



JUDICIAL COUNCIL  
OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE  
FISCAL PLANNING SUBCOMMITTEE

MATERIALS FOR MARCH 9, 2021 MEETING

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# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

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## TRIAL COURT BUDGET ADVISORY COMMITTEE

### FISCAL PLANNING SUBCOMMITTEE

#### NOTICE AND AGENDA OF OPEN MEETING

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

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** March 9, 2021  
**Time:** 1:00 p.m. - 1:30 p.m.  
**Public Call-in Number:** 1-877-820-7831, Pass Code: 1884843 (listen only)

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

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

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

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

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

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

Approve minutes of the November 19 and 25, 2020 Fiscal Planning Subcommittee meetings.

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

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [tcbac@jud.ca.gov](mailto:tcbac@jud.ca.gov). Only written comments received by 1:00 p.m. on March 8, 2021 will be provided to advisory body members prior to the start of the meeting.

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

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**Item 1**

**Children's Waiting Room (CWR) Report (Action Item)**

Consideration of continued receipt of CWR funds for San Francisco Superior Court.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Fiscal Planning  
Subcommittee  
Ms. Oksana Tuk, Senior Analyst, Judicial Council  
Budget Services

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**IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**None**

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**V. ADJOURNMENT**

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**Adjourn**



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TRIAL COURT BUDGET ADVISORY COMMITTEE  
FISCAL PLANNING SUBCOMMITTEE

MINUTES OF OPEN MEETING

November 19, 2020

9:30 a.m. – 10:00 a.m.

Call in Number: 1-877-820-7831, Pass Code: 1884843 (listen only)

**Advisory Body  
Members Present:**

Judges: Hon. Jonathan B. Conklin (Chair), Hon. Kimberly A. Gaab, and Hon. Charles Margines.

Executive Officers: Mr. Chad Finke, Mr. Chris Ruhl, Mr. Michael D. Planet, Mr. Shawn Landry, Mr. Brian Taylor, and Mr. David H. Yamasaki.

**Advisory Body  
Members Absent:**

Ms. Kim Bartleson

**Others Present:**

Mr. Catrayel Wood, Ms. Michele Allan, and Ms. Brandy Olivera.

OPEN MEETING

**Call to Order and Roll Call**

The chair called the meeting to order at 9:30 a.m. and roll was called.

**Approval of Minutes**

The advisory body reviewed and approved the minutes of the September 17, 2020 Fiscal Planning Subcommittee (FPS) meeting.

DISCUSSION AND ACTION ITEMS (ITEM 1)

**Item 1 – Trial Court Trust Fund (TCTF) Funds Held on Behalf (FHOB) of the Trial Courts Requests (Action Item)**

Consideration of a recommendation to the Judicial Council to approve TCTF funds to be held on behalf of the trial courts in response to 25 new requests and ten amended requests from ten trial courts.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Fiscal Planning Subcommittee  
Mr. Catrayel Wood, Senior Analyst, Judicial Council Budget Services

*Action:*

- *The FPS unanimously approved 24 new FHOB requests. One from Colusa Superior Court; one from San Benito Superior Court; two from Mono Superior Court; and 20 from Imperial Superior Court*

- *The Fiscal Planning Subcommittee approved one new FHOB request submitted by Monterey in a vote as follows:*
  - - Yes: 8
  - - No: 0
  - - Abstain: 1
  
- *The FPS unanimously approved nine amended FHOB requests; one from Sutter Superior Court; one from San Mateo Superior Court; two from Sacramento Superior Court; four from Mono Superior Court; and one from Tehama Superior Court.*
  
- *The FPS approved one amended FHOB request submitted by Orange in a vote as follows:*
  - - Yes: 7
  - - No: 0
  - - Abstain: 2

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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 9:56 a.m.

Approved by the advisory body on  enter date.



JUDICIAL COUNCIL  
OF CALIFORNIA

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TRIAL COURT BUDGET ADVISORY COMMITTEE

FISCAL PLANNING SUBCOMMITTEE

MINUTES OF OPEN MEETING

November 25, 2020

9:30 a.m.

Action by E-mail Between Meetings

**Advisory Body  
Members Present:**

Judges: Hon. Jonathan B. Conklin (Chair), Hon. Kimberly A. Gaab, and Hon. Charles Margines.

**Advisory Body  
Members Absent:**

Executive Officers: Ms. Kim Bartleson, Mr. Chad Finke, Mr. Chris Ruhl, Mr. Michael D. Planet, Mr. Shawn Landry, and Mr. Brian Taylor.

**Others Present:**

Mr. David H. Yamasaki

Mr. Catrayel Wood, Ms. Michele Allan, and Ms. Brandy Olivera.

OPEN MEETING

**Vote**

Voting was opened at 9:41 a.m.

DISCUSSION AND ACTION ITEMS (ITEM 1)

**Item 1**

Consideration of a recommendation to the Judicial Council to approve Kings Superior Court's new request to hold funds in excess of the 3 percent 2019-20 fund balance cap totaling \$1.046 million for case management system infrastructure upgrades.

**Action:** The Fiscal Planning Subcommittee unanimously approved Kings Superior Court's request.

ADJOURNMENT

Voting closed at 5:00 p.m.

Approved by the advisory body on  enter date.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Trial Court Budget Advisory Committee  
Report to the Fiscal Planning Subcommittee

**Title:** Consideration of Continued Receipt of Children’s Waiting Room (CWR) Funds for San Francisco Superior Court

**Date:** 3/9/2021

**Contact:** Oksana Tuk, Senior Analyst, Judicial Council Budget Services  
916-643-8027 | [oksana.tuk@jud.ca.gov](mailto:oksana.tuk@jud.ca.gov)

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**Issue**

The San Francisco Superior Court is requesting to continue receiving CWR funds during the unforeseen temporary closure of its CWRs in response to the COVID-19 pandemic. Continuation of CWR funds during this time will enable the court to provide safe and healthy CWR settings for children when it is determined that the court’s CWRs can be reopened.

**Background**

Per Government Code section 70640, courts shall endeavor to provide a CWR in each courthouse for children whose parents or guardians are attending a court hearing or for other court purposes. After January 1, 2006, a court may apply to the Judicial Council for a CWR distribution between \$2 and \$5, inclusive, from applicable filing fees (Attachment A) to help cover the costs of operating CWRs.

Per Judicial Council approval of the Trial Court Budget Advisory Committee-recommended CWR policy revisions at its business meeting on July 24, 2020<sup>1</sup>, the Fiscal Planning Subcommittee makes a recommendation directly to the council upon the court’s request.

San Francisco Superior Court’s request for a continued CWR distribution is provided in Attachment B. On March 17, 2020, due to the COVID-19 pandemic and its impact on court operations, the court closed its two CWR locations. Due to continued health and safety concerns for court staff and the public, the court does not plan to reopen its CWR locations until it is deemed safe. The court is closely monitoring the pandemic and evaluating options to enable reopening as soon as it is safe to do so.

Attachment C provides the total distributions for 2016-17, 2017-18, 2018-19, and 2019-20 for the 18 courts that received CWR distributions as of 2019-20.

Attachment D provides the distribution from the First Paper General Civil Unlimited Uniform Filing Fee (Government Code section 70611) in San Francisco County. There is no change in the distribution for this request because the court is already receiving a CWR distribution.

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<sup>1</sup> Judicial Council Report (July 24, 2020), [https://jcc.legistar.com/View.ashx?M=F&ID=8643506&GUID=BF60227F-157A-4BBE-8BD5-A0B5F4804971](https://jcc.legistar.com/View.ashx?M=F&ID=8643506&GUID=BF60227F-157A-4BBE-8BD5-A0B5F4804971;); Judicial Council Minutes (July 24, 2020), <https://jcc.legistar.com/View.ashx?M=M&ID=711582&GUID=90001AF2-7CEE-4F0F-906B-29A03ED9CB43>

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Trial Court Budget Advisory Committee  
Report to the Fiscal Planning Subcommittee

**Recommendation**

Approve a recommendation to approve the continued distribution of CWR funds for the San Francisco Superior Court for consideration by the Judicial Council at its May 21, 2021 business meeting.

**Attachments**

**Attachment A:** Government Code Section 70640

**Attachment B:** San Francisco Superior Court's CWR continued distribution request

**Attachment C:** CWR Distribution Amount and Total Distribution

**Attachment D:** Distribution from First Paper General Civil Unlimited Uniform Filing Fee (Government Code section 70611) in San Francisco County



**Government Code Section 70640**

(a) It is the policy of the state that each court shall endeavor to provide a children's waiting room in each courthouse for children whose parents or guardians are attending a court hearing as a litigant, witness, or for other court purposes as determined by the court. To defray that expense, monthly allocations for children's waiting rooms shall be added to the monthly apportionment under subdivision (a) of Section 68085 for each court where a children's waiting room has been established or where the court has elected to establish that service.

(b) The amount allocated to each court under this section shall be equal to the following: for each first paper filing fee as provided under Section 70611, 70612, 70613, 70614, or 70670, and each first paper or petition filing fee in a probate matter as provided under Section 70650, 70651, 70652, 70653, 70654, 70655, 70656, or 70658, the same amount as was required to be collected as of December 31, 2005, to the Children's Waiting Room Fund under former Section 26826.3 in the county in which the court is located when a fee was collected for the filing of a first paper in a civil action under former Section 26820.4.

(c) Notwithstanding any other provision of law, the court may make expenditures from these allocations in payment of any cost, excluding capital outlay, related to the establishment and maintenance of the children's waiting room, including personnel, heat, light, telephone, security, rental of space, furnishings, toys, books, or any other item in connection with the operation of a children's waiting room.

(d) If, as of January 1, 2006, there is a Children's Waiting Room Fund in the county treasury established under former Section 26826.3, the county immediately shall transfer the moneys in that fund to the court's operations fund as a restricted fund. By February 15, 2006, the county shall provide an accounting of the fund to the Administrative Office of the Courts.

(e) After January 1, 2006, the court may apply to the Judicial Council for an adjustment of the amount distributed to the fund for each uniform filing fee. A court that wishes to establish a children's waiting room, and does not yet have a distribution under this section, may apply to the Judicial Council for a distribution. Applications under this subdivision shall be made according to trial court financial policies and procedures authorized by the Judicial Council under subdivision (a) of Section 77206. Adjustments and new distributions shall be effective January 1 or July 1 of any year beginning January 1, 2006.

(f) The distribution to a court under this section per each filing fee shall be not less than two dollars (\$2) and not more than five dollars (\$5).

(Amended by Stats. 2007, Ch. 130, Sec. 135. Effective January 1, 2008.)

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

400 McAllister Street, Room 205  
San Francisco, CA 94102-4512  
Phone: 415-551-5737  
FAX: 415-551-5701



T. MICHAEL YUEN  
COURT EXECUTIVE OFFICER

February 2, 2021

Mr. John Wordlaw  
Chief Administrative Officer  
Judicial Council of California  
2850 Gateway Oaks, Suite 300  
Sacramento, California 95833

Attention: Director of Budget Services

RE: Notification of Temporary Closures of Children's Waiting Rooms

Dear Mr. Wordlaw:

The Superior Court of California, County of San Francisco (Court) is providing formal notification of the temporary closure of its children's waiting rooms (CWR) in response to the COVID-19 pandemic that began March 17, 2020. Prior to the pandemic, the Court operated two children's waiting rooms in San Francisco that remain funded through the filing fee distribution. The Court is evaluating options and looking at opportunities to enable the reopening of the CWR locations as soon as it is safe to do so.

Consequently, we respectfully request a continuation of the filing fee distribution. This will ensure the Court is able to provide settings for children that are safe and healthy as soon as the waiting rooms can be reopened.

If you have any questions on this matter, please contact Laural Ayala at [layala@sftc.org](mailto:layala@sftc.org). Thank you in advance for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Michael Yuen".

T. Michael Yuen  
Court Executive Officer

Cc: Sue Wong, Chief Financial Officer  
Laural Ayala, Administrative Analyst

	<b>Court</b>	<b>Distribution Amount</b>	<b>2016-17 Total Distribution</b>	<b>2017-18 Total Distribution</b>	<b>2018-19 Total Distribution</b>	<b>2019-20 Total Distribution</b>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
1	Alameda	\$5	\$ 188,819	\$ 169,579	\$ 174,451	\$ 141,111
2	Butte	\$5	\$ 27,096	\$ 11,227	\$ -	\$ -
3	Contra Costa	\$5	\$ 129,349	\$ 116,444	\$ 126,445	\$ 103,152
4	Fresno	\$5	\$ 121,401	\$ 110,504	\$ 117,334	\$ 93,562
5	Los Angeles	\$5	\$ 1,295,100	\$ 1,480,168	\$ 1,603,832	\$ 1,416,027
6	Monterey	\$5	\$ 40,826	\$ 20,230	\$ -	\$ -
7	Orange	\$5	\$ 466,843	\$ 421,645	\$ 447,379	\$ 346,706
8	Riverside	\$5	\$ 317,869	\$ 287,070	\$ 328,848	\$ 252,627
9	Sacramento	\$5	\$ 373,901	\$ 348,234	\$ 314,540	\$ 180,747
10	San Bernardino	\$5	\$ 297,239	\$ 288,108	\$ 299,668	\$ 236,116
11	San Diego	\$5	\$ 430,649	\$ 380,780	\$ 407,575	\$ 317,707
12	San Francisco	\$5	\$ 140,230	\$ 124,923	\$ 130,501	\$ 100,649
13	San Joaquin	\$5	\$ -	\$ 91,233	\$ 94,255	\$ 76,281
14	San Luis Obispo	\$5	\$ 29,250	\$ 25,681	\$ 28,232	\$ 24,475
15	San Mateo	\$5	\$ 81,204	\$ 71,715	\$ 76,285	\$ 63,445
16	Santa Barbara	\$5	\$ 48,354	\$ 43,675	\$ 45,150	\$ 39,227
17	Santa Clara	\$5	\$ 174,867	\$ 162,279	\$ 172,182	\$ 149,686
18	Solano	\$5	\$ 56,083	\$ 54,379	\$ 59,359	\$ 49,203
19	Sonoma	\$5	\$ 55,979	\$ 49,926	\$ 54,341	\$ 44,085
20	Stanislaus	\$2	\$ 24,371	\$ -	\$ -	\$ -
21	Ventura	\$5	\$ 103,657	\$ 92,008	\$ 97,711	\$ 75,919
	<b>Total</b>		<b>\$ 4,403,087</b>	<b>\$ 4,349,806</b>	<b>\$ 4,578,087</b>	<b>\$ 3,710,723</b>

Distribution from First Paper General Civil Unlimited  
 Uniform Filing Fee (Government Code section 70611)  
 in San Francisco County

**Attachment D**

Distribution	State vs. Local	Current
Trial Court Trust Fund Base Allocation	State	\$304.70
Children's Waiting Room	State	\$5.00
Automated Recored-Keeping and Micrographics	State	\$3.00
Judges' Retirement Fund	State	\$2.50
State Court Facilities Construction Fund	State	\$0.00
Immediate & Critical Needs Account	State	\$30.00
Local Courthouse Construction Surcharges		\$50.00
Equal Access Fund	Local	\$4.80
Dispute Resolution	Local	\$8.00
Law Library	Local	\$0.00
Law Library (3rd Party)	Local	\$42.00
<b>Fee Amount</b>		<b>\$450.00</b>