



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE FUNDING METHODOLOGY SUBCOMMITTEE

MINUTES OF OPEN MEETING

April 19, 2022

1:00 p.m. - 4:00 p.m.

<https://jcc.granicus.com/player/event/1704>

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Cochair), Hon. Patricia L. Kelly, and Hon. Kevin M. Seibert.

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

Advisory Body Members Absent: Hon. B. Scott Thomsen and Mr. James Kim.

Others Present: Ms. Fran Mueller, Mr. Zlatko Theodorovic, Ms. Brandy Olivera, Ms. Michele Allan, and Mr. Catrayel Wood.

OPEN MEETING

Call to Order and Roll Call

The cochairs called the meeting to order at 1:01 p.m. and took roll call.

Approval of Minutes

The subcommittee reviewed and approved the minutes of the November 17, 2021 Funding Methodology Subcommittee (FMS) meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-5)

Item 1: Workload Formula Adjustment Request Process (ARP) (Action Required)

Discuss one ARP submitted to the Judicial Council Administrative Director.

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

Action: *The FMS unanimously voted for Judicial Council staff to survey courts in order to obtain the most recent obligations intended to be funded with civil assessment or other revenues and share this information back with FMS to determine if the debt obligations should be adjusted, which revenue sources should be included, and how these obligations should reflect in the Workload Formula compared to actual revenue received for implementation July 1, 2023.*

Item 2: Allocation Methodology of Trial Court Funding in 2022-23 Governor's Budget (Action Required)

Discuss methodologies to allocate trial court funding included in the 2022-23 Governor's Budget.

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

Action: *The FMS unanimously voted to approve the following recommendations for consideration by the Trial Court Budget Advisory Committee (TCBAC), the Judicial Branch Budget Committee (Budget Committee), and then the Judicial Council at its July 14-15, 2022 business meeting:*

1. *First allocate \$84.2 million to 56 trial courts using the 3.8 percent Consumer Price Index–based increase over each court's fiscal year 2021–22 Workload Formula allocation, excluding the two base funding floor courts and without a non-sheriff security reduction;*
2. *Then allocate \$100 million equity funding to bring courts below the 2022-23 statewide average funding level up to, or as close to, the statewide average funding level, where each court would be brought up to the same Workload Formula percentage and without a non-sheriff security reduction; and*
3. *Lastly allocate \$31.2 million in new judgeship funding via the council-approved Workload Formula methodology as outlined above, with non-sheriff security funding reduced from the funding amount prior to allocation.*

Item 3: Base Funding Floor Review (Action Required)

Consider updates to the current base funding floor process for requesting adjustments.

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

Action: *The FMS unanimously voted that the base funding floor courts should be eligible for inflationary increases similar to all other courts, and for Judicial Council staff to develop options to bring back to FMS for consideration that provides an inflationary increase for the base funding floor courts not in excess of the inflationary percentage provided to all other courts and not to the base funding floor courts' detriment.*

Item 4: Judicial Council-Provided Services Update (Action Required)

Discuss updates regarding Judicial Council-provided services versus those that are funded by local trial court operations funds included in the FMS Work Plan.

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

Action: *The FMS unanimously voted to approve a recommendation to retain item 1, identify and evaluate the impact of Judicial Council-provided services compared to those that are funded by local court*

operations funds, on the FMS Work Plan and for Judicial Council staff to begin researching internally what services are used by which trial courts and bring the information back to FMS.

Item 5: FMS Work Plan (Action Required)

Discuss updates to the FMS Work Plan.

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

Action: *The FMS unanimously voted to update the annual work plan and present the following recommendations for TCBAC and Budget Committee consideration:*

- 1. Move item 1, Judicial Council-provided services, and item 2, Court Interpreter Program funding methodology, to 2022-23;*
- 2. Separate item 3 into two parts, reevaluation of the cluster system and reevaluation of floor funding, and move to 2022-23;*
- 3. Mark item 4, tracking the work of the AB 1058 methodologies, as complete;*
- 4. Add a new item for 2022-23 to evaluate the Workload Formula Adjustment Request Process request submitted in January 2022;*
- 5. Add a placeholder item for 2022-23 to develop a solution to the Maintenance of Effort and its relation to civil assessments, to be developed after the 2022 budget is enacted.*

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 2:29 p.m.

Approved by the advisory body on June 15, 2022.