



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE FUNDING METHODOLOGY SUBCOMMITTEE

MINUTES OF OPEN MEETING

October 8, 2019

11:30 a.m. - 2:00 p.m.

Tower Room B, 2850 Gateway Oaks Drive, Sacramento, CA 95833

Advisory Body Members Present: Judges: Hon. Daniel J. Buckley (Cochair), Hon. Mark Ashton Cope, Hon. Patricia L. Kelly, and Hon. B. Scott Thomsen.

Executive Officers: Ms. Rebecca Fleming (Cochair), Ms. Sherri R. Carter, Ms. Nancy Eberhardt (phone), Mr. Michael D. Planet, Mr. Neal Taniguchi, and Mr. David Yamasaki.

Advisory Body Members Absent:

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

OPEN MEETING

Call to Order and Roll Call

The cochairs called the meeting to order at 11:36 a.m., introduced and welcomed the new members, and took roll call.

Approval of Minutes

The subcommittee reviewed and approved the minutes of the June 17, 2019 Funding Methodology Subcommittee (FMS) meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

Item 1 – Methodology for Reallocation of Workload Formula Funds (Action Required)

Discuss a methodology for reallocation of Workload Formula funds in years of no new money.

Presenter(s)/Facilitator(s): Ms. Michele Allan, Supervisor, Budget Services

Action: The FMS voted unanimously to forward the following recommendations for consideration by the Trial Court Budget Advisory Committee (TCBAC) at its November 21, 2019 meeting; with change of word from 'other year' to 'second year' in item C:

A. Specify that the methodology for the first 50 percent allocation of new funding to courts below the statewide average be scaled by courts' distance from the statewide average and size based on the courts' Workload Formula need;

B. Include an exception for consistency purposes to allow the 2020-21 funding provided in the 2019 Budget Act for support of the 25 judgeships apply the same allocation methodology used for 2019-20; and

C. Specify that the reallocation of funding for every second year in which no new money is provided be based on beginning Workload Formula allocation, distributed to courts via distance from statewide average and size based on Workload Formula need, and in the following sequence:

- i. Up to 1 percent reduction for courts above the 2 percent band to courts below the 2 percent band.
- ii. Up to 2 percent reduction for courts above 105 percent of funding need to courts below the 2 percent band.
- iii. Courts above 105 percent of funding need will not fall below 104 percent of funding need.
- iv. Courts that penetrate into the band following the up to 1 percent reallocation will not be eligible for additional funding.

Item 2 - Distribution of the Fee for Court Reporter Services in Civil Proceedings Lasting More Than One Hour (Action Required)

Discuss distribution of the court reporter fee assessed pursuant to Government Code 68086(a)(2).

Presenter(s)/Facilitator(s): Ms. Brandy Sanborn, Manager, Budget Services

Action: The FMS voted unanimously to forward the following recommendations for consideration by the TCBCAC at its November 21, 2019 meeting:

1. GC 68086(a)(2) fees, deposited into the TCTF, to be distributed back to trial courts on a dollar-for-dollar basis beginning July 1, 2020; and
2. Exclude court reporter fees in civil proceedings for one hour or more as a funding category in the Workload Formula.

Item 3 - El Dorado Superior Court Workload Formula Adjustment Request (Action Required)

Discuss the Workload Formula Adjustment Request submitted by El Dorado Superior Court.

Presenter(s)/Facilitator(s): Ms. Leah Rose-Goodwin, Manager, Business Management Services

Action: The FMS voted unanimously to forward the following recommendation for consideration by the TCBCAC at its November 21, 2019 meeting:

Deny the Workload Formula Adjustment Request submitted by El Dorado Superior Court requesting that the Workload Formula be adjusted to account for operating multiple locations.

In addition, the FMS voted unanimously to have the cochairs recommend to the chair of TCBCAC that the request submitted by El Dorado Superior Court be provided to the Workload Assessment Advisory Committee for consideration.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1 - Annual Base Funding Floor Review

Update regarding the annual review of the base funding floors in the Workload Formula.

Presenter(s)/Facilitator(s): Ms. Michele Allan, Supervisor, Budget Services

Action: No action required.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:44 p.m.

Approved by the advisory body on February 20, 2020.