



*Superior Court*  
State of California  
County of Lake  
255 N. Forbes Street  
Lakeport, California 95453  
707-263-2374

STEPHEN O. HEDSTROM

\_\_\_\_\_  
PRESIDING JUDGE

\_\_\_\_\_  
KRISTA D. LeVIER

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COURT EXECUTIVE/CLERK  
JURY COMMISSIONER

March 31, 2015

Trial Court Budget Advisory Committee  
Revenue and Expenditure Sub-committee

Re: FY2015-2016 Allocations for the V-3 Case Management System and Intermediate Case Management System(ICMS) from the State Trial Court Improvement and Modernization Fund (IMF)

Dear Committee Members:

We are writing to urge reconsideration of your recommendation to reduce the IMF funding for the ICMS or Sustain Justice Edition by 20% in Fiscal Year 2015/16. As explained in the attached letter, submitted as public comment to the March 23, 2015 Trial Court Budget Advisory Committee Meeting(TCBAC), this recommendation results in a **100% increase in our local court cost**. Given the extremely short amount of time between now and the beginning of the Fiscal Year and the massive cost increase contemplated, the result of this action will certainly affect the services we provide to the public.

We are of course aware of the April 2014 Judicial Council action which directed the Judicial Council Technology Committee(JCTC) to develop a plan to "eventually eliminate subsidies" from the IMF for the ICMS or Sustain program. The Sustain courts had been told the JCTC would first develop a plan for the V-3 courts and would subsequently develop a plan for the Sustain courts. We were also assured that the Sustain courts would be active participants in the development of that plan, including discussions on any changes to the costs the courts currently pay. As you can see from the materials for your meeting, JCTC has had many meetings with the V-3 courts. To date, likely the result of the workload of the JCTC, the JCTC has not scheduled any meetings with the Sustain courts.

While JCTC has not yet made recommendations specific to a path forward for the Sustain courts, the reasoning that supports the recommendation for the V-3 courts is virtually identical for Sustain courts. As we understand it, the Sustain program was a statewide project designed to test out a multi-court case management system, for

potential statewide benefits. Five of the nine Sustain courts, including Lake, are also "donor" courts under the Workload Allocation Funding Methodology (WAFM). It is counterproductive to expect courts to increase the costs currently paid for Sustain, while at the same time attempting to purchase a new case management system. Most importantly, the Sustain courts have no control of the costs or service levels for the Sustain program.

Despite asking for information several years ago, it was not until this year, for the first time as a result of your sub-committee's work, that the Sustain courts have seen the total program costs and total amount the courts collectively reimburse. We still have not seen a breakdown of what those costs actually cover. Additionally, because the contracts for the Sustain program are held by the Judicial Council we have no control over those costs or the service levels that those costs support. In fact, we have been told that it is not possible to simply host the Sustain application locally because of these contracts. Yet despite having asked for copies of these contracts on more than one occasion, we have been told they will not be released to us.

Lastly, we do not have the ability to solve this issue independently. As you are all aware, the 1% restriction on fund balance prohibits our court from saving money to procure a new case management system either independently or collectively with all Sustain courts. Thank you for your time.

Sincerely,



Stephen O. Hedstrom  
Presiding Judge



Krista LeVier  
Court Executive Officer

Superior Court of California  
Counties of Humboldt, Imperial, Lake, Madera, Modoc,  
Plumas, San Benito, Sierra and Trinity



Sustain Justice Edition Consortium

March 20, 2015

Trial Court Budget Advisory Committee

Re: Interim Case Management System Costs Charged to Courts  
Agenda Item 2 (Recommendation Number 5)

Dear Judge Earl and Committee Members:

We are writing to address the Trial Court Budget Advisory Committee on your Agenda Item Number 2, Recommendation Number 5. The recommendation proposes courts pay an increased portion of the Interim Case Management System (ICMS) or Sustain Justice Edition program costs. The Revenue and Expenditure Subcommittee discussed this item at the March 10-11, 2015 meeting. During that meeting there was discussion about the impact of the proposed 20% decrease in the Improvement and Modernization Fund allocation to support the ICMS. The courts affected by this decision want to be sure you are aware of the actual impact of this potential action.

The 20% reduction in IMF funding does not result in a 20% increase in the ICMS courts costs. The proposed action makes the 20% reduction from the Fiscal Year 2014/15 allocation level of \$1,246,800, which equates to \$249,000. In addition, the proposed action does not approve the estimated cost increase in Fiscal Year 2015/16 of approximately \$649,000. Our understanding is the cost increase in FY15/16 is a result of various one-time savings that were available in FY14/15. This means that the true cost increase to the courts is \$898,000. Collectively, the ICMS courts currently pay \$843,000 via the Schedule C reimbursement process. **Therefore, the actual impact to court costs will be an increase of over 100% or double our current costs.** This level of increase so close to the beginning of the Fiscal Year makes it impossible to plan and adjust our budgets accordingly. The impact will vary from court to court, and depend upon how the \$898,000 is allocated between the individual courts (which has yet to be determined). However, it is clear that due to the level of increase in costs and the short time frame to make any budget adjustments, for most of us layoffs will be our only option.

The Judicial Council action in April 2014 tasked the Judicial Council Technology Committee with developing a plan to “eventually eliminate subsidies” from the Trial Court Trust Fund and Improvement and Modernization Fund to courts for Sustain Justice Edition(ICMS). In February 2015 the Judicial Council approved recommendations from JCTC which put the ICMS project in the “long term” category which was defined as action to be completed within 24-36 months. We have all therefore been waiting to hear what the plan from the JCTC would look like. In conversations with members of JCTC it was expressed to the ICMS courts that the committee would first make recommendations related to the V3 courts, and then move on to the ICMS or Sustain courts. It was also expressed that any path forward would be discussed with the courts, any changes to the current cost sharing methods would be gradual and discussed with the courts prior to being recommended. That has not occurred.

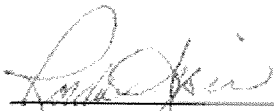
We understand that TCBAC may not take action on this item at the March 23, 2015 meeting. However, we wanted to be sure the impact of the proposed reduction is absolutely clear prior to any additional discussions on the topic. Thank you for your time.



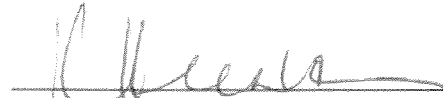
Deborah Norrie, Court Executive Officer  
Chair of the Sustain Justice Edition Consortium  
Plumas Superior Court



Tammy Grimm, Court Executive Officer  
Imperial Superior Court



Ronda Gysin, Court Executive Officer  
Modoc Superior Court



Kerri Keenan, Court Executive Officer  
Humboldt Superior Court



Lee Kirby, Court Executive Officer  
Sierra Superior Court



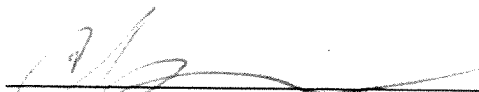
Krista LeVier, Court Executive Officer  
Lake Superior Court



Gil Solorio, Court Executive Officer  
San Benito Superior Court



Bonnie Thomas, Court Executive Officer  
Madera Superior Court



Cindy Van Schooten, Court Executive Officer  
Trinity Superior Court



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

**ROBERT C. HIGHT**  
PRESIDING JUDGE  
DEPARTMENT 47

720 NINTH STREET  
SACRAMENTO, CALIFORNIA 95814  
(916) 874-5487

April 1, 2015

Revenue and Expenditure Subcommittee  
Trial Court Budget Advisory Committee  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

Dear Committee Members,

I write today on behalf of the Sacramento Superior Court to encourage the Revenue and Expenditure Subcommittee of the Trial Court Budget Advisory Committee to endorse the recommendation of the Court Technology Advisory Committee to continue funding V-3 through July 1, 2019 and to take no action to reduce those contributions for at least one year. This recommendation will allow those courts who did what was asked of them and provided resources and expertise in support of the Judicial Council's CCMS V-3 statewide initiative to develop and implement a plan to move to a new case management system. Toward this end, the V-3 courts are currently looking at how they can work collaboratively to develop a case management system that each could use and which could be a model for other courts in the state.

It is important to remember that during the development of V-3, the current V-3 courts expended huge sums of dollars and dedicated significant staff to the project. The Sacramento Superior Court alone expended over \$21 million from its operating budget to put V-3 in place in Sacramento. We are advised that this was approximately four times what comparably sized courts paid for Non-CCMS case management systems. We are confident that each of the other V-3 courts supported the statewide initiative on a similar scale. The V-3 courts paid as they did for one reason, and that was to advance the Judicial Council's branch-wide CCMS initiative. The purpose of that initiative was to offer an enterprise solution that would benefit all of California's courts. The key point is that the V-3 courts have never been "subsidized" in any way. We are of course also concerned that the recommendation to cut V-3 funding was developed without any notice to the V-3 courts and without any analysis of how their expenditures compared to those by non-CCMS courts.

As you may also know, the Sacramento Superior Court sought to migrate from the V-3 system about five years ago when it had sufficient resources to develop an alternative system. The Judicial Council sought to *prohibit* the Sacramento Superior Court from taking such action. Ultimately, the issue was resolved when the Council, among other things, agreed that if the Sacramento Superior Court remained at the Data Center, the Council would thereafter pay all of the costs associated with hosting Sacramento's data there.

Given this history, it would be unfair in the extreme to cut expenditures for the support of any of the V-3 courts. In the case of the Sacramento Superior Court, it would also violate a written agreement between the Judicial Council and the Court. For these reasons, the Sacramento Superior Court calls upon the Revenue and Expenditure Subcommittee of the Trial Court Budget Advisory Committee to endorse the recommendation of the Court Technology Advisory Committee.

Very truly yours,

A handwritten signature in black ink that reads "Robert C. Hight". The signature is written in a cursive, slightly slanted style.

Robert Hight  
*Presiding Judge*  
Sacramento Superior Court

cc: Justice Harry Hull  
Martin Hoshino, Administrative Director, Judicial Council  
Court Technology Advisory Committee Members