

Funding Methodology Subcommittee

March 26, 2018



JUDICIAL COUNCIL OF CALIFORNIA

Timeline

- January 12, 2018: Judicial Council approved new policy direction for WAFM
- January 15, 2018: Governor's Budget released
- January 26, 2018: released proposed allocation of \$47.8M to courts based on then-current RAS FTE estimates for 2018-19
- February 8, 2018: WAAC approved a change in RAS model regarding infractions workload; slight change in FTE need to a few mid-sized courts; Judicial Council to receive the recommendation in May



A. Determining Need

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| 1 | Reaffirm the workload model, the Resource Assessment Study, as the basis for establishing funding need for the trial courts. |
| 2 | Report a workload need adjustment every fiscal year based on a three-year average of filings data, consistent with existing policy. |
| 3 | Establish a new statewide average funding ratio based on the workload need adjustment and new funding, if applicable. |
| 4 | Defer the review of the impact of civil assessments on the model to 2018-19. |
| 5 | Retain all existing small court adjustments. |
| 6 | Make no changes to the current policies regarding application of Bureau of Labor Statistics data, the Base Funding Floor, and the computation for benefits and retirement funding. |

A. Building Trial Court Allocations

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| 1 | Eliminate the historical base as established by the Judicial Council on April 26, 2013. |
| 2 | Define new money as any new ongoing allocation of general discretionary dollars to support cost of trial court workload, excluding funding for benefits and retirement increases. |
| 3 | Beginning in 2018-19 and annually thereafter, trial court beginning base allocations will be established using applicable prior year ending base allocations. |

	No New Money
3	<p>In fiscal years for which no new money is provided:</p> <ol style="list-style-type: none"> a. A band will be established that is 2% above and 2% below the statewide average. b. No allocation adjustment will occur for those courts within the band or cluster one courts c. Funds will be reallocated from courts above the band to courts below the band every other fiscal year for which no new money is provided regardless of years of increase or decrease in between. The first year of no new money will provide time to adjust for a second year of no new money in which an allocation change will occur. d. Up to 1% of allocations for courts above the band will be reallocated to courts below the band to provide an increased allocation of up to 1% with the courts under the band being able to penetrate into the band if adequate funds are available. e. The size of the band identified in B3(a) will be subject to re-evaluation.

	New Money
4	<p>In fiscal years for which new money is provided:</p> <ol style="list-style-type: none"> a. Bring all cluster one courts up to at least 100% of funding need. b. Allocate up to 50% of remaining funding to courts under the statewide average based on WAFM. Allocated funds will bring courts up to but not over the statewide average. c. Allocate remaining funding to all courts based on WAFM. d. No court's allocation can exceed 100% of its need unless it is the result of a funding floor calculation.



Governor's Budget Summary 2018-19

Trial Court Operations

"The Budget includes \$47.8 million to be allocated to trial courts that are below 76.9 percent of their overall need according to the Workload-Based Allocation and Funding Methodology. This augmentation is intended to equalize funding among courts by bringing all trial courts up to the statewide average funding level according to updated caseweights.

Discretionary Funding for Trial Courts

The Budget includes \$75 million for allocation to trial courts statewide based on priorities set by the Judicial Council. While this funding is discretionary, the Administration anticipates the Judicial Council will rely on recommendations made by the Commission on the Future of California's Court System and report on any anticipated outcomes resulting from this investment."

<http://www.ebudget.ca.gov/2018-19/pdf/BudgetSummary/JudicialBranch.pdf>



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Special Circumstances Funding

- Special circumstances cases (Pen. Code 190.2 etc.)
- Capital/death penalty cases
- Extraordinary homicide fund: extraordinary costs for homicide cases

