



# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

[www.courts.ca.gov/tcbac.htm](http://www.courts.ca.gov/tcbac.htm)  
[tcbac@jud.ca.gov](mailto:tcbac@jud.ca.gov)

## TRIAL COURT BUDGET ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

May 19, 2016

10:02 a.m. - 11:33 a.m.

Teleconference

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**Advisory Body Members Present:** Judges: Jonathan B. Conklin (Chair), Hon. Jeffrey B. Barton, Hon. Mark Ashton Cope, Hon. Laurie M. Earl, Hon. Barry P. Goode, Hon. James E. Herman, Hon. Joyce D. Hinrichs, Hon. Lesley D. Holland; Hon. Ira R. Kaufman, Hon. Carolyn B. Kuhl, Hon. Paul M. Marigonda, Hon. Brian L. McCabe, Hon. Glenda Sanders, and Hon. Winifred Younge Smith.

Executive Officers: Ms. Sherri R. Carter, Mr. Richard D. Feldstein, Ms. Rebecca Fleming, Ms. Tammy L. Grimm, Mr. José O. Guillén, Mr. W. Samuel Hamrick, Jr., Mr. Kevin Harrigan, Mr. Jeffrey E. Lewis, Mr. Michael D. Planet, Mr. Michael M. Roddy, Ms. Linda Romero-Soles, Mr. Brian Taylor, Ms. Tania Ugrin-Capobianco, and Mr. David Yamasaki.

Judicial Council advisory members: Mr. Zlatko Theodorovic

**Advisory Body Members Absent:** Judges: Hon. Cynthia Ming-mei Lee

Executive Officers: Ms. Christina M. Volkers

Judicial Council advisory members: Mr. Mark Dusman, Ms. Jody Patel, and Ms. Millicent Tidwell

**Others Present:** Ms. Lucy Fogarty, Mr. Colin Simpson, Mr. Patrick Ballard, Mr. Catrayel Wood, and Mr. Steven Chang.

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### OPEN MEETING

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#### Call to Order and Roll Call

The chair called the meeting to order at 10:02 a.m. Members introduced themselves.

#### Approval of Minutes

The advisory body reviewed and approved the minutes of the March 10, 2016 TCBAC meeting.

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### DISCUSSION AND ACTION ITEMS

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#### Item 1 – Governor’s May Revision Budget Proposal for 2016–2017 (Discussion Item)

Zlatko Theodorovic, JCC Director of Finance, presented on the Governor’s May Revision budget proposal for 2016–2017, which was released on May 13, as it pertains to the Judicial Branch.

**Item 2 – Recommendations of the Revenue and Expenditure Subcommittee (Action Item)**

TCBAC members unanimously voted to approve the following six recommendations presented by the Revenue and Expenditure Subcommittee and JCC staff recommended amendments to recommendation #3.

1. Allocate the following in 2016–2017 from the TCTF:
  - a. \$13.819 million from the TCTF Judicial Council and Trial Court Operations appropriations,
  - b. \$144.068 million from the Support for Operation of the Trial Courts appropriation, and
  - c. For the jury reimbursement program, which is allocated from the Support for Operation of the Trial Courts appropriation, direct JCC Finance staff to make, if eligible jury costs exceed the total allocation, a year-end allocation adjustment so that each court receives the same share of the approved allocation based on their share of the statewide allowable jury expenditures.
2. Augment the 2015–2016 allocation of the Trial Court Transactional Assistance Program by \$200,000 and decrease the 2015–2016 allocation of the Regional Office Assistance Group by \$200,000.
3. Allocate \$64.459 million (\$6.953 million state operations and \$57.506 million local assistance) in 2016–2017 from the IMF.
4. Given current revenue estimates, set aside a \$2 million fund balance in the IMF by the end of 2016–2017 as a reserve against possible further declines in revenues.
5. Based on actual 2015–2016 IMF revenue receipts by September 1, 2016, allocate all unrestricted 2015–2016 revenues that exceed the current estimates to the Telecommunications Program.
6. Consistent with actions taken by the Judicial Council Technology Committee on April 14, 2016:
  - a. Endorse the position that all Sustain hosted courts move away from the current IMF subsidized funding structure to an IT administrative program that is funded in a manner consistent with other trial courts throughout the state.
  - b. Endorse “scenario 3: Elimination of the Interim Case Management System and Managed Court Program use of the California Court Technology Center (CCTC), if any use remains at the start of FY 19/20, any such costs are paid by the participating courts.”
  - c. Via the Judicial Council Technology Committee and the Trial Court Budget Advisory Committee, find one-time funding for the support of this effort, as early as the current year.
  - d. Continue to support the Sustain hosted courts in their efforts to acquire a replacement of the outdated Interim Case Management System as a longer term goal, which would further reduce the IMF expenditures.

JCC staff recommended that as part of recommendation #3 the Court Interpreter Testing allocation be increased by \$143,000 to \$143,000, the Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3) allocation be increased by \$317,295 to \$5,173,97, and the Telecommunications Program allocation be decreased by \$460,295 to \$17,558,736, for a net zero change. JCC staff’s opinion is that the Trial Court Trust Fund Court Interpreter appropriation cannot be used for costs other than reimbursing courts for the costs of interpreter services and interpreter coordinators. When the subcommittee adopted its V3 case management program allocation recommendation, the projected 2016–2017 need for the program was understated by \$317,295 due an error. Table A displays the recommended allocations as amended.

Deborah Brown, Director of the JCC Legal Services office, informed the committee that JCC staff would ask the Judicial Council to approve recommendation #2 via circulating order, instead of at the council's June 23-24 meeting, due to the need to make contract amendments prior to the June meeting.

**Item 3 – Children's Waiting Room Distribution Increase Request (Action Item)**

TCBAC members unanimously voted to recommend that the Judicial Council approve the request of the Superior Court of California, County of Los Angeles for a \$1.75 increase in its children's waiting room distribution, from \$3 to \$4.75.

**Item 4 – 2016–2017 WAFM Computation (Discussion Item)**

Colin Simpson, Senior Fiscal Analyst, JCC Finance, presented on the results of the 2016–2017 WAFM computation, which incorporated changes to the methodology approved by the Judicial Council in April 2016.

**Item 5 – Proposition 47 Funding (Discussion Item)**

Judge Kuhl and David Yamasaki discussed options for allocating Proposition 47 funding in 2016–2017. The Criminal Justice Realignment Subcommittee intends to submit its recommendations to the TCBAC at the TCBAC's next meeting.

**Item 6 – Current Estimate of Benefit Cost Changes for 2016–2017 (Discussion Item)**

Patrick Ballard, Supervising Fiscal Analyst, presented on the benefit cost changes for 2015–2016 and the allocation of funding for 2012–2013 and 2013–2014 benefit cost changes based on the policy adopted by the Judicial Council in July 2015. Both are being proposed to be funded by the Governor in 2016–2017, as part of the policy (not the Budget Change Proposal) process.

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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 11:33 a.m.

Approved by the advisory body on July 7, 2016.