Trial Court Funding and Workload Formula Resource Guide

February 2025

-

Judicial Council *of* California

Table of Contents

Background

The allocation of funding appropriated in the state budget to the trial courts is one of the principal responsibilities of the Judicial Council. To carry out this responsibility, the Judicial Council has taken a considerable amount of time and effort over the past several decades to review and refine the allocation process.

Trial Court Funding Act—During the 1990s, the state was confronted with a system of funding the trial courts that resulted in a wide disparity in the services offered from court to court and the relative level of funding provided to each court. Many courts did not have sufficient resources to meet their basic constitutional and statutory mandates. County-based funding for the trial courts maximized resources for the courts in counties that set judicial services as a high priority and minimized resources in counties with other priorities.

In an effort to address both the disparities in funding and access to the courts, the Governor and Legislature passed Assembly Bill 233, the Lockyer-Eisenberg Trial Court Funding Act (Stats. 1997, ch. 850), which created a new structure in which the 58 county-funded courts became primarily state-funded.[1] The intent of this change in funding structure was to address the disparity in funding levels across the county court systems and ensure that all Californians have access to justice and similar experiences in resolving their legal disputes in trial courts throughout the state. The act also required the state to assume full responsibility for any growth in the cost of trial court operations.

Immediately upon its passage by the Legislature, the Judicial Council highlighted the primary benefits of AB 233:

- Promote a stable, consistent funding source for the trial courts;
- Promote fiscal responsibility and accountability by the trial courts in managing scarce resources in the most efficient and effective manner;
- Recognize the state as having primary responsibility for trial court funding, thereby enabling the courts, the state, and the counties to engage in long-term planning;
- Enhance equal access to justice by removing disparities resulting from the varying ability of individual counties to address the operating needs of the courts and provide basic and constitutionally mandated services; and
- Provide significant financial relief in all 58 counties, which allowed the counties to redirect local resources to critical programs that serve local constituents.

[1] Assem. Bill 233 (Stats. 1997, ch. 850), *http://www.leginfo.ca.gov/pub/97-98/bill/asm/ab_0201-0250/ab_233_bill_19971010_chaptered.pdf*.

The goal of providing equal access to justice is supported by ensuring that there is funding equity among the trial courts. The act came after more than a decade of failed or deficient funding attempts by the Legislature to bring more funding equity to the courts. Previous initiatives in the 1980s and 1990s included (1) block grants for counties for certain judicial positions, (2) increased state participation in the funding of judges' salaries and benefits, and (3) realignment funds, which shifted revenues from the counties to the state General Fund to provide local relief from the fiscal pressures of funding the courts in their respective counties. Unfortunately, these solutions only made modest gains in addressing the funding disparities.

State Appropriations Limit Adjustment—In fiscal year (FY) 2005–06, the Governor and the Legislature agreed on a funding approach for the trial courts (Gov. Code, § 77202) to ensure that (1) state appropriations for the trial courts are not eroded, (2) sufficient funding is provided to sustain service levels, and (3) operational cost changes are accommodated without degrading the quality of court services to the public. This new methodology was also intended to grant budgetary independence, as is appropriate for a separate branch of government, and allow for multiyear budget planning, including multiyear bargaining agreements with court labor unions.

In addition to the state General Fund appropriations for the judicial branch to support the trial courts, Government Code section 77202 authorized the use of a cost-of-living and growth adjustment computed by multiplying the year-to-year percentage change in the state appropriations limit as described in section 3 of article XIIIB of the California Constitution.

Factors used to calculate the state appropriations limit include changes in population and inflation. The population factor was intended to account for changes in trial court workload, and the inflation factor was intended to address changes in staffing and operating costs. The state appropriations limit adjustment was applied to the state Budget Act appropriations that supported trial court allocations. However, it did not specify how allocations between trial courts were to be made. This funding adjustment process was in place for several fiscal years before it was suspended during the Great Recession, beginning in 2009–10, and never reinstated.

Trial Court Funding Workgroup—On September 19, 2012, Governor Edmund G. Brown, Jr., and Chief Justice Tani G. Cantil-Sakauye announced in a joint letter the creation of a new working group to evaluate the state's progress in achieving the goals of the Lockyer-Isenberg Trial Court Funding Act of 1997. The Trial Court Funding Workgroup examined both the express requirements and intent of AB 233 to determine the success of the judicial branch in implementing this major reform.

In a report submitted to the Judicial Council in April 2013, the workgroup concluded that the judicial branch had substantially complied with the Trial Court Funding Act. However, it was also determined that the judicial branch must continue to work to ensure that litigants across the state have equal access to justice and that funding for the branch is allocated in a manner that promotes greater access to the courts.

The workgroup also recommended that the branch identify and consider implementing efficiencies and best practices more uniformly, and adopt appropriate measures to assess improvements in providing access to justice for all Californians.

Trial Court Budget Working Group—Concurrent with the work of the Trial Court Funding Workgroup, the Judicial Council's Trial Court Budget Working Group began an examination of the trial court funding allocation methodologies used by the Judicial Council with the intent to create a budget development methodology and a more equitable allocation methodology for consideration by the Judicial Council.

As a result of the work of these two workgroups, the Judicial Council adopted foundational changes to the way funds were allocated to the trial courts. The most significant actions are identified below, ending with the landmark policy decision to approve the Workload-Based Allocation and Funding Methodology (known as WAFM) on April 26, 2013.

Trial Court Allocations Before 2013

- Prior to 1997, courts were funded by county board of supervisors, which led to wide disparities in levels of funding and access to justice across the 58 counties.
- In FY 1998–99, the Judicial Council directed the Trial Court Budget Commission to allocate $3 million in ongoing funding to address courts with insufficient resources. Twelve courts qualified for this funding that was approved by the Judicial Council at its January 26, 2000, business meeting.[2]
- Between fiscal years 1998–99 and 2004–05, augmentations to trial court funding were provided through requests for funding submitted to the Department of Finance and the Legislature, and included in the final enacted budgets. The courts applied for funds based on Judicial Council priorities, and working groups made decisions regarding which of the applications to approve.
- In 2005, the Judicial Council approved the use of a weighted caseload study, the Resource Assessment Study (RAS), to assess the need for trial court staff based on workload measures.[3] The RAS model was used for three successive fiscal years, 2005–06 through 2007–08, to allocate a portion of new state appropriations limit funding to courts that the model identified as being historically underfunded. Over three years, approximately $32 million in new funding was redirected to the baseline budgets of those underfunded courts using the RAS model.

[2] Judicial Council of Cal., Staff Rep., mins. (Jan. 26, 2000), *https://courts.ca.gov/sites/default/files/courts/default/2024-10/min0100.pdf.*

[3] Judicial Council of Cal., *Report Summary: Fiscal Year 2005–2006 Trial Court Budget Allocations* (July 20, 2005), *https://courts.ca.gov/sites/default/files/courts/default/2024-12/0705item1.pdf*.

- Until FY 2013–14, most changes in trial court funding were allocated based on courts' then-proportionate share of historical statewide allocations.

Implementation of the Workload-Based Allocation Funding Methodology

At its April 2013 business meeting, the Judicial Council affirmed a shift from a funding model based on historical levels to one based on workload need when it adopted a recommendation from the Trial Court Budget Working Group, now the Trial Court Budget Advisory Committee (TCBAC), for a new trial court budget development and allocation process.

The Trial Court Budget Working Group adopted the RAS model as the basis for the trial court budget development and allocation process. The RAS model demonstrated that the trial courts were funded below necessary levels. At the time, there was no new funding available for equalization and any additional funding for some courts had to be offset by funding reductions to others. Given the extreme financial hardship under which all courts were operating, the Trial Court Budget Working Group recommended against immediate full equalization of Trial Court Trust Fund allocations—the primary special fund that supports trial court operations—based on the RAS model.

Instead, a five-year transition plan to move from historical allocations to workload-based allocations was implemented starting in FY 2013–14. The plan called for 10 percent of allocations to be based on WAFM in that year, increasing to 50 percent in FY 2017–18. In addition, any new money appropriated for general trial court operations was to be allocated using WAFM, and an amount of historical base funding equal to the new money amount would also be reallocated using WAFM. This was intended to accelerate the movement of courts towards greater equity in funding.

Following the action taken at its April 2013 meeting, the Judicial Council approved several subsequent modifications to the WAFM model as described below:

- July 25, 2013–(1) exempted the cluster 1 courts (the cluster system is discussed in more detail in the Cluster Model section beginning on page 18) from any funding reallocation using WAFM, (2) simplified the cost of labor adjustment calculations, (3) employed a cluster-average salary for the court executive officer, (4) determined that the Bureau of Labor Statistics (BLS) Category 92: Local Government should be used as the comparator, and (5) approved the use of a blended local-state government BLS factor if the proportion of state employees in a jurisdiction is greater than 50 percent;
- August 22, 2013–approved an adjustment request process (ARP) by which trial courts could request adjustments to funding based on workload factors not accounted for in the WAFM model but deemed essential to the operation of a trial court;
- February 20, 2014–(1) approved use of a three-year average BLS adjustment factor, (2) adopted a full-time equivalent (FTE) dollar allotment floor for courts with fewer than 50 employees, (3) established an absolute and graduated funding floor and cap on the size

of the allocation adjustment for courts eligible for the graduated funding floor, and (4) eliminated the cluster 1 exemption put in place in July 2013; and

- July 28, 2017–changed the deadlines and submission requirements for the ARP.

In addition to these policy changes, annual allocations via WAFM were approved by the Judicial Council at its July business meetings. The table below summarizes the reallocation schedule; amount of new funding, if applicable, allocated to the trial courts each year; and the total WAFM-related allocations.

WAFM Five-Year Implementation

Fiscal Year	Percentage Reallocation	New Funding Allocated (in millions)	Total WAFM-Related Allocation (in millions)
2013–14	10	$60.0	$1,498.2
2014–15	15	$22.7 (shortfall); $86.3 new	$1,571.4
2015–16	30	$67.9	$1,704.3
2016–17	40	$19.6	$1,737.3
2017–18	50	$0	$1,745.5

Implementation of the Workload Formula

In the spring of 2017 and with the end of the five-year transition plan approaching, the TCBAC's Funding Methodology Subcommittee (FMS) revisited one of the items on its work plan, which was to review WAFM for FY 2018–19 and beyond. To better formulate its approach, the FMS undertook an evaluation of the first five years of WAFM. The goal of this process was threefold: (1) to better understand the model's impact on the trial courts, (2) to assess whether WAFM achieved the goals that had been set when the model was first put into place in FY 2013–14, and (3) to inform any revisions to the funding methodology going forward.

From those discussions, the FMS articulated a set of objectives, principles, and measures that were later formally adopted as the basis for the modifications to WAFM moving forward. The key objective of WAFM for FY 2018–19 and beyond was to reach equity of available funding based on a model that uses workload and related factors to identify funding need. This was consistent with the underlying objectives of WAFM when it was first established.

At the Judicial Council's January 12, 2018, business meeting, the work of the FMS and TCBAC culminated with the council approving new policy parameters for the allocation process now known as the Workload Formula. Effective in FY 2018–19, the intent of the Workload Formula was to further the objectives of the judicial branch in reaching workload-based equitable funding

for the trial courts.[4] Additionally, the guiding principles for the Workload Formula were modified from a primary focus on equity to also reflect concerns about the need for greater stability and predictability in funding for the courts. The principles of the Workload Formula include the following:

- Minimize volatility, and maximize stability and predictability to the extent possible;
- Commit to evaluating all submissions as submitted via the Adjustment Request Process;
- Allow time for adjustment and adaptation;
- Be responsive to local circumstances;
- Maintain transparency and accountability;
- Preserve the independent authority of the trial courts; and
- Simplify reporting while maintaining transparency.

At its July 19, 2019, business meeting, the Judicial Council approved recommendations related to how the Workload Formula–based allocations are calculated. These recommendations increased the accuracy and transparency of the Workload Formula by including all relevant sources of funding.[5]

At its September 24, 2019, business meeting, the Judicial Council approved a recommendation to change the Workload Formula policy regarding reallocations in years when no "new money" was included in the budget.[6]

At its January 17, 2020, business meeting, the Judicial Council approved additional changes to the Workload Formula methodology. Changes included technical refinements to the Workload Formula parameters to provide clear allocation methodologies to further the goals of funding equity, minimize adverse funding impacts to the trial courts, and provide clear direction on applying policy parameters.[7]

---

[4] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Workload-Based Allocation and Funding Methodology* (Dec. 8, 2017), *https://jcc.legistar.com/View.ashx?M=F&ID=5722980&GUID=EB419556-68BE-4685-A012-6A8D8502A126.*

[5] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Workload Formula-Allocations* (June 25, 2019), *https://jcc.legistar.com/View.ashx?M=F&ID=7338800&GUID=9284F0B3-BCAE-4C0C-A110-49AA99D8A139.*

[6] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Policy for Courts that Exceed 100 Percent of Workload Formula Funding* (Sept. 5, 2019), *https://jcc.legistar.com/View.ashx?M=F&ID=7684283&GUID=BAC36D10-9191-44F8-A59D-4BA133D2560A.*

[7] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Technical Refinement of Approved Workload Formula Methodology* (Dec. 20, 2019), *https://jcc.legistar.com/View.ashx?M=F&ID=7976128&GUID=DC14BAC5-0079-4C0C-A0E6-52C7EC068BB0*.

Implementation Adjustments and Refinements

Base Funding Floor Courts

In order to provide the two smallest trial courts with funding to support the minimum level of staffing and operational costs, a base funding floor policy was established.

When WAFM was implemented in FY 2013–14, it was determined that the smallest courts' funding needs could not be established using workload metrics alone. For that reason, the Judicial Council approved a recommendation from the TCBAC to establish a base funding floor amount of $750,000 effective in FY 2014–15.[8]

On March 15, 2019, the Judicial Council approved increasing the base funding floor amount from $750,000 to $800,000[9] and took further action at its business meeting on March 11, 2022, to increase the base funding floor to $950,000, effective July 1, 2022.[10] The base funding floor is currently allocated to the two smallest trial courts, Alpine and Sierra. The funding is allocated through a pro rata adjustment to the allocations of all other courts that do not qualify for the base funding floor.

The latest update to the base funding floor amount occurred on March 24, 2023, when the Judicial Council approved the policy change that allowed the two funding floor courts to receive inflationary funding consistent with the other 56 courts when Consumer Price Index (CPI) funding is included in the final budget.[11] The CPI measures inflation as experienced by consumers in their day-to-day living expenses, and the Department of Finance publishes an annual CPI factor that is used to determine the rate of cost increases for various state entities.

In FY 2023–24, the inflationary CPI adjustment was calculated at 3 percent which brought the base funding floor amount to $978,500. This amount is the same for FY 2024–25 because the Budget Act of 2024 did not include a CPI adjustment due to the state's projected multiyear deficit.

---

[8] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Allocations: Revisions to the Workload-Based Allocation and Funding Methodology* (Feb. 10, 2014), *https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20140220-itemk.pdf*.

[9] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Base Funding Floor Allocation* (Feb. 13, 2019), *https://jcc.legistar.com/View.ashx?M=F&ID=7058011&GUID=805D0070-0C38-40C7-A8CE-F08E82D8DDD5*.

[10] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Base Funding Floor Allocation* (Feb. 18, 2022), *https://jcc.legistar.com/View.ashx?M=F&ID=10541345&GUID=95859AA1-D4C0-4EAA-B339-EE6F27359A29*.

[11] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Base Funding Floor Inflationary Increases* (Mar. 3, 2023), *https://jcc.legistar.com/View.ashx?M=F&ID=11695190&GUID=BB0B0101-F2C4-4E59-A1EC-59301CF1CE4B*.

Definition and Impact of "New Money"

At its January 12, 2018, business meeting, the Judicial Council approved new policy parameters for the Workload Formula that specifically addressed how new money included in the budget is to be allocated in the Workload Formula, including the definition of "new money":[12]

"New money" is defined as any new ongoing allocation of general discretionary dollars to support costs of trial court workload, excluding funding for benefits and retirement increases.

Examples of funding that were subsequently identified as new money and allocated to the trial courts using the Workload Formula methodology include:

- FY 2019–20: new judgeship funding; and
- FY 2022–23: equity funding, civil assessment backfill funding, and new judgeship funding.

The Workload Formula allocates funding in years with "new money" in the following manner:

1. Bring all cluster 1 courts up to 100 percent of funding need.
2. Allocate up to 50 percent of remaining funding to courts under the statewide average funding ratio. Allocated funds will bring courts up to but not over the statewide average funding ratio.
3. The first 50 percent allocation of new funding to courts below the statewide average will be scaled by courts' distance from the statewide average and size based on the courts' Workload Formula need.
4. Allocate remaining funding to all courts based on the Workload Formula.
5. Allow no court's allocation to exceed 100 percent of its need unless it is the result of a funding floor calculation.

In fiscal years 2021–22, 2022–23, and 2023–24, the budget included a CPI adjustment to address trial court operational cost increases due to inflation. This funding was intended to benefit all courts. Therefore, it was not allocated according to the Workload Formula methodology described above. Rather, it was allocated proportionally based on applying the CPI percentage increase to the prior year's Workload Formula allocation for each court in each respective fiscal year. In making the determination to allocate the CPI increases in this manner at the time, the Judicial Council did not specifically address whether the CPI increases, on their own, meet the definition of "new money."

[12] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Workload-Based Allocation and Funding Methodology* (Dec. 8, 2017), *https://jcc.legistar.com/View.ashx?M=F&ID=5722980&GUID=EB419556-68BE-4685-A012-6A8D8502A126*.

The Budget Act of 2021 included $72.2 million ongoing General Fund for the trial courts to address inflationary cost increases. The Judicial Council approved the allocation of the $72.2 million to all courts using the 3.7 percent CPI–based increase over each court's FY 2020–21 Workload Formula allocation.[13] This approach ensured all courts received funding to address inflationary cost increases.

The following year, the Budget Act of 2022 included $84.2 million ongoing General Fund for inflationary cost increases. The Judicial Council approved the allocation of the $84.2 million to all courts as a 3.8 percent increase over each court's FY 2021–22 Workload Formula allocation.[14]

For the third consecutive year, the Budget Act of 2023 included $74.1 million ongoing General Fund for the trial courts in recognition of increasing operational cost pressures due to rising inflation. The Judicial Council approved the allocation of the $74.1 million to all courts as a 3 percent increase over each court's FY 2022–23 Workload Formula allocation.[15]

At its July 12, 2024, business meeting, the Judicial Council revisited the "new money" concept as it relates to CPI funding. The council approved the recommendation that CPI funding included in the budget to address inflationary costs for the trial courts is *not* considered "new money" for the purpose of allocating funding via the Workload Formula. The definition of "new money" in the Workload Formula policy was revised accordingly to exclude CPI funding.[16]

Allocations in Fiscal Years with "No New Money"

At its January 17, 2020, business meeting, the Judicial Council approved recommendations to make technical refinements to the Workload Formula policy parameters. Specifically, the reallocation of existing funding for every second year in which no new money is included in the budget will be based on the beginning Workload Formula allocations, distributed to courts via distance from the statewide average and size based on Workload Formula need, in the following sequence:

---

[13] Judicial Council of Cal., Judicial Branch Budget Com. Rep., *Trial Court Budget: Allocation Methodology of $72.2 Million Trial Court Funding in Governor's Proposed 2021–22 Budget* (June 17, 2021), *https://jcc.legistar.com/View.ashx?M=F&ID=9499530&GUID=797D4736-AE15-43D3-84D7-4676D4D7C4B0*.

[14] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2022–23* (June 28, 2022), *https://jcc.legistar.com/View.ashx?M=F&ID=11018996&GUID=EFC36BA3-294F-4DC3-8C7E-1AC030ED7B72*.

[15] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2023–24* (June 23, 2023), *https://jcc.legistar.com/View.ashx?M=F&ID=12124713&GUID=2A166CFF-E318-4E77-AA91-C06AE38FDFC2*.

[16] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for Fiscal Year 2024–25* (June 17, 2024), *https://jcc.legistar.com/View.ashx?M=F&ID=13077708&GUID=08C509A8-B264-4D66-AFDC-B3EC97A5D296*.

1. Up to 1 percent reduction for courts above the 2 percent band to courts below the 2 percent band.
2. Up to 2 percent reduction for courts above 105 percent of funding need to courts below the 2 percent band.
3. Courts above 105 percent of funding need will not fall below 104 percent of funding need.
4. Courts that penetrate into the band following the up to 1 percent reallocation will not be eligible for additional funding from the 2 percent reallocation from courts above 105 percent of funding need.

In anticipation of no new money included in the FY 2024–25 budget given the state's projected multiyear deficit, the TCBAC considered the implementation of the current policy to reallocate existing funding among the courts for the 2024–25 allocations.[17] Based on this policy, there would have been a funding reallocation of $7.2 million for FY 2024–25. However, because the Budget Act of 2024 included a reduction of $97 million for the trial courts, it was determined that the reallocation of the $7.2 million would not be implemented, as this would have resulted in double reductions for some courts.

Since the Workload Formula was implemented in FY 2018–19, there have been no instances of the reallocation of funding due to a second year of no new money included in the budget.

Funding Reduction Methodology

Currently, there is no "standard" methodology for addressing funding reductions. The Workload Formula policy states that a methodology for applying a funding reduction will be determined for each fiscal year in which a reduction occurs. Three recent examples of funding reductions that occurred in fiscal years 2020–21, 2023–24, and 2024–25 are described below.

Reduction in Fiscal Year 2020–21

The Budget Act of 2020 included a $167.8 million reduction to trial court baseline funding due to the sizeable budget deficit projected as a result of the COVID-19 pandemic. The Judicial Council–approved methodology[18] to allocate this reduction, using a 4 percent band around the statewide funding level, is described below:

[17] Trial Court Budget Advisory Com. Rep. (May 1, 2024), *https://courts.ca.gov/system/files/file/tcbac-20240501-materialspdf.pdf.*

[18] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for Fiscal Year 2020–21* (July 2, 2020), *https://jcc.legistar.com/View.ashx?M=F&ID=8651228&GUID=27A3B6D8-9783-4865-8C5A-F6697EB58734*.

- Courts within the established band around the statewide average funding level take a proportional reduction, but do not fall outside of the band;
- Courts above the band take an additional 1 percent cut from those within the band without falling into the band;
- Courts below the band take less of a cut than those within the band, scaled by their size and distance from the statewide average, not taking more of a cut than those inside of the band; and
- Cluster 1 courts—all of which are above the band—take the same percentage reduction as courts within the band but are not required to take the additional percentage reduction as those other courts above the band.

The full amount of the reduction was restored in the Budget Act of 2021, and the funding was allocated to the courts in the same amounts as the initial reduction.

Reduction in Fiscal Year 2022–23

Per the Budget Act of 2022, effective FY 2023–24, the civil assessment backfill amount decreased by $10 million to $100 million ongoing, due to the elimination of one-time funding for prior uncollected debt. The backfill amount was also reduced by an additional $2.5 million for debt service obligation payments as approved by the Judicial Council at its May 12, 2023, business meeting.[19] As a result, there was a total reduction of $12.5 million ongoing to the amount of civil assessment backfill funding allocated to the trial courts beginning in FY 2023–24.

The $12.5 million was reduced proportionally based on the courts' percentage of FY 2022–23 civil assessment backfill funding, with additional adjustments to three courts funded over 100 percent and a redirection of $421,000 to five courts below the statewide average funding level.[20] As approved by the Judicial Council at its July 21, 2023, business meeting, the $12.5 million ongoing reduction was reflected in the trial court allocations beginning in FY 2023–24.[21]

Reduction in Fiscal Year 2024–25

Due to the state's projected multiyear deficit, the Budget Act of 2024 included an ongoing reduction of $97 million to trial court operational funding. At its July 12, 2024, business

---

[19] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Policy for Courts With Specified Debt Service Obligations Included in the Workload Formula* (Apr. 21, 2023), *https://jcc.legistar.com/View.ashx?M=F&ID=11916929&GUID=4F4B033A-9A14-4C88-8654-8CF355F8E8D5*.

[20] Judicial Branch Budget Com. Rep. (June 6, 2023), *https://courts.ca.gov/system/files/file/jbbc-20230606-materials.pdf*.

[21] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2023–24* (June 23, 2023), *https://jcc.legistar.com/View.ashx?M=F&ID=12124713&GUID=2A166CFF-E318-4E77-AA91-C06AE38FDFC2*.

meeting,[22] the Judicial Council approved the allocation methodology for this reduction, which was similar to the methodology used for the FY 2020–21 reduction. The $97 million reduction was calculated based on the steps described on page 13 utilizing a 4 percent band around the statewide average funding level.

The FY 2025–26 Governor's Budget proposed to restore $42 million of the $97 million reduction beginning in FY 2024–25. On a one-time basis, in FY 2024–25, the partial restoration will be funded by available reserves in the Trial Court Trust Fund. The administration will reassess the condition of the Trial Court Trust Fund in the spring of 2025 to evaluate the need for a General Fund backfill.

Recent Funding to Support Equity

Funding Provided in Fiscal Year 2018–19

The Budget Act of 2018 included $75 million in discretionary funding intended to benefit all trial courts and allocated according to a methodology determined by the Judicial Council.[23] The budget also included $47.8 million that was allocated by the Judicial Council according to WAFM to 35 courts to equalize funding and bring all courts up to the statewide average funding level based on caseweights at that time.[24]

Funding Provided in Fiscal Year 2022–23

The Budget Act of 2022 included $100 million ongoing General Fund to promote fiscal equity among the trial courts. This funding was allocated by the Judicial Council according to the Workload Formula and distributed to 22 of the 58 courts below the statewide average funding level to bring them as close to the statewide average as calculated for FY 2022–23.[25] The budget also included funding for new judgeships and civil assessment backfill that was allocated via the Workload Formula methodology.

---

[22] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for Fiscal Year 2024–25* (June 17, 2024), *https://jcc.legistar.com/View.ashx?M=F&ID=13077708&GUID=08C509A8-B264-4D66-AFDC-B3EC97A5D296.*

[23] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocation of $75 Million in Discretionary Funds* (Aug. 30, 2018), *https://jcc.legistar.com/View.ashx?M=F&ID=6613660&GUID=262131C4-DD88-4D30-9B94-CE8E2550BEC3v.*

[24] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: 2018–19 Trial Court Base Allocations* (June 8, 2018), *https://jcc.legistar.com/View.ashx?M=F&ID=6353563&GUID=B6C7B821-0722-4663-B27A-A23B367148E2*.

[25] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2022–23* (June 28, 2022), *https://jcc.legistar.com/View.ashx?M=F&ID=11018996&GUID=EFC36BA3-294F-4DC3-8C7E-1AC030ED7B72*.

Resource Assessment Study Implementation

RAS Policies and Methodology

In 2000, the Judicial Council's Office of Court Research (now known as the Research, Analytics, and Data Office) was directed to develop workload measures for nonjudicial trial court staff with the goal of developing a method for allocating resources to the trial courts that takes workload into account. The Judicial Council approved the Resource Allocation Study model, known as RAS, at its July 20, 2005, meeting.[26] Later, RAS was revised to Resource Assessment Study to better reflect the model's use in assessing, not allocating, workload.

The RAS model is based on weighted caseload, a nationally known and accepted methodology for trial court workload measurement. The methodology for weighted caseload was developed by the National Center for State Courts and is based on the principle that funding should be linked to workload. In addition to California, at least 30 other states use weighted caseload models to measure the work activities of court staff, judicial officers, and other entities connected with the court system.

Weighted caseload relies on three basic components: (1) annual, three-year average court filings; (2) caseweights and other model parameters that estimate how much time or resources court case processing activities take; and (3) a staff-year value, which quantifies the amount of time staff have for their work activities. The resulting calculation is an estimate of the staff needed for each court's case processing work, expressed as full-time equivalents (FTE).

As part of the process for determining annual trial court allocations, the RAS FTE need is computed and then converted to a dollar estimate. The RAS FTE need is calculated using the average of the three most recent years of filings data and the most current set of workload measures available.

California's RAS model calculates over 20 different caseweights. It uses an average number of processing minutes per case type, taking into account differences in workload complexity and time to process, and multiplies those weighting factors by the number of filings in each case type in each court. The total number of minutes for all case types in a court, based on each court's unique case mix, constitutes the "workload" for each court. This workload is then used to calculate how many trial court staff are needed to process these cases. The RAS is updated periodically to address changes in the caseweights, which are often driven by changes in the law that impact case processing.

The model was first used in three fiscal years (2005–06 through 2007–08) to identify historically underfunded courts and redirect a portion of new state appropriations limit funding to those courts identified, based on workload, as the most severely underfunded.

---

[26] Judicial Council of Cal., Staff Rep., *Report Summary: Fiscal Year 2005–2006 Trial Court Budget Allocations (*July 20, 2005), *https://courts.ca.gov/sites/default/files/courts/default/2024-12/0705item1.pdf*.

In February 2013, the Judicial Council approved an updated version of the RAS model with caseweights and other parameters derived from a 2010 time study.[27] In the same year, the Judicial Council approved a recommendation to adopt a new funding model, known as WAFM (described in detail beginning on page 6) that would use the RAS model as the basis for its workload-based funding model.[28] The council's approval of the RAS models were made with the understanding that ongoing technical adjustments would be made to the model as needed and as more data became available.

Two technical adjustments were proposed to the model following its approval in 2013: (1) a recommendation from the TCBAC that the committee study special circumstance workload;[29] and (2) a request to develop an interim caseweight (pending the RAS model update) to measure the workload in complex civil cases, following the dissolution of the complex civil pilot program and corresponding State Trial Court Improvement and Modernization Fund funding. An interim caseweight to measure complex civil workload was approved by the Judicial Council at its June 26, 2015, meeting and implemented starting with the FY 2015–16 budget allocations.[30]

The sequential update of the RAS model was approved by the Judicial Council at its July 27, 2017, business meeting.[31]

On July 24, 2020, the Judicial Council approved the adoption of a new, interim caseweight to measure the workload of mental health certification hearings under Welfare and Institutions Code section 5250 that are performed by court staff.[32] Starting on July 1, 2018, these petitions started being collected in the Judicial Branch Statistical Information System. Since they have a very different workload profile than that of other mental health filings, it was more accurate to establish a separate weight for certification workload rather than use the existing mental health caseweight. Establishing an interim, separate weight helped ensure that the workload for this

---

[27] Judicial Council of Cal., Advisory Com. Rep., *Trial Courts: Update of the Resource Assessment Study Model* (Feb. 8, 2013), *https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20130226-itemm.pdf*.

[28] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget Working Group: Recommendation of New Budget Development and Allocation Methodology* (Apr. 24, 2013), *https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20130426-itemp.pdf*.

[29] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Allocations: Revisions to the Workload-Based Allocation and Funding Methodology* (Feb. 10, 2014), *https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20140220-itemk.pdf*.

[30] Judicial Council of Cal., mins., (June 25, 2015), *https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20150626-minutes.pdf*.

[31] Judicial Council of Cal., Advisory Com. Rep., *Trial Courts: Update of Resource Assessment Study Model* (June 13, 2017), *https://jcc.legistar.com/View.ashx?M=F&ID=5338582&GUID=FA2962D0-141A-40D4-B9CA-CB5C2467A49Cv*.

[32] Judicial Council of Cal., Advisory Com. Rep., *Trial Courts: Interim Caseweight for Mental Health Certification Hearings for Use in Resource Assessment Study Model* (June 30, 2020), *https://jcc.legistar.com/View.ashx?M=F&ID=8643451&GUID=CDF1174A-E96B-4478-9BF5-AE2ACEA883FC.*

case type was captured as part of the annual RAS updates until the workload could be more fully studied during the RAS model update and a more permanent weight was developed.

Mental Health Certification was included as a caseweight category, and workload was captured during a time study as part of the 2024 RAS model update. (The 2024 update is not yet completed or approved.)

Converting FTE to Dollars

Once the number of staff has been calculated, this information is converted into dollars using an average salary cost, adjustments for cost-of-labor differentials based on U.S. BLS data, retirement and health costs, operating expenditure and equipment costs, and other adjustments to account for court size. The workload need is updated each year to reflect the most recent three-year average of filings data.

RAS Model Overview

Each fiscal year, the RAS model is used to estimate the total FTE need in each court using the following formula:

Total Need (FTE) = Staff Need + Manager Need + Administrative Staff Need

Step 1: Staff Need

Staff need is calculated using a weighted caseload methodology. The total need is calculated for each case type and then summed across all case types using the following formula:

$$\text{Staff Need (FTE)} = \frac{\text{Average Filings} * \text{Caseweight (mins.)} + \text{Court Reporter Need}}{\text{Staff Year Value (mins.)}}$$

The components of this formula include:

- Average filings: three-year average filings for a given case type;
- Caseweight: estimated staff time to process a filing of a given case type;
- Staff year value: estimated minutes available for case processing per FTE per year; and
- Court reporter need: judicial need multiplied by a factor of 1.25 in relevant case types.

The methodology for determining judicial need, which is the number of judgeships needed in the trial courts, is a workload-based methodology similar to the RAS which is used to assess staff need in the trial courts. The judicial need methodology was first approved by the Judicial Council in August 2001 and later modified and approved by the council in August 2004. The model was updated in 2010 and most recently in 2018, and the resulting updated caseweights were approved by the Judicial Council in December 2011 and September 2019, respectively.

Step 2: Manager Need

Manager need is calculated by dividing the staff need (Step 1), plus each court's court interpreter FTE, by a ratio of staff to managers and supervisors. This allocates managerial resources in proportion to staffing need using the following formula:

$$\text{Manager Need (FTE)} = \frac{\text{Staff Need (FTE)} + \text{Court Interpreters (FTE)}}{\text{Cluster Ratio}}$$

The cluster manager ratio is calculated using actual data as reported by the courts in the last three years' Schedule 7A data. The Schedule 7A process establishes all authorized trial court positions by classification and associated costs, and is used to develop the annual budget. To reflect economies of scale, separate ratios are calculated for courts in clusters 1, 2, 3, and 4.

Step 3: Administrative Staff Need

Staff support need is based on the same principles as manager need (Step 2). In this case, the combined staff and manager need is added to existing Non-RAS FTE before applying the ratio.

$$\text{Administrative Staff Need (FTE)} = \frac{(\text{Staff Need (FTE)} + \text{Manager Need (FTE)}) + \text{Non-RAS FTE}}{\text{Cluster Ratio}}$$

The cluster administrative staff ratio is calculated using actual data as reported by the courts in the last three years' Schedule 7A data. To reflect economies of scale, separate ratios are calculated for courts in clusters 1 and 2, and a pooled ratio is used for clusters 3 and 4.

Cluster Model

The cluster model is used in both the RAS model and the Workload Formula. It is used in two areas in the RAS model and two areas in the Workload Formula. (It is also used when making decisions in the Workload Formula, specifically to identify the smallest courts (cluster 1) to bring them to the 100 percent funding level.) Decisions on clustering may involve discussions and recommendations by the Data Analytics Advisory Committee and the FMS as their use impacts the RAS and the Workload Formula.

Cluster Model Background

The current four-cluster model was developed in the early 2000s. It was primarily informed based on the number of Authorized Judicial Positions (AJP). Courts were ranked by their number of AJPs first and then grouped into four clusters. The model was used as a stable proxy for court size.

Cluster boundaries were created based on a clear break in the number of AJPs. The smallest of the 58 trial courts, those with two AJPs, comprised cluster 1 courts. The remaining three clusters were identified based on natural breaks—or jumps—in the total number of AJPs.

Based on the most recent review (done in FY 2020–21), the number of AJPs had not changed significantly since their initial use in the RAS model in FY 2004–05. Notable exceptions included the Riverside, San Bernardino, and San Francisco superior courts:

- Riverside and San Bernardino had significant increases in their AJPs due to allocations of new judgeships approved by the Legislature over the last few years. However, these increases did not change their cluster status (they were/are cluster 4).
- San Francisco's AJP count dropped from 65 to 55.9 when the court eliminated 10 subordinate judicial officer positions in 2014. Due to this change, San Francisco was moved from cluster 4 to cluster 3. The request to change clusters was submitted via an ARP to the TCBAC, and the change was approved by the Judicial Council in FY 2020–21.[33]

Cluster Model Use in RAS/Workload Formula

The cluster model is applied in two areas when developing the RAS model and in two areas in the Workload Formula. The ratios are updated every three years:

RAS:

1. Supervisor/Manager ratio (RAS): The number of staff to supervisor
2. Administrative Staff (Program 90)/Case Processing Staff (Program 10) ratio (RAS): The number of Program 90 staff (Human Resources, Information Technology, etc.) to Program 10 staff (case processing))

Workload Formula:

1. Court Executive Officer Salary (Workload Formula)
2. Operating Expenses and Equipment (Workload Formula)–Essential one number for C1 and one for all others

The cluster concept is also used in the Workload Formula when identifying the smallest courts (C1) to bring them to 100 percent of the funding need level (when new money is provided in the Budget Act).

[33] Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Workload Formula Adjustment Request Process (ARP), Cluster Assignment Evaluation for the Superior Court of San Francisco County* (June 30, 2020), *https://jcc.legistar.com/View.ashx?M=F&ID=8643165&GUID=506C4AE4-3DD1-4559-B281-C6D055EC103C*.

Library of Definitions

Terms

Adjustment request process (ARP) – Judicial Council process by which the trial courts can request adjustments to funding based on workload factors not accounted for in the Workload Formula model but deemed essential to the operation of a trial court.

Allocation – Method of dividing and distributing appropriated funding to entities within the judicial branch, such as the 58 trial courts.

Appropriation – A budget appropriation is a law that designates funding for specific purposes. Appropriations are a part of the budget-making process for governments and associated agencies, and are usually limited in the amount and period of time during which the expenditures are authorized.

Authorized Judicial Position (AJP) – Authorized positions that ensure a court has the necessary judicial resources, such as judgeships, commissioners, and referees within a trial court that are officially approved and funded through the state budget process.

Band – A statistical concept where a range of values is plotted around the calculated average. (In terms of funding allocation, a 4 percent band would be a range between 2 percent above the statewide average funding level and 2 percent below.)

Base allocation funding – Calculated each fiscal year by adjusting the prior year's ongoing base funding allocation with new ongoing funding and adjustments. (Any one-time expired allocations are removed.)

Base funding floor – A set funding amount established and allocated for the two smallest superior courts (Alpine and Sierra). It is based on the minimum level of staffing and operational costs necessary to support general court operations and is not related to their Workload Formula need.

Bureau of Labor Statistics (BLS) – The Bureau of Labor Statistics identifies labor cost differences between courts in various regions of the state. It is a component of the Workload Formula need calculation for trial court funding.

Caseweights – A component of the Workload Formula (workload analysis) that assigns weights to cases based on the duration and resources required to process the specific case types.

Cluster model – The current four-cluster model, developed in the early 2000s, ranks courts by their number of Authorized Judicial Positions. The cluster model is applied in the RAS model, Workload Formula, and other decision points where each cluster carries a particular value.

Consumer Price Index (CPI) – A measure of the average change over time in the prices paid by urban consumers for consumer goods and services. The CPI is calculated and provided by the U.S. Bureau of Labor Statistics.

CPI funding – Funding included in the budget and allocated to all courts as a specific CPI percent increase over each court's prior fiscal year Workload Formula allocation.

Current-year base adjustments – Various allocation adjustments for base funding for the trial courts including funding floor allocation adjustments, supplemental funding adjustments when a court receives emergency funding in the prior year, and midyear adjustments for court allocations, such as the final reduction for fund balance above the 3 percent statutory cap.

Data Analytics Advisory Committee (DAAC) – Advisory body to the Judicial Council that develops and recommends policies on the collection, use, analysis, and sharing of judicial branch data and information resources.

Discretionary funding – Funding for the trial courts that has no restriction on what it can be used for and what can be expended at the courts' discretion.

Filing – Submission of documents into the court record with associated filing fee to initiate or continue a legal case. The various filing types include complaints, answers, motions, petitions, briefs, declarations, etc.

Fiscal year (FY) – The 12-month period for accounting, financial reporting, and budgeting purposes, not necessarily aligning with a calendar year. California's fiscal year begins July 1 and ends June 30 of the following year.

Full-time equivalent (FTE) – Excluding overtime but including holidays and paid vacations, the value that results from dividing the maximum amount of regular time a position is authorized to work in a fiscal year (July 1–June 30) by the standard maximum annual time established by the court (typically 2,080 hours). For example, a position authorized to work no more than 1,040 regular hours in a fiscal year is assigned an FTE value of 0.5. Except for temporary help blankets, the FTE value for each position can equal but not exceed 1.0.

Funding Methodology Subcommittee (FMS) – A subcommittee of the Trial Court Budget Advisory Committee tasked to review and refine the Workload Formula, develop allocation methodologies for nondiscretionary funding, evaluate existing allocation methodologies, and consider alternative methodologies to advance the goal of funding equity and stability to support trial court operations.

Inflation – The gradual price increase of goods and services in an economy over time that are indexed and typically referred to as the Consumer Price Index.

Judicial Need – The workload-based methodology used to determine the number of judgeships needed in the trial courts. This methodology is separate from, but similar to, the Resource Assessment Study, which is used to assess staff need in the trial courts.

New money – Any new ongoing discretionary funding to support the cost of trial court workload, excluding funding for benefits and retirement increases

Nonbase allocations – Various funding included in the budget as a separate item with dollar amounts that change annually (i.e., self-help, dependency counsel, and court interpreters funding).

Non-TCTF base allocations – Funding provided from the General Fund for employee benefits and pretrial funding. Typically, a static amount per court provided in December distributions.

One-time allocations – Funding identified as one-time is either provided for a single year, such as funding for COVID-19 related case filing backlog, and allocated in a single year, or provided annually and reallocated each year, such as criminal justice realignment funding.

Ongoing allocations – Allocations that remain in the base funding and are carried forward into the base allocation for future fiscal years (i.e., trial court benefit cost changes).

Prior year adjustment – An adjustment to the prior year base allocation to account for changes that were not captured previously.

Resource Assessment Study (RAS) – The model used to assess the workload need and allocation of staff resources to the trial courts. This methodology is separate from, but similar to, the Judicial Need, which is used to assess the number of judgeships needed in the trial courts.

Restricted funding – Typically identified in a budget act through provisional language, allowing expenditures for the specific purpose of the appropriated funding (i.e., CARE Act and court interpreters funding).

Schedule 7A – A worksheet used to start the budget process that includes trial courts' budgeted salaries and benefits for each court staff position by classification, excluding judges. Schedule 7A data is included in the Workload Formula and RAS models to derive statewide FTEs and salary costs for various positions.

State appropriations limit (SAL) – The constitutional limit on the growth of certain appropriations from tax proceeds, generally set to the level of the prior year's appropriation limit as adjusted for changes in cost of living and population.

Statewide average funding level – The ratio of available funding in a given fiscal year to the total estimated Workload Formula funding need for all trial courts.

Superior court – In California, the trial court in any of the 58 counties that tries and determines legal cases. A single superior court may have branches in multiple cities within the county.

Trial Court Budget Advisory Committee (TCBAC) – Advisory body to the Judicial Council that provides input on trial court funding issues and the budget process for the benefit of all courts statewide and proposes recommendations to the Judicial Council on trial court funding consistent with council goals.

Trial Court Trust Fund (TCTF) – The special fund within the judicial branch's budget that includes appropriations to fund trial court operations, salaries and benefits of superior court judges, court interpreter services, assigned judge services, and local assistance grants.

Workload Formula – The Judicial Council–approved methodology currently used to allocate a portion of funding to the trial courts with a focus on funding equity, stability, and predictability.

Workload Formula allocation – The amount of available funding allocated through the Workload Formula methodology.

Workload Formula need – The amount of funding needed to fully support annual court workload based on the calculated funding need.

Workload-Based Allocation Funding Methodology (WAFM) – Methodology used to allocate funding to the trial courts in fiscal years 2013–14 through 2017–18. Funding was allocated based on workload as derived from filings, which required shifts in the baseline funding from some courts to others and was phased in over a five-year period.

Acronyms

APJ – Authorized Judicial Positions

ARP – Adjustment Request Process

BLS – Bureau of Labor Statistics

C1, C2, C3, and C4 – Court clusters 1, 2, 3, and 4 (relative to the four-cluster model)

CPI – Consumer Price Index

CY – Current Year (in terms of current fiscal year)

FY – Fiscal Year (in terms of state fiscal year, it is a 12-month period from July 1 to June 30)

DAAC – Data Analytics Advisory Committee

FMS – Funding Methodology Subcommittee

FTE – Full-time Equivalent

JBSIS – Judicial Branch Statistical Information System

PY – Prior Year (in terms of previous fiscal year)

RAS – Resource Assessment Study

TCBAC – Trial Court Budget Advisory Committee

TCTF – Trial Court Trust Fund

WAFM – Workload-Based Allocation and Funding Methodology

WF – Workload Formula