



# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

[www.courts.ca.gov/tcbac.htm](http://www.courts.ca.gov/tcbac.htm)  
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## TRIAL COURT BUDGET ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

May 2, 2019

10:00 a.m. – 2:00 p.m.

Boardroom, 455 Golden Gate Avenue, San Francisco, CA 94102

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**Advisory Body Members Present:** Judges: Hon. Jonathan B. Conklin (Chair), Hon. Jeffrey B. Barton, Hon. Daniel J. Buckley, Hon. Mark A. Cope, Hon. Kimberly Gaab, Hon. Teri L. Jackson, Hon. Charles Margines, Hon. Brian McCabe (phone), Hon. Gary Nadler (phone), and Hon. B. Scott Thomsen (phone).

Executive Officers: Ms. Rebecca Fleming (Vice Chair), Ms. Kim Bartleson (phone), Ms. Sherri Carter (phone), Mr. Chad Finke, Mr. Kevin Harrigan (phone), Mr. Michael D. Planet, Mr. Michael M. Roddy, Mr. Brian Taylor, Ms. Kim Turner, Ms. Tania Ugrin-Capobianco (phone), and Mr. David Yamasaki.

Judicial Council Staff Advisory Members: Mr. John Wordlaw and Mr. Zlatko Theodorovic

**Advisory Body Members Absent:** Hon. Andrew S. Blum and Hon. Jill C. Fannin

**Others Present:** Ms. Lucy Fogarty, Ms. Brandy Sanborn, Ms. Michele Allan, Ms. Donna Newman, Ms. Melissa Ng, Mr. Jason Haas, Mr. Catrayel Wood, Ms. Charlene Depner, Mr. Don Will, Mr. Douglas Denton, Mr. Eric Schnurpfeil, Mr. Doug Kauffroath, Ms. Audrey Fancy, Ms. Penelope Davis, and Ms. Vida Terry.

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#### OPEN MEETING

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##### **Call to Order and Roll Call**

The chair welcomed the then called the meeting to order at 10:17 a.m. and took roll call.

##### **Approval of Minutes**

The advisory body reviewed and approved the minutes of the April 16, 2019 Trial Court Budget Advisory Committee meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1-7)

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##### **Item 1 - 2019-20 AB 1058 Allocations (Action Required)**

Consideration of the 2019-20 allocations for the child support commissioner and family law facilitator programs.

Presenter(s)/Facilitator(s): Ms. Anna Maves, Supervising Attorney, Judicial Council Center for Families, Children, and the Courts

**Action:** The Trial Court Budget Advisory Committee unanimously voted to approve the recommendation for funding of child support commissioners for fiscal year (FY) 2019-20, subject to the state Budget Act, and for funding of family law facilitators for FY 2019-20, subject to the state Budget Act.

**Item 2 - 2019-20 Court-Appointed Dependency Counsel Allocations (Action Required)**

Consideration of the 2019-20 allocations from the Trial Court Trust Fund (TCTF) for court-appointed dependency counsel.

Presenter(s)/Facilitator(s): Ms. Audrey Fancy, Supervising Attorney, Judicial Council Center for Families, Children, and the Courts

**Action:** The Trial Court Budget Advisory Committee unanimously voted to approve the recommendation of two separate allocations for Court Appointed Counsel funding including \$136.7 million in the event there is no additional funding included in the 2019 Budget Act; and \$156.7 million in the event the \$20 million in proposed additional funding is in the final 2019 Budget Act.

**Item 3 - Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2019-20 (Action Required)**

Consideration of recommendations of the Revenue and Expenditure (R&E) Subcommittee regarding allocations from the IMF for 2019-20.

Presenter(s)/Facilitator(s): Mr. Jason Haas, Senior Analyst, Judicial Council Budget Services

**Action:** The Trial Court Budget Advisory Committee unanimously voted to approve a recommendation to approve a total of \$80,079,860 in allocations for 2019-20 from the IMF, contingent upon approval of various budget change proposals (BCPs) in the 2019 Budget Act; and to approve an additional allocation value of \$8,367,208, provided the 2019-20 BCPs that shift expenditures to the General Fund are denied.

**Item 4 - Allocations from the TCTF and Trial Court Allocations for 2019-20 (Action Required)**

Consideration of recommendations of the R&E Subcommittee regarding allocations from the TCTF for 2019-20, and consideration of 2019-20 trial court allocations from the TCTF and General Fund including the workload formula, criminal justice realignment, self-help, and benefits.

Presenter(s)/Facilitator(s): Ms. Melissa Ng, Senior Analyst, Judicial Council Budget Services

**Action:** The Trial Court Budget Advisory Committee unanimously voted to approve recommendations to approve base, discretionary and non-discretionary programs from the TCTF in the amount of \$2.21 billion; approve a General Fund allocation in the amount of \$68.8 million for employee benefits; and approve a Workload Formula allocation of \$2.032 billion based on methodologies approved by the Judicial Council.

**Item 5 - Interpreter Shortfall Methodology (Action Required)**

Consideration of options from the Funding Methodology Subcommittee for recommendation to the Judicial Council to address a projected 2019-20 shortfall and development of a methodology to manage anticipated, ongoing shortfalls.

Presenter(s)/Facilitator(s): Mr. Catrayel Wood, Senior Analyst, Judicial Council Budget Services

**Action:** The Trial Court Budget Advisory Committee voted to approve a recommendation to authorize a one-time allocation of unrestricted fund balance from the TCTF in an amount not to exceed \$13.5 million, with an alternative considered to allocate a reduction to courts up to \$13.5 million via a pro rata reduction to courts based on prior year actuals. The vote was as follows:

- Yes: 20
- No: 1
- Abstain: 0

**Item 6 - Prioritization of Trial Court Budget Change Proposal (BCP) Concepts for 2020-21 (Action Required)**

Review and prioritize trial court BCP concepts, and BCP concept submissions in which the TCBAC was identified as having purview and the opportunity to provide input, for submission to the Judicial Branch Budget Committee for its review.

Presenter(s)/Facilitator(s): Hon. Jonathan Conklin, Chair, Trial Court Budget Advisory Committee; Ms. Rebecca Fleming, Vice Chair, Trial Court Budget Advisory Committee

**Action:** The Trial Court Budget Advisory Committee unanimously approved to prioritize the BCPs identified by the committee in the following order:

1. Trial Court Funding Stabilization, \$390m
2. Trial Court Civil Assessment Backfill, \$56.4m
3. Trial Court Civil Assessment Maintenance of Effort, \$48.3m
4. Trial Court Reserve Cap
5. Funding for 10 of the 50 Judgeships Authorized by AB 159, \$7.4m - \$15.4m

Of the BCPs in which TCBAC was identified as having purview and the opportunity to provide input, the committee unanimously approved to prioritize two in the following order:

1. Language Access Expansion in California, \$18.3m (includes one-time funding)
2. Trial Court Facility Operations and Maintenance Funding, \$51.5m

The remaining BCPs under the committee's purview were unanimously approved without prioritization:

- a. Digitizing Documents Phases 2 and 3, \$6.7m one-time in 2020-21, \$11.1m one-time in 2021-22
- b. Next Generation Hosting Consulting Services for Data Center and Disaster Recovery, \$540k with \$1.3m one-time in 2020-21 and \$624k one-time in 2021-22
- c. Productizing California Court Innovation Grants
- d. Trial and Appellate Court Deferred Maintenance Funding, \$100m one-time
- e. Trial Court Lease Funding, \$8m

**Item 7- Judicial Council Advisory Committee on Audits and Financial Accountability Letter (Action Required)**

Consideration of a recommendation to address inconsistencies in the trial court encumbrance policies as alerted to TCBAC by the Advisory Committee on Audits and Financial Accountability for the Judicial Branch.

Presenter(s)/Facilitator(s): Mr. Doug Kauffroath, Director, Judicial Council Branch Accounting and Procurement

**Action:** The Trial Court Budget Advisory Committee unanimously voted to approve directing the Judicial Council staff responsible for coordinating changes to the Trial Court Financial Policies and Procedures Manual (FIN Manual) to initiate an off-cycle (outside annual update) amendment process to include the encumbrance guidelines as outlined in allowing for editorial updates as proposed by the trial courts, Department of Finance, and the State Controller's Office in their statutorily mandate review of FIN Manual updates.

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**INFORMATION ONLY ITEMS (INFO 1)**

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**Info 1- Budget Update for 2019-20**

Update on the budget for 2019-20.

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

**Action:** No action taken.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 12:09 p.m.

Approved by the advisory body on June 3, 2019.