



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

November 2, 2022

3:00 p.m. – 5:00 p.m.

<https://jcc.granicus.com/player/event/1991>

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Cochair), Hon. Kimberly Merrifield, Hon. Patricia L. Kelly, Hon. Wendy G. Getty, and Hon. B. Scott Thomsen.
Executive Officers: Mr. Chad Finke (Cochair), Ms. Krista LeVier, Mr. Brandon E. Riley, Mr. Neal Taniguchi, Mr. James Kim, and Mr. David Yamasaki.

Advisory Body Members Absent: Hon. Kevin M. Seibert

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

OPEN MEETING

Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 3:00 p.m., and took roll call.

Approval of Minutes

The subcommittee reviewed and approved minutes from the July 6, 2022 Funding Methodology Subcommittee (FMS) meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 3)

Item 1 – Community Assistance, Recovery, and Empowerment (CARE) Act Allocation Methodology (Action Required)

Consideration of a recommendation on a new methodology for 2022-23 CARE Act allocations.

Presenter(s)/Facilitator(s): Mr. Don Will, Deputy Director, Judicial Council Center for Families, Children & the Courts
Ms. Anne Hadreas, Supervising Attorney, Judicial Council Center for Families, Children & the Courts

Action: *The FMS unanimously voted to approve the following recommendations on the new methodology for the 2022-23 CARE Act allocations, with a modification to item 2, to be considered by the Trial Court Budget Advisory Committee (TCBAC), followed by the Judicial Branch Budget Committee (Budget Committee), and then the Judicial Council at its January 19-20, 2023 business meeting:*

- 1. Approve for the CARE Act Cohort One courts the 2022-23 scenario Allocation by Final Workload Allocation with 0.25 FTE base;*
- 2. Approve the TCBAC to perform a reconciliation using CARE Act spending reports and court projections; and*
- 3. Continue the FMS work to develop an allocation for CARE Act funding in 2023-24 and subsequent years.*

Item 2 – Base Funding Floor Inflationary Increases (Action Required)

Consideration of options for updating the base funding floor process for automatic inflationary increases similar to all other courts.

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

Action: *The FMS unanimously voted that option 1 be put forward for consideration by the TCBAC, followed by the Budget Committee, and then the Judicial Council at its January 19-20, 2023 business meeting:*

- 1. Implement an automatic annual adjustment to the base funding floor amount, in years that Consumer Price Index funding is provided in the budget, that is equal to the same percentage provided to the other 56 trial courts.*

Item 3 – Court Interpreters Program (CIP) Allocation Methodology (Action Required)

Consideration of a recommendation from the Ad Hoc Interpreter Subcommittee on an allocation methodology for CIP funding effective July 1, 2023.

Presenter(s)/Facilitator(s): Mr. Douglas Denton, Principal Manager, Judicial Council Center for Families, Children & the Courts

Action: *The FMS unanimously voted to approve the following recommendations, to be considered by the TCBAC at its November 10, 2022 meeting, followed by the Budget Committee, and then the Judicial Council at its January 19-20, 2023 business meeting, effective July 1, 2023:*

- 1. Approve the allocation methodology excluding the 2020-21 pandemic year in the three-year average expenditure data used in the model indefinitely;*
- 2. Approve the use of historical expenditure data in the model while the Ad Hoc Interpreter Subcommittee continues collaborating with the Language Access Program on possible*

enhancements with the data collected in the Court Interpreter Data Collection System and how that data could be utilized in the allocation methodology;

3. Approve the approach and methodology in the event courts experience a shortfall in which the courts with a shortage will first be covered by other court savings up to the appropriation amount, then the CIP fund balance will be utilized in the event there is not sufficient savings available to make a court whole, and that funds will be allocated proportionally based on the percentage of the shortfall if there is not sufficient savings or fund balance to cover the shortage;

4. Approve “home” courts to submit cross assignment reimbursements to “receiving” courts for the “receiving” court to cover the costs of the interpretation using its CIP allocation; and

5. Approve video remote interpreting as a possible future consideration in the allocation methodology as more information is developed and finalized.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 4:01 p.m.

Approved by the advisory body on March 23, 2023.