



JUDICIAL COUNCIL  
OF CALIFORNIA

ADMINISTRATIVE OFFICE  
OF THE COURTS

## Trial Court Budget Advisory Committee

Thursday, January 16, 10:00 a.m. to 3:00 p.m.

JCC Board Room, San Francisco

Time	Item	Presenter
10:00 – 10:15 a.m.	Agenda Approval of 8/14/2013 Meeting Minutes Public Comment *Minutes (p. 1-5)	Hon. Laurie Earl, Co-Chair of the TCBC and Judge of Superior Court of Sacramento County  Zlatko Theodorovic, Co-Chair of the TCBC and Director, AOC Fiscal Services Office
10:15 – 10:45 a.m.	Update on Governor's Budget for 2014–2015 *IMF fund condition (p. 6) *TCTF fund condition (p. 7-8) *Special display (p. 9)	Curt Soderlund, Chief Administrative Officer, AOC  Zlatko Theodorovic
10:45 – 11:10 a.m.	Item 2: Allocation of Court-Appointed Counsel Fees Costs Recovered from Juvenile Court-Appointed Dependency Counsel Cases (action item) *Report (p. 12-18)	Corby Sturges, Attorney, AOC Center for Families, Children, & the Courts
11:10 – 11:30 a.m.	Item 3: Allocation of Domestic Violence—Family Law Interpreter Program Funding (action item) *Report (p. 19-24)	Charlene Depner, Assistant Director, AOC Center for Families, Children, & the Courts
11:30 – 12:00 p.m.	Item 4: Recommendations of the Realignment Subcommittee (action item) *Report (p. 53-57)	Hon. David Wesley, Co-Chair of the Realignment Subcommittee and Presiding Judge of the Superior Court of Los Angeles County  David Yamasaki, Co-Chair of the Realignment Subcommittee and Court Executive Officer of the Superior Court of Santa Clara County
12:00 – 12:30 p.m.	Break	
12:30 – 2:00 p.m.	Item 5: Recommendations of the Funding Methodology Subcommittee (action item) *Report (p. 25-26) *Materials reviewed by subcommittee (p. 27-37) *Request of Mendocino Superior Court (p. 38-40)	Hon. Laurie Earl  Jake Chatters, Co-Chair of the Funding Methodology Subcommittee, and Court Executive Officer of the Superior Court of Placer County

2:00 – 2:10 p.m.	Item 7: Security Growth Funding for Courts with Marshals (action item)	Hon. Laurie Earl & Zlatko Theodorovic
2:10 – 2:50 p.m.	<p>Item 6: Preliminary Recommendations of the Revenue and Expenditure Subcommittee (discussion item)</p> <p>*Report (p. 41-46)</p> <p>*Information related to LAN/WAN program, part 1 (p. 47-52), part 2 (p. 58-67)</p>	<p>Hon. Rob Trentacosta, Co-Chair of the Revenue and Expenditure Subcommittee and Presiding Judge of the Superior Court San Diego County</p> <p>Sherri R. Carter, Co-Chair of the Revenue and Expenditure Subcommittee and Court Executive Officer of the Superior Court of Los Angeles County</p>
2:50 – 3:00 p.m.	Wrap-Up	Hon. Laurie Earl & Zlatko Theodorovic

**Trial Court Budget Advisory Committee**  
**AOC San Francisco Office – Judicial Council Boardroom**  
**Minutes for Meeting of August 14, 2013**

**Trial Court Budget Advisory Committee members present:** Judge Laurie M. Earl, Co-Chair, Zlatko Theodorovic, Co-Chair, Judges Rene A. Couteau, C. Don Clay, Mark A. Cope, Thomas DeSantos, Barry P. Good, Lloyd L. Hicks, Laura J. Masunaga, Marsha Slough, Robert J. Trentacosta, and Brian Walsh; court executive officers Sherri R. Carter, Jake Chatters, Richard Feldstein, John Fitton, Rebecca Fleming, Kimberly Flener, Shawn Landry, Deborah Norrie, Michael Planet, Michael Roddy, Brian Taylor, Mary Beth Todd, Tania Ugrin-Capobianco, Christine Volkers, and David Yamasaki; **advisory members present:** Curtis L. Child, Jody Patel, and Curt Soderlund.

Members absent: Judges Loretta M. Begen, Thomas J. Borris, Elizabeth W. Johnson, and David S. Wesley.

**Action Item 1 – Approval of minutes of July 9, 2013 meeting.**

A motion was made and adopted unanimously to approve the minutes of the July 9, 2013 meeting of the Trial Court Budget Advisory Committee (TCBAC).

**Action Item 2 – Funding Methodology Subcommittee – Update & WAFM Adjustment Process**

A motion was made and approved unanimously to recommend that the Judicial Council take the following actions:

1. Approve the Workload-based Allocation and Funding Methodology (WAFM) Adjustment Request Process, and
2. Direct the Director of the Administrative Office of the Court's (AOC) Fiscal Services Office to develop an application form the trial courts will be required to complete in order to be considered for a WAFM adjustment.

**Action Item 3 – FY 2013–2014 State Trial Court Improvement and Modernization Fund (STCIMF) and Trial Court Trust Fund (TCTF) (Programs 30.05 and 30.15) Allocations.**

*STCIMF*

The following actions were taken by the TCBAC with regard to allocations from the STCIMF based on recommendations from the Revenue and Expenditures Subcommittee of the TCBAC:

1. A motion was made and approved unanimously to recommend an allocation of \$8.74 million for the telecommunications support program. A decision was deferred on whether to recommend an additional \$6.9 million allocated as proposed by the AOC to replace network switches in 16 courts. The TCBAC intends to make a recommendation on the \$6.9 million to be brought to the October 2013 Judicial Council meeting.
2. A motion was made and approved to defer \$609,000 for a new Superior Court of Orange County telecommunications network infrastructure upgrade project until the October 2013 Judicial Council meeting to allow time for the TCBAC to receive the full assessment of the existing telecommunication program courts, and for the AOC to determine whether other courts wish to join the program.
3. A motion was made and approved unanimously to approve \$67.093 million in STCIMF allocations, including the two actions taken above, and which will also:
  - a. Reduce the proposed funding level by \$34,000 for the EAP for Bench Officers Program due to historically low service utilization rates, cancel the contract with the service vendor, and change from blanket service coverage to per-call base service;
  - b. Deny the new funding request of \$1.16 million for the Courts Linked by Information and Knowledge (CLIK) program due to the non-urgency of the system re-write and/or replacement; and
  - c. Shift the STCIMF allocation for the Domestic Violence – Family Law Interpreter Program by \$1.73 million, and instead use \$1.73 million of the TCTF Program 45.45 appropriation to pay for costs related to the program.
4. A motion was made and approved unanimously to have the WAFM subcommittee review the court-by-court allocation for the Complex Civil Litigation Program and possibly develop a recommendation to the TCBAC for changing the allocation methodology starting in FY 2014–2015. The action taken in 3. above maintains the FY 2013–2014 allocation at the FY 2012–2013 level of \$4.001 million using the current allocation methodology.

*TCTF*

The following actions were taken by the TCBAC with regard to allocations from the TCTF, based on recommendations from the Revenue and Expenditures Subcommittee of the TCBAC:

1. A motion was made and approved unanimously that the Revenue and Expenditure Subcommittee of the TCBAC, coordinating with the Court Technology Planning Task Force, as appropriate, review the future allocations for the Civil, Small Claims, Probate and Mental Health (V3) Case Management System and Criminal and Traffic (V2) Case Management

System and recommend a new methodology for allocating monies for trial court technology programs and projects in general and case management systems in particular.

2. A motion was made and approved unanimously to approve \$23.41 million in allocations for projects and programs related to the Programs 30.05 and 30.15 appropriations.

#### **Action Item 4 – STCIMF Delegation of Authority Guidelines for the Administrative Director of the Courts**

A motion was made and approved unanimously to delegate to the Administrative Director of the Courts (Administrative Director) the authority to make transfers between allocations in the STCIMF subject to the following:

- The sum of any allocation transfers cannot exceed 20 percent of any allocation to be reduced nor 20 percent of the allocation to be augmented.
- The Administrative Director must notify the chairperson of the council’s Executive and Planning Committee and the co-chairs of the TCBAC in advance of the transfer.
- The Administrative Director must report back to the council the rationale and amounts of any approved adjustments after the end of the fiscal year.

#### **Action Item 5 – Court-Appointed Dependency Counsel: Amendments to Collections Program Guidelines**

##### *Process for Recovering Program Implementation Costs*

A motion was made and approved unanimously to permit each participating court to recover its eligible program costs from the funds that it alone has collected before remitting the remaining revenue to the state.

##### *Allocation Methodology*

A motion was made and approved unanimously to allocate funds proportionally to each participating court whose current allocation, as a proportion of available funds, is below its proportionate funding need as determined by the Caseload Funding Model (CFM) and allocate no funds to courts whose current allocation, as a proportion of available funds, equals or exceeds their proportionate funding need as determined by the CFM.

A motion was made and approved unanimously to have the WAFM Subcommittee examine the equity of the \$103.7 million court-appointed dependency counsel allocation in future years.

## **Action Item 6 – Superior Court of Fresno County CMS Allocation Request**

A motion was made and approved unanimously to adopt the recommendation of the Judicial Council Technology Committee that the Judicial Council approve funding from the TCTF, up to \$2,373,200, for the Superior Court of Fresno County to replace their V2 case management system. The funding for systems replacement will be contingent on the following terms and conditions:

1. Verification and validation of proposed costs based on review of vendor responses to the Court's case management system Request for Proposal (RFP), including technical specifications and resource requirements; and the preferred vendor's final contract proposal;
2. In line with the efforts of the branch to maintain transparency with technology projects, the Court must submit notification of the project to the California Department of Technology (CalTech) according to Government Code section 68511.9 in the event the total project costs including local court staff costs, operations costs, and the first year of maintenance costs post deployment exceed five million dollars;
3. The funds distributed will not exceed the requested level of funding (\$2,373,200) beyond FY 2015–2016;
4. The funds will be distributed over a two year period in accordance with the contract and upon submission of invoices for product and services necessary to acquire and deploy the court's case management system;
5. The AOC will provide project oversight, including monitoring project progress and costs to assure the distributions are appropriate; as well as independent project oversight for a period of 2 years; and
6. The Court will provide the AOC with access to all records necessary to evaluate and monitor the project and will cooperate fully with efforts of the Trial Court Liaison Office to do so.

## **Action Item 7 – Budget Change Proposals**

A motion was made and defeated by a vote of 15-yes and 18-no, to recommend to the Judicial Council that a security funding deficiency be prepared and submitted to the Governor and the Legislature for FY 2013–2014.

A motion was made and defeated with only two yes votes to recommend to the Judicial Council that a FY 2014–2015 budget change proposal be prepared and submitted to the Governor and the Legislature for statewide funding for security deficiencies.

A motion was made and approved by a vote of 23-yes and 8-no, to support the recommendation to the Judicial Council of the submission of a FY 2014–2015 BCP for operations funding for new trial court facilities.

A motion was made and approved by a majority of members to support a recommendation to the Judicial Council for submission of a FY 2014–2015 BCP for operational costs for transferred trial court facilities.

A motion was made and approved unanimously to support a recommendation to the Judicial Council for submission of a FY 2014–2015 placeholder BCP for technology.

A motion was made and approved unanimously to support a recommendation to the Judicial Council for submission of a FY 2014–2015 BCP for funding for the second 50 judgeships.

A motion was made and approved to support a recommendation to the Judicial Council for the AOC to advocate for authorization (as opposed to funding) for the third 50 judgeships.

A motion was made and approved unanimously to recommend the following prioritized list of FY 2014–2015 BCPs to the Judicial Council for submission to the Governor and Legislature:

1. Trial court reinvestment
2. Benefit increases
3. Technology
4. Second 50 judgeships (AB 159)
5. Trial court facilities modification projects
6. Increased operating costs for new and renovated courthouses
7. Maintenance of trial court facilities
8. Staff salary increase; and
9. Court-appointed dependency counsel.

## 0250 Judicial Branch - Continued

## FUND CONDITION STATEMENTS

	2012-13*	2013-14*	2014-15*
<b>0159 State Trial Court Improvement and Modernization Fund <sup>s</sup></b>			
BEGINNING BALANCE	\$40,247	\$44,827	\$24,619
Prior year adjustments	2,276	-	-
Adjusted Beginning Balance	\$42,523	\$44,827	\$24,619
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
141200 Sales of Documents	519	445	445
150300 Income From Surplus Money Investments	201	135	135
161000 Escheat of Unclaimed Checks & Warrants	1	-	-
161400 Miscellaneous Revenue	2	-	-
164600 Fines and Forfeitures	43,563	42,777	42,777
164800 Penalty Assessments on Criminal Fines	11	-	-
Transfers and Other Adjustments:			
FO0556 From Judicial Administration Efficiency and Modernization Fund per Chapter 41, Statutes of 2012 section 60	24,888	-	-
TO0932 To Trial Court Trust Fund Per Item 0250-111-0159, Budget Acts of 2012 & 2013	-27,223	-20,594	-20,594
TO0932 To Trial Court Trust Fund per Government Code Section 77209 (j)	-13,397	-13,397	-13,397
Total Revenues, Transfers, and Other Adjustments	\$28,565	\$9,366	\$9,366
Total Resources	\$71,088	\$54,193	\$33,985
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch			
State Operations	12,502	13,410	9,216
Local Assistance	52,297	54,291	63,000
0840 State Controller (State Operations)	8	1	-
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	163	581	298
Expenditure Adjustments:			
0250 Judicial Branch			
Less funding provided by the General Fund (Local Assistance)	-38,709	-38,709	-38,709
Total Expenditures and Expenditure Adjustments	\$26,261	\$29,574	\$33,805
FUND BALANCE	\$44,827	\$24,619	\$180
Reserve for economic uncertainties	44,827	24,619	180
<b>0327 Court Interpreters' Fund <sup>s</sup></b>			
BEGINNING BALANCE	\$265	\$334	\$368
Prior year adjustments	-2	-	-
Adjusted Beginning Balance	\$263	\$334	\$368
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
125700 Other Regulatory Licenses and Permits	235	202	202
Total Revenues, Transfers, and Other Adjustments	\$235	\$202	\$202
Total Resources	\$498	\$536	\$570
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch (State Operations)	164	166	164
0840 State Controller (State Operations)	-	1	-
8880 Financial Information System for California (State Operations)	-	1	-
Total Expenditures and Expenditure Adjustments	\$164	\$168	\$164

\* Dollars in thousands, except in Salary Range.

revised as of January 13, 2014 (3:54PM)  
revised as of 1/15/14 (1445)



**0250 Judicial Branch - Continued**

	<u>2012-13*</u>	<u>2013-14*</u>	<u>2014-15*</u>
FUND BALANCE	\$334	\$368	\$406
Reserve for economic uncertainties	334	368	406
<b>0556 Judicial Administration Efficiency and Modernization Fund <sup>s</sup></b>			
BEGINNING BALANCE	\$7,881	-	-
Prior year adjustments	17,007	-	-
Adjusted Beginning Balance	\$24,888	-	-
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Transfers and Other Adjustments:			
TO0159 To State Trial Court Improvement and Modernization Fund per Chapter 41, Statutes of 2012 section 60	-24,888	-	-
Total Revenues, Transfers, and Other Adjustments	-\$24,888	-	-
Total Resources	-	-	-
FUND BALANCE	-	-	-
<b>0587 Family Law Trust Fund <sup>s</sup></b>			
BEGINNING BALANCE	\$1,836	\$2,388	\$1,583
Prior year adjustments	-2	-	-
Adjusted Beginning Balance	\$1,834	\$2,388	\$1,583
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
150300 Income From Surplus Money Investments	6	5	5
161400 Miscellaneous Revenue	2,006	2,008	2,008
Total Revenues, Transfers, and Other Adjustments	\$2,012	\$2,013	\$2,013
Total Resources	\$3,846	\$4,401	\$3,596
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch (State Operations)	1,324	2,656	2,656
0840 State Controller (State Operations)	3	-	-
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	131	162	119
Total Expenditures and Expenditure Adjustments	\$1,458	\$2,818	\$2,775
FUND BALANCE	\$2,388	\$1,583	\$821
Reserve for economic uncertainties	2,388	1,583	821
<b>0932 Trial Court Trust Fund <sup>s</sup></b>			
BEGINNING BALANCE	\$105,535	\$82,346	\$36,429
Prior year adjustments	19,189	-	-
Adjusted Beginning Balance	\$124,724	\$82,346	\$36,429
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
131700 Misc Revenue From Local Agencies	498,600	498,600	498,600
150300 Income From Surplus Money Investments	219	58	58
161000 Escheat of Unclaimed Checks & Warrants	285	50	50
161400 Miscellaneous Revenue	503	40	40
164300 Penalty Assessments	25,194	27,931	27,931
164400 Civil & Criminal Violation Assessment	149,101	155,694	155,694
164600 Fines and Forfeitures	161,778	161,574	161,574
164700 Court Filing Fees and Surcharges	564,745	536,940	536,940
Transfers and Other Adjustments:			
FO0159 From State Trial Court Improvement and Modernization Fund per Government Code Section 77209 (j)	13,397	13,397	13,397

\* Dollars in thousands, except in Salary Range.

## 0250 Judicial Branch - Continued

	2012-13*	2013-14*	2014-15*
FO0159 From State Trial Court Improvement and Modernization Fund Per Item 0250-111-0159, Budget Acts of 2012 & 2013	27,223	20,594	20,594
FO3037 From State Court Facilities Construction Fund per Item 0250-111-3037, Budget Act of 2011	59,486	5,486	5,486
Total Revenues, Transfers, and Other Adjustments	<u>\$1,500,531</u>	<u>\$1,420,364</u>	<u>\$1,420,364</u>
Total Resources	\$1,625,255	\$1,502,710	\$1,456,793
<b>EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>			
Expenditures:			
0250 Judicial Branch			
State Operations	23,610	21,627	24,459
Local Assistance	1,784,598	2,186,380	2,266,127
0840 State Controller (State Operations)	180	178	174
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	212	415	3,103
Expenditure Adjustments:			
0250 Judicial Branch			
Less funding provided by the General Fund (Local Assistance)	-263,691	-742,319	-842,319
8860 Department of Finance			
Less funding provided by General Fund (State Operations)	-2,000	-	-
Total Expenditures and Expenditure Adjustments	<u>\$1,542,909</u>	<u>\$1,466,281</u>	<u>\$1,451,544</u>
FUND BALANCE	\$82,346	\$36,429	\$5,249
Reserve for economic uncertainties	82,346	36,429	5,249
<b>3037 State Court Facilities Construction Fund<sup>s</sup></b>			
BEGINNING BALANCE	\$70,229	\$80,725	\$121,264
Prior year adjustments	8,398	-	-
Adjusted Beginning Balance	<u>\$78,627</u>	<u>\$80,725</u>	<u>\$121,264</u>
<b>REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS</b>			
Revenues:			
131700 Misc Revenue From Local Agencies	6,301	18	18
150300 Income From Surplus Money Investments	125	125	125
161000 Escheat of Unclaimed Checks & Warrants	1	-	-
161400 Miscellaneous Revenue	49	50	50
164300 Penalty Assessments	12,549	12,546	12,546
164700 Court Filing Fees and Surcharges	26,212	26,212	26,212
164800 Penalty Assessments on Criminal Fines	76,037	76,037	76,037
Transfers and Other Adjustments:			
FO0001 From General Fund Loan repayment per Item 0250-012-3037, Budget Act of 2011	-	-	130,000
TO0932 To Trial Court Trust Fund per Item 0250-111-3037, Budget Act of 2011	-59,486	-5,486	-5,486
Total Revenues, Transfers, and Other Adjustments	<u>\$61,788</u>	<u>\$109,502</u>	<u>\$239,502</u>
Total Resources	\$140,415	\$190,227	\$360,766
<b>EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>			
Expenditures:			
0250 Judicial Branch			
State Operations	59,640	68,955	129,525
Capital Outlay	-	-	3,083
0840 State Controller (State Operations)	50	8	-
Total Expenditures and Expenditure Adjustments	<u>\$59,690</u>	<u>\$68,963</u>	<u>\$132,608</u>
FUND BALANCE	\$80,725	\$121,264	\$228,158
Reserve for economic uncertainties	80,725	121,264	228,158

\* Dollars in thousands, except in Salary Range.

revised as of January 13, 2014 (3:54PM)

revised as of 1/15/14 (1445)



**Pages 10 and 11 are intentionally missing due to  
removal of Item 1 from the agenda.**



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

455 Golden Gate Avenue • San Francisco, California 94102-3688  
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

---

## MEMORANDUM

---

Date	Action Requested
January 9, 2014	Review options and recommend allocation
To	Deadline
Trial Court Budget Advisory Committee	January 16, 2014
From	Contact
Juvenile Dependency Counsel Collections Program (JDCCP) Don Will, Program Manager Corby Sturges, Attorney	Corby Sturges CFCC 415-865-4507 phone 415-865-7217 fax corby.sturges@jud.ca.gov
Subject	
Allocation of JDCCP Funds to Trial Courts, FY 2013–2014	

---

The Judicial Council, as required by statute, established the Juvenile Dependency Counsel Collections Program (JDCCP) to collect reimbursements from parents and other responsible persons liable for the cost of dependency-related legal services to the extent that those persons are able to pay.<sup>1</sup> The law further requires that collected funds, less recoverable program implementation costs, be remitted to the state Trial Court Trust Fund (TCTF).<sup>2</sup>

The statute requires the Judicial Council to allocate the funds remitted through the JDCCP to the trial courts to reduce court-appointed attorney caseloads to the council's approved standard. In determining allocations, the council must give priority to courts with the highest attorney caseloads that also demonstrate the ability to immediately improve outcomes for parents and children as the result of lowering attorney caseloads.<sup>3</sup>

---

<sup>1</sup> Welf. & Inst. Code § 903.47(a) (added by Assem. Bill 131 (Stats. 2009, ch. 413)).

<sup>2</sup> *Id.*, at §§ 903.1(c), 903.47(a).

<sup>3</sup> *Id.*, at § 903.47(a)(2).

January 9, 2014

Page 2

By the close of Fiscal Year 2012–2013, the trial courts had remitted \$2.3 million, less expenses, through the JDCCP to the TCTF for use to reduce caseloads for court-appointed attorneys in juvenile dependency proceedings. In August, the Judicial Council amended the program guidelines to adopt a methodology for allocating remitted JDCCP funds to eligible trial courts in proportion to each eligible court’s need for dependency counsel funding.<sup>4</sup> The council did not, however, make a decision on allocating the funds because the final net balance had not yet been determined. In addition, the trial courts had not yet submitted their year-end JDCCP reports, which are necessary to determine which courts are eligible for an allocation of remitted funds.

The Trial Court Budget Advisory Committee (TCBAC) has the authority to recommend to the Judicial Council the timing and amount of funding allocations to the trial courts from the TCTF. The council needs to receive information and a recommendation from this committee on which it can base a decision to allocate JDCCP funds to the trial courts.<sup>5</sup>

### **Recommendation**

*Option 1:* The Administrative Office of the Courts (AOC) recommends allocating the full cumulative balance of \$2.3 million immediately to eligible courts so these courts may begin claiming reimbursement for costs incurred to reduce court-appointed attorney caseloads in dependency proceedings. For the specific amounts allocable to each eligible court, see Attachment A. Immediate allocation of the full year-end balance would maximize courts’ flexibility to tailor their efforts to reduce caseloads to their local needs and practices without restricting the timeframe of those efforts. Courts could elect to spend and claim reimbursement for their full JDCCP allocation this fiscal year or to spend and claim part of the allocation this year and the remainder in a subsequent year or years. Any unclaimed funds would remain in the state TCTF for distribution when spent and claimed in subsequent fiscal years.

Now that the allocation methodology is in place, there is no reason for remitted JDCCP funds to accumulate beyond one fiscal year. It is anticipated that the council would choose annually to allocate the full year-end balance to eligible courts according to the adopted methodology. This allocation could take place each year as soon as annual reports are filed and eligibility determinations finalized.

### **Other Alternatives**

In the event that the committee is concerned that the immediate allocation of the full balance might unduly limit Judicial Council flexibility or make it more difficult for the trial courts to plan ongoing expenditures because the amount available for allocation in future fiscal years will be

---

<sup>4</sup> Judicial Council of Cal., Advisory Com. Rep., *Juvenile Dependency: Counsel Collections Program Guidelines* (Aug. 15, 2013), pp. 2, 6–7, [www.courts.ca.gov/documents/jc-20130823-itemF.pdf](http://www.courts.ca.gov/documents/jc-20130823-itemF.pdf); see Cal. Rules of Court, app. F (Juvenile Dependency Counsel Collections Program Guidelines), [www.courts.ca.gov/documents/appendix\\_f.pdf](http://www.courts.ca.gov/documents/appendix_f.pdf).

<sup>5</sup> Provision 10 of item 0250-101-0932 of the Budget Act authorizes the “amount available for expenditure” from the TCTF in schedule (1) of that item to be “increased by the amount of any additional resources collected for the recovery of costs for court-appointed dependency counsel services.” (Assem. Bill 110; Stats. 2013, ch. 20, § 2.00.) Any allocation of JDCCP funds would therefore augment the existing TCTF expenditure authority.

January 9, 2014

Page 3

much lower than the 2012–2013 balance, the following options are presented for consideration. For the reasons discussed, however, these options are not recommended.

*Option 2:* Allocate \$1,544,000—two-thirds of the available JDCCP funds—immediately to eligible courts and retain the remaining \$772,000 in the TCTF for future allocation. For the specific amounts allocable to each eligible court under this option, see Attachment B. By allowing the addition of the retained funds to funds remitted by June 30, 2014, this option gives the Judicial Council the flexibility to allocate substantially similar amounts for this and the next fiscal year, regardless of any fluctuation in the amount remitted and available for allocation at the end of FY 2014–2015 or later years.<sup>6</sup> This stability might, in turn, allow courts more accurately to estimate their annual revenues and plan their year-over-year expenditures.

However, because allocated funds not claimed for reimbursement will be carried forward to later fiscal years, courts should be able to plan equally well, with more flexibility, under option 1 than under this option or option 3. In addition, this option would increase uncertainty regarding courts' future allocations. The methodology in section 14 of the guidelines requires determining courts' relative levels of need at the time of the allocation decision. Because caseloads and costs change, courts whose current level of need renders them eligible to receive an immediate allocation might not be eligible to receive another allocation the next allocation occurs. And some courts not currently eligible for a JDCCP allocation might become eligible.

*Option 3:* Allocate \$772,000—one-third of the available JDCCP funds—immediately to eligible courts and retain the remaining \$1,544,000 in the TCTF for future allocation. For specific amounts allocable to each court, see Attachment C. This option would allow eligible courts to take some steps to reduce caseloads. It would also enable the Judicial Council to allocate substantially similar amounts for caseload reduction over the next several fiscal years, regardless of fluctuations in the amount remitted each year to the program.<sup>7</sup> This stability might, in turn, allow courts more accurately to estimate their annual revenues and plan their year-over-year expenditures.

However, because allocated funds not claimed for reimbursement are carried forward to later fiscal years, courts should be able to plan equally well, with more flexibility, under option 1 and option 2 than under this option. This option could also increase uncertainty regarding courts'

---

<sup>6</sup> In FY 2014–2015, the council could decide to allocate the remaining \$772,000, as well as any additional JDCCP funds remitted by the end of FY 2013–2014. With annual remittances are projected to be between \$700,000 and \$750,000, the amount available for allocation in 2014–2015 is projected to be between \$1.4 million and \$1.5 million. In subsequent years, the available amount would be limited to the amount collected in the preceding fiscal year.

<sup>7</sup> In FY 2014–2015, the council could again decide to allocate \$772,000 or another similar amount. With annual remittances projected to be between \$700,000 and \$750,000, an annual allocation of that amount could continue indefinitely.

January 9, 2014

Page 4

future allocations in the same way as option 3, though the impact of that uncertainty would be lower because eligible courts would receive larger immediate allocations.

*Option 4:* Allocate no JDCCP funds to the trial courts in Fiscal Year 2013–2014 and retain all JDCCP funds in the TCTF for allocation in FY 2014–2015 and beyond. This option may be preferable because most trial courts have finalized their budgets for FY 2013–2014 by this point in the fiscal year. However, the option would limit or delay courts’ efforts to reduce current attorney caseloads, even as the number of dependency clients is rising statewide.

### **Additional Information**

Under any of the options outlined above, each court eligible for an allocation under the adopted methodology would receive a share of funds proportionate to its estimated need relative to the need of all other eligible courts. These funds would be available to reimburse each court for any expenses consistent with the statutory mandate to reduce court-appointed counsel caseloads. Reimbursable expenses would include, but not be limited to, counsel salary and expenses that exceed a court’s base allocation. Courts could also claim reimbursement from their JDCCP allocation for innovative programs designed to reduce attorney caseloads. The trial courts would use the existing court-appointed counsel reimbursement process to access the additional funds. A new, separate ledger line might be required to indicate a claim against the JDCCP allocation. For those eligible courts participating in the DRAFT program, the AOC will directly adjust the amount available to contract for court-appointed counsel services with the additional funds.<sup>8</sup>

Any court unable to expend its full JDCCP allocation in the fiscal year it is authorized would carry the unspent balance forward for its use in future fiscal years. Funds carried forward would not be used to calculate a court’s relative need in determining its eligibility for future JDCCP allocations.

### **Attachments**

---

<sup>8</sup> Funding for court-appointed dependency counsel is administered in two ways by the AOC and the trial courts. Thirty-eight trial courts continue to take direct responsibility for selecting providers, negotiating contracts, and paying appointed dependency counsel. These courts may claim reimbursement for their documented court-appointed counsel costs, up to the amount of their share of the legislatively established base court-appointed counsel budget. The AOC administers reimbursement for these costs in a manner analogous to other reimbursable court operations costs.

The remaining twenty courts participate in the voluntary Dependency Representation Administration, Funding, and Training (DRAFT) program. AOC staff collaborates with each of these courts to select providers, then negotiates long-term contracts for dependency counsel services, administers those contracts, offers training to contract providers, and pays providers directly based on verified invoices submitted by those providers.



Item 2: Allocation of CAC Fees Costs Recovered from Juvenile CAC Dependency Cases (action item)  
**Proposed Allocation of JDCCP Remitted Funds FY 2013-2014, Option 1** Attachment A

	A	B	C	D	E	F
1	Court	Estimated Funding Need per Caseload Funding Model (CFM) 1/13	Estimated Funding Need as Percentage of Statewide Need	Allocation of Current State CAC Base Budget	Allocation as a Percentage of CAC Base Budget	Share of Collected Funds Allocated to Eligible Courts Using Judicial Council Methodology†
2	Alpine	\$0.00	0.00%	\$0.00	0.00%	\$0.00
3	Colusa*	\$53,045.34	0.04%	\$0.00	0.00%	\$0.00
4	Madera	\$470,467.12	0.36%	\$53,030.50	0.05%	\$12,666.24
5	San Benito	\$190,087.72	0.14%	\$31,884.50	0.03%	\$5,117.68
6	Sutter	\$290,834.22	0.22%	\$84,082.75	0.08%	\$7,830.04
7	Tuolumne	\$216,700.00	0.16%	\$63,980.75	0.06%	\$5,834.15
8	Tehama	\$317,430.04	0.24%	\$93,909.01	0.09%	\$8,546.07
9	Glenn	\$159,673.69	0.12%	\$55,250.00	0.05%	\$4,298.86
10	Kings	\$594,444.59	0.45%	\$199,672.35	0.19%	\$16,004.06
11	San Mateo	\$861,103.65	0.65%	\$323,021.73	0.31%	\$23,183.24
12	Riverside	\$9,960,737.40	7.56%	\$4,171,897.50	4.02%	\$268,169.92
13	Ventura	\$1,763,823.63	1.34%	\$755,357.00	0.73%	\$47,486.90
14	Tulare	\$1,486,953.46	1.13%	\$658,892.25	0.64%	\$40,032.79
15	Calaveras	\$164,425.88	0.12%	\$76,519.00	0.07%	\$4,426.79
16	San Bernardino	\$7,271,805.86	5.52%	\$3,587,297.00	3.46%	\$195,776.64
17	Monterey	\$591,586.23	0.45%	\$329,570.00	0.32%	\$15,927.09
18	Merced	\$988,495.67	0.75%	\$593,861.37	0.57%	\$26,612.98
19	Kern	\$3,456,745.25	2.62%	\$2,023,943.00	1.95%	\$93,064.90
20	Yolo	\$539,849.13	0.41%	\$333,430.00	0.32%	\$14,534.19
21	Napa	\$285,404.82	0.22%	\$176,430.00	0.17%	\$7,683.87
22	Butte	\$983,443.74	0.75%	\$664,759.00	0.64%	\$26,476.97
23	Placer	\$655,009.52	0.50%	\$418,422.00	0.40%	\$17,634.64
24	Shasta	\$861,355.26	0.65%	\$569,416.00	0.55%	\$23,190.00
25	<b>DRAFT</b>	<b>\$53,820,131.02</b>	<b>40.84%</b>	<b>\$34,064,073.00</b>	<b>32.84%</b>	<b>\$1,448,983.18</b>
26	Mariposa	\$56,413.30	0.04%	\$32,243.00	0.03%	\$1,518.79
27	Mono	\$14,256.58	0.01%	\$12,329.00	0.01%	\$0.00
28	Trinity	\$92,618.85	0.07%	\$83,204.00	0.08%	\$0.00
29	Modoc	\$17,681.78	0.01%	\$16,064.00	0.02%	\$0.00
30	Yuba	\$210,997.37	0.16%	\$199,732.00	0.19%	\$0.00
31	Fresno	\$2,957,067.13	2.24%	\$2,958,296.00	2.85%	\$0.00
32	<b>DRAFT</b>	<b>\$29,654,711.05</b>	<b>22.50%</b>	<b>\$36,231,939.29</b>	<b>34.93%</b>	<b>\$0.00</b>
33	Orange	\$6,227,511.20	4.73%	\$6,583,082.00	6.35%	\$0.00
34	Lassen	\$104,406.70	0.08%	\$108,374.00	0.10%	\$0.00
35	San Francisco	\$3,101,987.42	2.35%	\$3,907,633.00	3.77%	\$0.00
36	Contra Costa	\$2,543,025.40	1.93%	\$3,120,151.00	3.01%	\$0.00
37	Nevada	\$204,344.30	0.16%	\$232,799.00	0.22%	\$0.00
38	Sierra	\$10,945.86	0.01%	\$14,898.00	0.01%	\$0.00
39	Humboldt	\$407,522.92	0.31%	\$562,460.00	0.54%	\$0.00
40	Siskiyou	\$167,555.91	0.13%	\$256,552.00	0.25%	\$0.00
41	Inyo	\$38,017.54	0.03%	\$76,990.00	0.07%	\$0.00
42		<b>\$131,792,616.55</b>	<b>100.00%</b>	<b>\$103,725,445.00</b>	<b>100.00%</b>	<b>\$2,314,999.99</b>
43						
44	*County pays for dependency counsel					
45						
46	†Assuming participation requirements met					

Item 2: Allocation of CAC Fees Costs Recovered from Juvenile CAC Dependency Cases (action item)  
**Proposed Allocation of JDCCP Remitted Funds FY 2013-2014, Option 2** Attachment B

	A	B	C	D	E	F
1	Court	Estimated Funding Need per Caseload Funding Model (CFM) 1/13	Estimated Funding Need as Percentage of Statewide Need	Allocation of Current State CAC Base Budget	Allocation as a Percentage of CAC Base Budget	Share of Collected Funds Allocated to Eligible Courts Using Judicial Council Methodology†
2	Alpine	\$0.00	0.00%	\$0.00	0.00%	\$0.00
3	Colusa*	\$53,045.34	0.04%	\$0.00	0.00%	\$0.00
4	Madera	\$470,467.12	0.36%	\$53,030.50	0.05%	\$8,447.81
5	San Benito	\$190,087.72	0.14%	\$31,884.50	0.03%	\$3,413.26
6	Sutter	\$290,834.22	0.22%	\$84,082.75	0.08%	\$5,222.28
7	Tuolumne	\$216,700.00	0.16%	\$63,980.75	0.06%	\$3,891.11
8	Tehama	\$317,430.04	0.24%	\$93,909.01	0.09%	\$5,699.84
9	Glenn	\$159,673.69	0.12%	\$55,250.00	0.05%	\$2,867.14
10	Kings	\$594,444.59	0.45%	\$199,672.35	0.19%	\$10,673.98
11	San Mateo	\$861,103.65	0.65%	\$323,021.73	0.31%	\$15,462.17
12	Riverside	\$9,960,737.40	7.56%	\$4,171,897.50	4.02%	\$178,857.17
13	Ventura	\$1,763,823.63	1.34%	\$755,357.00	0.73%	\$31,671.61
14	Tulare	\$1,486,953.46	1.13%	\$658,892.25	0.64%	\$26,700.05
15	Calaveras	\$164,425.88	0.12%	\$76,519.00	0.07%	\$2,952.47
16	San Bernardino	\$7,271,805.86	5.52%	\$3,587,297.00	3.46%	\$130,574.14
17	Monterey	\$591,586.23	0.45%	\$329,570.00	0.32%	\$10,622.65
18	Merced	\$988,495.67	0.75%	\$593,861.37	0.57%	\$17,749.65
19	Kern	\$3,456,745.25	2.62%	\$2,023,943.00	1.95%	\$62,070.07
20	Yolo	\$539,849.13	0.41%	\$333,430.00	0.32%	\$9,693.65
21	Napa	\$285,404.82	0.22%	\$176,430.00	0.17%	\$5,124.79
22	Butte	\$983,443.74	0.75%	\$664,759.00	0.64%	\$17,658.94
23	Placer	\$655,009.52	0.50%	\$418,422.00	0.40%	\$11,761.50
24	Shasta	\$861,355.26	0.65%	\$569,416.00	0.55%	\$15,466.68
25	<b>DRAFT</b>	<b>\$53,820,131.02</b>	<b>40.84%</b>	<b>\$34,064,073.00</b>	<b>32.84%</b>	<b>\$966,406.06</b>
26	Mariposa	\$56,413.30	0.04%	\$32,243.00	0.03%	\$1,012.96
27	Mono	\$14,256.58	0.01%	\$12,329.00	0.01%	\$0.00
28	Trinity	\$92,618.85	0.07%	\$83,204.00	0.08%	\$0.00
29	Modoc	\$17,681.78	0.01%	\$16,064.00	0.02%	\$0.00
30	Yuba	\$210,997.37	0.16%	\$199,732.00	0.19%	\$0.00
31	Fresno	\$2,957,067.13	2.24%	\$2,958,296.00	2.85%	\$0.00
32	<b>DRAFT</b>	<b>\$29,654,711.05</b>	<b>22.50%</b>	<b>\$36,231,939.29</b>	<b>34.93%</b>	<b>\$0.00</b>
33	Orange	\$6,227,511.20	4.73%	\$6,583,082.00	6.35%	\$0.00
34	Lassen	\$104,406.70	0.08%	\$108,374.00	0.10%	\$0.00
35	San Francisco	\$3,101,987.42	2.35%	\$3,907,633.00	3.77%	\$0.00
36	Contra Costa	\$2,543,025.40	1.93%	\$3,120,151.00	3.01%	\$0.00
37	Nevada	\$204,344.30	0.16%	\$232,799.00	0.22%	\$0.00
38	Sierra	\$10,945.86	0.01%	\$14,898.00	0.01%	\$0.00
39	Humboldt	\$407,522.92	0.31%	\$562,460.00	0.54%	\$0.00
40	Siskiyou	\$167,555.91	0.13%	\$256,552.00	0.25%	\$0.00
41	Inyo	\$38,017.54	0.03%	\$76,990.00	0.07%	\$0.00
42		<b>\$131,792,616.55</b>	<b>100.00%</b>	<b>\$103,725,445.00</b>	<b>100.00%</b>	<b>\$1,543,999.98</b>
43						
44	*County pays for dependency counsel					
45						
46	†Assuming participation requirements met					

Item 2: Allocation of CAC Fees Costs Recovered from Juvenile CAC Dependency Cases (action item)  
**Proposed Allocation of JDCCP Remitted Funds FY 2013-2014, Option 3** Attachment C

	A	B	C	D	E	F
1	Court	Estimated Funding Need per Caseload Funding Model (CFM) 1/13	Estimated Funding Need as Percentage of Statewide Need	Allocation of Current State CAC Base Budget	Allocation as a Percentage of CAC Base Budget	Share of Collected Funds Allocated to Eligible Courts Using Judicial Council Methodology†
2	Alpine	\$0.00	0.00%	\$0.00	0.00%	\$0.00
3	Colusa*	\$53,045.34	0.04%	\$0.00	0.00%	\$0.00
4	Madera	\$470,467.12	0.36%	\$53,030.50	0.05%	\$4,223.90
5	San Benito	\$190,087.72	0.14%	\$31,884.50	0.03%	\$1,706.63
6	Sutter	\$290,834.22	0.22%	\$84,082.75	0.08%	\$2,611.14
7	Tuolumne	\$216,700.00	0.16%	\$63,980.75	0.06%	\$1,945.56
8	Tehama	\$317,430.04	0.24%	\$93,909.01	0.09%	\$2,849.92
9	Glenn	\$159,673.69	0.12%	\$55,250.00	0.05%	\$1,433.57
10	Kings	\$594,444.59	0.45%	\$199,672.35	0.19%	\$5,336.99
11	San Mateo	\$861,103.65	0.65%	\$323,021.73	0.31%	\$7,731.09
12	Riverside	\$9,960,737.40	7.56%	\$4,171,897.50	4.02%	\$89,428.59
13	Ventura	\$1,763,823.63	1.34%	\$755,357.00	0.73%	\$15,835.80
14	Tulare	\$1,486,953.46	1.13%	\$658,892.25	0.64%	\$13,350.03
15	Calaveras	\$164,425.88	0.12%	\$76,519.00	0.07%	\$1,476.23
16	San Bernardino	\$7,271,805.86	5.52%	\$3,587,297.00	3.46%	\$65,287.07
17	Monterey	\$591,586.23	0.45%	\$329,570.00	0.32%	\$5,311.32
18	Merced	\$988,495.67	0.75%	\$593,861.37	0.57%	\$8,874.83
19	Kern	\$3,456,745.25	2.62%	\$2,023,943.00	1.95%	\$31,035.04
20	Yolo	\$539,849.13	0.41%	\$333,430.00	0.32%	\$4,846.82
21	Napa	\$285,404.82	0.22%	\$176,430.00	0.17%	\$2,562.40
22	Butte	\$983,443.74	0.75%	\$664,759.00	0.64%	\$8,829.47
23	Placer	\$655,009.52	0.50%	\$418,422.00	0.40%	\$5,880.75
24	Shasta	\$861,355.26	0.65%	\$569,416.00	0.55%	\$7,733.34
25	<b>DRAFT</b>	<b>\$53,820,131.02</b>	<b>40.84%</b>	<b>\$34,064,073.00</b>	<b>32.84%</b>	<b>\$483,203.03</b>
26	Mariposa	\$56,413.30	0.04%	\$32,243.00	0.03%	\$506.48
27	Mono	\$14,256.58	0.01%	\$12,329.00	0.01%	\$0.00
28	Trinity	\$92,618.85	0.07%	\$83,204.00	0.08%	\$0.00
29	Modoc	\$17,681.78	0.01%	\$16,064.00	0.02%	\$0.00
30	Yuba	\$210,997.37	0.16%	\$199,732.00	0.19%	\$0.00
31	Fresno	\$2,957,067.13	2.24%	\$2,958,296.00	2.85%	\$0.00
32	<b>DRAFT</b>	<b>\$29,654,711.05</b>	<b>22.50%</b>	<b>\$36,231,939.29</b>	<b>34.93%</b>	<b>\$0.00</b>
33	Orange	\$6,227,511.20	4.73%	\$6,583,082.00	6.35%	\$0.00
34	Lassen	\$104,406.70	0.08%	\$108,374.00	0.10%	\$0.00
35	San Francisco	\$3,101,987.42	2.35%	\$3,907,633.00	3.77%	\$0.00
36	Contra Costa	\$2,543,025.40	1.93%	\$3,120,151.00	3.01%	\$0.00
37	Nevada	\$204,344.30	0.16%	\$232,799.00	0.22%	\$0.00
38	Sierra	\$10,945.86	0.01%	\$14,898.00	0.01%	\$0.00
39	Humboldt	\$407,522.92	0.31%	\$562,460.00	0.54%	\$0.00
40	Siskiyou	\$167,555.91	0.13%	\$256,552.00	0.25%	\$0.00
41	Inyo	\$38,017.54	0.03%	\$76,990.00	0.07%	\$0.00
42		<b>\$131,792,616.55</b>	<b>100.00%</b>	<b>\$103,725,445.00</b>	<b>100.00%</b>	<b>\$772,000.00</b>
43						
44	*County pays for dependency counsel					
45						
46	†Assuming participation requirements met					

### Item 3: Allocation of Domestic Violence—Family Law Interpreter Program Funding

---

## REPORT TO THE JUDICIAL COUNCIL

For business meeting on: January 23, 2014

---

Title	Agenda Item Type
Domestic Violence: Family Law Interpreter Program Allocations	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	January 23, 2014
Recommended by	Date of Report
Administrative Office of the Courts Curtis L. Child, Chief Operating Officer Diane Nunn, Director Donna Hershkowitz, Director	January 9, 2014
	Contact
	Bonnie Hough, 415-865-7668 bonnie.hough@jud.ca.gov

---

### Executive Summary

At its August 23, 2013, meeting, the Judicial Council approved \$1.73 million for fiscal year (FY) 2013–2014 for the Domestic Violence—Family Law Interpreter Program (DVFLI) using Program 45.45 (Court Interpreter) expenditure authority from the Trial Court Trust Fund Program instead of the State Trial Court Improvement and Modernization Fund. Since 2001–2002, the DVFLI program has reimbursed courts for costs related to providing interpreters in domestic violence, elder abuse, and family law matters up to the allocation. However, for many years, the requests for funding for interpretation of domestic violence cases alone has exceeded the funding available. This report requests determination of a funding formula for the DVFLI program.

### Recommendation

1. The Administrative Office of the Courts (AOC) recommends that the Judicial Council review the information provided and adopt the prior year’s methodology which focuses on funding of domestic violence matters and allocates based on prior year’s expenditures and current year’s request.

### Previous Council Action

Beginning in FY 2001–2002, the Judicial Council of California authorized an annual allocation of \$1.6 million from the State Trial Court Improvement and Modernization Fund (STCIMF) to fund interpreters for limited-English-proficiency litigants in domestic violence cases through the DVFLI program. In November 2005, the council increased funding to \$1.75 million and authorized expenditures in two additional case types, elder abuse protective orders and general

family law, with a requirement that priority be given to domestic violence cases. For the last five years, requests for funding for domestic violence cases alone have been greater than the available funding.

On August 23, 2013, effective with the 2013–2014 funding cycle, the council approved a recommendation from the Trial Court Budget Advisory Committee to shift the funding source for the Family Law Interpreter Program (\$1.73 million) from the STCIMF to the Trial Court Trust Fund using Program 45.45 (Court Interpreter) expenditure authority. This change will improve and streamline the DVFLI program.

### **Rationale for Recommendation**

Courts are asked to submit a simple request for funding for domestic violence, elder abuse, and family law matters and to submit a yearend report that notes how many interpretations were provided with the DVFLI funding. Attachment A, entitled *2013–2014 Funding Chart Domestic Violence—Family Law Interpreter Program*, sets out the requests for funding by category. The amount of \$3,026,976 was requested by 46 trial courts, of which \$1,880,519 was for domestic violence.

In past years, staff developed a formula intended for distribution which is set out below. Proposed allocations were reviewed and approved by the Administrative Director of the Courts who had been delegated this responsibility by the Judicial Council.

This methodology is designed to provide a fair and equitable share of the funding to participating trial courts. It focuses resources on an area of great need—domestic violence—and allows courts flexibility to use the allocated funds for elder abuse and family law if any funds remain, as these issues are often inextricable with domestic violence.

The steps used for this methodology are:

1. Compare the court’s request for funding against the previous year’s expenditures for domestic violence interpretation.
2. Approve the actual expenditures for domestic violence interpretation in the past fiscal year, or, if the request is for the lower amount, for the amount of the request. For courts that have not previously applied for funding, recommend full funding of request for domestic violence matters.
3. If allocated funds remain, divide the remaining amount by the amount of total unfunded requests for domestic violence to establish a percentage to be allocated to all courts that have not been fully funded.
4. If, instead, a deficit exists, divide the deficit by the amount of unfunded requests for domestic violence to establish a percentage to be cut from all courts requesting funding.

*Applying the Methodology to Fiscal Year 2013–2014*

Attachment A sets out the requests for funding in 2013–2014 and applies the proposed formula for distribution.

- Funding the amount of 2012–2013 domestic violence interpreter expenses or, if lower, the courts’ current year requests, equals \$1,659,796.
- Allocate a percentage of the remaining \$70,204 in available funds to those courts that have identified a need for more funds than they spent for interpreters in domestic violence matters in the previous fiscal year. For FY 2013–2014, the percentage to be distributed to each court is 32%.

### **Comments, Alternatives Considered, and Policy Implications**

This proposal was not circulated for comment as that would further delay reimbursing the courts.

Other alternatives considered included providing full funding of requests for interpretation in domestic violence, elder abuse, and family law cases. This alternative would allow courts to handle cases involving persons who need interpreters in these critical case types. Often the issue of domestic violence is a factor in a family law case, but is not initially identified on pleadings, which precludes or delays the provision of an interpreter in those matters. Many courts report that over 70% of their family law cases involve at least one self-represented person. Without an attorney available to present the case, it is extremely difficult for the court to address matters involving persons with limited English proficiency.

As set forth in Attachment A, courts have requested \$3,026,976 for this fiscal year. Some courts did not make a request for funding for interpreters in family law matters, possibly because the requests for interpretation in domestic violence matters have exceeded funding available for many years.

The Judicial Council will be considering distribution of additional funds from Project 45-45 in a separate discussion item at its meeting on January 23, 2014. Given that there may need to be an additional process to determine the full level of funding needed for the courts, it seems most prudent to allocate the \$1.73 million already approved by the Judicial Council at this point, and allow a separate process for any additional funding.

Another alternative considered was to allocate the funds between the courts based upon a percentage of the court’s requested funding for domestic violence interpretation and the total amount available. This alternative also provides for the distribution of only the allocated amount, and follows the Judicial Council’s directive to make domestic violence a priority. Rather than comparing the request to prior year’s funding to determine if the requested funds are likely to be spent, it uses a simple formula to give a similar percentage of funding for interpretation in domestic violence matters to all the courts. This alternative may encourage requests for higher

amounts than can be appropriately spent for domestic violence interpretation and will not reflect actual usage.

### **Implementation Requirements, Costs, and Operational Impacts**

There are no significant implementation requirements or costs associated with the methodology. However, moving the project to the Court Interpreter Program will significantly reduce operational procedures for both the trial courts and the AOC.

#### *Prior Practice*

Upon completing the methodology model, allocations were approved by the Administrative Director of the Courts. Staff then developed an Inter Branch Agreement (IBA) for participating courts. Execution of the IBA was required before courts were able to submit an invoice to receive reimbursement.

#### *New Structure*

Under the new structure, reimbursements will be handled similarly to the Court Interpreter Programs. IBAs will not be required nor will courts have to submit a monthly invoice. Information will be retrieved from Phoenix, and courts will be reimbursed accordingly via an electronic wire.

### **Relevant Strategic Plan Goals and Operational Plan Objectives**

This recommendation helps implement Goal I of the Judicial Council's strategic plan, Access, Fairness, and Diversity by providing more interpreter services as well as Goal IV, Quality of Justice and Service to the Public by implementing effective practices to enhance procedural fairness and reduce the time and expense of court hearings as well as encourage court users to have a better understanding of court orders, procedures, and processes.

### **Attachments**

1. Attachment A: *2013–2014 Funding Chart, Domestic Violence—Family Law Interpreter Program*

**ATTACHMENT A - 2013-2014 Funding Chart Domestic Violence- Family Law Interpreter Program**

Court	2013-2014 Request				2012-2013	2013-2014 Proposed Allocation			2013-2014 Option applying percentage based on DV request without reference to past usage	
	Domestic Violence	Elder Abuse	Family Law	Total Request		Domestic Violence (Only) Expenses	Lesser of DV Request or Prior Year Expense	32% Augmentation of unfunded DV Request	Total Proposed Allocation	% of DV Need
Alameda	38,509	-	-	38,509	32,213	32,213	2,002	34,215	2.0%	35,426
Amador	1,000	-	4,000	5,000	114	114	282	396	0.1%	920
Butte	500	-	200	700	157	157	109	266	0.0%	460
Contra Costa	68,000	2,000	-	70,000	67,509	67,509	156	67,665	3.6%	62,556
El Dorado	6,440	-	5,900	12,340	6,438	6,438	1	6,439	0.3%	5,924
Fresno	22,412	606	7,269	30,287	8,266	8,266	4,498	12,764	1.2%	20,618
Glenn	9,708	67	-	9,775	9,708	9,708	-	9,708	0.5%	8,931
Humboldt	1,332	-	1,457	2,789	1,332	1,332	-	1,332	0.1%	1,225
Imperial	18,915	-	-	18,915	18,915	18,915	-	18,915	1.0%	17,401
Inyo	3,000	-	2,000	5,000	3,847	3,000	-	3,000	0.2%	2,760
Kern	28,316	-	-	28,316	28,316	28,316	-	28,316	1.5%	26,049
Kings	800	2,200	-	3,000	1,062	800	-	800	0.0%	736
Los Angeles	721,007	-	581,743	1,302,750	721,007	721,007	-	721,007	38.3%	663,284
Madera	30,000	4,000	4,000	38,000	36,099	30,000	-	30,000	1.6%	27,598
Marin	6,564	-	6,101	12,665	6,564	6,564	-	6,564	0.3%	6,038
Mendocino	2,050	-	3,520	5,570	1,752	1,752	95	1,847	0.1%	1,886
Merced	3,500	500	31,000	35,000	2,259	2,259	395	2,654	0.2%	3,220
Modoc	125	-	125	250	35	35	29	64	0.0%	115
Mono*	1,872	-	5,615	7,487	-	1,872	-	1,872	0.1%	1,722
Monterey	40,000	1,000	40,000	81,000	27,640	27,640	3,930	31,570	2.1%	36,798
Napa	7,054	-	7,112	14,166	8,054	7,054	-	7,054	0.4%	6,489
Nevada	1,606	220	206	2,032	1,317	1,317	92	1,409	0.1%	1,477
Orange	159,278	-	-	159,278	101,742	101,742	18,296	120,038	8.5%	146,526
Placer	9,000	-	12,000	21,000	8,700	8,700	95	8,795	0.5%	8,279
Riverside	149,797	-	78,899	228,696	149,797	149,797	-	149,797	8.0%	137,805
Sacramento	59,280	780	17,940	78,000	59,941	59,280	-	59,280	3.2%	54,534



2013-2014 Request					2012-2013	2013-2014 Proposed Allocation			2013-2014 Option applying percentage based on DV request without reference to past usage	
Court	Domestic Violence	Elder Abuse	Family Law	Total Request		Domestic Violence (Only) Expenses	Lesser of DV Request or Prior Year Expense	32% Augmentation of unfunded DV Request	Total Proposed Allocation	% of DV Need
San Bernardino	15,182	-	152,765	167,947	56,556	15,182	-	15,182	0.8%	13,967
San Diego	50,000	-	-	50,000	28,366	28,366	6,880	35,246	2.7%	45,997
San Francisco	75,000	3,000	30,000	108,000	65,000	65,000	3,180	68,180	4.0%	68,996
San Joaquin	5,040	-	-	5,040	603	603	1,411	2,014	0.3%	4,637
San Luis Obispo	16,000	-	-	16,000	16,439	16,000	-	16,000	0.9%	14,719
San Mateo	20,000	2,000	30,000	52,000	7,039	7,039	4,122	11,161	1.1%	18,399
Santa Barbara	1,899	100	5,857	7,856	1,899	1,899	-	1,899	0.1%	1,747
Santa Clara	157,144	-	-	157,144	113,968	113,968	13,730	127,698	8.4%	144,563
Santa Cruz	21,918	-	3,131	25,049	3,621	3,621	5,818	9,439	1.2%	20,163
Shasta	17,744		21,109	38,853	17,744	17,744	-	17,744	0.9%	16,323
Sierra	1,850	-	-	1,850	1,138	1,138	226	1,364	0.1%	1,702
Solano	7,439	-	-	7,439	7,190	7,190	79	7,269	0.4%	6,843
Sonoma	8,500	-	3,800	12,300	8,574	8,500	-	8,500	0.5%	7,820
Stanislaus	10,000	1,200	6,000	17,200	7,729	7,729	722	8,451	0.5%	9,199
Sutter	14,220	-	-	14,220	8,455	8,455	1,833	10,288	0.8%	13,082
Tulare	46,949	282	54,530	101,761	46,949	46,949	-	46,949	2.5%	43,190
Tuolumne	2,000	-	-	2,000	1,731	1,731	86	1,817	0.1%	1,840
Ventura	15,020	-	7,000	22,020	9,559	9,559	1,737	11,296	0.8%	13,818
Yolo	3,579	-	1,693	5,272	2,571	2,571	321	2,892	0.2%	3,292
Yuba	1,000	500	3,000	4,500	765	765	75	840	0.1%	920
	<b>1,880,549</b>	<b>18,455</b>	<b>1,127,972</b>	<b>3,026,976</b>	<b>1,708,680</b>	<b>1,659,796</b>	<b>70,199</b>	<b>1,729,995</b>	<b>100.0%</b>	<b>1,729,995</b>

## **Item 5: Recommendations of the Funding Methodology Subcommittee**

### **Issue**

Consider six recommendations from the Funding Methodology Subcommittee.

### **Background**

The TCBAC established three subcommittees, including the Fund Methodology Subcommittee, at its inaugural meeting on July 9, 2013. At its August 6, 2013 meeting, the subcommittee formed two subgroups, one to review possible modifications to the WAFM to address issues related to small courts and one to review issues related to the allocation of funding from the State Trial Court Improvement and Modernization Fund for the complex civil litigation program. Both subgroups held meetings to develop work products for review by the subcommittee. The subcommittee met in Sacramento on December 10, 2013 and unanimously approved five recommendations related to WAFM adjustments and the allocation for the complex civil litigation program. All members attended in person or by phone except for one. A sixth recommendation, related to the Resource Assessment Study, was unanimously approved by the subcommittee by e-mail.

The subcommittee received a request from the Presiding Judge of the Superior Court of Mendocino County to amend the WAFM so that it gives “consideration for additional funding for any court that has such a significant population center living in a remote and challenging geographic area that the court is not able to provide reasonably adequate court services to the entire court population.” This request identifies issues similar to existing parking lot items, which have not yet been addressed by the subcommittee.

### **Recommendations**

1. Starting with the WAFM that will be used to compute 2014–2015 allocation adjustments, use 3-year average for BLS adjustment for all courts as part of WAFM.
2. Create FTE allotment floor for courts with less than 50 FTEs. The floor is the median BLS-adjusted average FTE allotment of courts with less than 50 FTEs.
3. Establish an absolute funding floor of \$750,000 (for 2014) and a graduated floor (for 2014–2015: \$875,000, \$1,250,000, or \$1,874,999), where the floor is based on the court’s WAFM funding need.
4. For courts whose WAFM-related funding level is below the absolute floor of \$750,000, fund them at the floor. For courts who would receive a graduated floor funding level, their allocation would be determined as follows: if the graduated funding floor for a particular court is less than the prior year allocation, plus 10%, then apply the graduated funding floor. If the graduated funding floor is greater than the prior year’s allocation plus 10%, then the

higher of two amounts is applied: 1) the prior year's allocation plus 10%; or 2) the court's allocation if no floor were applied.

5. Courts should receive the same level of funding from the \$4 million State Trial Court Improvement and Modernization Fund allocation for the complex civil litigation program in 2014–2015 as they did in 2013–2014. Starting in 2014–2015, the allocation of the \$4 million should use a different methodology. The new allocation methodology should address the inequities of the current methodology.
6. Recommend to the council that they direct the SB 56 Working Group to study death penalty cases in their next round of updates and direct the Court Executives Advisory Committee to work with the SB 56 Working Group to determine how best to collect the data necessary to support the study and, when a determination is made, the council should direct the trial courts to start reporting such data.

Summary

BLS Based on Calculating 3YR Average BLS (w/ State or Local or State/Local Average decision rules applied (50% threshold))

Cluster	County	% Local	% State	State Employment More than 50% of Govt Workforce?	3YR AVG BLS Local (92)	3YR AVG BLS State (92)	3YR AVG BLS (State & Local 92)	3YR AVG (2010-2012) BLS Factor (50% Workforce Threshold)	1YR (2012) BLS Factor (50% Workforce Threshold)
4	Alameda	84%	16%	No	1.42	1.12	1.27	1.42	1.43
1	Alpine	100%	0%	No	0.82		0.82	0.82	0.84
1	Amador	33%	67%	Yes	0.94	1.04	0.99	0.99	1.02
2	Butte	89%	11%	No	0.92	0.86	0.89	0.92	0.92
1	Calaveras	90%	10%	No	0.86	0.99	0.93	0.86	0.89
1	Colusa	94%	6%	No	0.70	1.11	0.91	0.70	0.70
3	Contra Costa	96%	4%	No	1.25	0.98	1.12	1.25	1.25
1	Del Norte	31%	69%	Yes	0.64	0.95	0.79	0.79	0.78
2	El Dorado	96%	4%	No	0.99	1.18	1.09	0.99	0.99
3	Fresno	70%	30%	No	1.00	1.16	1.08	1.00	0.98
1	Glenn	96%	4%	No	0.68	0.96	0.82	0.68	0.69
2	Humboldt	82%	18%	No	0.76	1.10	0.93	0.76	0.77
2	Imperial	53%	47%	No	0.77	0.93	0.85	0.77	0.88
1	Inyo	72%	28%	No	0.83	0.94	0.89	0.83	0.82
3	Kern	60%	40%	No	1.05	0.96	1.01	1.05	1.05
2	Kings	32%	68%	Yes	0.85	0.92	0.89	0.89	0.90
2	Lake	96%	4%	No	0.76	0.80	0.78	0.76	0.76
1	Lassen	20%	80%	Yes	0.67	0.93	0.80	0.80	0.82
4	Los Angeles	91%	9%	No	1.34	1.18	1.26	1.34	1.35
2	Madera	38%	62%	Yes	0.84	1.03	0.94	0.94	0.85
2	Marin	66%	34%	No	1.30	0.95	1.12	1.30	1.27
1	Mariposa	93%	7%	No	0.74	1.01	0.87	0.74	0.78
2	Mendocino	84%	16%	No	0.86	0.84	0.85	0.86	0.83
2	Merced	100%	0%	No	0.91		0.91	0.91	0.90
1	Modoc	83%	17%	No	0.61	1.00	0.80	0.61	0.60
1	Mono	91%	9%	No	1.20	0.67	0.93	1.20	1.17
3	Monterey	61%	39%	No	1.19	0.94	1.06	1.19	1.20
2	Napa	80%	20%	No	1.21	0.84	1.03	1.21	1.22
2	Nevada	90%	10%	No	0.97	0.80	0.88	0.97	0.97
4	Orange	91%	9%	No	1.30	1.10	1.20	1.30	1.31
2	Placer	95%	5%	No	1.14	0.87	1.01	1.14	1.18
1	Plumas	93%	7%	No	0.70	0.73	0.72	0.70	0.70
4	Riverside	100%	0%	No	1.07		1.07	1.07	1.07
4	Sacramento	15%	85%	Yes	1.20	1.36	1.28	1.28	1.29
1	San Benito	100%	0%	No	0.97		0.97	0.97	0.99
4	San Bernardino	82%	18%	No	1.05	1.11	1.08	1.05	1.05
4	San Diego	85%	15%	No	1.17	1.15	1.16	1.17	1.17
4	San Francisco	53%	47%	No	1.61	1.53	1.57	1.61	1.65
3	San Joaquin	70%	30%	No	1.11	1.08	1.10	1.11	1.10
2	San Luis Obispo	55%	45%	No	1.07	1.09	1.08	1.07	1.07
3	San Mateo	95%	5%	No	1.45	0.86	1.15	1.45	1.44
3	Santa Barbara	93%	7%	No	1.16	0.98	1.07	1.16	1.18
4	Santa Clara	94%	6%	No	1.47	0.99	1.23	1.47	1.43
2	Santa Cruz	87%	13%	No	1.17	0.82	1.00	1.17	1.16
2	Shasta	64%	36%	No	0.85	1.04	0.95	0.85	0.85
1	Sierra	100%	0%	No	0.71		0.71	0.71	
2	Siskiyou	84%	16%	No	0.71	0.80	0.75	0.71	0.69
3	Solano	61%	39%	No	1.22	1.00	1.11	1.22	1.19
3	Sonoma	88%	12%	No	1.17	1.06	1.11	1.17	1.15
3	Stanislaus	96%	4%	No	1.02	0.92	0.97	1.02	1.02
2	Sutter	95%	5%	No	0.95	0.91	0.93	0.95	0.96
2	Tehama	95%	5%	No	0.80	0.98	0.89	0.80	0.80
1	Trinity	93%	7%	No	0.65	0.93	0.79	0.65	0.65
3	Tulare	91%	9%	No	0.82	0.89	0.85	0.82	0.83
2	Tuolumne	48%	52%	Yes	0.84	0.98	0.91	0.91	0.84
3	Ventura	90%	10%	No	1.23	1.04	1.13	1.23	1.21
2	Yolo	85%	15%	No	1.01	1.53	1.27	1.01	1.01
2	Yuba	100%	0%	No	0.94		0.94	0.94	0.93
	<b>Statewide</b>				1.00	1.00	1.00	1.00	1.00

1 If use single year (2012), Tuolumne would get local BLS applied (the number reflected) because it would show the reverse employee % (52% local and 48% state)

TCBAC: WAFM Subcommittee  
 Small Court Adjustment Analysis  
 Prepared: October 3, 2013  
 Analysis of Average Salaries / BLS  
 BLS Is As Stated in August WAFM Draft

Cluster	Court	BLS Factor	Calculate Final FTE Dollar Factor ***NEW CONCEPT***						Difference From Original FTE Factor	Total Difference in Need
			FTE Dollar Factor Applied (Current -- \$56,396*BLS)	FTE Need	Eligible for FTE Floor Factor Analysis (Has Need < 50 FTE)?	Has Need <50 AND FTE Dollar Factor is Less Than Allowed Floor (\$43,866)?	Final FTE Dollar Factor			
			[a]	[b]	[c]	[d]	[e]	[g]		
1	Alpine	0.77	\$ 43,454	3	Yes	Yes	\$ 43,866	\$ 412	\$ 1,235.67	
1	Amador	0.97	\$ 54,710	27	Yes		\$ 54,710	\$ -	\$ -	
1	Calaveras	0.86	\$ 48,501	27	Yes		\$ 48,501	\$ -	\$ -	
1	Colusa	0.70	\$ 39,757	20	Yes	Yes	\$ 43,866	\$ 4,109	\$ 82,177.70	
1	Del Norte	0.79	\$ 44,278	30	Yes		\$ 44,278	\$ -	\$ -	
1	Glenn	0.68	\$ 38,588	26	Yes	Yes	\$ 43,866	\$ 5,278	\$ 137,234.27	
1	Inyo	0.83	\$ 46,952	21	Yes		\$ 46,952	\$ -	\$ -	
1	Lassen	0.79	\$ 44,558	32	Yes		\$ 44,558	\$ -	\$ -	
1	Mariposa	0.75	\$ 42,265	15	Yes	Yes	\$ 43,866	\$ 1,601	\$ 24,017.00	
1	Modoc	0.62	\$ 34,685	9	Yes	Yes	\$ 43,866	\$ 9,181	\$ 82,629.60	
1	Mono	1.19	\$ 66,906	14	Yes		\$ 66,906	\$ -	\$ -	
1	Plumas	0.71	\$ 39,991	16	Yes	Yes	\$ 43,866	\$ 3,875	\$ 62,003.40	
1	San Benito	0.98	\$ 55,307	31	Yes		\$ 55,307	\$ -	\$ -	
1	Sierra	0.73	\$ 41,240	3	Yes	Yes	\$ 43,866	\$ 2,626	\$ 7,878.93	
1	Trinity	1.00	\$ 56,649	17	Yes		\$ 56,649	\$ -	\$ -	
2	Butte	0.91	\$ 51,255	139			\$ 51,255	\$ -	\$ -	
2	El Dorado	0.99	\$ 55,558	94			\$ 55,558	\$ -	\$ -	
2	Humboldt	0.76	\$ 42,806	93			\$ 42,806	\$ -	\$ -	
2	Imperial	0.76	\$ 42,603	149			\$ 42,603	\$ -	\$ -	
2	Kings	0.87	\$ 49,135	104			\$ 49,135	\$ -	\$ -	
2	Lake	0.75	\$ 42,510	46	Yes	Yes	\$ 43,866	\$ 1,356	\$ 62,354.32	
2	Madera	0.92	\$ 52,066	102			\$ 52,066	\$ -	\$ -	
2	Marin	1.30	\$ 73,375	115			\$ 73,375	\$ -	\$ -	
2	Mendocino	0.87	\$ 48,958	70			\$ 48,958	\$ -	\$ -	
2	Merced	0.92	\$ 51,849	177			\$ 51,849	\$ -	\$ -	
2	Napa	1.23	\$ 69,290	78			\$ 69,290	\$ -	\$ -	
2	Nevada	0.96	\$ 54,292	57			\$ 54,292	\$ -	\$ -	
2	Placer	1.14	\$ 64,225	178			\$ 64,225	\$ -	\$ -	
2	San Luis Obispo	1.08	\$ 61,063	161			\$ 61,063	\$ -	\$ -	
2	Santa Cruz	1.17	\$ 66,219	140			\$ 66,219	\$ -	\$ -	
2	Shasta	0.85	\$ 47,726	149			\$ 47,726	\$ -	\$ -	
2	Siskiyou	0.71	\$ 39,835	38	Yes	Yes	\$ 43,866	\$ 4,031	\$ 153,190.38	
2	Sutter	0.95	\$ 53,336	63			\$ 53,336	\$ -	\$ -	
2	Tehama	0.81	\$ 45,440	55			\$ 45,440	\$ -	\$ -	
2	Tuolumne	0.91	\$ 51,237	40	Yes		\$ 51,237	\$ -	\$ -	
2	Yolo	1.01	\$ 56,847	110			\$ 56,847	\$ -	\$ -	
2	Yuba	0.92	\$ 51,675	53			\$ 51,675	\$ -	\$ -	
3	Contra Costa	1.26	\$ 71,165	423			\$ 71,165	\$ -	\$ -	
3	Fresno	1.01	\$ 57,078	536			\$ 57,078	\$ -	\$ -	
3	Kern	1.05	\$ 59,268	542			\$ 59,268	\$ -	\$ -	
3	Monterey	1.19	\$ 67,005	215			\$ 67,005	\$ -	\$ -	
3	San Joaquin	1.12	\$ 62,913	398			\$ 62,913	\$ -	\$ -	
3	San Mateo	1.45	\$ 81,923	313			\$ 81,923	\$ -	\$ -	
3	Santa Barbara	1.14	\$ 64,160	232			\$ 64,160	\$ -	\$ -	
3	Solano	1.24	\$ 70,146	252			\$ 70,146	\$ -	\$ -	
3	Sonoma	1.22	\$ 68,704	259			\$ 68,704	\$ -	\$ -	
3	Stanislaus	1.02	\$ 57,502	312			\$ 57,502	\$ -	\$ -	
3	Tulare	0.81	\$ 45,808	248			\$ 45,808	\$ -	\$ -	
3	Ventura	1.22	\$ 68,794	398			\$ 68,794	\$ -	\$ -	
4	Alameda	1.42	\$ 79,857	686			\$ 79,857	\$ -	\$ -	
4	Los Angeles	1.33	\$ 74,743	5592			\$ 74,743	\$ -	\$ -	
4	Orange	1.30	\$ 73,359	1427			\$ 73,359	\$ -	\$ -	
4	Riverside	1.07	\$ 60,297	1173			\$ 60,297	\$ -	\$ -	
4	Sacramento	1.28	\$ 72,090	825			\$ 72,090	\$ -	\$ -	
4	San Bernardino	1.05	\$ 59,227	1344			\$ 59,227	\$ -	\$ -	
4	San Diego	1.18	\$ 66,721	1444			\$ 66,721	\$ -	\$ -	
4	San Francisco	1.62	\$ 91,411	417			\$ 91,411	\$ -	\$ -	
4	Santa Clara	1.47	\$ 82,929	646			\$ 82,929	\$ -	\$ -	

\$ 612,721.27

Courts < 50 FTE Need*	WAFM Post BLS FTE Allotment
Mean Salary	\$ 46,190
Median Salary	\$ 43,866

\*Per August run of RAS, 18 courts fall into this category.

## Impact of Recommendations for 3 Yr BLS Averaging and Under 50 FTE Need FTE Dollar Adjustment

12/2/2013

Cluster	Court	WAFM Need Calculations			Differences			Recommendation Results in Higher Than 2012 BLS Update?
		WAFM Need - Presented to Council	WAFM Need - Updated for 2012 BLS ONLY	WAFM Need - Updated for Small Court Recommendations	Between Update for 2012 BLS and Original	Between Recommendations and 2012 BLS Update	Between Recommendations and Original	
A	B	C	D	E	F = D-C	G = E-D	H = E-C	I
1	Alpine	\$ 313,085	\$ 330,738	\$ 327,466	17,653	(3,272)	14,381	No
1	Amador	\$ 2,658,772	\$ 2,759,070	\$ 2,702,700	100,298	(56,371)	43,928	No
1	Calaveras	\$ 2,726,406	\$ 2,788,932	\$ 2,720,284	62,526	(68,648)	(6,122)	No
1	Colusa	\$ 1,790,396	\$ 1,781,821	\$ 1,888,667	(8,574)	106,845	98,271	Yes
1	Del Norte	\$ 3,427,449	\$ 3,408,494	\$ 3,442,476	(18,955)	33,982	15,027	Yes
1	Glenn	\$ 2,137,215	\$ 2,149,476	\$ 2,308,578	12,261	159,102	171,363	Yes
1	Inyo	\$ 2,175,071	\$ 2,148,672	\$ 2,174,292	(26,399)	25,620	(779)	Yes
1	Lassen	\$ 2,966,996	\$ 3,044,053	\$ 2,992,710	77,057	(51,343)	25,714	No
1	Mariposa	\$ 1,425,256	\$ 1,462,771	\$ 1,452,150	37,515	(10,620)	26,895	No
1	Modoc	\$ 735,568	\$ 721,997	\$ 827,526	(13,571)	105,529	91,958	Yes
1	Mono	\$ 1,957,040	\$ 1,940,009	\$ 1,971,874	(17,030)	31,864	14,834	Yes
1	Plumas	\$ 1,440,873	\$ 1,434,000	\$ 1,510,183	(6,873)	76,183	69,310	Yes
1	San Benito	\$ 3,694,249	\$ 3,721,385	\$ 3,676,547	27,136	(44,838)	(17,702)	No
1	Sierra	\$ 329,919	\$ 321,558	\$ 337,661	(8,360)	16,102	7,742	Yes
1	Trinity	\$ 1,881,266	\$ 1,434,674	\$ 1,570,965	(446,592)	136,291	(310,301)	Yes
2	Butte	\$ 13,541,129	\$ 13,612,166	\$ 13,656,003	71,037	43,837	114,874	Yes
2	El Dorado	\$ 10,382,673	\$ 10,444,760	\$ 10,435,689	62,087	(9,071)	53,016	No
2	Humboldt	\$ 7,564,312	\$ 7,662,978	\$ 7,568,184	98,666	(94,794)	3,872	No
2	Imperial	\$ 12,247,459	\$ 13,613,547	\$ 12,418,026	1,366,088	(1,195,521)	170,567	No
2	Kings	\$ 9,352,955	\$ 9,561,225	\$ 9,470,149	208,270	(91,076)	117,194	No
2	Lake	\$ 3,882,381	\$ 3,890,936	\$ 3,958,438	8,555	67,502	76,057	Yes
2	Madera	\$ 10,356,371	\$ 9,762,375	\$ 10,449,286	(593,996)	686,910	92,914	Yes
2	Marin	\$ 14,741,723	\$ 14,504,338	\$ 14,709,162	(237,385)	204,824	(32,561)	Yes
2	Mendocino	\$ 7,224,958	\$ 6,998,634	\$ 7,170,061	(226,324)	171,427	(54,897)	Yes
2	Merced	\$ 20,399,558	\$ 20,053,860	\$ 20,207,864	(345,697)	154,004	(191,694)	Yes
2	Napa	\$ 9,057,582	\$ 8,997,230	\$ 8,959,143	(60,353)	(38,086)	(98,439)	No
2	Nevada	\$ 6,295,984	\$ 6,350,226	\$ 6,313,292	54,242	(36,934)	17,308	No
2	Placer	\$ 23,251,433	\$ 23,822,125	\$ 23,319,481	570,692	(502,644)	68,048	No
2	San Luis Obispo	\$ 18,733,772	\$ 18,582,601	\$ 18,591,836	(151,171)	9,235	(141,936)	Yes
2	Santa Cruz	\$ 15,906,393	\$ 15,751,727	\$ 15,875,379	(154,667)	123,652	(31,014)	Yes
2	Shasta	\$ 13,998,489	\$ 14,030,647	\$ 14,030,441	32,158	(205)	31,952	No
2	Siskiyou	\$ 3,038,779	\$ 2,978,203	\$ 3,227,864	(60,576)	249,661	189,085	Yes
2	Sutter	\$ 7,185,820	\$ 7,273,237	\$ 7,204,967	87,417	(68,269)	19,148	No
2	Tehama	\$ 5,096,629	\$ 5,064,361	\$ 5,077,528	(32,268)	13,167	(19,101)	Yes
2	Tuolumne	\$ 3,991,693	\$ 3,755,716	\$ 3,993,087	(235,977)	237,371	1,394	Yes
2	Yolo	\$ 12,826,427	\$ 12,865,745	\$ 12,853,423	39,318	(12,322)	26,996	No
2	Yuba	\$ 4,684,787	\$ 4,748,659	\$ 4,772,437	63,872	23,778	87,650	Yes
3	Contra Costa	\$ 61,458,796	\$ 61,081,148	\$ 61,011,927	(377,647)	(69,221)	(446,868)	No
3	Fresno	\$ 66,645,307	\$ 64,954,689	\$ 65,885,027	(1,690,618)	930,338	(760,280)	Yes
3	Kern	\$ 69,196,054	\$ 69,379,548	\$ 69,257,228	183,494	(122,320)	61,174	No
3	Monterey	\$ 26,109,772	\$ 26,351,135	\$ 26,141,457	241,363	(209,678)	31,684	No
3	San Joaquin	\$ 50,362,896	\$ 49,870,985	\$ 50,227,740	(491,911)	356,755	(135,156)	Yes
3	San Mateo	\$ 48,234,039	\$ 48,033,857	\$ 48,102,652	(200,182)	68,795	(131,387)	Yes
3	Santa Barbara	\$ 27,524,863	\$ 28,317,114	\$ 27,856,714	792,251	(460,400)	331,851	No
3	Solano	\$ 32,865,908	\$ 31,683,595	\$ 32,466,471	(1,182,313)	782,876	(399,437)	Yes
3	Sonoma	\$ 36,585,471	\$ 35,041,628	\$ 35,457,903	(1,543,843)	416,276	(1,127,567)	Yes
3	Stanislaus	\$ 36,371,603	\$ 36,415,720	\$ 36,464,544	44,117	48,824	92,941	Yes
3	Tulare	\$ 24,217,472	\$ 24,480,523	\$ 24,394,714	263,051	(85,809)	177,242	No
3	Ventura	\$ 50,459,838	\$ 50,295,736	\$ 50,699,049	(164,102)	403,312	239,210	Yes
4	Alameda	\$ 102,625,738	\$ 103,569,254	\$ 102,925,895	943,516	(643,360)	300,156	No
4	Los Angeles	\$ 756,848,432	\$ 766,295,418	\$ 761,230,368	9,446,986	(5,065,051)	4,381,935	No
4	Orange	\$ 188,693,229	\$ 189,517,954	\$ 188,495,633	824,725	(1,022,321)	(197,596)	No
4	Riverside	\$ 131,218,239	\$ 131,646,140	\$ 131,387,015	427,901	(259,125)	168,776	No
4	Sacramento	\$ 113,738,948	\$ 114,658,138	\$ 113,781,450	919,190	(876,688)	42,502	No
4	San Bernardino	\$ 150,632,158	\$ 150,908,640	\$ 150,623,527	276,482	(285,113)	(8,631)	No
4	San Diego	\$ 187,266,285	\$ 185,835,301	\$ 185,854,865	(1,430,984)	19,564	(1,411,420)	Yes
4	San Francisco	\$ 69,571,227	\$ 70,437,763	\$ 69,345,430	866,536	(1,092,333)	(225,797)	No
4	Santa Clara	\$ 105,571,012	\$ 103,421,901	\$ 105,516,953	(2,149,111)	2,095,053	(54,058)	Yes
<b>TOTAL ALL TRIAL COURTS</b>		<b>\$ 2,599,618,155</b>	<b>\$ 2,605,969,132</b>	<b>\$ 2,601,292,380</b>	<b>\$ 6,350,977</b>	<b>\$ (4,676,752)</b>	<b>\$ 1,674,225</b>	<b>No</b>

Identifying a Funding "Floor"

Calculate the Personnel Base for the "Floor"

11/12/2013

Position Needed	"FTE" Count	Program 10 or 90?	Base FTE \$\$ Value	Salary Driven Benefit	Non Salary Driven Benefit	TOTAL Allotment for 'FTE'
	[a]	[b]	[c]	[d]	[e]	[f]=[c]+[d]+[e]
Court Executive Officer	1	90	\$ 115,576	\$ 36,347	\$ 10,702	\$ 162,625.31
Processing Clerk [1]	3	10	\$ 43,866	\$ 13,914	\$ 8,743	\$ 199,569.93
Administrative Support (HR/Fiscal)	1	90	\$ 43,866	\$ 13,795	\$ 10,702	\$ 68,363.37
Courtroom Clerk	1	10	\$ 43,866	\$ 13,914	\$ 8,743	\$ 66,523.31
Court Reporter	0.5	10	\$ 43,866	\$ 13,914	\$ 8,743	\$ 33,261.66
<b>TOTAL PERSONNEL FLOOR</b>	<b>6.5</b>					<b>\$ 530,344</b>

OE&E per FTE [2]						\$ 27,928
Total OE&E [3]=[2]*[a]						\$ 181,532
<b>TOTAL FLOOR NEED</b>						<b>\$ 711,876</b>

<b>Round To (Manual Entry)</b>						<b>\$ 750,000</b>
--------------------------------	--	--	--	--	--	-------------------

<b>OE&amp;E Validation:</b>						
Five Cluster 1 courts volunteered to review detailed actual operating expenses in an effort to identify those costs that reflected the cost of "opening" business. This analysis focused on identifying costs that must exist regardless of workload. Their results found that:						
OE&E "Minimum Needed", Based on Detailed Review of Small Court						\$ 168,204

Notes:

[a] Establishes FTE based on practical need **not based on filings**.

[b] Designation of "operations", Program 10, or "administration", Program 90.

[c] Value is based on 1) CEO = median CEO salary for all Cluster 1 courts and 2) median post BLS adjusted FTE allotment per WAFM for all courts with fewer than 50 FTE 'need.'

[d] and [e] Based on the **median** salary and non-salary driven benefits for the five courts that participated in the analysis.

[f] sum of [c], [d], and [e].

[1] Includes all leave coverage for processing staff and courtroom clerk. Likely breakdown: 0.75 criminal, 0.75 civil/family, 1.0 traffic, 0.5 coverage.

[2] WAFM existing formula provides \$27,928 per "need" FTE for OE&E (compared to \$20,287 for Cluster 2-4). Group compared this outcome to existing OE&E cost in very small court, returning nearly identical OE&E costs.

[3] =[2] \* [a]

TCBAC: WAFM Subcommittee: Small Court Review

Identifying a Funding "Floor"

Applying a graduated factor to slightly larger courts

11/12/2013

Setting a Variable Floor

	WAFM			Calculate Variable Funding Floor		
	Calculated Need	Minimum Floor Factor	Floor "Share" of Need	WAFM Need	Floor Supplement	Final Variable Funding Floor
Need of equal to or less than	\$ 749,999	\$ 750,000	100%	\$ -	\$ 750,000	\$ 750,000
Need of equal to or less than	\$ 1,249,999	\$ 750,000	75%	\$ 312,500	\$ 562,500	\$ 875,000
Need of equal to or less than	\$ 1,749,999	\$ 750,000	50%	\$ 875,000	\$ 375,000	\$ 1,250,000
Need of equal to or less than	\$ 2,249,999	\$ 750,000	25%	\$ 1,687,499	\$ 187,500	\$ 1,874,999
Need of greater than or equal to	\$ 2,250,000					\$ 1,874,999

Applying the Variable Funding Floor

\*\*Reminder - in FY 14/15 the WAFM Model will only be used to distribute 15% of the allocation - the table below illustrates a theoretical application if WAFM was used 100%.

How Applied	WAFM Calculated Need (Aug Run, Does NOT include new adjustments)	Current WAFM Funding %	Funding Allocation If No Floor (Assumes 100% Allocation Under New Model)	Variable Funding Floor	FINAL WAFM FUNDING WOULD BE	Floor Applied?	Difference If Floor Applied
Court A	\$ 238,000	60%	\$ 142,800	\$ 750,000	\$ 750,000	Yes	\$ 607,200
Court B	\$ 753,680	60%	\$ 452,208	\$ 875,000	\$ 875,000	Yes	\$ 422,792
Court C	\$ 1,477,416	60%	\$ 886,449	\$ 1,250,000	\$ 1,250,000	Yes	\$ 363,550
Court D	\$ 2,131,683	60%	\$ 1,279,010	\$ 1,250,000	\$ 1,279,010	No	N/A
Court E	\$ 2,057,064	60%	\$ 1,234,239	\$ 1,250,000	\$ 1,250,000	Yes	\$ 15,761
Court F	\$ 2,966,306	60%	\$ 1,779,784	\$ 1,874,999	\$ 1,874,999	Yes	\$ 95,215
Court G	\$ 3,040,826	60%	\$ 1,824,496	\$ 1,874,999	\$ 1,874,999	Yes	\$ 50,504
Court H	\$ 3,456,993	60%	\$ 2,074,196	\$ 1,874,999	\$ 2,074,196	No	N/A



Impact of Recommendations for ALLOCATION FLOOR

12/2/2013 THEORETICAL ALLOCATIONS -- ILLUSTRATION FOR WORK GROUP ONLY

Cluster	Court					ALLOCATION IF NO FLOOR APPLIED  (**THEORETICAL TO ILLUSTRATE MODEL ONLY**)	Determine if Floor Applies		
		Baseline Operations Funding (Historical Funding Less \$261 Million)	WAFM Calculated Need - Adjusting 2012/13 Model for Group Recommendations ONLY ***THIS WILL NOT BE NEED FOR 14/15***	Baseline Funding (Comparable to WAFM) Proportions - All Courts	WAFM Need Proportions - All Courts		Difference From "Baseline"	Graduated Funding Floor That Would Apply	Apply Floor?
A	Butte	A	B	C	D	F1	F2	G	G1
1	Sierra	542,215	337,661	0.038%	0.013%	506,275	(35,940)	750,000	Y
1	Alpine	552,142	327,466	0.038%	0.012%	514,276	(37,866)	750,000	Y
1	Modoc	890,668	827,526	0.062%	0.028%	842,360	(48,308)	875,000	Y
1	Mariposa	920,593	1,452,150	0.064%	0.055%	907,509	(13,084)	1,250,000	Y
1	Trinity	990,359	1,570,965	0.069%	0.072%	995,567	5,208	1,250,000	Y
1	Mono	1,232,348	1,971,874	0.086%	0.075%	1,217,556	(14,792)	1,874,999	Y
1	Colusa	1,368,302	1,888,667	0.095%	0.069%	1,330,681	(37,622)	1,874,999	Y
1	Plumas	1,441,037	1,510,183	0.100%	0.055%	1,376,774	(64,263)	1,250,000	N
1	Inyo	1,722,461	2,174,292	0.120%	0.084%	1,670,739	(51,722)	1,874,999	Y
1	Glenn	1,811,707	2,308,578	0.126%	0.082%	1,748,962	(62,744)	1,874,999	Y
1	Lassen	1,890,662	2,992,710	0.131%	0.114%	1,866,002	(24,660)	1,874,999	Y
1	Calaveras	1,950,892	2,720,284	0.135%	0.105%	1,906,877	(44,015)	1,874,999	N
1	Amador	2,080,491	2,702,700	0.144%	0.102%	2,019,769	(60,723)	1,874,999	N
1	Del Norte	2,202,321	3,442,476	0.153%	0.132%	2,172,009	(30,312)	1,874,999	N
1	San Benito	2,496,024	3,676,547	0.173%	0.142%	2,451,125	(44,898)	1,874,999	N
2	Tuolumne	2,589,803	3,993,087	0.180%	0.154%	2,552,008	(37,794)	1,874,999	N
2	Lake	2,903,720	3,958,438	0.202%	0.149%	2,828,477	(75,243)	1,874,999	N
2	Tehama	2,907,298	5,077,528	0.202%	0.196%	2,898,980	(8,318)	1,874,999	N
2	Yuba	3,225,076	4,772,437	0.224%	0.180%	3,162,160	(62,916)	1,874,999	N
2	Siskiyou	3,254,627	3,227,864	0.226%	0.117%	3,097,548	(157,079)	1,874,999	N
2	Sutter	3,403,045	7,204,967	0.236%	0.276%	3,460,918	57,873	1,874,999	N
2	Nevada	3,817,225	6,313,292	0.265%	0.242%	3,784,373	(32,852)	1,874,999	N
2	Mendocino	4,379,075	7,170,061	0.304%	0.278%	4,341,514	(37,562)	1,874,999	N
2	Kings	4,765,510	9,470,149	0.331%	0.360%	4,807,220	41,710	1,874,999	N
2	Humboldt	5,005,941	7,568,184	0.348%	0.291%	4,924,497	(81,444)	1,874,999	N
2	El Dorado	5,880,901	10,435,689	0.408%	0.399%	5,868,130	(12,770)	1,874,999	N
2	Madera	5,953,244	10,449,286	0.413%	0.398%	5,931,782	(21,462)	1,874,999	N
2	Napa	6,088,978	8,959,143	0.423%	0.348%	5,981,974	(107,003)	1,874,999	N
2	Imperial	6,294,286	12,418,026	0.437%	0.471%	6,343,508	49,222	1,874,999	N

revised as of 1/15/14 (1445)

Cluster	Court					ALLOCATION IF NO FLOOR APPLIED  (**THEORETICAL TO ILLUSTRATE MODEL ONLY**)	Determine if Floor Applies		
		Baseline Operations Funding (Historical Funding Less \$261 Million)	WAFM Calculated Need - Adjusting 2012/13 Model for Group Recommendations ONLY ***THIS WILL NOT BE NEED FOR 14/15***	Baseline Funding (Comparable to WAFM) Proportions - All Courts	WAFM Need Proportions - All Courts		Difference From "Baseline"	Graduated Funding Floor That Would Apply	Apply Floor?
A	Butte	A	B	C	D	F1	F2	G	G1
2	Yolo	6,504,149	12,853,423	0.452%	0.493%	6,564,466	60,317	1,874,999	N
2	Butte	7,287,810	13,656,003	0.506%	0.521%	7,309,364	21,554	1,874,999	N
2	Shasta	7,409,092	14,030,441	0.514%	0.538%	7,443,860	34,768	1,874,999	N
2	Merced	9,033,368	20,207,864	0.627%	0.785%	9,260,402	227,034	1,874,999	N
2	Santa Cruz	9,910,386	15,875,379	0.688%	0.612%	9,800,745	(109,641)	1,874,999	N
2	San Luis Obispo	10,604,942	18,591,836	0.736%	0.721%	10,582,514	(22,427)	1,874,999	N
2	Placer	11,114,142	23,319,481	0.772%	0.894%	11,291,125	176,983	1,874,999	N
2	Marin	13,338,797	14,709,162	0.926%	0.567%	12,821,779	(517,018)	1,874,999	N
3	Tulare	12,293,011	24,394,714	0.853%	0.932%	12,405,637	112,626	1,874,999	N
3	Monterey	13,009,124	26,141,457	0.903%	1.004%	13,154,994	145,870	1,874,999	N
3	Stanislaus	15,497,803	36,464,544	1.076%	1.399%	15,963,429	465,626	1,874,999	N
3	Solano	15,704,185	32,466,471	1.090%	1.264%	15,954,917	250,731	1,874,999	N
3	Santa Barbara	18,365,326	27,856,714	1.275%	1.059%	18,053,988	(311,338)	1,874,999	N
3	Sonoma	18,845,883	35,457,903	1.308%	1.407%	18,988,551	142,668	1,874,999	N
3	San Joaquin	23,639,320	50,227,740	1.641%	1.937%	24,066,072	426,753	1,874,999	N
3	Ventura	24,366,827	50,699,049	1.692%	1.941%	24,726,200	359,374	1,874,999	N
3	Kern	28,781,786	69,257,228	1.998%	2.662%	29,737,866	956,080	1,874,999	N
3	San Mateo	29,770,060	48,102,652	2.067%	1.855%	29,465,776	(304,285)	1,874,999	N
3	Contra Costa	32,906,460	61,011,927	2.284%	2.364%	33,021,339	114,879	1,874,999	N
3	Fresno	34,456,224	65,885,027	2.392%	2.564%	34,703,519	247,295	1,874,999	N
4	San Francisco	52,988,157	69,345,430	3.678%	2.676%	51,544,389	(1,443,768)	1,874,999	N
4	Riverside	57,140,417	131,387,015	3.967%	5.048%	58,697,377	1,556,961	1,874,999	N
4	San Bernardino	61,335,147	150,623,527	4.258%	5.794%	63,548,389	2,213,242	1,874,999	N
4	Sacramento	61,567,979	113,781,450	4.274%	4.375%	61,713,630	145,650	1,874,999	N
4	Alameda	69,586,867	102,925,895	4.831%	3.948%	68,314,829	(1,272,038)	1,874,999	N
4	Santa Clara	74,267,457	105,516,953	5.156%	4.061%	72,690,562	(1,576,895)	1,874,999	N
4	San Diego	122,736,644	185,854,865	8.520%	7.204%	120,839,689	(1,896,955)	1,874,999	N
4	Orange	122,983,490	188,495,633	8.538%	7.258%	121,140,920	(1,842,570)	1,874,999	N
4	Los Angeles	392,482,162	761,230,368	27.246%	29.114%	395,172,069	2,689,907	1,874,999	N
	Statewide	<b>1,440,487,965</b>	<b>2,601,292,380</b>	<b>100%</b>	<b>100.000%</b>	<b>1,440,487,965</b>			

Excluding Those Where F 1,428,566,509 2,585,440,492

revised as of January 13, 2014 (3:54PM)  
revised as of 1/15/14 (1445)

Cluster	Court	Determine Adjusted Allocation if Floor Might Apply			Calculate Final Allocation **THEORETICAL**			DIFFERENCE IN ALLOCATION DUE TO INSTITUTING FLOOR	DIFFERENCE FROM "BASELINE"
		Prior Year Plus 10% (A plus 10% of A)	Allocation if no floor applied (same as F1)	ADJUSTED ALLOCATION FLOOR [G is always greater than H2. If G is 750,000, use G. If G is less than H1, use G. If G is greater than H1, then use the higher of H1 and H2]	Historical Funding Share (excluding floor courts)	WAFM share (excluding floor courts)	FINAL ALLOCATION (**THEORETICAL TO ILLUSTRATE MODEL ONLY**)		
A	Butte	H1 = A*1.1	H2 = F1	H3	I1	I2	I3	L = I3-F1	M=I3-C
1	Sierra	596,437	506,275	750,000			750,000.00	243,725	207,785
1	Alpine	607,356	514,276	750,000			750,000.00	235,724	197,858
1	Modoc	979,734	842,360	875,000			874,999.75	32,640	(15,668)
1	Mariposa	1,012,652	907,509	1,012,652			1,012,651.82	105,143	92,059
1	Trinity	1,089,394	995,567	1,089,394			1,089,394.00	93,827	99,035
1	Mono	1,355,583	1,217,556	1,355,583			1,355,583.00	138,027	123,235
1	Colusa	1,505,133	1,330,681	1,505,133			1,505,133.00	174,452	136,831
1	Plumas				0.10%	0.06%	1,379,370.97	2,597	(61,666)
1	Inyo	1,894,707	1,670,739	1,874,999			1,874,999.00	204,260	152,538
1	Glenn	1,992,877	1,748,962	1,874,999			1,874,999.00	126,037	63,292
1	Lassen	2,079,729	1,866,002	1,874,999			1,874,999.00	8,997	(15,663)
1	Calaveras				0.14%	0.11%	1,904,720.31	(2,156)	(46,171)
1	Amador				0.15%	0.10%	2,020,304.27	535	(60,187)
1	Del Norte				0.15%	0.13%	2,170,716.79	(1,292)	(31,604)
1	San Benito				0.17%	0.14%	2,447,780.93	(3,345)	(48,243)
2	Tuolumne				0.18%	0.15%	2,549,597.62	(2,410)	(40,205)
2	Lake				0.20%	0.15%	2,830,004.45	1,528	(73,716)
2	Tehama				0.20%	0.20%	2,895,011.23	(3,969)	(12,286)
2	Yuba				0.23%	0.18%	3,163,958.09	1,798	(61,118)
2	Siskiyou				0.23%	0.12%	3,105,252.76	7,705	(149,375)
2	Sutter				0.24%	0.28%	3,458,323.26	(2,595)	55,278
2	Nevada				0.27%	0.24%	3,781,580.40	(2,792)	(35,645)
2	Mendocino				0.31%	0.28%	4,334,182.66	(7,331)	(44,893)
2	Kings				0.33%	0.37%	4,808,717.44	1,497	43,208
2	Humboldt				0.35%	0.29%	4,919,932.50	(4,564)	(86,008)
2	El Dorado				0.41%	0.40%	5,865,148.90	(2,982)	(15,752)
2	Madera				0.42%	0.40%	5,930,960.65	(821)	(22,283)
2	Napa				0.43%	0.35%	5,970,755.45	(11,219)	(118,222)
2	Imperial				0.44%	0.48%	6,346,275.00	2,869	(3,540)

Cluster	Court	Determine Adjusted Allocation if Floor Might Apply			Calculate Final Allocation **THEORETICAL**			DIFFERENCE IN ALLOCATION DUE TO INSTITUTING FLOOR	DIFFERENCE FROM "BASELINE"
		Prior Year Plus 10% (A plus 10% of A)	Allocation if no floor applied (same as F1)	ADJUSTED ALLOCATION FLOOR [G is always greater than H2. If G is 750,000, use G. If G is less than H1, use G. If G is greater than H1, then use the higher of H1 and H2]	Historical Funding Share (excluding floor courts)	WAFM share (excluding floor courts)	FINAL ALLOCATION (**THEORETICAL TO ILLUSTRATE MODEL ONLY**)		
A	Butte	H1 = A*1.1	H2 = F1	H3	I1	I2	I3	L = I3-F1	M=I3-C
2	Yolo				0.46%	0.50%	6,559,155.87	(5,310)	55,007
2	Butte				0.51%	0.53%	7,308,251.05	(1,113)	20,441
2	Shasta				0.52%	0.54%	7,437,998.98	(5,861)	28,907
2	Merced				0.63%	0.78%	9,239,862.61	(20,540)	206,494
2	Santa Cruz				0.69%	0.61%	9,789,388.97	(11,356)	(120,997)
2	San Luis Obispo				0.74%	0.72%	10,564,020.16	(18,494)	(40,922)
2	Placer				0.78%	0.90%	11,282,998.81	(8,127)	168,857
2	Marin				0.93%	0.57%	12,808,318.88	(13,460)	(530,479)
3	Tulare				0.86%	0.94%	12,402,575.63	(3,062)	109,564
3	Monterey				0.91%	1.01%	13,143,052.07	(11,942)	133,928
3	Stanislaus				1.08%	1.41%	15,951,209.48	(12,219)	453,406
3	Solano				1.10%	1.26%	15,916,068.30	(38,848)	211,883
3	Santa Barbara				1.29%	1.08%	18,054,825.78	838	(310,500)
3	Sonoma				1.32%	1.37%	18,906,703.93	(81,847)	60,821
3	San Joaquin				1.65%	1.94%	24,033,154.31	(32,918)	393,835
3	Ventura				1.71%	1.96%	24,713,456.22	(12,744)	346,630
3	Kern				2.01%	2.68%	29,708,694.63	(29,171)	926,909
3	San Mateo				2.08%	1.86%	29,429,464.64	(36,311)	(340,596)
3	Contra Costa				2.30%	2.36%	32,962,939.26	(58,400)	56,479
3	Fresno				2.41%	2.55%	34,625,773.70	(77,746)	169,550
4	San Francisco				3.71%	2.68%	51,483,418.96	(60,970)	(1,504,738)
4	Riverside				4.00%	5.08%	58,643,292.74	(54,084)	1,502,876
4	San Bernardino				4.29%	5.83%	63,477,922.81	(70,466)	2,142,776
4	Sacramento				4.31%	4.40%	61,653,120.91	(60,509)	85,141
4	Alameda				4.87%	3.98%	68,265,480.47	(49,348)	(1,321,387)
4	Santa Clara				5.20%	4.08%	72,618,003.94	(72,558)	(1,649,453)
4	San Diego				8.59%	7.19%	120,644,252.94	(195,437)	(2,092,391)
4	Orange				8.61%	7.29%	121,012,059.81	(128,860)	(1,971,430)
4	Los Angeles				27.47%	29.44%	395,007,045.31	(165,024)	2,524,883
	Statewide			12,962,759	100.00%	100.00%	1,440,487,965.46	0	0

## **Small Court Adjustments**

### **Rationale for BLS adjustment:**

- Local government is the sector most closely aligned with court employment
- A three-year average will allow for smoothing of any major economic changes
- The average salary of local government employees relative to the statewide average local pay is used as a point of comparison with a court, unless more than 50% of the workforce consists of state employees
- If more than 50% of the county workforce consists of state employees, then a combination of state and local pay is used to construct the BLS index.

### **Rationale for \$ per FTE adjustment for courts with RAS FTE need of 50 or fewer:**

- The existing rationale of applying BLS with no modifiers resulted in some rural courts with unrealistically low \$ per FTE allotments.
- The Federal and State governments recognize employers of 50 or fewer employees have special circumstances, and are frequently presented with different compliance requirements with Federal and State rules.
- Therefore, if a court has a RAS estimated need of 50 or fewer FTE, then the FTE \$ applied for that court will be the higher of that court's per FTE \$ allotment (after BLS is applied) or the BLS-adjusted median FTE \$ allotment of the courts with less than 50 FTE need.

### **Rationale for Funding Floor**

- There is a minimum level of funding that is required for a court to serve the public. This minimum level is based on practical need so that court can provide a minimal level of service.
- A minimum level, or hard floor, establishes a base level of funding to ensure a court can operate in each of the State's 58 counties.
- A graduated floor is also being established to recognize that for small entities that are slightly larger than the "hard floor" also have a minimum amount of funding required plus some workload driven costs. This graduated floor stops growing at \$2,250,000 due to recognize that at that point workload is sufficient to drive need.
- The graduated floor applies to all courts, although most will have an allocation greater than the floor and it is therefore moot.
- How the floor is applied:
  - o A court's need is calculated via the WAFM model.

- Each court's allocation is then calculated based the court's share of available funding (based on their share of total need – or share of need/historical funding level).
- Each court's allocation is compared to the graduated floor. **If a court's allocation would fall below the appropriate floor amount, the floor is applied instead.**
- The total amount of funding allocated via the floor is determined in the following way:
  - If a court's floor funding is the hard floor (currently \$750,000), their allocation is the hard floor amount.
  - If a court's floor allocation is less than the sum of their prior year funding plus 10%, then they receive the floor funding.
  - If a court's floor funding is greater than the prior year's funding plus 10%, then they receive the higher of either: 1) prior year funding plus 10%; or 2) their current year allocation if the floor were not applied.
- The "floor funding" is then subtracted from the total allocation available.
- The new share of funding is then calculated for all courts not subject to the floor to determine their final allocation.



## Superior Court of California County of Mendocino

*From the Chambers of*  
**HON. RICHARD J. HENDERSON**  
*Presiding Judge*

October 15, 2013

Honorable Steven Jahr  
Administrative Director of the Courts  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

RE: WAFM Factors

Judge Jahr:

I would like to request the inclusion of some additional factors in the WAFM. The existing factors are generally adequate to cover both single-site and multiple-site court operations. However, some multiple-site courts in smaller, rural counties present unique factors which make access to justice both more difficult and more costly than in the typical branch court. These are courts in which a significant segment of the population, exceeding 25%, is located in a discreet area a relatively long distance from the main court facility. Due to the economies of scale inherent in small, rural courts, it is much more difficult and costly to provide court services that are adequate to serve two separate but significant populations. The Mendocino court has experienced this problem over the years, but I suspect there are other courts with significant and similarly isolated populations. I wish to emphasize at the outset that this request is not addressed to the typical branch court serving a small segment of the population but only to branch courts serving at least 25% of the population.

The factor we propose for inclusion in WAFM is consideration for additional funding for any court that has such a significant population center living in a remote and challenging geographic area that the court is not able to provide reasonably adequate court services to the entire court population. Although I will use the Mendocino court as an example, I would imagine there are several other smaller, rural courts facing the same problems.

1. Current Exclusion of the Factor from the WAFM: The funding methodology does not currently include any reference to the operation of branch courts, much less the unique problems inherent in serving two or more diverse but significant population centers in rural courts.

2. Identification and description of the basis for which adjustment is requested: For some courts, such as Mendocino, the provision of court services to the entire court population is much more difficult and complex. The population of the county is split into two distinct geographical areas, with 70% in the inland area where the seven-courtroom main court is located and 30% (26,700) in the coastal area where a single-courtroom branch is located. A mountain range and sixty rugged driving miles separate the two population centers, making it very difficult, especially in periods of bad weather, for the coastal citizens to travel to the main court. The scope of services that can be presently provided at the coastal branch court is limited, forcing coastal litigants, witnesses, law enforcement officers, jurors, attorneys and interested parties to make the three hour round trip to the main court.

In areas such as family law, juvenile law and probate, the coastal court caseload is not sufficient to justify full time clerical positions under the RAS II staffing model. The distance and bad weather driving conditions make it impossible to require clerks in the inland court to drive to the coast on a regular basis. The court is left with two equally unpalatable alternatives: either fully staff one location to the detriment of the other or to curtail services at the smaller, coastal branch. The Mendocino court has elected to limit available services in the coastal branch, declining to provide services in the areas of juvenile law, family law cases involving mediation and conservatorships. With a limited clerical staff, the coastal court is also not able to try civil or criminal jury cases of longer duration than three days. This is not an acceptable solution for a discreet population (26,700) that is larger than the entire populations of at least nine courts! (Alpine, Colusa, Inyo, Mariposa, Modoc, Mono, Plumas, Sierra and Trinity counties.)

A significant population of 30% deserves better court services than the court can currently afford to provide. An upward adjustment in the funding methodology would permit the Mendocino court to adequately serve the population in both areas.

3. Necessity for Requested Adjustment: The staffing levels under the RAS II study are sufficient to handle the *combined* total caseload within the court. However, due to the economies of scale, the court is not able to provide in *both* locations a sufficient number of clerks to handle all types of judicial services: criminal, general and limited civil, family, juvenile (both delinquency and dependency) small claims, traffic and probate law and the necessary supervisory personnel. Due to the distances and driving times involved, it is not practical to require clerks to drive back and forth between the two courts as required. The only alternative presently available to the court is to operate the coastal court on a limited basis thereby depriving a significant segment of the population from full access to justice. With some additional funding, the court could adequately staff *both* locations and adequately serve both population centers.



4. Potential Application of Requested Factor: It is most likely that at least El Dorado court is in a similar situation with a significant population segment isolated from the main population center. It, too, is a relatively small court (eleven judges) in a rural area with two distinct but significant population centers.

5. Staffing Needs: The court believes it would be able to provide a reasonable level of judicial services to both populations with the addition of 2-3 additional clerical positions.

6. Consequences to the Public: Parties, witnesses and persons interested or involved in juvenile matters, family law matters requiring mediation and conservatorship matters will have to make the mountainous, round trip drive to Ukiah and back for all required hearings. Long-cause criminal and civil jury trials will continue to be heard in the main court, requiring all potential jurors, witnesses, attorneys and others to make the long trip over the mountains.

7. Consequences to the Court: The court will continue to struggle to provide adequate judicial services to all significant segments of the population. The court will also continue to field vocal and legitimate criticism from coastal residents as to why they must travel so far to obtain the same judicial services that are offered in the inland areas.

On behalf of similarly situated courts, we ask that you adjust the WAFM to consider the additional costs involved in providing a full panoply of judicial services to significant but separated population centers in smaller rural courts. We believe that these courts are faced with unique challenges that do not apply to the typical main/branch court operation.

Sincerely,

/s/

Hon. Richard J. Henderson  
Presiding Judge  
Mendocino Superior Court

Copies:  
Hon. Brian Walsh, TCPJ

## **Item 6: Preliminary Recommendations of the Revenue and Expenditure Subcommittee**

### **Issue**

Discuss preliminary recommendations of the Revenue and Expenditure Subcommittee.

### **Background**

The TCBAC established three subcommittees, including the Revenue and Expenditure Subcommittee, at its inaugural meeting on July 9, 2013. At its October 31, 2013 meeting, based on program/project information and other related information provided by the AOC at the request of the subcommittee, which are posted on the TCBAC webpage at the California Courts website ([www.courts.ca.gov/16791.htm](http://www.courts.ca.gov/16791.htm)), the subcommittee approved preliminary recommendations related to allocation of funding from the State Trial Court Improvement and Modernization Fund (IMF) and the Trial Court Trust Fund (TCTF). The recommendations are preliminary because the subcommittee wants to revisit them in light of the Governor's budget proposal for 2014–2015.

### **Preliminary Recommendations**

#### FY 2013–2014 Allocation

1. Increase of \$6,868,480 for Telecommunications Support above the \$8.74 million approved by the council from the IMF in August 2013 for 2013–2014, and the entire allocation of \$15.6 million should be used to benefit all courts.
2. Allocate \$719,749 from the IMF for Workers' Compensation Reserve to pay for liabilities associated with workers' compensation tail claims of trial court employees who were formerly employees of Sacramento County. The county requested payment only after the council meeting in August 2013.

#### FY 2014–2015 Allocation

*Accept allocation levels for proposed by the AOC except for the decreases and increases indicated below.*

#### *Decrease from Proposed Allocation*

3. \$9,000 for CFCC Educational Programs to \$90,000 from IMF (due to typo in materials).
4. \$229,000 for Judicial Partner Outreach / e-Services to \$385,602 from IMF (due to unfilled positions).
5. \$800,000 for California Court Protective Order Registry to \$701,914 from IMF (related to not funding optical character recognition functionality).
6. \$2.9 million for Data Integration to \$4.086 million from IMF (revised estimated need for 2014–2015).

7. \$625,000 for Enhanced Collections to \$0 from IMF and move all costs to the TCTF.

*Elimination of Program*

8. EAP for Bench Officers to \$0 (savings of \$47,448) from IMF.

*Increase from Proposed Allocation*

9. \$100,000 for JusticeCorps to \$347,550 from IMF (due to typo in materials)

*General*

10. 2014–2015 allocation of \$11,705,000 for Telecommunications Support should benefit all courts.

General

11. To determine the feasibility of funding all statewide IT programs and projects for trial courts from the IMF instead of both the IMF and TCTF, request the AOC to identify the operational impacts of moving the costs of ITSO-related programs/projects funded by the TCTF to IMF and not transferring \$20 million from the IMF to TCTF.
12. Recommend that the Technology Committee develop a plan to eventually eliminate subsidies from the TCTF and IMF to courts for V3 (civil, small claims, probate, and mental health) case management system and Sustain Justice Edition costs.

## IMF -- 2013-14 and 2014-15 Allocation by Program or Project

	Allocation by Project or Program	FY 2013-2014			FY 2014-15					
		Project and Program	JC Approved Allocation	Subcommittee Adjustments	Adjusted Allocation	AOC Proposed Allocation	Subcommittee Adjustments	Adjusted Allocation		
19	<b>Judicial and Court Operations Services Division</b>	<b>8,616,000</b>	-	<b>8,616,000</b>	<b>8,341,550</b>	<b>91,000</b>	<b>8,432,550</b>			
20	Trial Court Security Grants	1,200,000		1,200,000	1,200,000		1,200,000			
21	<b>Total, Office of Security</b>	<b>1,200,000</b>	-	<b>1,200,000</b>	<b>1,200,000</b>	-	<b>1,200,000</b>			
22	Self-represented Litigants Statewide Support	100,000		100,000	100,000		100,000			
23	Domestic Violence - Family Law Interpreter Program	20,000		20,000	20,000		20,000			
24	Self-Help Center	5,000,000		5,000,000	5,000,000		5,000,000			
25	Interactive Software - Self-Rep Electronic Forms	60,000		60,000	60,000		60,000			
26	CFCC Educational Programs <sup>2)</sup>	90,000		90,000	99,000	(9,000)	90,000			
27	CFCC Publications	20,000		20,000	20,000		20,000			
28	<b>Total, Center for Families, Children and Courts</b>	<b>5,290,000</b>	-	<b>5,290,000</b>	<b>5,299,000</b>	<b>(9,000)</b>	<b>5,290,000</b>			
29	Orientation for new Trial Court Judges	95,000		95,000	The break-down by line item was not provided.					
30	B.E. Witkin Judicial College of CA	160,000		160,000						
31	Primary Assignment Orientation and Overviews	239,000		239,000						
32	Leadership Training - Judicial	50,000		50,000						
33	Judicial Institutes	110,000		110,000						
34	Advanced Education for Experienced Judges	31,000		31,000						
35	Regional and Local Judicial Education Courses	8,000		8,000						
36	<i>Subtotal, Mandated, Essential &amp; Other Education for JOs</i>	<i>693,000</i>	-	<i>693,000</i>				<i>812,000</i>		<i>812,000</i>
37	Manager and Supervisor Training	31,000		31,000				34,000		34,000
38	<i>Subtotal, Essential/Other Education for CEOs, Managers, Supervisors</i>	<i>31,000</i>	-	<i>31,000</i>				<i>34,000</i>	-	<i>34,000</i>
39	Court Personnel Institutes	120,000		120,000	The break-down by line item was not provided.					
40	Regional and Local Court Staff Education Courses	10,000		10,000						
41	<i>Subtotal, Essential/Other Education for Court Personnel</i>	<i>130,000</i>	-	<i>130,000</i>	<i>143,000</i>	-	<i>143,000</i>			
42	Trial Court Faculty - Statewide Education Program	236,000		236,000	The break-down by line item was not provided.					
43	Faculty Development	25,000		25,000						
44	Curriculum Committee - Statewide Edu Plan Development	1,000		1,000						
45	<i>Subtotal, Faculty and Curriculum Development</i>	<i>262,000</i>	-	<i>262,000</i>				<i>278,000</i>	-	<i>278,000</i>
46	Distance Education - Satellite Broadcast	137,000		137,000				137,000		137,000
47	Distance Education - Online Video, Resources, Webinar	10,000		10,000				10,000		10,000
48	<i>Subtotal, Distance Learning</i>	<i>147,000</i>	-	<i>147,000</i>				<i>147,000</i>	-	<i>147,000</i>
49	<b>Total, Office of Education / CJER</b>	<b>1,263,000</b>	-	<b>1,263,000</b>				<b>1,414,000</b>	-	<b>1,414,000</b>
50	Trial Court Performance Measures Study	13,000		13,000	13,000		13,000			
51	JusticeCorp (Court Access and Education) <sup>3)</sup>	331,000		331,000	247,550	100,000	347,550			
52	CIP - Testing, Development, Recruitment and Education	140,000		140,000	168,000		168,000			
53	2015 Language Needs Study - New (every 5-year)	314,000		314,000	-		-			
54	California Language Access Plan (new, one-time)	65,000		65,000	-		-			
55	<b>Total, Court Operations Special Services Office</b>	<b>863,000</b>	-	<b>863,000</b>	<b>428,550</b>	<b>100,000</b>	<b>528,550</b>			
56	<b>Judicial Council and Court Leadership Services Division</b>	<b>12,251,200</b>	-	<b>12,251,200</b>	<b>12,299,621</b>	-	<b>12,299,621</b>			
57	Litigation Management Program	4,500,000		4,500,000	4,500,000		4,500,000			
58	Judicial Performance Defense Insurance	920,600		920,600	966,541		966,541			
59	Subscription Costs - Judicial Conduct Reporter	15,600		15,600	17,080		17,080			
60	Trial Courts Transactional Assistance Program	451,000		451,000	451,000		451,000			

revised as of January 13, 2014 (3:54 PM)  
revised as of 1/15/14 (1445)

## IMF -- 2013-14 and 2014-15 Allocation by Program or Project

	Allocation by Project or Program	FY 2013-2014			FY 2014-15		
		Project and Program	JC Approved Allocation	Subcommittee Adjustments	Adjusted Allocation	AOC Proposed Allocation	Subcommittee Adjustments
61	Jury System Improvement Projects	18,000		18,000	19,000		19,000
62	Alternative Dispute Resolution Centers	75,000		75,000	75,000		75,000
63	Complex Civil Litigation Program	4,001,000		4,001,000	4,001,000		4,001,000
64	Regional Office Assistance Group (Support)	1,460,000		1,460,000	1,460,000		1,460,000
65	<b>Total, Legal Services Office</b>	<b>11,441,200</b>	<b>-</b>	<b>11,441,200</b>	<b>11,489,621</b>	<b>-</b>	<b>11,489,621</b>
66	Audit Contract	150,000		150,000	150,000		150,000
67	Internal Audit Services (Support)	660,000		660,000	660,000		660,000
68	<b>Total, Internal Audit Services</b>	<b>810,000</b>	<b>-</b>	<b>810,000</b>	<b>810,000</b>	<b>-</b>	<b>810,000</b>
69	<b>Judicial and Court Administrative Services Division</b>	<b>45,894,272</b>	<b>7,588,229</b>	<b>53,482,501</b>	<b>57,520,150</b>	<b>(4,601,448)</b>	<b>52,918,702</b>
70	Other Post-Employment Benefits Valuation Report (OPEB) (every	600,000		600,000	-		-
71	Budget Focused Training and Meetings	50,000		50,000	50,000		50,000
72	Treasury Services - Cash Management (Support)	238,000		238,000	238,000		238,000
73	Trial Court Procurement (Support)	244,000		244,000	244,000		244,000
74	Enhanced Collections (Support) <sup>4)</sup>	625,000		625,000	625,000	(625,000)	-
75	<b>Total, Fiscal Services Office</b>	<b>1,757,000</b>	<b>-</b>	<b>1,757,000</b>	<b>1,157,000</b>	<b>(625,000)</b>	<b>532,000</b>
76	EAP for Bench Officers <sup>5)</sup>	34,000		34,000	47,448	(47,448)	-
77	Workers' Compensation Reserve <sup>6)</sup>	-	719,749	719,749	1,230,934		1,230,934
78	Human Resources - Court Investigation	100,000		100,000	94,500		94,500
79	Trial Court Labor Relations Academies and Forums	30,000		30,000	34,622		34,622
80	<b>Total, Human Resources Services Office</b>	<b>164,000</b>	<b>719,749</b>	<b>883,749</b>	<b>1,407,504</b>	<b>(47,448)</b>	<b>1,360,056</b>
81	Telecommunications Support <sup>7)</sup>	8,740,000	6,868,480	15,608,480	9,705,000	2,000,000	11,705,000
82	Enterprise Policy/Planning (Statewide Development)	5,122,800		5,122,800	5,268,466		5,268,466
83	Interim Case Management Systems	1,650,600		1,650,600	2,896,497		2,896,497
84	Data Integration <sup>8)</sup>	3,906,900		3,906,900	6,986,527	(2,900,000)	4,086,527
85	California Courts Technology Center (CCTC)	9,465,100		9,465,100	9,848,730		9,848,730
86	Jury Management System	600,000		600,000	600,000		600,000
87	CLETS Services/Integration	515,200		515,200	533,286		533,286
88	CCPOR (ROM) <sup>9)</sup>	675,800		675,800	1,501,914	(800,000)	701,914
89	Testing Tools - Enterprise Test Management Suite	582,500		582,500	595,234		595,234
90	Uniform Civil Fees	385,000		385,000	385,602		385,602
91	Justice Partner Outreach / e-Services <sup>10)</sup>	572,000		572,000	590,482	(229,000)	361,482
92	Orange Court Telecom Project - New	-		-	2,000,000	(2,000,000)	-
93	Adobe LiveCycle Reader Service Extension - New	129,800		129,800	133,673		133,673
94	<b>Total, Information Technology Services Office</b>	<b>32,345,700</b>	<b>6,868,480</b>	<b>39,214,180</b>	<b>41,045,411</b>	<b>(3,929,000)</b>	<b>37,116,411</b>
95	Phoenix Project - FI (Including Support)	11,602,572		11,602,572	13,885,235		13,885,235
96	Judicial Council's Court-Ordered Debt Task Force - New	25,000		25,000	25,000		25,000
97	<b>Total, Trial Court Administrative Services Office</b>	<b>11,627,572</b>	<b>-</b>	<b>11,627,572</b>	<b>13,910,235</b>	<b>-</b>	<b>13,910,235</b>
98	<b>Total Expenditure/Encumbrance/Allocation</b>	<b>66,761,472</b>	<b>7,588,229</b>	<b>74,349,701</b>	<b>78,161,321</b>	<b>(4,510,448)</b>	<b>73,650,873</b>

IMF -- 2013-14 and 2014-15 Fund Condition Statement

		FY 2013-2014			FY 2014-15		
		JC Approved Allocation	Adjustments	Adjusted Allocation	AOC Proposed Allocation	Adjustments	Recommended Allocation
		Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
1	<b>Beginning Balance</b>	44,827,741	-	44,827,741	25,978,788	(8,006,317)	17,972,471
2	Prior Year Adjustments	-	-	-	-	-	-
3	Liquidation of Prior Year Encumbrances and Adjustment for Revenue and Expenditure Accruals	-	-	-	-	-	-
4	Refund from Deloitte Consulting Related to PY Contracts	-	-	-	-	-	-
5	Repayment of Loan	-	-	-	-	-	-
6	<b>Adjusted Beginning Balance</b>	44,827,741	-	44,827,741	25,978,788	(8,006,317)	17,972,471
7	<b>Revenues</b>						
8	50:50 Excess Split Revenue	27,946,000	-	27,946,000	27,946,000	-	27,946,000
9	2% Automation Fund	14,831,000	-	14,831,000	14,831,000	-	14,831,000
10	Jury Instructions Royalties	445,365	-	445,365	445,365	-	445,365
11	Interest from SMIF	135,048	-	135,048	135,048	-	135,048
12	Other Revenues	-	-	-	-	-	-
13	<b>Subtotal, Revenues</b>	43,357,413	-	43,357,413	43,357,413	-	43,357,413
14	<b>Transfers</b>						
15	Transfer from State General Fund	38,709,000	-	38,709,000	38,709,000	-	38,709,000
16	Transfer to TCTF (Item 0250-111-0159, BA 2012 & 2013)	(20,000,000)	-	(20,000,000)	(20,000,000)	-	(20,000,000)
17	Transfer to TCTF (GC 77209(k))	(13,397,000)	-	(13,397,000)	(13,397,000)	-	(13,397,000)
18	Transfer to TCTF (IMF AOC Staff Savings)	(594,000)	-	(594,000)	(594,000)	-	(594,000)
19	Transfer to TCTF (IMF Portion of Deloitte Refund)	-	-	-	-	-	-
20	<b>Subtotal, Transfers</b>	4,718,000	-	4,718,000	4,718,000	-	4,718,000
21	<b>Total Resources</b>	92,903,154	-	92,903,154	74,054,201	(8,006,317)	66,047,884
22	Expenditure/Encumbrance/Allocation	66,761,472	7,588,229	74,349,701	78,161,321	(4,510,448)	73,650,873
23	Prorata <sup>1)</sup>	162,894	418,088	580,982	162,894	134,687	297,581
24	<b>Total Expenditure/Encumbrance/Prorata/Allocation</b>	66,924,366	8,006,317	74,930,683	78,324,215	(4,375,761)	73,948,454
25	<b>Fund Balance</b>	25,978,788	(8,006,317)	17,972,471	(4,270,014)	(3,630,556)	(7,900,570)

Allocation by Project or Program		FY 2013-2014			FY 2014-15		
Project and Program		JC Approved Allocation	Subcommittee Adjustments	Adjusted Budget	AOC Proposed Budget	Subcommittee Adjustments	Adjusted Budget
19	<b>Judicial and Court Operations Services Division</b>	8,616,000	-	8,616,000	8,341,550	91,000	8,432,550
20	Trial Court Security Grants	1,200,000	-	1,200,000	1,200,000	-	1,200,000
21	<b>Total, Office of Security</b>	1,200,000	-	1,200,000	1,200,000	-	1,200,000
22	Self-represented Litigants Statewide Support	100,000	-	100,000	100,000	-	100,000
23	Domestic Violence - Family Law Interpreter Program	20,000	-	20,000	20,000	-	20,000
24	Self-Help Center	5,000,000	-	5,000,000	5,000,000	-	5,000,000
25	Interactive Software - Self-Rep Electronic Forms	60,000	-	60,000	60,000	-	60,000
26	CFCC Educational Programs <sup>2)</sup>	90,000	-	90,000	99,000	(9,000)	90,000
27	CFCC Publications	20,000	-	20,000	20,000	-	20,000
28	<b>Total, Center for Families, Children and Courts</b>	5,290,000	-	5,290,000	5,290,000	(9,000)	5,290,000
29	Orientation for new Trial Court Judges	95,000	-	95,000	-	-	-
30	B.E. Witkin Judicial College of CA	160,000	-	160,000	-	-	-
31	Primary Assignment Orientation and Overviews	239,000	-	239,000	-	-	-
32	Leadership Training - Judicial	50,000	-	50,000	-	-	-
33	Judicial Institutes	110,000	-	110,000	-	-	-
34	Advanced Education for Experienced Judges	31,000	-	31,000	-	-	-
35	Regional and Local Judicial Education Courses	8,000	-	8,000	-	-	-
36	<b>Subtotal, Mandated, Essential &amp; Other Education for JOs</b>	693,000	-	693,000	812,000	-	812,000
37	Manager and Supervisor Training	31,000	-	31,000	34,000	-	34,000
38	<b>Subtotal, Essential/Other Education for CEOs, Managers, Supervisors</b>	31,000	-	31,000	34,000	-	34,000
39	Court Personnel Institutes	120,000	-	120,000	-	-	-
40	Regional and Local Court Staff Education Courses	10,000	-	10,000	-	-	-
41	<b>Subtotal, Essential/Other Education for Court Personnel</b>	130,000	-	130,000	143,000	-	143,000
42	Trial Court Faculty - Statewide Education Program	236,000	-	236,000	-	-	-
43	Faculty Development	25,000	-	25,000	-	-	-
44	Curriculum Committee - Statewide Edu Plan Development	1,000	-	1,000	-	-	-
45	<b>Subtotal, Faculty and Curriculum Development</b>	262,000	-	262,000	278,000	-	278,000
46	Distance Education - Satellite Broadcast	137,000	-	137,000	137,000	-	137,000
47	Distance Education - Online Video, Resources, Webinar	10,000	-	10,000	10,000	-	10,000
48	<b>Subtotal, Distance Learning</b>	147,000	-	147,000	147,000	-	147,000
49	<b>Total, Office of Education / CJER</b>	1,263,000	-	1,263,000	1,414,000	-	1,414,000
50	Trial Court Performance Measures Study	13,000	-	13,000	13,000	-	13,000
51	JusticeCorp (Court Access and Education) <sup>3)</sup>	331,000	-	331,000	247,550	100,000	347,550
52	CIP - Testing, Development, Recruitment and Education	140,000	-	140,000	168,000	-	168,000
53	2015 Language Needs Study - New (every 5-year)	314,000	-	314,000	-	-	-
54	California Language Access Plan (new, one-time)	65,000	-	65,000	-	-	-
55	<b>Total, Court Operations Special Services Office</b>	863,000	-	863,000	428,550	100,000	528,550
56	<b>Judicial Council and Court Leadership Services Division</b>	12,251,200	-	12,251,200	12,299,621	-	12,299,621
57	Litigation Management Program	4,500,000	-	4,500,000	4,500,000	-	4,500,000
58	Judicial Performance Defense Insurance	920,600	-	920,600	966,541	-	966,541
59	Subscription Costs - Judicial Conduct Reporter	15,600	-	15,600	17,080	-	17,080
60	Trial Courts Transactional Assistance Program	451,000	-	451,000	451,000	-	451,000
61	Jury System Improvement Projects	18,000	-	18,000	19,000	-	19,000
62	Alternative Dispute Resolution Centers	75,000	-	75,000	75,000	-	75,000
63	Complex Civil Litigation Program	4,001,000	-	4,001,000	4,001,000	-	4,001,000
64	Regional Office Assistance Group (Support)	1,460,000	-	1,460,000	1,460,000	-	1,460,000
65	<b>Total, Legal Services Office</b>	11,441,200	-	11,441,200	11,489,621	-	11,489,621
66	Audit Contract	150,000	-	150,000	150,000	-	150,000
67	Internal Audit Services (Support)	660,000	-	660,000	660,000	-	660,000
68	<b>Total, Internal Audit Services</b>	810,000	-	810,000	810,000	-	810,000
69	<b>Judicial and Court Administrative Services Division</b>	45,894,272	7,588,229	53,482,501	57,520,150	(4,601,448)	52,918,702
70	Other Post-Employment Benefits Valuation Report (OPEB) (ever)	600,000	-	600,000	-	-	-
71	Budget Focused Training and Meetings	50,000	-	50,000	50,000	-	50,000
72	Treasury Services - Cash Management (Support)	238,000	-	238,000	238,000	-	238,000
73	Trial Court Procurement (Support)	244,000	-	244,000	244,000	-	244,000
74	Enhanced Collections (Support) <sup>4)</sup>	625,000	-	625,000	625,000	(625,000)	-
75	<b>Total, Fiscal Services Office</b>	1,757,000	-	1,757,000	1,157,000	(625,000)	532,000
76	EAP for Bench Officers <sup>5)</sup>	34,000	-	34,000	47,448	(47,448)	-
77	Workers' Compensation Reserve <sup>6)</sup>	-	719,749	719,749	1,230,934	-	1,230,934
78	Trial Court Benefits Program - Legal Advice	-	-	-	-	-	-
79	Human Resources - Court Investigation	100,000	-	100,000	94,500	-	94,500
80	Trial Court Labor Relations Academies and Forums	30,000	-	30,000	34,622	-	34,622
81	<b>Total, Human Resources Services Office</b>	164,000	719,749	883,749	1,407,504	(47,448)	1,360,056
82	Telecommunications Support <sup>7)</sup>	8,740,000	6,868,480	15,608,480	9,705,000	2,000,000	11,705,000
83	Enterprise Policy/Planning (Statewide Development)	5,123,800	-	5,123,800	5,268,466	-	5,268,466
84	Interim Case Management Systems	1,650,600	-	1,650,600	2,896,497	-	2,896,497
85	Data Integration <sup>8)</sup>	3,906,900	-	3,906,900	6,986,527	(2,900,000)	4,086,527
86	California Courts Technology Center (CCTC)	9,465,100	-	9,465,100	9,848,730	-	9,848,730
87	Jury Management System	600,000	-	600,000	600,000	-	600,000
88	CLETs Services/Integration	515,200	-	515,200	533,286	-	533,286
89	CCPDR (BOM) <sup>9)</sup>	675,800	-	675,800	1,501,914	(800,000)	701,914
90	Testing Tools - Enterprise Test Management Suite	582,500	-	582,500	595,234	-	595,234
91	Uniform Civil Fees	385,000	-	385,000	385,000	-	385,000
92	Justice Partner Outreach / e-Services <sup>10)</sup>	572,000	-	572,000	590,482	(229,000)	361,482
93	Orange Court Telecom Project - New	-	-	-	2,000,000	(2,000,000)	-
94	Adobe LiveCycle Reader Service Extension - New	129,800	-	129,800	133,673	-	133,673
95	<b>Total, Information Technology Services Office</b>	32,345,700	6,868,480	39,214,180	41,045,411	(3,929,000)	37,116,411
96	Phoenix Project - FI (Including Support)	11,602,572	-	11,602,572	13,885,235	-	13,885,235
97	Judicial Council's Court-Ordered Debt Task Force - New	25,000	-	25,000	25,000	-	25,000
98	<b>Total, Trial Court Administrative Services Office</b>	11,627,572	-	11,627,572	13,910,235	-	13,910,235
	<b>Total Expenditure/Encumbrance/Allocation</b>	66,761,472	7,588,229	74,349,701	78,161,321	-	78,161,321

**Trial Court Trust Fund -- Summary Fund Condition Statement (FY 2011-12 through FY 2014-15)**

	FY 2011-12 (Year-end Actual) Col. A	FY 2012-13 (Year-end Actual) Col. B	FY 2013-14 (JC Approved Adjusted) Col. C	FY 2014-15 (Estimated) Col. D	Recommendation of Subcommittee Col. E
1 Beginning Balance	72,918,702	105,535,205	82,520,997	31,402,416	-
2 Prior-Year Adjustments	42,010,999	19,260,408	-	-	-
<b>3 Adjusted Beginning Fund Balance</b>	<b>114,929,701</b>	<b>124,795,613</b>	<b>82,520,997</b>	<b>31,402,416</b>	-
4 Revenue	1,371,175,275	1,400,425,164	1,380,887,532	1,380,887,532	-
5 General Fund Transfer	888,857,988	263,691,000	741,691,000	741,691,000	-
6 Reduction Offset Transfers	233,000,000	86,709,000	26,080,000	26,080,000	-
7 Net Other Transfers/Charges/Reimbursements	(6,266,760)	(1,465,392)	(2,508,075)	(2,508,075)	-
<b>8 Total Revenue and Transfers/Charges/Reimbursements</b>	<b>2,486,766,503</b>	<b>1,749,359,772</b>	<b>2,146,150,457</b>	<b>2,146,150,457</b>	-
<b>9 Total Resources</b>	<b>2,601,696,204</b>	<b>1,874,155,385</b>	<b>2,228,671,454</b>	<b>2,177,552,873</b>	-
<b>10 Expenditures/Encumbrances/Allocations</b>					
11 Program 30 - Expenditures/Allocations	14,604,341	23,610,313	21,626,120	24,130,252	
12 <i>Sargent Shriver Indigent Services Pilot Program</i>	415,204	9,939,475	8,237,796	8,237,796	8,237,796
13 <i>Civil, Small Claims, Probate and Mental Health (V3) CMS</i>	1,404,407	6,296,541	5,594,000	6,802,417	6,802,417
14 <i>Criminal and Traffic (V2) CMS/ Reallocation of V2 CMS Savings</i>	526,698	2,792,846	3,156,700	3,764,751	3,764,751
15 <i>CA Courts Technology Center (CCTC) - Operations</i>	-	1,654,000	1,654,000	1,689,325	1,689,325
16 <i>Phoenix Financial and Human Resources Services</i>	7,396,660	1,146,398	1,307,000	1,348,611	1,348,611
17 <i>Interim Case Management System (ICMS) - Sustain</i>	-	1,155,000	1,027,600	1,027,615	1,027,615
18 <i>Enhanced Collections</i>	-	-	-	625,000	625,000
19 <i>Equal Access Fund</i>	291,924	294,677	276,024	261,737	261,737
20 <i>Court-Appointed Dependency Counsel Collections</i>	138,629	209,617	260,000	260,000	260,000
21 <i>Children in Dependency Cases Training</i>	-	121,760	113,000	113,000	113,000
22 <i>CCMS V4</i>	4,370,178	-	-	-	-
23 <i>Trial Court Procurement</i>	39,846	-	-	-	-
24 <i>Criminal Justice Realignment Education Training</i>	20,797	-	-	-	-
25 Program 45 - Expenditures/Allocations	2,481,556,657	1,767,802,888	2,173,864,105	2,166,466,389	-
26 Item 601 - Redevelopment Agency Writ Case Reimbursements	-	221,186	1,778,814	-	-
<b>27 Total, Expenditures/Encumbrances/Allocations</b>	<b>2,496,160,999</b>	<b>1,791,634,387</b>	<b>2,197,269,039</b>	<b>2,190,596,641</b>	-
<b>28 Ending Fund Balance</b>	<b>105,535,205</b>	<b>82,520,997</b>	<b>31,402,416</b>	<b>(13,043,768)</b>	-
<b>30 Revenue and Transfers Annual Surplus/(Deficit)</b>	<b>(9,394,496)</b>	<b>(42,274,616)</b>	<b>(51,118,581)</b>	<b>(44,446,184)</b>	-
<b>31 Allocation Adjustments</b>					
32 Unfunded benefits allocation, using unfunded expenditure authority	N/A	N/A	N/A	29,406,000	
33 Sunset of SB 1021 Fee Increases	N/A	N/A	N/A	-	-
<b>34 Adjusted Deficit or Surplus</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>(15,040,184)</b>	-
<b>35 Adjusted Ending Fund Balance</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>16,362,232</b>	

revised as of January 13, 2014 (3:54PM)

revised as of 1/15/14 (1445)

## **Information Technology Services Office**

### **Telecommunications “LAN/WAN” Program - Five Year Budget Forecast (January 9, 2014)**

#### **Summary**

As of November 2013, the Trial Court Budget Advisory Committee has recommended a one-time fund increase in the amount of \$6,868,480 to augment the Judicial Council’s approved FY 2013-14 Telecommunications LAN/WAN program budget of \$8,740,000 for baseline operations. This amount does not include the additional budget request of \$3,458,300 necessary to include the Superior Courts of Alpine, Los Angeles, Orange and San Diego counties in the current program. The committee requested a complete five-year network technology roadmap and budget forecast that would include the 4 courts previously not participating. The proposed roadmap shows the costs for the 4 courts over 5 years based on the current technology refresh schedule (see attached spreadsheet).

#### **Program Description & Benefits**

The primary benefit of the program is to provide the trial courts with a standardized level of network infrastructure and security services as a foundation to sustain both local and enterprise court applications. The program includes the following units and functions:

**LAN/WAN Initiative & Network Technology Refresh:** The core component of the LAN/WAN initiative is to provide a separate, secure, robust, and scalable network infrastructure, aligned with emerging needs of enterprise court services. The LAN/WAN initiative is to provide the trial courts with the infrastructure required to physically separate networks from their county partners. The goal is for the trial courts to offer the public reliable and continuous court access. This includes:

**Technology Refresh Component:** The program continually plans and coordinates replacement of network equipment that is no longer supported due to aging technology. The project forecasts the budget by working with the courts, service integrators, and hardware vendors to create an annual technology roadmap identifying the technology requiring replacement.

**Network Technology Training:** The program also offers court IT staff the opportunity to attend foundational and specialized network training courses, via state of the art training centers, and comprehensive online courses. This ensures that courts have the necessary skill to operate, maintain, and expand their infrastructure in response to local and enterprise needs.

**Ad-Hoc Network Consulting:** Independent consultants are engaged to provide expert network engineering and program management as part of the Technology Refresh project. These consultants are commonly utilized by individual trial courts to offer local engineering services for court projects and issues, outside of technology refresh projects.



**Cisco Network Equipment Trade-in:** The equipment trade-in program provides an avenue for courts to dispose of outdated network technology. The program is allotted vendor purchase credits for most equipment turned in. The credits allow the project to maximize the branch discount of future court technology refresh projects.

**Cisco Network Maintenance:** The maintenance component affords the trial courts critical vendor support coverage for all network and security infrastructure. The program negotiated a branch-wide agreement with the vendor that saves the branch 31% over five years. Fifty-four trial courts participating in the Technology Refresh are covered by this program. Once approved, funds are allocated annually to pay for Cisco maintenance as part of the branch maintenance agreement.

**Managed Network Security Services:** The program maintains network system security and data integrity of court information by offering three managed security services: managed firewall and intrusion prevention; vulnerability scanning; and web browser security. These network security tools mitigate the risk of court data being erroneously exposed without proper authority, and ensure continuous court operations to the public. Funds are allocated annually for this component of the program, and currently support 55 courts.

### **Technology Refresh Lifecycle Planning and Budget Forecast Methodology**

The Technology Refresh component of the program focuses on the annual refresh of equipment that is deemed to be “end of life” or “end-of-support” by the manufacturing vendors. These products are considered obsolete and are no longer sold, manufactured, improved, repaired, maintained, or supported by the manufacturer. Additionally, products that are end of life are no longer eligible for security patches or maintenance contracts. This leaves daily courthouse operations vulnerable to security breaches and connectivity failures, both within and outside the court operational environment.

In the event of a failure, courts would have to research, procure, and deploy new replacement technology. During an outage, court operations may be adversely impacted for the duration of the procurement process, depending on type and function of that failed device. From initial outage until restoration, it may take up to ten business days for a courthouse to regain full operational status.

Keeping equipment current is vital to courts, considering deployment of new technology systems such as video remote interpretation, video arraignments, Voice over Internet Protocol (VoIP), multimedia streaming, building automation, video surveillance, etc. Implementation may be limited due to lack of functionality and compatibility of older end of life products.

Most hardware vendors maintain a five-year outlook on product end of life cycles that coincides with technology innovation and hardware mean time between failures, which also provides a five-year technology roadmap, including product end-of-life projections. The program leverages

this information annually to determine the scheduled refresh for all court network technology in the judicial branch.

Every year, the team gathers the current court inventory of network and security equipment. The team then meets with vendor partners to review available technologies to replace upcoming end of life devices. The program produces a new five-year technology road map and budget based on information gathered, and in alignment with the technical goals and objectives of the judicial branch and trial courts. This ongoing annual planning and refresh process is integral to court operations and does not end after five years.

It may take up to one year to replace all targeted devices for any given refresh cycle. The refresh plan may also span a couple of years, depending on complexity and number of total devices. For example, if the program is replacing switches scheduled for an end of life date of June 2015, the individual court projects will commence in March 2014 and be completed well in advance of the June 2015 end of life dates.

The program also aligns technology refresh schedules with any courthouse construction projects underway. The technology refresh does not schedule the refresh of technology in courthouses that are scheduled to be decommissioned or remodeled as part of an AOC capital programs project. The construction projects provide new technology as part of the new courthouse, in alignment with the LAN/WAN standards and guidelines to ensure a consistent network infrastructure, regardless of the funding source.

### **Analysis of Alpine, Los Angeles, Orange, and San Diego Superior Courts**

At the request of the Judicial Council Trial Court Budget Advisory Committee, the LAN/WAN team assessed Alpine, Los Angeles, Orange and San Diego Superior Courts in detail to determine the life cycle status of every network and security device currently in production. We created a five year technology roadmap and budget based on these findings, using the LAN/WAN standards, applied to all other courts for the current refresh cycle.

#### ***Alpine Superior Court***

Alpine Court has been unable to participate in the LAN/WAN program since the initial infrastructure assessment in 2002, due to lack of power and cooling at their current historic building. Fortunately, the county of Alpine is currently retrofitting the courthouse with the required facilities upgrade. They estimate a completion date of May 2014. At such time, the new facilities will accommodate a complete LAN/WAN infrastructure deployment with sufficient power and cooling.

The team met with the court to discuss their requirements and constraints. We completed a detailed network design for FY 2013-2014 for a complete new LAN/WAN infrastructure deployment. The current infrastructure at the court does not meet the same technology standards deployed throughout the branch. This proposal includes hardware, deployment and maintenance.

Alpine would not necessitate any technology refresh until, possibly, FY 2017-2018, given that the court requires a complete technology refresh this fiscal year. The technology deployed this year would have a life cycle of at least five years and would therefore not require a refresh. The court is very small, so it does not require much hardware to accomplish the same objectives and standards as the rest of the courts.

The court has elected to participate in the managed network security services once the LAN/WAN project is complete. No additional FY 2013-2014 funds are required to subscribe this court to the network security services.

### ***Los Angeles Superior Court***

The team met with the court to discuss their infrastructure requirements and constraints. We completed a detailed network design for FY 2013-2014 to refresh four critical core switches that are already end of life as of 2012, along with eight core switches designated as end of life in 2015. The proposal includes hardware and maintenance only; the court has elected to deploy the new infrastructure utilizing local IT resources.

The five year technology road map and budget requires funding to replace additional technology through FY 2017-2018, according to the most recent inventory and refresh schedule.

The court already has its own locally deployed security services, in partnership with the County of Los Angeles.

### ***Orange Superior Court***

The team met with the court to discuss their requirements and constraints. We completed a detailed network design for FY 2013-2014 to refresh two critical core switches. The budget proposal includes hardware, deployment and maintenance.

The five year technology road map and budget requires replacement of minimal technology in the following four years. We completed a more detailed network assessment after the initial refresh discussion. The court recently replaced most of its core network technology. Therefore, the original proposed refresh has been greatly reduced. The attached spreadsheet denotes a much more accurate five year budget forecast to replace all end of life technology through FY 2017-2018. The court currently subscribes to the managed network security services via the LAN/WAN program.

### ***San Diego Superior Court***

The team met with the court to discuss their infrastructure requirement and constraints. We completed a detailed network design for FY 2013-2014 to refresh a significant amount of technology designated as end of life in 2015. The proposal includes hardware, deployment, and maintenance, except for network technology included in the courthouse construction project.

We completed a five year budget forecast to replace all end of life switches for the remaining four years, using the same technology standards and refresh roadmap. The court had not previously participated in the refresh project because new network infrastructure had just been deployed throughout the court to support local projects at the time of inquiry. The court did, however, participate in two smaller LAN/WAN infrastructure deployments – wireless and network access control.

The court has elected to participate in all three managed network security services. Web security services and vulnerability scanning services can be deployed independently of the technology refresh project with existing infrastructure. The third service, managed firewall and intrusion detection services, is dependent on successful deployment of the technology refresh program at San Diego. No additional funds are required to subscribe to the security services.

### **Beyond the Five-Year Technology Roadmap and Budget Forecast**

The budget forecast is uncertain past the fifth year of any given refresh cycle due to limited advance information from manufacturers and vendors. However, every year the program produces a new five-year technology road map and budget based on the newest information provided by the vendors annually. This ongoing annual planning and analysis process is integral to the overall program and court operations, which does not end after five years.

The program planners would like to point out that there is a significant portion of the largest series of core switches that will be designated end of life soon after 2020. These switches have already been in current production use at the courts for five years. The vendor is predicting a life cycle of no more than 15 years for these devices. This series of core switches is the backbone at most of the medium to large courts. An in-depth analysis has not been completed, given that this planning effort is more than five years away. This future refresh cycle of these core switches will require a significant increase in the budget in future years. A staggered deployment approach would be planned over several years due to the number and complexity of the actual refresh for these devices as well as the number of resources required per court project.

The attached spreadsheet illustrates the estimated cost per court for the next five years, beginning with this FY 2013-2014. The first year is very accurate because most of the preparatory work and detailed network designs has been completed. The remaining four years are based on the technology roadmap session as of November 2013, the known schedule for courthouse construction projects, and the current inventory of LAN/WAN devices. The budget forecast includes estimates for hardware, tax, maintenance, implementation services, and project management.

## TELECOMMUNICATIONS LAN/WAN TECHNOLOGY REFRESH PROGRAM BUDGET FORECAST 4 COURTS

COURT	TECHNOLOGY REFRESH CYCLE BUDGET FORECAST					PROGRAM COURT TOTALS
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	
<b>Alpine</b>	\$153,008	\$0	\$0	\$0	\$50,000	<b>\$203,008</b>
<b>Los Angeles</b>	\$820,947	\$171,918	\$130,490	\$139,945	\$500,000	<b>\$1,763,300</b>
<b>Orange</b>	\$609,000	\$502,895	\$0	\$63,990	\$500,000	<b>\$1,675,885</b>
<b>San Diego</b>	\$1,625,345	\$458,325	\$71,145	\$1,949,590	\$500,000	<b>\$4,604,405</b>
<b>HARDWARE</b>	\$3,208,300	\$1,133,138	\$201,635	\$2,153,525	\$1,550,000	<b>\$8,246,598</b>
<b>Tax</b>	included	\$93,484	\$16,635	\$177,666	\$127,875	\$415,660
<b>Maintenance Program</b>	included	\$434,144	\$454,307.30	\$669,660	\$824,659.80	\$2,382,771
<b>Implementation</b>	included	\$283,285	\$50,409	\$538,381	\$387,500	\$1,259,575
<b>Resources</b>	\$250,000.00	\$250,000	\$250,000	\$250,000	\$250,000	\$1,250,000
<b>ANNUAL TOTALS</b>	<b>\$3,458,300</b>	<b>\$2,194,050</b>	<b>\$972,986</b>	<b>\$3,789,232</b>	<b>\$3,140,035</b>	<b>\$13,554,603</b>

## **Item 4: Allocation of Criminal Justice Realignment Act Funding**

### **Issues**

What methodology should be used to allocate the remaining half of realignment funds for FY 2013–2014? What funding decisions should be made for courts that, based on the allocation methodology recommended, will be receiving significantly less or more funding than they indicate is needed in their realignment expenditure survey? What should be done with the realignment funding remaining in the reserve?

### **Background**

On July 9, 2013, the Trial Court Budget Advisory Committee (TCBAC) approved, among others, the following recommendations of its Realignment Subcommittee:

1. Allocate one-half of the \$9.223 million in ongoing realignment funding to the trial courts in July 2013 based on the allocation methodology used in FY 2012–2013. After the first quarter of FY 2013–2014, realignment data collected from the courts as required by Penal Code section 13155 will be used to develop a new methodology for allocation of the remaining funding.
2. AOC staff will survey courts to obtain their FY 2013–2014 expenditures related to criminal justice realignment.

On July 25, 2013, the Judicial Council approved the recommendation for a one-time allocation of \$4.6 million for 2013–2014 costs related to criminal justice realignment and an allocation of \$12,960 for unfunded 2012–2013 costs. In addition, The Judicial Council amended the proposed realignment allocation for 2013–2014 to provide funding for the Superior Courts of Mariposa County, in the amount of \$3,954, and Trinity County, in the amount of \$2,636.

**On January 9, 2014, the Realignment Subcommittee met to discuss the issues mentioned above and to make recommendations for the Trial Court Budget Advisory Committee. Each issue is described in more detail below.**

### **Issue 1**

What methodology should be used to allocate the remaining half of realignment funds for FY 2013–2014?

The Administrative Office of the Courts (AOC's) Criminal Justice Courts Services Office (CJCSO) collected and developed statistics, as well as allocation distribution options. Several methodologies were developed, based on realignment population, realignment workload, or combinations of population and workload. These options were presented to the Realignment

Subcommittee chairs, Hon. David Wesley and Mr. David Yamasaki, for review and recommendations. Also presented were the results of a court survey conducted by the Fiscal Services Office (FSO) on behalf of the co-chairs of the Realignment Subcommittee that provides information on realignment related expenditures.

### **Recommendation 1**

The Realignment Subcommittee recommends that the method to distribute the allocation presented in Table 1 be adopted. This methodology redistributes the remaining FY 2013–2014 realignment funding based on a combination of population (post-release community supervision [PRCS] and parole) and workload (measured as petitions to revoke/modify PRCS or parole). Incorporating population information is recommended at this time, because the workload measures rely on only one quarter work of data (the first quarter in which parole revocations hearings were conducted by the courts). The subcommittee recommends that realignment allocations in future years be based solely on workload measures that are established, consistent with workload measurements used in the Workload Allocation Funding Methodology.

Information collected in the realignment expenditure survey is also presented in the table as well as a calculation of the difference between the potential allocation based on realignment data and the expenditure survey.

A brief explanation of the columns displayed in Table 1 follows:

- Column A: Each court’s percentage of the statewide realignment allocation for the first half of FY 2013–2014. (Source: Court quarterly realignment data)
- Column B: The realignment funding allocation each court received for the first half of FY 2013–2014. (Source: Court quarterly realignment data)
- Column C: Each court’s percentage of statewide realignment allocation for the second half of FY 2013–2014 based on:
  - The court’s percentage of the statewide population of individuals on PRCS and parole (weighted at .50).
  - The court’s percentage of the statewide realignment workload measured as the number of petitions filed and court motions made to revoke/modify PRCS and parole (weighted at .50).
- Column D: The realignment allocation each court would receive for the second half of FY 2013–2014 based on the percentage of statewide realignment population and workload (Column C). (Source: Court quarterly realignment data)
- Column E: Additional funding requested by the courts to cover their realignment expenditures for the first half of FY 2013–2014. (Source: Court expenditure survey).
- Column F: Estimated realignment allocation needed for the second half of FY 2013–2014 based on total ongoing realignment costs incurred in the first quarter of FY 2013–2014. (Source: Court expenditure survey).

- Column G: Difference between the second half of FY 2013–2014 realignment allocation based on realignment population and workload data (Column D) and the realignment allocation based on actual realignment spending in the first quarter of FY 2013–2014 (Column F).

## **Issue 2**

What funding decisions should be made for courts that, based on the allocation methodology recommended, will be receiving significantly less or more funding than they indicate is needed in their realignment expenditure survey?

### **Background**

Results from the realignment expenditure survey conducted on behalf of the Realignment Subcommittee by the Fiscal Services Office indicate that, based on first quarter expenditures collected in the expenditure survey, some of the courts need either less or more funding than the potential allocation based on the methodology created based on data collected from the Criminal Justice Court Services Office.

### **Recommendation 2**

The subcommittee recommends that realignment allocations be made based solely on the data collected from CJCSO and that no action related to the distribution of the remaining funding be taken at this time regarding the realignment expenditure survey. As in FY 2012–2013, courts that received more funding than needed, as reflected by the expenditure survey, would be allowed to keep the excess funding. The subcommittee makes this recommendation because this enables allocations to be made based on the actual workload associated with realignment and does not rely on differing court processes.

## **Issue 3**

What should be done with the realignment funding remaining in the reserve?

### **Background**

At its July 27, 2012, business meeting, the Judicial Council adopted the following action:

Allocate on a one-time basis \$9.073 million for costs related to parole revocation hearings based on the formula used by the council for allocating funding in 2011–2012, and set aside \$150,000 that would be available to the council to allocate to address unforeseen and unfunded court expenditures.

As mentioned previously, at its July 25, 2013 meeting, the council adopted the following actions:

- Approved, an allocation of \$12,960 for unfunded FY 2012–2013 costs for the Superior Courts of Mariposa County and Trinity County from the reserve.



- Amended the proposed realignment allocation for FY 2013–2014 to provide funding for the Superior Courts of Mariposa County, in the amount of \$3,954, in the amount of \$2,636 from the reserve.

The total of \$19,550 for the allocations to Mariposa and Trinity for FY 2012–2013 and FY 2013–2014 was taken from the reserve resulting in a balance in the reserve of \$130,450.

**Recommendation 3**

The Realignment Subcommittee recommends that no action be taken related to the reserve funding at this time, but the funding could be used at the end of the year to true-up expenditures by the courts that spend more than they have received.

Table 1. Allocations based on Population 1 (PRCS+Parole) + Workload 3 (Petitions for PRCS+Parole)

Court	A. % JC Approved Allocation for 1st Half of FY 2013-2014	B. JC Approved Allocation for 1st Half of FY 2013-2014	C. % of Statewide Population 1 (PRCS+Parole) + Workload 3 (Petitions for PRCS+Parole) (Quarterly Court Data)	D. Allocation based on % of Statewide Population 1 + Workload 3	E. Total additional funding needed for 1st half of FY 2013-2014 (Court Expenditure Survey)	F. Estimated 2nd half of FY 2013-2014 allocation based on 1st quarter on-going spending (Court Expenditure Survey)	G. Difference from Estimated 2nd half allocation (D - F)
Alameda	5.53%	\$ 255,518	3.61%	\$ 166,507	\$ 94,110	\$ 257,148	\$ (90,641)
Alpine	0.01%	\$ 659	0.00%	\$ 26		\$ -	\$ 26
Amador	0.04%	\$ 1,646	0.04%	\$ 1,842		\$ -	\$ 1,842
Butte	0.83%	\$ 38,196	0.78%	\$ 35,954		\$ 25,022	\$ 10,932
Calaveras	0.01%	\$ 659	0.08%	\$ 3,512		\$ -	\$ 3,512
Colusa	0.01%	\$ 659	0.02%	\$ 1,110	\$ 281	\$ 920	\$ 190
Contra Costa	1.90%	\$ 87,916	1.02%	\$ 47,125	\$ 77,088	\$ 129,964	\$ (82,839)
Del Norte	0.04%	\$ 1,976	0.07%	\$ 3,213		\$ -	\$ 3,213
El Dorado	0.41%	\$ 19,098	0.31%	\$ 14,141		\$ 4,224	\$ 9,917
Fresno	4.79%	\$ 221,273	3.66%	\$ 168,660	\$ 226,017	\$ 447,506	\$ (278,846)
Glenn	0.11%	\$ 4,939	0.05%	\$ 2,324		\$ -	\$ 2,324
Humboldt	0.86%	\$ 39,513	0.47%	\$ 21,493		\$ 20,640	\$ 853
Imperial	0.44%	\$ 20,415	0.25%	\$ 11,709		\$ 10,444	\$ 1,265
Inyo	0.04%	\$ 1,646	0.02%	\$ 949		\$ 3,292	\$ (2,343)
Kern	3.15%	\$ 145,540	4.35%	\$ 200,520	\$ 201,659	\$ 350,529	\$ (150,009)
Kings	0.39%	\$ 18,110	0.71%	\$ 32,882		\$ 14,260	\$ 18,622
Lake	0.23%	\$ 10,537	0.17%	\$ 7,690		\$ 8,826	\$ (1,136)
Lassen	0.04%	\$ 1,976	0.06%	\$ 2,634		\$ 1,912	\$ 722
Los Angeles	27.69%	\$ 1,278,576	37.02%	\$ 1,706,989		\$ 1,204,810	\$ 502,179
Madera	0.56%	\$ 26,013	0.44%	\$ 20,301		\$ 18,310	\$ 1,991
Marin	0.14%	\$ 6,586	0.11%	\$ 5,072		\$ 3,980	\$ 1,092
Mariposa	0.09%	\$ 3,954	0.02%	\$ 1,080		\$ 3,250	\$ (2,170)
Mendocino	0.35%	\$ 16,134	0.22%	\$ 9,997		\$ 13,972	\$ (3,975)
Merced	0.94%	\$ 43,464	0.77%	\$ 35,656		\$ -	\$ 35,656
Modoc	0.01%	\$ 659	0.02%	\$ 725		\$ 3,222	\$ (2,497)
Mono	0.01%	\$ 659	0.01%	\$ 318		\$ -	\$ 318
Monterey	1.83%	\$ 84,294	0.82%	\$ 37,626		\$ 4,438	\$ 33,188
Napa	0.16%	\$ 7,244	0.15%	\$ 7,075	\$ 19,402	\$ 19,402	\$ (12,327)
Nevada	0.06%	\$ 2,634	0.13%	\$ 5,803	\$ 10,428	\$ 13,062	\$ (7,259)
Orange	4.67%	\$ 215,675	5.28%	\$ 243,342	\$ 222,000	\$ 438,232	\$ (194,890)
Placer	0.58%	\$ 27,001	0.40%	\$ 18,537		\$ -	\$ 18,537
Plumas	0.02%	\$ 988	0.01%	\$ 680		\$ 836	\$ (156)
Riverside	3.79%	\$ 175,174	5.74%	\$ 264,651	\$ 73,162	\$ 248,336	\$ 16,315
Sacramento	6.82%	\$ 315,116	3.76%	\$ 173,498		\$ 54,878	\$ 118,620
San Benito	0.09%	\$ 3,951	0.15%	\$ 6,774	\$ 7,746	\$ 22,744	\$ (15,970)
San Bernardino	5.91%	\$ 272,969	7.77%	\$ 358,256		\$ 176,508	\$ 181,748
San Diego	5.05%	\$ 233,127	4.90%	\$ 225,753		\$ 196,242	\$ 29,511
San Francisco	2.87%	\$ 132,369	1.49%	\$ 68,924	\$ 208,077	\$ 309,168	\$ (240,244)
San Joaquin	2.56%	\$ 118,210	2.25%	\$ 103,538		\$ 56,940	\$ 46,598
San Luis Obispo	0.67%	\$ 30,952	0.68%	\$ 31,259	\$ 11,392	\$ 42,344	\$ (11,085)
San Mateo	0.98%	\$ 45,440	0.63%	\$ 28,970		\$ 15,500	\$ 13,470
Santa Barbara	0.88%	\$ 40,830	0.73%	\$ 33,891	\$ 135,000	\$ 181,164	\$ (147,273)
Santa Clara	3.49%	\$ 161,016	2.67%	\$ 123,352	\$ 16,730	\$ 176,746	\$ (53,394)
Santa Cruz	0.64%	\$ 29,635	0.35%	\$ 16,146	\$ 33,662	\$ 28,816	\$ (12,670)
Shasta	0.88%	\$ 40,501	0.75%	\$ 34,412	\$ 27,466	\$ 67,466	\$ (33,054)
Sierra	0.00%	\$ -	0.01%	\$ 265		\$ 204	\$ 61
Siskiyou	0.10%	\$ 4,610	0.07%	\$ 3,032	\$ 3,500	\$ 13,589	\$ (10,557)
Solano	2.06%	\$ 95,161	1.26%	\$ 58,004	\$ 55,462	\$ 150,622	\$ (92,618)
Sonoma	0.96%	\$ 44,452	0.70%	\$ 32,138	\$ 28,242	\$ 62,534	\$ (30,396)
Stanislaus	1.61%	\$ 74,416	1.54%	\$ 71,018		\$ 17,264	\$ 53,754
Sutter	0.29%	\$ 13,500	0.21%	\$ 9,559	\$ 7,000	\$ 21,546	\$ (11,987)
Tehama	0.29%	\$ 13,500	0.20%	\$ 9,170		\$ -	\$ 9,170
Trinity	0.06%	\$ 2,636	0.01%	\$ 680		\$ 2,186	\$ (1,506)
Tulare	0.66%	\$ 30,623	1.30%	\$ 60,092	\$ 7,122	\$ 25,380	\$ 34,712
Tuolumne	0.08%	\$ 3,622	0.08%	\$ 3,657	\$ 2,042	\$ 5,664	\$ (2,007)
Ventura	2.15%	\$ 99,112	0.93%	\$ 42,905		\$ 34,686	\$ 8,219
Yolo	0.65%	\$ 29,964	0.49%	\$ 22,697		\$ 12,700	\$ 9,997
Yuba	0.50%	\$ 23,049	0.29%	\$ 13,369	\$ 4,484	\$ 26,036	\$ (12,667)
<b>Statewide (Total)</b>	<b>100%</b>	<b>\$ 4,618,090</b>	<b>100%</b>	<b>\$ 4,611,500</b>	<b>\$ 1,472,072</b>	<b>\$ 4,947,464</b>	<b>\$ (335,964)</b>

## Information Technology Services Office

### Telecommunications “LAN/WAN” Program FY 2013-14 Budget Status and Alternatives (January 15, 2014)

As of November 2013, the Trial Court Budget Advisory Committee has recommended a one-time fund increase in the amount of \$6,868,480 to augment the Judicial Council’s approved FY 2013-14 Telecommunications “LAN/WAN” program budget of \$8,740,000 for baseline operations. This amount does not include the additional budget request of \$3,458,300 needed to include Alpine, Los Angeles, Orange and San Diego in the current program. The committee requested alternate program scenarios to better distribute the recommended \$15,608,480 funds across all 58 trial courts instead of being limited to the originally scheduled courts for FY 2013-14.

#### Program Description & Benefits

The primary benefit of the program is to provide the trial courts with a standardized level of network infrastructure and security services as the foundation to sustain both local and enterprise court applications. The program includes the following units and functions:

***LAN/WAN Initiative & Network Technology Refresh:*** The core component of the LAN WAN initiative is to provide a separate, secure, robust, and scalable network infrastructure aligned with emerging needs of enterprise court services. The LAN WAN initiative is to provide the trial courts with the infrastructure required to physically separate from their county partners. The goal is for the trial courts to offer the public reliable and continuous court access. This includes:

**Technology Refresh Component:** The program continually plans and coordinates the replacement of network equipment that is no longer supported due to aging technology. The project forecasts the budget by working with our courts, service integrators and hardware vendors to create an annual technology 5 year roadmap identifying the technology requiring replacement.

**Network Technology Training:** The program also offers court IT staff the opportunity to attend foundational and specialized network training courses via state-of-the-art training centers and comprehensive on-line courses. This ensures that the courts have the necessary skill sets to operate, maintain, and expand their infrastructure in response to local and enterprise needs.

**Ad-Hoc Network Consulting:** Independent consultants are engaged to provide expert network engineering and program management as part of the Technology Refresh project. These consultants are commonly utilized by the individual trial courts to offer local engineering services for court projects and issues outside of technology refresh projects.

**Cisco Network Equipment Trade-in:** The equipment trade-in program provides an avenue for the courts to dispose of out-of-date network technology. The program is allotted vendor purchase credits for most equipment turned in. The credits allow the project to maximize the branch discount of future court technology refresh projects.

**Cisco Network Maintenance:** The maintenance component affords the trial courts critical vendor support coverage for all network and security infrastructure. The program negotiated a branch-wide agreement with the

vendor that saves the branch 31% over five years. Fifty-four trial courts currently participating in the Technology Refresh are covered by this program. Once approved, funds are allocated annually to pay for Cisco maintenance as part of the branch maintenance agreement.

***Managed Network Security Services:*** The program maintains network system security and data integrity of court information by offering three managed security services: managed firewall and intrusion prevention; vulnerability scanning; and web browser security. These network security tools mitigate the risk of court data being erroneously exposed without proper authority and ensure continuous court operations to the public. Funds are allocated annually for this component of the program and currently support 55 courts.

## **Technology Refresh Lifecycle Planning**

The Technology Refresh component of the program focuses on the annual technology refresh of equipment that is deemed to be “end-of-life” or “end-of-support” by the manufacturing vendors. These products are considered obsolete and are no longer sold, manufactured, improved, repaired, maintained, or supported by the manufacturer. Additionally, products that are end-of-life are no longer eligible for security patches or maintenance contracts. This ineligibility leaves daily courthouse operations vulnerable to security breaches and connectivity failures both within and outside the court operational environment. In the event of a failure, Courts would have to research, procure and deploy new replacement technology. During an outage, court operations may be impacted adversely for the duration of the procurement process depending on the type and function of that failed device. From the initial outage until restoration, it may take up to ten business days for a courthouse to regain full operational status. Keeping equipment current is vital to courts considering deployment of new technology systems, such as video remote interpretation, video arraignments, VOIP (Voice-over-IP,) multimedia streaming, building automation, video surveillance, etc.. Implementation may be limited due to lack of functionality and compatibility of older end-of-life products.

Most vendors maintain a five year outlook on product end-of-life cycles that coincides with technology innovation and hardware mean time between failures which provides a five year technology roadmap including product end-of-life projections. The program leverages this information annually to determine the scheduled refresh of all court network technology within the judicial branch. Every year, the team gathers the current court inventory of network and security equipment. It then meets with the various vendor partners to review technologies available to replace the upcoming end-of-life devices. The program then produces a new five year technology road map and budget based on the information gathered and aligned with the technical goals and objectives of the judicial branch and trial courts. The ongoing annual planning and refresh process is integral to court operations and does not end after five years.

The number of courts targeted has varied the past six years due to the staggered deployment of the initial LAN/WAN program from 2002 to 2006. This staggered deployment approach resulted in a naturally staggered refresh deployment plan. Equipment models change year to year as technology is improved which also directly impacts the refresh schedule. In some years the funding has been inadequate to complete the scheduled refresh of devices in one fiscal year. Instead, the refresh was completed over a number of years to best utilize the available funds. The program will have refreshed all major network technologies by next fiscal year at all participating trial courts (except Alpine, Los Angeles, Orange and San Diego.)

Only thirteen courts are targeted this fiscal year, because they are the last trial courts requiring the refresh of their core and closet switches. This count does not include Alpine, Los Angeles, Orange and San Diego. The same technology at the remaining courts was either refreshed last fiscal year or it’s included as part of a courthouse construction project. Next year, the wide area network routers and wireless controllers would be replaced at 47 courts. The remaining courts do not require a refresh of those devices at this time, or those are already included as

part of a courthouse construction project. This methodology for budgeting and scheduling of the Technology Refresh program occurs annually based on the inventory and the technology roadmap.

As of FY 2012 – 2013, 55 courts have benefited from the LAN/WAN program since FY 2002:

- LAN/WAN & Technology Refresh:
  - 54 courts participate in the refresh program
  - 39 courts deployed Wi-Fi infrastructure
  - 23 courts implemented a secondary communications site
  - 7 courts implemented QoS to support video and VOIP
  - 45 courts have sent IT staff to a cumulative of 576 network training classes
- Managed Network Security Services
  - Managed Firewall, Intrusion Prevention, Security Event & Threat Analysis: 55 courts
  - Vulnerability Scanning: 22 courts
  - Web Browsing Security: 29 courts
- Cisco Maintenance Agreement
  - 55 courts benefit from the branch agreement

### **Alternative 1: No Changes to Technology Refresh Model**

For FY 2013 – 2014, the courts listed in Table 1 below are scheduled for LAN/WAN projects assuming the approval of the recommended budget of \$15,608,480:

- LAN/WAN & Technology Refresh:
  - 13 courts will refresh their core and closet switches; the remaining courts have either refreshed the same technology last fiscal year or are included in a court construction project
  - Network technology training is available to all court IT staff; 10 courts have already attended or scheduled classes this fiscal year.
- Managed Network Security Services
  - Managed Firewall, Intrusion Prevention, and Security Event & Threat Analysis: 57 courts (includes 2 new courts: Alpine and San Diego)
  - Vulnerability Scanning: 24 courts (includes 2 new courts: Kings and San Diego)
  - Web Browsing Security: 31 courts (includes 2 new courts: Alpine and San Diego)
- Cisco Maintenance Agreement
  - 55 courts benefit from the branch agreement (no change in courts)

Alpine and San Diego have opted to subscribe to the managed network security services by the end of this fiscal year bringing the count to **57 courts** benefitting from one or more services offered by the LAN/WAN program.

The program offers services to all 58 courts; however, the annual budget and objectives of the Technology Refresh component are based on current court inventory, technology roadmap and court participation. Any deviation from this approach to the distribution of funds without additional funds would render courts vulnerable to major court operation outages due to device failures or security breaches.

Pros:

- All technology requiring refresh will be replaced according to schedule at 54 courts.
- Major and minor operational impact to courts is greatly mitigated.
- Local court budgets are not impacted.
- Local court resources are minimally impacted.

Cons:

- Does not include technology refresh budget for Alpine, Los Angeles, Orange and San Diego.

**Table 1 – Alternative 1: No Changes to Current Proposed Refresh Plan**

<b>\$9,758,480</b>	<p><b>Technology Refresh at 13 courts</b></p> <p><b>\$2,890,000 for approved technology refresh for 7 courts:</b></p> <ul style="list-style-type: none"> <li>• Kern</li> <li>• Monterey</li> <li>• Placer</li> <li>• San Joaquin</li> <li>• Stanislaus</li> <li>• Tulare</li> <li>• Ventura</li> </ul> <p><b>\$6,868,480 for recommended technology refresh allocation for 6 courts currently excluded from FY 2013-2014 budget:</b></p> <ul style="list-style-type: none"> <li>• Alameda</li> <li>• Riverside</li> <li>• Sacramento</li> <li>• San Bernardino</li> <li>• San Francisco</li> <li>• Santa Clara</li> </ul>
<b>\$3,750,000</b>	<p><b>Managed Network Security Services for 57 courts</b></p> <ul style="list-style-type: none"> <li>• All courts except Los Angeles which opted to not subscribe at this point</li> </ul>
<b>\$2,100,000</b>	<p><b>Master Maintenance Agreement for 55 courts</b></p> <ul style="list-style-type: none"> <li>• All courts except Alpine, Los Angeles, and San Diego; Orange does benefit from the MMA.</li> </ul>
<b>\$15,608,480</b>	<p><b>Total - 57 courts benefit from LAN/WAN services</b></p> <ul style="list-style-type: none"> <li>• Technology refresh for 13 courts</li> <li>• Network security services for 57 courts</li> <li>• Maintenance services for 55 courts</li> </ul>

**Alternative 2: Prioritize Core Switches, Routers and Wireless Controllers**

The Technology Refresh for this alternative would be to prioritize the core switches and security devices for 17 courts including Alpine, Los Angeles, Orange and San Diego which could cause the most significant operational outages should a device failure occur.

The program would then focus on replacement of routers and wireless controllers at 51 courts. The remaining funds would then be used to replace a percentage of closet switches based on the size of the court and the total number of switches branchwide requiring a refresh. The courts would have to fund the replacement of the remaining closet switches utilizing local funds and available resources. The resources will cost more if obtained on a per court basis instead of pooling resources from a program level.

The overall cost of this the refresh effort by the individual courts will increase branchwide with this alternative; however, the LAN/WAN program budget would decrease next fiscal year, because many of the technology scheduled for refresh next fiscal year will have been replaced this fiscal year 2013 - 2014. The remaining budget forecast through FY 2017 – 2018 does not change. Additional analysis is required to provide a detailed five year budget forecast for this alternative.

This technology refresh alternative would benefit **51 of the 58 courts**. The remaining seven courts either do not have equipment scheduled for refresh or it’s already included in a courthouse construction project replacing the equipment.

Pros:

- Would include Alpine, Los Angeles, Orange and San Diego.
- Major operational impact somewhat mitigated by replacing core technology.

Cons:

- Courts responsible to refresh large percentage of closet switches.
- Courts may be vulnerable to security breaches and network outages if remaining switches not refreshed.
- Courts would be required to budget for a portion of the refresh annually.
- Courts may have to acquire additional local resources to complete projects.
- Resources will cost more if obtained on a per court basis instead of pooling resources from a program level.
- The refresh schedule and budget forecast would be impacted next year potentially refreshing future end-of-life equipment prematurely.

**Table 2 – Alternative 2: Prioritize Core Switches, Routers and Wireless Controllers**

<b>\$9,758,480</b>	<p><b>Technology Refresh at 51 courts</b></p> <p><b>\$4,608,250 for refresh of core switches at 17 courts:</b></p> <ul style="list-style-type: none"> <li>• Alpine</li> <li>• Alameda</li> <li>• Kern</li> <li>• Los Angeles</li> <li>• Monterey</li> <li>• Orange</li> <li>• Placer</li> <li>• Riverside</li> </ul>
--------------------	--

	<ul style="list-style-type: none"> <li>• Sacramento</li> <li>• San Bernardino</li> <li>• San Diego</li> <li>• San Francisco</li> <li>• San Joaquin</li> <li>• Stanislaus</li> <li>• Tulare</li> <li>• Ventura</li> <li>• Santa Clara</li> </ul> <p><b>\$3,622,400 for refresh of routers and wireless controllers at 51 courts except the following 7 courts which do not require any refresh this year:</b></p> <ul style="list-style-type: none"> <li>• Calaveras – New Courthouse</li> <li>• Del Norte – No EOL inventory</li> <li>• Lassen – New Courthouse</li> <li>• Mariposa – Recent LAN/WAN project</li> <li>• Mono – New Courthouse</li> <li>• San Benito – New Courthouse</li> <li>• Yolo – New Courthouse</li> </ul> <p><b>\$1,527,830 for refresh of a portion of closet switches at 17 courts:</b></p> <ul style="list-style-type: none"> <li>• Same list of courts as core switches</li> </ul>
<b>\$3,750,000</b>	<p><b>Managed Network Security Services for 57 courts</b></p> <ul style="list-style-type: none"> <li>• All courts except Los Angeles which opted to not subscribe at this point</li> </ul>
<b>\$2,100,000</b>	<p><b>Master Maintenance Agreement for 58 courts</b></p>
<b>\$15,608,480</b>	<p><b>Total – 58 courts benefit from LAN/WAN services</b></p> <ul style="list-style-type: none"> <li>• Technology refresh for 51 courts</li> <li>• Network security services for 57 courts</li> <li>• Maintenance services for 58 courts</li> </ul>



**Alternative 3: Prioritize Core Switches Only and Deploy New Technology**

The Technology Refresh for this alternative would be to prioritize the core switches at 17 courts including Alpine, Los Angeles and Orange which would cause the most significant operational outages should a device failure occur. The courts would have to fund the replacement of all closet switches.

The program would then focus on the deployment of new technology beneficial to all 58 courts. These new technologies could include: remote video technology; enhanced voice-over-IP; mobile device management; and dynamic network access control. The program would have to choose a technology that is beneficial and manageable at all 58 courts.

The five year budget forecast would vastly increase with this alternative to accommodate a new technology adoptable at 58 courts. The budget for this type of new technology deployment would require further analysis in order to provide a detailed five year budget forecast.

Pros:

- Would include Alpine, Los Angeles, Orange and San Diego.
- Major operational impact somewhat mitigated by replacing core technology.
- Would include funds for all 58 courts.
- Courts would have newer branchwide technology.

Cons:

- Choosing a single or even multiple technology platforms that all courts would want, manage and benefit from will be extremely challenging for the program.
- Creating a branchwide budget for an unknown single technology at this point is not possible.
- The budget would vastly increase with this alternative.
- Courts responsible to refresh closet switches and other technology annually.
- Courts may be vulnerable to security breaches and network outages if remaining switches not refreshed.
- Courts will be required to budget for the portion of their refresh annually.
- Courts may have to acquire additional local resources to complete projects.
- Resources will cost more if obtained on a per court basis instead of pooling resources from a program level.
- This alternative would dramatically change the goals and objectives of the program.

**Table 3 – Alternative 3: Prioritize Core Switches Only and Deploy New Technology**

<b>\$9,758,480</b>	<p><b>Technology Refresh at 58 courts</b></p> <p><b>\$4,608,250 to refresh of core switches at 17 courts</b></p> <ul style="list-style-type: none"> <li>• Alpine</li> <li>• Alameda</li> <li>• Kern</li> <li>• Los Angeles</li> <li>• Monterey</li> <li>• Orange</li> <li>• Placer</li> <li>• Riverside</li> </ul>
--------------------	--

	<ul style="list-style-type: none"> <li>• Sacramento</li> <li>• San Bernardino</li> <li>• San Diego</li> <li>• San Francisco</li> <li>• San Joaquin</li> <li>• Stanislaus</li> <li>• Tulare</li> <li>• Ventura</li> <li>• Santa Clara</li> </ul> <p><b>\$5,150,230 to deploy new technology at 58 courts- further analysis required for actual budget depending on technology</b></p>
<b>\$3,750,000</b>	<p><b>Managed Network Security Services for 57 courts</b></p> <ul style="list-style-type: none"> <li>• All courts except Los Angeles which opted to not subscribe at this point</li> </ul>
<b>\$2,100,000</b>	<p><b>Master Maintenance Agreement for 58 courts</b></p>
<b>\$15,608,480</b>	<p><b>Total – 58 courts benefit from LAN/WAN services</b></p> <ul style="list-style-type: none"> <li>• Technology refresh for 58 courts</li> <li>• Network security services for 57 courts</li> <li>• Maintenance services for 58 courts</li> </ul>

#### **Alternative 4: Prioritize Core Technology and Courts Fund Maintenance Program**

The Technology Refresh for this alternative would be to prioritize refresh of only the core technology at 17 courts including Alpine, Los Angeles, Orange and San Diego which could cause the most significant operational outages should a device failure occur.

The program would discontinue state funding of \$2.1 million for the branchwide master maintenance agreement. Instead, the courts would be required to fund the maintenance agreements for continuing vendor support. This alternative would free up \$2.1 million to fund additional equipment refresh at the remaining four courts; however, it still falls short of the full amount needed to complete the refresh of all closet switches. Any remaining funds would then be used to replace a percentage of closet switches based on the size of the court and the total number of switches branchwide requiring a refresh.

The technology refresh alternative would benefit **17 of the 58 courts**. The remaining courts either do not have equipment scheduled for refresh or it's already included in a courthouse construction project. The courts would have to fund the replacement of the remaining closet switches not refreshed by the program. The resources will cost more if obtained on a per court basis instead of pooling resources from a program level.

The overall cost of this the refresh effort by the individual courts will increase branchwide with this alternative to fund the refresh technology and procure annual maintenance; however, the LAN/WAN program budget would decrease by \$2.1 million each year through FY 2017 – 2018 by transferring the financial responsibility to the courts.

Pros:

- Would include core switches at Alpine, Los Angeles, Orange and San Diego.
- Major operational impact somewhat mitigated by replacing core technology.
- Most closet switches could be refreshed in addition to core devices.

Cons:

- Lose the additional enterprise benefits of a branchwide agreement – advanced network services, greater discounts, training credits and an additional level support services.
- Courts responsible to refresh a small percentage of closet switches and other technology annually.
- Courts may be vulnerable to security breaches and network outages if remaining switches not refreshed.
- Courts may be required to budget for their portion of the refresh annually potentially at a higher cost.
- Courts required budgeting for the maintenance of network equipment annually.
- Courts may have to acquire additional resources to complete projects.
- Resources will cost more if obtained on a per court basis instead of pooling resources from a program level.

**Table 4 – Alternative 4: Prioritize Core Switches and Cancel Maintenance Program**

<b>\$11,858,480</b>	<p><b>Technology Refresh at 17 courts</b></p> <p><b>\$4,608,250 for refresh of core switches at 17 courts:</b></p> <ul style="list-style-type: none"> <li>• Alpine</li> <li>• Alameda</li> <li>• Kern</li> <li>• Los Angeles</li> <li>• Monterey</li> <li>• Orange</li> <li>• Placer</li> <li>• Riverside</li> <li>• Sacramento</li> <li>• San Bernardino</li> <li>• San Diego</li> <li>• San Francisco</li> <li>• San Joaquin</li> <li>• Stanislaus</li> <li>• Tulare</li> <li>• Ventura</li> <li>• Santa Clara</li> </ul> <p><b>\$7,250,230 for the portion of closet switches at 17 courts:</b></p> <ul style="list-style-type: none"> <li>• Same list of courts as above</li> </ul>
<b>\$3,750,000</b>	<p><b>Managed Network Security Services for 57 courts</b></p> <ul style="list-style-type: none"> <li>• All courts except Los Angeles which opted to not subscribe at this point</li> </ul>

<b>\$0</b>	<b>Master Maintenance Agreement for 0 courts</b>
<b>\$15,608,480</b>	<b>Total – 57 courts benefit from LAN/WAN services</b> <ul style="list-style-type: none"> <li>• Technology refresh for 17 courts</li> <li>• Network security services for 57 courts</li> <li>• Maintenance services for 0 courts</li> </ul>