



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE

MATERIALS FOR NOVEMBER 30, 2021 VIRTUAL MEETING

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TRIAL COURT BUDGET ADVISORY COMMITTEE

NOTICE AND AGENDA OF OPEN MEETING

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

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

Date: November 30, 2021
Time: 11:00 a.m. to 3:00 p.m.
Public Call-in Number: <https://jcc.granicus.com/player/event/1482>

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

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

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

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

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the November 16, 2021 Trial Court Budget Advisory Committee (TCBAC) virtual meeting.

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

This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to tcbac@jud.ca.gov. Only written comments received by 11:00 a.m. on November 29, 2021 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEM (ITEMS 1-4)

Item 1

Delegation of Trial Court Trust Fund (TCTF) Authority (Action Required)

Consideration of a recommendation from the Revenue and Expenditure (R&E) Subcommittee to delegate TCTF authority to the Judicial Council Administrative Director to move council-approved funding between programs.

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

Item 2

2021-22 State Trial Court Improvement and Modernization Fund (IMF) Allocation Adjustment for the Judicial Council Information Technology Office (Action Required)

Consideration of a recommendation from the R&E Subcommittee to adjust the 2021-22 IMF allocation for Information Technology telecommunications, statewide planning, and development support programs.

Presenter(s)/Facilitator(s): Ms. Heather Pettit, Chief Information Officer / Director, Information Technology Services
Mr. Jason Haas, Senior Analyst, Judicial Council Budget Services

Item 3

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

Consideration of a recommendation from the Funding Methodology Subcommittee (FMS) on an allocation methodology to cover the costs associated with increased transcript rates effective 2021-22.

Presenter(s)/Facilitator(s): Ms. Rebecca Fleming, Cochair, Funding Methodology Subcommittee

Item 4

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

Consideration of a recommendation from the FMS 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): Ms. Rebecca Fleming, Cochair, Funding Methodology Subcommittee

IV. ADJOURNMENT

Adjourn



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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

November 16, 2021
12:00 p.m. – 1:30 p.m.

<http://jcc.granicus.com/player/event/1475>

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Daniel J. Buckley, Hon. Jill C. Fannin, Hon. Kimberly Gaab, Hon. Patricia L. Kelly, Hon. Erick L. Larsh, Hon. Deborah A. Ryan, Hon. Michael A. Sachs, Hon. Kevin M. Seibert, and Hon. Scott B. Thomsen.

Executive Officers: Ms. Kim Bartleson, Mr. Chad Finke, Mr. Kevin Harrigan, Mr. James Kim, Mr. Shawn Landry, Ms. Krista LeVier, Mr. Brandon E. Riley, Mr. Neal Taniguchi, Mr. Brian Taylor, and Mr. David Yamasaki.

Advisory Body Members Absent: Hon. Theodore C. Zayner, Ms. Rebecca Fleming (Vice Chair), and Mr. Chris Ruhl.

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

OPEN MEETING

Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 12:01 p.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved minutes of the October 14, 2021 Trial Court Budget Advisory Committee (TCBAC) virtual meeting.

DISCUSSION AND ACTION ITEMS (ITEM 1-3)

Item 1 - 2020-21 Final One-Time Reduction for Fund Balances Above the 3% Cap (Action Required)

Review of final submissions of one-time reductions for 2020-21 fund balances.

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

Action: TCBAC unanimously voted to approve the recommendation to approve the 3 percent fund balance cap reduction allocation of \$7,669,000 to match the trial courts' final calculations of the amount above the 3 percent fund balance cap, which nets to \$232,000 with offsetting Trial Court Trust Fund funds held on behalf of the trial court requests, for consideration by the Judicial Branch Budget Committee (Budget Committee) on December 7, 2021 and then the Judicial Council at its January 20-21, 2022 business meeting.

Item 2 - Base Funding Floor Requests (Action Required)

Consideration of a recommendation from the Funding Methodology Subcommittee (FMS) on a base funding floor increase effective July 1, 2022 for Alpine and Sierra Superior Courts, currently set at \$800,000.

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

Action: TCBAC voted, with one abstention, to approve the FMS recommendation to approve a \$150,000 increase to the current base funding floor amount of \$800,000 effective July 1, 2022, for both Alpine and Sierra Superior Courts, for consideration by the Budget Committee on December 7, 2021 and then the council at its January 20-21, 2022 business meeting.

Item 3 - Court Interpreters Program (CIP) Methodology (Action Required)

Consideration of a recommendation from the FMS 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: TCBAC unanimously voted to approve the following recommendation from the FMS, to be considered by the Budget Committee on December 7, 2021 and then by the council at its January 20-21, 2022 business 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 charge the subcommittee with working with Judicial Council staff on development of a payment/reimbursement method.

INFORMATION ONLY ITEMS (ITEMS 1)

Info 1- Trial Court Trust Fund Funds Held on Behalf Expenditure Reporting

Quarterly report to the TCBC on how funds were expended for projects and planned expenditures that are complete.

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

Action: No action taken.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:38 p.m.

Approved by the advisory body on enter date.

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

(Action Item)

Title: Delegation of Trial Court Trust Fund (TCTF) Authority
Date: 11/30/2021
Contact: Oksana Tuk, Senior Analyst, Judicial Council Budget Services
916-643-8027 | oksana.tuk@jud.ca.gov

Issue

Consider a recommendation from the Revenue and Expenditure (R&E) Subcommittee to delegate TCTF authority to the Judicial Council Administrative Director to transfer funding allocations approved by the council from one program or project to another, subject to any restrictions or conditions provided by the Judicial Council.

Background

The Judicial Council has the authority to delegate functions to the Administrative Director, and the recommendations in this report are consistent with the council’s past practice under this authority:

California Constitution, Article VI Judicial

Section 6(c) – The council may appoint an Administrative Director of the Courts, who serves at its pleasure and performs functions delegated by the council or the Chief Justice, other than adopting rules of court administration, practice, and procedure.

California Rules of Court, Rule 10

(a) Functions – The Administrative Director, appointed by the Judicial Council under article VI, section 6 of the Constitution, performs those functions prescribed by the Constitution and laws of the state, or delegated to the director by the Judicial Council or the Chief Justice.

At its business meeting on August 23, 2013, the council delegated limited authority to the Administrative Director to transfer allocations between projects and programs funded from the State Trial Court Improvement and Modernization Fund (IMF)¹.

On November 12, 2021, the R&E Subcommittee approved a recommendation for consideration by the Trial Court Budget Advisory Committee to delegate authority to the Judicial Council Administrative Director to transfer TCTF funding allocations approved by the Judicial Council

¹ Judicial Council meeting report (August 23, 2013), <https://www.courts.ca.gov/documents/jc-20130823-itemG.pdf>; Judicial Council meeting minutes (August 23, 2013), <https://www.courts.ca.gov/documents/jc-20130823-minutes.pdf>.

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

from one program or project to another, subject to any restrictions or conditions provided by the council².

Trial Court Trust Fund

For some programs and projects, annual allocations from the TCTF approved by the council are estimated based on available information at the time allocations are developed. Costs of projects or programs may change due to varying demand levels, services/products availability, personal services costs, and fluctuations in contract terms. Allowing the transfer of allocations between program budgets when unforeseen needs arise (e.g., general salary increases, retirements, etc.) would utilize approved funds in a responsive manner to often time-sensitive needs.

Limited authority delegation would be defined as adjustments that are no more than 20 percent higher than the amount allocated, consistent with the limits imposed by the council in its internal guidelines for the similar types of circumstances with the IMF. Cost increases greater than 20 percent, whether funded from savings or augmentations, new allocations, or an increase to the total level of allocations would require council approval.

Any adjustments made under delegated authority would be reported back to the council after the end of the fiscal year in which they occur, including the dollar amount of each allocation adjustment made between programs or projects and the rationale for such transfer. This is a standard condition to the delegation of authority that the council has included in the past with similar instances of granting such authority, which provides accountability and promotes transparency of a Judicial Council delegate's actions.

This delegation of authority would result in no additional costs or extensive implementation requirements, can start immediately upon council approval, and would provide efficiencies to operational impacts as it would allow for immediate implementation to meet the critical needs of the trial courts and enable council staff to commit funding on a timely basis.

The delegation of authority to the Administrative Director would remain in effect unless revoked.

Recommendation

The R&E Subcommittee recommends approval of delegating authority to the Judicial Council Administrative Director to transfer TCTF funding allocations approved by the Judicial Council from one program or project to another, subject to any restrictions or conditions provided by the council, as necessary, to address unanticipated needs and contingencies, for consideration by the Judicial Branch Budget Committee on December 7, 2021 and the Judicial Council at its January 20-21, 2022 business meeting.

² Revenue and Expenditure Subcommittee meeting report (November 12, 2021), <https://www.courts.ca.gov/documents/tcbac-20211119-rande-materials.pdf>.

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

(Action Item)

Title: 2021-22 State Trial Court Improvement and Modernization Fund (IMF)
Allocation Adjustment for the Judicial Council Information Technology
Office

Date: 11/19/2021

Contact: Jason Haas, Senior Analyst, Judicial Council Budget Services
916-643-7061 | Jason.Haas@jud.ca.gov
Heather Pettit, Chief Information Officer/Director, Judicial Council Information
Technology
916-263-2708 | Heather.Pettit@jud.ca.gov

Issue

Consider a recommendation from the Revenue and Expenditure (R&E) Subcommittee of a net zero adjustment to the Information Technology (IT) 2021-22 Judicial Council-approved allocation from the IMF. This adjustment consists of an increase of \$168,667 to the Statewide Planning and Development Support (SPDS) program and an increase of \$195,750 to the Telecommunications Support program State Operations (SO) allocations, which will be offset by reductions in a corresponding amount from the Local Assistance (LA) budget for each program.

Background

Statewide Planning and Development Support Program – The Judicial Council’s IT SPDS program began in 2010-11 and supports the trial courts by providing software licensing and services including database solutions, voice to text translation solutions, on-line chat software, data analytics software, text and email messaging solutions, and reporting solutions. Software licenses and use are provided to courts without any direct court costs. In addition, the program supports branch-wide enterprise architecture, including networking, cloud services, and software design, to facilitate business and technology alignment throughout the branch.

From 2010 through the present, the SPDS program has almost exclusively been supported by consultant resources. In 2020, a 0.5 full-time equivalent (FTE) IT Enterprise Architect was added to the program. However, the council continues to rely on consultant resources to provide consulting and technological expertise, standard infrastructure, application development, and cloud integration architecture support as well as to provide business analysis and requirements gathering, program fiscal analysis and administration, and contractual support for the program.

The IT SPDS program is requesting the permanent conversion of two Enterprise Architects, one Senior Technical Analyst and one Senior Business Analyst from consultants to 4.0 FTEs. The

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BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee

cost associated with this request is a net zero (see Table 1). The start date of these four positions is estimated to be phased in starting April 1, 2022 through June 1, 2022.

Table 1 – Proposed 2021-22 SPDS Funding

SPDS Staff	Start Date	Salary	Benefits	Total	OE&E ¹ (Std. Comp.)	Total 2021-22
(new) IT Architect	4/1/22	\$33,250	\$23,500	\$56,750	\$9,250	\$66,000
(new) Sr. Tech Analyst	5/1/22	17,667	12,500	30,167	8,167	38,333
(new) Sr. BSA	5/1/22	17,667	12,500	30,167	8,167	38,333
(new) IT Architect	6/1/22	11,083	7,833	18,917	7,083	26,000
Total		\$79,667	\$56,333	\$136,000	\$32,667	\$168,667

Permanent positions for this program are needed to provide a foundational level of support and ensure that institutional knowledge is maintained with full-time resources rather than consultants that may leave the projects at any time. In addition, technical standards and policies for the SPDS program are complex and need to be updated frequently to match industry best practices and changing technologies. It is in the best interest of the council to have this institutional knowledge reside with FTEs rather than consultants. The program will continue to use consultants for project specific and short-term needs.

Telecommunications Support Program - The council’s IT Telecommunications Support program began in 2000-01. In 2015-16, additional baseline funding was received from a budget change proposal (BCP) to ensure the program was able to support all 58 courts. The program supports the trial courts by providing refresh and maintenance of network technology, network security services, local court IT staff training, and funding for consultant resources required for project management, implementation, and coordination with courts and vendors. Annually, court equipment that is replaced include routers, switches, wireless local area network controllers, and Wi-Fi access points. Thousands of pieces of court equipment are replaced each year and are tracked to ensure that support warranties on devices do not lapse. Timely replacement of network infrastructure devices is extremely important to ensure that courts have equipment with current warranties and immediate vendor support if any device fails. Having devices that are under current support warranties, including patching, which is essential to branch information security, ensures business continuity and maximum up-time for critical trial court applications like case management systems, Phoenix financial and Human Resources system, intranet, Wi-Fi, and email systems.

¹ OE&E: Operating expenditures and equipment.

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From 2001 through the present, the Telecommunications Support program has exclusively been supported by consultant resources. The 2015-16 BCP for the Telecommunications program (BCP 0250-008-BCP-BP-2015-A1) allocates \$1.1 million in annual funding for five contractor resources to provide consulting and technological expertise, project management, and program management. The Telecommunications Support program is requesting the permanent conversion of consultants to FTEs needed to support the program. The positions requested include one Manager, two Senior Technical Analysts, one Senior Business Systems Analyst, 0.5 IT Architect, and one Fiscal Services Coordinator, which totals 5.5 FTEs. The costs associated with this request is a net zero (see Table 2). The start date of the positions is estimated to be phased in starting April 1, 2022 through June 1, 2022.

Table 2 – Proposed 2021-22 Telecommunications Support Funding

Telecommunications Support Staff	Start Date	Salary	Benefits	Total	OE&E (Std. Comp.)	Total 2021-22
(new) Manager	4/1/22	\$33,250	\$23,500	\$56,750	\$9,250	\$66,000
(new) Sr. Tech Analyst	5/1/22	17,667	12,500	30,167	8,167	38,333
(new) Sr. Tech Analyst	5/1/22	17,667	12,500	30,1667	8,167	38,333
(new) Fiscal Svc. Coord.	6/1/22	6,333	4,500	10,833	7,083	17,917
(new) Sr. BSA	6/1/22	8,833	6,250	15,083	7,083	22,167
(new) IT Architect (0.5)	6/1/22	5,542	3,917	9,458	3,542	13,000
Total		\$89,292	\$63,167	\$152,458	\$43,2912	\$195,750

Permanent positions for this program are needed to provide a foundational level of support and ensure that institutional knowledge is maintained with full-time resources rather than consultants that may leave the projects at any time. In addition, the projects the Telecommunications Support program undertakes are extremely large and complex. Each one includes 35-50 courts, replaces hundreds to thousands of devices, and typically have an 18-month duration from start to finish. These projects are planned on a rolling five-year basis and have overlapping schedules and resource requirements for design, procurement, and implementation. The loss of one resource could impact as many as three project cycles while that position is being filled and the new resources come up to speed on the projects. It is in the best interest of the council to have this institutional knowledge reside with FTEs rather than consultants. The program will continue to use consultants for project specific and short-term needs.

In 2020-21, permanent savings of approximately \$577,000 per year was achieved in the SPDS program by permanently reducing two consultants. The Telecommunications Support program will be able to reduce overall consulting expenditures to cover the cost of transition to 5.5 FTEs.

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The estimated costs for this request for the remainder of 2021-22 and 2022-23 are in Table 3 below. It is important to note that the request for 2021-22 is for a shift in already approved allocation authority from LA to SO (Table 4) and does not increase the overall approved program allocation amounts. The estimated costs for 2022-23 will also result in a net zero change from previously estimated program expenditures. There is sufficient excess SO authority to approve this request in 2021-22 as the difference between the 2021 Budget Act authority and Judicial Council approved allocation is more than the amount being requested (see Table 5).

Table 3 – Estimated 2022-23 SPDS and Telecommunications Support Funding

SPDS Consultants	Annual Consulting Cost	New FTE Position	Annual FTE Cost
Enterprise Architect 1	\$256,880	IT Architect	\$251,000
Enterprise Architect 2	256,680	IT Architect	251,000
IT Tech. Proj. Manager	219,880	Sr. Tech Analyst	205,000
Sr. Bus. Systems Analyst	178,560	Sr. BSA	205,000
Total	\$912,000		\$912,000

\$0 overall cost to convert 4 consultants from LA to 4.0 FTEs and SO.

Telecom Support Consultants (from BCP)	Annual Consulting Cost	New FTE Position	Annual FTE Cost
IT Consultant 1	\$225,000	Manager	\$247,000
IT Consultant 2	225,000	Sr. Tech Analyst	201,000
IT Consultant 3	225,000	Sr. Tech Analyst	201,000
IT Consultant 4	225,000	0.5 IT Architect	125,000
IT Consultant 5	225,000	Sr. BSA	201,000
		Fisc. Svcs. Coord.	150,000
Total	\$1,125,000		\$1,125,000

\$0 overall cost to convert 5 consultants from LA to 5.5 FTEs and SO.

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Table 4 – Local Assistance and State Operations IMF Impact

2021-22 SPDS/Telecom	Local Assistance	State Ops	Total
Approved Allocation	\$9,273,000	\$123,000	\$9,396,000
Requested Change	-364,417	364,417	-
Total	\$8,908,583	\$487,417	\$9,396,000

Table 5 – Expenditure Authority

Description	2021-22
Budget Act – State Operations Authority	\$6,078,000
Less State Operations Approved Allocation	-5,532,000
Excess Authority Before Request	\$546,000
Less Requested Authority Increase (Rounded)	-365,000
Excess Authority if Request is Approved	\$181,000

Recommendation

The following recommendation is presented to the Trial Court Budget Advisory Committee for approval to be considered by the Judicial Branch Budget Committee at its December 7, 2021 meeting and the Judicial Council at its March 12, 2022 business meeting:

Approve a change to the 2021-22 approved LA allocation from the IT SPDS program (\$168,667) and the IT Telecommunications Support program (\$195,750), totaling \$364,417, shifting this amount to SO to allow for the hire of 4.0 FTE positions for the SPDS program and 5.5 FTE positions for the Telecommunications Support program. Approval of this funding shift request for 2021-22 allocations carries the understanding that future year allocation requests for these positions will be the same. Long-term funding for the 9.5 FTEs will result in no additional cost to the previous 2022-23 IT SPDS and Telecommunications Support program estimated expenditures.

Attachments

Attachment 2A: Judicial Council 2021-22 Approved Allocations from the IMF – State Operations and Local Assistance Appropriations

Attachment 2B: IMF – Fund Condition Statement

Judicial Council of California
Approved 2021-22 Allocations
State Trial Court Improvement and Modernization Fund
State Operations and Local Assistance Appropriations

#	Program Name	Office	Approved 2021-22 Allocations		
			State Operations	Local Assistance	Total
A	B	C	D	E	F = (D + E)
Program Adjustments					
1	Audit Services	AS	\$ 360,000		\$ 360,000
2	Trial Court Master Agreements	BAP	\$ 157,000		\$ 157,000
3	Workload Assessment Advisory Committee	BMS		\$ 9,000	\$ 9,000
4	Juror Source List Update	BMS		\$ 200,000	\$ 200,000
5	Budget Focused Training and Meetings	BS		\$ 30,000	\$ 30,000
6	Treasury Services - Cash Management	BS	\$ 319,000		\$ 319,000
7	Revenue Distribution Training	BS		\$ 10,000	\$ 10,000
8	Domestic Violence Forms Translation	CFCC		\$ 17,000	\$ 17,000
9	Interactive Software - Self-Rep Electronic Forms	CFCC		\$ 60,000	\$ 60,000
10	Self-Help Center	CFCC		\$ 5,000,000	\$ 5,000,000
11	Statewide Multidisciplinary Education	CFCC		\$ 67,000	\$ 67,000
12	Shriver Civil Counsel- cy près Funding	CFCC		\$ 1,289,000	\$ 1,289,000
13	Statewide Support for Self-Help Programs	CFCC		\$ 100,000	\$ 100,000
14	Court Interpreter Testing etc.	CFCC		\$ 143,000	\$ 143,000
15	CJER Faculty	CJER		\$ 48,000	\$ 48,000
16	Essential Court Management Education	CJER		\$ 40,000	\$ 40,000
17	Essential Court Personnel Education	CJER		\$ 130,000	\$ 130,000
18	Judicial Education	CJER	\$ 40,000	\$ 808,000	\$ 848,000
19	Trial Court Labor Relations Academies and Forums	HR		\$ 23,000	\$ 23,000
20	Data Center and Cloud Service	IT	\$ 2,103,000	\$ 6,479,000	\$ 8,582,000
21	Uniform Civil Filing Services	IT	\$ 421,000	\$ 16,000	\$ 437,000
22	California Courts Protective Order Registry (CCPOR)	IT	\$ 406,000	\$ 794,000	\$ 1,200,000
23	Telecommunications	IT		\$ 12,470,000	\$ 12,470,000
24	Enterprise Policy & Planning (Statewide Planning and Dev Support)	IT	\$ 123,000	\$ 3,764,000	\$ 3,887,000
25	Data Integration	IT	\$ 780,000	\$ 1,099,000	\$ 1,879,000
26	Jury Management System	IT		\$ 665,000	\$ 665,000
27	Case Management System Replacement	IT		\$ 3,053,000	\$ 3,053,000
28	Telecom	IT		\$ 5,509,000	\$ 5,509,000
29	Judicial Performance Defense Insurance	LS		\$ 1,509,000	\$ 1,509,000
30	Jury System Improvement Projects	LS		\$ 19,000	\$ 19,000
31	Regional Office Assistance Group	LS	\$ 823,000		\$ 823,000
32	Litigation Management Program	LS		\$ 6,119,000	\$ 6,119,000
33	Total		\$ 5,532,000	\$ 49,470,000	\$ 55,002,000

Totals by Office		Office	State Operations	Local Assistance	Total
Legend	C	E	F	G = (E + F)	
34	Audit Services	AS	\$ 360,000	\$ -	\$ 360,000
35	Branch Accounting and Procurement	BAP	\$ 157,000	\$ -	\$ 157,000
36	Business Management Services	BMS		\$ 209,000	\$ 209,000
37	Budget Services	BS	\$ 319,000	\$ 40,000	\$ 359,000
38	Center for Families, Children and the Courts	CFCC	\$ -	\$ 6,676,000	\$ 6,676,000
39	Center for Judicial Education and Research	CJER	\$ 40,000	\$ 1,026,000	\$ 1,066,000
40	Human Resources	HR	\$ -	\$ 23,000	\$ 23,000
41	Information Technology	IT	\$ 3,833,000	\$ 33,849,000	\$ 37,682,000
42	Legal Services	LS	\$ 823,000	\$ 7,647,000	\$ 8,470,000
Total Allocations			\$ 5,532,000	\$ 49,470,000	\$ 55,002,000

**State Trial Court Improvement and Modernization Fund
Fund Condition Statement
2022-23 Governor's Budget (estimated)**

Attachment 2B

Updated: October 29, 2021

#	Description	Estimated					
		2018-19 (Year-end Financial Statement)	2019-20 (Year-end Financial Statement)	2020-21 (Year-end Financial Statement)	2021-22	2022-23	2023-24
		A	B	C	D	E	F
1	Beginning Balance	14,796,514	15,864,292	21,152,288	16,886,263	9,082,006	2,673,749
2	Prior-Year Adjustments	-973,149	5,086,942	2,422,584	1,419,000	0	0
3	Adjusted Beginning Balance	13,823,364	20,951,234	23,574,872	18,305,263	9,082,006	2,673,749
4	REVENUES¹:						
5	Jury Instructions Royalties	648,480	693,156	465,860	575,000	604,000	604,000
6	Interest from Surplus Money Investment Fund	1,565,780	1,504,475	242,481	151,000	151,000	151,000
7	Escheat-Unclaimed Checks, Warrants, Bonds	244	0	64,648	0		
8	50/50 Excess Fines Split Revenue	11,177,463	6,982,134	7,288,250	4,325,000	4,143,000	3,864,000
9	2% Automation Fund Revenue	10,698,861	9,356,014	7,925,456	7,799,000	7,598,000	7,598,000
10	Other Revenues/State Controller's Office Adjustments	359,153	60,268	365,534	2,000	2,000	2,000
11	Class Action Residue	1,311,975	1,057,614	910,634	0	0	0
12	Subtotal Revenues	25,761,957	19,653,661	17,262,862	12,853,000	12,499,000	12,220,000
13	Transfers and Other Adjustments						
14	To Trial Court Trust Fund (Gov. Code, § 77209(j))	-13,397,000	-13,397,000	-13,397,000	-13,397,000	-13,397,000	-13,397,000
15	To Trial Court Trust Fund (Budget Act)	-594,000	-594,000	-594,000	-594,000	-594,000	-594,000
16	From State General Fund						
17	Total Revenues, Transfers, and Other Adjustments	11,770,957	5,662,661	3,271,862	-1,138,000	-1,492,000	-1,771,000
18	Total Resources	25,594,322	26,613,895	26,846,734	17,167,263	7,590,006	902,749
19	EXPENDITURES²:						
20	Judicial Branch Total State Operations	4,724,200	4,538,757	4,635,013	5,935,000	6,497,000	6,497,000
21	Judicial Branch Total Local Assistance	49,813,207	70,316,604	47,825,123	49,067,000	42,349,000	38,356,999
22	Pro Rata and Other Adjustments	305,622	105,746	288,335	355,257	355,257	355,257
24	Less funding provided by General Fund (Local Assistance)	-45,114,000	-69,501,000	-42,788,000	-47,272,000	-44,285,000	-44,285,000
25	Total Expenditures and Adjustments	9,729,029	5,460,608	9,960,471	8,085,257	4,916,257	924,256
26	Fund Balance	15,864,292	21,152,288	16,886,263	9,082,006	2,673,749	-21,507
27	Reserve Funds (June 24, 2016, Judicial Council)	2,000,000	2,000,000	2,000,000	2,000,000		
28	Restricted Funds - Jury Management	826,656	835,812	649,637	540,637	460,637	380,637
29	Restricted Funds - Sargent Shriver Civil Counsel	1,517,590	2,054,512	1,394,454	105,454	0	0
30	Restricted Funds - Case Management Systems (CMS)	1,659,989	0	250,000	0	0	0
31	Fund Balance - less restricted funds	9,860,057	16,261,964	12,592,172	6,435,915	2,213,112	-402,144
32	Structural Balance	2,041,928	202,054	-6,688,609	-9,223,257	-6,408,257	-2,695,256

¹ Revenue estimates include actuals through January 2021 and mirror the May Revise estimate provided to DOF. Estimates include the projected effects of COVID-19.

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

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

Date: 11/18/2021

Contact: Chris Belloli, Manager, Business Management Services
415-865-7658 | chris.belloli@jud.ca.gov

Issue

Consideration of a recommendation from the Funding Methodology Subcommittee (FMS) 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 Judicial Branch Budget Committee (Budget Committee).

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
(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 and was presented to the FMS at its November 17, 2021 meeting. 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 percent 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 3A.

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 process will occur at the end of each fiscal year to pull back any remaining funds.

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

For this first year of funding, the true up process will account for the September 23, 2021 effective date of the increased transcript rate. Expenditures on or after this date in the current fiscal year will be part of the true up process for 2021-22, and the baseline amount will be adjusted accordingly to reflect a similar time period (i.e., from September 23, 2021 through June 30, 2022, or approximately 77% of the fiscal year). This process and adjustments for 2021-22 are outlined in Table 2 below.

Table 2 – Annual Reversion Calculation for 2021-22

Court	Actual Expenditures			3-Year Average	2021-22 Allocation from \$7M	2021-22 Actuals (on/after Sept 23, 2021)	Adjusted Baseline (77% of 2020-21)	GF Reversion
	2018-19	2019-20	2020-21 (Baseline)					
A	\$110,000	\$85,000	\$100,000	\$98,333	\$43,260	\$110,000	77,000	\$10,260

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 on or after September 23 for 2021-22 would be \$110,000, which is a \$33,000 increase from the adjusted 2020-21 baseline amount for 2021-22 (\$110,000 - \$77,000 = \$33,000). Comparing the \$33,000 increase to the \$43,260 allocation from the 2021-22 appropriation, the court would be required to revert the remaining \$10,260 (\$43,260 - \$33,000 = \$10,260) to the General Fund.

Recommendation

The FMS recommends the following for approval, to be considered by the 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, adjusted to reflect the September 23, 2021 effective date of the increased transcript rate outlined in Attachment 3B, 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.

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(Action Item)

Attachments

Attachment 3A: 2021-22 \$7 Million Increased Transcript Rate Funding Allocation Methodology

Attachment 3B: Adjusted Baseline Amount for 2021-22 True Up Process

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			
	Statewide	\$18,850,026	\$15,996,562	\$12,739,717	\$15,862,102	100.00%	\$7,000,000	44%
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			
	Statewide	\$18,850,026	\$15,996,562	\$12,739,717	\$15,862,102	100.00%	\$7,000,000	44%
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

Adjusted Baseline Amount for 2021-22 True Up Process

Cluster	Court	Proportional Allocation of \$7M	Adjustment of FY 2020-21 Expenditures to Establish Baseline		
			FY 2020-21 Expenditures	Adjustment Factor*	Adjusted Baseline
	Statewide	\$7,000,000	\$12,739,717		
4	Alameda	\$193,951	\$316,575	77%	\$243,587
1	Alpine	\$65	\$139	77%	\$107
1	Amador	\$11,629	\$18,321	77%	\$14,097
2	Butte	\$43,114	\$97,894	77%	\$75,324
1	Calaveras	\$10,777	\$26,846	77%	\$20,657
1	Colusa	\$7,021	\$8,008	77%	\$6,161
3	Contra Costa	\$218,482	\$405,961	77%	\$312,364
1	Del Norte	\$22,543	\$53,391	77%	\$41,081
2	El Dorado	\$34,245	\$49,904	77%	\$38,399
3	Fresno	\$218,439	\$431,683	77%	\$332,156
1	Glenn	\$4,050	\$7,650	77%	\$5,887
2	Humboldt	\$2,109	\$7,435	77%	\$5,721
2	Imperial	\$11,443	\$23,298	77%	\$17,927
1	Inyo	\$4,634	\$10,357	77%	\$7,969
3	Kern	\$340,920	\$709,145	77%	\$545,648
2	Kings	\$140,632	\$275,882	77%	\$212,276
2	Lake	\$16,975	\$32,336	77%	\$24,881
1	Lassen	\$16,301	\$30,822	77%	\$23,716
4	Los Angeles	\$2,041,923	\$3,433,513	77%	\$2,641,897
2	Madera	\$36,421	\$83,123	77%	\$63,958
2	Marin	\$25,634	\$45,711	77%	\$35,172
1	Mariposa	\$1,702	\$4,709	77%	\$3,624
2	Mendocino	\$63,169	\$134,226	77%	\$103,280
2	Merced	\$61,420	\$156,237	77%	\$120,216
1	Modoc	\$8,475	\$7,155	77%	\$5,505
1	Mono	\$1,627	\$2,806	77%	\$2,159
3	Monterey	\$64,760	\$127,556	77%	\$98,148
2	Napa	\$54,905	\$90,806	77%	\$69,870
2	Nevada	\$16,842	\$23,786	77%	\$18,302
4	Orange	\$468,200	\$982,451	77%	\$755,941
2	Placer	\$68,189	\$148,518	77%	\$114,277
1	Plumas	\$2,219	\$2,104	77%	\$1,619
4	Riverside	\$8,289	\$11,186	77%	\$8,607
4	Sacramento	\$332,378	\$623,902	77%	\$480,058
1	San Benito	\$2,409	\$3,766	77%	\$2,898
4	San Bernardino	\$323,461	\$636,886	77%	\$490,049

Adjusted Baseline Amount for FY 2021-22 True Up Process

Cluster	Court	Proportional Allocation of \$7M	Adjustment of FY 2020-21 Expenditures to Establish Baseline		
			FY 2020-21 Expenditures	Adjustment Factor*	Adjusted Baseline
	Statewide	\$7,000,000	\$12,739,717		
4	San Diego	\$428,186	\$501,181	77%	\$385,631
3	San Francisco	\$226,213	\$300,914	77%	\$231,536
3	San Joaquin	\$151,536	\$349,811	77%	\$269,160
2	San Luis Obispo	\$54,750	\$135,606	77%	\$104,341
3	San Mateo	\$113,176	\$280,961	77%	\$216,184
3	Santa Barbara	\$88,125	\$134,408	77%	\$103,419
4	Santa Clara	\$270,052	\$497,743	77%	\$382,985
2	Santa Cruz	\$60,383	\$100,255	77%	\$77,141
2	Shasta	\$42,883	\$88,543	77%	\$68,129
1	Sierra	\$435	\$698	77%	\$537
2	Siskiyou	\$17,350	\$31,755	77%	\$24,434
3	Solano	\$75,110	\$159,262	77%	\$122,543
3	Sonoma	\$63,996	\$118,224	77%	\$90,967
3	Stanislaus	\$86,827	\$239,016	77%	\$183,910
2	Sutter	\$15,368	\$36,528	77%	\$28,107
2	Tehama	\$8,593	\$13,000	77%	\$10,003
1	Trinity	\$8,018	\$7,875	77%	\$6,059
3	Tulare	\$167,432	\$298,604	77%	\$229,759
2	Tuolumne	\$29,445	\$90,624	77%	\$69,730
3	Ventura	\$113,487	\$168,224	77%	\$129,439
2	Yolo	\$88,330	\$138,545	77%	\$106,603
2	Yuba	\$10,952	\$23,853	77%	\$18,354

* Adjustment factor of 77% represents proportion of fiscal year from September 23, 2021 through June 30, 2022.

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

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

Date: 11/18/2021

Contact: Chris Belloli, Manager, Business Management Services
415-865-7658 | chris.belloli@jud.ca.gov

Issue

Consideration of a recommendation from the Funding Methodology Subcommittee (FMS) 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 Judicial Branch Budget Committee (Budget Committee).

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
 (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) for consideration by the FMS on November 17, 2021. 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 4A)¹. 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 courts², 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

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

² 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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d) Funds would be allocated in one lump sum upon approval by the Judicial Council.

Details of this approach are outlined in Attachment 4B.

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 FMS recommends the following for approval, to be considered by the 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 year³; and
4. Identify unspent funds for General Fund reversion each fiscal year as necessary.

Attachments

Attachment 4A: 2020-21 Assessed Judicial Workload and Pending \$30 Million Proportional Allocation

Attachment 4B: 2021-22 \$30 Million Court Reporter Allocation Methodology with Funding Floor

³ The AJN data is updated on a biennial basis and the Schedule 7A is updated annually.

Attachment 4A: 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

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	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)

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

Criminal case types: Felony, Misdemeanors, Infractions

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.