



JUDICIAL COUNCIL  
OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE  
REVENUE & EXPENDITURE SUBCOMMITTEE

MINUTES OF OPEN MEETING

March 10 and 11, 2015

10:00 a.m. to 5:00 p.m. (March 10, 2015)

8:00 a.m. to 2:00 p.m. (March 11, 2015)

Veranda Room, 2860 Gateway Oaks Drive, Suite 400, Sacramento

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**Advisory Body Members Present:** Judges: Hon. Marsha Slough (Co-Chair), Hon. Dodie A. Harman, Hon. Elizabeth W. Johnson, Hon. Cynthia Ming-mei Lee, Hon. Paul M. Marigonda, and Hon. Winifred Younge Smith.

Executive Officers: Ms. Sherri R. Carter (Co-Chair), Ms. Rebecca Fleming, Mr. José Octavio Guillén, Mr. Shawn C. Landry, Mr. Stephen H. Nash, Ms. Kim Turner, and Mr. David H. Yamasaki.

**Advisory Body Members Absent:** None

**Others Present:** Hon. Laurie M. Earl, Mr. Steven Chang, Mr. Curtis Child, Ms. Lucy Fogarty, Ms. Jody Patel, Mr. Colin Simpson, Mr. Curt Soderlund, and Mr. Zlatko Theodorovic.

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OPEN MEETING

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**Call to Order and Roll Call**

March 10, 2015: The meeting was called to order at 10:00 a.m. and roll was taken.

March 11, 2015: The meeting was called to order at 8:00 a.m. and roll was taken.

**Public Comment**

None received.

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DISCUSSION AND ACTION ITEMS (ITEMS 1–4)

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**Item 1**

***FY 2015–2016 Trial Court Trust Fund Allocations from the Judicial Council, Trial Court Operations, and Support for Operation of the Trial Courts Appropriations***

***Action: A motion was made and approved unanimously to table discussion on Trial Court Trust Fund programs to the end of the meeting.***

**Item 2**

***Fiscal Status of the State Trial Court Improvement and Modernization Fund***

***Action: This was a discussion item with no action taken.***

***Item 3***

***State Trial Court Improvement and Modernization Fund Survey***

***Action: The subcommittee was provided detailed survey information submitted by 56 superior courts regarding the projects and programs funded by the State Trial Court Improvement and Modernization Fund (IMF). This was a discussion item with no action taken.***

***Item 4***

***IMF Allocation Reduction Options***

***Action: The subcommittee reviewed all planned project and program allocations as well as reduction options and impacts provided by the Judicial Council staff for IMF-funded programs and projects. In considering the allocation levels for projects and programs funded from the IMF, the subcommittee identified the following criteria or principles to help guide the decision-making process: are programs/projects mandated, the number of courts served, value to the courts and the branch according to the survey results presented in Item 3, the appropriateness of the IMF as the fund source, and the impact program and project funding reductions would have on individual courts and the judicial branch. Recommendations regarding allocations and reductions were developed based on this review. This item contained many recommendations that were taken up and voted on as indicated below.***

- 1. The Revenue & Expenditure Subcommittee (RES) approved unanimously a recommendation to fund from the IMF the Civil, Small Claims, Probate, and Mental Health (V3) CMS and Interim Case Management System programs in FY 2015–2016 at their FY 2014–2015 level, but reduced one-time by 20% (Recommended allocation amount (Alloc): \$5,523,800, adjustment to FY 2014–2015 amount (adj): -\$1,381,000).***
- 2. RES approved with one no vote a recommendation to fund from the IMF the JusticeCorp (Court Access and Education) program one-time in FY 2015–2016 at its FY 2014–2015 level. RES also recommended that the Judicial Council (JC) direct JC staff to work with all interested courts for possible participation in the JusticeCorps program, have JC staff continue to provide centralized administrative support, and require courts to fund their share of the cost of the program (Alloc: \$347,600, adj: \$0).***
- 3. RES approved with two no votes a recommendation to eliminate IMF funding in FY 2015–2016 for the Complex Civil Litigation Program and direct the Workload Assessment Advisory Committee (WAAC) to include in the Resource Assessment Study computation of workload need, the paid complex case fee filings, and assign to them the asbestos weighting of about 3,546 minutes, until such time as WAAC reviews the validity of the weighting (Alloc: \$0, adj: -\$4,001,000).***

4. RES approved unanimously a recommendation to fund in FY 2015–2016 from the IMF the Data Integration program at the estimated FY 2015–2016 allocation amount provided to the Judicial Council at its February 19, 2015 business meeting (Alloc: \$3,849,600, adj: -\$54,000).
5. RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the Alternative Dispute Resolution program (Alloc: \$0, adj: -\$75,000).
6. RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the California Law Enforcement Telecommunications System (CLETS) Services/Integration program and require courts to pay for all the costs previously paid from the IMF for the program (Alloc: \$0, adj: -\$433,400).
7. RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the Workers' Compensation Reserve program (Alloc: \$0, adj: -\$1,231,000).
8. RES approved unanimously a recommendation to suspend IMF funding for one year in FY 2015–2016 for the Testing Tools - Enterprise Test Management Suite program (Alloc: \$0, adj: -\$624,300).
9. RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the Justice Partner Outreach / e-Services program (Alloc: \$0, adj: -\$200,700).
10. RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the Audit Contract program (Alloc: \$0, adj: -\$150,000).
11. RES approved unanimously a recommendation of one-time IMF funding in FY 2015–2016 at its FY 2014–2015 level for the Audit Services program, and ask the Judicial Council to consider shifting these "core central office" costs to the General Fund beginning in FY 2016–2017 (Alloc: \$660,000, adj: \$0). This action superseded the following action 12:
12. (Superseded by Action 11) RES approved with three no votes a recommendation to eliminate IMF funding in FY 2015–2016 for the Audit Services program, but the subcommittee does recognize that this is a very important program. The subcommittee recommends the Judicial Council consider shifting these costs to the General Fund or pursue additional funds through a BCP to fund the program (Alloc: \$0, adj: -\$660,000).
13. RES approved unanimously a recommendation to fund in FY 2015–2016 from the IMF the Enterprise Policy/Planning (Statewide Development) program at the estimated FY 2015–2016 allocation amount provided to the Judicial Council at its February 19, 2015 business meeting (Alloc: \$5,220,500, adj: -\$48,000).
14. RES approved unanimously a recommendation to reduce IMF funding in FY 2015–2016 for the Court-Ordered Debt Task Force program by 25% from its FY 2014–2015 level (Alloc: \$19,000, adj: -\$6,000).
15. RES approved unanimously a recommendation to maintain IMF funding in FY 2015–2016 for the Interactive Software - Self-Rep Electronic Forms program at its FY 2014–2015 level (Alloc: \$60,000, adj: \$0).
16. RES approved unanimously a recommendation to fund in FY 2015–2016 from the IMF the Adobe LiveCycle Reader Service Extension program at the estimated FY 2015–2016

*allocation amount provided to the Judicial Council at its February 19, 2015 business meeting (Alloc: \$141,000, adj: \$7,300).*

17. *RES approved unanimously a recommendation to maintain IMF funding in FY 2015–2016 for the Trial Court Performance Measures Study program at its FY 2014–2015 level (Alloc: \$13,000, adj: \$0).*
18. *RES approved unanimously a recommendation of one-time IMF funding in FY 2015–2016 for the CFCC Publications program at its FY 2014–2015 level, and direct JC staff to determine if a cost recovery model with justice partners that share the materials can be established for the CFCC Publications program beginning in FY 2016–2017 and report back to the TCBAC (Alloc: \$20,000, adj: \$0).*
19. *RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the Human Resources - Court Investigation program, but maintain JC staff management of the court investigations program and have courts pay for the service starting in FY 2015–2016 (Alloc: \$0, adj: -\$94,500).*
20. *RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the Trial Court Security Grants program, and ask the Judicial Council to consider shifting the costs of the Trial Court Security Grants program to the state constructions funds starting in FY 2015–2016, if possible (Alloc: \$0, adj: -\$1,200,000).*
21. *RES approved unanimously a recommendation to reduce IMF funding by \$500,000 in FY 2015–2016 from its FY 2014–2015 level for the Litigation Management Program, and direct that staff of the litigation management program bring before the subcommittee any claims whose costs cannot be covered within the amount allocated for funding consideration from the IMF (Alloc: \$4,000,000, adj: -\$500,000).*
22. *RES approved unanimously a recommendation to reduce IMF funding one-time in FY 2015–2016 for the Telecommunications Support program based on the estimated FY 2015–2016 allocation amount provided to the Judicial Council at its February 19, 2015 business meeting (Alloc: \$10,650,000, adj: -\$1,055,000).*
23. *RES agreed to defer a recommendation regarding the Other Post-Employment Benefits (OPEB) Valuation Report allocation pending information from JC staff on whether or not courts can pay for the valuation from their OPEB trust accounts.*
24. *RES approved unanimously a motion to establish a six-member ad hoc group (Mr. Stephen H. Nash (Lead), Hon. Dodie A. Harman, Ms. Sherri R. Carter, Mr. Shawn C. Landry, Ms. Kim Turner, and Mr. David H. Yamasaki) to meet in the next few months to further review in detail the California Courts Technology Center (CCTC), Enterprise Policy and Planning, and Phoenix programs and report back to the subcommittee with any recommendations.*
25. *RES approved unanimously a recommendation to maintain IMF funding in FY 2015–2016 for the California Courts Technology Center (CCTC) program at its FY 2014–2015 level (Alloc: \$10,487,200, adj: \$0).*
26. *RES approved unanimously a recommendation for a \$130,000 one-time IMF funding increase in FY 2015–2016 from its FY 2014–2015 level for the California Courts Protective Order Registry (CCPOR) program, direct staff to explore a reimbursable option for the*

*CCPOR program in FY 2016–2017 and onward, and evaluate the effects on the CCPOR program of the recommendation to have courts fund the CLETS program instead of the IMF (Alloc: \$715,600, adj: \$130,000).*

- 27. RES approved unanimously a recommendation to require that any proposal that would rely on Trial Court Trust Fund or State Trial Court Improvement and Modernization Fund funding shall be reviewed by the Trial Court Budget Advisory Committee prior to presentation to the Judicial Council for consideration.*
- 28. RES approved unanimously a recommendation to ask the Judicial Council to reconsider its decision to not allocate any IMF funding for Jury Management Systems in FY 2015–2016 and allocate FY 2015–2016 jury royalties deposited into the IMF first for Jury System Improvement Projects and any remaining royalties for the Jury Management Systems program (Alloc: \$484,000, adj: \$465,000).*
- 29. RES approved unanimously a recommendation of one-time IMF funding in FY 2015–2016 including an increase of \$23,000 from FY 2014–2015 levels for the Uniform Civil Fees and Treasury Services - Cash Management programs, and ask the Judicial Council to consider shifting these “core central office” costs to the General Fund beginning in FY 2016–2017 (Alloc: \$604,000, adj: \$23,000).*
- 30. RES approved unanimously a recommendation to maintain IMF funding in FY 2015–2016 for the Budget Focused Training and Meetings program at its FY 2014–2015 level (Alloc: \$50,000, adj: \$0).*
- 31. RES approved unanimously a recommendation of one-time IMF funding in FY 2015–2016 at its FY 2014–2015 level for the Regional Office Assistance Group program, and ask the Judicial Council to consider shifting these “core central office” costs to the General Fund beginning in FY 2016–2017 (Alloc: \$1,460,000, adj: \$0).*
- 32. RES approved with one no vote a recommendation to maintain IMF funding in FY 2015–2016 for the Judicial Performance Defense Insurance program at its FY 2014–2015 level (Alloc: \$966,600, adj: \$0).*
- 33. RES approved unanimously a recommendation to maintain IMF funding in FY 2015–2016 for the Trial Courts Transactional Assistance Program at its FY 2014–2015 level, and ask the Judicial Council to consider shifting these “core central office” costs to the General Fund beginning in FY 2016–2017 (Alloc: \$451,000, adj: \$0).*
- 34. RES approved unanimously a recommendation to eliminate IMF funding in FY 2015–2016 for the Subscription Costs - Judicial Conduct Reporter program (Alloc: \$0, adj: -\$17,100).*
- 35. RES approved unanimously a recommendation to reduce IMF funding in FY 2015–2016 for the Domestic Violence - Family Law Interpreter Program and Court Interpreter Program - Testing, Development, Recruitment and Education programs by 15% from their FY 2014–2015 levels and ask the Judicial Council to consider shifting the costs of translating domestic violence forms under the Domestic Violence - Family Law Interpreter Program to the TCTF Program 45.45 Court Interpreter appropriation and the costs of the Court Interpreter Program - Testing, Development, Recruitment and Education program to the General Fund as a “core central office” cost beginning in FY 2016–2017 (Alloc: \$160,000, adj: -\$28,000).*

36. RES approved unanimously a recommendation to fund from the IMF the Phoenix Program in FY 2015–2016 at its FY 2014–2015 level, but reduced one-time by 10% (Alloc: \$12,496,300, adj: -\$1,389,000).
37. RES approved unanimously a recommendation to reduce IMF funding by \$122,000 in FY 2015–2016 from its FY 2014–2015 level for the Trial Court Procurement program, and ask the Judicial Council to consider shifting the costs of one position from the Trial Court Procurement program to the state construction funds starting in 2015–2016, if possible (Alloc: \$122,000, adj: -\$122,000).
38. RES approved unanimously a recommendation to maintain IMF funding in FY 2015–2016 for the Self-Help Center program at its FY 2014–2015 level (Alloc: \$5,000,000, adj: \$0).
39. RES approved unanimously a recommendation to maintain IMF funding in FY 2015–2016 for the Self-represented Litigants Statewide Support program at its FY 2014–2015 level (Alloc: \$100,000, adj: \$0).
40. RES approved unanimously a recommendation to reduce IMF funding in FY 2015–2016 for the Center for Judicial Education and Research (CJER) programs by 15% from their FY 2014–2015 levels and allow the Governing Committee of CJER to decide how to assign the recommended total allocation of \$1.202 million for education programs among the five education program categories (Alloc: \$1,202,000, adj: -\$212,000).
41. RES approved unanimously a recommendation to reduce IMF funding in FY 2015–2016 for the CFCC Educational Programs and Trial Court Labor Relations Academies and Forums programs by 25% from their FY 2014–2015 levels (Alloc: \$92,700, adj: -\$32,000).
42. RES approved unanimously a recommendation of one-time IMF funding in FY 2015–2016 at its FY 2014–2015 level for the Audit Services program, and ask the Judicial Council to consider shifting these “core central office” costs to the General Fund beginning in FY 2016–2017 (Alloc: \$660,000, adj: \$0).

**Item 1**

**FY 2015–2016 Trial Court Trust Fund Allocations from the Judicial Council, Trial Court Operations, and Support for Operation of the Trial Courts Appropriations**

**Action:** This item contained many recommendations that were taken up and voted on as indicated below.

43. RES approved unanimously a recommendation to allocate \$13.181 million with conforming changes based on IMF actions from the Trial Court Trust Fund (TCTF) Judicial Council (Program 30.05) and Trial Court Operations (Program 30.15) appropriations for those programs and projects funded by statutorily-restricted revenues or have no impact on TCTF fund balance as they are fully reimbursed by the courts.
44. RES approved unanimously a recommendation to allocate \$738,000 from the TCTF Judicial Council and Trial Court Operations appropriations to the Children in Dependency Case Training program and Statewide Support for Collections Programs continuing their 2014–2015 amounts.

- 45. RES approved unanimously a recommendation to allocate \$850,139 from the TCTF Support for Operation of the Trial Courts (Program 45.10) appropriation to reimburse trial court costs for court-appointed dependency counsel collections and California State Auditor audits, allocations that are funded by statutorily-restricted revenues or statutorily-mandated at a specific amount.**
- 46. RES approved unanimously a recommendation to allocate \$103,725,445 from the TCTF Support for Operation of the Trial Courts (Program 45.10) appropriation to reimburse trial court costs for the court-appointed dependency counsel allocation.**
- 47. RES approved unanimously a recommendation to allocate \$2,500,000 from the TCTF Support for Operation of the Trial Courts (Program 45.10) appropriation to reimburse trial court costs for the self-help centers allocation.**
- 48. RES approved with one no vote a recommendation to allocate \$332,000 from the TCTF Support for Operation of the Trial Courts (Program 45.10) appropriation to reimburse trial court costs for the elder abuse allocation.**
- 49. RES approved with five no votes a recommendation to allocate \$2,286,000 from the TCTF Support for Operation of the Trial Courts (Program 45.10) appropriation to reimburse trial court costs for the replacement screening stations allocation.**
- 50. RES approved unanimously a recommendation to allocate \$14,500,000 from the TCTF Support for Operation of the Trial Courts (Program 45.10) appropriation to reimburse trial court costs for the jury allocation, a \$1.5 million reduction from its FY 2014–2015 level.**

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 2:00 p.m.

Approved by the advisory body on April 2, 2015.