



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE
FISCAL PLANNING SUBCOMMITTEE

MATERIALS FOR AUGUST 5, 2021 MEETING

Meeting Contents

Agenda	1
Minutes	
Draft Minutes from the April 22, 2021 Meeting	3
Discussion and Possible Action Items	
Item 1 – Consideration of continued receipt of CWR funds for Ventura Superior Court (Action Item).....	5
Attachment A: Government Code Section 70640	7
Attachment B: Ventura Superior Court’s CWR continued distribution request	8
Attachment C: CWR Distribution Amount and Total Distribution	9
Attachment D: Distribution from First Paper General Civil Unlimited Uniform Filing Fee (Government Code section 70611) in Ventura County	10



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www.courts.ca.gov/tcbac.htm
tcbac@jud.ca.gov

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JCCAccessCoordinator@jud.ca.gov

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

Date: August 5, 2021
Time: 8:30 a.m. - 9:00 a.m.
Public Call-in Number: 1-877-820-7831, Pass Code: 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 April 22, 2021 Fiscal Planning Subcommittee meeting.

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. Only written comments received by 8:30 a.m. on August 4, 2021 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (1)

Item 1

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

Consideration of continued receipt of CWR funds for Ventura Superior Court.

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

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

None

V. ADJOURNMENT

Adjourn



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TRIAL COURT BUDGET ADVISORY COMMITTEE

FISCAL PLANNING SUBCOMMITTEE

MINUTES OF OPEN MEETING

April 22, 2021

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: Ms. Kim Bartleson, Mr. Chad Finke, Mr. Chris Ruhl, Mr. Brian Taylor, and Mr. David H. Yamasaki.

Advisory Body Members Absent: Mr. Michael D. Planet, and Mr. Shawn Landry

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 March 9, 2021 Fiscal Planning Subcommittee (FPS) meeting with two abstentions.

DISCUSSION AND ACTION ITEMS (ITEM 1-2)

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 two amended requests from one trial court.

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 two amended FHOB requests from Sutter Superior Court for consideration by the Judicial Council at its July 9, 2021 business meeting.

Item 2 – Children’s Waiting Room (CWR) Report (Action Item)

Consideration of continued receipt of CWR funds for Solano Superior Court.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Fiscal Planning Subcommittee

Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

Action:

- *The FPS approved Solano Superior Court's CWR request for consideration by the Judicial Council at its July 9, 2021 business meeting in a vote as follows: Yes (7), No (0), and Abstain (1).*

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 9:38 a.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: Continued Receipt of Children’s Waiting Room (CWR) Funds for Ventura Superior Court

Date: 8/5/2021

Contact: Oksana Tuk, Senior Analyst, Judicial Council Budget Services
916-643-8027 | oksana.tuk@jud.ca.gov

Issue

The Ventura Superior Court is requesting the continued receipt of 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 a safe and healthy CWR setting 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, 2020¹, the Fiscal Planning Subcommittee makes a recommendation directly to the council upon the court’s request.

Ventura Superior Court’s request for a continued CWR distribution is provided in Attachment B. On March 6, 2020, due to the COVID-19 pandemic and its impact on court operations, the court closed its CWR at the Hall of Justice and on March 13, 2020 the court closed its Juvenile Courthouse CWR. The court is closely monitoring the pandemic and evaluating options to enable reopening as soon as public health orders and conditions permit.

Attachment C provides the total distributions for 2017-18, 2018-19, 2019-20, and 2020-21 for the 18 courts that received CWR distributions as of 2020-21.

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

¹ 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 for the continued distribution of CWR funds to Ventura Superior Court for consideration by the Judicial Council at its October 1, 2021 business meeting.

Attachments

Attachment A: Government Code Section 70640

Attachment B: Ventura 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 Ventura 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 Ventura
Hall of Justice
800 South Victoria Avenue
Ventura, CA 93009

Brenda L. McCormick
*Executive Officer/Clerk
and Jury Commissioner*

June 30, 2021

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

**Re: Notification of Temporary Closure of Children's Waiting Room and
Request for Continuation of Funding**

Dear Mr. Wordlaw,

The Superior Court of California, County of Ventura (Court) is providing formal notification of the temporary closure of its Children's Waiting Room (CWR) in response to the COVID-19 pandemic. Prior to the pandemic the Court operated two Children's Waiting Rooms that are funded pursuant to Government Code (GC) Section 70640. The Court is evaluating options to enable the reopening of the CWR's based on guidance provided by public health agencies.

The Court requests the continuation of the filing fee distribution pursuant to GC 70640 that will allow us to reopen and continue to provide the Children's Waiting Room service to the public when it is safe to do so.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. McCormick".

06/30/2021

Brenda L. McCormick
Court Executive Officer

Cc: Robert Sherman, Assistant Executive Officer
Zlatco Theodorovic, Deputy Director

	Court	Distribution Amount	2017-18 Total Distribution	2018-19 Total Distribution	2019-20 Total Distribution	2020-21 Total Distribution
	A	B	C	D	E	F
1	Alameda	\$5	\$ 169,579	\$ 174,451	\$ 141,111	\$ 148,922
2	Butte	\$5	\$ 11,227	\$ -	\$ -	\$ -
3	Contra Costa	\$5	\$ 116,444	\$ 126,445	\$ 103,152	\$ 95,273
4	Fresno	\$5	\$ 110,504	\$ 117,334	\$ 93,562	\$ 7,224
5	Los Angeles	\$5	\$ 1,480,168	\$ 1,603,832	\$ 1,416,027	\$ 1,300,265
6	Monterey	\$5	\$ 20,230	\$ -	\$ -	\$ -
7	Orange	\$5	\$ 421,645	\$ 447,379	\$ 346,706	\$ 418,580
8	Riverside	\$5	\$ 287,070	\$ 328,848	\$ 252,627	\$ 279,863
9	Sacramento	\$5	\$ 348,234	\$ 314,540	\$ 180,747	\$ 184,598
10	San Bernardino	\$5	\$ 288,108	\$ 299,668	\$ 236,116	\$ 264,183
11	San Diego	\$5	\$ 380,780	\$ 407,575	\$ 317,707	\$ 371,907
12	San Francisco	\$5	\$ 124,923	\$ 130,501	\$ 100,649	\$ 99,733
13	San Joaquin	\$5	\$ 91,233	\$ 94,255	\$ 76,281	\$ 80,693
14	San Luis Obispo	\$5	\$ 25,681	\$ 28,232	\$ 24,475	\$ 25,602
15	San Mateo	\$5	\$ 71,715	\$ 76,285	\$ 63,445	\$ 69,768
16	Santa Barbara	\$5	\$ 43,675	\$ 45,150	\$ 39,227	\$ 38,340
17	Santa Clara	\$5	\$ 162,279	\$ 172,182	\$ 149,686	\$ 149,064
18	Solano	\$5	\$ 54,379	\$ 59,359	\$ 49,203	\$ 46,719
19	Sonoma	\$5	\$ 49,926	\$ 54,341	\$ 44,085	\$ 48,535
20	Ventura	\$5	\$ 92,008	\$ 97,711	\$ 75,919	\$ 94,128
	Total		\$ 4,349,806	\$ 4,578,087	\$ 3,710,723	\$ 3,723,394

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

Attachment D

Distribution	State vs. Local	Current
Trial Court Trust Fund Base Allocation	State	\$314.70
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	\$35.00
Immediate & Critical Needs Account	State	\$30.00
Local Courthouse Construction Surcharges		\$0.00
Equal Access Fund	Local	\$4.80
Dispute Resolution (to County)	Local	\$8.00
Dispute Resolution (to Court)	Local	\$0.00
Law Library	Local	\$32.00
Law Library (3rd Party)	Local	\$0.00
Fee Amount		\$435.00