



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE

REVENUE & EXPENDITURE SUBCOMMITTEE

MATERIALS FOR MAY 30, 2017

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Materials have not been reviewed by the Chairs of the Committee but are being posted to allow time for review by the members.



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www.courts.ca.gov/tcbac.htm
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TRIAL COURT BUDGET ADVISORY COMMITTEE REVENUE AND EXPENDITURE SUBCOMMITTEE OPEN MEETING AGENDA

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))
THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS
THIS MEETING IS BEING RECORDED

Date: May 30, 2017
Time: 12:00pm - 1:30pm
Public Call-in Number: 1-877-820-7831 Pass code 1884843 (listen only)

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the March 20, 2017, Revenue and Expenditure Subcommittee meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to tcbac@jud.ca.gov or mailed or delivered to Judicial Council of California, 2850 Gateway Oaks Drive Suite 300, Sacramento, CA 95833, attention: Ms. Donna Newman. Only written comments received by May 26, 2017 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-2)

Item 1

Allocations from the Trial Court Trust Fund (TCTF) for 2017-2018 (Action Required)

Deliberation regarding allocations from the TCTF for 2017-2018.

Presenter(s)/Facilitator(s): Hon. Laurie M. Earl, Co-Chair, Revenue and Expenditure Subcommittee, Ms. Sherri R. Carter, Co-Chair, Revenue and Expenditure Subcommittee, Ms. Suzanne Blihovde, Senior Budget Analyst, Budget Services Division, Judicial Council of California

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

Update to Trial Court Improvement and Modernization Fund (IMF) allocations in fiscal years 2018-19 and beyond.

Information Technology has identified savings in its IMF allocations for fiscal years 2018-19 and beyond.

Presenter(s)/Facilitator(s): Donna Newman, Senior Budget Analyst, Budget Services Division, Judicial Council of California

V. ADJOURNMENT

Adjourn



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TRIAL COURT BUDGET ADVISORY COMMITTEE REVENUE AND EXPENDITURE SUBCOMMITTEE

MINUTES OF OPEN MEETING

March 20, 2017
12:15 p.m. – 1:48 p.m.
Conference Call

Advisory Body Members Present: Judges: Hon. Laurie M. Earl (Co-chair), Hon. James E. Herman, Hon. Elizabeth W. Johnson, Hon. Paul M. Marigonda, and Hon. Brian L. McCabe.

Executive Officers: Ms. Sherri R. Carter (Co-chair), Ms. Rebecca Fleming, Mr. Michael D. Planet, Mr. Brian Taylor, and Mr. David H. Yamasaki.

Advisory Body Members Absent: Judges: Hon. Andrew S. Blum

Others Present: Hon. Judge Jon B. Conklin, Mr. Zlatko Theodorovic, Ms. Lucy Fogarty, Ms. Brandy Sanborn, Ms. Angela Guzman, Ms. Natalie Daniel, Ms. Suzanne Blihovde, Ms. Donna Newman, Ms. Virginia Sanders-Hinds, Mr. David Koon, Mr. Robert Oyung, Mr. Gavin Lane, and Mr. Eric Schnurpfeil.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:15 p.m. Members introduced themselves, and roll was called.

Approval of Minutes

The advisory body reviewed and approved the minutes of the May 13, 2016.

DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

Item 1 – TCTF Fund Condition Statement Shortfall (Informational Item)

Mr. Zlatko Theodorovic discussed the informational item with the subcommittee members. The subcommittee members agreed to bring this item as a discussion item to the next in person Trial Court Budget Advisory Committee Meeting April 13, 2017.

Action: This was an informational item with no action taken.

Item 2 – Allocations from the State Trial Court Improvement and Modernization Fund for 2017-2018 (Discussion Item)

Presenter(s)/Facilitator(s): Hon. Laurie M. Earl, Co-Chair, Revenue and Expenditure Subcommittee; Ms. Sherri R. Carter, Co-Chair, Revenue and Expenditure Subcommittee; Ms. Suzanne Blihovde, Senior Fiscal Analyst, Budget Services Division, Judicial Council of California.

The subcommittee voted to approve the following recommendations:

Action: The Revenue and Expenditure Subcommittee members unanimously voted to approve the items below for consideration by the Trial Court Budget Advisory Committee at its April 13, 2017 meeting and for Judicial Council consideration on May 18-19, 2017.

Item 2 - 2017–2018 Allocations for All Programs except Legal Services Office and Information Technology (IT).

a. Approve allocation levels totaling \$11,416,969.

b. Approve adjustments within the Center for Judiciary Education and Research (CJER) allocations for a net zero increase in CJER's total allocation: Increase CJER Faculty by \$17,000; increase Essential Court Personnel by \$42,000; increase Judicial Education by \$39,000 and decrease Distance Education by \$98,000.

c. Approve decrease of \$45,532 in the IT element of the Phoenix Program to recognize cost savings.

Item 3 - 2017–2018 Allocations for Legal Services Office.

a. Approve increase of \$183,400 in Judicial Performance Defense Insurance allocation to address anticipated increase in premium costs.

b. Approve increase of \$252,080 in the Litigation Management Program to address costly on-going cases as well as increased litigation fees and costs.

c. Approve decrease of \$350,000 to the Regional Office Assistance Program to reflect savings from position vacancies.

d. Total allocation reflects a net increase of \$85,480 over 2016-2017 allocation level.

Item 4 - 2017–2018 Allocations for Information Technology (including the Telecommunications Office).

a. Approve total allocation of \$54,970,011 for Information Technology.

b. This allocation includes one-time funding of \$9,300,000 for the Case Management System V3 replacement BCP and \$572,622 for the Madera Superior Court transition. It also includes the reversal of \$13,535,611 in 2016-2017 one-time allocations of \$12.4 million for the V3 replacement BCP, \$736,500 for the Placer Court Hosting Project and \$399,111 for the Humboldt transition funding.

c. The amount of \$4.1 million for the Sustain Justice CMS BCP that is in the proposed 2017-2018 Budget Act is included in the allocation.

d. This allocation includes the net decrease of \$4,265,611 in on-going funding, including a projected savings of \$864,029 in the Telecommunications Program. IT indicates that these savings will be needed in future years for the Telecommunications Program.

Action: The Revenue and Expenditure Subcommittee members voted to approve item 4e for consideration by the Trial Court Budget Advisory Committee at its April 13, 2017 meeting and for Judicial Council consideration on May 18-19, 2017

e. This allocation includes revised funding levels for the California Court Protective Order Registry (CCPOR). The proposed allocation in 2017-2018 reflects anticipated savings of \$23,886 from the 2016-2017 funding level and includes the proposed expansion of CCPOR into the superior courts of Orange county and Sacramento county.

Yes: 9

No: 1

Absent: 1

Item 3 – Encumbrance Report as of December 31, 2016 (Informational Item)

As directed by the Judicial Council, Judicial Council staff submit this report to the Trial Court Budget Advisory Committee (TCBAC) on Trial Court Trust Fund (TCTF) and State Trial Court Improvement and Modernization Fund (IMF) open encumbrances as of December 31, 2017 and report as well on any new encumbrances that have occurred since the previous September.

Presenter: Suzanne Blihovde, Senior Budget Analyst, Budget Services Division, Judicial Council of California.

Action: This was an informational item with no action taken.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:48 p.m.

Approved by the advisory body on enter date.

Item 1
Allocations from the Trial Court Trust Fund for 2017–2018
(Action Item)

Issue

Consider adopting recommendations for 2017–2018 TCTF allocations for consideration by the Trial Court Budget Advisory Committee at its June 8, 2017 meeting and for council consideration on July 27-28, 2017.

The Trial Court Trust Fund (TCTF) fund condition statement is provided in Attachment 1B. The Governor’s Estimated Budget for 2016-2017 (Column B), reflects the proposed Governor’s Budget, with a minor benefit adjustment of -\$2.1 million from the May Revision. No changes were made to the revenue projections in the May Revision. The proposed allocations for the TCTF Judicial Council (0140010, formerly Program 30.05) and Trial Court Operations (0140019, formerly Program 35.15) appropriations are provided in Attachment 1C. A narrative description of these programs is provided on Attachment 1E. The proposed allocations for the TCTF Support for Operations of the Trial Courts (0150010, formerly Program 45.10) are provided in Attachment 1D. This attachment includes projected revenue-based allocations and includes various revenue distributions for the trial courts (see Column B, rows 30-31 and 33-34). Attachment 1F provide narrative descriptions of TCTF Support for Operations of the Trial Courts programs.

Fiscal Status of the Trial Court Trust Fund

In the 2015 Budget Act, at the request of the Judicial Council, the \$20 million transfer from the IMF to the TCTF was discontinued and up to a \$66.2 million General Fund backfill is provided to address the continued decline in civil fee and criminal assessment revenues that support courts’ base allocation since 2012–2013. With the shift of the non-reimbursable V3 case management system costs from the TCTF to the IMF, the cessation of the transfer created a net shortfall of \$13.7 million to the TCTF. This estimated deficit has been reduced to an estimated \$7.8 million (see Table 1 below). \$2.7 million of ongoing savings have been realized from reducing the jury reimbursement allocation by \$1.5 million to \$14.5 million; excluding \$0.8 million in Court-Appointed Dependency Counsel Collections from the base distribution calculation; and reducing \$0.4 million in other items. \$3.2 million in potential continuing judges’ compensation savings for 2017–2018 and the near future as well is estimated based on historical judgeship vacancy rates.

Table 1. Trial Court Trust Fund Operational Deficit

Description	Amount	
Discontinued \$20 Million Transfer from IMF		-\$20.0 million
Savings from Funding V3 CMS from IMF and Decommissioning V2 CMS		\$6.3 million
Net Deficit		-\$13.7 million
Adjustments to Net Deficit		
Add: Estimated Vacancy-related Judicial Compensation Savings (Ongoing)	\$3.2 million	
Add: Reduced Jury Reimbursement Allocation from \$16 Million to \$14.5 Million (Ongoing)	\$1.5 million	
Add: Exclude 2013–2014 Court-Appointed Dependency Counsel Collections Program from Base Distribution Calculation (Ongoing)	\$0.8 million	
Add: Miscellaneous (Ongoing)	\$0.4 million	
Subtotal, Adjustments to Net Deficit	\$5.9 million	
Estimated Operational Deficit with Judicial Compensation Savings		-\$7.8 million
Estimated Operational Deficit without Judicial Compensation Savings		-\$11.0 million

Fortunately, with an estimated ending unrestricted fund balance of \$13.1 million for 2017–2018 (see 1B, column C, row 43), the TCTF’s estimated \$7.8 million operational deficit does not need to be addressed until 2020-2021 when the projected ending unrestricted fund balance becomes negative (see 1B, column F, row 43).

This assumes that the Governor will continue to fully backfill from the General Fund any TCTF shortfall resulting from the decrease in revenue that supports courts’ base distributions and that the \$3.2 million in estimated one-time judges’ compensation savings continues. The Budget Act included authority for a General Fund backfill up to \$75 million for 2016-2017 but only \$61.3 million is estimated to be needed (see 1B, Column B, row 17). There is an anticipated increase in revenues that supports courts’ base distributions in 2017–2018, partly due to the end of the amnesty program, reducing the estimated need of the General Fund backfill from the \$61.3 million to \$55.0 million next fiscal year (see 1B, column C, row 17).

The projected 2017–2018 ending TCTF fund balance is \$29.8 million (see 1B, column C, row 33). Because about \$16.7 million are monies that are either statutorily restricted or restricted by the council (mainly savings related to the Program 45.45 court interpreter appropriation), the estimated unrestricted fund balance is \$13.1 million (see 1B, column C, rows 37 and 43).

The \$10 million in urgent needs funding is displayed in row 35 as restricted funding and assumes nothing is allocated in 2017–2018. If monies are allocated, courts would need to replenish the monies up to what was allocated by the council from their allocations in 2018–2019.

Pending FY 2017–2018 TCTF allocation recommendations for Judicial Council

The subcommittee is being asked to consider only specific programs that reimburse trial court costs from the TCTF Support for Operation of the Trial Courts appropriation as other allocations depend on enactment of the State Budget or are items that don't require Judicial Council action. Assuming the timely enactment of the 2017 State Budget, the TCBAC intends to bring recommendations for the council's consideration at its July 27-28, 2017 meeting regarding historical funding reallocations based on the Workload-based Allocation and Funding Model (WAFM); trial court benefits cost changes funding, and preliminary allocation adjustments related to the 1 percent cap on trial courts' reserves. The TCBAC may also revisit what is being recommended in this report.

There are a number of items that the council will not be asked to act on because they either are required by the Budget Act, have already been acted upon by the council, are required by statute or are authorized charges for the cost of programs. Column D of Attachment 1D identifies which line items are not being considered and the reason why.

Options

1.
 - A. Adopt the preliminary recommendations for 2017–2018 TCTF allocations for consideration by the Trial Court Budget Advisory Committee at its June 8, 2017 meeting and for council consideration on July 27-28, 2017.
 - or
 - B. Revise the preliminary recommendations for 2017–2018 TCTF allocations for consideration by the Trial Court Budget Advisory Committee at its June 8, 2017 meeting and for council consideration on July 27-28, 2017.

Trial Court Trust Fund - Detailed Fund Condition Statement

	A	B	C	D	E	F
	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
	Year-End Financial Statement	Estimated	Estimated	Estimated	Estimated	Estimated
1 Beginning Fund Balance	6,614,017	34,829,875	32,348,422	29,821,351	22,433,675	14,623,866
2 Prior-Year Adjustments	7,208,461	1,215,301	(528,300)	-	-	-
3 Revenues and Transfers	2,431,232,814	2,489,690,319	2,492,910,404	2,487,879,392	2,487,879,392	2,487,879,392
4 Revenues						
5 Maintenance of Effort Obligation Revenue	659,050,502	659,050,502	659,050,502	659,050,502	659,050,502	659,050,502
6 Civil Fee Revenue	353,216,716	344,838,533	341,184,382	344,514,348	344,514,348	344,514,348
7 Court Security Fee/ Operations Assessment Revenue	120,193,147	106,217,441	131,186,979	122,317,989	122,317,989	122,317,989
8 Civil Assessment Revenue	128,402,757	127,729,329	162,971,715	165,107,610	165,107,610	165,107,610
9 Parking Penalty Assessment Revenue	25,069,491	27,248,562	28,085,130	29,004,384	29,004,384	29,004,384
10 Telephonic Appearances	6,812,310	7,089,512	7,279,711	7,535,874	7,535,874	7,535,874
11 Interest from SMIF	335,260	613,938	613,938	613,938	613,938	613,938
12 Sanctions and Contempt Fines	981,144	978,231	978,231	978,231	978,231	978,231
13 Miscellaneous Revenue	550,065	126,851	193,394	190,095	190,095	190,095
14 Transfers/Charges/Reimbursements						
15 General Fund Transfer	943,724,000	1,021,832,000	972,498,000	972,498,000	972,498,000	972,498,000
16 General Fund Transfer - Court-Appointed Dependency Counsel	114,700,000	114,700,000	114,700,000	114,700,000	114,700,000	114,700,000
17 General Fund Transfer - Revenue Backfill	58,900,000	61,300,000	55,000,000	52,200,000	52,200,000	52,200,000
18 Reduction Offset Transfers ²	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000
19 Net Other Transfers/Charges/Reimbursements ³	13,217,422	11,885,422	13,088,422	13,088,422	13,088,422	13,088,422
20 Total Resources	2,445,055,292	2,525,735,495	2,524,730,526	2,517,700,743	2,510,313,067	2,502,503,258
21 Expenditures/Encumbrances/Allocations						
22 Program 30/30.05 (0140010) - Judicial Council (AOC Staff)	3,620,851	3,035,000	3,154,676	3,110,676	3,108,676	3,108,676
23 Program 30.15 (Formerly Program 45.10) (0140019) - Trial Court Oper	12,369,281	-	-	-	-	-
24 Program 45.10 (0150010) - Support for Operation of the Trial Courts	1,816,242,767	1,888,225,367	1,886,804,262	1,889,086,674	1,889,133,601	1,889,172,505
25 Program 0150011 - Court-Appointed Dependency Counsel	114,387,117	114,700,000	114,700,000	114,700,000	114,700,000	114,700,000
26 Program 45.25 (0150019) - Compensation of Superior Court Judges	330,369,783	338,231,000	338,231,000	338,231,000	338,231,000	338,231,000
27 Program 45.35 (0150028) - Assigned Judges	25,199,733	27,005,000	27,005,000	27,005,000	27,005,000	27,005,000
28 Program 45.45 (0150037) - Court Interpreters	99,598,715	102,327,969	105,481,840	105,526,840	105,526,840	105,526,840
29 Program 45.55 (0150046) - Grants	8,146,000	8,147,000	9,242,960	8,406,446	8,366,653	8,366,653
30 Program 0150095 - Expenses on Behalf of the Trial Courts ⁴	-	11,607,369	10,289,437	9,200,431	9,617,431	9,200,431
31 Item 601 - Redevelopment Agency Writ Case Reimbursements	291,169	108,368	-	-	-	-
32 Total, Expenditures/Encumbrances/Allocations	2,410,225,417	2,493,387,073	2,494,909,175	2,495,267,067	2,495,689,201	2,495,311,105
33 Ending Fund Balance	34,829,875	32,348,422	29,821,351	22,433,675	14,623,866	7,192,153
35 Urgent Needs Reserve		10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
36 Funds Held on Behalf of the Trial Courts ⁵		150,000	100,000	100,000		
37 Court Interpreter Funds Held in Reserve	9,043,514	7,399,362	5,549,522	3,699,682	1,849,842	(0)
38 CAC Dependency Collections Held in Reserve	2,186,060	1,171,286	1,012,393	1,151,320	1,098,224	1,098,224
39 Redevelopment Agency Writ Case Reimbursements Held in Reserve	636,668	528,300				
40 Refund to courts of overcharges for JCC services						
41 Equal Access Fund Held in Reserve	454,039	859,678	-	(0)	(0)	(0)
42 Sargent Shriver Civil Counsel Held in Reserve	1,449,503	415,112	75,357	75,357	75,357	75,357
43 Ending Unrestricted Fund Balance	21,060,092	11,824,685	13,084,079	7,407,316	1,600,443	(3,981,428)
44 Net Revenue/Transfers Over or (Under) Expenditures	21,007,397	(3,696,754)	(1,998,771)	(7,387,676)	(7,809,809)	(7,431,713)

TCTF Judicial Council and Expenses on Behalf of the Trial Courts Appropriations Allocations

#	Project and Program Title	2016-17 JC- Approved Allocation	2016-17 Funded from Courts' Program 45.10 TCTF Allocations	2016-17 Approved Total Allocation	TCBAC Revenue and Expenditure Subcommittee FY 2017-18 Preliminary Allocation Recommendations			Program Allocation Increase/ (Decrease)
		Col. A	Col. B	Col. C (Col A + B)	Judicial Council (Staff) ¹	Expenses on Behalf of the Trial Courts	Total	Col. G
					Col. D	Col. E	Col F (Col. D + E)	
1	Children in Dependency Case Training	-	113,000	113,000	-	113,000	113,000	-
2	Sargent Shriver Civil Counsel Pilot Program	500,000	8,473,964	8,973,964	500,000	7,244,437	7,744,437	(1,229,527)
3	Equal Access Fund	194,000	-	194,000	258,000	-	258,000	64,000
4	Court-Appointed Dependency Counsel Collections	260,000	-	260,000	260,000	-	260,000	-
5	Revenue and Collections Program	625,000	-	625,000	625,000	-	625,000	-
6	Programs Funded from Courts' TCTF Allocations							
7	Civil, Small Claims, Probate and Mental Health (V3) CMS	-	564,000	564,000	-	564,000	564,000	-
8	California Courts Technology Center	-	1,472,000	1,472,000	-	1,472,000	1,472,000	-
9	Interim Case Management System	-	842,000	842,000	-	361,000	361,000	(481,000)
10	Phoenix Financial Services	107,000	-	107,000	107,000	-	107,000	-
11	Phoenix HR Services	1,349,000	-	1,349,000	1,404,676	-	1,404,676	55,676
12	Other Post Employment Benefits Valuations	-	-	-	-	535,000	535,000	535,000
13	Total, Program/Project Allocations	3,035,000	11,464,964	14,499,964	3,154,676	10,289,437	13,444,113	(1,055,851)
14	Department of Motor Vehicles Amnesty Program service charges	250,000		250,000	-	-	-	N/A
15	Estimated State Controller's Office services charges	219,399		219,399	303,000	-	303,000	83,601
17	Estimated Budget Act Appropriation and Changes Using Provisional Language Authority¹	N/A	N/A	N/A	3,340,000	13,025,000	16,365,000	N/A
18	Appropriation Balance	N/A	N/A	N/A	(117,676)	2,735,563	2,617,887	N/A

1. Provisional language in the State Budget Act for 2016 allows the Judicial Council appropriation authority to be increased for support to the Sargent Shriver Civil Counsel Pilot, Equal Access Fund, and Court-Appointed Dependency Counsel Collections. Provisional language also allows up to \$11.274 million to be transferred to the Judicial Council appropriation authority for the recovery of costs for administrative services provided to the trial courts.

**FY 2016-17 and FY 2017-18 Trial Court Trust Fund Support for Operation of the Trial Courts:
Appropriation vs. Estimated/Approved Allocations**

#	Description	Type	2016-17	2017-18	TCBAC R&E Subcommittee Preliminarily Recommends for 2017-18	Explanation for Items Not Considered
			Budget Act	May Revise		
			Col. A	Col. B		
1	I. Prior-Year Ending Baseline Allocation	Base	1,704,515,909	1,767,863,005	1,767,863,005	
3	II. Adjustments					
4	Reduction for Appointed Converted SJO Positions	Base	-400,067	-616,836		JC policy
5	IV. FY 2016-2017 Allocations (Governor's Budget)					
6	\$8.6 Million in Benefits Cost Changes Funding	Base	8,452,000			prior year
7	\$7.5 Million in FY 2013-14 Restored Benefits Funding	Base	7,069,000			prior year
8	\$412,000 in New Security Funding	Base	20,000,000			prior year
9	Non-Sheriff's Security BCP Funding	Base	28,500,000			prior year
10	\$19.6 Million in New Funding	Base	343,000			prior year
11	\$25.0 Million in Court Innovations Grants (Total Funding for Both Trial and Appellate Courts)	Non-Base	25,000,000			prior year
12	\$21.4 Million in Proposition 47 Workload Funding	Non-Base	21,400,000			prior year
13						
14	V. Statutory Allocation Adjustments					
15	1% Fund Balance Cap Reduction	Non-Base	-8,781,306	pending		pending
16	Adjustment for Funding to be Distributed from ICNA	Non-Base	-50,000,000	-50,000,000		Budget Act
17	Criminal Justice Realignment Funding	Non-Base	9,223,000	9,223,000		JC policy
18	Reduction for Appointed Converted SJO Positions	Base	-616,836	pending		JC policy
19						
20	VI. Allocation for Reimbursements					
21	Court-Appointed Dependency Counsel	Non-Base	114,700,000	114,700,000	114,700,000	
22	Jury	Non-Base	14,500,000	14,500,000	14,500,000	
23	Replacement Screening Stations	Non-Base	2,286,000	2,286,000	2,286,000	
24	Self-Help Center	Non-Base	2,500,000	2,500,000	2,500,000	
25	Elder Abuse	Non-Base	332,000	332,000	332,000	
26	CSA Audits ¹	Non-Base	0	325,000	325,000	
27	CAC Dependency Collections Reimbursement Rollover	Non-Base	755,678	pending		
28	CAC Dependency Collections Reimbursement	Non-Base	629,077	911,286	911,286	

**FY 2016-17 and FY 2017-18 Trial Court Trust Fund Support for Operation of the Trial Courts:
Appropriation vs. Estimated/Approved Allocations**

#	Description	Type	2016-17	2017-18	TCBAC R&E Subcommittee Preliminarily Recommends for 2017-18	Explanation for Items Not Considered
			Budget Act	May Revise		
			Col. A	Col. B	Col. C	Col. D
29	VII. Estimated Revenue Distributions					
30	Civil Assessment	Non-Base	79,426,599	114,668,986		JC policy
31	Fees Returned to Courts	Non-Base	21,348,123	21,272,860		statutory
32	Replacement of 2% automation allocation from TCIF	Non-Base	10,907,494	10,907,494		statutory
33	Children's Waiting Room	Non-Base	3,150,757	3,107,018		JC policy/statute
34	Automated Recordkeeping and Micrographics	Non-Base	2,436,478	2,403,479		JC policy
35	Telephonic Appearances Revenue Sharing	Non-Base	943,840	943,840		JC policy/statute
36	Prior Year Revenues	Non-Base	0	0		JC policy/statute
37	VIII. Miscellaneous Charges					
38	Repayment of Prior Year Cash Advance	Non-Base				Non-allocation
39	State Admin Infrastructure Charges Prior Year Adjustment	Non-Base				JC policy
40	Statewide Administrative Infrastructure Charges	Non-Base	-4,389,676	-4,443,676		JC policy
41	Prior Year Facility Payments Charge Adjustments	Non-Base				JC policy
42	Total		2,014,231,070	2,010,883,457	1,903,417,291	
43	Support for Operation of the Trial Courts Appropriation Budget Act ²		2,047,487,000	2,027,005,000		
44	Transfer to Compensation of Superior Court Judges appropriation due to conversion of subordinate judicial officer positions to judgeships					
45	Transfer to Court Interpreters appropriation due to court interpreter portion of \$42.8 million for new benefits funding					
46	Adjusted Appropriation		2,047,487,000	2,027,005,000		
47	Estimated Remaining Appropriation		33,255,930	16,121,543		

1 Provision 12 of the 2015 Budget Act requires that \$325,000 be allocated by the Judicial Council in order to reimburse the California State Auditor for the costs of trial court audits.

2 Includes the Budget Act Appropriation of \$114,700,000 for Item 0250-102-0932 - Court-Appointed Dependency Counsel.

Description of Judicial Council and Trial Court Operations
Projects/Programs Proposed to the TCBCAC Revenue and Expenditure
Subcommittee by the JCC for FY 2017–2018

OPERATIONS AND PROGRAMS DIVISION

Center for Families, Children, and the Courts

Children in Dependency Case Training

Proposed 2017–2018 Allocation – \$113,000; no change from 2016–2017 Allocation

Description:

Program provides training designed to improve the trial and appellate advocacy skills of juvenile dependency court-appointed attorneys. All trial courts are eligible to send attorneys to this training. These funds are used to hire expert faculty and to support attendees’ travel. Attorneys educated in advanced trial skills save court costs by improving hearing efficiency, avoiding continuances, and adhering to federal standards for timeliness. If they are educated in establishing an adequate record, identifying issues for appeal, and meeting the appropriate timelines for writs and appeals, attorneys save the appellate courts considerable time by providing thorough and timely filings.

Sargent Shriver Civil Counsel Pilot Program

Proposed 2017–2018 Allocation – \$500,000; no change from 2016–2017

Description:

This directed funding implements a pilot program required by Government Code section 68651 (AB 590-Feuer). Project funds come from a restricted \$10 supplemental filing fee on certain postjudgment motions. The funding supports six pilot programs, which are each a partnership of a legal services nonprofit corporation, the court, and other legal services providers in the community. The programs provide legal representation to low-income Californians (at or below 200 percent of the federal poverty level) in housing, child custody, probate conservatorship, and guardianship matters. Since not all eligible low-income parties with meritorious cases can be provided with legal representation, the court partners receive funds to implement improved court procedures, personnel training, case management and administration methods, and best practices.

Pilot programs were selected through a competitive RFP process and approved by the Judicial Council. The current projects are located in Kern, Los Angeles, San Diego, San Francisco, Santa Barbara, and Yolo counties. Government Code 68651 provides that the “participating projects shall be selected by a committee appointed by the Judicial Council with representation from key

stakeholder groups, including judicial officers, legal services providers, and others, as appropriate... Projects approved pursuant to this section shall initially be authorized for a three-year period, commencing July 1, 2011, subject to renewal for a period to be determined by the Judicial Council, in consultation with the participating project in light of the project's capacity and success....” Applications have been received for the next three-year cycle and it is expected that the Judicial Council will consider those applications at its July 2017 meeting.

The majority of administrative funds are being used for the evaluation of the pilot project. An initial report was made to the Governor and Legislature on January 31, 2016. An additional report will be submitted in July 2017 to address the statutory requirement that “[t]he study shall report on the percentage of funding by case type and shall include data on the impact of counsel on equal access to justice and the effect on court administration and efficiency, and enhanced coordination between courts and other government service providers and community resources. This report shall describe the benefits of providing representation to those who were previously not represented, both for the clients and the courts, as well as strategies and recommendations for maximizing the benefit of that representation in the future. The report shall describe and include data, if available, on the impact of the pilot program on families and children. The report also shall include an assessment of the continuing unmet needs and, if available, data regarding those unmet needs.” Evaluation will continue in order to identify useful information for all courts on effective ways on handling these cases.

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

Equal Access Fund

Proposed 2017–2018 Allocation – \$258,000; \$64,000 increase from FY 2016–2017 Allocation

Description:

For the last 18 years, the state Budget Act has contained a provision for the allotment of \$10

million to an Equal Access Fund “to improve equal access and the fair administration of justice.” That amount was supplemented by \$5 million in 2016 as a one-time increase. In 2005, the Uniform Civil Fees and Standard Fee Schedule Act was approved by the Legislature and the Governor. That act established a new distribution of \$4.80 per filing fee to the Equal Access Fund in the Trial Court Trust Fund. The estimated revenue from filing fees for the fund is \$5.7 million per year.

The Budget Act provides that 90% of the funds are to support agencies providing civil legal assistance for low-income persons. The Business and Professions Code sets forth the criteria for distribution of those funds. 10% of the funds support partnership grants to eligible legal services agencies providing self-help assistance at local courts. Organizations must complete specific applications for these funds and have the approval of their courts. The Budget Act allocates up to 5% for administrative costs. Two thirds of the administrative costs go to the State Bar and 1/3 to the Judicial Council.

Judicial Council administrative funds cover the costs of staffing to distribute and administer the grants, provide technical assistance and training support for the legal services agencies and courts, as well as the cost of Commission expenses, accounting and programmatic review. It further provides staff support to develop on-line document assembly programs and other assistance for partnership grant projects.

The program serves all 58 courts by providing support to legal services programs which assist litigants with their legal matters. Twenty-two partnership grant programs operate self-help centers in their partner courts. Parties who receive legal services – either fully or partly represented or helped in self-help centers – generally save the court valuable time and resources by helping litigants have better prepared pleadings, more organized evidence, and more effective presentation of their cases. Legal services programs also save significant time for courts by helping litigants understand their cases and helping them to settle whenever possible. Often a consultation with a lawyer is helpful for potential litigants to understand when they do not have a viable court case.

The administrative funds also provide the staff support to develop on-line document assembly programs and other instructional materials developed in partnership grant programs which are available to courts throughout the state.

Court-Appointed Dependency Counsel Collections

Proposed 2017–2018 Allocation – \$260,000, no change from FY 2016–2017 Allocation

Description:

Welfare and Institutions Code section 903.47 mandates the collections program. This funding provides staffing for the program. Collections program staff assists trial courts in implementing the program in a variety of ways. A dedicated Judicial Resources Network webpage, maintained

by staff, provides quick access to the guidelines, optional forms, and other program resources. Staff also administers a listserv for judicial officers and court staff to share questions and information with program staff and each other. The attorney drafts program guidelines and forms, ensures program compliance with statute, and works directly with courts on implementing the program. The attorney also advises the courts and advisory committees on any legal questions regarding the program. The program analyst guides courts in completing the required implementation reports, receives and processes the reports, and follows up with individual courts as required. Staff hosts a monthly conference call to field implementation questions from the courts and provide courts with another forum for sharing information.

ADMINISTRATIVE DIVISION

Budget Services

Statewide Support for Collections Programs

Proposed 2017–2018 Allocation – \$625,000, no change from FY 2016–2017 Allocation

Description:

The JCC Revenue and Collections Unit represents the only centralized professional and technical assistance team available to courts and counties statewide regarding issues relating to the collection and distribution of court-ordered debt and associated revenue. Support provided ranges from assistance with annual reporting requirements, collections master and participation agreements, operational reviews of individual collection programs, as well as daily assistance with policy and statutory guidance. The unit also responds to trial court revenue distribution inquiries and leads the planning and execution of related statewide training in partnership with the State Controller's Office and Franchise Tax Board.

Information Technology Office

Civil, Small Claims, Probate and Mental Health (V3) Case Management System

Proposed FY 2017–2018 Allocation – \$564,000, no change from FY 2016–2017 Allocation

Description:

The Civil, Small Claims, Probate and Mental Health case management system (CMS V3) is deployed at the California Court Technology Center (CCTC) for two Superior Courts: Sacramento, and Ventura. It is hosted locally by two Superior Courts: Orange and San Diego. CMS V3 processes about 25 percent of all civil cases statewide. V3 functionality enables the courts to process and administer their civil caseloads, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, work queue, payment and financial processing. All V3 courts are now using the latest version of the V3 application. This model allows for a single deployment and common version of the software, avoiding the cost of three separate installations.

The TCTF V3 program costs are fully reimbursed by the participating hosted courts. Courts reimburse the TCTF via the annual Schedule C process, where the V3 courts confirm agreed upon technical charges. Once V3 charges are confirmed by the courts, their monthly distributions are reduced over the year in the amount of the charges.

California Courts Technology Center (CCTC) – Operations

Proposed FY 2017–2018 Allocation – \$1,472,000, no change from FY 2016–2017 Allocation. Anticipated savings to be provided once Schedule C information is finalized.

Description:

In alignment with Judicial Council directives to affirm development and implementation of statewide technology initiatives, the CCTC program provides a Judicial Branch Technology Center for use by all courts.

Funding is utilized for maintaining core services and court requested services. Services include: operational support; data network management, desktop computing and local server support; tape back-up and recovery; help desk services; email services; and a dedicated service delivery manager. These services allow the courts to rely on the skills and expertise of the maintenance and support within the CCTC to remediate defects, implement legislative updates, configure and install software and hardware upgrades, and address other minor and critical issues.

The TCTF CCTC program costs are fully reimbursed by the participating courts. Courts reimburse the TCTF via the annual Schedule C process, where the courts confirm agreed upon technical charges. Once charges are confirmed by the courts, their monthly distributions are reduced over the year in the amount of the charges.

The TCTF CCTC program costs will be decreasing as Lake, Modoc, Plumas, San Benito, Sierra and Trinity move from CCTC managed courts to the new Placer Hosting Center. The transition of the courts from the CCTC to the Plumas data center will start in October 2017. Each month, one court will transition until all are complete. As each court moves, majority of the Schedule C charges will stop the next month. To ensure there is sufficient funds, a six-month contingency was built into the FY 17/18 budget in the event there are delays in the schedule.

Interim Case Management System

Proposed 2017–2018 Allocation – \$361,000 a decrease of \$481,000 from FY 2016–2017 Allocation.

Description:

The ICMS unit provides program support to trial courts with case management systems hosted at the California Courts Technology Center (CCTC). Currently, there are ten courts with the Sustain Justice Edition (SJE) CMS hosted at the CCTC. The support for the CCTC-hosted courts

include project management and technical expertise for maintenance and operations activities, such as implementation of legislative updates, application upgrades, production support, disaster recovery services, CCTC infrastructure upgrades, and patch management.

The TCTF ICMS program costs are fully reimbursed by the participating courts. Courts reimburse the TCTF via the annual Schedule C process, where the courts confirm agreed upon technical charges. Once charges are confirmed by the courts, their monthly distributions are reduced over the year in the amount of the charges. In FY 17/18, eight of the nine CCTC hosted SJE courts are in the process of transitioning away from CCTC hosting to alternative hosting solutions.

Branch Accounting and Procurement

Phoenix Financial and Human Resources Services

Proposed 2017–2018 Allocation – \$1,511,676, \$55,766 increase from FY 2016–2017 Allocation

Description:

The Judicial Council has sought to establish an administrative infrastructure at the state and local levels to provide appropriate accountability for the legally compliant, effective, and efficient use of resources; to provide the necessary information to support policymaking responsibilities; and consistently and reliably provide the administrative tools to support day-to-day operations.

The Phoenix Program supports this goal effectively by implementing a system that provides for uniform processes and standardized accounting and reporting, and provides human capital management and payroll services to the courts in a cost-effective and efficient manner.

The program is primarily funded by the General Fund. The funding allocated from the TCTF is fully reimbursed by the courts that use the Phoenix Payroll System and the Phoenix Virtual Buyer program. The Payroll System is currently supporting 12 courts. Approximately, 23 courts are participating in the Virtual Buyer Program. Because these services are not utilized by all courts, these courts are asked to reimburse the TCTF for the services they receive.

Other Post-Employment Benefits Valuation Contract

Proposed 2017–2018 Allocation – \$535,000; \$10,250 increase from FY 2015–2016 Allocation

Description:

This funding supports the every other year, federally and state mandated reporting requirement for government entities to report on other post-employment benefits (OPEB) liabilities, such as retiree health benefit obligations. The Judicial Council has centrally managed this effort on behalf of trial courts for the past three reporting cycles. In the last

OPEB reporting cycle, a total of \$640,000 was expended for actuarial consultant services, which included data gathering and development of actuarial reports for each of the 58 trial courts as well as limited consultative services provided by the actuary to courts seeking professional assistance regarding OPEB reporting and trusts. In addition to baseline reporting, secondary reviews and subsequent revisions of completed valuations were required due to the establishment of OPEB trusts by nearly half the courts statewide

Draft

Description of Support for Operation of the Trial Courts Programs
Proposed to the TCBCAC Revenue and Expenditure Subcommittee by the
JCC for FY 2017–2018

OPERATIONS AND PROGRAMS DIVISION

Center for Families, Children, and the Courts

Sargent Shriver Civil Counsel Pilot Program

Proposed 2017–2018 Allocation – \$7,244,437; \$1,371,932 decrease from 2016–2017

See Program 30 Description for detail of program. Decrease in allocation is due to reduced revenues and surplus available for expenditures.

Court-Appointed Dependency Counsel

Proposed 2017–2018 Allocation – \$114,700,000, no change from 2016–2017 Allocation

Description:

For 2016–2017, the Trial Court Budget Advisory Committee (TCBAC) recommended and the council approved that the program’s \$114.7 million annual allocation be maintained at the most recent base level for court-appointed counsel in juvenile dependency proceedings. The council allocated one-time augmentations of \$7.1 million in 2010–2011 and \$3.5 million in 2011–2012 to reimburse court expenses in excess of the base level. Total 2017-2018 reimbursements are estimated to be about \$114.7 million. A statewide increase in juvenile dependency filings has increased the demand for dependency representation.

In April 2016 the Judicial Council approved a new allocation methodology recommended by a joint subcommittee of the Trial Court Budget Advisory Committee and the Family and Juvenile Law Advisory Committee to allocate this funding to courts based on current filings, child welfare caseload and local economic factors. This methodology was used in FY 2016-2017 and will continue to be employed. A working group appointed by the Judicial Council has also recommended some adjustments to this methodology related to small courts. The Judicial Council will consider these recommendations at the May 19, 2017 meeting.

This allocation funds court-appointed dependency counsel, who represent approximately 150,000 parent and child clients in the state. Representation begins at the initial filing of a petition to remove a child from the home, and extends—sometimes for many years—through the processes of reunification, termination of parental rights, adoption, or emancipation of the child.

In juvenile dependency proceedings, the trial court is required by law to appoint counsel for a parent or guardian if the parent desires counsel but is financially unable to afford counsel and the agency has recommended that the child be placed in out-of-home care; and to appoint counsel for a child unless the court finds that the child would not benefit from the appointment of counsel (W&I § 317, CRC 5.660, etc.).

For the twenty courts in the Dependency Representation Administration, Funding, and Training (DRAFT) program, the Judicial Council, in partnership with local court leadership, directly manages contracts with dependency attorney organizations, including solicitations, negotiation, financial management, invoicing and payment, statistical reporting, training, and other technical assistance. The twenty DRAFT courts account for approximately 60 percent of juvenile dependency filings statewide. The remaining courts receive a base allocation for dependency counsel at the beginning of the year, manage their own dependency counsel contracts, and are reimbursed through the monthly TCTF distribution process for up to 100 percent of their budget. Training and performance standards for dependency attorneys are laid down in California Rules of Court, rule 5.660. Adequately funding effective counsel for parents and children has resulted in numerous benefits both for the courts and for children in foster care. Effective counsel can ensure that the complex requirements in juvenile law for case planning, notice, and timeliness are adhered to, thereby reducing case delays and improving court case processing and the quality of information provided to the judge. Unnecessary delays also result in children spending long periods of time in foster care, a situation that has improved greatly in the past few years through the courts' focus on effective representation and adherence to statutory timelines.

Self-Help Centers

Proposed 2017–2018 Allocation – \$2,500,000, no change from 2016–2017 Allocation

Description:

For 2016–2017, the TCBCAC recommended and the council approved that the program's \$2.5 million annual allocation be maintained at the \$2.5 million level for distribution to all 58 trial courts for self-help centers. The estimated 2017–2018 total distribution to courts is \$2.5 million.

Funding for self-help centers comes from both the TCTF (\$6.2 million, of which \$3.7 million is in courts' base allocation) and the State Trial Court Improvement and Modernization Fund (IMF) (\$5 million). When combining the two fund sources, the minimum allocation for any court is \$34,000, with the remainder distributed according to population size in the county where the trial court is located.

Self-help centers, which provide assistance to self-represented litigants in a wide array of civil law matters to save the courts significant time and expense in the clerk's office and in the courtroom, serve over 450,000 persons per year. Self-help staffing reduces the number of questions and issues at the public counter substantially, thereby reducing line lengths and wait times. Similarly, self-help services improve the quality of documents filed, thereby reducing follow-up and clean-up work in the clerk's office. Evaluations show that court-based assistance

to self-represented litigants is operationally effective and carries measurable short and long-term cost benefits to the court. One study found that self-help centers workshops save \$1.00 for every \$0.23 spent. When the court provides one-on-one individual assistance to self-represented litigants, savings of \$1.00 can be achieved from expenditures ranging from \$0.36 to \$0.55. If the self-help center also provides assistance to self-represented litigants to bring their cases to disposition at the first court appearance, the court saves \$1.00 for every \$0.45 spent.

Demand for self-help services is strong and growing. Courts, struggling with budget reductions, indicate that they are not able to keep up with increasing public demand for self-help services and need additional staff. In a 2007 survey, the courts identified a need of \$44 million in additional funds to fully support self-help.

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

Court-Appointed Dependency Counsel Collections

Proposed 2017–2018 Allocation – \$911,286, \$386,147 increase from 2016–2017 Allocation

Description:

The Juvenile Dependency Counsel Collections Program (JDCCP) is a program under which courts collect reimbursements from parents and other responsible persons liable for the cost of dependency-related legal services to the extent that those persons are able to pay. Statute requires the Judicial Council to allocate the monies remitted through the JDCCP to the trial courts for use to reduce court-appointed attorney caseloads to the council’s approved standard.

At its August 23, 2013 meeting, the council adopted amendments to the JDCCP Guidelines by adding current section 14, which addressed the outstanding issue of how the Judicial Council could equitably allocate the funds remitted through the JDCCP among the trial courts in compliance with the statutory mandate that the funds be used to reduce court-appointed attorney caseloads. Section 14 of the JDCCP Guidelines describes the allocation methodology, which considers each court’s participation in the program and each court’s percentage of the statewide court-appointed counsel funding need.

For a court to be eligible to receive an allocation of these funds, it must meet the participation and funding need requirements described in section 14 of the JDCCP Guidelines. Every court that has satisfied those requirements receives an allocation. Each eligible court’s allocated share of the JDCCP funds is equivalent to its share of the aggregate funding need of all the eligible

courts.

To the extent the actual revenue for FY 2016–2017 differs from the estimate used here, the court allocations would be adjusted for FY 2017–2018. Any portion of a court’s allocated funds not spent and distributed in FY 2017–2018 would be carried forward for distribution to the court in FY 2018–2019 and subsequent years, even if a court is not eligible for an allocation in the subsequent fiscal year.

Real Estate and Facilities Management- Security Operations

Screening Equipment Replacement

Proposed 2017–2018 Allocation – \$2,286,000, no change from FY 2016–2017 Allocation

Description:

The anticipated budget for 2017–2018 is \$2,286,000. The entire amount of the budget will be used to purchase an estimated 50 magnetometers and 50 x-ray machines.

The Screening Equipment Replacement Program is a reimbursement program that replaces and maintains x-ray machines and magnetometers in the trial courts. The equipment is replaced on an eight-year cycle and is the property of the court. Funds are allocated to courts for replacement based on the age and condition of the equipment.

Master Agreements which include pricing for the equipment, installation, training, maintenance, and removal of the old x-ray machines, are used for program purchases. The purchase price includes 5 years of service. A solicitation for new contracts is underway, which will likely result in a price increase.

In previous years, program funds were used to reimburse the courts for the purchase of service agreement extensions to cover the period from the end of the original 5-year service plan to the end of the 8-year replacement cycle. The program budget of \$2,286,000 has not changed since the program began in 2006, but the cost of equipment and service agreements and the number of machines has increased, resulting in an ongoing shortfall. To address this, effective 2015 – 2016, the purchase of service agreement extensions is no longer reimbursed and is a court cost.

Without this program, the courts will be responsible for the purchase and maintenance of the screening equipment. The cost of an x-ray machine with a five-year service agreement is approximately \$36,000. The cost of a magnetometer with a five-year service agreement is approximately \$5,600. These cost estimates may change due to anticipated price increases as a result of the current solicitation.

Reimbursing the costs of screening equipment is particularly critical to the smaller courts, where equipment and service agreements can represent a significant expenditure relative to their overall

operations budget. However, the need in large courts should not be minimized. The cost of a single year's equipment replacement and service agreement renewal costs in a large court can result in the expenditure of several hundred thousand dollars.

The program also offers a service to the court staff responsible for the equipment. The Security Operations unit staff member who manages the program also acts as a liaison to the courts and assists in resolving issues with the vendors and the JCC Customer Service Center and acts as a subject matter expert on radiation and code compliance associated with the x-ray equipment.

If a court chooses to purchase equipment or service that is not covered by the Master Agreements, the court is required to go out to bid. That process represents a direct cost to the court in staff time and in the overall cost of the purchase, as well as inconsistency in response to service calls at court expense.

ADMINISTRATIVE DIVISION

Finance Office

Jury

Proposed 2017–2018 Allocation – \$14,500,000, no change from 2016–2017 Allocation

Description:

For 2015–2016, the TCBAC recommended and the council approved that the program's annual allocation be reduced to \$14.5 million from \$16 million. The eligible juror costs for the past ten years through 2015–2016 have averaged \$15.4 million. The latest five-year average is \$14.3 million. The reimbursement for 2015–2016 was \$14.1 million. Based on current year expenditure pattern the 2016–2017 reimbursement is estimated to be \$14.5 million.

The purpose of the jury funding is to reimburse courts for 100 percent of their eligible jury expenditures, which includes the following types of jury costs in criminal cases and non-reimbursed civil cases:

- Jury per diem (\$15 per day after the first day, per Code of Civil Procedure section 215)
- Mileage (\$0.34 per mile one-way only, after the first day, per Code of Civil Procedure section 215)
- Meals and lodging for sequestered jurors
- Public transportation (criminal cases only, one-way only).

Elder Abuse

Proposed 2017–2018 Allocation – \$332,000, no change from 2016–2017 Allocation

Description:

For 2016–2017, the TCBCAC recommended and the council approved that the program’s \$332,340 allocation and that the courts be reimbursed quarterly, even though this allocation level would likely result in courts being reimbursed at about 38 percent of eligible reimbursements. Through the third quarter in 2016–2017, eligible reimbursements total \$359,560.

AB 59 (Stats. 1999, ch. 561) authorized elders and dependent adults to seek protective orders. As specified by this bill, the council approved form EA-100—Petition for Protective Orders (Elder or Dependent Adult Abuse)—effective April 2000. At its April 27, 2001 meeting, the council approved the allocation of these funds to the courts by the end of that fiscal year. The reimbursement rate for each filing was set at \$185. It appears the rate was set at the level of the lowest first paper filing fee in limited civil cases, and was not intended to cover the actual cost to a court of processing an order. Since 2001–2002, courts that seek reimbursement are required to report quarterly to Judicial Council the number of EA-100 forms filed.

Table 1 -- Elder/Dependent Adult Abuse Allocation Savings and Shortfalls, 2001–2002 to 2016–2017

Fiscal Year	EA-100 Filings Reported by Courts	Reimbursement Amount Based on Filings (\$185 per Filing)	Available Funding	Reverted Savings*/ (Funding Shortfalls)
2001–2002	1,073	198,505	1,175,000	976,495
2002–2003	1,110	205,350	1,175,000	969,650
2003–2004	1,198	221,630	1,175,000	953,370
2004–2005	1,515	280,275	1,175,000	894,725
2005–2006	1,704	315,240	300,000	(15,240)
2006–2007	1,813	335,405	350,000	14,595
2007–2008	1,761	325,785	368,340	42,555
2008–2009	1,832	338,920	368,340	29,420
2009–2010	2,033	376,105	368,340	(7,765)
2010–2011	2,511	464,535	356,340	(108,195)
2011–2012	2,751	508,935	332,465	(176,470)
2012–2013	3,128	578,680	332,340	(246,340)
2013–2014	3,497	646,945	332,340	(314,605)
2014–2015	3,840	708,920	332,340	(376,580)
2015–2016	4,760	880,600	332,340	(548,260)
2016–2017**	3,740	691,900	332,340	(359,560)

* The savings from 2001-2002 to 2004-2005 were reverted back to the state General Fund.

** As of third quarter of current fiscal year.

California State Auditor Audits

Proposed 2017–2018 Allocation – \$325,000, increase of \$325,000 from 2016–2017 Allocation

Description:

Provision 12 of the current State Budget bill for 2015 requires that \$325,000 be allocated by the council to reimburse the California State Auditor to the extent costs of trial court audits are incurred by the California State Auditor under section 19210 of the Public Contract Code during 2015–2016.

Draft

State Trial Court Improvement and Modernization Fund -- Fund Condition Statement

With Information Technology (IT) Updates Only

#	Description	2014-2015 (Year-end Financial Statement)	2015-2016 (Year-end Financial Statement)	Estimated			
				2016-2017	2017-2018	2018-2019	2019-2020
				A	B	C	D
1	Beginning Balance	26,206,661	9,255,318	6,957,325	6,114,715	6,455,384	4,414,056
2	Prior-Year Adjustments	2,877,000	753,239	2,019,519	-	-	-
3	Adjusted Beginning Balance	29,083,661	10,008,557	8,976,844	6,114,715	6,455,384	4,414,056
4	Revenues						
5	Jury Instructions Royalties	532,783	552,000	542,000	532,000	532,000	532,000
6	Interest from SMIF	100,734	170,114	141,000	128,000	128,000	128,000
7	Escheat-Unclaimed Checks, Warrants, Bonds	2,000	1,085	-	-	-	-
8	50/50 Excess Fines Split Revenue	23,702,658	20,219,295	16,987,000	16,537,000	16,537,000	16,537,000
9	2% Automation Fund Revenue	14,730,023	12,463,280	9,605,000	13,379,000	12,752,000	12,752,000
10	Other Revenues/SCO Adjustments	28,233	62,857	-	-	-	-
11	Transfers						
12	From State General Fund, including:	38,709,000	44,218,000	44,218,000	44,218,000	44,218,000	44,218,000
13	Case Management Systems V3			12,400,000	9,200,000	3,200,000	
14	Sustain Justice Edition CMS-Pending				4,100,000	896,000	
15	To Trial Court Trust Fund (Budget Act)	(20,594,000)	(594,000)	(594,000)	(594,000)	(594,000)	(594,000)
16	To TCTF (GC 77209(k))	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)
17	Net Revenues and Transfers	43,814,431	63,695,632	69,902,000	74,103,000	64,272,000	60,176,000
18	Total Resources	72,898,092	73,704,189	78,878,844	80,217,715	70,727,384	64,590,056
19	Expenditures						
20	Allocations: Less CCPOR, LMP, Case Management BCP, Sustain Justice Edition CMS, Humboldt & Madera	62,038,523	63,800,925	56,721,881	54,367,943	54,471,313	49,008,226
21	California Courts Protective Order Registry (CCPOR) ¹	585,600	861,200	740,300	716,414	822,016	829,549
22	Litigation Mgmt. Prog. - Judgement & Settlement	717,033	1,317,648	4,160,000	4,500,000	4,500,000	4,500,000
23	Litigation Mgmt. Prog. - Judgement & Settlement (Jan 2017)			87,920		2,118,647	
24	Humboldt/Madera CCTC transition (Jan 2017)			399,111	572,622		
25	Case Management Systems V3			12,400,000	9,200,000	3,200,000	
26	Sustain Justice Edition CMS-Pending				4,100,000	896,000	
27	Total Allocations	63,341,156	65,979,773	74,509,212	73,456,979	66,007,976	54,337,775
29	Pro Rata and Other Adjustments	301,618	767,091	659,579	305,352	305,352	305,352
30	Less: Encumbrances to be liquidated and Program Identified Savings			(2,404,662)			
31	Total Expenditures	63,642,774	66,746,864	72,764,129	73,762,331	66,313,328	54,643,127
32	Fund Balance	9,255,318	6,957,325	6,114,715	6,455,384	4,414,056	9,946,929

¹ The budget projections for California Courts Protective Order Registry (CCPOR) reflect the cost for full deployment of the CCPOR program. The increase beyond FY 2017-18 is attributed to the ongoing cost for the counties of Sacramento and Orange, as well as the deployment and maintenance costs for remaining courts (e.g., Alameda, Los Angeles, Contra Costa, San Mateo and San Diego). Please note, an Initial Funding Request (FR) has been submitted as a precursor to a Budget Change Proposal (BCP) requesting a transfer of the CCPOR program from the IMF to the General Fund. Upon approval CCPOR costs will be eliminated from the IMF and transferred to the General Fund. CCPOR is a statewide program approved by the Judicial Council Technology Committee for full deployment.

Judicial Council-Approved 2017-2018 Allocations and Estimated Allocations for FY 2018-19 to FY 2019-20 IMF State Operations and Local Assistance Appropriations

#	Program Name	Office	FY 2016-17 JC Current Allocation	Approved FY 2017-18 Allocation	Estimated FY 2018-19	Estimated FY 2019-20
A	B	C	D	E	F	G
1	Superior Court Audit Program	AS	\$ 660,000	\$ 660,000	\$ 660,000	\$ 600,000
2	Total AS	AS	\$ 660,000	\$ 660,000	\$ 660,000	\$ 600,000
3	Court-Ordered Debt Task Force	BAP	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500
4	Phoenix Program	BAP	\$ 3,751,200	\$ 3,705,668	\$ 6,485,121	\$ 2,915,901
5	Trial Court Procurement/TCAS-MSA-IMF	BAP	\$ 122,000	\$ 122,000	\$ 122,000	\$ 122,000
6	Total BAP	BAP	\$ 3,882,700	\$ 3,837,168	\$ 6,616,621	\$ 3,047,401
7	Domestic Violence Forms Translation	CFCC	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
8	Interactive Software - Self-Rep Electronic Forms	CFCC	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000
9	Self-Help Center	CFCC	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000
10	Statewide Multidisciplinary Education	CFCC	\$ 67,000	\$ 67,000	\$ 67,000	\$ 67,000
11	Statewide Support for Self-Help Programs	CFCC	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
12	Total CFCC	CFCC	\$ 5,244,000	\$ 5,244,000	\$ 5,244,000	\$ 5,244,000
13	CJER Faculty	CJER	\$ 299,000	\$ 316,000	\$ 316,000	\$ 316,000
14	Distance Education	CJER	\$ 118,000	\$ 20,000	\$ 20,000	\$ 20,000
15	Essential Court Management Education	CJER	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000
16	Essential Court Personnel Education	CJER	\$ 74,000	\$ 116,000	\$ 116,000	\$ 116,000
17	Judicial Education	CJER	\$ 693,000	\$ 732,000	\$ 732,000	\$ 732,000
18	Total CJER	CJER	\$ 1,202,000	\$ 1,202,000	\$ 1,202,000	\$ 1,202,000
19	Court Interpreter Testing etc.	COSSO	\$ 143,000	\$ 143,000	\$ 143,000	\$ 143,000
20	Trial Court Workload Study Support	COSSO	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000
21	Total COSSO	COSSO	\$ 156,000	\$ 156,000	\$ 156,000	\$ 156,000
22	Budget Focused Training and Meetings	Finance	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
23	Treasury Services - Cash Management (Support)	Finance	\$ 242,100	\$ 242,100	\$ 242,100	\$ 242,100
24	Total Finance	Finance	\$ 292,100	\$ 292,100	\$ 292,100	\$ 292,100
25	Trial Court Labor Relations Academies and Forums	HR	\$ 25,700	\$ 25,700	\$ 25,700	\$ 25,700
26	Total HR	HR	\$ 25,700	\$ 25,700	\$ 25,700	\$ 25,700
27	California Courts Protective Order Registry (CCPOR)	IT	\$ 740,300	\$ 716,414	\$ 822,016	\$ 829,549
28	California Courts Technology Center (CCTC)	IT	\$ 9,668,300	\$ 9,776,446	\$ 9,530,535	\$ 9,242,618
29	Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3)	IT	\$ 4,490,674	\$ 4,226,987	\$ 2,328,009	\$ 1,868,373
30	Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3) Replacement BCP	IT	\$ 12,400,000	\$ 9,200,000	\$ 3,200,000	\$ -
31	Data Integration	IT	\$ 3,422,600	\$ 2,923,704	\$ 2,924,380	\$ 3,057,748
32	Enterprise Policy/Planning (Statewide Development)	IT	\$ 4,609,907	\$ 4,542,842	\$ 4,564,261	\$ 4,673,031
33	Hunboldt CCTC Transition	IT	\$ 399,111	\$ -		
34	Interim Case Management Systems	IT	\$ 1,039,700	\$ 1,358,787	\$ 1,461,479	\$ 656,430
35	Jury Management System	IT	\$ 465,000	\$ 465,000	\$ 465,000	\$ 465,000
36	Madera CCTC Transition	IT		\$ 572,622	\$ -	\$ -
37	Placer Court Hosting Center Project	IT	\$ 736,500	\$ -		
38	Sustain Justice Edition CMS (FY 2017-18 BCP pending approval)	IT		\$ 4,100,000	\$ 896,000	
39	Telecommunications Program	IT	\$ 17,558,800	\$ 16,694,771	\$ 15,660,494	\$ 15,660,494
40	Testing Tools - Enterprise Test Management Suite	IT	\$ 159,100	\$ -		
41	Uniform Civil Filing Services	IT	\$ 372,200	\$ 392,438	\$ 397,331	\$ 397,331
42	Total IT¹	IT	\$ 56,062,192	\$ 54,970,011	\$ 42,249,505	\$ 36,850,574
43	Judicial Performance Defense Insurance	LSO	\$ 966,600	\$ 1,150,000	\$ 1,150,000	\$ 1,000,000
44	Jury System Improvement Projects	LSO	\$ 19,000	\$ 19,000	\$ 19,000	\$ 19,000
45	Litigation Management Program	LSO	\$ 4,247,920	\$ 4,500,000	\$ 6,992,050	\$ 4,500,000
46	Regional Office Assistance Group	LSO	\$ 1,100,000	\$ 750,000	\$ 750,000	\$ 750,000
47	Trial Courts Transactional Assistance Program	LSO	\$ 651,000	\$ 651,000	\$ 651,000	\$ 651,000
48	Total LSO	LSO	\$ 6,984,520	\$ 7,070,000	\$ 9,562,050	\$ 6,920,000
49	Total		\$ 74,509,212	\$ 73,456,979	\$ 66,007,976	\$ 54,337,775

¹ Savings identified in Information Technology: FY 2016-17 \$226,439; FY 2018-19 \$616,104; FY 2019-20 \$801,894.