



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

November 21, 2019

11:00 a.m. – 2:00 p.m.

2850 Gateway Oaks Drive, Sacramento, CA 95833, Tower A & B

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Jeffrey B. Barton (phone), Hon. Daniel J. Buckley, Hon. Mark A. Cope, Hon. Jill C. Fannin, Hon. Kimberly Gaab, Hon. Joyce D. Hinrichs, Hon. Patricia L. Kelly, Hon. Charles Margines, Hon. Deborah H. Ryan, and Hon. B. Scott Thomsen.

Executive Officers: Ms. Rebecca Fleming (Vice Chair), Ms. Kim Bartleson, Ms. Sherri Carter, Ms. Nancy Eberhardt (phone), Mr. Shawn Landry, Mr. Chad Finke, Mr. Michael D. Planet, Mr. Chris Ruhl, Mr. Neal Taniguchi, Mr. Brian Taylor, Ms. Kim Turner, and Mr. David Yamasaki.

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

Advisory Body Members Absent:

Others Present: Ms. Brandy Sanborn, Ms. Lucy Fogarty, Ms. Leah Rose-Goodwin, Ms. Michele Allan, Mr. Catrayel Wood, and Ms. Rose Livingston.

OPEN MEETING

Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 11:12 a.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the August 7, 2019 Trial Court Budget Advisory Committee (TCBAC) meeting, and the September 11, 2019 and October 9, 2019 actions by email between TCBAC meetings.

DISCUSSION AND ACTION ITEMS (ITEMS 1 - 8)

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

Consideration of a Funding Methodology Subcommittee (FMS) recommendation on a methodology for reallocation of Workload Formula funds.

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

Action: TCBAC unanimously voted to approve the following recommendations of FMS for Judicial Council consideration at its business meeting on January 16-17, 2020:

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 from the 2 percent reallocation from courts above 105 percent of funding need.

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

Consideration of an FMS recommendation on 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 Trial Court Budget Advisory Committee unanimously voted to approve the following recommendations of FMS to be considered by the council at its January 16-17, 2020 business meeting:

1. Government Code 68086(a)(2) fees, deposited into the Trial Court Trust Fund (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 effective July 1, 2020.

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

Consideration of an FMS recommendation on 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 Trial Court Budget Advisory Committee unanimously voted to approve the following recommendations from FMS that the request be denied since the portion of the Workload Formula for which it makes policy was determined to not be the appropriate place for such a recommendation. Further, the co-chairs of FMS further recommend that the chair of TCBAC consider referring this item to the Workload Assessment Advisory Committee to determine whether there are any adjustments that could or should be made to the underlying Resource Assessment Study model to account for multiple locations.

Item 4 - Updates to the Funds Held on Behalf (FHOB) of the Trial Courts Policy (Action Required)

Consideration of a Fiscal Planning Subcommittee (FPS) recommendation on revisions to the current FHOB submission process including streamlining the submission schedule and making a change to the recipient of the request as well as a Budget Services recommendation on the timeline.

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

Action: TCBAC unanimously voted to approve the following recommendations of FPS for consideration by the council at its business meeting on January 16-17, 2020, the following revisions:

1. To better align with court year-end closing, trial court allocation offsets, and requests to amend previously approved requests, it is recommended that submission due dates be revised beginning January 2020 from five dates to three:
 - August – FHOB requests for preliminary fund balance cap.
 - November – FHOB requests for final fund balance cap.
 - April - Requests to amend previously approved requests.
2. Changing submissions from the Judicial Council Administrative Director to the director of Budget Services in an effort to streamline the current submission, review, and approval process; and
3. Make language corrections as appropriate.

Item 5 - Children's Waiting Room (CWR) Report (Action Required)

Consideration of an extension on receipt of CWR funds during temporary closure for the San Mateo Superior Court.

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

Action: TCBAC voted to approve (with one abstention) the continued distribution of CWR funds to San Mateo Superior Court to allow the court to accumulate funding to support operating the CWRs, scheduled to re-open in September 2020, for consideration by the council at its January 17, 2020 business meeting.

Item 6 - Update to CWR Policy (Action Required)

Consideration of an FPS recommendation to the CWR Distribution and Fund Balance Policy including an update to the timing of the fund balance cap reductions, removal of language that is no longer relevant, and other technical revisions to clarify language in the policy as well as a Budget Services recommendation on the timeline.

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

Action: TCBAC unanimously voted to approve the recommendations of FPS and Budget Services staff recommendations on the revisions to the CWR Distribution and Fund Balance Policy for council consideration at its business meeting on January 16-17, 2020.

Item 7 - CWR Fund Balance Cap Biennial Review (Action Required)

Consideration of an FPS recommendation of reductions for 2018-19 fund balances exceeding the cap as well fund balance cap adjustment requests from four courts.

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

Action: TCBAC voted to approve (with three abstentions) the following the CWR fund balance cap adjustments for consideration by the council at its business meeting on January 16-17, 2020.

Item 8 - 2018-19 Final One-Time Cap Reduction for Fund Balances Above the 1% Cap (Action Required)

Review of final submissions of 2018-19 one-time reductions for fund balances.

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

Action: TCBAC unanimously voted to approve the adjustment to the preliminary 1 percent fund balance cap reduction allocation by a net of \$955,749, for a reduction allocation of \$6,935,081 to match the trial courts' final calculations of the amount above the 1 percent fund balance cap, which nets to \$796,545 after a FHOB reduction, for consideration and recommendation to the council at its business meeting on January 16-17, 2020.

I. INFORMATION ONLY ITEMS (INFO 1-2)

Info 1 – TCTF FHOB Expenditure Reporting

Quarterly report to the TCBAC on how funds were expended for projects and planned expenditures that are complete.

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

Action: No action taken.

Info 2 - Lease Review Update

Update from the March 21, 2019 TCBAC request of Budget Services staff to work with Facilities Services and the appropriate advisory body regarding review and consideration of funding for trial court leases.

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

Action: No action taken.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:50 p.m.

Approved by the advisory body on January 23, 2020.