Scenario 1 - WAFM Allocation Adjustments in 2014-2015, Assuming $100 Million in New Funding*

*WAFM updated to include 2013-14 Schedule 7A data and filings from 2009-10 to 2011-12 [final update for 2014-15 allocation will include filings for the period 2010-11 to 2012-13]; assumes cluster 1 courts are still exempt from any reallocation of historical base funding and does not assume any of the recommendations of the Funding Methodology Subcommittee (including a funding floor for the smallest courts).

Cluster	Court	*Net Reallocation of 15% ($213M) Using Updated WAFM*	*Reverse 10% Net Reallocation*	*Net Reallocation of $60M Using Updated WAFM*	*Reverse $60M Net Reallocation in 13-14*	*New $100M*	*Reallocation of $100M*	*Total Adjustment to Base in 14-15*
4	Alameda	(2,145,700)	1,294,630	1,706,176	(1,820,989)	3,852,137	(1,008,510)	**1,877,744**
1	Alpine	-	-	7,423	(7,226)	12,371	-	**12,567**
1	Amador	-	-	68,904	(61,365)	114,841	-	**122,380**
2	Butte	46,055	(18,573)	330,519	(320,390)	529,219	21,647	**588,477**
1	Calaveras	-	-	62,791	(62,926)	104,652	-	**104,517**
1	Colusa	-	-	47,468	(41,323)	79,113	-	**85,258**
3	Contra Costa	127,117	(101,350)	1,447,058	(1,461,361)	2,352,017	59,747	**2,423,227**
1	Del Norte	-	-	76,431	(79,107)	127,385	-	**124,709**
2	El Dorado	(18,260)	15,056	235,635	(233,266)	401,307	(8,582)	**391,888**
3	Fresno	388,536	(232,624)	1,658,439	(1,636,598)	2,581,447	182,618	**2,941,817**
1	Glenn	-	-	51,086	(49,328)	85,143	-	**86,901**
2	Humboldt	(100,797)	83,109	152,772	(139,430)	301,996	(47,376)	**250,274**
2	Imperial	102,251	(46,526)	320,492	(302,356)	486,094	48,060	**608,015**
1	Inyo	-	-	49,517	(50,201)	82,528	-	**81,844**
3	Kern	1,590,160	(940,847)	2,094,989	(1,995,057)	2,744,250	747,399	**4,240,893**
2	Kings	59,156	(39,652)	232,411	(232,642)	359,547	27,804	**406,625**
2	Lake	(109,158)	76,098	60,193	(57,416)	151,627	(51,306)	**70,038**
1	Lassen	-	-	68,675	(68,479)	114,458	-	**114,653**
4	Los Angeles	4,438,165	(2,523,297)	18,897,837	(18,535,686)	29,410,393	2,086,002	**33,773,414**
2	Madera	(44,806)	23,742	223,774	(228,985)	394,016	(21,060)	**346,680**
2	Marin	(772,174)	520,264	124,695	(120,165)	570,758	(362,933)	**(39,556)**
1	Mariposa	-	-	34,035	(32,895)	56,725	-	**57,864**
2	Mendocino	(68,948)	39,152	144,422	(150,192)	273,110	(32,407)	**205,137**
2	Merced	314,934	(222,543)	554,269	(564,967)	775,757	148,024	**1,005,475**
1	Modoc	-	-	17,507	(16,977)	29,179	-	**29,709**
1	Mono	-	-	46,810	(45,169)	78,016	-	**79,657**
3	Monterey	197,566	(140,122)	654,678	(661,895)	998,271	92,859	**1,141,358**
2	Napa	(163,571)	108,997	162,853	(162,945)	348,303	(76,881)	**216,757**
2	Nevada	(49,221)	34,238	131,994	(130,830)	243,124	(23,135)	**206,170**
4	Orange	(2,882,554)	1,884,108	3,525,446	(3,558,096)	7,230,585	(1,354,842)	**4,844,647**
2	Placer	165,847	(171,865)	557,665	(609,351)	851,491	77,951	**871,738**
1	Plumas	-	-	34,319	(33,256)	57,198	-	**58,261**
4	Riverside	2,199,045	(1,528,075)	3,622,052	(3,674,954)	5,003,169	1,033,583	**6,654,821**
4	Sacramento	193,632	(120,612)	2,682,659	(2,676,151)	4,380,089	91,010	**4,550,626**
1	San Benito	-	-	80,303	(85,264)	133,838	-	**128,876**
4	San Bernardino	3,025,300	(2,180,083)	4,260,738	(4,398,841)	5,679,294	1,421,935	**7,808,343**
4	San Diego	(2,497,277)	1,938,179	3,731,163	(3,502,289)	7,392,362	(1,173,756)	**5,888,381**
4	San Francisco	(2,314,871)	1,459,083	917,344	(988,514)	2,616,930	(1,088,023)	**601,950**
3	San Joaquin	497,042	(415,666)	1,267,040	(1,338,224)	1,878,116	233,617	**2,121,924**
2	San Luis Obispo	5,273	26,551	446,337	(421,150)	741,416	2,479	**800,907**
3	San Mateo	(491,957)	314,903	968,793	(980,049)	1,845,882	(231,227)	**1,426,345**
3	Santa Barbara	(468,216)	317,397	505,287	(501,019)	1,062,214	(220,069)	**695,594**
4	Santa Clara	(2,648,933)	1,600,135	1,619,686	(1,759,734)	3,944,514	(1,245,037)	**1,510,631**
2	Santa Cruz	(108,092)	113,143	353,730	(319,264)	640,355	(50,805)	**629,067**
2	Shasta	30,986	(31,687)	327,140	(336,493)	530,670	14,564	**535,179**
1	Sierra	-	-	5,529	(7,615)	9,215	-	**7,129**
2	Siskiyou	(234,771)	157,748	4,428	(3,406)	117,726	(110,346)	**(68,621)**
3	Solano	299,683	(243,496)	824,615	(861,558)	1,233,504	140,855	**1,393,603**
3	Sonoma	207,829	(134,615)	904,461	(901,348)	1,409,752	97,683	**1,583,761**
3	Stanislaus	612,056	(457,619)	991,145	(1,033,047)	1,364,234	287,675	**1,764,445**
2	Sutter	53,075	(56,291)	172,038	(189,663)	261,784	24,946	**265,890**
2	Tehama	(7,305)	9,440	117,455	(113,639)	199,191	(3,433)	**201,708**
1	Trinity	-	-	47,784	(43,420)	79,639	-	**84,003**
3	Tulare	147,689	(107,295)	596,770	(604,334)	925,201	69,416	**1,027,449**
2	Tuolumne	(53,927)	38,673	78,038	(75,770)	155,409	(25,347)	**117,076**
3	Ventura	490,085	(348,266)	1,293,555	(1,311,950)	1,925,578	230,347	**2,279,351**
2	Yolo	70,278	(57,493)	311,338	(320,358)	485,865	33,032	**522,660**
2	Yuba	(81,222)	63,948	89,292	(81,076)	186,996	(38,176)	**139,763**
	Total	**(0)**	**(0)**	**60,000,000**	**(60,000,000)**	**100,000,000**	**0**	**100,000,000**

Scenario 2 - WAFM Allocation Adjustments in 2014-2015, Assuming $291 Million in New Funding*

*WAFM updated to include 2013-14 Schedule 7A data and filings from 2009-10 to 2011-12 [final update for 2014-15 allocation will include filings for the period 2010-11 to 2012-13]; assumes cluster 1 courts are still exempt from any reallocation of historical base funding and does not assume any of the recommendations of the Funding Methodology Subcommittee (including a funding floor for the smallest courts).

Cluster	Court	*Net Reallocation of 15% ($213M) Using Updated WAFM*	*Reverse 10% Net Reallocation*	*Net Reallocation of $60M Using Updated WAFM*	*Reverse $60M Net Reallocation in 13-14*	*New $291M*	*Reallocation of $291M*	*Total Adjustment to Base in 14-15*
4	Alameda	(2,145,700)	1,294,630	1,706,176	(1,820,989)	11,209,719	(2,934,765)	**7,309,070**
1	Alpine	-	-	7,423	(7,226)	35,999	-	**36,196**
1	Amador	-	-	68,904	(61,365)	334,186	-	**341,725**
2	Butte	46,055	(18,573)	330,519	(320,390)	1,540,027	62,991	**1,640,630**
1	Calaveras	-	-	62,791	(62,926)	304,538	-	**304,403**
1	Colusa	-	-	47,468	(41,323)	230,220	-	**236,365**
3	Contra Costa	127,117	(101,350)	1,447,058	(1,461,361)	6,844,369	173,863	**7,029,695**
1	Del Norte	-	-	76,431	(79,107)	370,690	-	**368,014**
2	El Dorado	(18,260)	15,056	235,635	(233,266)	1,167,802	(24,975)	**1,141,992**
3	Fresno	388,536	(232,624)	1,658,439	(1,636,598)	7,512,011	531,417	**8,221,181**
1	Glenn	-	-	51,086	(49,328)	247,765	-	**249,523**
2	Humboldt	(100,797)	83,109	152,772	(139,430)	878,809	(137,864)	**736,598**
2	Imperial	102,251	(46,526)	320,492	(302,356)	1,414,534	139,853	**1,628,249**
1	Inyo	-	-	49,517	(50,201)	240,157	-	**239,473**
3	Kern	1,590,160	(940,847)	2,094,989	(1,995,057)	7,985,767	2,174,930	**10,909,941**
2	Kings	59,156	(39,652)	232,411	(232,642)	1,046,283	80,910	**1,146,466**
2	Lake	(109,158)	76,098	60,193	(57,416)	441,234	(149,299)	**261,651**
1	Lassen	-	-	68,675	(68,479)	333,072	-	**333,267**
4	Los Angeles	4,438,165	(2,523,297)	18,897,837	(18,535,686)	85,584,245	6,070,266	**93,931,529**
2	Madera	(44,806)	23,742	223,774	(228,985)	1,146,585	(61,283)	**1,059,026**
2	Marin	(772,174)	520,264	124,695	(120,165)	1,660,905	(1,056,135)	**357,389**
1	Mariposa	-	-	34,035	(32,895)	165,069	-	**166,209**
2	Mendocino	(68,948)	39,152	144,422	(150,192)	794,751	(94,303)	**664,881**
2	Merced	314,934	(222,543)	554,269	(564,967)	2,257,454	430,749	**2,769,897**
1	Modoc	-	-	17,507	(16,977)	84,910	-	**85,440**
1	Mono	-	-	46,810	(45,169)	227,027	-	**228,668**
3	Monterey	197,566	(140,122)	654,678	(661,895)	2,904,969	270,220	**3,225,416**
2	Napa	(163,571)	108,997	162,853	(162,945)	1,013,560	(223,723)	**735,173**
2	Nevada	(49,221)	34,238	131,994	(130,830)	707,491	(67,322)	**626,350**
4	Orange	(2,882,554)	1,884,108	3,525,446	(3,558,096)	21,041,003	(3,942,591)	**16,067,315**
2	Placer	165,847	(171,865)	557,665	(609,351)	2,477,840	226,836	**2,646,972**
1	Plumas	-	-	34,319	(33,256)	166,447	-	**167,510**
4	Riverside	2,199,045	(1,528,075)	3,622,052	(3,674,954)	14,559,223	3,007,727	**18,185,018**
4	Sacramento	193,632	(120,612)	2,682,659	(2,676,151)	12,746,058	264,838	**13,090,424**
1	San Benito	-	-	80,303	(85,264)	389,467	-	**384,505**
4	San Bernardino	3,025,300	(2,180,083)	4,260,738	(4,398,841)	16,526,746	4,137,831	**21,371,691**
4	San Diego	(2,497,277)	1,938,179	3,731,163	(3,502,289)	21,511,773	(3,415,631)	**17,765,918**
4	San Francisco	(2,314,871)	1,459,083	917,344	(988,514)	7,615,267	(3,166,147)	**3,522,163**
3	San Joaquin	497,042	(415,666)	1,267,040	(1,338,224)	5,465,318	679,825	**6,155,334**
2	San Luis Obispo	5,273	26,551	446,337	(421,150)	2,157,521	7,213	**2,221,746**
3	San Mateo	(491,957)	314,903	968,793	(980,049)	5,371,518	(672,871)	**4,510,336**
3	Santa Barbara	(468,216)	317,397	505,287	(501,019)	3,091,043	(640,399)	**2,304,092**
4	Santa Clara	(2,648,933)	1,600,135	1,619,686	(1,759,734)	11,478,535	(3,623,059)	**6,666,631**
2	Santa Cruz	(108,092)	113,143	353,730	(319,264)	1,863,434	(147,843)	**1,755,109**
2	Shasta	30,986	(31,687)	327,140	(336,493)	1,544,249	42,381	**1,576,575**
1	Sierra	-	-	5,529	(7,615)	26,816	-	**24,730**
2	Siskiyou	(234,771)	157,748	4,428	(3,406)	342,582	(321,106)	**(54,526)**
3	Solano	299,683	(243,496)	824,615	(861,558)	3,589,496	409,888	**4,018,628**
3	Sonoma	207,829	(134,615)	904,461	(901,348)	4,102,377	284,257	**4,462,961**
3	Stanislaus	612,056	(457,619)	991,145	(1,033,047)	3,969,920	837,136	**4,919,591**
2	Sutter	53,075	(56,291)	172,038	(189,663)	761,792	72,593	**813,545**
2	Tehama	(7,305)	9,440	117,455	(113,639)	579,646	(9,991)	**575,605**
1	Trinity	-	-	47,784	(43,420)	231,750	-	**236,114**
3	Tulare	147,689	(107,295)	596,770	(604,334)	2,692,336	202,001	**2,927,168**
2	Tuolumne	(53,927)	38,673	78,038	(75,770)	452,241	(73,758)	**365,497**
3	Ventura	490,085	(348,266)	1,293,555	(1,311,950)	5,603,433	670,311	**6,397,169**
2	Yolo	70,278	(57,493)	311,338	(320,358)	1,413,866	96,122	**1,513,752**
2	Yuba	(81,222)	63,948	89,292	(81,076)	544,160	(111,091)	**424,011**
	Total	**(0)**	**(0)**	**60,000,000**	**(60,000,000)**	**291,000,000**	**0**	**291,000,000**

Superior Court of California

CHAMBERS OF
WINIFRED YOUNGE SMITH
PRESIDING JUDGE

COUNTY OF ALAMEDA

RENÉ C. DAVIDSON COURTHOUSE
1225 FALLON STREET, DEPT. 1
OAKLAND, CA 94612
(510) 891-6266

January 9, 2014

Honorable Steven Jahr
Administrative Director, AOC
450 Golden Gate Ave
San Francisco, CA 94102-3688

SUBJECT: Future Workload Funding Methodology (WAFM) Adjustment Request – Homicide Filings

Honorable Steven Jahr:

On August 22, 2013, the Judicial Council approved the process for submitting requests for Workload Funding Methodology (WAFM) modification based on specified criteria. While the Alameda Superior Court (Court) was unable to meet the initial deadline for such submissions outlined in that process, the Court does seek consideration of WAFM modification in an upcoming adjustment cycle.

The Court specifically requests that homicide cases be counted separately from other felonies; the RAS model currently provides a single case weight measure for all felonies. While the lack of data has prevented the adoption of separate felony case weights by offense type, homicide cases are unique in that they require significantly higher staff resources than all other case types; they vary significantly across the courts as a proportion of total felony filings; and lastly, the numbers of homicide cases, unlike other felony case types, is small enough that separate statistical reporting is feasible on a statewide basis.

Provided below is the information needed to support the Court's request to consider a WAFM modification, as outlined in the August 14, 2013, Trial Court Budget Advisory Committee meeting materials.

1. **A description of how the factor is not currently accounted for in WAFM.**

   The RAS model has a single case weight measure for all felonies. This weight includes homicide cases but does not account for differences among courts – some have more homicide cases than others.

2. **Identification and description of the basis for which adjustment is requested.**

   Homicide cases are unique in that they require significantly higher staff resources than all other case types, and they vary significantly across the courts as a proportion of total felony filings

3. **A detailed analysis of why the adjustment is necessary.**

   Based on time study data collected for the RAS, the amount of staff time involved in handling a homicide case is about 16 times higher than the overall felony case weight.

Among the 33 courts that reported homicide filings in 2011, homicide filings as a percentage of total felony filings ranged from 0 to 2 percent (Modoc was an outlier with 6 percent), with an overall average of 0.9 percent. The rate for our Court was 1.3 percent in 2012, about 50 percent greater than the 33-court average.

4. **A description of whether the unaccounted for factor is unique to the applicant court(s) or has broader application.**

   Homicide cases can be filed in any court so this adjustment would have a broad application.

5. **Detailed description of staffing need(s) and/or costs required to support the unaccounted for factor. *Employee compensation must be based on WAFM compensation levels, not the requesting court's actual cost.**

   The current case weight in the RAS model for felony filings is 944 minute per case. With homicide cases separated from all other felonies, preliminary analysis suggests a case weight of 14,800 minutes for each homicide case and 817 minutes for all other felonies. In a RAS simulation that assumes homicide filings in our court at 1.3 percent of total felonies and 0.9 percent at statewide level, the estimated staff need would increase by 4 FTEs. Assuming a static situation in which the proposed homicide case weight is only applied to our Court, the Court's funding under the WAFM year-five scenario (with 50 percent of funding subject to WAFM) would increase by approximately $140,000.

6. **Description of the consequence to the public and access to justice without the funding.**

   The Court will continue to operate at sub-optimal staffing levels. While this does not directly impact the handling of homicide cases, other areas have and will continue to suffer, resulting in the development of large backlogs in many other areas of criminal case processing, including probation transfers and the satisfaction of criminal records requests.

7. **Description of the consequences to the requesting court(s) of not receiving the funding.**

   See response to #6.

8. **Any additional information requested by the Fiscal Services Office, Funding Methodology sub-committee or TCBAC deemed necessary to fully evaluate the request.**

   None at this time.

Sincerely,

Winifred Y. Smith, Presiding Judge
Alameda County Superior Court

WYS:cw

c: Leah T. Wilson, Court Executive Officer
Zlatko Theodorovic, Director, AOC Fiscal Services Office