



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE
REVENUE AND EXPENDITURE SUBCOMMITTEE

MATERIALS FOR AUGUST 15, 2022
VIDEO CONFERENCE MEETING

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www.courts.ca.gov/tcbac.htm
tcbac@jud.ca.gov

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TRIAL COURT BUDGET ADVISORY COMMITTEE REVENUE AND EXPENDITURE 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

Date: August 15, 2022
Time: 4:00 p.m. - 5:00 p.m.
Public Call-in Number: <https://jcc.granicus.com/player/event/1910>

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 April 14, 2022 Revenue and Expenditure Subcommittee 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 4:00 p.m. on August 12, 2022 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEM 1)

Item 1

Employee Assistance Program (EAP) Services for Trial Court Judges (Action Required)

Deliberation regarding EAP services for trial court judges.

Presenter(s)/Facilitator(s): Ms. Shirley Mohammed, Analyst, Judicial Council Budget Services

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

None

V. ADJOURNMENT

Adjourn



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TRIAL COURT BUDGET ADVISORY COMMITTEE
REVENUE AND EXPENDITURE SUBCOMMITTEE

MINUTES OF OPEN MEETING

April 14, 2022

12:00 p.m. – 2:00 p.m.

<https://jcc.granicus.com/player/event/1708>

Advisory Body Members Present: Judges: Hon. Patricia L. Kelly (Cochair), Hon. Jill C. Fannin, and Hon. Deborah A. Ryan.

Executive Officers: Mr. David H. Yamasaki (Cochair), Ms. Kim Bartleson, Mr. Shawn Landry, Mr. Neal Taniguchi, and Mr. Brian Taylor.

Advisory Body Members Absent: Judges: Hon. Michael A. Sachs

Executive Officers: Ms. Rebecca Fleming

Others Present: Mr. Zlatko Theodorovic, Ms. Fran Mueller, Ms. Brandy Olivera, Ms. Michele Allan, Ms. Shirley Mohammed, and Ms. Oksana Tuk.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:00 p.m. and roll was called.

Approval of Minutes

The advisory body reviewed and approved the minutes of the November 12, 2021 Revenue and Expenditure (R&E) Subcommittee meeting.

DISCUSSION AND ACTION ITEMS (ITEM 1-2)

Item 1 – Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2022-23 (Action Required)

Deliberation regarding allocations from the IMF for 2022-23.

Presenter: Ms. Shirley Mohammed, Analyst, Judicial Council Budget Services

Action: The R&E Subcommittee voted unanimously to approve a recommendation to allocate \$45,384,000 in preliminary allocations for 2022-23 from the IMF.

Item 2 – Allocations from the Trial Court Trust Fund (TCTF) for 2022-23 (Action Required)

Deliberation regarding allocations from the TCTF for 2022-23.

Presenters: Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

Action: The R&E Subcommittee voted unanimously to approve a recommendation to allocate \$220,043,000 in preliminary allocations for 2022-23 from the TCTF.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:15 p.m.

Approved by the advisory body on enter date.

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

Title: Employee Assistance Program (EAP) Services for Trial Court Judges
Date: 8/15/2022
Contact: Shirley Mohammed, Analyst, Judicial Council Budget Services
916-263-1933 | shirley.mohammed@jud.ca.gov

Issue

Consideration of a recommendation to allocate State Trial Court Improvement and Modernization Fund (IMF) funding for reinstatement of EAP services for funded trial court judgeships statewide effective December 1, 2022, for consideration by the Trial Court Budget Advisory Committee (TCBAC), the Judicial Branch Budget Committee (Budget Committee), and then the Judicial Council at its November 18, 2022 business meeting.

Background

The Judicial Council's Human Resources (HR) office currently contracts with Humana as the EAP provider for the state level judicial branch entities. Through the provider's network of health professionals across the state, the judicial branch's EAP provides active members up to six visits per issue for use of assessment, crisis intervention, short-term counseling, and referrals to community services. Trial court judges previously had access to the judicial branch's EAP services funded through the IMF. In August 2013, the Revenue and Expenditure (R&E) Subcommittee recommended elimination of funding and services due to low utilization,¹ which was approved by the TCBAC² and then the council in April 24, 2014.³

In May 2022, the HR office conducted an informal poll of approximately 20 percent of trial courts to assist in determining the level of EAP services that courts are providing directly to judges, and identified that approximately 64 percent of courts polled do not currently provide these services.

¹ R&E Subcommittee meeting report (August 14, 2013), <https://www.courts.ca.gov/documents/TCBAC-20130814-Item-3.pdf>; R&E Subcommittee meeting minutes (August 14, 2013), https://www.courts.ca.gov/documents/TCBAC_min082013.pdf.

² TCBAC meeting report (January 16, 2014), <https://www.courts.ca.gov/documents/TCBAC-Meeting-Materials-20140116.pdf>; TCBAC meeting minutes (January 16, 2014), <https://www.courts.ca.gov/documents/tcbac-20140116-minutes.pdf>.

³ Judicial Council meeting report (April 24, 2014), <https://www.courts.ca.gov/documents/jc-20140425-item2.pdf>; Judicial Council meeting minutes (April 24, 2014), <https://www.courts.ca.gov/documents/jc-20140425-minutes.pdf>.

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

Cost Impact

The HR office is currently conducting a request for proposal (RFP) for a contracted EAP provider as services through Humana will cease effective December 5, 2022. Using an estimated cost of \$2.00 per judge per month, with an anticipated increase of approximately 3.5 percent annually, the estimated cost for 1,757 funded judgeships is shown in the table below (actual costs may come in higher or lower based on the outcome of the RFP).

The current 2022-23 council-approved IMF allocations by office are included as Attachment A, with the most recent IMF fund condition statement included as Attachment B.⁴ The IMF will end 2022-23 with a fund balance of \$16.5 million, of which approximately \$13.8 million is unrestricted.

Fiscal Year	Monthly Rate per Judge	Total Estimated Annual Cost (rounded)
2022-23 (7 months)	\$2.00	\$25,000
2023-24	\$2.07	\$44,000
2024-25	\$2.14	\$45,000
2025-26	\$2.21	\$47,000

Recommendation

To ensure trial court judges have access to EAP services and based on the current fund condition of the IMF, it is recommended that the R&E Subcommittee approve an increase to the 2022-23 IMF allocation to the HR office in the amount of \$27,500 effective December 1, 2022. This amount reflects a 10 percent increase in the cost estimate should the final contract costs come in higher than estimated, for consideration by the TCBAC, the Budget Committee, and then the council at its November 18, 2022 business meeting.

Attachment

Attachment A: 2022-23 IMF Allocations

Attachment B: IMF Fund Condition Statement

⁴ Judicial Council meeting report (July 15, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11017083&GUID=892EF6DD-939A-4662-9E15-053A001A3BB0>; Judicial Council meeting minutes (July 15, 2022), <https://jcc.legistar.com/View.ashx?M=M&ID=869107&GUID=7982B915-4E53-4539-9B54-8536AB5EF9A1>.

**Judicial Council Approved 2022–23 Allocations
from the State Trial Court Improvement and Modernization Fund (IMF)
State Operations and Local Assistance Appropriations**

#	Program Name and Adjustments	Office	2022-23 Allocations		
			Judicial Council Approved Allocations	Proposed Adjustments	Pending Total Allocations
A	B	C	D	E	F
1	Audit Services	AS	\$ 354,000		\$ 354,000
2	Trial Court Master Agreements	BAP	\$ 169,000	-	\$ 169,000
3	Workload Assessment Advisory Committee	BMS	\$ 9,000		\$ 9,000
4	Juror Source List Update	BMS	\$ -		\$ -
5	Budget-Focused Training and Meetings	BS	\$ 30,000		\$ 30,000
6	Treasury Services—Cash Management	BS	\$ 110,000		\$ 110,000
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	\$ 1,042,000		\$ 1,042,000
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	\$ 1,487,000		\$ 1,487,000
19	Jury System Improvement Projects	CJS	\$ 9,000		\$ 9,000
20	Trial Court Labor Relations Academies, Forums	HR	\$ -		\$ -
21	Trial Court EAP Services for Judges	HR	\$ -	\$ 27,500	\$ 27,500
22	Data Center and Cloud Service	IT	\$ 7,096,000		\$ 7,096,000
23	Uniform Civil Filing Services	IT	\$ 432,000		\$ 432,000
24	California Courts Protective Order Registry (CCPOR)	IT	\$ 951,000		\$ 951,000
25	Telecommunications	IT	\$ 13,470,000		\$ 13,470,000
26	Enterprise Policy & Planning (Statewide Planning and Dev. Support)	IT	\$ 3,905,000		\$ 3,905,000
27	Data Integration	IT	\$ 1,783,000		\$ 1,783,000
28	Jury Management System	IT	\$ 665,000		\$ 665,000
29	Case Management System Replacement	IT	\$ 66,000		\$ 66,000
30	Telecom	IT	\$ 5,509,000		\$ 5,509,000
31	Jury System Improvement Projects	LS	\$ 10,000		\$ 10,000
32	Regional Office Assistance Group	LS	\$ 860,000		\$ 860,000
33	Litigation Management Program	LS	\$ -		\$ -
34	Judicial Performance Defense Insurance	LS	\$ -		\$ -
35	Judicial Performance Defense Insurance	LSS	\$ 1,812,000		\$ 1,812,000
36	Total		\$ 45,384,000	\$ 27,500	\$ 45,411,500

Totals by Office		Office	Judicial Council Approved Allocations	Proposed Adjustments	Pending Total Allocations
Legend		C	D	E	F
37	Audit Services	AS	\$ 354,000		\$ 354,000
38	Branch Accounting and Procurement	BAP	\$ 169,000		\$ 169,000
39	Business Management Services	BMS	\$ 9,000		\$ 9,000
40	Budget Services	BS	\$ 150,000		\$ 150,000
41	Center for Families, Children & the Courts	CFCC	\$ 6,429,000		\$ 6,429,000
42	Center for Judicial Education and Research	CJER	\$ 1,705,000		\$ 1,705,000
43	Criminal Justice Services	CJS	\$ 9,000		\$ 9,000
44	Human Resources	HR	\$ -	\$ 27,500	\$ 27,500
45	Information Technology	IT	\$ 33,877,000		\$ 33,877,000
46	Legal Services	LS	\$ 870,000		\$ 870,000
47	Leadership Support Services	LSS	\$ 1,812,000		\$ 1,812,000
Total Allocations			\$ 45,384,000	\$ 27,500	\$ 45,411,500

**State Trial Court Improvement and Modernization Fund
Fund Condition Statement
June 2022**

Updated: June 24, 2022

#	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	19,416,426	16,448,426
2	Prior-Year Adjustments	-973,149	5,086,942	2,422,584	6,651,663	0	0
3	Adjusted Beginning Balance	13,823,364	20,951,234	23,574,872	23,537,926	19,416,426	16,448,426
4	REVENUES¹:						
5	Subtotal Revenues	25,761,957	19,653,661	17,262,862	14,169,000	12,303,000	12,146,000
6	Transfers and Other Adjustments						
7	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
8	To Trial Court Trust Fund (Budget Act)	-594,000	-594,000	-594,000	-594,000	-594,000	-594,000
9	Total Revenues, Transfers, and Other Adjustments	11,770,957	5,662,661	3,271,862	178,000	-1,688,000	-1,845,000
10	Total Resources	25,594,322	26,613,895	26,846,734	23,715,926	17,728,426	14,603,426
11	EXPENDITURES²:						
12	Judicial Branch Total State Operations	4,724,200	4,538,757	4,635,013	5,517,000	7,452,000	7,621,000
13	Judicial Branch Total Local Assistance	49,813,207	70,316,604	47,825,123	45,746,500	37,932,000	38,171,000
14	Total Expenditures	54,537,407	74,855,362	52,460,136	51,263,500	45,384,000	45,792,000
15	Expenditure Adjustments:						
16	Pro Rata and Other Adjustments	305,622	105,746	288,335	308,000	181,000	308,000
17	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
18	Total Expenditures and Adjustments	9,729,029	5,460,608	9,960,471	4,299,500	1,280,000	1,815,000
19	Fund Balance	15,864,292	21,152,288	16,886,263	19,416,426	16,448,426	12,788,426
20	Fund Balance - less restricted funds	9,860,057	16,261,964	12,592,172	15,735,335	13,781,335	10,253,789
21	Structural Balance	2,041,928	202,054	-6,688,609	-4,121,500	-2,968,000	-3,660,000

¹ Revenue estimates include actuals through February 2022. Approximately \$3 million of audit finding revenue is under appeal by the counties.

² Expenditures for 2021-22 reflect estimates as of April 2022. Expenditure data for 2022-23 ties to proposed allocations. Expenditure data for 2023-24 reflect estimates from the programs.