



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE

MATERIALS FOR AUGUST 5, 2021 VIRTUAL MEETING

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TRIAL COURT BUDGET ADVISORY COMMITTEE

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: 9:00 a.m. to 12:00 p.m.
Public Call-in Number: <https://jcc.granicus.com/player/event/1351>

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 May 6, 2021 Trial Court Budget Advisory Committee (TCBAC) virtual meeting and the May 24, 2021 action by email between meetings.

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 9:00 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 ITEM (ITEMS 1-4)

Item 1

\$60 Million One-Time COVID-Driven Caseload Backlog Funding (Action Required)

Consideration of the 2021-22 one-time allocations to address backlogs and workload delays resulting from the COVID-19 pandemic.

Presenter(s)/Facilitator(s): Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services
Ms. Leah Rose-Goodwin, Manager, Judicial Council Business Management Services

Item 2

\$140 Million Pretrial Funding (Action Required)

Consideration of the 2021-22 one-time and ongoing allocations to courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.

Presenter(s)/Facilitator(s): Ms. Deirdre Benedict, Supervising Analyst, Judicial Council Criminal Justice Services

Item 3

\$4.45 Million AB 1058 Reimbursement Authority Increase (Action Required)

Consideration of a recommendation for utilizing increased reimbursement authority to cover the increased contract amount with the Department of Child Support Services to support the AB 1058 Child Support Commissioner and Family Law Facilitator Program.

Presenter(s)/Facilitator(s): Mr. Don Will, Deputy Director, Judicial Council Center for Families, Children & the Courts
Ms. Anna Maves, Supervising Attorney, Judicial Council Center for Families, Children & the Courts

Item 4

Annual Funding Methodology Subcommittee (FMS) Work Plan Update (Action Required)

Consideration of an FMS recommendation to update items on the annual work plan.

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

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

2021 Budget Act

Discussion of the funding provided for trial courts in the 2021 Budget Act.

Presenter(s)/Facilitator(s): Ms. Fran Mueller, Deputy Director, Judicial Council Budget Services

Info 2

Trial Court Executive Summary Display

Review of the 2021-22 allocation summary for distribution to all 58 trial courts.

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

Info 3

Trial Court Trust Fund Funds Held on Behalf 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, Judicial Council Budget Services

V. ADJOURNMENT

Adjourn



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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

May 6, 2021

12:00 p.m. – 2:00 p.m.

<http://jcc.granicus.com/player/event/1262?>

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Daniel J. Buckley, Hon. Kimberly Gaab, Hon. Joyce D. Hinrichs, Hon. Patricia L. Kelly, Hon. Charles Margines, Hon. Deborah A. Ryan, and Hon. B. Scott Thomsen.

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

Advisory Body Members Absent: Hon. Mark A. Cope, Hon. Jill C. Fannin, Mr. Shawn Landry, and Mr. Michael D. Planet.

Others Present: Mr. John Wordlaw, Ms. Fran Mueller, Mr. Zlatko Theodorovic, Ms. Brandy Olivera, Ms. Oksana Tuk, Mr. Catrayel Wood, and Hon. D. Zeke Ziedler.

OPEN MEETING

Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 12:02 p.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved minutes of the April 22, 2021 Trial Court Budget Advisory Committee (TCBAC) virtual meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1 - 4)

Item 1 - 2021-22 Court-Appointed Dependency Counsel Allocations (Action Required)

Consideration of the 2021-22 allocations from the Trial Court Trust Fund (TCTF) for court-appointed dependency counsel.

Presenter(s)/Facilitator(s): Ms. Audrey Fancy, Principal Managing Attorney, Judicial Council Center for Families, Children & the Courts
Ms. Vida Terry, Senior Analyst, Judicial Council Center for Families, Children & the Courts

Action: TCBAC unanimously voted to approve the 2021-22 allocations for Court-Appointed Dependency Counsel funding in the amount of \$156.7 million for consideration by the Judicial Council at its July 8-9, 2021 business meeting as outlined in the material attachment 1A.

Item 2 - Allocations from the TCTF and Trial Court Allocations for 2021-22 (Action Required)

Consideration of recommendations of the Revenue and Expenditure (R&E) Subcommittee regarding allocations from the TCTF for 2021-22, and consideration of 2021-22 trial court allocations, including the Workload Formula, from the TCTF, State Court Facilities Construction Fund (formerly the Immediate and Critical Needs Account pending trailer bill language), and General Fund.

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

Action: TCBAC unanimously voted to approve the Funding Methodology Subcommittee allocation methodologies and R&E Subcommittee recommendations for the allocations below, with the assumption that the funding proposed in the 2021-22 Governor's Budget will remain in the final 2021 Budget Act:

- Base, discretionary, and non-discretionary programs from the TCTF in the amount of \$2.378 billion, including:
 - o State Court Facilities Construction Fund allocation in the amount of \$50.0 million for support for operation of the trial courts; and
 - o General Fund allocation in the amount of \$68.8 million for employee benefits.
- A Workload Allocation of \$2.215 billion based on methodologies approved by the Judicial Council.

Item 3 - 2021-22 Self-Help Funding Three-Year Allocation Update (Action Required)

Allocation update of the three-year average census data from the California Department of Finance, Demographic Research Unit, and Population estimates for Cities and Counties and the State.

Presenter(s)/Facilitator(s): Ms. Bonnie Hough, Principal Manager, Attorney, Center for Families, Children & the Courts
Mr. Nick Armstrong, Senior Research Analyst, Judicial Council Business Management Services

Action: TCBAC unanimously voted to approve the continued use of the \$34,000 base with the remainder of the funds allocated by population, and inclusion of the three-year population average updated every three years to be used for the allocation of self-help funding, for consideration by the Judicial Council at its July 8-9, 2021 business meeting.

Item 4 - 2021-22 AB 1058 Family Law Facilitator and Child Support Commissioner Allocation Methodologies (Action Required)

Consideration of a recommendation from the Family and Juvenile Law Advisory Committee on an updated methodology for facilitator allocations, and continued methodology for commissioner allocations with a 2021-22 biennial reallocation, as required by Assembly Bill 1058 (Stats. 1996, ch. 957). The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council.

Presenter(s)/Facilitator(s): Mr. Don Will, Deputy Director, Judicial Council Center for Families, Children & the Courts

Ms. Anna Maves, Supervising Attorney, Judicial Council Center for Families, Children & the Courts

Action: TCBAC unanimously voted to approve the following recommendations from the Family and Juvenile Law Advisory Committee, which excludes #5 to defer making recommendations 1 and 3 until 2022-23 if AB 1058 funding is not restored to 2018-19 levels in the 2021 Budget Act, for consideration by the Judicial Council:

1. Approve a new funding methodology for the AB 1058 Family Law Facilitator program base funding that allocates a \$34,000 baseline level of funding for each court and distributes the remainder of funding by total population as described below and set forth in Attachment 4A. The methodology ensures that funding changes are capped at 5 percent and smaller courts can continue to operate their programs.
2. Restore the overall AB 1058 program funding to 2018–19 levels, if reflected in the 2021 Budget Act.
3. Approve the committee’s recommended base allocation for the Child Support Commissioner program for 2021–22 and 2022–23 as described below and set forth in Attachment 4C, maintaining the current funding methodology approved by the Judicial Council in 2019 with updated workload data.
4. Approve the committee’s recommendation for 2021–22 AB 1058 program funding for the courts comprised of the base funding allocations derived from recommendations 1 and 3, and federal draw down funding using the methodology adopted by the Judicial Council in January 2019.
6. Direct the FJLAC to defer making a recommendation for AB 1058 funding a minimum service level for smaller courts until 2023–24.
7. Direct the FJLAC to review the implementation of the AB 1058 funding methodology, including its impact on the performance of the program as federally mandated, prior to 2023–24.

INFORMATION ONLY ITEMS (ITEMS 1 - 3)

Info 1 - 2021-22 Budget Update

Update on the budget for 2021-22.

Presenter(s)/Facilitator(s): Ms. Fran Mueller, Deputy Director, Judicial Council Budget Services

Action: No action taken.

Info 2 - Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2021-22

Status update on the IMF revenues and allocations for 2021-22.

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

Action: No action taken.

Info 3 - \$50 Million One-Time COVID-19 Funding and Redistribution Update

Update on the most recent expenditure reporting information as well as the allocation redistribution to occur this fiscal year.

Presenter(s)/Facilitator(s): Ms. Brandy Olivera, Manager, Judicial Council Budget Services

Action: No action taken.

Info 4 - TCTF Funds Held on Behalf Expenditure Reporting

Quarterly report to the TCBC on how funds were expended for projects and planned expenditures that are complete; nothing to report this quarter.

Presenter(s)/Facilitator(s): Mr. Catrayel Wood, Senior Analyst, Judicial Council 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 1:10 p.m.

Approved by the advisory body on enter date.



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TRIAL COURT BUDGET
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MINUTES OF OPEN MEETING

May 24, 2021

11:00 a.m.

Action by E-mail Between Meetings

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Daniel J. Buckley, Hon. Mark A. Cope, Hon. Jill C. Fannin, Hon. Kimberly A. Gaab, Hon. Joyce D. Hinrichs, 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 R. Carter, Ms. Nancy Eberhardt, Mr. Chad Finke, Mr. Shawn Landry, Mr. Chris Ruhl, Mr. Neal Taniguchi, Mr. Brian Taylor, Ms. Kim Turner, and Mr. David H. Yamasaki.

Advisory Body Members Absent: Ms. Rebecca Fleming (Vice Chair) and Mr. Brian Taylor.

Others Present: Ms. Brandy Olivera

OPEN MEETING

Vote

Voting was opened at 11:03 a.m.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1

Consideration of recommendations from the Revenue and Expenditure Subcommittee for the 2021-22 allocations from the State Trial Court Improvement and Modernization Fund for Judicial Branch Budget Committee consideration and then Judicial Council consideration at its July 8-9, 2021 business meeting.

Action: The Trial Court Budget Advisory Committee voted unanimously to approve the recommendation.

ADJOURNMENT

Voting closed at 5:00 p.m.

Approved by the advisory body on enter date.

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

(Action Item)

Title: \$60 Million One-Time COVID-Driven Caseload Backlog Funding

Date: August 5, 2021

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

Issue

Consider options for allocating the \$60 million one-time COVID-driven caseload backlog funding included in the 2021 Budget Act for Judicial Branch Budget Committee consideration at its August 13, 2021 meeting and for Judicial Council consideration at its October 1, 2021 business meeting.

Background

Prior Year \$50 Million One-Time COVID-19 Backlog Funding

The 2020 Budget Act included \$50 million in one-time funding to assist courts in addressing the backlog of filings that have accumulated due to court closures in response to the COVID-19 pandemic. These funds were eligible for expenditure only for the 2020-21 fiscal year.

The first \$25 million was approved for allocation to the trial courts at the July 24, 2020 Judicial Council meeting, on a pro rata basis¹. At its January 22, 2021 business meeting, the Judicial Council approved an allocation methodology for distribution of the second \$25 million that was data driven, allocating funds proportionally based on each court's share of total statewide backlog. The backlog was measured using a weighted count of dispositions in the pre-pandemic period compared to a pandemic period². The net change in average dispositions from these two points of time were used to identify those courts eligible for funding, and proxies based on statewide averages were used where necessary.

One court, Sierra, did not receive funding as part of the data-driven methodology. In addition, six courts returned funds that were not needed for a redistribution that occurred at the end of the 2020-21 fiscal year³.

¹ Judicial Council report (July 24, 2020)

<https://jcc.legistar.com/View.ashx?M=F&ID=8651228&GUID=27A3B6D8-9783-4865-8C5A-F6697EB58734>

Judicial Council minutes (July 24, 2020)

<https://jcc.legistar.com/View.ashx?M=M&ID=711582&GUID=90001AF2-7CEE-4F0F-906B-29A03ED9CB43>

² Judicial Council report (January 22, 2021),

<https://jcc.legistar.com/View.ashx?M=F&ID=9054988&GUID=54812C82-983E-4812-848C-2F4FD9F6F97A;>

Judicial Council minutes (January 22, 2021),

[https://jcc.legistar.com/View.ashx?M=M&ID=803674&GUID=B66B9C94-CE8A-41B1-8F5F-1BC9A3B278E1.](https://jcc.legistar.com/View.ashx?M=M&ID=803674&GUID=B66B9C94-CE8A-41B1-8F5F-1BC9A3B278E1)

³ Includes Mariposa, Modoc, Mono, Napa, Plumas, and Trinity Superior Courts.

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

Current Year \$60 Million One-Time COVID-Driven Caseload Backlog Funding

The 2021 Budget Act includes \$60 million in one-time General Fund for the trial courts to specifically address backlogs and workload delays resulting from the COVID-19 pandemic, with the funding available for expenditure through the 2022-23 fiscal year.

Case data was provided to the Administration and Legislature during budget negotiations to demonstrate the backlog and was the basis for this funding augmentation; that data is used here and is court-specific for allocation purposes.

Data Updates

For allocation of the \$60 million one-time funding, the data elements used towards last year's methodology have been upgraded to include filings data by casetype to determine the clearance rate. In addition, the data compares clearance rates from March to August 2019 (pre-pandemic) to those of March 2020 to March 2021 which captures all pandemic impact, and applies pre-pandemic clearance rates to pandemic sums of filings less dispositions to identify the casetypes in which a backlog exists.

These identified areas of backlog for each court are then included in the methodology to determine the proportional allocation of funding. For those courts unable to report complete disposition and filings data for the time period noted, proxies were applied to those courts for each time period to establish those courts' backlog for the purpose of allocating funds.

Case data collection by the branch will continue and updated data will be evaluated to determine progress made by the trial courts in addressing the workload backlogs related to the pandemic.

The outcome in applying available data through March 2021 to the allocation methodology is outlined in Attachment A.

Quarterly Reporting

At its January 22, 2021 business meeting, the Judicial Council approved quarterly reporting by the trial courts on the progress in reducing the COVID-19 related backlog⁴. The first quarterly report was provided to the council as an informational item at its July 9, 2021 business meeting⁵. The report includes progress in reducing COVID-19 backlog from March 2020 to March 2021. Quarterly informational reporting on COVID-19 backlog progress will continue.

Methodology Considerations

⁴ Judicial Council report (January 22, 2021)

<https://jcc.legistar.com/View.ashx?M=F&ID=9054988&GUID=54812C82-983E-4812-848C-2F4FD9F6F97A>

⁵ Judicial Council report (July 9, 2021),

<https://jcc.legistar.com/View.ashx?M=F&ID=9499529&GUID=91D6ED5D-CF6F-42AA-9788-E2D6D8C7AF3F>.

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

The 2021-22 Budget narrative states that the \$60 million in one-time funding is for the trial courts to specifically address backlogs and workload delays resulting from the pandemic. Two options were considered using court specific backlog data:

- A. Split the allocation and allocate \$30 million in October 2021 based on data available through March 2021 and allocate the second \$30 million in January 2022 based on the most recent data available at the time (both after council approval). Given that courts are continuing to make progress in addressing the backlog, this option would allocate funding in two phases utilizing the most current backlog data available at the time of distribution; or
- B. Allocate the full \$60 million in October 2021 (and after council approval) based on data available through March 2021.

Recommendation

The Chair of the Trial Court Budget Advisory Committee recommends allocation of \$30 million in October 2021 based on data available through March 2021 and allocation of the second \$30 million in January 2022 based on the most recent data available at the time for Judicial Branch Budget Committee consideration at its August 13, 2021 meeting and for Judicial Council consideration at its October 1, 2021 business meeting.

Attachments

Attachment A: \$60 Million COVID-Driven Caseload Backlog Funding

\$60 Million COVID-Driven Caseload Backlog Funding¹
August 2021

Court	March to August 2019 (Pre Pandemic)					March 2020 to March 2021 (All Pandemic)					All Pandemic Backlog (weighted minutes) (thru)	\$60m Allocation	\$30m Allocation
	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Overall Clearance Rate	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Clearance Rate			
	A	B	C	D	E (D / C)	F	G	H	I	J (I / H)			
Alameda*	131,197	115,480	21,866	19,247	88.0%	171,868	144,596	13,221	11,123	84.1%	2,272,032	\$1,057,842	\$528,921
Alpine	613	594	102	99	96.9%	1,022	1,010	79	78	98.8%	2,290	1,066	533
Amador	4,057	3,032	676	505	74.7%	6,178	5,134	475	395	83.1%	74,735	34,796	17,398
Butte	17,607	15,413	2,935	2,569	87.5%	26,337	24,048	2,026	1,850	91.3%	529,612	246,584	123,292
Calaveras	2,981	2,573	497	429	86.3%	4,550	4,315	350	332	94.8%	70,171	32,671	16,336
Colusa*	3,946	2,514	658	419	63.7%	3,529	4,077	271	314	115.5%	70,470	32,811	16,405
Contra Costa	65,993	57,514	10,999	9,586	87.2%	81,492	82,571	6,269	6,352	101.3%	1,304,290	607,268	303,634
Del Norte	4,006	7,721	668	1,287	192.7%	5,487	10,046	422	773	183.1%	275,086	128,078	64,039
El Dorado	10,584	6,754	1,764	1,126	63.8%	20,545	13,696	1,580	1,054	66.7%	189,982	88,454	44,227
Fresno	90,354	85,144	15,059	14,191	94.2%	110,652	115,630	8,512	8,895	104.5%	4,249,514	1,978,544	989,272
Glenn*	3,272	2,578	545	430	78.8%	3,273	1,459	252	112	44.6%	158,135	73,627	36,813
Humboldt*	14,159	11,612	2,360	1,935	82.0%	18,931	16,088	1,456	1,238	85.0%	587,683	273,621	136,811
Imperial	27,017	25,065	4,503	4,178	92.8%	31,205	32,547	2,400	2,504	104.3%	972,580	452,826	226,413
Inyo	5,301	4,805	884	801	90.6%	9,647	7,895	742	607	81.8%	142,181	66,198	33,099
Kern	93,207	82,100	15,535	13,683	88.1%	138,038	117,546	10,618	9,042	85.2%	4,061,563	1,891,035	945,517
Kings	14,978	12,113	2,496	2,019	80.9%	26,324	18,934	2,025	1,456	71.9%	1,536,600	715,430	357,715
Lake	6,381	6,406	1,064	1,068	100.4%	9,047	6,702	696	516	74.1%	1,227,273	571,410	285,705
Lassen*	3,910	3,356	652	559	85.8%	7,800	6,593	600	507	84.5%	455,049	211,868	105,934
Los Angeles	881,592	784,324	146,932	130,721	89.0%	1,252,994	929,775	96,384	71,521	74.2%	32,241,900	15,011,602	7,505,801
Madera	19,626	14,253	3,271	2,376	72.6%	22,438	20,708	1,726	1,593	92.3%	1,698,754	790,928	395,464
Marin	22,539	23,185	3,757	3,864	102.9%	31,178	25,542	2,398	1,965	81.9%	1,093,269	509,018	254,509
Mariposa*	2,246	1,759	374	293	78.3%	3,075	2,394	237	184	77.9%	78,445	36,523	18,262
Mendocino	11,379	9,957	1,897	1,660	87.5%	13,098	18,991	1,008	1,461	145.0%	210,006	97,777	48,889
Merced*	29,207	23,169	4,868	3,861	79.3%	40,743	36,775	3,134	2,829	90.3%	1,029,325	479,247	239,623
Modoc	1,080	1,036	180	173	95.9%	2,354	2,060	181	158	87.5%	217,343	101,193	50,597
Mono	4,283	3,954	714	659	92.3%	8,081	7,439	622	572	92.1%	92,048	42,857	21,429
Monterey	32,537	29,722	5,423	4,954	91.3%	56,393	49,888	4,338	3,838	88.5%	535,045	249,113	124,557
Napa*	9,898	10,113	1,650	1,685	102.2%	10,945	9,722	842	748	88.8%	431,047	200,692	100,346
Nevada	8,484	7,099	1,414	1,183	83.7%	13,187	12,724	1,014	979	96.5%	416,297	193,825	96,912
Orange*	241,671	221,600	40,279	36,933	91.7%	213,387	291,423	16,414	22,417	136.6%	8,098,597	3,770,650	1,885,325
Placer*	25,361	15,580	4,227	2,597	61.4%	34,430	21,149	2,648	1,627	61.4%	651,442	303,307	151,653
Plumas*	2,226	1,592	371	265	71.5%	3,153	3,386	243	260	107.4%	51,682	24,063	12,031
Riverside*	179,440	164,595	29,907	27,433	91.7%	279,972	201,846	21,536	15,527	72.1%	7,000,753	3,259,501	1,629,751
Sacramento	150,492	67,824	25,082	11,304	45.1%	186,286	75,996	14,330	5,846	40.8%	5,931,305	2,761,574	1,380,787
San Benito	4,738	3,228	790	538	68.1%	5,099	4,041	392	311	79.3%	124,092	57,777	28,888
San Bernardino*	162,852	161,242	27,142	26,874	99.0%	276,856	243,991	21,297	18,769	88.1%	12,630,254	5,880,558	2,940,279
San Diego	245,204	175,838	40,867	29,306	71.7%	292,943	205,270	22,534	15,790	70.1%	6,832,170	3,181,011	1,590,505
San Francisco*	54,575	57,156	9,096	9,526	104.7%	56,952	30,727	4,381	2,364	54.0%	1,828,604	851,385	425,692
San Joaquin*	71,219	48,567	11,870	8,095	68.2%	110,631	64,904	8,510	4,993	58.7%	1,146,534	533,818	266,909
San Luis Obispo	25,175	23,852	4,196	3,975	94.7%	36,102	30,249	2,777	2,327	83.8%	1,522,064	708,662	354,331
San Mateo	76,796	70,463	12,799	11,744	91.8%	92,043	83,012	7,080	6,386	90.2%	2,935,370	1,366,688	683,344
Santa Barbara	38,337	36,045	6,390	6,008	94.0%	50,230	40,416	3,864	3,109	80.5%	1,485,667	691,716	345,858
Santa Clara*	115,309	85,508	19,218	14,251	74.2%	84,343	96,938	6,488	7,457	114.9%	2,997,247	1,395,497	697,749

\$60 Million COVID-Driven Caseload Backlog Funding¹
August 2021

Court	March to August 2019 (Pre Pandemic)					March 2020 to March 2021 (All Pandemic)					All Pandemic Backlog (weighted minutes) (thru)	\$60m Allocation	\$30m Allocation
	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Overall Clearance Rate	Filings	Dispositions	Average Monthly Filings	Average Monthly Dispositions	Clearance Rate			
	A	B	C	D	E (D / C)	F	G	H	I	J (I / H)			
Santa Cruz	22,943	18,932	3,824	3,155	82.5%	30,663	27,336	2,359	2,103	89.1%	935,843	435,722	217,861
Shasta	21,503	19,735	3,584	3,289	91.8%	36,362	32,930	2,797	2,533	90.6%	961,048	447,457	223,729
Sierra*	311	288	52	48	92.6%	491	460	38	35	93.7%	20,064	9,342	4,671
Siskiyou	7,475	5,791	1,246	965	77.5%	9,182	6,218	706	478	67.7%	284,600	132,508	66,254
Solano	36,253	31,296	6,042	5,216	86.3%	62,603	49,036	4,816	3,772	78.3%	1,778,422	828,021	414,010
Sonoma	32,635	44,631	5,439	7,439	136.8%	51,840	73,810	3,988	5,678	142.4%	2,715,869	1,264,490	632,245
Stanislaus	39,340	32,565	6,557	5,428	82.8%	59,409	45,519	4,570	3,501	76.6%	3,734,267	1,738,648	869,324
Sutter*	10,178	8,624	1,696	1,437	84.7%	14,701	13,307	1,131	1,024	90.5%	412,581	192,095	96,048
Tehama	8,241	6,977	1,374	1,163	84.7%	11,615	10,013	893	770	86.2%	587,481	273,527	136,763
Trinity	1,678	1,515	280	253	90.3%	2,533	2,517	195	194	99.4%	297,252	138,398	69,199
Tulare	37,359	34,037	6,227	5,673	91.1%	59,709	52,266	4,593	4,020	87.5%	2,507,612	1,167,526	583,763
Tuolumne*	5,021	4,731	837	789	94.2%	6,279	6,002	483	462	95.6%	576,310	268,326	134,163
Ventura	80,195	80,900	13,366	13,483	100.9%	103,760	91,211	7,982	7,016	87.9%	3,523,832	1,640,672	820,336
Yolo	17,328	15,711	2,888	2,619	90.7%	21,255	17,750	1,635	1,365	83.5%	551,154	256,614	128,307
Yuba	5,520	4,390	920	732	79.5%	9,591	6,663	738	513	69.5%	523,082	243,543	121,772
	3,241,809	2,796,557	540,302	466,093	86.3%	4,332,830	3,557,292	333,295	273,638	82.1%	128,867,922	\$60,000,000	\$30,000,000

¹ Includes Certification, Child Support, Civil - Limited, Civil - Unlimited, Conservatorship/Guardianship, Dissolution, Domestic Violence, Estates/Trusts, Felony, Infractions, Juvenile Delinquency, Juvenile Dependency, Mental Health, Misdemeanor - Non Traffic, Misdemeanor - Traffic, Other Family Petition, Parentage, Small Claims, and Unlawful Detainer.
 Excludes Asbestos, Complex, and Employment Development Department (Sacramento Only) as data is not available for all periods; less than a 1 percent impact.

Floor courts
 Cluster 1 courts

*Proxy applied to some data.

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

(Action Item)

Title: \$140 Million Pretrial Funding
Date: August 5, 2021
Contact: Deirdre Benedict, Supervising Analyst, Judicial Council, Criminal Justice Services, deirdre.benedict@jud.ca.gov, 415-865-7543

Issue

The 2021-22 Budget provides funding of \$140 million in 2021-22, and \$70 million in ongoing funding to the Judicial Council for distribution to the courts for the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.

Each court may retain up to 30 percent of the funding for costs associated with pretrial release programs and practices. Courts are required to contract for pretrial services with their county's probation department or any county department or agency other than those that have primary responsibility for making arrests or prosecuting criminal offenses,¹ and provide those departments with the remainder of the funds.

The current annual budget available to the courts for the Pretrial Release Program is \$137.9 million.²

Judicial Council Criminal Justice Services (CJS) staff present the 2021-22 allocations of the Pretrial Release funding for Judicial Branch Budget Committee consideration at its August 13, 2021 meeting and for Judicial Council consideration at its October 1, 2021 business meeting.

Background

Senate Bill (SB) 129 (Stats. 2021, ch. 69), which amended the Budget Act of 2021, provides funding for “the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.” (SB 129, sec. 4, item 0250-101-0001, provision 9.) SB 129 appropriates funding of \$140 million in 2021-22, and \$70 million in ongoing funding to the Judicial Council for distribution to the courts for these purposes.

¹ SB 129 specifically provides that the Superior Court of California, County of Santa Clara, may contract with the Office of Pretrial Services in that county, and that the Superior Court of California, County of San Francisco, may contract with the Sheriff's Office and the existing not-for-profit entity that is performing pretrial services in the city and county for pretrial assessment and supervision services.

² SB 129 authorizes the Judicial Council to retain up to 5 percent of the amounts available to the courts for costs associated with implementing, supporting, and evaluating pretrial programs in courts.

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

Funding Methodology

SB 129 specifies two formulas for the Judicial Council to use in distributing pretrial release program funding.

One-Time Pretrial Release Funding for Non-Pretrial Pilot Program Courts

Half of the budget year funding (\$70 million) is to be distributed to the 41 courts that did not receive Pretrial Pilot Program funding (provided in the Budget Act of 2019), with funding allocated to the courts based on each county's relative proportion of the state population 18 to 25 years of age. The funds are available for encumbrance or expenditure for three fiscal years, until June 30, 2024. The breakdown for these one-time funds is reflected in Attachment A.

Ongoing Pretrial Release Funding for All Courts

The Judicial Council is required to distribute the remaining \$70 million in budget year funding to *all* courts based on each county's relative proportion of the state population 18 to 25 years of age. These funds must be encumbered or expended by June 30, 2022. It is anticipated that allocation of the ongoing \$70 million in pretrial release program funding for all the superior courts will be based on the same formula in future years. The breakdown for these ongoing funds is reflected in Attachment B.

Funding Floor

A minimum funding floor of \$200,000 is recommended for both funding formulas. This recommendation is based on analysis of planned budgets vs. actual spending by small courts³ participating in the Pretrial Pilot Program in 2019-20 and 2020-21. It is also equivalent to the floor used in the funding methodology for California Community Corrections Performance Incentives Act of 2009 (SB 678)⁴. This floor will ensure that both small and small/medium courts have the resources necessary to comply with the legislation.

Recommendation

Approve the 2021-22 Pretrial Release allocations for recommendation to the Judicial Branch Budget Advisory Committee at its August 13, 2021, meeting for consideration by the Judicial Council at its October 1, 2021, business meeting, as outlined in Attachment C.

Attachments

Attachment A: One-Time Allocation for Non-Pretrial Pilot Program Courts

Attachment B: Ongoing Pretrial Release Allocations for All Courts

Attachment C: Recommended 2021-22 Pretrial Release Allocations

³ The court-size category is based on the authorized number of judicial positions (AJP) within a county: small (2–5 AJP), small-medium (6–15 AJP), medium (16–47 AJP), and large (48+ AJP).

⁴ Stats. 2009, ch. 608, www.courts.ca.gov/documents/sb678.pdf.

Attachment 2A: Funding Formula for One-Time Allocation for Non-Pretrial Pilot Program Courts

Non-Pilot Courts	Total 18-24 yr. ¹ olds ²	% of total population of 18-24 yr. olds in Non-Pilot Courts	% of \$68.95M
Alpine	N/A ³	N/A	\$200,000.00
Amador	N/A	N/A	\$200,000.00
Butte	32,869	1.578%	\$1,040,835.47
Colusa	N/A	N/A	\$200,000.00
Contra Costa	93,870	4.507%	\$2,972,503.73
Del Norte	N/A	N/A	\$200,000.00
El Dorado	13,613	0.654%	\$431,071.62
Fresno	99,540	4.779%	\$3,152,050.93
Glenn	N/A	N/A	\$200,000.00
Humboldt	17,340	0.833%	\$549,091.45
Imperial	18,273	0.877%	\$578,635.99
Inyo	N/A	N/A	\$200,000.00
Kern	91,753	4.406%	\$2,905,466.44
Lake	N/A	N/A	\$200,000.00
Lassen	N/A	N/A	\$200,000.00
Madera	15,053	0.723%	\$476,670.91
Marin	16,907	0.812%	\$535,380.00
Mariposa	N/A	N/A	\$200,000.00
Mendocino	6,517	0.313%	\$206,368.46
Merced	30,535	1.466%	\$966,926.61
Mono	N/A	N/A	\$200,000.00
Monterey	43,873	2.107%	\$1,389,290.04
Orange	295,112	14.170%	\$9,345,067.86
Placer	28,784	1.382%	\$911,479.14
Plumas	N/A	N/A	\$200,000.00
Riverside	237,421	11.400%	\$7,518,214.63
San Benito	N/A	N/A	\$200,000.00
San Bernardino	226,843	10.892%	\$7,183,249.84
San Diego	346,764	16.650%	\$10,980,689.06
San Francisco	62,085	2.981%	\$1,965,994.39
San Luis Obispo	43,132	2.071%	\$1,365,825.40
Santa Clara	164,130	7.881%	\$5,197,369.09
Santa Cruz	40,841	1.961%	\$1,293,278.20

¹ The legislation specifies 18-25 year olds, however census data is only available for 18-24 year olds.

² Source: <https://data.census.gov/cedsci/table?q=age%20by%20county&g=0400000US06.050000&tid=ACST5Y2019.S0101&hidePreview=true&tp=true>

³For courts that indicate "N/A", a minimal funding floor of \$200,000 has been imposed to ensure adequate funding to meet the mandate.

Attachment A: Funding Formula for One-Time Allocation for Non-Pretrial Pilot Program Courts

Non-Pilot Courts	Total 18-24 yr. olds ⁴	% of total population of 18-24 yr. olds in Non-Pilot Courts	
			% of \$68.95M
Siskiyou	N/A	N/A	\$200,000.00
Solano	39,291	1.887%	\$1,244,195.63
Stanislaus	51,945	2.494%	\$1,644,899.39
Sutter	8,424	0.404%	\$266,755.85
Tehama	N/A	N/A	\$200,000.00
Trinity	N/A	N/A	\$200,000.00
Yolo	43,740	2.100%	\$1,385,078.44
Total	2,082,664		\$ 68,950,000.00

⁴Source: <https://data.census.gov/cedsci/table?q=age%20by%20county&g=0400000US06.050000&tid=ACSST5Y2019.S0101&hidePreview=true&tp=true>

Attachment 2B: Funding Formulas for Ongoing Pretrial Release Allocations

All Courts	Total 18-24 yr. olds ¹	% of total population of all CA 18-24 yr. olds	% of \$68.95M
Alameda	140,065	3.767%	\$2,424,168.67
Alpine	N/A ²	N/A	\$200,000.00
Amador	N/A	N/A	\$200,000.00
Butte	32,869	0.884%	\$568,878.73
Calaveras	N/A	N/A	\$200,000.00
Colusa	N/A	N/A	\$200,000.00
Contra Costa	93,870	2.525%	\$1,624,650.79
Del Norte	N/A	N/A	\$200,000.00
El Dorado	13,613	N/A	\$235,606.38
Fresno	99,540	2.677%	\$1,722,784.06
Glenn	N/A	N/A	\$200,000.00
Humboldt	17,340	0.466%	\$300,111.27
Imperial	18,273	0.491%	\$316,259.12
Inyo	N/A	N/A	\$200,000.00
Kern	91,753	2.468%	\$1,588,010.91
Kings	16,736	0.450%	\$289,657.57
Lake	N/A	N/A	\$200,000.00
Lassen	N/A	N/A	\$200,000.00
Los Angeles	979,915	26.356%	\$16,959,834.67
Madera	15,053	0.405%	\$260,529.12
Marin	16,907	0.455%	\$292,617.14
Mariposa	N/A	N/A	\$200,000.00
Mendocino	N/A	N/A	\$200,000.00
Merced	30,535	0.821%	\$528,483.14
Modoc	N/A	N/A	\$200,000.00
Mono	N/A	N/A	\$200,000.00
Monterey	43,873	1.180%	\$759,329.97
Napa	12,199	N/A	\$211,133.64
Nevada	N/A	N/A	\$200,000.00
Orange	295,112	7.937%	\$5,107,637.63
Placer	28,784	0.774%	\$498,177.78
Plumas	N/A	N/A	\$200,000.00
Riverside	237,421	6.386%	\$4,109,153.25
Sacramento	132,797	3.572%	\$2,298,378.09
San Benito	N/A	N/A	\$200,000.00

¹ Source: <https://data.census.gov/cedsci/table?q=age%20by%20county&g=0400000US06.050000&tid=ACST5Y2019.S0101&hidePreview=true&tp=true>

² For courts that indicate "N/A", a minimal funding floor of \$200,000 has been imposed to ensure adequate funding to meet the mandate.

Attachment B: Funding Formulas for Ongoing Pretrial Release Allocations

All Courts	Total 18-24 yr. olds	% of total population of all CA 18-24 yr. olds	% of \$68.95M
San Bernardino	226843	6.101%	\$3,926,074.99
San Diego	346764	9.326%	\$6,001,602.29
San Francisco	62085	1.670%	\$1,074,533.34
San Joaquin	72447	1.949%	\$1,253,873.19
San Luis Obispo	43132	1.160%	\$746,505.14
San Mateo	56629	1.523%	\$980,103.86
Santa Barbara	70553	1.898%	\$1,221,092.87
Santa Clara	164130	4.414%	\$2,840,672.57
Santa Cruz	40841	1.098%	\$706,853.77
Shasta	14009	N/A	\$242,460.14
Sierra	N/A	N/A	\$200,000.00
Siskiyou	N/A	N/A	\$200,000.00
Solano	39291	1.057%	\$680,027.21
Sonoma	41268	1.110%	\$714,244.05
Stanislaus	51945	1.397%	\$899,035.74
Sutter	N/A	N/A	\$200,000.00
Tehama	N/A	N/A	\$200,000.00
Trinity	N/A	N/A	\$200,000.00
Tulare	47389	1.275%	\$820,182.98
Tuolumne	N/A	N/A	\$200,000.00
Ventura	80330	2.161%	\$1,390,307.85
Yolo	43740	1.176%	\$757,028.08
Yuba	N/A	N/A	\$200,000.00
Total	3,718,051		\$ 68,950,000.00

Attachment 2C: Total Allocations for Pretrial Release Funding by Court

All Courts	One-Time Allocation	Ongoing Allocation	Total Allocation
Alameda		\$2,424,168.67	\$2,424,168.67
Alpine	\$200,000.00	\$200,000.00	\$400,000.00
Amador	\$200,000.00	\$200,000.00	\$400,000.00
Butte	\$1,040,835.47	\$568,878.73	\$1,609,714.20
Calaveras		\$200,000.00	\$200,000.00
Colusa	\$200,000.00	\$200,000.00	\$400,000.00
Contra Costa	\$2,972,503.73	\$1,624,650.79	\$4,597,154.52
Del Norte	\$200,000.00	\$200,000.00	\$400,000.00
El Dorado	\$431,071.62	\$235,606.38	\$666,678.00
Fresno	\$3,152,050.93	\$1,722,784.06	\$4,874,834.99
Glenn	\$200,000.00	\$200,000.00	\$400,000.00
Humboldt	\$549,091.45	\$300,111.27	\$849,202.72
Imperial	\$578,635.99	\$316,259.12	\$894,895.11
Inyo	\$200,000.00	\$200,000.00	\$400,000.00
Kern	\$2,905,466.44	\$1,588,010.91	\$4,493,477.35
Kings		\$289,657.57	\$289,657.57
Lake	\$200,000.00	\$200,000.00	\$400,000.00
Lassen	\$200,000.00	\$200,000.00	\$400,000.00
Los Angeles		\$16,959,834.67	\$16,959,834.67
Madera	\$476,670.91	\$260,529.12	\$737,200.03
Marin	\$535,380.00	\$292,617.14	\$827,997.14
Mariposa	\$200,000.00	\$200,000.00	\$400,000.00
Mendocino	\$206,368.46	\$200,000.00	\$406,368.46
Merced	\$966,926.61	\$528,483.14	\$1,495,409.75
Modoc		\$200,000.00	\$200,000.00
Mono	\$200,000.00	\$200,000.00	\$400,000.00
Monterey	\$1,389,290.04	\$759,329.97	\$2,148,620.01
Napa		\$211,133.64	\$211,133.64
Nevada		\$200,000.00	\$200,000.00
Orange	\$9,345,067.86	\$5,107,637.63	\$14,452,705.49
Placer	\$911,479.14	\$498,177.78	\$1,409,656.92
Plumas	\$200,000.00	\$200,000.00	\$400,000.00
Riverside	\$7,518,214.63	\$4,109,153.25	\$11,627,367.88
Sacramento		\$2,298,378.09	\$2,298,378.09
San Benito	\$200,000.00	\$200,000.00	\$400,000.00
San Bernardino	\$7,183,249.84	\$3,926,074.99	\$11,109,324.83
San Diego	\$10,980,689.06	\$6,001,602.29	\$16,982,291.35
San Francisco	\$1,965,994.39	\$1,074,533.34	\$3,040,527.73
San Joaquin		\$1,253,873.19	\$1,253,873.19

Attachment C: Total Allocations for Pretrial Release Funding by Court

All Courts	One-Time Allocation	Ongoing Allocation	Total Allocation
San Luis Obispo	\$1,365,825.40	\$746,505.14	\$2,112,330.54
San Mateo		\$980,103.86	\$980,103.86
Santa Barbara		\$1,221,092.87	\$1,221,092.87
Santa Clara	\$5,197,369.09	\$2,840,672.57	\$8,038,041.66
Santa Cruz	\$1,293,278.20	\$706,853.77	\$2,000,131.97
Shasta	\$443,611.43	\$242,460.14	\$686,071.57
Sierra		\$200,000.00	\$200,000.00
Siskiyou	\$200,000.00	\$200,000.00	\$400,000.00
Solano	\$1,244,195.63	\$680,027.21	\$1,924,222.84
Sonoma		\$714,244.05	\$714,244.05
Stanislaus	\$1,644,899.39	\$899,035.74	\$2,543,935.13
Sutter	\$266,755.85	\$200,000.00	\$466,755.85
Tehama	\$200,000.00	\$200,000.00	\$400,000.00
Trinity	\$200,000.00	\$200,000.00	\$400,000.00
Tulare		\$820,182.98	\$820,182.98
Tuolumne		\$200,000.00	\$200,000.00
Ventura		\$1,390,307.85	\$1,390,307.85
Yolo	\$1,385,078.44	\$757,028.08	\$2,142,106.52
Yuba		\$200,000.00	\$200,000.00
		Total:	\$137,900,000.00

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

(Action Item)

Title: Child Support: \$4.45 Million AB 1058 Reimbursement Authority Increase
Date: 8/5/2021
Contact: Anna L. Maves, AB 1058 Program Manager, Center for Families Children and the Courts, 916-263-8624, anna.maves@jud.ca.gov

Issue

Consider recommendations for the allocation of an additional and ongoing \$4.45 million in base funding for the AB 1058 Child Support Commissioner (CSC) and Family Law Facilitator (FLF) program based on current funding methodologies and approve a technical adjustment to 2021-22 CSC base allocations.

Background

The Judicial Council is required to annually allocate non-trial court funding to the AB 1058 program and has done so since 1997.¹ A cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council provides the funds for this program and requires the council to annually approve the funding allocation. Two-thirds of the funds are federal, and one-third comes from the state General Fund (non-trial court funding). Any funds left unspent at the end of the fiscal year revert to the state General Fund and cannot be used in subsequent years.

In 2015, the AB 1058 Funding Allocation Joint Subcommittee was formed to review the historical AB 1058 program funding methodology. On January 16, 2019, the Judicial Council approved a new workload-based funding methodology for the CSC program and maintained the historical FLF funding methodology until 2021–22 as recommended by the subcommittee.²

¹ Assembly Bill 1058 added article 4 to chapter 2 of part 2 of division 9 of the Family Code, which at section 4252(b)(6) requires the Judicial Council to “[e]stablish procedures for the distribution of funding to the courts for child support commissioners, family law facilitators pursuant to [Family Code] Division 14 (commencing with Section 10000), and related allowable costs.”

² More details can be found in the Judicial Council report for the January 2019 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Allocation* (Nov. 21, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6953308&GUID=A6F15A78-08B6-42DA-8826-19A6AF0B7CB1>.

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

On July 9, 2021, the Judicial Council approved a new population-based methodology for the FLF program and maintained the workload-based methodology with updated workload data for the CSC program.³

Child Support Commissioner Additional Funds Allocation

Except for a onetime funding reduction in 2020-21, the base funding allocation for the CSC program has been \$31.62 million since 2008-09, representing 75 percent of total AB 1058 program base funds.⁴ The Judicial Council's cooperative agreement with the DCSS for fiscal year 2021–22 designates \$3.34 million in additional funds for the CSC program (75 percent of the \$4.45 million) resulting in a new base funding allocation of \$34.96 million.

There are two models for consideration to allocate the additional \$3.34 million for the CSC program. Both are based on the current workload-methodology approved by the Judicial Council on January 16, 2019. The CSC methodology uses the same workload and cost structures as the Workload Formula used to distribute trial court funds. The methodology maintains current funding levels for smaller courts and caps any increases or decreases to funding at five percent in order to distribute available funds without administering any severe decreases to funding that would impact a court's ability to continue operating their CSC program.⁵

CSC Option 1

Option 1 uses the current CSC methodology to prorate the additional funds to all courts based on their percent of funding need. In order to address the needs of courts with the highest need, it does not limit increases to five percent. See Attachment A1.

CSC Option 2

Option 2 also uses the current CSC methodology but only prorates funds to courts whose current allocation is less than the funding need determined by the methodology. In order to address the needs of courts with the highest need, it does not limit increases to five percent. See Attachment A2.

³ More details can be found in the Judicial Council report for the July 2021 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding Methodology, Adopting a Family Law Facilitator Program Funding Methodology, and Adopting 2021–22 AB 1058 Program Funding Allocations* (May 14, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9508521&GUID=BC737E96-AFD8-4E22-A046-AE9E16A5C422>.

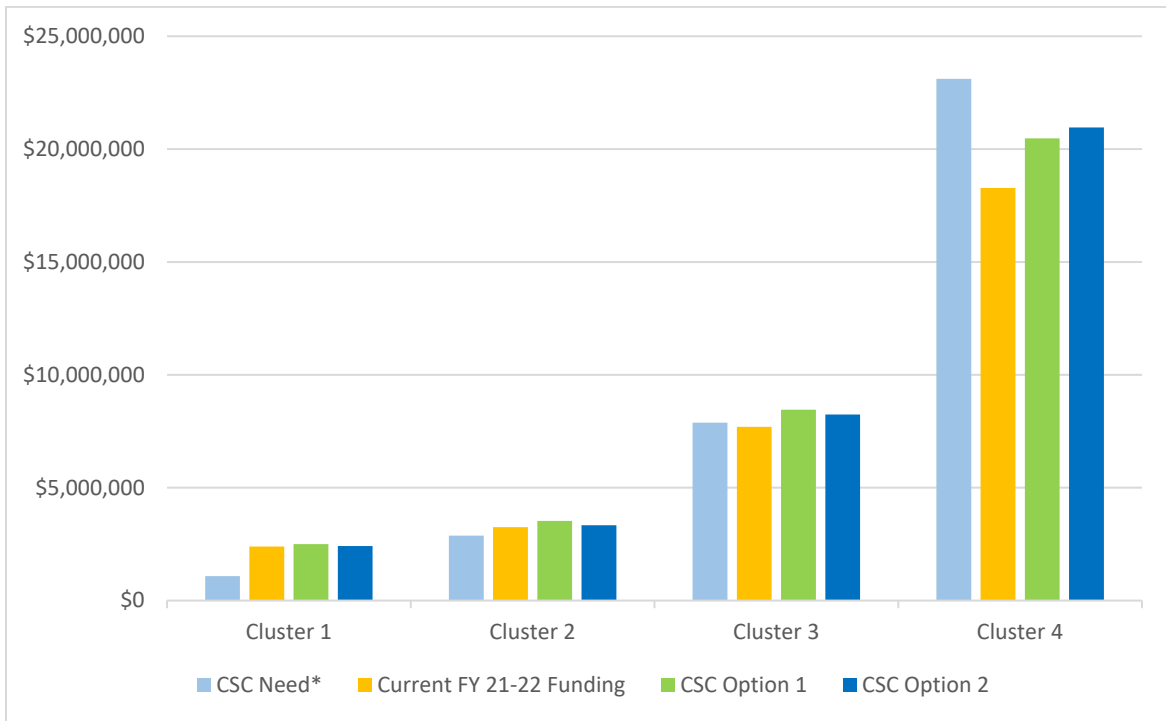
⁴ Historically, AB 1058 program funds have been allocated to the courts as follows: 75 percent to the CSC program and 25 percent to the FLF program.

⁵ More details can be found in the Judicial Council report for the January 2019 meeting: Judicial Council of Cal., Advisory Com. Rep., *AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Allocation* (Nov. 21, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6953308&GUID=A6F15A78-08B6-42DA-8826-19A6AF0B7CB1>.

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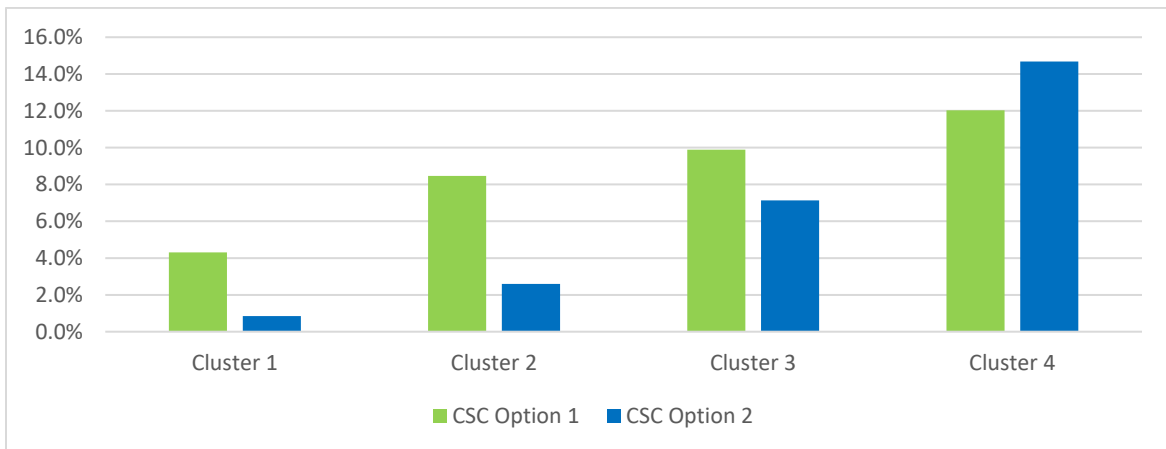
CSC Model Comparison

Figure 1. Comparison of CSC Funding Methodology Need, CSC Current Allocation, CSC Option 1 and CSC Option 2 by Cluster



*Need is the allocation determined by the CSC methodology prorated to available funds.

Figure 2. Comparison of Percent Increase to Base Funds for CSC Option 1 and CSC Option 2 by Cluster



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Family Law Facilitator Additional Funds Allocation

Except for a onetime funding reduction in 2020–21, the base funding allocation for the FLF program has been \$10.79 million since 2008-09, representing 25 percent of total AB 1058 program base funds. The Judicial Council’s cooperative agreement with the DCSS for fiscal year 2021–22 designates \$1.11 million in additional funds (25 percent of the \$4.45 million) resulting in a new base funding allocation of \$11.90 million.

Like the CSC program, there are two models for consideration to allocate the additional \$1.11 million for the FLF program, both of which are based on the current population-based methodology approved by the Judicial Council on July 9, 2021. The FLF funding methodology allocates a base amount of \$34,000 to all courts and then allocates the remainder of funds by county population. Mirroring the CSC methodology, the FLF methodology has the same protections for smaller courts and implements a five percent cap on funding changes.⁶

FLF Option 1

Option 1 follows the current FLF methodology to prorate the additional funds to all courts based on their percent of statewide population. In order to address the needs of courts with the highest need, it does not limit increases to five percent. See Attachment B1.

FLF Option 2

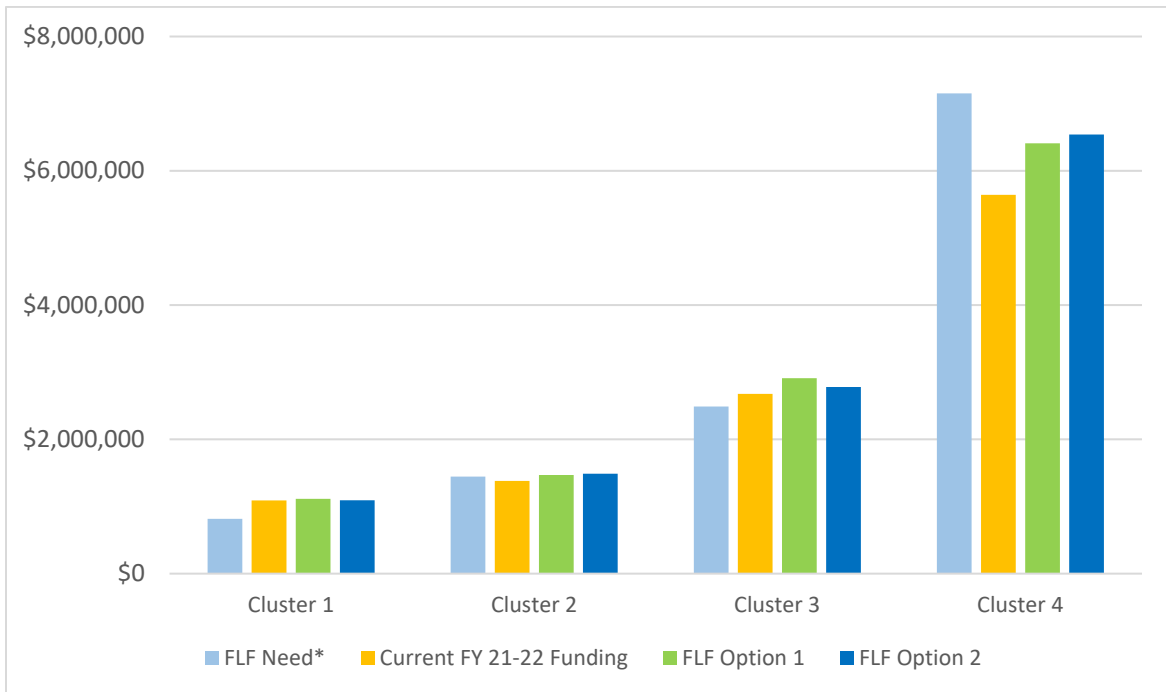
Option 2 is also based on the current FLF methodology but only prorates additional funds to courts whose current allocation is less than the allocation determined by the methodology. In order to address the needs of courts with the highest need, it does not limit increases to five percent. See Attachment B2.

⁶ More details can be found in the Judicial Council report for the July 2021 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding Methodology, Adopting a Family Law Facilitator Program Funding Methodology, and Adopting 2021–22 AB 1058 Program Funding Allocations* (May 14, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9508521&GUID=BC737E96-AFD8-4E22-A046-AE9E16A5C422>.

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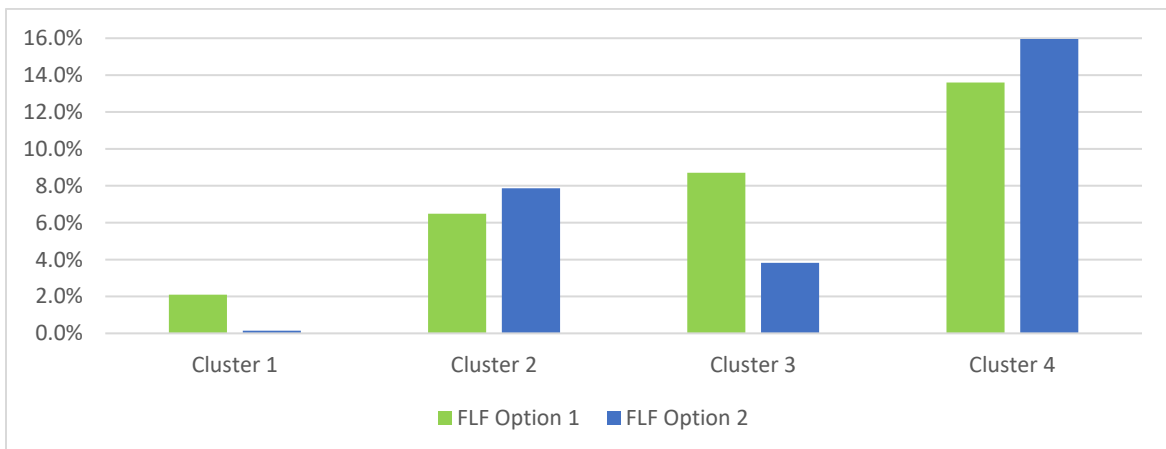
FLF Model Comparison

Figure 4. Comparison of FLF Funding Methodology Need, FLF Current Allocation, FLF Option 1 and FLF Option 2 by Cluster



*Need is the allocation determined by the FLF funding methodology prorated to available funds.

Figure 5. Comparison of Percent Increase to Base Funds for FLF Option 1 and FLF Option 2 by Cluster



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Recommendations

1. Allocate additional funding to the CSC program for 2021–22, and a technical adjustment to a small number of courts’ base allocation approved by the Judicial Council on July 9, 2021, as set forth in Attachment A1. This allocation distributes 75 percent of the \$4.45 million to the CSC program. The additional funds are prorated to need as determined by the current workload-based funding methodology approved by the Judicial Council on January 16, 2019.
2. Allocate additional funding to the FLF program for 2021–22 as set forth in Attachment B1. This allocation distributes 25 percent of the \$4.45 million to the FLF program. The additional funds are prorated to need as determined by the current population-based funding methodology approved by the Judicial Council on July 9, 2021.

Attachments

Attachment A1: Child Support Commissioner Additional Funding Allocation – Option 1
Attachment A2: Child Support Commissioner Additional Funding Allocation – Option 2
Attachment B1: Family Law Facilitator Additional Funding Allocation – Option 1
Attachment B2: Family Law Facilitator Additional Funding Allocation – Option 2

Attachment 3A1: Child Support Commissioner Additional Funding Allocation - Option 1

Cluster	Court	CSC Funding Need	CSC Staff (non-FLF) Funding Need	Total CSC and Staff Need (C+D)	Percentage of Total Need	Prorate to Available Funding	Original FY 21-22 Base Allocation	Adjusted FY 21-22 Base Allocation	Base Allocation Adjustment (I-H)	Amount Increase	Final Allocation (I+K)	Total Net Increase (K-J)	Percentage Difference (M/H)
Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L	Col. M	Col. O
4	Alameda	651,921	2,702,537	3,354,459	5.5%	1,937,833	1,159,405	1,158,644	(761)	185,027	1,343,671	184,266	15.9%
1	Alpine (See El Dorado)	280	849	1,128		-	-	-	-	-	-	-	-
1	Amador	15,745	54,969	70,714	0.1%	40,851	140,250	140,250	-	3,900	144,150	3,900	2.8%
2	Butte	87,392	266,083	353,475	0.6%	204,198	272,690	272,690	-	19,497	292,187	19,497	7.1%
1	Calaveras	15,933	53,263	69,196	0.1%	39,974	132,667	132,667	-	3,817	136,484	3,817	2.9%
1	Colusa	6,856	19,824	26,680	0.0%	15,413	45,691	45,691	-	1,472	47,163	1,472	3.2%
3	Contra Costa	155,298	605,185	760,483	1.3%	439,322	793,527	793,527	-	41,947	835,474	41,947	5.3%
1	Del Norte	31,351	101,819	133,170	0.2%	76,931	52,207	52,173	(34)	7,345	59,519	7,311	14.0%
2	El Dorado*	52,265	183,283	235,547	0.4%	136,725	203,169	203,169	-	13,055	216,224	13,055	6.4%
3	Fresno	803,010	2,302,564	3,105,575	5.1%	1,794,055	1,593,057	1,600,077	7,020	171,299	1,771,376	178,319	11.2%
1	Glenn	23,912	75,984	99,896	0.2%	57,709	120,030	120,030	-	5,510	125,540	5,510	4.6%
2	Humboldt	59,360	154,206	213,566	0.4%	123,375	111,943	111,943	-	11,780	123,723	11,780	10.5%
2	Imperial	133,528	329,822	463,350	0.8%	267,672	179,843	179,725	(118)	25,558	205,283	25,440	14.1%
1	Inyo	7,198	23,032	30,230	0.0%	17,464	79,264	79,264	-	1,667	80,931	1,667	2.1%
3	Kern	633,103	1,892,203	2,525,306	4.2%	1,458,841	729,210	728,732	(478)	139,292	868,024	138,814	19.0%
2	Kings	95,340	281,018	376,357	0.6%	217,417	275,061	275,061	-	20,759	295,820	20,759	7.5%
2	Lake	39,459	104,370	143,828	0.2%	83,088	141,004	141,004	-	7,933	148,938	7,933	5.6%
1	Lassen	14,595	45,548	60,143	0.1%	34,744	60,000	60,000	-	3,317	63,317	3,317	5.5%
4	Los Angeles	2,680,920	11,211,637	13,892,557	23.0%	8,025,572	5,753,199	5,749,425	(3,775)	766,293	6,515,718	762,519	13.3%
2	Madera	118,458	363,172	481,630	0.8%	278,232	213,361	213,221	(140)	26,566	239,787	26,426	12.4%
2	Marin	33,164	135,673	168,837	0.3%	97,535	114,719	114,719	-	9,313	124,032	9,313	8.1%
1	Mariposa	7,262	24,487	31,749	0.1%	18,341	75,216	75,216	-	1,751	76,967	1,751	2.3%
2	Mendocino	42,766	117,234	160,000	0.3%	92,430	154,769	154,769	-	8,825	163,594	8,825	5.7%
2	Merced	222,471	617,029	839,500	1.4%	484,970	490,598	490,598	-	46,306	536,903	46,306	9.4%
1	Modoc**	-	-	-	0.0%	-	-	-	-	-	-	-	-
1	Mono	2,996	10,571	13,566	0.0%	7,837	45,974	45,974	-	748	46,722	748	1.6%
3	Monterey	130,900	476,352	607,252	1.0%	350,803	356,969	356,969	-	33,495	390,464	33,495	9.4%
2	Napa	33,145	133,246	166,390	0.3%	96,122	95,441	95,441	-	9,178	104,619	9,178	9.6%
2	Nevada*	31,504	106,457	137,961	0.2%	79,699	316,593	316,593	-	7,610	324,203	7,610	2.4%
4	Orange	811,356	2,975,448	3,786,804	6.3%	2,187,594	2,089,818	2,089,818	-	208,875	2,298,693	208,875	10.0%
2	Placer	94,444	366,114	460,558	0.8%	266,059	312,320	312,320	-	25,404	337,724	25,404	8.1%
1	Plumas	11,578	34,221	45,799	0.1%	26,457	95,777	95,777	-	2,526	98,303	2,526	2.6%
4	Riverside	866,196	2,985,345	3,851,541	6.4%	2,224,992	1,093,392	1,092,674	(717)	212,445	1,305,120	211,728	19.4%
4	Sacramento	618,008	2,424,592	3,042,600	5.0%	1,757,676	1,135,964	1,135,219	(745)	167,825	1,303,044	167,080	14.7%
1	San Benito	17,927	66,178	84,105	0.1%	48,587	135,384	135,384	-	4,639	140,023	4,639	3.4%
4	San Bernardino	1,505,925	4,852,900	6,358,825	10.5%	3,673,421	2,794,865	2,793,031	(1,834)	350,744	3,143,775	348,910	12.5%
4	San Diego	804,114	2,755,069	3,559,184	5.9%	2,056,100	1,818,465	1,817,272	(1,193)	196,319	2,013,591	195,126	10.7%
4	San Francisco	170,541	793,435	963,976	1.6%	556,878	820,297	820,297	-	53,172	873,469	53,172	6.5%
3	San Joaquin	399,744	1,286,053	1,685,797	2.8%	973,866	744,987	744,498	(489)	92,986	837,484	92,497	12.4%
2	San Luis Obispo	57,837	193,761	251,597	0.4%	145,345	209,688	209,688	-	13,878	223,566	13,878	6.6%
3	San Mateo	78,669	332,106	410,775	0.7%	237,300	354,193	354,193	-	22,658	376,851	22,658	6.4%
3	Santa Barbara	106,699	377,216	483,914	0.8%	279,552	435,112	435,112	-	26,692	461,804	26,692	6.1%
4	Santa Clara	230,529	972,631	1,203,159	2.0%	695,051	1,612,233	1,612,233	-	66,365	1,678,597	66,365	4.1%
2	Santa Cruz	29,285	108,748	138,033	0.2%	79,740	177,299	177,299	-	7,614	184,913	7,614	4.3%
2	Shasta*	88,917	263,622	352,539	0.6%	203,658	398,675	398,675	-	19,446	418,121	19,446	4.9%
1	Sierra	1,409	3,992	5,401	0.0%	3,120	11,000	11,000	-	298	11,298	298	2.7%
2	Siskiyou	28,409	74,095	102,504	0.2%	59,215	118,484	118,484	-	5,654	124,138	5,654	4.8%
3	Solano	210,452	750,699	961,151	1.6%	555,246	497,167	499,537	2,370	53,016	552,553	55,386	11.1%
3	Sonoma	104,101	372,056	476,156	0.8%	275,070	453,390	453,390	-	26,264	479,654	26,264	5.8%
3	Stanislaus	245,186	789,524	1,034,710	1.7%	597,740	700,912	700,912	-	57,073	757,985	57,073	8.1%
2	Sutter	62,371	206,179	268,550	0.4%	155,138	182,623	182,623	-	14,813	197,436	14,813	8.1%
2	Tehama*	55,194	158,682	213,876	0.4%	123,554	102,502	102,435	(67)	11,797	114,232	11,730	11.4%
1	Trinity	6,991	19,595	26,587	0.0%	15,359	18,900	18,900	-	1,466	20,366	1,466	7.8%
3	Tulare	196,168	627,580	823,748	1.4%	475,870	507,485	507,485	-	45,437	552,922	45,437	9.0%
2	Tuolumne*	20,127	59,975	80,102	0.1%	46,274	158,566	158,566	-	4,418	162,984	4,418	2.8%
3	Ventura	164,608	606,324	770,931	1.3%	445,358	527,450	527,450	-	42,523	569,974	42,523	8.1%
2	Yolo	84,769	303,633	388,402	0.6%	224,375	200,980	201,942	961	21,424	223,365	22,385	11.1%
2	Yuba*	36,151	117,376	153,527	0.3%	88,691	203,149	203,149	-	8,468	211,617	8,468	4.2%
	Total	13,237,832	47,269,565	60,507,398	100.0%	34,954,436	31,616,936	31,616,936	0	3,337,500	34,954,436	3,337,500	

* Cluster 2 courts with existing intra-branch agreements for the Child Support Commissioner program.

** Modoc does not have a Child Support Commissioner program.

Attachment 3A2: Child Support Commissioner Additional Funding Allocation - Option 2

Cluster	Court	CSC Funding Need	CSC Staff (non-FLF) Funding Need	Total CSC and Staff Need (C+D)	Percentage of Total Need	Promote to Available Funding	Original FY 21-22 Base Allocation	Adjusted FY 21-22 Base Allocation	Base Allocation Adjustment (H-H)	Amount of Unmet Need (G-I)	Percentage of Unmet Need	Amount Increase	Final Allocation (I+M)	Total Net Increase (M+J)	Percentage Difference (O/H)
Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L	Col. M	Col. N	Col. O	Col. P
4	Alameda	651,921	2,702,537	3,354,459	5.5%	1,937,833	1,159,405	1,158,644	(761)	779,189	10.4%	348,148	1,506,792	347,387	30.0%
1	Alpine (See El Dorado)	280	849	1,128	-	-	-	-	-	-	-	0	-	-	-
1	Amador	15,745	54,969	70,714	0.1%	40,851	140,250	140,250	-	-	-	0	140,250	-	0.0%
2	Butte	87,392	266,083	353,475	0.6%	204,198	272,690	272,690	-	-	-	0	272,690	-	0.0%
1	Calaveras	15,933	53,263	69,196	0.1%	39,974	132,667	132,667	-	-	-	0	132,667	-	0.0%
1	Colusa	6,856	19,824	26,680	0.0%	15,413	45,691	45,691	-	-	-	0	45,691	-	0.0%
3	Contra Costa	155,298	605,185	760,483	1.3%	439,322	793,527	793,527	-	-	-	0	793,527	-	0.0%
1	Del Norte	31,351	101,819	133,170	0.2%	76,931	52,207	52,173	(34)	24,758	0.3%	11,062	63,235	11,028	21.1%
2	El Dorado*	52,265	183,283	235,547	0.4%	136,725	203,169	203,169	-	-	-	0	203,169	-	0.0%
3	Fresno	803,010	2,302,564	3,105,575	5.1%	1,794,055	1,593,057	1,600,077	7,020	193,978	2.6%	86,671	1,686,748	93,691	5.9%
1	Glenn	23,912	75,984	99,896	0.2%	57,709	120,030	120,030	-	-	-	0	120,030	-	0.0%
2	Humboldt	59,360	154,206	213,566	0.4%	123,375	111,943	111,943	-	11,432	0.2%	5,108	117,051	5,108	4.6%
2	Imperial	133,528	329,822	463,350	0.8%	267,672	179,843	179,725	(118)	87,947	1.2%	39,295	219,020	39,177	21.8%
1	Inyo	7,198	23,032	30,230	0.0%	17,464	79,264	79,264	-	-	-	0	79,264	-	0.0%
3	Kern	633,103	1,892,203	2,525,306	4.2%	1,458,841	729,210	728,732	(478)	730,109	9.8%	326,219	1,054,951	325,740	44.7%
2	Kings	95,340	281,018	376,357	0.6%	217,417	275,061	275,061	-	-	-	0	275,061	-	0.0%
2	Lake	39,459	104,370	143,828	0.2%	83,088	141,004	141,004	-	-	-	0	141,004	-	0.0%
1	Lassen	14,595	45,548	60,143	0.1%	34,744	60,000	60,000	-	-	-	0	60,000	-	0.0%
4	Los Angeles	2,680,920	11,211,637	13,892,557	23.0%	8,025,572	5,753,199	5,749,425	(3,775)	2,276,147	30.5%	1,017,002	6,766,426	1,013,227	17.6%
2	Madera	118,458	363,172	481,630	0.8%	278,232	213,361	213,221	(140)	65,011	0.9%	29,047	242,269	28,907	13.5%
2	Marin	33,164	135,673	168,837	0.3%	97,535	114,719	114,719	-	-	-	0	114,719	-	0.0%
1	Mariposa	7,262	24,487	31,749	0.1%	18,341	75,216	75,216	-	-	-	0	75,216	-	0.0%
2	Mendocino	42,766	117,234	160,000	0.3%	92,430	154,769	154,769	-	-	-	0	154,769	-	0.0%
2	Merced	222,471	617,029	839,500	1.4%	484,970	490,598	490,598	-	-	-	0	490,598	-	0.0%
1	Modoc**	-	-	-	-	-	-	-	-	-	-	0	-	-	-
1	Mono	2,996	10,571	13,566	0.0%	7,837	45,974	45,974	-	-	-	0	45,974	-	0.0%
3	Monterey	130,900	476,352	607,252	1.0%	350,803	356,969	356,969	-	-	-	0	356,969	-	0.0%
2	Napa	33,145	133,246	166,390	0.3%	96,122	95,441	95,441	-	681	0.0%	304	95,745	304	0.3%
2	Nevada*	31,504	106,457	137,961	0.2%	79,699	316,593	316,593	-	-	-	0	316,593	-	0.0%
4	Orange	811,356	2,975,448	3,786,804	6.3%	2,187,594	2,089,818	2,089,818	-	97,776	1.3%	43,687	2,133,505	43,687	2.1%
2	Placer	94,444	366,114	460,558	0.8%	266,059	312,320	312,320	-	-	-	0	312,320	-	0.0%
1	Plumas	11,578	34,221	45,799	0.1%	26,457	95,777	95,777	-	-	-	0	95,777	-	0.0%
4	Riverside	866,196	2,985,345	3,851,541	6.4%	2,224,992	1,093,392	1,092,674	(717)	1,132,317	15.2%	505,929	1,598,603	505,211	46.2%
4	Sacramento	618,008	2,424,592	3,042,600	5.0%	1,757,676	1,135,964	1,135,219	(745)	622,457	8.3%	278,119	1,413,338	277,373	24.4%
1	San Benito	17,927	66,178	84,105	0.1%	48,587	135,384	135,384	-	-	-	0	135,384	-	0.0%
4	San Bernardino	1,505,925	4,852,900	6,358,825	10.5%	3,673,421	2,794,865	2,793,031	(1,834)	880,390	11.8%	393,365	3,186,397	391,532	14.0%
4	San Diego	804,114	2,755,069	3,559,184	5.9%	2,056,100	1,818,465	1,817,272	(1,193)	238,828	3.2%	106,710	1,923,982	105,517	5.8%
4	San Francisco	170,541	793,435	963,976	1.6%	556,878	820,297	820,297	-	-	-	0	820,297	-	0.0%
3	San Joaquin	399,744	1,286,053	1,685,797	2.8%	973,866	744,987	744,498	(489)	229,368	3.1%	102,483	846,981	101,995	13.7%
2	San Luis Obispo	57,837	193,761	251,597	0.4%	145,345	209,688	209,688	-	-	-	0	209,688	-	0.0%
3	San Mateo	78,669	332,106	410,775	0.7%	237,300	354,193	354,193	-	-	-	0	354,193	-	0.0%
3	Santa Barbara	106,699	377,216	483,914	0.8%	279,552	435,112	435,112	-	-	-	0	435,112	-	0.0%
4	Santa Clara	230,529	972,631	1,203,159	2.0%	695,051	1,612,233	1,612,233	-	-	-	0	1,612,233	-	0.0%
2	Santa Cruz	29,285	108,748	138,033	0.2%	79,740	177,299	177,299	-	-	-	0	177,299	-	0.0%
2	Shasta*	88,917	263,622	352,539	0.6%	203,658	398,675	398,675	-	-	-	0	398,675	-	0.0%
1	Sierra	1,409	3,992	5,401	0.0%	3,120	11,000	11,000	-	-	-	0	11,000	-	0.0%
2	Siskiyou	28,409	74,095	102,504	0.2%	59,215	118,484	118,484	-	-	-	0	118,484	-	0.0%
3	Solano	210,452	750,699	961,151	1.6%	555,246	497,167	499,537	2,370	55,709	0.7%	24,891	524,428	27,261	5.5%
3	Sonoma	104,101	372,056	476,156	0.8%	275,070	453,390	453,390	-	-	-	0	453,390	-	0.0%
3	Stanislaus	245,186	789,524	1,034,710	1.7%	597,740	700,912	700,912	-	-	-	0	700,912	-	0.0%
2	Sutter	62,371	206,179	268,550	0.4%	155,138	182,623	182,623	-	-	-	0	182,623	-	0.0%
2	Tehama*	55,194	158,682	213,876	0.4%	123,554	102,502	102,435	(67)	21,119	0.3%	9,436	111,871	9,369	9.1%
1	Trinity	6,991	19,595	26,587	0.0%	15,359	18,900	18,900	-	-	-	0	18,900	-	0.0%
3	Tulare	196,168	627,580	823,748	1.4%	475,870	507,485	507,485	-	-	-	0	507,485	-	0.0%
2	Tuolumne*	20,127	59,975	80,102	0.1%	46,274	158,566	158,566	-	-	-	0	158,566	-	0.0%
3	Ventura	164,608	606,324	770,931	1.3%	445,358	527,450	527,450	-	-	-	0	527,450	-	0.0%
2	Yolo	84,769	303,633	388,402	0.6%	224,375	200,980	201,942	961	22,434	0.3%	10,023	211,965	10,985	5.5%
2	Yuba*	36,151	117,376	153,527	0.3%	88,691	203,149	203,149	-	-	-	0	203,149	-	0.0%
	Total	13,237,832	47,269,565	60,507,398	100.0%	34,954,436	31,616,936	31,616,936	0	7,469,647	100.0%	3,337,500	34,954,436	3,337,500	

* Cluster 2 courts with existing intra-branch agreements for the Child Support Commissioner program.

** Modoc does not have a Child Support Commissioner program.

Attachment 3B1: Family Law Facilitator Additional Funding Allocation - Option 1

Cluster	Court	Population Base Methodology	JC FY 21-22 Base Allocation	Amount Increase	Final Allocation (D+E)	Percent Difference
Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G
4	Alameda	449,445	376,007	46,544	422,550	12.4%
1	Alpine	34,287		32	32	
1	Amador	43,477	46,885	1,062	47,947	2.3%
2	Butte	89,199	96,666	6,184	102,850	6.4%
1	Calaveras	45,241	70,655	1,259	71,914	1.8%
1	Colusa	39,493	36,882	615	37,497	1.7%
3	Contra Costa	321,369	328,242	32,195	360,437	9.8%
1	Del Norte	40,806	50,002	763	50,765	1.5%
2	El Dorado*	81,646	106,037	5,338	111,375	5.0%
3	Fresno	287,307	374,830	28,379	403,209	7.6%
1	Glenn	41,255	75,808	813	76,621	1.1%
2	Humboldt	67,619	84,726	3,766	88,492	4.4%
2	Imperial	81,330	54,768	5,303	60,071	9.7%
1	Inyo	38,632	57,185	519	57,704	0.9%
3	Kern	261,634	337,384	25,502	362,886	7.6%
2	Kings	72,134	60,599	4,272	64,871	7.0%
2	Lake	50,134	54,691	1,808	56,498	3.3%
1	Lassen	41,469	65,000	837	65,837	1.3%
4	Los Angeles	2,585,526	1,958,080	285,855	2,243,934	14.6%
2	Madera	73,596	76,754	4,436	81,190	5.8%
2	Marin	99,436	129,752	7,331	137,083	5.7%
1	Mariposa	38,508	45,390	505	45,895	1.1%
2	Mendocinc	56,121	57,439	2,478	59,917	4.3%
2	Merced	104,324	96,445	7,879	104,324	8.2%
1	Modoc	36,392	70,941	268	71,209	0.4%
1	Mono	37,398	48,246	381	48,627	0.8%
3	Monterey	144,487	125,033	12,378	137,412	9.9%
2	Napa	68,992	64,046	3,920	67,966	6.1%
2	Nevada*	58,607	116,010	2,757	118,767	2.4%
4	Orange	834,753	556,551	89,711	646,262	16.1%
2	Placer	132,864	92,853	11,076	103,929	11.9%
1	Plumas	38,803	55,827	538	56,365	1.0%
4	Riverside	640,375	632,169	67,934	700,103	10.7%
4	Sacramento	418,763	320,744	43,106	363,850	13.4%
1	San Benito	49,099	60,289	1,692	61,981	2.8%
4	San Bernardino	578,004	475,881	60,946	536,827	12.8%
4	San Diego	867,543	627,754	93,384	721,138	14.9%
4	San Francisco	255,470	232,994	24,812	257,806	10.6%
3	San Joaquin	225,321	203,887	21,434	225,321	10.5%
2	San Luis Obispo	103,603	69,423	7,798	77,221	11.2%
3	San Mateo	226,910	131,365	21,612	152,978	16.5%
3	Santa Barbara	146,984	162,170	12,658	174,828	7.8%
4	Santa Clara	521,937	461,191	54,665	515,856	11.9%
2	Santa Cruz	102,375	77,011	7,660	84,672	9.9%
2	Shasta*	78,457	185,447	4,981	190,428	2.7%
1	Sierra	34,799		90	90	
2	Siskiyou	45,105	70,918	1,244	72,162	1.8%
3	Solano	143,780	130,806	12,299	143,105	9.4%
3	Sonoma	158,375	142,678	13,934	156,612	9.8%
3	Stanislaus	172,941	208,109	15,566	223,675	7.5%
2	Sutter	58,549	62,977	2,750	65,728	4.4%
2	Tehama	50,081	28,277	1,802	30,078	6.4%
1	Trinity	37,396		380	380	
3	Tulare	153,218	292,488	13,356	305,844	4.6%
2	Tuolumne	47,646	61,307	1,529	62,836	2.5%
3	Ventura	246,574	240,082	23,815	263,897	9.9%
2	Yolo	89,297	79,362	6,195	85,557	7.8%
2	Yuba	53,236	62,563	2,155	64,718	3.4%
	Total	11,902,126	10,789,626	1,112,500	11,902,126	

* Cluster 2 courts with existing intra-branch agreements for the Family Law Facilitator program.

Attachment 3B2: Family Law Facilitator Additional Funding Allocation - Option 2

Cluster	Court	Population Based Methodology	JCFY 21-22 Base Allocation	Amount of Unmet Need	Percentage of Unmet Need	Amount Increase	Final Allocation (D+G)	Percent Difference
Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I
4	Alameda	449,445	376,007	73,439	3.9%	43,763	419,770	11.6%
1	Alpine	34,287						
1	Amador	43,477	46,885	-		0	46,885	0.0%
2	Butte	89,199	96,666	-		0	96,666	0.0%
1	Calaveras	45,241	70,655	-		0	70,655	0.0%
1	Colusa	39,493	36,882	2,611	0.1%	1,556	38,438	4.2%
3	Contra Costa	321,369	328,242	-		0	328,242	0.0%
1	Del Norte	40,806	50,002	-		0	50,002	0.0%
2	El Dorado*	81,646	106,037	-		0	106,037	0.0%
3	Fresno	287,307	374,830	-		0	374,830	0.0%
1	Glenn	41,255	75,808	-		0	75,808	0.0%
2	Humboldt	67,619	84,726	-		0	84,726	0.0%
2	Imperial	81,330	54,768	26,562	1.4%	15,828	70,597	28.9%
1	Inyo	38,632	57,185	-		0	57,185	0.0%
3	Kern	261,634	337,384	-		0	337,384	0.0%
2	Kings	72,134	60,599	11,535	0.6%	6,874	67,473	11.3%
2	Lake	50,134	54,691	-		0	54,691	0.0%
1	Lassen	41,469	65,000	-		0	65,000	0.0%
4	Los Angeles	2,585,526	1,958,080	627,447	33.6%	373,907	2,331,986	19.1%
2	Madera	73,596	76,754	-		0	76,754	0.0%
2	Marin	99,436	129,752	-		0	129,752	0.0%
1	Mariposa	38,508	45,390	-		0	45,390	0.0%
2	Mendocino	56,121	57,439	-		0	57,439	0.0%
2	Merced	104,324	96,445	7,879	0.4%	4,695	101,140	4.9%
1	Modoc	36,392	70,941	-		0	70,941	0.0%
1	Mono	37,398	48,246	-		0	48,246	0.0%
3	Monterey	144,487	125,033	19,454	1.0%	11,593	136,626	9.3%
2	Napa	68,992	64,046	4,946	0.3%	2,947	66,993	4.6%
2	Nevada*	58,607	116,010	-		0	116,010	0.0%
4	Orange	834,753	556,551	278,202	14.9%	165,785	722,336	29.8%
2	Placer	132,864	92,853	40,011	2.1%	23,843	116,696	25.7%
1	Plumas	38,803	55,827	-		0	55,827	0.0%
4	Riverside	640,375	632,169	8,206	0.4%	4,890	637,059	0.8%
4	Sacramento	418,763	320,744	98,019	5.3%	58,411	379,155	18.2%
1	San Benito	49,099	60,289	-		0	60,289	0.0%
4	San Bernardino	578,004	475,881	102,123	5.5%	60,857	536,738	12.8%
4	San Diego	867,543	627,754	239,789	12.8%	142,895	770,648	22.8%
4	San Francisco	255,470	232,994	22,476	1.2%	13,394	246,388	5.7%
3	San Joaquin	225,321	203,887	21,434	1.1%	12,773	216,660	6.3%
2	San Luis Obispo	103,603	69,423	34,181	1.8%	20,369	89,792	29.3%
3	San Mateo	226,910	131,365	95,545	5.1%	56,937	188,302	43.3%
3	Santa Barbara	146,984	162,170	-		0	162,170	0.0%
4	Santa Clara	521,937	461,191	60,746	3.3%	36,200	497,391	7.8%
2	Santa Cruz	102,375	77,011	25,364	1.4%	15,115	92,126	19.6%
2	Shasta*	78,457	185,447	-		0	185,447	0.0%
1	Sierra	34,799						
2	Siskiyou	45,105	70,918	-		0	70,918	0.0%
3	Solano	143,780	130,806	12,974	0.7%	7,731	138,538	5.9%
3	Sonoma	158,375	142,678	15,697	0.8%	9,354	152,032	6.6%
3	Stanislaus	172,941	208,109	-		0	208,109	0.0%
2	Sutter	58,549	62,977	-		0	62,977	0.0%
2	Tehama	50,081	28,277	21,804	1.2%	12,994	41,270	46.0%
1	Trinity	37,396						
3	Tulare	153,218	292,488	-		0	292,488	0.0%
2	Tuolumne	47,646	61,307	-		0	61,307	0.0%
3	Ventura	246,574	240,082	6,492	0.3%	3,868	243,951	1.6%
2	Yolo	89,297	79,362	9,935	0.5%	5,920	85,282	7.5%
2	Yuba	53,236	62,563	-		0	62,563	0.0%
	Total	11,902,126	10,789,626	1,866,869	100.0%	1,112,500	11,902,126	

* Cluster 2 courts with existing intra-branch agreements for the Family Law Facilitator program.

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

(Action Item)

Title: Annual Funding Methodology Subcommittee (FMS) Work Plan Update
Date: 8/5/2021
Contact: Catrayel Wood, Senior Analyst, Budget Services
916-643-7008 | Catrayel.Wood@jud.ca.gov

Issue

Consideration of a FMS recommendation on updates to the annual work plan.

Background

The FMS prepares an annual work plan to direct its efforts in developing and refining the Workload Formula as well as other methodologies including self-help, court-appointed dependency counsel, and interpreter funding, for approval by the Trial Court Budget Advisory Committee (TCBAC) every year.

The current work plan, as approved on July 16, 2020, is provided as Attachment 4A.

Recommendation

It is recommended that the TCBAC approve the updated annual work plan recommended by the FMS as follows:

1. Move as ongoing through 2021-22: Items 1, 2, and 3.
2. Update the language for item 2 based on recent changes to the interpreter funding model.
3. Track the work of the Family and Juvenile Law Advisory Committee to ensure implementation of an allocation methodology for the AB 1058 Child Support Family Law Facilitator Program in 2022-23.

An updated work plan as proposed is included as Attachment 4B.

Attachments

Attachment 4A: FMS Work Plan, Updated on July 16, 2020

Attachment 4B: FMS Work Plan, Proposed Recommendations as of August 5, 2021

FUNDING METHODOLOGY SUBCOMMITTEE WORK PLAN
As Approved by the Trial Court Budget Advisory Committee on July 16, 2020

Charge of the Funding Methodology Subcommittee

Focus on the ongoing review and refinement of the Workload Formula, develop a methodology for allocations from the Trial Court Trust Fund Court Interpreter Program (0150037) in the event of a funding shortfall, and consider funding allocation methodologies for other non-discretionary dollars as necessary.

2020-21

1. Identify and evaluate the impact of Judicial Council-provided services versus those that are funded by local trial court operations funds.
2. Develop a methodology for reimbursement of expenditures for the Court Interpreter Program in the event of a funding shortfall.
3. Initiate an ad hoc subcommittee to reevaluate the cluster system and floor funding.

Ongoing Through 2021-22

4. Track the work of the Family and Juvenile Law Advisory Committee to ensure implementation of an allocation methodology for the AB 1058 Child Support Family Law Facilitator Program in 2022-23.

Annual Updates

5. Review the base funding floor amounts annually, if requested by the applicable courts, for presentation to the TCBAC no later than December, to determine whether an inflationary adjustment is needed.

FUNDING METHODOLOGY SUBCOMMITTEE WORK PLAN
Proposed Recommendations as of August 5, 2021

Charge of the Funding Methodology Subcommittee

Focus on the ongoing review and refinement of the Workload Formula, develop a methodology for allocations from the Trial Court Trust Fund Court Interpreter Program (0150037) in the event of a funding shortfall, and consider funding allocation methodologies for other non-discretionary dollars as necessary.

Ongoing Through 2021-22

1. Identify and evaluate the impact of Judicial Council-provided services versus those that are funded by local trial court operations funds.
2. Develop an ongoing, workload-based methodology for allocation of Court Interpreter Program funding effective in 2022-23.
3. Initiate an ad hoc subcommittee to reevaluate the cluster system and floor funding.
4. Track the work of the Family and Juvenile Law Advisory Committee to ensure implementation of an allocation methodology for the AB 1058 Child Support Family Law Facilitator Program in 2022-23.

Annual Updates

5. Review the base funding floor amounts annually, if requested by the applicable courts, for presentation to the TCBAC no later than December, to determine whether an inflationary adjustment is needed.

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

(Information Only)

Title: Trial Court Executive Summary Display
Date: 8/5/2021
Contact: Oksana Tuk, Senior Analyst, Judicial Council Budget Services
916-643-8027 | oksana.tuk@jud.ca.gov

Issue

Provide the updated single-court executive summary display for 2021-22 trial court allocations, including the Workload Formula.

Background

At its July 25, 2019 meeting, the Trial Court Budget Advisory Committee (TCBAC) approved a single-court executive summary display for each court that includes current allocation highlights, comparisons to prior year, and relevant statewide perspectives for reference.

The allocation information is updated each fiscal year based on funding changes included in the final budget and Judicial Council approved allocations. For 2021-22, the display includes, but is not limited to, each court's share of \$167.8 million in restoration funding, \$72.7 million in new funding to address inflationary cost increases, \$60 million in one-time funding for COVID-related caseload backlogs, as well as funding for pretrial services and court-appointed dependency counsel. The summary documents are preliminary until all allocations are approved by the council. The TCBAC allocation recommendations for the \$60 million for COVID backlog and the pretrial funding, included in agenda Item 1 and Item 2, will be considered by the Judicial Branch Budget Committee at its August 13, 2021 meeting and the Judicial Council at its October 1, 2021 business meeting.

For illustrative purposes, three examples of the executive summary are provided and represent a large court (Alameda, Attachment A), a medium court (Monterey, Attachment B), and a small court (Yuba, Attachment C).

Allocation details for each court are available in the 2021-22 Trial Court Trust Fund and trial court allocations approved by the Judicial Council at its July 9, 2021 business meeting.¹

¹ [Report to the Judicial Council: Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for Fiscal Year 2021-22 \(Attachments B and C\)](#)

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

Attachments

Attachment A: 2021-22 Allocation Summary for Alameda (large court)

Attachment B: 2021-22 Allocation Summary for Monterey (medium court)

Attachment C: 2021-22 Allocation Summary for Yuba (small court)



SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
2021-22 ALLOCATION SUMMARY*
 AUGUST 2021

	Court Perspective		Statewide Perspective	
	Prior Year 2020-21	Current Year 2021-22	Prior Year 2020-21	Current Year 2021-22
Workload Formula	\$88,487,371	\$91,263,264	\$2,626,768,921	\$2,754,156,851
Workload Formula Allocation	74,075,309	82,853,797	1,950,625,393	2,215,166,791
<i>Share of \$168m Reduction/Restoration</i>	(6,685,811)	6,685,811	(167,831,000)	167,831,000
<i>Share of \$72.2m CPI Funding</i>	---	2,740,781	---	72,173,000
<i>Workload Formula Local Revenues</i>	3,912,553	2,934,872	104,343,805	93,416,548
<i>Funding Floor Adjustment</i>	(2,946)	4,556	0	0
Percent of Workload Formula Funded	84%	91%	74%	80%
Other Allocations	15,924,767	TBD	441,123,660	TBD
Total Allocation*	\$90,023,700	\$TBD	\$2,388,749,053	\$TBD

Additional Court Information

2021-22 Workload Allocation Highlights

Self-Help	\$1,009,970
Benefit Cost Change Funding	527,836
Current Year Benefit Adjustment	TBD
2% Automation Replacement	424,792
Criminal Justice Realignment	181,356
Auto. Recordkeeping/Micrographics (2020-21)	93,225
TCTF Reduction for SJO Conversions	0

2021-22 Other Allocation Highlights

\$60m COVID-Driven Backlog	\$TBD
Court Interpreters Program	5,371,012
Non-Sheriff Security Base	3,317,864
Subordinate Judicial Officers	2,233,064
Telephonic Appearances	0

Reserve Cap → 3%

<u>Pretrial Funding</u>				<u>Court-Appointed Dependency Counsel</u>			
	<u>Court</u>	<u>Statewide</u>		<u>Court</u>	<u>Statewide</u>		
2019-20	\$14,359,400	\$67,899,682	<i>One-time</i>	2020-21	\$3,422,591	\$156,600,000	
						+ 100,000	<i>Reserve</i>
						\$156,700,000	Total
<i>Funding is for pilot projects to implement, operate, or evaluate programs in at least 10 courts related to pretrial decision-making.</i>							
2021-22	\$TBD	\$TBD	<i>One-time</i>	2021-22	\$3,348,652	\$166,600,000	
	+ TBD	+ TBD	<i>Ongoing</i>			+ 100,000	<i>Reserve</i>
	\$TBD	\$TBD	Total			\$166,700,000	Total
<i>Funding is for courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.</i>							
				Federal Title IV-E Reimbursement			
				2021-22			
				\$30,000,000			

CIP
COURT
INTERPRETERS
PROGRAM

CPI
CONSUMER
PRICE INDEX

MOE
MAINTENANCE
OF EFFORT

RAS
RESOURCE
ASSESSMENT
STUDY

SJO
SUBORDINATE
JUDICIAL
OFFICER

TCTF
TRIAL COURT
TRUST FUND

*Not inclusive of all allocations such as restricted funding, reimbursements, and local revenues.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY
2021-22 ALLOCATION SUMMARY*
 AUGUST 2021

	Court Perspective		Statewide Perspective	
	Prior Year 2020-21	Current Year 2021-22	Prior Year 2020-21	Current Year 2021-22
Workload Formula	\$26,713,867	\$27,857,633	\$2,626,768,921	\$2,754,156,851
Workload Formula Allocation	20,188,513	23,012,580	1,950,625,393	2,215,166,791
<i>Share of \$168m Reduction/Restoration</i>	<i>(1,751,272)</i>	<i>1,751,272</i>	<i>(167,831,000)</i>	<i>167,831,000</i>
<i>Share of \$72.2m CPI Funding</i>	<i>---</i>	<i>746,974</i>	<i>---</i>	<i>72,173,000</i>
<i>Workload Formula Local Revenues</i>	<i>1,240,004</i>	<i>1,140,343</i>	<i>104,343,805</i>	<i>93,416,548</i>
<i>Funding Floor Adjustment</i>	<i>(803)</i>	<i>1,266</i>	<i>0</i>	<i>0</i>
Percent of Workload Formula Funded	76%	83%	74%	80%
Other Allocations	4,175,195	TBD	441,123,660	TBD
Total Allocation*	\$30,889,062	\$TBD	\$2,388,749,053	\$TBD

Additional Court Information

2021-22 Workload Allocation Highlights

Self-Help	\$293,559
Benefit Cost Change Funding	413,524
Current Year Benefit Adjustment	TBD
2% Automation Replacement	183,464
Criminal Justice Realignment	44,540
Auto. Recordkeeping/Micrographics (2020-21)	21,708
TCTF Reduction for SJO Conversions	0

2021-22 Other Allocation Highlights

\$60m COVID-Driven Backlog	\$TBD
Court Interpreters Program	5,371,012
Non-Sheriff Security Base	908,310
Subordinate Judicial Officers	345,025
Telephonic Appearances	0

Reserve Cap → 3%

<u>Pretrial Funding</u>				<u>Court-Appointed Dependency Counsel</u>			
	<u>Court</u>	<u>Statewide</u>		<u>Court</u>	<u>Statewide</u>		
2019-20	\$0	\$67,899,682	<i>One-time</i>	2020-21	\$797,204	\$156,600,000	
<i>Funding is for pilot projects to implement, operate, or evaluate programs in at least 10 courts related to pretrial decision-making.</i>						<i>+ 100,000</i>	<i>Reserve</i>
						\$156,700,000	Total
2021-22	\$TBD	\$TBD	<i>One-time</i>	2021-22	\$738,059	\$166,600,000	
	<i>+ TBD</i>	<i>+ TBD</i>	<i>Ongoing</i>			<i>+ 100,000</i>	<i>Reserve</i>
	\$TBD	\$TBD	Total			\$166,700,000	Total
<i>Funding is for courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.</i>				Federal Title IV-E Reimbursement			
				<u>2021-22</u>			
				\$30,000,000			

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*Not inclusive of all allocations such as restricted funding, reimbursements, and local revenues.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA

2021-22 ALLOCATION SUMMARY*

AUGUST 2021

	Court Perspective		Statewide Perspective	
	Prior Year 2020-21	Current Year 2021-22	Prior Year 2020-21	Current Year 2021-22
Workload Formula	\$5,139,860	\$5,150,429	\$2,626,768,921	\$2,754,156,851
Workload Formula Allocation	5,135,790	5,898,802	1,950,625,393	2,215,166,791
<i>Share of \$168m Reduction/Restoration</i>	<i>(388,043)</i>	<i>388,043</i>	<i>(167,831,000)</i>	<i>167,831,000</i>
<i>Share of \$72.2m CPI Funding</i>	<i>---</i>	<i>190,174</i>	<i>---</i>	<i>72,173,000</i>
<i>Workload Formula Local Revenues</i>	<i>256,531</i>	<i>277,552</i>	<i>104,343,805</i>	<i>93,416,548</i>
<i>Funding Floor Adjustment</i>	<i>(204)</i>	<i>324</i>	<i>0</i>	<i>0</i>
Percent of Workload Formula Funded	100%	115%	74%	80%
Other Allocations	659,401	TBD	441,123,660	TBD
Total Allocation*	\$5,799,261	\$TBD	\$2,388,749,053	\$TBD

Additional Court Information

2021-22 Workload Allocation Highlights

Self-Help	\$179,190
Benefit Cost Change Funding	134,553
Current Year Benefit Adjustment	TBD
2% Automation Replacement	15,788
Criminal Justice Realignment	38,147
Auto. Recordkeeping/Micrographics (2020-21)	1,714
TCTF Reduction for SJO Conversions	0

2021-22 Other Allocation Highlights

\$60m COVID-Driven Backlog	\$TBD
Court Interpreters Program	57,285
Non-Sheriff Security Base	138,407
Subordinate Judicial Officers	0
Telephonic Appearances	9,456

Reserve Cap → 3%

<u>Pretrial Funding</u>				<u>Court-Appointed Dependency Counsel</u>			
	<u>Court</u>	<u>Statewide</u>		<u>Court</u>	<u>Statewide</u>		
2019-20	\$841,300	\$67,899,682	<i>One-time</i>	2020-21	\$363,820	\$156,600,000	
						<i>+ 100,000</i>	<i>Reserve</i>
						\$156,700,000	Total
<i>Funding is for pilot projects to implement, operate, or evaluate programs in at least 10 courts related to pretrial decision-making.</i>							
2021-22	\$TBD	\$TBD	<i>One-time</i>	2021-22	\$377,291	\$166,600,000	
	<i>+ TBD</i>	<i>+ TBD</i>	<i>Ongoing</i>			<i>+ 100,000</i>	<i>Reserve</i>
	\$TBD	\$TBD	Total			\$166,700,000	Total
<i>Funding is for courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services.</i>							
				Federal Title IV-E Reimbursement			
				2021-22			
				\$30,000,000			

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*Not inclusive of all allocations such as restricted funding, reimbursements, and local revenues.

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

(Information Only)

Title: Trial Court Trust Fund (TCTF) Funds Held on Behalf Expenditure Reporting

Date: 8/5/2021

Contact: Catrayel Wood, Senior Analyst, Judicial Council Budget Services
916-643-7008 | Catrayel.Wood@jud.ca.gov

Issue

Upon completion of TCTF Funds Held on Behalf (FHOB) projects or planned expenditures, courts are required to report to the Trial Court Budget Advisory Committee (TCBAC) within 90 days on the project or planned expenditure and how the funds were expended.

Background

Government Code section 68502.5(c)(2)(A) requires the Judicial Council, when setting the allocations for trial courts, to set a preliminary allocation in July of each fiscal year. In January of each fiscal year, after review of available trial court reserves as of June 30 of the prior fiscal year, the Judicial Council is required to finalize allocations and each court's final allocation is offset by the amount of reserves that exceed the amount authorized to be carried over pursuant to Government Code section 77203(b). Under this section, a trial court may, beginning June 30, 2014 and concluding June 30, 2019, carryover unexpended funds in an amount not to exceed 1 percent of the court's operating budget from the prior fiscal year. Effective June 30, 2020, the carryover amount increased to 3 percent.

At its business meeting on July 29, 2014, the Judicial Council, approved an annual process beginning in 2015-16 for courts to provide preliminary and final computations of the portion of their ending fund balance that is subject to the 1 percent cap.

At its business meeting on April 15, 2016, the Judicial Council adopted a process, criteria, and procedures for trial courts to request that TCTF-reduced allocations related to the 1 percent fund balance cap be retained in the TCTF as restricted fund balance for the benefit of those courts that make the request. The FHOB process is intended only for expenditures that cannot be funded by a court's annual budget or three-year encumbrance term and that require multiyear savings to implement. The process also requires reporting on the use of the funds.

The Judicial Council adopted revisions to the policy, including streamlining the submission schedule, making a change to the recipient of the request, and providing language corrections to better align with court year-end closing, trial court allocation offsets, and requests to amend previously reviewed requests at its business meeting on January 17, 2020 (see Attachment A).

Judicial Council Budget Services staff submitted its initial expenditure report to the TCBAC at

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

its July 25, 2019 meeting and established quarterly reporting on the status of FHOB projects or planned expenditures from those courts that indicate completion.

Report of Status

In July 2021, Budget Services staff requested a status on projects or planned expenditures from those courts that indicated completion through July 22, 2021:

Court	Council Approval Date	Project or Planned Expenditure	Completion Date	Approved FHOB	Expended FHOB	Unspent FHOB Returning to TCTF
Alameda	11/13/20	Tenant improvement projects	05/28/21	\$483,830	\$482,095	\$1,735
Mendocino	09/24/19	Case Management System	07/01/21	\$777,000	\$777,000	\$0
Solano	11/13/20	Audio and visual systems	05/31/21	\$358,767	\$358,767	\$0
				\$1,619,597	\$1,617,862	\$1,735

Attachments

Attachment A: *Summary of Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts*

Attachment B: *Funds Held on Behalf of the Court Project Completion Reporting*

Summary of Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts

Recommended Process for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts

1. Trial Court Trust Fund fund balance will be held on behalf of trial courts only for expenditures or projects that cannot be funded by a court's annual budget or three-year encumbrance term and that require multiyear savings to implement.
 - a. Categories or activities include, but are not limited to:
 - i) Projects that extend beyond the original planned three-year term process such as expenses related to the delayed opening of new facilities or delayed deployment of new information systems;
 - ii) Technology improvements or infrastructure such as installing a local data center, data center equipment replacement, case management system deployment, converting to a VoIP telephone system, desktop computer replacement, and replacement of backup emergency power systems;
 - iii) Facilities maintenance and repair allowed under rule 10.810 of the California Rules of Court such as flooring replacement and renovation as well as professional facilities maintenance equipment;
 - iv) Court efficiencies projects such as online and smart forms for court users and RFID systems for tracking case files; and
 - v) Other court infrastructure projects such as vehicle replacement and copymachine replacement.

2. The submission, review, and approval process is as follows:
 - a. All requests will be submitted to the Judicial Council for consideration.
 - b. Requests will be submitted to the *director of Budget Services* by the court's presiding judge or court executive officer.
 - c. *Budget Services* staff will review the request, ask the court to provide any missing or incomplete information, draft a preliminary report, share the preliminary report with the court for its comments, revise as necessary, and issue the report to the *Fiscal Planning Subcommittee* of the Trial Court Budget Advisory Committee (TCBAC); the *subcommittee* will meet to review the request, hear any presentation of the court representative, and ask questions of the representative if one participates on behalf of the court; and *Budget Services* office staff will issue a final report on behalf of the *subcommittee* for the council.
 - d. The final report to the *subcommittee* and the Judicial Council will be provided to the requesting court before the report is made publicly available on the California Courts website.
 - e. The court may send a representative to the *subcommittee* and Judicial Council meetings to present its request and respond to questions.

3. To be considered at a scheduled Judicial Council business meeting, requests must be submitted to the *director of Budget Services* at least 40 business days (approximately eight weeks) before that business meeting.
4. The Judicial Council may consider including appropriate terms and conditions that courts must accept for the council to approve designating TCTF fund balance on the court's behalf.
 - a. Failure to comply with the terms and conditions would result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
5. Approved requests that courts subsequently determine need to be revised to reflect a change (1) in the amounts by year to be distributed to the court for the planned annual expenditures and/or encumbrances, (2) in the total amount of the planned expenditures, or (3) of more than 10 percent of the total request among the categories of expense will need to be amended and resubmitted following the submission, review, and approval process discussed in 1–3 above.
 - a. Denied revised requests will result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
6. Approved requests that courts subsequently determine have a change in purpose will need to be amended and resubmitted following the submission, review, and approval process discussed in 1–3 above, along with a request that the TCTF funds held on behalf of the court for the previously approved request continue to be held on behalf of the court for this new purpose.
 - a. Denied new requests tied to previously approved requests will result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
7. On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended.
8. As part of the courts' audits in the scope of the normal audit cycle, a review of any funds that were held on behalf of the courts will be made to confirm that they were used for their stated approved purpose.

Recommended Criteria for Eligibility for TCTF Fund Balance Held on Behalf of the Courts

TCTF fund balance will be held on behalf of the trial courts only for expenditures or projects that cannot be funded by the court's annual budget or three-year encumbrance term and that require multiyear savings to implement.

Recommended Information Required to Be Provided by Trial Courts for TCTF Fund Balance Held on Behalf of the Courts

Below is the information required to be provided by trial courts on the *Application for TCTF Funds Held on Behalf of the Court*:

SECTION I

General Information

- Superior court
- Date of submission
- Person authorizing the request
- Contact person and contact information
- Time period covered by the request (includes contribution and expenditure)
- Requested amount
- A description providing a brief summary of the request

SECTION II

Amended Request Changes

- Sections and answers amended
- A summary of changes to request

SECTION III

Trial Court Operations and Access to Justice


- An explanation as to why the request does not fit within the court's annual operational budget process and the three-year encumbrance term
- A description of how the request will enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs
- If a cost efficiency, cost comparison (*table template provided*)
- A description of the consequences to the court's operations if the court request is not approved
- A description of the consequences to the public and access to justice if the court request is not approved
- The alternatives that the court has identified if the request is not approved, and the reason why holding funding in the TCTF is the preferred alternative

SECTION IV

Financial Information

- Three-year history of year-end fund balances, revenues, and expenditures (*table template provided*)
- Current detailed budget projections for the fiscal years during which the trial court would either be contributing to the TCTF fund balance held on the court's behalf or receiving distributions from the TCTF fund balance held on the court's behalf (*table template provided*)
- Identification of all costs, by category and amount, needed to fully implement the project (*table template provided*)
- A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year (*table template provided*)

FUNDS HELD ON BEHALF OF THE COURT PROJECT COMPLETION REPORTING

REQUEST NUMBER: 01-2019-1	
SECTION I: GENERAL INFORMATION	
SUPERIOR COURT: Alameda	
JC APPROVED DATE: 11/13/2020	JC APPROVED AMOUNT: \$483,830
REASON PROVIDED ON APPLICATION:	
<p>The Court is requesting TCTF Funds Held on Behalf for the following funds for tenant improvement projects (Projects) that are currently in the process of being completed. Due to the COVID-19 pandemic the Projects experienced significant delays due to both restrictions preventing their ability to work and interruptions in their supply chain, delaying purchase and delivery of supplies necessary to complete their work.</p> <p>The total amount requested is \$483,830.53 for the following contractors.</p> <ul style="list-style-type: none"> • G4S Secure Integration, LLC, \$5,982.42 • Technical Builders Inc., \$446,619.00 • The Key Shack Inc., \$31,229.11 	
SECTION II: PROJECT STATUS OF COMPLETION (TO BE COMPLETED BY COURT)	
<input checked="" type="checkbox"/> PROJECT COMPLETE	
<p><i>Per Judicial Council policy, "On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended."</i></p> <p>PLEASE PROVIDE A DESCRIPTION OF HOW THE FUNDS WERE EXPENDED: The tenant improvement projects were completed for alterations in both employee and public areas, and security updates (replacement of keys and locks and/or adding electronic key card access for employees) at multiple courthouses.</p> <p>TOTAL COST OF PROJECT OR PLANNED EXPENDITURE: \$482,095</p> <p>COMPLETION DATE OF PROJECT: 5/28/2021</p>	
<input type="checkbox"/> PROJECT NOT COMPLETED	
<p>PLEASE PROVIDE A PROGRESS REPORT:</p> <p>ESTIMATED DATE OF COMPLETION: Click here to enter a date.</p>	
CONTACT PERSON AND CONTACT INFO: Melanie Lewis, Finance Director, 510-891-6038, mlewis@alameda.courts.ca.gov	
PERSON AUTHORIZING REQUEST (<i>Presiding Judge or Court Executive Officer</i>): 	

FUNDS HELD ON BEHALF OF THE COURT PROJECT COMPLETION REPORTING

REQUEST NUMBER: 23-2018-1

SECTION I: GENERAL INFORMATION

SUPERIOR COURT:

Mendocino

JC APPROVED DATE:

9/24/2019

JC APPROVED AMOUNT:

\$777,000

REASON PROVIDED ON APPLICATION:

The court plans to replace its sub-standard case management system (CMS) with a new CMS that includes functionality that will enable e-filing and will facilitate the court's transition to paperless files and business processes that use modern workflow technology. In order for this to occur, the court must first upgrade and stabilize its network and Wi-Fi capabilities, including replacement of some routing and switching equipment and implementation of greater external bandwidth. The court must also upgrade hardware at each user desktop to ensure adequate responsiveness and speed for data transmission.

Accordingly the request for the Judicial Council to hold funds on behalf of the court will be for these three discrete projects: 1) analyze, upgrade and stabilize network and Wi-Fi technology, including stress testing and load balancing; 2) replace hardware devices to optimize performance for each court user; and 3) purchase and install a new California-certified CMS with e-filing capabilities, workflow functionality and fully developed interfaces to external justice partners.

SECTION II: PROJECT STATUS OF COMPLETION (TO BE COMPLETED BY COURT)

PROJECT COMPLETE

Per Judicial Council policy, "On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended."

PLEASE PROVIDE A DESCRIPTION OF HOW THE FUNDS WERE EXPENDED:

All funds were expended on completion of Odyssey case management system. Funds were used to pay Tyler Technologies for the new system.

TOTAL COST OF PROJECT OR PLANNED EXPENDITURE: \$777,000

COMPLETION DATE OF PROJECT: 7/1/2021

PROJECT NOT COMPLETED

PLEASE PROVIDE A PROGRESS REPORT:

ESTIMATED DATE OF COMPLETION: [Click here to enter a date.](#)

CONTACT PERSON AND CONTACT INFO: Kim Turner, kim.turner@mendocino.courts.ca.gov

PERSON AUTHORIZING REQUEST (*Presiding Judge or Court Executive Officer*):

Kim Turner, CEO

FUNDS HELD ON BEHALF OF THE COURT PROJECT COMPLETION REPORTING

REQUEST NUMBER: 48-2019-1	
SECTION I: GENERAL INFORMATION	
SUPERIOR COURT: Solano	
JC APPROVED DATE: 11/13/2020	JC APPROVED AMOUNT: \$358,767
REASON PROVIDED ON APPLICATION: <p>The Court is in need of replacing audio and visual systems in almost all courtrooms in three courthouses – the Hall of Justice, Law and Justice Center and Vallejo Courthouse. The court needs to bring many systems up to current JC A/V standards. The total number of courtrooms needing replacement is 23. The court's current systems are outdated and do not function for a modern courtroom setting. Many of the systems are over 25 years old. The inadequacy of the equipment became very apparent with the COVID-19 pandemic and the need to switch very quickly to remote operations. Many courtroom A/V systems were not compatible with modern technology, which limited the court's ability to quickly shift to virtual court proceedings. The court hired a consultant from the Judicial Council's MSA list for a full evaluation of an A/V replacement. The consultant's evaluation was used to obtain bids and is available if needed for this request.</p>	
SECTION II: PROJECT STATUS OF COMPLETION (TO BE COMPLETED BY COURT)	
<input checked="" type="checkbox"/> PROJECT COMPLETE	
<i>Per Judicial Council policy, "On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended."</i>	
PLEASE PROVIDE A DESCRIPTION OF HOW THE FUNDS WERE EXPENDED: AV Audiovisual Systems in nine (9) courtrooms.	
TOTAL COST OF PROJECT OR PLANNED EXPENDITURE: \$358,767	
COMPLETION DATE OF PROJECT: 5/31/2021	
<input type="checkbox"/> PROJECT NOT COMPLETED	
PLEASE PROVIDE A PROGRESS REPORT:	
ESTIMATED DATE OF COMPLETION: Click here to enter a date.	
CONTACT PERSON AND CONTACT INFO: Agnes shappy, Chief Financial Officer acshappy@solano.courts.ca.gov	
PERSON AUTHORIZING REQUEST (<i>Presiding Judge or Court Executive Officer</i>): BRIAN TAYLOR, COURT EXECUTIVE OFFICER	