



JUDICIAL COUNCIL  
OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE  
FUNDING METHODOLOGY SUBCOMMITTEE

**MATERIALS FOR NOVEMBER 17, 2021  
VIRTUAL MEETING**

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# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

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## TRIAL COURT BUDGET ADVISORY COMMITTEE FUNDING METHODOLOGY 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:** November 17, 2021  
**Time:** 2:45 p.m. to 4:00 p.m.  
**Public Call-in Number:** <https://jcc.granicus.com/player/event/1474>

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

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

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

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

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

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

Approve minutes of the November 4, 2021 Funding Methodology 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 2:45 p.m. on November 16, 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 (ITEMS 1-2)**

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**Item 1**

**SB 170 Ongoing \$7 Million Court Reporter Funding Allocation Methodology (Action Required)**

Consideration of a recommendation from the Ad Hoc Court Reporter Funding Subcommittee on an allocation methodology to cover the costs associated with increased transcript rates effective 2021-22.

Presenter(s)/Facilitator(s): TBD

**Item 2**

**SB 170 Ongoing \$30 Million Court Reporter Funding Allocation Methodology (Action Required)**

Consideration of a recommendation from the Ad Hoc Court Reporter Funding Subcommittee on an allocation methodology to increase the number of court reporters in family law and civil law case types effective 2021-22.

Presenter(s)/Facilitator(s): TBD

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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  
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## TRIAL COURT BUDGET ADVISORY COMMITTEE FUNDING METHODOLOGY SUBCOMMITTEE

### MINUTES OF OPEN MEETING

November 4, 2021  
4:00 p.m. - 5:30 p.m.

<https://jcc.granicus.com/player/event/1457>

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**Advisory Body Members Present:** Judges: Hon. Daniel J. Buckley (Cochair), Hon. Patricia L. Kelly, and Hon. B. Scott Thomsen.

Executive Officers: Ms. Rebecca Fleming (Cochair), Mr. Chad Finke, Mr. Kevin Harrigan, Mr. James Kim, Mr. Brandon E. Riley, Mr. Neal Taniguchi, and Mr. David Yamasaki.

**Advisory Body Members Absent:** Hon. Kevin M. Seibert

**Others Present:** Ms. Fran Mueller, Mr. Zlatko Theodorovic, Ms. Brandy Olivera, Ms. Michele Allan, Ms. Oksana Tuk, Mr. Catrayel Wood, Ms. Ann Mendez, and Ms. Ann Greth.

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#### OPEN MEETING

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

The cochairs called the meeting to order at 4:04 p.m. and took roll call.

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

The subcommittee reviewed and approved the minutes of the September 22, 2021 Funding Methodology Subcommittee (FMS) meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

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##### **Item 1: Base Funding Floor Requests (Action Required)**

Consideration of a base funding floor increase effective July 1, 2022 for two courts, Alpine and Sierra Superior Courts, currently set at \$800,000.

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

**Action:** *The FMS voted, with nine "yes" votes and one abstention, to increase the current base funding floor for Alpine and Sierra Superior Courts from \$800,000 to \$950,000 effective July 1, 2022 for consideration by the Trial Court Budget Advisory Committee (TCBAC) at its November 16, 2021 meeting.*

**Item 2: Court Interpreters Program (CIP) Methodology (Action Required)**

Consideration of recommendations from the Ad Hoc Interpreter Subcommittee on an allocation methodology for CIP funding effective July 1, 2022.

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

**Action:** *The FMS voted unanimously to approve the Ad Hoc Interpreter Subcommittee's following recommendations for consideration by the TCBAC at its November 16, 2021 meeting:*

1. *Approve a proportional allocation methodology based on a three-year average of expenditure data available (2017-18, 2018-19, and 2019-20), up to the CIP appropriation amount effective 2022-23, while the subcommittee continues review of pandemic impact and reporting data considerations effective in 2023-24;*
2. *Require courts to return to the Judicial Council all unspent 2021-22, 2022-23 and ongoing CIP-allocated funds, which will first reimburse courts with a shortfall in each respective year not to exceed the overall appropriation amount, with any remaining funds reverting to the TCTF as restricted program funding;*
3. *Allocate staff interpreter benefits dollar-for-dollar to courts reporting cost benefit changes effective 2022-23; and*
4. *Require receiving courts to offset extraordinary interpreter expenses to courts providing cross-assignments (or "home courts") and charging the subcommittee with working with Judicial Council staff on development of a payment/reimbursement method.*

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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 4:53 p.m.

Approved by the advisory body on [enter date].

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Funding Methodology Subcommittee  
(Action Item)

**Title:** SB 170 Ongoing \$7 Million Increased Transcript Rate Funding Allocation  
Methodology

**Date:** 11/17/2021

**Contact:** Chris Belloli, Manager, Business Management Services  
415-865-7658 | [chris.belloli@jud.ca.gov](mailto:chris.belloli@jud.ca.gov)

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### **Issue**

Consideration of a recommendation from the Ad Hoc Court Reporter Funding Subcommittee (ad hoc subcommittee) for a methodology to allocate \$7 million included in the 2021 Budget Act to cover the costs associated with increased transcript rates effective 2021-22 for consideration by the Trial Court Budget Advisory Committee (TCBAC).

### **Background**

#### **Budget Language**

On September 23, 2021, the Governor signed SB 170 which amended the 2021 Budget Act and included \$7 million ongoing General Fund to the Judicial Council for establishing a methodology to allocate the funding to all trial courts to cover the costs associated with increased transcript rates pursuant to AB 177 (Committee on Budget; ch. 257, stats. 2021).

The actual budget language for SB 170 relating to this funding for increased transcript rates is included below.

*\$7,000,000 shall be available for the Judicial Council to establish a methodology to allocate a share of resources to all courts to cover the costs associated with the increased transcript rates.*

#### **Ad Hoc Court Reporter Funding Subcommittee**

An ad hoc subcommittee was established to develop an allocation methodology recommendation, consisting of members from the TCBAC, outlined in Table 1.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Funding Methodology Subcommittee  
(Action Item)

**Table 1 – Ad Hoc Court Reporter Funding Subcommittee Membership**

#	Member Name and Court
1	Hon. Jonathan B. Conklin, Fresno Superior Court
2	Ms. Rebecca Fleming, Santa Clara Superior Court
3	Mr. Kevin Harrigan, Tehama Superior Court
4	Mr. James Kim, Marin Superior Court
5	Mr. Brandon E. Riley, San Joaquin Superior Court

### **Allocation Methodology**

Through ad hoc subcommittee deliberations, a recommendation was developed for implementation that helps courts cover increased transcript costs effective July 1, 2021. Focusing on an equitable approach for allocating funds to all trial courts, consistent with the budget language, the methodology includes:

- a) Averaging actual transcript expenditures by court for the last three fiscal years (i.e., 2018-19, 2019-20, and 2020-21);
- b) Applying a proportional allocation of the \$7 million appropriation to each court based on the three-year average of transcript expenditures. This allocation methodology would provide each court with additional funding representing the same 44% increase for each court from their historical three-year average expenditures; and
- c) Funds would be allocated in one lump sum upon approval by the Judicial Council.

Details of this approach are outlined in Attachment 1A.

The three-year average would be updated each year based on the most-recent data available for actual expenditures on court reporter transcripts, which is consistent with other workload methodologies for other funding sources.

### **Annual True Up Process**

Because this funding is intended solely to cover the costs associated with increased transcript rates, any unspent funds are required to revert to the General Fund each fiscal year. The actual expenditures for each court from 2020-21 will be used to establish a baseline from which cost increases eligible to be covered by these funds will be determined for each court. Based on the historical baseline amount and the actual expenditures for the current fiscal year, a true up

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process will occur at the end of each fiscal year to pull back any remaining funds as outlined in Table 2 below.

**Table 2 – Annual Reversion Calculation**

Court	Actual Expenditures			3-Year Average	2021-22 Allocation from \$7M	2021-22 Actuals	GF Reversion
	2018-19	2019-20	2020-21 (Baseline)				
A	\$110,000	\$85,000	\$100,000	\$98,333	\$43,260	\$120,000	<b>\$23,260</b>

Based on the example in Table 2, Court A would receive an allocation of \$43,260 from the 2021-22 \$7 million court reporter transcript appropriation. In this example, the court’s actual expenditures for 2021-22 would be \$120,000, which is a \$20,000 increase from the 2020-21 baseline amount for 2021-22 (\$120,000 - \$100,000 = \$20,000). Comparing the \$20,000 increase to the \$43,260 allocation from the 2021-22 appropriation, the court would be required to revert the remaining \$23,260 (\$43,260 - \$20,000 = \$23,260) to the General Fund.

**Recommendation**

The ad hoc subcommittee recommends the following for approval, to be considered by the TCBAC on November 30, 2021, the Judicial Branch Budget Committee on December 7, 2021, and the Judicial Council at its January 20-21, 2022 business meeting:

1. Approve an allocation methodology that allocates the \$7 million appropriation to each trial court proportionally, based on an average of the prior three-year transcript expenditures;
2. Establish 2020-21 actual expenditures as a baseline to determine cost increases and identify unspent funds for General Fund reversion each fiscal year as necessary; and
3. Direct staff to update the three-year average for the allocation methodology each year based on the most-recent data available for actual expenditures on transcripts.

**Attachments**

**Attachment 1A:** 2021-22 \$7 Million Increased Transcript Rate Funding Allocation Methodology



**Actual Expenditures for Court Reporter Transcripts: FY 2018-19, FY 2019-20, and FY 2020-21**

Cluster	Court	Actual Expenditures on Court Reporter Transcripts				Proportion of Average Expenditures	Proportional Allocation of \$7M	New Funding as a Percent of Expenditures
		FY 2018-19	FY 2019-20	FY 2020-21	Average			
	<b>Statewide</b>	<b>\$18,850,026</b>	<b>\$15,996,562</b>	<b>\$12,739,717</b>	<b>\$15,862,102</b>	<b>100.00%</b>	<b>\$7,000,000</b>	<b>44%</b>
4	Alameda	\$539,125	\$462,789	\$316,575	\$439,496	2.77%	\$193,951	44%
1	Alpine	\$229	\$71	\$139	\$146	0.00%	\$65	44%
1	Amador	\$28,347	\$32,387	\$18,321	\$26,352	0.17%	\$11,629	44%
2	Butte	\$103,922	\$91,273	\$97,894	\$97,696	0.62%	\$43,114	44%
1	Calaveras	\$19,108	\$27,309	\$26,846	\$24,421	0.15%	\$10,777	44%
1	Colusa	\$25,190	\$14,533	\$8,008	\$15,910	0.10%	\$7,021	44%
3	Contra Costa	\$569,397	\$509,894	\$405,961	\$495,084	3.12%	\$218,482	44%
1	Del Norte	\$18,301	\$81,558	\$53,391	\$51,083	0.32%	\$22,543	44%
2	El Dorado	\$97,744	\$85,149	\$49,904	\$77,599	0.49%	\$34,245	44%
3	Fresno	\$550,703	\$502,569	\$431,683	\$494,985	3.12%	\$218,439	44%
1	Glenn	\$9,211	\$10,673	\$7,650	\$9,178	0.06%	\$4,050	44%
2	Humboldt	\$3,158	\$3,742	\$7,435	\$4,778	0.03%	\$2,109	44%
2	Imperial	\$31,734	\$22,759	\$23,298	\$25,930	0.16%	\$11,443	44%
1	Inyo	\$10,118	\$11,028	\$10,357	\$10,501	0.07%	\$4,634	44%
3	Kern	\$811,377	\$797,067	\$709,145	\$772,530	4.87%	\$340,920	44%
2	Kings	\$363,241	\$316,901	\$275,882	\$318,675	2.01%	\$140,632	44%
2	Lake	\$52,709	\$30,351	\$32,336	\$38,465	0.24%	\$16,975	44%
1	Lassen	\$43,485	\$36,511	\$30,822	\$36,939	0.23%	\$16,301	44%
4	Los Angeles	\$5,858,268	\$4,589,304	\$3,433,513	\$4,627,028	29.17%	\$2,041,923	44%
2	Madera	\$89,024	\$75,441	\$83,123	\$82,529	0.52%	\$36,421	44%
2	Marin	\$64,540	\$64,012	\$45,711	\$58,088	0.37%	\$25,634	44%
1	Mariposa	\$5,122	\$1,737	\$4,709	\$3,856	0.02%	\$1,702	44%
2	Mendocino	\$147,058	\$148,140	\$134,226	\$143,142	0.90%	\$63,169	44%
2	Merced	\$138,701	\$122,600	\$156,237	\$139,179	0.88%	\$61,420	44%
1	Modoc	\$22,153	\$28,306	\$7,155	\$19,204	0.12%	\$8,475	44%
1	Mono	\$2,955	\$5,300	\$2,806	\$3,687	0.02%	\$1,627	44%
3	Monterey	\$147,536	\$165,151	\$127,556	\$146,748	0.93%	\$64,760	44%
2	Napa	\$146,790	\$135,651	\$90,806	\$124,416	0.78%	\$54,905	44%
2	Nevada	\$55,593	\$35,114	\$23,786	\$38,164	0.24%	\$16,842	44%
4	Orange	\$1,185,057	\$1,015,335	\$982,451	\$1,060,947	6.69%	\$468,200	44%
2	Placer	\$144,479	\$170,553	\$148,518	\$154,517	0.97%	\$68,189	44%
1	Plumas	\$8,238	\$4,740	\$2,104	\$5,027	0.03%	\$2,219	44%
4	Riverside	\$20,206	\$24,959	\$11,186	\$18,784	0.12%	\$8,289	44%
4	Sacramento	\$880,868	\$754,751	\$623,902	\$753,173	4.75%	\$332,378	44%
1	San Benito	\$6,405	\$6,206	\$3,766	\$5,459	0.03%	\$2,409	44%
4	San Bernardino	\$824,927	\$737,088	\$636,886	\$732,967	4.62%	\$323,461	44%

**Actual Expenditures for Court Reporter Transcripts: FY 2018-19, FY 2019-20, and FY 2020-21**

Cluster	Court	Actual Expenditures on Court Reporter Transcripts				Proportion of Average Expenditures	Proportional Allocation of \$7M	New Funding as a Percent of Expenditures
		FY 2018-19	FY 2019-20	FY 2020-21	Average			
	<b>Statewide</b>	<b>\$18,850,026</b>	<b>\$15,996,562</b>	<b>\$12,739,717</b>	<b>\$15,862,102</b>	<b>100.00%</b>	<b>\$7,000,000</b>	<b>44%</b>
4	San Diego	\$1,350,757	\$1,058,891	\$501,181	\$970,276	6.12%	\$428,186	44%
3	San Francisco	\$772,804	\$464,089	\$300,914	\$512,602	3.23%	\$226,213	44%
3	San Joaquin	\$350,016	\$330,322	\$349,811	\$343,383	2.16%	\$151,536	44%
2	San Luis Obispo	\$119,285	\$117,302	\$135,606	\$124,064	0.78%	\$54,750	44%
3	San Mateo	\$266,446	\$221,966	\$280,961	\$256,458	1.62%	\$113,176	44%
3	Santa Barbara	\$281,733	\$182,937	\$134,408	\$199,693	1.26%	\$88,125	44%
4	Santa Clara	\$631,761	\$706,321	\$497,743	\$611,941	3.86%	\$270,052	44%
2	Santa Cruz	\$164,718	\$145,513	\$100,255	\$136,829	0.86%	\$60,383	44%
2	Shasta	\$113,807	\$89,173	\$88,543	\$97,174	0.61%	\$42,883	44%
1	Sierra	\$0	\$2,256	\$698	\$985	0.01%	\$435	44%
2	Siskiyou	\$65,674	\$20,518	\$31,755	\$39,316	0.25%	\$17,350	44%
3	Solano	\$180,537	\$170,800	\$159,262	\$170,200	1.07%	\$75,110	44%
3	Sonoma	\$159,686	\$157,135	\$118,224	\$145,015	0.91%	\$63,996	44%
3	Stanislaus	\$198,821	\$152,415	\$239,016	\$196,751	1.24%	\$86,827	44%
2	Sutter	\$25,844	\$42,100	\$36,528	\$34,824	0.22%	\$15,368	44%
2	Tehama	\$25,810	\$19,604	\$13,000	\$19,471	0.12%	\$8,593	44%
1	Trinity	\$17,362	\$29,273	\$7,875	\$18,170	0.11%	\$8,018	44%
3	Tulare	\$437,435	\$402,174	\$298,604	\$379,404	2.39%	\$167,432	44%
2	Tuolumne	\$61,968	\$47,574	\$90,624	\$66,722	0.42%	\$29,445	44%
3	Ventura	\$310,421	\$292,846	\$168,224	\$257,164	1.62%	\$113,487	44%
2	Yolo	\$264,625	\$197,301	\$138,545	\$200,157	1.26%	\$88,330	44%
2	Yuba	\$25,498	\$25,100	\$23,853	\$24,817	0.16%	\$10,952	44%

**GL Accounts**

- 938701 Court Transcripts
- 938702 Non-Felony Appeals
- 938703 Felony Appeals
- 938705 Civil Transcripts
- 938711 Electronic Reporting

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Trial Court Budget Advisory Committee  
Funding Methodology Subcommittee  
(Action Item)

**Title:** SB 170 Ongoing \$30 Million Court Reporter Funding Allocation  
Methodology

**Date:** 11/17/2021

**Contact:** Chris Belloli, Manager, Business Management Services  
415-865-7658 | [chris.belloli@jud.ca.gov](mailto:chris.belloli@jud.ca.gov)

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**Issue**

Consideration of a recommendation from the Ad Hoc Court Reporter Funding Subcommittee (ad hoc subcommittee) for a methodology to allocate \$30 million included in the 2021 Budget Act to increase the number of court reporters in family law and civil law case types effective 2021-22 for consideration by the Trial Court Budget Advisory Committee (TCBAC).

**Background**

**Budget Language**

On September 23, 2021, the Governor signed SB 170 which amended the 2021 Budget Act and included \$30 million ongoing General Fund to the Judicial Council to be utilized exclusively for establishing a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The funding shall not supplant existing trial court expenditures on court reporters in family law and civil law cases.

The actual budget language for SB 170 relating to this \$30 million funding for increasing the number of court reporters in family law and civil cases is included below.

*\$30,000,000 shall be allocated by the Judicial Council in a manner that ensures all courts are allocated funds to be utilized exclusively to increase the number of court reporters in family law and civil law cases. This funding shall not supplant existing trial court expenditures on court reporters in family law and civil law cases.*

**Ad Hoc Court Reporter Funding Subcommittee**

An ad hoc subcommittee was established to develop a methodology recommendation, consisting of members from the TCBAC, outlined in Table 1.

JUDICIAL COUNCIL OF CALIFORNIA  
 BUDGET SERVICES  
 Report to the Trial Court Budget Advisory Committee  
 Funding Methodology Subcommittee  
 (Action Item)

**Table 1 – Ad Hoc Court Reporter Funding Subcommittee Membership**

#	Member Name and Court
1	Hon. Jonathan B. Conklin, Fresno Superior Court
2	Ms. Rebecca Fleming, Santa Clara Superior Court
3	Mr. Kevin Harrigan, Tehama Superior Court
4	Mr. James Kim, Marin Superior Court
5	Mr. Brandon E. Riley, San Joaquin Superior Court

**Allocation Methodology**

Through ad hoc subcommittee deliberations, a recommendation was developed for an allocation methodology based on the 2020 Judicial Needs Assessment (JNA). Judicial workload, as described by the JNA is measured by a court’s Assessed Judicial Need (AJN), was identified by the subcommittee as the best metric for the allocation methodology because of the parallel workload drivers between judgeships and court reporters, and that the AJN data includes separate non-criminal and criminal judicial need by court (Attachment 2A)<sup>1</sup>. Focusing on non-criminal judicial need, consistent with the requirements in the budget language, the proposed methodology for allocating funds to all trial courts includes:

- a) Identifying the proportion of judicial workload, as measured by the AJN, for non-criminal need by court;
- b) Applying a \$25,000 funding floor to all courts. This would result in an increased amount, compared to using a purely proportional calculation, to 11 of the 15 Cluster 1 courts<sup>2</sup>, totaling \$275,000, which represents an approximate 0.25 full-time equivalent (FTE) using the average salary for court reporters from the 2020-21 Schedule 7A. This would provide funding for these courts to increase the number of court reporters in family law and civil law case types through the hiring of a part-time court reporter position, increasing the time for an existing part-time court reporter position, or utilizing shared services among other Cluster 1 courts;
- c) After applying the funding floor amount to 11 Cluster 1 courts, allocating the remaining \$29.725 million proportionally to all other courts based on their non-criminal judicial need; and

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<sup>1</sup> Criminal includes felony, misdemeanor, and infraction case types; non-criminal captures all other case types including civil, family, juvenile, probate, and mental health.

<sup>2</sup> Four Cluster 1 courts, Amador, Calaveras, Del Norte, and San Benito would receive an amount above \$25,000, like for the other non-floor courts, based on the 2020 AJN data for non-criminal case types.

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(Action Item)

d) Funds would be allocated in one lump sum upon approval by the Judicial Council.

Details of this approach are outlined in Attachment 2B.

### **Annual True Up Process**

Because this funding is intended solely to cover the costs associated with increasing court reporters in family law and civil law cases, any unspent funds are required to revert to the General Fund each fiscal year. Judicial Council staff will work to confirm a true up process to occur at the end of each fiscal year to pull back any remaining funds not spent on new court reporters in family law and civil law cases effective July 1, 2021.

### **Recommendation**

The ad hoc subcommittee recommends the following for approval, to be considered by the TCBAC on November 30, 2021, the Judicial Branch Budget Committee on December 7, 2021, and the Judicial Council at its January 20-21, 2022 business meeting:

1. Approve an allocation methodology that allocates the \$30 million funding proportionally to each trial court based on the most-recently published non-criminal AJN, and after a \$25,000 funding floor is provided to those courts that fall below the floor amount through the model;
2. Capture a baseline number and associated costs for court reporters in non-criminal case types, effective July 1, 2021, to ensure that these funds are not being used to supplant existing expenditures in these areas, consistent with the requirements in the budget language;
3. Update the AJN data and Schedule 7A data used each year based on the most recent information available at the time of allocation for each fiscal year<sup>3</sup>; and
4. Identify unspent funds for General Fund reversion each fiscal year as necessary.

### **Attachments**

**Attachment 2A:** 2020-21 Assessed Judicial Workload and Pending \$30 Million Proportional Allocation

**Attachment 2B:** 2021-22 \$30 Million Court Reporter Allocation Methodology with Funding Floor

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<sup>3</sup> The AJN data is updated on a biennial basis, and the Schedule 7A is updated annually.

Attachment 2A: 2020-21 Assessed Judicial Workload and Pending \$30 Million Proportional Allocation

2020 Assessed Judicial Workload (AJN): Noncriminal and Criminal Case Types					Proportional Allocation of \$30M based on Noncriminal AJN		
Cluster	Court	Noncriminal AJN	Criminal AJN	Total AJN	Noncriminal AJN	Proportion of Statewide AJN	Proportion of \$30M
	Statewide	1,078	889	1,967	1,078	100%	\$30,000,000
4	Alameda	38.2	24.5	62.7	38.2	3.55%	\$1,064,209
1	Alpine	0.0	0.1	0.1	0.0	0.00%	\$1,056
1	Amador	1.1	1.7	2.8	1.1	0.10%	\$29,940
2	Butte	6.7	6.9	13.5	6.7	0.62%	\$185,420
1	Calaveras	1.4	1.1	2.5	1.4	0.13%	\$39,895
1	Colusa	0.6	1.2	1.7	0.6	0.05%	\$15,943
3	Contra Costa	24.3	14.9	39.2	24.3	2.25%	\$675,184
1	Del Norte	1.2	1.3	2.5	1.2	0.11%	\$34,109
2	El Dorado	4.5	3.2	7.7	4.5	0.42%	\$124,641
3	Fresno	30.7	31.2	61.9	30.7	2.85%	\$853,614
1	Glenn	0.8	1.2	2.0	0.8	0.08%	\$22,883
2	Humboldt	4.7	5.0	9.7	4.7	0.43%	\$130,079
2	Imperial	5.3	6.2	11.5	5.3	0.49%	\$147,796
1	Inyo	0.5	1.0	1.5	0.5	0.04%	\$13,180
3	Kern	25.3	33.6	58.9	25.3	2.34%	\$702,828
2	Kings	4.3	7.8	12.1	4.3	0.40%	\$120,811
2	Lake	2.4	3.5	5.9	2.4	0.22%	\$66,963
1	Lassen	0.8	1.4	2.3	0.8	0.08%	\$23,445
4	Los Angeles	334.8	188.5	523.3	334.8	31.06%	\$9,318,132
2	Madera	6.0	5.8	11.8	6.0	0.56%	\$167,487
2	Marin	5.4	3.9	9.3	5.4	0.50%	\$150,839
1	Mariposa	0.4	0.7	1.0	0.4	0.03%	\$10,012
2	Mendocino	3.1	4.3	7.4	3.1	0.29%	\$86,263
2	Merced	7.1	7.9	14.9	7.1	0.66%	\$197,033
1	Modoc	0.5	0.6	1.0	0.5	0.04%	\$13,360
1	Mono	0.3	0.7	1.0	0.3	0.03%	\$8,319
3	Monterey	9.6	12.0	21.6	9.6	0.89%	\$268,159
2	Napa	3.6	3.6	7.2	3.6	0.34%	\$101,506
2	Nevada	2.4	2.3	4.6	2.4	0.22%	\$65,450
4	Orange	77.8	65.5	143.3	77.8	7.22%	\$2,165,694
2	Placer	8.9	8.2	17.1	8.9	0.82%	\$247,425
1	Plumas	0.7	0.6	1.2	0.7	0.06%	\$18,230
4	Riverside	62.7	53.1	115.8	62.7	5.82%	\$1,746,095
4	Sacramento	45.1	43.9	89.0	45.1	4.19%	\$1,255,567
1	San Benito	1.4	1.5	2.9	1.4	0.13%	\$39,515
4	San Bernardino	69.7	67.9	137.7	69.7	6.47%	\$1,940,623

<b>2020 Assessed Judicial Workload (AJN): Noncriminal and Criminal Case Types</b>					<b>Proportional Allocation of \$30M based on Noncriminal AJN</b>		
<b>Cluster</b>	<b>Court</b>	<b>Noncriminal AJN</b>	<b>Criminal AJN</b>	<b>Total AJN</b>	<b>Noncriminal AJN</b>	<b>Proportion of Statewide AJN</b>	<b>Proportion of \$30M</b>
	<b>Statewide</b>	<b>1,078</b>	<b>889</b>	<b>1,967</b>	<b>1,078</b>	<b>100%</b>	<b>\$30,000,000</b>
4	San Diego	76.6	58.1	134.6	76.6	7.10%	\$2,131,223
3	San Francisco	26.5	15.1	41.6	26.5	2.45%	\$736,281
3	San Joaquin	20.1	22.4	42.5	20.1	1.87%	\$560,019
2	San Luis Obispo	6.1	8.9	15.0	6.1	0.57%	\$169,996
3	San Mateo	13.9	13.6	27.5	13.9	1.29%	\$386,101
3	Santa Barbara	9.6	12.4	22.1	9.6	0.89%	\$268,360
4	Santa Clara	35.1	33.2	68.3	35.1	3.26%	\$976,843
2	Santa Cruz	5.3	7.4	12.7	5.3	0.49%	\$147,972
2	Shasta	6.1	9.1	15.3	6.1	0.57%	\$170,783
1	Sierra	0.1	0.2	0.2	0.1	0.01%	\$1,947
2	Siskiyou	1.5	2.2	3.7	1.5	0.14%	\$41,458
3	Solano	11.3	10.9	22.3	11.3	1.05%	\$315,413
3	Sonoma	10.7	11.2	21.9	10.7	0.99%	\$296,871
3	Stanislaus	15.0	14.4	29.4	15.0	1.39%	\$417,851
2	Sutter	3.2	3.9	7.1	3.2	0.29%	\$87,725
2	Tehama	2.3	3.5	5.8	2.3	0.21%	\$63,377
1	Trinity	0.7	0.9	1.5	0.7	0.06%	\$18,335
3	Tulare	12.9	15.2	28.1	12.9	1.20%	\$359,582
2	Tuolumne	2.0	2.9	4.9	2.0	0.19%	\$56,372
3	Ventura	18.7	17.3	36.0	18.7	1.73%	\$519,490
2	Yolo	5.4	7.2	12.6	5.4	0.50%	\$151,000
2	Yuba	2.6	2.8	5.3	2.6	0.24%	\$71,295

**2020 Assessed Judicial Need (AJN):** based on the Biennial Report to the Legislature on Judicial Need submitted by the Judicial Council in November 2020 ([https://www.courts.ca.gov/documents/2020\\_Update\\_of\\_the\\_Judicial\\_Needs\\_Assessment.pdf](https://www.courts.ca.gov/documents/2020_Update_of_the_Judicial_Needs_Assessment.pdf) )

**Noncriminal case types:** Civil, Family, Juvenile, Probate, Mental Health

**Criminal case types:** Felony, Misdemeanors, Infractions

Attachment 2B: 2021-22 \$30 Million Court Reporter Allocation Methodology with Funding Floor

Cluster	Court	Initial Allocation of \$30M (AJN Only)	Modified Allocation of \$30M with Funding Floor of \$25,000*					
			Funding Floor Court?	Floor Funding	Revised AJN Proportion for Non-floor Courts	Allocation of Non floor Funding	Final Allocation	Change with Floor
	Statewide	\$30,000,000		\$275,000		\$29,725,000	\$30,000,000	\$0
4	Alameda	\$1,064,209			3.56%	\$1,059,636	\$1,059,636	(\$4,573)
1	Alpine	\$1,056	X	\$25,000			\$25,000	\$23,944
1	Amador	\$29,940			0.10%	\$29,812	\$29,812	(\$129)
2	Butte	\$185,420			0.62%	\$184,623	\$184,623	(\$797)
1	Calaveras	\$39,895			0.13%	\$39,724	\$39,724	(\$171)
1	Colusa	\$15,943	X	\$25,000			\$25,000	\$9,057
3	Contra Costa	\$675,184			2.26%	\$672,283	\$672,283	(\$2,901)
1	Del Norte	\$34,109			0.11%	\$33,962	\$33,962	(\$147)
2	El Dorado	\$124,641			0.42%	\$124,106	\$124,106	(\$536)
3	Fresno	\$853,614			2.86%	\$849,946	\$849,946	(\$3,668)
1	Glenn	\$22,883	X	\$25,000			\$25,000	\$2,117
2	Humboldt	\$130,079			0.44%	\$129,520	\$129,520	(\$559)
2	Imperial	\$147,796			0.50%	\$147,161	\$147,161	(\$635)
1	Inyo	\$13,180	X	\$25,000			\$25,000	\$11,820
3	Kern	\$702,828			2.35%	\$699,807	\$699,807	(\$3,020)
2	Kings	\$120,811			0.40%	\$120,292	\$120,292	(\$519)
2	Lake	\$66,963			0.22%	\$66,675	\$66,675	(\$288)
1	Lassen	\$23,445	X	\$25,000			\$25,000	\$1,555
4	Los Angeles	\$9,318,132			31.21%	\$9,278,089	\$9,278,089	(\$40,043)
2	Madera	\$167,487			0.56%	\$166,767	\$166,767	(\$720)
2	Marin	\$150,839			0.51%	\$150,191	\$150,191	(\$648)
1	Mariposa	\$10,012	X	\$25,000			\$25,000	\$14,988
2	Mendocino	\$86,263			0.29%	\$85,892	\$85,892	(\$371)
2	Merced	\$197,033			0.66%	\$196,186	\$196,186	(\$847)
1	Modoc	\$13,360	X	\$25,000			\$25,000	\$11,640
1	Mono	\$8,319	X	\$25,000			\$25,000	\$16,681
3	Monterey	\$268,159			0.90%	\$267,006	\$267,006	(\$1,152)
2	Napa	\$101,506			0.34%	\$101,069	\$101,069	(\$436)
2	Nevada	\$65,450			0.22%	\$65,169	\$65,169	(\$281)
4	Orange	\$2,165,694			7.25%	\$2,156,387	\$2,156,387	(\$9,307)
2	Placer	\$247,425			0.83%	\$246,362	\$246,362	(\$1,063)
1	Plumas	\$18,230	X	\$25,000			\$25,000	\$6,770
4	Riverside	\$1,746,095			5.85%	\$1,738,592	\$1,738,592	(\$7,504)
4	Sacramento	\$1,255,567			4.21%	\$1,250,171	\$1,250,171	(\$5,396)
1	San Benito	\$39,515			0.13%	\$39,346	\$39,346	(\$170)
4	San Bernardino	\$1,940,623			6.50%	\$1,932,284	\$1,932,284	(\$8,339)



Cluster	Court	Initial Allocation of \$30M (AJN Only)	Modified Allocation of \$30M with Funding Floor of \$25,000*					
			Funding Floor Court?	Floor Funding	Revised AJN Proportion for Non-floor Courts	Allocation of Non floor Funding	Final Allocation	Change with Floor
	Statewide	\$30,000,000		\$275,000		\$29,725,000	\$30,000,000	\$0
4	San Diego	\$2,131,223			7.14%	\$2,122,064	\$2,122,064	(\$9,159)
3	San Francisco	\$736,281			2.47%	\$733,117	\$733,117	(\$3,164)
3	San Joaquin	\$560,019			1.88%	\$557,613	\$557,613	(\$2,407)
2	San Luis Obispo	\$169,996			0.57%	\$169,265	\$169,265	(\$731)
3	San Mateo	\$386,101			1.29%	\$384,442	\$384,442	(\$1,659)
3	Santa Barbara	\$268,360			0.90%	\$267,207	\$267,207	(\$1,153)
4	Santa Clara	\$976,843			3.27%	\$972,645	\$972,645	(\$4,198)
2	Santa Cruz	\$147,972			0.50%	\$147,336	\$147,336	(\$636)
2	Shasta	\$170,783			0.57%	\$170,049	\$170,049	(\$734)
1	Sierra	\$1,947	X	\$25,000			\$25,000	\$23,053
2	Siskiyou	\$41,458			0.14%	\$41,280	\$41,280	(\$178)
3	Solano	\$315,413			1.06%	\$314,057	\$314,057	(\$1,355)
3	Sonoma	\$296,871			0.99%	\$295,596	\$295,596	(\$1,276)
3	Stanislaus	\$417,851			1.40%	\$416,055	\$416,055	(\$1,796)
2	Sutter	\$87,725			0.29%	\$87,348	\$87,348	(\$377)
2	Tehama	\$63,377			0.21%	\$63,104	\$63,104	(\$272)
1	Trinity	\$18,335	X	\$25,000			\$25,000	\$6,665
3	Tulare	\$359,582			1.20%	\$358,037	\$358,037	(\$1,545)
2	Tuolumne	\$56,372			0.19%	\$56,130	\$56,130	(\$242)
3	Ventura	\$519,490			1.74%	\$517,258	\$517,258	(\$2,232)
2	Yolo	\$151,000			0.51%	\$150,351	\$150,351	(\$649)
2	Yuba	\$71,295			0.24%	\$70,989	\$70,989	(\$306)

\* \$25,000 represents approximately 0.25 FTE of the average salary for court reporters from Schedule 7A.