



JUDICIAL COUNCIL
OF CALIFORNIA

ADMINISTRATIVE OFFICE
OF THE COURTS

Trial Court Budget Advisory Committee

Tuesday, March 25, 2014

JCC Board Room, San Francisco

| Time | Item | Presenter |
|--------------------|--|--|
| 10:00 – 10:10 a.m. | Approval of Meeting Minutes Public Comment (p. 1-2) | Hon. Laurie Earl, Co-Chair of the TCBAC and Judge of Superior Court of Sacramento County Zlatko Theodorovic, Co-Chair of the TCBAC and Director, AOC Fiscal Services Office |
| 10:10 – 10:55 a.m. | Item 1: Court Interpreter Allocations (Action Item) (p. 44-50) | Hon. Barry Goode, Chair of Interpreter Funding Subcommittee, Judge of Superior Court of Contra Costa County |
| 10:55 – 11:25 a.m. | Item 2: IMF Allocations for 2014–2015 (Action Item) (p. 3-9) | Hon. Robert Trentacosta, Judge of Superior Court of San Diego County Sherri R. Carter, Executive Office of Superior Court of Los Angeles County |
| 11:25 – 11:45 a.m. | Item 3: TCTF 2014–2015 BCP (Action Item) (p. 51-63) | Hon. Robert Trentacosta & Sherri R. Carter |
| 11:45 – 12:15 p.m. | Item 4: WAFM Adjustment Request – Mendocino Superior Court (Action Item) (p. 10-30 and 40-43) | Hon. Laurie Earl |
| 12:15 – 1:00 p.m. | Break | |
| 1:00 – 1:20 p.m. | Item 5: BCP Priorities for 2015–2016 (Action Item) (p. 31-39) | Hon. Laurie Earl & Zlatko Theodorovic |
| 1:20 – 1:50 p.m. | Item 6: 1% Cap (Discussion Item) (p. 64-108) | Zlatko Theodorovic |
| 1:50 – 2:30 p.m. | Item 7: Allocation of Monies Above 1% Cap (Discussion Item) | Hon. Laurie Earl & Zlatko Theodorovic |
| 2:30 – 2:45 p.m. | Wrap-Up | Hon. Laurie Earl & Zlatko Theodorovic |

Trial Court Budget Advisory Committee
AOC San Francisco Office – Judicial Council Boardroom
Minutes for Meeting of January 30, 2014

Trial Court Budget Advisory Committee members present: Judge Laurie M. Earl, Co-Chair, Zlatko Theodorovic, Co-Chair; Judges Loretta M. Begen, Thomas J. Borris, Rene A. Chouteau, Mark A. Cope, Thomas DeSantos, Barry P. Goode, Lloyd L. Hicks, Elizabeth W. Johnson, Laura J. Masunaga, Marsha Slough, Robert J. Trentacosta, Brian Walsh, and David S. Wesley; court executive officers Sherri R. Carter, Jake Chatters, Richard D. Feldstein, John Fitton, Rebecca Fleming, Kimberly Flener, Shawn C. Landry, Deborah Norrie, Michael D. Planet, Michael M. Roddy, Brian Taylor, Mary Beth Todd, and David H. Yamasaki; advisory members present: Jody Patel.

Members absent: Judge C. Don Clay, Tania Ugrin-Capobianco, and Christine Volkers.

Public Comment

No in-person public comment was presented.

Written Comments Received

No written comments were received.

Approval of Minutes

The minutes of the January 16, 2014 Trial Court Budget Advisory Committee (TCBAC) meeting were approved unanimously.

Item 1 – Telecommunication (LAN/WAN) Program Allocation from the Improvement and Modernization Fund for 2013–2014

A motion was made and approved unanimously to approve the recommendation of the Court Information Technology Management Forum (CITMF) of an increase in \$6,868,480 in 2013–2014 to the Telecommunications program’s Judicial Council-approved allocation of \$8,740,000. The total recommended budget of \$15,608,480 is recommended to be used as follows:

- \$3,750,000 for managed network security services for 57 courts;
- \$2,100,000 for the master maintenance agreement for 58 courts; and
- \$9,758,480 for technology refresh projects for 13 courts with program savings used to provide a new LAN/WAN infrastructure at Alpine Superior Court and prioritize the core technology refresh at Los Angeles, Orange, and San Diego Superior Courts.

Zlatko Theodorovic indicated that the recommendation would be presented to the Judicial Council members by way of circulating order so that the item can be addressed without the need to wait for the next formal council meeting.

Item 2 – Judicial Council Request Related to Court Interpreter Funding and Reimbursement

This is an information only item at this time. Judge Earl stated that a subcommittee will be formed quickly to develop recommendations for the entire advisory committee, as directed by the Judicial Council, to be presented to the council at its April meeting. Members were asked to let her know if they were interested in participating in the subcommittee.

Item 3 –Workload-Based Allocation and Funding Methodology

A motion was made and approved unanimously to recommend that the Judicial Council approve that starting in 2014–2015, Workload-Based Allocation Funding Model (WAFM) cluster 1 courts no longer be exempt from having their historical base funding reallocated using WAFM.

Item 2: Recommendation of the Revenue and Expenditure Subcommittee – 2014–2015 State Trial Court Improvement and Modernization Fund Allocations

Issue

How to address the projected negative fund balance of \$7.7 million in 2014–2015 (see column B, row 14, Attachment 2B) and a structural (ongoing) deficit of about \$25 million (see row 15, Attachment 2B) in the State Trial Court Improvement and Modernization Fund (IMF)?

Subcommittee Meetings

The subcommittee met on August 1, 2013, October 31 and November 1, 2013, and March 17, 2014.

Recent TCBAC Action Related to the IMF

At its meeting on January 16, 2014, the TCBAC adopted 2014–2015 IMF allocation levels as recommended by the subcommittee for recommendation to the council (see Attachment 2D). In addition, the TCBAC adopted the subcommittee's recommendation that the council direct the council's Technology Committee to develop a plan to eventually eliminate subsidies from the Trial Court Trust Fund (TCTF) and IMF to courts for V3 (civil, small claims, probate, and mental health) case management system and Sustain Justice Edition costs. Both these recommendations will be presented to the council for approval at the council's April 25, 2014 business meeting.

The 2014–2015 TCTF allocations for the portion of the V2 and V3 costs not reimbursed by courts were approved at \$3.235 million and \$5.998 million, respectively.

Background

The cause of the structural deficit of \$25 million in the IMF, which is based on the assumption that revenues continue at the projected 2013–2014 levels and allocations largely continue at the current recommended 2014–2015 levels, is mainly due to declining revenues and transfers to the TCTF to support court operations (see Attachment 2C for allocation estimates). The net of General Fund, revenues, and transfers declined by \$103 million from a peak of \$149 million in 2003–2004 to \$46 million in 2012–2013.¹ Expenditures declined by \$130 million from a peak of \$195 million in 2007–2008 to \$65 million in 2012–2013. The main driver of the decrease in revenues is the 50/50 excess fines split, which declined by \$39 million from a peak of \$71 million in 2005–2006 to \$32 million in 2012–2013. In terms of transfers to the TCTF, a \$31.9

¹ In 2012–2013, two separate special funds, the Trial Court Improvement Fund (TCIF) and the Judicial Administration Efficiency and Modernization Fund (Mod Fund), were merged into a single fund, the State Trial Court Improvement and Modernization Fund. The figures for years prior to 2012–2013 are for the combined TCIF and Mod Fund.

million transfer started in 2006–2007 to backfill unfunded negotiated salary increases and a \$20 million transfer started in 2011–2012 to offset trial court funding reductions.

Recommendation

The subcommittee is unanimously recommending that the following recommendation, along with the two previously approved recommendations discussed above, be presented for the council's consideration at its April 25, 2014 business meeting:

Starting in 2014–2015, (1) no longer transfer \$20 million from the IMF to the TCTF and (2) use the IMF instead of the TCTF to pay the non-reimbursed costs of about \$10 million a year for the V2 and V3 case management systems.

The IMF revenues are intended to be used for statewide projects and programs and should be used for those purposes. Unlike the \$13.397 million transfer, which is required by statute (GC 77209(k)), the \$20 million transfer to offset trial court funding reductions is not required by statute. Statewide projects and programs, particularly those related to technology, should be paid for only using the IMF, and not the TCTF. The only non-reimbursed technology programs not being paid for from the IMF are the V2 and V3 case management systems, which are currently being paid for with TCTF monies.

The fiscal effect of this recommendation is to resolve the negative IMF fund balance in 2014–2015, increasing it from a projected negative \$7.7 million to a positive \$3.1 million (see column B, row 18, Attachment 2B) and lowering the structural deficit to about \$15 million from \$25 million (see row 19, Attachment 2B). The structural deficit would decrease by about \$3 million once the subsidies to the Fresno Superior Court for the V2 system is eliminated in 2015–2016, and would decrease by about \$9 million if and when the subsidies for the V3 and Sustain Justice Edition systems are eliminated. While addressing the IMF revenue shortfall, this recommendation would create a shortfall of \$10 million in the TCTF, which would require an ongoing reduction to trial courts' base allocation for operations if revenues or an increased General Fund transfer are not forthcoming. In item 3, the subcommittee is recommending that the council submit a 2014–2015 Budget Change Proposal that requests a General Fund augmentation to the TCTF to backfill this shortfall.

IMF -- Multi-Year Fund Condition Statement

| Scenario 1 -- Continue \$20 Million Transfer to TCTF | | 2013-14 ¹ | 2014-15 ² | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|--|--|----------------------|----------------------|---------------------|---------------------|---------------------|----------------------|
| | | A | B | C | D | E | F |
| 1 | Beginning Balance | 44,827,741 | 18,058,831 | (7,679,523) | (37,864,435) | (65,413,059) | (91,218,765) |
| 2 | 50/50 Excess Fines Split | 27,946,000 | 27,946,000 | 27,946,000 | 27,946,000 | 27,946,000 | 27,946,000 |
| 3 | 2% Automation Fund | 14,831,000 | 14,831,000 | 14,831,000 | 14,831,000 | 14,831,000 | 14,831,000 |
| 4 | Jury Instructions Royalties | 445,365 | 445,365 | 445,365 | 445,365 | 445,365 | 445,365 |
| 5 | Interest | 135,048 | 135,048 | 135,048 | 135,048 | 135,048 | 135,048 |
| 6 | General Fund | 38,709,000 | 38,709,000 | 38,709,000 | 38,709,000 | 38,709,000 | 38,709,000 |
| 7 | Transfer to TCTF | (20,000,000) | (20,000,000) | (20,000,000) | (20,000,000) | (20,000,000) | (20,000,000) |
| 8 | Transfer to TCTF (GC 77209(k)) | (13,397,000) | (13,397,000) | (13,397,000) | (13,397,000) | (13,397,000) | (13,397,000) |
| 9 | Transfer to TCTF (AOC staff savings) | (594,000) | (594,000) | (594,000) | (594,000) | (594,000) | (594,000) |
| 10 | Net Revenues and Transfers | 48,075,413 | 48,075,413 | 48,075,413 | 48,075,413 | 48,075,413 | 48,075,413 |
| 11 | Program and Project Allocation | 74,681,429 | 73,650,873 | 78,097,431 | 75,461,143 | 73,718,225 | 73,642,545 |
| 12 | Pro Rata | 162,894 | 162,894 | 162,894 | 162,894 | 162,894 | 162,894 |
| 13 | Total Allocation and Prorata | 74,844,323 | 73,813,767 | 78,260,325 | 75,624,037 | 73,881,119 | 73,805,439 |
| 14 | Fund Balance⁴ | 18,058,831 | (7,679,523) | (37,864,435) | (65,413,059) | (91,218,765) | (116,948,791) |
| 15 | Net Revenue/Transfers Over or (Under) Allocation | (26,768,910) | (25,738,354) | (30,184,912) | (27,548,624) | (25,805,706) | (25,730,026) |

| Scenario 2 -- Retain \$20 Million in IMF and Transfer V2/V3 to IMF | | 2013-14 ¹ | 2014-15 ² | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|--|--|----------------------|----------------------|---------------------|---------------------|---------------------|----------------------|
| | | A | B | C | D | E | F |
| 16 | Retain \$20M in IMF | - | 20,000,000 | 20,000,000 | 20,000,000 | 20,000,000 | 20,000,000 |
| 17 | Transfer V2/V3 Costs from TCTF To | - | 9,252,168 | 9,990,524 | 10,257,124 | 9,769,923 | 9,769,923 |
| 18 | Fund Balance | 18,058,831 | 3,068,309 | (27,854,959) | (55,670,183) | (80,988,688) | (106,718,714) |
| 19 | Net Revenue/Transfers Over or (Under) Allocation | (26,768,910) | (14,990,522) | (20,175,436) | (17,805,748) | (15,575,629) | (15,499,949) |

1. The revenue is based on the estimates provided to the DOF on 10/10/2013.

2. The revenue is based on the estimates provided to the DOF on 10/10/2013. The allocation is based on the amount recommended by the Revenue/Expenditure Subcommittee on 10/28/2013 and approved by the TCBC on 1/16/2014.

IMF - Multi-Year Allocation

| | Project and Program | Estimated Need | | | | | |
|----|--|----------------|-----------|-----------|-----------|-----------|-----------|
| | | 2013-2014 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
| | | A | B | C | D | E | F |
| 1 | Trial Court Security Grants | 1,200,000 | 1,200,000 | 1,200,000 | 1,200,000 | 1,200,000 | 1,200,000 |
| 2 | Self-represented Litigants Statewide Support | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| 3 | Domestic Violence - Family Law Interpreter Program | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 |
| 6 | Self-Help Center | 5,000,000 | 5,000,000 | 5,000,000 | 5,000,000 | 5,000,000 | 5,000,000 |
| 7 | Interactive Software - Self-Rep Electronic Forms | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 |
| 8 | CFCC Educational Programs | 90,000 | 90,000 | 90,000 | 90,000 | 90,000 | 90,000 |
| 9 | CFCC Publications | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 |
| 10 | Orientation for new Trial Court Judges | 95,000 | | | | | |
| 11 | B.E. Witkin Judicial College of CA | 160,000 | | | | | |
| 12 | Primary Assignment Orientation and Overviews | 239,000 | | | | | |
| 13 | Leadership Training - Judicial | 50,000 | | | | | |
| 14 | Judicial Institutes | 110,000 | | | | | |
| 15 | Advanced Education for Experienced Judges | 31,000 | | | | | |
| 16 | Regional and Local Judicial Education Courses | 8,000 | | | | | |
| 17 | <i>Subtotal, Mandated, Essential and Other Education for JOs</i> | | 812,000 | 812,000 | 812,000 | 812,000 | 812,000 |
| 18 | Manager and Supervisor Training | 31,000 | 34,000 | 34,000 | 34,000 | 34,000 | 34,000 |
| 21 | Court Personnel Institutes | 120,000 | | | | | |
| 22 | Regional and Local Court Staff Education Courses | 10,000 | | | | | |
| 23 | <i>Subtotal, Essential/Other Education for Court Personnel</i> | | 143,000 | 143,000 | 143,000 | 143,000 | 143,000 |
| 24 | Trial Court Faculty - Statewide Education Program | 236,000 | | | | | |
| 25 | Faculty Development | 25,000 | | | | | |
| 26 | Curriculum Committee - Statewide Education Plan Development | 1,000 | | | | | |
| 27 | <i>Subtotal, Faculty and Curriculum Development</i> | | 278,000 | 278,000 | 278,000 | 278,000 | 278,000 |
| 28 | Distance Education - Satellite Broadcast | 137,000 | 137,000 | 137,000 | 137,000 | 137,000 | 137,000 |
| 29 | Distance Education - Online Video, Resources, Webinar | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 |
| 31 | Trial Court Performance Measures Study | 13,000 | 13,000 | 13,000 | 13,000 | 13,000 | 13,000 |
| 32 | JusticeCorp (Court Access and Education) | 331,000 | 347,550 | 364,927 | 381,477 | 398,027 | 414,577 |
| 33 | CIP - Testing, Development, Recruitment and Education | 140,000 | 168,000 | 201,600 | 241,920 | 290,304 | 348,365 |
| 34 | 2015 Language Needs Study (new, every 5-year) | 314,000 | - | - | - | - | 370,000 |
| 35 | California Language Access Plan (new, one-time) | 65,000 | - | - | - | - | - |
| 36 | Litigation Management Program | 4,500,000 | 4,500,000 | 4,500,000 | 4,500,000 | 4,500,000 | 4,500,000 |
| 37 | Judicial Performance Defense Insurance | 920,600 | 966,541 | 1,014,868 | 1,065,621 | 1,118,892 | 1,174,837 |
| 38 | Subscription Costs - Judicial Conduct Reporter | 15,600 | 17,080 | 17,080 | 17,080 | 17,080 | 17,080 |
| 39 | Trial Courts Transactional Assistance Program | 451,000 | 451,000 | 451,000 | 451,000 | 451,000 | 451,000 |
| 40 | Jury System Improvement Projects | 18,000 | 19,000 | 20,000 | 21,000 | 22,000 | 23,000 |
| 41 | Alternative Dispute Resolution Centers | 75,000 | 75,000 | 75,000 | 75,000 | 75,000 | 75,000 |
| 42 | Complex Civil Litigation Program | 4,001,000 | 4,001,000 | 4,001,000 | 4,001,000 | 4,001,000 | 4,001,000 |
| 43 | Regional Office Assistance Group (Support) | 1,460,000 | 1,460,000 | 1,460,000 | 1,460,000 | 1,460,000 | 1,460,000 |

IMF - Multi-Year Allocation

| | Project and Program | Estimated Need | | | | | |
|----|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| | | 2013-2014 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
| | | A | B | C | D | E | F |
| 44 | Audit Contract | 150,000 | 150,000 | 150,000 | 150,000 | 150,000 | 150,000 |
| 45 | Internal Audit Services (Support) | 660,000 | 660,000 | 660,000 | 660,000 | 660,000 | 660,000 |
| 46 | Other Post-Employment Benefits Valuation Report (OPEB) (every 2 years) | 600,000 | - | 600,000 | - | 600,000 | - |
| 47 | Budget Focused Training and Meetings | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 |
| 48 | Treasury Services - Cash Management (Support) | 238,000 | 238,000 | 238,000 | 238,000 | 238,000 | 238,000 |
| 49 | Trial Court Procurement (Support) | 244,000 | 244,000 | 244,000 | 244,000 | 244,000 | 244,000 |
| 50 | Enhanced Collections (Support) | 625,000 | - | - | - | - | - |
| 51 | EAP for Bench Officers | 34,000 | - | - | - | - | - |
| 52 | Workers' Compensation Reserve | 719,749 | 1,230,934 | | | | |
| 54 | Human Resources - Court Investigation | 100,000 | 94,500 | 99,225 | 104,186 | 109,396 | 114,865 |
| 55 | Trial Court Labor Relations Academies and Forums | 30,000 | 34,622 | 34,622 | 34,622 | 34,622 | 34,622 |
| 56 | Telecommunications Support | 15,608,480 | 11,705,000 | 14,705,000 | 12,880,000 | 12,880,000 | 12,880,000 |
| 57 | Enterprise Policy/Planning (Statewide Development) | 5,122,800 | 5,268,466 | 5,419,700 | 5,573,070 | 5,731,032 | 5,731,032 |
| 58 | Interim Case Management Systems | 1,650,600 | 2,896,497 | 2,710,324 | 2,832,215 | 2,584,355 | 2,584,355 |
| 59 | Data Integration | 3,906,900 | 4,086,527 | 5,513,053 | 4,854,780 | 3,681,581 | 3,681,581 |
| 60 | California Courts Technology Center (CCTC) | 9,465,100 | 9,848,730 | 9,905,461 | 9,964,177 | 9,336,262 | 9,336,262 |
| 61 | Jury Management System | 600,000 | 600,000 | 600,000 | 600,000 | 600,000 | 600,000 |
| 62 | CLETS Services/Integration | 515,200 | 533,286 | 542,014 | 561,715 | 571,149 | 571,149 |
| 63 | CCPOR (ROM) | 675,800 | 701,914 | 1,227,326 | 1,227,636 | 747,946 | 747,946 |
| 64 | Testing Tools - Enterprise Test Management Suite | 582,500 | 595,234 | 646,814 | 620,061 | 415,987 | 415,987 |
| 65 | Uniform Civil Fees | 385,000 | 385,602 | 385,602 | 385,602 | 385,602 | 385,602 |
| 66 | Justice Partner Outreach / e-Services | 572,000 | 361,482 | 602,884 | 615,720 | 629,005 | 629,005 |
| 67 | Adobe LiveCycle Reader Service Extension | 129,800 | 133,673 | 137,684 | 141,814 | 146,069 | 150,451 |
| 68 | Phoenix Project - FI (includes support) | 11,934,300 | 13,885,235 | 13,578,247 | 13,567,447 | 13,647,916 | 13,660,829 |
| 69 | Judicial Council's Court-Ordered Debt Task Force | 25,000 | 25,000 | 25,000 | 25,000 | 25,000 | 25,000 |
| 70 | Total Allocation | 74,681,429 | 73,650,873 | 78,097,431 | 75,461,143 | 73,718,225 | 73,642,545 |

IMF -- 2013-2014 and 2014-2015 Allocation

| | | 2013-14 Allocation by Council | 2014-15 TCBAC Recommended Allocation |
|----|--|-------------------------------------|---|
| | Project and Program | A | B |
| 1 | Trial Court Security Grants | 1,200,000 | 1,200,000 |
| 2 | Self-represented Litigants Statewide Support | 100,000 | 100,000 |
| 3 | Domestic Violence - Family Law Interpreter Program | 20,000 | 20,000 |
| 4 | Self-Help Center | 5,000,000 | 5,000,000 |
| 5 | Interactive Software - Self-Rep Electronic Forms | 60,000 | 60,000 |
| 6 | CFCC Educational Programs | 90,000 | 90,000 |
| 7 | CFCC Publications | 20,000 | 20,000 |
| 8 | Orientation for new Trial Court Judges | 95,000 | pending |
| 9 | B.E. Witkin Judicial College of CA | 160,000 | |
| 10 | Primary Assignment Orientation and Overviews | 239,000 | |
| 11 | Leadership Training - Judicial | 50,000 | |
| 12 | Judicial Institutes | 110,000 | |
| 13 | Advanced Education for Experienced Judges | 31,000 | |
| 14 | Regional and Local Judicial Education Courses | 8,000 | |
| 15 | <i>Subtotal, Mandated, Essential & Other Education for JOs</i> | <i>693,000</i> | |
| 16 | Manager and Supervisor Training | 31,000 | 34,000 |
| 17 | Court Personnel Institutes | 120,000 | pending |
| 18 | Regional and Local Court Staff Education Courses | 10,000 | |
| 19 | <i>Subtotal, Essential/Other Education for Court Personnel</i> | <i>130,000</i> | <i>143,000</i> |
| 20 | Trial Court Faculty - Statewide Education Program | 236,000 | pending |
| 21 | Faculty Development | 25,000 | |
| 22 | Curriculum Committee - Statewide Edu Plan Development | 1,000 | |
| 23 | <i>Subtotal, Faculty and Curriculum Development</i> | <i>262,000</i> | <i>278,000</i> |
| 24 | Distance Education - Satellite Broadcast | 137,000 | 137,000 |
| 25 | Distance Education - Online Video, Resources, Webinar | 10,000 | 10,000 |
| 26 | Trial Court Performance Measures Study | 13,000 | 13,000 |
| 27 | JusticeCorp (Court Access and Education) | 331,000 | 347,550 |
| 28 | CIP - Testing, Development, Recruitment and Education | 140,000 | 168,000 |
| 29 | 2015 Language Needs Study - New (every 5-year) | 314,000 | - |
| 30 | California Language Access Plan (new, one-time) | 65,000 | - |
| 31 | Litigation Management Program | 4,500,000 | 4,500,000 |
| 32 | Judicial Performance Defense Insurance | 920,600 | 966,541 |
| 33 | Subscription Costs - Judicial Conduct Reporter | 15,600 | 17,080 |
| 34 | Trial Courts Transactional Assistance Program | 451,000 | 451,000 |
| 35 | Jury System Improvement Projects | 18,000 | 19,000 |
| 36 | Alternative Dispute Resolution Centers | 75,000 | 75,000 |
| 37 | Complex Civil Litigation Program | 4,001,000 | 4,001,000 |
| 38 | Regional Office Assistance Group (Support) | 1,460,000 | 1,460,000 |

IMF -- 2013-2014 and 2014-2015 Allocation

| | | 2013-14 Allocation by Council | 2014-15 TCBAC Recommended Allocation |
|---------------------|--|-------------------------------------|---|
| Project and Program | | A | B |
| 39 | Audit Contract | 150,000 | 150,000 |
| 40 | Internal Audit Services (Support) | 660,000 | 660,000 |
| 41 | Other Post-Employment Benefits Valuation Report (OPEB) (biennial) | 600,000 | - |
| 42 | Budget Focused Training and Meetings | 50,000 | 50,000 |
| 43 | Treasury Services - Cash Management (Support) | 238,000 | 238,000 |
| 44 | Trial Court Procurement (Support) | 244,000 | 244,000 |
| 45 | Enhanced Collections (Support) | 625,000 | - |
| 46 | EAP for Bench Officers | 34,000 | - |
| 47 | Workers' Compensation Reserve | 719,749 | 1,230,934 |
| 48 | Human Resources - Court Investigation | 100,000 | 94,500 |
| 49 | Trial Court Labor Relations Academies and Forums | 30,000 | 34,622 |
| 50 | Telecommunications Support | 15,608,480 | 11,705,000 |
| 51 | Enterprise Policy/Planning (Statewide Development) | 5,122,800 | 5,268,466 |
| 52 | Interim Case Management Systems | 1,650,600 | 2,896,497 |
| 53 | Data Integration | 3,906,900 | 4,086,527 |
| 54 | California Courts Technology Center (CCTC) | 9,465,100 | 9,848,730 |
| 55 | Jury Management System | 600,000 | 600,000 |
| 56 | CLETS Services/Integration | 515,200 | 533,286 |
| 57 | CCPOR (ROM) | 675,800 | 701,914 |
| 58 | Testing Tools - Enterprise Test Management Suite | 582,500 | 595,234 |
| 59 | Uniform Civil Fees | 385,000 | 385,602 |
| 60 | Justice Partner Outreach / e-Services | 572,000 | 361,482 |
| 61 | Adobe LiveCycle Reader Service Extension - New | 129,800 | 133,673 |
| 62 | Phoenix Project - FI (Including Support) | 11,602,572 | 13,885,235 |
| 63 | Judicial Council's Court-Ordered Debt Task Force - New | 25,000 | 25,000 |
| 64 | Total Allocation | 74,349,701 | 73,650,873 |

Item 4: Recommendation of the Funding Methodology Subcommittee – Mendocino Superior Court’s WAFM Adjustment Request

Issue

Consideration of Mendocino Superior Court’s WAFM adjustment request to provide additional funding to courts that have a “significant population center living in a remote and geographically challenging area such that the court is unable to provide reasonably adequate court services to the entire court population...” See Attachment 4B for the request submitted by the court. See Attachments 4C, 4D, 4E, 4F, 4G, and 4H for additional information provided by the court.

Subcommittee Meetings

A Remote Court Locations Working Group was formed and led by CEOs Rick Feldstein and Kimberly Flener. Other subcommittee participants included Zlatko Theodorovic, Judges Laurie Earl, Marsha Slough, Laura Masunaga, and Mark Cope, and CEOs Jake Chatters, Sherri Carter, Debbie Norrie, John Fitton, and Chris Volkers. Mendocino Superior Court Presiding Judge David Nelson also participated. The working group met on February 25, 2014. The full subcommittee met on March 13, 2014.

WAFM Adjustment Request Process

The council adopted the WAFM Adjustment Request Process, which provides trial courts the opportunity to identify factors that they believe the WAFM does not yet address and to assist in the evolution and refinement of the WAFM in order to ensure the continued improvement in equity of trial court funding and equal access to justice throughout California, on August 22, 2013, as summarized below:

1. Initial requests shall be submitted no later than October 15 of each year.
2. The Director of the AOC Fiscal Services Office, in consultation with the Co-Chair of the TCBAC, shall review each request. The review of WAFM Adjustment Requests includes a three-step process:
 - a. initial review to determine whether the factor identified in a court’s request should form the basis of a potential modification to WAFM;
 - b. evaluation of whether and how the modification should occur; and
 - c. evaluation of 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.
3. The Funding Methodology Subcommittee shall review any requests and present its recommendation(s) to the TCBAC.
4. The TCBAC shall make final recommendations to the Judicial Council for consideration at the April Judicial Council meeting.

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 in 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. In addition, 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.

Recommendation

Based on the reasons below, the subcommittee is recommending that the council deny Mendocino Superior Court's request when it is presented to them at its April 25, 2014 business meeting.

1. The WAFM Adjustment Request Process is intended to provide trial courts the opportunity to identify those factors not yet accounted for in the WAFM and request ongoing adjustments to the WAFM funding need.
2. Mendocino's staffing needs pursuant to the Resource Assessment Study (RAS), the foundation of the WAFM, are sufficient to handle their workload; however, since they are not fully funded to their workload need, they are not able to provide reasonably adequate court services at their single-courtroom branch facility.
3. The issue identified by Mendocino is an issue currently faced by many California trial courts.
4. The issue identified by Mendocino is not due to a workload factor unaccounted for in the WAFM, but rather as a result of not being fully funded by the state general fund.
5. Mendocino's concerns regarding access to court services related to geographic location of court houses are important issues with state-wide funding and policy implications.
6. As opposed to being a TCBAC issue, the problems and challenges of maintaining branch courts should be addressed as an "access to justice" issue requiring critical and far-reaching statewide and local policy decisions and funding determinations outside of the WAFM's scope.

The WAFM Adjustment Request Process specifically provided that 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 an adjustment to the WAFM.



Superior Court of California
County of Mendocino

From the Chambers of
HON. RICHARD J. HENDERSON
Presiding Judge

October 15, 2013

Honorable Steven Jahr
Administrative Director of the Courts
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

RE: WAFM Factors

Judge Jahr:

I would like to request the inclusion of some additional factors in the WAFM. The existing factors are generally adequate to cover both single-site and multiple-site court operations. However, some multiple-site courts in smaller, rural counties present unique factors which make access to justice both more difficult and more costly than in the typical branch court. These are courts in which a significant segment of the population, exceeding 25%, is located in a discreet area a relatively long distance from the main court facility. Due to the economies of scale inherent in small, rural courts, it is much more difficult and costly to provide court services that are adequate to serve two separate but significant populations. The Mendocino court has experienced this problem over the years, but I suspect there are other courts with significant and similarly isolated populations. I wish to emphasize at the outset that this request is not addressed to the typical branch court serving a small segment of the population but only to branch courts serving at least 25% of the population.

The factor we propose for inclusion in WAFM is consideration for additional funding for any court that has such a significant population center living in a remote and challenging geographic area that the court is not able to provide reasonably adequate court services to the entire court population. Although I will use the Mendocino court as an example, I would imagine there are several other smaller, rural courts facing the same problems.

1. Current Exclusion of the Factor from the WAFM: The funding methodology does not currently include any reference to the operation of branch courts, much less the unique problems inherent in serving two or more diverse but significant population centers in rural courts.

2. Identification and description of the basis for which adjustment is requested: For some courts, such as Mendocino, the provision of court services to the entire court population is much more difficult and complex. The population of the county is split into two distinct geographical areas, with 70% in the inland area where the seven-courtroom main court is located and 30% (26,700) in the coastal area where a single-courtroom branch is located. A mountain range and sixty rugged driving miles separate the two population centers, making it very difficult, especially in periods of bad weather, for the coastal citizens to travel to the main court. The scope of services that can be presently provided at the coastal branch court is limited, forcing coastal litigants, witnesses, law enforcement officers, jurors, attorneys and interested parties to make the three hour round trip to the main court.

In areas such as family law, juvenile law and probate, the coastal court caseload is not sufficient to justify full time clerical positions under the RAS II staffing model. The distance and bad weather driving conditions make it impossible to require clerks in the inland court to drive to the coast on a regular basis. The court is left with two equally unpalatable alternatives: either fully staff one location to the detriment of the other or to curtail services at the smaller, coastal branch. The Mendocino court has elected to limit available services in the coastal branch, declining to provide services in the areas of juvenile law, family law cases involving mediation and conservatorships. With a limited clerical staff, the coastal court is also not able to try civil or criminal jury cases of longer duration than three days. This is not an acceptable solution for a discreet population (26,700) that is larger than the entire populations of at least nine courts! (Alpine, Colusa, Inyo, Mariposa, Modoc, Mono, Plumas, Sierra and Trinity counties.)

A significant population of 30% deserves better court services than the court can currently afford to provide. An upward adjustment in the funding methodology would permit the Mendocino court to adequately serve the population in both areas.

3. Necessity for Requested Adjustment: The staffing levels under the RAS II study are sufficient to handle the *combined* total caseload within the court. However, due to the economies of scale, the court is not able to provide in *both* locations a sufficient number of clerks to handle all types of judicial services: criminal, general and limited civil, family, juvenile (both delinquency and dependency) small claims, traffic and probate law and the necessary supervisory personnel. Due to the distances and driving times involved, it is not practical to require clerks to drive back and forth between the two courts as required. The only alternative presently available to the court is to operate the coastal court on a limited basis thereby depriving a significant segment of the population from full access to justice. With some additional funding, the court could adequately staff *both* locations and adequately serve both population centers.

4. Potential Application of Requested Factor: It is most likely that at least El Dorado court is in a similar situation with a significant population segment isolated from the main population center. It, too, is a relatively small court (eleven judges) in a rural area with two distinct but significant population centers.

5. Staffing Needs: The court believes it would be able to provide a reasonable level of judicial services to both populations with the addition of 2-3 additional clerical positions.

6. Consequences to the Public: Parties, witnesses and persons interested or involved in juvenile matters, family law matters requiring mediation and conservatorship matters will have to make the mountainous, round trip drive to Ukiah and back for all required hearings. Long-cause criminal and civil jury trials will continue to be heard in the main court, requiring all potential jurors, witnesses, attorneys and others to make the long trip over the mountains.

7. Consequences to the Court: The court will continue to struggle to provide adequate judicial services to all significant segments of the population. The court will also continue to field vocal and legitimate criticism from coastal residents as to why they must travel so far to obtain the same judicial services that are offered in the inland areas.

On behalf of similarly situated courts, we ask that you adjust the WAFM to consider the additional costs involved in providing a full panoply of judicial services to significant but separated population centers in smaller rural courts. We believe that these courts are faced with unique challenges that do not apply to the typical main/branch court operation.

Sincerely,

/s/

Hon. Richard J. Henderson
Presiding Judge
Mendocino Superior Court

Copies:
Hon. Brian Walsh, TCPJ

A Suggested Analysis

The Mendocino Superior Court requests a WAFM adjustment to recognize the following factor:

*The need for a full service branch court in any county
with a large population
separated by onerous traveling conditions from the county seat.¹*

Your Subcommittee’s threshold determination—**should the factor identified in the Court’s request form the basis of a potential modification to WAFM?**—requires answers to the following three questions:

1. Are there traveling conditions, including long distances, difficult roads and inadequate public transportation, under which it is unreasonable to force people to come to court?²
2. Is there a minimum population size that requires a full service court?³
3. Does it cost more to provide full court services to a county’s total population from two or more court locations than from only one location?⁴

It is submitted that the answer to each of these three questions is yes, that besides an access-to-justice issue the Superior Court’s request squarely raises **a *funding allocation* issue, a WAFM issue**, and that the identified factor therefore forms the basis of a potential WAFM modification.

If you agree, then the next step is for you to evaluate whether the requested modification should occur and, if so, how. (*What onerous traveling conditions qualify? What population size requires a full service court? How is a court’s need for additional funding to be determined?*)

The accompanying fact sheet, attachments, and list of present California courthouse locations are presented with the hope that they will aid you in your evaluation.

¹ *The primary purpose of the WAFM Adjustment Request Process is . . . to insure the continued improvement in equity of trial court funding and equal access to justice throughout California.* “WAFM Adjustment Request Process” approved by the Judicial Council August 23, 2013.

² *Courthouses will be located so that users are not forced to travel unreasonable times or distances, especially where public transportation is inadequate or unavailable.* “Minimum Standards for Access” adopted by the California Commission on Access to Justice, March 21, 2013.

³ Seven California Superior Courts presently provide full court services to their entire county populations of fewer than 20,000 people each, an average of 11,269 people in each county.

⁴ The recent history of multiple branch courthouse closures throughout California to conserve public money strongly implies a general understanding, and numerous conscious official determinations, that it does.

CALIFORNIA COURTHOUSE LOCATIONS 2014

| <u>County</u> | <u>Courthouse Locations(s) at County Seat</u> | <u>Branch Court- house Location(s)</u> | <u>Branch Courthouse Location Population</u> ¹ | <u>Branch Courthouse Services</u> ² | <u>Branch Courthouse City to County Seat Distance</u> ³ |
|------------------------------------|---|--|---|--|--|
| ALAMEDA COUNTY (Pop. 1,510,271) | 2 at OAKLAND (Pop. 390,724) | Alameda | 73,812 | FamL | 4 miles/11 min. |
| | | Berkeley | 112,580 | Prob | 6 miles/12 min. |
| | | Hayward | 144,186 | Crim,Civ,FamL | 15 miles/18 min. |
| | | Pleasanton | 70,285 | Crim,Civ,FamL | 27 miles/29 min. |
| | | Fremont | 214,089 | Crim,Traf | 26 miles/31 min. |
| | | San Leandro | 84,950 | Juv | 15 miles/17 min. |
| ALPINE COUNTY (Pop. 1,175) | 1 at MARKLEEVILLE (Pop. 210) | <i>None</i> | | | |
| AMADOR COUNTY (Pop. 38,091) | 1 at JACKSON (Pop. 4,651) | <i>None</i> | | | |
| BUTTE COUNTY (Pop. 220,000) | 1 at OROVILLE (Pop. 15,506) | Chico | 86,187 | Civ,Traf,Prob | 23 miles/25 min. |

NOTE: On September 30, 2011, the Butte Superior Court closed the following branch courthouse (no courtroom operations had been conducted there since 2009):⁴

Paradise 26,218 21 miles/25 min.

¹ Source for all population figures: U.S. Census 2010. "Branch Courthouse Location Population" means the population of the city where the branch courthouse is located which, in most instances, is smaller than the population of the whole geographical area served by the branch court.

² Source: Each Superior Court's website.

³ Source: Google Maps.

⁴ Source for all court closure information: *Government Code* § 68106 notices posted by the affected courts.

| | | | | | |
|---------------------|------------------|--------------|---------|---------------|------------------|
| CALAVERAS COUNTY | 1 at SAN ANDREAS | <i>None</i> | | | |
| (Pop. 45,578) | (Pop. 2,783) | | | | |
| COLUSA COUNTY | 2 at COLUSA | <i>None</i> | | | |
| (Pop. 21,419) | (Pop. 5,971) | | | | |
| CONTRA COSTA COUNTY | 4 at MARTINEZ | Pittsburgh | 63,264 | Crim,Civ,Traf | 16 miles/19 min. |
| (Pop. 1,049,025) | (Pop. 35,824) | Richmond | 103,701 | Crim,Civ,Traf | 19 miles/24 min. |
| | | Walnut Creek | 66,584 | Traf | 12 miles/14 min. |

NOTE: In late 2012, the Contra Costa Superior Court closed the family law courtroom and the juvenile courtroom at the Pittsburgh branch court. On January 2, 2013, the Court stopped hearing civil and criminal cases at the Walnut Creek branch court, and closed the following branch courthouse:

Concord 122,067 9 miles/12 min.

| | | | | | |
|------------------|--------------------|----------------|--------|------------------------|-------------------------|
| DEL NORTE COUNTY | 1 at CRESCENT CITY | <i>None</i> | | | |
| (Pop. 28,610) | (Pop. 7,643) | | | | |
| EL DORADO COUNTY | 3 at PLACERVILLE | Cameron Park | 18,228 | Civ,Prob | 14 miles/16 min. |
| (Pop. 181,058) | (Pop. 10,389) | So. Lake Tahoe | 21,403 | Crim,Civ,Traf,FamL,Juv | 59 miles/1 hour 10 min. |
| FRESNO COUNTY | 5 at FRESNO | <i>None</i> | | | |
| (Pop. 930,450) | (Pop. 509,039) | | | | |

NOTE: In the summer of 2012, the Fresno Superior Court closed the following branch courthouses:

| | | |
|------------------|---------------|-------------------------------|
| Coalinga | 13,380 | 62 miles/1 hour 8 min. |
| Firebaugh | 7,549 | 43 miles/47 min. |
| Reedley | 24,194 | 25 miles/30 min. |
| Sanger | 24,270 | 15 miles/19 min. |
| Selma | 23,219 | 17 miles/19 min. |
| Clovis | 95,631 | 8 miles/13 min. |
| Kingsburg | 11,382 | 27 miles/22 min. |

| | | | | | |
|-----------------------------------|---------------------------------|------------------------|---------------|-------------------|--------------------------------------|
| GLENN COUNTY (Pop. 28,122) | 1 at WILLOWS (Pop. 6,166) | Orland | 7,291 | Crim,Traf | 17 miles/17 min. |
| HUMBOLDT COUNTY (Pop. 134,623) | 1 at EUREKA (Pop. 27,191) | <i>None</i> | | | |
| IMPERIAL COUNTY (Pop. 174,528) | 2 at EL CENTRO (Pop. 42,598) | Brawley Winterhaven | 24,953 394 | Crim,Traf Traf | 15 miles/22 min. 58 miles/53 min. |

NOTE: In June 2013, the Imperial Superior Court closed its Jail court and its separate Juvenile court facility, both in El Centro, and closed the following branch courthouse:

| | | | | | |
|-------------------------------|------------------------------------|--|---|--|--|
| | | Calexico | 38,572 | | 11 miles/15 min. |
| INYO COUNTY (Pop. 18,546) | 1 at INDEPENDENCE (Pop. 669) | Bishop | 3,879 | Crim,Civ,Traf,FamL,Juv | 42 miles/40 min. |
| KERN COUNTY (Pop. 839,631) | 4 at BAKERSFIELD (Pop. 347,483) | Mojave Ridgecrest Delano/McFarland Shafter/Wasco Arvin/Lamont Taft/Maricopa | 4,238 27,626 66,526 42,533 34,424 10,481 | Crim,Civ,Traf,FamL Crim,Civ,Traf,FamL Crim,Traf Crim,Traf Crim,Civ,Traf.FamL Civ,Traf | 61 miles/58 min. 112 miles/1 hour 49 min. 32 miles/32 min. 19 miles/22 min. 21 miles/29 min. 46 miles/48 min. |

NOTE: In the summer of 2013, the Kern Superior Court reduced the number of days its Taft/Maricopa branch court is open from five days to one day per week, and closed the following branch courthouse:

| | | | | | |
|--------------------------------|-------------------------------|----------------------|------------------|--------------------------------|--------------------------------------|
| | | Lake Isabella | 3,466 | | 45 miles/51 min. |
| KINGS COUNTY (Pop. 152,982) | 1 at HANFORD (Pop. 53,967) | Avenal Corcoran | 15,505 24,813 | Crim,Civ,Traf Crim,Civ,Traf | 37 miles/42 min. 19 miles/23 min. |

NOTE: In September 2012, the Kings Superior Court closed the following branch courthouse:

| | | | | | |
|--|--|----------------|---------------|--|------------------------|
| | | Lemoore | 24,531 | | 9 miles/11 min. |
|--|--|----------------|---------------|--|------------------------|

| | | | | | |
|---|---------------------------------------|--------------------|------------------|---------------------|---|
| LAKE COUNTY (Pop. 64,665) | 1 at LAKEPORT (Pop. 4,753) | Clearlake | 15,250 | Crim,Civ,Traf | 26 miles/34 min. |
| LASSEN COUNTY (Pop. 34,895) | 1 at SUSANVILLE (Pop. 17,974) | <i>None</i> | | | |
| LOS ANGELES COUNTY (Pop. 9,818,605) | 11 at LOS ANGELES (Pop. 3,792,621) | Alhambra | 83,089 | Crim,Civ | 12 miles/18 min. |
| | | Bellflower | 76,616 | Crim,Traf | 18 miles/24 min. |
| | | Beverly Hills | 34,109 | | 11 miles/20 min. |
| | | Burbank | 103,340 | Crim,Civ,Traf | 14 miles/19 min. |
| | | Catalina | 3,728 | | 1 hour by boat from Avalon, then 31 min. by road from Long Beach |
| | | Chatsworth | 36,557 | Civ,Traf,FamL | 30 miles/44 min. |
| | | Compton | 96,455 | Crim,Civ,Prob,Traf | 12 miles/21 min. |
| | | 2 at Downey | 111,772 | Crim,Civ,Traf,Juv | 13 miles/21 min. |
| | | El Monte | 113,475 | Crim,Traf | 16 miles/22 min. |
| | | Glendale | 191,719 | Crim,Civ,Traf | 12 miles/18 min. |
| | | Long Beach | 462,257 | Crim,Civ,Traf, FamL | 24 miles/31 min. |
| | | Inglewood | 109,673 | Civ,Traf,Juv | 9 miles/18 min. |
| | | 2 at Lancaster | 156,633 | Traf,Juv | 69 miles/1 hour 14 min. |
| | | Monterey Park | 60,269 | Juv | 11 miles/15 min. |
| | | Norwalk | 105,549 | Civ,FamL | 18 miles/25 min. |
| | | Pasadena | 137,122 | Civ,Traf,FamL | 13 miles/20 min. |
| | | Pomona South | 149,058 | Crim,Civ,FamL,Juv | 32 miles/38 min. |
| | | San Fernando | 23,645 | Crim,Civ,FamL | 24 miles/30 min. |
| | | Santa Clarita | 176,320 | | 35 miles/42 min. |
| | | Santa Monica | 89,736 | Civ,FamL | 14 miles/18 min. |
| Sylmar | 91,725 | Juv | 26 miles/35 min. | | |
| Torrance | 145,438 | Crim,Civ,Traf,FamL | 17 miles/25 min. | | |
| Van Nuys (2) | 136,460 | Crim,Civ,Traf,FamL | 19 miles/29 min. | | |
| West Covina | 106,098 | Crim | 21 miles/26 min. | | |

NOTE: In June 2012, the Los Angeles Superior Court closed more than 50 courtrooms at various courthouses throughout the County. In February 2013, the Court closed the Beacon Street Annex branch courthouse in San Pedro. In June 2013, the Court closed the Beverly Hills branch court to all court services except traffic arraignments, reduced court services at its Catalina branch court to one day every other week, and closed the Kenyon Juvenile Justice courthouse and the West Los Angeles branch courthouse, both in Los Angeles.

Also in June 2013, the Los Angeles Superior Court closed the following outlying branch courthouses:

| | | | | | |
|-----------------------------------|----------------------------------|------------------------|----------------|-------------------------|--------------------------|
| | | Huntington Park | 58,114 | | 5 miles/13 min. |
| | | Malibu | 12,645 | | 32 miles/42 min. |
| | | Pomona North | 149,058 | | 32 miles/38 min. |
| | | San Pedro | 59,662 | | 21 miles/26 min. |
| | | Whittier | 85,331 | | 19 miles/27 min. |
| MADERA COUNTY (Pop. 150,865) | 1 at MADERA (Pop. 61,416) | Bass Lake | 537 | Crim,Civ,Traf,FamL.Prob | 46 miles/1 hour 2 min. |
| MARIN COUNTY (Pop. 252,400) | 1 at SAN RAFAEL (Pop. 57,713) | <i>None</i> | | | |
| MARIPOSA COUNTY (Pop. 18,251) | 1 at MARIPOSA (Pop. 2,173) | <i>None</i> | | | |
| MENDOCINO COUNTY (Pop. 87,841) | 1 at UKIAH (Pop. 16,073) | Fort Bragg | 7,273 | Crim,Civ,Traf,Juv | 57 miles, 1 hour 14 min. |

NOTE: On October 30, 2012, the Mendocino Superior Court announced that no jury trials, no proceedings in felony cases, and no proceedings in juvenile cases would be conducted any longer at the Fort Bragg branch court. On November 29, 2012, after hearing and considering objections and input from Coast residents and other Mendocino County residents and public officials about hardships that the announced cutbacks in court services would cause the public, the Court decided not to reduce court services at Fort Bragg and rescinded its October 30 announcement.

| | | | | | |
|---------------------------------|------------------------------|-----------|--------|---------------|------------------|
| MERCED COUNTY (Pop. 255,793) | 4 at MERCED (Pop. 78,959) | Los Banos | 35,972 | Crim,Civ,Traf | 36 miles/40 min. |
|---------------------------------|------------------------------|-----------|--------|---------------|------------------|

| | | | | | |
|-----------------------------------|--------------------------------|---------------|--------|---------------|------------------|
| MODOC COUNTY (Pop. 9,686) | 1 at ALTURAS (Pop. 2,827) | <i>None</i> | | | |
| MONO COUNTY (Pop. 14,202) | 1 at BRIDGEPORT (Pop. 575) | Mammoth Lakes | 8,234 | Full Service | 54 miles/55 min. |
| MONTEREY COUNTY (Pop. 415,057) | 1 at SALINAS (Pop. 150,441) | Monterey | 27,810 | Civ,FamL,Prob | 19 miles/25 min. |
| | | Marina | 19,718 | Civ,Traf,FamL | 10 miles/15 min. |

NOTE: On September 23, 2013, the Monterey Superior Court closed the following branch courthouse:

| | | | | | |
|-----------------------------------|----------------------------------|------------------|---------------|---------------|-------------------------|
| | | King City | 12,874 | | 47 miles/46 min. |
| NAPA COUNTY (Pop. 136,484) | 2 at NAPA (Pop. 76,915) | <i>None</i> | | | |
| NEVADA COUNTY (Pop. 98,764) | 1 at NEVADA CITY (Pop. 3,068) | Truckee | 16,180 | Full Service | 52 miles/57 min. |
| ORANGE COUNTY (Pop. 3,010,232) | 4 at SANTA ANA (Pop. 324,528) | Newport Beach | 85,287 | Crim,Civ,Traf | 11 miles/18 min. |
| | | Orange | 136,416 | FamL,Juv | 4 miles/9 min. |
| | | Fullerton | 135,161 | Crim,Civ,Traf | 11 miles/19 min. |
| | | Westminster | 89,701 | Crim,Traf | 8 miles/18 min. |

NOTE: On May 6, 2013, the Orange Superior Court closed the following branch courthouse:

| | | | | | |
|---------------------------------|------------------------------|---------------------|---------------|--------------------|--------------------------|
| | | Laguna Hills | 30,344 | | 15 miles/19 min. |
| PLACER COUNTY (Pop. 348,432) | 3 at AUBURN (Pop. 13,330) | Roseville | 118,788 | Full Service | 16 miles, 17 min. |
| | | Tahoe City | 1,557 | Crim,Civ,Traf,FamL | 80 miles, 1 hour 20 min. |
| PLUMAS COUNTY (Pop. 20,007) | 1 at QUINCY (Pop. 1,728) | Portola | 2,104 | Civ,Traf | 32 miles/38 min. |
| | | Chester | 2,144 | Civ,Traf | 46 Miles/57 min. |

NOTE: On October 1, 2012, the Plumas Superior Court closed the following branch courthouse:

| | | | | | |
|--------------------------------------|----------------------------------|-------------------|--------------|-------------------------|---------------------------|
| | | Greenville | 1,129 | | 22 miles/31 min. |
| RIVERSIDE COUNTY (Pop. 2,189,641) | 4 at RIVERSIDE (Pop. 303,871) | Banning | 29,603 | Crim,Civ,Traf | 34 miles/34 min. |
| | | Blythe | 20,817 | Crim,Civ,Traf,FamL | 173 miles/2 hours 32 min. |
| | | Corona | 92,882 | Traf | 13 miles/15 min. |
| | | Hemet | 78,657 | Civ,Traf,FamL | 34 miles/42 min. |
| | | 3 at Indio | 76,036 | Crim,Traf,FamL,Juv,Prob | 77 miles/1 hour 11 min. |
| | | Moreno Valley | 193,365 | Civ,Traf | 13 miles/17 min. |
| | | Murrieta | 103,466 | Crim,Civ,Traf,Juv | 36 miles/41 min. |
| | | Palm Springs | 44,552 | Civ | 56 miles/54 min. |
| | | Temecula | 100,097 | Civ,Prob | 40 miles/43 min. |

NOTE: On May 20, 2013, the Riverside Superior Court announced that it would close the courthouses or reduce courtroom hours at Blythe and Temecula. On July 10, 2013, after receiving and considering numerous public comments about the impact that closures would have on the public, the Court revised its announcement and announced that effective August 19, 2013, the Blythe branch court will operate three instead of five days per week, and that civil and traffic cases will no longer be heard at the Temecula branch court.

| | | | | | |
|---|---------------------------------------|------------------|---------|--------------------|-------------------------|
| SACRAMENTO COUNTY (Pop. 1,418,788) | 5 at SACRAMENTO (Pop. 466,488) | <i>None</i> | | | |
| SAN BENITO COUNTY (Pop. 55,269) | 1 at HOLLISTER (Pop. 34,928) | <i>None</i> | | | |
| SAN BERNARDINO COUNTY (Pop. 2,035,210) | 5 at SAN BERNARDINO (Pop. 209,924) | Barstow | 22,639 | Civ,Traf | 70 miles/1 hour 4 min. |
| | | Colton | 52,154 | MentH | 3 miles/6 min. |
| | | Fontana | 196,069 | Civ | 9 miles/17 min. |
| | | Joshua Tree | 7,414 | Crim,Civ,Traf,FamL | 76 miles/1 hour 15 min. |
| | | Rancho Cucamonga | 165,269 | | 22 miles/22 min. |
| | | Victorville | 115,903 | Crim,FamL,Juv | 40 miles/37 min. |

NOTE: On November 29, 2012, the San Bernardino Superior Court announced the closure of one civil courtroom at the Joshua Tree branch court effective February 4, 2013. On March 4, 2013, the Court announced the closure, effective May 6, 2013, of the Barstow branch courthouse and the following two branch courthouses:

| | | |
|-----------------|--------------|---------------------------------|
| Big Bear | 5,019 | 39 miles/1 hour 3 min. |
| Needles | 4,844 | 212 miles/3 hours 6 min. |

On April 12, 2013, the Court modified its March 4 announcement to state that only three of the four courtrooms at the Barstow branch court would close on May 6.

| | | | | | |
|--------------------------------------|------------------------------------|-------------|---------|-------------------|------------------|
| SAN DIEGO COUNTY (Pop. 3,095,313) | 6 at SAN DIEGO (Pop. 1,307,402) | Chula Vista | 243,916 | Crim,FamL,Juv | 8 miles/12 min. |
| | | El Cajon | 99,478 | Crim,Civ,FamL,Juv | 16 miles/18 min. |
| | | Vista | 93,834 | Full Service | 42 miles/41 min. |

NOTE: On September 3, 2012, the San Diego Superior Court closed one probate courtroom and one juvenile courtroom at the Vista branch court, closed one civil courtroom at the Central Courthouse and six criminal courtrooms at the Hall of Justice, both in San Diego, and closed the following branch court:

| | | |
|---------------|---------------|-------------------------|
| Ramona | 20,292 | 35 miles/45 min. |
|---------------|---------------|-------------------------|

On November 19, 2012, the Court closed one civil courtroom at the Chula Vista branch court and closed one civil courtroom at the El Cajon branch court.

| | | |
|--|--------------------------------------|-------------|
| SAN FRANCISCO CITY AND COUNTY (Pop. 805,325) | 4 at SAN FRANCISCO (Pop. 805,325) | <i>None</i> |
|--|--------------------------------------|-------------|

NOTE: On October 3, 2011, the San Francisco Superior Court closed 25 of its civil courtrooms.

| | | | | | |
|---|---------------------------------|-------------|--------|------|------------------|
| SAN JOAQUIN COUNTY (Pop. 685,306) | 2 at STOCKTON (Pop. 291,707) | French Camp | 3,376 | Juv | 6 miles/9 min. |
| | | Manteca | 67,096 | Crim | 15 miles/18 min. |

NOTE: On October 3, 2011, the San Joaquin Superior Court closed the following branch courthouse:

| | | |
|--------------|---------------|-------------------------|
| Tracy | 82,922 | 21 miles/23 min. |
|--------------|---------------|-------------------------|

On March 4, 2013, the Court closed the following branch courthouse:

| | | |
|-------------|---------------|-------------------------|
| Lodi | 62,134 | 17 miles/19 min. |
|-------------|---------------|-------------------------|

| | | | | | |
|--|----------------------------------|-------------|--------|--------------------|------------------|
| SAN LUIS OBISPO COUNTY (Pop. 269,637) | 5 at SAN LUIS OBISPO (45,119) | Paso Robles | 29,793 | Crim,Civ,Traf,FamL | 29 miles/31 min. |
|--|----------------------------------|-------------|--------|--------------------|------------------|

NOTE: On January 3, 2012, the San Luis Obispo Superior Court closed the following branch courthouse:

| | | |
|---------------------|---------------|-------------------------|
| Grover Beach | 13,156 | 15 miles/17 min. |
|---------------------|---------------|-------------------------|

| | | | | | |
|------------------------------------|------------------------------------|---------------------|--------|------|------------------|
| SAN MATEO COUNTY (Pop. 718,451) | 2 at REDWOOD CITY (Pop. 76,815) | San Mateo | 97,207 | Juv | 9 miles/13 min. |
| | | South San Francisco | 63,632 | Crim | 17 miles/21 min. |

NOTE: On July 15, 2013, the San Mateo Superior court closed four courtrooms at the South San Francisco branch court.

| | | | | | |
|--|-------------------------------------|------------------|---------|------------------------|------------------------|
| SANTA BARBARA COUNTY (Pop. 423,895) | 2 at SANTA BARBARA (Pop. 88,410) | Lompoc | 42,434 | Crim,Civ,Traf,FamL | 55 miles/56 min. |
| | | 3 at Santa Maria | 99,553 | Full Service | 65 miles/1 hour 7 min. |
| | | Solvang | 5,245 | Civ,Traf | 34 miles/39 min. |
| SANTA CLARA COUNTY (Pop. 1,781,642) | 7 at SAN JOSE (Pop. 945,942) | Morgan Hill | 37,882 | Crim,Civ,Traf,FamL,Juv | 23 miles/24 min. |
| | | Palo Alto | 64,403 | Crim,Civ,Traf | 17 miles/22 min. |
| | | Santa Clara | 116,468 | Traf | 4 miles/8 min. |
| | | Sunnyvale | 140,095 | FamL | 12 miles/15 min. |
| SANTA CRUZ COUNTY (Pop. 262,382) | 1 at SANTA CRUZ (Pop. 60,049) | Watsonville | 51,199 | Civ,Traf,FamL,Juv | 18 miles/21 min. |
| SHASTA COUNTY (Pop. 177,223) | 2 at REDDING (Pop. 89,861) | Burney | 3,154 | Traf | 54 miles/58 min. |

| | | | | | |
|----------------------------------|--------------------------------|---|-------|---------------|-------------------------|
| SIERRA COUNTY (Pop. 3,240) | 1 at DOWNIEVILLE (Pop. 282) | Portola (Plumas-Sierra Regional Courthouse) | Traf | | 51 miles/58 min. |
| SISKIYOU COUNTY (Pop. 44,900) | 1 at YREKA (Pop. 7,765) | Dorris | 939 | Civ,Juv | 67 miles/1 hour 10 min. |
| | | Happy Camp | 1,190 | Traf | 71 miles/1 hour 36 min. |
| | | Weed | 2,967 | Crim,Traf,Juv | 29 miles/28 min. |

NOTE: On August 1, 2011, the Siskiyou Superior Court closed the following branch courthouse:

| | | |
|-----------------|--------------|--------------------------------|
| Tulelake | 1,010 | 93 miles/1 hour 37 min. |
|-----------------|--------------|--------------------------------|

On November 7, 2013, the Court announced that the Happy Camp branch courthouse and the Weed branch courthouse will both close January 6, 2014.

| | | | | | |
|-------------------------------------|-----------------------------------|-------------|---------|--------------|------------------|
| SOLANO COUNTY (Pop. 413,344) | 2 at FAIRFIELD (Pop. 108,321) | Vallejo | 115,942 | Full-Service | 17 miles/21 min. |
| SONOMA COUNTY (Pop. 483,878) | 4 at SANTA ROSA (Pop. 167,815) | <i>None</i> | | | |
| STANISLAUS COUNTY (Pop. 514,453) | 4 at MODESTO (Pop. 201,165) | <i>None</i> | | | |

NOTE: The following Stanislaus Superior Court branch courthouses have been closed since December 2012:

| | | |
|----------------|---------------|-------------------------|
| Ceres | 45,417 | 5 miles/ 7 min. |
| Turlock | 68,549 | 14 miles/16 min. |

| | | | | |
|--------------------------------|---------------------------------|-------------|--|--|
| SUTTER COUNTY (Pop. 94,737) | 2 at YUBA CITY (Pop. 64,925) | <i>None</i> | | |
| TEHAMA COUNTY (Pop. 63,463) | 3 at RED BLUFF (Pop. 14,076) | <i>None</i> | | |

NOTE: On June 30, 2013, the Tehama Superior Court closed the following branch courthouse:

| | | | | | |
|---------------------------------|----------------------------------|-----------------------|------------------|--|-------------------------------------|
| | | Corning | 7,663 | | 19 miles/20 min. |
| TRINITY COUNTY (Pop. 13,786) | 1 at WEAVERVILLE (Pop. 3,600) | Hayfork | 2,368 | | 30 miles/38 min. |
| TULARE COUNTY (Pop. 442,179) | 4 at VISALIA (Pop. 124,442) | Dinuba Porterville | 21,453 54,165 | | 21 miles/28 min. 30 miles/38min. |

NOTE: On August 31, 2012, the Tulare Superior Court closed the following branch courthouse:

| | | | | | |
|----------------------------------|--------------------------------|-----------------------|--------------------|----------------------|-------------------------------------|
| | | Tulare | 59,278 | | 16 miles/19 min. |
| TUOLUMNE COUNTY (Pop. 55,365) | 2 at SONORA (Pop. 4,903) | <i>None</i> | | | |
| VENTURA COUNTY (Pop. 823,318) | 1 at VENTURA (Pop. 106,433) | Oxnard Simi Valley | 197,899 124,237 | Traf,Juv Civ,traf | 8 miles/15 min. 29 miles/41 min. |

NOTE: On April 19, 2012, the Ventura Superior Court announced that effective June 25, 2012, there would be no further courtroom operations at the Simi Valley branch courthouse.

| | | | | | |
|-------------------------------|----------------------------------|-------------|--|--|--|
| YOLO COUNTY (Pop. 200,849) | 5 at WOODLAND (55,468) | <i>None</i> | | | |
| YUBA COUNTY (Pop. 72,155) | 2 at MARYSVILLE (Pop. 12,072) | <i>None</i> | | | |

#

**Driving Times, Mileages, Roads,¹ and Public Transportation²
From Mendocino Coast Communities to the Ukiah Courthouse**

| <u>Community</u> | <u>Driving Time</u> | <u>Distance</u> | | <u>Public Transportation³</u> | | <u>Latest Bus Back</u> | |
|------------------|--------------------------|-----------------|----------------------|--|----------------------|------------------------|---------------------|
| | | <u>Total</u> | <u>Twisty 2-Lane</u> | <u>Earliest Bus Over Departs</u> | <u>Arrives Ukiah</u> | <u>Departs Ukiah</u> | <u>Arrives Home</u> |
| Albion | 1 hour 12 minutes | 53 miles | 50 miles | 8:35 AM; | 10:35 AM | 3:05 PM | 4:55 PM |
| Anchor Bay | 1 hour 45 minutes | 61 miles | 41 miles | 7:50 AM | 10:35 AM | 3:05 PM | 5:50 PM |
| Caspar | 1 hour 17 minutes | 59 miles | 33 miles | 7:45 AM | 10:35 AM | 3:05 PM | 5:21 PM |
| Cleone | 1 hour 19 minutes | 60 miles | 36 miles | 7:11 AM | 10:35 AM | 4:06 PM | 6:29 PM |
| Comptche | 1 hour 1 minute | 30 miles | 28 miles | | NO SERVICE | | |
| Elk | 1 hour 18 minutes | 56 miles | 52 miles | 8:45 AM | 10:35 AM | 3:05PM | 4:55 PM |
| Fort Bragg | 1 hour 14 minutes | 57 miles | 33 miles | 7:30 AM | 9:29 AM | 4:06 PM | 6:00 PM |
| Gualala | 1 hour 51 minutes | 64 miles | 42 miles | 7:45 AM | 10:35 AM | 3:05 PM | 5:55 PM |
| Little River | 1 hour 18 minutes | 57 miles | 46 miles | 8:25 AM | 10:35 AM | 3:05 PM | 5:02 PM |
| Manchester | 1 hour 27 minutes | 47 miles | 41 miles | 8:20 AM | 10:35 AM | 3:05 PM | 5:15 PM |
| Mendocino | 1 hour 22 minutes | 63 miles | 33 miles | 7:55 AM | 10:35 AM | 3:05 PM | 5:10 PM |
| Navarro | 52 minutes | 35 miles | 31 miles | 9:13 AM | 10:35 AM | 3:05 PM | 4:17 PM |
| Point Arena | 1 hour 32 minutes | 50 miles | 42 miles | 8:10 AM | 10:35 AM | 3:05 PM | 5:30 PM |
| Westport | 1 hour 36 minutes | 73 miles | 50 miles | | NO SERVICE | | |
| Average | 1 hour 22 minutes | 55 miles | 40 miles | | | | |

¹ Source for all driving times, total mileages and road information: Google Maps.

² Source for all public transportation information: Mendocino Transit Authority website.

³ All Ukiah arrival and departure times are to and from the Ukiah Library, a block from the courthouse. All Ukiah arrival times are too late for court users from the Coast to attend early morning calendars or the commencement or resumption of jury trials. All Ukiah departure times are too late for court users from the Coast to participate in mid- to late-afternoon hearings and trials. Winter storms periodically flood out State Highway 128 along the Navarro River, eliminating bus service to Ukiah from all the above Coast communities except Fort Bragg.

Fact Sheet

Mendocino County’s Two Courthouse Locations: The main courthouse is in Ukiah, the county seat, in Mendocino’s inland Ukiah Valley. It has seven courtrooms and offers full court services. The other courthouse is in Fort Bragg on the Mendocino Coast. It has one courtroom and offers many but not all core court services. It does not conduct or provide jury trials lasting longer than three days, hearings in juvenile delinquency cases, proceedings in juvenile dependency cases, court services in LPS conservatorship cases, proceedings in domestic violence restraining order cases involving children, nor mediation in family law cases.

Coast Population: Of the County’s total 87,841 population, approximately 26,700 or 30%, live on the Coast in two incorporated cities, a dozen towns and villages, and surrounding countryside.

Traveling Conditions: A mountain range and an hour and a half of hard driving separate the Coast from Ukiah. Existing public transportation is inadequate to allow court users from the Coast to be in the Ukiah courthouse earlier than mid-morning or later than mid-afternoon.¹

Persons Affected: These are the troubled minors, the fragile families of neglected children, the stressed divorcing couples arguing over their children, the parent victims of domestic violence, the mentally challenged persons and those who care about them, the many people who have their own productive schedules who are summoned away for jury duty in Ukiah, the numerous law enforcement and civilian witnesses, the parties who are billed for their retained counsel’s travel time, and all the others who live on the Coast and are now required to attend court in Ukiah.

The Additional Funding Need: Coast branch filings, including the criminal, civil, family law, and juvenile cases now being transferred from there and heard in Ukiah, can probably be processed to completion with a minimum of seven FTE non-judicial positions.² The Coast branch court has four. To provide full core court services, the Coast branch court needs three additional staff positions.

Other Courts That May Qualify for Adjustment: These include El Dorado Superior Court (South Lake Tahoe branch,) Kern Superior (Ridgecrest,) Los Angeles Superior (Lancaster,) Riverside Superior (Blythe and Indio,) San Bernardino Superior (Barstow,) and Santa Barbara Superior (Santa Maria and possibly Lompoc.)³

¹ See “Driving Times, Mileages, Roads, and Public Transportation from Mendocino Coast Communities to the Ukiah Courthouse,” attached.

² Nine California full service Superior Courts, each requiring an average of 13 FTE non-judicial staff, each serve an average of half the population served by the Mendocino Coast Court. See “Small Court Populations and the Non-Judicial Staff Allocated to Serve them,” attached.

³ See the accompanying document “California Courthouse Locations 2014.”

**Small Court Populations and the Non-Judicial Staff
Allocated to Serve Them
(corrected February 28, 2014)**

Nine California counties with full service superior courts have fewer people living in them than the 26,702 ¹ people who live on the Mendocino Coast.

Those counties, their populations, and their superior courts' authorized non-judicial staff are as follows:

| <u>Area Served</u> | <u>Population</u> ² | <u>Non-Judicial Staff (FTE)</u> ³ |
|------------------------|--------------------------------|--|
| Alpine County | 1,175 | 4 |
| Colusa County | 21,419 | 17.5 |
| Inyo County | 18,546 | 22 |
| Mariposa County | 18,251 | 13.8 |
| Modoc County | 9,686 | 13 |
| Mono County | 14,202 | 17.5 |
| Plumas County | 20,007 | 13 |
| Sierra County | 3,240 | 6 |
| Trinity County | 13,786 | 17.4 |
| 9-County Average | 13,368 | 13.8 |
| Mendocino Coast | 26,702 | 4 |

¹ Mendocino County Superior Court letter to Court Facilities Working Group, dated August 23, 2012, at page 15.

² Source for all population figures except Mendocino Coast: U.S. Census 2010.

³ Each court's Schedule 7A, dated effective July 1, 2013.

**THE REMOTE ACCESS-FUNDING FACTOR
IDENTIFIED BY THE MENDOCINO SUPERIOR COURT
IS UNIQUE TO 8 COUNTIES AT MOST**

Of California's 58 counties, at most 8 may be eligible to qualify: **El Dorado** (its South Lake Tahoe branch court, 1 hour 10 minutes from the county seat, has a population of 21,403); **Kern** (Ridgecrest, 1 hour 49 minutes, pop. 27,626); **Los Angeles** (Lancaster, 1 hour 14 minutes, pop. 156,633); **Mendocino** (Fort Bragg, 1 hour 14 minutes, pop. 7,273, serving the Mendocino Coast, 1 hour 22 minutes, pop. 26,700); **Nevada** Truckee, 57 minutes, pop. 16,180); **Riverside** (Blythe, 2 hours 32 minutes, pop. 20,817; Indio, 1 hour 11 minutes, pop. 76,036; Palm Springs, 54 minutes, pop. 44,552); **San Bernardino** (Barstow, 1 hour 4 minutes, pop. 22,639); and **Santa Barbara** (Lompoc, 56 minutes, pop. 42,434; and Santa Maria, 1 hour 7 minutes, pop. 99,553).

22 counties would not qualify because they have no branch court at all: **Alpine, Amador, Calaveras, Colusa, Del Norte, Fresno, Humboldt, Lassen, Marin, Mariposa, Modoc, Napa, Sacramento, San Benito, San Francisco, Sonoma, Stanislaus, Sutter, Tehama, Tuolumne, Yolo, and Yuba.**

Other counties would not qualify because they have no branch court that serves a remote population. There appear to be 20 such counties, none with a population served by branch court farther away than 45 minutes from the county seat: **Alameda** (its farthest branch court, at Fremont, is 31 minutes from the county seat); **Butte** (Chico, 25 minutes away); **Contra Costa** (Richmond, 24 minutes); **Glenn** (Orland, 17 minutes); **Inyo** (Bishop, 40 minutes); **Kings** (Avenal, 42 minutes); **Lake** (Clearlake, 34 minutes); **Merced** (Los Banos, 40 minutes); **Monterey** (Monterey, 25 minutes); **Orange** (Fullerton, 19 minutes); **San Diego** (Vista, 41 minutes); **San Joaquin** (Manteca, 18 minutes); **San Luis Obispo** Paso Robles, 31 minutes); **San Mateo** (South San Francisco, 21 minutes); **Santa Clara** (Morgan Hill, 24 minutes); **Santa Cruz** (Watsonville, 21 minutes); **Solano** (Vallejo, 21 minutes); **Trinity** (Hayfork, 38 minutes); **Tulare** (Porterville, 38 minutes); and **Ventura** (Simi Valley, 41 minutes).

Other counties would not qualify because the remote population served by their branch court is too small to justify a full-service branch court. There appear to be 8 such counties (*unless the population their branch court serves is much greater than the population of the city where the branch court is located*): **Imperial** (at Winterhaven, 53 minutes from the county seat, pop. 394); **Madera** (Bass Lake, 1 hour 2 minutes, pop. 537); **Mono** (Mammoth Lakes, 55 minutes away from the county seat, has an arguably large population of 8,234, but the county seat itself, Bridgeport, has a population of only 575); **Placer** (Tahoe City, 1 hour 20 minutes, pop. 1,557); **Plumas** (Chester, 57 minutes, pop. 2,144); **Shasta** (Burney, 58 minutes, population 3,154); **Sierra** (Portola in Plumas County, 58 minutes, pop. 2,104); **Siskiyou** (Dorris, 1 hour 10 minutes, pop. 939).

Item 5: Budget Change Proposals for 2015-2016

Issue

What should the 2015–2016 statewide budget change proposal (BCP) priorities be for the trial courts? In order to generate a discussion of potential 2015–2016 statewide BCPs earlier in the process than in prior years, the Judicial Branch three-year blueprint is attached which lists the priorities for the trial courts:

1. Trial court reinvestment - closing the funding gap;
2. Trial court employee benefit and salary increases;
3. Judgeships - second set of 50 (AB 159);
4. Court facilities - modification projects, increased operating costs for new and renovated courthouses, and maintenance of trial court facilities;
5. Court-appointed dependency counsel; and
6. Technology.

Should the 2015–2016 statewide BCP priorities be only from those listed in the Judicial Branch three-year blueprint priorities, or should a survey be sent to all 58 trial courts to generate input for additional priorities not included in the blueprint?

Background

Last fiscal year in order to receive input for a discussion of potential 2014–2015 statewide BCP priorities, the co-chairs of the Trial Court Budget Advisory Committee (TCBAC) sent a survey to all 58 courts containing a list of programs. Courts were asked to indicate whether they agreed or disagreed with pursuing a statewide BCP in each of the programs. They were also asked to provide their own top three statewide BCP priorities which could include programs other than those on the provided list. Administrative Office of the Courts (AOC) staff reviewed the responses and sent them to the TCBAC. The TCBAC met on August 14, 2013, and discussed the results of the survey and other priorities suggested by the courts. The recommended priorities resulting from these discussions were submitted to the Judicial Council for consideration at its business meeting on August 23, 2013. The council approved the TCBAC priority recommendations to be developed into 2014–2015 BCPs and submitted for the trial courts to the Department of Finance. These budget priorities were also included in the Judicial Branch three-year blueprint for the trial courts (see Attachment 5B).

Options for Discussion

Option 1

No additional priorities. The budget change proposals for the trial courts for 2015–2016 would be from the priorities in the Judicial Branch three-year blueprint.

Pro

These priorities areas were identified as being the greatest need for trial courts. If additional priorities are included, it may appear that these are no longer as critical.

Con

There may be other unfunded costs that are critical to a number of courts that are not being currently addressed in the blueprint priorities.

Option 2

A statewide survey would be sent to all courts to generate input for additional priorities critical to trial courts. AOC staff would then present a summary compilation of the priorities from all of the surveys to the TCBAC for review at its May meeting to make final recommendations on the 2015–2016 priorities to be developed into BCPs.

Pro

A statewide survey would allow all courts to have input on the BCP priorities for 2015–2016.

A survey would generate input for additional priorities not included in the blueprint that may be critical to the operations of a number of courts.

Con

Courts would only have a two to three week turnaround after the TCBAC's May meeting to provide information for the additional priorities in time for the Judicial Council's June business meeting.

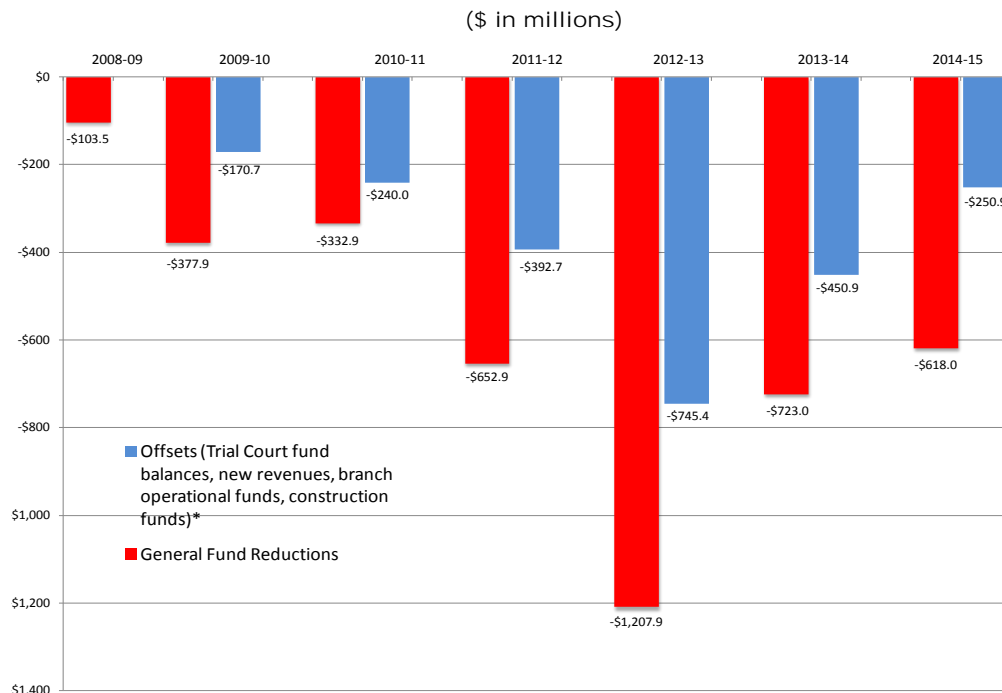
REINVESTING IN CALIFORNIA'S JUSTICE SYSTEM

A Three-Year Blueprint for a Fully Functioning Judicial Branch

California's state court system, the largest in the nation, serves 38 million people. Unprecedented budget cuts since 2008 hamper the people's access to justice. Only one penny of every General Fund dollar supports California's courts—not enough to sustain a fully functioning system. In 2013, courts struggled to maintain services while absorbing a cut of nearly a half billion dollars. One-time sources that softened past cuts are gone. We need a reinvestment in justice; this *Blueprint for a Fully Functioning Judicial Branch* outlines a three-year plan to restore and improve access to justice in California by focusing on four core elements:

1. Implement Access 3D: Physical, Remote, and Equal Access
2. Close the Trial Court Funding Gap
3. Provide Critically Needed Judgeships
4. Modernize Court Technology

General Fund Reductions to the Judicial Branch Since 2008



*The amounts shown as Offsets for 2012-13 and 2013-14 include \$200 million from trial court fund balances.

| Reinvestment Needed | |
|----------------------|---------------|
| Just to Tread Water* | \$266 million |
| 1st Year | \$612 million |
| Over 3 Years | \$1.2 billion |

*See attachment on Treading Water.

Impacts of Cuts to the Public

51 courthouses closed

205 courtrooms closed

30 courts with reduced public service hours

37 with reduced self-help/family law facilitator service

More on impacts at: <http://www.courts.ca.gov/partners/1494.htm>.

1. IMPLEMENT ACCESS 3D

The Chief Justice's vision for multi-dimensional access to justice requires a robust reinvestment in the court system. Access 3D provides for:

- **Physical Access:** Keeping courts open and operating at locations where and when the public needs them.
- **Remote Access:** Increasing the ability of court users to conduct branch business online rather than *in line*.
- **Equal Access:** Providing court services to people of all languages, abilities, needs, and socio-economic levels, reflecting California's diversity.

2. CLOSE THE TRIAL COURT FUNDING GAP

Budget Gap: Based on current workload and case filings, the trial courts need \$2.6 billion to enable a fully functioning court system. The current shortfall stands at \$874.9 million. Including the \$60 million budget increase that began in 2013–2014, trial courts currently receive \$1.5 billion in state funding. They receive another roughly \$200 million in other revenue sources, such as local revenues from fines and fees.

Workload Allocation Funding Methodology: The calculation of the trial court funding gap is based on the recently adopted Workload Allocation Funding Methodology (WAFM), that itself is based on case filings and weighted by case type using the Resource Allocation Study (RAS) Model. The WAFM represents a historic overhaul of how funds are allocated to California's trial courts. Because it is based on a three-year rolling average of filings, and takes into consideration variations in case types and court resources needed for those various case types, it provides an equitable basis for determining funding levels to support trial court functions and help the state's most under-resourced courts. (For more detail, see attachment on Workload-Based Funding for Trial Courts).

1% Fund Balance: Trial courts are unable to adequately maintain local fund balances (reserves) provided for by the Lockyer-Isenberg Trial Court Funding Act of 1997. The 2012–2013 budget required trial courts to reduce any reserves by all but 1% of their previous year's expenditures by July 1, 2014. This requirement threatens to create cash-flow problems for local courts, and inhibits replacing failing equipment and performing long-term planning.

3. PROVIDE CRITICALLY NEEDED JUDGESHIPS

The state's fastest growing counties are facing a critical shortage of judges to hear the cases of our most vulnerable citizens. In 2007, the Legislature authorized 50 new trial court judges. However, the positions remain unfunded and unfilled. A 2012 study showed a statewide need for 314 judgeships. The lack of judges, coupled with ongoing funding cuts, has magnified the access-to-justice problems in historically under-resourced courts. Additionally, due to increased workload, two additional appellate court justices are needed in Division Two of the Fourth Appellate District. This addition will prevent cases from being transferred from one district to another, which poses a hardship for litigants who bear the expense and burden of traveling to a distant district. It will also allow local issues to be decided in the geographic area in which the dispute arose.

4. MODERNIZE COURT TECHNOLOGY

A predominantly paper-based court system in California is costly and inefficient. It inhibits access to justice and thwarts the public's growing expectations for online access for filings, payments, and other court services, expectations that can be mitigated by e-filing and a variety of solutions. The branch continues to support initiatives that address immediate needs (such as maintaining current operating systems and continuing deployment of technologies such as the California Courts Protective Order Registry), while developing a four-year technology plan for the courts. The strategic plan for judicial branch technology will be finalized in May 2014, and will provide a structure, roadmap, and process for managing technology initiatives for which additional funding will be sought.

FUNDING THE BLUEPRINT: 2014–15 to 2016–17

State General Fund support for the judicial branch has been reduced from 56% of the total branch budget in 2008–2009, to just 25% in 2013–2014. Over this five-year period, to make up for lost revenue to the branch and prevent debilitating impacts on public access to justice, user fees and fines have been increased, local court fund balances were spent, and statewide project funds, including \$1.7 billion for courthouse construction were diverted to court operations or the state's General Fund.

The \$63 million reinvestment (\$60 million for trial courts; \$3 million for state level courts) in the judicial branch in the current year (2013–2014) was an important first step that enables the courts to begin to address service impacts from recent cuts. Still, achieving significant restoration of services and access to justice will require the mitigation of the remaining \$472 million in permanent ongoing reductions to the judicial branch since 2008–2009, specifically \$415 million for trial courts, and a combined \$57 million for the Supreme Court, Courts of Appeal, Judicial Council/Administrative Office of the Courts (AOC), Judicial Branch Facility Program, and Habeas Corpus Resource Center (HCRC).

Moreover, in its budget analysis, the Legislative Analyst indicated that these ongoing reductions will increase by more than \$200 million in 2014–2015, given that there will be fewer resources available to the courts (such as trial court reserves) to offset them. This shortfall must be addressed. The \$105 million baseline adjustment in the Governor's proposed 2014–2015 budget is a positive step; however, additional funding is needed simply to maintain current service levels.

YEAR 1 FUNDING DETAILS (\$612 Million)

- **Closing the Funding Gap (\$353 million)** — An additional \$353 million is needed to provide the necessary baseline for adequate judicial branch operations (see p.5 for details).
- **Trial Court Employee Costs (\$96.3 million)** — To cover increased health benefit and retirement costs of trial court employees, \$64.8 million is needed in the budget year (and thereafter). Without this funding, the courts will be faced with reducing services and eliminating even greater numbers of court staff positions in order to absorb these costs into already over-extended budgets. Once the Administration completes collective bargaining with the 21 state executive branch employee bargaining units, a request to provide a mean increase for trial court employees will be submitted. A 2% cost-of-living adjustment requires \$31.5 million for the trial courts.
- **Trial Court Judgeships (\$82.6 million)** — In 2007, the Legislature authorized 50 new trial court judges (AB 159, Stats. 2007, ch. 722). However, the positions remain unfunded and unfilled. The Judicial Council seeks funding for the 50 positions—\$82.6 million for the first year, and \$45.5 million annually in ongoing costs.
- **Court Facilities (\$35.8 million)** — General Funds are needed for \$33.7 million in trial court facility modification projects including major repairs, system lifecycle replacements, and safety related renovations (\$12 million); facility operational costs (\$20 million); and the purchase of insurance to provide for effective risk management and damage and destruction event financing of trial court facilities (\$1.7 million).

In addition, a request of \$2.1 million has been made to address rent increases at state buildings that house the Supreme Court, the First, Second, and Third District Courts of Appeal, and the Judicial Council/AOC. Given the significant reductions already absorbed by the courts, if not funded, these additional rent increases will result in further erosion of branch operations and services.

- **Dependency Counsel (\$33.1 million)** — Parents and children involved in court dependency proceedings rely on court-appointed dependency counsel. The fund that serves this need is inadequate and the Judicial Council seeks to permanently increase the budget for court-appointed dependency counsel for parents and neglected children by \$33.1 million per year to reduce caseloads from the current rate of 250 clients per attorney to 188. The American Bar Association recommends 100 clients per attorney.
- **State Judicial Branch Employee Costs (\$6.3 million)** — To cover increased health benefit and retirement costs of judicial state branch employees in the Supreme Court and the Courts of Appeal, \$2.2 million is needed in the budget year (and thereafter). Once the Administration completes collective bargaining with the 21 state executive branch employee bargaining units, a request to provide a mean increase for all judicial branch employees will be submitted. A 2% cost-of-living adjustment requires an infusion of \$4.1 million for the Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and the Judicial Council/AOC.
- **Appellate Court Justices (\$2.3 million)** — Due to increased workload, two additional appellate court justices are needed in Division Two of the Fourth Appellate District. The Judicial Council seeks funding for the two new positions at an estimated cost of \$2.3 million for the first year, and \$2.1 million annually in ongoing costs.
- **Habeas Representation (\$2 million)** — A request of \$2 million for the Habeas Corpus Resource Center will add 26 positions to address the increased number of death penalty cases requiring capital habeas representation.
- **Supreme Court Workload (\$913,000)** — \$913,000 is needed to provide the Supreme Court with additional resources to address mandated workload.

LOOKING AHEAD — BRANCH FISCAL MANAGEMENT

Baseline Budget Adjustment — Given the current level of and method for funding for the branch, neither the state level judicial branch entities nor local trial courts can adequately maintain operations or absorb annual increases in employee health benefits and pension costs. A mechanism to provide stable and reliable funding for the branch, which will include some level of annual adjustment, must be determined.

FUNDING THE BLUEPRINT: 2014-15 to 2016-17

Reinvestment

| | \$150 m from 11-12 | \$125 m from 12-13 | | WAFM Shortfall | \$18.5m Other Operational Considerations | Less \$3.025m already provided in 2013 Budget Act | Net Support Need | Net Construction Need | |
|---------------------------|---------------------|---------------------|----------------------|----------------------|--|---|----------------------|-----------------------|----------------------|
| Supreme Court | \$ 285,000 | \$ 514,000 | | | \$ 4,971,000 | (\$500,000) | \$ 5,270,000 | | |
| Courts of Appeal | 1,265,000 | 2,163,000 | | | 11,666,000 | (2,375,000) | 12,719,000 | | |
| Trial Courts ¹ | | | | \$ 874,881,000 | | | 874,881,000 | | |
| JC/AOC | 3,672,000 | 1,063,000 | \$ 5,000,000 | | | | 9,735,000 | | |
| Facility Program | 77,000 | 40,000 | 5,000,000 | \$ 50,000,000 | | | 5,117,000 | \$ 50,000,000 | |
| HCRC | 291,000 | 220,000 | | | 1,870,000 | (150,000) | 2,231,000 | | |
| Total Reinvestment | \$ 5,590,000 | \$ 4,000,000 | \$ 10,000,000 | \$ 50,000,000 | \$ 874,881,000 | \$ 18,507,000 | (\$3,025,000) | \$ 909,953,000 | \$ 50,000,000 |
| | | | | | | | | \$ 959,953,000 | |

| Total Reinvestment ² | 3-year Implementation Plan | | |
|---------------------------------|----------------------------|-----------------------|-----------------------|
| | 14-15 | 15-16 | 16-17 |
| | \$ 353,319,000 | \$ 656,638,000 | \$ 959,953,000 |

| Other Critical Funding Needs (General Fund Only) | | | |
|--|-----------------------|-----------------------|-----------------------|
| Trial Court Employee Costs^{3,4} | \$ 96,286,000 | \$ 96,286,000 | \$ 96,286,000 |
| Trial Court Judgeships | 82,643,000 | 45,479,000 | 45,479,000 |
| Court Facilities | 35,799,000 | 35,799,000 | 35,799,000 |
| Dependency Counsel | 33,100,000 | 33,100,000 | 33,100,000 |
| State Judicial Employee Costs⁴ | 6,292,000 | 6,292,000 | 6,292,000 |
| Appellate Court Justices | 2,327,000 | 2,125,000 | 2,125,000 |
| Habeas Representation | 1,989,000 | 1,989,000 | 1,989,000 |
| Supreme Court Workload | 913,000 | 913,000 | 913,000 |
| Total Critical Funding Needs | \$ 259,349,000 | \$ 221,983,000 | \$ 221,983,000 |

| Total Reinvestment and Other Critical Funding Needs - 3-year Implementation | | | |
|---|-----------------------|-----------------------|-------------------------|
| | \$ 612,668,000 | \$ 878,621,000 | \$ 1,181,936,000 |
| Supreme Court | 3,161,000 | 4,918,000 | 6,674,000 |
| Courts of Appeal | 9,020,000 | 13,058,000 | 17,297,000 |
| Trial Courts | 472,192,000 | 726,655,000 | 1,018,281,000 |
| JC/AOC | 4,342,000 | 7,587,000 | 10,832,000 |
| Facility Program | 85,592,000 | 87,298,000 | 89,003,000 |
| HCRC | 2,832,000 | 3,576,000 | 4,320,000 |
| Judicial Branch Salaries | 35,529,000 | 35,529,000 | 35,529,000 |

¹ The reductions for the trial courts are not identified separately because they are addressed in the WAFM shortfall amount of \$874.9 million.

² Included in these amounts is \$4.2 million General Fund (plus \$1 million other funds) needed to eliminate furloughs at the Supreme Court, Courts of Appeal, Judicial Council/AOC, and HCRC.

³ \$29.3 m of trial court benefit costs was funded from the Trial Court Trust Fund in 2013-14 on a one-time basis, as the TCTF does not have sufficient revenues to fund these costs on an ongoing basis

⁴ These figures do not include any cost increases in future years.

TREADING WATER

A SNAPSHOT OF ADDITIONAL RESOURCES NECESSARY IN 2014–15 JUST TO MAINTAIN CURRENT JUDICIAL BRANCH FUNDING & SERVICE LEVELS

Budget Year Shortfall

“While the Governor’s [14-15] budget provides an additional \$100 million in ongoing General Fund support for trial court operations, these funds may not result in a substantial restoration of access to court services. ... [A]pproximately \$200 million in one-time solutions previously used to offset ongoing reductions from prior years will no longer be available in 2014-15. Thus, trial courts will need to take actions to absorb this on an ongoing basis, which could include further operational reductions.

—Legislative Analyst’s Office: The 2014-15 Budget: Overview of the Governor’s Budget

Because the previous year’s budget supplemented state appropriations with \$200 million in trial court reserves (fund balances), the **2014–15 budget must be increased** by that amount in addition to amounts representing uncontrollable cost increase in order to preserve current, but less-than-adequate, service levels.

Funding Necessary to Maintain Current-Year Service Levels

\$197.3 million to offset previously available reserves. In 2012–13, the trial courts spent-down \$207.2 million to offset budget reductions. In 2013–14, the spend-down is projected to equal \$187.4 million, producing a two-year average of \$197.3 million, representing the annual use by the trial courts of reserves to maintain service levels when allocations have been cut. Consistent with the assumption in the Governor’s 2013–14 Budget, reserves will be unavailable in 2014–15.

\$67.1 million in employee health benefits and retirement cost increases, consistent with baseline adjustments afforded executive branch agencies (\$64.8 million for trial courts, \$209,000 for the Supreme Court, \$1.0 million for the Courts of Appeal, \$747,000 for the Judicial Council/ Administrative Office of the Courts (AOC), \$99,000 for the Habeas Corpus Resource Center (HCRC)).

\$2.1 million in Department of General Services rent increases for Supreme Court, Courts of Appeal, and Judicial Council/AOC facilities.

\$266.5 million *Total General Fund reinvestment required.*

-\$105 million General Fund allocation in Governor’s 2014–15 Proposed Budget.

\$161.5 million Amount by which the judicial branch budget will effectively be reduced in 2014–15, if the Proposed Budget is not augmented.

Additional Key Considerations Regarding the Status Quo

\$5.2 million in additional funding (\$4.2 million General Fund and \$1 million other funds) is needed in order to eliminate furloughs that have been in place for five years at the Supreme Court, Courts of Appeal, Judicial Council/AOC and HCRC.

\$35.5 million in additional funding is needed to provide a 2% cost-of-living adjustment to all judicial branch employees, consistent with potential increases to be provided to executive branch employees; this funding would be divided as follows: \$31.5 million for trial courts, and \$4.0 million for the Supreme Court, Courts of Appeal, Judicial Council/AOC, and HCRC.

WORKLOAD-BASED FUNDING FOR TRIAL COURTS

The Resource Assessment Study Model (RAS) as a Foundation for the Trial Court Workload Allocation and Funding Methodology (WAFM)

The Workload Allocation Funding Methodology (WAFM) provides a budget development and allocation process for annual state trial court operations funds. The Resource Assessment Study (RAS) model is used as the basis for this process. Because court workload primarily consists of case processing, using a workload-based funding allocation model is the most equitable means of distributing resources. The annual estimates produced by the RAS model identify different funding needs across courts based on workload composition (e.g., workload-intensive felony cases are weighted more heavily than infractions cases) and filing patterns over time.

What is the Resource Assessment Study (RAS) Model?

- A weighted caseload model used to estimate staff resource need in the trial courts.
- Considered the gold standard in trial court workload evaluation; version used by 14 other states.

How Does It Work?

- Caseweights (time required for processing 20 different case types) are multiplied by a three-year average of filings, then divided by an average staff year (amount of work time available).
- Result is an estimate of operations staff need for case processing work.
- Workload need for managers and supervisors and administration staff is assessed using ratios, then added to staff need to estimate total need.
- Staffing needs are converted to a funding need estimate for each court through the WAFM process.

(Non filings-driven staff (e.g., enhanced collections, interpreters, or security), are not included in the RAS model, but are accounted for in the budget development and allocation process.)

What's Good About the Model?

Solid methodology

- Developed with guidance and support from national experts.
- Time study conducted with 24 California trial courts from all geographic regions, over 5,000 case-processing staff, 20 individual case types.
- Data collection methodologies captured case-related and non-case-related workload.

Massive data collection and analysis between 2010 and 2012

- 100,000 + data points from 16 time-study courts; 1,000,000 + minutes of data from 8 other courts; aggregated to construct a composite of case processing.

Quality adjustment phase

- Survey to factor in contracted services or paid/unpaid noncourt staff performing some portion of case processing work.
- Court site visits and sessions with court groups to validate data and refine recommendations.
- Validation by National Center for State Courts (recognized leader in court workload analysis).

For More Detail & Staff Need Projections Based on Most Recent Filing Data: California Courts Website: <http://www.courts.ca.gov/12922.htm>

CALIFORNIA COMMISSION ON ACCESS TO JUSTICE

c/o State Bar of California – 180 Howard Street – San Francisco, CA 94105 – (415) 538-2352 – (415) 538-2524/fax

March 19, 2014

The Honorable Laurie M. Earl
Superior Court of Sacramento County
720 Ninth Street, Department 26
Sacramento, CA 95814

RE: Recommendations to the Trial Court Budget Advisory Committee

Dear Judge Earl:

The California Commission on Access to Justice is pleased to submit recommendations to the Trial Court Budget Advisory Committee regarding access to justice and the impact of lengthy distances and/or amounts of time that litigants and witnesses must spend traveling in order to access courts.

Our recommendations include factors to consider when deciding on court closures, openings, or other matters that impact the distance and amount of time individuals must travel in order to access a court, as well as recommendations to help mitigate some of the access-related concerns that arise from having to travel long distances or lengthy amounts of time to court.

The Commission has been researching, discussing, and writing about access issues for over fifteen years. We have been particularly concerned about court issues that impact low income Californians. As part of these efforts, the Commission has considered many of the access to justice consequences of long distances and/or travel time to courts.

While court closures have impacted many communities, Californians living in geographically large counties or rural areas are more likely to face significant distance or travel issues. In rural areas, issues with traveling to courts are compounded by the fact that a larger percentage of rural Californians are low income, elderly, living with disabilities, or are military veterans. A larger percentage of rural residents experience certain harms that courts can help to address: there are more workplace injuries in rural areas and more severe injuries from domestic violence. Rural youth may have more need for court access: they use drugs and alcohol at a younger age and they have less access to educational accommodations for disabilities in rural schools (see [Improving Civil Justice in Rural California](#) at 21-22.)

To maintain accessibility to California courts, the Commission hopes that you will consider the following factors and possible practices when deciding on court closures, openings, or other matters that impact the distance and amount of time individuals must travel in order to access a court.

HON. RONALD B. ROBIE
Chair
*Court of Appeal, Third Appellate District
Sacramento*

JOANNE E. CARUSO
Vice Chair
*Jacobs Engineering Group, Inc
Pasadena*

MARY LOU ARANGUREN
*Alameda County Superior Court
Berkeley*

HON. STEVEN K. AUSTIN
*Contra Costa County Superior Court
Pittsburgh*

MARCIA R. BELL
*San Francisco Law Library
San Francisco*

CATHERINE J. BLAKEMORE
*Disability Rights California
Sacramento*

CHARLES CALDERON
Whittier

HON. RICARDO CORDOVA
*Superior Court of Stanislaus County
Modesto*

KRESTA N. DALY
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MEERA E. DEO
*Thomas Jefferson School of Law
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ERIKA C. FRANK
*California Chamber of Commerce
Sacramento*

HON. JAMES E. HERMAN
*Superior Court of Santa Barbara County
Santa Barbara*

JANIS R. HIROHAMA
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VENUS D. JOHNSON
*Office of the Calif. Attorney General
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HON. MARK A. JUHAS
*Los Angeles County Superior Court
Los Angeles*

MARY E. KELLY
*Calif. Unemployment Insurance Appeals Board
Los Angeles*

MICHAEL J. LEVY
*California Energy Commission
Sacramento*

HON. GOODWIN H. LIU
*California Supreme Court
San Francisco*

PAUL S. MARKS
*Neufeld Marks
Los Angeles*

HON. DOUGLAS P. MILLER
*Court of Appeal, Fourth Appellate District
Riverside*

DEBORAH D. MOSS-WEST
*Santa Clara University School of Law
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ANNE MARIE MURPHY
*Cotchett, Pitre & McCarthy
Burlingame*

HON. MARIA P. RIVERA
*Court of Appeal, First Appellate District
San Francisco*

PAUL S. TEPPER
*Western Center on Law & Poverty
Los Angeles*

DIAN M. VORTERS
*State of Calif., Office of Administrative Hearings
Sacramento*

KELLI M. EVANS
*Senior Director Administration of Justice
State Bar of California*

**RECOMMENDED FACTORS TO CONSIDER WHEN DECIDING ON COURT CLOSURES,
OPENINGS, OR OTHER MATTERS THAT MAY IMPACT THE DISTANCE OR TIME SPENT
TRAVELING TO COURT**

Amount of travel time necessary to access a court.

Long distances to courts, as well as the slow speeds required to negotiate winding or poorly paved roads, may mean diminished access to justice. Studies show that people who live more than 25 miles from legal services offices are six times less likely to avail themselves of those services (see, e.g., *Spain, L.R. Public Interest Law* at 368.) There is likely a similar measurable drop off in court use. Studies indicate that juries are less diverse where some in the pool live very far from the courts, because difficulty in getting to the court is an excusable hardship. (13 Nat'l Black L.J. 238)

Level of poverty in area served by court.

Residents of areas with lower average income levels have fewer resources to expend toward reaching court. Longer travel times to court require more missed work, more salary loss, greater child care costs, and larger fuel costs, all of which are a greater hardship for low income households.

Proximity and frequency of public transportation.

Public transportation is uneven throughout the state and often scheduled to accommodate working commuters. Transit schedules and availability have a substantial impact on the ability of many to access courts. Many Californians do not have easy access to public transit: in rural areas it is often both scarce and infrequent, and even in large urban areas, transit schedules may make it difficult to arrive at court for the morning calendar without staying overnight near the courthouse.

Community costs associated with distant courts.

Police officers and incarcerated defendants also travel longer distances when courts are closed. This means less time spent policing and more costs for transportation and security, all of which impact state and local budgets.

Education level of residents in area served by court.

Residents of poorer communities have less education and less access to broadband than residents of prosperous communities, so the resources that are available through walk-in self-help centers that adjoin courts are particularly important to poor communities. Households earning less than \$40,000 have access to broadband at half the rate of households earning more than \$80,000: 47% of the former have access, compared to 94% of the latter group (see *Improving Civil Justice in Rural California* at 23). Similarly, California high school graduates earn one half of what California college graduates earn (see <http://www.cpec.ca.gov/FiscalData/MedianIncomeGraph.asp>)

**RECOMMENDED PRACTICES TO HELP MITIGATE ACCESS CONCERNS ASSOCIATED
WITH LONG DISTANCE AND/OR LENGTHY TRAVEL TIME TO COURT**

The Access Commission recommends consideration of the following practices to help ameliorate some of the issues that arise from long distance and/or lengthy travel time to access a court:

- **Minimizing court appearances** – To the extent possible, court calendars should be set to minimize trips to the courthouse, with motions and court sessions calendared to minimize travel for judges and for the public.
- **Non-traditional court hours** – Court hours that account for travel needs, including public transportation and work schedules are helpful. Courts can open later where travel times are greater. For example, courts close at 7:00 p.m. on the days that they are open in Montana, to maximize what can be done in the day. Other courts, including in Inyo County, have used night courts. Inyo County’s monthly night court for child support cases is reported to have resulted in far fewer no-shows.
- **Using community resources for filing** – Satellite self-help centers and other community-based assistance centers can reduce the need for proximity to physical courthouses, in some instances. For example, the self-help center at the Superior Court in Fresno County has worked with advocates at a domestic violence shelter in Reedley to allow clients to fax their petitions for restraining orders to Fresno, where the judge can sign the temporary restraining orders and the court can then fax them to local law enforcement.
- **Venue flexibility** – Where distances are vast, some states allow the public to go to the closest court, even in instances where it is in the next county.
- **Remote appearances** – Some court appearances can be conducted telephonically or by video conference. California courts use [Courtcall](#) or other services for routine, non-evidentiary, pre-trial hearings. Because Courtcall charges for its services, courts should consider making these services available at no charge for lower income persons. Additionally, some traffic courts are doing arraignments by video conference, obviating the need for travel to a more distant court.
- **Satellite collaborative courts** – Some states with large rural areas maintain satellite drug courts because the volume of cases is high and “specialty” courts require locally-based, immediate response. Research indicates that collaborative courts save court resources in the long run.

The Honorable Laurie M. Earl

Page 4

- **Traveling judges** – In a few western states (Montana and Wyoming, for example), courts are open only several days per month. Judges travel to the courts, on a prescheduled circuit, so that the public can travel shorter distances.
- **Shared clerical work through the internet** – Some states send clerical work from the busier courthouses to the smaller courthouses, enabling the smaller courthouses to retain enough staff to stay open.

Thank you for the opportunity to provide input on the issue of lengthy distances and travel time to access courts. We look forward to continued dialogue on these issues and hope that the factors and recommendations discussed in this letter are helpful to the important work of your committee.

Sincerely,



Ronald B. Robie

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Item 1: Court Interpreter Allocations

Issue

What data should be used to determine the appropriate percentage of the Program 45.45 unused savings that should be available to each court for reimbursement?

What if Program 45.45 is not sufficient to cover expenses in mandated cases and domestic violence (and related) cases?

Background

At its January 23, 2014, meeting, the Judicial Council directed the Trial Court Budget Advisory Committee to provide recommendations to the council at the April 2014 meeting on the maximum amount each court will be eligible to receive in reimbursement from the \$12,924,795 of unused savings from Program 45.45 for expenditures on interpreters in civil cases where the parties are indigent and, should there be insufficient funding in Program 45.45, for costs related to court interpreters for all appearances in domestic violence cases, family law cases in which there is a domestic violence issue, and elder or dependent adult abuse cases. The council further directed that the advisory committee's recommendations should be developed in a manner that will result in complete exhaustion of the unused savings by the end of fiscal year (FY) 2014–2015.

In May 2013, the Executive and Planning Committee, on behalf of the council, approved the formation of a limited-term Ad Hoc Joint Working Group to Address Court Interpreter Issues (working group) which was made up of representatives from each of the council's civil law subject matter advisory committees as well as other critical committees. Following is a list of working group members and the committees they represented (as those committees were named at that time):

- Judge Steven Austin, (Chair), Court Interpreter Advisory Panel
- Judge Mark Cope, Trial Court Presiding Judges Advisory Committee
- Alan Carlson, Court Executives Advisory Committee
- Judge Laurie Earl, Trial Court Budget Working Group
- Justice Kathleen O'Leary, Self-Represented Litigants Task Force
- Judge Ann Jones, Civil and Small Claims Advisory Committee
- Judge Kimberly Nystrom-Geist, Family and Juvenile Law Advisory Committee
- Judge Mitchell Beckloff, Probate and Mental Health Advisory Committee
- Judge John Pacheco, Access and Fairness Advisory Committee
- Judge James Brandlin, Policy Coordination and Liaison Committee
- Judge David De Alba, Policy Coordination and Liaison Committee

The working group was charged with making recommendations to the Judicial Council about (a) options for using all or a portion of the accumulated Program 45.45 funds and (b) options for

ensuring coordination of efforts designed to expand the provision of court interpreter services in California.

At its January 23, 2014, meeting, the Judicial Council adopted the following recommendations of the working group:

1. Authorize that trial courts can request reimbursement from the Trial Court Trust Fund Program 45.45 appropriation for costs related to court interpreters for all appearances in domestic violence cases, family law cases in which there is a domestic violence issue, and elder or dependent adult abuse cases, thereby eliminating the \$1.73 million cap currently in place for such expenditures. Direct that if expenditures in Program 45.45 exceed the \$92 million expenditure authority, any unused savings related to the Program 45.45 appropriation since FY 2009–2010 may also be used for these purposes.
2. Clarify that trial courts can request reimbursement from the Trial Court Trust Fund Program 45.45 appropriation, and any unused savings from that appropriation, for expenditures on court interpreters for indigent parties in civil cases. Each court may determine how best to implement providing interpreters in civil matters based on varying court and community needs, resource limitations due to availability of funds, availability of interpreters, and other court operational needs. If a court elects to implement in some cases types only, suggested case types include family law, civil harassment, unlawful detainer, probate conservatorship, and guardianship.
3. Direct Administrative Office of the Courts (AOC) staff to provide guidance to courts of the changes to what is reimbursable.
4. Direct the Civil and Small Claims Advisory Committee to create a new form for parties requesting interpreters in civil matters. The form should include space for the party to indicate the language for which an interpreter is required and to indicate whether a waiver of court fees and costs has been granted. The form should advise parties that interpreters are available in civil cases only for parties that are indigent.
5. Direct staff of the Center for Judicial Education and Research to develop training resources, as appropriate, for court staff on how the new form may be used to assist in the calendaring of cases and scheduling of interpreters.
6. Direct the Trial Court Budget Advisory Committee (TCBAC) to provide recommendations to the council at the April 2014 council meeting on the maximum amount each court will be eligible to receive in reimbursement from the unused savings pursuant to recommendation numbers 1 and 2, above. The TCBAC's recommendations should be developed in a manner that will result in complete exhaustion of the unused savings by the end of FY 2014–2015.
7. Direct that trial courts track the usage of interpreters in civil matters and report this information to the AOC in the format and time frame specified by the AOC.

The Interpreter Funding Subcommittee (Subcommittee) of the Trial Court Budget Advisory Committee, whose members include Judge Barry Goode (Chair), Judge Steven Austin, Sherri Carter, Judge Mark Cope, Shawn Landry, Christina Volkens, met on February 26, and again on March 6 to discuss the council's direction and develop a recommendation for TCBAC.

The Subcommittee met two times and considered the following information:

- 1) Filings data, broken down by case type.
- 2) Each court's past reimbursement from Program 45.45 funding for mandated cases for the past 5 years. The Subcommittee examined each court's percentage of total reimbursement based on an average of the last 5 years of reimbursements, the last 3 years of reimbursements, and using just the 2012–2013 year. The Subcommittee also examined what division of the unused interpreter savings would be if the Workload-Based Allocation and Funding Methodology (WAFM) percentages were used.
- 3) Census data on the population by county of individuals who speak English "less than very well."

Issue 1: What data should be used to determine the appropriate percentage of the unused savings that should be available to each court for reimbursement?

There was no good data to inform the subcommittee on anticipated need and usage by court for interpreters in civil cases where the parties are indigent. Several efforts are beginning to help capture a better understanding of the need and anticipated use, and the resulting cost, but that information is not currently available. The Subcommittee determined that the filings data was not a good determinant of the relative need for funding by court. The Subcommittee also opted not to consider the census data. Table 1 shows the percentage of total reimbursement from Program 45.45 for each court based on the most recent 5 years, the most recent 3 years, and the most recent year. The Subcommittee felt that using a single year did not allow for appropriate smoothing of possible one-year variations in usage. The Subcommittee observed that there was little difference between the 5-year average and the 3-year average, but concluded that the 5-year average would be the fairest comparison. The Subcommittee also considered using the percentage of the 2013–2014 trial court allocation each court received (when applying WAFM to 10% of the base funding and all of the new \$60 million and the historical percentages to the remaining 90% of the base) or the straight WAFM formula. However, the Subcommittee quickly concluded this was not a reasonable representation of the relative need for funding among the courts. The Subcommittee therefore recommends using each court's 5-year average percentage of total Program 45.45 reimbursement to determine the percentage of unspent savings that will be available to each court.

Issue 2: What if the Program 45.45 appropriation is not sufficient to cover expenses in mandated cases and domestic violence (and related) cases?

Members of the Subcommittee wanted to ensure there was a contingency plan if expenditures on mandated case types and domestic violence cases, family law cases in which there is a domestic violence issue, and elder or dependent adult abuse cases exceed the Program 45.45 appropriation. Domestic violence and related cases were previously funded out of the State Trial Court Improvement and Modernization Fund (STCIMF), and the eligible amount capped at \$1.73 million. Those interpreter expenses are now funded out of Program 45.45, and the Judicial Council has eliminated the cap. Members also noted that recently negotiated salary increases would reduce the available funding in Program 45.45.

The Ad Hoc Working Group's January 2014 report to the Judicial Council included the following:

Information suggests that elimination of the \$1.73 million cap on interpreters for domestic violence cases, ancillary family law proceedings, and elder and dependent adult abuse cases will not cost a significant amount of money and that expenditures for these purposes should be able to be funded within the annual Program 45.45 allocation (which is approximately \$92 million). The total request from courts for fiscal year 2013–2014 for domestic violence, elder and dependent adult abuse, and related family law matters was \$3.2 million (only \$1.47 million more than the \$1.73 million currently expended). If the extent of the need surpasses the estimate, however, the working group recommends that the council allow the expenditure of not just the Program 45.45 allocation, but also the unused savings, for this purpose. ...

[E]liminating the \$1.73 million cap for interpreters in domestic violence matters, ancillary family law cases, and elder and dependent adult abuse cases, can likely be accommodated within the existing Program 45.45 appropriation. At the request of the working group, the AOC Fiscal Services Office, with data provided by the Court Language Access Support Program, calculated the costs of recently negotiated salary increases in Court Interpreter Regions 2 and 3. All other things being equal, those cost increases, plus the estimated \$1.47 million increase derived by eliminating the cap, will result in full expenditure by the end of 2015–2016, or nearly complete expenditure of the Program 45.45 appropriation.

The Subcommittee therefore recommends prioritizing mandated cases and the domestic violence and related matters by providing that if the Program 45.45 appropriation is insufficient to cover those matters, funding shall be provided from the unspent savings to cover the shortfall for 2013–2014 and the same amount of funding shall be held for these purposes in 2014–2015.

Recommendations

The Interpreter Funding Subcommittee makes the following recommendations to the Trial Court Budget Advisory Committee:

1. Each court shall be eligible to receive in reimbursement from the Unused Savings a percentage of the Unused Savings that is equal to the average percentage of Program 45.45 reimbursements it received over the past five years (column B on Attachment).
2. AOC staff should track the rate at which the Unused Savings are being drawn down and report that to the trial courts each month. The Trial Court Budget Advisory Committee should review that at least once each quarter.
3. If requests for reimbursement for mandated case types and domestic violence matters (including family law matters in which there is a domestic violence issue, and elder or dependent adult abuse) from the Trial Court Trust Fund Program 45.45 appropriation in the current fiscal year (2013–2014) exceed the amount of money in that fund, then the Unused Savings should first be allocated to Program 45.45 in an amount sufficient to cover the shortfall. This same amount of Unused Savings shall also be held to ensure adequate funds are available in FY 2014–2015 to cover the mandated case types and domestic violence matters. In FY 2014–2015, upon review and approval of the TCBAC, all remaining Unused Savings shall be allocated to each court pursuant to the percentages established in recommendation (1) above. If (a) requests for reimbursement from the Trial Court Trust Fund Program 45.45 in FY 2014–2015 exceed the amount of money in that fund, and (b) the Unused Savings have not been exhausted by the end of FY 2014–2015, then the remaining Unused Savings shall be allocated to the unsatisfied requests for reimbursement. The Judicial Council should direct AOC staff to seek the necessary expenditure authority to permit reimbursement from the Unused Savings in FY 2013–2014 and FY 2014–2015. If there are additional Unused Savings in FY 2013–2014 from the Program 45.45 appropriation, those amounts shall be added to the total reimbursement each court is eligible to receive in FY 2014–2015 pursuant to recommendation (1) above.
4. In addition, the Subcommittee recommends tracking separately the expenditures for requests for reimbursement that result from providing interpreters for indigent parties in civil cases. Data on those requests for reimbursement should be tracked monthly so it can be determined how quickly the Unused Savings are being spent. The Judicial Council should direct AOC staff to create the necessary procedures that would collect this data from the Phoenix Financial System.

Item 1: Options for Court Interpreter Allocations

| Court | 5 Yr Average Interpreter Reimbursement | Share of \$12,924,795 Based on 5 Yr Avg | 3 Yr Average Interpreter Reimbursement | Share of \$12,924,795 Based on 3 Yr Avg | 2012-2013 Interpreter Reimbursement | Share of \$12,924,795 Based on 2012-2013 Reimb | 2013-2014 Allocation % | Share of \$12,924,795 Based on 2013-2014 Allocation | WAFM Formula Only | Share of \$12,924,795 Based on WAFM Only |
|-----------------|--|---|--|---|-------------------------------------|--|------------------------|---|-------------------|--|
| | A | B | C | D | E | F | G | H | I | J |
| Alameda | 3.66% | 472,488 | 3.83% | 494,475 | 3.99% | 515,699 | 4.67% | 603,588 | 3.95% | 510,529 |
| Alpine | 0.00% | 259 | 0.00% | 369 | 0.00% | 0 | 0.04% | 5,170 | 0.01% | 1,292 |
| Amador | 0.04% | 4,873 | 0.03% | 4,107 | 0.03% | 3,877 | 0.14% | 18,095 | 0.10% | 12,925 |
| Butte | 0.21% | 27,203 | 0.22% | 28,703 | 0.19% | 24,557 | 0.51% | 65,916 | 0.52% | 67,209 |
| Calaveras | 0.02% | 2,739 | 0.02% | 2,214 | 0.01% | 1,292 | 0.13% | 16,802 | 0.10% | 12,925 |
| Colusa | 0.14% | 18,448 | 0.14% | 17,805 | 0.11% | 14,217 | 0.09% | 11,632 | 0.07% | 9,047 |
| Contra Costa | 1.55% | 200,830 | 1.59% | 204,910 | 1.64% | 211,967 | 2.30% | 297,270 | 2.36% | 305,025 |
| Del Norte | 0.06% | 7,454 | 0.05% | 6,697 | 0.04% | 5,170 | 0.15% | 19,387 | 0.13% | 16,802 |
| El Dorado | 0.22% | 27,856 | 0.22% | 28,249 | 0.20% | 25,850 | 0.41% | 52,992 | 0.40% | 51,699 |
| Fresno | 2.69% | 347,388 | 2.50% | 322,854 | 2.36% | 305,025 | 2.42% | 312,780 | 2.56% | 330,875 |
| Glenn | 0.10% | 13,115 | 0.10% | 12,461 | 0.08% | 10,340 | 0.12% | 15,510 | 0.08% | 10,340 |
| Humboldt | 0.12% | 15,730 | 0.12% | 14,985 | 0.07% | 9,047 | 0.34% | 43,944 | 0.29% | 37,482 |
| Imperial | 0.63% | 81,712 | 0.59% | 76,412 | 0.56% | 72,379 | 0.44% | 56,869 | 0.47% | 60,747 |
| Inyo | 0.06% | 8,292 | 0.06% | 7,459 | 0.04% | 5,170 | 0.12% | 15,510 | 0.08% | 10,340 |
| Kern | 2.56% | 331,296 | 2.62% | 338,599 | 2.50% | 323,120 | 2.11% | 272,713 | 2.66% | 343,800 |
| Kings | 0.31% | 40,315 | 0.32% | 40,863 | 0.30% | 38,774 | 0.34% | 43,944 | 0.36% | 46,529 |
| Lake | 0.11% | 14,722 | 0.11% | 14,290 | 0.08% | 10,340 | 0.19% | 24,557 | 0.15% | 19,387 |
| Lassen | 0.05% | 6,134 | 0.04% | 5,216 | 0.01% | 1,292 | 0.13% | 16,802 | 0.11% | 14,217 |
| Los Angeles | 35.26% | 4,557,330 | 35.18% | 4,546,474 | 36.20% | 4,678,776 | 27.56% | 3,562,074 | 29.11% | 3,762,408 |
| Madera | 0.53% | 68,327 | 0.51% | 66,293 | 0.56% | 72,379 | 0.41% | 52,992 | 0.40% | 51,699 |
| Marin | 0.62% | 79,612 | 0.60% | 78,023 | 0.54% | 69,794 | 0.86% | 111,153 | 0.57% | 73,671 |
| Mariposa | 0.04% | 4,922 | 0.04% | 4,722 | 0.02% | 2,585 | 0.06% | 7,755 | 0.05% | 6,462 |
| Mendocino | 0.33% | 42,530 | 0.26% | 33,130 | 0.23% | 29,727 | 0.30% | 38,774 | 0.28% | 36,189 |
| Merced | 0.94% | 121,779 | 0.97% | 125,028 | 0.97% | 125,371 | 0.65% | 84,011 | 0.78% | 100,813 |
| Modoc | 0.01% | 748 | 0.01% | 668 | 0.01% | 1,292 | 0.06% | 7,755 | 0.03% | 3,877 |
| Mono | 0.04% | 5,040 | 0.04% | 5,244 | 0.04% | 5,170 | 0.09% | 11,632 | 0.08% | 10,340 |
| Monterey | 0.95% | 122,424 | 0.97% | 125,063 | 0.98% | 126,663 | 0.92% | 118,908 | 1.00% | 129,248 |
| Napa | 0.52% | 66,619 | 0.51% | 66,264 | 0.51% | 65,916 | 0.41% | 52,992 | 0.35% | 45,237 |
| Nevada | 0.07% | 8,624 | 0.06% | 7,147 | 0.04% | 5,170 | 0.26% | 33,604 | 0.24% | 31,020 |
| Orange | 9.16% | 1,184,410 | 9.09% | 1,174,439 | 9.00% | 1,163,232 | 8.31% | 1,074,050 | 7.26% | 938,340 |
| Placer | 0.47% | 60,797 | 0.39% | 50,590 | 0.34% | 43,944 | 0.79% | 102,106 | 0.89% | 115,031 |
| Plumas | 0.03% | 3,653 | 0.02% | 2,080 | 0.01% | 1,292 | 0.10% | 12,925 | 0.06% | 7,755 |
| Riverside | 3.78% | 488,528 | 3.65% | 471,755 | 3.49% | 451,075 | 4.15% | 536,379 | 5.05% | 652,702 |
| Sacramento | 3.73% | 481,565 | 3.78% | 488,162 | 3.82% | 493,727 | 4.29% | 554,474 | 4.38% | 566,106 |
| San Benito | 0.11% | 14,379 | 0.12% | 14,963 | 0.11% | 14,217 | 0.17% | 21,972 | 0.14% | 18,095 |
| San Bernardino | 5.17% | 668,241 | 5.27% | 681,477 | 5.15% | 665,627 | 4.53% | 585,493 | 5.79% | 748,346 |
| San Diego | 6.71% | 867,493 | 6.70% | 865,334 | 6.76% | 873,716 | 8.28% | 1,070,173 | 7.20% | 930,585 |
| San Francisco | 2.38% | 307,050 | 2.43% | 314,641 | 2.30% | 297,270 | 3.50% | 452,368 | 2.68% | 346,385 |
| San Joaquin | 1.50% | 194,186 | 1.45% | 187,449 | 1.41% | 182,240 | 1.69% | 218,429 | 1.94% | 250,741 |
| San Luis Obispo | 0.46% | 59,026 | 0.46% | 59,103 | 0.38% | 49,114 | 0.73% | 94,351 | 0.72% | 93,059 |
| San Mateo | 1.78% | 230,265 | 1.85% | 239,097 | 1.79% | 231,354 | 2.03% | 262,373 | 1.86% | 240,401 |

Item 1: Options for Court Interpreter Allocations

| | 5 Yr Average Interpreter Reimbursement | Share of \$12,924,795 Based on 5 Yr Avg | 3 Yr Average Interpreter Reimbursement | Share of \$12,924,795 Based on 3 Yr Avg | 2012-2013 Interpreter Reimbursement | Share of \$12,924,795 Based on 2012-2013 Reimb | 2013-2014 Allocation % | Share of \$12,924,795 Based on 2013-2014 Allocation | WAFM Formula Only | Share of \$12,924,795 Based on WAFM Only |
|---------------|--|---|--|---|-------------------------------------|--|------------------------|---|-------------------|--|
| Santa Barbara | 1.32% | 169,997 | 1.43% | 184,268 | 1.47% | 189,994 | 1.24% | 160,267 | 1.06% | 137,003 |
| Santa Clara | 3.53% | 456,287 | 3.56% | 460,427 | 3.81% | 492,435 | 4.96% | 641,070 | 4.06% | 524,747 |
| Santa Cruz | 0.74% | 95,566 | 0.72% | 93,691 | 0.79% | 102,106 | 0.67% | 86,596 | 0.61% | 78,841 |
| Shasta | 0.25% | 31,670 | 0.22% | 28,544 | 0.22% | 28,435 | 0.52% | 67,209 | 0.54% | 69,794 |
| Sierra | 0.00% | 578 | 0.00% | 429 | 0.00% | 0 | 0.04% | 5,170 | 0.01% | 1,292 |
| Siskiyou | 0.09% | 11,209 | 0.08% | 10,923 | 0.06% | 7,755 | 0.21% | 27,142 | 0.12% | 15,510 |
| Solano | 0.43% | 55,649 | 0.44% | 56,962 | 0.38% | 49,114 | 1.12% | 144,758 | 1.26% | 162,852 |
| Sonoma | 1.40% | 180,748 | 1.48% | 191,819 | 1.39% | 179,655 | 1.33% | 171,900 | 1.41% | 182,240 |
| Stanislaus | 0.70% | 90,304 | 0.63% | 80,999 | 0.55% | 71,086 | 1.13% | 146,050 | 1.40% | 180,947 |
| Sutter | 0.33% | 42,271 | 0.32% | 41,194 | 0.31% | 40,067 | 0.24% | 31,020 | 0.28% | 36,189 |
| Tehama | 0.15% | 19,221 | 0.15% | 18,832 | 0.11% | 14,217 | 0.20% | 25,850 | 0.20% | 25,850 |
| Trinity | 0.04% | 5,500 | 0.05% | 6,444 | 0.05% | 6,462 | 0.07% | 9,047 | 0.07% | 9,047 |
| Tulare | 1.48% | 191,064 | 1.58% | 204,612 | 1.60% | 206,797 | 0.87% | 112,446 | 0.93% | 120,201 |
| Tuolumne | 0.03% | 4,052 | 0.03% | 3,600 | 0.01% | 1,292 | 0.18% | 23,265 | 0.15% | 19,387 |
| Ventura | 1.74% | 224,313 | 1.79% | 230,927 | 1.85% | 239,109 | 1.73% | 223,599 | 1.94% | 250,741 |
| Yolo | 0.60% | 77,937 | 0.58% | 75,341 | 0.50% | 64,624 | 0.46% | 59,454 | 0.49% | 63,331 |
| Yuba | 0.08% | 10,026 | 0.06% | 7,970 | 0.05% | 6,462 | 0.22% | 28,435 | 0.18% | 23,265 |
| Total: | 100.00% | 12,924,795 | 100.00% | 12,924,795 | 100.00% | 12,924,795 | 100.00% | 12,924,795 | 100.00% | 12,924,795 |

Item 3: Recommendation of the Revenue and Expenditure Subcommittee -- BCP for Funding to Address \$67 Million Shortfall in TCTF Civil Fee Revenue that Supports Trial Courts' Base Allocations for Operations (action item)

Issue

Should the Judicial Council submit a 2014–2015 Budget Change Proposal requesting \$67.6 million in new General Fund monies for the Trial Court Trust Fund (TCTF) to address a \$67.6 million structural (i.e., ongoing) deficit?

Background

Revenues that support courts' base distributions are currently estimated to decline \$5 million in 2013–2014 and \$35.5 million in 2014–2015 from the estimates provided for the Governor's Budget in October 2013 (see Attachment 3D, columns G and J, line 9). The decline in revenues is primarily a result of a decline in paid first paper civil filings and court operations assessment on criminal convictions (see graphs in Attachment 3E). Attachment 3F provides graphs of number of paid fees vs. filings from JBSIS for the fees that generate the most TCTF revenue. Attachment 3G provides the number of paid fees and total revenues for all revenue types. If TCTF civil fee and court operations assessment revenues decline 6.3% from the projected 2013–2014 level and remains at that level, the TCTF will have a fund balance deficit of \$56 million in 2014–2015 and a structural deficit of \$67.6 million (see Attachment 3B, column D, line 32 and Attachment 3C, column E, lines 27 through 32). \$10 million of the shortfall is due to and would only occur if, as recommended by the subcommittee in item 2, (a) \$20 million were no longer transferred from the State Trial Court Improvement and Modernization Fund (IMF) to the TCTF and (b) \$10 million in expenditures for the V2 and V3 case management systems were moved from the TCTF to the IMF, which would result in a net decline of \$10 million in revenues that since 2011–2012 has offset ongoing reductions to trial court funding (see Attachment 3B, column D, lines 26 and 27 and Attachment 3C, column E, lines 30 and 31).

In addition, the \$67.6 million structural deficit assumes that the \$29 million allocated ongoing by the council in the TCTF for unfunded 2012–2013 benefit cost increases would not be allocated and therefore distributed to courts (see Attachment 3C, column E, line 20). Because available TCTF fund balance will be essentially exhausted by the end of 2013–2014, the council submitted a 2014–2015 BCP for the \$29 million and other unfunded benefit cost increases. The Governor's proposed 2014–2015 budget, as of January 2014, provided trial courts with \$100 million in new funding to be allocated by the WAFM, and did not include any specific funding for benefits.

In the Governor's Budget all scheduled TCTF appropriations (e.g., judges' compensation, court interpreters, and assigned judges) are funded from the state General Fund except for trial court operations, which is funded from the state General Fund and various revenues, including filing fees and the county Maintenance of Effort (MOE) payments. In the absence of unrestricted fund

balance, because courts' base allocations for court operations are supported in part by revenues, a decline in revenue or non-payment of obligations (i.e., MOE) can result in there being insufficient monies to distribute courts' allocations.

Recommendation

The TCBAC should recommend to the council that the council submit a BCP for \$67.6 million in ongoing funding to address the \$67.6 million structural deficit in the TCTF. Without a \$67.6 million augmentation in the General Fund transfer to the TCTF, there is projected to be only enough monies in the TCTF to fund all but \$56 million of trial courts' base and other allocations in 2014–2015 and all but \$67.6 million in future years.

Trial Court Trust Fund -- Fund Condition Statement

| # | Description | FY 2013-14 | | FY 2014-15 | |
|----|--|---------------------------------------|-------------------------------|---------------------------------------|-------------------------------|
| | | Estimate Provided to TCBAC on 1/16/14 | Current Estimate ¹ | Estimate Provided to TCBAC on 1/16/14 | Current Estimate ² |
| | | Col. A | Col. B | Col. C | Col. D |
| 1 | Beginning Balance | 82,520,997 | 82,346,997 | 31,402,415 | 11,613,540 |
| 2 | Prior-Year Adjustments | - | (1,817,093) | - | - |
| 3 | Adjusted Beginning Fund Balance | 82,520,997 | 80,529,904 | 31,402,415 | 11,613,540 |
| 4 | Revenue ³ | 1,380,887,532 | 1,376,276,630 | 1,380,887,532 | 1,345,488,436 |
| 5 | General Fund Transfer | 741,691,000 | 742,319,000 | 741,691,000 | 842,319,000 |
| 6 | Reduction Offset Transfers ⁴ | 26,080,000 | 26,080,000 | 26,080,000 | 26,080,000 |
| 7 | Net Other Transfers/Charges/Reimbursements ⁵ | (2,508,075) | (3,364,334) | (2,508,075) | (3,364,334) |
| 8 | Total Revenue and Transfers/Charges/Reimbursements | 2,146,150,457 | 2,141,311,296 | 2,146,150,457 | 2,210,523,102 |
| 9 | Total Resources | 2,228,671,454 | 2,221,841,200 | 2,177,552,872 | 2,222,136,642 |
| 10 | Expenditures/Encumbrances/Allocations | | | | |
| 11 | Program 30 - Expenditures/Allocations ^{6, 7, 8} | 21,626,120 | 23,326,239 | 24,130,252 | 24,387,755 |
| 12 | | | | | |
| 13 | Program 45 - Expenditures/Allocations ⁸ | 2,173,864,105 | 2,185,122,659 | 2,166,466,389 | 2,272,401,749 |
| 14 | Item 601 - Redevelopment Agency Writ Case Reimbursements | 1,778,814 | 1,778,814 | - | - |
| 15 | Total, Expenditures/Encumbrances/Allocations | 2,197,269,039 | 2,210,227,659 | 2,190,596,641 | 2,296,789,504 |
| 16 | Ending Fund Balance⁹ | 31,402,415 | 11,613,540 | (13,043,769) | (74,652,862) |
| 17 | Change in Ending Fund Balance from 1/16/14 | | (19,788,875) | | (61,609,093) |
| 18 | | | | | |
| 19 | Fund Balance Detail | | | | |
| 20 | Restricted Fund Balance | 15,136,748 | 8,202,468 | 13,243,392 | 8,202,468 |
| 21 | Unrestricted Fund Balance | 16,265,667 | 3,411,072 | (26,287,161) | (82,855,330) |
| 22 | | | | | |
| 23 | Revenue and Transfers Annual Surplus/(Deficit) | (51,118,582) | (68,916,364) | (44,446,184) | (86,266,402) |
| 24 | | | | | |
| 25 | Proposed IMF Solution: Discontinue \$20 Million Transfer from IMF and Fund V2 and V3 CMS from IMF | | | | |
| 26 | Shortfall from Discontinuing Transfer from IMF | N/A | N/A | N/A | (20,000,000) |
| 27 | Savings from Funding V2 and V3 CMS from IMF | N/A | N/A | N/A | 9,252,221 |
| 28 | Proposed IMF Solution Ending Fund Balance | 31,402,415 | 11,613,540 | (13,043,769) | (85,400,641) |
| 29 | | | | | |
| 30 | Revenue and Transfers Annual Surplus/(Deficit) | (51,118,582) | (68,916,364) | (44,446,184) | (97,014,181) |
| 31 | One-Time Component of Surplus/(Deficit) | | (42,565,327) | | (29,405,750) |
| 32 | Structural Component of Surplus/(Deficit) | | (26,351,037) | | (67,608,431) |

1. Revenues reflect updated projections as of March 6, 2014. The allocations reflect amounts approved by the Judicial Council through August 23, 2013 as well as revenue distributions based on the March 6, 2014 revenue projections.
2. Revenues reflect updated projections as of March 6, 2014. The allocations reflect amounts estimated by AOC offices for Program 30 allocations, approved by the Judicial Council through August 23, 2013 for Program 45.10 allocations, revenue distributions based on the March 6, 2014 revenue projections, and amounts appropriated in the State Budget Act.
3. Revenue items include Maintenance of Effort obligation payments, civil fees, court operations assessments, civil assessments, parking penalty assessments, telephonic appearances revenue, sanctions and contempt fines, interest from SMIF, and other miscellaneous revenue.
4. Reduction Offset Transfers include those from the Judicial Administration Efficiency and Modernization Fund, State Trial Court Improvement and Modernization Fund, State Court Facilities Construction Fund (SCFCF), and SCFCF Immediate and Critical Needs Account. In FY 2013-14 and future years, an additional \$50 million will be distributed to the courts directly from the SCFCF Immediate and Critical Needs Account.
5. Net Other Transfers include those related to the Trial Court Improvement Fund and the State Trial Court Improvement and Modernization Fund (per GC 77209), Judicial Branch Worker's Compensation Fund, State Controller's Office (SCO) pro-rata, and SCO apportionment.
6. The 2012 Budget Act appropriated the non-staffing component of many statewide programs managed in the TCTF, which previously used Program 45.10 - Support for Trial Court Operations appropriation, to the newly created Program 30.15 - Trial Court Operations appropriation.
7. Reflects the recommendation of the TCBAC's Revenue and Expenditure Subcommittee from their business meeting on November 1, 2013 to fund the Enhanced Collections program from TCTF Program 30.05 instead of the State Trial Court Improvement and Modernization Fund.
8. The estimates for the Sargent Shriver Indigent Services Pilot Program and the Equal Access Fund were adjusted to reflect available dedicated resources based on updated revenue projections provided in the 1st Turn 10R to the Department of Finance in October 2013.
9. The ending fund balance would be restricted by the cumulative savings from the court interpreter program, unspent court-appointed dependency counsel collections, and unspent Sargent Shriver Civil Counsel revenues.

Change in Fund Balance and Deficit From January 2014 to March 2014 Estimates

(Amounts in millions)

| # | Description | Fund Balance | | Deficit |
|----|---|--------------|--------------|--------------|
| | | FY 2013-14 | FY 2014-15 | FY 2013-14 |
| | | A | B | C |
| 1 | Estimate on January 16, 2014 | 31.4 | 11.6 | -51.1 |
| 2 | Less (Use of Restricted Fund Balance): | | | |
| 3 | <i>Use of Court Interpreter Savings</i> | -3.7 | | -3.7 |
| 4 | <i>Use of Court-Appointed Dependency Counsel Collections</i> | -2.3 | | -2.3 |
| 5 | <i>Shriver Civil Counsel Adjustment</i> | -1.8 | | -1.8 |
| 6 | Less: | | | |
| 7 | <i>Projected Decrease in Revenue that Supports Base Allocations</i> | -5.0 | -30.5 | -5.0 |
| 8 | <i>Correction to Court Reporter Fees Returned to Courts</i> | -4.0 | | -4.0 |
| 9 | <i>Adjustment to Beginning Balance</i> | -2.0 | | N/A |
| 10 | <i>Decrease in Net Transfers</i> | -0.8 | | -0.8 |
| 11 | <i>FY 2012-13 Criminal Justice Realignment Allocation</i> | -0.2 | | -0.2 |
| 12 | <i>FY 2012-13 Unfunded Benefits Allocation</i> | | -29.4 | |
| 13 | <i>FY 2013-14 Structural Deficit (see row 27 below)</i> | | -26.4 | |
| 14 | <i>Discontinue \$20 Million Transfer from IMF</i> | | -20.0 | |
| 15 | <i>Fund V2 and V3 CMS from IMF</i> | | 9.3 | |
| 16 | Fund Balance Adjustments | -19.8 | -97.0 | -17.8 |
| 17 | | | | |
| 18 | Current Estimate | 11.6 | -85.4 | -68.9 |

Deficit: Structural vs. One-Time

(Amounts in millions)

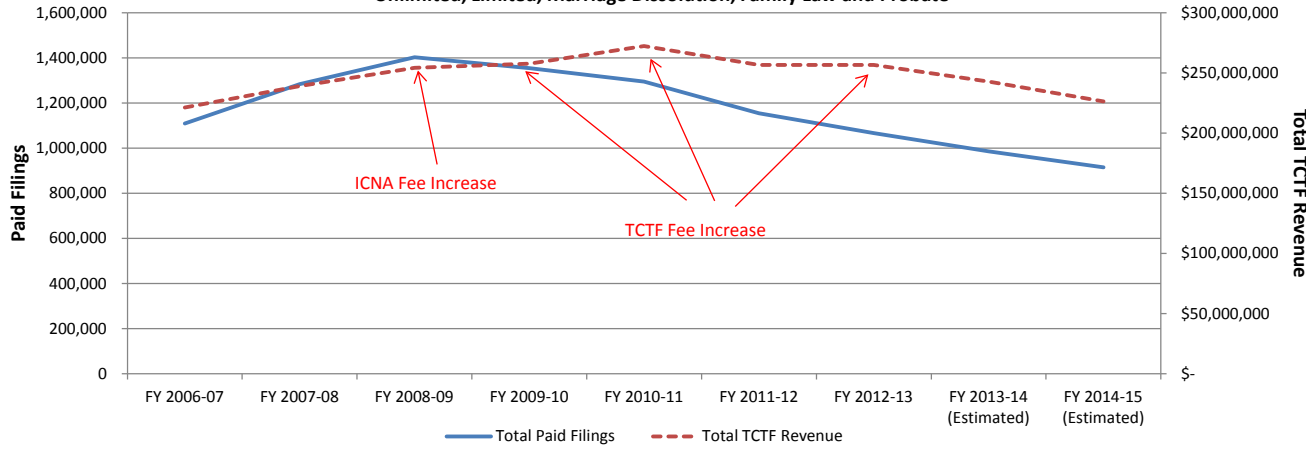
| # | Description | FY 2013-14 | FY 2014-15 |
|----|---|--------------|--------------|
| | | D | E |
| 19 | One-Time Items: | | |
| 20 | <i>FY 2012-13 Unfunded Benefits Allocation</i> | -29.4 | -29.4 |
| 21 | <i>FY 2011-12 Unfunded Benefits Allocation</i> | -4.7 | |
| 22 | <i>Use of Court Interpreter Savings</i> | -3.7 | |
| 23 | <i>Fresno CMS Allocation</i> | -2.4 | |
| 24 | <i>Use of Court-Appointed Dependency Counsel Collections</i> | -2.3 | |
| 25 | One-Time | -42.5 | -29.4 |
| 26 | | | |
| 27 | Structural | -26.4 | -26.4 |
| 28 | Add: | | |
| 29 | <i>Projected Decrease in Revenue that Supports Base Allocations</i> | | -30.5 |
| 30 | <i>Discontinue \$20 Million Transfer from IMF</i> | | -20.0 |
| 31 | <i>Fund V2 and V3 CMS from IMF</i> | | 9.3 |
| 32 | Structural | -26.4 | -67.6 |
| 33 | | | |
| 34 | Total Deficit | -68.9 | -97.0 |

TCTF Revenue: Court Base Distribution, Other Court Distribution, and Non-Court Distribution¹

| # | Description | | | | | 2013-14 | | | 2014-15 | | |
|----|---|----------------------|----------------------|----------------------|----------------------|---|-----------------------|-----------------------|---|-----------------------|-----------------------|
| | | 2009-10 A | 2010-11 B | 2011-12 C | 2012-13 D | Revenue Estimate in Gov's January Budget E | Current Estimate F | Variance (F - G) G | Revenue Estimate in Gov's January Budget H | Current Estimate I | Variance (I - H) J |
| 1 | Court Base Distribution | | | | | | | | | | |
| 2 | Maintenance of Effort Obligation | 659,363,062 | 658,019,198 | 658,749,090 | 659,200,310 | 659,050,502 | 659,050,502 | 0 | 659,050,502 | 659,050,502 | 0 |
| 3 | First Paper Civil Fees | 232,096,824 | 247,024,641 | 232,972,335 | 234,011,086 | 222,644,531 | 220,941,250 | -1,703,280 | 222,644,531 | 204,575,062 | -18,069,469 |
| 4 | Court Operations Assessment | 130,281,081 | 160,393,472 | 167,459,306 | 156,538,469 | 154,634,081 | 150,642,649 | -3,991,432 | 154,634,081 | 141,947,110 | -12,686,971 |
| 5 | Other Civil Fees | 83,922,192 | 96,455,943 | 89,718,095 | 120,127,698 | 104,919,338 | 108,548,938 | 3,629,600 | 104,919,338 | 103,295,675 | -1,623,664 |
| 6 | Civil Assessment Backfill of County Buyout | 47,963,303 | 47,875,483 | 48,109,904 | 48,057,665 | 48,302,729 | 48,302,729 | 0 | 48,302,729 | 48,302,729 | 0 |
| 7 | Parking Penalty Assessment | 0 | 7,541,531 | 25,167,085 | 25,550,771 | 27,930,778 | 25,056,964 | -2,873,814 | 27,930,778 | 25,005,836 | -2,924,942 |
| 8 | Other Revenue | 2,540,449 | 3,665,682 | 2,471,481 | 2,493,172 | 1,271,951 | 1,185,245 | -86,705 | 1,271,951 | 1,071,756 | -200,195 |
| 9 | Subtotal, Court Base Distribution | 1,156,166,910 | 1,220,975,950 | 1,224,647,297 | 1,245,979,171 | 1,218,753,911 | 1,213,728,278 | -5,025,632 | 1,218,753,911 | 1,183,248,670 | -35,505,241 |
| 10 | Other Court Distribution | | | | | | | | | | |
| 11 | Civil Assessment | 81,306,564 | 96,647,458 | 95,220,404 | 101,077,594 | 107,391,210 | 107,910,203 | 518,993 | 107,391,210 | 107,910,203 | 518,993 |
| 12 | Fees Returned Dollar for Dollar | 17,973,188 | 18,687,891 | 17,966,453 | 20,019,053 | 23,534,233 | 22,992,171 | -542,061 | 23,534,233 | 22,992,171 | -542,061 |
| 13 | Replacement of 2% Automation (first paper) | 10,907,494 | 10,907,494 | 10,907,494 | 10,907,494 | 10,907,494 | 10,907,494 | 0 | 10,907,494 | 10,907,494 | 0 |
| 14 | Children's Waiting Room (first paper) | 4,600,889 | 4,485,831 | 4,027,799 | 3,710,187 | 3,522,012 | 3,450,448 | -71,565 | 3,522,012 | 3,450,448 | -71,565 |
| 15 | Automated Recordkeeping and Micrographics (first paper) | 3,708,006 | 3,542,440 | 3,160,318 | 2,925,771 | 2,764,623 | 2,707,282 | -57,341 | 2,764,623 | 2,707,282 | -57,341 |
| 16 | Telephonic Appearances Revenue Sharing | 0 | 0 | 943,840 | 943,840 | 943,840 | 943,840 | 0 | 943,840 | 943,840 | 0 |
| 17 | Non-Court Distribution | | | | | | | | | | |
| 18 | Sargent Shriver Civil Counsel | 0 | 0 | 9,758,420 | 8,908,480 | 8,237,796 | 8,906,405 | 668,609 | 8,237,796 | 8,597,820 | 360,024 |
| 19 | Equal Access Fund (first paper) | 6,497,861 | 6,212,484 | 5,538,743 | 5,118,164 | 4,832,413 | 4,730,509 | -101,904 | 4,832,413 | 4,730,509 | -101,904 |
| 20 | Total | 1,281,160,914 | 1,361,459,548 | 1,372,170,768 | 1,399,589,755 | 1,380,887,532 | 1,376,276,630 | -4,610,902 | 1,380,887,532 | 1,345,488,436 | -35,399,095 |
| 22 | Year-to-Year % Change in Court Base Distribution | | 5.61% | 0.30% | 1.74% | -2.19% | -2.59% | | 0.00% | -2.51% | |

1. Excludes transfers, including General Fund.

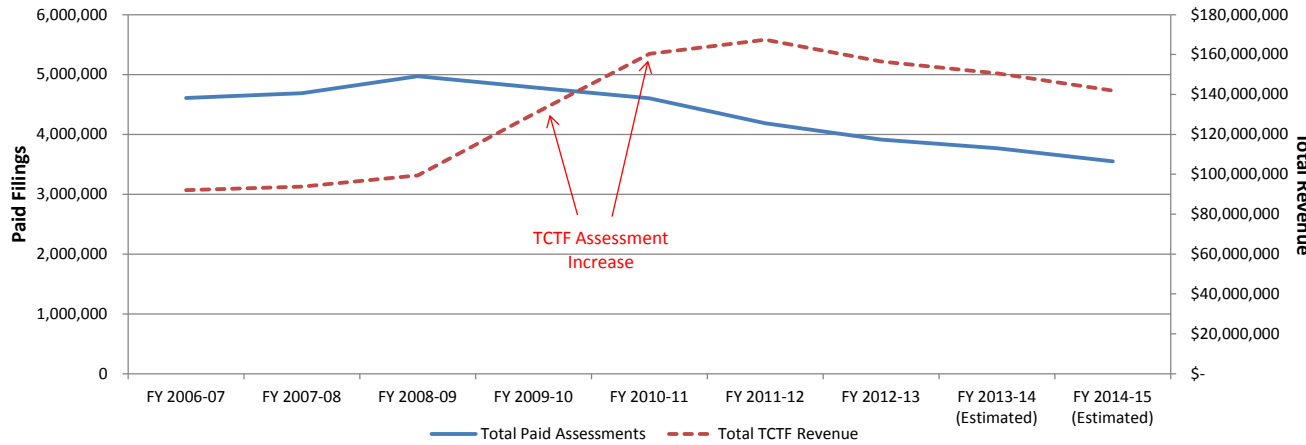
First Paper and Response Paid Filings and TCTF Revenue
 Unlimited, Limited, Marriage Dissolution, Family Law and Probate



First Paper Filing and Response Fees

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total TCTF Revenue | Revenue Y-T-Y % Change |
|------------------------|--------------------|-----------------------------|--------------------|------------------------|
| FY 2006-07 | 1,109,314 | N/A | \$ 221,365,195 | N/A |
| FY 2007-08 | 1,284,101 | 15.8% | \$ 239,167,670 | 8.0% |
| FY 2008-09 | 1,402,623 | 9.2% | \$ 254,157,006 | 6.3% |
| FY 2009-10 | 1,354,017 | -3.5% | \$ 257,811,075 | 1.4% |
| FY 2010-11 | 1,294,437 | -4.4% | \$ 272,172,890 | 5.6% |
| FY 2011-12 | 1,154,146 | -10.8% | \$ 256,606,690 | -5.7% |
| FY 2012-13 | 1,066,523 | -7.6% | \$ 256,672,702 | 0.0% |
| FY 2013-14 (Estimated) | 986,276 | -7.5% | \$ 242,736,983 | -5.4% |
| FY 2014-15 (Estimated) | 914,664 | -7.3% | \$ 226,370,795 | -6.7% |

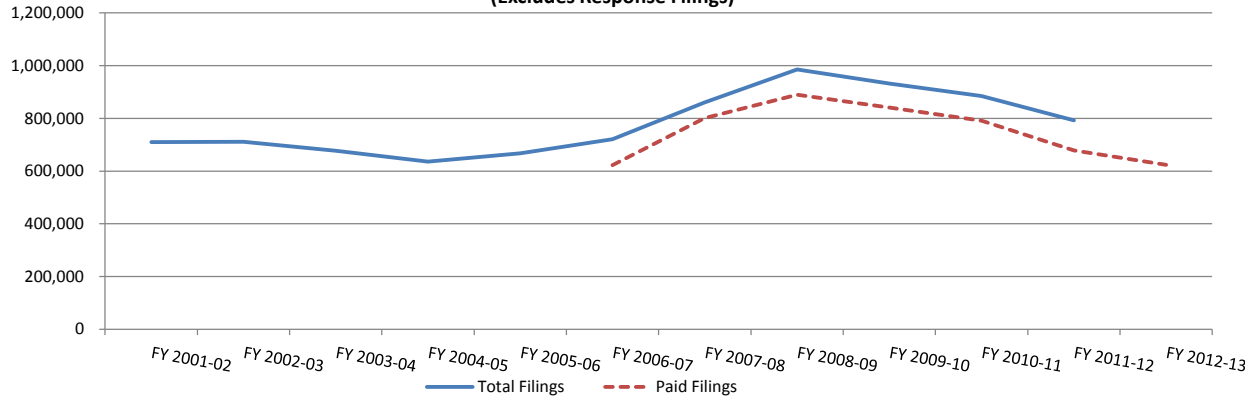
Paid Court Operations Assessments and TCTF Revenue



Court Operations Assessment (former Security Fee)

| Fiscal Year | Total Paid Assessments | Paid Assessments Y-T-Y % Change | Total TCTF Revenue | Revenue Y-T-Y % Change |
|------------------------|------------------------|---------------------------------|--------------------|------------------------|
| FY 2006-07 | 4,604,924 | N/A | \$ 92,098,479 | N/A |
| FY 2007-08 | 4,689,857 | 1.8% | \$ 93,797,130 | 1.8% |
| FY 2008-09 | 4,971,591 | 6.0% | \$ 99,431,815 | 6.0% |
| FY 2009-10 | 4,782,569 | -3.8% | \$ 130,281,081 | 31.0% |
| FY 2010-11 | 4,604,860 | -3.7% | \$ 160,393,472 | 23.1% |
| FY 2011-12 | 4,186,483 | -9.1% | \$ 167,459,306 | 4.4% |
| FY 2012-13 | 3,913,462 | -6.5% | \$ 156,538,469 | -6.5% |
| FY 2013-14 (Estimated) | 3,766,066 | -3.8% | \$ 150,642,649 | -3.8% |
| FY 2014-15 (Estimated) | 3,548,678 | -5.8% | \$ 141,947,110 | -5.8% |

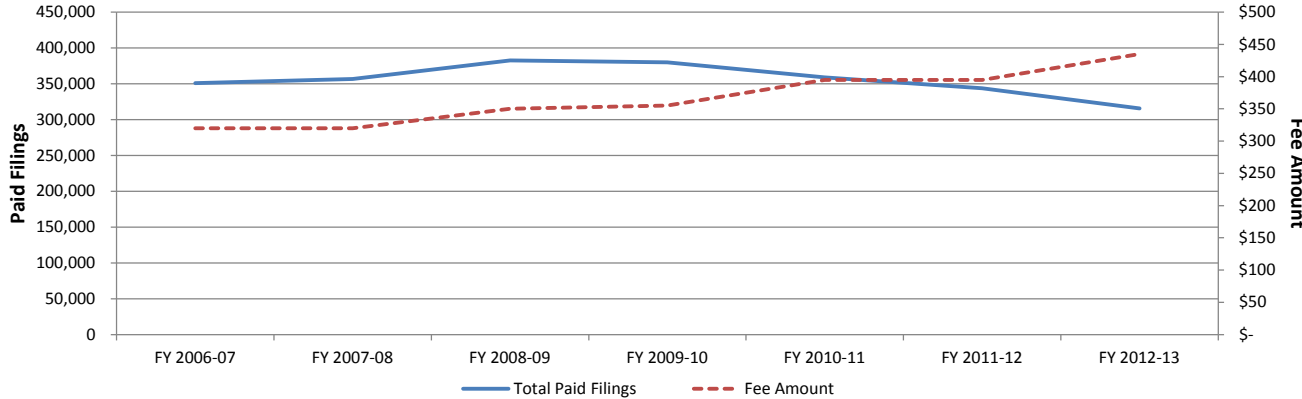
Total Unlimited and Limited First Paper Civil Filings and Paid Filings
(Excludes Response Filings)



Unlimited and Limited First Paper Civil

| Fiscal Year | Total Filings | Total Filings Y-T-Y % Change | Paid Filings | Paid Filings Y-T-Y % Change | Paid Filings % of Total |
|-------------|---------------|------------------------------|--------------|-----------------------------|-------------------------|
| FY 2001-02 | 709,433 | N/A | | | |
| FY 2002-03 | 710,887 | 0.2% | | | |
| FY 2003-04 | 677,203 | -4.7% | | | |
| FY 2004-05 | 635,651 | -6.1% | | | |
| FY 2005-06 | 667,324 | 5.0% | | | |
| FY 2006-07 | 721,109 | 8.1% | 622,147 | N/A | 86.3% |
| FY 2007-08 | 860,714 | 19.4% | 801,409 | 28.8% | 93.1% |
| FY 2008-09 | 986,232 | 14.6% | 889,874 | 11.0% | 90.2% |
| FY 2009-10 | 932,498 | -5.4% | 840,592 | -5.5% | 90.1% |
| FY 2010-11 | 884,979 | -5.1% | 791,879 | -5.8% | 89.5% |
| FY 2011-12 | 793,047 | -10.4% | 678,756 | -14.3% | 85.6% |
| FY 2012-13 | | -100.0% | 624,357 | -8.0% | |

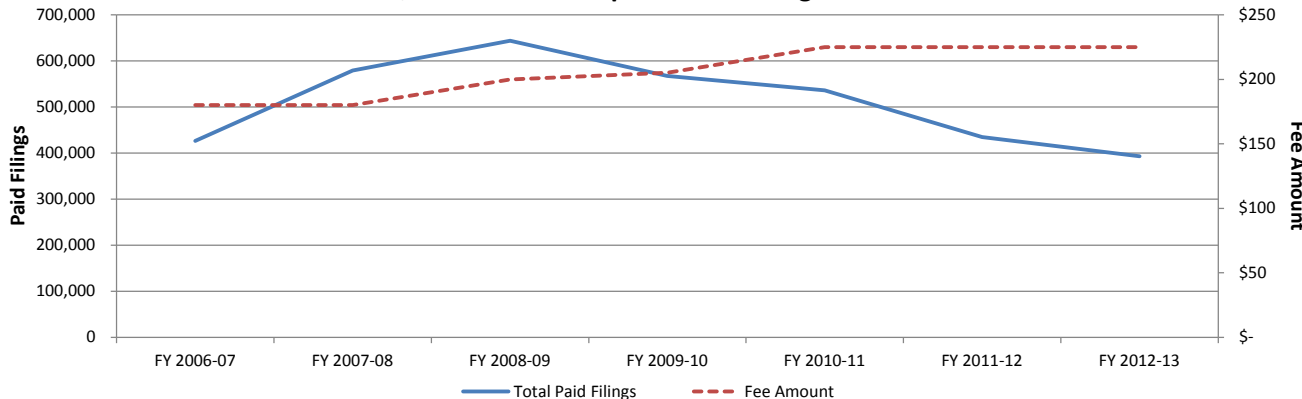
Unlimited Civil and Response Paid Filings and Fee Amounts



Unlimited Civil and Response

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|----------------|------------------------|
| FY 2006-07 | 350,856 | N/A | \$ 85,898,656 | N/A |
| FY 2007-08 | 356,612 | 1.6% | \$ 86,886,960 | 1.2% |
| FY 2008-09 | 382,433 | 7.2% | \$ 93,147,391 | 7.2% |
| FY 2009-10 | 379,985 | -0.6% | \$ 94,257,515 | 1.2% |
| FY 2010-11 | 358,739 | -5.6% | \$ 98,733,777 | 4.7% |
| FY 2011-12 | 343,642 | -4.2% | \$ 99,136,519 | 0.4% |
| FY 2012-13 | 315,789 | -8.1% | \$ 103,059,138 | 4.0% |

Limited \$10,000 Civil and Response Paid Filings and Fee Amounts

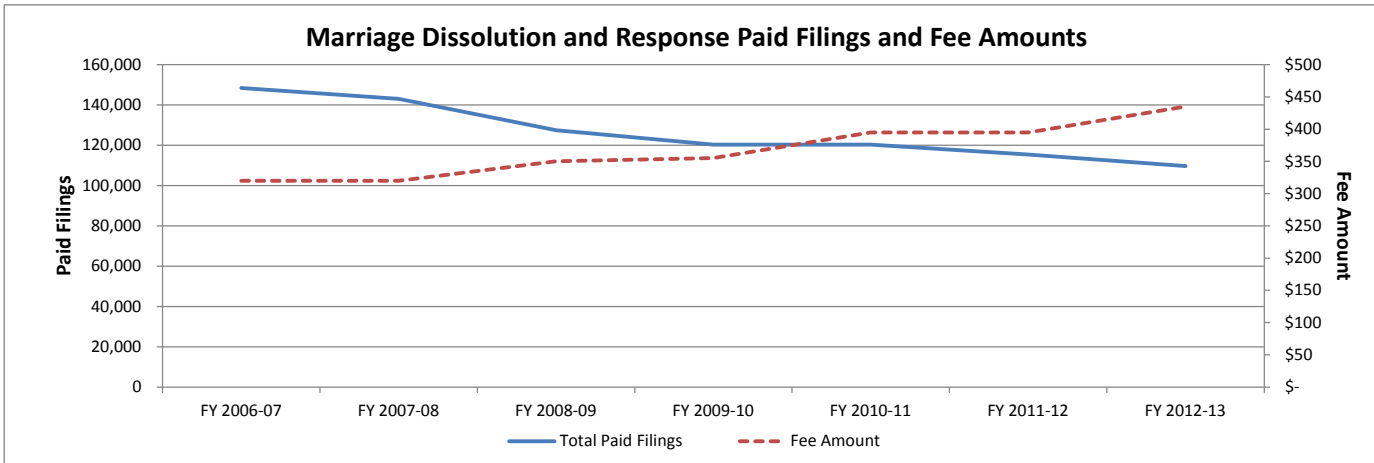


Limited \$10,000 and Response

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 426,171 | N/A | \$ 53,922,547 | N/A |
| FY 2007-08 | 579,477 | 36.0% | \$ 71,860,911 | 33.3% |
| FY 2008-09 | 644,070 | 11.1% | \$ 80,166,862 | 11.6% |
| FY 2009-10 | 567,200 | -11.9% | \$ 73,117,960 | -8.8% |
| FY 2010-11 | 535,899 | -5.5% | \$ 76,320,352 | 4.4% |
| FY 2011-12 | 434,866 | -18.9% | \$ 65,216,926 | -14.5% |
| FY 2012-13 | 392,802 | -9.7% | \$ 58,835,888 | -9.8% |

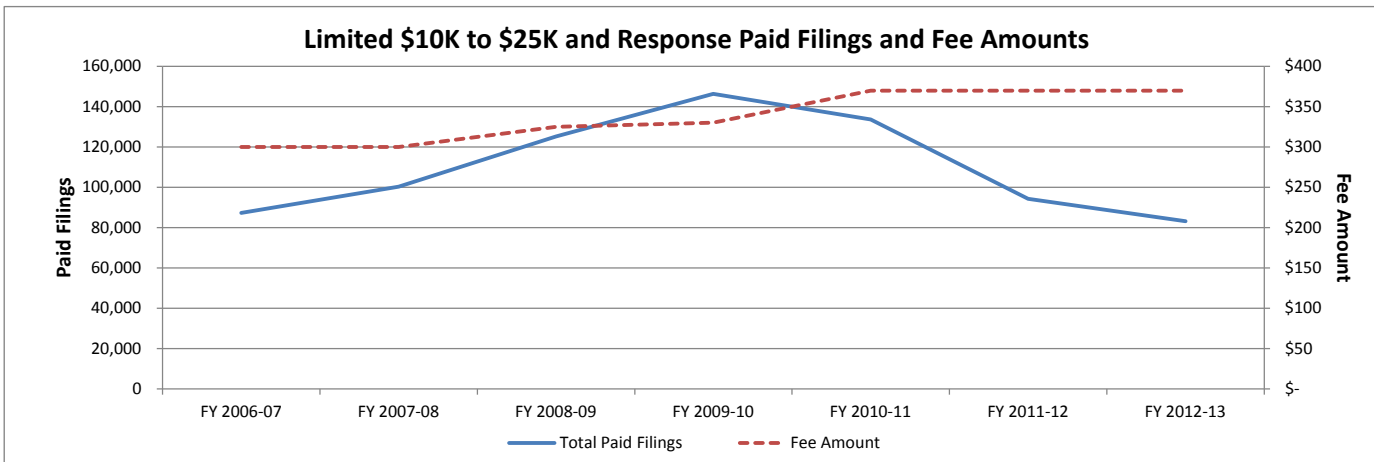
Marriage Dissolution and Response

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 148,370 | N/A | \$ 36,186,010 | N/A |
| FY 2007-08 | 142,942 | -3.7% | \$ 34,649,474 | -4.2% |
| FY 2008-09 | 127,410 | -10.9% | \$ 30,827,997 | -11.0% |
| FY 2009-10 | 120,328 | -5.6% | \$ 29,615,260 | -3.9% |
| FY 2010-11 | 120,271 | 0.0% | \$ 32,880,858 | 11.0% |
| FY 2011-12 | 115,314 | -4.1% | \$ 33,034,647 | 0.5% |
| FY 2012-13 | 109,667 | -4.9% | \$ 35,717,035 | 8.1% |



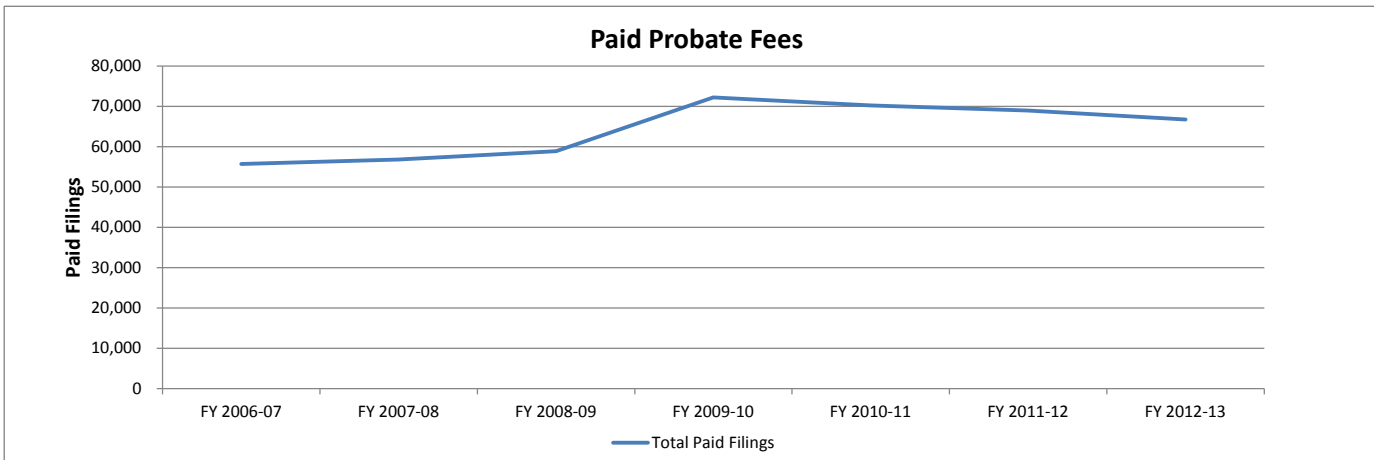
Limited \$10,000 to \$25,000 and Response

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 87,350 | N/A | \$ 20,676,222 | N/A |
| FY 2007-08 | 100,335 | 14.9% | \$ 23,610,087 | 14.2% |
| FY 2008-09 | 125,192 | 24.8% | \$ 29,419,030 | 24.6% |
| FY 2009-10 | 146,362 | 16.9% | \$ 34,977,080 | 18.9% |
| FY 2010-11 | 133,578 | -8.7% | \$ 35,334,292 | 1.0% |
| FY 2011-12 | 94,261 | -29.4% | \$ 26,364,414 | -25.4% |
| FY 2012-13 | 83,203 | -11.7% | \$ 23,280,117 | -11.7% |



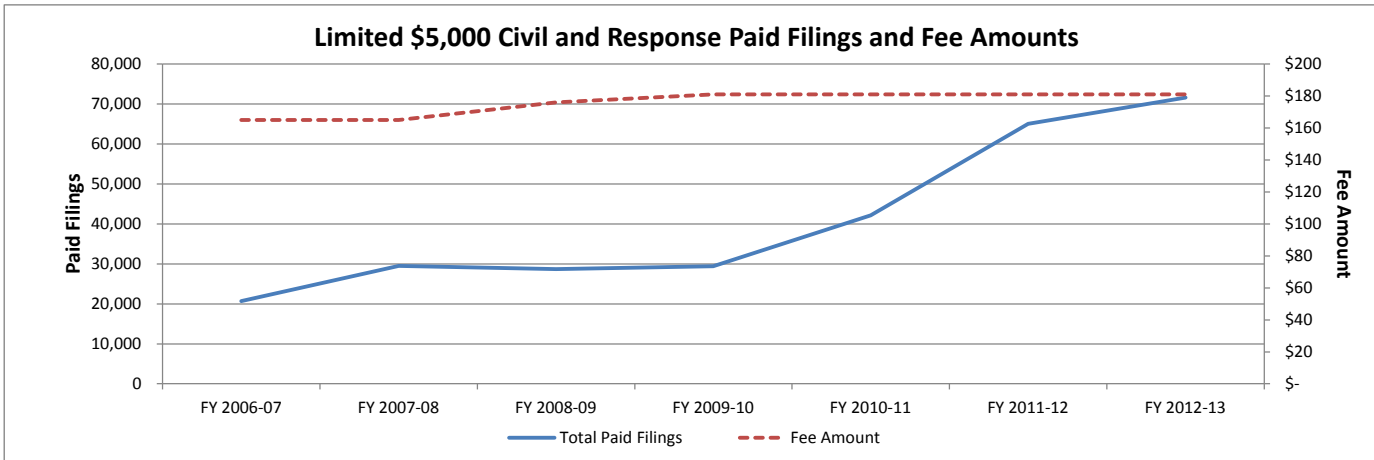
Probate Fees

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 55,702 | N/A | \$ 17,185,501 | N/A |
| FY 2007-08 | 56,802 | 2.0% | \$ 13,994,106 | -18.6% |
| FY 2008-09 | 58,881 | 3.7% | \$ 9,494,149 | -32.2% |
| FY 2009-10 | 72,225 | 22.7% | \$ 13,917,991 | 46.6% |
| FY 2010-11 | 70,241 | -2.7% | \$ 15,696,897 | 12.8% |
| FY 2011-12 | 68,980 | -1.8% | \$ 16,379,846 | 4.4% |
| FY 2012-13 | 66,754 | -3.2% | \$ 18,754,670 | 14.5% |



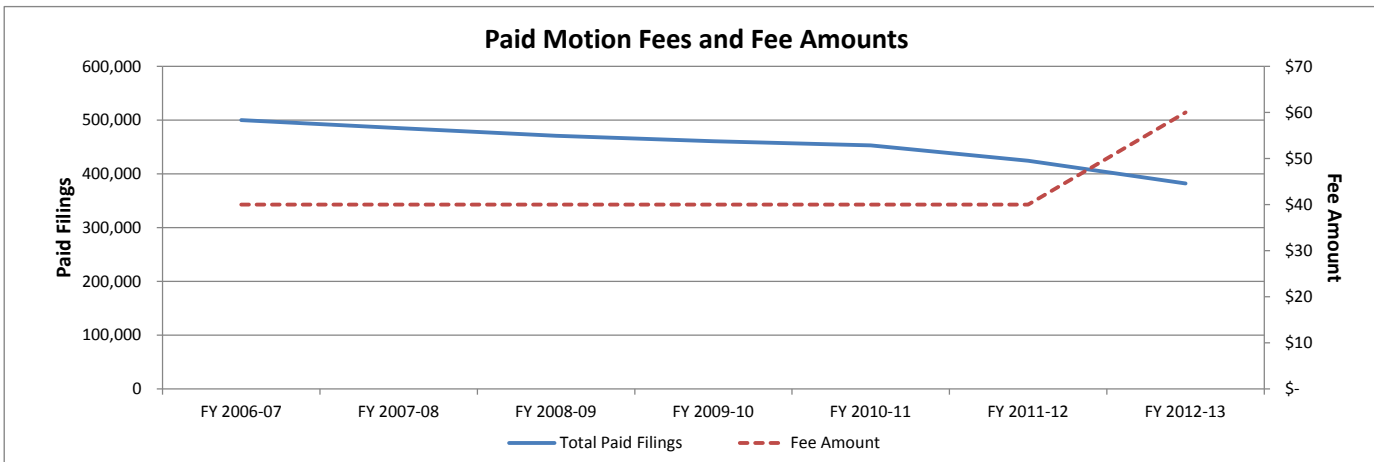
Limited \$5,000 and Response

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 20,712 | N/A | \$ 2,622,986 | N/A |
| FY 2007-08 | 29,486 | 42.4% | \$ 3,733,315 | 42.3% |
| FY 2008-09 | 28,697 | -2.7% | \$ 3,623,910 | -2.9% |
| FY 2009-10 | 29,420 | 2.5% | \$ 3,836,822 | 5.9% |
| FY 2010-11 | 42,160 | 43.3% | \$ 5,521,530 | 43.9% |
| FY 2011-12 | 65,082 | 54.4% | \$ 8,524,879 | 54.4% |
| FY 2012-13 | 71,604 | 10.0% | \$ 9,381,041 | 10.0% |



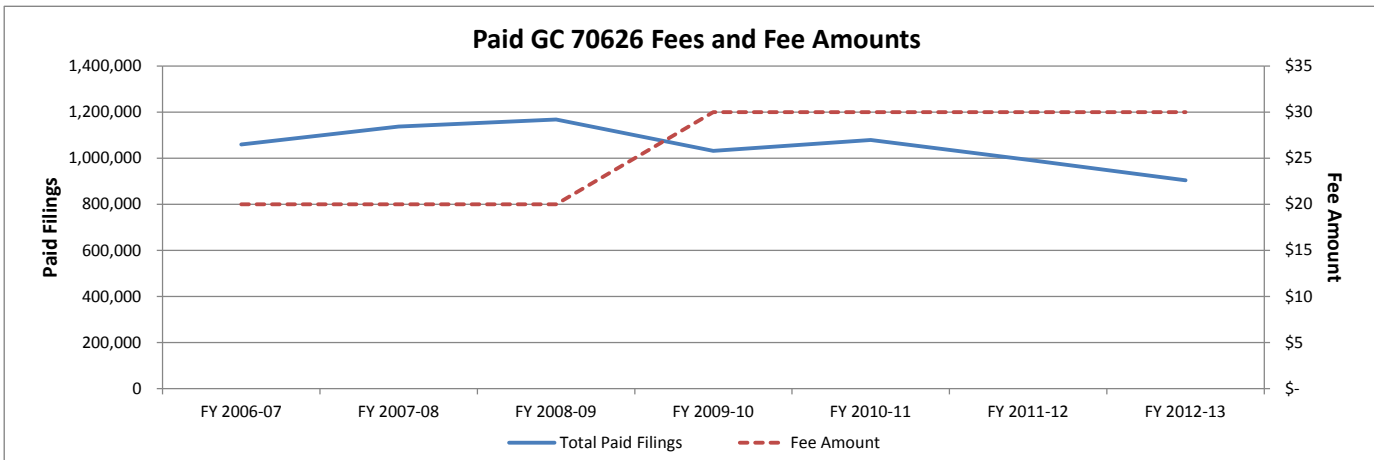
Motion Fee

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 500,124 | N/A | \$ 20,004,961 | N/A |
| FY 2007-08 | 484,993 | -3.0% | \$ 19,399,713 | -3.0% |
| FY 2008-09 | 470,827 | -2.9% | \$ 18,833,081 | -2.9% |
| FY 2009-10 | 460,454 | -2.2% | \$ 18,418,173 | -2.2% |
| FY 2010-11 | 452,704 | -1.7% | \$ 18,108,156 | -1.7% |
| FY 2011-12 | 424,060 | -6.3% | \$ 17,451,326 | -3.6% |
| FY 2012-13 | 382,078 | -9.9% | \$ 22,924,708 | 31.4% |

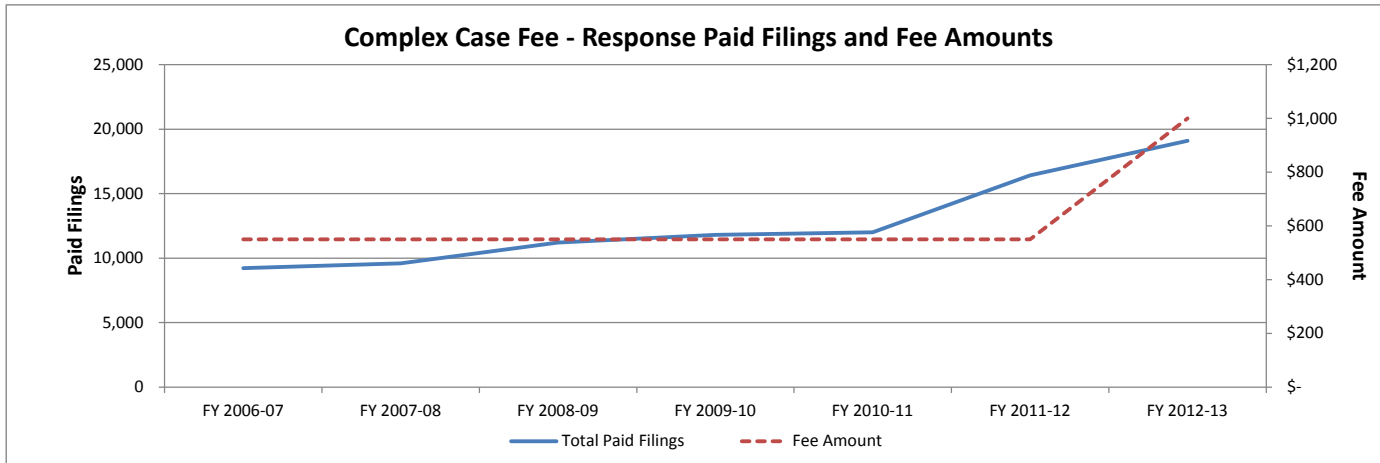


GC 70626

| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 1,059,692 | N/A | \$ 16,004,376 | N/A |
| FY 2007-08 | 1,136,970 | 7.3% | \$ 17,178,403 | 7.3% |
| FY 2008-09 | 1,167,560 | 2.7% | \$ 17,624,778 | 2.6% |
| FY 2009-10 | 1,032,075 | -11.6% | \$ 23,451,184 | 33.1% |
| FY 2010-11 | 1,079,364 | 4.6% | \$ 26,804,506 | 14.3% |
| FY 2011-12 | 993,187 | -8.0% | \$ 24,773,988 | -7.6% |
| FY 2012-13 | 903,885 | -9.0% | \$ 22,594,693 | -8.8% |



Complex Case Fee - Response



| Fiscal Year | Total Paid Filings | Paid Filings Y-T-Y % Change | Total Revenue | Revenue Y-T-Y % Change |
|-------------|--------------------|-----------------------------|---------------|------------------------|
| FY 2006-07 | 9,212 | N/A | \$ 5,066,566 | N/A |
| FY 2007-08 | 9,584 | 4.0% | \$ 5,271,368 | 4.0% |
| FY 2008-09 | 11,197 | 16.8% | \$ 6,158,283 | 16.8% |
| FY 2009-10 | 11,799 | 5.4% | \$ 6,489,401 | 5.4% |
| FY 2010-11 | 12,000 | 1.7% | \$ 6,600,107 | 1.7% |
| FY 2011-12 | 16,412 | 36.8% | \$ 9,436,453 | 43.0% |
| FY 2012-13 | 19,099 | 16.4% | \$ 19,098,977 | 102.4% |

Trial Court Trust Fund Paid Filing Summary Information

| | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | FY 2010-11 | FY 2011-12 | FY 2012-13 | FY 2013-14 | FY 2014-15 |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|------------------------------|--|
| Description | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | Estimate As of March 6, 2014 | Estimate As of March 6, 2014 (4-year Average % Change) |
| Civil First Paper Filing Fees | | | | | | | | | |
| <i>Unlimited Civil and Response</i> | 350,856 | 356,612 | 382,433 | 379,985 | 358,739 | 343,642 | 315,789 | 311,541 | 296,819 |
| <i>Limited \$10,000 and Response</i> | 426,171 | 579,477 | 644,070 | 567,200 | 535,899 | 434,866 | 392,802 | 329,943 | 291,225 |
| <i>Marriage Dissolution and Response</i> | 148,370 | 142,942 | 127,410 | 120,328 | 120,271 | 115,314 | 109,667 | 107,099 | 104,058 |
| <i>Limited \$10,000 to \$25,000 and Response</i> | 87,350 | 100,335 | 125,192 | 146,362 | 133,578 | 94,261 | 83,203 | 64,012 | 52,606 |
| <i>Probate Fees</i> | 55,702 | 56,802 | 58,881 | 72,225 | 70,241 | 68,980 | 66,754 | 68,088 | 66,133 |
| <i>Limited \$5,000 and Response</i> | 20,712 | 29,486 | 28,697 | 29,420 | 42,160 | 65,082 | 71,604 | 80,530 | 80,530 |
| <i>Family Law and Response</i> | 19,657 | 17,623 | 23,390 | 26,049 | 23,786 | 24,437 | 21,108 | 21,820 | 20,959 |
| <i>Other First Paper Filings</i> | 497 | 825 | 12,551 | 12,449 | 9,764 | 7,564 | 5,595 | 3,245 | 2,335 |
| Subtotal, First Paper Filing Fees | 1,109,314 | 1,284,101 | 1,402,623 | 1,354,017 | 1,294,437 | 1,154,146 | 1,066,523 | 986,276 | 914,664 |
| Other Civil Fees | | | | | | | | | |
| Motion Fee | 500,124 | 484,993 | 470,827 | 460,454 | 452,704 | 424,060 | 382,078 | 361,849 | 340,857 |
| GC 70626 | 1,059,692 | 1,136,970 | 1,167,560 | 1,032,075 | 1,079,364 | 993,187 | 903,885 | 890,640 | 859,782 |
| Jury Deposits | 0 | 0 | 0 | 0 | 0 | 1 | 119,352 | 0 | 0 |
| Complex Case Fee - Response | 9,212 | 9,584 | 11,197 | 11,799 | 12,000 | 16,412 | 19,099 | 22,482 | 22,482 |
| Summary Judgment Motion | 19,117 | 19,088 | 21,690 | 23,030 | 20,923 | 20,214 | 17,801 | 15,951 | 14,561 |
| Small Claims Fees | 284,151 | 288,978 | 293,253 | 267,163 | 239,909 | 223,912 | 203,909 | 180,402 | 163,566 |
| Telephonic Appearances | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Preparing Copies | 11,867,518 | 12,184,715 | 11,867,731 | 11,719,569 | 12,067,345 | 12,451,745 | 12,741,247 | 13,043,823 | 13,043,823 |
| Complex Case Fee - Plaintiff | 3,726 | 2,349 | 2,616 | 3,147 | 5,386 | 4,519 | 5,909 | 4,311 | 4,311 |
| Court Reporter Per Diem Fees (over one hour) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Conservatorship/Guardianship | 3,243 | 2,602 | 2,392 | 2,478 | 1,541 | 1,194 | 1,286 | 504 | 361 |
| Court Reporter Per Diem Fees (one hour or less) | 0 | 0 | 0 | 0 | 0 | 0 | 123,349 | 143,673 | 143,673 |
| Delivery of Will | 0 | 0 | 0 | 0 | 0 | 1 | 19,147 | 21,997 | 21,997 |
| Other Fees | 299,610 | 319,291 | 321,314 | 346,440 | 350,995 | 59,657 | 321,841 | 304,428 | 304,428 |
| Subtotal, Other Civil Fees | 14,046,393 | 14,448,570 | 14,158,579 | 13,866,155 | 14,230,168 | 14,194,900 | 14,858,903 | 14,990,061 | 14,919,842 |
| Total, Civil Fees | 15,155,708 | 15,732,672 | 15,561,203 | 15,220,171 | 15,524,604 | 15,349,047 | 15,925,427 | 15,976,338 | 15,834,506 |
| Non-Civil Fee Revenue | | | | | | | | | |
| Expenditure Maintenance of Effort | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Revenue Maintenance of Effort | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Court Operations Assessment (former Security Fee) | 4,604,924 | 4,689,857 | 4,971,591 | 4,782,569 | 4,604,860 | 4,186,483 | 3,913,462 | 3,766,066 | 3,548,678 |
| Civil Assessments | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Parking Penalty Assessments | 0 | 0 | 0 | 0 | 2,513,844 | 8,389,028 | 8,516,924 | 0 | 0 |
| Sanctions and Contempt Fines | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Miscellaneous Revenue | 708 | 339 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Escheat - Checks, Warrants | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Interest from SMIF | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fines and Forfeitures | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Undesignated Fees Maintenance of Effort | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total, Non-Civil Fee Revenue | 4,605,632 | 4,690,195 | 4,971,591 | 4,782,569 | 7,118,704 | 12,575,511 | 12,430,386 | 3,766,066 | 3,548,678 |
| Grand Total | 19,761,340 | 20,422,867 | 20,532,794 | 20,002,740 | 22,643,308 | 27,924,558 | 28,355,812 | 19,742,404 | 19,383,184 |

Trial Court Trust Fund Revenue Summary Information

| Description | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | FY 2010-11 | FY 2011-12 | FY 2012-13 | FY 2013-14 | FY 2014-15 |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|------------------------------|--|
| | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | Estimate As of March 6, 2014 | Estimate As of March 6, 2014 (4-year Average % Change) |
| Civil First Paper Filing Fees | | | | | | | | | |
| <i>Unlimited Civil and Response</i> | 85,898,656 | 86,886,960 | 93,147,391 | 94,257,515 | 98,733,777 | 99,136,519 | 103,059,138 | 102,368,563 | 96,970,766 |
| <i>Limited \$10,000 and Response</i> | 53,922,547 | 71,860,911 | 80,166,862 | 73,117,960 | 76,320,352 | 65,216,926 | 58,835,888 | 49,722,380 | 43,900,478 |
| <i>Marriage Dissolution and Response</i> | 36,186,010 | 34,649,474 | 30,827,997 | 29,615,260 | 32,880,858 | 33,034,647 | 35,717,035 | 34,972,854 | 33,967,131 |
| <i>Limited \$10,000 to \$25,000 and Response</i> | 20,676,222 | 23,610,087 | 29,419,030 | 34,977,080 | 35,334,292 | 26,364,414 | 23,280,117 | 17,926,888 | 14,728,607 |
| <i>Probate Fees</i> | 17,185,501 | 13,994,106 | 9,494,149 | 13,917,991 | 15,696,897 | 16,379,846 | 18,754,670 | 19,522,967 | 19,027,878 |
| <i>Limited \$5,000 and Response</i> | 2,622,986 | 3,733,315 | 3,623,910 | 3,836,822 | 5,521,530 | 8,524,879 | 9,381,041 | 10,561,484 | 10,561,183 |
| <i>Family Law and Response</i> | 4,783,841 | 4,292,009 | 5,723,288 | 6,480,315 | 6,559,484 | 7,055,115 | 6,927,156 | 7,186,847 | 6,900,171 |
| <i>Other First Paper Filings</i> | 89,432 | 140,808 | 1,754,379 | 1,608,133 | 1,125,699 | 894,344 | 717,657 | 475,001 | 314,581 |
| Subtotal, First Paper Filing Fees | 221,365,195 | 239,167,670 | 254,157,006 | 257,811,075 | 272,172,890 | 256,606,690 | 256,672,702 | 242,736,983 | 226,370,795 |
| Other Civil Fees | | | | | | | | | |
| Motion Fee | 20,004,961 | 19,399,713 | 18,833,081 | 18,418,173 | 18,108,156 | 17,451,326 | 22,924,708 | 21,710,953 | 20,451,449 |
| GC 70626 | 16,004,376 | 17,178,403 | 17,624,778 | 23,451,184 | 26,804,506 | 24,773,988 | 22,594,693 | 22,414,202 | 21,576,265 |
| Jury Deposits | 2,053,031 | 1,839,345 | 1,193,489 | 1,518,488 | 1,776,967 | 2,739,192 | 19,790,065 | 12,434,982 | 12,434,982 |
| Complex Case Fee - Response | 5,066,566 | 5,271,368 | 6,158,283 | 6,489,401 | 6,600,107 | 9,436,453 | 19,098,977 | 22,482,373 | 22,482,373 |
| Summary Judgment Motion | 3,823,429 | 3,817,683 | 4,337,956 | 4,605,939 | 8,632,026 | 10,107,007 | 8,900,347 | 7,975,467 | 7,280,272 |
| Small Claims Fees | 11,716,402 | 11,881,417 | 12,224,773 | 10,771,073 | 9,714,357 | 9,298,946 | 8,465,349 | 7,926,702 | 7,131,584 |
| Telephonic Appearances | 0 | 0 | 0 | 0 | 4,135,228 | 7,397,628 | 7,109,790 | 6,727,140 | 6,415,238 |
| Preparing Copies | 5,933,759 | 6,092,358 | 5,933,865 | 5,859,784 | 6,033,673 | 6,225,872 | 6,370,623 | 6,521,911 | 6,521,911 |
| Complex Case Fee - Plaintiff | 2,049,475 | 1,291,738 | 1,438,759 | 1,730,803 | 2,962,438 | 2,585,557 | 5,908,701 | 4,310,830 | 4,310,830 |
| Court Reporter Per Diem Fees (over one hour) | 10,894,409 | 10,914,839 | 11,435,207 | 11,953,200 | 12,485,932 | 11,382,761 | 5,848,725 | 4,103,763 | 4,103,763 |
| Conservatorship/Guardianship | 4,101,109 | 4,394,765 | 5,432,894 | 5,029,118 | 5,421,748 | 5,255,314 | 4,875,625 | 4,694,478 | 4,621,681 |
| Court Reporter Per Diem Fees (one hour or less) | 0 | 0 | 0 | 0 | 0 | 0 | 3,700,480 | 4,310,195 | 4,310,195 |
| Delivery of Will | 0 | 0 | 0 | 0 | 0 | 40 | 957,374 | 1,099,841 | 1,099,841 |
| Miscellaneous Fees | 11,070,572 | 12,013,409 | 11,479,710 | 12,068,217 | 12,468,696 | 11,732,725 | 13,453,615 | 14,678,517 | 13,089,122 |
| Subtotal, Other Civil Fees | 92,718,089 | 94,095,037 | 96,092,797 | 101,895,380 | 115,143,834 | 118,386,808 | 149,999,072 | 141,391,354 | 135,829,506 |
| Total, Civil Fees | 314,083,284 | 333,262,707 | 350,249,802 | 359,706,455 | 387,316,724 | 374,993,498 | 406,671,774 | 384,128,337 | 362,200,301 |
| Non-Civil Fee Revenue | | | | | | | | | |
| Expenditure Maintenance of Effort | 498,600,373 | 498,600,081 | 498,600,082 | 498,600,087 | 498,600,086 | 498,600,331 | 498,611,846 | 498,600,086 | 498,600,086 |
| Revenue Maintenance of Effort | 162,950,441 | 161,746,331 | 161,321,428 | 160,762,975 | 159,419,112 | 160,148,759 | 160,588,464 | 160,450,416 | 160,450,416 |
| Court Operations Assessment (former Security Fee) | 92,098,479 | 93,797,130 | 99,431,815 | 130,281,081 | 160,393,472 | 167,459,306 | 156,538,469 | 150,642,649 | 141,947,110 |
| Civil Assessments | 104,520,622 | 115,987,690 | 121,293,826 | 129,269,867 | 144,552,810 | 143,330,308 | 149,135,217 | 156,212,932 | 156,212,932 |
| Parking Penalty Assessments | 0 | 0 | 0 | 0 | 7,541,531 | 25,167,085 | 25,550,771 | 25,056,964 | 25,005,836 |
| Sanctions and Contempt Fines | 3,209,679 | 2,741,105 | 1,989,722 | 1,743,480 | 1,713,611 | 1,798,476 | 1,464,385 | 1,064,472 | 950,983 |
| Miscellaneous Revenue | 3,147,605 | (93,840) | 146,269 | 324,723 | 1,609,461 | 503,457 | 522,059 | 56,852 | 56,852 |
| Escheat - Checks, Warrants | 22,080 | 39,970 | 19,919 | 5,232 | 20,676 | 11,442 | 285,343 | 5,767 | 5,767 |
| Interest from SMIF | 7,796,377 | 5,313,293 | 2,174,276 | 466,763 | 321,116 | 159,820 | 218,660 | 58,130 | 58,130 |
| Fines and Forfeitures | 29,469 | (20,784) | 30,111 | 3,906 | 818 | (1,714) | 2,726 | 24 | 24 |
| Undesignated Fees Maintenance of Effort | 15,000,782 | 10,002,412 | 5,030,175 | (3,653) | 0 | 0 | 0 | 0 | 0 |
| Total, Non-Civil Fee Revenue | 887,375,906 | 888,113,388 | 890,037,623 | 921,454,458 | 974,172,693 | 997,177,270 | 992,917,940 | 992,148,292 | 983,288,136 |
| Grand Total | 1,201,459,190 | 1,221,376,095 | 1,240,287,426 | 1,281,160,914 | 1,361,489,417 | 1,372,170,768 | 1,399,589,714 | 1,376,276,630 | 1,345,488,436 |

Introduction

Per Government Code Section 77203, commencing June 30, 2014, courts may carry over unexpended funds only in an amount not to exceed 1 percent of the court's operating budget from the prior year.

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

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

(1) Section 470.5 of the Business and Professions Code.

(2) Section 116.230 of the Code of Civil Procedure, except for those funds transmitted to the Controller for deposit in the Trial Court Trust Fund pursuant to subdivision (h) of that section.

(3) Subdivision (f) of Section 13963, Sections 26731, 66006, 68090.8, 70640, 70678, and 76223, subdivision (b) of Section 77207.5, and subdivision (h) of Section 77209.

(4) The portion of filing fees collected for conversion to micrographics pursuant to former Section 26863, as that section read immediately before its repeal, and Section 27361.4.

(5) Sections 1027 and 1463.007, subdivision (a) of Section 1463.22, and Sections 4750 and 6005, of the Penal Code.

(6) Sections 11205.2 and 40508.6 of the Vehicle Code.

Government Code Section 68502.5 c(2)(A) requires any fund balance not excludable per GC 77203 that a trial court has in excess of the 1 percent cap per Government Code 77203 be deducted from that court's allocation for the upcoming fiscal year.

(2) (A) When setting the allocations for trial courts, the Judicial Council shall set a preliminary allocation in July of each fiscal year. The preliminary allocation shall include an estimate of available trial court reserves as of June 30 of the prior fiscal year and each court's preliminary allocation shall be offset by the amount of reserves in excess of the amount authorized to be carried over pursuant to subdivision (b) of Section 77203. In January of each fiscal year, after review of available trial court reserves as of June 30 of the prior fiscal year, the Judicial Council shall finalize allocations to trial courts and each court's finalized allocation shall be offset by the amount of reserves in excess of the amount authorized to be carried over pursuant to subdivision (b) of Section 77203.

A legal opinion of the AOC Legal Services Office concludes that legally encumbered funds are not subject to this cap to the extent the process for identifying encumbrances is in conformity with that of the state. In discussions with the state Department of Finance (DOF), they expressed they did not disagree with the legal opinion.

Guidance

In order to assist trial courts to manage in the new world of 1 percent fund balances, the following guidance is provided to help courts understand how the calculations will be made and how fund balances will be adjusted to determine what amount, if any, exceeds the 1 percent cap for the purposes of establishing the fiscal year allocation.

The maximum fund balance a trial court will be able to carry forward will be 1 percent of the prior year total expenditures. The year end fund balance, as reported in the Phoenix Financial System, will be adjusted by removing:

- a) the unspent monies that can be excluded per Government Code Section 77203 (see Attachment A,B,C). These exclusions will be reported on the attached spreadsheet (see Attachment D).
- b) funds legally encumbered by a trial court (see Attachment E). Courts will use the already existing year-end process for encumbrances to identify the contracts to be encumbered against fund balance (see Attachment F, G)

If the net fund balance is greater than the cap, that difference will be deducted from the current fiscal year allocation. This calculation will be captured in the attached spreadsheet (see Attachment H).

Review Process

In order to ensure consistency and compliance with the agreement / allowance from the Department of Finance (DOF) to exclude statutorily restricted funds and encumbrances from the 1% calculation, a one-time only review committee will be established to review the submissions. This is the critical year to ensure that it is done correctly in order to provide assurance to the DOF that we are treating this seriously in terms of compliance.

Review committee

Each courts' submission will be reviewed by a committee comprised of:

1. Trial Court Budget Advisory Committee (TCBAC) member to be appointed by the TCBAC Chair
2. TCBAC member to be appointed by the TCBAC Chair
3. CEAC Chair
4. CEAC Vice Chair
5. AOC CFO

Review Outcome

The committee will review the submission and either:

1. Concur with the submission and provide the concurrence to the court.
2. Provide questions and comments to the court for clarification.

Timing

1. Prior to June 1, 2014 - Courts that want to submit contracts for a Review Committee opinion prior to year-end, can submit the following information to Zlatko Theodorovic. Contract Name, Contract Value, Contract Duration, Amount of Fund Balance being reserved for Contract, enough of a Description of the Contract for the Review Committee to understand the goods and/or services being provided and the dates of delivery/activity.
2. In late July 2014 – The Review Committee will review all (except Los Angeles Superior Court) 1% calculations, including exclusions for GC 77203 and encumbrances.
3. In late August 2014 - The Review Committee will review the Los Angeles Superior Court 1% calculations, including exclusions for GC 77203 and encumbrances.

DRAFT

Guidance on 1% Cap on Fund Balance Carryover Pursuant to Government Code Section 77203

Government Code Section 77203

GC section 77203 was amended by SB 75 (Chapter 31, Statutes of 2013), effective June 27, 2013, to exclude a number of statutorily restricted monies when unspent from the 1% cap on the amount of fund balance that trial courts can carry forward from one fiscal year to the next without a reduction in a court's allocation by the Judicial Council as required by GC section 68502.5.

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

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

(1) Section 470.5 of the Business and Professions Code.

(2) Section 116.230 of the Code of Civil Procedure, except for those funds transmitted to the Controller for deposit in the Trial Court Trust Fund pursuant to subdivision (h) of that section.

(3) Subdivision (f) of Section 13963, Sections 26731, 66006, 68090.8, 70640, 70678, and 76223, subdivision (b) of Section 77207.5, and subdivision (h) of 77209.

(4) The portion of the filing fees collected for conversion to micrographics pursuant to former Section 26863, as that section read immediately before its repeal, and Section 27361.4.

(5) Sections 1027 and 1463.007, subdivision (a) of Section 1463.22, and Sections 4750 and 6005, of the Penal Code.

(6) Sections 11205.2 and 40508.6 of the Vehicle Code.

Attachment B provides the statutory language for each of the 20 revenue items cited in GC section 77203.

Fund Balance Excluded from 1% Cap Pursuant to Government Code Section 77203

Starting June 30, 2014, at the end of fiscal year any fund balance related to the statutes below are not subject to the cap on the amount of fund balance that trial courts can carry forward to the subsequent fiscal year pursuant to GC section 77203 and 100 percent of those unspent monies can be carried forward to the subsequent fiscal year for only the use(s) authorized by the statutes.

Description of Fund Balance Excluded by Government Code Section 77203

1. B&P 470.5 – Dispute Resolution Programs

Monies distributed to a court from a portion of certain first paper civil fees collected by courts when authorized by the court's county or provided to the court by its county and that can only be used for support of a county's dispute resolution program.

2. CCP 116.230 – Small Claims Advisory Services

Monies distributed to a court from certain small claims filing fees collected by courts and that can only be used in providing small claims advisory services.

3. GC 13963(f) – Restitution Fund

Monies from collections of restitutions given to the court by the California Victim Compensation and Government Claims Board as an incentive for collection efforts and that can only be used by the court for furthering restitution collection efforts.

4. GC 26731 – Fees Collected by Sheriff or Marshal

Monies from the fee (\$15 of the total) collected by the sheriff's civil division or marshal under Government Code sections 26721, 26722, 26725, 26726, 26728, 26730, 26733.5, 26734, 26736, 26738, 26742, 26743, 26744, and 26750 and that can be used only for the civil division of the sheriff or marshal. Ninety-five percent of the moneys in the special fund shall be expended to supplement the costs of the depositor for the implementation, maintenance, and purchase of auxiliary equipment and furnishings for automated systems or other nonautomated operational equipment and furnishings deemed necessary by the sheriff's civil division or marshal. Five percent of the moneys in the special fund shall be used to supplement the expenses of the sheriff's civil division or marshal in administering the funds.

5. GC 26863 (immediately prior to its repeal) – Automated Recordkeeping and Micrographics

Monies (from \$1 to \$3 per applicable first paper civil filing fees) courts collected and retained locally prior to January 1, 2006 and that must be used for "automating the trial court recordkeeping system and conversion of the trial court document storage system to micrographics". Monies distributed to courts from the TCTF, using the distribution amount under GC 26863 after December 31, 2005, are not statutorily restricted revenues.

6. GC 27361.4 – County Recorder's Document Storage

Monies from a \$1 fee imposed by the county for filing every instrument, paper, or notice for record provided by the county and that must be used to defray the cost of converting the county recorder's document storage system to micrographics.

7. GC 66006 – Development Fees

Monies from a fee that is charged by a local agency in connection with the approval of a development project and that must be used for a specific development project.

8. GC 68090.8 – 2% Automation Fund Distribution from the Trial Court Improvement Fund
Monies distributed to courts from 2% Automation Fund remittances in the Trial Court Improvement Fund for the period July 1, 2000 to December 31, 2005 and that can only be used for the costs of automating trial court recordkeeping systems.

9. GC 70640 – Children’s Waiting Room

Monies distributed to a court from the TCTF from a portion of certain first paper civil filing fees collected by the court and remitted to the TCTF and that can only be used for costs, excluding capital outlay, in establishing and maintaining a children’s waiting room.

10. GC 70678 – \$25 Fee Related to Child Custody

Monies distributed to a court from the TCTF from the \$25 fee collected by the court and remitted to the TCTF. \$15 of the \$25 fee can only be used to pay the costs of maintaining mediation services and \$10 can only be used to pay the costs of services provided by a family law facilitator.

11. GC 76223 – Merced County Court Construction Funds

Monies deposited by the Merced Superior Court in the County of Merced’s treasury from civil assessments (failure to appear) collections for debt service payments related to the construction of court facilities. The total amount cannot exceed \$310,000 times the number of years since 2004 the court has made annual payments towards debt service by the end of the fiscal year.

12. GC 77207.5(b) – 2% Automation Fund Replacement Distribution from the Trial Court Trust Fund

Monies distributed to a court from the TCTF from a portion of civil filing fee revenue and that can only be used for the development and implementation of automated systems as described in subdivision (a) of GC section 68090.8, which includes “the development of automated administrative systems, including automated accounting, automated data collection through case management systems, and automated case-processing systems for the trial courts, together with funds to train operating personnel, and for the maintenance and enhancement of the systems.” Under this code section, automated administrative systems does not include electronic reporting systems for use in a courtroom.

13. GC 77209(h) – Jury Royalty

Monies distributed to a court from the Trial Court Improvement Fund prior to July 1, 2012 or the State Trial Court Improvement and Modernization Fund after June 30, 2012 from the royalties received for the publication of jury instructions and that can only be used for the improvement of the jury system.

14. Penal Code 1027 – Fee Related to Psychiatrists and Licensed Psychologists

Monies provided by the county for the reimbursement of fees charged by psychiatrists or psychologists appointed by the court when a defendant pleads not guilty by reason of insanity. This statute requires that counties pay the fees. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

15. Penal Code 1463.007 – Comprehensive Collections

Monies that courts with a comprehensive collection program can retain from collections of court-ordered debt and that can only be used to offset the costs incurred by the court for operating a comprehensive collections program, excluding capital expenditures. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

16. Penal Code 1463.22(a) – Fees Related to VC 16028, 16030, and 16031

Monies from the collection of \$17.50 fee for each conviction of a violation of VC 16028 and must be used to defray the costs incurred by administering VCs 16028, 16030, and 16031, which was repealed in 1991. In the absence of a cost analysis, courts should assume that the costs of administering VC 16028 and 16031 are equal to or exceed the amount of the fees collected.

17. Penal Code 4750 – Prisoner Hearings

Monies distributed by the AOC from the General Fund for the reimbursement of reasonable and necessary costs incurred by a court for hearings for any crime committed by a prisoner, employee, or other person at a state prison but is not limited to, crimes committed by the prisoner while detained in local facilities as a result of a transfer pursuant to PC 2910 or 6253 or any trial or hearing on the question of the sanity of a prisoner. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

18. Penal Code 6005 – Prisoner Hearings

Monies distributed by the AOC from the General Fund for the reimbursement for reasonable and necessary costs incurred by a court for hearings for a juvenile who is charged with a public offense while confined to a correctional institution under the supervision of the Department of Corrections and tried for that public offense. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

19. VC 11205.2 – Traffic Assistance Program

Monies from a fee that courts may charge a traffic violator and retain locally to defray the costs incurred by a public or private nonprofit agency running a Traffic Assistance Program on a contractual basis for the court. Given that VC 11205.2 replaced VC 11205, monies collected by courts pursuant to VC 11205 for the Court Assistance Program, which was repealed effective

January 1, 2013, are also excluded from the cap. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

20. VC 40508.6 – Up to \$10 Administrative Assessment

Monies from an up to \$10 assessment that courts can impose and retain locally for clerical and administrative costs incurred for (1) recording and maintaining a record of a defendant's prior convictions and/or (2) notifying the Department of Motor Vehicles of defendants whose driver's license or automobile registration is attached or restricted pursuant to VC 40509 or 40509.5. Courts can impose an up to \$10 assessment separately for each of the two types of costs. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

Attachment C provides the fund balance amount reported by courts as of June 30, 2012 for each of the 20 revenue items.

Accounting for Unspent Government Code Section 77203 Monies

Each of the 20 revenue items identified in GC 77203 can be classified as either a fee set by the court, a reimbursement, monies provided by an entity for specified purposes that if unspent should be returned to the entity, or monies provided for specified purposes. While there may be exceptions, as a general rule, monies related to fees that courts have discretion in setting the amount should never accumulate as fund balance, as the amount of the fee should be set so as not to exceed the cost of the activity for the service the fee is meant to offset or reimburse. This rule applies to Vehicle Code sections 11205.2 and 40508.6. While there may be exceptions, as a general rule, monies that courts receive on a reimbursement basis should never accumulate as fund balance, since courts should not request reimbursement above the level of incurred costs that are reimbursable. This rule applies to Penal Code sections 1027, 1463.007, 4750, and 6005. The other two "types" of monies can be spent only according to the statutory restrictions. As a general rule, depending on the extent to which courts choose to use their General Fund monies for costs these restricted monies are eligible to be spent on, these monies can accumulate over the years.

Computation of Cap on Carry-Forward Fund Balance

The amount of the cap can be computed by multiplying a court's prior-year "operating budget" by 1 percent. "Operating budget" is equivalent to total expenditures of all operating funds from the prior-year. All funds types in the Phoenix Financial System are considered operating funds except for fiduciary funds. If the amount of a court's ending fund balance less any unspent statutorily restricted monies that can be excluded from the cap as allowed by GC section 77203 is equal to or less than the cap, the Judicial Council will not reduce that court's allocation as required by GC section 68502.5. If the fund balance less excludable unspent monies is higher,

the Judicial Council is required to reduce that court's allocation by the amount over the cap on a one-time basis.

Statutory Language Related to (Unspent) Monies that can be Excluded from 1% Cap on Carry-Forward Fund Balance

Business and Professions Code section 470.5

(a) On and after January 1, 2006, as described in Section 68085.1 of the Government Code, the Administrative Office of the Courts shall make monthly distributions from superior court filing fees for the support of dispute resolution programs under this chapter in each county that has acted to establish a program. The amount distributed in each county shall be equal to the following:

(1) From each first paper filing fee collected by the court as provided under Section 70611 or 70612, subdivision (a) of Section 70613, subdivision (a) of Section 70614, or Section 70670 of the Government Code, and each first paper or petition filing fee collected by the court in a probate matter as provided under Section 70650, 70651, 70652, 70653, or 70655 of the Government Code, the same amount as was required to be collected for the support of dispute resolution programs in that county as of December 31, 2005, when a fee was collected for the filing of a first paper in a civil action under Section 26820.4 of the Government Code.

(2) From each first paper filing fee in a limited civil case collected by the court as provided under subdivision (b) of Section 70613 or subdivision (b) of Section 70614 of the Government Code, and each first paper or petition filing fee collected by the court in a probate matter as provided under Section 70654, 70656, or 70658 of the Government Code, the same amount as was required to be collected for the support of dispute resolution programs in that county as of December 31, 2005, when a fee was collected for the filing of a first paper in a civil action under Section 72055 of the Government Code where the amount demanded, excluding attorney's fees and costs, was ten thousand dollars (\$10,000) or less.

(b) Distributions under this section shall be used only for the support of dispute resolution programs authorized by this chapter. The county shall deposit the amounts distributed under this section in an account created and maintained for this purpose by the county. Records of these distributions shall be available for inspection by the public upon request.

(c) After January 1, 2006, a county that does not already have a distribution from superior court filing fees under this section and that establishes a dispute resolution program authorized by this chapter may approve a distribution under this section. A county that already has a distribution under this section may change the amount of the distribution. The total amount to be distributed for the support of dispute resolution programs under this section may not exceed eight dollars (\$8) per filing fee.

(d) The county may make changes under subdivision (c) to be effective January 1 or July 1 of any year, on and after January 1, 2006. The county shall provide the Administrative Office of the Courts with a copy of the action of the board of supervisors that establishes the change at least 15 days before the date that the change goes into effect.

(Added by Stats. 2005, Ch. 75, Sec. 4. Effective July 19, 2005. Operative January 1, 2006, by Sec. 156 of Ch. 75.)

Code of Civil Procedure section 116.230

(a) In a small claims case, the clerk of the court shall charge and collect only those fees authorized under this chapter.

(b) If the party filing a claim has filed 12 or fewer small claims in the state within the previous 12 months, the filing fee is the following:

(1) Thirty dollars (\$30) if the amount of the demand is one thousand five hundred dollars (\$1,500) or less.

(2) Fifty dollars (\$50) if the amount of the demand is more than one thousand five hundred dollars (\$1,500) but less than or equal to five thousand dollars (\$5,000).

(3) Seventy-five dollars (\$75) if the amount of the demand is more than five thousand dollars (\$5,000).

(c) If the party has filed more than 12 other small claims in the state within the previous 12 months, the filing fee is one hundred dollars (\$100).

(d) (1) If, after having filed a claim and paid the required fee under paragraph (1) of subdivision (b), a party files an amended claim or amendment to a claim that raises the amount of the demand so that the filing fee under paragraph (2) of subdivision (b) would be charged, the filing fee for the amended claim or amendment is twenty dollars (\$20).

(2) If, after having filed a claim and paid the required fee under paragraph (2) of subdivision (b), a party files an amended claim or amendment to a claim that raises the amount of the demand so that the filing fee under paragraph (3) of subdivision (b) would be charged, the filing fee for the amended claim or amendment is twenty-five dollars (\$25).

(3) If, after having filed a claim and paid the required fee under paragraph (1) of subdivision (b), a party files an amended claim or amendment to a claim that raises the amount of the demand so that the filing fee under paragraph (3) of subdivision (b) would be charged, the filing fee for the amended claim or amendment is forty-five dollars (\$45).

(4) The additional fees paid under this subdivision are due upon filing. The court shall not reimburse a party if the party's claim is amended to demand a lower amount that falls within the range for a filing fee lower than that originally paid.

(e) Each party filing a claim shall file a declaration with the claim stating whether that party has filed more than 12 other small claims in the state within the last 12 months.

(f) The clerk of the court shall deposit fees collected under this section into a bank account established for this purpose by the Administrative Office of the Courts and maintained under rules adopted by or trial court financial policies and procedures authorized by the Judicial Council under subdivision (a) of Section 77206 of the Government Code. The deposits shall be made as required under Section 68085.1 of the Government Code and trial court financial policies and procedures authorized by the Judicial Council.

(g) (1) The Administrative Office of the Courts shall distribute six dollars (\$6) of each thirty-dollar (\$30) fee, eight dollars (\$8) of each fifty-dollar (\$50) fee, ten dollars (\$10) of each seventy-five-dollar (\$75) fee, and fourteen dollars (\$14) of each one hundred-dollar (\$100) fee collected under subdivision (b) or (c) to a special account in the county in which the court is located to be used for the small claims

Attachment B

advisory services described in Section 116.940, or, if the small claims advisory services are administered by the court, to the court. The Administrative Office of the Courts shall also distribute two dollars (\$2) of each seventy-five-dollar (\$75) fee collected under subdivision (b) to the law library fund in the county in which the court is located.

(2) From the fees collected under subdivision (d), the Administrative Office of the Courts shall distribute two dollars (\$2) to the law library fund in the county in which the court is located, and three dollars (\$3) to the small claims advisory services described in Section 116.940, or, if the small claims advisory services are administered by the court, to the court.

(3) Records of these moneys shall be available from the Administrative Office of the Courts for inspection by the public on request.

(4) Nothing in this section precludes the court or county from contracting with a third party to provide small claims advisory services as described in Section 116.940.

(h) The remainder of the fees collected under subdivisions (b), (c), and (d) shall be transmitted monthly to the Controller for deposit in the Trial Court Trust Fund. [The funds in this subsection shall not be exempt from inclusion in the calculation of each court's one percent fund balance.]

(i) All money distributed under this section to be used for small claims advisory services shall be used only for providing those services as described in Section 116.940. Nothing in this section shall preclude the county or the court from procuring other funding to comply with the requirements of Section 116.940.

(Amended by Stats. 2007, Ch. 738, Sec. 3. Effective January 1, 2008.)

Government Code section 13963(f)

(f) The [California Victim Compensation and Government Claims] board shall pay the county probation department or other county agency responsible for collection of funds owed to the Restitution Fund under Section 13967, as operative on or before September 28, 1994, Section 1202.4 of the Penal Code, Section 1203.04 of the Penal Code, as operative on or before August 2, 1995, or Section 730.6 of the Welfare and Institutions Code, 10 percent of the funds so owed and collected by the county agency and deposited in the Restitution Fund. This payment shall be made only when the funds are deposited in the Restitution Fund within 45 days of the end of the month in which the funds are collected. Receiving 10 percent of the moneys collected as being owed to the Restitution Fund shall be considered an incentive for collection efforts and shall be used for furthering these collection efforts. The 10-percent rebates shall be used to augment the budgets for the county agencies responsible for collection of funds owed to the Restitution Fund, as provided in Section 13967, as operative on or before September 28, 1994, Section 1202.4 of the Penal Code, Section 1203.04 of the Penal Code, operative on or before August 2, 1995, or Section 730.6 of the Welfare and Institutions Code. The 10-percent rebates shall not be used to supplant county funding.

(Added by Stats. 2002, Ch. 1141, Sec. 2. Effective January 1, 2003.)

Government Code section 26731

Fifteen dollars (\$15) of any fee collected by the sheriff's civil division or marshal under Sections 26721, 26722, 26725, 26726, 26728, 26730, 26733.5, 26734, 26736, 26738, 26742, 26743, 26744, and 26750 of the Government Code shall be deposited in a special fund in the county treasury. A separate accounting of funds deposited shall be maintained for each depositor, and funds deposited shall be for the exclusive use of the sheriff's civil division or marshal.

Ninety-five percent of the moneys in the special fund shall be expended to supplement the costs of the depositor for the implementation, maintenance, and purchase of auxiliary equipment and furnishings for automated systems or other nonautomated operational equipment and furnishings deemed necessary by the sheriff's civil division or marshal. Five percent of the moneys in the special fund shall be used to supplement the expenses of the sheriff's civil division or marshal in administering the funds.

This section shall become operative on January 1, 2011.

(Repealed (in Sec. 10) and added by Stats. 2010, Ch. 4, Sec. 11. Effective January 1, 2011. Operative January 1, 2011, by its own provisions. Note: Ch. 4 simultaneously amended and repealed the prior version by inserting a Jan. 1, 2011, repeal date.)

Former Government Code section 26863 (as repealed effective January 1, 2006)

(a) The board of supervisors of any county may provide for an additional fee of one dollar (\$1) for filings in a civil action or proceeding, as specified in Section 68090.7, to defray the cost of automating the trial court recordkeeping system and conversion of the trial court document storage system to micrographics.

(b) The board of supervisors may increase this additional fee to not more than three dollars (\$3) if it expends an additional, matching amount from the county general fund, equal to the revenue derived from the increase, exclusively to pay the costs of automating the trial court recordkeeping system or converting the trial court's document system to micrographics, or both.

(c) Upon completion of the automation and conversion, and payment of the costs therefor, the additional fee shall no longer be imposed.

(Added by Stats.1983, c. 969, § 3. Amended by Stats.1990, c. 784 (S.B.1877), § 1; Stats.1994, c. 986 (S.B.1637), § 3; Stats.1998, c. 406 (A.B.1590), § 1, eff. Aug. 26, 1998; Stats.1998, c. 931 (S.B.2139), § 205, eff. Sept. 28, 1998; Stats.1999, c. 344 (S.B.210), § 20, eff. Sept. 7, 1999.) Repealed by Stats.2005, c. 75 (A.B.145), § 96, effective Jan. 1, 2006.)

Government Code section 27361.4

(a) The board of supervisors of any county may provide for an additional fee of one dollar (\$1) for filing every instrument, paper, or notice for record, in order to defray the cost of converting the county recorder's document storage system to micrographics. Upon completion of the conversion and payment of the costs therefor, this additional fee shall no longer be imposed.

Attachment B

(b) The board of supervisors of any county may provide for an additional fee, other than the fees authorized in subdivisions (a) and (c), of one dollar (\$1) for filing every instrument, paper, or notice for record provided that the resolution providing for the additional fee establishes the days of operation of the county recorder's offices as every business day except for legal holidays and those holidays designated as judicial holidays pursuant to Section 135 of the Code of Civil Procedure.

(c) The board of supervisors of any county may provide for an additional fee, other than the fees authorized in subdivisions (a) and (b), of one dollar (\$1) for filing every instrument, paper, or notice for record provided that the resolution providing for the additional fee requires that the instrument, paper, or notice be indexed within two business days after the date of recordation.

(Amended by Stats. 1993, Ch. 710, Sec. 1. Effective January 1, 1994.)

Government Code section 66006

(a) If a local agency requires the payment of a fee specified in subdivision (c) in connection with the approval of a development project, the local agency receiving the fee shall deposit it with the other fees for the improvement in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the local agency, except for temporary investments, and expend those fees solely for the purpose for which the fee was collected. Any interest income earned by moneys in the capital facilities account or fund shall also be deposited in that account or fund and shall be expended only for the purpose for which the fee was originally collected.

(b) (1) For each separate account or fund established pursuant to subdivision (a), the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

(A) A brief description of the type of fee in the account or fund.

(B) The amount of the fee.

(C) The beginning and ending balance of the account or fund.

(D) The amount of the fees collected and the interest earned.

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.

Attachment B

(H) The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.

(2) The local agency shall review the information made available to the public pursuant to paragraph (1) at the next regularly scheduled public meeting not less than 15 days after this information is made available to the public, as required by this subdivision. Notice of the time and place of the meeting, including the address where this information may be reviewed, shall be mailed, at least 15 days prior to the meeting, to any interested party who files a written request with the local agency for mailed notice of the meeting. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(c) For purposes of this section, “fee” means any fee imposed to provide for an improvement to be constructed to serve a development project, or which is a fee for public improvements within the meaning of subdivision (b) of Section 66000, and that is imposed by the local agency as a condition of approving the development project.

(d) Any person may request an audit of any local agency fee or charge that is subject to Section 66023, including fees or charges of school districts, in accordance with that section.

(e) The Legislature finds and declares that untimely or improper allocation of development fees hinders economic growth and is, therefore, a matter of statewide interest and concern. It is, therefore, the intent of the Legislature that this section shall supersede all conflicting local laws and shall apply in charter cities.

(f) At the time the local agency imposes a fee for public improvements on a specific development project, it shall identify the public improvement that the fee will be used to finance.

(Amended by Stats. 1996, Ch. 569, Sec. 2. Effective January 1, 1997.)

Government Code section 68090.8 (Effective immediately prior to January 1, 2006)

(a)(1) The Legislature finds that the management of civil and criminal cases, including traffic cases, and the accounting for funds in the trial courts requires these courts to implement appropriate levels of automation.

(2) The purpose of this section is to make a fund available for the development of automated accounting, automated data collection through case management systems, and automated case-processing systems for the trial courts, together with funds to train operating personnel, and for the maintenance and enhancement of the systems.

(3) Automated data collection shall provide the foundation for planning, research, and evaluation programs that are generated from within and outside of the judicial branch. This system shall be a resource to the courts, the Judicial Council and its committees, the Administrative Office of the Courts, the Legislature, the Governor, and the public. During the developmental stage and prior to the

Attachment B

implementation of the system, the Legislature shall make recommendations to the Judicial Council as to the breadth and level of detail of the data to be collected.

(b) Prior to making any other required distribution, the county treasurer shall transmit 2 percent of all fines, penalties, and forfeitures collected in criminal cases, including, but not limited to, moneys collected pursuant to Chapter 12 (commencing with Section 76000) of Title 8 of this code, Section 13003 of the Fish and Game Code, Section 11502 of the Health and Safety Code, and Chapter 1 (commencing with Section 1427) of Title 11 of Part 2 of the Penal Code, into the Trial Court Improvement Fund established pursuant to Section 77209, to be used exclusively to pay the costs of automating trial court recordkeeping systems. These systems shall meet Judicial Council performance standards, including production of reports as needed by the state, the counties, and local governmental entities.

(Added by Stats.1991, c. 90 (A.B.1297), § 4, eff. June 30, 1991. Amended by Stats.1991, c. 189 (A.B.544), § 3, eff. July 29, 1991; Stats.1992, c. 1199 (A.B.2409), § 2, eff. Sept. 30, 1992; Stats.1997, c. 850 (A.B.233), § 32.)

Government Code section 70640

(a) It is the policy of the state that each court shall endeavor to provide a children's waiting room in each courthouse for children whose parents or guardians are attending a court hearing as a litigant, witness, or for other court purposes as determined by the court. To defray that expense, monthly allocations for children's waiting rooms shall be added to the monthly apportionment under subdivision (a) of Section 68085 for each court where a children's waiting room has been established or where the court has elected to establish that service.

(b) The amount allocated to each court under this section shall be equal to the following: for each first paper filing fee as provided under Section 70611, 70612, 70613, 70614, or 70670, and each first paper or petition filing fee in a probate matter as provided under Section 70650, 70651, 70652, 70653, 70654, 70655, 70656, or 70658, the same amount as was required to be collected as of December 31, 2005, to the Children's Waiting Room Fund under former Section 26826.3 in the county in which the court is located when a fee was collected for the filing of a first paper in a civil action under former Section 26820.4.

(c) Notwithstanding any other provision of law, the court may make expenditures from these allocations in payment of any cost, excluding capital outlay, related to the establishment and maintenance of the children's waiting room, including personnel, heat, light, telephone, security, rental of space, furnishings, toys, books, or any other item in connection with the operation of a children's waiting room.

(d) If, as of January 1, 2006, there is a Children's Waiting Room Fund in the county treasury established under former Section 26826.3, the county immediately shall transfer the moneys in that fund to the court's operations fund as a restricted fund. By February 15, 2006, the county shall provide an accounting of the fund to the Administrative Office of the Courts.

Attachment B

- (e) After January 1, 2006, the court may apply to the Judicial Council for an adjustment of the amount distributed to the fund for each uniform filing fee. A court that wishes to establish a children's waiting room, and does not yet have a distribution under this section, may apply to the Judicial Council for a distribution. Applications under this subdivision shall be made according to trial court financial policies and procedures authorized by the Judicial Council under subdivision (a) of Section 77206. Adjustments and new distributions shall be effective January 1 or July 1 of any year beginning January 1, 2006.
- (f) The distribution to a court under this section per each filing fee shall be not less than two dollars (\$2) and not more than five dollars (\$5).

(Amended by Stats. 2007, Ch. 130, Sec. 135. Effective January 1, 2008.)

Government Code section 70678

In addition to the fee set forth in Section 70677, a fee of twenty-five dollars (\$25) shall be paid to the clerk of the court at the time of filing a motion, order to show cause, or other proceeding seeking to modify or enforce that portion of any judgment or order entered in this state or any other state which orders or awards the custody of a minor child or children or which specifies the rights of any party to the proceeding to visitation of a minor child or children. Fifteen dollars (\$15) of the fee authorized in this section shall be used exclusively to pay the costs of maintaining mediation services provided under Chapter 11 (commencing with Section 3160) of Part 2 of Division 8 of the Family Code, and ten dollars (\$10) of the fee shall be used exclusively to pay the costs of services provided by the family law facilitator under Section 10005 of the Family Code.

(Added by renumbering Section 26862 by Stats. 2005, Ch. 75, Sec. 95. Effective July 19, 2005. Operative January 1, 2006, by Sec. 156 of Ch. 75.)

Government Code section 76223

Notwithstanding any other provision of law, the following conditions pertain to the construction of court facilities in Merced County by the County of Merced for any construction pursuant to a written agreement entered into prior to January 1, 2004, between the board of supervisors and the presiding judge of the superior court:

- (a) Revenue received in Merced County from civil assessments for Failure to Appear, pursuant to Section 1214.1 of the Penal Code, shall be available, in an annual amount not to exceed the amount agreed upon by the board of supervisors and the presiding judge of the superior court, for the purpose of augmenting other funds made available for construction.
- (b) The presiding judge of the superior court may agree to make available court funds, up to a stated amount, other than funds received from the Trial Court Trust Fund or other state sources, in the courthouse construction fund.

Attachment B

- (c) The total amounts deposited under subdivision (a) may not exceed in any fiscal year the amount payable on the construction costs less (1) any amounts paid by the courthouse construction fund and (2) any other amounts paid from other sources except for any amounts paid pursuant to subdivision (b).
- (d) The total amounts deposited under subdivision (b) shall not exceed in any fiscal year the amount payable on the construction costs less (1) any amounts paid by the courthouse construction fund, (2) any amounts paid pursuant to subdivision (a) of this section, and (3) any other amounts paid from other sources except for any amounts paid pursuant to subdivision (b).
- (e) If legislation is passed and becomes effective transferring the responsibility for court facilities to the state, and the legislation permits the transfer of the bonded indebtedness or other encumbrance on court facilities together with revenue sources for payment of the bonded indebtedness or other encumbrance, the revenue sources provided for by this section may also be transferred to the state.
- (f) As used in this section, the costs of construction also includes the payment on the bonded indebtedness or other encumbrance used to finance the construction.

(Added by Stats. 2002, Ch. 1082, Sec. 8. Effective January 1, 2003.)

Government Code section 77207.5(b)

- (a) The Judicial Council shall make monthly allocations to the trial courts from the Trial Court Trust Fund for automated administrative systems as provided in this section. These funds shall be used for the development and implementation of automated systems as described in subdivision (a) of Section 68090.8. As used in this subdivision, “automated administrative systems” does not include electronic reporting systems for use in a courtroom.
- (b) The amount allocated annually to each trial court shall be the amount stated in this subdivision, which is based on the revenue collected in the local 2 percent automation funds in the 1994–95 fiscal year. The amounts are as follows:

| Jurisdiction | Amount |
|--------------------|-----------|
| Alameda | \$424,792 |
| Alpine | 2,034 |
| Amador | 11,006 |
| Butte | 59,332 |
| Calaveras | 18,652 |
| Colusa | 13,708 |
| Contra Costa | 218,186 |

Attachment B

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|-------------------|-----------|
| Del Norte | 11,208 |
| El Dorado | 54,374 |
| Fresno | 181,080 |
| Glenn | 19,264 |
| Humboldt | 48,160 |
| Imperial | 67,678 |
| Inyo | 30,402 |
| Kern | 277,328 |
| Kings | 57,026 |
| Lake | 20,328 |
| Lassen | 20,156 |
| Los Angeles | 3,144,530 |
| Madera | 52,502 |
| Marin | 114,766 |
| Mariposa | 3,904 |
| Mendocino | 30,068 |
| Merced | 55,652 |
| Modoc | 6,134 |
| Mono | 12,446 |
| Monterey | 183,464 |
| Napa | 30,550 |
| Nevada | 49,946 |
| Orange | 923,882 |
| Placer | 77,378 |

Attachment B

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|-----------------------|---------|
| Plumas | 9,206 |
| Riverside | 532,226 |
| Sacramento | 340,254 |
| San Benito | 14,700 |
| San Bernardino | 435,474 |
| San Diego | 718,442 |
| San Francisco | 272,528 |
| San Joaquin | 201,698 |
| San Luis Obispo | 130,020 |
| San Mateo | 329,518 |
| Santa Barbara | 162,858 |
| Santa Clara | 452,782 |
| Santa Cruz | 113,210 |
| Shasta | 44,394 |
| Sierra | 1,830 |
| Siskiyou | 37,000 |
| Solano | 119,364 |
| Sonoma | 119,004 |
| Stanislaus | 88,718 |
| Sutter | 37,382 |
| Tehama | 28,100 |
| Trinity | 7,648 |
| Tulare | 204,932 |
| Tuolumne | 16,642 |

Attachment B

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|---------------|---------|
| Ventura | 205,304 |
| Yolo | 48,556 |
| Yuba | 15,788 |

(Amended by Stats. 2005, Ch. 706, Sec. 33. Effective January 1, 2006. Conditionally inoperative as provided in Section 77400.)

Government Code section 77209(h)

Royalties received from the publication of uniform jury instructions shall be deposited in the State Trial Court Improvement and Modernization Fund and used for the improvement of the jury system.

(Amended by Stats. 2012, Ch. 41, Sec. 60. Effective June 27, 2012. Conditionally inoperative as provided in Section 77400.)

Penal Code section 1027

(a) When a defendant pleads not guilty by reason of insanity the court shall select and appoint two, and may select and appoint three, psychiatrists, or licensed psychologists who have a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders, to examine the defendant and investigate his or her mental status. It is the duty of the psychiatrists or psychologists selected and appointed to make the examination and investigation, and to testify, whenever summoned, in any proceeding in which the sanity of the defendant is in question. The psychiatrists or psychologists appointed by the court shall be allowed, in addition to their actual traveling expenses, those fees that in the discretion of the court seem just and reasonable, having regard to the services rendered by the witnesses. The fees allowed shall be paid by the county where the indictment was found or in which the defendant was held for trial.

(b) Any report on the examination and investigation made pursuant to subdivision (a) shall include, but not be limited to, the psychological history of the defendant, the facts surrounding the commission of the acts forming the basis for the present charge used by the psychiatrist or psychologist in making his or her examination of the defendant, the present psychological or psychiatric symptoms of the defendant, if any, the substance abuse history of the defendant, the substance use history of the defendant on the day of the offense, a review of the police report for the offense, and any other credible and relevant material reasonably necessary to describe the facts of the offense.

(c) This section does not presume that a psychiatrist or psychologist can determine whether a defendant was sane or insane at the time of the alleged offense. This section does not limit a court's discretion to admit or exclude, pursuant to the Evidence Code, psychiatric or psychological evidence about the defendant's state of mind or mental or emotional condition at the time of the alleged offense.

Attachment B

(d) Nothing contained in this section shall be deemed or construed to prevent any party to any criminal action from producing any other expert evidence with respect to the mental status of the defendant. If expert witnesses are called by the district attorney in the action, they shall only be entitled to those witness fees as may be allowed by the court.

(e) Any psychiatrist or psychologist appointed by the court may be called by either party to the action or by the court, and shall be subject to all legal objections as to competency and bias and as to qualifications as an expert. When called by the court or by either party to the action, the court may examine the psychiatrist or psychologist, as deemed necessary, but either party shall have the same right to object to the questions asked by the court and the evidence adduced as though the psychiatrist or psychologist were a witness for the adverse party. When the psychiatrist or psychologist is called and examined by the court, the parties may cross-examine him or her in the order directed by the court. When called by either party to the action, the adverse party may examine him or her the same as in the case of any other witness called by the party.

(Amended by Stats. 2012, Ch. 150, Sec. 1. Effective January 1, 2013.)

Penal Code section 1463.007

(a) Notwithstanding any other provision of law, any county or court that operates a comprehensive collection program may deduct the costs of operating that program, excluding capital expenditures, from any revenues collected under that program. The costs shall be deducted before any distribution of revenues to other governmental entities required by any other provision of law. Any county or court operating a comprehensive collection program may establish a minimum base fee, fine, forfeiture, penalty, or assessment amount for inclusion in the program.

(b) Once debt becomes delinquent, it continues to be delinquent and may be subject to collection by a comprehensive collection program. Debt is delinquent and subject to collection by a comprehensive collection program if any of the following conditions is met:

(1) A defendant does not post bail or appear on or before the date on which he or she promised to appear, or any lawful continuance of that date, if that defendant was eligible to post and forfeit bail.

(2) A defendant does not pay the amount imposed by the court on or before the date ordered by the court, or any lawful continuance of that date.

(3) A defendant has failed to make an installment payment on the date specified by the court.

(c) For the purposes of this section, a “comprehensive collection program” is a separate and distinct revenue collection activity that meets each of the following criteria:

(1) The program identifies and collects amounts arising from delinquent court-ordered debt, whether or not a warrant has been issued against the alleged violator.

(2) The program complies with the requirements of subdivision (b) of Section 1463.010.

(3) The program engages in each of the following activities:

(A) Attempts telephone contact with delinquent debtors for whom the program has a phone number to inform them of their delinquent status and payment options.

Attachment B

- (B) Notifies delinquent debtors for whom the program has an address in writing of their outstanding obligation within 95 days of delinquency.
- (C) Generates internal monthly reports to track collections data, such as age of debt and delinquent amounts outstanding.
- (D) Uses Department of Motor Vehicles information to locate delinquent debtors.
- (E) Accepts payment of delinquent debt by credit card.
- (4) The program engages in at least five of the following activities:
 - (A) Sends delinquent debt to the Franchise Tax Board's Court-Ordered Debt Collections Program.
 - (B) Sends delinquent debt to the Franchise Tax Board's Interagency Intercept Collections Program.
 - (C) Initiates driver's license suspension or hold actions when appropriate.
 - (D) Contracts with one or more private debt collectors to collect delinquent debt.
 - (E) Sends monthly bills or account statements to all delinquent debtors.
 - (F) Contracts with local, regional, state, or national skip tracing or locator resources or services to locate delinquent debtors.
 - (G) Coordinates with the probation department to locate debtors who may be on formal or informal probation.
 - (H) Uses Employment Development Department employment and wage information to collect delinquent debt.
 - (I) Establishes wage and bank account garnishments where appropriate.
 - (J) Places liens on real property owned by delinquent debtors when appropriate.
 - (K) Uses an automated dialer or automatic call distribution system to manage telephone calls.
- (d) This section shall become operative on July 1, 2012.

(Repealed (in Sec. 30) and added by Stats. 2010, Ch. 720, Sec. 31. Effective October 19, 2010. Section operative July 1, 2012, by its own provisions.)

Penal Code section 1463.22(a)

- (a) Notwithstanding Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, seventeen dollars and fifty cents (\$17.50) for each conviction of a violation of Section 16028 of the Vehicle Code shall be deposited by the county treasurer in a special account and allocated to defray costs of municipal and superior courts incurred in administering Sections 16028, 16030, and 16031 of the Vehicle Code. Any moneys in the special account in excess of the amount required to defray those costs shall be redeposited and distributed by the county treasurer pursuant to Section 1463.
- (b) Notwithstanding Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, three dollars (\$3) for each conviction for a violation of Section 16028 of the Vehicle Code shall be initially deposited by the county treasurer in a special account, and shall be transmitted once per month to the Controller for deposit in the Motor Vehicle Account in the State Transportation Fund. These moneys shall be available, when appropriated, to defray the administrative costs incurred by the Department of Motor Vehicles pursuant to Sections 16031, 16032, 16034, and 16035 of the Vehicle

Attachment B

Code. It is the intent of this subdivision to provide sufficient revenues to pay for all of the department's costs in administering those sections of the Vehicle Code.

(c) Notwithstanding Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, ten dollars (\$10) upon the conviction of, or upon the forfeiture of bail from, any person arrested or notified for a violation of Section 16028 of the Vehicle Code shall be deposited by the county treasurer in a special account and shall be transmitted monthly to the Controller for deposit in the General Fund.

(Amended by Stats. 1998, Ch. 931, Sec. 422. Effective September 28, 1998.)

Penal Code section 4750

A city, county, or superior court shall be entitled to reimbursement for reasonable and necessary costs connected with state prisons or prisoners in connection with any of the following:

(a) Any crime committed at a state prison, whether by a prisoner, employee, or other person.

With respect to a prisoner, "crime committed at a state prison" as used in this subdivision, includes, but is not limited to, crimes committed by the prisoner while detained in local facilities as a result of a transfer pursuant to Section 2910 or 6253, or in conjunction with any hearing, proceeding, or other activity for which reimbursement is otherwise provided by this section.

(b) Any crime committed by a prisoner in furtherance of an escape. Any crime committed by an escaped prisoner within 10 days after the escape and within 100 miles of the facility from which the escape occurred shall be presumed to have been a crime committed in furtherance of an escape.

(c) Any hearing on any return of a writ of habeas corpus prosecuted by or on behalf of a prisoner.

(d) Any trial or hearing on the question of the sanity of a prisoner.

(e) Any costs not otherwise reimbursable under Section 1557 or any other related provision in connection with any extradition proceeding for any prisoner released to hold.

(f) Any costs incurred by a coroner in connection with the death of a prisoner.

(g) Any costs incurred in transporting a prisoner within the host county or as requested by the prison facility or incurred for increased security while a prisoner is outside a state prison.

(h) Any crime committed by a state inmate at a state hospital for the care, treatment, and education of the mentally disordered, as specified in Section 7200 of the Welfare and Institutions Code.

(i) Commencing January 1, 2012, any nontreatment costs described in subdivision (b) of Section 4117 of the Welfare and Institutions Code.

(j) No city, county, or other jurisdiction may file, and the state may not reimburse, a claim pursuant to this section that is presented to the Department of Corrections and Rehabilitation or to any other agency or department of the state more than six months after the close of the month in which the costs were incurred.

(Amended by Stats. 2011, Ch. 660, Sec. 1. Effective January 1, 2012.)

Penal Code section 6005

(a) Whenever a person confined to a correctional institution under the supervision of the Department of Corrections and Rehabilitation is charged with a public offense committed within the confines of that institution and is tried for that public offense, a city, county, or superior court shall be entitled to reimbursement for reasonable and necessary costs connected with that matter.

(b) The appropriate financial officer or other designated official of a county or the city finance officer of a city incurring any costs in connection with that matter shall make out a statement of all the costs incurred by the county or city for the investigation, the preparation for the trial, participation in the actual trial of the case, all guarding and keeping of the person, and the execution of the sentence of the person, properly certified to by a judge of the superior court of the county. The statement may not include any costs that are incurred by the superior court pursuant to subdivision (c). The statement shall be sent to the department for its approval. After the approval the department must cause the amount of the costs to be paid out of the money appropriated for the support of the department to the county treasurer of the county or the city finance officer of the city incurring those costs.

(c) The superior court shall prepare a statement of all costs incurred by the court for the preparation of the trial and the actual trial of the case. The statement may not include any costs that are incurred by the city or county pursuant to subdivision (a). The statement shall be sent to the Administrative Office of the Courts for approval and reimbursement.

(d) No city, county, or other jurisdiction may file, and the state may not reimburse, a claim pursuant to this section that is presented to the Department of Corrections and Rehabilitation or to any other agency or department of the state more than six months after the close of the month in which the costs were incurred.

(Amended by Stats. 2007, Ch. 175, Sec. 12. Effective August 24, 2007.)

Vehicle Code section 11205.2

(a) As used in this chapter, a traffic assistance program (TAP) is a public or private nonprofit agency that provides services, under contract with a court to process traffic violators or under contract with the department to assist in oversight activities.

(b) A court may use a TAP to assist the court in performing services related to the processing of traffic violators. As used in this section, "services" means those services relating to the processing of traffic infraction cases at, and for, the court, including printing and providing to the court and traffic violators hard copy county-specific lists printed from the department's Internet Web site, administratively assisting traffic violators, and any other lawful activity relating to the administration of the court's traffic infraction caseload.

(c) The court may charge a traffic violator a fee to defray the costs incurred by a TAP for traffic case administration services provided to the court pursuant to subdivision (b). The court may delegate collection of the fee to the TAP. Fees shall be approved and regulated by the court. The fee shall not exceed the actual costs incurred by the TAP for the activities authorized under subdivision (b).

Attachment B

(d) This section shall become operative on January 1, 2013.

(Repealed (in Sec. 7) and added by Stats. 2010, Ch. 599, Sec. 7.5. Effective January 1, 2011. Section operative January 1, 2013, by its own provisions.)

Vehicle Code section 40508.6.

The superior court in any county may establish administrative assessments, not to exceed ten dollars (\$10), for clerical and administrative costs incurred for the following activities:

(a) An assessment for the cost of recording and maintaining a record of the defendant's prior convictions for violations of this code. The assessment shall be payable at the time of payment of a fine or when bail is forfeited for any subsequent violations of this code other than parking, pedestrian, or bicycle violations.

(b) An assessment for all defendants whose driver's license or automobile registration is attached or restricted pursuant to Section 40509 or 40509.5, to cover the cost of notifying the Department of Motor Vehicles of the attachment or restriction.

(Amended by Stats. 2002, Ch. 784, Sec. 604.5. Effective January 1, 2003.)

2011-2012 Year-End Fund Balances of Monies Excluded from 1% Cap Pursuant to GC 77203

| Monies Excluded from 1% Cap by GC 77203 | Number of Trial Courts | Total Amount |
|---|---------------------------|----------------------|
| B&P 470.5 – Dispute Resolution | 12 | 1,250,436 |
| CCP 116.230 – Small Claims | 16 | 373,745 |
| GC 13963(f) – Restitution Fund | 3 | 663,113 |
| GC 26731 – Fees Collected by Sheriff or Marshal | 1 | 15,219 |
| GC 26863 (immediately prior to its repeal) – Automated Recordkeeping and Micrographics | 4 | 1,293,107 |
| GC 27361.4 – County Recorder’s Document Storage | 1 | 22,872 |
| GC 66006 – Development Fees | 1 | 45,152 |
| GC 68090.8 – 2% Automation Fund Distribution from the Trial Court Improvement Fund | 21 | 9,199,066 |
| GC 70640 – Children’s Waiting Room | 15 | 8,355,451 |
| GC 70678 – \$25 Fee Related to Child Custody | 1 | 41,062 |
| GC 77207.5(b) – 2% Automation Fund Replacement Distribution from the Trial Court Trust Fund | 6 | 4,838,040 |
| GC 76223 – Merced County Court Construction Funds | 1 | 2,043,380 |
| GC 77209(h) – Jury Royalty | 1 | 626,400 |
| PC 1027 – Fee Related to Psychiatrists and Licensed Psychologists | 1 | 37,261 |
| PC 1463.007 – Comprehensive Collections | 2 | 9,871 |
| PC 1463.22(a) – Fees Related to VC 16028, 16030, and 16031 | 1 | 2,027 |
| PC 4750 & 6005 – Prisoner Hearings | 1 | 95,000 |
| VC 11205.2 – Traffic Assistance Program | 6 | 4,010,884 |
| VC 40508.6 – Up to \$10 Administrative Assessment | 2 | 190,217 |
| Total | | \$ 33,112,304 |

Fund Balance Excluded from 1% Cap Pursuant to Government Code Section 77203**1. B&P 470.5 – Dispute Resolution Programs**

Monies distributed to a court from a portion of certain first paper civil fees collected by courts when authorized by the court's county or provided to the court by its county and that can only be used for support of a county's

2. CCP 116.230 – Small Claims Advisory Services

Monies distributed to a court from certain small claims filing fees collected by courts and that can only be used in providing small claims advisory services.

3. GC 13963(f) – Restitution Fund

Monies from collections of restitutions given to the court by the California Victim Compensation and Government Claims Board as an incentive for collection efforts and that can only be used by the court for

4. GC 26731 – Fees Collected by Sheriff or Marshal

sections 26721, 26722, 26725, 26726, 26728, 26730, 26733.5, 26734, 26736, 26738, 26742, 26743, 26744, and 26750 and that can be used only for the civil division of the sheriff or marshal. Ninety-five percent of the moneys in the special fund shall be expended to supplement the costs of the depositor for the implementation, maintenance, and purchase of auxiliary equipment and furnishings for automated systems or other nonautomated operational equipment and furnishings deemed necessary by the sheriff's civil division or marshal. Five percent of the moneys in the special fund shall be used to supplement the expenses of the sheriff's civil division or marshal in administering the funds.

5. GC 26863 (immediately prior to its repeal) – Automated Recordkeeping and Micrographics

Monies (from \$1 to \$3 per applicable first paper civil filing fees) courts collected and retained locally prior to January 1, 2006 and that must be used for "automating the trial court recordkeeping system and conversion of the trial court document storage system to micrographics". Monies distributed to courts from the TCTF, using the distribution amount under GC 26863 after December 31, 2005, are not statutorily restricted revenues.

6. GC 27361.4 – County Recorder's Document Storage

Monies from a \$1 fee imposed by the county for filing every instrument, paper, or notice for record provided by the county and that must be used to defray the cost of converting the county recorder's document storage

7. GC 66006 – Development Fees

Monies from a fee that is charged by a local agency in connection with the approval of a development project and that must be used for a specific development project.

8. GC 68090.8 – 2% Automation Fund Distribution from the Trial Court Improvement Fund

Monies distributed to courts from 2% Automation Fund remittances in the Trial Court Improvement Fund for the period July 1, 2000 to December 31, 2005 and that can only be used for the costs of automating trial court

9. GC 70640 – Children's Waiting Room

Monies distributed to a court from the TCTF from a portion of certain first paper civil filing fees collected by the court and remitted to the TCTF and that can only be used for costs, excluding capital outlay, in establishing and maintaining a children's waiting room.

10. GC 70678 – \$25 Fee Related to Child Custody

Monies distributed to a court from the TCTF from the \$25 fee collected by the court and remitted to the TCTF. \$15 of the \$25 fee can only be used to pay the costs of maintaining mediation services and \$10 can only be used to pay the costs of services provided by a family law facilitator.

11. GC 76223 – Merced County Court Construction Funds

Monies deposited by the Merced Superior Court in the County of Merced's treasury from civil assessments (failure to appear) collections for debt service payments related to the construction of court facilities. The total amount cannot exceed \$310,000 times the number of years since 2004 the court has made annual payments

12. GC 77207.5(b) – 2% Automation Fund Replacement Distribution from the Trial Court Trust Fund

for the development and implementation of automated systems as described in subdivision (a) of GC section 68090.8, which includes "the development of automated administrative systems, including automated accounting, automated data collection through case management systems, and automated case-processing systems for the trial courts, together with funds to train operating personnel, and for the maintenance and enhancement of the systems." Under this code section, automated administrative systems does not include electronic reporting systems for use in a courtroom.

13. GC 77209(h) – Jury Royalty

Monies distributed to a court from the Trial Court Improvement Fund prior to July 1, 2012 or the State Trial Court Improvement and Modernization Fund after June 30, 2012 from the royalties received for the publication of jury instructions and that can only be used for the improvement of the jury system.

14. Penal Code 1027 – Fee Related to Psychiatrists and Licensed Psychologists

Monies provided by the county for the reimbursement of fees charged by psychiatrists or psychologists appointed by the court when a defendant pleads not guilty by reason of insanity. This statute requires that counties pay the fees. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or

15. Penal Code 1463.007 – Comprehensive Collections

Monies that courts with a comprehensive collection program can retain from collections of court-ordered debt and that can only be used to offset the costs incurred by the court for operating a comprehensive collections program, excluding capital expenditures. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent

16. Penal Code 1463.22(a) – Fees Related to VC 16028, 16030, and 16031

Monies from the collection of \$17.50 fee for each conviction of a violation of VC 16028 and must be used to defray the costs incurred by administering VCs 16028, 16030, and 16031, which was repealed in 1991. In the absence of a cost analysis, courts should assume that the costs of administering VC 16028 and 16031 are equal

17. Penal Code 4750 – Prisoner Hearings

Monies distributed by the AOC from the General Fund for the reimbursement of reasonable and necessary costs incurred by a court for hearings for any crime committed by a prisoner, employee, or other person at a state prison but is not limited to, crimes committed by the prisoner while detained in local facilities as a result of a transfer pursuant to PC 2910 or 6253 or any trial or hearing on the question of the sanity of a prisoner. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

18. Penal Code 6005 – Prisoner Hearings

Monies distributed by the AOC from the General Fund for the reimbursement for reasonable and necessary costs incurred by a court for hearings for a juvenile who is charged with a public offense while confined to a correctional institution under the supervision of the Department of Corrections and tried for that public offense. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

19. VC 11205.2 – Traffic Assistance Program

public or private nonprofit agency running a Traffic Assistance Program on a contractual basis for the court. Given that VC 11205.2 replaced VC 11205, monies collected by courts pursuant to VC 11205 for the Court Assistance Program, which was repealed effective January 1, 2013, are also excluded from the cap. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

20. VC 40508.6 – Up to \$10 Administrative Assessment

costs incurred for (1) recording and maintaining a record of a defendant's prior convictions and/or (2) notifying the Department of Motor Vehicles of defendants whose driver's license or automobile registration is attached or restricted pursuant to VC 40509 or 40509.5. Courts can impose an up to \$10 assessment separately for each of the two types of costs. As discussed below, as a general rule, by the end of the fiscal year the monies received should be completely offset by the costs for which the fee is authorized, leaving no unspent monies (or restricted fund balance).

Encumbrance Guidelines

Managing encumbrances similar to how the state manages encumbrances will be a change for the trial courts. Currently, in the Phoenix Financial System, trial courts are only required to track encumbrances one year at a time because any unliquidated (unused) amount of an encumbrance just returns to the court's fund balance for reuse. Under the state model, any unliquidated amount left in an encumbrance is returned to the fund where the monies originated. For the trial courts, this means for the amount of a court's encumbrances of funds that would otherwise be subject to the cap in a given fiscal year, any unliquidated portion of that amount at the end of the encumbrance period would revert to the state Trial Court Trust Fund. The process for returning the unliquidated amount will be a reduction in future allocations, not a transfer of cash from the court to the state.

Only 3 years of a legal contract or agreement can be encumbered in a given fiscal year. Similar to the state, trial courts will be allowed to encumber in the current year, and liquidate the amount anytime over the next two fiscal years, or a total of three years. (This is not calendar months but fiscal years so that an encumbrance in May of any year really only has approximately 2 fiscal years to liquidate.) This is another significant change for trial courts in that they may have open encumbrances for up to three years (includes originating year).

The AOC Trial Court Administrative Services Office (TCAS) is looking at the Phoenix Financial System to see how the system can be modified to accommodate this requirement. It is not expected the system can be modified as of July 1, 2014, so at least the initial tracking of encumbrances will have to be done manually. This will be done as part of the existing year-end process regarding open encumbrances.

State Concepts/Rules to Utilize (see Attachment I)

1. Encumbrances will only be for contracts or agreements covered by the Judicial Branch Contract Manual.
2. To encumber current fiscal year money, courts have to have a valid contract executed by all parties and the work has to have started by June 30 of the current year.
3. Courts have the current fiscal year plus 2 subsequent fiscal years to liquidate the encumbrance.
4. If encumbered funds are not liquidated (unliquidated encumbrances) by the end of the third fiscal year (current and two subsequent) then the portion of the unliquidated funds that was subject to the cap in the year it was encumbered will revert to the state Trial Court Trust Fund through allocation reductions.

5. If work changes in subsequent years of the contract requiring an amendment other than an extension of time, any new funding must come from the current fiscal year and has two subsequent years from the current year to be liquidated. In other words:
 - a. The work to be performed portion of the contract cannot be changed after the fiscal year end and be charged to the original encumbrance.
 - b. Changes to work to be performed must have current year encumbrances.
6. Fund balance should not be used for on-going expenses. On-going expenses should be part of a court's annual budget.

Examples of on-going expenses are: rent or lease of space that is not temporary (for this purpose temporary is up to 3 years); maintenance of CMS after implementation; printer/copier maintenance; etc.
7. Courts cannot encumber time and material, or not to exceed without defined deliverable, contracts for multiple years. This includes contracts where specific goods or services are not assigned a value, and are not associated with specific delivery or start date. For example, master and blanket contracts.
8. You cannot encumber current year fund balance for a contract of goods that designates a specific delivery date in the next fiscal year.
9. Encumbrances in a given fiscal year cannot be for more than 3 years regardless of the contractual terms.

Questions and Answers

(these answers assume a court has currently available resources)

- 1. Can we reserve two years of case management system license fees? (This question and answer applies to all annual license/maintenance agreements)**

A – On-going system license fees should be part of a court’s budget and not rely on fund balance. If initial license fees are included in a deployment contract, the encumbering of the deployment contract for up to three years will cover the initial license fees.

- 2. If a court has a general contractor agreement for 3 years at \$150,000 (\$50,000 a year) and uses as needed (such as under a master agreement and issued work orders), can they reserve two years or \$100,000? Do specific work orders need to be authorized prior to 06/30/14?**

A – Even if a court has a legally executed 3 year contract for services, they may not encumber the entire 3 year \$150,000 contractual amount in the current fiscal year as no goods or services with an assigned value were specified to be performed with an associated start or delivery time (sufficient detail to ensure all work is explicitly authorized). Under the contract, when a work order is issued, the value of that work order can be encumbered to be liquidated that fiscal year and in the two subsequent fiscal years.

- 3. Can we reserve two years of entrance security services? It is based on a contracted hourly rate and we know the number of contracted staff utilized each day. The Court has a three-year contract with a not to exceed amount or it could have a fixed amount established for the services in the contract.**

A – If a court has a legally executed contract for security services with a fixed amount for the services in the contract, they may encumber two years (including current year) worth of service in the current fiscal year.

- 4. Civil mediator and family law mediator contracts (flat amount per month for the court inquiring)**

A – If a court has a legally executed contract for these services that complies with the rules provided previously, they may encumber up to three fiscal years (including current fiscal year) worth of service in the current year. If these contracts are reimbursable, it is not appropriate to reserve fund balance for them because the revenue (possibly accrued) and expense should both be recorded in the same year.

- 5. Would expenses for delayed reimbursement for dependency counsel, 1058, interpreter reimbursement, etc. be subject to encumbrance?**

A – No. Delayed reimbursement for expenses should be recorded as accrued revenue at year-end, not encumbered.

6. Would contingent liabilities such as accrued vacation be subject to encumbrance?

A – No. Payroll liabilities, such as accrued leave balances, retirement liabilities, future employee benefits, etc., are not covered by the Judicial Branch Contracting Manual and are not subject to encumbrance.

7. Can a court encumber 5 or more years of a lease?

A – No. An encumbrance is only good for up to three years, regardless of the contractual terms. Also, leases that are not temporary should be part of a court's budget and not rely on fund balance.

Encumbrance Accruals

Use the following steps (See *Exhibit 6: Encumbrance Accruals*) to access ZFM001 – Open Encumbrance Detail Report and use it to determine encumbrances that should be accrued.

1. Enter transaction **ZFM001** to access the report
2. Enter Fiscal Year **2012**
3. Enter Posting Period **12**
4. Enter your trial court business area number
5. Select output options **List Viewer (ALV)**
6. Execute report
7. Choose **layout/YEAREND-Year End Accrual Report**
8. Save report as **Excel** file

Determine which encumbrances will be accrued and which encumbrances will be reflected as a reservation of fund balance. Encumbrances that will be accrued can be easily copied to the accrual worksheet template and uploaded into Phoenix. The remaining encumbrances should be reviewed to determine if they are reservations of current-year fund balance, or if they are future-year budgetary expenses. This information should be submitted to the court's GL lead as the AOC makes the adjusting entry related to the reservation of fund balance for all courts.

In addition to accruals related to encumbrances, courts must accrue direct invoices for goods and services received in the current year but not yet billed.

Direct Invoices

Use the following steps (also demonstrated in *Exhibit 7: Direct Invoice Accruals*, at the end of this section) to access ZGL001 – GL Expenditure Line Item Report and use it to determine invoices paid in the new fiscal year that should be accrued.

1. Enter transaction **ZGL001** to access the report.
2. Enter Fiscal Year **2013**.
3. Enter Posting Period **1**.
4. Enter your trial court business area number.
5. Select output options **List Viewer (ALV)**.
6. Execute report.
7. Choose **layout/YEAREND-Year End Accrual Report**.
8. Save report as **Excel** file.

EXHIBIT 6: ENCUMBRANCE ACCRUALS

Procedural Steps

1. In the Phoenix screen, enter transaction **ZFM001**.

The **Open Encumbrance Detail Report** screen will appear (see the following example).

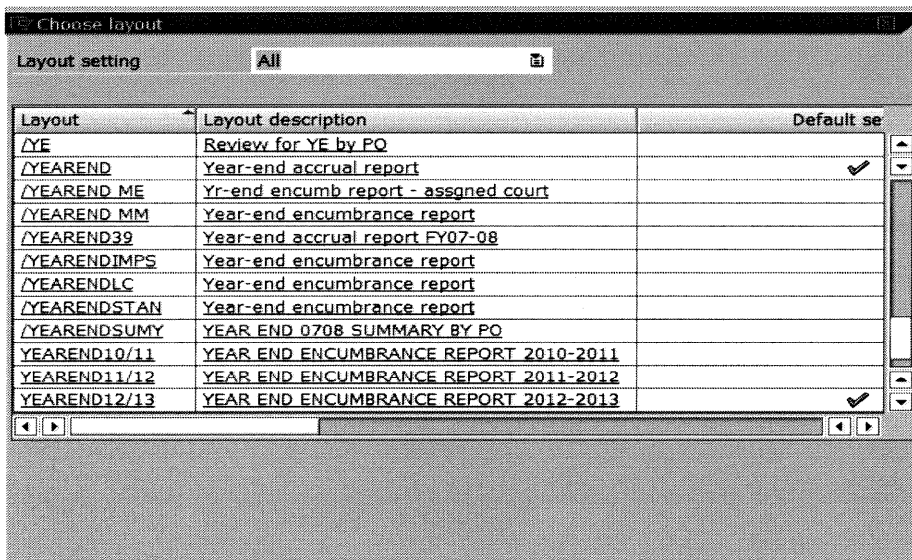
2. In the *Fiscal Year* field, enter **2012**.
3. In the *Posting Period* field, enter **12**.
4. In the *Trial Court (BA)* field, enter your trial court business area number.
5. In the *Output Option* section, select *List Viewer (ALV)* and execute the report.

The **Open Encumbrance Detail Report** screen will appear (see the following example).

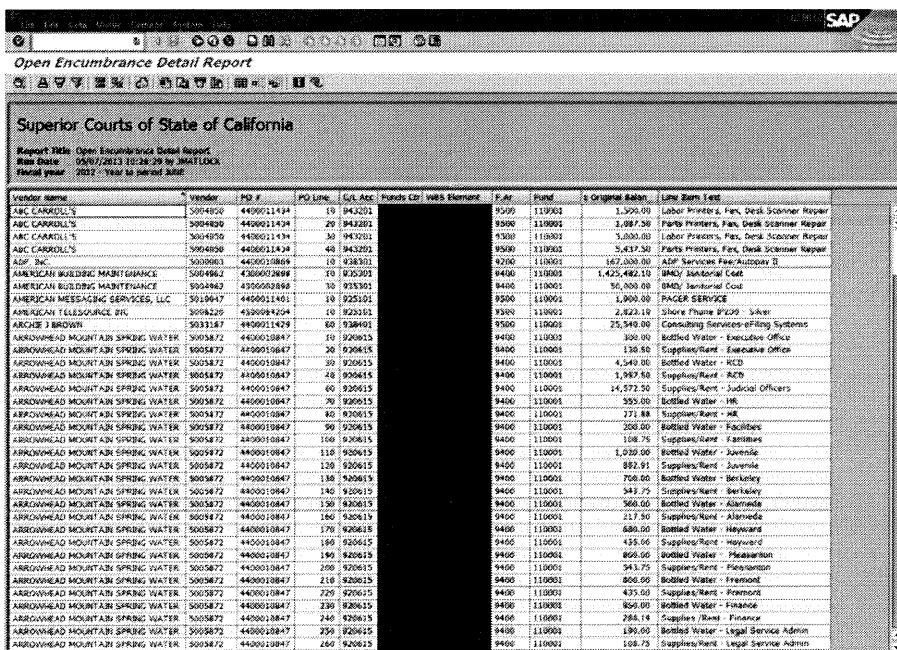
| Vendor Name | Vendor | PO # | PO Line | GL Acc | Funds Clr/WBS Element | F Ar | Fund | Original Balan | Line Item Text | |
|-----------------------------------|---------|------------|---------|--------|-----------------------|------|------|----------------|----------------|---|
| ABC CARROLL'S | 5004930 | 4400011434 | 10 | 642001 | | | 0200 | 110001 | 1,502.02 | Labor Printers, Fax, Desk Computer Repair |
| ABC CARROLL'S | 5004950 | 4400011434 | 20 | 642001 | | | 0300 | 110001 | 1,087.50 | Post-Printer, Fax, Desk Scanner Repair |
| ABC CARROLL'S | 5004950 | 4400011434 | 30 | 642001 | | | 0400 | 110001 | 5,000.00 | Labor Printers, Fax, Desk Scanner Repair |
| ABC CARROLL'S | 5004950 | 4400011434 | 40 | 642001 | | | 0500 | 110001 | 5,437.50 | Post-Printer, Fax, Desk Scanner Repair |
| ABC CARROLL'S | 5004950 | 4400011434 | 50 | 642001 | | | 0600 | 110001 | 14,100.00 | Lab. Services Fee-Judiciary B |
| AMERICAN BUILDING MAINTENANCE | 5004962 | 4300002890 | 10 | 625201 | | | 0400 | 110001 | 1,425,482.10 | BMDJ Landmark Cost |
| AMERICAN BUILDING MAINTENANCE | 5004962 | 4300002890 | 30 | 625201 | | | 0500 | 110001 | 50,000.00 | BMDJ Landmark Cost |
| AMERICAN BUILDING MAINTENANCE | 5004962 | 4300002890 | 50 | 625201 | | | 0600 | 110001 | 1,400,000.00 | FRACR. INTEREST |
| AMERICAN TELESCOPE INC | 5006130 | 420004374 | 10 | 028101 | | | 0100 | 110001 | 2,821.10 | Share Phone W/MS - Galax |
| ARROW 3 BROWNS | 5002187 | 4400010897 | 06 | 020010 | | | 0100 | 110001 | 25,940.00 | Consulting Services-writing Systems |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 18 | 920010 | | | 0100 | 110001 | 300.00 | Bottled Water - Executive Office |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 20 | 920010 | | | 0200 | 110001 | 1,307.30 | Supplies/Maint - Executive Office |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 30 | 920010 | | | 0300 | 110001 | 4,240.00 | Bottled Water - ACU |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 40 | 920010 | | | 0400 | 110001 | 1,972.50 | Supplies/Maint - ACU |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 60 | 920010 | | | 0500 | 110001 | 14,372.40 | Supplies/Maint - Judicial Officers |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 70 | 920010 | | | 0600 | 110001 | 352.00 | Bottled Water - JIS |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 80 | 920010 | | | 0700 | 110001 | 271.65 | Supplies/Maint - JIS |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 90 | 920010 | | | 0800 | 110001 | 200.00 | Bottled Water - JIS/DEPS |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 100 | 920010 | | | 0900 | 110001 | 118.75 | Supplies/Maint - Facilities |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 110 | 920010 | | | 1000 | 110001 | 1,029.00 | Bottled Water - Juvenile |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 120 | 920010 | | | 1100 | 110001 | 882.81 | Supplies/Maint - Juvenile |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 130 | 920010 | | | 1200 | 110001 | 709.00 | Bottled Water - Berkeley |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 140 | 920010 | | | 1300 | 110001 | 343.73 | Supplies/Maint - Berkeley |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 150 | 920010 | | | 1400 | 110001 | 640.00 | Bottled Water - Alameda |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 160 | 920010 | | | 1500 | 110001 | 214.50 | Supplies/Maint - Alameda |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 170 | 920010 | | | 1600 | 110001 | 600.00 | Bottled Water - Hayward |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 180 | 920010 | | | 1700 | 110001 | 450.00 | Supplies/Maint - Hayward |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 190 | 920010 | | | 1800 | 110001 | 800.00 | Bottled Water - Fremont |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 200 | 920010 | | | 1900 | 110001 | 541.74 | Supplies/Maint - Pleasanton |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 210 | 920010 | | | 2000 | 110001 | 800.00 | Bottled Water - Fremont |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 220 | 920010 | | | 2100 | 110001 | 435.00 | Supplies/Maint - Fremont |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 230 | 920010 | | | 2200 | 110001 | 850.00 | Bottled Water - Fremont |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 240 | 920010 | | | 2300 | 110001 | 246.19 | Supplies/Maint - Fremont |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 250 | 920010 | | | 2400 | 110001 | 100.00 | Bottled Water - Legal Services Admin |
| ARROWHEAD INDUSTRIES SPRING WATER | 5005022 | 4400010897 | 260 | 920010 | | | 2500 | 110001 | 146.74 | Supplies/Maint - Legal Services Admin |

6. Click the **Select Layout** icon .

The Choose layout screen below will appear.



7. Choose layout /YEAREND12/13-Year End Encumbrance Report 2012-2013.



8. Review the ending balances for all open POs, MOUs, IBAs and contracts and the related encumbrances for validity. Disencumber any encumbrances, including Blanket Purchase Orders that are no longer valid.

**FY12/13 Year End
Encumbrance Balances as of 06/30/13**

The first part of the journal entry will debit 535001 and credit 615001 for each fund to zero out balances reflected in the trial balance.
The second part of the journal entry will credit 535001 and debit 615001 to record the reserve amounts for each fund as indicated by the court.
Document type ZB in period 13 - adjustment will be automatically reversed in period 1 with the fiscal year end close process

There must be enough fund balance to cover the reserves. This would include the current year impact.

| Court | Fund | Encumbrance Amount | Reserve Amount | Fund Reserved Under if different than original encumbrance | Period 13 Adjusting Document # | Period 1 Reversing Document # | Notes |
|-----------|---------|---------------------|-------------------|--|--------------------------------|-------------------------------|---------------------------------|
| 01 | 110001 | 1,019,242.00 | 0.00 | | 4200015203 | | |
| 01 | 120012 | 25,529.78 | 0.00 | | | | |
| 01 | 180004 | 27,490.97 | 0.00 | | | | |
| 01 | 180005 | 23,511.35 | 0.00 | | | | |
| 01 | 190200 | 99,266.80 | 0.00 | | | | |
| 01 | 190400 | 15,926.00 | 0.00 | | | | |
| 01 | 1930051 | 201,583.97 | 0.00 | | | | |
| 01 | | 1,412,550.87 | 0.00 | | | | |
| 03 | 110001 | 962.50 | | | | | |
| 03 | 190100 | 1,627.35 | | | | | |
| 03 | | 2,589.85 | 0.00 | | | | |
| 04 | 110001 | 137,964.55 | 71,997.88 | | 4200015063 | | Posted 7/23/2013 |
| 04 | 190100 | 24,963.99 | | | | | |
| 04 | 1910611 | 12,251.18 | | | | | |
| 04 | | 175,179.72 | 71,997.88 | | | | |
| 05 | 110001 | 8,380.14 | | | | | |
| 05 | 120007 | 900.00 | | | | | |
| 05 | 190100 | 5,160.47 | | | | | |
| 05 | | 14,440.61 | 0.00 | | | | |
| 06 | 110001 | 70,112.20 | 0.00 | | | | |
| 06 | 190100 | 6,565.00 | 0.00 | | | | |
| 06 | | 76,677.20 | | | 4200014692 | | |
| 07 | 110001 | 365,270.57 | 155,893.67 | | | | |
| 07 | 190100 | 10,000.00 | 0.00 | | | | |
| 07 | 1910631 | 5,000.00 | 0.00 | | | | |
| 07 | | 380,270.57 | 155,893.67 | | 1003391651 | | |
| 09 | 110001 | 225,995.74 | 186,538.93 | | 4200015064 | | Posted 7/23/2013 |
| 09 | 120003 | 1,000.00 | 0.00 | | | | |
| 09 | 190100 | 31,519.49 | 27,391.88 | | | | |
| 09 | | 258,515.23 | 213,930.81 | | | | |
| 10 | 110001 | 1,635,358.10 | 0.00 | | | | |
| 10 | 180005 | 59,606.40 | 0.00 | | | | |
| 10 | 190100 | 4,928.98 | 0.00 | | | | |
| 10 | 1910601 | 6,220.25 | 0.00 | | | | |
| 10 | 1940071 | 89,356.69 | 0.00 | | | | |
| 10 | | 1,795,470.42 | 0.00 | | 4200014103 | | |
| 13 | 110001 | 3,110,557.29 | 743,243.93 | 120001 | 4200015208 | | |
| 13 | 120001 | 14,712.02 | 5,000.00 | | | | |
| 13 | 120007 | 1,958.00 | 1,157.00 | 120001 | | | |
| 13 | 120012 | 85,680.32 | 58,180.32 | 120001 | | | |
| 13 | 120020 | 4,526.00 | 2,452.00 | 120001 | | | |
| 13 | | 3,217,433.63 | 810,033.25 | | | | |
| 14 | 110001 | 107,314.46 | 2,500.00 | | | | |
| 14 | 120007 | 1.00 | 0.00 | | | | |
| 14 | 190100 | 1,207.43 | 0.00 | | | | |
| 14 | | 108,522.89 | 2,500.00 | | 4200014366 | | POSTED ON 7/14/13, accrued most |
| 15 | 110001 | 645,767.54 | 43,963.04 | | | | |
| 15 | 120001 | 789,429.96 | 759,327.20 | | | | |
| 15 | 120007 | 8,796.71 | 0.00 | | | | |
| 15 | 130011 | 12,901.00 | 0.00 | | | | |
| 15 | 190100 | 12.10 | 0.00 | | | | |
| 15 | | 1,456,907.31 | 803,290.24 | | | | |
| 16 | 110001 | 109,585.14 | 39,347.56 | | | | |
| 16 | 190100 | 2,930.43 | 0.00 | | | | |
| 16 | | 112,515.57 | 39,347.56 | | 1003388708 | | |
| 17 | 110001 | 131,443.33 | 124,230.92 | | 4200014237 | | Posted on 7/15/13 |
| 17 | 190100 | 543.62 | 543.62 | | 4200014237 | | Posted on 7/15/13 |
| 17 | | 131,986.95 | 124,774.54 | | | | |

**FY12/13 Year End
Encumbrance Balances as of 06/30/13**

The first part of the journal entry will debit 535001 and credit 615001 for each fund to zero out balances reflected in the trial balance.
The second part of the journal entry will credit 535001 and debit 615001 to record the reserve amounts for each fund as indicated by the court.
Document type ZB in period 13 - adjustment will be automatically reversed in period 1 with the fiscal year end close process

There must be enough fund balance to cover the reserves. This would include the current year impact.

| Court | Fund | Encumbrance Amount | Reserve Amount | Fund Reserved Under if different than original encumbrance | Period 13 Adjusting Document # | Period 1 Reversing Document # | Notes |
|-----------|---------|---------------------|-------------------|--|--------------------------------|-------------------------------|-------------------------------------|
| 19 | 110001 | 1,729,874.74 | 753,108.13 | | | | |
| 19 | 120001 | 74,497.17 | 0.00 | | | | |
| 19 | 180005 | 238,138.51 | 0.00 | | | | |
| 19 | 190100 | 67,788.44 | 0.00 | | | | |
| 19 | 190200 | 4,033.34 | 0.00 | | | | |
| 19 | 1910591 | 86.00 | 0.00 | | | | |
| 19 | 1970061 | 76.02 | 0.00 | | | | |
| 19 | | 2,114,494.22 | 753,108.13 | | 4200016758 | 4200016789 | |
| 20 | 110001 | 6,744.00 | 0.00 | | 4200014382 | | Posted on 7/18/2013 |
| 20 | | 6,744.00 | 0.00 | | | | |
| 21 | 110001 | 249,702.60 | 154,634.20 | | | | |
| 21 | | 249,702.60 | 154,634.20 | | 4200014744 | | |
| 22 | 110001 | 5,728.12 | 0.00 | | | | |
| 22 | 120007 | 4,570.44 | 0.00 | | | | |
| 22 | 190100 | 502.07 | 0.00 | | | | |
| 22 | | 10,800.63 | 0.00 | | 4200014751 | | Posted on 7/22/13, accrued some |
| 23 | 110001 | 28,124.38 | 0.00 | | 4200015155 | | |
| 23 | | 28,124.38 | 0.00 | | | | |
| 24 | 110001 | 36,339.37 | 0.00 | | 4200014373 | | Posted with ZREVERSAL on 07/18/2013 |
| 24 | 120001 | 174.00 | 0.00 | | 4200014373 | | |
| 24 | | 36,513.37 | 0.00 | | | | |
| 25 | 110001 | 9,233.11 | 0.00 | | 4200014261 | | Posted 7/16/2013 |
| 25 | 120007 | 8.22 | 0.00 | | 4200014261 | | Posted 7/16/2013 |
| 25 | | 9,241.33 | 0.00 | | | | TO CLOSE |
| 26 | 110001 | 2,673.00 | 0.00 | | 4200014184/85 | | Posted 7/12/2013 |
| 26 | | 2,673.00 | 0.00 | | | | TO ACCRUE |
| 27 | 110001 | 18,049.75 | 1.00 | | | | |
| 27 | 190100 | 60,125.48 | 29,315.24 | | | | |
| 27 | | 78,175.23 | 29,316.24 | | 1003394708 | | |
| 28 | 110001 | 43,276.76 | 0.00 | | | | |
| 28 | 120001 | 4,813.32 | 0.00 | | 4200014868 | | Posted 7/22/2013 |
| 28 | | 48,090.08 | 0.00 | | | | ACCRUED |
| 29 | 110001 | 5,793.00 | 4,999.00 | | 4200015138 | | Posted 7/24/2013 |
| 29 | | 5,793.00 | 4,999.00 | | | | |
| 30 | 110001 | 4,411,837.12 | 556,571.60 | 120001 | | 4200015220 | |
| 30 | 120001 | 5,951.20 | | | | | |
| 30 | 120003 | 20,357.00 | | | | | |
| 30 | 120005 | 4,880.42 | | | | | |
| 30 | 120007 | 249,833.43 | | | | | |
| 30 | 120009 | 767.87 | | | | | |
| 30 | 120017 | 164,151.08 | | | | | |
| 30 | 120020 | 658,017.14 | 38,492.88 | 120001 | | | |
| 30 | 180005 | 44,831.24 | 43,947.24 | | | | |
| 30 | 190100 | 94,399.70 | | | | | |
| 30 | 1910611 | 7.84 | | | | | |
| 30 | | 5,655,034.04 | 639,011.72 | | | | |
| 31 | 110001 | 41,709.52 | 41,707.50 | | 4200015191 | | Posted 7/25/13 |
| 31 | 120012 | 1.00 | 0.00 | | | | |
| 31 | | 41,710.52 | 41,707.50 | | | | |
| 33 | 110001 | 453,007.48 | 0.00 | | | | |
| 33 | 120001 | 2.00 | 0.00 | | | | |
| 33 | 120007 | 53,170.28 | 0.00 | | | | |
| 33 | 120008 | 0.01 | 0.00 | | | | |
| 33 | 120012 | 29,801.55 | 0.00 | | | | |
| 33 | 120020 | 280,863.38 | 0.00 | | | | |

**FY12/13 Year End
Encumbrance Balances as of 06/30/13**

The first part of the journal entry will debit 535001 and credit 615001 for each fund to zero out balances reflected in the trial balance.
The second part of the journal entry will credit 535001 and debit 615001 to record the reserve amounts for each fund as indicated by the court.
Document type ZB in period 13 - adjustment will be automatically reversed in period 1 with the fiscal year end close process

There must be enough fund balance to cover the reserves. This would include the current year impact.

| Court | Fund | Encumbrance Amount | Reserve Amount | Fund Reserved Under if different than original encumbrance | Period 13 Adjusting Document # | Period 1 Reversing Document # | Notes |
|-----------|---------|---------------------|---------------------|--|--------------------------------|-------------------------------|--------------------------|
| 33 | 180005 | 11,679.74 | 0.00 | | | | |
| 33 | 190100 | 8,435.00 | 0.00 | | | | |
| 33 | 190200 | 2.00 | 0.00 | | | | |
| 33 | 1940071 | 22,145.64 | 0.00 | | | | |
| 33 | | 859,107.08 | 0.00 | | 4200014464 | | |
| 34 | 110001 | 544,156.36 | 387,968.04 | 120001 | 4200015188 | | |
| 34 | 120005 | 298.82 | 298.82 | 120001 | 4200015190 | | |
| 34 | 120007 | 142,753.60 | 26,236.45 | 120001 | | | |
| 34 | 180005 | 41,019.92 | 19,396.37 | | | | |
| 34 | 190100 | 1,498.54 | 1,498.54 | 120001 | | | |
| 34 | | 729,727.24 | 435,398.22 | | | | |
| 35 | 110001 | 2.00 | 0.00 | | 4200014181 | | Posted 7/12/2013 |
| 35 | 120003 | 1.00 | 0.00 | | 4200014181 | | Posted 7/12/2013 |
| 35 | | 3.00 | 0.00 | | | | TO CLOSE |
| 36 | 110001 | 1,732,702.27 | 172,001.00 | | 4200015122 | | |
| 36 | 120001 | 55,781.25 | 0.00 | | | | |
| 36 | 120003 | 4,400.00 | 0.00 | | | | |
| 36 | 120005 | 3.64 | 0.00 | | | | |
| 36 | 120009 | 446.92 | 0.00 | | | | |
| 36 | 190100 | 42,996.21 | 0.00 | | | | |
| 36 | 190400 | 2,127.50 | 0.00 | | | | |
| 36 | | 1,838,457.79 | 172,001.00 | | | | |
| 37 | 110001 | 3,183,617.31 | 1,660,818.48 | | | 4200014171 | Posted 7/11/2013 |
| 37 | 120001 | 9,121.04 | 8,594.20 | | | 4200014171 | Posted 7/11/2013 |
| 37 | 120007 | 301,093.86 | 0.00 | | | 4200014171 | Posted 7/11/2013 |
| 37 | 120008 | 12,989.11 | 12,569.94 | | | 4200014171 | Posted 7/11/2013 |
| 37 | 180005 | 13.43 | 0.00 | | | 4200014171 | Posted 7/11/2013 |
| 37 | 190100 | 22,015.54 | 17,138.64 | | | 4200014171 | Posted 7/11/2013 |
| 37 | 190500 | 218.83 | 0.00 | | | 4200014171 | Posted 7/11/2013 |
| 37 | | 3,529,069.12 | 1,699,121.26 | | | | |
| 38 | 110001 | 1,865,870.26 | 95,959.83 | | | | |
| 38 | 120001 | 71,598.72 | 0.00 | | | | |
| 38 | 120007 | 396,583.60 | 0.00 | | | | |
| 38 | 120012 | 40,326.25 | 0.00 | | | | |
| 38 | 180005 | 15,298.25 | 0.00 | | | | |
| 38 | 190100 | 34,873.42 | 0.00 | | | | |
| 38 | 190200 | 192,153.00 | 0.00 | | | | |
| 38 | 190400 | 12,440.00 | 0.00 | | | | |
| 38 | 1930031 | 28,255.98 | 0.00 | | | | |
| 38 | 1930051 | 18,316.00 | 0.00 | | | | |
| 38 | 1940071 | 86,869.82 | 0.00 | | | | |
| 38 | | 2,762,585.30 | 95,959.83 | | 4200015120/4200015170 | | |
| 39 | 110001 | 166,061.17 | 46,128.40 | | | | |
| 39 | 120001 | 2,206.00 | | | | | |
| 39 | 120003 | 7,719.76 | | | | | |
| 39 | 120004 | 50,960.08 | | | | | |
| 39 | 120009 | 560.79 | | | | | |
| 39 | 190100 | 8,762.25 | 5,875.00 | | | | |
| 39 | 190300 | 37,020.97 | 9,834.84 | | | | |
| 39 | 190400 | 13.98 | | | | | |
| 39 | | 273,305.00 | 61,838.24 | | 4200014319 | | posted on 7/23/13 |
| 40 | 110001 | 966,488.55 | 0.00 | | | | |
| 40 | 120007 | 2,645.93 | 0.00 | | | | |
| 40 | 120020 | 1,883.57 | 0.00 | | | | |
| 40 | 190100 | 3,411.62 | 0.00 | | | | |
| 40 | | 974,429.67 | 0.00 | | 4200014371 | | |
| 41 | 110001 | 227,868.97 | 56,000.00 | | | | |
| 41 | 120003 | 2,612.50 | 0.00 | | | | |
| 41 | 120004 | 40,622.50 | 0.00 | | | | |
| 41 | 120007 | 2,263.93 | 0.00 | | | | |
| 41 | 120011 | 2,193.00 | 0.00 | | | | |
| 41 | 120012 | 18,106.70 | 0.00 | | | | |

**FY12/13 Year End
Encumbrance Balances as of 06/30/13**

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Document type ZB in period 13 - adjustment will be automatically reversed in period 1 with the fiscal year end close process

There must be enough fund balance to cover the reserves. This would include the current year impact.

| Court | Fund | Encumbrance Amount | Reserve Amount | Fund Reserved Under if different than original encumbrance | Period 13 Adjusting Document # | Period 1 Reversing Document # | Notes |
|-----------|---------|---------------------|-------------------|--|--------------------------------|-------------------------------|--------------------------|
| 41 | 180004 | 2,451.32 | 0.00 | | | | |
| 41 | 180005 | 8,692.00 | 0.00 | | | | |
| 41 | 190100 | 1,360.81 | 0.00 | | | | |
| 41 | | 306,171.73 | 56,000.00 | | | | |
| 43 | 110001 | 1,126,004.24 | 391.05 | | 4200015007 | | |
| 43 | 120001 | 162,592.33 | 26,265.90 | | | | |
| 43 | 120005 | 1,365.73 | | | | | |
| 43 | 120009 | 5,833.37 | | | | | |
| 43 | 140001 | 2,500,000.00 | | | | | |
| 43 | 180005 | 68,776.48 | | | | | |
| 43 | 190100 | 10,504.42 | | | | | |
| 43 | 190200 | 216,534.94 | | | | | |
| 43 | 190400 | 54,698.42 | | | | | |
| 43 | 1910611 | 19,913.85 | | | | | |
| 43 | 1930031 | 12,501.00 | | | | | |
| 43 | 1930041 | 56,048.78 | | | | | |
| 43 | | 4,234,773.56 | 26,656.95 | | | | |
| 44 | 110001 | 338,601.55 | 152,698.65 | | | | |
| 44 | 120004 | 3,750.00 | 0.00 | | | | |
| 44 | 190100 | 29,000.00 | 0.00 | | | | |
| 44 | | 371,351.55 | 152,698.65 | | | | |
| 45 | 110001 | 1,422.26 | | | | | |
| 45 | | 1,422.26 | 0.00 | | | | |
| 46 | 110001 | 323.33 | 323.33 | | | | |
| 46 | | 323.33 | 323.33 | | | | |
| 47 | 110001 | 63,471.71 | 0.00 | | 4200015066 | | Posted 7/23/2013 |
| 47 | 190100 | 6,339.90 | 175.00 | | | | |
| 47 | 1930031 | 9,814.40 | 0.00 | | | | |
| 47 | | 79,626.01 | 175.00 | | | | |
| 48 | 110001 | 69,776.17 | | | | | |
| 48 | 120004 | 4,168.00 | | | | | |
| 48 | 120005 | 68.44 | | | | | |
| 48 | 190200 | 4,100.00 | | | | | |
| 48 | | 78,112.61 | 0.00 | | | | |
| 49 | 110001 | 27,923.61 | 0.00 | | 4200014544 | | |
| 49 | 120003 | 1,000.00 | 0.00 | | 4200014544 | | |
| 49 | 120007 | 323.09 | 0.00 | | 4200014544 | | |
| 49 | 180005 | 7,950.01 | 0.00 | | 4200014544 | | |
| 49 | 190100 | 179.20 | 0.00 | | 4200014544 | | |
| 49 | 190300 | 19,024.31 | 0.00 | | 4200014544 | | |
| 49 | | 56,400.22 | 0.00 | | | | |
| 50 | 110001 | 248,105.04 | 11,121.53 | | | | |
| 50 | 120001 | 5,250.00 | 5,250.00 | | | | |
| 50 | 120003 | 833.37 | | | | | |
| 50 | 120004 | 8,749.97 | | | | | |
| 50 | 120005 | 1,629.08 | | | | | |
| 50 | 190100 | 5,563.56 | | | | | |
| 50 | | 270,131.02 | 16,371.53 | | 4200015144/45 | | posted on 7/24/13 |
| 51 | 110001 | 332,109.70 | 117,777.27 | | 4200014676 | | |
| 51 | 120007 | 10,615.99 | 0.00 | | 4200014676 | | |
| 51 | 190100 | 10,504.41 | 0.00 | | 4200014676 | | |
| 51 | | 353,230.10 | 117,777.27 | | | | |
| 52 | 110001 | 4,811.70 | 0.00 | 0.00 | 420014305 | | Posted with ZREVERSAL |
| 52 | | 4,811.70 | 0.00 | | | | |
| 53 | 110001 | 55,710.23 | 0.00 | | 4200014728 | | |
| 53 | 120009 | 1.00 | 0.00 | | | | |
| 53 | 180004 | 13,564.36 | 13,564.36 | | | | |
| 53 | 190100 | 4.86 | 0.00 | | | | |
| 53 | | 69,280.45 | 13,564.36 | | | | |

**FY12/13 Year End
Encumbrance Balances as of 06/30/13**

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Document type ZB in period 13 - adjustment will be automatically reversed in period 1 with the fiscal year end close process

There must be enough fund balance to cover the reserves. This would include the current year impact.

| Court | Fund | Encumbrance Amount | Reserve Amount | Fund Reserved Under if different than original encumbrance | Period 13 Adjusting Document # | Period 1 Reversing Document # | Notes |
|---------------|---------|----------------------|---------------------|--|--------------------------------|-------------------------------|------------------|
| 56 | 110001 | 319,409.22 | | | | | |
| 56 | 120007 | 398,151.18 | | | | | |
| 56 | 120012 | 74,226.46 | | | | | |
| 56 | 1930031 | 691.16 | | | | | |
| 56 | 1940071 | 1,696.92 | | | | | |
| 56 | | 794,174.94 | 0.00 | | | | |
| 57 | 110001 | 70,457.30 | 50,350.85 | | 4200015076 | | Posted 7/23/2013 |
| 57 | 120001 | 639,713.85 | 639,713.85 | | | | |
| 57 | | 710,171.15 | 690,064.70 | | | | |
| 58 | 110001 | 13,188.08 | 6,459.88 | | | | |
| 58 | 120007 | 600.00 | | | | | |
| 58 | 190100 | 1,116.19 | 1,000.00 | | | | |
| 58 | | 14,904.27 | 7,459.88 | | | | |
| Totals | | 35,741,726.32 | 7,389,954.96 | | | | |

Year End Adjusting Entry for Encumbrances:

All purchase orders will be rolled into the new fiscal year. For year-end purposes, what the court needs to do is review ZFM001-Open Encumbrance Report balance as of June 30th and classify the purchase orders into one of the following categories:

- Identify items that should be **liquidated** – Since sub-ledger closes on the last working day of June, if activity on a purchase order needs to be liquidated, it will have to be done in the following fiscal year.
- Indicate amounts to be **accrued** – Amounts should be accrued only if the goods or services were received on or before June 30th.
- Indicate amounts to be **reserved** – Typically these are the amounts that are valid encumbrances but the goods/services have not been received by June 30th and the court is reserving current year fund balance for expenses to incur in the following fiscal year.

The adjusting entry for the reserve for encumbrances is posted in period 13 by the general ledger unit. This adjustment zeros out the balances in GL 535001-Reserve for Encumbrances and GL 615001-Encumbrances and records the amounts identified to be reserved in bullet three above. This entry is then reversed in period 1 of the next fiscal year and the activity continues to be recorded against the purchase orders as usual.

The purpose of this adjustment is to record those encumbrances that will be reflected as a part of funds reservation at year-end.

FY12/13 Year End
Encumbrance Balances as of 06/30/13
Totals by Fund

| Fund | ZFM001 | Reserved | Variance (assumed as liquidated or accrued) |
|--------------|-------------------------|------------------------|--|
| 110001 | 25,968,127.54 | 5,636,735.67 | 20,331,391.87 |
| 120001 | 1,835,842.86 | 1,444,151.15 | 391,691.71 |
| 120003 | 37,923.63 | 0.00 | 37,923.63 |
| 120004 | 108,250.55 | 0.00 | 108,250.55 |
| 120005 | 8,246.13 | 298.82 | 7,947.31 |
| 120007 | 1,574,269.26 | 27,393.45 | 1,546,875.81 |
| 120008 | 12,989.12 | 12,569.94 | 419.18 |
| 120009 | 7,609.95 | 0.00 | 7,609.95 |
| 120011 | 2,193.00 | 0.00 | 2,193.00 |
| 120012 | 273,672.06 | 58,180.32 | 215,491.74 |
| 120017 | 164,151.08 | | 164,151.08 |
| 120020 | 945,290.09 | 40,944.88 | 904,345.21 |
| 130011 | 12,901.00 | 0.00 | 12,901.00 |
| 140001 | 2,500,000.00 | | 2,500,000.00 |
| 180004 | 43,506.65 | 13,564.36 | 29,942.29 |
| 180005 | 519,517.33 | 63,343.61 | 456,173.72 |
| 190100 | 498,840.48 | 82,937.92 | 415,902.56 |
| 190200 | 516,090.08 | 0.00 | 516,090.08 |
| 190300 | 56,045.28 | 9,834.84 | 46,210.44 |
| 190400 | 85,205.90 | 0.00 | 85,205.90 |
| 190500 | 218.83 | 0.00 | 218.83 |
| 1910591 | 86.00 | 0.00 | 86.00 |
| 1910601 | 6,220.25 | 0.00 | 6,220.25 |
| 1910611 | 32,172.87 | 0.00 | 32,172.87 |
| 1910631 | 5,000.00 | 0.00 | 5,000.00 |
| 1930031 | 51,262.54 | 0.00 | 51,262.54 |
| 1930041 | 56,048.78 | | 56,048.78 |
| 1930051 | 219,899.97 | 0.00 | 219,899.97 |
| 1940071 | 200,069.07 | 0.00 | 200,069.07 |
| 1970061 | 76.02 | 0.00 | 76.02 |
| Total | \$ 35,741,726.32 | \$ 7,389,954.96 | \$ 28,351,771.36 |