Essential & Other Education for Judicial Officers

Proposed 2013–2014 Allocation – \$693,000

\$113,000 increase from 2012–2013. Details described in specific program areas below.

New Judge Education and Judicial Assignment Orientation Courses (Mandated)

Proposed 2013–2014 Allocation – \$494,000

\$143,000 increase from 2012–2013

Description

Funds will be used to pay for participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the following:

- a. New Judge Orientation (NJO): *\$95,000 (an increase of \$30,000)*. Nine NJO Programs are planned for this year with the expectation of a more typical rate of judicial appointments. The typical number of NJO programs in the past has been between eight and ten. Six NJO programs were held last year and some were provided with a larger than optimal number of participants due to unexpected judicial appointments. Most of the proposed additional funding amount is already encumbered on contracts for lodging at local hotels.
- b. B.E Witkin Judicial College: *\$160,000 (an increase of \$55,000)*. There are more (72 total) new judge participants at this year’s Judicial College. Last year’s participation of 54 judges was a historic low. Most of the proposed additional funding amount is already encumbered in the contract for the 2013 College, which will be delivered in August.
- c. Judicial Primary Assignment Orientation and Overview Courses: *\$239,000 (an increase of \$58,000)*. The items funded from this line item are the various orientation courses for new judges, judges new to an assignment and judges returning to an assignment. There are approximately eighteen different courses, some of which are offered multiple times during the year. There will be additional new judge participants in the coming year based upon a return to a more typical number of appointments (+\$30,000). Also, as noted above, the biannual nature of some programs calls for some additional program costs this

year: An additional Advanced Felony Sentencing course is planned (\$8,000); the biannual CEQA Orientation course will cost an additional (\$12,000); the biannual Domestic Violence Institute Orientation Program developed by CFCC and supported in part by CJER will also be offered this year (\$8,000). The funding for domestic violence programming leverages a CFCC grant by funding items that cannot be paid from that grant.

Purpose

All newly elected or appointed judges and subordinate judicial officers are required by Rule of Court 10.462 (c)(1) to complete new judge education offered by CJER by attending the New Judge Orientation Program within 6 months of taking the oath of office, attending an orientation course in their primary assignment within one year of taking the oath of office, and attending the B.E. Witkin Judicial College within two years of taking the oath of office. By rule of court, CJER is the sole provider for these audiences.

These three programs which comprise the new judge education required under Rule 10.162(c)(1) have been determined by the CJER Governing Committee to be essential for new judges and subordinate judicial officers, and are specifically designed for that audience. The content of each program has been developed by the various curriculum committees appointed by the CJER Governing Committee; below are brief descriptions of each:

- a. The week-long New Judge Orientation Program is designed to assist new judges and subordinate judicial officers in making the transition from attorney advocates to judicial officers and includes the subject areas of judicial ethics, fairness, and trial management. Program participants focus on ethics, including demeanor (demeanor issues are the number one cause of discipline by the Commission on Judicial Performance), fairness, and courtroom control in this highly interactive program, as well as learning about the judicial branch, Judicial Council, and Administrative Office of the Courts. The concept at NJO is to give the new judge the opportunity, as they begin their careers, to focus on the core of what it means to be a judge and to come away with a commitment to maintaining high standards in their work. The number of programs required depends on the number of judicial appointments in a given year. Nine programs are planned for this fiscal year for approximately 108 participants. The programs are taught by four highly experienced faculty members for the entire week.
- b. The two week Judicial College offers new judges and subordinate judicial officers a broader educational experience than the orientation courses while still emphasizing their current position as new bench officers. Extensive courses in evidence and other basic civil and criminal courses are offered as well as a multitude of relevant elective courses, including mental health and the courts, self-represented litigants, and domestic violence. The college class is divided into seminar groups which meet frequently during the college to provide participants an opportunity to discuss the courses, and answer questions that arise during the program. The college design is premised on the belief that working professionals learn best from each other. The small group design of the college, as well as the presence of seminar leaders, is a means to encourage this type of learning. This also allows participants to bring sensitive issues with them which they might be reluctant to raise at their local courts. The statewide program provides an early opportunity for new judges to see a variety of approaches within different courts. As with NJO, the number of participants varies based on the number of judicial appointments. In the past,

participation has ranged from approximately fifty-five to one hundred and forty judges and subordinate judicial officers.

- c. The Primary Assignment Orientation courses (PAOs) provide new judges and subordinate judicial officers with an intense immersion in their primary assignment (civil, criminal, probate, family, juvenile, traffic, probate) with a heavy emphasis on the nuts and bolts of the assignment, detailed procedures and protocols, as well as classroom exercises designed to test their skills in the assignment. These courses are also available to experienced judges who are moving into a new assignment for the very first time in their career.

In addition to the Primary Assignment Orientation programs, CJER offers advanced courses for experienced judges who are moving into new assignments which are substantively more complex than those covered by the PAOs above (e.g., felony sentencing, homicide trials, capital cases). These programs are designed for experienced judges who are expected by the education rule to take a course in their new primary assignment or to fulfill other statutory or case-law-based education requirements. Planned courses can accommodate up to 680 participants per year.

All of the orientation courses are taught by judicial faculty who have been specifically trained for this education program and who are acknowledged experts in these assignments. Because these programs focus deeply on all of the major bench assignments, the Assigned Judges Program relies heavily on the PAOs to provide its judges with the education and training they need to be able to take on assignments which these retired judges may never have had during their active careers.

These programs are statewide programs, and provide judges and subordinate judicial officers from all over the state the opportunity to network with their colleagues and learn the different ways various courts do the work of judging. This ensures cohesiveness of the bench, as well as the fair administration of justice statewide. Educating judges to understand the rules and issues of ethics and fairness enhances public confidence in the judiciary, and ensures access to justice.

All judges, justices and court leadership (PJs, APJs, CEOs and Clerk Administrators) were surveyed in 2010 regarding the effectiveness of judicial education in California. 415 responses (24.2% response rate) were received. Question 1 of the survey asked whether requiring specific education for new justices or judges is reasonable and appropriate: 80% of justices agreed, 86% of judges agreed, and 96% of trial court leadership agreed. Question 2 asked whether requiring/expecting specific education programs for judges beginning a new role or assignment is reasonable and appropriate. 88% of justices agreed, 77% of judges agreed, and 85% of trial court leadership agreed. Based upon this feedback, the CJER Governing Committee concluded that these programs are highly valued by the courts.

As part of their 2012 Annual Agenda, the CJER Governing Committee appointed a workgroup to evaluate all new judge education programming offered by CJER to assess whether it was being provided in the most effective and efficient way. The workgroup concluded that, by and large, new judge education was provided appropriately and the Council approved their report and recommendation in June 2013.

Leadership Training - Judicial (Mandated)

Proposed 2013–2014 Allocation – \$50,000

\$5,000 decrease from 2012–2013

Description

Funds will be used to pay for participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the following:

- a. PJ/CEO Court Management Program: *\$35,000 (a decrease of \$7,500)*
- b. Supervising Judges Institute: *\$15,000 (an increase of \$2,500)*

The items funded in this line item include the PJ/CEO Court Management Program and the Supervising Judges Institute. A reduction is proposed based on actual prior year expenditures. Note that \$10,000 is required for off-site contracting purposes for the PJ/CEO Program which does not show as an actual expenditure until after the fact. In other words, the prior year expenditures are not a fully accurate reflection of funding used for that program.

Purpose

Two programs offer educational opportunities for trial court judicial leadership. Each of these programs provides participants a chance to learn management techniques, strategies, and best practices that are designed for the unique environment that is the courts. In each case the participants have the responsibility to support and manage people, calendars, and projects. The ability to bring court leaders together to focus on the specific and special nature of their responsibilities is essential to the smooth, efficient, and fair operations of the court. These programs enable judges to fulfill continuing education hours and expectations under rules 10.462 (c) (2) and 10.462 (c) (2) (a-c).

- a. The PJ/CEO Court Management Program brings together the top leadership in the trial courts for a multi-day education event which focuses on the challenges of managing trial courts (especially in the current financial environment) as well as focusing on the rewards of creating and building an effective partnership between the Presiding Judge and Court Executive Officer. This program is especially critical opportunity for new Presiding Judges to begin building a partnership with their CEOs. The program contains segments which break out the trial courts by size, appreciating that different size courts have unique issues and challenges. Finally, this program is intended to instill a sense of community and bonding among trial court leadership throughout the state. Courses on finance, human resources, strategic planning are frequently offered.
- b. The Supervising Judges Institute is the one education program that focuses on this very challenging and politically difficult leadership position. Supervising judges are charged with managing peer judges and calendar assignments. In the larger courts, Supervising Judges may also have responsibilities for an entire court facility. Smaller courts also benefit because they are less likely to be able to provide this type of training locally and rely on this program to develop their supervising judges. Course can include basic management, how to lead teams, and effective communication skills.

Judicial Institutes (Essential)

Proposed 2013–2014 Allocation – \$110,000

\$25,000 decrease from 2012–2013

Description

Because Judicial Institutes are not offered every year, a different number of institutes of different sizes are offered in a given year. Because of this, the specific funding requirements differ from year to year. One fewer institute is planned this year and there will be three in total: the Probate and Mental Health Institute, Criminal Law and Procedure Institute and Cow County Institute. As noted earlier, \$10,000 is typically required for contracting purposes for each of these offsite programs that does not show as an actual expenditure after the fact. So, the prior year expenditures are not a fully accurate reflection of funding used in the prior year for judicial institute programs.

In FY 2013–2014, the Education Plan developed by the CJER Governing Committee includes the following institutes:

- a. Probate and Mental Health Institute – *\$40,000*
Current funding covers lodging and group meals for approximately 110 participants at the 2 1/2 day program. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.
- b. Criminal Law Institute – *\$40,000*
Current funding covers lodging and group meals for approximately 90 participants at the 2 1/2 day program. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.
- c. Cow County Institute – *\$30,000*
The funding covers lodging and group meals for about 70 participants at the 2 1/2 day program. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.

Purpose

CJER offers an Institute in all of the major trial court bench assignments (civil, criminal, family, juvenile, probate) as well as specific programs for appellate justices, rural court judges (aka “cow county”), appellate court attorneys, and trial court attorneys. The bench assignment institutes are designed primarily for experienced judicial officers, but judges new to the assignment also benefit from attending. The specialized institutes are keyed for those audiences. All of these two day programs typically offer between 12 and 20 courses covering topics of current interest, legal updates, and so forth. Participants frequently comment that the learning environment is greatly enhanced by meeting statewide with their colleagues, because it provides an opportunity to learn about different strategies for dealing with the many challenges faced by judges in the same assignment or by the specific audiences attending the institute. By attending these programs, judges and subordinate judicial officers achieve education hours towards the continuing education expectations and requirements of California Rules of Court. These programs have had attendances ranging from 70 to 140.

Essential content is identified by Curriculum Committees appointed by the CJER Governing Committee and actually developed by workgroups. This content can include in-depth coverage

of common, yet complex, issues which are not covered in sufficient detail at the Primary Assignment Orientations. In addition, there are many course offerings on advanced topics as well as courses on recent developments in the law. The primary benefit to the courts, and the branch as a whole, is that statewide programming for experienced judges provides uniformity in the administration of justice and the opportunity for them to network with other advanced judges. Additionally, when the content and program design is appropriate, sessions at institutes are videotaped by staff and posted online to Serranus, where they are available to all judges.

- a. Previous cuts reduced the Probate and Mental Health Institute from being offered every year to every other year. Judges who sit in probate have far fewer educational opportunities than their colleagues who sit in other assignments such as family and dependency. In addition, probate attorneys and probate examiners are also invited to this program because of their extremely close working relationship with their judges and these two audiences literally have no other educational venue which meets their unique professional needs. It is essential for these probate teams (Judge, Examiner, and Attorney) to meet collectively in order to assist each other in identifying the best practices for themselves and ultimately for the public they serve.
- b. Previous cuts reduced the Criminal Law Institute from being offered every year to every other year. The Criminal Law Institute is one of the most heavily attended CJER institutes, given the huge percentage of judges who sit in criminal. In addition, with the enactment of criminal realignment legislation, California's criminal justice system has undergone a dramatic restructuring, making this institute even more critical for judges who hear criminal matters. New procedures, new sentencing guidelines, and varying approaches to implementing criminal realignment throughout the state are but a few of the topic areas this institute hopes to cover this year and in the coming years. Even for judges who have a great deal of experience in the criminal assignment, this is a very different world for them and holding a statewide program for these judges is essential for them to continue to be effective in their assignments. No other area of judicial education has undergone as dramatic a revision as this in many, many years.
- c. The Cow County Institute is a 2 1/2 day program designed to cover a broad range of education that meets the unique needs of judges in rural counties. It is provided every year to rural court judges and is considered the major educational program provided to this group of judges. It is a critical educational opportunity for Cow County judges with their unique education needs. Nearly 50% of California's superior courts have 10 or fewer judges. This institute is designed specifically for these courts and the CJER Governing Committee now recommends offering it each year.

This institute is designed to address the unique needs of judges and commissioners in counties of 20 judges or less. The challenges faced by judges and commissioners in small counties which are not commonly found in larger courts include multi-disciplinary assignments and the sudden need to cover a colleague's calendar in an unfamiliar area of law; frequent service in court administrative roles; disqualification issues and other ethical quandaries due to living in small communities; and resource limitations such as lack of access to drug treatment facilities, mental health facilities, psychiatrists and other experts, other community based services, public information officers, judicial colleagues with expertise in a specific legal area, and research attorneys. A workgroup of judges from small counties define the course topics and work with staff and faculty to create

lesson plans for each course that not only address each area of substantive law or court administration, but are also tailored to address these issues unique to isolated, rural courts.

Content covered in other courses and institutes are often focused on the large courts, as most of the judges attending these programs come from medium to large courts. Therefore, the needs of judges in rural courts can be overlooked in other CJER programs.

Courses in all disciplines are offered, thereby providing an efficient method for judges to become versed or updated in all areas of the law in a single forum, reducing the need to travel to multiple institutes in different substantive areas. Courses range from nuts and bolts overviews, to legal updates, and to in-depth treatment of complex areas of law. A recent example of a specially designed substantive law course is the Domestic Violence and Rural Courts: Selected Issues course. This course provided a multidisciplinary criminal, juvenile, and family law “nuts and bolts” look at how a rural location may present unique issues in domestic violence cases such as transportation during winter months for alleged victims and perpetrators, lack of available interpreters, conflicting tribal court orders, firearms restrictions in hunting communities, and innovative approaches some rural courts have used to deal with these issues.

The opportunity to meet with other similarly situated judges and commissioners is also invaluable. To strengthen collegiality and build mentoring relationships that extend beyond the institute, courses are taught in roundtable discussion formats extensively. This fosters the sharing of ideas for handling problematic areas in the law and for sharing calendar management strategies. Faculty often field phone calls in their areas of expertise years after teaching at the institute. The benefits to participants are enormous, and these judges are particularly isolated in small courthouses, often in remote locations.

Advanced Education for Experienced Judges

Proposed 2013–2014 Allocation – \$31,000; no change from 2012–2013.

Description

Funds will be used to pay for participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses. Courses planned for this year include: Complex Civil Litigation Workshop, Selected Issues in Domestic Violence - Immigration; Selected Issues in Sexual Assault: Sexually Violent Predators and two courses in Combined Civil and Criminal Evidence. As with the Domestic Violence Institute described above, the Domestic Violence and Sexual Assault courses are developed by CFCC and supported in part by CJER. The CJER funding for domestic violence programming leverages grant money by funding items that cannot be paid from the grant.

Purpose

In addition to Primary Assignment Orientation Courses, the CJER offers advanced courses for experienced judges. These are continuing education courses designed to address issues of advanced judging,

As with the New Judge Education programs and Primary Assignment Orientation programs these programs are statewide programs and provide judges and subordinate judicial officers from all over the state the opportunity to network with their colleagues and learn the different ways

various courts do the work of judging. This ensures cohesiveness of the bench, as well as the fair administration of justice statewide.

Regional and Local Judicial Education Courses

Proposed 2013–2014 Allocation – \$8,000; no change from 2012–2013

Description

Funds will be used to pay for participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses. A number of courses planned for last year were postponed and will be delivered this year. Some of the new regional courses planned for this year include: Parole Revocation Hearings; Criminal Evidence; Advanced Felony Sentencing - Gangs; and Basic Felony Sentencing.

Purpose

Regional and Local Judicial Education courses allow CJER to provide high-quality judicial education to the trial courts at lower cost. Statewide budget reductions over the past few years have necessitated that CJER develop and expand both of these programs because they offer a much less expensive alternative to statewide programming while preserving the quality of our education. The courses and programs included in both the regional and local programming are considered and identified by the Governing Committee's curriculum committees and are taught by experienced CJER judicial faculty. Regional and local programs provide invaluable educational experiences and opportunities for interaction and discussions with colleagues across California.

Regional Judicial Education

Providing regional courses enables judges and commissioners to attend education events which are closer to their courts. They are also still able to connect with their colleagues from surrounding courts. These courses are able to be delivered inexpensively when compared to the traditional multi-day statewide events, such as institutes. Faculty is recruited regionally whenever possible, so their expenses and time away from court can be reduced. Regional courses address substantive law areas such as civil, criminal, family, juvenile, domestic violence and probate/mental health. These half-day or one-day courses are held in AOC facilities and at court locations that serve multiple courts. Regional programs provide additional opportunities to learn from outstanding CJER faculty and to interact with colleagues, but closer to home, thereby reducing the time and cost of travel. Once a regional course has been offered and has been evaluated as successful and well-received, it is added to the local court catalog, and presiding judges may request that course be delivered in their courts at their convenience. For domestic violence education courses, some funding is provided for participant costs not covered by CFCC grant funding. Approximately 24 regional courses are planned for this fiscal year. Typically between fifteen and thirty people attend each course.

Local Court Judicial Education

With the local education effort, courts are able to request and host judicial education classes at their court by selecting course(s) from the Judicial Education Course Catalog and contacting CJER with a proposed date. CJER recruits the faculty and works with the court to provide written materials for the course. Local courts will typically arrange for an appropriate classroom for the course and handle the participant attendance and registration aspects for the course, unless otherwise requested. As funds allow, the AOC pays for faculty travel expenses and course

materials and will provide audiovisual support as requested. In addition, many of the classes offered locally were taken from classes offered in our statewide programs as well as from some trial court programs and they are uniquely appropriate for local delivery. The courses offer effective judicial education in substantive areas of law, as well as access, collaborative courts, computer training, court security, domestic violence, fairness, judicial ethics, and self represented litigants. The faculty members who teach the courses are very experienced in the areas they teach and they are trained in adult learning principles.

Courses are designed for approximately twenty participants. The number of local courses offered, and the resulting number of participants, is dependent upon how many courts request these courses in any given year.

B. Essential & Other Education for CEOs, Managers, and Supervisors

Proposed 2013–2014 Allocation – \$31,000

\$20,000 decrease from 2012–2013: Details described in specific program areas below.

Manager and Supervisor Training

Proposed 2013–2014 Allocation – \$31,000 (decrease of \$20,000)

Description

Funds will be used to pay for participant lodging for Core 40 and Core 24 Courses, but not for the ICM courses. Courts or participants fund lodging for ICM participants. Funds are also used to pay for business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for all of the courses. Because some of the Core 40 and Core 24 courses originally planned for statewide delivery are being delivered effectively locally and regionally, there is a reduction in the need for funding participant lodging. Core 24 courses originally planned for last year were postponed and will be offered this year.

The estimated funding needs for each program are:

- a. Institute for Court Management (ICM) Courses: *\$15,000 (no change)*
- b. Core 40 Courses: *\$10,000 (decrease of \$20,000)*
- c. Core 24 Courses: *\$6,000 (no change)*

Purpose

- a. The Institute for Court Management (ICM) courses comprise a series which lead to certification by the National Center for State Courts. The courses serve a dual purpose: (a) to provide relevant education courses for court leaders based on the core competencies identified by the National Association for Court Managers, and (b) to provide this education locally at a significantly reduced cost to courts and participants as compared to the national programs. The series of courses are the primary education offered by CJER which addresses essential functions of court managers. This program grew out of a multi-state consortium formed in 2008 between the California Administrative Office of the Courts (AOC), ICM, and six other states to enhance the existing ICM certification program and prepare court leaders with the skills and knowledge they need to effectively manage courts in the future. This effort has resulted in the AOC being certified to provide affordable delivery of management education for court managers and supervisors. In the past, the courts had to pay ICM to bring these courses to their location or send their staff to NCSC headquarters in Williamsburg,

Virginia, and the cost was prohibitive for most courts. CJER's ability to offer these courses at the regional offices using California faculty has allowed all courts—small, medium, and large—to reap the benefits of this program.

Twelve courses have been developed which comprise the certification program: Fundamental Issues of Caseflow Management; Court Performance Standards (CPS); CourTools; Managing Court Financial Resources; Purposes and Responsibilities of Courts; Managing Human Resources; Managing Technology Projects and Technology Resources; Essential Components; Visioning and Strategic Planning; Court Community Communication; Education, Training, and Development; Leadership; and High-Performance Court Framework: Concluding Seminar.

The initial capital investment has yielded extremely positive results in advancing judicial branch education for court leaders. The ICM courses are taught and held within California, making attendance affordable and convenient. It is evident from the hundreds of participants taking these courses that the program is effective and remains a viable educational opportunity, promoting professional and personal development for court leaders. Funding will enable CJER to offer the twelve courses on the Education Plan for this year for up to three hundred and sixty participants.

- b. The week-long CORE 40 is an intensive one-week program for new trial court supervisors as well as managers (both new and experienced). It contains valuable and practical information that can be used to improve their leadership skills as well as enhance the overall performance of their staff. Classes are limited to 28 participants who are selected from applications received online. Topics include group development, employment law, and performance management. Three programs are planned for this year, for a total of ninety participants.
- c. The three-day CORE 24 program is designed for experienced managers and takes them through more advanced topics and areas, including topics such as leadership skills, fiscal/budget management and planning, presentation skills, business reengineering, communication, technology, and conflict management. This course is also intended to begin preparing experienced management for possible development for the next phase of their careers in the courts. Two programs are planned for this year, for a total of fifty participants.

C. Essential and Other Education for Court Personnel

Proposed 2013–2014 Allocation – \$130,000

\$27,000 increase from 2012–2013: Details described in specific program areas below.

Court Personnel Institutes

Proposed 2013–2014 Allocation – \$120,000 (Increase of \$37,000)

Description

Funds will be used to pay for participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the Court Clerk Training Institute. A cyclical cost increases for the Trial Court Judicial Attorneys Institute program (TCJAI), offered on a biannual basis, is partially mitigated by

decreases in other programs.

In FY 2013–2013, the Education Plan developed by the CJER Governing Committee includes the following institutes:

- a. Court Clerks Training Institute– *\$70,000 (a decrease of \$13,000)*
Funding covers lodging and group meals for a total of 140 participants at two one-week programs. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.
- b. Trial Court Judicial Attorneys Institute – *\$50,000 (an increase of \$50,000)*
Funding for this 2 1/2 day program, last offered in 2011, covers lodging and group meals for approximately 150 participants. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.

Purpose

- a. Court Clerk Training Institute

This week-long program offers courtroom and court legal process clerks education in each area of the court (civil, traffic, criminal, probate, family, juvenile). Courts must have staff who are well trained and who are prepared to provide excellent customer service along with accurate legal information. They must also be knowledgeable, familiar with the Rules of Court, and changes to the laws that affect their responsibilities and their customers' access to justice. Classes taught by experienced court staff include Criminal Misdemeanors, Criminal Felony, Civil Procedures, Traffic, Probate, Juvenile Dependency and Delinquency, and Family. CCTI was started by Orange County in 1998 and was subsequently transferred to the AOC in early 1990s as a statewide program.

CCTI has a special relationship with the smaller courts, although all 58 courts have accessed this education for their staff. Smaller courts do not often have training departments and rely on CJER to provide a statewide perspective on the duties and responsibilities of courtroom and counter staff. It is the larger courts who often provide faculty for this program. CCTI has been an essential education program for courts for more than 25 years and continues to prepare court staff for the essential functions of their jobs consistent with the law and statewide practices. Letting staff go for a week of education is a burden to the courts, but one they are willing to bear as we have not added the cost of hotel rooms to their share of the costs. In addition to legal process and procedure, classes stress statewide consistency, ethical performance, and efficient use of public funds. Many of today's court managers and supervisors are graduates of CCTI and continue to send their staff for this opportunity to learn with clerks from all 58 counties.

Two programs are planned for this year, for a total of one hundred and forty participants.

- b. Trial Judicial Attorneys Institute

The most recent 2 1/2 day Trial Court Judicial Attorneys Institute (TCJAI) is offered on a biannual cycle and was last offered in 2011 for 182 participants. TCJAI is typically attended by research attorneys employed by the trial courts throughout the state and offers a wide variety of education in the major judicial assignments of criminal, family, dependency, delinquency and civil law. This program is especially needed because, unlike attorneys employed at the appellate and supreme courts, trial court research

attorneys are subject to the mandatory continuing legal education (MCLE) requirements promulgated by the California State Bar. This education requirement increases the responsibility trial court research attorneys have to obtain relevant legal education and the multi-day Trial Judicial Attorneys Institute is virtually the only major educational program CJER offers to this judicial branch audience.

Regional and Local Court Staff Courses

Proposed 2013–2014 Allocation – \$10,000

\$10,000 decrease from 2012–2013: Details described in specific program areas below.

Description

Funds will be used to pay for participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the following:

- a. Court Personnel Regional and Local Courses: \$500 (an increase of \$500)
- b. Core Leadership and Training Skill Course: \$9,500 (a decrease of \$10,500)

The Core Leadership course originally scheduled for delivery in FY12-13 was postponed and moved to FY13-14. It will be delivered in August this year in addition to the two courses planned for this year. Because these courses are being delivered effectively locally and regionally, there is a reduction in the need to fund participant lodging.

Purpose

- a. As with Regional and Local Court Judicial Education, Regional and Local Court Staff education allows the CJER to provide high-quality judicial education to the trial courts at a greatly reduced cost and with a greatly enhanced convenience to the courts. In fact, the regional and local education model originated in the area of court staff education, primarily because of the challenges involved in enabling court staff to take time out from their critical duties to attend statewide, multi-day education events. And now with severe statewide budget reductions over the past few years, this model of delivering education has become even more critical for court staff. The courses and programs included in both the regional and local programming are considered and identified by the Governing Committee's curriculum committees which are devoted to court staff education and are taught by experienced CJER faculty.

Courses cover a wide array of topics; human resources, traffic, case processing in the major court assignments of civil, criminal, probate, family, and juvenile, as well as broad topics relevant to all court staff, such as preventing sexual harassment. Thirty courses (ten courses offered three times each) are planned, which can accommodate as many as 900 total participants.

- b. The Core Leadership and Training Skills course, also offered regionally and locally, is designed for lead/senior clerks and assistant supervisors. Among other things, this two-day course teaches participants behaviors that contribute to effective leadership, discusses challenges to leading friends and former peers and identifies strategies to meet those challenges, and identifies approaches to building successful and effective work

relationships at all levels of the organization. Three planned courses will accommodate approximately sixty participants.

D. Faculty and Curriculum Development

Proposed 2013–2014 Allocation – \$262,000

No Change from 2012–2013: Details described in specific program areas below.

Statewide Education Programs - Trial Court Faculty

Proposed 2013–2014 Allocation – \$236,000

No Change from 2012–2013

Description

The funding covers lodging, group meals, and travel for pro bono faculty teaching trial court programs. The amount needed directly correlates with the amount of statewide, regional and local trial court programs and products developed and provided. Additional costs are expected this year associated with increased delivery of education for new judges, but they can be absorbed at the current funding level. Also, costs for lodging, business meals and travel associated with faculty for trial court satellite broadcast education will be absorbed by this line item and reduced in the Distance Education line item (below).

Purpose

Faculty who are asked to serve as volunteers are not likely to be able to offer their services if their expenses are not covered. Local courts would be hard pressed to support a judge or court staff faculty member's desire to serve as faculty if the cost of that service is passed to the local court.

Faculty Development

Proposed 2013–2014 Allocation – \$25,000

No Change from 2012–2013

Description

The funding covers the cost of lodging, group meals, and travel for participants at train the trainer and faculty development programs, some of which are foundational for new faculty and some of which are designed to support specific courses or programs. A number of programs postponed last year to reduce costs must be delivered this year to support new faculty. New faculty are always needed to bring diversity and replace others who retire or are unable to teach. Courses to be offered this year include NJO faculty training (offered in July), Judicial College Seminar Leaders training, Basic Faculty Development for judicial education and court manager education (including a course requested by the Los Angeles Superior Court), and workshops for judicial institute faculty, Primary Assignment Orientation faculty, and distance education broadcast faculty.

Purpose

Faculty development is a critical component of the effectiveness of the judicial branch education system, which is almost completely dependent on judges and court staff volunteering to teach their peers. Serving as faculty is a leadership function that requires subject matter expertise, knowledge, experience, and confidence in one's design and delivery skills. Competent subject matter experts must also possess the knowledge, skills, and abilities to design and deliver

education effectively. By developing and supporting a wide and diverse faculty base, CJER has assured the branch that continuing education needs will be met by a collaborative, talented group of well trained faculty. These same faculty members often serve as local faculty bringing the education CJER provides home to their courts in the form of local court education.

Current CJER faculty development programs include a) program specific faculty development (e.g. NJO, the College, ICM); b) Design Workshops for new or updated courses in development (e.g. regional one-day and orientation/institute courses); and c) short lunchtime webinars for advanced faculty on discrete faculty development topics. As a result of the Faculty Development Fundamentals course, many new courses have been developed by the participants and offered statewide under the local court training initiative.

Curriculum Committees and Education Plan Development

Proposed 2013–2014 Allocation – \$1,000

No Change from 2012–2013

Description

Funds will be used to pay for business meals of committee members involved in curriculum development work associated with Domestic Violence Education. This meeting was postponed last year.

Purpose

Domestic Violence curriculum committee meetings are held in-person once a year with costs of travel and lodging covered under grant funding. This funding was established to pay for the cost of meals and breaks that cannot be covered by the grant funding.

E. Distance Learning

Proposed 2013–2014 Allocation – \$147,000

\$50,000 decrease from 2012–2013: Details described in specific program areas below.

Distance Education - Satellite Broadcast

Proposed 2013–2014 Allocation from– \$137,000

\$50,000 decrease from 2012–2013

Description

Funds will be used to pay for transmission of statewide educational satellite broadcasts for trial court audiences, new satellite downlink site installation work in trial court facilities, and maintenance and repair work and fees associated with existing trial court satellite downlink sites. There has been a reduction in the cost of satellite broadcast transmission and in the number of new site installations. Also, costs for lodging, business meals and travel associated with faculty for trial court satellite broadcast education will be absorbed by the Trial Court Faculty line item (above).

Purpose

The development of alternative methods for delivery of education was established by the CJER Governing Committee as a strategic goal in the mid 1990s. The intent of the Governing Committee was to meet an increasing need for education by judges, managers and staff by establishing cost effective delivery mechanisms that were an alternative to traditional statewide

programs and written publications. Staff was directed to leverage new technologies to increase education for judges, enable new educational services for court staff and manager audiences, and provide mechanisms for continuing delivery of education even during tight budgetary times.

CJER has met the goal of providing distance education to all judicial branch audiences, and much of it is delivered via the educational satellite broadcast network. The satellite network serves as the core delivery method for staff and manager/supervisor education, providing a comprehensive and timely statewide approach to high-quality staff education that is for many courts the only source of staff education. Many of the broadcasts are also recorded and provided online or as DVDs to serve as resources for local training throughout the year and/ posted online. Training required statewide, including sexual harassment prevention training, is delivered regularly by satellite broadcast, and time sensitive training has been provided for judges on a number of occasions in response to new legislation, such as SB1407 and CRC 10.500. Broadcast education is also provided specifically for judges, presiding judges, and CEOs.

Education delivered via satellite to court staff includes such topics as:

- Criminal Justice Realignment
- Updates to the ADA
- The jury process
- Felony and misdemeanor appeals
- Certifying copies
- Customer service

Education delivered via satellite for Managers and Supervisors includes such topics as:

- Business Process Reengineering
- Handling disasters
- Coaching and communication
- Technology management
- Change Management
- Stress management
- Preventing and Responding Sexual Harassment

Education delivered via satellite for PJs and CEOs includes such topics as:

- ADA issues for Court Leaders
- Court Security
- Ethical Excellence

Education delivered via satellite for Justices and Judges includes such topics as:

- Criminal Justice Realignment
- AB939 Overview
- Judicial Canons Updates
- How a child enters the Juvenile Dependency system

Distance Education - Online Video, Webinars, & Videoconferences

Proposed 2013–2014 Allocation – \$10,000; no change from 2012–2013

Description

Funds will be used to pay for storage, encoding and transmission of trial court statewide educational video products delivered online. A new vendor must be selected this year and costs will increase.

Purpose

A natural evolution of the Satellite Broadcast initiative has been the development of online instructional videos, videoconferences, and webinars. These three lines of educational products further leverage the distance mediated technologies the AOC has acquired over the past ten years and enables CJER to develop multiple product lines to meet the educational needs of virtually every judicial branch audience it serves. The broadcast video production studio, which was originally created solely for the purpose of developing and transmitting broadcasts, is now used frequently to create instructional videos which are immediately uploaded to either the Serranus (judicial) or COMET (administrative) web sites. Funding is needed to enable streaming of judicial education videos to mobile devices like I-PADs as well as desktop computers, and to improve video quality to a standard that users have come to expect. Videoconferencing technology provides an ideal venue for the appellate courts which are small in number and which are spread across the state. Videoconferencing is an immediate, live technology which enables CJER to design classroom style programming for this critical audience. Webinars, largely due to their enormous cost savings as compared to other models, have proliferated over the past two years and have largely replaces live meetings.

Court Operations Special Services Office

Trial Court Performance and Accountability

Proposed FY 2013–2014 Allocation – \$13,000; no change from 2012–2013

Description

Funding for FY 2013–2014 would allow for one in-person meeting of the SB 56 Working Group – 16 member courts with approximately 25 people travelling.

The SB 56 Working Group is charged with evaluating and revising the trial court judicial and staff case weights with two goals: (1) to take into account changes in workload over time; and (2) to incorporate measures of performance into the case weights. In addition, Office of Court Research (OCR) staff to the SB 56 Working Group have taken on additional responsibilities related to the conversion of workload estimates into estimates of funding need. This work has involved additional coordination with members of the Trial Court Budget Advisory Committee, and will benefit from having at least one face-to-face meeting to begin work identified by the Judicial Council when it approved the Resource Assessment Study (RAS) model at its February, 2013 meeting. The work identified by the Judicial Council includes: evaluation of data quality; identification of performance standards; evaluation of the fit of the RAS model to small courts; and ongoing modifications and improvements to the RAS and judicial workload assessment models.

Approximately \$9,000 of Trial Court Improvement and Modernization Fund money would be used to fund travel of between 20 and 30 people to one meeting in FY 2013–2014, with the balance used for travel to meetings of subgroup members devoted to specific issues (e.g., data quality, performance standards).

Purpose

Government Code 69614 requires biennial updates to the Judicial Workload assessment which is overseen by the SB 56 Working Group. Government Code 77001.5 requires an annual report to the Legislature of “judicial administration standards and measures that promote the fair and efficient administration of justice,” which the SB 56 Working Group is also charged with overseeing. At the April 2013 Judicial Council meeting, the council adopted a new funding formula for the trial courts—the Workload-based Allocation and Funding Methodology (WAFM)—which is based on the RAS model, making the ongoing improvement and updating of the RAS model more important than ever.

JusticeCorps

Proposed FY 2013–2014 Allocation – \$331,000

Increase from 2012–2013 – \$54,000

1. Federal budget cuts and sequestration have reduced AmeriCorps funding nationwide. The JusticeCorps grant for the 2013–2014 program year will be reduced by \$150,000. Given reduced grant funding, the courts are now responsible for additional key program costs. A restoration of \$54,000 in STCIMF to the full FY 2009–2010 level of \$331,000 will help offset just over one-third of the reduced JusticeCorps grant. The entirety of STCIMF funding is distributing proportionately to directly benefit the six partnering courts in the JusticeCorps program.

2. In addition to the overall reduction in the AmeriCorps grant there are also number of member training and meeting costs that are no longer covered by the AmeriCorps grant and must be covered by other sources. The courts value thorough and complete member training and the additional STCIMF resources will also support these costs.

3. Reduced fund balances for courts will affect their ability to front program costs prior to execution of a contract with the AOC for their AmeriCorps subgrant. Additional STCIMF funding of \$54,000 will benefit them, especially at the beginning of their program year.

Description

JusticeCorps is one of the judicial branch’s key access to justice initiatives. JusticeCorps is funded through an AmeriCorps grant, with matching funds provided by the participating courts and the AOC. The courts’ matching funds are made up primarily of STCIMF allocations. STCIMF funding for FY 2013–2014 will support the 10th year of JusticeCorps program operations at six partnering courts (Los Angeles, San Diego, Alameda, San Francisco, Santa Clara, and San Mateo). Funding will be distributed directly via Intrabranh Agreements (IBAs) to the designated lead courts—Los Angeles, Alameda, and San Diego—to continue their successful efforts. These funds are largely used by these courts to support program operating expenses, including staff salaries, training expenses, and other member support costs.

AmeriCorps grant funding for the trial courts was reduced this year by \$150,000 over last year’s grant award to a total of \$801,000, owing to federal budget cuts and sequestration. We are

respectfully requesting a \$54,000 increase compared to JusticeCorp’s 2012–2013 STCIMF allocation, for a total of \$331,000 in 2013–2014 STCIMF funding, which represents a restoration of funding to the FY 2009–2010 level. The requested restoration will mitigate both prior and current program funding reductions and will allow the courts to continue operating this vital program.

The following chart illustrates the proposed allocation of STCIMF funding, as well as funding and costs for each region relative to the entire statewide program:

Region	Total Combined IMF and Ameri Corps Grant funds (Proposed)	% Total Funds	IMF Fund Amount (Proposed)	%e IMF Funds	Ameri Corps Grant Amount (Proposed)	% Grant	# of Ameri Corps Members
LA	\$626,000	55%	\$169,000	51%	\$457,000	57%	135
Bay Area (Alameda Superior Lead Court)	\$338,000	30%	\$122,000	37%	\$216,000	27%	77
San Diego	\$168,000	15%	\$40,000	12%	\$128,000	16%	50
Total	\$1,132,000		\$331,000		\$801,000		262

Purpose

JusticeCorps represents a cost-saving solution to support mandated self-help centers that continue to be underresourced and are experiencing a high increase in volume and need due to the current economic crisis. The JusticeCorps program trains and places college students in service at court-based self-help centers to assist self-represented litigants. Working under the supervision of attorneys or other court staff, JusticeCorps members help litigants by identifying appropriate forms, helping to complete and file the forms properly and also providing information and referrals to related services.

The JusticeCorps program presents an innovative, cost-effective approach to increasing access to justice for self-represented litigants. Supported by statewide data collection and analysis, external program evaluations, and regular monitoring by funder representatives, the program has shown measureable results since it began in 2004.

In the 2012–2013 program year, 277 students provided assistance to over 100,000 litigants in more than 20 legal self-help centers statewide. We expect to match or exceed those goals in 2013–2014, even with a somewhat reduced total member complement of 262 students.

Court Interpreter Testing, Recruitment and Education

Proposed FY 2013–2014 Allocation – \$140,000; no change from 2012–2013

Description

The current level of requested funding (\$140,000) remains unchanged from FY 2012–2013. At the requested level of funding, the Court Interpreters Program (CIP) will be able to sustain the court interpreter pool and ensure quality interpretation in mandated cases by providing for the testing, orientation, and recruitment of new interpreters and interpreter candidates, as well as provide and develop educational activities for the over 1800 certified and registered California court interpreters used throughout the courts statewide.

In addition, requested funding would support efficiencies to best utilize the current pool of interpreters through the use of video remote technology for American Sign Language (ASL) interpreted events, and provide funds to continue to offer required workshops for newly certified or registered interpreters. Specifically, at the current level of funding, the CIP would be able to provide, at a minimum, all 58 courts with qualified court interpreters by continuing to provide the following:

- Outreach and recruitment of potential qualified candidates, both in spoken languages and ASL (to assist interpreter growth); development of outreach and promotional materials;
- Expansion of the use of video remote technology resources to leverage interpreter resources throughout the state in matters where ASL interpreters are needed;
- An adequate number of mandatory ethics workshops to increase the skills of current court interpreters and those new to the profession (delivered to approximately 150–200 interpreters per year);
- Administration of court interpreter certification and registration exams (written and oral exams administered to approximately 2100 candidates per year);
- Travel costs in order to conduct one annual in-person meeting for current members and advisors of the Court Interpreters Advisory Panel; and
- Court interpreter badges (for approximately 250 interpreters per year).

Purpose

California is mandated by GC 68560-68566 to provide certified and registered interpreters for litigants with limited English proficiency in all mandated cases. The Judicial Council is responsible for certifying and registering court interpreters and for developing a comprehensive program to ensure an available, competent pool of qualified interpreters.

From 2004-2008, the state's courts provided more than 1 million service days of spoken language interpretative services. Additionally, there is a growing national and state interest in providing broader language access services in all points of the court process.

The current programs and projects, for which funding is requested, support the statutory mandates discussed above and directly benefit all trial courts by ensuring that certified and registered interpreters meet the standards set by the Judicial Council. Specific benefits that are realized from the proposed programs include:

- Maintaining statewide administration of testing by a Judicial Council-approved testing entity, which ensures consistency in the standards for test administration, test content, test scoring and reporting not only statewide, but nationally. It also supports the mandate under GC §68562(b). We currently partner with 44 National Center for State Courts (NCSC) member

states. Partnership allows us to utilize a national registry of language experts and provides the ability to share costs of new test development. Local administration of testing by individual courts is not a feasible option. Allocated funds subsidize a contract with an outside vendor to administer approximately 2,100 tests per year and handle over 7,400 calls annually.

- Targeted outreach and recruitment activities result in a growing number of qualified individuals entering the court interpreter profession. Recruitment efforts are mandated under GC §68562(d). Continuing these activities will result in maintaining a pool of newly qualified spoken language and ASL interpreters available to the courts.
- Permitting the use of Video Remote Interpreting (VRI) for cases needing ASL interpreters. The use of VRI in courts that currently utilize the technology has resulted in reduced costs due to the savings realized by reducing the need to pay for transportation costs, as well as the costs associated with not having an onsite ASL interpreter available. The deaf or hearing impaired are entitled to an interpreter in both mandated and non-mandated proceedings. When mandated and non-mandated proceedings are taken into account, ASL is the second most common language used in California court proceedings, accounting for 3 percent (30,000) of all service days from 2004-2008.
- Sponsoring ethics workshops, which must occur annually for interpreters to meet the requirements of rule 2.890 of the California Rules of Court and GC §68562(e). They also meet the continuing education and compliance requirements required of all new interpreters. These workshops directly benefit the courts in that new interpreters are aware of their duties to the profession and the codes of conduct expected of them while interpreting in the courtroom. These workshops are open to all interpreters, providing a review of the code of ethics to which all court interpreters must adhere.
- Supporting one in-person meeting of the Court Interpreters Advisory Panel (CIAP), which is established by GC§68565 and rule 10.51. The benefits realized from one in-person meeting of CIAP include the ability of members to work together without distraction and lay out well thought out plans that support the objectives of the annual agenda. In addition, a face-to-face meeting allows members to meet in person and make connections that foster continued participation and promote teamwork and synergy between the various members.
- Producing approximately 250 court interpreter identification badges per year, both to new interpreters and those requesting replacements, thus providing courts with a means for identifying qualified interpreters.

Supporting the Court Interpreters Program at the current level of funding will provide, at a minimum, the ability to maintain the mandated requirements set forth in Government Codes §68560-68565. With the increasing need for the expansion of language access services in the courts, as well as the mandate to provide certified and registered interpreters in all criminal and some civil proceedings, the current allocation level will allow the Court Interpreters Program to sustain deliver of vital services to the courts, ensuring a competent and available pool of qualified interpreters to serve the needs of those with limited English proficiency (LEP).

2015 Language Need and Interpreter Use Study (GC 68563) (new)

Proposed FY 2013–2014 Allocation – \$314,000

New Funding Request of \$314,000

Description

These funds will be used to support the mandated 2015 Language Need and Interpreter Use Study. Every five years the Judicial Council is mandated under Government Code § 68563 to conduct a study of language need and interpreter use in the trial courts.

Under Government Code § 68563, the Judicial Council is responsible for designating languages to include in the California Court Interpreter Certification Program. Decisions regarding the designation of languages are based on several components of the Language Need and Interpreter Use Study, including statewide and regional use of court interpreters, the language needs of limited English proficiency (LEP) and American Sign Language (ASL) court users, and demographic trends in immigration patterns that influence potential increases or declines in interpreter use.

To fulfill this mandate and report the findings and recommendations in 2015, this study must commence during the 2013–2014 fiscal year.

Purpose

There continues to be a growing demand for interpreters in the courts. U.S. Census data indicate an increase in the LEP population in California. It is important to fully understand both the regional and statewide needs for interpreters to better plan for the efficient use of interpreters throughout California.

The Language Need and Interpreter Use Study provides the essential information needed for the Judicial Council's charge to designate languages to be included in the California Court Interpreter Certification Program. Findings and recommendations from this study will assist in the designation of languages to be included in the California Court Interpreter Certification Program, and will serve to assist in decisions pertaining to the efficient use of interpreters in mandated court proceedings.

Additionally, this study will provide critical information on the use of interpreters in civil proceedings. Given the potential mandate for provision of interpreters in civil proceedings, and current concerns of the US Department of Justice that LEP individuals are excluded from meaningful access to civil court proceedings in California, this data will provide a foundation for planning and implementing future mandates.

Ensuring access to justice for LEP court users is a high priority for the Judicial Council and the AOC Executive Office. Conducting a study to determine the language need and interpreter use for all court users is vital to ensuring fairness and access to justice in the courts, and aligns with the strategic goals of the Judicial Council.

California Language Access Plan (new)

Proposed FY 2013–2014 Allocation – \$65,000

New Funding Request of \$65,000

Description

A key objective of the 2013 Court Interpreters Advisory Panel (CIAP) Annual Agenda, which was approved by the Executive & Planning Committee on behalf of the Judicial Council, is to develop a comprehensive statewide Language Access Plan (LAP) for California, working in collaboration with the Access and Fairness Advisory Committee. To achieve this goal, a Joint

Working Group was formed and established to prepare a proposed LAP to present to the council for approval. The Joint Working Group is comprised of members from both committees and includes bench officers, court staff, and certified and registered court interpreters (both court employees and contractors). The Co-Chairs of the Joint Working Group, Justice Maria P. Rivera and Judge Manuel J. Covarrubias, have requested that funds be made available to the Joint Working Group to retain the services of a consultant/attorney with considerable expertise on language access issues to assist with the development of the proposed LAP. Specifically, we will seek the services of an attorney and certified court interpreter already under contract with the AOC, who will be charged with assisting the Joint Working Group and AOC staff to develop a comprehensive LAP for California. The LAP will identify available resources and greater efficiencies, and facilitate broader language access for limited English proficient (LEP) court users across the state. The LAP will also align with the U.S. Department of Justice's recent recommendations for California to continue to make progress and expand its efforts to provide LEP court users with full and meaningful language access.

Purpose

Continued work by California to expand language access is in alignment with long-standing judicial branch goals and recent recommendations made by the U.S. Department of Justice. The need for language services in California is pressing, and it is growing with the increasing racial and ethnic diversity of the state's population. Approximately 40% of California's population speaks a language other than English in the home. This includes over 200 languages and dialects. According to the U.S. census, roughly 20% of Californians (6,816,671) speak English less than "very well," which arguably excludes them from meaningful participation in a judicial proceeding without language assistance. (All data are from the U.S. Census Bureau and the Migration Policy Institute).

On May 22, 2013, the U.S. Department of Justice's Civil Rights Division issued a letter regarding its investigation of the Superior Court of California, Los Angeles County and Judicial Council of California. The ongoing DOJ investigation has indicated that "several current policies, practices and procedures of LASC, the AOC, and the Judicial Council appear to be inconsistent with Title VI and DOJ's implementing regulations." The DOJ has identified several recommendations that will enable California to continue to expand services towards full and meaningful language access for LEP court users. California's LAP will identify key milestones by which to monitor progress and provide for flexibility in implementation.

While AOC staff are supporting the efforts of the Joint Working Group to develop a proposed LAP to present to the council, the fact is that those staff do not have hands on experience with or expertise in preparing LAPs. Thus, this request seeks funding to secure limited assistance from an outside contractor with experience in these matters to ensure that the proposed LAP is as complete as possible.

JUDICIAL COUNCIL AND COURT LEADERSHIP SERVICES DIVISION

Legal Services Office

Litigation Management Program

Proposed 2013–2014 Allocation – \$4.5 million; no change from 2012–2013

Description

As it has been every year since the Litigation Management Program was established by the Judicial Council in December 1999, the funding will be spent to pay settlements, judgments (if any), and litigation costs, including attorney fees, arising from claims and lawsuits against the trial courts. In addition, at court request, the Legal Services Office will provide counsel to assist courts with responses to subpoenas or to assist judges with answers to disqualification statements. Over the past five years, the LSO has managed annually an average of 460 claims and lawsuits, including employment lawsuits, against the trial courts, and has provided counsel for, on average, 98 subpoenas and 68 judicial disqualifications per year.

Purpose

Government Code section 811.9 directs the Judicial Council to provide for representation, defense, and indemnification of claims and lawsuits against the judicial branch, including all trial courts. Rules 10.201 and 10.202 describe the procedures and responsibilities for managing and resolving claims and lawsuits. As anticipated by the Judicial Council, centralized management provides the benefit of consistency in defense strategy and permits the efficiencies of sharing legal research and pleadings in similar matters. The centralized program also enables the LSO to identify and assist courts in addressing similar issues that arise in different parts of the state, such as challenges to electronic record access or issues concerning disability-related leaves of absence and reasonable accommodation. In addition, the courts do not have to bear the burdens of locating counsel, negotiating law firm contracts, directing outside counsel, editing briefs, and reviewing bills. Just as the trial courts benefit by having access to these services, the general public benefits because judicial officers and trial court staff can focus on providing access to justice, rather than defending against lawsuits.

Judicial Performance Defense Insurance

Proposed 2013–2014 Allocation – \$920,539

Increase from 2012–13 – \$43,411

The increased premium is based on an increase in the number and cost of claims in the past four years. The premium will increase for FY 2013–2014 in the amount of \$45,784.40, with \$43,410.30 of that increase being paid from the STCIMF as the proportionate amount attributable to trial court judges and subordinate judicial officers.

Description

The funding for this program is used to pay the insurance premium for trial court judges and subordinate judicial officers for a master insurance policy for the defense of judicial officers in proceedings before the Commission on Judicial Performance (CJP). The program, which began in 1999, is open to all justices, judges, commissioners, referees, and hearing officers. To obtain insurance coverage, judicial officers must agree to complete an ethics training program once every three years. All but six judicial officers are enrolled in the program.

Purpose

The program is not required by statute or rule of court. The program was developed as a result of a Judicial Council action in 1999 authorizing the Administrative Director to enter into an insurance policy contract to provide this coverage to all judicial officers.

The benefit derived from this program is that all judicial officers are covered by the insurance policy. Formerly, each court decided individually whether it would provide coverage for its judicial officers. Consequently, some judicial officers had coverage and others did not.

The general public benefits because judicial officers are not distracted by CJP investigations, which can be time-consuming. In 2012, approximately 70 percent of the investigations were closed without discipline. Instead of the judicial officers spending time responding to allegations, defense attorneys compensated under the policy represent them and respond to the CJP on their clients' behalf.

Subscription Costs – Judicial Conduct Reporter

Proposed 2013–2014 Allocation – \$15,535

Decrease from 2012–13 – \$1,545

The decrease is due to a discount offered by the publisher for a one-year subscription. Last year, after the Judicial Council approved an allocation of \$17,000 from the STCIMF, the publisher agreed to a one-time-only discount of 10%, which brought the total subscription cost down to \$16,380. Of that amount, \$15,535 was charged to the STCIMF. The publisher has agreed to offer the same discount this year on a one-time-only basis.

Description

This quarterly publication is provided to all judicial officers as part of the AOC's ethics education program. It is also distributed to Judicial Council members and certain judicial branch employees and is posted on Serranus. In view of the California judiciary's budgetary issues, the publisher has provided an electronic version of the publication for a flat fee of \$18,200 per year, \$17,080 of which is paid for with funds from the STCIMF, with the remainder paid for from funds allocated to the appellate courts.

Purpose

There is no statute or rule that requires the Judicial Council to provide this publication. In 2000, the AOC made a decision to subscribe to the publication as part of the AOC's ethics education program. The specific benefit derived from this program is that the publication contributes to the ethics education of all judicial officers with all courts benefiting from its distribution. The general public benefits from the subscription because ethics education for judicial officers promotes the integrity of the judiciary and enhances public confidence in the judiciary.

Trial Courts Transactional Assistance Program

Proposed 2013–2014 Allocation – \$685,000; no change from 2012–2013

Description

The Trial Court Transactional Assistance Program (TCTAP) was established within the LSO in FY 2001–2002 to respond to trial court requests for legal services on transactional and business operational matters. Initially the TCTAP fund was used to provide transactional legal assistance to the courts through outside counsel selected and managed by the LSO. Subsequently, the Judicial Council broadened authorized uses of the TCTAP funds to include all legal services

required by the trial courts relating to trial court operations. Currently, the TCTAP fund is primarily used to provide legal assistance to the trial courts through outside counsel on labor matters, including approximately 69 labor arbitrations arising under trial court/union collective bargaining agreements per year and approximately 17 administrative proceedings before the Public Employment Relations Board (PERB) per year.

In addition to providing legal assistance with trial court labor matters, and as a result of the reduced attorney staffing in LSO, it is anticipated that the TCTAP Fund will be used to engage outside counsel to assist trial courts in the following areas, if necessary: major transactions involving information services, finance, and significant transactional matters. The fund would also be used for tax and employee benefit-related legal advice, if necessary.

Purpose

As anticipated by the Judicial Council, centralized management of legal services provides the benefit of consistency in defense strategy and permits the efficiencies of sharing information, legal research, and pleadings in similar matters. The centralized program also enables LSO to identify and assist courts in addressing similar issues that arise in different parts of the state, such as challenges to disciplinary action, and to retain outside counsel with substantial experience in working with the courts under the Trial Court Employment Protection and Governance Act. With respect to transactional matters, courts receive assistance from counsel with specialized and unique skills not possessed by LSO or court counsel, and from outside counsel when demand for legal services exceeds workload capacity of LSO's reduced staff. Courts benefit by not having to hire their own in-house counsel or retain outside counsel and bear the burdens of negotiating law firm contracts, directing outside counsel, reviewing and editing legal briefs, and reviewing bills. The general public benefits because judicial officers and trial court staff can focus on providing access to justice, rather than defending against labor-related claims and performing or purchasing legal services necessary to trial court operations.

Jury System Improvement Projects

Proposed 2013–2014 Allocation – \$16,890

Decrease from 2012–2013 – \$1,110

Description

The funding for this project comes from the royalties received from licensing and publishing the Judicial Council's official civil and criminal jury instructions. (See Gov. Code, § 77209(i) ("Royalties received from the publication of uniform jury instructions shall be deposited in the Trial Court Improvement Fund and used for the improvement of the jury system.") Under rule 2.1050, the AOC requires commercial publishers to acquire a license before publishing the instructions and to pay royalties in exchange for permission to publish the instructions.

In 2013–14, the program funds will be used to (1) support the meeting expenses of the Advisory Committees on Criminal and Civil Jury Instructions; and (2) cover the expense of obtaining copyright protection for the official publication of the Judicial Council's jury instructions.

- a) Advisory Committee Meeting Expenses (approximately \$16,500/fiscal year)

The two advisory committees play an integral role in updating the jury instructions. The

advisory committees are charged with regularly reviewing case law and statutes affecting jury instructions and making recommendations to the council for updating, amending, and adding topics to the council's criminal and civil jury instructions. (Cal. Rules of Court, rules 10.58 and 10.59.) Each committee produces at least two releases of new and revised instructions each year and presents them to the council for adoption. On adoption, the AOC prepares and transmits the manuscript to licensed publishers for publication in print and other media. Royalties from these publications make up the fund.

Each of the advisory committees meets in person once or twice a year and by videoconference and teleconference as needed throughout the year. Advisory committee subcommittees or working groups also meet by teleconference, videoconference, or in person during the year, as needed.

b) Copyright of Jury Instructions (approximately \$390/fiscal year)

To protect the council's copyright in the jury instructions, each time the council approves new or amended instructions, the AOC registers a copyright in them. Project funding will be used to pay for copyright application filing fees (\$65 per application). By doing the registrations in-house instead of using outside counsel, the branch will be saving approximately \$2610 per fiscal year.

Purpose

The program's purpose is to support the development of the Judicial Council's civil and criminal jury instructions, protect the instructions approved by the council, and provide for continued royalties to fund this program and other programs "for the improvement of the jury system." (Gov. Code, § 77209(i).) The "jury instructions approved by the Judicial Council are the official instructions for use in California." (Cal. Rules of Court, rule 2.1050.) The goal of the instructions is "to improve the quality of jury decision making by providing standardized instructions that accurately state the law in a way that is understandable to the average juror." (Ibid.)

Alternative Dispute Resolution Centers

Proposed 2013–2014 Allocation – \$75,000; no change from 2012–2013

Description

Historically, the ADR Program provided direct financial support to help courts plan, implement, maintain, and improve mediation and settlement programs for unlimited and limited civil cases and small claims, unlawful detainer, and civil harassment proceedings (civil cases). In fiscal year (FY) 2011–2012, the budget for the ADR Program was reduced from \$1,740,000 to \$75,000 for one year, to help address the \$20 million reduction to the Modernization Fund. The ADR Program budget was again reduced to \$75,000 for one year in FY 2012–2013, to address continuing budget cuts to the Judicial Branch.

If the ADR Program continues to receive \$75,000 in FY 2012–2013, the funds will be used, as they were in FY2011–2012 and FY 2012–2013, to contract for the development of materials to help support court-connected ADR programs across the state. Based on input provided by an ad hoc group of Court Executive Officers and ADR Program Administrators, these statewide materials may include: (1) a resource manual for courts to help self-represented litigants access and effectively participate in court ADR programs; (2) resources to help courts determine the optimum ADR program types and service models to efficiently use their limited resources;

and/or (3) templates to help courts efficiently review and analyze responses to post-mediation surveys.

Purpose

The ADR Program helps to resolve cases more quickly, reduce court workloads, save litigants' time and money, and improve user satisfaction with court services by promoting the availability, use, and quality of court-connected mediation and settlement programs for civil cases. The ADR Program also helps courts fulfill section 10.70(a) of the Standards of Judicial Administration, which provides that all trial courts should implement mediation programs for civil cases as part of their core operations, and implements Goal IV, Policy 6, of the 2006–2012 strategic plan for the California Judicial Branch, which is to: "Support and expand the use of successful dispute resolution programs."

All courts with ADR programs for civil cases may directly benefit from the development of statewide materials, including videos, surveys, and training materials, to promote the use and quality of these programs and materials to help self-represented litigants access and effectively participate in court ADR programs. The ADR Program benefits civil litigants across the state by helping courts provide mediation and settlement programs, and information about how to effectively participate in those programs. The program also benefits litigants and the public by helping courts increase the options for resolving disputes, reduce the public and private costs associated with trials and hearings, reduce the time required to resolve disputes, and increase trust and confidence in the courts.

Complex Civil Litigation Program

Proposed 2013–2014 Allocation – \$4,001,000; no change from 2012–2013

Description

The following describes use of funds under the current program structure, which has remained the same since the program's inception. If the TCBCAC would like to consider alternatives, such as distribution among a larger number of courts, or different allocations to the existing six program courts, staff will provide information about those alternatives.

Funding in FY 2013–2014 will be distributed to the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco, and Santa Clara Counties. These funds are spent by the courts to maintain a total of 17 dedicated complex litigation departments in six superior courts with the following characteristics: assignment of each complex case to a single judge to handle all aspects of the litigation; judges who have experience, interest, and expertise in handling complex civil litigation; innovative case management techniques, technology designed for complex cases; and additional (beyond a typical civil department) experienced court personnel, including a dedicated research attorney for each department. The expenditures support the operation of courtrooms handling hundreds of complex cases with exceptional judicial management to avoid placing unnecessary burdens on the court (as a whole) or litigants and to expedite the case, keep costs reasonable, and promote effective decision making by the court, the parties, and counsel. Hundreds of parties benefit from the program.

Purpose

Courts benefit from the focused and efficient case management techniques applied by experienced program judges to more expeditiously resolve complex cases. The program allows

the most management-intensive cases to be removed from the pool of general civil cases where they would delay dispositions overall. This is explained by program courts in their responses to a 2012 survey. The Superior Court of Los Angeles County stated, “Experience has demonstrated that, when complex cases are mixed with a calendar of general jurisdiction cases, the litigation activity generated by even one ‘unmanaged’ complex case can occupy the law-and-motion calendar of a civil courtroom for days or even weeks. It is not an exaggeration to say that, in Los Angeles, it might take 9 months to a year to be able to calendar a motion in a general jurisdiction court if the [program] cases were spread among the general jurisdiction courts. The public, regardless of the size of their cases, would be severely adversely impacted.” Thus, through the program, members of the public with complex cases, as well as non-complex cases benefit.

In April 2010, the council recognized that the efforts and expertise of judges and staff dedicated to the program have resulted in the effective resolution of thousands of complex cases and reduced the time to resolution for many of them, and honored the judges, staff, and participating courts for their contributions in ensuring access to justice for all Californians.

Regional Office Assistance Group

Proposed 2013–2014 Allocation – \$1,460,000; no change from 2012–2013

Description

The ROAG was established within LSO in FY 2004–2005 to provide direct legal services to trial courts from regional locations. In FY 2013–2014, as in prior years, ROAG attorneys will provide legal services in the areas of labor/employment, legal opinions, and transactional/business operations directly to trial courts. The following activities for FY 2012–2013 provide a measure of the anticipated scope/volume of direct legal services to courts in FY 2013–2014 provided by LSO attorneys including those in ROAG-funded positions.

Labor and Employment: Provided legal services on labor/employment issues, including wage/hour issues, leaves of absence, discrimination, harassment, unfair labor practices, workers’ compensation, workplace safety, complaint investigation/resolution, and personnel policies/procedures. During FY 2012–2013, handled approximately 400¹ inquiries, 52 prelitigation matters, 63 labor arbitrations, and 16 matters filed with the Public Employment Relations Board.

Legal Opinions: Responded to requests for legal opinions/advice from trial courts on numerous issues, from use of public funds to ethics. In FY 2012–2013, received 335 requests for legal opinions/ advice from trial courts and provided guidance responding to 321 requests.

Transactions and Business Operations: Provided legal assistance/advice on court business operations and transactions including negotiating and drafting contracts/MOUs, as well as business and legal issues involving procurement, outsourcing, security, intellectual property, and risk management. With the Judicial Council's adoption of the *Judicial Branch Contracting Manual* on August 26, 2011, in response to the new California Judicial Branch Contract Law, LSO regional counsel continue to assist courts with interpretation and application of the new law to trial court procurement programs. Over 450 matters of varying complexity handled during FY 2012–2013.

¹ The total number of inquiries for FY 2012–13 is currently not available. Report will be amended as soon as final statistic is developed.

Purpose

The Judicial Council has charged LSO with providing comprehensive legal services to the trial courts. The ROAG is a cost-effective means to meet that mandate through in-house attorneys who are subject matter experts within their specialized areas of law and experienced counselors possessing valuable background information on the local operations and workings of the trial courts. The program achieves cost savings in numerous ways: (1) salaried LSO attorneys are less costly than purchasing similar services from outside counsel; (2) a dedicated attorney group focused on trial court operations legal issues that is available as a single legal resource to all 58 trial courts promotes efficiency; and (3) the ROAG model allows for sharing of legal services among trial courts with similar needs and issues. The ROAG offers legal assistance to all 58 courts in the areas of labor and employment law, legal opinions, and transactional law. The program benefits the general public by relieving the courts of the need to engage and manage outside counsel for these types of legal services.

Internal Audit Services

Audit Contract

Proposed 2013–2014 Allocation – \$150,000; no change from 2012–2013

Description

The audit contract funding has provided funding for external consulting firms to perform comprehensive audits and special projects for the superior courts to ensure the superior courts are audited on a timely basis and with a regular audit cycle as approved by the Judicial Council. This program in concert with General Fund monies provides the resources to perform superior court audits, special reviews, consulting and advisory services, and special investigations.

Purpose

The internal audit function, Internal Audit Services (IAS), was created “by the mandate of the Trial Court Funding Act of 1997 [Ch. 850, St. 1997], which gives the AOC fiscal oversight responsibilities of the trial courts.” The General Fund, TCIF, and State Court Facilities Construction Fund have provided the resources to perform audits, special reviews, consulting and advisory services, and special investigations of the superior courts. TCIF provides approximately 40% of the staff funding of IAS. TCIF also funds the costs of external consulting firms performing comprehensive audits and special projects for the superior courts to ensure the superior courts are audited on a timely basis and within a regular audit cycle as approved by the Judicial Council. In concert with the General Fund monies, this provides the resources to perform superior court audits, special reviews, consulting and advisory services, and special investigations.

The program as a whole, primarily the consultation services, has assisted the superior courts in saving tens of millions of dollars since 2001 and continues to assist the branch in visibly demonstrating its commitment to accountability (Goal II of The Strategic Plan for California’s Judicial Branch 2006–2012).

Internal Audits

Proposed 2013–2014 Allocation – \$660,000; no change from 2012–2013

Description

Funding in FY 2013–2014 will be used for ongoing costs associated with staff supporting the branch’s ongoing internal audit program.

Purpose

The internal audit program was initially approved by the Judicial Council in FY 2000–2001. Internal Audit Services conducts comprehensive audits (financial, operational, and compliance) encompassing court administration, cash controls, court revenues and expenditures, and general operations at each of the 58 trial courts approximately once every four years. These activities improve accountability regarding the judicial branch’s use of public resources, assist the branch in identifying opportunities to improve operational efficiency, and evaluate the branch’s adherence to its statutory and constitutional mandates.

**JUDICIAL AND COURT ADMINISTRATIVE SERVICES
DIVISION**

Fiscal Services Office

Other Post-Employment Benefits (OPEB) Valuation Reports (New)
Proposed 2013–2014 Allocation – \$600,000

Funding Request of \$600,000

Description

The AOC Fiscal Services Office is requesting \$600,000 to retain an actuarial firm to assist trial courts in meeting the requirements established in Governmental Accounting Standards Board (GASB) Statements 43 and 45, which require government entities to disclose their accrued liability for OPEB and related information at least once every other year. This will represent the third cycle in which the AOC has provided this assistance to courts since reporting requirements went into effect.

Purpose

Post-employment benefits may be provided through a county retirement system, CalPERS, or directly through benefit providers. Each trial court, as an independent entity, offers its own unique benefits package, and some may offer more than one package depending on the provisions of their collective bargaining agreements. Due to the specialized terminology associated with the complex rules and regulations for collecting the required information, as well as the specialized calculations involved in determining the valuations of these post-employment plans, these reports must be certified by a licensed actuary. Copies of the completed valuation reports will be provided to the State Controller’s Office so that this mandatory information can be included in the state’s comprehensive annual financial report.

The AOC has extended the contract terms for the actuary that was contracted with for the last reporting cycle. Consulting Actuaries, Inc., DBA Van Iwaarden Associates provides the expertise in producing the necessary calculations and documentation as well as sufficient staffing and experience with entities similar to trial courts. The requested budget is consistent with expenses incurred last time (which came in well under the \$1 million requested during the last cycle). We believe this is the most prudent approach to accomplish this reporting requirement in

that many other consultants no longer venture into this process because of the prohibitive costs. In addition, the current market demand for actuaries has spiked considerably.

Budget Focused Training and Meetings

Proposed 2013–2014 Allocation – \$50,000; no change from 2012–2013

Description/Purpose

The proposed allocation will cover the costs of about four in-person meetings of the entire Trial Court Budget Advisory Committee (TCBAC), four in-person meetings of its subcommittees, a number of TCBAC and statewide budget conference calls, and the non-staff cost of providing training to courts by the AOC Office of Budget Management (e.g., Schedule 7A) .

Treasury Services

Proposed 2013–2014 Allocation – \$238,000

Increase from 2012–2013 – \$14,000

The allocation increase for FY 2013–14 is to bring last year’s \$224,000 allocated amount up to the actual FY 2012–13 expense of \$235,804 for salaries, benefits and rent, plus an estimated MSA increase in salaries of \$2,277 for one position that is not at its maximum.

Description

Funding in FY 2013–2014 will be used for ongoing costs associated with staff responsible for the accounting and distribution of civil fees collected by the trial courts. These two positions support the daily accounting and monthly distribution of Uniform Civil Fees (UCF) collected by the trial courts, enter the information into a financial system application which calculates the statutory distributions, executing the monthly cash distributions when due to the State and local agency recipients, and account for the function in the Phoenix financial and accounting system.

Purpose

With the centralized financial system application, all 58 trial courts need only to generate a monthly UCF collection report and provide to the AOC’s Treasury Unit that significantly reduces the maintenance and reporting workloads from all trial courts. Some courts may need specific support from these two funded positions for other cash management and treasury functions.

Trial Court Procurement

Proposed 2013–2014 Allocation – \$244,000; no change from 2012–2013

Description

Funding in FY 2013–2014 will be used for ongoing costs associated with staff that support the statewide master agreement program being utilized by the trial courts.

Purpose

The program solicits agreements for goods and services commonly used by the courts, thus relieving the courts of the work involved in soliciting bids and proposals and negotiating and executing agreements on their own. It has been in place since 2005. The agreements have been widely used by the courts, and each year has seen increased participation by the trial courts. In addition, because of economies of scale associated with statewide agreements, these master

agreements have resulted in pricing that is significantly below what most courts could receive on their own. Also, the master agreements provide for a consistent set of terms and conditions that better mitigate risk for the courts.

Enhanced Collections

Proposed 2013–2014 Allocation – \$625,000

Decrease from 2012–2013 – \$75,000

A decreased level of funding is requested this year due to the retirement of the previous unit manager, with day to day supervision and oversight now provided by existing Fiscal Services Office management staff (General Fund).

Description

Funding in FY 2013–2014 will be used for ongoing costs associated with staff supporting the AOC’s Enhanced Collections Unit. The unit will work with the courts and counties on the discharge of uncollectable debt. The unit, in collaboration with the AOC Business Services unit and the Collections Informal Working Group, will prepare and release a Request for Proposals (RFP) for statewide collection services. In addition, the unit compiles and produces the annual report to the Legislature about the statewide performance of the collection of court ordered debt. The annual report to the Legislature is required by Penal Code section 1463.010. As reported to the Legislature, in fiscal year 2011–2012 the collection of delinquent court-ordered debt remained essentially flat with \$707 million collected (as compared to \$710 million from the prior fiscal year). The programs reported an increase in the amount of outstanding delinquent court-ordered debt from \$7.5 billion at the end of FY 2010–11 to \$7.9 billion at the end of FY 2011–12.

Purpose

The Enhanced Collections Unit was established to provide program support to courts and counties in their efforts to develop or improve the collection of court-ordered delinquent debt.

Human Resources Services Office

Judicial Officer Assistance Program

Proposed 2013–2014 Allocation – \$68,000

Decrease from 2012–2013 – \$17,000

Prior year expenditures for the Judicial Officers Assistance Program have averaged to approximately \$59,987 per year – even with this proposed reduction, services will continue to be maintained at their current level for judicial officers statewide.

Description

FY 2013–2014 funds will be used to provide various assistance and support to approximately 1,500 judicial officers and their families in dealing with a wide range of personal, family, and financial matters. These functions are outsourced to a vendor, and the vendor is tasked with providing the following services:

- Maintain a toll-free telephone access line 24 hours per day for participant access to JOAP services. Specialists will be available through the telephone access line to assess the caller's problem and arrange for appropriate assistance;
- Link each participant who requests in-person counseling services to a counselor;
- Treatment compliance monitoring; will monitor the participant's compliance with a substance abuse treatment program, as needed; and
- Provide critical incident stress management services to employees to counter emotional distress caused by catastrophic or traumatic events and to foster sharing of reactions, normalizing of reactions, and education on appropriate coping strategies.

Workers' Compensation Program Reserve

Proposed 2013–2014 Allocation – \$0

Decrease from 2012–2013 – \$1,835,298

There are outstanding claims with the potential for payment for the following courts: San Francisco, Santa Clara, and Sacramento. Regarding a general statute of limitations for these types of claims, this issue has been researched (at length) in the past by outside counsel, Legal Services, and HR. However, no singular conclusion was ever reached; if the counties put in the effort to collect these funds, AOC will have to treat each request on a case-by-case basis and work with in-house and outside counsel to determine an appropriate course of action.

Description

This allocation is for the purpose of paying workers' compensation tail claims costs associated with trial courts leaving a county-administered workers' compensation program.

Purpose

Effective January 1, 2001, the Trial Court Employment Protections and Governance Act transferred trial court employees from employment with the county to employment with the court. Government Code section 71623.5(b) requires the court to provide workers' compensation coverage for trial court employees except where the County continues to provide such coverage pursuant to Government Code section 71623.5(b).

As a result of the establishment of the Judicial Branch Workers' Compensation Program (JBWCP) and the requirements above, this allocation was established to resolve outstanding liabilities with counties for workers' compensation claims handled by the counties from January 1, 2001 until the claims transferred to the JBWCP.

HR Legal Counsel for Trial Court Benefits

Proposed 2013–2014 Allocation – \$0

Decrease from 2012–2013 – \$40,000

Court usage of this program has been low; however, the AOC will continue to address courts' inquiries by referring them to available staff within the Legal Services Office (LSO).

Description

The AOC contracts with one law firm for the purpose of supporting all trial courts on matters pertaining to benefit questions arising in the courts.

Purpose

The contractor works directly with ASD/HR, and in consultation with OGC, in providing legal advice and information to the trial courts on various benefits issues, including, but not limited to: Health Plan Reform legislation and its legal application in the trial courts such as the dependent coverage imputed taxation differences between state and federal law; COBRA temporary premium supplement payments and appropriate application to the employees of the trial courts; deferred compensation plan legal requirements and issues that have arisen regarding tax law requirements; cafeteria plan applications including discrimination testing as to highly compensated employees; HIPPA issues as to propriety of business associate agreements between the courts and insurance brokers.

This program was initially created in response to inquiries received regarding the statewide trial court benefits program. Since the program's termination, the program evolved into a resource for courts to address and resolve benefits-related legal inquiries.

HR – Trial Court Investigation

Proposed 2013–2014 Allocation – \$100,000

Increase from 2012–2013 – \$50,000

In April 2013, AOC initiated a one-time transfer from the Workers' Compensation Reserve of \$57,000 to cover the increased costs for these services to the trial courts. In fiscal year 2012–2013 the original allocation was \$50,000, however the budget allocation, with the transfer, was increased to \$107,000. Invoices related to these investigations are in the process of payment and currently total \$103,454.71. HRSO projects that investigation requests will continue well into FY 2013–2014 and at a similar level to FY 2012–2013. The need to provide these critical services to the trial courts must take priority especially as courts face tight budgets and reduced allocations.

Description

The Trial Court Investigations Program provides investigative services by a contracted licensed attorney. Each request for assistance is evaluated by the labor and employment relations unit (LERU) team in cooperation with the Labor and Employment Unit (LEU) in the Office of the General Counsel (OGC). Generally investigative services are provided by AOC staff in LERU. However, in some situations LEU and LERU have determined that completion of the investigation would be best served by a third party investigator. This generally occurs when AOC staff is fully committed to other assignments or a particular situation requires objective review by an outside third party investigator.

Purpose

The Labor and Employee Relations Unit (LERU) provides key labor and employee relations support to the trial courts and the state judicial branch. Investigative services are one of the key services provided to the trial courts. A great majority of the time LERU staff conduct the formal investigation; however, there are times when the matter needs immediate attention or is sensitive in nature. In those cases, it is best advised to utilize an external resource. The Human Resources Services Office has maintained contracts with two law firms to ensure that services are available when needed.

In prior years, spending on trial court investigations had been limited. Historically the requests

for investigatory assistance have totaled 20-25 per year with the LEU staff handling 75-80% of the investigations. However, more recently, the requests for assistance have increased significantly with 41 requests for investigatory assistance in fiscal year 2012–2013. The external investigative services were utilized for 11 of the 41 requests with the remaining 30 investigations completed by in-house staff.

Labor Relations Academy

Proposed 2013–2014 Allocation – \$30,000

Increase from 2012–2013 – \$7,000

In FY 2012–2013, HRSO met the needs of the southern CA courts and offered the Labor Academy I in Ontario and had 32 participants for this two day course introducing labor relations to members of management. This addition resulted in an increased cost of about \$7,874, with the year end financials at \$30,874. The courts have continued to request these academies and, to be consistent with program efforts in FY 2012–2013, additional funds are needed to fund a similar level of course offerings in FY 2013–2014.

Description

FY 2013–2014 funds will be spent on two statewide academy events, with monies covering trial court attendee costs related to travel expenses, hotels, meals, copying/mailling pamphlets, and supplies such as certificates, educational material, and other incidentals as needed.

During the financial crisis this program has served as a conduit for sharing critical labor information between trial courts while also providing guidance on best labor relations practices. More than 75% of the trial courts send a representative to at least one of the labor meetings. In FY 2009–2010 the program was funded at \$36,150, in FY 2010–2011 the program was reduced to \$30,004, and in FY 2012–2013, the program was reduced to \$23,004. In order to meet these reductions and still provide the valuable services to the trial courts, programs were reduced in duration and in FY 2011–2012 the budget was exceeded by \$265.

Purpose

The Labor and Employee Relations Unit develops and hosts annual Labor Relations Academies to assist trial court professionals in understanding and effectively working in a labor environment. The academies provide varying levels of discussion, education, and training that is based upon the needs of the trial courts each year and based upon their input. The forums provide a venue for courts to have an open dialogue between AOC staff and court staff on current events related to labor relations issues. During the academies and forums, labor relations experts from both the AOC and the courts share updates, best practices, and potential hazard areas with the participants. The academy provides court administrators and HR professionals with baseline, consistent strategies in managing expectations (and potentially costs) during negotiations, at no cost to each court.

The Labor Academies and Forums were developed to address two legal mandates:

- a) The Trial Court Employment Protection and Governance Act (TCEPGA), effective January 1, 2001, mandates that the trial courts become the employers for the approximately 19,000 trial court employees, most of whom are union-represented. Under this mandate, the trial courts must accomplish all of the attendant human resources

responsibilities of an employer, including all labor and employee relations functions, by January 1, 2003.

- b) The Trial Court Interpreter Employment and Labor Relations Act ("TCIELRA" or "the Act") (Stats. 2002, Ch. 1047), effective January 1, 2003, created a new employment system for court interpreters under Government Code Section 71800 et seq. To more efficiently allocate scarce interpreter resources, the Act required trial courts to employ spoken language interpreters as court employees rather than as independent contractors on or after July 1, 2003 based upon specified criteria. Ultimately, this Act created new human resources responsibilities for the trial courts, adding four new regional labor agreements and approximately 800 union-represented employees.
- c) With labor relations becoming increasingly challenging over the past three years the need for a labor forum is critically important. Additionally there are new challenges which have created a need for an increased allocation, the first of which is the lack of a sufficient sized meeting space in the Burbank AOC offices, resulting in the need to have the academies at a southern California hotel. Secondly, the southern California courts have expressed the need for a Labor Relations Academy I, which has been eliminated due to the reductions to the budget.

Information Technology Services Office

California Courts Technology Center (CCTC) – Operations

Proposed 2013–2014 Allocation – \$9,465,071

Increase of \$821,071

Description

This augmentation is needed to maintain the baseline services for the program, including upgrade of the end-user application access and security system, and to pay monthly invoices as obligated by the existing CCTC vendor contract. The existing end-user application access and security system is no longer supported by the vendor, and any outage may cause significant impacts to the courts' access to applications hosted at the CCTC.

The CCTC provides consistent, cost effective, and secure hosting services, including ongoing maintenance and operational support; data network management; desktop computing and local server support; tape back-up and recovery; help desk services; email services; and a dedicated service delivery manager. Today, the CCTC hosts service for all 58 California Superior Courts.

CCTC also provides a comprehensive disaster recovery program for court management systems, including Phoenix Financial and Human Resources Systems (SAP), California Courts Protective Order Registry (CCPOR), Court Case Management, (V2, V3), Interim Case Management Systems (ICMS), and the Computer-Aided Facilities Management System (CAFM). The CCTC also provides a complete suite of IT services to five hosted Superior Courts (Madera, Modoc, San Benito, Lake, and Plumas).

Funding from the State Trial Court Improvement and Modernization Fund (STCIMF) and the Trial Court Trust Fund (TCTF) for FY 2013–2014 will be expended on maintaining core services and court requested services. These services allow the courts to rely on the skills and expertise of the maintenance and support within the CCTC to remediate defects, implement legislative

updates, configure and install software and hardware upgrades, and address other minor and critical issues. Core services include:

- Data center application hosting services
- Local court server monitoring and remote site backup
- Data Center and local network management
- Help desk services
- Desktop and local server management and support services
- Hosted email services for 6 trial courts
- Disaster Recovery

None of the funding is distributed directly to the courts.

Purpose

In alignment with Judicial Council directives to affirm development and implementation of statewide technology initiatives, the CCTC program provides a Judicial Branch Technology Center for use by all courts. Benefits to the courts through the CCTC include enterprise-wide hardware and software license agreements, including bulk volume discounts in purchasing. Centralized changes (e.g., hardware and software patches) are more efficient to install. Centralized help desk support provides the courts a single point of contact and minimizes the impact of major incidents.

In the event of a significant interruption of court services, the disaster recovery program ensures that infrastructure and network services and trial court applications hosted in the CCTC can be safely and securely backed-up, redirected, and restored. Disaster recovery exercises routinely test the strength of the CCTC recovery strategy and ensure that vital court services, as well as data and communications, can be restored at a designated location.

This program supports Judicial Council objectives to allow the courts to take advantage of operational efficiencies and cost effective services, eliminating redundant expenditures, and providing a coordinated approach to addressing statewide technology initiatives.

The program provides public benefit by utilizing technology to achieve efficiencies in the superior courts. It provides ongoing cost-effective maintenance and support for programs which allows the consistent and accessible administration of justice throughout the state.

Telecommunications Support

Proposed 2013–2014 Allocation – \$15,608,480

Increase of \$6,868,480

Description

The goal of the current refresh cycle is to replace 633 network switches by FY 2014-2015 and 223 routers by FY 2015-2016 at 52 courts. This augmentation is required to complete the refresh of switches at the largest trial courts in the branch. In FY2011-2012, no funds were allocated to support the technology refresh program for the trial courts, followed by a smaller than normal allocation in FY 2012-2013 which only allowed for 144 switches to be refreshed at 23 courts.. This augmentation of \$6,868,480 is required to replace 548 network switches at 16 courts in FY 2013-2014 and keep the project on schedule. Failure to fund the refresh at the requested level will impact the scheduled replacement of hardware and may result in hardware failure and lost

connectivity to courts' local networks as well as the California Courts Technology Center (CCTC). If failed hardware is no longer supported, court outages may occur until the court acquires and installs new hardware and maintenance agreements. The refresh of the routers and remaining network equipment will be targeted the following two fiscal year, pending approved allocations.

This program develops and supports a standardized level of network infrastructure for the California superior courts. This infrastructure provides a foundation for local and enterprise system applications such as Phoenix and case management systems, via shared services at the CCTC, which eases deployment and provides operational efficiencies, and secures valuable court information resources.

The network technology refresh program has been offered each year to courts that participated in the initial telecommunications LAN WAN Initiative. The core objective of the program is to maintain the investment made in the original telecommunications project by updating local network equipment that is no longer supported due to aging technology. The project forecasts the refresh cycle by working with our service integrators and hardware vendors to create an annual technology roadmap identifying the technology requiring replacement while reviewing both existing and new technologies available to the branch.

Network Maintenance

The network maintenance component affords trial courts critical vendor support coverage for all network and security infrastructure. Contracts for maintaining equipment have been negotiated to leverage the volume of the entire branch, resulting in savings that allowed the program to cover these charges, relieving individual courts of this burden and allowing them to redirect funding to other operational needs. The program negotiated a branch-wide agreement that saves the branch 31% over five years. Fifty-four trial courts currently participating in the network technology refresh are covered by this program.

The Network Security Services program maintains network system security and data integrity of court information by offering three managed security services: managed firewall and intrusion prevention, vulnerability scanning, and web browser security. These network security tools mitigate the risk of court data being erroneously exposed without proper authority and ensure continuous court operations to the public. Currently, 55 trial courts subscribe to at least one of the security services, while 10 courts benefit from all three services. All 55 courts subscribe to the managed firewall and intrusion prevention system, and five courts are scheduled to add another service this fiscal year.

The Network Technology Training program affords court IT staff the opportunity to attend foundational and specialized network training courses via state-of-the-art training centers and comprehensive on-line courses. This ensures that the courts have the necessary skill sets to operate, maintain, and expand their infrastructure in response to local and enterprise needs. To date, 61 staff members from 26 courts have attended network training courses. We anticipate that 10 – 15 courts will participate in training courses next year.

In the ad hoc network consulting program, independent consultants are engaged to provide expert network engineering and program management as part of the network technology refresh project. These consultants are commonly utilized by the individual trial courts to offer local engineering services for court projects and issues outside of technology refresh projects.

The Network Equipment Trade-in program provides an avenue for the courts to dispose of

outdated network technology. This option allows the branch the opportunity to reinvest old technology in order to maximize the branch purchasing power of future court technology refresh projects.

In addition to the amount funded in FY 2012–2013, the AOC is recommending the additional funds of \$7.7 million to allow 16 medium to large courts to participate in the network technology refresh program for the replacement of network devices. The network technology refresh program, suspended in FY 2011–2012, was offered each year to courts that participated in the initial telecommunications LAN/WAN initiative. The core objective of the program is to maintain the investment made in the original telecommunications project by updating equipment that is no longer supported due to aging technology. The project forecasts the refresh cycle by working with our service integrators and hardware vendors to create an annual technology roadmap identifying the technology requiring replacement while reviewing both existing and new technologies available to the branch.

Purpose

The program provides a secure, robust and scalable network infrastructure aligned with emerging needs of enterprise court services. The LAN WAN initiative was responsible for providing the trial courts with the infrastructure required to physically separate from their county partners. The network technology refresh component continually refreshes equipment and technology to ensure the courts have the infrastructure required to offer the public reliable and continuous court access. Fifty-six courts have benefited from this program since its inception in 2003.

The branch is able to leverage better hardware and service discounts and benefit from a pool of expert network engineering resources. The same efforts would cost the courts much more in resources and funding if done from an individual court basis. The current support model allows us to pool resources, funding and ensures a standard network infrastructure and security architecture across the branch.

Telecommunications Network Infrastructure Upgrade Project for Superior Court of California, County of Orange

Proposed 2013–2014 Allocation – \$609,000

Increase of \$609,000

Description

This program develops and supports a standardized level of network infrastructure for the California superior courts. This upgrade project focuses on the network infrastructure supporting the Superior Court of California, County of Orange. This is the first year the program has engaged with this court for the initial telecommunications initiative, therefore these are new funds for the project totaling \$609,000.

The network technology refresh program has been offered each year to courts that participated in the initial telecommunications LAN WAN Initiative. The core objective of the project is to refresh of aging network equipment at Orange in three phases and bring it to the same branch standards already implemented at 55 of 58 trial courts.

The goal of the first phase of the Orange upgrade is to refresh the core switches by June 2014. These core switches will no longer be supported by the manufacturer and is the core backbone of

the entire court infrastructure and its information systems such as e-mail, CMS, financial systems, telephony, etc. The remaining network equipment is targeted for refresh by 2016 for the same purpose pending future funding.

Purpose

The program provides a secure, robust and scalable network infrastructure aligned with emerging needs of enterprise court services. The LAN WAN initiative was responsible for providing the trial courts with the infrastructure required to physically separate from their county partners. The network technology refresh component continually refreshes equipment and technology to ensure the courts have the infrastructure required to offer the public reliable and continuous court access.

The branch is able to leverage better hardware and service discounts and benefit from a pool of expert network engineering resources. The same efforts would cost the courts much more in resources and funding if done from an individual court basis. The current support model allows us to pool resources, funding and ensures a standard network infrastructure and security architecture across the branch.

Judicial Branch Enterprise Licensing and Policy

Proposed 2013–2014 Allocation – \$5,122,720

Decrease of \$135,280

Description

This budget primarily funds the Oracle Branch-wide License Agreement (BWL), which includes four components: enterprise database; advanced security; BEA WebLogic Suite; and identity manager with additional options. In addition, this budget funds the ITSO enterprise architecture (EA) and enterprise methodology and process (EMP) programs. The decrease in the proposed allocation from FY 2012-2013 is due to the end of the contract for a project management consultant assigned to develop and implement standard processes for the EMP program.

The Oracle BWL provides the entire branch with the identified Oracle products and unlimited use of these licenses. The enterprise architecture program identifies interdependencies between branch-wide data and systems to improve investments in technology, while the enterprise methodology and process program is dedicated to improving the organization's project management discipline and delivery, by developing a standard set of project artifacts, implementing project management best practices and standards, and maintaining a centralized information repository. This program does not directly distribute funds to the trial courts.

Purpose

The Oracle BWL provides the entire branch with unlimited use of the covered Oracle software licenses, which frees local courts from having to burden resources with complex software asset management and costly annual maintenance renewals for the four components. Instead, local courts may access and install these Oracle products at no charge in any environment, whenever needed, without the expense of license administration. Enterprise architects provide support to guide the development and implementation of statewide applications and ensure compatibility with CCTC infrastructure, communications and security protocols. The EMP develops and

promotes standardized, repeatable processes to reduce complexity and increase efficiencies throughout the solution development lifecycle (SDLC), on both application and infrastructure efforts.

The efforts of the Enterprise Architecture (EA) and EMP programs align with Judicial Council Goal 3, Modernization of Management and Administration and Goal 6, Branch-wide Infrastructure for Service Excellence. In addition, the EMP program promotes standardized, repeatable processes throughout the system development lifecycle that were requested by the Bureau of State Audits and the California Technology Agency in their review of the CCMS program, and recommended to be applied to all future technology projects.

The products included in the Oracle BWLA are key components to the courts' current and future application infrastructure throughout the branch, for both production and non-production environments. These Oracle products are an intrinsic part of CCMS V2 and V3, Phoenix, the Computer-Aided Facilities Management program (CAFM), Appellate Courts Case Management System (ACCMS), and the California Courts Protective Order Registry (CCPOR). The licenses are also widely used by applications that are hosted at local superior court facilities. Courts may also request consultation from enterprise architects to assist with their local initiatives.

With responsibility for optimizing the scope and accessibility of accurate statewide judicial information, and the technical delivery of key branch-wide systems, ITSO supports and coordinates the application of technology throughout the judicial branch and manages centralized statewide technology projects. The Oracle BWLA, EA and EMP programs support a sound technological infrastructure and effective case management, facilities, finance, human resource, and other court systems to meet the needs of the public.

Data Integration

Proposed 2013–2014 Allocation – \$3,906,882

Decrease of \$484,118

Funds were allocated in FY 2012-2013 for the replacement of obsolete hardware. A similar refresh of hardware will not be required in FY 2013-2014 resulting in a decreased allocation request of \$137,656.

Description

The Data Integration (DI) program currently provides services that enable the secure and efficient exchange of information between the courts and their justice and integration partners. Funding enables the technical infrastructure and support necessary to facilitate this integration. Funding is not distributed directly to the courts.

The technical infrastructure includes hardware and software hosted at the CCTC that comprises the Integration Services Backbone (ISB). The ISB is used to exchange information between systems, both internal and external to the branch.

The technical infrastructure includes sophisticated hardware and software hosted at the CCTC to facilitate communication with the California Department of Justice's (CA DOJ) and the California Law Enforcement Telecommunications System (CLETS) infrastructure. Many of the applications hosted at the CCTC rely on the ISB infrastructure, including California Courts

Protective Order Registry to function with external justice and integration partners.

The technical support provided by the Data Integration program is necessary to ensure the hosted technical infrastructure is adequately maintained and enhanced. Technical support is provided in the following ways:

- Hardware maintenance is funded for the refresh of aging and out of support hardware.
- Software maintenance is funded for TIBCO products (the foundation of the ISB); the Omnixx product, which supports DOJ access through CLETS; and the DMVQUERY and DMVGATEWAY products, which facilitate ad hoc DMV access. For all of these products, the maintenance allows for product support necessary to obtain version upgrades, patches and vendor support for production issues.
- TIBCO development services maintain and support the ISB infrastructure and the production interfaces, as well as, the common services that are used to simplify interface development and support.
- Datamaxx services provide updates and enhancements for the Omnixx infrastructure as needed in support of CLETS access.
- Concepts2000 services provide steady-state support for the DMVQUERY and DMVGATEWAY products.

In addition to the reductions in FY 2011–2012, additional savings were realized in the FY 2012-2013 budget as well. These savings were achieved through reduction of TIBCO developer annual support by moving from TIBCO professional services to direct contractors. Review of current and future scope for development and support of interfaces allowed for the reduction of the overall number of developers for additional savings.

Purpose

The ISB infrastructure provides a central communications hub that reduces the complexity and cost of maintaining numerous point to point interfaces between centrally hosted systems, court systems, and their justice and integration partners.

The number of courts benefitting from data integration steady state support of the following products and production ISB interfaces are identified below:

- DOJ California Restraining and Protective Order System interface in support of 23 courts using CCPOR.
- Warrants/FTA (Failure to Appear), Justice Partner web portal, and credit card payment interfaces for three courts.
- Phoenix HR and Financial interfaces for five courts and seven integration partners.
- Support for different partners and systems are funded by DI, not by individual programs, in a leveraged model, where personnel and system resources are shared among various programs; costs are not easily attributable to specific programs.
- Web portal for submitting JBSIS information, supporting 37 courts.
- Document Management System (DMS), index, file service and Employment Development Department interfaces for three V3 courts.
- The Omnixx product and Datamaxx services support seven courts that currently access CLETS directly, as well as the 23 courts and their local agencies using CCPOR.

- DMVQUERY and DMVGATEWAY products, which facilitate ad hoc DMV access, support 12 CCTC-hosted courts that use the Sustain and V2 case management systems.

Interim Case Management System

Proposed 2013–2014 Allocation – \$1,650,515

Decrease of \$1,162,485

Description

The budget for the ICMS program for FY 2013-2014 is being reduced by \$1,161,883. The cost reductions are related to continued deferment of various SJE projects while primarily focusing on those maintenance and operations projects that are required, along with incorporating minimal enhancements, while the SJE Court Consortium evaluates alternatives to replacing the SJE application. Additionally, efficiencies continue to be realized by having an AOC consultant who has a more favorable billing rate than the Sustain vendor perform tasks (e.g., such as writing business requirements, making SJE configuration changes and testing) needed to incorporate legislative updates into the SJE application.

The ICMS Unit provides program support to trial courts running the Sustain Justice Edition (SJE) case management system. The ICMS budget is used to fund project management support and technical expertise for the CCTC-hosted courts as well as the Sustain User Group. Support includes maintenance and operations activities such as implementation of legislative updates, application upgrades, production support, disaster recovery services, CCTC infrastructure upgrades and patch management. Locally hosted SJE courts use ICMS program resources, as needed, for legislative updates and SJE support. A benefit available to SJE courts is the volume discount on licensing, provided by the vendor for courts hosted at the CCTC. The greater the number of users, the lower the licensing cost per user.

Funding for FY 2013–2014 will support:

- Production support
- Patch management
- Database stack upgrade including hardware refresh
- Legislative updates (e.g., Uniform Bail Schedule)
- Application enhancements (e.g. Merced eCourt interface)
- Disaster Recovery Exercises
- Infrastructure support and hosting services
- Support for testing and training

The ICMS unit also provides support, upon request, to courts with failing legacy case management systems. Staff is assigned to work with the courts to perform high-level assessments and to assist in identifying a stabilization strategy. In addition, the ICMS team has been assigned to support the SJE Path Forward Court Consortium in developing a go-forward strategy for courts currently deployed on Sustain Justice Edition.

ICMS costs that are reimbursed by the trial courts are funded from the TCTF while all other costs are funded from the STCIMF. STCIMF funds approximately 55% of the CCTC hosting cost for those trial courts who have SJE hosted at the CCTC. The remaining 45% is funded by

the TCTF and reimbursed by the trial courts. There are no funds distributed directly to the courts from this program.

Purpose

Sustain Justice Edition (SJE) is deployed in 16 courts across 40 court locations. The SJE courts include the Superior Courts of Humboldt, Imperial, Lake, Madera, Merced, Modoc, Monterey, Plumas/Sierra, San Benito, Trinity, Napa, Placer, Santa Barbara, Tulare, and Tuolumne counties. Nine courts are hosted in the California Courts Technology Center while six are hosted locally. The Sierra court processes their traffic citations using the Plumas Court's SJE instance.

The nine SJE Sustain courts hosted at the CCTC are deployed on a common architecture. Among other benefits, this common architecture enables a single solution for interfaces to justice partners such as the Department of Motor Vehicles (DMV). Because interfaces such as DMV and DOJ are common among the nine SJE courts, enhancements can be leveraged for the benefit of all the courts. Locally hosted courts require separate efforts for their interfaces, including connectivity to the DMV.

The Interactive Voice Response (IVR) and Interactive Web Response (IWR) functions provide key benefits to the courts. The interfaces which support these functions were developed to provide the public an electronic mechanism for payment of fees and infractions. The IVR and IWR interface provides the public the ability to submit payments electronically 24/7, with the exception of downtime needed for hardware maintenance. Currently, 10 of the 16 courts are using the IVR and IWR function.

Enterprise Test Management Suite

Proposed 2013–2014 Allocation – \$582,463

Decrease of \$245,537

Description

In FY 2012-2013, the number of licenses for several of the tools in the Enterprise Test Management Suite were significantly reduced. As a result, the ETMS allocation is decreasing by \$245,537 for FY 2013-2014.

The Enterprise Test Management Suite (ETMS) is a program that provides a suite of software quality assurance tools, staff and testing expertise. Funding in FY 2013–2014 will be used to operate the ETMS software on AOC servers, purchase software maintenance for the programs that comprise the ETMS, fund a technical analyst to provide systems administration/technical support for the software, and extend some of the functionality available to the Criminal and Traffic CMS and to the Civil, Probate and Mental Health CMS. ETMS Software license fees for FY 2013–2014 were slashed by more than 30%, reducing the number of licenses for some software and replacing software with alternatives having a reduced maintenance burden.

Purpose

The ETMS program helps the courts receive more reliable AOC-developed software. Its value is in identifying priorities for fixing defects, documenting steps taken to remedy the defect, measuring the resolution of defects, and is specifically beneficial to custom developed software under AOC oversight.

ETMS provides a centralized repository for detailed descriptions of defects, service requests and requested enhancements. This facilitates prioritization, provides a repository for documenting actions, and allows the team to record the steps to test and ensure that defects have been fixed and enhancements are working properly. From this repository, release notes are generated for every major release of software and reviewed with court staff before installation and court testing. Reports from the repository are used to track the numbers of defects, service requests and enhancements over time, look for trends, and help the AOC proactively identify areas which need further improvement.

Included in the testing suite are tools to help automate the testing process, enabling quality assurance staff to run a greater number of tests. This helps to ensure a higher standard of reliability and fewer defects in software delivered to the courts, with fewer resources. These tools are part of the larger quality assurance program, which develops and uses continuously improving processes to improve the quality and reliability of software. Software benefitting the trial courts that utilize the ETMS tools includes: the California Courts Protective Order Registry (CCPOR); Civil, Probate and Mental Case Management System (V3), Criminal and Traffic Case Management System (V2), Computer-Aided Facilities Management (CAFM), Contact and Position System (CAPS), Serranus, and the California Courts Web site.

California Courts Protective Order Registry

Proposed 2013–2014 Allocation – \$675,717

Increase of \$12,717

Description

FY 2013–2014 funds will be used to host the CCPOR application at the CCTC, to cover support costs for licensed software, and to fund staff to support system users. The \$12,717 increase in the proposed allocation from FY 2012–2013 will be used to implement infrastructure updates and additional storage at the CCTC necessary to support the additional counties being on-boarded to the system via grant funds.

The CCPOR team, funded from multiple funding sources, provides primary production support for this centralized application, and develops court-requested enhancements and defect fixes, as well as system updates required by legislative changes and corresponding modifications to the Department of Justice California Restraining and Protective Order System (CARPOS).

The CCPOR program does not directly distribute funds to the courts, only services.

Purpose

CCPOR creates a statewide repository for restraining and protective orders that contains both data and scanned images of orders that can be accessed by judges, court staff, and law enforcement officers. CCPOR was developed by the trial courts and the AOC, based on a recommendation to the Judicial Council submitted by the Domestic Violence Practice and Procedure Task Force to provide a statewide protective order registry.

CCPOR provides major improvements to victim safety and peace officer safety in domestic violence cases and cases involving violent crimes. CCPOR counties depend on the CCPOR system for operational cost savings and improvements to victim and officer safety. Without

CCPOR these counties would need to print and file the currently 80,000-plus restraining and protective order files currently managed in CCPOR, reverting to a manual business processes.

The courts have committed significant staff resources for training and use of the CCPOR system, in some cases deferring other vital projects. They have convinced their law enforcement partners to do the same because of the difference CCPOR makes in their counties. Law enforcement also benefits by using CCPOR by having the ability to retrieve the electronic copy of an order in seconds to ensure the mandated hit confirmation occurs, thus reducing the manual process of retrieving the hardcopy orders.

Issuance of restraining and protective orders is authorized in statutes Pen. Code, § 136.2 and 136.3; Pen. Code, § 646.91 and 646.91a; Gov. Code, § 77209(b)(f) (g) and (j); and Fam. Code 6380, 6404. CCPOR facilitates the entry of these orders into CARPOS, which is a specific court responsibility. In addition, by promoting victim safety and perpetrator accountability, CCPOR supports the Judicial Council’s strategic plan Goal IV, Quality of Justice and Service to the Public, and the related operational plan objective (IV.1.e) for “[i]mproved practices and procedures to ensure fair, expeditious, and accessible administration of justice for litigants in domestic violence cases.”

Currently, 30 courts and their law enforcement partners depend on CCPOR for restraining and protective order processing. Due to budget reductions in FY 2011–2012 and FY 2012–2013, planned deployments to additional counties were canceled, and support for the application was reduced to a minimum level. The program received an NCHIP grant from the DOJ for FY 2013–2014 to deploy CCPOR to an additional 12 counties by November 1, 2013. This project is proceeding well with 10 of the 12 counties successfully deployed. The California DOJ, working with the AOC, is currently seeking additional grant funding through another NCHIP grant to onboard additional counties in calendar year 2014. These grant funds are restricted to deployment activities.

CCPOR provides judges with critical information necessary to prevent issuance of multiple protective orders with conflicting terms and conditions. It also provides law enforcement with complete images of these orders, including handwritten notes and enforcement warnings that are not captured by any other system. By creating a system that is shared by courts and their law enforcement partners, CCPOR bridges communication gaps and improves inter-agency cooperation. These benefits work together to safeguard victims of crime, and peace officers in the field.

Jury Grant Program Support

Proposed 2013–2014 Allocation – \$600,000; no change

Description

All trial courts are eligible to apply for the jury grant funding to improve their jury management systems. The number of courts receiving grants varies according to the number and size of grant requests received from the trial courts. In FY 2012–2013, jury grant applications were received from 26 trial courts, which included 42 different projects, and totaled \$1,183,382. Of the 26 trial courts submitting jury grant applications, 20 received some level of grant funding to assist with 25 of the 42 submitted projects. Funded projects ranged from keeping existing functionality intact by replacing aging hardware or upgrading jury management systems to implementing newer technology such as a juror self check-in module and a short message service (SMS)

module that sends jury reminders via text/phone messages

Purpose

Funding for the jury grant program started in FY 2000–2001 for trial courts to improve their jury management systems. The impetus for providing technology funding was implementation of one-day or one-trial juror service in all superior courts, which required courts to summon and process many more jurors than the earlier practice of two-week availability for service common throughout the state. When the program began, courts were working with outdated DOS versions of jury management systems that were vendor- or in-house developed. These systems had reached the end of their useful life and required upgrading as they could not adequately support the new requirements of one-day or one-trial.

All 58 trial courts have an opportunity to participate and take advantage of this program and, to date, 55 of 58 courts have received some level of funding.

As a result of this program, system improvements have provided benefits to potential jurors, jurors, and the courts. Courts have been able to meet Judicial Council goals of modernization and service to the public by receiving funding to implement their jury system improvement projects.

The public has benefited by being able to use technology to streamline communication with the court as a potential juror. Potential jurors are able to use either a computer or telephone to change their address, postpone, or decline service as permitted. Courts that have implemented IVR, for example, report that when they formerly summoned a large pool, the jury office voice mailbox would quickly fill up. Jurors no longer encounter that obstacle to communicating with the court. Jurors no longer have to listen to long telephone messages the night before reporting, but are able to go directly to their own record by keying in their bar code on their telephone or personal computer.

The courts have benefited by being able to free up staff from dealing with routine, repetitive tasks that occur when a new pool is summoned. Data entry has been greatly reduced, with accuracy improved by direct entry of personal data by the juror. Courts report that IVR systems pick up between 50 and 75 percent of routine callers, far exceeding typical IVR projects in other businesses that normally pick up 30 to 40 percent of callers. Staff is now available to deal with more complex matters in the jury office, or can be reassigned to other court operations.

The Branch has benefited by receiving more accurate statistical information about jury service. Courts have reported high levels of satisfaction with their completed projects. This program provides courts the ability to introduce new, more efficient solutions for managing their jury programs.

Uniform Civil Fees

Proposed 2013–2014 Allocation – \$385,000; no change.

Description

The current UCFS allocation funds two full-time ISD contractors performing ongoing maintenance and support. UCFS has not been allocated any full-time staffing support and relies solely on contractors. FY 2013–2014 funding for UCFS will support the following activities:

- Support for legislated and mandated changes to distribution rules to ensure accurate and timely civil fee distributions to appropriate entities within the mandated timeframes.
- Full support that provides a high level of system availability and reliability in order to help trial courts avoid penalties to state, county, court, and third parties for late reporting and distribution of funds.
- Support for system improvements to address changes to the business process.

UCFS provides services to the following business units:

- Trial Court Trust and Treasury Services
- Trial Court Budget & Technical Support Services
- Internal Audit Services

Purpose

UCFS was originally intended to be a temporary application (6-12 months) until the required functionality was incorporated into Phoenix or CCMS. This application has now been in place for seven years and modified many times to keep up with changing legislation and business processes.

UCFS supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of \$52 million distributed per month. In July 2005, the Legislature, through section 68085.1(b), required that the 58 trial courts submit a schedule of AB 145 remitted civil fees by code section at the end of each month to the AOC. Under section 68085.1, the AOC is responsible for the reporting and remittance of Uniform Civil Fees (UCF) cash collections. Accordingly, the Uniform Civil Fees System (UCFS) was developed to support the centralized reporting and distribution of UCF cash collections. A failure to distribute fees to the appropriate entities within 45 days after the end of the month would result in the state assessing penalties up to \$24,000 per day that the distribution is late. The UCF System is used to calculate the correct distribution of 192 categories of fees collected by the 58 superior courts. The fees are distributed to up to 22 different funds or entities, such as the Trial Court Trust Fund's children's waiting room program, or a county law library. The distributions vary depending on the court, the fee, and the fund or entity receiving the funds. The system generates reports for the State Controller's Office and various entities that receive the distributed funds. Calculations are used by the AOC Finance Division to distribute funds to various entities as required by law.

UCFS benefits the public by minimizing the amount of penalties paid to the state for incorrect or late distributions and ensuring that the entities entitled to a portion of the civil fees collected, as mandated by law, receive their correct distributions.

Justice Partner Outreach/E-Services (JPO&E)

Proposed 2013–2014 Allocation – \$572,000

Increase of \$4,000

Description

FY 2013–2014 funds will be used to continue to support analyzing and assessing e-services statewide, including e-filing priorities and needs of the trial courts, and ongoing communication and information exchange with state and local justice and integration partners. The increase is for

an adjustment to support costs. In FY12–2013, a survey conducted by the Judicial Council Technology Committee indicated that e-filing is a priority for the trial courts. As a result, the JC Technology Initiatives Committee created an E-Filing Workstream as one of its four priority areas to examine and develop and implement deliverable and future action items. JPO&E provided support to the E-Filing Workstream and continues to provide recommendations to the Judicial Council Technology Committee, the Court Technology Advisory Committee (CTAC), and the Judicial Council on statewide e-service initiatives.

JPO&E is leading the First District Court of Appeal’s efforts to implement a vendor funded e-filing system. JPO&E drafted the requirements, issued the RFP, arranged for vendor demonstrations and developed vendor scoring. They were engaged in vendor selection, contract negotiation, SOW development, and participate in gap analysis. JPO&E staff are providing two senior business analysts for project management, and senior staff support (requirements, configuration, etc.) This initiative is being executed as a pilot program for the First District Court of Appeal with the long term goal of deployment to all appellate districts and the Supreme Court.

This program also provides representation for the Judicial Branch at key partner forums, including: the Data Sharing Task Force, chaired by the California Sheriff and Chief of Police Associations; Traffic Records Coordinating Committee (TRCC), and strategic planning subcommittee providing direction on OTS grant funding and reporting to the feds on national highway traffic safety (NHTSA); and numerous local, state and national associations and technology forums.

Funding for FY 2011–2012 and FY 2012–2013 were significantly reduced. However, funding was reinstated late in FY12–2013 to the budget recognizing the future priorities of the Branch for e-filing. The JPO&E has no funds directly distributed to the courts.

Purpose

The program purpose is to implement the Judicial Council’s objectives for court e-services and e-filing initiatives by supporting the planning and implementation of electronic filing of court documents, as well as electronic service of court documents, to all 58 California Superior Courts, the Courts of Appeal, Supreme Court, and local and state justice/integration partners.

JPO&E promotes and supports the Judicial Council’s recommendations of creating statewide business and technology solutions for e-services as an approach to drive operational and technical efficiencies, resulting in cost savings for the branch and its 58 superior courts. Benefits include:

- Provide a foundation to develop a plan for a uniform, secure, standardized statewide portal platform to provide simple e-filing capability for courts statewide that would be extensible to all court case management systems and e-filing service providers (EFSP), specifically benefiting trial courts with no e-filing or limited capabilities.
- Create access to simple court processes and training statewide for court staff, thereby allowing staff to better focus on customer support.
- Promote and enhance judicial branch e-filing and information sharing initiatives through involvement in partner forums.

- Provide a mechanism for ongoing information sharing and communication to justice/integration partners, and EFSPs.
- Promote and support e-services and e-filing priorities of the Judicial Council.

California Law Enforcement Telecommunications System (CLETS)

Proposed 2013–2014 Allocation – \$515,16

Increase of \$351,162

Description

Funds in FY 2013–2014 will be used to provide ongoing support for continuing operations and expansion of access to CLETS, for both direct access by the courts and for the California Courts Protective Order Registry (CCPOR). This staff provides support for requirements gathering, California Department of Justice (CA DOJ) approval, implementation, training, and system updates. Support is also provided for security policy compliance and audit related activities for the benefit of both the AOC and the Courts.

The CLETS program has no funds directly distributed to the courts; however, the program does pay for the associated licensing costs on behalf of the courts.

Purpose

The CLETS Program supports access to the statewide law enforcement network provided by the California Department of Justice (CA DOJ). This access provides trial court judicial officers with criminal justice information from California and various national databases to support complete and timely adjudication. CLETS access is also used by CCPOR as its sole method to provide and update restraining and protective orders to the CA DOJ and the NCIC (FBI) databases.

Working closely with the CA DOJ, the purpose of the CLETS Program is to provide staff support and consultation to the trial courts, as well as the CCPOR team, regarding setup, access approval, and security policy compliance relating to the access to CLETS. A timely response to issues that arise is critical to the court's efficiency and timeliness in preparing court calendars and case preparation; compliance with audit requirements; and accommodating employee transfers, turnover or reduction in staff.

Currently superior courts in eight counties, Fresno, Madera, Merced, Monterey, Plumas, San Francisco, Tulare and Yolo, utilize the AOC-sponsored CLETS Access Program through the services resident within the California Courts Technology Center (CCTC) One additional court, Placer Superior Court, is in the process for approval by the CA DOJ and subsequent CLETS access deployment. The Superior Courts of Mendocino and Nevada counties are in the initial preparation phase leading to approval and deployment via the CCTC. In addition, CLETS access support is currently provided to courts and / or local law enforcement agencies in 26 counties, who utilize the CCPOR application for the timely submission of restraining and protective orders to the CA DOJ and subsequently to NCIC (FBI). Expansion of CCPOR to additional courts and their local partners occurred in FY 2012-2013, which included additional submissions of orders through CLETS, and will continue in FY 2013-2014 with an additional two counties implemented by September 2013.

Penal Code 11105 and others provide specific authority for the courts to access databases for

general and specific purposes. The courts are required to complete a review of selected data prior to issuing restraining and protective orders, supported by CCPOR and the CLETS Program. The courts have the ability to also utilize CLETS to directly submit restraining and protective order to the CA DOJ.

Benefits to the courts and the public derived from the CLETS Program include:

- Facilitating access to state and national databases with minimal direct cost to the trial courts. Infrastructure, licensing, training, consulting, deployment, and software support service agreements are provided and managed by the program on behalf of the supported courts.
- Providing direct access to the databases, ensuring more efficient, accurate, and complete research and providing information needed by the bench to make timely and informed decisions, often with a direct impact on public and officer safety.
- Providing the necessary staffing, methodology, and relationship management with the CA DOJ to facilitate the on-boarding process. Services provided by the program reduce the need for the courts to add and dedicate staff as CLETS subject matter experts.
- Hardware maintenance is funded for refresh of aging and out of support hardware.

Courts Linked by Information and Knowledge (CLIK)

Proposed 2013–2014 Allocation – \$1,164,876

Increase of \$1,164,876

No budget was allocated for CLIK in FY 2012-2013. There is an urgent need to begin the re-write of the CAPS/Assigned Judges system before the system develops issues due to aging technology. Changes to the older application are on hold to reduce risk to production users.

Description

The primary objective of the CLIK (Courts Linked by Information and Knowledge) program is to replace and enhance the existing Contact and Positions System (CAPS) and the Assigned Judges Tracking System (ATS). CAPS is used to manage the judicial branch's contact/directory information as well as serve as the central repository of information related to judges and their roles in the judicial branch. CAPS is the foundation for many other systems providing contact and demographic data for key personnel both within and external to the Judicial Branch. ATS supports the Assigned Judges Program (AJP) by facilitating the matching process between a court's request for critical judicial assistance and the judges qualified to provide assistance. The system used to manage the nomination process for judicial committees, task forces, and work groups is very tightly coupled with CAPS. As the costs of integrating the new CAPS system with the current nominations system would equal the costs of replacing it, the nominations system is also included within the scope of this project.

The requirements phase of the CLIK project was completed in September, 2011. The program was not funded in FY 2012—2013 and placed on hold. The funds being requested in FY 2013–2014 will be used to resume the CLIK software development project, including acquisition of contractors to complete the design phase and begin the implementation phase of the CAPS portion of the system. Also included in the FY 2013–2014 request are funds needed to acquire and install the necessary system software to support the development and operation.

Purpose

The CAPS system is used extensively throughout the AOC. The system is available to all AOC staff. There are currently 428 CAPS users. CAPS maintains over 24,000 contacts.

The Assigned Judges Tracking System supports the management and processing of over 3,500 assignment requests per year for active and retired judges, providing the equivalent of 136 full-time judgeships in the last fiscal year. There are approximately 400 retired judges participating in the Assigned Judges Program (AJP). Trial courts represent 90% of the AJP judicial assignments, and appellate courts represent 10% of the AJP judicial assignments.

Since the inception of CAPS in 2001 and ATS in 2005, the programs have provided significant benefits to the AOC in terms of centralized data management, program support, effective communications, and support for AOC business processes. However, as technology and business requirements have evolved, ATS and CAPS are now outdated and at risk of failure. CAPS and ATS operate with an obsolete and unsupported technical architecture. CAPS and ATS cannot accommodate changes to business requirements and legislative changes, are subject to general dissatisfaction from users and gradual, continual degradation of system performance.

The primary goals of the CLIK program are to replace the current systems to ensure continued and uninterrupted operation of these critical systems, to enhance the systems to support current program policies, business processes and legislative requirements, and to incorporate design standards that will make the systems more robust and easier to enhance in the future. Benefits to the courts derived from the CLIK Program would include:

- Improved accuracy and availability of judicial contact and organization information, such as the directories.
- Improved accuracy and availability of judicial committee, task force and work group information, such as rosters.
- Improved accuracy in using correct titles, salutation, and name spellings for reports, rosters and labels.
- Improved and effective communications through electronic delivery, such as email functionality, within the judicial branch and external entities through enhanced email capabilities.
- Greater efficiency and reduced timelines for producing AJP work orders; processing travel and compensation claims; and issuing payments.
- Improved AJP program impartiality.
- Improved AJP program integrity.

Adobe LiveCycle Reader Service Extension (New)

Proposed 2013–2014 Allocation – \$129,780

Description

A number of years ago Orange, San Bernardino, and Sacramento were working together to develop Smart Forms to help self-represented folks do a better job of completing Judicial Council forms. Each Court was working on a different set of forms. One of the technical pieces needed was the ability to not just fill out, but save, for later modification, PDF versions of the JC forms. The software needed was the Adobe Live Cycle Reader Extension. Since there were multiple courts involved, Orange court explored getting a license anyone in the judicial branch could use, not just the three courts. The cost was about \$700,000 one time for the basic license and \$140,000 per year maintenance fee. Orange court paid the entire \$700,000 initial amount, and the three courts agreed to split equally the maintenance fee. Each court has been paying one third of the fee since then. San Bernardino has just informed that they cannot make the payment for FY 2013–2014, given the budget cuts. It has not yet been heard whether Sacramento is willing to continue paying. It would be unfair to have only two, or one, court pay the fee for a

functionality that all courts use. On a per authorized judicial position basis, the fee is \$70 per judicial position per year. In 2012 a total of 5.5 million forms were downloaded. For this volume, the maintenance fee would be less than \$0.03 per form download.

Purpose

This Adobe Live Cycle Reader software was very interesting to the trial courts at the time. Not only could it power “smart forms” but it also would allow all 965 Judicial Council forms to be savable (prior to the license the forms could only be filled out and printed, but the data could not be saved). In addition, Adobe Live Cycle was part of the CCMS V4 technology stack, so the court wanted to get meaningful experience with the technology prior to V4 to understand its capabilities and limitations. About 6 months after the contract was signed ALL Judicial Council forms on the Judicial Council web-site were made “savable”. The savable forms are available to anyone, not just the three courts, and not just those using the smart form packets we have developed. They are used widely and extensively, and the self-help centers and CFCC folks are very happy the savable forms are available. Losing the savable feature would noticeably reduce access to the courts, for example, almost two million family law forms were downloaded in 2012.

Proposed Allocation Funded from the Trial Court Trust Fund

Civil, Small Claims, Probate and Mental Health (V3) Case Management System
Proposed 2013–2014 Allocation – \$5,593,966

Decrease of \$2,598,040

Description

Savings and technology efficiency initiatives were implemented that have reduced estimated costs for FY 2013–2014 by \$1,810,259. This reduction was achieved through infrastructure cost reductions and contractor staff reductions. The V3 team continues to pursue opportunities for further reductions in expenditures.

Starting in 2006, the civil, small claims, probate and mental health interim case management system (V3) was deployed in six superior courts (Los Angeles, Orange, Sacramento, San Diego, San Joaquin, and Ventura). Five of the six courts rely on this production application for daily case management processing, with a total of 2,705 users statewide. As of June 2012, the Los Angeles Superior Court no longer enters new transactions into the V3 Court, using V3 for inquiry purposes only.

The V3 case management system (CMS) was previously developed and supported by a software development vendor, Deloitte Consulting, LLP. In 2009, following the success of the V2 transition, the AOC developed a business case for transitioning maintenance and support from Deloitte to an internal AOC team. In July 2011, support for V3 was transitioned to the Information Services Division at the AOC. Projected savings are \$5.7 million dollars through FY13-14.

The requested allocation of \$5,593,966 for FY 2013-14 will support the following:

- Hardware and software maintenance.

- Infrastructure support and hosting services for all environments: development, test, training, staging and production.
- Software product support including ongoing technical support to the California Courts
- Technology Center (CCTC) and locally hosted courts.
- User support.
- Product releases including court enhancement requests, judicial branch requirements, and bi- annual legislative changes.
- Future product enhancements as directed by the Court Technology Committee.

Purpose

The civil, small claims, probate and mental health interim case management system (V3) processes 25 percent of all civil cases statewide. V3 functionality enables the courts to process and administer their civil caseloads, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, work queue, payment and financial processing. All V3 courts are now using the latest version of the V3 application. This model allows for a single deployment and common version of the software, avoiding the cost of three separate installations.

E-filing has been successfully deployed at the Orange County court, saving time and resources. Sacramento Superior Court has also deployed e- filing for their Employment Development Department cases. San Diego is targeting deployment of e-filing in FY 2012-13. Sacramento and Ventura integrate V3 with public kiosks. E-filing and public kiosks are recognized as providing public and justice partners with increased ease of use and efficiencies. The Superior Court of Los Angeles County previously used V3 for processing a limited number of small claims, but the court no longer processes small claims using V3. They now use V3 for inquiries only.

The V3 team has the ability to control product development and functionality to meet ongoing changes requested by the courts, legislature, public and justice partners that may not be available in a vendor controlled, off the shelf product.

Criminal and Traffic (V2) Case Management System

Proposed 2013–2014 Allocation – \$3,156,714

Decrease of \$412,025

Description

Savings and technology efficiency initiatives reduced estimated costs for FY 2013-14 by \$152,303 from the FY 2012-2013 budget. These savings were achieved through infrastructure cost reductions, and without a negative impact to users. The V2 team continues to pursue opportunities for further reductions in expenditures.

V2 is a case management system for criminal and traffic cases currently operating in Fresno Superior Court. The court, needing to replace its failing COFACS criminal and traffic case management system, took the lead as the V2 pilot court, resulting in deployment of V2 in 2006. When the AOC embarked on development of a single comprehensive case management system, the decision was made to limit deployment of V2 to the Fresno Superior Court. In 2008, the AOC developed a business case that demonstrated the opportunity for cost savings, by moving V2 maintenance and support from the vendor, Deloitte Consulting, to an AOC team, managed

by the Information Services Division. Maintenance and support was successfully transitioned to the AOC in September 2009. The project broke even in June 2010 and the projected cost avoidance is \$10.7 million through FY 2013-14. Fresno Superior Court is satisfied with the system performance and is supportive of the ISD maintenance and support team. During FY 2013–2014, V2 maintenance and operations funding will support:

- Hardware and software maintenance.
- Infrastructure support and hosting services at the California Courts Technology Center (CCTC).
- Help desk support for the court.
- Day to day operational application support and service requests.
- Ongoing product releases to address court requests and judicial branch requirements, including biannual legislative changes.

Purpose

V2 enables the Fresno Superior Court to process and administer its criminal and traffic caseload, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, payment, and financial processing. The daily fund distribution report generated by V2 calculates distributions for monies collected from fees and fines, an operation that was previously done manually. With the courtroom functionality, a defendant is able to walk out of a hearing and immediately receive a transcript of the hearing, including any actions or instructions delivered at the hearing. Justice Partners such as the District Attorney's office have inquiry access from their offices to authorized case information.

Automated interfaces to justice partner systems include: 1) Department of Motor Vehicles for updates and inquiries on traffic violations; 2) Web Pay for online payment of bail, fines, and fees; and 3) the Fresno County Sheriff's Office for warrants issued or revoked. Collection of information for the Judicial Branch Statistical Information System (JBSIS) is automated. The public is able to view authorized case information on V2 at kiosks. For example, a case participant is able to view the location and time of their hearing using a kiosk. V2 supports 650 court users and 2,800 justice partner users.

California Courts Technology Center (CCTC)

Proposed 2013–2014 Allocation – \$1,654,000

Decrease of \$35,325

Description

The CCTC provides consistent, cost effective, and secure hosting services, including ongoing maintenance and operational support, data network management, desktop computing and local server support, tape back-up and recovery, help desk services, email services, and a dedicated service delivery manager.

CCTC also provides a comprehensive disaster recovery program for court management systems, including Phoenix Financial and Human Resources Systems (SAP), California Courts Protective Order Registry (CCPOR), Court Case Management, (V2, V3), Interim Case Management Systems (ICMS), and the Computer-Aided Facilities Management System (CAFM). The CCTC also provides a complete suite of IT services to five hosted Superior Courts (Madera, Modoc,

San Benito, Lake, and Plumas).

Funding from the State Trial Court Improvement and Modernization Fund (STCIMF) and the Trial Court Trust Fund (TCTF) for FY 2012–2013 will be spent on maintaining core services and court requested services. These services allow the courts to rely on the skills and expertise of the maintenance and support within the CCTC to remediate defects, implement legislative updates, configure and install software and hardware upgrades, and address other minor and critical issues. These core services include:

- Data center application hosting services
- Local court server monitoring and remote site backup
- Data Center and local network management
- Help desk services
- Desktop and local server management and support services
- Hosted email services for 6 trial courts
- Disaster Recovery

None of the funding is distributed directly to the courts.

Purpose

In alignment with Judicial Council directives to affirm development and implementation of statewide technology initiatives, the CCTC program provides a Judicial Branch Technology Center for use by all courts. Benefits to the courts through the CCTC include enterprise-wide hardware and software license agreements, including bulk volume discounts in purchasing. Centralized changes (e.g. hardware and software patches) are easier and more efficient to install. Centralized help desk support provides the courts a single point of contact and minimizes the impact of major incidents.

In the event of a significant interruption of court services, the disaster recovery program ensures that infrastructure and network services and trial court applications hosted in the CCTC can be safely and securely backed-up, redirected, and restored. Disaster recovery exercises are conducted routinely to test the strength of the CCTC recovery strategy and to ensure that vital court services, as well as data and communications, can be restored at a designated location.

CCTC costs that are reimbursed by the courts are funded from TCTF, while all other costs are funded from STCIMF. The portion of costs by CCTC function that are reimbursed by the courts versus those paid from the STCIMF is listed below (Please note that these percentages are approximate):

- Data center network – Courts fund 48% while the CCTC funds 52%
- Help desk – Courts fund 4% while the CCTC funds 96%
- Desktop and local servers – Courts fund 44% while the CCTC funds 56%
- Remote site backup – Courts fund 16% while the CCTC funds 84%
- Hosted email services – Courts fund 74% while the CCTC funds 26%

The costs are reimbursed at a rate that was agreed upon with the courts at the time of implementation. Currently the AOC does an annual review of the help desk users with all

courts, and a more in-depth review with hosted courts prior to the Schedule C distribution to the courts.

This program supports Judicial Council objectives to allow the courts to take advantage of operational efficiencies and cost effective services, eliminating redundant expenditures, and providing a coordinated approach to addressing statewide technology initiatives.

The program provides public benefit by utilizing technology to achieve efficiencies in the superior courts. It provides ongoing cost-effective maintenance and support for programs which allows the consistent and accessible administration of justice throughout the state. Today, the CCTC hosts service for all 58 California Superior Courts.

Interim Case Management System (ICMS)

Proposed 2013–2014 Allocation – \$1,027,615

Decrease of \$248,106

Description

The decrease in funding from the previous fiscal year allocation reflects the Monterey Court transitioning to a locally hosted version of the Sustain Justice Edition (SJE) application. Monterey Court no longer contributes funding through Schedule C to cover the cost of hosting the SJE application at the CCTC.

The ICMS Unit provides program support to trial courts running the Sustain Justice Edition (SJE) case management system. The ICMS budget is used to fund project management support and technical expertise for the CCTC-hosted courts as well as the Sustain User Group. Support includes maintenance and operations activities such as implementation of legislative updates, application upgrades, production support, disaster recovery services, CCTC infrastructure upgrades and patch management. Locally hosted SJE courts use ICMS program resources, as needed, for legislative updates and SJE support. A benefit available to SJE courts is the volume discount on licensing, provided by the vendor for courts hosted at the CCTC. The greater the number of users, the lower the licensing cost per user.

Funding for FY 13/14 will support:

- Production support
- Patch management
- Database stack upgrade including hardware refresh
- Legislative updates (e.g., Uniform Bail Schedule)
- Application enhancements (e.g. Merced eCourt interface)
- Disaster Recovery Exercises
- Infrastructure support and hosting services
- Support for testing and training

The ICMS unit also provides support, upon request, to courts with failing legacy case management systems. Staff is assigned to work with the courts to perform high-level assessments and to assist in identifying a stabilization strategy. In addition, the ICMS team has been assigned to support the SJE Path Forward Court Consortium in developing a go-forward strategy for courts currently deployed on Sustain Justice Edition.

ICMS costs that are reimbursed by the trial courts are funded from the TCTF while all other costs are funded from the STCIMF. STCIMF funds approximately 54% of the CCTC hosting cost for those trial courts who have SJE hosted at the CCTC. The remaining 46% is funded by the TCTF and reimbursed by the trial courts.

Purpose

Sustain Justice Edition (SJE) is deployed in 16 courts across 40 court locations. The SJE courts include the Superior Courts of Humboldt, Imperial, Lake, Madera, Merced, Modoc, Monterey, Plumas/Sierra, San Benito, Trinity, Napa, Placer, Santa Barbara, Tulare, and Tuolumne counties. Nine courts are hosted in the California Courts Technology Center while six are hosted locally. The Sierra court processes their traffic citations using the Plumas Court's SJE instance. The nine SJE Sustain courts hosted at the CCTC are deployed on a common architecture. Among other benefits, this common architecture enables a single solution for interfaces to justice partners such as the Department of Motor Vehicles (DMV). Because interfaces such as DMV and DOJ are common among the nine SJE courts, enhancements can be leveraged for the benefit of all the courts. Locally hosted courts require separate efforts for their interfaces, including connectivity to the DMV.

The Interactive Voice Response (IVR) and Interactive Web Response (IWR) functions provide key benefits to the courts. The interfaces which support these functions were developed to provide the public an electronic mechanism for payment of fees and infractions. The IVR and IWR interface provides the public the ability to submit payments electronically 24/7, with the exception of downtime needed for hardware maintenance. Currently, 10 of the 16 courts are using the IVR and IWR function.

Trial Court Administrative Services Office

Phoenix Financial and Human Resources Services

Proposed 2013–2014 Allocation – \$8,336,885 (TCAS)

Decrease from 2012–2013 – \$368,745

The proposed 2013–2014 STCIMF allocation for TCAS was decreased by \$368,745 from prior year to assist with the overall projected fund deficit. This amount is attributed to an anticipated one-time salary savings in current year. An additional \$4,944,093 originally allocated to TCAS was transferred to the Information Technology Services Office (ITSO) budget in support of the Phoenix Program's ERP staff and fiscal management systems.

Description

Funds are primarily used to fund required licensing, hardware, maintenance and operations (M&O), technology center support costs, and end user training in direct support of the trial courts. In addition, this funding supports AOC staff in the Phoenix Program's ERP Unit. The unit performs the following support functions:

- Addressing system fixes
- Performing minor system enhancements
- Providing basic support and patching
- Maintaining hardware

- Maintaining software for the various environments

There are also three distinct Information Technology Services Office units performing Phoenix-related activities:

1. Staff critical for maintenance and operations of the 37 Phoenix interfaces, their support and troubleshooting as well as external vendor support for ING, Bank of America, CalPERS and court health and benefit providers. Additionally, this unit supports the complete security and role maintenance of the all 58 courts and the TCAS and supporting organizations. This supports the ITSO technical team's management of court relationship for Phoenix-to-court technical leads, the relationship management to the CCTC, and all the various supporting application vendors. The supervising staff manages cost and expenses, and performs budget forecasting for ITSO. Additionally, this staff prepares all Phoenix ITSO reports to the Judicial Council and AOC executive management, and provides leadership in the technical roadmap for Phoenix including the patching, refresh, Disaster Recovery, update application for tax rules and regulations, and constant monitoring and tuning of all Phoenix environments both at the AOC and the Tempe and Omaha CCTC environments.
2. This unit provides end user steady state support for desktops, laptops, printers, software, and other computing infrastructure used by TCAS, as well as project support including system and application deployments, refreshes and upgrades.
3. This unit supports the development team for Phoenix and the trial courts. This supports requests from courts to support changes in regulations, research and resolution of errors for courts and court staff, and maintenance of workflow for processing purchase orders and those approvals, as well as the development of reporting tools for the courts and TCAS support staff. Additionally, this staff provides business analysis and project management for the roll out and support of new vendor and interfaces, including the CCMS and UCFS systems, the roll out of new tools and the management of the security and encryption software for all 58 courts and AOC users. The technical application development lead serves as a liaison to vendor partners for knowledge transfer and has the primary ownership for code reviews, technical and functional specifications.

Purpose

The purpose of the Phoenix Program is to provide daily centralized administrative services to the trial courts including accounting and financial services, trust accounting services, purchasing services, a centralized treasury system, human capital management services, and core business analysis, training and support. Program staff also design, test, deploy, maintain, and manage the Phoenix System which enables the courts to produce a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations. The objectives of the system are to:

- Standardize accounting and business functions;
- Ensure uniformity of financial record keeping and maintenance;
- Provide consistency of data and quality of management information;
- Provide judicial partners with timely and comprehensive financial information on a regular and timely basis;

- Maximize investment opportunities and timely use and disbursement of cash; and
- Provide comprehensive payroll services and solutions to trial courts.

The branch benefits from an integrated, state-administered program promoting statewide consistency in court administrative practices. The Phoenix Program was established in response to the Judicial Council’s directive for statewide fiscal accountability and human resources support as part of the council’s strategic plan, specifically, then-Goal IV: Branchwide Infrastructure for Service Excellence.

The financial component of the Phoenix System has been implemented in all 58 courts and allows for uniform process, accounting, and reporting. The human capital management component of the Phoenix System has been implemented in 8 courts to date, providing human resources management and payroll services. The general public is not a direct recipient of the benefits provided by the Phoenix Program.

Phoenix Financial and Human Resources Services

Proposed 2013–2014 Allocation – \$3,597,400 (ITSO)

Decrease of \$1,346,693

In FY 2012, 2013, the Judicial Council approved allocation for Phoenix ITSO was originally in the TCAS budget. After the JC approved those funds, TCAS transferred \$4,944,093 from their allocation to ITSO. For FY 2013-14, ITSO is requesting \$3,597,400 which is a decrease of \$1,346,693. A large portion of that decrease is due to a one-time cost savings that was achieved in FY 2012-2013.

Description

Funds are primarily used to fund required licensing, hardware, maintenance and operations (M&O), technology center support costs, and end user training in direct support of the trial courts. In addition, this funding supports AOC staff in the Phoenix Program’s Enterprise Resource Planning Unit. The unit performs the following support functions:

- Deployment and management of technology projects, including Phoenix-specific projects, and ITSO enterprise technology projects
- Configuration of new development and enhancements.
- Management and system support for upgrades, patches and enhancement packs
- Configuration and support for courts’ tickets
- Management for six Phoenix environments, 46 servers, and related hardware.
- Development and maintenance of 37 interfaces: vendor; financial institution; court and county
- Maintain SAP application software and nine complementary tools and applications.

Three distinct Information Technology Services Office areas perform Phoenix-related activities:

- Staff critical for maintenance and operations of the 37 Phoenix interfaces, support, troubleshoot, and provide external vendor support for ING, Bank of America, CalPERS and court health and benefit providers. Additionally, this unit supports the complete security and role maintenance for all 58 courts, and for TCAS and supporting organizations. This supports

the ITSO technical team's management of court relationship for Phoenix-to-court technical leads, the relationship management to the CCTC, and all the various supporting application vendors. Supervising staff manage cost and expenses, and perform budget forecasting for ISD. This staff prepares all Phoenix ISD reports to the Judicial Council and AOC executive management, and provides leadership in the technical roadmap for Phoenix, including patching, refresh, disaster recovery, update application for tax rules and regulations, and constant monitoring and tuning of all Phoenix environments, both at the AOC, and CCTC Tempe and CCTC Omaha data centers.

- The second area supports the development team for Phoenix and the trial courts including requests from courts with respect to changes in regulations, research and resolution of errors for courts and court staff, and maintenance of workflow for processing purchase orders and those approvals, as well as the development of reporting tools for the courts and TCAS support staff. This staff provides business analysis and project management for rollout and support of new vendor interfaces, implementation of new tools, and management of security and encryption software for all 58 courts and AOC users. The technical application development lead serves as a liaison to vendor partners for knowledge transfer and has primary ownership for code reviews, and technical and functional specifications.
- This third ITSO area provides end user steady state support for desktops, laptops, printers, software, and other computing infrastructure used by TCAS, as well as project support including system and application deployments, and refreshes and upgrades.

Purpose

The purpose of the Phoenix Program is to provide daily centralized administrative services to the trial courts, including accounting and financial services, trust accounting services, purchasing services, a centralized treasury system, human capital management services, and core business analysis, training and support. Program staff design, test, deploy, maintain, and manage the Phoenix System which enables the courts to produce a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations. The objectives of the system are to:

- Standardize accounting and business functions.
- Ensure uniformity of financial record keeping and maintenance.
- Provide consistency of data and quality of management information.
- Provide judicial partners with timely and comprehensive financial information on a regular and timely basis.
- Maximize investment opportunities and timely use and disbursement of cash; and
- Provide comprehensive payroll services and solutions to trial courts.

The branch benefits from an integrated, state-administered program promoting statewide consistency in court administrative practices. The Phoenix Program was established in response to the Judicial Council's directive for statewide fiscal accountability and human resources support as part of the council's strategic plan, specifically, then-Goal IV: Branchwide Infrastructure for Service Excellence.

The financial component of the Phoenix System has been implemented in all 58 courts and allows for uniform process, accounting, and reporting. The human capital management

component of the Phoenix System has been implemented in 8 courts to date, providing human resources management and payroll services. The general public is not a direct recipient of benefits provided by the Phoenix Program.

Judicial Council's Court-Ordered Debt Task Force

New funding request of \$25,000

Description

The Trial Court Administrative Services Office requests an allocation of \$25,000 in fiscal year 2013–2014 to cover the expenses associated with the activities of the Judicial Council's Court-Ordered Debt Task Force, established in conjunction with Penal Code Section 1463.02. Penal Code 1463.03 specifies the composition of the Court-Ordered Debt Task Force and outlines the objectives, including gathering and analyzing data in the form of revenue and expenditures pertaining to criminal and traffic related fines, fees, forfeitures, surcharges and assessments for both adults and juveniles, requires inclusion of state, county and city representatives, and requires the task force to attempt to simplify the entire process, determine the priority in which court-ordered debts would be satisfied, and assess comprehensive collection programs in accordance with Penal Code Section 1463.007.

This funding request will cover the travel/meal expenses associated with the activities of the task force members, as well as the costs associated with the bi-annual statewide revenue distribution training to be conducted in partnership with the State Controller's Office (SCO).

Purpose

Originally contained within legislation AB 367, and further amended by SB 857, the composition and objectives of the Court-Ordered Debt Task Force are specified in statute. The basic intent is to evaluate the effectiveness and efficacy of the criminal and traffic-related fine/fee structure and attempt to simplify the administration of this system for the benefit of the citizens and the criminal justice participants.

Multiple statewide surveys administered by the task force revealed the lack of uniform revenue distribution processes in various revenue collection entities including courts, counties, cities, and parking companies, prompting the task force to direct the AOC to partner with the SCO to develop and deliver comprehensive training. The purpose of this training is to ensure revenue collection entities perform revenue distribution tasks correctly and in accordance with statute and local ordinance, ensuring resources reach those entities that benefit from the revenues.

Proposed Allocation Funded from the Trial Court Trust Fund

Phoenix Financial and Human Resources Services

Proposed 2013–2014 Allocation – \$1,307,000

Decrease from 2012–2013 – \$126,827

The proposed 2013–2014 TCTF allocation for TCAS was decreased by \$126,827 from prior year primarily due to salary savings. Approximately 74 percent of the Phoenix Program's overall current budget is dedicated to staffing costs. The program's non-staff budget, largely funded

from the State Trial Court Improvement and Modernization Fund, will be primarily used to fund required licensing, hardware, maintenance and operations (M&O), technology center support costs, and end user training in direct support of the trial courts and is contractually obligated in support of these items. The TCTF reimbursements are for direct processing services delivered to the courts.

Description

The TCTF funds the Phoenix Human Resources Services component of the Phoenix Program through trial court reimbursements. The Phoenix HR System:

- Provides a consistent tool to maintain human resources data;
- Integrates human resources and finance systems; and
- Eliminates non-value-added operational functions, such as duplicate data entry.

The trial courts on the Phoenix HR System utilize the following system components:

- HR Structure
- Personnel Administration
- Organizational Management
- Benefits
- Time Management
- Payroll
- Employee and Manager Self-Service

Purpose

The purpose of the Phoenix Program is to provide daily centralized administrative services to the trial courts including accounting and financial services, trust accounting services, purchasing services, a centralized treasury system, human capital management services, and core business analysis, training and support. Program staff also design, test, deploy, maintain, and manage the Phoenix System which enables the courts to produce a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations. The objectives of the system are to:

- Standardize accounting and business functions;
- Ensure uniformity of financial record keeping and maintenance;
- Provide consistency of data and quality of management information;
- Provide judicial partners with timely and comprehensive financial information on a regular and timely basis;
- Maximize investment opportunities and timely use and disbursement of cash; and
- Provide comprehensive payroll services and solutions to trial courts.

The branch benefits from an integrated, state-administered program promoting statewide consistency in court administrative practices. The Phoenix Program was established in response to the Judicial Council's directive for statewide fiscal accountability and human resources support as part of the council's strategic plan, specifically, then-Goal IV: Branchwide Infrastructure for Service Excellence.

The financial component of the Phoenix System has been implemented in all 58 courts and allows for uniform process, accounting, and reporting. The human capital management

component of the Phoenix System has been implemented in 8 courts to date, providing human resources management and payroll services. The general public is not a direct recipient of the benefits provided by the Phoenix Program.

Proposed 2013-2014 STCIMF Allocations

ACTION ITEM 3

State Trial Court Improvement and Modernization Fund								
#	Project and Program Title	2012-13 JC-Approved Allocation ¹	Estimated 2012-13 Expenditure ²	Proposed 2013-14 Allocation	Revenue and Expenditure Subcommittee Recommendation			
		1	2	3	Approve	Move to TCTF	Deny/Reduce	Other Action
					4	5	6	7
1	Judicial and Court Operations Services Division	9,823,000	9,646,381	10,346,000	8,616,000	1,730,000	-	-
2	Trial Court Security Grants	1,200,000	1,199,994	1,200,000	1,200,000			
3	Total, Office of Security	1,200,000	1,199,994	1,200,000	1,200,000	-		-
4	Self-represented Litigants Statewide Support	100,000	105,030	100,000	100,000			
5	Domestic Violence - Family Law Interpreter Program	1,750,000	1,750,000	1,750,000	20,000	1,730,000		
6	Self-Help Center	5,000,000	4,999,829	5,000,000	5,000,000			
7	Interactive Software - Self-Rep Electronic Forms	40,000	40,000	60,000	60,000			
8	CFCC Educational Programs	90,000	92,563	90,000	90,000			
9	CFCC Publications	20,000	19,904	20,000	20,000			
10	Total, Center for Families, Children and Courts	7,000,000	7,007,326	7,020,000	5,290,000	1,730,000	-	-
11	Orientation for new Trial Court Judges	65,000	67,251	95,000	95,000			
12	B.E. Witkin Judicial College of CA	105,000	103,851	160,000	160,000			
13	Primary Assignment Orientation and Overviews	181,000	191,236	239,000	239,000			
14	Leadership Training - Judicial	55,000	40,061	50,000	50,000			
15	Judicial Institutes	135,000	126,756	110,000	110,000			
16	Advanced Education for Experienced Judges	31,000	27,488	31,000	31,000			
17	Regional and Local Judicial Education Courses	8,000	6,028	8,000	8,000			
18	Subtotal, Mandated, Essential & Other Education for Judicial Officers	580,000	562,671	693,000	693,000	-	-	-
19	Manager and Supervisor Training	51,000	18,770	31,000	31,000			
20	Subtotal, Essential and Other Education for CEOs, Managers and Supervisors	51,000	18,770	31,000	31,000	-	-	-
21	Court Personnel Institutes	83,000	69,515	120,000	120,000			
22	Regional and Local Court Staff Education Courses	20,000	768	10,000	10,000			
23	Subtotal, Essential and Other Education for Court Personnel	103,000	70,283	130,000	130,000	-	-	-
24	Trial Court Faculty - Statewide Education Program	236,000	206,366	236,000	236,000			
25	Faculty Development	25,000	15,531	25,000	25,000			
26	Curriculum Committee - Statewide Education Plan Development	1,000	1,320	1,000	1,000			
27	Subtotal, Faculty and Curriculum Development	262,000	223,217	262,000	262,000	-	-	-
28	Distance Education - Satellite Broadcast	187,000	141,225	137,000	137,000			
29	Distance Education - Online Video, Resources, Webinar	10,000	6,112	10,000	10,000			
30	Subtotal, Distance Learning	197,000	147,337	147,000	147,000	-	-	-
31	Total, Office of Education / CJER	1,193,000	1,022,278	1,263,000	1,263,000	-	-	-
32	Trial Court Performance Measures Study	13,000	6,946	13,000	13,000			
33	Court Access and Education	277,000	277,000	331,000	331,000			
34	Court Interpreter Program - Testing, Development, Recruitment and Education	140,000	132,837	140,000	140,000			
35	2015 Language Needs Study (every 5-year)	-	-	314,000	314,000			
36	California Language Access Plan (new)	-	-	65,000	65,000			
37	Total, Court Operations Special Services Office	430,000	416,783	863,000	863,000	-	-	-
38	Judicial Council and Court Leadership Services Division	12,210,000	10,933,278	12,251,074	12,251,074	-	-	-
39	Litigation Management Program	4,500,000	3,423,282	4,500,000	4,500,000			
40	Judicial Performance Defense Insurance	878,000	875,966	920,539	920,539			
41	Subscription Costs - Judicial Conduct Reporter	17,000	15,535	15,535	15,535			
42	Trial Courts Transactional Assistance Program	451,000	450,906	451,000	451,000			
43	Jury System Improvement Projects	18,000	15,653	18,000	18,000			
44	Alternative Dispute Resolution Centers	75,000	74,808	75,000	75,000			
45	Complex Civil Litigation Program	4,001,000	4,001,010	4,001,000	4,001,000			
46	Regional Office Assistance Group (Support)	1,460,000	1,348,050	1,460,000	1,460,000			

Proposed 2013-2014 STCIMF Allocations

ACTION ITEM 3

State Trial Court Improvement and Modernization Fund								
#	Project and Program Title	2012-13 JC-Approved Allocation ¹	Estimated 2012-13 Expenditure ²	Proposed 2013-14 Allocation	Revenue and Expenditure Subcommittee Recommendation			
		1	2	3	Approve 4	Move to TCTF 5	Deny/Reduce 6	Other Action 7
47	Total, Legal Services Office	11,400,000	10,205,210	11,441,074	11,441,074	-		-
48	Audit Contract	150,000	100,000	150,000	150,000			
49	Internal Audit Services (Support)	660,000	628,068	660,000	660,000			
50	Total, Internal Audit Services	810,000	728,068	810,000	810,000	-		-
51	Judicial and Court Administrative Services Division	49,890,000	44,220,276	54,901,951	37,485,595	-	1,198,876	16,217,480
52	Contract for OPEB Valuation Report (every 2 years)	-	14,827	600,000	600,000			
53	Budget Focused Training and Meetings	50,000	31,879	50,000	50,000			
54	Treasury Services - Cash Management (Support)	224,000	235,804	238,000	238,000			
55	Trial Court Procurement (Support)	244,000	128,037	244,000	244,000			
56	Enhanced Collections (Support)	700,000	751,599	625,000	625,000			
57	Total, Fiscal Services Office	1,218,000	1,162,146	1,757,000	1,757,000	-	-	-
58	EAP for Bench Officers	85,000	85,000	68,000	34,000		34,000	
59	Workers Compensation Program Reserve (Carry-over)	1,893,000	-	-	-			
60	Trial Court Benefits Program - Legal Advice	40,000	40,000	-	-			
61	Human Resources - Court Investigation (3-year funding ended in FY 2012-13)	50,000	107,702	100,000	100,000			
62	Trial Court Labor Relations Academies and Forums	23,000	31,214	30,000	30,000			
63	Total, Human Resources Services Office	2,091,000	263,916	198,000	164,000	-	34,000	-
64	Telecommunications Support	8,740,000	8,722,102	15,608,480	-			15,608,480
65	Enterprise Policy/Planning (Statewide Planning and Development)	5,258,000	5,102,258	5,122,720	5,122,720			
66	Interim Case Management Systems	2,813,000	1,237,450	1,650,515	1,650,515			
67	Data Integration ³	4,391,000	3,906,374	3,906,882	3,906,882			
68	California Courts Technology Center (CCTC)	8,644,000	8,762,431	9,465,071	9,465,071			
69	Jury Management System	600,000	600,000	600,000	600,000			
70	CLETS Services/Integration ³	164,000	469,857	515,162	515,162			
71	CCPOR (ROM)	663,000	654,498	675,717	675,717			
72	Testing Tools - Enterprise Test Management Suite	828,000	591,274	582,463	582,463			
73	Uniform Civil Fees	385,000	385,602	385,000	385,000			
74	Justice Partner Outreach / e-Services ³	568,000	424,711	572,000	572,000			
75	CLIK	-	-	1,164,876	-		1,164,876	
76	Orange Telecom Project - New	-	-	609,000	-			609,000
77	Adobe LiveCycle Reader Service Extension - New	-	-	129,780	129,780			
78	Total, Information Technology Services Office	33,054,000	30,856,557	40,987,666	23,605,310	-	1,164,876	16,217,480
79	Phoenix Project - FI (Including Support)	13,527,000	11,937,657	11,934,285	11,934,285			
80	Judicial Council's Court-Ordered Debt Task Force - New	-	-	25,000	25,000			
81	Total, Trial Court Administrative Services Office	13,527,000	11,937,657	11,959,285	11,959,285	-	-	-
82	Total Expenditure or Allocation	71,923,000	64,799,935	77,499,025	58,352,669	1,730,000	1,198,876	16,217,480

1) Using authority delegated from the council, the Administrative Director of the Courts transferred some allocations between projects and programs. The figures column 1 do not reflect the transfers.

2) Estimated year-end figures, including actuals and encumbrances through June and accruals.

3) The 2012-13 JC-approved allocation for the CLETS and JPOE programs were included with the Data Integration program allocation.

Proposed 2013-2014 TCTF Allocations

Trial Court Trust Fund - Program 30.05 and 30.15									
#	Project and Program Title	2012-13 JC-Approved Allocation ¹	2012-13 Reimbursed by Courts	2012-13 Approved Total Allocation	Estimated 2012-13 Expenditure ¹	Proposed 2013-14 Allocation	Proposed 2013-14 Reimbursement from Courts	Proposed Total Allocation	Revenue and Expenditure Subcommittee Recommendation
		1	2	3 = 1 + 2	4	5	6	7 = 5 + 6	Approve
		1	2	3 = 1 + 2	4	5	6	7 = 5 + 6	8
1	Judicial and Court Operations Services Division	10,617,080	-	10,617,080	10,565,528	10,667,602	-	10,667,602	10,667,602
2	Children in Dependency Case Training	113,000		113,000	121,760	113,000		113,000	113,000
3	Sargent Shriver Civil Counsel Pilot Program	9,500,000		9,500,000	9,439,377	9,500,000		9,500,000	9,500,000
4	<i>Subtotal, Local Assistance</i>	9,613,000	-	9,613,000	9,561,137	9,613,000	-	9,613,000	9,613,000
5	Sargent Shriver Civil Counsel Pilot Program	500,000		500,000	500,098	500,000		500,000	500,000
6	Equal Access Fund	294,602		294,602	294,677	294,602		294,602	294,602
7	Court-Appointed Dependency Counsel Collections	209,478		209,478	209,617	260,000		260,000	260,000
8	<i>Subtotal, Support</i>	1,004,080	-	1,004,080	1,004,392	1,054,602	-	1,054,602	1,054,602
9	Total, Center for Families, Children and Courts	10,617,080	-	10,617,080	10,565,528	10,667,602	-	10,667,602	10,667,602
10	Judicial and Court Administrative Services Division	10,455,798	5,703,820	16,159,618	12,987,038	8,695,641	4,043,654	12,739,295	12,739,295
11	Civil, Small Claims, Probate and Mental Health (V3) CMS	7,387,143	804,863	8,192,006	6,296,541	4,788,966	805,000	5,593,966	5,593,966
12	Criminal and Traffic (V2) CMS	3,058,655	510,084	3,568,739	2,735,099	2,599,675	557,039	3,156,714	3,156,714
13	California Courts Technology Center	-	1,689,325	1,689,325	1,654,000		1,654,000	1,654,000	1,654,000
14	Interim Case Management System	-	1,275,721	1,275,721	1,155,000		1,027,615	1,027,615	1,027,615
15	Total, Information Technology Services Office	10,445,798	4,279,993	14,725,791	11,840,640	7,388,641	4,043,654	11,432,295	11,432,295
16	Phoenix Financial and HR Services	10,000	1,423,827	1,433,827	1,146,398	1,307,000	-	1,307,000	1,307,000
17	Total, Trial Court Administrative Services Office	10,000	1,423,827	1,433,827	1,146,398	1,307,000	-	1,307,000	1,307,000
18	Total Expenditure/Encumbrance/Allocation	21,072,878	5,703,820	26,776,698	23,552,567	19,363,243	4,043,654	23,406,897	23,406,897

1) Using authority delegated from the council, the Administrative Director of the Courts transferred some allocations between projects and programs. The figures column 1 do not reflect the transfers.
 2) Estimated year-end figures, including actuals and encumbrances through June and accruals.

State Trial Court Improvement and Modernization Fund -- Summary Fund Condition Statement¹

	Actual	Estimate					
	FY 2011-12 ²	FY 2012-13 (Budget)	FY 2012-13 (Year-end Estimate)	FY 2013-14 (Recommend-ed only) ³	FY 2013-14 (Recommend-ed/Referred) ⁴	FY 2014-15 (Recommend-ed only) ⁵	FY 2014-15 (Recommend-ed/Referred) ⁶
1 Beginning Balance	41,298,062	48,128,575	48,128,575	45,429,828	45,429,828	40,627,503	24,410,023
2 Prior-Year Adjustments							
3 Liquidation of Prior-Year Encumbrances and Adjustment for Revenue and Expenditure Accruals	4,622,852	6,129,159	11,911,866	-	-	-	-
4 Refund from Deloitte Consulting LLP related to prior-year contracts	-	-	776,472	-	-	-	-
5 Repayment of loan	-	-	2,500,000	-	-	-	-
6 Adjusted Beginning Balance	45,920,914	54,257,734	63,316,913	45,429,828	45,429,828	40,627,503	24,410,023
7 Revenues							
8 50/50 Excess Fines Split Revenue ⁷	35,443,013	35,759,401	32,522,220	32,522,220	32,522,220	32,522,220	32,522,220
9 2% Automation Fund Revenue	16,748,471	16,112,564	15,753,200	15,753,200	15,753,200	15,753,200	15,753,200
10 Jury Instructions Royalties	526,189	526,189	518,617	518,617	518,617	518,617	518,617
11 Interest from SMIF	243,979	229,572	201,201	201,201	201,201	201,201	201,201
12 Other Revenues/SCO Adjustments	2,190,394	-	(8,495)	-	-	-	-
13 Transfers							
14 From State General Fund	38,709,000	38,709,000	38,709,000	38,709,000	38,709,000	38,709,000	38,709,000
15 To Trial Court Trust Fund	(20,000,000)	(23,000,000)	(23,000,000)	(20,000,000)	(20,000,000)	(20,000,000)	(20,000,000)
16 To TCTF (GC 77209(k))	(31,563,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)
17 Transfer from TCTF	19,696,630	-	-	-	-	-	-
18 To TCTF (Improvement Fund AOC staff savings)	-	(594,000)	(594,000)	(594,000)	(594,000)	(594,000)	(594,000)
19 To TCTF (Improvement Fund portion of Deloitte refund)	-	(3,629,000)	(3,629,000)	-	-	-	-
20 Net Revenue/Transfers	61,994,676	50,716,726	47,075,743	53,713,238	53,713,238	53,713,238	53,713,238
21 Total Resources	107,915,590	104,974,460	110,392,656	99,143,066	99,143,066	94,340,741	78,123,261
22 Expenditures/Encumbrances/Allocation							
23 Program and Project Expenditures/Encumbrances/Allocation	59,340,976	71,923,000	64,799,934	58,352,669	74,570,149	57,348,669	72,957,149
24 Pro Rata	446,039	163,000	162,894	162,894	162,894	162,894	162,894
25 Total Expenditures/Encumbrances/Allocation	59,787,015	72,086,000	64,962,828	58,515,563	74,733,043	57,511,563	73,120,043
26 Fund Balance⁸	48,128,575	32,888,460	45,429,828	40,627,503	24,410,023	36,829,178	5,003,218
31 Net Revenue/Transfers Over or (Under) Expenditure	2,207,661	(21,369,274)	(17,887,085)	(4,802,325)	(21,019,805)	(3,798,325)	(19,406,805)
32 Appropriation Authority	N/A	84,954,322	84,954,322	80,454,000	80,454,000	80,454,000	80,454,000
33 Appropriation Balance	N/A	12,868,322	19,991,494	21,938,437	5,720,957	22,942,437	7,333,957

1. SB 1021, effective in FY 2012-13, combined the Judicial Administration Efficiency and Modernization Fund and the Trial Court Improvement Fund into the State Trial Court Improvement and Modernization Fund.

2. Combines the FY 2011-12 fund condition statements of the Judicial Administration Efficiency and Modernization Fund and the Trial Court Improvement Fund.

3. The revenue amount is based on the estimates for FY 2012-13 year-end financial statements. The proposed allocation is based on the Revenue and Expenditure Subcommittee's recommendations on 8/1/2013, and excludes the two items referred to the TCBC, the \$15.6 million for Telecommunications support and \$609K for Orange Superior Court Telecommunication Project.

4. The revenue amount is based on the estimates for FY 2012-13 year-end. The proposed allocation is based on the Revenue and Expenditure Subcommittee's recommendations on 8/1/2013 as well as assumes two TCBC referred items, the \$15.6 million for Telecommunications support and \$609K for Orange Superior Court Telecommunication Project, WILL BE FULLY funded.

5. Assumes the same revenues as estimated for FY 2013-14. Reduced allocation amount by \$1,004,000 due to: a) \$314,000 for Language Needs Study is every five years; b) \$65,000 for Language Access Plan is one-time; c) \$600,000 for OPEB Valuation Reports is every other year; and d) \$25,000 for JC Court-Ordered Debt Task Force is one-time.

6. Assumes the same revenues as estimated for FY 2013-14. Reduced allocation amount by \$1,004,000 due to: a) \$314,000 for Language Needs Study is every five years; b) \$65,000 for Language Access Plan is one-time; c) \$600,000 for OPEB Valuation Reports is every other year; d) \$25,000 for JC Court-Ordered Debt Task Force is one-time; and e) \$609,000 for the one-time Orange Superior Court Telecom Upgrade project.

7. The FY 2012-13 year-end estimated amount is based on: a) as of 8/6/2013, 42 counties have provided the actual or estimated amount of remittance to the AOC; and b) FY 2011-12 and FY 2012-13 1st to 3rd quarter ROR data to project the total revenue for the other 16 counties.

8. The unrestricted FY 2012-13 and FY 2013-14 fund balance would be \$1.464 million less due to unspent jury instructions royalty revenue from FY 2003-04 through FY 2012-13 as this revenue can solely be used for improvement of the jury system.

Trial Court Trust Fund -- Summary Fund Condition Statement

#		Estimated 2013-2014				
		Actual 2011-2012 A	Estimated 2012-2013 B	Utilize All Expenditure Authority C	Estimated Unused Expenditure Authority D	Estimated Use of Expenditure Authority E = (C+D)
1	Beginning Balance	72,918,702	105,535,205	82,804,139		82,804,139
2	Adjustment for Prior Year	41,831,467	21,573,102			
3	Revenue					
4	Civil Filing Fees	367,079,562	401,174,171	397,857,198		397,857,198
5	Sanctions & Contempt Fines	1,825,133	1,494,932	1,538,093		1,538,093
6	Escheat - Checks & Warrants		270,521	270,521		270,521
7	Misc. Revenue	439,795	507,794	363,436		363,436
8	Parking Penalty Assessment	24,760,785	25,194,026	25,383,225		25,383,225
9	Court Operations Assessment	166,992,224	156,455,686	158,626,771		158,626,771
10	Civil Assessment	143,928,228	150,003,211	144,233,643		144,233,643
11	Interest from SMIF	159,820	218,659	166,671		166,671
12	Expenditure Maintenance of Effort	498,600,331	498,600,086	498,600,086		498,600,086
13	Revenue Maintenance of Effort	159,991,769	160,293,447	160,450,416		160,450,416
14	Telephonic Appearances	7,397,628	7,114,970	7,178,476		7,178,476
15	RDA Writ Cases Reimbursement	n/a	2,000,000	-		-
16	Court-Appointed Counsel Revenue Recovery	329,604	206,900	657,623		657,623
17	Transfers / Charges					-
18	General Fund Transfer	888,857,988	263,691,000	741,691,000		741,691,000
19	TCIF Transfer	31,563,000	13,397,000	13,397,000		13,397,000
20	SCFCF	70,000,000	59,486,000	5,486,000		5,486,000
21	ICNA	143,000,000	-			-
22	Mod Fund	20,000,000	27,223,000			-
23	IMF			20,594,000		20,594,000
24	1% Reserve (to Improvement Fund)	(19,696,630)				
25	SCO Charges	(520,860)				
26	Current-Year Revenue	2,504,708,377	1,767,331,402	2,176,494,158		2,176,494,158
27	Total	2,619,458,546	1,894,439,709	2,259,298,297	-	2,259,298,297
28						
29	Expenditures/Accruals/Encumbrances					
30	Program 30 Support	14,604,341	-	-		-
31	Program 30.05 Support	n/a	3,692,277	6,310,000	(2,450,873)	3,859,127
32	Program 30.15 Trial Court Operations	n/a	19,918,086	29,134,000	(9,586,230)	19,547,770
33	Program 45.10 Trial Court Operations	1,967,578,383	1,347,799,007	1,743,233,166	(7,320,075)	1,735,913,091
34	Program 45.15 Trial Court Security	82,545,988	-	-		-
35	Program 45.25 Judges Salaries	306,283,062	304,004,469	306,416,000	(4,000,000)	302,416,000
36	Program 45.35 Assigned Judges	25,412,993	24,624,238	26,047,000		26,047,000
37	Program 45.45 Court Interpreters	90,116,672	84,483,339	92,794,000	(5,000,000)	87,794,000
38	Program 45.55 Local Assistance	9,619,560	9,963,931	9,829,000		9,829,000
39	RDA reimbursement	n/a	221,186	1,862,315		1,862,315
40	Workers' Compensation Transfer	17,762,343	16,929,037	16,106,834		16,106,834
41	Total, Expenditures/ Accruals / Encumbrances	2,513,923,341	1,811,635,571	2,231,732,315	(28,357,178)	2,203,375,137
42						
43	Ending Fund Balance	105,535,205	82,804,139	27,565,982		55,923,160
44						
45	Fund Balance Detail					
46	Restricted					
47	Court interpreter	8,026,315	15,026,315	15,026,315		20,026,315
48	Dependency collections	1,888,722	2,346,345	3,200,000		3,200,000
49	Unrestricted	95,620,168	65,431,478	9,339,667		32,696,845
50						
51	Current-Year Revenue Less Current-Year Expenditure					
52	Annual (Deficit) or Surplus	(9,214,964)	(44,304,169)	(55,238,157)		(26,880,978)
53	Cause of projected deficit in 2013-14					
54	Unfunded benefits allocation, using unfunded expenditure authority			35,000,000		35,000,000
55	Unfunded additional Program 45.10 expenditure authority			13,000,000		7,320,075
56	Unfunded Program 30 appropriation			7,586,230		
57	Real deficit or surplus		97	348,073		15,439,097

2013-2014 Trial Court Trust Fund Program 45.10: Appropriation vs. Estimated/Approved Allocations

#	Description	Type	Estimated and Approved 2013-14
1	I. Prior-Year Ending Baseline Allocation	Base	1,693,270,804
3	II. Adjustments		
4	Annualization of Reduction for Appointed Converted SJO Position		-1,101,465
5	Annualization of New Screening Station Funding		184,486
6	Total, Adjustments		-916,979
8	III. FY 2013-2014 Allocations		
9	\$261 Million Court Operations Reduction	Base	-261,000,000
10	\$60 million in new funding	Base	60,000,000
11	\$50 Million Adjustment for Funding to be Distributed from ICNA	Non-Base	-50,000,000
12	2.0% Holdback	Non-Base	-35,178,540
13	1.5% & 0.5% Emergency Funding & Unspent Funding Allocated Back to Courts	Non-Base	35,178,540
15	Unfunded 2012-13 Full-Year Benefits Cost Increases	Base	29,402,766
16	Criminal Justice Realignment Funding	Base	9,223,000
17	Total, FY 2013-2014 Allocations		-212,374,234
19	IV. Allocation for Reimbursements		
20	Court-Appointed Dependency Counsel	Non-Base	103,725,000
21	Jury	Non-Base	16,000,000
22	Replacement Screening Stations	Non-Base	2,286,000
23	Self-Help Center	Non-Base	2,500,000
24	Elder Abuse	Non-Base	332,000
25	Audits (per Budget Act of 2013, Provision 14)	Non-Base	325,000
26	Total, Reimbursements		125,168,000
28	V. Estimated Revenue Distributions		
29	Civil Assessment	Non-Base	101,000,000
30	Fees Returned to Courts	Non-Base	21,810,000
31	Replacement of 2% automation allocation from TCIF	Non-Base	10,907,494
32	Children's Waiting Room	Non-Base	4,020,000
33	Automated Recordkeeping and Micrographics	Non-Base	3,200,000
35	Telephonic Appearances Revenue Sharing	Non-Base	943,840
36	Total, Revenue Distributions		141,881,334
38	VI. Miscellaneous Charges		
39	Statewide Administrative Infrastructure Charges (paid from Prog. 30)	Non-Base	-4,044,000

2013-2014 Trial Court Trust Fund Program 45.10: Appropriation vs. Estimated/Approved Allocations

#	Description	Type	Estimated and Approved 2013-14
40	<i>Total, Miscellaneous Charges</i>		-4,044,000
42	<i>Total, Base Program 45.10 Allocations</i>		1,529,979,591
43	<i>Total, Non-Base Program 45.10 Allocations</i>		212,673,334
45	Total, Estimated FY 2013-14 Program 45.10 Trial Court Allocations		1,742,652,925
47	Program 45.10 Appropriation Budget Act		1,758,927,000
48	Transfer to Program 45.25 (Compensation of Superior Court Judges) due to conversion of subordinate judicial officer positions		-2,504,000
49	Adjusted Appropriation		1,756,423,000
51	Estimated Remaining Program 45.10 Appropriation		13,770,075
54	2011-12 Benefits Cost Increases (could not be distributed in 2012-2013 because the DOF did not approve an increase in the Program 45.10 expenditure authority)		4,700,000
55	Undistributed 2012-13 civil assessments (due to insufficient expenditure authority)		1,750,000
56			
57	Estimated Remaining Appropriation		7,320,075

Guidelines for the Administrative Director of the Courts When Making Adjustments to Allocations from the State Trial Court Improvement and Modernization Fund

Issue

Should the Judicial Council (Council) delegate the authority to the Administrative Director of the Courts (Administrative Director) to make adjustments to allocations approved by the council for projects and programs funded from the State Trial Court Improvement and Modernization Fund (STCIMF)?

Background

Beginning in FY 2012–2013, the STCIMF was established by amended Government Code section 77209 (Senate Bill 1021 (Stats. 2012, ch. 41)) as the successor fund of both the Trial Court Improvement Fund (Improvement Fund) and the Judicial Administration Efficiency and Modernization Fund (Modernization Fund). Pursuant to Government Code section 77209(f), moneys deposited in the STCIMF shall be administered by the Council, but the Council “may, with appropriate guidelines, delegate to the Administrative Director of the Courts the administration of the fund.”

From FY 2000–2001 to FY 2008–2009 the council delegated to the Executive & Planning Committee (E&P Committee) the authority to approve allocations from the Improvement Fund and the Modernization Fund. During that period, the Administrative Director was given the authority, within the guidelines approved by the council, to make adjustments to allocations and approve new allocations. From FY 2009–2010 to FY 2011–2012, the council approved Improvement Fund and Modernization Fund allocations and the delegated authority to the Administrative Director remained the same as that under the E&P Committee. In FY 2012–2013, the council delegated the Administrative Director the authority to make adjustments not to exceed 20 percent of a STCIMF allocation approved by the council.

Options

Option 1 – No Delegation of Authority

This option would not delegate any authority to the Administrative Director and require the council to consider and approve any and all requested adjustments, both major and minor, to allocations.

Option 2 – Authority to Make Transfers Between Allocations

The Administrative Director is authorized to make transfers between allocations subject to the following:

- The sum of any allocation transfers cannot exceed 20 percent of any allocation to be reduced nor 20 percent of the allocation to be augmented.
- The Administrative Director must notify the chair person of the council’s E&P Committee in advance of the transfer.
- The Administrative Director must report back to the council the rationale and amounts of any approved adjustments after the end of the fiscal year.

In situations where projects/programs will realize savings during the year and project/programs might face minor unanticipated cost increases, this option would allow the Administrative Director to make the adjustments instead of requests going before the council. In this option, the Administrative Director could not augment the total level of allocations approved by the council, but only transfer between approved allocations.

Option 3 – Option 2 Plus Authority to Augment Allocations

The Administrative Director is authorized to make transfers between allocations and augment approved allocations subject to the following:

- The sum of any allocation transfers cannot exceed 20 percent of the allocation to be reduced nor 20 percent of the allocation to be augmented.
- The sum of any augmentations of an allocation cannot exceed 20 percent of the allocation amount or \$230,000, whichever is less, and the Administrative Director must confirm that there are available monies and expenditure authority for the augmentation.
- The Administrative Director must notify the chairperson of the council's E&P Committee in advance of any transfer or augmentation.
- The Administrative Director must report back to the council the rationale and amounts of any approved adjustments or augmentations after the end of the fiscal year.

Identical to the delegated authority in Option 2, but would also provide the Administrative Director the authority to augment an allocation by an amount not to exceed \$230,000, which is 20 percent of the average allocation amount in 2012–2013. It is possible that a project/program might face minor unanticipated cost increases but that no other project/program is anticipating savings, and the approval of the augmentation might be required between council business meetings. In such situations, the Administrative Director would have the authority to augment a project/program allocation. Unlike Option 2, in Option 3, the Administrative Director could augment the total level of allocations approved by the council.

Recommendation

AOC is recommending that the TCBAC support Option 2. Requests for augmentations that required immediate action have been rare, and the council can make decisions between business meetings.

Alternatives

For Options 2 and 3, the TCBAC can recommend and the council should consider requiring the E&P chairperson to approve or disapprove any adjustments that are proposed by the Administrative Director. In addition, the transfer cap can be revised upward (e.g., to 30 percent) or downward (e.g., to 10 percent).



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

JUDICIAL AND COURT OPERATIONS SERVICES DIVISION

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MEMORANDUM

Date	Action Requested
August 2, 2013	Please Review
To	Deadline
Trial Court Budget Advisory Committee	August 14, 2013
From	Contact
Court-Appointed Counsel Funding Subcommittee	Corby Sturges
Hon. Mary Ann O'Malley, Chair	415-865-4507 phone corby.sturges@jud.ca.gov
Subject	
Juvenile Dependency Counsel Collections Program: Amendments to Guidelines	

Summary

The Court-Appointed Counsel Funding Subcommittee recommends that the Trial Court Budget Advisory Committee approve three amendments to the Juvenile Dependency Counsel Collections Program (JDCCP) Guidelines and submit them to the Judicial Council for adoption. The first of these would specify the timing and procedures under which courts might recover their eligible program implementation costs. The second would establish a transparent, equitable methodology for allocating collected reimbursements to the courts in conformity with statutory requirements. The third would incorporate changes to the authority of the financial evaluation officer made by Senate Bill 75. Other amendments would clarify that the guidelines are not intended to preclude courts from collaborating on efforts to implement the program, update references, and make grammatical and technical changes. The subcommittee commends any remaining issues regarding the allocation and distribution of the funds collected through the JDCCP to the discretion of the committee as a whole.

Background

In Assembly Bill 131 (Stats. 2009, ch. 413), the Legislature required the Judicial Council to establish a program to collect reimbursements from parents and other responsible persons, to the extent they are able to pay, for the court cost of providing legal services to these persons and

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their children in juvenile dependency proceedings. These costs are substantial, as Welfare and Institutions Code section 317 requires the juvenile court to appoint counsel to represent all children in dependency proceedings¹ absent a finding that the particular child will not benefit from the appointment, as well as all indigent parents of children who have been placed out of the home or for whom out-of-home placement is recommended. The court also has the authority to appoint counsel for all other indigent parents. The statute further requires that appointed counsel for a child have a caseload and training that ensures adequate representation. To this end, the Legislature directed the Judicial Council to adopt rules of court that establish caseload standards, training requirements, and guidelines for children's counsel. In 2001, the council amended rule 1438 (now 5.660) of the California Rules of Court to set these standards.

The Judicial Council also directed staff to conduct a study of the workload of dependency counsel appointed to represent both parents and children to determine more precise caseload, compensation, and performance standards. As a result of the workload study, the council further directed staff to begin implementation of a caseload standard of 141 clients per attorney through the voluntary Dependency Representation Administration, Funding, and Training (DRAFT) pilot program.

After three years of evaluating caseloads and practice models in ten volunteer courts, the Judicial Council approved a caseload standard of 188 clients per FTE attorney assisted by support staff, adopted a workload-based funding methodology known as the Caseload Funding Model (CFM), and authorized the expansion of the DRAFT program to a total of 20 courts. Despite the successes of the DRAFT program in promoting more cost-effective representation models, the statewide cost of appointing dependency counsel continued to exceed the available budget. The Legislature has never fully funded the CFM, requiring the court-appointed counsel programs to operate at a structural deficit.

Hoping to tap an alternative source of funds, the Legislature enacted AB 131 in 2009. Over the past two and a half years, several subcommittees of this committee and its predecessor, the Trial Court Budget Working Group (TCBWG), have worked to develop a framework to implement the collections program. After a series of false starts due in part to the difficult economic climate, a joint working group of the Family and Juvenile Law Advisory Committee and the TCBWG developed a set of program guidelines and optional forms that were adopted by the Judicial Council, effective January 1, 2013. These guidelines establish procedures for courts to use to determine the cost of legal services in each dependency case and a responsible person's ability to pay all or part of those costs; to collaborate with counties, private vendors, or other courts in implementing the program; and to report program data.

This subcommittee was charged with resolving the issues that remained after the approval of the initial guidelines. The two principal issues were how and when courts might recover their costs of implementing the JDCCP and how to allocate collected funds equitably to the trial courts in compliance with the statutory mandate that the funds be used to reduce court-appointed attorney caseloads.

¹ Under section 317.5 of the Welfare and Institutions Code, each child "who is the subject of a dependency proceeding is a party to that proceeding." (Welf. & Inst. Code, § 317.5(b).) All further statutory references are to the Welfare and Institutions Code unless otherwise specified.

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While the subcommittee was engaged in this work, the Legislature enacted Senate Bill 75 (Stats. 2013, ch. 31 (effective June 27, 2013)), which modified the authority of the financial evaluation officer to petition for and the court to order reimbursement. Because the legislation required further amendment of the program guidelines, the subcommittee took on this task as well.

Recovery of Eligible Program Implementation Costs

Section 903.47(a)(1) of the Welfare and Institutions Code directs the Judicial Council, as part of the dependency counsel collections program, to “adopt policies and procedures allowing a court to recover[,] from the money collected[,] the costs associated with implementing” the JDCCP. The statute limits costs eligible for recovery to the costs of determining a parent’s ability to pay for court-appointed counsel and of collecting delinquent reimbursements” and requires the policies and procedures to “limit the amount of money a court may recover to a reasonable proportion of the reimbursements collected.”

Process for Recovering Program Implementation Costs

The subcommittee agreed early on that it would be reasonable to permit a court to recover its eligible costs in full to the extent permitted by statute. Development of a process to recover those costs has been more time-consuming. The subcommittee considered two processes for a court to use to recover its eligible program implementation costs.

- **Option 1:** Permit each participating court to recover its eligible program costs from the funds that it alone has collected before remitting the remaining revenue to the state.
- **Option 2:** Require each participating court to remit gross reimbursement revenue collected to the state and only thereafter permit a court to submit a claim to the AOC to recover its eligible program costs.

For the reasons discussed below, the subcommittee unanimously recommends Option 1.

Option 1. The first option, assumed but not expressly stated in the current guidelines, is to permit each participating court to recover its eligible costs from the money it alone has collected before remitting its net collected revenue to the state as required by section 903.47(a)(2).

This option has several advantages. First, it is simple. It would require a court only to submit a report documenting the eligible costs that it has already recovered. The guidelines require a court to submit this report monthly, at the same time it reports its collected reimbursement revenue. The court would already need to have determined its costs before remitting and reporting its net collected revenue; the documentation of costs is anticipated to require only marginally more court staff time. This increase in staff time would be smaller than that required for option 2, and would be amply justified by the resulting promotion of transparency and accountability.

Second, this option is consistent with current trial court cost recovery standards, in particular the recovery of costs incurred through the Enhanced Collections Program under Penal Code section 1463.007. That section expressly authorizes a court to recover its eligible costs before

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distributing any revenue to other governmental entities.² Courts are accustomed to these standards and would not need to develop new processes to implement them for dependency counsel reimbursement collections.

Third, permitting each court to recover its costs from its own collected funds would be consistent with current practice in almost every court. An informal survey of court financial personnel revealed no court that remits funds to the state without first recovering its costs or paying its vendors from the revenue collected. The master agreements negotiated by the state with private collections vendors expressly contemplate payment of vendors before distribution of collected revenue. These agreements require a participating court to pay commissions or fees to vendors within thirty days of receipt of an invoice. That requirement assumes that a court is permitted to pay fees from the revenue collected. As the committee is aware, courts are facing serious cashflow shortages; most cannot absorb the costs of implementing this program into their operations budgets. These shortages would be exacerbated by requiring the courts to wait for reimbursement of their dependency collection costs by the AOC. An informal survey of trial court financial personnel confirms that requiring courts to remit collected funds before recovering their costs would cripple any existing collections efforts and possibly have broader negative ramifications.

Finally, this option should promote efficiency by encouraging a court with unprofitable collection efforts to seek a more cost-effective method, such as combining resources with another court, or to terminate its participation in the collection program. It does not seem desirable or consistent with the legislative intent to require an individual court to engage in collection efforts that cost more than the revenue they generate.

From a different perspective, this same advantage could be seen as the primary disadvantage of this option. Because this option limits recovery to the amount of money an individual court is able to collect, a court that cannot collect enough money to cover its own costs might be forced to stop participating in the JDCCP. Any revenue it might have collected would be lost. However, other solutions to this problem are available. For example, a court that cannot collect enough funds to cover its costs might arrange with another court for the second court to engage in collection efforts on its behalf. Alternatively, several courts, none of which alone could collect enough to cover its costs, might join in a group collection effort to allow each court to cover its share of the program costs. That is, either of these alternatives would allow courts to benefit from economies of scale without necessarily increasing the upfront costs they would need to bear. An amendment to section 10(c) clarifies that clarifies that such collaborative arrangements are permitted under the guidelines.

Option 2. This option would require each court to remit all (gross) revenue collected through the reimbursements program to the state under section 903.47(a)(2) and section 12 of the guidelines.

² In addition to practical consistency, this option would permit a reading of section 903.47(a)(1)'s authorization of a court to recover its program costs "from the money collected" in harmony with Penal Code section 1463.007's authorization of a court to recover its program costs "from the revenue collected." Section 1463.007 and the guidelines adopted under its authority make clear that a court may recover its costs from the revenue it has collected before making required distributions to other governmental entities.

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The court could then submit a claim or invoice to the state to recover its eligible costs from the pool of money remitted to the program by all participating courts.

This option has one principal advantage. It would, if consistent with statute, permit a court to recover its eligible costs even if those costs were to exceed the amount of the reimbursements that it could collect individually. This ability might, in turn, allow those courts to continue participating in the reimbursements program when they could not otherwise afford to do so.³ As discussed above, however, courts with unprofitable collection programs could take advantage of economies of scale by combining efforts or contracting for collections services with another court. Furthermore, this option would not address existing unrecoverable costs and might impose additional unrecoverable costs on the courts.

There are also reasons to believe that this option might not have the desired effect of supporting programs that are not otherwise cost-effective.⁴ First, this option would make it difficult for a court to contract with a third party to implement the program. The court would need to bear the cost of vendor fees or commissions much longer than it would need to if it were allowed to deduct those costs before remitting collected funds. If a court were not permitted to pay these fees from its own collected funds before remitting them to the state, it would be required instead to pay them, if it could, from its operations budget, to delay payments to vendors, or even to withhold payment. Implementation would seem more difficult for any court. As noted above, the current cash flow shortages faced by the trial courts would be exacerbated by requiring them to wait, possibly for months, for the state to approve and issue reimbursement for program costs. A court would be effectively required to lend money to the state until the state was able to process its cost-recovery claim.

Second, this option would lead to additional time and cost for AOC Fiscal Services Office staff. The same staff members who process the distribution of collected funds to reduce appointed counsel caseloads would also need to review and process claims for cost recovery. Third, this extra work, along with the need to temporarily hold some collected funds in reserve in anticipation of future cost recovery claims, is likely to lead to further delay and uncertainty in the distribution of collected funds to the courts to use to reduce appointed counsel caseloads.

Fourth, even if this approach is consistent with the statutory language, permitting each court to recover its eligible costs from, or up to the amount of, the total funds collected statewide would be inconsistent with the legislative purpose of the program, that is, to increase revenue available for reducing attorney caseloads. In a scenario where one or more large courts' program costs exceed the revenue collected, permitting recovery of costs from the total funds collected statewide is more likely to expend all of the collected funds on program costs alone.

The subcommittee also sought to use this option to enhance the transparency and accountability of the cost recovery process. Yet this concern seems equally well addressed by either option, and at a lower cost in option 1. Both options would require courts to verify and document their

³ There is reason to think that the Legislature, by inserting the requirement that a court consider "the cost-effectiveness of the program" in determining ability to pay, intended to discourage courts from implementing the program if doing so would not be cost effective. See § 903.47(a).

⁴ Again, assuming this effect is desirable and permissible under statute. See *id.*

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program costs to the Judicial Council. Court financial services staff suggested that the documentation of costs after remittance would be at least as onerous a burden as the reporting needed if courts were to be permitted to recover their costs before remittance. Court staff further predicted that requiring a court to also submit a claim for its costs would require substantial additional staff time and could provide an incentive for a court to include this ineligible cost in its claim for recovery.

Allocation Methodology

Earlier this year, the subcommittee had provisionally settled on the methodology presented here as Option 1. This method entails allocating a pro rata share of the collected funds to each participating court based, in part, on the relation of its current, historically based funding level to its funding need as estimated by the Caseload Funding Model (CFM) approved by the Judicial Council in 2007 and 2008.⁵ That methodology took a significant step toward allocating funds for court-appointed dependency counsel based on need and workload. Because it allocated any new funding to each court as a pro rata percentage of that court's existing funding, however, it retained a close connection to the historical funding level for court-appointed counsel in each court. Those levels had been determined locally according to a variety of criteria and did not always correspond closely to funding need.

Since then, the Judicial Council, advised by Trial Court Funding Workgroup and the Trial Court Funding Subcommittee of the Trial Court Budget Working Group (now Advisory Committee), approved a new method to allocate funding more equitably among the trial courts based on workload and proportionate need and to loosen the connection between allocation and historical funding decisions. To align the allocation of reimbursements with this approach, the subcommittee considered two additional options using the new methodology to allocate collected reimbursements in proportion to each court's share of the statewide funding need as estimated by the CFM. None of the options considered would lead to a change in any court's base allocation for court-appointed counsel, nor would any court be subject to a reduction of funds through the operation of the JDCCP.

After thorough consideration, the subcommittee unanimously recommends that the committee approve Option 2 and submit it to the Judicial Council for approval.

Option 1: Allocate new funding pro rata, according to historical allocations, to each participating court currently funded at 90% or less of its funding need as determined by CFM. That is, each eligible court would receive the same percentage of available collected funds. See Attachment A. This method is intended to fulfill the statutory mandate to reduce caseloads to the approved level

⁵ The CFM uses data collected in the 2002 Caseload Study to calculate the amount of time a court-appointed attorney would spend working on each stage of a juvenile dependency case. Because the basic elements of a dependency case remain the same, the measures in the CFM remain a valid indicator of attorney per case workload. The variable elements of the CFM—total clients and attorney salaries—are updated periodically to reflect current conditions.

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by allocating funds only to courts funded below their need as determined by the CFM. This method does not, however, fully address the second element of the mandate, to give priority to courts with the highest caseloads. It allocates the same percentage of the court's current funding base to each eligible court, regardless of differences in level of need. This method would, however, increase each eligible court's appointed counsel funding to a level closer to its need.

Option 2: Allocate funds proportionally to each participating court whose current allocation, as a proportion of available funds, is below its proportionate funding need as determined by the CFM. Allocate no funds to courts whose current allocation, as a proportion of available funds, equals or exceeds their proportionate funding need as determined by the CFM. See Attachment B. For example, a court that needs five percent of the aggregate statewide court-appointed counsel funding and currently receives 2.5 percent of the available aggregate base would receive five percent of the collected funds. Another court that also needs five percent of the statewide funding and receives six percent of the available base would not receive an allocation of collected funds, even if, in terms of actual dollars, six percent of the available base is less than five percent of the statewide need. This method is intended to fulfill both aspects of the statutory mandate. It should help to reduce caseloads to the approved level by allocating collected funds only to courts that currently receive a lower percentage of available funds than their proportion of caseload-based need. It gives priority to courts with the highest caseloads by allocating a greater share of the additional funding to those courts with a proportionately greater need.

Option 3: Allocate funds to each participating court, regardless of current allocation level, in proportion to its funding need as estimated by the CFM. See Attachment C. For example, a court that needs five percent of the aggregate statewide court-appointed counsel funding would receive an annual allocation of five percent of any collected funds. This option is intended to give priority to courts with the highest caseloads by allocating a greater share of the collected funds to those courts with greater need. This option may, however, lead some courts that currently receive a percentage of available funds greater than the percentage of their caseload-based funding need to nevertheless receive an allocation of collected funds.

Additional details about each option are provided on the respective attachments. Please note that Attachment B contains two worksheets.

Senate Bill 75

Finally, the subcommittee unanimously recommends amending sections 6(e) and 7(d) of the guidelines to reflect SB 75's amendment of section 903.45(b). Before amendment, that section authorized the financial evaluation officer to determine whether repayment would harm the ability of a parent who had already reunified to support the child and prohibited the officer from petitioning the court for an order of repayment in those circumstances. For parents receiving reunification services but not yet reunified, however, the statute reserved to the court the authority to determine whether repayment would pose a barrier to reunification. SB 75 conferred

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that authority on the financial evaluation officer, too, and prohibited the officer from petitioning the court for an order of repayment in those circumstances or when the court finds that repayment would be unjust.

The Judicial Council proposed this amendment as part of a package of measures designed to promote efficient court operations. It is hoped that permitting the financial evaluation officer to determine whether repayment would be a hardship during as well as after reunification will lead to a faster, more consistent, and less burdensome process for judicial officers, court staff, and families. A copy of the pertinent section of SB 75 is included as Attachment D. The amendments to the guidelines implement the statutory changes.

Appendix F.

Guidelines for the Juvenile Dependency Counsel Collections Program

1. Legal Authority

These guidelines are adopted under the authority of section 903.47 of the Welfare and Institutions Code,¹ which mandates that the Judicial Council “establish a program to collect reimbursements from the person liable for the costs of counsel appointed to represent parents or minors pursuant to Section 903.1 in dependency proceedings.” (Welf. & Inst. Code, § 903.47(a).) As part of the program, the statute requires the council to “[a]dopt a statewide standard for determining [a responsible person’s] ability to pay reimbursements for counsel.” This standard must “at a minimum include the family’s income, their necessary obligations, the number of people dependent on this income, and the cost-effectiveness of the program.” (*Ibid.*) The statute also requires the council to “[a]dopt policies and procedures allowing a court to recover from the money collected the costs associated with implementing the reimbursements program.”² These policies and procedures must, in turn, “limit the amount of money a court may recover to a reasonable proportion of the reimbursements collected and provide the terms and conditions under which a court may use a third party to collect reimbursements.” (*Ibid.*)

Section 903.1 imposes liability on specified persons and estates for the cost of legal services provided to the child and directly to those persons in dependency proceedings. These responsible persons are jointly and severally liable for the cost of the child’s representation. If the petition is dismissed at or before the jurisdictional hearing, though, no liability attaches.

Section 904 authorizes the trial court to determine the cost of dependency-related legal services using methods or procedures approved by the Judicial Council.

Under section 903.47(b), the court may designate a court financial evaluation officer (FEO) or, with the consent of the county, a county financial evaluation officer (FEO) to determine a responsible person’s ability to pay the cost of court-appointed counsel. The court refers any responsible person to the designated FEO at the close of the dispositional hearing under section 903.45(b) unless that referral would not be cost-effective under section 903.47(a)(1)(A). The FEO then determines the responsible person’s ability to pay all or part of the cost of dependency-related legal services under the procedures and within the limits set by section 903.45(b). The statutory scheme, particularly sections 901 and 903, prohibits the assessed amount from exceeding the actual cost of the legal services.

¹ Except as otherwise specified, all statutory references in these guidelines are to the Welfare and Institutions Code.

² This section defines *costs associated with implementing the reimbursements program* as the “court costs of assessing a parent’s ability to pay for court-appointed counsel and the costs to collect delinquent reimbursements.”

1 Sections 903.1(c) and 903.47(a)(2) direct each court to deposit collected reimbursements in
 2 the same manner as it deposits revenue collected under section 68085.1 of the Government
 3 Code. The Administrative Office of the Courts (AOC) must then transfer the remitted
 4 reimbursements to the Trial Court Trust Fund (TCTF).

5
 6 Except as otherwise authorized by law, the Judicial Council must allocate the funds
 7 collected through the reimbursement program to reduce court-appointed attorney caseloads
 8 to the Judicial Council–approved standard. In determining allocations, the council must
 9 give priority to courts with the highest attorney caseloads that also demonstrate the ability
 10 to immediately improve outcomes for parents and children as the result of lower caseloads.

11
 12 **2. Effective Date**

13 These guidelines are effective for all dependency proceedings filed on or after January 1,
 14 2013. Amendments adopted after that date will take effect as specified by the Judicial
 15 Council, but no sooner than 30 days after the council meeting at which they are adopted.

16
 17 **3. Responsible Person—Definition**

18 “Responsible person,” as used in these guidelines, refers to the father, mother, spouse, or
 19 any other person liable for the support of a child; the estate of that person; or the estate of
 20 the child, as made liable under section 903.1(a) for the cost of dependency-related legal
 21 services rendered to the child or directly to that person.

22
 23 **4. No Liability**

24 Under section 903.1(b), a responsible person is not liable for, and the court will not seek
 25 reimbursement of, the cost of legal services under section 903.1(a) if the dependency
 26 petition is dismissed at or before the jurisdictional hearing.

27
 28 **5. Determination of Cost of Legal Services**

29 The court is charged with determining the cost of dependency-related legal services. In
 30 doing so, the court may adopt **one** of the three methods in (a)–(c). In no event will the court
 31 seek reimbursement of an amount that exceeds the actual cost of legal services already
 32 provided to the children and the responsible person in the proceeding. The court may
 33 update its determination of the cost of legal services on an annual basis, on the conclusion
 34 of the dependency proceedings in the juvenile court, or on the cessation of representation of
 35 the child or responsible person.

36
 37 **(a) Actual Cost**

38 The court may determine the actual cost of the legal services provided to a child or
 39 responsible person in a dependency proceeding. The court should base this
 40 determination on the actual cost incurred per event in the proceeding, per hour billed,
 41 or per client represented.

42
 43 **(b) Cost Model**

1 The court may determine the cost of legal services provided to a child or responsible
 2 person in a dependency proceeding by applying the Uniform Regional Cost Model
 3 available on ~~serranus.jud.ca.gov~~ serranus.courtinfo.ca.gov or from jdccp@jud.ca.gov.
 4 Use of the cost model as described in this section will ensure that the court seeks
 5 reimbursement of an amount that most closely approximates, but does not exceed, the
 6 actual cost incurred by the court.

7
 8 **(1) Time Allocated to Each Event per Attorney**

9 The court will calculate the time allocated to each event in a local dependency
 10 proceeding by

11
 12 (A) Dividing the normative caseload of 141 clients per attorney by the actual
 13 caseload reported by the dependency attorneys in the county in which the
 14 court sits, and then

15
 16 (B) Multiplying the result by the number of hours allocated to the type of
 17 event in question by the Dependency Counsel Caseload Study.³

18
 19 **(2) Cost of Each Event per Attorney**

20 The court will then calculate the cost of each type of event by multiplying the
 21 time allocated to the event by

22
 23 (A) The actual hourly rate billed to the court for the provision of dependency-
 24 related legal services, or

25
 26 (B) The lowest actual hourly rate billed for dependency-related legal services
 27 in the region⁴ in which the court is located as reported in the most recent
 28 survey of those rates, or

29
 30 (C) The approved hourly rate for the region in which the court is located as
 31 provided in the Caseload Funding Model approved by the Judicial Council
 32 in October 2007 and June 2008.⁵

33
 34 **(3) Cost of Proceeding per Attorney**

35 The court will then calculate the cost of the services provided by an attorney in
 36 a dependency proceeding by adding together the costs of each event that has
 37 occurred in the proceeding at issue.

³ See Center for Families, Children & Cts., Admin. Off. of Cts. Rep., *Court-Appointed Counsel: Caseload Standards, Service Delivery Models, and Contract Administration* (June 23, 2004), p. 3 & appen.

⁴ California trial courts are grouped into four regions based on parity in cost of living, attorney salaries, and other factors among counties in a given region. See Center for Families, Children & Cts., Admin. Off. of Cts. Rep., *DRAFT Pilot Program and Court-Appointed Counsel* (Oct. 26, 2007), pp. 7–8.

⁵ See *id.* (Oct. 2007), at pp. 7–10; Trial Court Budget Working Group Rep., *Court-Appointed Counsel Compensation Model and Workload-Based Funding Methodology* (June 10, 2008).

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(c) Flat Rate Fee Structure

The court may adopt a flat rate fee structure for the cost of legal services in a dependency proceeding as long as the fees charged do not exceed the actual cost of the services provided in that proceeding up to and including the date of the determination and assessment.

6. Determination of Ability to Pay; Financial Evaluation Officer; Statewide Standard

(a) Referral for Financial Evaluation

At the close of the dispositional hearing, the court will order any responsible person present at the hearing to appear before a designated financial evaluation officer (FEO) for a determination of the responsible person's ability to pay reimbursement of all or part of the cost of legal services for which he or she is liable under section 903.1(a), unless the court finds that, given the resources of the court, evaluation by an FEO would not be a cost-effective method of determining the responsible person's ability to pay.

(1) Responsible Person Not Present at Dispositional Hearing

If a responsible person is not present at the dispositional hearing, the court will issue proper notice and an order for him or her to appear before an FEO for determination of his or her ability to pay reimbursement of all or part of the cost of legal services for which he or she is liable under section 903.1(a) unless the court finds that evaluation by an FEO would not be a cost-effective method of determining the responsible person's ability to pay given the resources of the court.

To issue proper notice to a responsible person not present at the hearing at which appearance for a financial evaluation is ordered, the court should send *Order to Appear for Financial Evaluation* (form JV-131) or the equivalent local form by first-class mail to that person's mailing address of record.

(2) Alternative Methods

If the court finds that evaluation by an FEO is not cost-effective, it may take whatever steps it deems cost-effective to determine the responsible person's ability to pay.

(3) Failure to Appear for Financial Evaluation

If a responsible person is ordered to appear for financial evaluation, has received proper notice, and fails to appear as ordered, the FEO will recommend that the court order the responsible person to pay the full cost of legal services as determined under section 5 of these guidelines unless the next paragraph applies.

1
2 If a responsible person is not present at the hearing at which the order to appear
3 for a financial evaluation is made, has received proper notice and an order to
4 appear, and responds to the order by submitting a declaration that he or she is
5 involuntarily confined and therefore not able to attend or reschedule the
6 evaluation, the FEO or the court may presume that he or she is unable to pay
7 reimbursement and is eligible for a waiver of liability at that time.
8

9 **(4) Proper Notice**

10 Proper notice to a responsible person will contain notice of all of the following:
11

- 12 (A) His or her right to a statement of the costs as soon as it is available;
- 13 (B) His or her procedural rights under section 27755 of the Government Code;
- 14 (C) The time limit within which his or her appearance is required; and
- 15 (D) A warning that if he or she fails to appear before the FEO, the officer will
16 recommend that the court order him or her to pay the full cost of legal
17 services, and that the FEO's recommendation will be a sufficient basis for
18 the court to order payment of an amount up to the full cost.
19

20 **(b) Financial Evaluation Officer**

21 The court may either designate a court FEO to determine responsible persons' ability
22 to reimburse the cost of legal services or, with the consent of and under terms agreed
23 to by the county, designate a county FEO to determine responsible persons' ability to
24 reimburse the cost of legal services.
25

26 **(c) Authority of Financial Evaluation Officer**

27 The designated FEO will conduct the evaluation under the procedures outlined in
28 section 903.45(b). The FEO may determine a referred responsible person's ability to
29 pay all or part of the cost of legal services for which he or she is liable, negotiate a
30 plan for reimbursement over a set period of time based on the responsible person's
31 financial condition, enter into an agreement with the responsible person regarding the
32 amount to be reimbursed and the terms of reimbursement, petition the court for an
33 order of reimbursement according to the terms agreed to with the responsible person,
34 and refer the responsible person back to court for a hearing in the event of a lack of
35 agreement.
36

37 **(d) Standard for Determining Ability to Pay**

38 The FEO will determine the responsible person's ability to reimburse the cost of legal
39 services using the following standard:
40

41 **(1) Presumptive Inability to Pay; Waiver**

42 If a responsible person receives qualifying public benefits or has a household
43 income 125 percent or less of the threshold established by the federal poverty

1 guidelines in effect at the time of the inquiry, then he or she is presumed to be
2 unable to pay reimbursement and is eligible for a waiver of liability.

3
4 (A) *Qualifying public benefits* include benefits under any of the programs
5 listed in Government Code section 68632(a).
6

7 **(2) Further Inquiry**

8 If the court has concluded as a matter of policy that further inquiry into the
9 financial condition of persons ~~presumed eligible for a waiver unable to pay~~
10 would not be warranted or cost-effective, the inquiry may end at this point with
11 a determination that the person is unable to pay.

12
13 If the court has concluded as a matter of policy that further inquiry into the
14 financial condition of a persons ~~presumed eligible for a waiver unable to pay~~ is
15 warranted notwithstanding the presumption, the FEO may proceed to a detailed
16 evaluation under section 6(d)(3).
17

18 **(3) Responsible Person's Financial Condition**

19 The FEO may, at any time following the close of the dispositional hearing,
20 make a detailed evaluation of a referred responsible person's financial condition
21 at that time under section 903.45(b). Based on any relevant information
22 submitted by the responsible person, including but not limited to a completed
23 *Financial Declaration—Juvenile Dependency* (form JV-132) or the equivalent
24 local form, the FEO will assess the responsible person's household income,
25 household needs and obligations (including other court-ordered obligations),
26 and the number of persons dependent on the household income and will
27 determine the person's ability pay all or part of the cost of legal services without
28 using funds that would normally be used to pay for the common necessities of
29 life.
30

31 When calculating a person's household income, the FEO must exclude from
32 consideration any benefits received from a public assistance program that
33 determines eligibility based on need.⁶
34

35 **(e) Circumstances Requiring No Petition or Order for Reimbursement**

36 Under section 903.45(b), the FEO ~~will~~may not petition the court to order
37 reimbursement of the cost of legal services, and the court will not so order, if:

- 38
39 (1) The responsible person has been reunified with any of the children under a court
40 order and the FEO determines that requiring repayment reimbursement~~reimbursement~~
41 harm his or her ability to support the children;

⁶ *In re S.M.* (Sept. 5, 2012, D0607332012), 209 Cal.App.4th 21, [pp. 8–9]28–31.
www.courts.ca.gov/opinions/documents/D060733.PDF.

1
2 (2) the responsible person is currently receiving reunification services and the court
3 or the FEO determines that requiring repayment will pose a barrier to
4 reunification; or

5
6 (3) the court determines that requiring repayment would be unjust under the
7 circumstances of the case.

8
9 (f) **Amount Assessed**

10 The FEO may, consistent with the responsible person's ability to pay, assess any
11 amount up to the full cost determined under section 5 of these guidelines, and may
12 recommend reimbursement in a single lump sum or in multiple installments over a set
13 period of time.

14
15 (g) **Agreement; Petition**

16 If the responsible person agrees in writing to the FEO's written determination of the
17 amount that the responsible person is able to reimburse and the terms of
18 reimbursement, the FEO will petition the court for an order requiring the responsible
19 person to reimburse the court in a manner that is reasonable and compatible with the
20 responsible person's financial condition.

21
22 (h) **Dispute; ~~Hearing~~Referral**

23 If the responsible person disputes his or her liability for the cost of legal services, the
24 amount of that cost, the FEO's determination of his or her ability to reimburse all or
25 part of that cost, or the terms of reimbursement, the FEO will refer the matter, with
26 his or her written determination, back to the juvenile court for a hearing.

27
28 7. **Judicial Proceeding Following Determination of Ability to Reimburse Cost**

29 On having made a determination of the responsible person's ability to reimburse all or part
30 of the cost of legal services, the FEO will return the matter to the juvenile court as follows:

31
32 (a) **Agreement; Order**

33 If the responsible person agrees to reimburse the court as recommended by the FEO,
34 the FEO will prepare an agreement to be signed by the responsible person. The
35 agreement will reflect the amount to be reimbursed and the terms under which
36 reimbursement will be paid. The juvenile court may order the responsible person to
37 pay reimbursement under those terms without further notice to the responsible person.

38
39 (b) **Dispute; Hearing**

40 ~~If the responsible person does not agree with the FEO's determination with respect to~~
41 ~~liability, ability to pay, amount, or terms of reimbursement, the matter will be is~~
42 deemed in dispute and the FEO ~~will refer~~ has referred the matter back to the juvenile
43 court under section 6(h), the court will ~~to be set and conduct for~~ a hearing as required
44 under section 903.45(b).

(c) Judicial Determination

If, at the conclusion of the hearing, the court determines that the responsible person is able to reimburse all or part of the cost of legal services—including the cost of any attorney appointed to represent the responsible person at that hearing—without using funds that would normally be used to pay for the common necessities of life, the court will set the amount to be reimbursed and order the responsible person to pay that amount to the court in a manner that the court believes reasonable and compatible with the responsible person’s financial condition.

(d) Exclusions

~~The court will not order the responsible person to reimburse the cost of legal services if:~~

~~(1) The responsible person is currently receiving reunification services and the court finds that reimbursement would pose a barrier to reunification because:~~

~~(A) It would limit the responsible person’s ability to comply with the requirements of the reunification plan; or~~

~~(B) It would harm the responsible person’s current or future ability to meet the needs of the child; or~~

~~(2) The court finds that reimbursement would be unjust under the circumstances of the case.~~

8. Reevaluation of Ability to Pay

At any time before reimbursement is complete, a responsible person may petition the court ~~for a modification of~~ to modify or vacate the reimbursement order ~~based on the ground of a~~ change in circumstances affecting his or her ability to pay reimbursement. The court may deny the petition without a hearing if the petition fails to state a change of circumstances. The court may grant the petition without a hearing if the petition states a change of circumstances and all parties stipulate to the requested modification.

9. Frequency of Determination of Ability to Pay and Assessment

The initial evaluation and determination of a responsible person’s ability to pay reimbursement may be conducted at any time following the conclusion of the dispositional hearing. The court may order a reevaluation of a responsible person’s financial condition on an annual basis, on the conclusion of the dependency proceedings in the juvenile court, or on the cessation of court-appointed representation of the child or the responsible person.

If the FEO determines on reevaluation that the responsible person is able at that time to pay all or part of the cost of legal services, the FEO may, consistent with the responsible person’s ability to pay without using funds that would normally be used to pay for the common necessities of life, assess an amount up to the full cost, as determined under

1 section 5, ~~of these guidelines~~ of any legal services provided to the child or the responsible
 2 person and may recommend reimbursement in a single lump sum or in multiple
 3 installments over a set period of time.

4 5 **10. Collection Services**

6 7 **(a) Court-Based Collection Services**

8 To the extent applicable and consistent with sections 903.1 and 903.47, a courts
 9 should administer the collection, processing, and deposit of court-ordered
 10 reimbursement of the cost of dependency-related legal services under the procedures
 11 in policies FIN 10.01 and FIN 10.02 of the *Trial Court Financial Policies and*
 12 *Procedures Manual*.

13 14 **(b) Outside Collection Services Providers**

15 When appropriate and consistent with policy FIN 10.01, a court may use an outside
 16 collection-services provider.

17 18 **(1) Collection Services Provided by County**

19 If collection services are provided by the county, the agreement should be
 20 formalized by a memorandum of understanding (MOU) between the court and
 21 county. AOC staff will provide a sample MOU on request. An electronic copy
 22 of the MOU, including a scanned copy of the completed signature page, ~~must~~
 23 be sent to jdccp@jud.ca.gov.

24 25 **(2) Collection Services Provided by Private Vendor**

26 A court that uses a private collection service should use a vendor has entered
 27 into a master agreement with the AOC to provide comprehensive collection
 28 services. A court that uses such a vendor should complete a participation
 29 agreement and send it to the AOC via e-mail to jdccp@jud.ca.gov. A court may
 30 contract directly with a private vendor only on terms and conditions
 31 substantially similar to those set forth in the master agreements for
 32 comprehensive collection services available at
 33 <http://serranus.courtinfo.ca.gov/programs/collections/mva.htm>.

34 35 **(3) Court Option for AOC Agreement with Collection Services Provider**

36 At a court's request, the AOC may directly enter into an MOU with the county
 37 or an agreement with a private collection-services vendor for ~~dependency~~
 38 ~~counsel reimbursement collection services~~ under this program.

39 40 **(c) Agreements Between Courts**

41 Nothing in this section is intended to preclude a court or courts from establishing an
 42 agreement with another court or courts for one or more courts to perform services

1 under this program on behalf of other courts, or for one or more courts to combine
 2 collection efforts under this program.

4 **11. Recovery of ~~Cost of Program Implementation Costs~~**

5 ~~Courts~~ A court may recover, ~~the~~ from the money it has collected, its eligible program
 6 implementation costs of implementing the reimbursements program before remitting the
 7 balance of the collected funds to the state in the manner required by Government Code
 8 section 68085.1. Recoverable-Eligible costs are limited by statute to the cost of assessing
 9 determining responsible persons' ability to repay ~~for the cost of~~ court-appointed counsel
 10 and ~~to the costs to~~ of collecting delinquent reimbursements. If a court's eligible costs in any
 11 given month exceed the amount of revenue it has collected in that month, the court may
 12 carry the excess costs forward within the same fiscal year until sufficient revenue is
 13 collected to recover the eligible costs in full. Courts may recover these costs before
 14 remitting collected reimbursements to the bank accounts designated under Government
 15 Code section 68085.1. Any program costs recovered by the court ~~should~~ must be
 16 documented by the court and reported monthly by e-mail to jdccp@jud.ca.gov and follow
 17 in a format consistent with the Cost Recovery Template available on
 18 serranus.courtinfo.ca.gov or on request from jdccp@jud.ca.gov.

20 **(a) ~~Limit on Recovery~~ Delinquent Reimbursement Defined**

21 ~~Under section 903.47(a)(1)(B), recovered costs may not exceed a reasonable~~
 22 ~~proportion of the reimbursements collected. For purposes of this section, *delinquent*~~
 23 ~~*reimbursement* means any reimbursement payment not received within one business~~
 24 ~~day of the date it is due.~~

26 **12. Remittance and Reporting of Collected Revenue**

27 ~~Courts~~ A court will remit collected revenue, ~~less recovered costs,~~ to the ~~state AOC,~~ ~~less~~
 28 ~~costs recoverable under section 903.47(a)(1)(B),~~ in the same manner as required under
 29 Government Code section 68085.1 and will report this revenue on row 130 of *Court*
 30 *Remittance Advice* (form TC-145). The AOC will deposit the revenue received ~~under these~~
 31 ~~guidelines~~ through this program into the Trial Court Trust Fund as required by statute.

33 **(a) AOC Collections Agreement Option**

34 Where the AOC has entered into an MOU or an agreement with a county or a private
 35 collection-services vendor under section 10(b)(3) of these guidelines, funds will be
 36 remitted directly to the AOC under the terms of the MOU or the agreement.]

38 **13. Program Data Reporting**

39 Each court should report collections program data to the AOC to ensure implementation of
 40 the Legislature's intent by determining the cost-effectiveness of the program and
 41 confirming that efforts to collect reimbursement do not negatively impact reunification; to
 42 provide a basis for projecting the amount of future reimbursements; and to evaluate the
 43 effectiveness of the reimbursement program at both statewide and local levels.

1
2 **(a) Ongoing Reporting Requirement**

3 To support the amount remitted to the Trial Court Trust Fund, All courts each court
4 will report collections data annually on or before September 30, beginning
5 September 30, 2013. Completed reports should be sent as attachments to an e-mail
6 message to jdeep@jud.ca.gov/~~jdeep@jud.ca.gov~~. The first report should cover the
7 period from January 1, 2013, to June 30, 2013. Each court should submit its
8 completed report attached to an email message to jdccp@jud.ca.gov. Thereafter,
9 reports should reflect data from the entire preceding fiscal year.

10
11 **(1) Collections Reporting Data**

12 ~~To the extent feasible in light of each court's current practices and resources,~~
13 ~~data should be collected in the following categories: The AOC will provide a~~
14 ~~reporting template that solicits the following information:~~

- 15
16 (A) Total number of responsible persons evaluated in the reporting period to
17 determine their ability to pay
18 (B) ~~Total n~~Number of responsible persons in (A) found unable to pay not
19 ordered to pay because of potential impact on reunification
20 (C) ~~Total n~~Number of responsible persons not ordered to pay based on
21 other financial hardship not ordered to pay because of potential
22 interference with reunification
23 Number of persons in (A) found able to pay but not ordered to pay under
24 section 6(e)
25 (D) ~~Number of responsible persons with open collections, start of fiscal year~~
26 accounts at the beginning of the reporting period
27 (E) ~~Dollar amount of in open collections, accounts at the start beginning of the~~
28 fiscal year reporting period
29 (F) ~~Number of responsible persons added in fiscal year new accounts opened~~
30 in the reporting period
31 (G) ~~Dollar amount added in fiscal year in accounts opened during the~~
32 reporting period
33 (H) Total dollar amount collected from all accounts in the fiscal year reporting
34 period
35 (I) ~~Total responsible persons fully paid/closed in fiscal year~~
36 (J) ~~Number of responsible person accounts closed or discharged in the fiscal~~
37 year reporting period
38 (K)(J) ~~Number of responsible persons with open collections, open~~
39 accounts at the end of the reporting period fiscal year
40 (L)(K) ~~Dollar amount of open, in open accounts at the end of the fiscal~~
41 year reporting period.

42
43 **(2) Collections Program Implementation Review**

1 Within two years of the effective date of these guidelines and thereafter as
 2 needed, the Judicial Council will evaluate the progress of the collections
 3 program’s statewide implementation and examine the impact of the program on
 4 court workload and finances. For this purpose, staff may survey the courts about
 5 their financial evaluation processes, including the time and resources needed to
 6 determine responsible persons’ ability to pay, the number of such persons
 7 evaluated, the results of the evaluations as specified in 6(d)–(g), and the number
 8 of judicial hearings necessary under 7(b)–(c).

10 **14. Allocation of Collected Funds to Trial Courts**

12 **(a) Eligibility for Allocation**

13 A court that has demonstrated participation in the collections program by, at a
 14 minimum,

16 (1) adopting a local rule or policy requiring the juvenile court to inquire at or before
 17 the close of each dispositional hearing about each responsible person’s ability to
 18 pay reimbursement and

19 (2) submitting annual reports under section 13

20 is eligible to receive an allocation of collected funds to reduce the caseload of its
 21 court-appointed dependency counsel.

26 **(b) Allocation Methodology**

27 The collected funds will be allocated annually, as part of the court-appointed counsel
 28 budget development process, to each proportionately underfunded participating court
 29 in proportion to its percentage of the estimated statewide court-appointed counsel
 30 funding need. Collected funds will be allocated separately from each court’s base
 31 allocation, and the allocation of collected funds will not affect the amount of any
 32 court’s base allocation.

33 (1) A proportionately underfunded court is a court whose percentage allocation of
 34 the available statewide base funding is lower than its percentage of the
 35 statewide court-appointed counsel funding need as estimated by the Judicial
 36 Council’s caseload funding model (CFM).⁷

7 In October 2007, the TCBWG developed and the Judicial Council approved a need-based compensation or caseload funding model (CFM) for court-appointed dependency counsel practicing in courts under the DRAFT program. (See Trial Court Budget Working Group Rep., *supra* note 4.) In June 2008, the council’s Executive and Planning Committee extended that methodology to appointed dependency counsel in all juvenile courts statewide. The CFM uses the number of data-supported clients in a county to determine the number of FTE attorneys needed to serve that population at the Judicial Council–approved caseload standard of 188 clients per FTE attorney. (See *id.*, at p. 4.) It then uses cost of living, county counsel salaries, and other economic factors to assign each court to one of

1 The Judicial Council provides a single funding allocation to the DRAFT program to
 2 support court-appointed counsel in participating courts. This funding is managed by
 3 the Judicial Council as part of the court-appointed counsel budget development and
 4 funding process. Collected reimbursements allocated to the DRAFT program will
 5 also be managed by the council through this process.

6
 7 **(c) Review of Determination of Funding Level**

8 A court that believes that the size of its allocation is due to an error in determining its
 9 funding level may request a review of that determination within 90 days. The request
 10 should clearly state the nature of the error.

11
 12 The review will be conducted collaboratively by the court and the Judicial Council.

13
 14 **14.15. Technical Assistance**

15 AOC staff to the Judicial Council will provide technical assistance on request to courts that
 16 ~~do not yet have a dependency counsel reimbursement program in place~~ have not yet
 17 implemented the collections program or that wish to coordinate collection efforts with
 18 other courts ~~in establishing a regional reimbursement program~~. Courts may send requests
 19 by e-mail to jdccp@jud.ca.gov to receive technical assistance, which can include (but is not
 20 limited to) services such as

- 21 (a) Helping a court ~~establish a~~ implement the reimbursement program within its current
 22 administrative structure;
 23 (b) Advising a court on the application of the Uniform Cost Model under section 5(b) of
 24 these guidelines;
 25 (c) Coordinating a regional reimbursement program among several courts; or
 26 (d) Working with current collection services providers who have entered into master
 27 agreements with the AOC to ensure compliance with the JDCCP reporting
 28 requirements.

four statewide groups. (See *id.*, at p. 5.) To promote equity in attorney compensation, each group of courts is
assigned an attorney salary level based on the prevailing county counsel salary range in that group. Each court's
appointed-counsel salary needs are determined by multiplying the mid-tier salary level by the number of FTE
attorneys needed to serve the client population at the approved caseload. The cost of benefits and overhead,
including support staff, are calculated at assigned percentages of the attorney salaries. Adding these elements
together yields a precise estimate of the funding needed for a court to ensure competent representation of all parties
in juvenile dependency proceedings under sections 317(c) and 317.5, as well as rule 5.660(d) of the California Rules
of Court.

ALLOCATE COLLECTED FUNDS PRO RATA TO EACH COURT FUNDED AT OR BELOW 90% OF FUNDING NEED (CLIENT DATA BASED ON THREE-YEAR AVERAGE NUMBER OF CHILDREN RECEIVING COURT-ORDERED CASE SERVICES) **ACTION ITEM 5** Attachment A

	A	B	C	D	E	F	H	I	J
1	Court	Funding Need as Estimated by Caseload Funding Model (CFM) June 2013	Current Funding Level	Current Funding in Proportion to CFM Estimated Need	Pro Rata Allocation of Collected Funds				Effective Supplement
2	Alpine	\$0.00	\$0.00	-			1.66% of Base Funding Level Collected*	\$1,725,000.00	
3	Colusa	\$53,045.34	\$0.00	-			1.66% applied pro rata to courts at .11 to .90 of CFM	\$1,725,000.00	3.04%
4	Madera	\$470,467.12	\$53,030.50	0.11	\$1,614.34		0.0% applied to courts .91 or above CFM	\$0.00	0.00%
5	San Benito	\$190,087.72	\$31,884.50	0.17	\$970.62			1.66%	
6	Sutter	\$290,834.22	\$84,082.75	0.29	\$2,559.62		Each eligible court receives a pro rata share equal to 3% of its current funding.		
7	Tuolumne	\$216,700.00	\$63,980.75	0.30	\$1,947.69				
8	Tehama	\$317,430.04	\$93,909.01	0.30	\$2,858.75		*Collected over three years; annual collections projected to average \$550,000-\$600,000.		
9	Glenn	\$159,673.69	\$55,250.00	0.35	\$1,681.91				
10	Kings	\$594,444.59	\$199,672.35	0.34	\$6,078.37				
11	San Mateo	\$861,103.65	\$323,021.73	0.38	\$9,833.34				
12	Riverside	\$9,960,737.40	\$4,171,897.50	0.42	\$126,999.80				
13	Ventura	\$1,763,823.63	\$755,357.00	0.43	\$22,994.38				
14	Tulare	\$1,486,953.46	\$658,892.25	0.44	\$20,057.82				
15	Calaveras	\$164,425.88	\$76,519.00	0.47	\$2,329.37				
16	San Bernardino	\$7,271,805.86	\$3,587,297.00	0.49	\$109,203.54				
17	Monterey	\$591,586.23	\$329,570.00	0.56	\$10,032.68				
18	Merced	\$988,495.67	\$593,861.37	0.60	\$18,078.17				
19	Kern	\$3,456,745.25	\$2,023,943.00	0.59	\$61,612.34				
20	Yolo	\$539,849.13	\$333,430.00	0.62	\$10,150.19				
21	Napa	\$285,404.82	\$176,430.00	0.62	\$5,370.84				
22	Butte	\$983,443.74	\$664,759.00	0.68	\$20,236.42				
23	Placer	\$655,009.52	\$418,422.00	0.64	\$12,737.49				
24	Shasta	\$861,355.26	\$569,416.00	0.66	\$17,334.01				
25	DRAFT	\$55,818,442.11	\$41,273,226.00	0.74	\$1,256,428.59				
26	Mariposa	\$56,413.30	\$32,243.00	0.57	\$981.53				
27	Mono	\$14,256.58	\$12,329.00	0.86	\$375.32				
28	Trinity	\$92,618.85	\$83,204.00	0.90	\$2,532.87				
29	Modoc	\$17,681.78	\$16,064.00	0.91	\$0.00				
30	Yuba	\$210,997.37	\$199,732.00	0.95	\$0.00				
31	Fresno	\$2,957,067.13	\$2,958,296.00	1.00	\$0.00				
32	DRAFT	\$27,656,399.96	\$29,022,786.29	1.05	\$0.00				
33	Orange	\$6,227,511.20	\$6,583,082.00	1.06	\$0.00				
34	Lassen	\$104,406.70	\$108,374.00	1.04	\$0.00				
35	San Francisco	\$3,101,987.42	\$3,907,633.00	1.26	\$0.00				
36	Contra Costa	\$2,543,025.40	\$3,120,151.00	1.23	\$0.00				
37	Nevada	\$204,344.30	\$232,799.00	1.14	\$0.00				
38	Sierra	\$10,945.86	\$14,898.00	1.36	\$0.00				
39	Humboldt	\$407,522.92	\$562,460.00	1.38	\$0.00				
40	Siskiyou	\$167,555.91	\$256,552.00	1.53	\$0.00				
41	Inyo	\$38,017.54	\$76,990.00	2.03	\$0.00				
42		\$131,792,616.55	\$103,725,445.00	0.787035327	\$1,725,000.00				
43									
44									

Option 2: Allocate Collected Reimbursements in Proportion to Funding Need to Courts Whose Proportionate Allocation Is Less Than Their Proportionate Funding Need **ACTION ITEM 5** Attachment B

	A	B	C	D	E	F
1	Court	Estimated Funding Need per Caseload Funding Model (CFM) 1/13	Proportion of Total CFM Estimated Funding Need	Current Base CAC Budget Allocation	Proportion of Current Base Funding	Option 2: Allocate Share of Collected Funds to Courts with Disproportionately Low Current Allocation†
2	Alpine	\$0.00	0.00%	\$0.00	0.00%	\$0.00
3	Colusa*	\$53,045.34	0.04%	\$0.00	0.00%	\$0.00
4	Madera	\$470,467.12	0.36%	\$53,030.50	0.05%	\$9,438.13
5	San Benito	\$190,087.72	0.14%	\$31,884.50	0.03%	\$3,813.39
6	Sutter	\$290,834.22	0.22%	\$84,082.75	0.08%	\$5,834.48
7	Tuolumne	\$216,700.00	0.16%	\$63,980.75	0.06%	\$4,347.26
8	Tehama	\$317,430.04	0.24%	\$93,909.01	0.09%	\$6,368.02
9	Glenn	\$159,673.69	0.12%	\$55,250.00	0.05%	\$3,203.25
10	Kings	\$594,444.59	0.45%	\$199,672.35	0.19%	\$11,925.27
11	San Mateo	\$861,103.65	0.65%	\$323,021.73	0.31%	\$17,274.77
12	Riverside	\$9,960,737.40	7.56%	\$4,171,897.50	4.02%	\$199,824.24
13	Ventura	\$1,763,823.63	1.34%	\$755,357.00	0.73%	\$35,384.41
14	Tulare	\$1,486,953.46	1.13%	\$658,892.25	0.64%	\$29,830.05
15	Calaveras	\$164,425.88	0.12%	\$76,519.00	0.07%	\$3,298.58
16	San Bernardino	\$7,271,805.86	5.52%	\$3,587,297.00	3.46%	\$145,881.08
17	Monterey	\$591,586.23	0.45%	\$329,570.00	0.32%	\$11,867.92
18	Merced	\$988,495.67	0.75%	\$593,861.37	0.57%	\$19,830.41
19	Kern	\$3,456,745.25	2.62%	\$2,023,943.00	1.95%	\$69,346.42
20	Yolo	\$539,849.13	0.41%	\$333,430.00	0.32%	\$10,830.01
21	Napa	\$285,404.82	0.22%	\$176,430.00	0.17%	\$5,725.56
22	Butte	\$983,443.74	0.75%	\$664,759.00	0.64%	\$19,729.06
23	Placer	\$655,009.52	0.50%	\$418,422.00	0.40%	\$13,140.28
24	Shasta	\$861,355.26	0.65%	\$569,416.00	0.55%	\$17,279.81
25	DRAFT	\$53,820,131.02	40.84%	\$34,064,073.00	32.84%	\$1,079,695.89
26	Mariposa	\$56,413.30	0.04%	\$32,243.00	0.03%	\$1,131.71
27	Mono	\$14,256.58	0.01%	\$12,329.00	0.01%	\$0.00
28	Trinity	\$92,618.85	0.07%	\$83,204.00	0.08%	\$0.00
29	Modoc	\$17,681.78	0.01%	\$16,064.00	0.02%	\$0.00
30	Yuba	\$210,997.37	0.16%	\$199,732.00	0.19%	\$0.00
31	Fresno	\$2,957,067.13	2.24%	\$2,958,296.00	2.85%	\$0.00
32	DRAFT	\$29,654,711.05	22.50%	\$36,231,939.29	34.93%	\$0.00
33	Orange	\$6,227,511.20	4.73%	\$6,583,082.00	6.35%	\$0.00
34	Lassen	\$104,406.70	0.08%	\$108,374.00	0.10%	\$0.00
35	San Francisco	\$3,101,987.42	2.35%	\$3,907,633.00	3.77%	\$0.00
36	Contra Costa	\$2,543,025.40	1.93%	\$3,120,151.00	3.01%	\$0.00
37	Nevada	\$204,344.30	0.16%	\$232,799.00	0.22%	\$0.00
38	Sierra	\$10,945.86	0.01%	\$14,898.00	0.01%	\$0.00
39	Humboldt	\$407,522.92	0.31%	\$562,460.00	0.54%	\$0.00
40	Siskiyou	\$167,555.91	0.13%	\$256,552.00	0.25%	\$0.00
41	Inyo	\$38,017.54	0.03%	\$76,990.00	0.07%	\$0.00
42		\$131,792,616.55	100.00%	\$103,725,445.00	100.00%	\$1,725,000.00
43						
44	*County pays for dependency counsel					
45						
46	†Assuming participation requirements met					

ACTION ITEM 5

	A	B	C	D	E	F	G
1	Eligible Court	CFM Allocation	Percentage of total	Allocation of collected repayments to each court			
2	Madera	\$470,467.00	0.55%	\$9,438.13			
3	San Benito*	\$190,088.00	0.22%	\$3,813.39			
4	Sutter*	\$290,834.00	0.34%	\$5,834.48			
5	Tuolumne*	\$216,700.00	0.25%	\$4,347.26			
6	Tehama	\$317,430.00	0.37%	\$6,368.02			
7	Glenn	\$159,674.00	0.19%	\$3,203.25			
8	Kings	\$594,445.00	0.69%	\$11,925.27			
9	San Mateo*	\$861,104.00	1.00%	\$17,274.77			
10	Riverside	\$9,960,737.00	11.58%	\$199,824.24			
11	Ventura	\$1,763,824.00	2.05%	\$35,384.41			
12	Tulare*	\$1,486,953.00	1.73%	\$29,830.05			
13	Calaveras	\$164,426.00	0.19%	\$3,298.58			
14	San Bernardino	\$7,271,806.00	8.46%	\$145,881.08			
15	Monterey*	\$591,586.00	0.69%	\$11,867.92			
16	Merced*	\$988,496.00	1.15%	\$19,830.41			
17	Kern	\$3,456,745.00	4.02%	\$69,346.42			
18	Yolo	\$539,849.00	0.63%	\$10,830.01			
19	Napa*	\$285,405.00	0.33%	\$5,725.56			
20	Butte*	\$983,444.00	1.14%	\$19,729.06			
21	Placer*	\$655,010.00	0.76%	\$13,140.28			
22	Shasta*	\$861,355.00	1.00%	\$17,279.81			
23	DRAFT *	\$53,820,131.00	62.59%	\$1,079,695.89			
24	Mariposa*	\$56,413.00	0.07%	\$1,131.71			
25	TOTAL	\$85,986,922.00	100.00%	\$1,725,000.00			
26							
27	No report on file						
28	*report filed						
29							
30	Use \$1,725,000 as hypothetical collected amount.						
31							
32	Which courts would be eligible to receive an allocation? Participating courts. (§ 14(a).)						
33	A participating court: has adopted or is in the process of adopting a local rule						
34	requiring assessment at dispo and has filed a periodic report with the Judicial Council.						
35							
36	Then allocate a proportionate share of available collected funds (D25)						
37							
38	(a) To each participating court whose proportionate funding need exceeds its current proportionate						
39	allocation.						
40	or						
41	(b) To each participating court regardless of relation of funding need to current funding.						
42							
43	How would each court's allocation be determined? For option 2:						
44							
45	(1) Determine total CFM funding need of all eligible courts (B25).						
46	(2) Determine each eligible court's proportionate share of that total (Cn=Bn/B25).						
47	(3) Allocate to each eligible court a % of total collected funds equal to						
48	that court's % of need (Dn=D25*Cn).						

Option 3: Allocate a share of available collected funds to each participating court in proportion to its funding need **ACTION ITEM 5** Attachment C

	A	B	C	D	E	F
1	Court	Estimated Funding Need per Caseload Funding Model (CFM) 1/13	Proportion of Total CFM Estimated Funding Need	Current Base CAC Budget Allocation	Proportion of Current Base Funding	Option 3: Allocate Share of Collected Funds to Each Court in Proportion to Funding Need†
2	Alpine	\$0.00	0.00%	\$0.00	0.00%	\$0.00
3	Colusa*	\$53,045.34	0.04%	\$0.00	0.00%	\$694.30
4	Madera	\$470,467.12	0.36%	\$53,030.50	0.05%	\$6,157.82
5	San Benito	\$190,087.72	0.14%	\$31,884.50	0.03%	\$2,488.01
6	Sutter	\$290,834.22	0.22%	\$84,082.75	0.08%	\$3,806.66
7	Tuolumne	\$216,700.00	0.16%	\$63,980.75	0.06%	\$2,836.33
8	Tehama	\$317,430.04	0.24%	\$93,909.01	0.09%	\$4,154.76
9	Glenn	\$159,673.69	0.12%	\$55,250.00	0.05%	\$2,089.93
10	Kings	\$594,444.59	0.45%	\$199,672.35	0.19%	\$7,780.53
11	San Mateo	\$861,103.65	0.65%	\$323,021.73	0.31%	\$11,270.77
12	Riverside	\$9,960,737.40	7.56%	\$4,171,897.50	4.02%	\$130,373.56
13	Ventura	\$1,763,823.63	1.34%	\$755,357.00	0.73%	\$23,086.24
14	Tulare	\$1,486,953.46	1.13%	\$658,892.25	0.64%	\$19,462.36
15	Calaveras	\$164,425.88	0.12%	\$76,519.00	0.07%	\$2,152.13
16	San Bernardino	\$7,271,805.86	5.52%	\$3,587,297.00	3.46%	\$95,178.82
17	Monterey	\$591,586.23	0.45%	\$329,570.00	0.32%	\$7,743.12
18	Merced	\$988,495.67	0.75%	\$593,861.37	0.57%	\$12,938.17
19	Kern	\$3,456,745.25	2.62%	\$2,023,943.00	1.95%	\$45,244.46
20	Yolo	\$539,849.13	0.41%	\$333,430.00	0.32%	\$7,065.95
21	Napa	\$285,404.82	0.22%	\$176,430.00	0.17%	\$3,735.59
22	Butte	\$983,443.74	0.75%	\$664,759.00	0.64%	\$12,872.04
23	Placer	\$655,009.52	0.50%	\$418,422.00	0.40%	\$8,573.25
24	Shasta	\$861,355.26	0.65%	\$569,416.00	0.55%	\$11,274.06
25	DRAFT	\$53,820,131.02	40.84%	\$34,064,073.00	32.84%	\$704,437.99
26	Mariposa	\$56,413.30	0.04%	\$32,243.00	0.03%	\$738.38
27	Mono	\$14,256.58	0.01%	\$12,329.00	0.01%	\$186.60
28	Trinity	\$92,618.85	0.07%	\$83,204.00	0.08%	\$1,212.26
29	Modoc	\$17,681.78	0.01%	\$16,064.00	0.02%	\$231.43
30	Yuba	\$210,997.37	0.16%	\$199,732.00	0.19%	\$2,761.69
31	Fresno	\$2,957,067.13	2.24%	\$2,958,296.00	2.85%	\$38,704.30
32	DRAFT	\$29,654,711.05	22.50%	\$36,231,939.29	34.93%	\$388,142.96
33	Orange	\$6,227,511.20	4.73%	\$6,583,082.00	6.35%	\$81,510.31
34	Lassen	\$104,406.70	0.08%	\$108,374.00	0.10%	\$1,366.55
35	San Francisco	\$3,101,987.42	2.35%	\$3,907,633.00	3.77%	\$40,601.12
36	Contra Costa	\$2,543,025.40	1.93%	\$3,120,151.00	3.01%	\$33,285.01
37	Nevada	\$204,344.30	0.16%	\$232,799.00	0.22%	\$2,674.61
38	Sierra	\$10,945.86	0.01%	\$14,898.00	0.01%	\$143.27
39	Humboldt	\$407,522.92	0.31%	\$562,460.00	0.54%	\$5,333.96
40	Siskiyou	\$167,555.91	0.13%	\$256,552.00	0.25%	\$2,193.10
41	Inyo	\$38,017.54	0.03%	\$76,990.00	0.07%	\$497.60
42		\$131,792,616.55	100.00%	\$103,725,445.00	100.00%	\$1,725,000.00
43						
44	*County pays for dependency counsel					
45	†Assuming participation requirements met					
46	How would each court's allocation be determined? For Option 3:					
47	(1) Determine total CFM funding need of all participating courts (B42).					
48	(2) Determine each court's proportionate share of the total need (Cn=Bn/B42).					
49	(3) Allocate to each court a % of total collected funds equal to that court's % of need (Fn=F42*Cn).					

Senate Bill 75 (Stats. 2013, ch. 31), effective June 27, 2013.

SECs. 1–25 ***

SEC. 26.

Section 903.45 of the Welfare and Institutions Code is amended to read:

903.45.

(a) The board of supervisors may designate a county financial evaluation officer pursuant to Section 27750 of the Government Code to make financial evaluations of liability for reimbursement pursuant to Sections 207.2, 903, 903.1, 903.2, 903.25, 903.3, and 903.5, and other reimbursable costs allowed by law, as set forth in this section.

(b) In ~~any~~*a* county where a board of supervisors has designated a county financial evaluation officer, the juvenile court shall, at the close of the disposition hearing, order any person liable for the cost of support, pursuant to Section 903, the cost of legal services as provided for in Section 903.1, probation costs as provided for in Section 903.2, or any other reimbursable costs allowed under this code, to appear before the county financial evaluation officer for a financial evaluation of his or her ability to pay those ~~costs; and if costs~~. *If* the responsible person is not present at the disposition hearing, the court shall cite him or her to appear for ~~such~~*a* financial evaluation. In the case of a parent, guardian, or other person assessed for the costs of transport, food, shelter, or care of a minor under Section 207.2 or 903.25, the juvenile court shall, upon request of the county probation department, order the appearance of the parent, guardian, or other person before the county financial evaluation officer for a financial evaluation of his or her ability to pay the costs assessed.

If the county financial evaluation officer determines that a person so responsible has the ability to pay all or part of the costs, the county financial evaluation officer shall petition the court for an order requiring the person to pay that sum to the county or court, depending on which entity incurred the expense.

If the parent or guardian is liable for costs for legal services pursuant to Section 903.1, the parent or guardian has been reunified with the child pursuant to a court order, and the county financial evaluation officer determines that repayment of the costs would harm the ability of the parent or guardian to support the child, then the county financial evaluation officer shall not petition the court for an order of repayment, and the court shall not make that order. *In addition, if the parent or guardian is currently receiving reunification services, and the court ~~finds~~*finds, or the county financial officer determines*, that repayment by the parent or guardian will pose a barrier to reunification with the child because it will limit the ability of the parent or guardian to comply with the requirements of the reunification plan or compromise the parent's or guardian's current or future ability to meet the financial needs of the child, or in any case in which the court finds that the repayment would be unjust under the circumstances of the case, ~~the court then the county financial evaluation officer shall not petition the court for an order of repayment, and the court~~ shall not order repayment by the parent or guardian.* In evaluating a person's ability to pay under this section, the county financial evaluation officer and the court shall take into

consideration the family's income, the necessary obligations of the family, and the number of persons dependent upon this income. ~~Any~~ A person appearing for a financial evaluation ~~shall have~~ *has* the right to dispute the county financial evaluation officer's determination, in which case he or she ~~shall be~~ *is* entitled to a hearing before the juvenile court. The county financial evaluation ~~officer~~ *officer*, at the time of the financial ~~evaluation~~ *evaluation*, shall advise ~~such a~~ *the* person of his or her right to a hearing and of his or her rights pursuant to subdivision (c). At the hearing, ~~any a~~ person ~~so~~ responsible for costs ~~shall be~~ *is* entitled to have, but shall not be limited to, the opportunity to be heard in person, to present witnesses and other documentary evidence, to confront and cross-examine adverse witnesses, to disclosure of the evidence against him or her, and to receive a written statement of the findings of the court. The person ~~shall have~~ *has* the right to be represented by counsel, and, ~~when if~~ the person is unable to afford counsel, the right to appointed counsel. If the court determines that the person has the ability to pay all or part of the costs, including the costs of any counsel appointed to represent the person at the hearing, the court shall set the amount to be reimbursed and order him or her to pay that sum to the county or court, depending on which entity incurred the expense, in a manner in which the court believes reasonable and compatible with the person's financial ability.

If the ~~person or persons,~~ *person*, after having been ordered to appear before the county financial evaluation officer, ~~have~~ *has* been given proper notice and ~~fail~~ *fails* to appear as ordered, the county financial evaluation officer shall recommend to the court that ~~he, she, or they~~ *the person* be ordered to pay the full amount of the costs. Proper notice to ~~him, her, or them~~ *the person* shall contain all of the following:

- (1) That ~~he, she, or they~~ *the person has* a right to a statement of the costs as soon as it is available.
- (2) ~~His, her, or their~~ *The person's* procedural rights under Section 27755 of the Government Code.
- (3) The time limit within which ~~his, her, or their~~ *the person's* appearance is required.
- (4) A warning that if ~~he, she, or they~~ *the person fails* to appear before the county financial evaluation officer, the officer will recommend that the court order ~~him, her, or them~~ *the person* to pay the costs in full.

If the county financial evaluation officer determines that the person ~~or persons~~ *have* ~~has~~ the ability to pay all or a portion of these costs, with or without terms, and ~~he, she, or they~~ *concur* ~~the person concurs~~ in this determination and ~~agree~~ *agrees* to the terms of ~~payments,~~ *payment*, the county financial evaluation officer, upon his or her written evaluation and the person's ~~or persons'~~ written agreement, shall petition the court for an order requiring ~~him, her, or them~~ *the person* to pay that sum to the county or the court in a manner ~~which~~ *that* is reasonable and compatible with ~~his, her, or their~~ *the person's* financial ability. This order may be granted without further notice to the ~~person or persons,~~ *person*, provided a copy of the order is served on ~~him, her, or them~~ *the person* by mail.

However, if the county financial evaluation officer cannot reach an agreement with the person ~~or persons~~ with respect to either the liability for the costs, the amount of the costs, ~~his, her, or their~~ *the person's* ability to pay the ~~same,~~ *costs*, or the terms of payment, the matter shall be

ACTION ITEM 5

Attachment D

deemed in dispute and referred by the county financial evaluation officer back to the court for a hearing.

(c) At any time prior to the satisfaction of a judgment entered pursuant to this section, a person against whom the judgment was entered may petition the rendering court to modify or vacate the judgment on the basis of a change in circumstances relating to his or her ability to pay the judgment.

(d) Execution may be issued on the order in the same manner as on a judgment in a civil action, including any balance remaining unpaid at the termination of the court's jurisdiction over the minor.



Judicial Council of California

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Chief Justice of California
Chair of the Judicial Council

HON. STEVEN JAHR
Administrative Director of the Courts

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Hon. Robert James Moss
Mr. Mark P. Robinson, Jr.

Date

August 8, 2013

To

Hon. Laurie M. Earl, Co-Chair, Trial Court Budget Advisory Committee
Mr. Zlatko Theodorovic, Co-Chair, Trial Court Budget Advisory Committee

From

Hon. James E. Herman,
Chair, Judicial Council Technology Committee

Subject

Recommendation to the Judicial Council from the Judicial Council Technology Committee on replacing the Superior Court of California, County of Fresno's V2 Case Management System

Action Requested

Please Provide Recommendation

Deadline

August 15, 2013

Contact

James E. Herman
jherman@sbcourts.org

Mark W. Dusman, Chief Information Officer/Director,
AOC Information Technology Services Office (ITSO)
(415) 865-4999

Mark.Dusman@jud.ca.gov

On behalf of the Judicial Council Technology Committee, I am forwarding to you as Chair of the Trial Court Budget Advisory Committee for your information, the Technology Committee's recommendation to the Judicial Council regarding the Superior Court of California, County of Fresno's Business Case on replacing their V2 case management system. The Judicial Council Technology Committee recognizes the advisory role of the Trial Court Budget Advisory Committee. The Judicial Council Technology Committee is looking for your committee's input prior to our making a final recommendation to the Judicial Council. We look forward to receiving the recommendations from your committee's August 14, 2013 meeting. We intend to consider those recommendations and make the Technology Committee's final recommendation to the Judicial Council prior to the council's August meeting.

Fresno Superior Court submitted a business case to the Judicial Council Technology Committee (JCTC) on replacing their case management systems. The Administrative Office of the Courts (AOC) Information

Hon. Laurie M. Earl and Mr. Zlatko Theodorovic

August 8, 2013

Page 2 of 2

Technology Services Office (ITSO) staff reviewed this business case and provided recommendations. The court updated the business case and presented both business cases to the JCTC on Monday, July 29. The JCTC requested the court update the business case to address our questions. The court updated the business case. AOC ITSO staff reviewed the updated business case and provided a summary of options for the JCTC to review at our follow up meeting on August 6, 2013. The JCTC recommendation (Attachment 2) from the August 6, 2013 meeting is included. It is clear that replacing the V2 case management system will be financially beneficial to the Judicial Branch. The Court provided an updated business case (Attachment 1) on August 7, 2013, noting that they are no longer seeking funding assistance to replace the Banner system.

Please let me know if you require further information.

Sincerely,



James E. Herman, Chair
Technology Committee

JEH/jc

Attachments

cc: Technology Committee

Hon. Steven Jahr, Administrative Director of the Courts

Ms. Jody Patel, Chief of Staff, Administrative Office of the Courts (AOC)

Mr. Curt Soderlund, AOC Chief Administrative Officer

Mr. Mark W. Dusman, Chief Information Officer/Director, AOC Information Technology Services Office (ITSO)

Ms. Virginia Sanders-Hinds, Senior Manager, AOC ITSO

Ms. Jessica Craven, Senior Business Applications Analyst, AOC ITSO



Business Case

FOR

**FRESNO SUPERIOR COURT
CASE MANAGEMENT SYSTEM
(CMS) REPLACEMENT**

REVISION **DRAFT (OPTION I B)**

AUGUST 6, 2013

DOCUMENT REVISIONS

Once the document is finalized, any subsequent changes must be noted in the table below, as described in the Revisions section of the General Standards document, which can be found in the following directory: <https://jccprojects.webexone.com/r.asp?a=12&id=44120>

Version	Date	Name	Change Description	Sections

Document Location

This document is maintained in the following location:

Provide the business case location, e.g., directory path, URL, etc.

Example: <https://jccprojects.webexone.com/r.asp?a=12&id=44114>

RELATED DOCUMENTATION

Version	Date	Name	Description	Location

APPROVALS

Document review of this document and approval of the project by obtaining sign-offs in this section or providing a link to the repository in which electronic approvals (e.g., emails) are archived. A Business stakeholder should be included as one of the approvers and, for large projects approval must be obtained from the ITOC and ITSO Director.

Name	Title	Signature/Link to Electronic Approval	Date

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1. OVERVIEW

CCMS V2 is maintained and supported by the judicial branch at an average annual cost of \$2.985 million. In addition, the court supports V2 at an average annual cost of \$510,084. Fresno Superior Court is asking for up to \$2,373,200 to cover the following costs for a case management system to replace CCMS V2 (Criminal and Traffic):

Software license fees	\$1,200,000
Professional Services	\$654,220
Conversion of Data	\$166,980
1 year License & Maintenance	\$252,000
Travel	\$100,000
TOTAL	\$2,373,200

Savings for the branch over a five year period will be \$8,413,587

The judicial branch will have a break even return on investment in 2 years and 4 months. From that point forward, the branch will no longer have a financial liability tied to CCMS V2. It is expected the court could go live on the replacement for CCMS V2 in approximately 18 months from the start date of the project. Cost savings for the branch will begin at the 18 month point as the branch will not have to maintain and support V2. In addition, all other 57 courts will benefit if Fresno goes off CCMS V2 as funding of approximately \$3.0 million annually could be available to all other courts.

[At this time \(8/6/2013\) we are asking the committee to only consider our proposal/business plan as it relates to the V2 replacement. We have made alternative plans for the replacement of Banner.](#)

In addition the court will fund annual license and maintenance fees of \$756,000 for replacement CMS for years 3 through 5, and soft costs (existing staff resources assigned to the project), hardware, and software costs for this project estimated to be \$623,337 for a total cost of \$1,379,337. A summary of the funding request is shown below:

SUMMARY OF FUNDING REQUEST						
JUDICIAL BRANCH - 5 Years	Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18	5 Year Total
One Time Deployment of V2 replacement CMS	\$1,060,600	\$1,060,600	\$0	\$0	\$0	\$2,121,200
1 Year Maintenance of V2 replacement CMS	\$0	\$252,000	\$0	\$0	\$0	\$252,000
TOTAL BRANCH	\$1,060,600	\$1,312,600	\$0	\$0	\$0	\$2,373,200
FRESNO SUPERIOR COURT - 5 Years (100% Court Funded)	Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18	5 Year Total
1 Year Maintenance of V2 replacement CMS	\$0	\$0	\$252,000	\$252,000	\$252,000	\$756,000
Staffing (existing)	\$112,752	\$112,896	\$11,097	\$4,561	\$4,561	\$245,867
Hardware, Software, etc.	\$304,174	\$37,074	\$12,074	\$12,074	\$12,074	\$377,470
TOTAL FSC MAINT & SOFT COSTS	\$416,926	\$149,970	\$275,171	\$268,635	\$268,635	\$1,379,337
3 YEAR PROJECT COSTS	\$3,215,267					
5 YEAR PROJECTION	\$3,752,537					

1.1 BACKGROUND

Considerations made by Fresno Superior Court to mitigate situation

1.1.1. California Case Management System V2 – Fresno is the only court on the system

In **2002**, the AOC embarked on the development of a single comprehensive case management system that would meet the requirements of the California courts and be configurable for courts of any size in the state, and that would include *interim* systems that would be supported to ensure smooth court operations until the new case management system would be deployed.

Key milestones

- At the request of the Superior Court of Alameda County's court executive officer, Alameda was selected as the pilot court for V2. Alameda later determined they were unable to participate and withdrew in 2005.
- In **2005**, we (Fresno Superior Court) communicated our need to replace a failing criminal and traffic case management system, COFACS. We joined the V2 program with the understanding other courts would also be deployed on V2.
- In July **2006**, V2 was deployed in Fresno County.
- In the first calendar quarter of **2007**, the decision was made to cancel deployment plans of the remaining V2 candidate courts and use the savings to accelerate the development and deployment of CCMS V4.
- In **2007**, subsequent to deployment, V2 experienced ongoing system performance and stability problems, negatively impacting daily court operations. Over the course of the year, software and hardware remediation measures were developed. Deloitte continued to work with the Fresno court and the AOC to fine-tune the V2 application. Stability issues were resolved by the end of the year.
- In **2008**, the AOC identified an opportunity for substantial cost savings, based on the transition of V2 maintenance and support from the Deloitte team to an AOC

in-house team.

- In **2009**, the V2 maintenance and support transition was complete, after nine months of knowledge transfer, on-site training, and cutover. It was considered a successful collaboration.
- In December **2010** Fresno participated in a survey conducted by the Bureau of State Audits specific to CCMS.

1.1.2. Readiness Assessment for CCMS V4 early adopter

On **December 6, 2011**, the AOC launched a *CCMS Implementation Assessment* project with Fresno Superior Court. The purpose of the 12 week project was to develop a CCMS V4 adoption approach and plan and to determine the readiness of the Court to proceed with the plan. A final *Fresno CCMS Deployment Strategy* report detailing approach and plan for CCMS deployment in Fresno Superior Court was presented on February 28, 2012. The plan called for a 24 month deployment timeline. While an MOU was not executed, the court was verbally told we would be an early adopter of CCMS V4 – after San Luis Obispo.

In **February 2012** Fresno Superior Court was interviewed by representatives of Grant Thornton LLP in part to validate cost estimates for deployment of CCMS V4 to San Luis Obispo as an early adopter, as well as identify additional courts that could also be early adopters. Grant Thornton identified ten critical need courts that if CCMS V4 went forward should be early adopters. Fresno stood out as a definite choice because we were the only court on CCMS V2 and we had successfully completed Readiness Assessment for CCMS V4.

1.1.3. CCMS V4 plug pulled

On **March 27, 2012**, the Judicial Council voted to stop the deployment of CCMS V4 as a statewide technology project. The council directed the CCMS Internal Committee, in partnership with the trial courts, to develop timelines and recommendations to the Judicial Council to find other ways to use the CCMS technology and the state's investment in the software system, as well as develop new strategies to assist courts with failing case management systems.

1.1.4. Maintenance and Support for CCMS V2

With the deployment of CCMS V4 stopped, Fresno was no longer a candidate as a V4 early adopter. Maintenance and operations support for CCMS V2 is provided by the Information Technology Services Office (ITSO) of the AOC. This support includes legislative updates, defect remediation, software and hardware upgrades, interface testing with judicial partners such as DMV and routine support with forms, notices and reports.

On **July 11, 2012**, the Judicial Branch Technology Initiatives Working Group announced that it is sponsoring four workstreams to address the short-term critical technology needs for the branch. The workstreams are intended to leverage the expertise within the branch to develop roadmaps, recommendations, and master software and services agreements

that can be used by the judicial branch. The four workstreams are: Technology Roadmap; Master Service Agreement/CMS RFP, E-filing and CCMS V2/V3 Maintenance.

The CCMS V2/V3 Maintenance workstreams objective is to determine how the judicial branch will support V2 and V3 courts. Fresno Superior Court's Technology Director, Mr. Brian Cotta serves as co-chair on this workstream.

In **October 2012**, the Judicial Council voted to allocate up to \$3,568,739 (FY 2012-13) of which \$510,084 comes from the court for the maintenance and support of CCMS V2. It was further stated, *"The delay in deploying the CCMS requires the existing support model for V2 and V3 programs to be reexamined. As noted above, funding is required on an annual basis to maintain and support V2 and V3."*

Fresno often heard comments about the amount of funds being spent to maintain "one" court. However, we should not be continually criticized and/or punished for a decision made by others to stop the deployment of CCMS V2 and later V4. It must be reiterated that Fresno was a team player with the judicial branch and although we were not the original court identified for V2, our dedicated staff willingly participated and put in thousands of staff hours - completely unaware we would be the only court on the system. Being the only court on V2 was not a Fresno Superior Court decision – it was a judicial branch decision, yet the spotlight is on Fresno.

On **October 1, 2012** Fresno Superior Court submitted an Application for Supplemental Funding to replace our legacy case management systems. However, the application was not accepted because we did not meet the criteria set forth of a negative fund balance in the current fiscal year.

On **October 24, 2012** a Judicial Branch Technology Initiatives Working Group and Stakeholder Reports meeting was held. Attendees included the Judicial Council Technology Committee, the Court Technology Advisory Committee (CTAC), and the Judicial Branch Technology Initiatives Working Group. The V2/V3 Maintenance and Support Workstream presentation included the following:

- Fresno ***will seek*** a new case management system and cease using V2 as soon as economically and operationally possible; at which time V2 should be decommissioned.
- In the interim, V2 should be maintained on a break/fix level only, including changes necessary to maintain compatibility with computer operating systems, related computer software and any changes in the law.

On **March 1, 2013** a Judicial Branch Technology Initiatives Working Group meeting was held. Again, V2 was mentioned in the V2/V3 Maintenance and Support Workstream presentation. However, the message was stronger:

- *Fresno **needs to** seek a new case management system and cease using V2 as soon as economically and operationally possible; at which time V2 should be decommissioned.*
- *In the interim, V2 should be maintained on a break/fix level only, including changes necessary to maintain compatibility with computer operating systems, related computer software and any changes in the law.*
- *Obstacle: Funding source(s) unknown at this time.*

1.1.5. RFP 12-0109-CMS

As shown in the table below, Fresno issued a Request for Proposal to replace our legacy case management systems. With the exception of “Notice of Intent to Award” and “Execution of Contract” we have completed all of the key events.

No.	Key Events	Key Dates
1	Court issues RFP	11/20/2012
2	Deadline for bidders to register for Pre-Proposal (Q&A) Tele-conference	11/26/2012
3	Pre-Proposal Tele-conference (2:00 PM – 5:00 PM PDT)	11/28/2012
4	Deadline for bidders to submit questions, requests for clarifications or modifications to Court	11/30/2012
5	Bidder’s Questions & Answers Posted on Court Website, 5:00 PM PDT	12/04/2012
6	Vendor Solicitation Specifications Protest Deadline	12/05/2012
7	Proposal due date and time (4:00 PM PDT)	01/09/2013
8	Court’s Clarifying Questions & Answers Due From Bidders	01/28/2013
9	Vendor Demonstrations and Interviews	02/06-08 2013
10	Posting of Non-Cost Scores on Court Website	02/12/2013
11	Public Opening of Cost Proposals	02/19/2013
12	Notice of Intent To Award	TBD
13	Execution of contract between vendor and Fresno Superior Court	TBD

Over a three month period, a thorough evaluation of four vendor proposals was conducted. A team of four evaluators (management, operations, technology and fiscal), reviewed and scored each vendor’s ability to meet the courts: terms & conditions, business functions, testing, configuration, training, integration, network/desktop, application/architecture/security, DMS, and E-filing requirements. This was followed by each vendor coming to Fresno for an on-site demonstration of their product. Lastly, a complete cost analysis and scoring was done for each vendor’s cost proposal.

1.2 OPERATIONAL ALIGNMENT

This request aligns with the Judicial Council's Goal VI – to enhance the quality of justice by providing an administrative, technological, and physical infrastructure that supports and meets the needs of the public, the branch, and its justice system and community partners, and that ensures business continuity. Technology improvements such as a coordinated and effective case management system is a necessary tool that will better serve the citizens of Fresno County by providing access and the sharing of appropriate information with the public and other public and law enforcement agencies.

1.3 PROBLEM/OPPORTUNITY

California Case Management System Version 2 (Criminal & Traffic) deployed in 2006.

Issues

- CCMS V2 is for a single court – Fresno Superior Court; all eyes are on Fresno and the judicial branch.
- CCMS V2 is expensive; in FY 2012-13 annual costs allocated were up to \$3,568,739; of which \$510,084 comes from the court for the maintenance and support of CCMS V2.
- V2 maintenance and support team is comprised of 11 consultants and 2 FTE ITSO staff.
- The consultant staff includes two developers, two testers, one applications architect, one operations architect, two database administrators, one service delivery manager, one network security analyst, and one application support analyst.
- Full time staff includes a manager and one team lead developer.
- All other 57 courts will benefit if Fresno goes off CCMS V2 as funding of approximately \$3.0 million annually could be available to all other courts.
- CCMS V2 is hosted at CCTC; Fresno Superior Court is more than capable of hosting a case management system and at a significant cost savings.

Opportunity

Fresno's proposal is an opportunity:

- To deploy a replacement CMS for an expensive single court V2 system;
- To take advantage and harness leading edge technology that will enable court staff to work more efficiently; critical in these times of reduced statewide funding and reduced staff;
- Judicial branch to get out of the maintenance and support business of CCMS V2;

-
- A significant positive long-term cost saving effect on the judicial branch;
 - All other 57 courts to benefit if Fresno goes off CCMS V2 as funding of approximately \$3.0 million annually could be available to other courts.

With the high costs to run CCMS V2, Fresno believes this is a cost saving opportunity to replace V2. However, while Fresno Superior Court does not have a negative fund balance, we are still not in a position to fund the complete cost of a replacement CMS. Our fund balance at June 30, 2013 is estimated to be \$8,406,206 which will enable us to use some of the funds to pay for the maintenance costs of the replacement CMS. If the courts do not receive relief by way of restored cuts, our fund balance on June 30, 2014 is estimated at this time to be no more than the 1% allowed. We are not certain what formula will be used to get us to our 1% figure, but are estimating it will be \$330,000; not enough for one payroll period.

The court's share of the \$60 million in new funding is \$1,538,195; the court's share of unfunded employee health and pension benefit increases is \$2,359,880 leaving the court with a significant shortfall of (\$821,685). The net 2013-14 reduction for this court is (\$6,837,179).

1.4 SCOPE

Fresno Superior Court respectfully seeks funding in FY 2013-14 and FY 2014-15 up to \$2,373,200 in to enable the procurement of a replacement case management system to replace CCMS V2 (Criminal and Traffic). In addition the court will fund annual license and maintenance fees of \$756,000 for replacement CMS for years 3 through 5, and soft costs (existing staff resources assigned to the project), hardware, and software costs for this project estimated to be \$623,337 for a total cost of \$1,379,337. Because the maintenance and support costs of CCMS V2 is the most critical factor, we will work with the vendor to deploy the replacement for V2 (criminal and traffic) first. With a 24 month deployment, we felt 18 months was an adequate amount of time to keep V2 up and supported.

1.5 BENEFITS

In addition to the cost savings benefits already mentioned, other benefits to the court to replace V2 include:

- 1.5.1. Taking advantage and harnessing leading edge technology that will enable court staff to work more efficiently; critical in these times of reduced statewide funding and reduced staff.
- 1.5.2. New technology with clerk/judge session views; flexible and extensible framework; future-date based financial changes (critical to the court based upon what is necessary for us to do with current CMS); standard and custom defined code words.
- 1.5.3. Rapid (in court) Data Entry to enable clerks easier and faster data entry.

-
- 1.5.4. Exhibit management – from courtroom to destruction.
 - 1.5.5. Rich DMS and E-filing built in systems.
 - 1.5.6. Clerk's Transcript (TAP) built in.
 - 1.5.7. Deficiencies noted in Appendix C will be resolved with replacement CMS.

See next page for Return on Investment for the branch in replacing V2 legacy system.

Confidential

JUDICIAL BRANCH - 5 Years	Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18	5 Year Total
Maintain current V2 CMS (Judicial Branch)	\$2,425,654	\$3,023,341	\$3,149,314	\$3,155,775	\$3,170,027	\$14,924,111

JUDICIAL BRANCH - 5 Years	Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18	5 Year Total
One Time Deployment of V2 replacement CMS	\$1,060,600	\$1,060,600	\$0	\$0	\$0	\$2,121,200
1 Year Maintenance of V2 replacement CMS	\$0	\$252,000	\$0	\$0	\$0	\$252,000
TOTAL BRANCH	\$1,060,600	\$1,312,600	\$0	\$0	\$0	\$2,373,200

JUDICIAL BRANCH RETURN ON INVESTMENT	Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18
Annual Cost	\$1,060,600	\$1,312,600	\$0	\$0	\$0
Elimination of V2 Maintenance	\$0	-\$1,311,671	-\$3,149,314	-\$3,155,775	-\$3,170,027
Prior Year ROI Carry over	\$0	\$1,060,600	\$1,061,530	-\$2,087,785	-\$5,243,560
RETURN ON INVESTMENT	\$1,060,600	\$1,061,530	-\$2,087,785	-\$5,243,560	-\$8,413,587

↑
Break Even Point 2 Yrs 4 Mos

Note: Year 2 includes 6 mos V2 maint savings -\$1.511 mil and 4 mos ramp down costs + \$200K (cost provided by ITSO)

Year	Beg. of Year	Month 1	2	3	4	5	6	7	8	9	10	11	12	End of Year
1	\$ -	\$ 88,384	\$ 88,384	\$ 88,384	\$ 88,384	\$ 88,383	\$ 88,383	\$ 88,383	\$ 88,383	\$ 88,383	\$ 88,383	\$ 88,383	\$ 88,383	\$ 1,060,600
2	\$ 1,060,600	\$ 109,384	\$ 109,384	\$ 109,384	\$ 109,384	\$ 109,383	\$ 109,383	\$ (92,562)	\$ (92,562)	\$ (92,562)	\$ (92,562)	\$ (142,562)	\$ (142,562)	\$ 1,061,530
3	\$ 1,061,530	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,443)	\$ (262,442)	\$ (2,087,785)
					Break Even 2 years 4 months									
4	\$ (2,087,785)	\$ (262,981)	\$ (262,981)	\$ (262,981)	\$ (262,981)	\$ (262,981)	\$ (262,981)	\$ (262,981)	\$ (262,981)	\$ (262,981)	\$ (262,982)	\$ (262,982)	\$ (262,982)	\$ (5,243,560)
5	\$ (5,243,560)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,169)	\$ (264,168)	\$ (8,413,587)

TOTAL SAVINGS OVER FIVE YEARS = \$8,413,587

**Fresno Superior Court
Cost Benefit/Return on Investment**

		Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18	Total Cost From TCTF
Stay on V2	JC Subsidy	\$ 2,425,654	\$ 3,023,341	\$ 3,149,314	\$ 3,155,775	\$ 3,170,027	\$ 14,924,111

Deploy Tyler to replace V2 and Banner	Deployment	\$ 1,060,600	\$ 1,060,600				\$ 2,121,200
	Maint. & License		\$ 252,000				\$ 252,000
	Ramp down		\$ 200,000				\$ 200,000
	V2 Subsidy (above)	\$ 2,425,654	\$ 1,511,671	\$ -	\$ -	\$ -	\$ 3,937,325
	Total Cost to JC	\$ 3,486,254	\$ 3,024,271	\$ -	\$ -	\$ -	\$ 6,510,525

"Investment"	\$ 1,060,600	\$ 930	\$ (3,149,314)	\$ (3,155,775)	\$ (3,170,027)	
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(Break even point 2 Years 4 Months)

Savings to TCTF Over 5-Year Period	\$ 8,413,587
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1.6 OBJECTIVES

The specific objectives of this project are to:

- Provide positive long-term cost savings for the judicial branch with the decommission of CCMS V2, a single court system, by relieving the branch of the maintenance and support of V2 that will in turn reduce annual expenditures of \$2.985 million.
- Free up judicial branch funds of approximately \$3.0 million used annually to support CCMS V2 to benefit all other 57 courts in the State.
- Deploy a replacement CMS with products that include case management, financial management, E-filing, and DMS capabilities. One that is highly configurable, fully integrated and efficient with data flows that eliminate duplication of data entry.

1.7 FUNDING SOURCES

If the Judicial Council approves this funding request for up to \$2,373,200, the funding source will be the Trial Court Trust Fund. In addition the court will fund annual license and maintenance fees of \$756,000 for replacement CMS for years 3 through 5, and soft costs (existing staff resources assigned to the project), hardware, and software costs for this project estimated to be \$623,337 for a total cost of \$1,379,337.

Justice partners in Fresno County do not have integrated data exchanges, and unfortunately are unable to electronically interact. Therefore, integration with local justice partners is not part of this project.

The preferred vendor Tyler Technologies will cover the costs for court interfaces to DOJ, DMV, JBSIS and Sheriff warrant interface. However, we are unable to provide the dollar estimate of those interfaces.

2. SOLUTION

2.1 RECOMMENDED

The recommended solution is to replace CCMS V2.

2.1.1 DESCRIPTION

Fresno has taken several proactive steps to get off of V2 which include:

- A 12-week Readiness Assessment as a potential Early Adopter court for CCMS V4.
- Staff participation (Co-chair) in V2/V3 Workstream (Judicial Branch Technology Initiatives Working Group).
- Staff participation in Statewide Initiative for a Case Management System RFP.
- Staff participation in the evaluation and scoring of San Luis Obispo's RFP for a new CMS.
- Conduct a Request for Proposal for a new CMS; meeting all deadlines timely; reviewed three (3) potential vendors and their products; and are ready to move forward with a preferred vendor.

After careful and thorough review and analysis, the preferred CMS for Fresno Superior Court is Tyler Technology's *Odyssey Justice Suite*, a widely adopted nationwide commercial court case management system. Tyler has 30 years of experience with a strong corporate organization backing their product. Odyssey's product includes case management, financial management, E-filing, and DMS capabilities. It is highly configurable, minimizing the need for customization, and with our limited court technology staff - an important factor we considered. Odyssey is a fully integrated system, with data flows that eliminate duplication of data entry. With a staff vacancy rate of 20% and growing, this is a critical feature. Tyler is new to California, but committed to cover the costs associated with DOJ, DMV and JBSIS interfaces. Tyler is currently deploying a replacement CMS in San Luis Obispo and Kings Superior Courts, as well as been selected by the California Information Technology Managers Forum (CITMF) as one of three vendors to enter into a Master Services Agreement to offer technology solutions and pricing to courts statewide.

2.1.2 ADVANTAGES/DISADVANTAGES

CCMS V2 is maintained and supported by the judicial branch at an average annual cost of \$2.985 million. In addition, the court supports V2 at an average annual cost of \$510,084. Fresno Superior Court is asking for up to \$2,373,200 to cover the following costs for a case management system to replace CCMS V2 (Criminal and Traffic):

Software license fees	\$1,200,000
Professional Services	\$654,220
Conversion of Data	\$166,980
1 year License & Maintenance	\$252,000
Travel	\$100,000
TOTAL	\$2,373,200

Savings for the branch over a five year period will be \$8,413,587

The judicial branch will have a break even return on investment in 2 years and 4 months. From that point forward, the branch will no longer have a financial liability tied to CCMS V2. It is expected the court could go live on the replacement for CCMS V2 in approximately 18 months from the start date of the project. Cost savings for the branch will begin at the 18 month point as the branch will not have to maintain and support V2. In addition, all other 57 courts will benefit if Fresno goes off CCMS V2 as funding of approximately \$3.0 million annually could be available to all other courts. .

[At this time \(8/6/2013\) we are asking the committee to only consider our proposal/business plan as it relates to the V2 replacement. We have made alternative plans for the replacement of Banner.](#)

In addition the court will fund annual license and maintenance fees of \$756,000 for replacement CMS for years 3 through 5, and soft costs (existing staff resources assigned to the project), hardware, and software costs for this project estimated to be \$623,337 for a total cost of \$1,379,337. A summary of the funding request is shown below:

SUMMARY OF FUNDING REQUEST						
JUDICIAL BRANCH - 5 Years	Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18	5 Year Total
One Time Deployment of V2 replacement CMS	\$1,060,600	\$1,060,600	\$0	\$0	\$0	\$2,121,200
1 Year Maintenance of V2 replacement CMS	\$0	\$252,000	\$0	\$0	\$0	\$252,000
TOTAL BRANCH	\$1,060,600	\$1,312,600	\$0	\$0	\$0	\$2,373,200
FRESNO SUPERIOR COURT - 5 Years (100% Court Funded)	Year 1 FY 2013/14	Year 2 FY 2014/15	Year 3 FY 2015/16	Year 4 FY 2016/17	Year 5 FY 2017/18	5 Year Total
1 Year Maintenance of V2 replacement CMS	\$0	\$0	\$252,000	\$252,000	\$252,000	\$756,000
Staffing (existing)	\$112,752	\$112,896	\$11,097	\$4,561	\$4,561	\$245,867
Hardware, Software, etc.	\$304,174	\$37,074	\$12,074	\$12,074	\$12,074	\$377,470
TOTAL FSC MAINT & SOFT COSTS	\$416,926	\$149,970	\$275,171	\$268,635	\$268,635	\$1,379,337
3 YEAR PROJECT COSTS	\$3,215,267					
5 YEAR PROJECTION	\$3,752,537					

Advantages of Tyler Technology Odyssey

- 2.1.2.1. Highest RFP Score = 95 (Technical and Cost)
- 2.1.2.2. Tyler is able to deploy a replacement CMS for CCMS V2 in 24 months.
- 2.1.2.3. Leading edge technology that will enable court staff to work more efficiently; critical in these times of reduced statewide funding and reduced staff. Examples include clerk/judge session views; judge's workbench session; flexible and extensible framework; future-date based financial changes; standard and custom defined code words.
- 2.1.2.4. Rapid (in court) Data Entry to enable clerks easier and faster data entry.
- 2.1.2.5. Exhibit management – from courtroom to destruction.
- 2.1.2.6. Rich DMS and E-filing built in systems.
- 2.1.2.7. Clerk's Transcript (TAP) built in.
- 2.1.2.8. During the on-site demonstration, Tyler team was able to answer every question; seemed to be the most advanced CMS we saw of all the demonstrations.
- 2.1.2.9. On-site demonstration resulted in a number of positive comments from judges, managers, supervisors, seniors and clerks.
- 2.1.2.10. Proposal was the most professional; did not have to search for responses; laid out well and in particular the timeline was easy to follow and reasonable in terms of deployment.
- 2.1.2.11. Numbers are accurate; costs well analyzed; no hidden costs.
- 2.1.2.12. Excellent response from their customers during reference check.

2.1.2.13. Lastly, a crucial factor was the cost comparison and analysis among the proposed vendors; Tyler scored the highest in product pricing based on the following:

- Unlimited # of users - no per user fee.
- Lower vendor and staff hours required for deployment.
- No maintenance cost for year 1.
- Out of the box; not a lot of configurations saving court costs for staff time.
- No fee for email service.
- Clerk's Transcript (TAP) built in.
- Built in DMS.
- Annual fee for unlimited users is less expensive than alternate vendor; critical because these will be ongoing costs year after year.

Disadvantages of Tyler Technology Odyssey

1. Tyler is new to California; currently deploying in San Luis Obispo (on schedule).
2. Tyler will cover the costs for California interfaces such as DOJ, DMV and JBSIS.
3. While Tyler is the highest first year cost deployment, it is important to note there is no maintenance fee for year 1, and the annual user fee which is for unlimited users is less expensive than alternate vendor - critical because these will be ongoing costs year after year.

2.1.3 COSTS

Table 2.1.3.2. include costs for the 24 month deployment period, as well as maintenance and support through year 5.

2.1.3.1 ASSUMPTIONS

Until V2 replacement is online, funding to maintain and support V2 will remain in place.

Until V2 replacement is online, the court and ITSO V2 team will continued to make legislative updates and/or fix critical breaks.

When replacement CMS comes online, there will be a 2 week parallel cycle of running V2 and replacement CMS to ensure accuracy of the new system.

After the 2 week cycle, V2 will remain online for another 30 days before the shutdown of hardware at CCTC.

Justice partner interfaces for Sheriff warrants, DOJ, DMV and JBSIS are included in preferred vendor's scope of work.

2.1.3.2 COST TABLE

UPDATED 8/6/2013 - OPTON I B - V2 ONLY - NO BANNER

Recommended: Preferred Vendor Tyler Technologies Odyssey Case Manager

One-Time Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Staff (Salaries & Benefits)						
Phase I - Project Planning						
1 Project Manager	\$ 13,776	\$ 13,824	\$ 1,382			28,982
6 SME staff	\$ 10,080	\$ 10,080	\$ 1,008			21,168
4 IT staff	\$ 4,032	\$ 4,032	\$ 403			8,467
Phase II - Design & Development						
1 Project Manager	\$ 26,928	\$ 26,976	\$ 2,698			56,602
10 SME staff	\$ 12,864	\$ 12,864	\$ 1,286			27,014
9 IT staff	\$ 15,360	\$ 15,360	\$ 1,536			32,256
Phase III - Deployment						
1 Project Manager	\$ 13,152	\$ 13,200	\$ 1,320			27,672
10 SME staff	\$ 10,800	\$ 10,800	\$ 1,080			22,680
8 IT staff	\$ 3,840	\$ 3,840	\$ 384			8,064
Phase IV - Project Conclusion						
1 Project Manager	\$ 1,920	\$ 1,920				3,840
Hardware Purchase	\$ 147,600					147,600
Software Purchase/Licenses-Infrastructure	\$ 131,574					131,574
Software Purchase/Licenses-CMS	\$ 600,000	\$ 600,000				1,200,000
Telecommunications						-
Contract Services						-
Software Customization-Conversion	\$ 83,490	\$ 83,490				166,980
Project Management-Professional Svcs	\$ 327,110	\$ 327,110				654,220
Project Oversight	12,500	12,500				25,000
IV&V Services	12,500	12,500				25,000
Other Contract Services						-
Total Contract Services						-
Data Center Services						-
Agency Facilities						-
Other-Travel	\$ 50,000	\$ 50,000				100,000
Total One-time IT Costs	\$ 1,477,526	\$ 1,198,496	\$ 11,097	\$ -	\$ -	\$ 2,687,119

Continuing IT Project Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Staff (Salaries & Benefits)						
Ongoing maintenance & support						
SME staff				\$ 3,374	\$ 3,374	6,748
2 IT staff				\$ 1,187	\$ 1,187	2,374
Hardware Lease/Maintenance						-
Software Purchase/Licenses-Infrastructure	\$ 12,074	\$ 12,074	\$ 12,074	\$ 12,074	\$ 12,074	48,296
Software Maintenance/Licenses-CMS	\$ 252,000	\$ 252,000	\$ 252,000	\$ 252,000	\$ 252,000	1,008,000
Telecommunications						-
Contract Services						-
Data Center Services						-
Agency Facilities						-
Other						-
Total Continuing IT Costs	\$ -	\$ 264,074	\$ 264,074	\$ 268,635	\$ 268,635	\$ 1,065,418

Summary Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Total One-Time Costs	1,477,526	1,198,496	11,097	-	-	2,687,119
Total Continuing IT Project Costs	-	264,074	264,074	268,635	268,635	1,065,418
Project Total	\$ 1,477,526	\$ 1,462,570	\$ 275,171	\$ 268,635	\$ 268,635	\$ 3,752,537

\$ 3,215,267	3 Yr Prj Costs
\$ 842,067	FSC
\$ 2,373,200	JC

\$ 3,752,537	5 Yr Projection
\$ 1,379,337	FSC
\$ 2,373,200	JC

2.1.3.3 COSTS FOR EXTERNAL ENTITIES

As shown in the table above, Fresno Superior Court will be responsible to pay the vendor's annual maintenance and license fees of \$252,000 for years 3 through 5. Fresno currently pays \$510,084 each year for V2 maintenance – therefore, in going with the preferred vendor, Fresno will save \$258,084 (50.5%) over current contract maintenance costs every year. The savings will certainly help the court mitigate other court operations costs. For the judicial branch – average annual costs are \$2.985 mil. (based on FY 2013/14 through 2017/18 annual cost projection); replacement of V2 will certainly relieve the branch of V2's annual financial burden and benefit all other 57 trial courts.

Justice partners in Fresno County do not have integrated data exchanges, and unfortunately are unable to electronically interact. Therefore, integration with local justice partners is not part of this project.

The preferred vendor Tyler Technologies will cover the costs for court interfaces to DOJ, DMV, JBSIS and Sheriff warrant interface. However, we are unable to provide the dollar estimate of those interfaces.

2.2 ALTERNATIVE ONE

Do Nothing

2.2.1 DESCRIPTION

CCMS V2:

- This option would give the judicial branch and the court no alternative but to continue as the only court in the State on this CCMS version.
- To continue with CCMS V2 is expensive; in FY 2012-13 annual costs allocated were up to \$3,568,739; of which \$510,084 comes from the court for the maintenance and support of CCMS V2. Average annual costs are \$2.985 mil. (based on FY 2013/14 through 2017/18 annual cost projection).
- To continue with CCMS V2 all other 57 courts are denied access to approximately \$3.0 million annually that is used to maintain and support V2.
- To continue with CCMS V2 would ignore the comments of the Judicial Council on March 27, 2012 when it was stated, “V2 and V3 programs need to be reexamined.”
- To continue with CCMS V2 would ignore the work of the Judicial Branch Technology Initiatives Working Group established July 11, 2012 under the JC Technology Committee. One of the workstreams is CCMS V2/V3 Maintenance, to which a recommendation has been made on more than one occasion:

Fresno should (needs to) seek out a new case management system, and separate from V2 as soon as economically and operationally possible; at which time V2 would be decommissioned.

The V2 CMS should be maintained on a break/fix level only and changes necessary to allow for compatibility with computer operating systems, related computer software and any changes in the law.

Obstacle: Funding source(s) unknown at this time.

2.2.2 ADVANTAGES/DISADVANTAGES

Disadvantages of doing nothing by staying on CCMS V2 – Cost

- CCMS V2 is for a single court – Fresno Superior Court; all eyes are on Fresno and the judicial branch.
- CCMS V2 is expensive; annual cost to the judicial branch to maintain and support is approximately \$2.985 million. **To maintain V2 at the current funding level for five years - will cost the branch just under \$15.0 million.**
- V2 maintenance and support team is comprised of 11 consultants and 2 FTE ITSO staff.
- The consultant staff includes two developers, two testers, one applications architect, one operations architect, two database administrators, one service delivery manager, one network security analyst, and one application support analyst.
- Full time staff includes a manager and one team lead developer.
- All other 57 courts will benefit if Fresno goes off CCMS V2 as funding of approximately \$3.0 million annually could be available to all other courts.
- CCMS V2 is hosted at CCTC; Fresno Superior Court is more than capable of hosting a case management system and at a significant cost savings.

Disadvantages of doing nothing by staying on CCMS V2 – Operations

While CCMS V2 has been stable – it still has far too many deficiencies that prevent it from being a robust and efficient case management system such as:

- Inability to enter Priors and Enhancements in criminal cases.
- Inability to print prison abstracts.
- No electronic DOJ reporting.
- Inaccurate Case Summary screen.
- Consolidated complaints/information cannot be entered into V2.
- Unable to enter warrant exceeding \$99,999,999.99.
- DUI macro must be used to distribute fines/fees correctly.
- Once cases are heard they are dropped from “calendar” list and we are unable to reprint past calendars.
- When new laws are implemented and monetary amounts are modified it can takes months to configure and test the implementation of fees in the V2 CMS.
- V2 does not interface with our DMS.

-
- V2 does not have any work queues.
 - V2 currently does not allow for electronic filing.
 - V2 currently has no mechanism in place to identify all delinquent debt.
 - V2 currently does not have a web portal available for public access to case information online.
 - With V2 on an Oracle platform, we are limited to the amount of data mining and reporting Fresno IT staff can accomplish, making us reliant on AOC consultants to provide ad hoc or custom reports.
 - V2 is hosted out of the CCTC, controlled by the AOC. The court does not have any control or input in regards to hardware (servers/storage/etc.)

See Appendix A for additional details related to CCMS V2 deficiencies.

Advantage of doing nothing

- In terms of fiscal responsibility, there is no advantage to doing nothing.
- In terms of operations efficiency, there is no advantage to doing nothing.

2.2.3 COSTS

2.2.3.1 ASSUMPTIONS

Not Applicable.

2.2.3.2 COST TABLE

UPDATED 8/6/2013 - OPTION I B - V2 ONLY - NO BANNER

Alt 1: Do Nothing

One-Time Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Staff (Salaries & Benefits)						
Phase I - Project Planning						
1 Project Manager						-
6 SME staff						-
4 IT staff						-
Phase II - Design & Development						
1 Project Manager						-
10 SME staff						-
9 IT staff						-
Phase III - Deployment						
1 Project Manager						-
10 SME staff						-
8 IT staff						-
Phase IV - Project Conclusion						
1 Project Manager						-
Hardware Purchase						-
Software Purchase/Licenses-Infrastructure						-
Software Purchase/Licenses						-
Telecommunications						-
Contract Services						-
Software Customization-Conversion						-
Project Management-Professional Svcs						-
Project Oversight						-
IV&V Services						-
Other Contract Services						-
Total Contract Services						-
Data Center Services						-
Agency Facilities						-
Other-Travel						-
Total One-time IT Costs	-	-	-	-	-	-

Continuing IT Project Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Staff (Salaries & Benefits)						
Phase I - Project Planning						
1 Project Manager						-
6 SME staff						-
4 IT staff						-
Phase II - Design & Development						
1 Project Manager						-
10 SME staff						-
9 IT staff						-
Phase III - Deployment						
1 Project Manager						-
10 SME staff						-
8 IT staff						-
Hardware Lease/Maintenance						-
Software Purchase/Licenses-Infrastructure						-
Software Maintenance/Licenses						-
Telecommunications						-
Contract Services						-
Data Center Services						-
Other-CMS Support-JC	\$ 2,425,654	\$ 3,023,341	\$ 3,149,314	\$ 3,155,775	\$ 3,170,027	14,924,111
Other-CMS Support-FSC	\$ 510,084	\$ 510,084	\$ 510,084	\$ 510,084	\$ 510,084	2,550,420
Total Continuing IT Costs	\$ 2,935,738	\$ 3,533,425	\$ 3,659,398	\$ 3,665,859	\$ 3,680,111	\$ 17,474,531

Summary Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Total One-Time Costs	-	-	-	-	-	-
Total Continuing IT Project Costs	2,935,738	3,533,425	3,659,398	3,665,859	3,680,111	17,474,531
Project Total	\$ 2,935,738	\$ 3,533,425	\$ 3,659,398	\$ 3,665,859	\$ 3,680,111	\$ 17,474,531

2.2.3.3 COSTS FOR EXTERNAL ENTITIES

As shown in the table above, if we do nothing, the judicial branch would continue to pay on average \$2.985 million each year to maintain and support V2. To continue at the current funding level for five years will cost the branch just under \$15 million. All other 57 courts will benefit if Fresno goes off CCMS V2 as funding of approximately \$3.0 million annually could be available to all other courts.

To do nothing, Fresno Superior Court would continue to pay fees of \$510,084 each year for V2 maintenance – therefore, in going with the preferred vendor, with annual fees of \$252,000, Fresno will save \$258,084 (50.5%) over current costs. The savings will certainly help the court mitigate other court operations costs.

2.3 ALTERNATIVE TWO

Consideration of alternate vendor.

2.3.1 DESCRIPTION

Over a three month period, a thorough evaluation of four vendor proposals was conducted. A team of four evaluators (management, operations, technology and fiscal), reviewed and scored each vendor's ability to meet the courts: terms & conditions, business functions, testing, configuration, training, integration, network/desktop, application/architecture/security, DMS, and E-filing requirements. This was followed by each vendor coming to Fresno for an on-site demonstration of their product. Lastly, a complete cost analysis and scoring was done for each vendor's cost proposal. See Appendix B for comments of vendor proposals.

**FRESNO SUPERIOR COURT CMS RFP SCORE COMPARISON
FEBRUARY 2013**

	Max. Points		ISD		Sustain		Tyler		/1 AMCAD
Business Requirements and Deployment Services	40		24		27		38		17
Terms & Conditions	30		24		27		28		20
Cost	30		5		10		29		0
TOTAL SCORE	100		53		64		95		37

/1 Disqualified due to insufficient response

With the exception of "Notice of Intent to Award" and "Execution of Contract" we have completed all of the key events. However, we have had to ask all proposed vendors for an extension of their offer; that extension is set to expire on September 8, 2013 and therefore we would like to issue a Notice of Intent to Award no later than August 30, 2013.

2.3.2 ADVANTAGES/DISADVANTAGES

Of the four vendor proposals, we were left to choose between Tyler Technologies or Sustain.

Disadvantages of Sustain eCourt

2.3.2.1. Score = 64 (Technical and Cost)

2.3.2.2. Concerns heard during demonstration:

- eCourt not deployed anywhere in California.
- eCourt Criminal module not deployed in California.
- eCourtPublic (public/LE portal) at demonstration showed a mock "Riverdale" county; appeared this was not yet real time deployed.

-
- 2.3.2.3. At the demonstration vendor told us they had multiple eCourt deployments in progress: Placer, Sonoma, and Tulare. In checking with some of these courts, deployment was delayed.
- 2.3.2.4. Sustain's proposal was very vague in terms of deployment saying they would need to meet with us first. Without sufficient detail in their RFP response it was difficult for us to know what we would get and in what timeframe. Other areas of concern:
- Throughout proposal and on-site demonstration, it was clear court staff would be required to do the bulk of configurations; and
 - At the demonstration Sustain told us the amount of time to train Placer and Santa Barbara staff on "configurations" for traffic was 6 hours a day for 4-5 weeks.
- 2.3.2.5. At the time of our RFP, configuration was not completed in civil, criminal and traffic; yet the expectation was Fresno would use another court's configuration. Our concern is that most of the courts currently deploying are Sustain Justice courts – and are being configured to eCourt; Fresno is not on Sustain Justice. We question how we would take configurations from a court with a foundation of Sustain Justice – and then on to eCourt when we have no foundation in Sustain Justice. Our court would require "new mapping," but very little detail was provided as to how that would occur or how long it would take.
- 2.3.2.6. Another concern is Sustain is a "leased" CMS system - we would not purchase, thus we would be locked into leasing year after year.
- 2.3.2.7. Sustain is a per user license/maintenance based system (fees will vary based on number of users). Different fees were quoted (\$889/1003/\$821) and for 470 users. With a current vacancy rate of 20%, user fees will increase costs as we add staff.
- 2.3.2.8. Vendor is relying heavily on court staff to do conversion and configurations for Banner and V2.
- Total hours requested for Court staff: 28,406 hrs.
 - Total hours requested for Sustain staff: 14,154 hrs.
 - Total Sustain and Court requested hours were more than double the preferred vendor hours.
- 2.3.2.9. The timeline in the RFP response missed a number of components: i.e. which configurations our court would use, Gap analysis, DMS, Conversion, and E-filing. There was little detail for a testing plan, schedule or timeline.
- 2.3.2.10. No Clerk's Transcript (TAP) equivalency.
- 2.3.2.11. Vendor includes \$150 per hour for "Additional Statement of Work" services but does not include what they could be or # of hours.
- 2.3.2.12. Vendor includes \$200 per hour for "Service calls (non-bug fixes and Legislative updates)," but does not include what these could be or # of hours. FSC knows for certain there are major Legislative updates 1-2 times per year and therefore this is a very real unknown cost we will surely have to bear every year.
-

The annual ongoing maintenance of the alternate vendor is 6.3% higher than the preferred vendor – every year. In addition, the alternate vendor quoted for 470 users – a low figure as we currently have a 20% vacancy rate, and we are certain the user fees quoted will increase as we add staff. The alternate vendor only leases their software – the Fresno Superior Court would not own the system, leaving the court vulnerable to unknown future costs. Our analysis showed the number of court staff hours requested for the alternate vendor was twice the preferred vendor. With a 20% vacancy rate, and growing every day, the court does not have the staff resources necessary to deploy the alternate vendor’s system.

Advantage of Sustain

The only advantage is their first year deployment costs are lower than the preferred vendor. However, this is offset by the fact their maintenance costs for years 2 through 5 are higher than the preferred vendor. This is critical to pay attention to because these will be ongoing costs year after year and as mentioned above, we know this will increase because the proposal was quoted for 470 users and we have a 20% vacancy rate.

2.3.3 COSTS

2.3.3.1 ASSUMPTIONS

Not Applicable.

2.3.3.2 COST TABLES

UPDATED 8/6/2013 - OPTON I B - V2 ONLY - NO BANNER

Alt 2: Sustain

One-Time Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Staff (Salaries & Benefits)						
Phase I - Project Planning						
1 Project Manager	\$ 13,776	\$ 13,824	\$ 1,382			28,982
6 SME staff	\$ 10,080	\$ 10,080	\$ 1,008			21,168
4 IT staff	\$ 4,032	\$ 4,032	\$ 403			8,467
Phase II - Design & Development						
1 Project Manager	\$ 26,928	\$ 26,976	\$ 2,698			56,602
10 SME staff	\$ 12,864	\$ 12,864	\$ 1,286			27,014
9 IT staff	\$ 15,360	\$ 15,360	\$ 1,536			32,256
Phase III - Deployment						
1 Project Manager	\$ 13,152	\$ 13,200	\$ 1,320			27,672
10 SME staff	\$ 10,800	\$ 10,800	\$ 1,080			22,680
8 IT staff	\$ 3,840	\$ 3,840	\$ 384			8,064
Phase IV - Project Conclusion						
1 Project Manager	\$ 1,920	\$ 1,920	\$ -			3,840
Hardware Purchase	\$ 147,600					147,600
Software Purchase/Licenses-Infrastructure	\$ 131,574					131,574
Software Purchase/Licenses	\$ 410,000					410,000
Telecommunications						-
Contract Services						-
Software Customization-Conversion	\$ 240,000					240,000
Project Management-Professional Svcs	\$ 821,550					821,550
Project Oversight	12,500	12,500				25,000
IV&V Services	12,500	12,500				25,000
Other Contract Services						-
Total Contract Services						-
Data Center Services						-
Agency Facilities						-
Other-Travel						-
Total One-time IT Costs	\$ 1,888,476	\$ 137,896	\$ 11,097	\$ -	\$ -	\$ 2,037,469
Continuing IT Project Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Staff (Salaries & Benefits)						
Ongoing maintenance & support						
10 SME staff				\$ 3,374	\$ 3,374	6,748
2 IT staff				\$ 1,187	\$ 1,187	2,374
Hardware Lease/Maintenance						-
Software Purchase/Licenses-Infrastructure		12,074	\$ 12,074	\$ 12,074	\$ 12,074	48,296
Software Maintenance/Licenses-CMS		410,000	\$ 410,000	\$ 410,000	\$ 410,000	1,640,000
Telecommunications						-
Contract Services						-
Data Center Services						-
Agency Facilities						-
Other						-
Total Continuing IT Costs	\$ -	\$ 422,074	\$ 422,074	\$ 426,635	\$ 426,635	\$ 1,697,418
Summary Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total Recommended
Total One-Time Costs	1,888,476	137,896	11,097	-	-	2,037,469
Total Continuing IT Project Costs	-	422,074	422,074	426,635	426,635	1,697,418
Project Total	\$ 1,888,476	\$ 559,970	\$ 433,171	\$ 426,635	\$ 426,635	\$ 3,734,887

Per User license/maintenance will vary based on number of users; above cost based on a total of 470 users; with a current vacancy rate of 20%, we know the user fees quoted above will increase as we add staff.

2.3.3.3 COSTS FOR EXTERNAL ENTITIES

As shown in the table above, annual software maintenance begins in year 1. Fresno Superior Court would be responsible to pay the annual maintenance fee of \$410,000 to maintain the replacement CMS; over a five year period this would total \$1,640,000. This is 6% higher than the preferred vendor and only covers 470 users whereas the preferred vendor is for unlimited users.

2.4 SOLUTIONS COST COMPARISONS

UPDATED 8/6/2013 - OPTON I B - V2 ONLY - NO BANNER

Fresno Superior Court CMS Replacement: Summary Comparison

One-Time Costs	Tyler Technologies Odyssey	Do Nothing	Alternate Vendor -
	Case Manager Recommended	Alt1	Sustain Alt2
Staff (Salaries & Benefits)			
Phase I - Project Planning			
1 Project Manager	28,982	-	28,982
6 SME staff	21,168	-	21,168
4 IT staff	8,467	-	8,467
Phase II - Design & Development			
1 Project Manager	56,602	-	56,602
10 SME staff	27,014	-	27,014
9 IT staff	32,256	-	32,256
Phase III - Deployment			
1 Project Manager	27,672	-	27,672
10 SME staff	22,680	-	22,680
8 IT staff	8,064	-	8,064
Phase IV - Project Conclusion			
1 Project Manager	3,840	-	3,840
Hardware Purchase	147,600	-	147,600
Software Purchase/Licenses-Infrastructure	131,574	-	131,574
Software Purchase/Licenses	1,200,000	-	410,000
Telecommunications	-	-	-
Contract Services	-	-	-
Software Customization-Conversion	166,980	-	240,000
Project Management-Professional Srvs	654,220	-	821,550
Project Oversight	25,000	-	25,000
IV&V Services	25,000	-	25,000
Other Contract Services	-	-	-
Total Contract Services	-	-	-
Data Center Services	-	-	-
Agency Facilities	-	-	-
Other-Travel	100,000	-	-
Total One-time IT Costs	\$ 2,687,119	\$ -	\$ 2,037,469
Continuing IT Project Costs	Recommended	Alt1	Alt2
Staff (Salaries & Benefits)			
Ongoing maintenance & support			
SME staff	6,748	-	6,748
2 IT staff	2,374	-	2,374
Hardware Lease/Maintenance	-	-	-
Software Purchase/Licenses-Infrastructure	48,296	-	48,296
Software Maintenance/Licenses-CMS	1,008,000	-	1,640,000
Telecommunications	-	-	-
Contract Services	-	-	-
Data Center Services	-	-	-
Other-CMS Support-JC	-	14,924,111	-
Other-CMS Support-FSC	-	2,550,420	-
Total Continuing IT Costs	\$ 1,065,418	\$ 17,474,531	\$ 1,697,418
Summary Costs	Recommended	Alt1	Alt2
Total One-Time Costs	2,687,119	-	2,037,469
Total Ongoing Costs	1,065,418	17,474,531	1,697,418
Project Total	\$ 3,752,537	\$ 17,474,531	\$ 3,734,887
	\$ 1,379,337	FSC	
	\$ 2,373,200	JC	

2.5 OTHER ALTERNATIVES

Not aware of any alternatives at this time.

3. SCHEDULE

3.1 KEY DELIVERABLES

With adequate funding - the plan to move forward includes issuing the Notice of Intent to Award, and entering into a contract with the preferred vendor. Once a contract is in place, Fresno Superior Court will meet with the vendor and put into place a 24 month deployment timeline with the following deliverables:

- Project/Deployment Plan
- Fit Analysis
- Infrastructure Analysis
- Standard Configurations
- Integration Analysis
- Testing Plan
- Training Plan
- Deployment (go live) in stages

3.2 MAJOR MILESTONES

Once a contract with the preferred vendor is in place, the following major milestones will be completed as follows:

Phase	Time to Complete
Project/Deployment Plan	1-2 Months
Fit Analysis	3 Months
Infrastructure set up	2 Months
Standard Configurations	1-2 Months
Testing	Throughout phase
Initial Training	3 Months
Integration	4-5 Months
Testing	Throughout phase
Deployment (go live) in stages	
Criminal and Traffic (V2) specific configuration	3 Month
Data conversion	9 Months
Testing	Throughout deployment
Follow up Training	Continuous

4. RISKS AND MITIGATIONS

Risk	Mitigation
<p>There is a detailed implementation plan that covers a 24 month period. A potential risk is the implementation could take longer due to unforeseen situations such as inadequate vendor or court staff resources.</p>	<p>Within the detailed plan are 4 phases. Within each phase are numerous ‘stopping’ points to test, stage and enter into production a particular phase. There are also ‘deliverables’ set. The court will have an executive steering committee overseeing the project. The court and vendor has each assigned a project manager and team that will report to the steering committee. Every effort will be made by the steering committee, project manager and team to follow the timeline in the plan. It is anticipated the vendor and court will keep each other continuously informed about issues and by doing so, both will be in a position to mitigate issues as they arise.</p> <p>If the issue is inadequate vendor or court resources, we would make a strong effort to ensure enough resources are available by consolidating operations duties and freeing up court staff to assist in the implementation. We would ask the same of the vendor.</p>
<p>This is an ‘out of the box’ CMS and with that comes the potential risk of managing change. In addition components such as configurations could take longer than expected, or a function V2 currently has – the replacement CMS does not.</p>	<p>We are going from a unique (single court) CMS to a well-established one and understandably it will be necessary to change some of the court’s business practices to take full advantage of the replacement CMS functionalities. Court Executive staff has agreed this may be necessary and has in place a process for change management. In addition, staff training will play a major role.</p>
<p>There is a potential risk that when the V2 replacement CMS comes online, data issues may emerge.</p>	<p>The replacement for V2 is projected to take 18 months. Included in the project is a ramp down plan to take V2 offline. There will be a 2 week parallel cycle of running V2 and replacement CMS to ensure accuracy of the new system. After the 2 week cycle, V2 will remain online for another 30 days before the shutdown of hardware at CCTC.</p>

5. GLOSSARY

Term	Description

APPENDIX A: DETAILS OF CCMS V2 DEFICIENCIES

APPENDIX B: VENDOR PROPOSAL COMMENTS

FRESNO SUPERIOR COURT CMS RFP SCORE COMPARISON FEBRUARY 2013

	Max. Points	ISD	Sustain	Tyler	/1 AMCAD
Business Requirements and Deployment Services	40	24	27	38	17
Terms & Conditions	30	24	27	28	20
Cost	30	5	10	29	0
TOTAL SCORE	100	53	64	95	37

/1 Disqualified due to insufficient response

AMCAD submitted a proposal but was disqualified due to insufficient response to RFP, even after clarifying questions were sent to the vendor. They received a preliminary score of 37.

ISD submitted a proposal. Comments regarding this vendor follow:

1. Score = 53 (Technical and Cost)
2. A major concern during the technical review was the timeline for deployment seemed too short with not enough time calculated to complete all aspects of a CMS deployment. The timeline was extremely difficult to read (tiny font and poor print quality).
3. During the onsite demonstration vendor corrected implementation schedule and in doing so the deployment went from 20 to 34 months. With the correction adjusted to 34 months, we questioned if the time for both ISD and court staff was stated accurately in the RFP; and if the project would come in on time and within budget.
4. ISD's product is a per user license/maintenance based fee platform (fee will vary based on # of users); with a current vacancy rate of 20%, we know the user fees quoted will increase as we add staff.
 - a. Per user license based fees (\$114 per user).
 - b. Per user maintenance based fees (\$780 per user increases each year from \$780 first year to \$828 per user in Year 5 - average cost per user - \$798).
5. There were numerous spreadsheet calculation errors throughout all spreadsheets; including column calculations and column totals. In addition, although they had Attachment 15 which showed we had 429 staff; 53 judges; 950 workstations – ISD quoted for only 135 users for each Banner and V2. Of concern is by them quoting a lower user number, their bid is lower, but incorrect. It would really be underpriced and not accurate to what the true cost would be and with this being a per user fee based

platform - we will be charged for every user and 135 users is an extremely low number when we stated we had 429 staff. In correcting errors and recalculating for 470 users our figures showed this bid underpriced by \$845,414.

6. Costs for both Banner and V2 were identical as though copied without true analysis, making it difficult to ascertain if project will come in on time and within budget.
7. The project management hours were identical to vendor SMEs hours as though no analysis was done for a true deployment.
8. The reports module appeared to not be 'ad hoc'. Their RFP response showed 21 pages of pre-set reports; for efficiency, we need the ability to run 'ad hoc' reports. In addition, ISD reports use Crystal; we use Active Reports.
9. ISD does not support File Net; our RFP clearly stated this is our DMS platform.
10. ISD is an Oracle shop only; no SQL – we use SQL.
11. The Clerk's Transcript module cannot be sent electronically so it would be useless to us.
12. It was unclear to us if the E-file module was an ISD in-house tool thereby potentially limited use.
13. ISD uses old technology; driven by lots of code entry like Banner Courts 4.1.
14. Reference checks were completed.

With the calculation errors; incorrect number of users quoted (too low) and deployment timeline off considerably (too few months) – we deemed the vendor to be non-responsive and not an option for the court.

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
Operations		
Inability to enter Priors and Enhancements in Criminal Cases	Upon implementation of V2 the Court was advised that priors and enhancements could be added to CMS however it was considered an "enhancement". Currently V2 does not allow for the entry of priors and enhancements. Currently our minute orders reflect that the defendant admits prior(s) and enhancement(s). It does not state the specific prior or enhancement admitted. Where there are multiple priors and enhancements alleged the change of plea form may only reflect admission of one prior or one enhancement causing an inaccurate recording of what occurred on the record. Not having this information on the CMS can cause an unauthorized sentence or may not allow the court to impose the maximum sentence.	Entry of the priors and enhancements into this CMS will allow the minute order to reflect an accurate account of what occurred on the record without ordering a Court Reporter Transcript. The minute orders that are sent to probation along with a copy of the change of plea form will allow probation to recommend that maximum sentence for consideration by the Judge. The Clerk can prompt the Judge at sentencing when an admitted prior or enhancement is not disposed. Another benefit would be that Prison abstract can be pulled from the CMS saving the Court duplication of work to prepare the abstract.
Inability to print prison abstracts	Due to priors and enhancements not being entered into V2 we are unable to print prison abstract from the CMS. Causing additional resources to prepare each prison commitment.	With the limited resources available to Court due to the Statewide Fiscal Crisis. Staff would not need to duplicate work. The time spent manually typing out prison abstracts can be used to work on other priority work.
No Electronic DOJ Reporting	Upon each arrest of a defendant a JUS8715 is produced. The Court is mandated to report a disposition of each arrest within 30 days. Since we do not have a DOJ interface our court manually completes the final disposition to DOJ. It takes 3-5 minutes to complete a JUS8715 and 5-8 minutes to complete a subsequent action form. We are not currently in full compliance in reporting the interim dispositions due to the time constraints (bench warrants, suspensions of proceedings, diversions, etc.). We are only reporting final dispositions to DOJ.	Additional after court time will not need to be spent manually filling out JUS8715 forms and creating copies. We will also be in full compliance in reporting interim dispositions and revocations timely. Defendants CLETS disposition will also be current.
Inability to enter Defaulting Witnesses/Body Attachments	We are unable to produce a minute order with the witnesses' information. Currently jail notices are manually redacted to reflect witness information or a manual (COFACS) minute order is prepared and information entered under the defendant information in TEXT code.	Save staff time and insure jail receives appropriate information for release or hold. V2 would also reflect an accurate account of the events.
Jail Warrants	Jail Warrants were unable to be transmitted to the FSO Warrant Department electronically. The jail warrants were manually typed and hand delivered to the FSO Warrant Department for activation.	Work around created in March of 2013.

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
Inaccurate Case Summary Screen	The Case Summary Screen does not capture all disposition updates in regards to prison, state hospital commitments and MSR revocations and split sentences (LPO/MSR). At times the fiscal information is not accurate. We had to place a disclaimer in V2 stating that the Summary screen is not accurate. This issue causes additional inquires to our staff from the public and JP's seeking clarification or validation of the true status of the case.	If the summary could be utilized it would be efficient for the public and JP's to access their status. Otherwise they read the entire docket report and interpret the outcome or status of case. This again will save court resources in not having to answer their questions.
Inability to print minute orders for missing complaints	Currently V2 is unable to print minute orders due to no case number or alleged charge information for missing complaints. Staff is preparing word minute orders to distribute in court and also making appropriate entries in V2. Charges are not entered because there is no way to mask the information for the public.	Save staff time. Will not be completing double work.
Amended Complaint	When an amended complaint is filed, the data entry clerk has to exit "Courtroom" after saving up to a certain point on the minute order and add the amended complaint in case maintenance. The Courtroom applets is then retrieved and the remainder of the minute order is entered. The process is tricky and time consuming and causes a lot of errors. This work around was created so the docket report can capture an accurate account of what occurred in court and also for JBSIS stats to counted correctly.	
Consolidated complaints/information cannot be entered into V2.	Consolidated complaints/information cannot be entered into V2. The manual work around is a TEXT code and then the data entry clerk enters the document as an amended complaint/information thru case maintenance. The Data Clerk then retrieves the courtroom applet and suppresses information so the minute order can reflect a true account of the events. This is time consuming and delays productivity.	
True Name finding	When a true name finding is made on the record the docket code was modified to a text code due to person maintenance errors. The data entry clerk now has to update person maintenance manually and then update the case maintenance screen prior to printing minute orders causing a delay in distribution.	

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
PC1203.4 Dismissals/Overage Report	When a case is dismissed pursuant to PC1203.4 all previous fees paid will generate an overage on the case. V2 identifies the dismissal as a true dismissal and applies a credit. Each case has to be reviewed to insure a refund is not generated in error. To remove the overage the money is entered manually using maintenance fees; followed by a work order to deny the check.	Possible fix implemented April 2013
Minute Orders can not electronically be sent to Justice Partners. V2 is capable of setting up a PDF format to send to agencies.	Currently minute orders, jail notices and fiscal notices are printed and distributed to justice partners at each hearing. Additional notices are printed upon disposition and when referrals are made to probation and the jail. When a plea is entered a copy of the change of plea form is also copied and sent to probation.	Cost saving measures for the court to reduce paper and toner cost along with saving court and justice partners staff time for distribution. Also a timely reporting of case disposition for all partners.
Unable to enter warrant exceeding \$99,999,999.99	Warrants exceeding \$99,999,999.99 are manually typed and forwarded to FSO Warrants for activation, causing additional work and potential errors.	
V2 creates an internal warrant number which is transmitted to the FSO warrant Department.	When a warrant is entered in to the V2 CMS the system creates an internal warrant number which is transmitted electronically to the FSO Warrants Department in addition to the case number. Often times the internal warrant number was provided by the arresting agencies instead of the case number. This causes defendants to be cited with an incorrect case number. This results in incorrect cites and JUS8715 being generated and submitted to the Court. Court staff then must search all of the defendants cases in V2 to identify where to apply the form and/or cite. This is a time consuming process. In addition, when staff can not determine where to apply the forms they are returned to the arresting agency for correction, causing delays in the processing of the JUS8715 to the DOJ.	The Court can utilize its limited resources to complete backlog in other high priority areas. Convictions will also be reported to the DOJ timely.
Public Defender Relieved, Private Attorney appointed and then relieved. 3rd Attorney appointed will not print on worksheet or calendar.	When a Public Defender is relieved and a Private Attorney is appointed and then later relieved when the court staff updates the third appointment of a public defender or attorney the entry will save. However the attorney will not appear on the calendar nor on the worksheet. A manual fix is done in the case maintenance screen to correct the issue, causing more staff resources to duplicate work and increases the error rate.	The Court can utilize its limited resources to complete backlog in other high priority areas. Calendar and worksheets will also be accurate and will not delay court proceedings.

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
Non-Case Payment	Multiple certified copies can not be collected on one transaction. Money is placed in overage in the overnight process. The workaround is to take separate transactions delaying counter productive, increase error rate and impacting excessive time spent with customers.	The Court can utilize its limited resources to complete backlog in other high priority areas and also provide more efficient customer service.
DUI Macro must be used to distribute Fine/Fees correctly.	DUI Macro must be used to distribute Fine/Fees correctly. When inputting a DUI sentence in V2, Data entry must use the DUI macro to blow in the appropriate codes or it will not distribute the fines/fees correctly behind the scenes. This is a known defect in V2 however no one can explain why this occurs on DUI sentences. This is a lengthy process and has a higher risk of errors.	
Calendar Transfers	Calendar transfers will error when a defendant has multiple cases which does not allow for a mass transfer. To correct the error hearings are manually vacated and entered individually into V2 resulting in more staff resources.	The Court can utilize its limited resources to complete backlog in other high priority areas.

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
REPORTS		
Cash Bail/Trust Reports (Fiscal)	There are no date parameters therefore, V2 has difficulty balancing Trust Accounts, which causes the report to be ongoing. You can not go back and rerun a specific date parameter. As a workaround the Fiscal Department runs a Daily Activity Report each morning and saves the report on the G: Drive.	
Calendars (Criminal/Traffic)	Once cases are heard they are removed from the calendar list and placed on a Hearing Held Report. The Hearing Held Report does not capture all hearings held causing an inaccurate report. The CMS should be able to reproduce a calendar and also have the capabilities to show what cases have not yet been heard. Because this is not working additional staff have been assigned to review cases and scan calendars to memorialize the day.	
Bail Bond Register (Criminal)	The Court is responsible for printing a yearly bond register. V2 is unable to print a bond register for all bondsmen with specific data parameters. Currently you can only run a report in combinations.	We will be in compliance to provide a Master list that includes all bond agencies and bond numbers.
Overage Reports (Fiscal)	Once reconciled the cases do not drop off.	Saving staff time of reviewing cases that have already been worked on but remain on report.
Case and Fund Distribution Report (Fiscal)	This report does not have a search criteria to locate specific fee code. Accounting manually reviews days of reports to locate criteria when an error detected. Time spent locating fee code can vary from half an hour to several hours depending on how common the fee code.	Reduce staff time in looking for fee codes.
Fiscal Report	Ability to calculate percentage off of the total amounts collected by Collection Office, Credit Cards, scanned check payments. Accounting would like to streamline manual process if possible.	
DMV Error Reports (Traffic/Criminal)	When case is corrected or the activity is completed the case should fall off the report. This causes additional work because the case does not drop off and staff review the case for errors .	

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
FISCAL		
New Laws	When new laws are implemented and monetary amounts are modified it can takes months to configure and test the implementation of fees in the V2 CMS. Because this process requires programming the Court must rely on the AOC for the modifications. Fiscal often times must manually modify fee tables for implementation.	We would be in able to implement new laws sooner.
Cash bail transfers	Cash bail transfers are currently docket code driven in V-2. This causes a problem especially when data staff enters applicable docket codes causes monies to be misapplied/reapplied or modified causing accounting nightmares to balance fines/fees. If errors are not caught the same date as entry and data entry staff corrects at a later time it increases the error rate; distribution of monies are sent to incorrect agencies. Example: In order to correct one transaction it can take five-ten docket codes causing additional misapplied/reapplied to correct monies. In addition, monies that were distributed in error to incorrect agencies cannot be returned once distributed. Accounting has to wait until additional monies are collected to distribute to the correct agency.	
Case Payment History Screen	The misapply/reapply information of the Case Payment History Screen is convoluted. The audit trail is difficult to determine if a refund is due.	
Updating Bail Distribution and Penalty Assessment Tables	Updating the Bail Distribution and Penalty Assessment Tables are time consuming. There is no search function. 100-1000 different combinations are searched manually to find the applicable table.	

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
APPEALS		
Electronic submission of the Clerk's Transcript	V2 currently does not have this function. The Court needs to use a stand alone program (TAP) to scan, organize and submit the Clerk's Transcript electronically to the 5th District Court of Appeals. These documents are not interfaced into V2. The scanned documents can only be accessed by the Appeals Department (limited access).	Having the ability to submit the Clerk's Transcript from V2 would free up staff to do other functions.
EXHIBITS		
No exhibit module	Currently V2 does not have an Exhibit Module. This work is currently a manual process with handwritten logs, excel sheets for the purpose of receiving, tracking, inventory and destruction of exhibits.	The Court can utilize its limited resources to complete backlog in other high priority areas.
Exhibit Work queues	Exhibit currently has no work queues in V-2 to track on a specific case with retention time line for case types and proceedings. Staff need to manually review.	Increase exhibit room inventory and insure destruction is performed timely.

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
Document Management System (DMS)		
DMS (Traffic)	V2 does not currently interface with our DMS. Currently we are scanning every traffic citation into the a traffic repository. However, staff needs to exit the V2 CMS to retrieve the document from the DMS, which causes delays.	Having the DMS interfaced with V2 would allow the Court to be more efficient by accessing one CMS for all of its needs.
DMS (Criminal)	V2 does not currently interface with our DMS. Documents currently scanned by the Criminal Document are limited to specific court orders. They are stored in the criminal repository and can only be accessed by Supervisory Staff. This causes a delay in retrieving those documents electronically.	Having the DMS interfaced with V2 would allow the Court to be more efficient by accessing one CMS for all of its needs.
DMS (Fiscal)	V2 does not currently interface with our DMS. Fiscal would like the ability to scan and tie refund request to the CMS. This will result in better auditing and accounting of fine and fees.	Having the DMS interfaced with V2 would allow the Court to be more efficient by accessing one CMS for all of its needs.

Work Queues

Work Queues	Aside from the Event Manager (Collections) V-2 does not have any other work queues. Currently we need to assign staff to ensure that all cases have been processed and that all appropriate steps/processes have been taken. If we had work queues set up with the applicable rules it would automatically provide reports of cases that have not been process.	Having work queues will benefit all operational areas and not only reduce our error rate, it will also provide us the ability to audit workloads and utilize our staff in other areas.
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Flags

Flags	Ability to maintain settings of pop-up boxes. Example: When fines/fees are paid in full the payment should remove the flag that the case is in collections.	
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V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
Electronic Filing		
Electronic Filing	V2 currently does not allow for electronic filing. Criminal complaints are physically filed in the Clerk's Office. Documents are manually stamped, signed and assigned a case number when filed. The complaint is then manually entered into V2. With the closure of the Outlying Courts, Law Enforcement Agencies now physically travel to the Central Court to file their complaints before the close of the business day (4:00 p.m.). This has increased the volume of cases that need to be entered for hearings the following business day.	Due to the recent OD closures the ability to receive electronic filing will greatly assist the Law Enforcement Agencies traveling from remote cities as well as create efficiencies for the Court.
Collections		
Delinquent Debt	Currently V-2 has no mechanism in place to identify all delinquent debt. The AOC'S Enhanced Collections Program identifies delinquent debt as any payment taken on a case that is at least one day past the due date. We are only able to identify monies that have been taken once a case has been sent to collections which makes us not compliant with the collection guidelines.	Being able to identify all true delinquent debt would allow us to properly report and be in compliance with the Collection Guidelines.
Collection Module	V-2 Collection module is limited to an internal collection process which is not functioning for Fresno. A manual process is used to identify, collect and send delinquent cases to a third party collection vendor . Because the module is not functioning, any financial information the Court possesses cannot be utilized by the 3rd party vendor due to the inability of V-2 to input and store the information separate from the case.	If the collection module was functioning, more information could be gathered and forwarded to our 3rd Party Vendor to increase their collection efforts and our revenue.

V-2 Deficiency	Impact of Deficiency	Benefits of getting it resolved
Web Portal		
Web Portal	V2 Currently does not have a Web Portal available for Public Access to case information on-line. Because we do not provide this option we are inundated with customers on the phone and at our Clerk's counters.	If this information was readily available on-line it would reduce the amount of customer inquiries and provide our customers with hands-on information pertaining to their case and address their immediate needs.

**Judicial Council Technology Committee Recommendation to the Judicial Council:
Fresno Case Management System Replacement**

The Superior Court of Fresno County has demonstrated an immediate need to replace both the V2 and Banner case management systems. The replacement of V2 provides the branch the opportunity for \$3 million in annual savings, while replacement of the court's Banner system addresses the high risk of system failure and vulnerability for loss of hosting support by the County.

The Technology Committee recommends the Judicial Council approve funding from the Trial Court Trust Fund, up to \$2,373,200, for the Superior Court of Fresno County to replace their V2 case management system.

Funding distributed to the Fresno Court from the Trial Court Trust Fund, for systems replacement, will be contingent upon the following terms and conditions:

1. Verification and validation of proposed costs based on review of vendor responses to the Court's case management system Request for Proposal (RFP), including technical specifications and resource requirements; and the preferred vendor's final contract proposal;
2. In line with the efforts of the branch to maintain transparency with technology projects, the court must submit notification of the project to the California Department of Technology (CalTech) according to Government Code section 68511.9 in the event the total project costs including local court staff costs, operations costs, and the first year of maintenance costs post deployment exceed five million dollars;
3. The funds distributed will not exceed the requested level of funding (\$2,373,200) beyond FY 2015- 2016;
4. The funds will be distributed over a two year period in accordance with the contract and upon submission of invoices for product and services necessary to acquire and deploy the court's case management system;
5. The Administrative Office of the Courts will provide project oversight, including monitoring project progress and costs to assure the distributions are appropriate; as well as, independent project oversight for a period of 2 years; and
6. The Court will provide the Administrative Office of the Courts with access to all records necessary to evaluate and monitor the project and will cooperate fully with efforts of the Trial Court Liaison Office to do so.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Alameda

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Rather than trying to secure additional funds for the County Sheriffs, the branch should be advocating for a reversion of Court Security Realignment partnered with increased flexibility to utilize non-governmental security services.
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Alameda

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Benefit Increases
Costs TBD by court survey

Approximate dollar value: \$

2. Technology - Proven technologies to reduce the need for court staff
Costs TBD based on those courts that have successfully implemented technology solutions that have translated to need for less staff.

Approximate dollar value: \$

3. Funding associated with new court facilities.
Costs TBD based on survey of those courts with new facilities.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Butte

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies		X	While the Court is supportive of the Sheriffs Association's pursuit of adequate funding to provide the appropriate level of security services, we disagree with the Court taking a lead role in the funding discussions as this is not the Court's budgetary responsibility.
Security funding at new court facilities		X	While the Court is supportive of the Sheriffs Association's pursuit of adequate funding to provide the appropriate level of security services at new court facilities, we disagree with the Court taking a lead role in the funding discussions as this is not the Court's budgetary responsibility.
Facility operations costs for new courthouses	X		The Court is supportive of funding facility operations costs for new courthouses. However, operations costs are not clearly defined and additional explanation is needed.
Facility operations costs for transferred facilities	X		The Court is supportive of funding for facility operations costs for transferred facilities. However, the definition of facility operation costs for transferred facilities should be elaborated on.
Trial court technology needs	X		The Court recognizes the need for new technologies and we are highly supportive of funding trial court technology needs.
2 nd 50 Judgeships	X		
3 rd 50 Judgeships	X		
Benefit increases	X		

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of Butte

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

- 1. **Technology** - Courts need to have a dedicated funding stream for the replacement of aging and obsolete case management systems and other local technology equipment. Courts' lack of ability to carry any kind of significant reserve from year to year prohibits them from saving monies and managing some of these costs locally. Given the lack of dedicated funding and ability to carry reasonable reserves, Courts are solely dependent on the State to provide these critical technology needs. A case management system is seen as the most important aspect to be addressed with any BCP approved technology funding.

Approximate dollar value: \$ No estimate

- 2. **Benefits** – There is currently no SAL being provided annually and Courts cannot match rising costs.

Approximate dollar value: \$ No estimate

- 3. **2nd 50 of judges** – This funding would alleviate funding in other areas, for example the assigned judges program.

Approximate dollar value: \$ No estimate

July 2013
Budget Change Proposal (BCP) Survey
Superior Court of California, County of Contra Costa

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	X		Please reference attached document
Security funding at new court facilities	X		Please reference attached document
Facility operations costs for new courthouses	X		Please reference attached document
Facility operations costs for transferred facilities	X		Please reference attached document
Trial court technology needs	X		Please reference attached document
2 nd 50 Judgeships	X		Please reference attached document
3 rd 50 Judgeships		X	Please reference attached document
Benefit increases	X		Please reference attached document

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of Contra Costa

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Retirement Cost Increases
Retirement costs increases are not within the control of the trial courts. Retirements benefits and the contributions to be made by the employer are governed by statute.
Approximate dollar value: \$ 800,000

2. Phoenix Financial System
The Phoenix Financial System is a statewide system used by all of the trial courts in California. The system provides for continuity in financial reporting and should be funded centrally for the benefit of the Judicial Branch and the State.
Approximate dollar value: \$ 200,000

3. Health Benefit Increases
Although the trial courts can negotiate lower cost health plans, the cost of health care is rising every year. Health care costs have increased historically but the impact of health care reform is causing them to rise further. Costs increases can be mitigated by the trial courts but not eliminated.
Approximate dollar value: \$ 150,000

July 2013
Budget Change Proposal (BCP) Survey
Superior Court of California, County of DEL NORTE

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	X		Entrance screening is a must and needs to be funded separately from Sheriff's Security funding
Security funding at new court facilities			Not applicable to us
Facility operations costs for new courthouses			Not applicable to us
Facility operations costs for transferred facilities	X		Necessary to maintain buildings transferred from Counties. Daily and monthly upkeep is not being met at present
Trial court technology needs	X		Constant upgrade and updating necessary to keep courts in line with technology
2 nd 50 Judgeships	X		We have been approved yet not funded for this for a number of years
3 rd 50 Judgeships	X		More judgeships are necessary throughout the state
Benefit increases	X		With the increase in health premiums becoming more and more expensive this is a necessity

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of DEL NORTE

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Security costs for entrance screening for Del Norte. We are one of the few courts in the state without entrance screening and the increased risks in today's world, it is just a matter of time.

Approximate dollar value: \$ \$200,000.

2. Second 50 judgeships.
This was approved years ago yet still not funded. Judgeships are a necessity.

Approximate dollar value: \$ \$500,000 for increase to facilities for chambers and courtroom

3. Increase in benefit costs
We are working with a minimum number of staff and keeping them is a must. Court's share of benefit being covered for employees is helpful in this regard.

Approximate dollar value: \$ \$300,000.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of El Dorado

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Lets get the 2nd 50 funded first.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of El Dorado

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Funding to increase self help services

Approximate dollar value: \$ 247,000

2. Fully fund AB1058 Programs

Approximate dollar value: \$ 135,000

3. Cover increase benefit costs annually

Approximate dollar value: \$ 287,000

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Fresno

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	All courts need appropriate funding for necessary security. However there has been an interesting debate via email as to who should actually secure the BCP. In Fresno we have had some very difficult times working with our Sheriff's Court Security Unit. Today however, we work together to ensure the past does not come back to haunt us. Bottom line, I want to help make sure they are adequately funded, because if they are not, the courts and our customers are the ones who will ultimately end up in harms way. I am just not sure who should actually submit the BCP.
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Funding for additional security for new facilities is also very necessary. Courts should have to accurately demonstrate their need. In Fresno, we did NOT receive funding when we opened two new facilities, however we adamantly believed it was appropriate at the time, and want it available for others. Again, it seems a joint approach is more reasonable.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Again, although we did not receive facility operations cost when we opened new courthouses, we believed it was appropriate and still do.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Same as above.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The Branch has been behind in Technology for years. With the demise of CMS V4, many courts find themselves in desperate need for a new CMS, Fresno included. To be more efficient as in the Chief's top priorities of increasing efficiencies through technology, courts need help to purchase new systems to implement efficient procedures.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	In Fresno we currently have 49 authorized judicial positions (42 judges and 7 commissioners). Based on the Judgeship needs formula we need 63 judicial positions or an increase of 23%. Four new judgeships are certainly not enough, however they will help.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	At this time, it is probably not reasonable to request the 3rd 50 - we will be extremely lucky to receive the 2nd 50!
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We strongly agree that courts should receive funding for benefit increases.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Fresno

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. 2nd 50 new Judgeships: we need additional judges to help complete our case loads.

Approximate dollar value: \$ 4 judges, staff etc.

2. Increase in benefit costs: ongoing money will help us from having to lay off additional employees further adding to our already reduced staff and public access to the courts.

Approximate dollar value: \$ \$2,359,880

3. Technology: we have the distinction of being the only court on CMS V2 (criminal and traffic). We desperately want to move on to a different CMS thereby saving the court and the Branch on going money. Additionally our civil CMS - Banner was at the end of life last year so we are barely holding on.

Additionally there are the CMS V3 courts who will need additional dollars to move off of V3 again, saving the Branch ongoing costs. Lastly, courts who were patiently waiting to move to CMS V4, need to explore a replacement CMS.

Approximate dollar value: \$ \$4,999,999

July 2013
Budget Change Proposal (BCP) Survey
Superior Court of California, County of Humboldt

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies		X	We believe this is the State's responsibility.
Security funding at new court facilities	X		Not accounted for in realignment.
Facility operations costs for new courthouses	X		Not accounted for in current funding processes.
Facility operations costs for transferred facilities	X		Not accounted for in current funding processes.
Trial court technology needs	X		Not accounted for in current funding processes.
2 nd 50 Judgeships	X		Addresses important infrastructure needs of the trial courts.
3 rd 50 Judgeships	X		Addresses important infrastructure needs of the trial courts.
Benefit increases	X		Recently became unfunded even though courts have increases.

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of Humboldt

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

- 1. Benefit Increases: For two reasons: 1) these increases have been funded, or partially funded for many years and it affects all the trial courts (unlike security and new facilities), and 2) these increases can be substantial and are not funded through any other mechanism.

Approximate dollar value: \$ Use the current survey for retirement, retiree health and health to calculate statewide cost.

- 2. 2nd 50 judgeships: Many courts need more judgeships and this should be a priority. We believe the State needs to invest in the infrastructure of the branch incrementally before some courts reach a crisis level in caseload management.

Approximate dollar value: \$ Use current salaries/benefits for judges and existing worksheets and formulas for staffing.

- 3. Court Technology: This is another infrastructure issue that should be addressed at the State level. The needs of the trial courts greatly vary in terms of technology and there should be some mechanism to request funding for projects.

Approximate dollar value: \$ Survey courts for priorities and request cost estimates.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of KINGS

Part I: Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. **Please let us know whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	<ul style="list-style-type: none"> It is the assessment of this Court, that the realignment of court security fiscal responsibility from trial courts to counties (as part of the Criminal Justice Realignment Act of 2011) has been fundamentally successful. To this court's knowledge, implementation has not resulted in long-term, serious issues such as reduced security service delivery or increased obligations on sheriffs or counties that have not been appropriately resolved. Moreover, as security funding has now been transferred to California's counties, this Court believes CSAC and the CSA are better positioned to submit BCPs when additional funding is warranted to maintain required levels of service to the courts. In such an instance, the Court will support their appropriately proposed BCP. <p>KINGS Point of Contact: Jeffrey Lewis, Chief Deputy CEO 559-582-1010 x5001 jlewis@kings.courts.ca.gov</p>
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	<p>See above rationale as, again, this Court is not aware of significant security funding issues specific to new court facilities.</p> <p>KINGS Point of Contact: Jeffrey Lewis</p>
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	<ul style="list-style-type: none"> Funding for maintaining, renovating and building courthouses comes from three sources; the Court Facilitates Trust Fund (county facility payments), State Court Facilities Construction Fund (fees and fines collected) and the Immediate and Critical Needs Account (fees and fines collected). Since 2009 the state Legislature has borrowed or swept \$750M from these funds for needs outside of the Branch. According to the Office of Courthouse Construction Management (OCCM) these funds are shrinking in relationship to the growing needs as buildings age and deteriorate. The OCCM contracts for all building maintenance and uses an outside vendor for this work. As OCCM is charged with responsibility for managing court facility operations and their costs, it is reasonable to assume that OCCM is better positioned to determine whether adequate justification exists to submit a BCP addressing any gap between needed funding and estimated costs for current and near-term facilities' projects. <p>KINGS Point of Contact: Sandy Salyer, Director of Finance 559-582-1010 x5010 ssalyer@kings.courts.ca.gov</p>

ACTION ITEM 7

Facility operations costs for transferred facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	<p>See above rationale as, again, this Court is not aware of significant funding issues specific to transferred court facilities.</p> <p>KINGS Point of Contact: Sandy Salyer</p>
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<ul style="list-style-type: none"> • Subsequent to the California Judicial Council's decision to terminate production and deployment activities associated with the California Case Management System V4 project (CCMS) in March of 2012, six (6) courts were identified as having <u>urgent</u> CMS needs, requiring replacement of their legacy systems within 12 months. • Another twenty-two (22) courts identified a critical need to replace one or more of their CMS within the next one to five years. • Drastic cuts in trial court funding over the previous 4 fiscal years (FY) and the requirement to reduce each trial court's reserves to 1% by the end of FY2013-14, make it more than likely that a majority of these twenty-eight (28) courts will need additional funding beyond their current operating budget (or reserves) to acquire a new or upgraded CMS, compelling the need for submission of a branch-wide technology BCP. <p>KINGS Point of Contact: Jeffrey Lewis</p>
2nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<ul style="list-style-type: none"> • In 2004, the California Judicial Council (CJC) approved a proposal to request the Legislature create 150 judgeships per year over three years [although the statewide judgeships need then was estimated to be approximately 350]. • SB56, passed by the Legislature in 2006, created the first 50 judgeships on the CJC's priority list. • AB 159, passed by the Legislature in 2007, created the second set of 50 judgeships, based on an updated priority list approved by the CJC in 2007. • However, due to the budget shortfall in that fiscal year, the Legislature deferred funding until July 2009 for the second tranche of 50 judgeships. • To date, the 50 judgeships authorized by the passage of AB159 (Jones) remain unfunded. • The National Center for State Courts [NCSC] California Judicial Workload Assessment – Final Report, dated November 2011, determined that California's <u>Implied Judicial Officer Need</u> using 2011 Quality-Adjusted Case Weights was 2367 in comparison to 2022 Authorized Judicial Positions (AJP) <i>including</i> the 50 judgeships that were authorized by AB 159 but not funded, a technical shortfall of 345 judicial officers but, in essence, a statewide shortage of 395 judicial positions. • A BCP submission rectifying this long-standing, well-documented, and substantial shortfall in the need for judicial officers in the state is critical. <p>KINGS Point of Contact: Jeffrey Lewis</p>
3rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<ul style="list-style-type: none"> • In 2007, the Legislature passed AB 159, creating a second set of 50 new judgeships; however, funding was delayed until the beginning of FY 2009-10 [See above.] • Additionally, due to continued funding concerns and the delay of the second round of 50 judgeships, which would

ACTION ITEM 7

			<p>have pushed the third [and final] round of judgeships to no earlier than the end of FY 2009-10, the Legislature did not pass SB 1150, which would have created the final 50 judgeships on the CJC's priority list of 150 new judicial positions.</p> <ul style="list-style-type: none"> To date, the 3rd set of 50 new judgeships has been neither authorized nor funded by the Legislature. Accordingly, a BCP is warranted to provide the necessary relief for meeting the needs of the state's judicial system and the citizenry of this state. <p>KINGS Point of Contact: Jeffrey Lewis</p>
<p>Benefit increases</p>	<p><input type="checkbox"/> Agree</p>	<p><input checked="" type="checkbox"/> Disagree</p>	<ul style="list-style-type: none"> From FY 2009-10 through FY 2012-13, the state's trial courts have experienced net cumulative one-time and ongoing reductions totaling \$599M. At this time, meaningful restoration of this operational funding appears to be problematic, at best. In large part, due to these budgetary shortfalls and the state's worsening fiscal climate, a number of courts, as early as FY 2008-09, began to reduce benefit costs through bargaining for new contracts - or renegotiating existing labor agreements. In particular, reducing exposure to under-funded and unfunded liabilities were areas of focus given the "new normal" that courts were forced to accept. Notwithstanding the efforts of fiscally prudent courts, the combined allocation proportion of trial court benefit cost changes for employee (and retiree) health care costs increased from approximately 31.1% in FY 2010-11 to 43.9% in FY 2012-13 while, conversely, the PERS/37 Act retirement cost changes have decreased by 54.5% [or \$14 million] over the same 2-year period. Given the continued austere fiscal environment facing the trial courts for the foreseeable future – and competing (and, arguably, more deserving) needs for statewide BCP consideration, only increases in employer contribution rates for CALPERS and 1937 Act retirement rates should be considered in any statewide BCP, whereas un- and under-funded health care cost increases (including those associated with retiree health benefits) should be borne by employees through the negotiation (or renegotiation) process, as appropriate. <p>KINGS Points of Contact: Jeffrey Lewis or Sandy Salyer</p>

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of KINGS

Part II. Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

#1. TRIAL COURT TECHNOLOGY NEEDS:

Please refer to the AOC's publication entitled Results of the Trial Court Technology Needs Survey of June 2012 (and as updated August 2012) for justification as to why this Court continues to consider **Trial Court Technology Needs** to be the paramount BCP in the interest of this state's trial courts for FY 2013-14.

Approximate dollar value: \$ UNKNOWN, although previous costing surveys developed by the AOC in preparation for trial court CCMS V4 acquisitions and deployments may serve as a baseline estimate until a more accurate AOC survey/assessment based on potential vendors' CMS costs for courts of extra small [XS], small [S], medium [M] and large [L] size is conducted.

#2. SECOND ROUND OF 50 JUDGESHIPS:

California continues to suffer from a severe shortage in the number of trial court judgeships.

The ramifications are serious and far-reaching, and include a significant decrease in Californians' access to the courts, compromised public safety, an unstable business climate, and considerable backlogs in some courts that inhibit fair, timely, and equitable justice.

Access to courts is fundamentally compromised by these judicial shortages. Securing adequate judicial resources for the courts is a top priority for the California Judicial Council [CJC] and is critical to ensuring public access to justice. Reports on the critical shortage of judicial officers have been submitted to the Judicial Council since 2001 and form the basis of the council's requests to the Legislature to create new judgeships.

As delineated, in the **Explanation** section in *Part I.* of this BCP Survey (justifying this Court's strong agreement in the need for a BCP to fund the second set of 50 judgeships), the CJC took necessary action in 2004 to seek legislative approval for the creation of - and funding appropriation for - 150 new judgeships over a three-year period to partly remedy an estimated judicial position shortfall of 350 [or an additional 15.4% need].

Legislation [SB 56] in 2006 represented the initial step in addressing the serious shortages of judges by authorizing and funding the first 50 judgeships. It was followed in 2007 by AB 159, creating the second set of 50 new judgeships and, as with the first set of 50 judgeships, funding was to be provided for judicial staff and facilities to house the new judges, where required. A total of \$27 million was to be appropriated for fiscal year 2007-2008, with ongoing funding of \$40 million. However, as the state's fiscal crisis loomed, then worsened, funding for this second round of new judgeships was deferred until July 2009, then delayed indefinitely.

Today, the statewide need for judicial officers is currently equivalent to 2367. Comparing this need to the 2022 Authorized Judicial Positions (AJP) in the state reflects a net requirement of 345 new judgeships or, as a percentage of the total need, the judicial branch has a 14.6 percent shortfall. More correctly, though, since the present AJP *includes the 50 judgeships that were authorized by AB 159 but not funded*, a technical shortfall of 395 exists and that yields a percentage shortage of 16.7%, which is worse than the 15.4 % judicial officer need identified in 2004 when the CJC initiated its efforts to secure adequate judicial resources. Clearly, a BCP to correct this unacceptable, prolonged deficiency in statewide judgeship numbers is crucial.

Approximate dollar value: \$ UNKNOWN; however, \$67 million [\$27 million one-time and \$40 million ongoing] in FY 2007-08 dollars was the planned appropriation for AB 159 for funding the second set of 50 judgeships.

#3. EXPANSION OF INTERPRETING SERVICES:

California, like most states, has long provided qualified interpreters in criminal, juvenile dependency and family law cases in which domestic violence-related are sought, but has not as a matter of policy provided interpreters in civil matters. However, the need for court interpreters in matters other than criminal cases is recognized by an increasing number of policymakers in California state government, as well as the U.S. Department of Justice [DOJ].

Legislative efforts to define, authorize, and fund the use of interpreters in civil matters have become more common in recent years, including Assembly Bill (2302) which was passed by both houses in 2006 but vetoed by the then-governor due to its fiscal impact and two bills [SB 597 (Lara) and AB 1127 (Chau)] introduced this past legislative session. The issue will almost certainly face the courts again as it becomes more likely each year that a modified version of previous bills will succeed in the near future.

Equally important, the DOJ Civil Rights Division, in an August 2010 letter, advised that while an increasing numbers of state court systems have taken steps to improve their capacity to handle cases and other matters involving parties or witnesses who are limited English proficient (LEP), DOJ continues to encounter state court language access policies or practices inconsistent with federal civil rights guidelines. Perhaps more significantly, the DOJ, is continuing its investigation into whether at least one of the state's courts are violating federal laws for failing to provide interpreters in many civil and family law cases., as DOJ views *all* court proceedings as critical, and states that "...every effort should be taken to ensure competent interpretation for LEP individuals during *all* hearings, trials and motions." Moreover, while recognizing that most state and local courts are struggling with unusual budgetary constraints that have slowed the pace of progress in expanding language access, DOJ warns that fiscal pressures do not provide an exemption from civil rights requirements.

Therefore, in anticipation of an emerging consensus in state government on the need to expand court interpreter services to family law and most (or all) civil case types, and in view of DOJ's stated position on full compliance with Title VI of the Civil Rights Act of 1964, a BCP of sufficient scope to accommodate a viable AOC pilot program to position the judicial branch to respond to this demand for "across-the-board" language services for LEP individuals is strongly encouraged.

Approximate dollar value: \$ UNKNOWN; however, funding for the aforementioned AB 2303 in 2006 was capped at \$10 million for one year. Anecdotally, an estimate prepared by the AOC several years ago was in the range of \$12-15 million per year for civil interpreting and, more recently, a figure of \$40 million was conservatively offered during regional bargaining discussions.

NOTE: Rather than rely on any of these "guesstimates", it is highly recommended that AOC Finance personnel contact the AOC's Senior Labor and Employee Relations Officer (from the Human Resources Services Office, Judicial and Court Administrative Services Division), who convened a March 13, 2013 meeting of stakeholders from a number of AOC Offices and representatives from selected trial courts, to discuss options for estimating the costs of court-funded civil interpreting for all case types. A costing-out methodology was chosen and, subsequent to that meeting, the AOC engaged in in-house discussions regarding what survey development resources will be available to help validate the assumptions agreed upon, collect the data; and analyze/report on the data (i.e., the annual cost for expansion into civil proceedings).

ADDENDUM: This Court would also offer a fourth possible BCP for the branch to consider on behalf of trial courts should sufficient interest exist statewide; namely, funding to offset the costs of court reporting in civil and family law matters in which one or more parties appear *in forma pauperis*.

**July 2013
Budget Change Proposal (BCP) Survey
Superior Court of California, County of Los Angeles**

Below is a rough list of proposed trial court BCPs for FY 2014-15 that the AOC has developed. Please let us know whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reasons for your agreement or disagreement.

Proposed BCP	Agree	Disagree	Explanation
Benefit increase (LASC Priority 1)	X		<p>A BCP is required to reflect the net cost increases associated with benefit plans offered to court employees. These costs are unavoidable, on-going costs related to maintaining the current level of court operations. Failing to provide funding will effectively force courts to make operational changes that may have a direct impact on general court services and access to justice.</p> <p>A BCP is required as a result of the benefit cost increases no longer being funded, similar to other state agencies, under the policy adjustment process. We would recommend that the BCP include both current and prior year unfunded benefit cost increases.</p> <p>Approximate dollar value: BCP's are in-process and will provide estimated funding needs for FY 14-15.</p>
Facility operations costs for transferred facilities (LASC-Priority 2)	X		<p>A BCP is required to reflect the funding needs for facility operations costs that are not sufficiently provided for by the Court Facilities Trust Fund. These costs include routine maintenance, utility bills, lease obligations and related insurance. These costs are paid by the Court Facilities Trust Fund which is primarily funded by County Facility Payments (CFP). Although CFPs are adjusted annually for CPI, General Fund supplementation is necessary to ensure proper maintenance and facility operations for courthouses throughout the state. Current funding levels are insufficient to provide an adequate level of funding for routine maintenance. Further, the routine maintenance budget is not presently based on actual need but rather is the net left in a restricted fund once "must-pay" obligations, such as utility costs, are met. The result is that "must-pay" facility operations cost take priority and, as "must-pay" costs continue to grow, much needed facility maintenance is deferred.</p> <p>Approximate dollar value: Estimates are not readily available given time constraints to respond to the survey.</p>
Proposed BCP	Agree	Disagree	Explanation
Trial court technology needs (LASC-Priority 3)	X		<p>A BCP is required to reflect the funding for priority technology needs as technology provides opportunity for operational efficiencies, system improvements and the ability to provide streamlined, cost-effective services to the public. Improved access to justice is also achieved with investments in technology. The technology needs and priorities will vary by Court and will include, but are</p>

			<p>not limited to, maintaining, updating and refreshing existing operational systems as well as new technology initiatives.</p> <p>Approximate dollar value: Estimates are not readily available given time constraints to respond to the survey.</p>
Trial court security funding deficiencies		X	<p>Due to realignment, the Court is no longer in the position to respond to fiscal matters relating to security. Since realignment, the Court's focus has been on level and quality of services provided by the Sheriff.</p> <p>While funding may be a pressing issue for the Sheriff; receiving the required service levels could be a bigger issue for trial courts. In the last six months, LASC noted decline in the level of security services provided by the Sheriff. We continue to work with the Sheriff to reach agreement on service levels in light of recent courthouse closures.</p> <p>However, the Court is willing to work with the Sheriff to identify actual operating costs and we would support any effort made to pursue full funding. In our opinion, with realignment, CSAC and CSSA are better suited to represent counties' interest in justifying additional funds for court security.</p>
Security funding at new court facilities	X		<p>Per GC Section 69923, "...the court may pay for court security service delivery or other significant programmatic changes that would not otherwise have been required absent realignment...". Therefore, the court would be financially responsible for services levels above those provided at the time of realignment.</p> <p>A BCP would provide courts a method for identifying and requesting funding for new operating costs.</p>
Proposed BCP	Agree	Disagree	Explanation
Facility operations costs for new courthouses	X		<p>The Court Facilities Trust Fund does not provide a sufficient level of funding to address new and/or increased financial obligations.</p> <p>A BCP would provide courts a method for identifying and requesting funding for new facility operations costs.</p>
2 nd 50 Judgeships	X		<p>Additional judgeships and corresponding support staff are necessary to better manage caseload per Judicial Officer and to improve the timeliness and quality of access to justice. It is imperative that any funding request for additional Judgeships also include funding for the appropriate support staff and security resources.</p>

3 rd 50 Judgeships	X		Additional judgeships and corresponding support staff are necessary to better manage caseload per Judicial Officer and to improve the timeliness and quality of access to justice. It is imperative that any funding request for additional Judgeships also include funding for the appropriate support staff and security resources.
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**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Madera

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	While only a few courts can benefit from this BCP, it is important to ensure everyone entering a courthouse is safe. There needs to be some control placed on the Sheriff's Department on how they spend the funds.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	I am unclear what this proposed BCP includes. If it is to cover screening security at new court facilities - with new facilities the many access entrances should be reduced or controlled through locking doors. If this is to cover Sheriff Deputies in the courtrooms- the courthouses are being built to the current need so the first BCP would cover these cost.
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	
Facility operations costs for transferred facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Many courts are facing failing CMS or will be facing a failing system. Courts should have an option of a CMS that best fits their needs.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Many courts have closed courtrooms or courthouses; there is a number of judges without a courtroom. Courts have implemented layoffs and furloughs so there is less support staff for the new judgeships.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Why work on the 3rd 50 judgeships when we have not received the 2nd 50 judgeships.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This is a cost which is not controlled by the courts. These costs increase and we are left trying to cover the increase. All courts could benefit from this BCP.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Madera

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. New Courthouse Transition Costs -

Many counties are receiving or will be receiving new courthouses. The cost to the court to move into the new courthouse is not covered and becomes an expense to the court receiving the new courthouse. With reserves being eliminated, the cost to courts to transition into a new courthouse include moving expenses, telephone systems, wi-fi connections, refrigerators, etc. The courts have no options and must budget these expenses.

I do not have a dollar value. A survey to courts that have moved into new courthouses or are in the process could arrive at an estimated cost of these expenses.

Approximate dollar value: \$

2. New Courthouse Court Operating Costs -

Courts which have been in County buildings and receiving County services are now being moved into new courthouses without the County support. These services then transfer to the court at an additional expense. Such services include janitorial, mail processing, IT, etc. While the courts are located in a shared facility these services are shared expenses, once the courts move into new buildings these expenses become all court expenses. Relocating into new facilities is not a decision made by the individual court yet the courts are to cover the additional expenses.

I do not have a dollar value. A survey to courts that have moved into new courthouses or are in the process could arrive at an estimated cost of these expenses.

Approximate dollar value: \$

3.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Marin

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Marin will respond to the survey due August 9. Marin has operated with 2 to 3 fewer deputies since security realignment. Each additional deputy costs \$142,000 salary and benefits.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Not applicable in Marin.
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Not applicable in Marin.
Facility operations costs for transferred facilities	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Not applicable in Marin.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Marin would benefit from a document management system for e-filing.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This is a priority for a number of courts.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This is a priority for a number of courts.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Marin will respond to the survey due August 13. Benefit increases have averaged \$320,000/year for the past three years.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Marin

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Self-Help costs are \$184,000 a year in Marin and grant funding is \$97,000. In addition to funding the difference between current costs and the grant, there is a need to improve access to justice with an increase in funding for self help services.

Approximate dollar value: \$ 179,000

2. Benefit cost increases have averaged \$320,000 a year in Marin for the past three years.

Approximate dollar value: \$ 320,000

3. Security funding requires \$142,000 salary and benefits for each additional deputy. Number of deputies assigned to the court has decreased from 19 to 16 with security realignment.

Approximate dollar value: \$ 284,000

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Merced

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Since funding is no longer part of the courts budget, this should be pursued by the State Sheriff's Association via the Governor/Legislature.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Same as #1
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Many of the transferred facilities are in need of major repair/renovation work.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Since CCMS is no longer an option, many of us will be required to use our funds to procure a new CMS system. Funding should be provided to help the courts in this regard.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Benefit increases should continue to be funded.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Trial Court Technology Needs- since many of us have had to downsize our courts, (less staff due to budget cuts) it is even more important than ever to focus on our technology needs on a statewide basis. As stated above, since the state CCMS is no longer an option, many courts will need to replace their existing systems but are not at the point where they want to request assistance via other avenues such as the 2%, etc., as a result we like other courts will need to use funds that would have been earmarked for other areas to be used for a new CMS system. Many courts also have storage facilities filled with court files that need to be imaged which in turn would reduce the lease cost of these storage facilities. The Judiciary should focus on BCP's for tech needs. Estimate of a new CMS system via MSA for Merced is \$2.3M.

Approximate dollar value: \$ unknown costs statewide

2. Benefit Costs- for all courts

Approximate dollar value: \$ TBD by Steven Chang

3. Facility Costs for tranferred facilities.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Modoc

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Although not a top priority for Modoc yet, it soon could be. With increasing and continuing violence throughout the state, court security at all levels within the judicial branch must be considered a highly elevated issue. Our weakest areas of security are the lack of perimeter cameras and the combining of common areas when transporting prisoners from the jail to the court. Short of changing the location of the court in relationship to the jail, nothing can be done to eliminate the combining of common areas at this time. In order to rectify the issue of perimeter cameras, we estimate the total cost, including installation, to be approximately \$35,000.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	As far as a statewide BCP, this proposal focuses on a very limited number of facilities and does not benefit the statewide judicial branch. Although important for those counties with new facilities, as a whole there are more important pressing issues.
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Same as above.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Should counties completely separate from the courts the unknown complications from such a split could be devastating. Courts would become responsible for all the utility costs incurred at each facility in addition to other unforeseen expenses. Modoc County's heating costs alone are at over \$120,000 per year. We have no idea of what our electricity costs might be and if we were notified that we would now be responsible for these costs, we could not pay the bills. If this should happen, the total costs are unknown and troublesome at the very least. Although not a problem today, it could be at any time and we, for one, would not survive.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Technology is the way of today and for the future to come. With production demands being what they are without funding to replenish staff, technological advances become more and more important. It remains imperative that the AOC continues to support the Sustain pilot courts for as long as possible. We simply can not afford a new system, nor is there the ability and staff to man such a project. If the support ends or the need arises that a new system must be obtained, most courts can not afford to incur such costs. The anticipated costs would be prohibitive and unattainable. Currently, we pay in excess of \$125,000 per year and costs would be considerably higher if we needed to purchase a new system, all required licenses, and hire staff to maintain it.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	This remains a very important issue for those counties in need, but again as a statewide BCP, this proposal does not benefit the entire California judicial branch.

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3 rd 50 Judgeships <input type="checkbox"/> Agree <input checked="" type="checkbox"/> Disagree	Same as above.
Benefit increases <input checked="" type="checkbox"/> Agree <input type="checkbox"/> Disagree	This BCP affects every court in the state of California. The only product courts offer is service. We are not producing food or manufacturing medical equipment or any other items, we are administering justice and we need personnel in order to do that. We already know that benefits will continue to increase every year and with the limitation of a 1% carry-over, those costs will not be adequately funded. Current benefit costs per employee approximate \$10,000 per year.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Modoc

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Benefits costs. Should staffing levels return to 100% the benefits for the new employees together with the ongoing, yearly increases our benefits costs would be approximately \$120,000 per year. We would need an additional \$30,000 for benefits alone for filling our current vacancies.

Approximate dollar value: \$ 30,000

2. Trial Court Security Funding Deficiencies. With increasing and continuing violence statewide, a minimum level of security should include perimeter cameras with a focus on any areas where prisoners may come in contact with the public and/or court employees.

Approximate dollar value: \$ 35,000

3. Facility Operations Costs for Transferred Facilities. If counties find a way to separate all expenditures for utilities and any other costs, courts would need to start incurring those costs. This is a very rough estimate based on typical business usage, with the possibility that the actual amounts could vary greatly.

Approximate dollar value: \$ 250,000

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Monterey

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Funding restoration should be the top priority, focusing on inflationary cost increases related to Court operations, specifically personal services and general expenses. Over the past 5 years the Court has been diligently pushing down on all Court expenses, but we are at the tipping point.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Funding restoration should be the top priority, focusing on inflationary cost increases related to Court operations, specifically personal services and general expenses. Over the past 5 years the Court has been diligently pushing down on all Court expenses, but we are at the tipping point.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Monterey's South County facility is inadequate for providing access to justice for our constituents, we have hearing rooms where a trial court is needed. Monterey supports that funding should be restored for the approved courthouse projects.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Monterey's facilities have roof leaks, elevator issues, HVAC issues, and known safety issues that require adequate funding before fixes can be addressed. Monterey supports seeking adequate funding to manage facility operations costs.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<p>Monterey supports seeking funding for Trial Court technology needs. The Court has a critical need to update its case management system (CMS) to a web-based system which will allow litigants to interact with the court in a paperless environment. The Court's CMS is at least 10 years old, is antiquated and does not support integration with newer technologies like electronic records, electronic filing, work flow management, public access to records, data exchanges with justice partners, and other enhancements that streamline and optimize court operations.</p> <p>Current funding for asset replacement is insufficient. Current funding does not support critical infrastructure system replacement, which drives up support costs and impacts system availability. Additionally, currently funding only supports a 7+ year desktop replacement cycle.</p> <p>Finally the court needs funding for records management to convert paper files to digital documents. This will provide cost savings, improve workflow and access.</p>
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	In support of the Judicial Needs Assessment provided to the State Legislature pursuant to Government Code 69614(b) Monterey concurs with seeking funding. The funding should be adjusted for inflationary cost increases related to Court operations, specifically personal services and general expenses in support of the new Judgeships.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Although the 3rd group of 50 judgeships is greatly needed across the California superior courts, it may be a stronger position to focus on the 2nd group of 50 judgeships now, and once funding is received for the

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	2nd group, direct the Branch focus on the 3rd group. Funding restoration should be the top priority, focusing on inflationary cost increases related to Court operations, specifically personal services and general expenses. Over the past 5 years the Court has been diligently pushing down on all Court expenses, but we are at the tipping point.
Benefit increases <input checked="" type="checkbox"/> Agree <input type="checkbox"/> Disagree	Monterey supports seeking ongoing funding for benefit increase. Funding restoration should be the top priority, focusing on inflationary cost increases related to Court operations, specifically personal services and general expenses. Over the past 5 years the Court has been diligently pushing down on all Court expenses, but we are at the tipping point.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Monterey

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. The Court has a critical need to update its case management system (CMS) to a web-based system which will allow litigants to interact with the court in a paperless environment. Our CMS is at least 10 years old, is antiquated and does not support integration with newer technologies like electronic records, electronic filing, work flow management, public access to records, data exchanges with justice partners, and other enhancements that streamline and optimize court operations.
 - The adoption of technologies for CMS and e-Filing will afford the Court with opportunities to advance court operations, drive process efficiencies and optimize cost savings.
 - Moving to electronic records for Civil case types will save the Court \$2.00 -\$3.50 per document or an estimated \$400K annually.
 - Implementing new case management functions along with process optimization may potentially result in an annual cost savings of \$180K.

We have a current quote from a vender that has been competitively procured for \$2.5M for a web-based CMS application.

Approximate dollar value: \$ 2.5M

2. Inflationary benefit cost increases should be fully funded. Funding restoration should be the top priority, focusing on inflationary cost increases related to Court operations, specifically personal services and general expenses. Over the past 5 years the Court has been diligently pushing down on all Court expenses, but we are at the tipping point. Ideally \$2.3M should be restored to our base budget (Monterey's allocation of the \$261M Reduction). A permanent mechanism for funding inflationary benefit cost increases, that adjusts annually and provides the funding, before the Court books the expense, should be our goal. The Court provides CALPers Health and retirement and at the local level we have little control over these costs as the county manages the contract. We have been able to negotiate to have employees pick up some of the costs, but without NSI's there is little more we can do.

The annual Trial Court's Benefit Cost Change Survey would provide this financial information for all courts.

Approximate dollar value: \$

3. Monterey's facilities have roof leaks, elevator issues, HVAC issues, courtroom acoustical issues, and known safety issues that require adequate funding before fixes can be addressed. Monterey supports seeking adequate funding to manage facility operations costs. The costs can be found in CAFM.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Nevada

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Self evident.
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Self evident.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Without additional funding, courts moving into new courthouses may become insolvent due to the increases in costs associated with the new buildings.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We've been told that the funding provided through CFPs is not nearly enough to cover the annual operating cost of transferred court facilities. Assuming this is true, additional funding should be requested. If another source of funds is not established, buildings will not be properly maintained and the long term costs to keep them functioning will greatly increase.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Old and inadequate case management systems.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We are not opposed to pursuing funding for these judgeships. However, we are concerned that the benefiting courts may not have the fiscal resources to adequately staff the case load assigned to these judges.
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We are not opposed to pursuing funding for these judgeships. However, we are concerned that the benefiting courts may not have the fiscal resources to adequately staff the case load assigned to these judges.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Without an augmentation of our baseline budgets to match the benefits cost increases, we will continue to erode access to justice.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Nevada

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Benefits Costs. The annual increases to benefits costs are beyond a court's ability to control and any increase (without a corresponding increase in baseline funding) reduces the resources needed to ensure adequate access to justice.

Approximate dollar value: \$?

2. Trial Court Security Funding Deficiencies. Many trial courts do not receive enough security funding to properly staff building and courtroom security. As a result, they either choose to accept increased risk of a security breach or they augment the security budget with operations funding. Neither option is acceptable and the State should be pressed to remedy this issue through increased security funding.

Approximate dollar value: \$?

3. Trial Court Technology Needs. A significant number of trial courts have antiquated and failing case management systems. Under the current funding scheme, courts are not able to amass the financial resources needed to replace their CMS. Additional funding must be requested from the State to fill this need before courts experience a catastrophic failure of their primary business system.

Approximate dollar value: \$?

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Orange

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	The Criminal Justice Realignment Act shifted the funding and financial responsibility for court security to the Counties. Therefore the counties and sheriffs should take the lead in requesting money, and the judiciary can lend support. But the judiciary should not take the lead, as we have no control over the money. Moreover, the judiciary might be given the Hobson's choice of funding security or keeping the courts open.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	The Criminal Justice Realignment Act shifted the financial responsibility and funding for court security to the Counties. Therefore, the sheriffs should be requesting additional funding to meet their new responsibilities. The judiciary should not take the lead. We have no legal control over the money. Moreover, the judiciary might be given the Hobson's choice of funding security or keeping the courts open.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The State assumed the responsibility for ongoing operations and maintenance of trial court facilities nearly eight years ago. In this time, there has been no supplemental funding provided to address the increasing cost of business. It is critical for the daily operations and long term functioning of the court facilities that sufficient funding is made available. There is a separate Court Facilities Trust Fund for this, so we cannot 'move' money from operations to maintenance. However, we do have the same problem of the Hobson's choice of funding facility maintenance or keeping the courts open. But if the courthouse is unusable because of facility problems, we are closed either way.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Same reason as given above for facilities costs of new courthouses. We need money to maintain the buildings so we can use them as courthouses.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Courts are faced with many aging and obsolete case management systems. It is vital for the effective operation of the courts that funding be made available to replace the obsolete and failing case management systems.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	We do not have sufficient funding today to support the existing judgeships.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	We do not have sufficient funding today to support the existing judgeships.
Benefit increases	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	The Governor and DOF should fund our branch's benefit increases in the same manner as the other branches of state government are funded. If the other branches receive automatic (that is, DoF adds in to proposed budget) 'technical adjustments' for benefit increases then the judicial branch ought to be treated equally. The judiciary should not

ACTION ITEM 7

	have to submit a BCP for this, especially if it forces the judiciary to choose between funding benefit increases and funding on-going operations.
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**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Orange

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Replenishment of Trial Court Trust Fund for basic operations expenses - The judicial branch collaborated to create a new funding and resource allocation model known as the Workload-based Allocation and Funding Methodology (WAFM). The model defines the trial court operating funding need as \$2.599B for basic operations, whereas our current funding is \$1.44B, resulting in a shortfall of \$1.16B. While the judicial branch acknowledges that the state is not in a position to fund the entire shortfall at this time, the Judicial Branch request a replenishment of a portion of the funding shortfall in FY 2014-15.

Approximate dollar value: \$ 200M to \$1.0B

2. Facilities Operations: Request an amount of funding that will allow the judicial branch to maintain both existing and new buildings at least to the standards used by DGS to maintain state buildings housing the executive and legislative branch. The State assumed the responsibility for ongoing operations and maintenance of trial court facilities nearly eight years ago, including all new costs (Government Code section 70351). It is critical for the daily operations and long term functioning of the judicial branch that sufficient funding be made available.

Approximate dollar value: \$ to be defined by OCCM.

3. CMS Replacement: Courts are faced with many aging and obsolete case management systems. It is vital for the effective operation of the courts that funding be made available to replace the obsolete and failing systems. In addition, new systems will allow streamlining of court operations, permanently reducing operations costs. The funding needs for the courts can be spread out over a number of years. A BCP should be sought for those courts most critically in need (based on a survey of courts) that should be pursuing case management system replacements in FY 2013-14 and FY 2014-15.

Approximate dollar value: \$ \$50,000,000

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Only if the courts have more input on the level of service provided by local Sheriffs' offices
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This issue should also be addressed in any BCP for court security funding deficiencies.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The trial courts cannot provide these additional costs from their current operating budgets.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This program is currently not funded at the level required to meet the needs.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	For those courts who have failing systems or any technology that benefits all trial courts
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	These costs need to be funded at 100% if possible. They are costs over which the trial courts have no or very limited control.

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Benefit Increases - this could be determined by the annual survey submitted by each trial court. These are uncontrollable costs that need to be funded as they are in the executive branch

Approximate dollar value: \$ unknown -

- 2.

Approximate dollar value: \$

- 3.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Riverside

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Criminal Realignment transferred security funding and oversight of court security from the courts to the counties. Riverside strongly believes this is a county responsibility and that the Branch should focus on issues and funding needs that are within the scope of trial court operations and for which the branch has oversight. However, we do believe the Branch should work in collaboration with the Counties and Sheriff organizations and support their requests for funding if the court believes the need is justifiable.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Same as above.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The State assumed responsibility for new and transferred facilities and should also assume responsibility for funding the courts for the ongoing operational costs of them. Since assuming this responsibility there has been no increased funding provided to the courts. It is critical funding be provided to ensure continued operations of court facilities.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Same as above. These two items should be combined.
Trial court technology needs	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Until the branch has a strategic plan that has complete support from the courts, it is unlikely additional technology funding will become available, and highly unlikely that the legislature would appropriate any funding for this purpose.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The branch is critically underfunded in the area of judicial appointments and the courtroom staff that would support the appointments. Counties and resource needs have already been identified. Funding should be allocated to these counties based on workload.
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Same as above. These two items should be combined.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Riverside strongly believes that funding benefit increases, as well as cost of living increases should be automatic, as are these budget adjustments made to the Legislative, Executive and the Judicial Branch state entities. However, if timing does not permit for this negotiation to take place, a BCP should be submitted and should be a high priority. Benefit cost increases, and funding for COLAs equal to those approved for the Legislative, Executive and Judicial Branch state entities, should be sought. Additional funding should also be requested to the extent necessary to eliminate furloughs so that service levels can also return to normal in the trial courts.

July 2013

Budget Change Proposal (BCP) Survey

Superior Court of California, County of Riverside

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Benefit, COLA, and elimination of furloughs: Since SAL has been eliminated, there is no mechanism to provide for staff salary increases. In addition, health benefit costs are on a continuous rise for all courts, just as they are for the Legislative and Executive branch agencies. This will keep the Judicial Branch in line with cost increases provided to other agencies within the State and ensure that the trial courts can be competitive in retaining and recruiting qualified staff.

Calculate salary increases based on 7A data, and include the increase to salary driven benefits; health benefits increases aside from those related to the salary increases, should be based on the benefit survey completed by the trial courts. Courts still enforcing furloughs would have to provide input on what dollar amount would be needed to eliminate existing furloughs; courts who avoided furloughs through use of fund balance would need to provide the annual amount of fund balance utilized to avoid them.

Approximate dollar value: \$

2. Judgeships: New Judgeships are based on criteria as defined in the Judicial Council's Judicial Needs Assessment Report. From this, positions are allocated based on workload. It is critical for this funding to be allocated to those entities within the judiciary that have an identified need to ensure equal access to justice and timely resolution of cases for the residents of the respective counties.

The resources allocated should be calculated utilizing the judge's salary and an average cost of support staff.

Approximate dollar value: \$

3. Facilities costs: New and transferred court facilities are state-owned, should be given the same considerations, and should be maintained under the same standards as other state-owned facilities. To ensure operations continue in a safe and efficient environment, funding should be made available as courts are not in a position to absorb these costs.

OCCM should have information as to the operational costs required for the new/transferred facilities.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Sacramento

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Although we fully support the need for additional court security funding, and Sacramento Superior Court will be standing right behind the Sheriff in their request for additional funding, we don't think we should be the ones requesting a BCP. The security services provided by the Sheriff must continue to meet the needs of the trial court. While we cannot and should not supplement funding from the judicial branch budget for court security, as the funding is not the responsibility of the judicial branch, we must stand united in support of proper funding to the Sheriff's for court security.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Same as above, although we fully support the need for additional court security funding, the Sheriff should be the one requesting BCP's for their court security needs. As more courts open new courthouses in the future, this will become a need to be funded in consideration of new construction - it should be part of the process for total estimates for new courthouses.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This should be pursued in FY14-15 if there is sufficient need documented. As more courts open new courthouses in the future, this will become a need to be funded in consideration of new construction - it should be part of the process and cost estimates for new courthouses.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This has clearly been underfunded and/or underestimated since the beginning of facility transfers from the County to the Courts. There needs to be an ongoing baseline adjustment in order to properly maintain these court facilities.
Trial court technology needs	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Although we do not believe it is the appropriate time to submit a BCP for trial court technology needs until a strategic plan for technology has been developed. This should become a priority once a strategic plan is complete.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	We do not believe it is the appropriate time to submit a BCP for additional judgeships at a time when trial courts do not have sufficient funding to hire staff to support those judgeships. We need to pursue this after trial court funding has been restored to a level that allows us to be able to staff existing courtrooms and programs.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	We do not believe it is the appropriate time to submit a BCP for additional judgeships at a time when trial courts do not have sufficient funding to hire staff to support those judgeships. We need to pursue this after trial court funding has been restored to a level that allows us to be able to staff existing courtrooms and programs.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We absolutely agree that this BCP should be pursued.

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of Sacramento

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. BENEFIT COST INCREASE: This is another top priority for Sacramento and should have been requested in FY 13-14 with the result being the judicial branch has to figure out how to absorb the current year so it is imperative that this is requested each and every year. Benefit increases must be funded for the Judicial Branch, same as they are for all state executive agencies.

Approximate dollar value: \$

2. FACILITY OPERATION COSTS FOR TRANSFERRED FACILITIES: This item/budget has clearly been underfunded and/or underestimated since the beginning of facility transfers from the County to the courts. There needs to be an ongoing baseline adjustment in order to properly maintain these court facilities.

Approximate dollar value: \$

- 3.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of SAN BENITO

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	My agreement is qualified. Notwithstanding the realignment of security funding to the Sheriffs/Counties, the Courts still have a responsibility to ensure the safety of the public, staff, judicial partners, inmates, etc. As such, I'm uncertain if a BCP, legislation or some other process is the answer for additional security funding. However, since I believe security funding is deficient for a majority of the Courts, a BCP is worth the risk of letting the Sheriffs/Counties shirk their "realigned" responsibility to secure additional funds. (See next category)
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	I agree based on the individual need of San Benito. However, ultimately I must disagree as the majority of the Courts won't have a new court facility in FY14-15. As well, despite the realignment of security funding, a BCP for this purpose may provide the Sheriffs/Counties reason to believe that the responsibility for increased security at new courthouses lies with the Judicial Council.
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Again, I agree based on the individual need of San Benito. However, ultimately I must disagree as the majority of the Courts won't have a new court facility in FY14-15.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	See second page.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	In one form or another, technological needs affect all 58 jurisdictions.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	See second page.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	It's highly unlikely that the Judicial Council will receive funding for 100 Judgeships in a single budget cycle. Therefore, this second request for Judgeships could be considered a wasted BCP.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	See second page.

July 2013

Budget Change Proposal (BCP) Survey

Superior Court of California, County of SAN BENITO

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. COUNTY FACILITIES PAYMENT: A BCP and/or legislation to augment funds currently received from the County Facilities Payments is needed to adequately maintain trial court facilities. It's imperative that existing trial court facilities as well as new trial court facilities are maintained according to standards that maximize the use life of the buildings and by extension, the dignity of judicial services. Insofar as building maintenance applies to all 58 jurisdictions and there are varying degrees of need, it's impossible to recommend a dollar value. However, the AOC has records of their original assessments of trial court facilities throughout the State that should provide a valuable reference point for calculations. And a political observation from as far outside the beltway as possible: Additional funding to maintain buildings may be easier to digest by DOF than repaying funds to construct new buildings.
Approximate dollar value: \$ See Above
2. BENEFIT INCREASES: A BCP for benefit increases will provide financial assistance to offset a statewide issue. Notwithstanding that some of the increases may be the result of ill-advised labor agreements, offsetting these increases will absorb a recurring expense as well as provide partial budgetary relief. Similar to a BCP building maintenance, it's impossible to recommend a dollar value given the lack of knowledge about the individual trial court budgets. In another political observation, the unions may have a temporary reason to remain silent if the funding is authorized specifically for an expense that helps their clientele.
Approximate dollar value: \$ See Above
3. SECOND 50 JUDGESHIPS: A BCP to fund the second set of 50 Judgeships will provide numerous Courts the ability to provide their communities with greater judicial services. As well, funding for the 50 Judgeships is likely to provide ancillary benefits in the form of modestly increased flexibility with managing budgets and staff. A recommended dollar amount isn't provided due to an understanding that this figure is mostly predetermined.
Approximate dollar value: \$ See Above

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of San Bernardino

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Security funding as a BCP is essential, though I think misunderstood by many court leaders. We need to make clear to the state that 1) the security realignment DOES NOT fully fund court security cost growth, and 2) the impact upon courts of not providing sufficient funding - that is, an unacceptable reduction in security services.
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This was an area specifically not addressed in the realignment and a funding approach needs to be developed.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Facility operations costs for transferred facilities	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We may need a placeholder, but a BCP discussing ongoing annual needs, especially for case management system replacement is needed.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	At least the 2nd 50 should be proposed.
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This should be a baseline adjustment not requiring a BCP. However, if DOF won't honor that, then BCP definitely.

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of San Bernardino

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Court Security

Approximate dollar value: \$

2. New Judgeships

Approximate dollar value: \$

3. Funding for staff salaries, retirement, and other benefit costs. (This should be a baseline adjustment, not a BCP, but needs to be included in the budget.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of San Diego

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies		X	With the realignment of court security funding from the court to the county, additional security funding must be led by the Sheriff's and CSAC.
Security funding at new court facilities		X	With the realignment of court security funding from the court to the county, additional security funding must be led by the Sheriff's and CSAC.
Facility operations costs for new courthouses	X		Due to budget reductions and restrictions on fund balances, courts will have very limited resources to fund any additional costs for new facilities.
Facility operations costs for transferred facilities	X		Due to budget reductions and restrictions on fund balances, courts will have very limited resources to fund any additional costs for facilities.
Trial court technology needs	X		Old case management systems need to be replaced and/or upgraded in many counties throughout the state.
2nd 50 Judgeships	X		Most courts have reduced staffing due to years of budget cuts so additional funding will be needed to staff additional judgeships.
3rd 50 Judgeships	X		Most courts have reduced staffing due to years of budget cuts so additional funding will be needed to staff additional judgeships.
Benefit increases	X		Our court will have benefit increases in the next three fiscal years. A process to fund these types of increases on an on-going basis statewide is critical.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of San Diego

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important.

Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Benefit Increases:

For FY 11-12, the court has \$1.6 million in benefit increases that are not funded on an on-going basis. Also, the court's FY 12-13 ongoing benefit funding need is \$3.5 million. Currently, the AOC has not been able to guarantee that these benefit increases will be funded in the future. In addition, the court estimates that for FY 13-14 and FY 14-15 benefit costs increases will be approximately \$2.5 million each year due to retirement rate increases.

Approximate Dollar Value: \$10.1 million

2. Trial Court Technology Needs:

Since 2012 when CCMS V4 was removed from the Courts as a potential CMS system, the issue of our Court requiring CMS to replace aged system continues to be a critical need for our Courts.

In 2012 through 2013, a number of state Courts participated in the identification and award of viable CMS systems that California Courts could contract with locally and individually to meet this critical need area. Costs for small, medium and large Courts were made known through this process whereby Courts could enter into their own Master Service Agreements for systems that met their requirements.

CMS implementations focused within the current state Court Approved vendors make this an affordable option if done through separate project implementations spread over multiple fiscal years thus sharing the cost for procurement and case type implementation.

In San Diego, a high-level, 48 month implementation for upgrading our aged Family, Criminal, and Traffic systems through Tyler Technologies is being reviewed.

Family Case Category - Tyler Technologies has provided San Diego with a one-time implementation cost of \$3,418,000 to install Family Law, which would include the cost for the software licensing, Tyler Professional Services and Travel Expenses as they assist us in the onsite implementation and data conversion activities. Infrastructure costs for hardware, software and

ACTION ITEM 7

labor has been factored in to the costs. Additional on-going maintenance costs of \$527,000 will be required.

Criminal Case Category – Tyler Technologies has provided San Diego with a one-time implementation cost of \$3,712,000 to install a new Criminal System. This system, like Family Law, will include the cost of software licensing, Tyler Professional Services and Travel Expenses, which will be a slight increase in costs due to the Criminal case category requiring a more complex onsite implementation and data conversion effort as we also begin to develop and plan for our local Justice Partner integration requirements. Infrastructure costs for hardware, software and labor has been factored in to the costs. Additional on-going maintenance costs of \$357,000 annually.

Traffic Case Category - Tyler Technologies has provided San Diego with a one-time implementation cost of \$2,866,000 to install a new Traffic System. This system, like Family Law, will include the cost of software licensing, Tyler Professional Services and Travel Expenses. Infrastructure costs for hardware, software and labor has been factored in to the costs. Additional on-going maintenance costs of \$288,000 annually.

Additional On-going Costs:

A required six Full Time IT Application Programmer staff will be required to support the three implementations and ongoing support activities. This is estimated to be \$806,400 ongoing.

Approximate Dollar Value: The total estimated cost for all three case categories is \$11,974,400.

3. Facility Operations Costs for New Courthouses:

When the new Central Courthouse facility opens, the court will have additional costs for after-hours security, janitorial costs and weekend overtime paid to the Sheriff. Currently, the court is paying a proportionate share of these expenditures based on building occupancy in three court facilities. The completion of the new courthouse will consolidate staff from all three facilities in one building. Since the new courthouse will only be occupied by court staff, the court will need additional funding to pay 100% of these costs rather than a proportionate share.

Approximate Dollar Value: \$450,000 to \$650,000

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Despite the fact that security funding has been transferred to local counties in the budget, it is important for the branch to advocate for adequate funding because sufficient security makes court operations more efficient. The fact is security is an integral part to a smooth-running court, and therefore we must have an obligation to ensure security is adequate.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	New facilities are built to replace existing facilities. One of the intents of new facilities should always be to make operations more efficient. Thus, it should be the case that a new facility replacing an existing facility should be able to operate with just as much or even less security than the building or buildings that the new facility replaced. For instance, if a new facility is built that has better security features than the replaced facility, examples being it is less porous by having fewer uncontrolled or unmonitored egress points or actually has separate circulation corridors for public, judges/staff, and in-custody defendants, than the funding that was in place to operate security in the replaced facilities should be sufficient for the new facility. If this is not the case, then the solution should be to design new facilities to better use existing resources - not to design new facilities that will require more resources and then ask for these resources through a BCP.
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Similar to the response above, new facilities should be designed to make better use of existing resources. Then, courts need to take it a step further and use the new facility equipped with current design elements to become more efficient. For instance, technology should be an integral part of the facility design and building process. Then, once a new facility is built, the court should modernize filing processes and procedures (e-filing, imaging, etc). The solution is to build new courthouses that will better use existing resources - not to build new courthouses that will require more resources and then ask for these resources through a BCP.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Transferred facilities are relics that we must live with. We all know that there is insufficient funds to replace all existing facilities with new ones. Yet, these facilities are assets of the branch, and we must maintain them properly to avoid deterioration. The public sector is prone to deferring building maintenance in favor of new initiatives or other services. However, this actually costs more money in the long run, as replacement of major building components is far more costlier than just maintaining existing components to ensure maximum lifespan.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Technology costs are one-time investments to become more efficient. Given the lean budgets that the courts have experienced and the probable continuation of lean budgets, it is vital that technology investments be made to become more efficient and save money and resources in the long run.

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2 nd 50 Judgeships <input type="checkbox"/> Agree <input checked="" type="checkbox"/> Disagree	Courts throughout the state are suffering from years of budget cuts that have resulted in service and staff reductions. Seeking new judgeships now would essentially be asking for more judges in a time when courts do not have sufficient services or staff to support that judges that currently exist..
3 rd 50 Judgeships <input type="checkbox"/> Agree <input checked="" type="checkbox"/> Disagree	Same as above
Benefit increases <input checked="" type="checkbox"/> Agree <input type="checkbox"/> Disagree	Benefits is an area of court budgets that is bound to increase every year with little or no control by the court. Courts can negotiate lower benefits contributions in our labor agreements, but the annual premium increases by insurance providers and retirement systems far outweigh any savings that are generated by lower contribution rates that are negotiated. Further, if benefits increases are funded for the executive and legislative branches, so too should it be funded for the judicial branch.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of San Francisco

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Benefits Funding

Reasons stated above. Methodology for calculating value should be survey-based as was done in prior years.

Approximate dollar value: \$

2. Security Deficiencies Funding

Reasons stated above. Methodology for calculating value should be survey-based as was done in prior years.

Approximate dollar value: \$

3. Trial Court Technology Needs

Reasons stated above. Methodology for calculating value should be survey-based to assess what each trial court's top priorities are with the understanding that the trial court has done some preliminary costing-out of the need.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of San Joaquin

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	This court has never been fully funded for court security costs, including perimeter screening. Because we did not have sufficient funding, we had to use court attendants in our 5 dedicated civil courtrooms. Today, that cost continues to be our expense. Had we had sufficient funding to pay for deputy sheriffs in those courtrooms, today, that cost would belong to the county under the Court Security Realignment statute. Perimeter screening is another concern. If funding for court security are "equalized" across the state and standards are developed, then perimeter screening should also be done by deputy sheriff staff and not private security. Those courts who had sufficient funding to cover perimeter screening costs with sheriff deputies, continue to enjoy this benefit with the court security realignment. Those of us who were not successful in obtaining additional court security funding, prior to realignment, continue to have and absorb those expenses out of regular court operations funding.
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	There will be increased security related costs for new court facilities. These costs increases include additional screening stations and staff to run these stations; alarm systems monitoring; and night guards.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	There will be increased facility operations costs for new courthouses. The biggest ongoing cost is for janitorial and janitorial supplies.
Facility operations costs for transferred facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	We did not experience increased facility operations costs with the transfer of our court facilities.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	As courts can no longer build a fund balance for more than 1% of its base funding, the financial ability for courts to pay for new case management systems or other technological advances has been eliminated. A BCP supported by the state, appears to be the only method for courts to meet their future technology needs.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The judicial branch will need these judicial officers and the standard complement of staff, immediately. As the economy has begun to improve and our law and justice partners of our cities and counties have begun to hire staff, we will quickly find ourselves lagging behind our partners. The arrests and filings will increase and we will not be in a position to support the increase in workload.
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The judicial branch will be needing these judicial officers and the standard complement of staff, immediately. As the economy has begun to improve and our law and justice partners of our cities and counties have begun to hire staff, we will quickly find ourselves lagging behind our partners. The arrests and filings will increase and we will not be in a position to support the increase in workload.

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Benefit increases <input checked="" type="checkbox"/> Agree <input type="checkbox"/> Disagree	This is an area where courts have no control over the increases. Like the Executive and Legislative branches of government, these increases should be funded, ongoing, annually.
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**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of San Joaquin

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Benefit increases - This is an area where courts have no control over the increases. Like the Executive and Legislative branches of government, these increases should be funded, ongoing, annually. The cumulative approximate dollar value for these cost increases for our court beginning FY10-11 through FY12-13 are \$3,501,374.

Approximate dollar value: \$ 3,501,374

2. Trial court security funding deficiencies - This court has never been fully funded for court security costs, including perimeter screening. Because we did not have sufficient funding, we had to use court attendants in our 5 dedicated civil courtrooms. Today, that cost continues to be our expense. Had we had sufficient funding to pay for deputy sheriffs in those courtrooms, today, that cost would belong to the county under the Court Security Realignment statute. Perimeter screening is another concern. If funding for court security are "equalized" across the state and standards are developed, then perimeter screening should also be done by deputy sheriff staff and not private security. Those courts who had sufficient funding to cover perimeter screening costs with sheriff deputies, continue to enjoy this benefit with the court security realignment. Those of us who were not successful in obtaining additional court security funding, prior to realignment, continue to have and absorb those expenses out of regular court operations funding.

Approximate dollar value: \$ 2,083,893

3. 2nd 50 Judgeships - The judicial branch will need these judicial officers and the standard complement of staff, immediately. As the economy has begun to improve and our law and justice partners of our cities and counties have begun to hire staff, we will quickly find ourselves lagging behind our partners. The arrests and filings will increase and we will not be in a position to support the increase in workload.

Approximate dollar value: \$ 2,584,129

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of San Mateo

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Benefit Increase

Approximate dollar value: \$ have already sent in info

2. Deficiencies related to trial court security
- not a current problem in San Mateo - but we support for other courts where this is an issue.

Approximate dollar value: \$ _____

3. _____

Approximate dollar value: \$ _____

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of San Mateo

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	agree		not an issue currently for San Mateo, but I support this as a priority knowing that it is an issue at other courts
Security funding at new court facilities			
Facility operations costs for new courthouses			
Facility operations costs for transferred facilities			
Trial court technology needs			
2 nd 50 Judgeships			
3 rd 50 Judgeships			
Benefit increases	agree		this is the main priority BCP for our court

July 2013
Budget Change Proposal (BCP) Survey
Superior Court of California, County of Shasta

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	strongly		Security continues to operate at a deficit
Security funding at new court facilities		X	Consolidated facilities should have a lower security cost
Facility operations costs for new courthouses		X	Save this one for the following year
Facility operations costs for transferred facilities	X		Buildings are falling apart and their replacements delayed
Trial court technology needs	strongly		Projects that will save \$, converting paper to digital
2 nd 50 Judgeships	X		
3 rd 50 Judgeships		x	Save this one for the following year
Benefit increases	X		The same increases afforded to the other branches

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Shasta

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. a) Eliminate the \$261 million ongoing reduction to the trial courts and restore the money using WAFM. The trial courts cannot sustain this reduction each year and continue to operate. Likewise the money should be replaced using the new methodology in order to get severely underfunded courts back on track.
b) Provide funding to operate comprehensive collections programs in courts that receive no trial court funding or insufficient funding for this effort that generates increased revenue for the state. It would pay for itself.
Approximate dollar value: \$ 261m b) 200m
2. Fund court appointed dependency counsel expenses so that all costs incurred by the trial courts are funded. The courts are mandated to provide attorney services. Costs that exceed the annual allocation must come out of funds that are used to pay for court operations. Due to the erosion of funding over the last several years courts must lay off staff in order to have sufficient money to pay court appointed counsel. Allocations are not being adjusted according to increased need which is substantiated with solid data collection and statewide standards for representation.
Approximate dollar value: \$ 6 or 7m statewide (locally our deficit is over \$200,000.)
3. Provide one-time funding for courts to utilize technology to save money. Projects that require substantial capital outlay such as converting phones to voice over IP will save money over the long term but underfunded courts can never come up with the initial investment. Another example would be converting old paper records stored in leased space all across this state to digital format. Scanning is costly but the ultimate savings would be huge in terms of lease savings and ultimately the square footage needed in our existing and future facilities.
Approximate dollar value: \$ 100m (let the Council allocate based on project presentations made to them)

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Solano

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Our Sheriff's Office has thus far been able to provide security with the funding provided by the state; however, that is clearly not the case in all courts. The Solano Sheriff has taken the position that he will not backfill if there is not sufficient funding. Adequate funding for all courts is necessary. I would like to see CSAC or the Sheriffs take the lead with the JC joining or supporting a BCP; however, if there is insufficient funding in this area it will either greatly impact our operation and/or local budget.
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We have a new facility opening in 2014. Security funding has not been identified for perimeter security costs. Solano supports a BCP in this area.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We have a new facility opening in 2014. There is currently insufficient funding to operate current court facilities statewide, not to mention new facilities that will open across the state pursuant to SB 1732 and SB 1407. This is one of the top three for Solano.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	There is insufficient funding to currently maintain transferred facilities and Solano supports a BCP in this area.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	The only concern with a BCP in this area is the state's demand that a technology road map be in place prior to submission. Accordingly, this BCP may be premature. Solano defers to the Technology Committee on timing for this BCP, but fully supports as a concept.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	We have one AB 159 judgeship and would like to see these positions funded.
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Solano supports funding for the 3rd set of 50; however, we believe the 2nd round should be funded prior to making a full court press for the 3rd set.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Solano ranks this as the top priority BCP. Benefits funding impacts all courts statewide and negatively impacts our budgets when not funded. The Judicial Branch should be treated the same as the Legislative and Executive Branch for benefits funding.

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of Solano

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Benefits -- we are currently working on the benefits survey and anticipate having the cost survey completed within the next few weeks.

Approximate dollar value: \$

2. Facility Operations Cost for New Facilities -- We have not yet calculated this figure.
Security Funding for New Facilities -- Sheriff's Office working on a cost calculation for this survey.

Approximate dollar value: \$

3. 2nd 50 Judgeships -- dollar amount calculated when judgeship bill adopted in AB 159.

Approximate dollar value: \$

July 2013
Budget Change Proposal (BCP) Survey
Superior Court of California, County of Sonoma

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies		X	While some Courts may be experiencing a deterioration in the level of court security services by their local Sheriff's Departments, AB 109 shifted the financial responsibility from the branch to the County. The immediate and long-term solution should be via legislation and not BCP submitted by the branch. The trials courts are being held hostage by Sheriffs and the legislature. The branch is not equipped to verify the true costs reported by the Sheriffs and trial courts have no leverage to ensure that tax payer dollars are being spent efficiently and as intended by law.
Security funding at new court facilities		X	I would have the same strong objections for court security (Sheriff). I would only support weapons screening if funded by the Court and after verification by the appropriate advisory committee
Facility operations costs for new courthouses		X	Seeking a BCP to address this ongoing and long-term problem is a simple band aid approach and may lead to a one-time solution to a long-term problem. A better approach is to secure a legislative fix and greater political pressure on the executive branch to stop borrowing from earmarked trial court facilities funds and repay the previously redirected funds.
Facility operations costs for transferred facilities		X	Seeking a BCP to address this ongoing and long-term problem is a simple band aid approach and may lead to a one-time solution to a long-term problem. A better approach is to secure a legislative fix and greater political pressure on the executive branch to stop borrowing from earmarked trial court facilities funds and repay the previously redirected funds.
Trial court technology needs		X	While tremendous progress is being made in addressing our statewide technology needs, the branch needs to develop a comprehensive statewide technology plan to ensure that it addresses strategic needs and sustains broad stakeholders' support and buy-in. Without this pre-requisite work, this well-intentioned BCP will

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			be dead-on-arrival and will not address the most critical needs for most courts.
2nd 50 Judgeships		X	While I recognize the critical need for additional judges, adding more judges at a time when most courts don't even have sufficient support court staff to sustain existing operations may result in unintended adverse consequences. In some cases, the courts that would be receiving some of these new judges have had to close some of their existing courthouses/courtrooms. Additionally, adding new judges may result in additional funding to address court security and court facility needs. I don't think this is the right time to submit this BCP.
3rd 50 Judgeships		X	While I recognize the critical need for additional judges, adding more judges at a time when most courts don't even have sufficient support court staff to sustain existing operations may result in unintended adverse consequences. In some cases, the courts that would be receiving some of these new judges have had to close some of their existing courthouses/courtrooms. Additionally, adding new judges may result in additional funding to address court security and court facility needs. I don't think this is the right time to submit this BCP.
Benefit increases	X		While I agree that we should submit a BCP for these costs, the branch should consider a different strategy to secure greater buy-in and minimize the argument that we have 58 different rates and some are within local control. Maybe approaching a statewide average to cover increases, similar to the old SAL formula.

July 2013
Budget Change Proposal (BCP) Survey
Superior Court of California, County of Stanislaus

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies		X	The Court believes this is a county responsibility
Security funding at new court facilities		X	The Court believes this is a county responsibility
Facility operations costs for new courthouses	X		
Facility operations costs for transferred facilities	X		
Trial court technology needs	X		
2 nd 50 Judgeships	X		
3 rd 50 Judgeships	X		
Benefit increases	X		

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of _____

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. _____

Approximate dollar value: \$_____

2. _____

Approximate dollar value: \$_____

3. _____

Approximate dollar value: \$_____

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Sutter

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Given the branch is no longer responsible for this funding due to realignment, this issue should be resolved through legislation and not a BCP.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Given the branch is no longer responsible for this funding due to realignment, this issue should be resolved through legislation and not a BCP.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Agree, as this is a critical component of a new facility program and there are no other alternatives available.
Facility operations costs for transferred facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Not at this time. While these needs are critical, restoration of discretionary funding is a higher priority.
Trial court technology needs	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Not at this time. While technology needs are critical, restoration of discretionary funding is a higher priority.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	An adequate number of judgeships is the foundation for access to justice. (Note: It seems some consideration will need to be given to how any funding provided to trial courts in support of new judgeships will be distributed in light of WAFM.)
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	An adequate number of judgeships is the foundation for access to justice. Also see note above.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	As these are routinely provided to Executive Branch departments, we should apply and expect to receive the same.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Sutter

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Restoration of baseline discretionary funding necessary to provide and support core operations.

Amount to be based on either restoration of previous reductions or may be supported by WAFM.

Approximate dollar value: \$ TBD

2. Costs related to the opening and operation of new facilities as this is a critical component of a capital outlay program.

Costs would be determined by the net increase in critical facility operational costs directly related to the new facility to include but not be limited to utilities, building and systems maintenance, moving, and custodial.

Approximate dollar value: \$ TBD

3. New Judgeships. Adequate judgeships are the single most critical resource essential to the delivery of justice. In light of WAFM a new funding strategy needs to be developed to identify the amount of funding required, and how it will be distributed, to support new judgeships. For example, if a court that under the historical funding model has been comparatively well funded receives funding for a new judgeship, does funding for support of a new judgeship get allocated directly to that court, and if so, how is it treated for purposes of WAFM; or is the support funding redistributed statewide pursuant to WAFM?

Approximate dollar value: \$ TBD

July 2013
Budget Change Proposal (BCP) Survey
 Superior Court of California, County of Trinity

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	X		Providing a safe environment is a critical core function.
Security funding at new court facilities	X		Providing a safe environment is a critical core function.
Facility operations costs for new courthouses	X		Refer to comments in # 3 below.
Facility operations costs for transferred facilities	X		Refer to comments in # 3 below.
Trial court technology needs		X	Statewide, this may not be a critical request at this time.
2 nd 50 Judgeships		X	Mitigated by the Assigned Judges Program and Reciprocal Orders
3 rd 50 Judgeships		X	Mitigated by the Assigned Judges Program and Reciprocal Orders
Benefit increases	X		A necessary budget expense.

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of Trinity

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. One BCP to include Marshal and Sheriff security needs. It is a critical core function of the courts to provide a safe and secure environment for judges, court staff and the public we serve. This is a "safety" issue first and foremost with acts of violence and threats of violence on the rise. Presiding Judges have a duty to work with the AOC, Marshal/Sheriff and State to resolve security deficiencies especially when funding adversely impacts resources (manpower & equip.).
Approximate dollar value: \$ TBD based on follow-up security surveys. Trinity's need is \$270K.

2. Retirement and health care costs should be funded for the Judicial Branch like the other 2 branches. Courts have been fiscally responsible in sharing these costs with employees when possible through labor negotiations and in compliance with new legislative mandates. However, rising costs continue to impact our ability to sustain. If benefits costs are not funded by the state, personal service costs may affect staffing levels resulting in diminished services to the court users.
Approximate dollar value: \$ TBD based on annual benefit surveys.

3. The state has made an investment into new courthouses, therefore they should first be "secure" (rated #1 above) and second be maintained. This is a difficult one to rate because older facilities and historic courthouses are in critical need of improvements, maintenance and modifications.
Just like security, the needs for new and transferred facilities should be combined into one BCP. Legislative updates may be necessary to assist courts occupying historic courthouses to meet their needs.
Approximate dollar value: \$ _____

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Tulare

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	No issues to date with court security funding deficiencies in Tulare County.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	No issues to date with court security funding deficiencies in Tulare County.
Facility operations costs for new courthouses	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	The BCP priority should be adequate funding to the trial courts so that trial court operations can be maintained at a level that supports the public's right to access to justice.
Facility operations costs for transferred facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	The BCP priority should be adequate funding to the trial courts so that trial court operations can be maintained at a level that supports the public's right to access to justice.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	It is crucial that adequate funding be made available directly to the trial courts for technology needs so that the automation of processes at the trial court level can be adequately developed. These automated processes will assist the trial courts with necessary efficiencies resulting from unprecedented budget reductions.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Not a priority when the court is laying off current employees and can not afford the staff that would need to be hired for a new judgeship.
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Not a priority when the court is laying off current employees and can not afford the staff that would need to be hired for a new judgeship.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	It is imperative that the trial courts be funded for annual benefit cost increases. Benefit cost increases are fully funded in the legislative and executive branch because those branches acknowledge the necessity of additional funding for these cost increases. The judicial branch should be similarly funded for benefit cost increases.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Tulare

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Trial Court Operations Expenditures - by far the most important BCP priority should be adequate funding of trial court operations expenditures. Tulare County has closed facilities, laid off a commissioner and several employees and has implemented mandatory furloughs of 12 days a year for a 4.62% pay reduction to staff (we are entering our 5th year of mandatory furloughs), to name just a few cost savings measures. We are now facing this new fiscal year with a \$3.7 million dollar deficit. We are already operating at the bare minimum. All that is left to cut is additional employees which will have a catastrophic impact to the public in the form of severely limited access to justice. The BCP priority should be a restoration of trial court funding to a level adequate to support trial court operations so that the public's right to access to justice is maintained.

Approximate dollar value: \$ 3,700,000 - for Tulare court

2. See response above.

Approximate dollar value: \$

3. See response above.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Ventura

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	We understand that this is an issue with some courts, but believe that the inequities should be addressed legislatively rather than through a Judicial Branch BCP.
Security funding at new court facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	

July 2013
Budget Change Proposal (BCP) Survey

Superior Court of California, County of Ventura

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... **When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.**

1. Benefits Increases. The accumulation of unfunded ongoing benefit and retirement increases over the past several years will account for almost 20% of our structural deficit projected for the end of FY 13-14. Access to the court may be further limited without funding for incurred obligations.

Approximate dollar value: \$ \$1.4 mil local, est. \$82 mil s

2. Facilities operations costs for transferred facilities. It has become clear that the annual maintenance CFP's submitted by the counties does not generate enough money to cover the operations and maintenance of the trial courts. We are concerned that alternatives such as across the board application of a funding per square foot standard based on total CFP payments will not raise the level of maintenance and operations for deficient facilities, and risks lowering the level for all court facilities. A BCP is warranted here consistent with the intent of SB 1407.

Approximate dollar value: \$ \$600,000 locally; statewide

3. Trial court technology needs. The Court supports the efforts of the Judicial Council's Technology Advisory Committee in developing an approach for funding trial court technology needs. We face the immediate challenges of a failing civil/dependency case management system, uncertainty of future maintenance for V3 which hosts our civil, small claims, and probates case types. Other technology needs include e-filing, and electronic document management systems. Caps on reserves removes a funding source used in the past for technology, which is why a BCP is a high priority for us.

Approximate dollar value: \$ \$12 mil locally; statewide

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Yolo

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	The Sheriff's Association, however, the Sheriff's Association should take the lead in advocating for additional funding in collaboration with the Judicial Branch.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	Based on the same reasoning as above, if the Sheriff's Association needs additional resources to manage security in new court facilities, they should take the lead in those advocacy efforts.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Adequate funding for facilities, both new and transferred, is needed to maintain the safety and functionality of all court facilities.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Ongoing funding is needed for servers and infrastructure. This item should not be merely for Case Management Software.
2 nd 50 Judgeships	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
3 rd 50 Judgeships	<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Benefit cost increases continue without adequate ongoing funding allocated to the courts. This should be a top priority (see additional comments on next page).

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Yolo

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Ongoing funding for Court Operations should meet the needs identified in the new Workload Allocation Funding Methodology. As such, the Branch should request funding to fully implement the methodology. Lack of adequate funding jeopardizes the needs of the public. The request should also include: benefit cost increases; court-appointed dependency counsel; replacement of screening stations; technology replacement and upgrades; Statewide Technology Costs.

Approximate dollar value: \$ Workload Allocation Fundin

2. Benefit cost increases continue year after year without adequate ongoing funding allocated for these costs. Courts need ongoing funding for these increases in order to maintain current levels of service. Without adequate funding for the ongoing increases, Courts are forced to make operational adjustments to keep pace with the cost increases which are largely beyond the Court's control.

Approximate dollar value: \$ Benefit Cost Increase Surv

- 3.

Approximate dollar value: \$

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Yuba

Below is a rough list of proposed trial court BCPs for FY 2014-2015 that the AOC has developed. Please let us know **whether you agree or disagree with pursuing these proposals for FY 2014-15 and the reason for your agreement or disagreement.**

Proposed BCP	Agree	Disagree	Explanation
Trial court security funding deficiencies	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	This is a county issue with the realignment of court security funding from court to county.
Security funding at new court facilities	<input type="checkbox"/> Agree	<input checked="" type="checkbox"/> Disagree	This is a county issue with the realignment of court security funding from court to county.
Facility operations costs for new courthouses	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Maintain facilities and investments already spent.
Facility operations costs for transferred facilities	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Maintain facilities so that they do not fall into disrepair and require the need for new construction of courthouses.
Trial court technology needs	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Trial court technology is the backbone of the entire court operation. With the new surplus limitations, individual trial courts will no longer have the resources to pursue major technology upgrades and/or refreshers. Examples include CMS, jury, & phone systems, among others.
2 nd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Due to workload.
3 rd 50 Judgeships	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Due to workload.
Benefit increases	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	Due to rising health care costs (Affordable Health Care Act) and retirement costs (PEPRA), the court will have no control over these costs.

**July 2013
Budget Change Proposal (BCP) Survey**

Superior Court of California, County of Yuba

Please report what you believe are the top 3 statewide BCPs that the branch should pursue on behalf of the trial courts for FY 2014-15, along with an explanation of why you believe them to be important. Examples might include benefits costs, Phoenix costs, court-appointed dependency counsel costs, costs for replacing screening stations, etc... When providing your list, please also include a rough estimate of what you believe to be the approximate dollar value(s) of your proposed BCPs or a suggestion on how the dollar value(s) could be determined.

1. Trial court technology - Trial court technology is the backbone of the entire court operation. With the new surplus limitations, individual trial courts will no longer have the resources to pursue major technology upgrades and/or refreshers. Examples include CMS, jury, & phone systems, among others.

Approximate dollar value: \$ unknown, survey courts

2. Benefits increases - Due to rising health care costs (Affordable Health Care Act) and retirement costs (PEPRA), the court will have no control over these costs.

Approximate dollar value: \$ unknown, survey courts

3. All others

Approximate dollar value: \$ unknown, survey courts