



# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

## TRIAL COURT BUDGET ADVISORY COMMITTEE FISCAL PLANNING SUBCOMMITTEE

### MATERIALS FOR SEPTEMBER 29, 2021 MEETING

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# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

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## TRIAL COURT BUDGET ADVISORY COMMITTEE

### FISCAL PLANNING SUBCOMMITTEE

#### NOTICE AND AGENDA OF OPEN MEETING

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

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** September 29, 2021  
**Time:** 9:00 a.m. - 9:30 a.m.  
**Public Call-in Number:** 1-877-820-7831, Pass Code: 1884843 (listen only)

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

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

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

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

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##### Call to Order and Roll Call

##### Approval of Minutes

Approve minutes of the September 2, 2021 Fiscal Planning Subcommittee meeting.

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

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [tcbac@jud.ca.gov](mailto:tcbac@jud.ca.gov). Only written comments received by 9:00 a.m. on September 28, 2021 will be provided to advisory body members prior to the start of the meeting.

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

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**Item 1**

**Children's Waiting Room (CWR) Fund Balance Cap Biennial Review (Action Item)**

Overview of reductions for 2020-21 CWR fund balances exceeding the cap and consideration of CWR fund balance cap adjustment requests from seven courts.

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

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

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**None**

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**V. ADJOURNMENT**

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**Adjourn**



JUDICIAL COUNCIL  
OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

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[tcbac@jud.ca.gov](mailto:tcbac@jud.ca.gov)

**TRIAL COURT BUDGET ADVISORY COMMITTEE**

**FISCAL PLANNING SUBCOMMITTEE**

**MINUTES OF OPEN MEETING**

September 2, 2021

9:30 a.m. – 10:00 a.m.

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

**Advisory Body  
Members Present:**

Judges: Hon. Jonathan B. Conklin (Chair) and Hon. Kimberly A. Gaab.  
Executive Officers: Ms. Kim Bartleson, Mr. Chad Finke, Mr. Chris Ruhl, Mr. Shawn Landry, and Mr. David H. Yamasaki.

**Advisory Body  
Members Absent:**

Mr. Brian Taylor

**Others Present:**

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

**OPEN MEETING**

**Call to Order and Roll Call**

The chair called the meeting to order at 9:31 a.m. and roll was called.

**Approval of Minutes**

The advisory body reviewed and approved the minutes of the August 5, 2021 Fiscal Planning Subcommittee (FPS) meeting.

**DISCUSSION AND ACTION ITEMS (ITEM 1-2)**

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

Consideration of a recommendation to the Judicial Council to approve TCTF funds to be held on behalf of the trial courts in response to 11 new requests and 10 amended requests from 14 trial courts.

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

**Action:**

- *The FPS unanimously approved 11 new FHOB requests and 9 amended FHOB requests from 13 trial courts.*
- *The FPS approved one amended FHOB request submitted by Orange in a vote as follows:*
  - - Yes: 6
  - - No: 0

- - Abstain: 1

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

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

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

*Action:*

- *The FPS voted to approve Alameda Superior Court’s CWR request for consideration by the Judicial Council at its October 1, 2021 business meeting in a vote as follows:*
  - - Yes: 5
  - - No: 0
  - - Abstain: 1

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 10:01 a.m.

Approved by the advisory body on enter date.

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

**Title:** Children’s Waiting Room Fund Balance Cap Biennial Review for 2020-21  
**Date:** 9/29/2021  
**Contact:** Oksana Tuk, Senior Analyst, Judicial Council Budget Services  
916-643-8027 | [oksana.tuk@jud.ca.gov](mailto:oksana.tuk@jud.ca.gov)

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**Issue**

The Children’s Waiting Room (CWR) Distribution and Fund Balance Policy (Attachment A) requires a biennial review of CWR fund balances for courts that receive distributions from the Trial Court Trust Fund (TCTF). A total of 14 courts were determined to have 2020-21 year-end fund balances above the CWR fund balance cap.

**Background**

The current Judicial Council-approved Children’s Waiting Room (CWR) Distribution and Fund Balance Policy places a cap on the amount of CWR fund balance that courts can accumulate. The review and adjustment of CWR fund balances is on a biennial schedule, occurring in fiscal years ending in an odd number and beginning in 2016-17. Courts with fund balances that exceed the cap are required to return the amount above the cap to the TCTF following the end of the fiscal year unless the Judicial Council approves a court’s request for a cap adjustment.

On August 16, 2021, Judicial Council Budget Services staff sent out the Estimated 2020-21 CWR Fund Balance Cap Reductions to all trial courts. This summary details the 14 courts that had CWR fund balances above the cap (Attachment B).

**CWR Fund Balance Cap Adjustment Requests**

Seven of the 14 trial courts have submitted requests for CWR fund balance cap adjustments totaling \$2,276,000. The rationale provided in each court’s request is as follows:

**1. Alameda Superior Court – \$19,000 (Attachment C)**

In March 2020, due to the COVID-19 pandemic and its impact on court operations, the court closed its CWR. The court is evaluating options to enable the reopening of the CWR based on guidance provided by state and local public health agencies. The court submitted a request for continued distribution during its temporary closure, which will be considered by the Judicial Council at its October 1, 2021, business meeting.

**2. Contra Costa Superior Court – \$289,000 (Attachment D)**

The court completed construction of a new CWR facility in July 2019 and executed a long-term contract with a new vendor in December 2019 with option years to extend through December 2025. Shortly after its opening, the CWR had to be closed as part of the court-wide closure in response to the pandemic. The court had experienced a

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

significant and continued decline in annual CWR allocations in the last three fiscal years. When the CWR reopens, the court anticipates that the annual CWR allocation will be insufficient to cover annual CWR operating costs and will need to use the CWR fund balance to cover annual funding shortfalls.

**3. Los Angeles Superior Court - \$1,294,000 (Attachment E)**

In response to the pandemic, the court temporarily closed all CWR locations in March 2020. On November 13, 2020, the Judicial Council approved the court's request to continue the distribution of the CWR funds to support its operations upon reopening. A reopening date cannot be confirmed until the court can ensure the health and safety of court users, judicial officers, and staff to minimize the risk and spread of COVID-19. To reopen safely, the court is requesting the current fund balance remains intact to allow for one-time reopening costs, as well as increased ongoing costs associated with providing services that ensure the health and safety of the people the court serves.

**4. Sacramento Superior Court - \$132,000 (Attachment F)**

The court's contract for CWR services was temporarily terminated in March 2021 due to court closures in response to the pandemic, resulting in reduced expenditures and an increased fund balance. In planning for reopening, a new contract for CWR services is in progress which lays out a new budget to operate the CWRs at all locations for the next three years and includes annual cost increases. Additionally, the court has a new courthouse under construction with occupancy slated for 2023-24. One of the existing CWRs will be moving to the new courthouse and there will be expenditures associated with the move. Retention of the amount over the cap will ensure the contracted CWR services are fully funded for the contract three-year term.

**5. San Bernardino Superior Court - \$281,000 (Attachment G)**

In response to the pandemic, the court temporarily closed all CWR locations in March 2020. In September 2020, the Judicial Council approved the court's request to continue the distribution of the CWR funds to support its operations upon reopening. Additionally, the court requested a temporary stoppage of the existing CWR fee distribution for 2021-22. The court would use the temporary stoppage of the fee revenue, coupled with reopening and expanding services, to fully spend down funds in excess of the CWR amount by the beginning of 2022-23. The court was able to reopen CWR locations in August 2021 and will need these funds to continue to provide services at existing levels.

**6. Santa Barbara Superior Court - \$259,000 (Attachment H)**

On March 17, 2020, all the court's non-emergency services were suspended by administrative order due to the pandemic, which included suspension of the CWR services. The court is having difficulty in securing a new vendor to service its CWRs. The court's goal is to establish a multi-year CWR agreement with a new vendor and reopen its CWRs on January 4, 2022. Without an ability to use existing reserves the court would have to permanently cease operating the CWRs in Santa Barbara and Santa Maria, decreasing court access to the families with thousands of children who have used its CWRs since June 2017.

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

**7. Ventura Superior Court - \$2,000 (Attachment I)**

In March 2020, due to the pandemic and its impact on court operations, the court closed its two CWRs. The court is evaluating reopening options of its CWRs based on public health agency guidance. Retention of its full fund balance would aid in offsetting the cost of its CWRs once they are able to safely reopen. The court submitted a request for continued distribution during its temporary closure which will be considered by the Judicial Council at its October 1, 2021 business meeting.

**CWR Fund Balance Reductions**

All remaining seven courts with CWR fund balances above the cap (Orange, Riverside, San Joaquin, San Luis Obispo, San Mateo, Solano, and Sonoma Superior Courts) have agreed to the fund balance reductions. These reductions will be applied in the October 2021 Distribution #4 for 2021-22.

**Recommendation**

Consider approving a recommendation for consideration by the Judicial Council at its January 2022 business meeting to approve the CWR fund balance cap adjustments for the aforementioned seven courts and as reflected in Attachment B.

**Attachments**

**Attachment A:** Children’s Waiting Room (CWR) Distribution and Fund Balance Policy

**Attachment B:** Estimated 2020-21 CWR Fund Balance Cap Reductions

**Attachment C:** Alameda Superior Court – Fund Balance Cap Adjustment Request

**Attachment D:** Contra Costa Superior Court – Fund Balance Cap Adjustment Request

**Attachment E:** Los Angeles Superior Court – Fund Balance Cap Adjustment Request

**Attachment F:** Sacramento Superior Court – Fund Balance Cap Adjustment Request

**Attachment G:** San Bernardino Superior Court – Fund Balance Cap Adjustment Request

**Attachment H:** Santa Barbara Superior Court – Fund Balance Cap Adjustment Request

**Attachment I:** Ventura Superior Court – Fund Balance Cap Adjustment Request



## Children's Waiting Room (CWR) Distribution and Fund Balance Policy

A court's presiding judge or executive officer must submit a request to the director of Judicial Council (JC) Budget Services office 70 business days prior to the date of the council meeting at which the court is requesting consideration.

### A. Applying for a New CWR Distribution

- The request must include the following information:
  - Date of the council meeting at which the court is requesting consideration.
  - Requested effective date of the distribution (July 1 or January 1). If a court wants to begin receiving distributions more than one year in advance of the planned opening date of a CWR, the request should include an explanation of the extenuating circumstance(s).
  - The scheduled opening date of the CWR(s).
  - Description of the CWR(s).
  - The date when the court intends to make expenditures related to operating its CWR(s).
  - The requested distribution amount between \$2 and \$5. Courts can request JC Budget Services to provide an estimate of annual distributions.
- The Fiscal Planning Subcommittee (FPS) will make a recommendation to the council on each court's request.
- If the council approves that distributions begin prior to the operating of a CWR but the court does not operate a CWR six months after their planned opening date, the court must apply for a continued distribution.

### B. Requesting a Decreased CWR Distribution Amount

- Any court's request to decrease its existing CWR distribution must be approved by the Judicial Council and the request can be implemented by JC Budget Services staff, effective either January 1 or July 1.

### C. Temporarily or Permanently Ceasing CWR Operations

- Courts that cease operating all CWRs must notify the director of JC Budget Services within 60 days of the cessation date. Unless a court provides notification and applies to continue receiving distributions while not operating a CWR within 60 days of the cessation date, the court's CWR distributions will be stopped either January 1 or July 1, whichever is earlier, and the court will be required to return any CWR fund balance to the Trial Court Trust Fund (TCTF).
- For courts that are required to return all of their remaining CWR fund balance to the TCTF, the return of the CWR fund balance will occur on the February trial court distribution for those courts that the CWR distribution stopped on January 1, and on the August distribution for those courts that the CWR distributions stopped on July 1. Courts may also request return of any remaining CWR fund balance at any time.
- If there is a dispute between a court and JC Budget Services staff over the amount of CWR fund balance to be returned to the TCTF, the dispute will be brought before the TCBAC and the Judicial Council if the two parties cannot come to a resolution within 90 days of the cessation date.

- An application for a continued distribution must include all the information required of courts applying for a new distribution (see section A above) as well as the amount of any CWR fund balance.
- The FPS will make a recommendation to the Judicial Council on each court's application.
- For courts that apply and whose application is denied by the Judicial Council, any CWR fund balance shall be returned to the TCTF.

#### D. Cap on CWR Fund Balance

- Courts shall monitor the CWR distribution amount per filing to ensure it is adequate to meet the CWR needs of the court without accumulating an amount in excess of the cap described below.
- Effective July 1, 2015, there shall be a cap on the amount of CWR fund balance that courts can carry forward from one fiscal year to the next. The cap shall be the amount of the highest annual distribution within the three most recent fiscal years.
- Courts that have a CWR fund balance greater than the cap (as described above) at the end of fiscal years ending with an odd number will be required to return the amount above the cap to the TCTF in the subsequent fiscal year.
- If a court wants to seek a cap adjustment, it must submit a request explaining the extenuating circumstance(s) and include its CWR expenditure plan to the director of JC Budget Services for consideration by the FPS and the Judicial Council. The request must be received by the director of JC Budget Services within 60 days of the end of the fiscal year for which the adjustment is being requested.
- For courts that are required to return the portion of their CWR fund balance above the cap to the TCTF, the return of the CWR fund balance will occur on the October trial court distribution, unless the court has a request for a cap adjustment pending Judicial Council consideration.
- Courts that have submitted a request for a cap adjustment will have action taken on their fund balance in the next scheduled distribution following Judicial Council consideration of the cap adjustment request.
- If there is a dispute between a court and JC Budget Services staff over the amount of CWR fund balance to be returned to the TCTF, the dispute will be brought before the TCBAC and the Judicial Council if the two parties cannot come to a resolution within 90 days of the cessation date.
- The cap applies only to courts that have received at least 12 months of distributions in a fiscal year while operating a CWR.
- JC Budget Services staff will report any return of CWR fund balance through the trial court distribution process to the FPS and the Judicial Council.

Biennial Review of Children's Waiting Room (CWR) 2020-21 Fund Balances

Court	2018-19	2019-20	2020-21	Highest Distribution
	A	B	C	D
Alameda	174,451	155,389	148,922	174,451
Alpine	-	-	-	-
Amador	-	-	-	-
Butte	-	-	-	-
Calaveras	-	-	-	-
Colusa	-	-	-	-
Contra Costa	126,445	110,566	95,273	126,445
Del Norte	-	-	-	-
El Dorado	-	-	-	-
Fresno	117,334	99,871	7,224	117,334
Glenn	-	-	-	-
Humboldt	-	-	-	-
Imperial	-	-	-	-
Inyo	-	-	-	-
Kern	-	-	-	-
Kings	-	-	-	-
Lake	-	-	-	-
Lassen	-	-	-	-
Los Angeles	1,603,832	1,507,520	1,418,004	1,603,832
Madera	-	-	-	-
Marin	-	-	-	-
Mariposa	-	-	-	-
Mendocino	-	-	-	-
Merced	-	-	-	-
Modoc	-	-	-	-
Mono	-	-	-	-
Monterey	-	-	-	-
Napa	-	-	-	-
Nevada	-	-	-	-
Orange	447,379	382,840	418,580	447,379
Placer	-	-	-	-
Plumas	-	-	-	-
Riverside	328,848	284,802	279,863	328,848
Sacramento	314,540	194,538	184,598	314,540
San Benito	-	-	-	-
San Bernardino	299,668	261,857	264,183	299,668
San Diego	407,575	351,109	371,907	407,575

CWR 2020-21 Fund Balance as of 06/30/2021	2021-22 CWR Reduction
E	F (E - D)
193,256	(18,805)
-	-
-	-
-	-
-	-
-	-
415,033	(288,588)
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
2,897,929	(1,294,097)
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
531,907	(84,528)
-	-
-	-
532,830	(203,983)
446,302	(131,761)
-	-
581,014	(281,347)
-	-

2018-19 CWR Fund Balance Reduction (Informational Only)				
Highest Distribution in Prior 3 Fiscal Years	Calculated CWR Reduction	Adjustments to CWR Reductions	JC-Approved Cap Adjustment Requests (01/17/20)	2019-20 Allocation Reduction
H	I (H - G)	J	K	L
174,451	-	-	-	-
-	-	-	-	-
-	-	-	-	-
23,243	-	-	-	-
-	-	-	-	-
-	-	-	-	-
126,445	(120,719)	-	120,719	-
-	-	-	-	-
-	-	-	-	-
117,334	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
1,603,832	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
34,348	-	-	-	-
-	-	-	-	-
-	-	-	-	-
447,379	-	-	-	-
-	-	-	-	-
-	-	-	-	-
328,848	-	-	-	-
348,234	(82,993)	-	-	(82,993)
-	-	-	-	-
299,668	(75,759)	-	75,759	-
407,575	-	-	-	-

Biennial Review of Children's Waiting Room (CWR) 2020-21 Fund Balances

Court	2018-19	2019-20	2020-21	Highest Distribution
	A	B	C	D
San Francisco	130,501	108,952	99,733	130,501
San Joaquin	94,255	83,821	80,693	94,255
San Luis Obispo	28,232	26,138	25,602	28,232
San Mateo	76,285	68,567	69,768	76,285
Santa Barbara	45,150	41,870	38,340	45,150
Santa Clara	172,182	160,589	149,064	172,182
Santa Cruz	-	-	-	-
Shasta	-	-	-	-
Sierra	-	-	-	-
Siskiyou	-	-	-	-
Solano	59,359	52,186	46,719	59,359
Sonoma	54,341	48,161	48,535	54,341
Stanislaus	-	-	-	-
Sutter	-	-	-	-
Tehama	-	-	-	-
Trinity	-	-	-	-
Tulare	-	-	-	-
Tuolumne	-	-	-	-
Ventura	97,711	83,355	94,128	97,711
Yolo	-	-	-	-
Yuba	-	-	-	-
<b>Total</b>	<b>4,578,087</b>	<b>4,022,131</b>	<b>3,841,133</b>	<b>4,578,087</b>

CWR 2020-21 Fund Balance as of 06/30/2021	2021-22 CWR Reduction
E	F (E - D)
78,560	-
229,616	(135,362)
79,884	(51,652)
143,292	(67,007)
304,612	(259,462)
139,574	-
-	-
-	-
-	-
-	-
87,150	(27,790)
57,524	(3,183)
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
100,051	(2,339)
-	-
-	-
<b>6,818,532</b>	<b>(2,849,903)</b>

2018-19 CWR Fund Balance Reduction (Informational Only)				
Highest Distribution in Prior 3 Fiscal Years	Calculated CWR Reduction	Adjustments to CWR Reductions	JC-Approved Cap Adjustment Requests (01/17/20)	2019-20 Allocation Reduction
H	I (H - G)	J	K	L
130,501	-	-	-	-
94,255	(70,081)	-	-	(70,081)
28,232	(54,901)	-	-	(54,901)
76,285	(79,668)	-	-	-
45,150	(289,071)	-	289,071	-
172,182	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
59,359	-	-	-	-
54,341	-	-	-	-
20,812	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
97,711	-	-	-	-
-	-	-	-	-
-	-	-	-	-
<b>4,690,184</b>	<b>(773,191)</b>	<b>-</b>	<b>485,549</b>	<b>(207,975)</b>



## CHILDREN'S WAITING ROOM (CWR) BIENNIAL FUND BALANCE CAP REVIEW

BIENNIAL FUND BALANCE CAP REVIEW *(Complete Sections I, II, and III)*

### SECTION I: GENERAL INFORMATION

**SUPERIOR COURT:**  
Alameda

**PERSON AUTHORIZING REPORT** *(Presiding Judge or Court Executive Officer):*  
Chad Finke, Court Executive Officer

**CONTACT PERSON AND CONTACT INFO** *(Please include mailing address, email, and phone number):*

Dianna Shoblo  
dshoblo@alameda.courts.ca.gov  
1225 Fallon St. Rm 210 Oakland, Ca 94612  
510-627-4777

**DATE OF SUBMISSION:**  
8/31/2021

**RECEIVED AT LEAST 12 MONTHS OF DISTRIBUTIONS IN THE LAST FISCAL YEAR:**  
**YES**  **NO**  *(No biennial reporting is required if less than 12 months of distributions received)*

**DO YOU HAVE MULTI-YEAR CONTRACTS? YES**  **NO**  *(If yes, provide an explanation of the contracts in the CWR Program Update below)*

**CWR PROGRAM UPDATE** *(Please briefly summarize the status of your current program):*

The Superior Court of California, County of Alameda, temporarily closed our Children's Waiting Room located at the Hayward Hall of Justice, 24405 Amador St. Hayward, Ca 94544 on Monday, March 16, 2020. It has been closed to the public due to the Covid-19 pandemic. At this time, the Court is evaluating options to enable the reopening of the Children's Waiting Room based on guidance provided by the state and local public health agencies.

The Court submitted the notification of temporary closure of the Children's Waiting Room and requested the continuation of the filing fee distribution pursuant to GC 70640 that will allow us to reopen and continue to provide the Children's Waiting Room service to the public when it is safe to do so. The request was submitted on 08/13/21 is scheduled to be considered at the Fiscal Planning Subcommittee meeting on 09/02/21. A representative from the Court will be present at the meeting.

The Court issued RFP SC 1500.2018.1 to solicit a vendor to operate the Court's Children's Waiting Room in the Hayward Hall of Justice. The Court went into an agreement with the contractor, Kidango, Inc. that was effective on 06/16/18 through 06/15/23 to provide services on a full-time basis of Monday to Friday, 8:30AM to 4:30PM with a one-hour lunch break. The agreement stated a maximum amount that the Contractor was going to be paid under this 5-year term, including a break down of each year's maximum amount with an increase for each year.

**SECTION II: FINANCIAL INFORMATION**

**A. THREE-YEAR HISTORY AND THREE-YEAR PROJECTION OF YEAR END FUND BALANCES, REVENUES, AND EXPENDITURES** *(Double click below for Excel spreadsheet. Please populate rows 1 and 2, and the beginning fund balance in cell A3. The rest of the sheet is formula driven and will automatically populate. If requesting an adjustment to the calculated CAP and return of funds to the Trial Court Trust Fund (TCTF), enter the amount (row 7) being requested and complete Section III):*

Row	Fiscal Year	Actual				Estimated		
		Beginning Fund Balance	2018-19	2019-20	2020-21	2021-22	2022-23	2023-2024
1	Revenue Distributed to the Court		175,524	156,812	149,400	145,000	145,000	145,000
2	Expenditures		144,314	143,684	26,538	72,000	216,000	216,000
3	Fund Balance	26,055	57,265	70,394	193,256	266,256	195,256	124,256
<b>CWR Fund Balance above CAP Calculation:</b>								
4	Highest Year of Revenue Distributed to the Court	175,524						
5	Fund Balance at the End of the Current Fiscal Year	193,256						
6	Amount to Return to the TCTF	17,732						
7	Requested Adjustment to Fund Balance CAP <sup>1</sup>							
<sup>1</sup> Due to the Director of Budget Services within 60 days of the end of the fiscal year								

**B. CURRENT DETAILED EXPENDITURE PROJECTIONS/PLAN FOR NEXT THREE FISCAL YEARS** *(Please provide an explanation of the expenditure plan that ties to row 2, columns E, F, and G):*

Once we can reopen safely to the public, the Children’s Waiting Room will continue with our contractor for services to the public. For FY 21-22, we estimated for 6 months of opening to the public for our Hayward Hall of Justice location (Hayward). For FY 22-23 and forward, we estimated opening the Hayward location full time and our Wiley W. Manuel courthouse location (Oakland) part time and/or half days. We took an average of the contractor’s monthly amount for our estimated projections for the next 3 fiscal years. Then we will also assess the locations and determine if items need to be replaced or upgraded. For example: we may need to purchase, fix/upgrade or replace existing furniture items such as chairs, couches, carpet, washer/dryer, refrigerator, TVs, books and toys and will likely be under the CAP.

**SECTION III: RETURNING FUNDS ABOVE THE CAP TO THE TCTF**

**A. IF APPEALING THE AMOUNT CALCULATED TO RETURN TO TCTF IN CELL A6, PLEASE PROVIDE YOUR JUSTIFICATION BELOW** *(Include a summary of your ongoing CWR expenditure plan):*

We were unable to proceed with our annual expenditure plan because of the Covid-19 pandemic. We are requesting that the funds above the CAP not be returned to the TCTF because of reasons outside of the Court's control based on the Covid-19 pandemic. We were not able to safely maintain operations for the Children's Waiting Rooms at multiple court locations and unfortunately not able to spend the funds in FY 20-21.



## CHILDREN'S WAITING ROOM (CWR) BIENNIAL FUND BALANCE CAP REVIEW

BIENNIAL FUND BALANCE CAP REVIEW *(Complete Sections I, II, and III)*

### SECTION I: GENERAL INFORMATION

**SUPERIOR COURT:**  
Contra Costa

**PERSON AUTHORIZING REPORT** *(Presiding Judge or Court Executive Officer):*  
Kate Bieker, Court Executive Officer

**CONTACT PERSON AND CONTACT INFO** *(Please include mailing address, email, and phone number):*

Fae Li, Director of Finance  
725 Court Street, 4<sup>th</sup> floor,  
Martinez, CA 94553

**DATE OF SUBMISSION:**  
8/26/2021

**RECEIVED AT LEAST 12 MONTHS OF DISTRIBUTIONS IN THE LAST FISCAL YEAR:**  
YES  NO  *(No biennial reporting is required if less than 12 months of distributions received)*

**DO YOU HAVE MULTI-YEAR CONTRACTS? YES  NO**  *(If yes, provide an explanation of the contracts in the CWR Program Update below)*

**CWR PROGRAM UPDATE** *(Please briefly summarize the status of your current program):*

The Court closed its Pittsburg Courthouse CWR in October 2018 due to decreased demand and usage of the CWR and decided to relocate the CWR to the Martinez Family Law Courthouse where there is a higher demand for CWR services. The FY18/19 expenditures of \$34,429 below reflects operating costs for July-September 2018 prior to the closure. The Court then received a cap adjustment in 2019 for a two-year period in order to use the additional fund balance to operate the new CWR when it opened in Martinez.

The Court completed construction of a new CWR in the Martinez Family Law Courthouse in July 2019 and entered into a long-term contract with a new CWR vendor in December 2019 with option years to extend through December 2025. Shortly after its opening, the CWR had to be closed as part of the court-wide closure in response to the COVID-19 pandemic. The \$46,523 expenditures below reflects what was paid to the new CWR vendor in FY19/20. The Court hopes to re-open the Martinez CWR in 2022.

### SECTION II: FINANCIAL INFORMATION

- A. THREE-YEAR HISTORY AND THREE-YEAR PROJECTION OF YEAR END FUND BALANCES, REVENUES, AND EXPENDITURES** *(Double click below for Excel spreadsheet. Please populate rows 1 and 2, and the beginning fund balance in cell A3. The rest of the sheet is formula driven and will automatically populate. If requesting an adjustment to the calculated CAP and return of funds to the Trial Court Trust Fund (TCTF), enter the amount (row 7) being requested and complete Section III):*



		A	B	C	D	E	F	G
Row	Fiscal Year	<i>Actual</i>				<i>Estimated</i>		
		Beginning Fund Balance	2018-19	2019-20	2020-21	2021-22	2022-23	2023-2024
1	Revenue Distributed to the Court		126,445	110,566	95,793	90,000	87,000	85,000
2	Expenditures		34,429	46,523	0	39,113	161,733	164,130
3	Fund Balance	157,459	249,475	313,517	409,310	460,198	385,465	306,335
<b>CWR Fund Balance above CAP Calculation:</b>								
4	Highest Year of Revenue Distributed to the Court	126,445						
5	Fund Balance at the End of the Current Fiscal Year	409,310						
6	Amount to Return to the TCTF	282,865						
7	Requested Adjustment to Fund Balance CAP <sup>1</sup>	282,865						
<sup>1</sup> Due to the Director of Budget Services within 60 days of the end of the fiscal year								

**B. CURRENT DETAILED EXPENDITURE PROJECTIONS/PLAN FOR NEXT THREE FISCAL YEARS** (Please provide an explanation of the expenditure plan that ties to row 2, columns E, F, and G):

FY2021-2022 expenditures: Estimated payments to CWR vendor to re-start services in April 2022 Based on 25% of vendor cost proposal for year 1 operations provided in vendor contract.

FY2022-2023 expenditures: Estimated payments to CWR vendor to operate CWR for the full fiscal year. Based on vendor cost proposal for year 2 operations provided in vendor contract.

FY2022-2024 expenditures: Estimated payments to CWR vendor to operate CWR for the full fiscal year. Based on vendor cost proposal for year 3 operations provided in vendor contract.

**SECTION III: RETURNING FUNDS ABOVE THE CAP TO THE TCTF**

**A. IF APPEALING THE AMOUNT CALCULATED TO RETURN TO TCTF IN CELL A6, PLEASE PROVIDE YOUR JUSTIFICATION BELOW** (Include a summary of your ongoing CWR expenditure plan):

There has been a significant and continued decline in annual CWR allocation in the last three fiscal years. When the CWR re-opens, we anticipate that the annual CWR allocation will be insufficient to cover annual CWR operating costs, and will need to use the CWR fund balance to cover annual funding shortfalls. We respectfully request a cap adjustment in order to retain the full fund balance to cover anticipated annual funding shortfalls to sustain continued operations of the Martinez CWR when it re-opens in 2022.



**CHILDREN'S WAITING ROOM (CWR)  
BIENNIAL FUND BALANCE CAP REVIEW**

BIENNIAL FUND BALANCE CAP REVIEW *(Complete Sections I, II, and III)*

**SECTION I: GENERAL INFORMATION**

**SUPERIOR COURT:**  
Los Angeles

**PERSON AUTHORIZING REPORT** *(Presiding Judge or Court Executive Officer):*  
Sherri R. Carter, Court Executive Officer

**CONTACT PERSON AND CONTACT INFO** *(Please include mailing address, email, and phone number):*

Jeremy D. Cortez  
111 North Hill Street, Rm. 105-D  
Los Angeles, CA 90012  
(213)633-0109  
JDCortez@lacourt.org

**DATE OF SUBMISSION:**  
8/30/2021

**RECEIVED AT LEAST 12 MONTHS OF DISTRIBUTIONS IN THE LAST FISCAL YEAR:**  
**YES**  **NO**  *(No biennial reporting is required if less than 12 months of distributions received)*

**DO YOU HAVE MULTI-YEAR CONTRACTS?** **YES**  **NO**  *(If yes, provide an explanation of the contracts in the CWR Program Update below)*

**CWR PROGRAM UPDATE** *(Please briefly summarize the status of your current program):*

In response to the COVID-19 pandemic, the Superior Court, County of Los Angeles (Court) temporarily closed all CWR locations on March 17, 2020. On November 13, 2020, the Judicial Council approved the Court's request to continue the distribution of the CWR funds to support its operations upon reopening. Additionally, on April 19, 2021, understanding the financial impact of the CWR closures, the Court proactively initiated its request to adjust the fund balance cap by sending a letter to the Chief Administrative Officer of the Judicial Council of California (enclosed). A reopening date will not be confirmed until the Court has the ability to ensure the health and safety of Court users, judicial officers, and staff to minimize the risk and spread of COVID-19; however, consideration is currently being given to re-opening during the 2021-22 fiscal year if it is safe to do so. In order to re-open safely, we are requesting the current fund balance remain intact, to allow for one-time re-opening costs as well as increased ongoing costs associated with providing services that ensure the health and safety of the people the Court serves.

**SECTION II: FINANCIAL INFORMATION**

**A. THREE-YEAR HISTORY AND THREE-YEAR PROJECTION OF YEAR END FUND BALANCES, REVENUES, AND EXPENDITURES** (Double click below for Excel spreadsheet. Please populate rows 1 and 2, and the beginning fund balance in cell A3. The rest of the sheet is formula driven and will automatically populate. If requesting an adjustment to the calculated CAP and return of funds to the Trial Court Trust Fund (TCTF), enter the amount (row 7) being requested and complete Section III):

Row	Fiscal Year	A	B	C	D	E	F	G			
		<i>Actual</i>				<i>Estimated</i>					
		Beginning Fund Balance	2018-19	2019-20	2020-21	2021-22	2022-23	2023-2024			
1	Revenue Distributed to the Court		1,603,834	1,507,517	1,418,004	1,418,004	1,418,004	1,418,004			
2	Expenditures		1,316,574	990,151	-4,140	1,187,000	1,954,000	2,085,000			
3	Fund Balance	671,159	958,419	1,475,785	2,897,929	3,128,933	2,592,936	1,925,940			
<b>CWR Fund Balance above CAP Calculation:</b>											
4	Highest Year of Revenue Distributed to the Court	1,603,834									
5	Fund Balance at the End of the Current Fiscal Year	2,897,929									
6	Amount to Return to the TCTF	1,294,095									
7	Requested Adjustment to Fund Balance CAP <sup>1</sup>	1,294,095									
<sup>1</sup> Due to the Director of Budget Services within 60 days of the end of the fiscal year											

**B. CURRENT DETAILED EXPENDITURE PROJECTIONS/PLAN FOR NEXT THREE FISCAL YEARS** *(Please provide an explanation of the expenditure plan that ties to row 2, columns E, F, and G):*

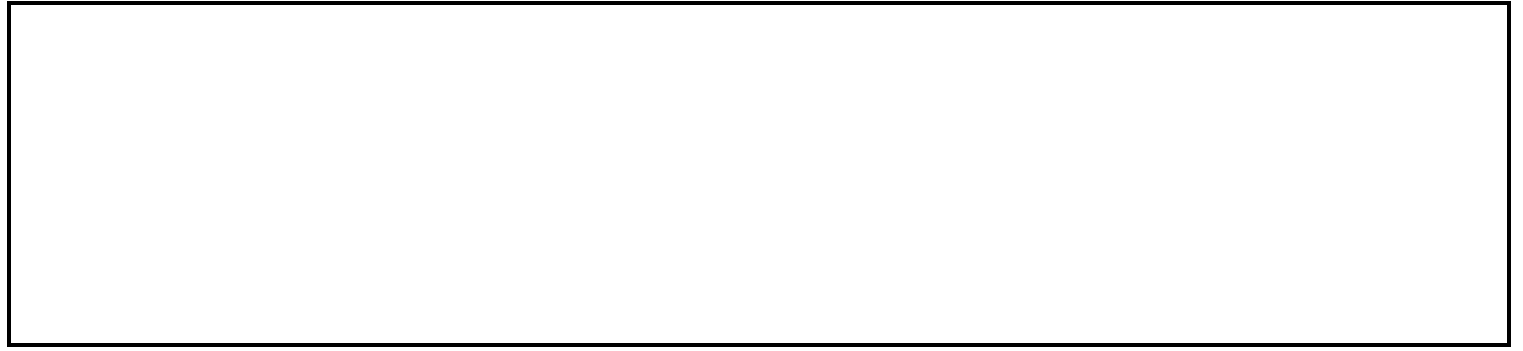
The expenditure plan reflected for 2021-22 through 2023-24 assumes reopening in January 2022 and 6 months of expenditures. The estimated expenses reflected were based on pre-pandemic expenditure levels with a 20% increase in year 1 and 10% in subsequent years to absorb cost-of-living increases, living wage increases and COVID-19 related increases (to accommodate social distancing, PPE, and cleaning standards). The rate increases also accommodate the Court's expectation of higher rates during the solicitation process. Historically, the vendor that the Court contracted with offered competitively lower rates than other vendors. Due to the pandemic, however, the previous vendor that provided the children's waiting room services may no longer be able to provide services to the court, and if they did propose a bid, the offer would likely be at a higher rate more aligned with current industry standard. Consequently, the court assumes in the expenditure plan that it may have to engage with a vendor(s) that charge(s) higher rates.

The annual estimated ongoing operating costs of \$1.954M in 2022-23 are anticipated to increase each subsequent year. It is important to note that the estimate for ongoing costs is higher than the estimate for revenue. Because the revenue currently generated from the distribution of the filing fee will not be sufficient to support the ongoing costs associated with CWR operations in the future, the CWR fund balance is necessary to allow the Court to safely reopen and remain open in future years. When the filing fee distribution of revenue and the fund balance can no longer sustain the operating costs, if determined necessary, the Court will request an increase in the distribution of the filing fee and / or look to identify another funding source to sustain CWR operations.

For the reasons stated above, we are respectfully requesting that the cap on the amount of CWR fund balance that the Court can carry forward not be applied/imposed at the end of 2020-21. Approval to retain the fund balance in its entirety will allow the Court to appropriately evaluate its options and plans for resuming CWR operations, and to preserve the funds necessary to ensure additional costs associated with reopening in an environment that adheres to the Center for Disease Control (CDC) and Los Angeles County Department of Public Health (DPH) Guidelines are met without issue.

**SECTION III: RETURNING FUNDS ABOVE THE CAP TO THE TCTF**

**A. IF APPEALING THE AMOUNT CALCULATED TO RETURN TO TCTF IN CELL A6, PLEASE PROVIDE YOUR JUSTIFICATION BELOW** *(Include a summary of your ongoing CWR expenditure plan):*





**CHILDREN'S WAITING ROOM (CWR)  
BIENNIAL FUND BALANCE CAP REVIEW**

BIENNIAL FUND BALANCE CAP REVIEW *(Complete Sections I, II, and III)*

**SECTION I: GENERAL INFORMATION**

**SUPERIOR COURT:**  
Sacramento

**PERSON AUTHORIZING REPORT** *(Presiding Judge or Court Executive Officer):*  
Lee Seale, Court Executive Officer

**CONTACT PERSON AND CONTACT INFO** *(Please include mailing address, email, and phone number):*

Chris Stewart  
720 Ninth Street, ATTN Finance & Accounting  
Sacramento CA, 95814  
[stewarc@saccourt.ca.gov](mailto:stewarc@saccourt.ca.gov)  
916-874-7736

**DATE OF SUBMISSION:**  
8/30/2021

**RECEIVED AT LEAST 12 MONTHS OF DISTRIBUTIONS IN THE LAST FISCAL YEAR:**  
**YES**  **NO**  *(No biennial reporting is required if less than 12 months of distributions received)*

**DO YOU HAVE MULTI-YEAR CONTRACTS?** **YES**  **NO**  *(If yes, provide an explanation of the contracts in the CWR Program Update below)*

**CWR PROGRAM UPDATE** *(Please briefly summarize the status of your current program):*

The CWR Program is currently suspended due to court closures resulting from the pandemic. As a result of the closures, the court terminated the contract with its CWR provider. However, both the court and its CWR provider are prepared to execute a new contract and implement a phased approach in reestablishing CWR services when the court reopens. The phased approach will allow both the court and the CWR provider to evaluate what, if any, impact technological changes implemented during the pandemic may have on future CWR operations and workload.

When in operation, the court provides children's waiting rooms in four facilities:

- William R. Ridgeway Family Relations Courthouse, 3341 Power Inn Road,
- Gordon D. Schaber Downtown Courthouse, 720 Ninth Street,
- Carol Miller Justice Center, 301 Bicentennial Circle,
- Juvenile Justice Center, 9601 Kiefer Boulevard.

**SECTION II: FINANCIAL INFORMATION**

**A. THREE-YEAR HISTORY AND THREE-YEAR PROJECTION OF YEAR END FUND BALANCES, REVENUES, AND EXPENDITURES** (Double click below for Excel spreadsheet. Please populate rows 1 and 2, and the beginning fund balance in cell A3. The rest of the sheet is formula driven and will automatically populate. If requesting an adjustment to the calculated CAP and return of funds to the Trial Court Trust Fund (TCTF), enter the amount (row 7) being requested and complete Section III):

	A	B	C	D	E	F	G	
Row	Fiscal Year	<i>Actual</i>				<i>Estimated</i>		
		Beginning Fund Balance	2018-19	2019-20	2020-21	2021-22	2022-23	2023-2024
1	Revenue Distributed to the Court		314,540	194,538	184,598	200,000	200,000	200,000
2	Expenditures		300,507	246,750	43,716	343,284	374,361	400,763
3	Fund Balance	343,599	357,632	305,420	446,302	303,018	128,657	-72,106
<b>CWR Fund Balance above CAP Calculation:</b>								
4	Highest Year of Revenue Distributed to the Court	314,540						
5	Fund Balance at the End of the Current Fiscal Year	446,302						
6	Amount to Return to the TCTF	131,762						
7	Requested Adjustment to Fund Balance CAP <sup>1</sup>	131,762						

<sup>1</sup>Due to the Director of Budget Services within 60 days of the end of the fiscal year

**B. CURRENT DETAILED EXPENDITURE PROJECTIONS/PLAN FOR NEXT THREE FISCAL YEARS** (Please provide an explanation of the expenditure plan that ties to row 2, columns E, F, and G):

Upon reopening, the court will execute a new three-year contract with its CWR provider, YMCA of Superior California, to provide high-quality supervised care for children whose parents or guardians are attending a court hearing as a litigant, witness, or for other court-related purposes. The court has established CWRs in four courthouses in Sacramento:

Courthouse	Hours of Operation & Ages	Maximum Occupancy	Square Footage
Gordon D. Schaber Downtown Courthouse (Civil and Criminal Cases)	8:30 am – 12:00 pm 1:00 pm – 4:30 pm 2.5 years (toilet trained) to 12 years	10	293 sq ft
William R Ridgeway Family Relations Courthouse (Family Law and Probate Cases)	8:15 am – 12:00 pm 12:45 pm – 4:30 pm 1 year to 12 years (parents must provide diapers for their infants)	24	1,620 sq ft
Carol Miller Justice Center (Traffic, Small Claims, and Unlawful Detainer Cases)	8:30 am – 12:00 pm 1:00 pm – 4:00 pm 2.5 years (toilet trained) to 12 years	16	560 sq ft
Juvenile Justice Center (Juvenile Delinquency Cases)	8:30 am – 12:00 pm 1:00 pm – 4:30 pm 2.5 years (toilet trained) to 12 years	16	570 sq ft

Each courthouse in Sacramento County processes cases, provides support services, and hosts trials and hearings based on case types. The average length of a child’s visit, which ranges from one to three hours, varies according to the type of case processed or heard at the courthouse.

The budget to provide these services over the next three years is as follows:

Cost	FY21/22	FY22/23	FY23/24
<b>Personnel Costs</b>	Col E	Col F	Col G
Gordon D. Schaber Main Courthouse	35,756	38,616	41,320
William R. Ridgeway Family Relations Center	142,210	153,587	164,340
Juvenile Justice Center	35,756	38,616	41,320
Carol Miller Justice Center	73,762	79,663	85,240
Sub Total	207,484	310,481	322,220
Operational Costs	22,200	27,100	28,273
Other Costs	33,600	36,780	40,269
<b>Program Total Cost</b>	<b>343,284</b>	<b>374,361</b>	<b>400,763</b>



### SECTION III: RETURNING FUNDS ABOVE THE CAP TO THE TCTF

#### **A. IF APPEALING THE AMOUNT CALCULATED TO RETURN TO TCTF IN CELL A6, PLEASE PROVIDE YOUR JUSTIFICATION BELOW** *(Include a summary of your ongoing CWR expenditure plan):*

The court's contract for CWR services was temporarily terminated in March 2021 due to court closures brought on by the pandemic. This resulted in reduced expenditures leading to an increased fund balance. In planning for reopening, a new contract for CWR services has been prepared for execution. This new contract lays out a new budget to operate the CWRs at four locations for the next three years and includes annual cost increases (see budget table in Section B).

The court also has a new courthouse under construction with occupancy slated for 2023/24. The existing CWR at the Gordon B. Schaber Downtown Courthouse will be moving to the new courthouse and there will be expenditures tied to that move.

Loss of the fund balance above the cap will result in the court either paring back services in FY23/24 or funding the shortfall with general fund monies at a time when funds will be needed to occupy the courthouse. Given the uncertainty around whether revenues will rebound back to their 2018-19 levels, retention of the amount over the cap will ensure the contracted CWR services are fully funded for the three-year term.

**CHILDREN'S WAITING ROOM (CWR)  
ANNUAL REPORTING FOR MULTI-YEAR CONTRACTS /  
BIENNIAL FUND BALANCE CAP REVIEW**

Please check all that apply:

- ANNUAL REPORTING FOR MULTI-YEAR CONTRACTS** *(Complete Sections I and II)*
- BIENNIAL FUND BALANCE CAP REVIEW** *(Complete Sections I, II, and III)*



**SECTION I: GENERAL INFORMATION**

**SUPERIOR COURT:**  
San Bernardino

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

Nancy Eberhardt, Court Executive Officer

**CONTACT PERSON AND CONTACT INFO** *(Please include mailing address, email, and phone number):*

Kristine Swensson  
247 W 3<sup>rd</sup> Street, 11<sup>th</sup> Floor  
San Bernardino, CA 92415  
(909) 708-8744  
[kswensson@sb-court.org](mailto:kswensson@sb-court.org)

**DATE OF SUBMISSION:**  
7/16/2021

**RECEIVED AT LEAST 12 MONTHS OF DISTRIBUTIONS IN THE LAST FISCAL YEAR:**  
YES  NO  *(No biennial reporting is required if less than 12 months of distributions received)*

**DO YOU HAVE MULTI-YEAR CONTRACTS?** YES  NO  *(If yes, provide an explanation of the contracts in the CWR Program Update below)*

**CWR PROGRAM UPDATE** *(Please briefly summarize the status of your current program):*

In April 2016, the Superior Court of San Bernardino County (Court) obtained approval from the Judicial Council to receive Children's Waiting Room fee revenue effective July 1, 2016. This approval allows for the Court to collect \$5 of each designated filing fee pursuant to Government Code section 70640. With this funding source secured, the Court was able to open and operate three children's waiting rooms, with plans for further expansion.

In August 2019, the Court requested an exception to the Children's Waiting Room (CWR) cap and received approval to retain funds in excess of the cap. This report provides the biennial fund balance review and a request to retain funds of \$281,347 in excess of the cap, while pausing all restricted CWR funding for FY 2021-22 to help the Court achieve this goal.

The COVID-19 pandemic necessitated the closure of all three of its CWRs on March 17, 2020 and temporarily paused planned expansion of additional waiting rooms in the County. During the pandemic, the Court only paid a very small administrative overhead amount to the contracted vendor, per the terms of the existing agreement, which resulted in an unanticipated accumulation of fund balance that would have not occurred had the pandemic not driven the closures. The Court currently has a multi-year contract with "Catalyst Family Inc." to provide childcare services from July 1, 2019 through June 20, 2022. The contract allows for two one-year extensions for renewal at the Court's discretion.

With the State of California reopening on June 15, and as part of the planned local full reopening of the Court, children waiting rooms were reopened in the County beginning in August 2021. The Court will also opened the new Barstow

location in August as part of its originally planned expansion (in addition to the Fontana, San Bernardino, and Historic courthouses). With this planned reopening, the Court will continue to evaluate its business operations to ensure that it complies with guidance from the Centers for Disease Control and Prevention (CDC) as well as State and County guidance and regulations.

In conjunction with this fund balance cap exception request, on August 2, 2021, the Court requested a temporary stoppage of the existing CWR fee distribution to be effective July 1, 2021 through June 30, 2022 and is respectfully requesting an extension of the approval of a cap adjustment to let the court retain all of the \$281,347 fund balance over the cap. The Court would use the temporary stoppage of the fee revenue, coupled with reopening and expanding services, to fully spend down funds in excess of the children's waiting room cap amount by the beginning of FY 2022-23. The Court was able to reopen CWR locations in August 2021 and will need these funds to continue to provide services at existing levels.

**SECTION II: FINANCIAL INFORMATION**

**A. THREE-YEAR HISTORY AND THREE-YEAR PROJECTION OF YEAR END FUND BALANCES, REVENUES, AND EXPENDITURES** *(Double click below for Excel spreadsheet. Please populate rows 1 and 2, and the beginning fund balance in cell A3. The rest of the sheet is formula driven and will automatically populate. If requesting an adjustment to the calculated CAP and return of funds to the Trial Court Trust Fund (TCTF), enter the amount (row 7) being requested and complete Section III):*

Row	Fiscal Year	A	B	C	D	E	F	G
		<i>Actual</i>				<i>Estimated</i>		
		Beginning Fund Balance	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
1	Revenue Distributed to the Court (includes interest)		286,646	309,200	269,771	243,304	0	250,000
2	Expenditures		154,618	192,217	170,775	136,713	280,000	350,000
3	Fund Balance		258,444	375,427	474,423	581,014	301,014	201,014
<b>CWR Fund Balance above CAP Calculation:</b>								
4	Highest Year of Revenue Distributed to the Court	299,668						
5	Fund Balance at the End of the Current Fiscal Year	581,014						
6	Amount to Return to the TCTF	281,346						
7	Requested Adjustment to Fund Balance CAP <sup>1</sup>	281,346						

<sup>1</sup>Due to the Director of Budget Services within 60 days of the end of the fiscal year

**Note:**

**B. CURRENT DETAILED EXPENDITURE PROJECTIONS/PLAN FOR NEXT THREE FISCAL YEARS** *(Please provide an explanation of the expenditure plan that ties to row 2, columns E, F, and G):*

**SECTION III: RETURNING FUNDS ABOVE THE CAP TO THE TCTF**

**A. IF APPEALING THE AMOUNT CALCULATED TO RETURN TO TCTF IN CELL A6, PLEASE PROVIDE YOUR JUSTIFICATION BELOW** *(Include a summary of your ongoing CWR expenditure plan):*



## CHILDREN'S WAITING ROOM (CWR) BIENNIAL FUND BALANCE CAP REVIEW

BIENNIAL FUND BALANCE CAP REVIEW *(Complete Sections I, II, and III)*

### SECTION I: GENERAL INFORMATION

**SUPERIOR COURT:**  
Santa Barbara

**PERSON AUTHORIZING REPORT** *(Presiding Judge or Court Executive Officer):*  
Darrel Parker, CEO

**CONTACT PERSON AND CONTACT INFO** *(Please include mailing address, email, and phone number):*

Patrick Ballard, CFO  
1100 Anacapa St, 2<sup>nd</sup> Floor  
Santa Barbara, CA 93101  
[pballard@sbcourts.org](mailto:pballard@sbcourts.org)  
phone: (805) 882-4682

**DATE OF SUBMISSION:**  
8/26/2021

**RECEIVED AT LEAST 12 MONTHS OF DISTRIBUTIONS IN THE LAST FISCAL YEAR:**  
**YES**  **NO**  *(No biennial reporting is required if less than 12 months of distributions received)*

**DO YOU HAVE MULTI-YEAR CONTRACTS?** **YES**  **NO**  *(If yes, provide an explanation of the contracts in the CWR Program Update below)*

**CWR PROGRAM UPDATE** *(Please briefly summarize the status of your current program):*

The Superior Court of California, County of Santa Barbara requests a cap adjustment to the funds accumulated in its Children's Waiting Room (CWR) fund. Up until March 2020, the court operated two CWRs in the major population centers within the county. The first was operated in downtown Santa Barbara, at the Figueroa Division, a criminal court building adjacent to the civil and family courts located in the historic courthouse. The second CWR was operated in the juvenile court building in Santa Maria.

In order to better serve the needs of the public, a multi-year contract was negotiated with the non-profit agency Community Action Commission (CAC) to operate both rooms on a full-time basis. The contract and expanded hours became effective on June 1, 2017. The CWR in Santa Barbara was previously opened 24 hours per week and then began serving the public 40 hours per week. The CWR in Santa Maria at the juvenile court building was previously opened 8 hours per week and then began serving the public 35 hours per week. From June 1, 2017 through March 13, 2020, a total of 1,908 families with 2,624 children used the CWRs.

On March 17, 2020 all Santa Barbara Superior Court non-emergency services were suspended by administrative order due to the COVID-19 pandemic, which included suspension of the CWRs service. It was not clear how long the suspension of non-emergency services would last so the court was unable to give a proper notice on temporarily ceasing the CWRs to JC Budget Services. There were numerous orders after the original which extended the suspension of non-emergency services.

Anticipating expanding public access (since the suspension of non-emergency services) to our court facilities on June 15, 2021, the court reached out to CAC regarding reopening the CWRs to meet the demand of the many families with children in our county who would need to use our CWRs. CAC replied by letting the court know they would no longer be able to operate the CWRs because the two teachers who were assigned to the CWRs were needed in their classrooms. CAC also expressed a great difficulty in finding teachers due to the pandemic. The court is currently experiencing this same difficulty in finding a new vendor to service our CWRs.

**SECTION II: FINANCIAL INFORMATION**

**A. THREE-YEAR HISTORY AND THREE-YEAR PROJECTION OF YEAR END FUND BALANCES, REVENUES, AND EXPENDITURES** (Double click below for Excel spreadsheet. Please populate rows 1 and 2, and the beginning fund balance in cell A3. The rest of the sheet is formula driven and will automatically populate. If requesting an adjustment to the calculated CAP and return of funds to the Trial Court Trust Fund (TCTF), enter the amount (row 7) being requested and complete Section III):

	A	B	C	D	E	F	G	
Row	Fiscal Year	<i>Actual</i>				<i>Estimated</i>		
		Beginning Fund Balance	2018-19	2019-20	2020-21	2021-22	2022-23	2023-2024
1	Revenue Distributed to the Court		45,150	41,870	38,340	38,340	38,340	38,340
2	Expenditures		114,858	115,943	864	78,873	157,745	157,745
3	Fund Balance	389,683	319,975	245,902	283,378	242,845	123,440	4,035
<b>CWR Fund Balance above CAP Calculation:</b>								
4	Highest Year of Revenue Distributed to the Court	45,150						
5	Fund Balance at the End of the Current Fiscal Year <sup>1</sup>	304,612						
6	Amount to Return to the TCTF	283,378						
7	Requested Adjustment to Fund Balance CAP <sup>2</sup>	283,378						
<sup>1</sup> Amount includes interest earned.								
<sup>2</sup> Due to the Director of Budget Services within 60 days of the end of the fiscal year.								

**B. CURRENT DETAILED EXPENDITURE PROJECTIONS/PLAN FOR NEXT THREE FISCAL YEARS** (Please provide an explanation of the expenditure plan that ties to row 2, columns E, F, and G):

The court's goal is to establish a multi-year CWR agreement with a new vendor and reopen its CWRs on January 4, 2022. Within the next three fiscal years the court will be incurring an estimated (based on our previous agreement with CAC) total of \$394,363 in expenditures to run the CWRs at both its locations. Without an ability to use existing reserves the court would have to permanently cease operating the CWRs in Santa Barbara and Santa Maria, decreasing court access to the families with thousands of children who have used our CWRs since June of 2017.

Est. Ongoing Expenses Based on Previous Agreement with CAC	Annual Max Amount
Children's Waiting Room Services – Santa Barbara	83,359
Children's Waiting Room Services – Santa Maria	74,386
<b>Annual Total</b>	<b>\$157,745</b>

**SECTION III: RETURNING FUNDS ABOVE THE CAP TO THE TCTF**

**A. IF APPEALING THE AMOUNT CALCULATED TO RETURN TO TCTF IN CELL A6, PLEASE PROVIDE YOUR JUSTIFICATION BELOW** *(Include a summary of your ongoing CWR expenditure plan):*

As previously mentioned, the court is currently experiencing difficulty in finding a new vendor to service our CWRs in the current environment. Nevertheless, our goal is to identify a vendor and reopen our CWRs by January 4, 2022. The total cost to operate the two centers is estimated at \$157,745 annually. Being able to use the balance in the CWR fund will allow the court to resume and provide full-time services in Santa Barbara and Santa Maria through at least FY 2023-24.

The court feels one of the most essential services for litigants is the child care provided in our CWRs while they leave their children in the care of professional staff to engage in court business. Please be sensitive to our plight and grant our request to keep our existing CWR fund balance reserves.



**CHILDREN'S WAITING ROOM (CWR)  
BIENNIAL FUND BALANCE CAP REVIEW**

BIENNIAL FUND BALANCE CAP REVIEW *(Complete Sections I, II, and III)*

**SECTION I: GENERAL INFORMATION**

**SUPERIOR COURT:**  
Ventura

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

**Brenda L. McCormick**

**CONTACT PERSON AND CONTACT INFO** *(Please include mailing address, email, and phone number):* **Richard Cabral, 800 S. Victoria Blvd, Ventura, CA 93309**  
[richard.cabral@ventura.courts.ca.gov](mailto:richard.cabral@ventura.courts.ca.gov) (805) 289-8881

**DATE OF SUBMISSION:**  
8/30/2021

**RECEIVED AT LEAST 12 MONTHS OF DISTRIBUTIONS IN THE LAST FISCAL YEAR:**  
**YES  NO**  *(No biennial reporting is required if less than 12 months of distributions received)*

**DO YOU HAVE MULTI-YEAR CONTRACTS? YES  NO**  *(If yes, provide an explanation of the contracts in the CWR Program Update below)*

**CWR PROGRAM UPDATE** *(Please briefly summarize the status of your current program):*

Due to COVID-19 our children's waiting rooms have been closed. The Court has two children's waiting rooms.

The Court is evaluating options to enable the reopening of the children's waiting rooms service to the public based on guidance provided by public health agencies.



**SECTION II: FINANCIAL INFORMATION**

**A. THREE-YEAR HISTORY AND THREE-YEAR PROJECTION OF YEAR END FUND BALANCES, REVENUES, AND EXPENDITURES** (Double click below for Excel spreadsheet. Please populate rows 1 and 2, and the beginning fund balance in cell A3. The rest of the sheet is formula driven and will automatically populate. If requesting an adjustment to the calculated CAP and return of funds to the Trial Court Trust Fund (TCTF), enter the amount (row 7) being requested and complete Section III):

		A	B	C	D	E	F	G
Row	Fiscal Year	<i>Actual</i>				<i>Estimated</i>		
		Beginning Fund Balance	2018-19	2019-20	2020-21	2021-22	2022-23	2023-2024
1	Revenue Distributed to the Court		97,711	83,355	94,128	90,000	90,000	90,000
2	Expenditures		125,119	119,891	13	83,200	175,840	192,824
3	Fund Balance	40,122	12,714	-23,823	70,292	77,092	-8,748	-111,572
<b>CWR Fund Balance above CAP Calculation:</b>								
4	Highest Year of Revenue Distributed to the Court	97,711						
5	Fund Balance at the End of the Current Fiscal Year	100,051						
6	* Amount to Return to the TCTF	2,340						
7	* Requested Adjustment to Fund Balance CAP <sup>1</sup>	2,340						

<sup>1</sup>Due to the Director of Budget Services within 60 days of the end of the fiscal year

**B. CURRENT DETAILED EXPENDITURE PROJECTIONS/PLAN FOR NEXT THREE FISCAL YEARS** (Please provide an explanation of the expenditure plan that ties to row 2, columns E, F, and G):

We are projecting one employee for FY2122 and two employees for FY2223, and FY2324.

FY2122 – 1 @ \$77,200 = \$77,200 + \$6,000 for O&E = \$83,200  
 FY2223 – 2 @ \$84,920 = \$169,840 + \$6,000 for O&E = \$175,840  
 FY2324 – 2 @ \$93,412 = \$186,824 + \$6,000 for O&E = \$192,824

**SECTION III: RETURNING FUNDS ABOVE THE CAP TO THE TCTF**

**A. IF APPEALING THE AMOUNT CALCULATED TO RETURN TO TCTF IN CELL A6, PLEASE PROVIDE YOUR JUSTIFICATION BELOW** *(Include a summary of your ongoing CWR expenditure plan):*

\* A funds transfer was done in FY1920 to cover the shortfall in CWR funds and is not requesting an adjustment to the fund cap. The Court is requesting to retain the funds (\$2,340) to offset the cost of the CWR. In FY 2021 the CWR was closed due to the pandemic which resulted in a \$100,051 fund balance that will be used once the Court is able to safely reopen the CWR. On September 2, 2021, the Trial Court Budget Advisory Committee approved the request for the continuation of CWR funding. Thank you for your consideration.