



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE REVENUE & EXPENDITURE SUBCOMMITTEE

MATERIALS FOR APRIL 8, 2019

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TRIAL COURT BUDGET ADVISORY COMMITTEE REVENUE AND EXPENDITURE 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

Date: April 8, 2019
Time: 12:00 p.m. - 1:00 p.m.
Public Call-in Number: 1-877-820-7831, passcode: 1884843 (Listen Only)

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

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.

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

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

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the May 18, 2018, Revenue and Expenditure Subcommittee meeting and the March 1, 2019 action by email between meetings.

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

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 or mailed or delivered to 2850 Gateway Oaks Drive, Sacramento, CA 95833, attention: Melissa Ng. Only written comments received by 12:00 p.m. on April 5, 2019 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS

Item 1

Request to use 2018-19 State Trial Court Improvement and Modernization Fund (IMF) for 2019-20 Sustain Justice Edition (SJE) California Court Technology Center (CCTC) Hosting (Action Required)

Request for approval to use current fiscal year's IMF funding, approved for the Interim Case Management System (ICMS) program, for SJE CCTC hosting costs in 2019-20.

Presenter: Mr. David Koon, Manager, Judicial Council Information Technology

Item 2

Allocations from the IMF for 2019-20 (Action Required)

Deliberation regarding allocations from the IMF for 2019-20.

Presenter: Mr. Jason Haas, Senior Budget Analyst, Judicial Council Budget Services

Item 3

Allocations from the Trial Court Trust Fund (TCTF) for 2019-20 (Action Required)

Deliberation regarding allocations from the TCTF for 2019-20.

Presenter: Ms. Melissa Ng, Senior Budget Analyst, Judicial Council Budget Services

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

Report of Outstanding Encumbrances for all Programs Funded from the TCTF and/or IMF as of December 31, 2018

Status update on the 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, 2018.

Presenter: Mr. Jason Haas, Senior Budget Analyst, Judicial Council Budget Services

V. ADJOURNMENT

Adjourn.



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TRIAL COURT BUDGET ADVISORY COMMITTEE
REVENUE AND EXPENDITURE SUBCOMMITTEE

MINUTES OF OPEN MEETING

May 18, 2018
12:00 p.m. – 1:30 p.m.
Conference Call

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

Executive Officers: Ms. Sherri R. Carter (Cochair), Ms. Nancy Eberhardt, Mr. Michael D. Planet, Mr. Brian Taylor, and Mr. David H. Yamasaki.

Advisory Body Members Absent: Executive Officers: Ms. Rebecca Fleming

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

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:03 p.m. and roll was called.

Approval of Minutes

The advisory body reviewed and approved the minutes of the March 21, 2018 Revenue and Expenditure (R&E) Subcommittee Meeting.

DISCUSSION AND ACTION ITEMS (ITEM 1-3)

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

Action: The R&E Subcommittee unanimously approved a total of \$60,373,276 in allocations for 2018-19 from the IMF.

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

Action: The R&E Subcommittee unanimously approved a total of \$188,839,077 in preliminary allocations for 2018-19 from the TCTF.

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

Action: The R&E Subcommittee approved extending the sunset of CMS V3 funding from June 30, 2019 to June 30, 2020 in a vote as follows:

Yes: 8

No: 0

Abstain: 3

Absent: 1

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:37 p.m.

Approved by the advisory body on enter date.



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TRIAL COURT BUDGET ADVISORY COMMITTEE
REVENUE AND EXPENDITURE SUBCOMMITTEE

MINUTES OF OPEN MEETING

March 1, 2019

11:00 a.m.

Action by E-mail Between Meetings

Advisory Body Members Present: Judges: Hon. Jeffrey B. Barton (Co-chair), Hon. Andrew S. Blum, Hon. Daniel J. Buckley, Hon. Jill C. Fannin, Hon. Brian L. McCabe, and Hon. Gary Nadler.

Executive Officers: Ms. Sherri R. Carter (Co-chair), Ms. Rebecca Fleming, Mr. Michael D. Planet, and Ms. Kim Turner.

Advisory Body Members Absent: Mr. Brian Taylor and Mr. David H. Yamasaki

Others Present: Ms. Brandy Sanborn

OPEN MEETING

Vote

Voting was opened at 11:07 a.m.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1

Review recommendation for an augmentation to the 2018-19 allocation for the Jury Management Program from the State Trial Court Improvement and Modernization Fund.

Action: The Revenue and Expenditure Subcommittee unanimously approved the recommendation to augment the 2018-19 allocation for the Information Technology office, Jury Management Program by \$252,000.

ADJOURNMENT

Voting closed at 5:00pm.

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: 2019-20 California Courts Technology Center (CCTC) Hosting Costs for Sustain Justice Edition (SJE) Courts

Date: April 8, 2019

Contact: David Koon, Manager, Information Technology,
david.koon@jud.ca.gov, 415-865-4618

Issue

Based upon the previous Judicial Council Technology Committee (JCTC), Trial Court Budget Advisory Committee (TCBAC) and Judicial Council actions, there is no authorization to use the State Trial Court Improvement and Modernization Fund (IMF) as a funding source for SJE hosted courts after June 30, 2019. The Interim Case Management System (ICMS) program has savings from 2018-19, which could be used to fund SJE hosted courts after June 30, 2019, if authorized. This request is not for an additional allocation of IMF funding, but an extension of time to use previously approved funding for the ICMS program for CCTC hosting costs associated with the SJE application as the last courts leave CCTC hosting in 2019-20.

Background

The ICMS Program supports those courts using the SJE case management system with technical consulting services to implement legislative updates, production support, as well as data center services, for those courts with SJE hosted at the CCTC.

At the Judicial Council's April 24, 2014 business meeting, the Judicial Council directed the JCTC to develop a plan that would result in the future elimination of subsidies from the IMF and the Trial Court Trust Fund (TCTF) to courts for the SJE costs. Funding sources for SJE hosting is a combination of Schedule C reimbursements from the courts and IMF funding.

In April 2016, there were nine courts which had their SJE case management systems hosted at the CCTC. The JCTC endorsed a proposal to provide funding for six SJE courts (Lake, Modoc, Plumas, San Benito, Sierra, and Trinity) to move from SJE hosting at the CCTC to SJE hosting at the Placer Court. The Placer hosting proposal also included the elimination by June 30, 2019 of IMF funding for SJE hosting at the CCTC and was subsequently approved by the TCBAC as well as the Judicial Council. The six courts included in the Placer hosting proposal completed their migration from CCTC hosting to Placer hosting in January 2018.

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In a separate project, the Imperial Court completed their migration from SJE CCTC hosting to a locally hosted eCourt solution in November 2017. As SJE courts have left CCTC hosting, servers and other network infrastructure such as data storage have been eliminated to reduce costs.

The remaining two courts hosted at the CCTC are the Humboldt and Madera Courts. The Madera Court is targeting a go-live for a cloud hosted eCourt solution in May 2019. The Humboldt Court is targeting a go-live date for deploying eCourt locally by October 31, 2019. However, the expected departure date when presented to JCTC was September 30, 2019.

The ICMS program has been able to realize more savings over the last two fiscal years than initially anticipated from the decommissioning of the SJE servers and has also continued to receive Schedule C funding from those courts while they remain hosted at the CCTC.

Continued CCTC funding is needed to cover CCTC hosting costs of SJE beyond June 30, 2019 to cover the hosting costs through October 2019 while the Humboldt Court completes their transition to a locally hosted eCourt case management system, and potentially for Madera if their CMS go-live date is delayed. Also, after the last court leaves CCTC hosting, time will be needed for the decommissioning of the SJE environments at the CCTC.

Justification

As SJE courts have left CCTC hosting, servers and other network infrastructure such as data storage have been eliminated to reduce costs and other cost savings strategies such as the elimination of the Quality Assurance environment. The ICMS program has been able to realize more savings over the last two fiscal years than initially anticipated from the decommissioning of servers/data storage and has also continued to receive Schedule C funding from those courts which remain hosted at the CCTC.

There is \$801,908 in 2018-19 ICMS funding available to cover the 2019-20 SJE hosting costs.

Estimated SJE hosting cost at CCTC through December 31, 2019 are presented in the table below with the assumption that the Humboldt Court would continue to pay their monthly Schedule C hosting costs until they leave the CCTC in October 2019:

Estimated SAIC Hosting Costs for SJE (6 mths) in FY 19/20	
Description	Amt
Estimated cost SAIC hosting charges from 7/1/2019 through 12/31/2019 (6 mths)	\$ 488,998
Schedule C Charges for Humboldt Court from 7/1/2019 through 10/31/2019	(62,200)
Net IMF Funding Assistance needed for SJE CCTC hosting through 12/31/2019	\$ 426,798

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The use of ICMS savings from 2018-19 is not an allocation of additional IMF funding in 2019-20 for SJE hosting costs at the CCTC. It is a request to extend the timeline for using previously approved funding to the ICMS program to cover CCTC hosting costs while the remaining courts transition to new case management system solutions hosted outside of the CCTC.

At the Judicial Council Technology Committee's March 14, 2019 meeting, the JCTC approved the use of 2018-19 ICMS savings to cover SJE hosting costs at the CCTC through December 31, 2019.

Recommendation

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

1. Approve the use of ICMS savings from 2018-19 to cover SJE hosting at the CCTC through December 31, 2019 to allow time for the remaining courts to leave CCTC hosting and allow for the decommissioning of the SJE CCTC environments.

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(Action Item)

Title: Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2019-20

Date: 4/8/2019

Contact: Jason Haas, Senior Budget Analyst, Judicial Council Budget Services
916-643-7061 | Jason.Haas@jud.ca.gov

Issue

Consider adopting a recommendation for 2019-20 allocations in the amount of \$80,079,860 from the IMF for consideration by the Trial Court Budget Advisory Committee at its May 2, 2019 meeting and for Judicial Council consideration on July 18-19, 2019. Total requested allocations for 2019-20 are \$80,079,860 (Attachment A, Column I, Row 53) an increase of \$22,690,584 from the prior year. This value is contingent upon the approval of several 2019-20 budget change proposals (BCPs) through the legislative process.

Should the 2019-20 BCPs not be approved through the legislative process, an additional \$8,367,208 in allocations is requested.

Background

The proposed Governor's Budget released on January 10, 2019 contains BCPs that impact the 2019-20 allocations for the IMF. The allocation requests below assume the BCPs will be approved in the enacted budget. The final allocations will be presented at the Judicial Council meeting on July 18-19, 2019 as the 2019-20 budget will be enacted by that time.

The following are the proposed 2019-20 allocation requests by Judicial Council office (additional details on each of the programs are located on Attachment B):

1. **Audit Services** – Conducts operational audits, risk assessments and recommends improvement to all judicial branch entities.
 - a. Approve an allocation of \$409,804, an increase of \$39,804 from the 2018-19 allocation
 - i. The increase is primarily due to increased staffing costs.
2. **Branch Accounting and Procurement** – Supports the trial courts' financial and human resources Phoenix System.
 - a. Approve an allocation of \$138,625, a reduction of \$1,364,580

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- i. The allocation is for staff supporting the procurement needs of courts.
 - ii. The reduction in allocation is due to the expected approval of the 2019-20 Phoenix Roadmap BCP which shifts expenditures out of the IMF and into the General Fund (GF). If the BCP is not approved, an additional allocation of \$1,531,00 will be needed.

- 3. **Center for Families, Children and the Courts** – Supports various programs within the courts for litigants.
 - a. Approve an allocation of \$5,764,692, an increase of \$520,692.
 - i. The increase is due to a change to the Code of Civil Procedure (CCP) 384 in 2017-18 which diverted funds for one year to IMF for the sole purpose of the Shriver Civil Counsel. The funds collected and unspent were reserved in the IMF fund balance and the program is requesting allocation to spend these excess funds collected during that year for the Shriver program (see Attachment A, Column J, Row 8.)
 - ii. Although the allocation of \$5,000,000 for the Self-Help Center 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 Act 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 GF.”

- 4. **Center for Judiciary Education & Research** – Provides education to judges, court leaders, court staff faculty, managers, supervisors, and lead staff.
 - a. Approve an allocation of \$1,202,000, no change from the 2018-19 allocation.

- 5. **Court Operations Services** - Program provides court interpreter testing.
 - a. Approve an allocation of \$143,000, no change from the 2018-19 allocation.

- 6. **Budget Services** - Supports meetings of various committees and subcommittees as they relate to the trial courts funding, policies, and other issues.
 - a. Approve an allocation of \$366,216, an increase of \$28,716 from 2018-19 allocation.
 - i. The two main expenditures are for Treasury Services-Cash Management and Budget Focused Training and Meetings. The increase is due to increased staffing costs.

- 7. **Human Resources** – Supports the Trial Court Labor Relations Academy to provide assistance to trial court staff in meeting its many labor challenges (not mandated).
 - a. Approve an allocation of \$22,700, no change from the 2018-19 allocation.

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8. **Information Technology** – Supports information systems for the 58 superior courts.
 - a. Approve an allocation of \$68,105,984, an increase of \$26,427,613 from the 2018-19 allocation.
 - i. The increase is almost exclusively due to multiple pending BCPs (see Attachment A, Column I, Rows 45-48).
 - ii. Without regard to impact of the BCPs, the net allocation request is lower by \$370,438 from prior year. There were savings from several projects that are ending or that had one-time funding (see Attachment A, Column J, Rows 21-37).

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 an allocation of \$3,926,839, a reduction of \$2,961,661 from the 2018-19 allocation.
 - i. The reduction in allocation is due to the expected approval of the 2019-20 Litigation Management Program BCP which shifts expenditures out of the IMF and into the GF. If the BCP is not approved, an additional allocation of \$5,151,000 will be needed (see Attachment A, Column I, Rows 50-51).
 - ii. Without regard to the impact of the BCPs, the net allocation request is higher by approximately \$2.1 million from prior year. The increased need is primarily due to pending litigation, which may or may not result in an expense to the IMF in 2019-20.

The 2019-20 IMF allocation requests total is \$80,079,860. 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 projections of revenues and expenditure savings in 2018-19.

Should the BCPs that shift funding to the GF be denied, a total additional amount for allocations (as referenced above) of \$8,367,208 would be necessary (see Attachment A, Column I, Rows 48-51):

- (1) Branch Accounting and Procurement: \$1,531,000
- (2) Information Technology: \$1,685,208
- (3) Legal Services: \$5,151,000

The status of the pending BCPs and final allocation request will be known prior to the July JCC meeting.

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In last year's allocation request, we noted that the fund was projected to have a negative balance in 2019-20 due to the structural imbalance. If the BCPs are approved, this would alleviate the structural imbalance and, based on current revenue and expenditure projections, provide fund solvency (see Attachment C, Row 32).

Recommendation

The following recommendation is presented to the Trial Court Budget Advisory Committee for consideration:

1. Adopt a recommendation to approve a total of \$80,079,860 in allocations for 2019-20 from the State Trial Court Improvement and Modernization Fund, contingent upon approval of various BCPs in the 2019-20 Budget Act.
2. Adopt a recommendation to approve an additional allocation value of \$8,367,208, provided the 2019-20 BCPs that shift expenditures to the GF are denied. If these fund shift BCPs are approved this recommendation will not be presented to the Judicial Council.

Attachments

1. **Attachment A:** Judicial Council Approved 2018-19 Allocations and 2019-20 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 2018-19 Allocations and 2019-20 Proposed Allocations
from the IMF State Operations and Local Assistance Appropriations**

#	Program Name	Office	2018-19 Allocations			Recommended 2019-20 Allocation			\$ Change from 2018-19	% Change from 2018-19
			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)
	Program Adjustments									
1	Superior Court Audit Program	AS	\$ 370,000		\$ 370,000	\$ 409,804		\$ 409,804	39,804	11%
2	Phoenix Program	BAP	\$ 1,381,205		\$ 1,381,205		\$ 1,531,000	\$ 1,531,000	149,795	11%
3	Trial Court Procurement/TCAS-MSA-IMF	BAP	\$ 122,000		\$ 122,000	\$ 138,625		\$ 138,625	16,625	14%
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	Shriver Civil Counsel- Cy Pres Funding	CFCC	\$ -		\$ -		\$ 520,692	\$ 520,692	520,692	-
9	Statewide Support for Self-Help Programs	CFCC	\$ 100,000		\$ 100,000		\$ 100,000	\$ 100,000	-	0%
10	CJER Faculty	CJER	\$ 340,000		\$ 340,000		\$ 36,000	\$ 36,000	(304,000)	-89%
11	Distance Education	CJER	\$ 7,500		\$ 7,500	\$ -		\$ -	(7,500)	-100%
12	Essential Court Management Education	CJER	\$ 18,000		\$ 18,000		\$ 35,000	\$ 35,000	17,000	94%
13	Essential Court Personnel Education	CJER	\$ 91,000		\$ 91,000		\$ 215,000	\$ 215,000	124,000	136%
14	Judicial Education	CJER	\$ 745,500		\$ 745,500		\$ 916,000	\$ 916,000	170,500	23%
15	Court Interpreter Testing etc.	COSSO	\$ 143,000		\$ 143,000		\$ 143,000	\$ 143,000	-	0%
16	Budget Focused Training and Meetings	BS	\$ 50,000		\$ 50,000		\$ 50,000	\$ 50,000	-	0%
17	Treasury Services - Cash Management (Support)	BS	\$ 265,000		\$ 265,000	\$ 298,216		\$ 298,216	33,216	13%
18	Revenue Distribution Training	BS	\$ 9,500		\$ 9,500		\$ 9,500	\$ 9,500	-	0%
19	Workload Assessment Advisory Committee	BS	\$ 13,000		\$ 13,000		\$ 8,500	\$ 8,500	(4,500)	-35%
20	Trial Court Labor Relations Academies and Forums	HR	\$ 22,700		\$ 22,700		\$ 22,700	\$ 22,700	-	0%
21	CCTC Operations	IT	\$ 1,479,754		\$ 1,479,754	\$ 1,718,714		\$ 1,718,714	238,960	16%
22	ISB Support	IT	\$ 554,966		\$ 554,966	\$ 946,153		\$ 946,153	391,187	70%
23	Uniform Civil Filing System Unit	IT	\$ 389,084		\$ 389,084	\$ 423,779		\$ 423,779	34,695	9%
24	CCPOR Development	IT	\$ 325,726		\$ 325,726	\$ 524,200		\$ 524,200	198,474	61%
25	V3 - ICMS/CMS Release Management Support	IT	\$ 776,811		\$ 776,811	\$ 619,669		\$ 619,669	(157,142)	-20%
26	Telecommunications Support	IT	\$ 9,951,140		\$ 9,951,140		\$ 11,749,425	\$ 11,749,425	1,798,285	18%
27	Phoenix Program	IT	\$ 1,772,796		\$ 1,772,796		\$ 1,685,208	\$ 1,685,208	(87,588)	-5%
28	Enterprise Policy & Planning (Statewide Planning and De	IT	\$ 4,721,364		\$ 4,721,364		\$ 4,342,185	\$ 4,342,185	(379,179)	-8%
29	Interim Case Management Systems	IT	\$ 1,453,628		\$ 1,453,628		\$ 1,441,032	\$ 1,441,032	(12,596)	-1%
30	Data Integration	IT	\$ 1,668,285		\$ 1,668,285		\$ 1,841,149	\$ 1,841,149	172,864	10%
31	California Courts Technology Center (CCTC)	IT	\$ 7,949,505		\$ 7,949,505		\$ 7,995,247	\$ 7,995,247	45,742	1%
32	Jury Management System	IT	\$ 465,000	\$ 252,000	\$ 717,000		\$ 665,000	\$ 665,000	(52,000)	-7%
33	CCPOR (ROM)	IT	\$ 418,285		\$ 418,285		\$ 364,848	\$ 364,848	(53,437)	-13%
34	Sustain Justice Edition CMS	IT	\$ 896,000		\$ 896,000		\$ -	\$ -	(896,000)	-100%
35	V3 Case Management System	IT	\$ 2,595,027		\$ 2,595,027		\$ 1,481,970	\$ 1,481,970	(1,113,057)	-43%
36	Telecom	IT	\$ 5,509,000		\$ 5,509,000		\$ 5,509,354	\$ 5,509,354	354	0%
37	V3 CMS Transition	IT	\$ 500,000		\$ 500,000		\$ -	\$ -	(500,000)	-100%
38	Judicial Performance Defense Insurance	LSO	\$ 1,150,000		\$ 1,150,000		\$ 1,200,000	\$ 1,200,000	50,000	4%
39	Jury System Improvement Projects	LSO	\$ 19,000		\$ 19,000		\$ 19,000	\$ 19,000	-	0%
40	Litigation Management Program	LSO	\$ 4,500,000		\$ 4,500,000		\$ 6,618,647	\$ 6,618,647	2,118,647	47%
41	Regional Office Assistance Group	LSO	\$ 568,500		\$ 568,500	\$ 589,192		\$ 589,192	20,692	4%
42	Trial Courts Transactional Assistance Program	LSO	\$ 651,000		\$ 651,000		\$ 651,000	\$ 651,000	-	0%
43	Subtotal Program Adjustments		\$ 57,137,276	\$ 252,000	\$ 57,389,276	\$ 5,668,352	\$ 54,295,457	\$ 59,963,809	\$ 2,574,533	
44	BCP Adjustments									
45	CMS Replacement - Phase IV	IT					\$ 22,777,259	\$ 22,777,259	22,777,259	
46	Futures Commission	IT					\$ 853,000	\$ 853,000	853,000	
47	Digitizing Court Records	IT					\$ 4,853,000	\$ 4,853,000	4,853,000	
48	Phoenix Program ^{1/}	IT					\$ (1,685,208)	\$ (1,685,208)	(1,685,208)	
49	Phoenix Program ^{1/}	BAP					\$ (1,531,000)	\$ (1,531,000)	(1,531,000)	
50	Litigation Management Program ^{1/}	LSO					\$ (4,500,000)	\$ (4,500,000)	(4,500,000)	
51	Trial Courts Transactional Assistance Program ^{1/}	LSO					\$ (651,000)	\$ (651,000)	(651,000)	
52	Subtotal BCP Adjustments						\$ 20,116,051	\$ 20,116,051	\$ 20,116,051	
53	Total		\$ 57,137,276	\$ 252,000	\$ 57,389,276	\$ 5,668,352	\$ 74,411,508	\$ 80,079,860	\$ 22,690,584	

^{1/} The approval of this BCP would shift these IMF expenditures to the General Fund

Judicial Council-Approved 2018-19 Allocations and 2019-20 Proposed Allocations
from the IMF State Operations and Local Assistance Appropriations

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Office	JC Approved Allocations	Proposed Adjustments	Pending Total Allocations	State Operations	Local Assistance	Total
C	D	E	E	G	H	I = (G + H)
AS	\$ 370,000	\$ -	\$ 370,000	\$ 409,804	\$ -	\$ 409,804
BAP	\$ 1,503,205	\$ -	\$ 1,503,205	\$ 138,625	\$ -	\$ 138,625
CFCC	\$ 5,244,000	\$ -	\$ 5,244,000	\$ -	\$ 5,764,692	\$ 5,764,692
CJER	\$ 1,202,000	\$ -	\$ 1,202,000	\$ -	\$ 1,202,000	\$ 1,202,000
COSSO	\$ 143,000	\$ -	\$ 143,000	\$ -	\$ 143,000	\$ 143,000
BS	\$ 337,500	\$ -	\$ 337,500	\$ 298,216	\$ 68,000	\$ 366,216
HR	\$ 22,700	\$ -	\$ 22,700	\$ -	\$ 22,700	\$ 22,700
IT	\$ 41,426,371	\$ 252,000	\$ 41,678,371	\$ 4,232,515	\$ 63,873,469	\$ 68,105,984
LSO	\$ 6,888,500	\$ -	\$ 6,888,500	\$ 589,192	\$ 3,337,647	\$ 3,926,839
Total Allocations	\$ 57,137,276	\$ 252,000	\$ 57,389,276	\$ 5,668,352	\$ 74,411,508	\$ 80,079,860

DRAFT

Attachment 2B

Summary of Programs

Attachment A (Row #)	Program Name	Office	Program Description
A	B	C	D
1	Superior Court Audit Program	AS	Conducts comprehensive audits (financial, operational, and compliance) at each of the 58 trial courts.
2, 27, 48, 49	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 15 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 annual Youth Summit and Child & Family Focused Education conference in FY18.
8	Shriver Civil Counsel- Cy Pres Funding	CFCC	This program provides funding for legal services agencies and their court partners to provide representation to indigent persons in cases involving housing, child custody, guardianship, conservatorships, and domestic violence.
9	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.
10	CJER Faculty	CJER	Faculty training courses for judges, court managers and staff.
11	Distance Education	CJER	Infrastructure & software to support distance education. CJER Online website & toolkits video hosting & on-demand transmission, podcast course hosting, subscription service and transmission.
12	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. Distance education videos & online courses.
13	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. Distance Education Videos and Online Courses.
14	Judicial Education	CJER	Three Projects: New Judge Education; Primary Assignment Orientation Courses for Experienced Judges; Continuing Judicial Education for Experienced Judges. 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; Judicial Institutes, courses for experienced judges; programs for PJs, CEOs & Supervising Judges; distance education videos, webcasts, podcasts and online courses.
15	Court Interpreter Testing etc.	COS	Pays for the testing, orientation, and recruitment of new interpreters.
16	Budget Focused Training and Meetings	BS	Supports meetings of the Trial Court Budget Advisory Committee and associated subcommittees that deal with trial court funding policies and issues.
17	Treasury Services - Cash Management (Support)	BS	Used for the compensation, operating expenses and equipment costs for two accounting staff. Staff are engaged in the accounting and distribution of all Uniform Civil Fees ("UCF") collected by the Trial Courts, and other cash management and treasury duties as needed for the Trial Courts.
18	Revenue Distribution Training/Records Management	BS	Pays for annual training on Revenue Distribution to all the collection programs as well as annual CRT training.
19	Workload Assessment Advisory Committee/Trial Court Workload Study	BS	Pays for meeting expenses of the Workload Assessment Advisory Committee (WAAC) and travel expenses for court personnel and judges related to workload studies.

Attachment 2B

20	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>
21, 31	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"> • Appellate Court Case Management System (ACCMS) • California Court Protective Order Registry (CCPOR) • Phoenix - Trial Court Financial and Human Resources System • Sustain Interim Case Management System (ICMS) • Computer Aided Facilities Management (CAFM) system • Civil, Small Claims, Probate, and Mental Health Trial Court Case Management System (V3) • Integration Services Backbone (ISB) <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>
22, 30	Data Integration (ISB Support)	IT	<p>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.</p>
23	Uniform Civil Filing Services (UCFS)	IT	<p>This program supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of \$52 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 200 fee types collected by each court, distributed to 31 different entities (e.g. Trial Court Trust Fund, County, Equal Access Fund, Law Library, etc.), requiring 65,938 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.</p>
24, 33	California Courts Protective Order Registry (CCPOR)	IT	<p>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.</p>
25, 37	Case Management Systems, Civil, Small Claims, Probate and Mental Health (V3)	IT	<p>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.</p>
26, 36	Telecommunications Support	IT	<p>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.</p>
28	Enterprise Policy/Planning (Statewide Development)	IT	<p>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.</p>

Attachment B

29	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/TWR 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.
32	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.
34	Sustain Justice Edition CMS	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.
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.
38	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.
39	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.
40, 50	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.
41	Regional Office Assistance Group	LS	The allocation for the Regional Office Assistance Group is used to pay for attorneys and support personnel working in Burbank and Sacramento to provide direct legal services to the trial courts in the areas of transactions/business operations, legal opinions, and labor and employment law.
42, 51	Trial Courts Transactional Assistance Program	LS	The allocation for the Trial Court Transactional Assistance Program are 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.
45	CMS Replacement - Phase IV (2019-20 BCP)	IT	This BCP allocation was approved to fund the replacement of outdated legacy case management systems used by the Superior Courts of California - Amador, Colusa, Contra Costa, Lassen, Marin, Mariposa, Mono, Nevada, Shasta, and Solano.
46	Future Commission (2019-20 BCP)	IT	This BCP allocation was approved to fund the implementation of a multi-phased program for intelligent chat, video remote hearings, and natural language voice-to-text translation services. The goal was to eventually expand these programs to all of the trial courts.
47	Digitizing Court Records (2019-20 BCP)	IT	This BCP allocation was approved to fund the first phase of a multi phase program to digitize mandatory court records for the Superior and Appellate Courts. The first phase would include 6 to 8 courts.

State Trial Court Improvement and Modernization Fund
Fund Condition Statement

#	Description	2016-17 (Year-end Financial Statement)	2017-18 (Year-end Financial Statement)	Estimated			
				2018-2019	2019-2020	2020-2021	2021-22
				A	B	C	D
1	Beginning Balance	6,956,187	9,300,938	14,795,000	11,461,389	9,816,067	11,935,563
2	Prior-Year Adjustments ¹	4,187,917	-5,979,333	-1,107,625	0	0	0
3	Adjusted Beginning Balance	11,144,104	3,321,605	13,687,374	11,461,389	9,816,067	11,935,563
4	REVENUES:						
5	Jury Instructions Royalties	607,672	604,495	648,480	688,541	747,029	747,029
6	Interest from SMIF	415,663	863,725	811,835	811,835	811,835	811,835
7	Escheat-Unclaimed Checks, Warrants, Bonds	7,615	2,158	1,000	1,000	1,000	1,000
8	50/50 Excess Fines Split Revenue	13,160,903	22,077,608 ^{1/}	11,177,463	10,936,414	10,530,689	10,530,689
9	2% Automation Fund Revenue	12,792,097	12,367,362	10,933,254	10,590,748	10,178,984	10,178,984
10	Other Revenues/SCO Adjustments	0	146	2,000	2,000	2,000	2,000
11	Class Action Residue		205,615	315,077	0	0	0
12	Subtotal Revenues	26,983,950	36,121,109	23,889,109	23,030,538	22,271,537	22,271,537
13	Transfers and Other Adjustments						
14	To TCTF (GC 77209(k))	-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)	-594,000	-594,000	-594,000	-594,000	-594,000	-594,000
16	From State General Fund	0					
17	Total Revenues, Transfers, and Other Adjustments	12,992,950	22,130,109	9,898,109	9,039,538	8,280,537	8,280,537
18	Total Resources	24,137,054	25,451,714	23,585,483	20,500,927	18,096,604	20,216,100
19							
20	EXPENDITURES:						
21	Judicial Branch Total State Operations	6,002,342	4,405,086	4,793,364	5,668,352	4,470,687	4,396,223
22	Judicial Branch Total Local Assistance	65,451,774	63,464,276	52,138,730	74,411,508	48,666,316	45,030,716
23	Pro Rata and Other Adjustments	659,579	305,352	306,000	106,000	400,000	400,000
24	Less funding provided by General Fund (Local Assistance)	-56,618,000	-57,518,000	-45,114,000	-69,501,000	-47,375,962	-43,740,362
25	Total Expenditures and Adjustments	14,836,116	10,656,714	12,124,094	10,684,860	6,161,041	6,086,577
26	Fund Balance	9,300,938	14,795,000	11,461,389	9,816,067	11,935,563	14,129,524
27	Reserve Funds (June 24, 2016 JCC)		2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
28	Restricted Funds - Jury Management	1,104,525	799,682	712,162	716,703	775,191	779,732
29	Restricted Funds - Sargent Shriver Civil Counsel		205,615	520,692	0	0	0
30	Restricted Funds - Case Management Systems (CMS)			4,338,989	0	0	0
31	Fund Balance - less restricted funds	9,300,938	11,789,703	3,889,547	7,099,364	9,160,373	11,349,792
32	Structural Balance	-1,843,166	11,473,395	-2,225,985	-1,645,322	2,119,496	2,193,960

¹ State Controllers Office (SCO) recorded 50/50 revenues incorrectly in 2016-17. Actual 50/50 revenue for 2016-17 is \$12,109,826 and 2017-18 is \$12,120,300

² 2018-19 expenditures reflect anticipated savings as recognized by programs in relation to the 2018-19 JCC approved allocations.

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

(Action Item)

Title: 2019-20 Allocations from the Trial Court Trust Fund (TCTF)
Date: 4/8/2019
Contact: Melissa Ng, Senior Budget Analyst, Judicial Council Budget Services
916-263-1754 | Melissa.Ng@jud.ca.gov

Issue

Consider adopting recommendations for the 2019-20 allocations from the TCTF for consideration by the Trial Court Budget Advisory Committee at its May 2, 2019 meeting and for Judicial Council consideration at its July 18-19, 2019 business meeting.

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

The proposed TCTF allocations for the Support for Operations of the Trial Courts (Program 0150010) 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 C, rows 16, 25-30 and 46). 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 2019-20 Preliminary Allocations

TCTF Judicial Council (Program 0140010)

Proposed 2019-20 Allocation - \$3,915,900

1. Sargent Shriver Civil Counsel Pilot Program
 - a. *Approve \$500,000; no change from the 2018-19 allocation.*

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2. Equal Access
 - a. *Approve 246,000; no change from the 2018-19 allocation.*
 - i. Allocation based on revenue.
3. Court-Appointed Dependency Counsel Collections
 - a. *Approve \$260,000, no change from the 2018-19 allocation.*
4. Statewide Support for Collections Programs
 - a. *Approve \$806,000, an increase of \$181,000 from the 2018-19 allocation.*
 - i. The increase is for one-time consultant services to update benchmarks that are eleven years old in support of the collections unit.
 - ii. The JCC is working on procuring consultant services in the current year using 2018-19 savings, and if successful, this 2019-20 request may be reduced.
5. Phoenix Financial and Human Resources
 - a. *Approve \$1,473,900, a reduction of \$37,776 from the 2018-19 allocation.*
 - i. The funding from the TCTF is fully reimbursed by the courts that use the Phoenix Payroll System (\$1,401,400) and the Phoenix Virtual Buyer program (\$72,500).
 - ii. The need has been reduced by \$37,776 because the Kern Superior Court has opted out of the Virtual Buyer program. They were the biggest court in the program.
6. Statewide E-Filing
 - a. *Approve \$630,000 an increase of \$139,000 from 2018-19 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). Due to delays in implementation, the remaining unexpended funds is being requested for allocation in 2019-20.

Expenses on Behalf of the Trial Courts (Program 0150095)
Proposed 2019-20 Allocation - \$9,474,999

1. Children in Dependency Case Training
 - a. *Approve \$113,000; no change from the 2018-19 allocation.*
2. Sargent Shriver Civil Counsel Pilot Program
 - a. *Approve \$7,490,937, an increase of \$1,057,795 from the 2018-19 allocation.*
3. Civil, Small Claims, Probate and Mental Health (V3) Case Management System

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- a. Approve \$564,000, no change from the 2018-19 allocation.*
- 4. California Courts Technology Center (CCTC)
 - a. Approve \$688,800, reduction of \$357,143 from the 2018-19 allocation.*
 - i. The TCTF CCTC program costs will be decreasing due to five courts migrating away from full CCTC hosting of their local network environments including desktop support, local server support, help desk and email.
- 5. Interim Case Management System
 - a. Approve \$62,200, a reduction of \$298,800 from the 2018-19 allocation.*
 - i. The reduction is based on Humboldt being the remaining court anticipated to leave CCTC hosting by October 31, 2019.
- 6. Other Post-Employment Benefits Valuation Contract
 - a. Approve \$556,062, an increase of \$438,062 from the 2018-19 allocation.*
 - i. The contract's two-year cycle provides for the majority of the data gathering and development of actuarial reports be performed in the first year, 2019-20.

TCTF Support for Operations of the Trial Courts (0150010)
Proposed 2019-20 Allocation - \$198,898,538

- 1. Court-Appointed Dependency Counsel
 - a. Approve \$156,700,000, an increase of \$20,000,000 from the 2018-19 allocation.*
 - i. The 2019-20 Governor's Budget includes \$20 million in new funding to help reduce attorney caseloads statewide. This funding is pending and will be allocated according to the methodology approved by the Judicial Council contingent on appropriation in the 2019 Budget Act.
- 2. Self-Help Centers
 - a. Approve \$25,300,000, no change from 2018-19 allocation.*
 - i. The \$19.1 million in funding provided in 2018-19 has been included in the base allocation, for a total of \$21.6 million in the base allocation, and \$3.7 million outside the base allocation.
- 3. Court-Appointed Dependency Counsel Collections
 - a. Approve \$766,198, an increase of \$233,306 from 2018-19 allocation.*
 - ii. Allocation based on anticipated court collections.
- 4. Screening Equipment Replacement
 - a. Approve \$1,300,000, reduction of \$600,000 from 2018-19 allocation*

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
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Revenue and Expenditure Subcommittee

- 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 the 2018-19 allocation.*
6. Elder Abuse
- a. *Approve \$332,340, no change from the 2018-19 allocation.*

Recommendation

The recommendation presented to the R&E Subcommittee for consideration is to approve a total of \$212,289,437 in preliminary allocations for 2019-20 from the TCTF.

Options

- A. Adopt the preliminary recommendations for 2019–20 TCTF allocations for consideration by the Trial Court Budget Advisory Committee at its May 2, 2019 meeting and for council consideration at its July 18-19, 2019 business meeting.
- B. Revise the preliminary recommendations for 2019–20 TCTF allocations for consideration by the Trial Court Budget Advisory Committee at its May 2, 2019 meeting and for council consideration at its July 18-19, 2019 business meeting.

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 Statement

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

#	Project and Program Title	2018-19 JC- Approved Judicial Council (Staff) (0140010)	Expenses on Behalf of the Trial Courts (0150095)	2018-19 Approved Total Allocation	TCBAC R&E Subcommittee 2019-20 Recommended Preliminary Allocations			Program Allocation Increase/ (Decrease)
		Col. A	Col. B	Col. C (Col. A + B)	Judicial Council (Staff) ¹ (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	6,433,142	6,933,142	500,000	7,490,937	7,990,937	1,057,795
3	Equal Access Fund	246,000	-	246,000	246,000		246,000	-
4	Court-Appointed Dependency Counsel Collections	260,000	-	260,000	260,000		260,000	-
5	Statewide Support for Collections Programs	625,000	-	625,000	806,000		806,000	181,000
6	Programs Funded from Courts' TCTF Allocations			-				
7	Civil, Small Claims, Probate and Mental Health (V3) CMS	-	564,000	564,000		564,000	564,000	-
8	California Courts Technology Center	-	1,045,943	1,045,943		688,800	688,800	(357,143)
9	Interim Case Management System	-	361,000	361,000		62,200	62,200	(298,800)
10	Phoenix Financial Services	107,000	-	107,000	72,500		72,500	(34,500)
11	Phoenix HR Services	1,404,676	-	1,404,676	1,401,400		1,401,400	(3,276)
12	Other Post Employment Benefits Valuations		118,000	118,000		556,062	556,062	438,062
13	Statewide E-Filing Implementation	491,000		491,000	630,000		630,000	139,000
14	SCO Audit - Pilot program per GC 77206 (h)(4) (every other year)		540,000	540,000		-	-	(540,000)
15	Total, Program/Project Allocations	3,633,676	9,175,085	12,808,761	3,915,900	9,474,999	13,390,899	582,138
16	Department of Motor Vehicles Amnesty Program service charges	250,000		250,000	-	-	-	N/A
17	Estimated State Controller's Office services charges	303,000		303,000		-	-	N/A
19	Estimated Budget Act Appropriation and Changes Using Provisional Language Authority¹	N/A	N/A	N/A	3,957,000	11,325,000	15,282,000	N/A
20	Appropriation Balance	N/A	N/A	N/A	41,100	1,850,001	1,891,101	N/A

1. Provisional language in the 2018 Budget Act 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.

Judicial Council and Trial Court Operations Program/Projects

Trial Court Trust Fund (TCTF) Judicial Council (0140010)

OPERATIONS AND PROGRAMS DIVISION

Center for Families, Children, and the Courts

Sargent Shriver Civil Counsel Pilot Program

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 request for proposal process and approved by the Judicial Council. The current projects are in Fresno, 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....” The programs are currently in their second year of 3-year funding.

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 was 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 continues 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

Commencing in 1999, 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. That additional \$10 million has been incorporated into the budget, and thus, the total amount of general funds allocated are \$20 million. 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 TCTF. The estimated revenue from filing fees for the fund is \$4.8 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 one third 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. 42 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

Welfare and Institutions Code section 903.47 mandates the collections program. This funding provides staffing for administration of the statewide collections program and the overall dependency counsel 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 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

The Judicial Council 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.

Under Penal Code 1463.010, the Judicial Council was tasked with developing performance measures and benchmarks to review the effectiveness of the cooperative superior court and county collection programs. The newly enacted Government Code 68514 (June 2017) required the data submitted by the collection programs to be separated into current period and prior periods. This change had a substantial impact to the calculation for the benchmarks. Thus, creating a need to revisit the benchmarks established over 11 years ago. An outside consultant is needed to assist Budget Services in revisiting these benchmarks which results in an increased need for 2019-20.

Branch Accounting and Procurement

Phoenix Financial and Human Resources Services

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 (\$1,401,400) and the Phoenix Virtual Buyer program (\$72,500). The Payroll System is currently supporting 15 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

Statewide e-Filing

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.
- 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.

When the funding was initially approved for 2017-18, the program was scheduled to begin in 2017, but has been delayed. The delay is primarily related to the additional time needed to negotiate Master Agreements with the three selected EFM vendors. To date, Master Agreements have been executed with two of the three vendors. Final negotiations are currently occurring with the third vendor. All three vendors will be required to be present when the program is initiated. This will ensure the standards-based approach planned for the program is accepted and adhered to by all three vendors, as well as solidify their roles and responsibilities for the program going forward.

Funding for the initial program was 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. Due to the delay in executing Master Agreements with three EFM vendors, the request for 2019-20 will extend the \$792,000 in unexpended funds of the loan one additional year.

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 EFSP. A party or attorney sends the documents through a user interface to the EFSP 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 case management system (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.

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

The 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

See TCTF Judicial Council (0140010) description for detail of program. Funds have been allocated by the Judicial Council on a three-year grant cycle in the amount of \$7,490,937 per year, based on the recommendations of the Sargent Shriver Civil Counsel Implementation Committee, which is charged with this duty by the Government Code 68651, the legislation authorizing this program. These are dedicated funds which roll-over from year to year. There are sufficient funds to maintain the current funding level through 2019-20. Funding levels for the next cycle of three-year grants will be reviewed in 2020-21.

Information Technology

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

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. 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.

The V3 Courts are migrating off of CMS V3 and 2019-20 is the last year of funding from the TCTF or IMF for V3.

California Courts Technology Center (CCTC) – Operations

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.

Interim Case Management System

The Interim Case Management System (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 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, CCTC infrastructure upgrades, and patch management. It is anticipated that the remaining two courts will no longer have SJE hosted at the CCTC as of September 30, 2019, which is reflected in the proposed allocation reduction of \$314,500 for 2019-20.

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.

Budget Services

Other Post-Employment Benefits (OPEB) Valuation Contract

This funding supports the Governmental Accounting Standards Board (GASB) 75 federally and state mandated annual reporting requirements for government entities to report on their OPEB liabilities and assets in irrevocable trusts set-aside for the payment of future OPEB expenses. The Judicial Council has centrally managed this effort on behalf of trial courts for the past four two-year reporting cycles.

The current actuary contract's two-year renewal term will begin September 1, 2019, and end August 31, 2021. During the first year of the current two-year term, the valuation as of June 30, 2020 for 2019-20 will be completed at a not-to exceed cost of \$556,062, followed by the valuation as of June 30, 2021 for 2020-21 at a not-to exceed cost of \$122,645. These current contract costs have been increased by an inflation adjustment over the prior two-year contract term in accordance with the terms of the renewal.

The actuarial services performed during 2019-20, at a total cost of \$556,062, will include data gathering and development of actuarial valuation reports for each of the 58 trial courts. The actuary also provides a valuation of the trust assets for each of the 38 trial courts that have made contributions to their irrevocable OPEB trust. The cost for the same actuary work performed during the first year of the prior two-year reporting cycle for 2017-18 was \$535,000.

The allocation of \$556,062 for 2019-20 is substantially greater as compared to the prior year's allocation of \$118,000 because, during this first year of the contract's current two-year cycle, a very detailed review of each trial court's OPEB plan participants must be completed to comply with GASB 75 reporting requirements. The allocation for the following 2020-21 is much smaller at \$122,645 because the valuation is based on information developed during the prior year, without the need for extensive data gathering. The cost for the same actuary work performed during the second year of the prior two-year reporting cycle for 2018-19 was \$118,000.

**2018-19 and 2019-20 Trial Court Trust Fund Support for Operation of the Trial Courts:
Appropriation vs. Estimated/Approved Allocations**

#	Description	Type	2018-19	2019-20	Proposed Preliminary Allocations for Consideration	Explanation for Items Not Considered
			Budget Act	Preliminary/ Approved Allocations		
			Col. A	Col. B		
1	I. Prior-Year Ending Baseline Allocation	Base	1,755,901,310	1,903,405,914	1,903,405,914	
2	II. Adjustments					
3	Reduction for Appointed Converted SJO Positions	Base	-1,007,523	-4,858,381		JC policy
4	III. FY 2018-19 Allocations					
5	\$60.6 Million in New Discretionary Funding	Base	60,614,617			prior year
6	\$47.8 Million in New Funding for Courts Below the Average	Base	47,800,000			prior year
7	\$24.8 Million in FY 2017-18 Benefits Cost Changes Funding (Non-	Base	23,816,127			prior year
8	\$19.1 Million in New Funding for Self Help Centers	Non-Base	19,100,000			prior year
9	\$10.0 Million in New Funding for Court Reporters in Family Law	Base	10,000,000			prior year
10	\$3.5 Million in New Funding for Cluster 1 Courts to 100%	Base	3,567,327			prior year
11	\$1.896 Million in New Funding for Riverside Judgeships	Base	1,896,000			prior year
12	\$1.04 Million in One-time Funding for Online Adjudication of Traffic Violations Pilot Project	Non-Base	1,040,000			prior year
13	\$0.8 Million in New Non-Sheriff Security Funding	Base	818,056			prior year
14	IV. FY 2019-20 Allocations (Governor's Budget)					
15	\$24.7 Million in Benefits Cost Changes Funding (Non-Interpreter)	Base		24,715,733		Prior Year
16	\$20.0 Million in New Funding for Court-Appointed Dependency Counsel	Non-Base		20,000,000	20,000,000	
17	\$13.9 Million for Cannabis Convictions Resentencing (AB 1793)	Non-Base		13,901,000		pending
18	V. Statutory Allocation Adjustments					
19	\$10 Million Emergency Reserve	Non-Base	-10,000,000	-10,000,000		N/A
20	1% Fund Balance Cap Reduction	Non-Base	-1,737,127	pending		pending
21	Adjustment for Funding to be Distributed from ICNA	Non-Base	-50,000,000	-50,000,000		Budget Act
22	Criminal Justice Realignment Funding	Non-Base	9,223,000	9,223,000		Item 4, F
23	Reduction for Appointed Converted SJO Positions	Base	-3,123,761	pending		JC policy
24	VI. Allocation for Reimbursements					
25	Court-Appointed Dependency Counsel	Non-Base	136,700,000	136,700,000	136,700,000	
26	Jury	Non-Base	14,500,000	14,500,000	14,500,000	
27	Replacement Screening Stations	Non-Base	1,900,000	1,300,000	1,300,000	
28	Self-Help Center	Non-Base	2,500,000	21,600,000	21,600,000	
29	Elder Abuse	Non-Base	332,340	332,340	332,340	
30	CSA Audits ¹	Non-Base	325,000	0	0	
31	CAC Dependency Collections Reimbursement Rollover	Non-Base	-145,086	pending	pending	
32	CAC Dependency Collections Reimbursement	Non-Base	542,892	766,198	766,198	

**2018-19 and 2019-20 Trial Court Trust Fund Support for Operation of the Trial Courts:
Appropriation vs. Estimated/Approved Allocations**

#	Description	Type	2018-19	2019-20	Proposed Preliminary Allocations for Consideration	Explanation for Items Not Considered
			Budget Act	Preliminary/ Approved Allocations		
			Col. A	Col. B		
33	VII. Estimated Revenue Distributions					
34	Civil Assessment	Non-Base	50,879,658	54,988,967		JC policy
35	Fees Returned to Courts	Non-Base	21,134,177	21,855,405		statutory
36	Replacement of 2% automation allocation from TCIF	Non-Base	10,907,514	10,907,494		statutory
37	Children's Waiting Room	Non-Base	4,545,042	3,849,663		JC policy/statute
38	Automated Recordkeeping and Micrographics	Non-Base	2,899,267	2,980,339		JC policy
39	Telephonic Appearances Revenue Sharing	Non-Base	943,840	943,840		JC policy/statute
40	Prior Year Revenues	Non-Base	0	0		JC policy/statute
41	VIII. Miscellaneous Charges					
42	Repayment of Prior Year Cash Advance	Non-Base	-60,000,000			Non-allocation
43	State Admin Infrastructure Charges Prior Year Adjustment	Non-Base				JC policy
44	Statewide Administrative Infrastructure Charges	Non-Base	-2,699,246	-2,699,246		JC policy
45	Prior Year Facility Payments Charge Adjustments	Non-Base				JC policy
46	Total		2,053,173,423	2,174,412,266	2,098,604,452	
47	Support for Operation of the Trial Courts Appropriation Budget Act ²		2,159,936,000	2,252,137,000		
48	Transfer to Compensation of Superior Court Judges appropriation due to conversion of subordinate judicial officer positions to judgeships		-6,420,761	-8,155,381		
49	Transfer to Judicial Branch Workers' Compensation Fund					
50	Adjusted Appropriation		2,153,515,239	2,243,981,619		
51	Estimated Remaining Appropriation		100,341,816	69,569,353		

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.

Judicial Council and Trial Court Operations Projects/Programs

Trial Court Trust Fund (TCTF) Support for Operations of the Trial Courts (0150010)

OPERATIONS AND PROGRAMS DIVISION

Center for Families, Children, and the Courts

Court-Appointed Dependency Counsel

For 2017-18, the Trial Court Budget Advisory Committee (TCBAC) recommended and the Judicial 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. 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 2016-17 and will continue to be employed. The Judicial Council approved adjustments to this methodology to small courts at its business meeting in January 2019.

This allocation funds court-appointed dependency counsel, who represent approximately 145,000 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 20 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 20 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.

The \$20,000,000 increase in the Governor's 2019-20 Budget will be allocated according to the

methodology approved by the Judicial Council and used for the services described above.

Self-Help Centers

An approved 2018-19 budget change proposal (BCP) provides additional, three-year limited term funding of \$19.1 million which is added to the \$6.2 million annual allocation for a total of \$25.3 million. Funding is distributed to all 58 trial courts for self-help centers. 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 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 IMF] shall be available for support of services for self-represented litigants." Based upon recommendations by the TCBCAC, the Judicial Council has allocated an additional \$6.2 million for self-help services from the TCTF since 2007. The additional \$19.1 million has been distributed according to a formula based on population. The Budget Act further calls for a cost-benefit analysis of self-help services to be presented to the Legislature in November 2020. This analysis will help guide funding decisions in future years.

Court-Appointed Dependency Counsel Collections

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 business meeting on August 23, 2013, 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 in 2018-19 was \$766,198. To the extent the actual revenue in 2018-19 differs from the estimate used here, the court allocations would be adjusted for 2019-20. Any portion of a court’s allocated funds not spent and distributed in 2019-20 would be carried forward for distribution to the court in 2020-21 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

The anticipated budget for 2019-20 is \$1,300,000. This is a one-time reduction to the annual budget of \$2,286,000. The funds will be used to purchase an estimated 44 magnetometers and 28 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 approximately 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 five 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 2019-20 is less than last year by \$600,000.

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 fluctuation, the actual expenditures will vary from one fiscal year to the next. The amount of equipment identified for replacement in 2019-20 is lower than the numbers estimated for replacement in subsequent years, therefore the projected savings of \$600,000 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 a several hundred thousand dollars.

The program also offers a service to the court staff responsible for the equipment. The Emergency Planning and Security Coordination 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 Judicial Council 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

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 10 years through 2017–18 have averaged \$14.6 million. The latest five-year average is \$13.5 million. The reimbursement for 2017–18 was \$12.8 million. Based on current year expenditure pattern, the 2018–19 reimbursement is estimated to be \$12.4 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

For 2018–19, the TCBCAC recommended, and the council approved 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 32 percent of eligible reimbursements. Through the first quarter in 2018–19, eligible reimbursements totaled \$281,570.

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 business meeting on April 27, 2001, 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.

Elder/Dependent Adult Abuse Allocation Savings and Shortfalls, 2001–02 to 2018–19

Fiscal Year	EA-100 Filings Reported by Courts	Reimbursement Amount Based on Filings (\$185 per Filing)	Available Funding	Reverted Savings*/ (Funding Shortfalls)
2001–02	1,073	198,505	1,175,000	976,495
2002–03	1,110	205,350	1,175,000	969,650
2003–04	1,198	221,630	1,175,000	953,370
2004–05	1,515	280,275	1,175,000	894,725
2005–06	1,704	315,240	300,000	(15,240)
2006–07	1,813	335,405	350,000	14,595
2007–08	1,761	325,785	368,340	42,555
2008–09	1,832	338,920	368,340	29,420
2009–10	2,033	376,105	368,340	(7,765)
2010–11	2,511	464,535	356,340	(108,195)
2011–12	2,751	508,935	332,465	(176,470)
2012–13	3,128	578,680	332,340	(246,340)
2013–14	3,497	646,945	332,340	(314,605)
2014–15	3,840	708,920	332,340	(376,580)
2015–16	4,760	880,600	332,340	(548,260)
2016–17	5,087	941,095	332,340	(608,755)
2017–18	5,505	1,018,425	332,340	(686,085)
2018–19**	1,522	281,570	332,340	50,770

* Savings were reverted back to the state General Fund.

** As of first quarter of current fiscal year.

Trial Court Trust Fund - Fund Condition Statement

#	Description	YEAR END FINANCIAL STATEMENTS			ESTIMATED	
		2016-17	2017-18	2018-19 ¹	2019-20	2020-21
A		B	C	D	E	F
1	Beginning Fund Balance	34,829,875	66,569,099	60,477,544	58,961,568	64,116,176
2	Prior-Year Adjustments	5,759,000	8,556,629		-	-
3	TOTAL REVENUES AND TRANSFERS	1,288,395,327	1,303,737,015	1,306,723,024	1,319,944,773	1,329,863,177
4	<i>Total Revenues</i>	<i>1,270,421,327</i>	<i>1,283,589,015</i>	<i>1,286,755,024</i>	<i>1,300,467,773</i>	<i>1,311,548,177</i>
5	Transfers/Charges/Reimbursements					
6	General Fund Loan - Statewide E-Filing		671,000	491,000		(1,162,000)
7	Reduction Offset Transfers	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000
8	Net Other Transfers/Charges/Reimbursements	11,894,000	13,397,000	13,397,000	13,397,000	13,397,000
9	Total Resources	1,328,984,203	1,378,862,742	1,367,200,568	1,378,906,341	1,393,979,353
10	EXPENDITURES/ENCUMBRANCES/ALLOCATIONS					
11	Program 0140010 - Judicial Council (Staff)	2,306,934	2,657,198	3,957,000	3,915,900	3,856,500
12	Program 0150010 - Support for Operation of the Trial Courts	1,860,003,547	1,857,899,805	1,983,950,000	2,017,712,266	2,017,712,266
13	Program 0150011 - Court-Appointed Dependency Counsel	114,699,919	130,146,303	136,700,000	156,700,000	156,700,000
14	Program 0150019 - Compensation of Superior Court Judges	335,384,000	348,583,021	369,964,000	373,261,000	373,261,000
15	Program 0150028 - Assigned Judges	25,923,351	28,063,247	29,090,000	29,090,000	29,090,000
16	Program 0150037 - Court Interpreters	102,282,915	108,537,000	108,960,000	110,158,000	110,158,000
17	Program 0150046 - Grants	8,147,000	9,554,900	10,329,000	10,329,000	10,329,000
18	Program 0150095 - Expenses on Behalf of the Trial Courts	11,391,069	9,543,398	11,207,000	9,474,999	11,092,773
19	Total Local Assistance	2,446,549,101	2,493,406,000	2,650,200,000	2,706,725,265	2,708,343,038
20	<i>FISCAL Assessment</i>		<i>174,000</i>	<i>174,000</i>	<i>174,000</i>	<i>174,000</i>
21	<i>Pro Rata</i>		<i>129,000</i>	<i>2,000</i>	<i>66,000</i>	<i>66,000</i>
22	<i>Supplemental Pension Payments</i>			<i>98,000</i>	<i>76,000</i>	<i>169,000</i>
23	<i>Less Funding Provided by General Fund:</i>	<i>1,197,832,000</i>	<i>1,177,981,000</i>	<i>1,346,192,000</i>	<i>1,396,167,000</i>	<i>1,384,667,000</i>
24	Total, Expenditures/Encumbrances/Allocations	1,262,415,104	1,318,385,198	1,308,239,000	1,314,790,165	1,327,941,538
25	Ending Fund Balance	66,569,099	60,477,544	58,961,568	64,116,176	66,037,815
26	Total Restricted Funds	28,450,583	31,355,448	27,157,424	26,506,585	25,648,733
27	Ending Unrestricted Fund Balance	38,118,516	29,122,096	31,804,144	37,609,591	40,389,082

¹ 2018-19 revenues reflect the most current revenue projections (actuals through December 2018)