



# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

## TRIAL COURT BUDGET ADVISORY COMMITTEE REVENUE & EXPENDITURE SUBCOMMITTEE

**MATERIALS FOR MAY 18, 2018**

### Meeting Contents

<b>Agenda</b> .....	1
<b>Minutes</b>	
Draft Minutes from the March 21, 2018 Meeting .....	3
<b>Discussion and Possible Action Items</b>	
<b>Item 1</b> –Allocations from the State Trial Court Improvement and Modernization Fund for 2018-19 (Action Required).....	5
<b>Item 2</b> – Allocations from the Trial Court Trust Fund for 2018-19 (Action Required).....	13
<b>Item 3</b> – Extension of VS Case Management System Support (Action Required).....	36



# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
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## TRIAL COURT BUDGET ADVISORY COMMITTEE

## REVENUE AND EXPENDITURES SUBCOMMITTEE

### NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** May 18, 2018  
**Time:** 12:00 p.m. - 1:30 p.m.  
**Public Call-in Number:** 1-877-820-7831, passcode: 1884843 (Listen Only)

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

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [tcbac@jud.ca.gov](mailto:tcbac@jud.ca.gov).

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

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

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##### Call to Order and Roll Call

##### Approval of Minutes

Approve minutes of the March 21, 2018, Revenue and Expenditures Subcommittee meeting.

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#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. 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](mailto:tcbac@jud.ca.gov) or mailed or delivered to 2850 Gateway Oaks Drive, Sacramento, CA 95833, attention: Donna Newman. Only written comments received by 12:15 p.m. on May 17, 2018 will be provided to advisory body members prior to the start of the meeting.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-3)**

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**Item 1**

**Allocations from the State Trial Court Improvement and Modernization Fund for 2018-19 (Action Required)**

Deliberation regarding allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2018-19

Presenter(s)/Facilitator(s): Hon. Jeffrey Barton, Cochair, Revenue and Expenditure Subcommittee, Ms. Sherri R. Carter, Cochair, Revenue and Expenditure Subcommittee; Ms. Donna Newman, Budget Supervisor, Judicial Council Budget Services

**Item 2**

**Allocations from the Trial Court Trust Fund for 2018-19 (Action Required)**

Deliberation regarding allocations from the Trial Court Trust Fund (TCTF) for 2018-19

Presenter(s)/Facilitator(s): Hon. Jeffrey Barton, Cochair, Revenue and Expenditure Subcommittee, Ms. Sherri R. Carter, Cochair, Revenue and Expenditure Subcommittee; Ms. Michele Allan, Budget Supervisor, Judicial Council Budget Services

**Item 3**

**Extension of V3 Case Management System Support (Action Required)**

Consideration to extend use of the funding approved by the Judicial Council at its April 17, 2015 meeting in support of V3 Case Management System past June 30, 2019.

Presenter(s)/Facilitator(s): Hon. Jeffrey Barton, Cochair, Revenue and Expenditure Subcommittee, Ms. Sherri R. Carter, Cochair, Revenue and Expenditure Subcommittee; Mr. David Yamasaki, Chief Executive Officer, Superior Court of California, Orange County.

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**IV. ADJOURNMENT**

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**Adjourn**



JUDICIAL COUNCIL  
OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE  
REVENUE AND EXPENDITURE SUBCOMMITTEE

MINUTES OF OPEN MEETING

March 21, 2018  
12:00 p.m. – 1:30 p.m.  
Conference Call

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**Advisory Body Members Present:** Judges: Hon. Jeffrey B. Barton (Cochair), Hon. Andrew S. Blum, Hon. Daniel J. Buckley, Hon. James E. Herman, and Hon. Paul M. Marigonda.

Executive Officers: Ms. Sherri R. Carter (Cochair), Ms. Nancy Eberhardt, Ms. Rebecca Fleming, and Mr. David H. Yamasaki.

**Advisory Body Members Absent:** Judges: Hon. Brian L. McCabe

Executive Officers: Mr. Michael D. Planet and Mr. Brian Taylor.

**Others Present:** Mr. Zlatko Theodorovic, Ms. Brandy Sanborn, Ms. Angela Guzman, Ms. Donna Newman, and Ms. Michele Allan.

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OPEN MEETING

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**Call to Order and Roll Call**

The Cochair called the meeting to order at 12:02 p.m. and roll was called.

**Approval of Minutes**

The advisory body reviewed and approved the minutes of the May 30, 2017 Revenue and Expenditure Subcommittee teleconference meeting.

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DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

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**Item 1**

**Adjustments to Council-Approved 2017-18 Allocations from the State Trial Court Improvement and Modernization Fund (Action Required)**

Consider adjustments to the 2017-18 Judicial Council approved allocations for the Language Access Plan & Support for Court Interpreters related to a 2017-18 approved Budget Change Proposal and the Jury Management program.

Presenter(s)/Facilitator(s): Ms. Donna Newman, Budget Supervisor, Judicial Council Budget Services

*Action: The Revenue and Expenditure Subcommittee unanimously approved a total of \$692,000 as an augmentation to the 2017-18 allocations for the Court Operations and Information Technology offices.*

**Item 2**

**Revise Reporting Requirement for Trial Court Trust Fund and State Trial Court Improvement and Modernization Fund Encumbrances (Action Required)**

Consider the revision of the reporting requirement for outstanding encumbrances for all programs funded from the Trial Court Trust Fund (TCTF) and/or IMF from semi-annual to annual.

Presenter(s)/Facilitator(s): Ms. Donna Newman, Budget Supervisor, Judicial Council Budget Services

*Action: The Revenue and Expenditure Subcommittee unanimously approved the reduction in reporting on the encumbrance report for all programs funded from the TCTF and IMF from semi-annual to annual with, the new reporting requirement as follows: By March 31st of each year an annual report of outstanding encumbrances as of December 31st for all programs funded from TCTF and/or IMF that support the trial courts, which should identify the amount and purpose of each encumbrance, the name and the vendor/contractor for which the funds are encumbered, the equipment or services related to each encumbrance, and estimated time frames for expenditure or disencumbrance.*

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**INFORMATIONAL ONLY ITEMS (NO ACTION REQUIRED)**

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**Info 1**

**Review Fund Condition Statement for the Trial Court Trust Fund**

Informational presentation of the TCTF, including current revenue projections and expenditures.

Presenter(s)/Facilitator(s): Mr. Zlatko Theodorovic, Director, Judicial Council Budget Services

**Info 2**

**Report of Outstanding Encumbrances for all Programs Funded from the Trial Court Trust Fund and/or State Trial Court Improvement and Modernization Fund as of December 31, 2017**

As directed by the Judicial Council, Judicial Council staff are required to submit an open encumbrance report to the Revenue and Expenditure Subcommittee on behalf of the Trial Court Budget Advisory Committee on the TCTF and IMF open encumbrances as of December 31, 2017. The report also includes any new encumbrances that have occurred since September 2017.

Presenter(s)/Facilitator(s): Ms. Donna Newman, Budget Supervisor, Judicial Council Budget Services

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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 12:30 p.m.

Approved by the advisory body on enter date.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

**(Action Item)**

**Title:** Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2018-19

**Date:** 5/18/2018

**Contact:** Donna Newman, Budget Supervisor, Judicial Council Budget Services  
916-263-7498 | [Donna.Newman@jud.ca.gov](mailto:Donna.Newman@jud.ca.gov)

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**Issue**

Consider adopting a recommendation for 2018-19 allocations in the amount of \$60,373,276 from the IMF for consideration by the Trial Court Budget Advisory Committee at its May 31, 2018 meeting and for Judicial Council consideration on July 19-20, 2018. Total requested allocations for 2018-19 are \$60,373,276 (Attachment A, column I), a reduction of \$14,375,703 from the prior year.

**Background**

**The following are the proposed 2018-19 allocation requests by Judicial Council office (additional details on each of the programs are located on Attachment B):**

1. **Audit Services** – Conducts operational audits of the superior and appellate courts.
  - a. Approve an allocation of \$370,000
    - i. The savings of \$268,000 from prior year is due to a reassessment of need.
2. **Branch Accounting and Procurement** – Supports the trial courts’ financial and human resources Phoenix System.
  - a. Approve a total allocation of \$1,503,205
    - i. Through reassessment of need there is a reduction of approximately 30% from the 2017-18 allocation. An additional allocation will be provided to the Judicial Council Information Technology office for its support of the Phoenix program.
3. **Center for Families, Children and the Courts** – Supports various programs within the courts for litigants.
  - a. Approve a total allocation of \$5,244,000
    - i. This request is unchanged from the prior year.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
**Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee**

- ii. Although the allocation of \$5,000,000 is unchanged in amount there has been a change in how unspent funds will be addressed. Provisional language was added to the 2018-19 Budget Bill that says, “Of the funds appropriated in this item, \$5,000,000 shall be available for support of services for self-represented litigants, and any unexpended funds shall revert to the General Fund.”
  
- 4. **Center for Judiciary Education & Research** – Provides education to judges, court leaders, court staff faculty, managers, supervisors, and lead staff.
  - a. Approve a total allocation of \$1,202,000
    - i. This request is unchanged from the prior year.
  
- 5. **Court Operations Services** - Program provides court interpreter testing.
  - a. Approve a total allocation of \$143,000
    - i. This request is unchanged from prior year.
  
- 6. **Budget Services** - Supports meetings of various committees and subcommittees as they relate to the trial courts funding, policies, and other issues.
  - a. Approve a total allocation of \$337,500
    - i. The two main expenditures are for Treasury Services-Cash Management and Budget Focused Training and Meetings. A slight increase of \$22,900 is requested due to increased staffing costs.
  
- 7. **Human Resources** – Supports the Trial Court Labor Relations Academy in supporting trial court staff in meeting its many labor challenges (not mandated).
  - a. Approve a total allocation of \$22,700
    - i. Through reassessment of need, this program reduced its request by 12%.
  
- 8. **Information Technology** – Supports many of the information systems for the Supreme Court, Courts of Appeal, and the 58 superior courts.
  - a. Approve an allocation of \$44,662,371
    - i. The reduced allocation amount of \$12,006,410 was realized in part by the Budget Change Proposal adjustments for one-time and/or full-year cost adjustments; savings for Telecommunications due to revision of hardware refresh costs; and Data Integration savings is due to reduction from the renegotiated TIBCO contract, and the reduction of a projected consultant.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

9. **Legal Services Office** – Supports the Judicial Council staff divisions and courts, manages litigation, and is responsible for rules and projects including the California Rules of Court and Judicial Council forms.
  - a. Approve a total allocation of \$6,888,500
    - i. The reduced need of \$181,500 is primarily due to ongoing savings from position vacancies in the Regional Office Assistance Program.

The 2018-19 IMF allocation requests total \$60,373,276. This amount is reflected in the IMF Fund Condition Statement (Attachment C). The fund is estimated to have a sufficient balance for this level of allocations based on current revenue projections and projections of expenditure savings in 2016-17 and 2017-18. There is a negative fund balance projected for 2019-20 using the current revenue projections and expenditure assumptions, the Judicial Council staff continue to work diligently with Department of Finance to resolve the structural deficit in IMF.

**Recommendation**

**The following recommendation is presented to the Revenue and Expenditure Subcommittee for consideration:**

Approve a total of \$60,373,276 in allocations for 2018-19 from the State Trial Court Improvement and Modernization Fund.

**Attachments**

1. **Attachment A:** Judicial Council Approved 2017-18 Allocations and 2018-19 Proposed Allocations from the IMF State Operations and Local Assistance Appropriations
2. **Attachment B:** Summary of Programs
3. **Attachment C:** IMF Fund Condition Statement



**Judicial Council-Approved 2017-18 Allocations and 2018-19 Proposed Allocations  
from the IMF State Operations and Local Assistance Appropriations**

#	Program Name	Office	2017-18 Allocations			Recommended 2018-19 Allocation			\$ Change from 2017-18	% Change from 2017-18	
			JC Approved Allocations	Proposed Adjustments	Pending Total Allocations	State Operations	Local Assistance	Total			
A	B	C	D	E	F	G	H	I = (G + H)	J = (I - F)	K = (J/F)	
	<b>Program Adjustments</b>										
1	Superior Court Audit Program	AS	\$ 660,000	\$ (22,000)	\$ 638,000	\$ 370,000	\$ -	\$ 370,000	(268,000)	-42%	
2	Phoenix Program	BAP	\$ 1,946,898	\$ -	\$ 1,946,898	\$ -	\$ 1,381,205	\$ 1,381,205	(565,693)	-29%	
3	Trial Court Procurement/TCAS-MSA-IMF	BAP	\$ 122,000	\$ -	\$ 122,000	\$ 122,000	\$ -	\$ 122,000	-	0%	
4	Domestic Violence Forms Translation	CFCC	\$ 17,000	\$ -	\$ 17,000	\$ -	\$ 17,000	\$ 17,000	-	0%	
5	Interactive Software - Self-Rep Electronic Forms	CFCC	\$ 60,000	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ 60,000	-	0%	
6	Self-Help Center	CFCC	\$ 5,000,000	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	\$ 5,000,000	-	0%	
7	Statewide Multidisciplinary Education	CFCC	\$ 67,000	\$ -	\$ 67,000	\$ -	\$ 67,000	\$ 67,000	-	0%	
8	Statewide Support for Self-Help Programs	CFCC	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ 100,000	-	0%	
9	CJER Faculty	CJER	\$ 316,000	\$ -	\$ 316,000	\$ -	\$ 340,000	\$ 340,000	24,000	8%	
10	Distance Education	CJER	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ 7,500	\$ 7,500	(12,500)	-63%	
11	Essential Court Management Education	CJER	\$ 18,000	\$ -	\$ 18,000	\$ -	\$ 18,000	\$ 18,000	-	0%	
12	Essential Court Personnel Education	CJER	\$ 116,000	\$ -	\$ 116,000	\$ -	\$ 91,000	\$ 91,000	(25,000)	-22%	
13	Judicial Education	CJER	\$ 732,000	\$ -	\$ 732,000	\$ -	\$ 745,500	\$ 745,500	13,500	2%	
14	Court Interpreter Testing etc.	COSSO	\$ 143,000	\$ -	\$ 143,000	\$ -	\$ 143,000	\$ 143,000	-	0%	
15	Budget Focused Training and Meetings	Finance	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ 50,000	-	0%	
16	Treasury Services - Cash Management (Support)	Finance	\$ 242,100	\$ 22,000	\$ 264,100	\$ 265,000	\$ -	\$ 265,000	900	0%	
17	Trial Court Labor Relations Academies and Forums	HR	\$ 25,700	\$ -	\$ 25,700	\$ -	\$ 22,700	\$ 22,700	(3,000)	-12%	
18	California Courts Protective Order Registry (CCPOR)	IT	\$ 716,414	\$ -	\$ 716,414	\$ 325,726	\$ 418,285	\$ 744,011	27,597	4%	
19	California Courts Technology Center (CCTC)	IT	\$ 9,776,446	\$ -	\$ 9,776,446	\$ 1,479,754	\$ 7,949,505	\$ 9,429,259	(347,187)	-4%	
20	Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3)	IT	\$ 4,226,987	\$ -	\$ 4,226,987	\$ 776,811	\$ 2,595,027	\$ 3,371,838	(855,149)	-20%	
21	Data Integration	IT	\$ 2,923,704	\$ -	\$ 2,923,704	\$ 554,966	\$ 1,668,285	\$ 2,223,251	(700,453)	-24%	
22	Enterprise Policy/Planning (Statewide Development)	IT	\$ 4,542,842	\$ -	\$ 4,542,842	\$ -	\$ 4,721,364	\$ 4,721,364	178,522	4%	
23	Interim Case Management Systems	IT	\$ 1,358,787	\$ -	\$ 1,358,787	\$ -	\$ 1,453,628	\$ 1,453,628	94,841	7%	
24	Jury Management System	IT	\$ 465,000	\$ 340,000	\$ 805,000	\$ -	\$ 465,000	\$ 465,000	(340,000)	-42%	
25	Phoenix Project - Fiscal Management System	IT	\$ 1,758,770	\$ -	\$ 1,758,770	\$ -	\$ 1,772,796	\$ 1,772,796	14,026	1%	
26	Telecommunications Program	IT	\$ 16,694,771	\$ -	\$ 16,694,771	\$ -	\$ 15,460,140	\$ 15,460,140	(1,234,631)	-7%	
27	Uniform Civil Filing Services	IT	\$ 392,438	\$ -	\$ 392,438	\$ 389,084	\$ -	\$ 389,084	(3,354)	-1%	
28	Judicial Performance Defense Insurance	LSO	\$ 1,150,000	\$ (194,000)	\$ 956,000	\$ -	\$ 1,150,000	\$ 1,150,000	194,000	20%	
29	Jury System Improvement Projects	LSO	\$ 19,000	\$ -	\$ 19,000	\$ -	\$ 19,000	\$ 19,000	-	0%	
30	Litigation Management Program	LSO	\$ 4,500,000	\$ 933,000	\$ 5,433,000	\$ -	\$ 4,500,000	\$ 4,500,000	(933,000)	-17%	
31	Regional Office Assistance Group	LSO	\$ 750,000	\$ (150,000)	\$ 600,000	\$ 568,500	\$ -	\$ 568,500	(31,500)	-5%	
32	Trial Courts Transactional Assistance Program	LSO	\$ 651,000	\$ 11,000	\$ 662,000	\$ -	\$ 651,000	\$ 651,000	(11,000)	-2%	
33	<i>Sub-Total Program Adjustments</i>		\$ 59,561,857	\$ 940,000	\$ 60,501,857	\$ 4,851,841	\$ 50,866,935	\$ 55,718,776	\$ (4,783,081)	-8%	
34	<b>BCP Adjustments (reflects one-time and/or full year cost adjustments)</b>										
35	Language Access- BCP	COSSO		\$ 352,000	\$ 352,000		\$ -	\$ -	(352,000)		
36	Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3) Replacement BCP	IT	\$ 9,200,000		\$ 9,200,000		\$ 500,000	\$ 500,000	(8,700,000)	-95%	
37	Madera CCTC Transition	IT	\$ 572,622		\$ 572,622			\$ -	(572,622)	-100%	
38	SRL (Self-Represented Litigants) BCP	IT					\$ 3,236,000	\$ 3,236,000	3,236,000		
39	Sustain Justice Edition CMS (FY 2017-18 BCP)	IT	\$ 4,100,000	\$ -	\$ 4,100,000		\$ 896,000	\$ 896,000	(3,204,000)	-78%	
40	<i>Sub-Total BCP Adjustments</i>		\$ 13,872,622	\$ 352,000	\$ 14,224,622	\$ -	\$ 4,632,000	\$ 4,632,000	(9,592,622)	-67%	
41	<b>Group Offsets (reflects reorganization of budget between offices)</b>										
42	Records Management	BAP	\$ 9,500	\$ -	\$ 9,500	\$ -		\$ -	(9,500)	-100%	
43	Trial Court Workload Study Support	COSSO	\$ 13,000		\$ 13,000	\$ -		\$ -	(13,000)	-100%	
44	Revenue Distribution Training	Finance	\$ -	\$ -	\$ -		\$ 9,500	\$ 9,500	9,500		
45	Workload Assessment Advisory Committee	Finance	\$ -	\$ -	\$ -		\$ 13,000	\$ 13,000	13,000		
46	<i>Sub-Total Group Offsets</i>		\$ 22,500	\$ -	\$ 22,500	\$ -	\$ 22,500	\$ 22,500	-	0%	
47	<b>Total</b>		\$ 73,456,979	\$ 1,292,000	\$ 74,748,979	\$ 4,851,841	\$ 55,521,435	\$ 60,373,276	\$ (14,375,703)	-20%	



**Attachment B**

**Summary of Programs**

#	Program Name	Office	Program Description
A	B	C	D
1	Superior Court Audit Program	AS	Conducts operational audits of the superior and appellate courts per the annual audit plan, as approved by the Advisory Committee for Audits and Financial Accountability for the Judicial Branch.
2	Phoenix Program	BAP	The Phoenix Program supports the judicial branch's financial and human resources system (the Phoenix System) with a diverse range of services, including a centralized treasury system, accounting and financial services, trust accounting services, human capital management/payroll services, and core business analysis, training, and support. All 58 courts currently use the financial component of the system. There are currently 13 courts utilizing the payroll component.
3	Trial Court Procurement	BAP	Pays for personal services costs for one FTE to create and maintain statewide procurement agreements for the courts.
4	Domestic Violence Forms Translation	CFCC	This program makes available to all courts, translation of domestic violence protective order forms in languages other than English. Since 2000, these forms have been translated into Spanish, Vietnamese, Chinese and Korean based on data from various language needs studies.
5	Interactive Software-Self-Rep Electronic Forms	CFCC	This program enables all courts to use Hotdocs Document Assembly Applications, which present court users with a Q&A format that automatically populates fields across all filing documents.
6	Self-Help Center	CFCC	Provides court-based assistance to self-represented litigants.
7	Statewide Multidisciplinary Education	CFCC	Supports the annual Youth Court Summit, the biannual Beyond the Bench Conference, and the biannual Family Law Educational Program (in alternating years).
8	Statewide Support for Self-Help Programs	CFCC	The Self-represented Litigants Statewide Support Program updates and expands the online California Courts Self-Help Center on the judicial branch website. Further, this program facilitates the translating of over 50 Judicial Council forms that are used regularly by self-represented litigants.
9	CJER Faculty	CJER	Lodging, meals, and travel for faculty teaching all CJER programs & developing products for the trial courts. Primarily pro bono judge and court staff faculty. Also supports faculty development & training for all audiences.
10	Distance Education	CJER	CJER Online website & toolkits video hosting & on-demand transmission, podcast course hosting, subscription service and transmission.
11	Essential Court Management Education	CJER	National and statewide training for court leaders, including Institute for Court Management (ICM) courses, CJER Core 40 and Core 24 courses, & other local & regional courses for managers, supervisors and lead staff.
12	Essential Court Personnel Education	CJER	The Court Clerks Training Institute - courtroom and court legal process education in civil, traffic, criminal, probate, family, juvenile, appellate. Regional and local court personnel courses. The biennial Trial Court Judicial Attorneys Institute.
13	Judicial Education	CJER	Programs for all newly elected or appointed judges and subordinate judicial officers required by Rule of Court 10.462 (c)(1) to complete the new judge education programs offered by CJER; Assignment overview courses for judges returning to an assignment after two years; the PJs/CEO & Supervising Judges Institutes, Judicial Institutes & courses for experienced judges.
14	Court Interpreter Testing etc.	COS	Pays for spoken language testing of interpreter candidates, new interpreter orientation, and recruitment and outreach.
15	Budget Focused Training and Meetings	Budget Services	Supports meetings of the Trial Court Budget Advisory Committee and associated subcommittees that deal with trial court funding policies and issues.
16	Treasury Services - Cash Management (Support)	Budget Services	Used for the compensation costs for two accounting staff.
17	Trial Court Labor Relations Academies and Forums	HR	<p>The Labor Relations Academy and Forums provide court management staff with comprehensive labor relations knowledge that assists the courts in meeting its labor challenges. The Academies are held once per year in the spring and the Forums are held once per year in the fall.</p> <p>The allocation pays for costs tied to the setup and operations of HR's annual Labor Relations Academies and Forums. Typical expenses include: reimbursement of travel expenses for trial court employees who participate as faculty; lodging for all trial court attendees (including those who serve as faculty); meeting room/conference room rental fees; books/reference materials if needed; and meals for trial court participants of the Labor Relations Forum.</p> <p>Following each Academy, program staff send out surveys to gather feedback and receive suggestions for future events. In addition, participant attendance is gathered and reported to the Judicial Council as part of the Administrative Director's Report to the Council.</p>
18	California Courts Protective Order Registry (CCPOR)	IT	The California Courts Protective Order Registry (CCPOR) is a statewide repository of protective orders containing both data and scanned images of orders that can be accessed by judges, court staff, and law enforcement officers. CCPOR allows judges to view orders issued by other court divisions and across county lines.
19	California Courts Technology Center (CCTC)	IT	<p>The CCTC hosts some level of services for the 58 California superior courts, all the Courts of Appeal and the Supreme Court and has over 10,000 supported users. Major installations in the CCTC include the following:</p> <ul style="list-style-type: none"> <li>• Appellate Court Case Management System (ACCMS)</li> <li>• California Court Protective Order Registry (CCPOR)</li> <li>• Phoenix - Trial Court Financial and Human Resources System</li> <li>• Sustain Interim Case Management System (ICMS)</li> <li>• Computer Aided Facilities Management (CAFM) system</li> <li>• Civil, Small Claims, Probate, and Mental Health Trial Court Case Management System (V3)</li> <li>• Integration Services Backbone (ISB)</li> </ul> <p>This program provides consistent, cost effective, and secure hosting services, including ongoing maintenance and operational support, data network management, desktop computing and local server support, tape back-up and recovery, help desk services, email services, and a disaster recovery program.</p>
20	Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3)	IT	V3 is used by the California Superior Courts of Orange, Sacramento, San Diego, and Ventura Counties. The courts use it to process approximately 25% of civil, small claims, probate, and mental health cases statewide.
21	Data Integration	IT	Data Integration provides system interfaces between Judicial Council systems and the computer systems of our justice partners, be they courts, law enforcement agencies, the department of justice and others. Without the Integrated Services Backbone (ISB), the current systems for sharing protective orders, for example, would not function.

**Attachment B**

#	Program Name	Office	Program Description
A	B	C	D
22	Enterprise Policy/Planning (Statewide Development)	IT	The Enterprise Policy and Planning program provides the trial courts access to a variety of Oracle products (e.g., Oracle Enterprise Database, Real Application Clusters, Oracle Security Suite, Oracle Advanced Security, Diagnostic Packs, Oracle WebLogic Application Server) without cost to the courts.
23	Interim Case Management Systems	IT	This ICMS Unit primarily provides project management and technical expertise to those courts which have their SJE application hosted at the CCTC. This support includes incorporating legislative updates into the SJE application, integrating application upgrades into the CCTC and supporting CCTC infrastructure upgrades. Locally hosted SJE courts also utilize ICMS resources as requested for legislative updates such as traffic amnesty. The ICMS Unit support includes support for SJE interfaces at CCTC including DMV, DOJ, FTB COD collections, IVR/IWR processing, warrants and FTA-FTP collection interfaces among others. The ICMS Unit also provides SJE production support which is critical to ensuring that the SJE application and interfaces are available to support court operations and provide information to local/state justice partners.
24	Jury Management System	IT	The allocation for the Jury Program is used to distribute funds to the trial courts in the form of grants to improve court jury management systems. All trial courts are eligible to apply for the jury funding. The number of courts receiving grants varies according to the amount of grant funding available and the number of jury grant requests received.
25	Phoenix Program	IT	The Phoenix Program supports the judicial branch's financial and human resources system (the Phoenix System) with a diverse range of services, including a centralized treasury system, accounting and financial services, trust accounting services, human capital management/payroll services, and core business analysis, training, and support. All 58 courts currently use the financial component of the system. There are currently 13 courts utilizing the payroll component.
26	Telecommunications Support	IT	• This program develops and supports a standardized level of network infrastructure for the California superior courts. This infrastructure provides a foundation for local systems (email, jury, CMS, VOIP, etc.) and enterprise system applications such as Phoenix via shared services at the CCTC, provides operational efficiencies, and secures valuable court information resources.
27	Uniform Civil Filing Services (UCFS)	IT	This program supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of over \$47 million distributed per month. The system generates reports for the State Controller's Office and various entities that receive the distributed funds. There are over 215 fee types collected by each court, distributed to 23 different entities (e.g. Trial Court Trust Fund, County, Equal Access Fund, Law Library, etc.), requiring 65,572 corresponding distribution rules that are maintained by UCFS. UCFS benefits the public by minimizing the amount of penalties paid to the state for incorrect or late distributions and ensuring that the entities entitled to a portion of the civil fees collected, as mandated by law, receive their correct distributions.
28	Judicial Performance Defense Insurance	LS	The allocation for the Judicial Performance Defense Insurance program is used to pay the insurance premium for trial court judges and judicial officers for the Commission on Judicial Performance (CJP) defense master insurance policy. The program (1) covers defense costs in CJP proceedings related to CJP complaints; (2) protects judicial officers from exposure to excessive financial risk for acts committed within the scope of their judicial duties, and (3) lowers the risk of conduct that could lead to complaints through required ethics training for judicial officers.
29	Jury System Improvements	LS	This program is related to Jury Instructions and is a "self-funding" PCC. Funds in this account are generated by royalties generated from sales of criminal and civil jury instructions. The funds are deposited pursuant to the Government Code.
30	Litigation Management Program	LS	The allocation for the Litigation Management Program is used to pay settlements, judgments (if any), and litigation costs, including attorney fees, arising from claims and lawsuits brought against trial courts.
31	Regional Office Assistance Group	LS	The allocation for the Regional Office Assistance Group is used to pay for two attorneys and one support personnel working in Sacramento to provide direct legal services to the trial courts in the areas of legal opinions and labor and employment law.
32	Trial Courts Transactional Assistance Program	LS	The allocation for the Trial Court Transactional Assistance Program is used primarily to pay for outside counsel managed by the Legal Services office to represent the trial courts in labor arbitrations and proceedings before the Public Employment Relations Board (PERB). To a lesser extent, the funds are used to pay for outside counsel to assist trial courts with legal services in specialized areas of court operations, e.g., tax and employee benefits.
33	<b>BCP Funding</b>		
34	Language Access- BCP	COS	One-time funding for Video Remote Interpreting Spoken Language Pilot designed to advance language access expansion efforts in the courts.
35	Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3) Replacement BCP	IT	The allocation was to replace V3 Court Case Management Systems in the Superior Courts of California - Orange, Sacramento, San Diego, and Ventura counties.
35	Madera CCTC Transition	IT	One-time funding from IMF to transition from the California Court Technology Center (CCTC) to their own independent information technology infrastructures. Approved by the Judicial Council on January 19, 2017.
37	SRL (Self-Represented Litigants) BCP	IT	The allocation is to design, build and maintain a statewide Self-Represented Litigants e-Services Web Portal to enable those without legal representation to research, e-file, and track non-criminal cases via an online portal
38	Sustain Justice Edition CMS (FY 2017-18 BCP)	IT	The allocation was approved to replace the Sustain Justice Edition Case Management System in the Superior Courts of California - Humboldt, Lake, Madera, Modoc, Plumas, Sierra, San Benito, Trinity and Tuolumne Courts.
39	<b>Programs Reorganized</b>		
40	Revenue Distribution Training/Records Management	Budget Services	Funding moved from BAP to FSO. Pays for annual training on Revenue Distribution to all the collection programs as well as annual CRT training.
41	Workload Assessment Advisory Committee/Trial Court Workload Study	Budget Services	Funding moved from COSSO to FSO. Pays for meeting expenses of the Workload Assessment Advisory Committee (WAAC) and travel expenses for court personnel and judges related to workload studies.

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

#	Description	Estimated						
		2014-15 (Year-end Financial Statement)	2015-16 (Year-end Financial Statement)	2016-17 (Year-end Financial Statement)	2017-2018	2018-2019	2019-2020	2020-2021
		A	B	C	D	E	F	G
1	Beginning Balance	26,206,661	9,255,317	6,956,187	9,300,613	6,297,317	2,998,389	4,243,506
2	Prior-Year Adjustments	2,877,000	753,239	4,188,013	520,415	0	0	0
3	<b>Adjusted Beginning Balance</b>	<b>29,083,661</b>	<b>10,008,556</b>	<b>11,144,200</b>	<b>9,821,028</b>	<b>6,297,317</b>	<b>2,998,389</b>	<b>4,243,506</b>
4	<b>REVENUES:</b>							
5	Jury Instructions Royalties	532,783	552,000	607,672	736,258	748,581	748,581	748,581
6	Interest from SMIF	100,734	170,114	415,663	749,951	749,951	749,951	749,951
7	Escheat-Unclaimed Checks, Warrants, Bonds	2,000	1,085	7,615	2,000	2,000	2,000	2,000
8	50/50 Excess Fines Split Revenue	23,702,658	20,219,295	13,160,903	11,651,850	11,194,497	10,746,717	10,746,717
9	2% Automation Fund Revenue	14,730,023	12,463,280	12,792,097	11,027,329	10,220,439	9,619,927	9,619,927
10	Other Revenues/SCO Adjustments	28,233	62,857	0	10,000	10,000	10,000	10,000
11	Class Action Residue				95,880	95,880	95,880	95,880
12	<b>Subtotal Revenues</b>	<b>39,096,431</b>	<b>33,468,632</b>	<b>26,983,950</b>	<b>24,273,268</b>	<b>23,021,348</b>	<b>21,973,056</b>	<b>21,973,056</b>
13	<b>Transfers and Other Adjustments</b>							
14	To TCTF (GC 77209(k))	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)
15	To Trial Court Trust Fund (Budget Act)	(20,594,000)	(594,000)	(594,000)	(594,000)	(594,000)	(594,000)	(594,000)
16	<b>Total Revenues, Transfers, and Other Adjustments</b>	<b>5,105,431</b>	<b>19,477,632</b>	<b>12,992,950</b>	<b>10,282,268</b>	<b>9,030,348</b>	<b>7,982,056</b>	<b>7,982,056</b>
17	<b>Total Resources</b>	<b>34,189,092</b>	<b>29,486,188</b>	<b>24,137,150</b>	<b>20,103,296</b>	<b>15,327,665</b>	<b>10,980,445</b>	<b>3,738,550</b>
18	<b>EXPENDITURES:</b>							
19	Judicial Branch Total State Operations	13,289,265	14,213,000	6,002,763	6,149,110	4,851,841	5,030,050	3,562,943
20	Judicial Branch Total Local Assistance	50,353,510	52,535,000	65,451,774	61,668,869	55,521,435	56,005,901	51,574,150
21	<b>Total Expenditures</b>	<b>63,642,775</b>	<b>66,748,001</b>	<b>71,454,537</b>	<b>67,817,979</b>	<b>60,373,276</b>	<b>61,035,951</b>	<b>55,137,093</b>
22	<b>Expenditure Adjustments:</b>							
23	Pro Rata and Other Adjustments			660,000	306,000	306,000	306,000	306,000
24	Less funding provided by General Fund (Local Assistance)	38,709,000	44,218,000	56,618,000	54,318,000	48,350,000	46,118,000	44,927,000
25	<b>Total Expenditures and Adjustments</b>	<b>24,933,775</b>	<b>22,530,001</b>	<b>14,836,537</b>	<b>13,805,979</b>	<b>12,329,276</b>	<b>15,223,951</b>	<b>10,516,093</b>
26	<b>Fund Balance</b>	<b>9,255,317</b>	<b>6,956,187</b>	<b>9,300,613</b>	<b>6,297,317</b>	<b>2,998,389</b>	<b>-4,243,506</b>	<b>-6,777,543</b>
27	<b>Restricted Funds - Jury Management</b>	<b>816,367</b>	<b>882,733</b>	<b>1,104,525</b>	<b>1,016,783</b>	<b>1,281,364</b>	<b>1,545,945</b>	<b>1,545,945</b>
28	<b>Restricted Funds - Sargent Shriver Civil Counsel</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>95,880</b>	<b>191,760</b>	<b>287,640</b>	<b>383,520</b>
29	<b>Fund Balance - less restricted funds</b>	<b>8,438,950</b>	<b>6,073,454</b>	<b>8,196,088</b>	<b>5,184,654</b>	<b>1,525,265</b>	<b>-6,077,091</b>	<b>-8,707,008</b>
30	<b>Structural Balance</b>	<b>-19,828,344</b>	<b>-3,052,369</b>	<b>-1,843,587</b>	<b>-3,523,711</b>	<b>-3,298,928</b>	<b>-7,241,895</b>	<b>-2,534,037</b>

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

**(Action Item)**

**Title:** 2018-19 Allocations from the Trial Court Trust Fund (TCTF)  
**Date:** 5/18/2018  
**Contact:** Michele Allan, Budget Supervisor, Judicial Council Budget Services  
916-263-1374 | [Michele.Allan@jud.ca.gov](mailto:Michele.Allan@jud.ca.gov)

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**Issue**

Consider adopting recommendations for the 2018–19 allocations from the TCTF for consideration by the Trial Court Budget Advisory Committee at its May 31, 2018 meeting and for Judicial Council consideration at its July 19-20, 2018 meeting.

The proposed allocations for the TCTF Judicial Council (0140010, formerly Program 30.05), and Expenses on Behalf of Trial Courts (0150095, formerly Program 30.15) appropriations are provided in Attachment A. A narrative description of these programs is provided in Attachment B.

The proposed allocations for the TCTF Support for Operations of the Trial Courts (0150010, formerly Program 45.10) are provided in Attachment C. Column C identifies which line items are being brought forward for consideration. 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 D provides narrative descriptions of TCTF Support for Operations of the Trial Courts programs.

The Revenue and Expenditure (R&E) Subcommittee is being asked to consider specific programs that reimburse trial court costs from the TCTF Support for Operation of the Trial Courts appropriation. Other allocations depend on enactment of the State Budget; 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 D identifies which line items are not being brought forward for consideration and why.

**Proposed 2018-19 Preliminary Allocations**

**TCTF Judicial Council (0140010, formerly Program 30.05)**

**Proposed 2018-19 Allocation - \$3,633,676**

1. Sargent Shriver Civil Counsel Pilot Program
  - a. Approve \$500,000; no change from 2017-18 allocation.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

2. Equal Access
  - a. Approve 246,000; a \$12,000 decrease from 2017-18 allocation.
    - i. Allocation based on revenue.
3. Court-Appointed Dependency Counsel Collections
  - a. Approve \$260,000, no change from 2017-18 allocation.
4. Statewide Support for Collections Programs
  - a. Approve \$625,000, no change from 2017-18 allocation.
5. Phoenix Financial and Human Resources
  - a. Approve \$1,511,676, no change from 2017-18 allocation.
6. Statewide E-Filing
  - a. Approve \$491,000, a reduction of \$180,000 from the 2017-18 allocation.
    - i. Funding for the program is provided through a loan of \$1,162,000 (\$671,000 in 2017-18 and \$491,000 in 2018-19).

**Expenses on Behalf of the Trial Courts (0150095, formerly Program 30.15)**  
**Proposed 2018-19 Allocation - \$9,175,085**

1. Children in Dependency Case Training
  - a. Approve \$113,000; no change from 2017-18 allocation.
2. Sargent Shriver Civil Counsel Pilot Program – See Program 0140010 for details of program.
  - a. Approve \$6,433,142, reduction of \$811,295 from 2017-18 allocation.
    - i. Reduction due to decrease in revenue.
1. Civil, Small Claims, Probate and Mental Health (V3) Case Management System
  - a. Approve \$564,000, no change from the 2017-18 allocation.
2. California Courts Technology Center (CCTC)
  - a. Approve \$1,045,943, reduction of \$426,057 from 2017-18 allocation.
    - i. The TCTF CCTC program costs will be decreasing as Lake, Modoc, Plumas, and San Benito move from CCTC managed courts to the new Placer Hosting Center.
3. Interim Case Management System
  - a. Approve \$361,000, no change from 2017-18 allocation.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

4. Other Post-Employment Benefits Valuation Contract
  - a. *Approve \$118,000, reduction of \$417,000 from 2017-18 allocation.*
    - i. The contract provides for the majority of the data gathering and development of actuarial reports be performed in the first year, 2017-18. This results in the majority of the costs being expended in the first year and a smaller amount in the second.
3. SCO Audit – Pilot Program
  - a. *Approve \$540,000, new request from 2017-18 allocation.*
    - i. Per GC 77206 (h)(4) the SCO pilot program audits trial courts every other year.

**TCTF Support for Operations of the Trial Courts (0150010, formerly Program 45.10)**

***Proposed 2018-19 Allocation - \$176,030,316***

1. Court-Appointed Dependency Counsel
  - a. *Approve \$136,700,000, no change from 2017-18 allocation.*
2. Self-Help Centers
  - a. *Approve \$21,600,000, increase of \$19,100,000 from 2017-18 allocation.*
    - i. The increase is due to a 2018-19 approved BCP to implement recommendations of the Chief Justice's Commission on the Future of the California Courts regarding self-represented litigants.
3. Court-Appointed Dependency Counsel Collections
  - a. *Approve \$672,976, reduction of \$238,310 from 2017-18 allocation*
    - ii. Allocation based on anticipated court collections
4. Screening Equipment Replacement
  - a. *Approve \$1,900,000, reduction of \$386,000 from 2017-18 allocation*
    - i. A solicitation conducted in 2017-18, resulted in overall lower pricing than past contracts.
5. Jury
  - a. *Approve \$14,500,000, no change from 2017-18 allocation.*
6. Elder Abuse
  - a. *Approve \$332,340, no change from 2017-18 allocation.*



JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

7. California State Auditor Audits
- a. *Approve \$325,000, no change from 2017-18 allocation.*

The projected 2018–19 ending TCTF fund balance is \$74.0 million. Approximately \$17.1 million are monies that are either statutorily restricted or restricted by the council. The estimated unrestricted fund balance is \$56.9 million.

The \$10 million in urgent needs funding assumes nothing is allocated in 2018–19. If monies are allocated, courts would need to replenish the monies up to what was allocated by the council from their allocations in 2019–20.

The 2018-19 allocation requests total \$188,839,077. The fund is estimated to have a sufficient balance for this level of allocations based on current revenue projections and 2017-18 projected savings.

**Recommendation**

The recommendation presented to the R&E Subcommittee for consideration is to approve a total of \$188,739,077 in preliminary allocations for 2018-19 from the TCTF.

**Options**

- A. Adopt the preliminary recommendations for 2018–19 TCTF allocations for consideration by the Trial Court Budget Advisory Committee at its June 8, 2018 meeting and for council consideration on July 19-20, 2018.
- B. Revise the preliminary recommendations for 2018–19 TCTF allocations for consideration by the Trial Court Budget Advisory Committee at its June 8, 2018 meeting and for council consideration on July 19-20, 2018.

**Attachments**

**Attachment A:** TCTF Judicial Council Staff and Expenses on Behalf of the Trial Courts Allocations

**Attachment B:** TCTF Judicial Council Staff (0140010); Expenses on Behalf of the Trial Courts (0150095) Narrative

**Attachment C:** TCTF Support for Operations of the Trial Courts (0150010) Allocations

**Attachment D:** Support for Operations of the Trial Courts (0150010) Narrative

**Attachment E:** TCTF Fund Condition

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

#	Project and Program Title	2017-18 JC- Approved Judicial Council (Staff) (0140010)	Expenses on Behalf of the Trial Courts (0150095)	2017-18 Approved Total Allocation	2018-19 Proposed Preliminary Allocation Recommendations			Program Allocation Increase/ (Decrease)
		Col. A	Col. B	Col. C (Col A + B)	Judicial Council (Staff) <sup>1</sup> (0140010)	Expenses on Behalf of the Trial Courts (0150095)	Total	Col. G
		Col. A	Col. B	Col. C (Col A + B)	Col. D	Col. E	Col F (Col. D + E)	Col. G
1	Children in Dependency Case Training	-	113,000	113,000		113,000	113,000	-
2	Sargent Shriver Civil Counsel Pilot Program	500,000	7,244,437	7,744,437	500,000	6,433,142	6,933,142	(811,295)
3	Equal Access Fund	258,000	-	258,000	246,000		246,000	(12,000)
4	Court-Appointed Dependency Counsel Collections	260,000	-	260,000	260,000		260,000	-
5	Statewide Support for Collections Programs	625,000	-	625,000	625,000		625,000	-
6	<b>Programs Funded from Courts' TCTF Allocations</b>							
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		1,045,943	1,045,943	(426,057)
9	Interim Case Management System	-	361,000	361,000		361,000	361,000	-
10	Phoenix Financial Services	107,000	-	107,000	107,000		107,000	-
11	Phoenix HR Services	1,404,676	-	1,404,676	1,404,676		1,404,676	-
12	Other Post Employment Benefits Valuations		535,000	535,000		118,000	118,000	(417,000)
13	Statewide E-Filing Implementation				491,000		491,000	491,000
14	SCO Audit - Pilot program per GC 77206 (h)(4)		-			540,000	540,000	540,000
15	<b>Total, Program/Project Allocations</b>	<b>3,154,676</b>	<b>10,289,437</b>	<b>13,444,113</b>	<b>3,633,676</b>	<b>9,175,085</b>	<b>12,808,761</b>	<b>(635,352)</b>
16	<b>Department of Motor Vehicles Amnesty Program service charges</b>	<b>250,000</b>		<b>250,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>N/A</b>
17	<b>Estimated State Controller's Office services charges</b>	<b>303,000</b>		<b>303,000</b>		<b>-</b>	<b>-</b>	<b>N/A</b>
19	<b>Estimated Budget Act Appropriation and Changes Using Provisional Language Authority<sup>1</sup></b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>3,945,000</b>	<b>11,325,000</b>	<b>15,270,000</b>	<b>N/A</b>
20	<b>Appropriation Balance</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>311,324</b>	<b>2,149,915</b>	<b>2,461,239</b>	<b>N/A</b>

1. Provisional language in the State Budget Act of 2017 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.

Description of Judicial Council and Trial Court Operations  
Projects/Programs Proposed to the Trial Court Budget Advisory  
Committee Revenue and Expenditure Subcommittee by the Judicial  
Council of California for 2018-19

**TCTF Judicial Council (0140010, formerly Program 30.05)**

**OPERATIONS AND PROGRAMS DIVISION**

**Center for Families, Children, and the Courts**

***Sargent Shriver Civil Counsel Pilot Program***

*Proposed 2018-19 Allocation – \$500,000; no change from 2017-18*

**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 post judgment 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 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.

Most 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 2018-19 Allocation – \$246,000; a \$12,000 decrease from 2017-18 allocation*

#### **Description:**

For the last 19 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 2016-17, and then by an additional \$5 million in 2017-18 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. Forty-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 2018-19 Allocation – \$260,000, no change from 2017-18 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 conference calls as required 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 2018-19 Allocation – \$625,000, no change from 2017-18 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.

### **Branch Accounting and Procurement**

#### ***Phoenix Financial and Human Resources Services***

*Proposed 2018-19 Allocation – \$1,511,676, no change from 2017-18 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 13 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.

### **Information Technology Office**

#### ***Statewide e-Filing***

*Proposed 2018-19 Allocation - \$491,000, reduction of \$180,000 from the 2017-18 allocation.*

### **Description:**

The Statewide e-filing program will provide services designed to promote, enable, and assist full court participation in e-filing. The program, staffed by three positions (Supervisor, Sr. Developer and Sr. Analyst) will enable:

- Integration with an Identity and Access Management systems.
- Integration with the preferred financial gateway systems where the Judicial Council has secured favorable rates.
- Establishment of standards management, certification, and support services for statewide e-filing managers (EFMs) and e-filing service providers (EFSPs).
- Support for superior court e-filing implementations leveraging the established e-filing environment.

Funding for the program is provided through a loan of \$1,162,000 (\$671,000 in 2017-18 and \$491,000 in 2018-19) with loan repayment in the first two years based on cost recovery fees collected through filing fees. The loan payback period is through June 30, 2021.

California law authorizes both direct e-filing and e-filing through an EFSP (See Code Civ. Proc, §

1010.6(d)(1)(B); Cal. Rules of Court, rule 2.253(a).) In most instances, parties or their attorneys file through an EESP. A party or attorney sends the documents through a user interface to the EESP for filing. The EFSP handles the actual filing, including compliance with any technical requirements. After filing, the EFSPs also provide feedback to the parties about the case; and can offer additional services, such as the service of documents on all parties in the case. Under current law, a court can institute mandatory e-filing only if it has more than one EFSP or direct e-filing. This requirement fosters competition and provides the public with a choice.

California has a variety of innovative EFSPs based or operating in the state. While some of the courts in California have realized a degree of success and innovation in e-filing, progress has been limited. This partial adoption of e-filing has been influenced by the actions of e-filing vendors who have created a difficult economic environment by:

- Focusing on high volume courts almost to the exclusion of the smaller courts;
- Creating monopolies through the use of proprietary designs;
- Creating barriers to entry and operation for innovative EFSPs; and
- Extracting higher fees for filing and payment processing.

Currently, courts that have implemented e-filing have an EFM provided by the same vendor as their CMS and are deploying e-filing as a local county event. While this model satisfies many of the needs of the individual court, it creates challenges for attorneys that file in multiple counties and creates uneven services from county to county. Further, the majority of courts do not have any e-filing capability. Those courts that do have e-filing rely on either a single EFSP or EFM to provide identity management and financial gateway integration. The EFSP is analogous to the attorney service firm or couriers in a paper world; it provides the interface to the court filer,

collects filing data, fees and may provide educational and other value-added services (e.g., process serving, billing assistance). The EFM is analogous to the counter clerk; it interacts with the EFSP by electronically accepting the filing, settling the payment, and presents the filing for clerical review and, upon approval, helps electronically move the data into the court's case and document management systems.

Fundamental to the multiple EFM-EFSP model is a statewide identity management capability. The filer ultimately has their relationship with the court in which their case is heard, but may want to interact with the court (or multiple courts) through different EFSPs on the same or different cases. To ensure seamless access to their case, the branch should manage filer identities across courts, EFMs and EFSPs. To improve access the program enables a statewide identity management capability that will be used by all EFMs, EFSPs and courts in support of e-filing.

Another key capability of e-filing is the management, handling, and payment of court fees. Traditionally additional processing costs for collecting and managing court fees are determined by the vendors (EFSP and/or EFM) and are passed on to the filer. It is not uncommon for these vendors to add 2 to 3 percent to the cost of court fees, which can be substantial. Financial institutions determine the credit card merchant fees based on revenue volume, credit-worthiness, likelihood of chargebacks, and refunds. In part from the sheer volume of monies collected by the court (via credit card processing), the fact that as a government agency payment is more certain, the judicial branch, can and has already, negotiated more favorable terms than the vendors can achieve.

Lastly, establishing an EFM-EFSP certification process, providing ombudsman support, and facilitating issue resolution are necessary to ensure the statewide model is operational. Thus, to adequately support adoption of standards-based, statewide e-filing, the Judicial Council will need responsibilities in relation to EFMs, payment processors, identity management authority, and a certification authority. The program anticipates cost recovery for EFSP certification to be funded via fees to vendors; and following the initial two-year period, support for any ongoing positions will be funded via court e-filing/digital court cost recovery fees that will increase as more courts adopt the statewide e-filing model.

## **Expenses on Behalf of the Trial Courts (0150095)**

### **OPERATIONS AND PROGRAMS DIVISION**

#### **Center for Families, Children, and the Courts**

##### ***Children in Dependency Case Training***

*Proposed 2018-19 Allocation – \$113,000; no change from 2017-18 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 2018-19 Allocation – \$6,433,142, reduction of \$811,295 from 2017-18 allocation*

**Description:**

See TCTF Judicial Council (0140010, formerly Program 30.05) description for detail of program.

**ADMINISTRATIVE DIVISION**

**Information Technology Office**

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

*Proposed 2018-19 Allocation – \$100,920, reduction of \$463,080 from the 2017-18 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 2018-19 Allocation – \$1,045,943, reduction of \$426,057 from 2017-18 allocation.*

**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, and San Benito move from CCTC managed courts to the new Placer Hosting Center. The transition of the courts from the CCTC to the Placer 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 2017-18 budget in the event there are delays in the schedule.

### ***Interim Case Management System***

*Proposed 2018-19 Allocation – \$361,000 no change from 2017-18 allocation.*

#### **Description:**

The ICMS unit provides program support to trial courts using Sustain Justice Edition (SJE) case management. Currently, there are nine courts using SJE. Two of these nine courts are hosted at the California Courts Technology Center (CCTC) and support provided to these 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 2017-18, six SJE courts transitioned away from CCTC hosting of SJE to an alternative hosting solution.

## **Budget Services**

### ***Other Post-Employment Benefits Valuation Contract***

*Proposed 2018-19 Allocation – \$118,000, reduction of \$417,000 from 2017-18 allocation.*

**Description:**

This funding supports the GASB 75 federally and state mandated annual reporting requirements for government entities to report on their other post-employment benefits (OPEB) liabilities and assets set-aside in irrevocable trusts for the payment of future OPEB expenses. The Judicial Council has centrally managed this effort on behalf of trial courts for the past three reporting cycles. The OPEB reporting, as of June 30, 2019, to be completed during 2018-19 at a not-to exceed cost of \$118,000 will be expended for actuarial consultant services, which includes 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. The actuary services includes the valuation of assets placed in irrevocable trusts by 37 trial courts.

The reduction in allocation for 2018-19 is the result of changes to the GASB 75 reporting requirements. Previously, government entities were required to provide a report once every 2 years, but the requirement has changed to require a report every year. The current contract with the vendor that performs these services is for 2 years. The contract provides for the majority of the data gathering and development of actuarial reports be performed in the first year, 2017-18. In the second year, the same information from the first year is used with some minor updates to trust asset information. This results in the majority of the costs being expended in the first year and a smaller amount in the second.

***SCO Audit – Pilot Program***

*Proposed 2018-19 Allocation – \$540,000, a new request from 2017-18 allocation*

Per GC 77206 (h)(4) the SCO audit program, commencing not earlier than July 1, 2011, and not later than December 15, 2012, a pilot program shall be established to audit six trial courts. Audits are performed every other year. Reasonable costs of audits are to be paid from funds of the local trial court being audited.

**FY 2017-18 and FY 2018-19 Trial Court Trust Fund Support for Operation of the Trial Courts:  
Appropriation vs. Estimated/Approved Allocations**

#	Description	Type	2017-18	2018-19	Proposed Preliminary Allocations for Consideration	Explanation for Items Not Considered
			Budget Act	Preliminary/Approved Allocations		
			Col. A	Col. B		
1	<b>I. Prior-Year Ending Baseline Allocation</b>	Base	1,752,443,442	1,751,422,020	1,751,422,020	
2	<b>II. Adjustments</b>					
3	Reduction for Appointed Converted SJO Positions	Base	-621,355	-1,007,523		JC policy
4	\$25.0 Million in Court Innovations Grants (Total Funding for Both Trial and Appellate Courts)	Non-Base	25,000,000			Prior Year
5	\$21.4 Million in Proposition 47 Workload Funding	Non-Base	21,400,000			Prior Year
6	<b>V. Statutory Allocation Adjustments</b>					
7	1% Fund Balance Cap Reduction	Non-Base	-7,392,571	pending		pending
8	Adjustment for Funding to be Distributed from ICNA	Non-Base	-50,000,000	-50,000,000		Budget Act
9	Criminal Justice Realignment Funding	Non-Base	9,223,000	9,223,000		Item 4, F
10	Reduction for Appointed Converted SJO Positions	Base	-400,067	pending		JC policy
11	<b>VI. Allocation for Reimbursements</b>					
12	Court-Appointed Dependency Counsel	Non-Base	136,700,000	136,700,000	136,700,000	JC approved
13	Jury	Non-Base	14,500,000	14,500,000	14,500,000	JC approved
14	Replacement Screening Stations	Non-Base	2,286,000	1,900,000	1,900,000	JC approved
15	Self-Help Center	Non-Base	2,500,000	21,600,000	21,600,000	JC approved
16	Elder Abuse	Non-Base	332,000	332,340	332,340	JC approved
17	CSA Audits <sup>1</sup>	Non-Base	325,000	325,000	325,000	JC approved
18	CAC Dependency Collections Reimbursement Rollover	Non-Base	-86,185	pending	pending	JC approved
19	CAC Dependency Collections Reimbursement	Non-Base	542,978	672,976	672,976	JC approved

**FY 2017-18 and FY 2018-19 Trial Court Trust Fund Support for Operation of the Trial Courts:  
Appropriation vs. Estimated/Approved Allocations**

#	Description	Type	2017-18	2018-19	Proposed Preliminary Allocations for Consideration	Explanation for Items Not Considered
			Budget Act	Preliminary/Approved Allocations		
			Col. A	Col. B	Col. C	Col. D
20	<b>VII. Estimated Revenue Distributions</b>					
21	Civil Assessment	Non-Base	62,802,891	50,328,000		JC policy
22	Fees Returned to Courts	Non-Base	22,091,816	22,453,000		statutory
23	Replacement of 2% automation allocation from TCIF	Non-Base	10,907,494	10,907,000		statutory
24	Children's Waiting Room	Non-Base	3,378,624	3,488,000		JC policy/statute
25	Automated Recordkeeping and Micrographics	Non-Base	2,573,763	2,697,000		JC policy
26	Telephonic Appearances Revenue Sharing	Non-Base	943,840	943,840		JC policy/statute
27	Prior Year Revenues	Non-Base	0	0		JC policy/statute
29	<b>VIII. Miscellaneous Charges</b>					
30	Repayment of Prior Year Cash Advance	Non-Base		50,000,000		Non-allocation
31	State Admin Infrastructure Charges Prior Year Adjustment	Non-Base				JC policy
32	Statewide Administrative Infrastructure Charges	Non-Base	-5,838,019	-4,140,619		JC policy
33	Prior Year Facility Payments Charge Adjustments	Non-Base				JC policy
34	<b>Total</b>		<b>2,003,612,651</b>	<b>2,022,344,034</b>	<b>1,927,452,336</b>	
35	Support for Operation of the Trial Courts Appropriation Budget Act <sup>2</sup>		2,047,487,000	2,049,005,000		
36	<b>Adjusted Appropriation</b>		<b>2,047,487,000</b>	<b>2,049,005,000</b>		
37	<b>Estimated Remaining Appropriation</b>		<b>43,874,349</b>	<b>26,660,966</b>		

1 Provision 12 of the 2017 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 \$136,700,000 for Item 0250-102-0932 - Court-Appointed Dependency Counsel.

Description of Judicial Council and Trial Court Operations  
Projects/Programs Proposed to the Trial Court Budget Advisory  
Committee Revenue and Expenditure Subcommittee by the Judicial  
Council of California for 2018-19

**TCTF Support for Operations of the Trial Courts (0150010,  
formerly Program 45.10)**

**OPERATIONS AND PROGRAMS DIVISION**

**Center for Families, Children, and the Courts**

***Court-Appointed Dependency Counsel***

*Proposed 2018-19 Allocation – \$136,700,000, no change from 2017-18 allocation*

**Description:**

For 2017-18, the Trial Court Budget Advisory Committee (TCBAC) recommended and the council approved that the program's \$136.7 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 2010–11 and \$3.5 million in 2011–12 to reimburse court expenses in excess of the base level. Total 2018-19 reimbursements are estimated to be about \$136.7 million.

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 implemented in FY 2016-17 and will continue to be employed. A working group appointed by the Judicial Council also recommended some adjustments to this methodology related to small courts. The Judicial Council will approved those 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 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 2018-19 Allocation – \$21,600,000, an increase of \$19,100,000 from 2017-18 allocation*

#### **Description:**

For 2017-18, the TCBAAC 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 2018-19 total distribution to courts is \$21.6 million.

An approved 2018-19 BCP provides additional, ongoing funding of \$19.1 million. The increase in funding will expand the availability of attorneys and paralegal staff at self-help centers in trial courts.

Funding for self-help centers comes from both the TCTF (\$25.3 million, of which \$3.7 million is in courts' base allocation) and the State Trial Court Improvement and Modernization Fund (IMF) (\$5 million).

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 2017 survey, the courts identified a need of an additional \$66 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 2018-19 Allocation – \$672,976, reduction of \$238,310 from 2017-18 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.



The revenue allocated from 2017-18 was \$542,892. To the extent the actual revenue for 2017-18 differs from the estimate used here, the court allocations would be adjusted for 2018-19. Any portion of a court's allocated funds not spent and distributed in 2018-19 would be carried forward for distribution to the court in 2019-20 and subsequent years, even if a court is not eligible for an allocation in the subsequent fiscal year.

## **Facilities Services - Security Operations**

### ***Screening Equipment Replacement***

*Proposed 2018-19 Allocation – \$1,900,000, reduction of \$386,000 from 2017-18 allocation*

#### **Description:**

The anticipated budget for 2018-19 is \$1,900,000. The entire amount of the budget will be used to purchase an estimated 55 magnetometers and 50 x-ray machines.

The Screening Equipment Replacement Program, originally funded by a BCP in 2006-07, 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 conducted in 2017-18, resulted in contracts that included a wider selection of makes and models and overall lower pricing than past contracts. As a result, the estimated expenditure for 2018-19 is less than last year by \$386,000.

The number of units identified for replacement in each fiscal year is dependent upon the year the equipment was first purchased, with some years seeing higher demand than others. Due to the demand fluxuation, the actual expenditures will vary from one fiscal year to the next. The amount of equipment identified for replacement in 2018-19 is lower than the numbers estimated for replacement in subsequent years, therefore the projected savings of \$386,000 this year is not representative of estimated savings in future years.

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 \$31,000. The cost of a magnetometer with a five-year service agreement is approximately \$5,675. These cost estimates are lower than those reported in the past due to the lower pricing in the current contracts. However, equipment prices may increase at the end of the current contract period.

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**

### **Budget Services**

#### ***Jury***

*Proposed 2018-19 Allocation – \$14,500,000, no change from 2017-18 allocation*

#### **Description:**

For 2015–16, 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 2016–17 have averaged \$15.1 million. The latest five-year average is \$13.8 million. The reimbursement for 2016–17 was \$12.8 million. Based on current year expenditure pattern the 2017–18 reimbursement is estimated to be \$12.9 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 2018-19 Allocation – 332,340, no change from 2017-18 allocation*

#### **Description:**

For 2017–18, the TCBAC 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 35 percent of eligible reimbursements. Through

the second quarter in 2017–18, eligible reimbursements total \$515,595.

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 2001–02, courts that seek reimbursement are required to report quarterly to Judicial Council the number of EA-100 forms filed.

***California State Auditor Audits***

*Proposed 2018-19 Allocation – \$325,000, no change from 2017-18 allocation*

**Description:**

Provision 12 of the current State Budget bill for 2017 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.

## Trial Court Trust Fund - Fund Condition Statement

	Description	YEAR END FINANCIAL STATEMENTS			ESTIMATED				
		2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
#	A	B	C	D	E	F	G	H	I
1	<b>Beginning Fund Balance</b>	<b>21,218,232</b>	<b>6,614,017</b>	<b>34,829,875</b>	<b>66,569,098</b>	<b>73,424,003</b>	<b>74,037,569</b>	<b>68,088,245</b>	<b>59,599,555</b>
2	Prior-Year Adjustments	5,624,798	7,208,461	5,759,000	2,479,627	-	-	-	-
3	<b>TOTAL REVENUES AND TRANSFERS</b>	<b>2,333,631,984</b>	<b>2,431,232,814</b>	<b>2,486,227,327</b>	<b>2,471,289,300</b>	<b>2,642,519,300</b>	<b>2,629,704,300</b>	<b>2,629,704,300</b>	<b>2,629,704,300</b>
4	<i>Total Revenues</i>	<i>1,341,324,951</i>	<i>1,294,611,392</i>	<i>1,270,421,327</i>	<i>1,273,466,000</i>	<i>1,263,322,000</i>	<i>1,250,998,000</i>	<i>1,250,998,000</i>	<i>1,250,998,000</i>
5	<b>Transfers/Charges/Reimbursements</b>								
6	General Fund Transfer	922,648,255	943,724,000	1,021,832,000	986,281,000	1,158,535,000	1,158,535,000	1,158,535,000	1,158,535,000
7	General Fund Transfer - Court-Appointed Dependency Counsel		114,700,000	114,700,000	136,700,000	136,700,000	136,700,000	136,700,000	136,700,000
8	General Fund Transfer - Revenue Backfill	30,900,000	58,900,000	61,300,000	55,000,000	64,300,000	64,300,000	64,300,000	64,300,000
10	<i>Proposed backfill for Civil Assessments</i>				-	-	-	-	-
11	General Fund Loan - Statewide E-Filing				671,000	491,000			
12	Reduction Offset Transfers	26,080,000	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000
14	Net Other Transfers/Charges/Reimbursements	12,678,778	13,217,422	11,894,000	13,091,300	13,091,300	13,091,300	13,091,300	13,091,300
15	<b>Total Resources</b>	<b>2,360,475,014</b>	<b>2,445,055,292</b>	<b>2,526,816,202</b>	<b>2,540,338,025</b>	<b>2,715,943,303</b>	<b>2,703,741,869</b>	<b>2,697,792,545</b>	<b>2,689,303,855</b>
16	<b>EXPENDITURES/ENCUMBRANCES/ALLOCATIONS</b>								
17	Program 30/30.05 (0140010) - Judicial Council (AOC Staff)	4,095,938	3,620,851	2,306,934	3,836,676	3,633,676	2,878,676	2,878,676	2,890,676
18	Program 30.15 (Formerly Program 45.10) (0140019) - Trial Court Operati	15,622,980	12,369,281	-	-	-	-	-	-
19	Program 45.10 (0150010) - Support for Operation of the Trial Courts	1,883,174,214	1,816,242,767	1,860,003,547	1,831,911,214	1,987,411,785	1,986,066,899	1,989,061,432	1,989,061,432
20	Program 0150011 - Court-Appointed Dependency Counsel	-	114,387,117	114,699,919	136,700,000	136,700,000	136,700,000	136,700,000	136,700,000
21	Program 45.15 - Trial Court Security	-	-	-	-	-	-	-	-
22	Program 45.25 (0150019) - Compensation of Superior Court Judges	319,803,869	330,369,783	335,384,000	338,231,000	359,503,000	359,503,000	359,503,000	359,573,000
23	Program 45.35 (0150028) - Assigned Judges	24,792,538	25,199,733	25,923,351	27,005,000	28,117,000	28,117,000	28,117,000	28,117,000
24	Program 45.45 (0150037) - Court Interpreters	96,802,928	99,598,715	102,282,915	108,537,000	108,704,000	104,704,000	104,704,000	104,704,000
25	9892 Supplemental Pension Payments (State Ops)					98,000	105,000	169,000	177,000
26	Program 0150095 - Expenses on Behalf of the Trial Courts	-	-	11,391,069	11,227,777	9,175,085	9,300,277	8,544,088	8,961,088
27	Item 601 - Redevelopment Agency Writ Case Reimbursements	704,280	291,169	108,368	-	-	-	-	-
28	<b>Total, Expenditures/Encumbrances/Allocations</b>	<b>2,353,860,997</b>	<b>2,410,225,417</b>	<b>2,460,247,104</b>	<b>2,466,914,023</b>	<b>2,641,905,733</b>	<b>2,635,653,624</b>	<b>2,638,192,991</b>	<b>2,638,687,991</b>
29	<b>Ending Fund Balance</b>	<b>6,614,017</b>	<b>34,829,875</b>	<b>66,569,098</b>	<b>73,424,003</b>	<b>74,037,569</b>	<b>68,088,245</b>	<b>59,599,555</b>	<b>50,615,864</b>
30	<b>Total Restricted Funds</b>	<b>16,294,708</b>	<b>13,769,783</b>	<b>18,150,799</b>	<b>18,680,758</b>	<b>17,090,893</b>	<b>15,806,374</b>	<b>13,806,532</b>	<b>13,806,532</b>
31	<b>Ending Unrestricted Fund Balance</b>	<b>(9,680,691)</b>	<b>21,060,092</b>	<b>48,418,299</b>	<b>54,743,244</b>	<b>56,946,676</b>	<b>52,281,871</b>	<b>45,793,023</b>	<b>36,809,332</b>
32	<b>Appropriation Authority</b>	<b>2,374,768,317</b>	<b>2,422,079,000</b>	<b>2,492,488,255</b>	<b>2,572,041,000</b>	<b>2,676,665,000</b>	<b>2,732,602,000</b>	<b>2,732,602,000</b>	<b>2,732,602,000</b>
33	<b>Appropriation Authority Surplus/(Deficit)</b>	<b>20,907,320</b>	<b>11,853,583</b>	<b>32,241,151</b>	<b>105,126,977</b>	<b>34,759,267</b>	<b>96,948,376</b>	<b>94,409,009</b>	<b>93,914,009</b>

NOTE: General Fund Transfer - Revenue Backfill Shortfall in the amount of \$7,000,000 is pending for 2017-18. To be determined when all revenues are collected.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

**(Action Item)**

**Title:**           **Extension of V3 Case Management System Support**  
**Date:**           5/14/2018  
**Contact:**       Kathy Fink, Manager, Judicial Council Information Technology  
415-865-4094 [Kathleen.Fink@jud.ca.gov](mailto:Kathleen.Fink@jud.ca.gov)

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**Issue**

The funding for the V3 Case Management System (CMS) is ending June 30, 2019 as approved by the Judicial Council in April 2015. The affected courts are requesting to extend the use of the funds to June 30, 2020. This request is not an allocation request from the State Court Improvement and Modernization Fund (IMF) at this time; merely an extension of the timeline previously approved by the Judicial Council.

**Background**

In April 2015, a recommendation by the Trial Court Budget Advisory Committee (TCBAC) and Judicial Council Technology Committee (JCTC) was approved by the Judicial Council to eliminate funding from the State Trial Court Improvement and Modernization Fund (IMF) for the V3 case management system used by the four Superior Courts of Orange, Sacramento, San Diego, and Ventura Counties, beginning in July 2019. Even prior to that time, the V3 courts had begun to work with the JCTC on a path to deploy alternate case management systems (CMS) and retire CMS V3. A budget change proposal (BCP) was submitted for Civil CMS (V3) Replacement for 2016-2017 and was approved in the state budget.

The 2017-18 five-year projected budget for CMS V3 was based on the end date of CMS V3 funding of June 30, 2019. The budget projected a steep ramp down in 2018-19 and zero funding in 2019-20. However, this steep ramp down and decommissioning of V3 has since been determined not to be feasible in the original timeframe.

Despite projects already underway to convert other case management systems that were failing, the V3 courts have been progressing with their projects to replace CMS V3. All of the affected courts have identified replacement solutions and are working expeditiously to complete their projects. However, as many courts have already experienced, CMS deployment times are longer than projected or desired. Consequently, conversion to new case management systems will extend beyond June 2019.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee

**Justification**

The projected five-year budget has been revised based on the timelines for the CMS V3 replacement projects. Since the April 2015 Judicial Council decision to sunset the support of CMS V3, costs for support have been reduced and additional reductions are planned for the next fiscal year. We are proposing to utilize savings generated in the original funding plan as approved in 2015-16 to fund the extension for CMS V3 through 2019-20.

These savings have been achieved through reductions in contractors and data center equipment, as well as not replacing employees who have left the Judicial Council. Support efforts for CMS V3 are limited to remediating defects, programming legislative/statutory updates, and upgrades to software components where necessary. The reduced levels of support have not been ideal given the ongoing migration work that is required, but all the courts using CMS V3 have agreed to this reduced level to gain additional, critical time to migrate to their new case management systems.

The table below shows a baseline funding plan projected from the allocation approved by the Judicial Council for 2015-16, as well as a proposed plan for an extension through 2019-20. A baseline CMS V3 funding provides \$22.6 million from 2015-16 through 2018-19. The actual expenditures and forecasted obligations through 2018-19 total \$15 million. There is an estimated savings of \$7.6 million from the baseline plan. The precise request for 2019-20 will depend on how quickly the courts can ramp down use of CMS V3, as well as other factors that are not known this far in advance, such as unexpected increases in software maintenance, maintenance of older V3 CMS equipment, and reductions in Schedule C funding. However, the projected need for 2019-20 is \$3.46 million or less. Even extending the time period to June 30, 2020, there remains an overall savings of \$4.1 million from the baseline funding plan.

#	Description	2015-16	2016-17	2017-18	2018-19	2019-20	Total
1	V3 CMS funding plan as a baseline from 2015-16	\$5,658,100	\$5,658,100	\$5,658,100	\$5,658,100	\$0	\$22,632,400
2	Expenditures/Obligations (2017-18 and 2018-19 are projected values)	\$4,752,099	\$3,681,167	\$3,250,766	\$3,371,838	\$0	\$15,055,870
3	<b>Savings from baseline plan</b>	<b>\$906,001</b>	<b>\$1,976,933</b>	<b>\$2,407,334</b>	<b>\$2,286,262</b>	<b>\$0</b>	<b>\$7,576,530</b>
4	<b>Expended/Proposed V3 Funding</b>	\$4,752,099	\$3,681,167	\$3,250,766	\$3,371,838	<b>\$3,463,913*</b>	\$18,519,783

\*Amount will be subject to funds availability at the time of the 2019-20 allocation process.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
**Report to the Trial Court Budget Advisory Committee  
Revenue and Expenditure Subcommittee**

The requested extension does not constitute an allocation request but a request to extend the timeline for potential use of the funds to 2019-20. The Information Technology office will be required to come back to this committee in the next fiscal year to request a 2019-20 allocation along with all other Judicial Council offices. There is currently a negative fund balance projected for 2019-20 using the current revenue projections and expenditure assumptions, the Judicial Council staff continue to work diligently with Department of Finance to resolve the structural deficit in IMF.

**Recommendation**

The following recommendation is presented to the Revenue and Expenditure Subcommittee for consideration:

1. Approve extending the use of CMS V3 funding through to June 30, 2020, based on reductions achieved each year since the decision to eliminate CMS funding from the IMF. Although the projected need for 2019-20 is currently \$3.46 million this is not a request for an allocation. The program will return next fiscal year, with the all other Judicial Council programs to request an allocation for 2019-20.