



JUDICIAL COUNCIL
OF CALIFORNIA

WORKLOAD ASSESSMENT
ADVISORY COMMITTEE

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WORKLOAD ASSESSMENT ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

1/21/2015

12:15 p.m.

Conference Call

Advisory Body Members Present: Hon. Lorna Alksne (Chair); Hon. Irma Asberry; Hon. Joyce Hinrichs; Hon. Suzanne Kingsbury; Hon. John Kiriara; Hon. Rick Martin; Hon. Garrett Wong; Jake Chatters; Sheran Morton; Stephen Nash; Brian Taylor

Advisory Body Members Absent: Sherri R. Carter; Darrel Parker; Mary Beth Todd; Kim Turner

Others Present: Hon. Jonathan Conklin; Brian Aho; Bryan Borys; Deana Farole; Kristin Greenaway; Alan Herzfeld; William Mitchell; Leah Rose-Goodwin; Zlatko Theodorovic; Tania Ugrin-Capobianco; Karen Viscia; Patty Wallace-Rixman

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:15 p.m. After taking roll call, the chair introduced the newest member, Judge Wong (Superior Court, County of San Francisco) (who is filling the seat vacated when Judge Kleinberg retired). She also introduced Deana Farole, Supervising Research Analyst, Office of Court Research, who will be staffing the committee along with Leah Rose-Goodwin. With a new nominations cycle opening shortly, the chair asked members to think of colleagues who could be future WAAC members.

Approval of Minutes

The advisory body reviewed and approved the minutes of the 9/5/2014 Workload Assessment Advisory Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

Item 1

2015 WAAC Annual Agenda

Action: The advisory body reviewed and approved the 2015 Annual Agenda.

Item 2

Subordinate Judicial Officer (SJO) Conversion Update

At the request of E&P, committee staff prepared an update to the list of SJO conversions allocated to the courts, using more recent workload data. The item had been previously reviewed by WAAC, but the analysis was recently updated to include more current data on the number of authorized SJO positions.

Action: The advisory body moved to send the update to E&P.

Item 3

Recruitment of Study Courts for Staff Workload Study

WAAC members discussed the recruitment of courts for the upcoming RAS study and directed staff to prepare materials to assist in recruitment.

Action: This was a Discussion Only item.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Item 4

Staff Workload Study Project Plan

Deana Farole updated the committee on the status of the staff workload study project plan and proposed data collection methodology. The committee discussed various issues concerning the study design, including accounting for various types of workload.

Item 5

RAS Numbers Update

Leah Rose-Goodwin updated the committee on the work being done to generate the RAS FTE estimates, including changes in data reporting so that filings data is reported by all courts in the same categories as the RAS caseweights. This effort will conclude in Spring 2015.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:11 p.m.

(To be approved by the advisory body on 5/12/15.)

FY 15-16 RAS Three-year filings

county	Fiscal Year	Unlawful Detainer	Civil- unlimited	Civil- limited	Small Claims	Family Law- Marital	Family law- child support	Family law- DV	Family law- parentage	Family law- other petitions	Conserv/G uard	Estates/Tr usts
Alameda	2012	7,547	8,940	10,376	6,251	4,862	3,246	2,724	760	1,052	382	1,237
Alameda	2013	6,556	8,428	8,744	5,628	4,548	2,702	2,640	705	1,027	378	1,288
Alameda	2014	6,000	8,441	6,123	4,934	4,737	3,350	2,642	811	1,040	379	1,402
Alpine	2012	20	72	6	4	2	7	2	-	2	1	2
Alpine	2013	6	14	9	12	2	8	4	-	-	-	-
Alpine	2014	18	37	9	25	4	6	6	-	-	2	1
Amador	2012	118	207	198	139	195	133	76	18	52	11	47
Amador	2013	122	217	177	93	174	154	99	19	34	21	46
Amador	2014	98	207	171	91	181	142	85	25	30	13	57
Butte	2012	1,129	752	1,926	791	1,146	967	576	227	193	238	215
Butte	2013	1,026	476	1,605	681	1,062	929	597	134	339	219	270
Butte	2014	1,012	534	1,545	592	1,016	859	642	151	294	252	275
Calaveras	2012	218	287	300	129	228	75	81	146	47	31	83
Calaveras	2013	178	269	237	124	185	159	92	85	32	24	70
Calaveras	2014	141	250	195	106	163	196	93	19	46	33	62
Colusa	2012	64	53	93	35	77	58	12	13	8	11	20
Colusa	2013	48	62	104	28	66	56	12	15	6	9	24
Colusa	2014	39	57	96	21	89	57	12	22	12	3	23
Contra Costa	2012	5,772	4,646	8,571	3,722	3,932	1,658	2,596	542	955	400	880
Contra Costa	2013	4,947	4,332	7,966	3,340	3,666	1,507	2,504	575	941	387	934
Contra Costa	2014	4,346	4,360	6,398	2,913	3,752	2,287	2,234	511	1,020	423	977
Del Norte	2012	162	320	186	98	136	246	113	54	138	23	39
Del Norte	2013	134	334	194	76	139	230	112	61	129	25	40
Del Norte	2014	112	225	116	55	118	244	108	55	105	30	69
El Dorado	2012	673	1,005	1,246	824	840	526	399	57	190	108	149
El Dorado	2013	588	887	1,080	629	718	500	412	48	183	64	165
El Dorado	2014	577	852	960	564	742	443	376	37	231	71	157
Fresno	2012	5,757	4,312	8,223	3,299	3,888	4,725	1,844	1,311	626	438	527
Fresno	2013	5,290	4,160	7,774	2,629	3,359	4,791	1,881	1,091	701	422	541
Fresno	2014	4,796	3,823	7,013	2,505	3,377	3,829	1,760	929	987	411	553
Glenn	2012	58	40	228	71	152	181	68	28	147	31	35
Glenn	2013	107	32	208	58	112	182	60	15	124	29	33
Glenn	2014	83	47	254	54	96	184	57	18	98	17	35
Humboldt	2012	532	753	671	505	459	554	389	71	251	103	216
Humboldt	2013	474	682	647	424	474	555	442	65	227	112	214
Humboldt	2014	512	715	568	404	501	521	472	57	221	93	222

FY 15-16 RAS Three-year filings

county	Fiscal Year	Mental Health	Juvenile delinquency	Juvenile dependency	Felony	Misd- traffic	Misd- non traffic	Infractions	EDD	Asbestos
Alameda	2012	932	1,525	554	7,129	14,919	9,757	283,928		116
Alameda	2013	856	1,280	618	7,598	10,101	10,041	252,618		111
Alameda	2014	855	1,262	733	8,097	10,600	11,885	246,996		117
Alpine	2012	1	2	-	26	79	39	1,387		
Alpine	2013	-	1	-	2	25	11	1,131		
Alpine	2014	-	3	-	3	54	21	1,342		
Amador	2012	23	42	31	541	621	294	5,137		
Amador	2013	29	49	37	547	458	288	4,634		
Amador	2014	34	54	42	569	623	331	5,049		
Butte	2012	90	550	331	2,097	2,242	3,177	26,295		
Butte	2013	120	439	243	2,360	1,884	3,034	24,088		
Butte	2014	241	353	325	2,470	1,629	2,937	22,509		
Calaveras	2012	13	50	81	284	429	485	3,462		
Calaveras	2013	18	43	94	343	403	462	3,706		
Calaveras	2014	26	52	140	379	447	512	3,584		
Colusa	2012	2	106	22	296	489	351	11,519		
Colusa	2013	7	70	40	373	420	315	7,450		
Colusa	2014	16	75	33	343	340	295	7,479		
Contra Costa	2012	298	1,230	946	4,316	8,229	4,004	119,658		
Contra Costa	2013	235	981	961	4,312	3,837	3,587	91,166		
Contra Costa	2014	295	978	872	4,827	4,803	5,825	100,726		
Del Norte	2012	229	209	49	399	433	428	5,155		
Del Norte	2013	169	161	61	518	318	539	4,902		
Del Norte	2014	146	119	60	368	246	435	4,897		
El Dorado	2012	39	659	236	1,073	1,655	1,572	20,636		
El Dorado	2013	32	523	263	1,136	1,402	1,555	18,000		
El Dorado	2014	29	428	240	1,158	1,510	1,420	17,948		
Fresno	2012	362	2,621	862	9,668	29,945	8,298	104,648		
Fresno	2013	353	2,412	1,014	11,035	29,087	9,344	107,831		
Fresno	2014	332	2,351	1,123	11,920	26,088	11,058	88,120		
Glenn	2012	4	49	65	454	385	325	10,040		
Glenn	2013	13	36	52	253	153	141	9,383		
Glenn	2014	41	26	82	238	243	73	9,443		
Humboldt	2012	189	171	139	2,056	1,559	1,858	18,868		
Humboldt	2013	203	127	145	2,048	1,283	2,231	16,820		
Humboldt	2014	197	120	173	2,051	1,548	2,458	18,464		

FY 15-16 RAS Three-year filings

county	Fiscal Year	Unlawful Detainer	Civil- unlimited	Civil- limited	Small Claims	Family Law- Marital	Family law- child support	Family law- DV	Family law- parentage	Family law- other petitions	Conserv/G uard	Estates/Tr usts
Imperial	2012	529	719	1,425	625	671	2,661	327	246	716	84	108
Imperial	2013	618	589	1,351	578	674	2,188	317	218	1,007	77	119
Imperial	2014	450	555	1,372	523	698	1,185	273	256	1,062	96	160
Inyo	2012	36	87	67	74	97	70	63	36	10	19	17
Inyo	2013	36	75	61	64	96	61	71	38	5	14	22
Inyo	2014	30	105	88	31	82	54	86	47	7	17	22
Kern	2012	6,014	1,901	5,852	2,479	3,431	4,864	2,577	1,155	1,769	427	550
Kern	2013	5,087	1,744	6,281	2,645	3,193	5,407	2,780	836	1,774	455	521
Kern	2014	5,098	1,722	5,298	2,557	2,973	3,470	2,503	750	1,639	472	601
Kings	2012	644	264	1,229	268	670	952	223	207	242	48	73
Kings	2013	600	243	901	253	624	910	205	200	201	65	73
Kings	2014	597	271	1,263	317	587	748	201	122	255	53	114
Lake	2012	404	474	485	281	303	253	234	80	51	55	80
Lake	2013	406	393	419	261	285	189	210	87	53	40	129
Lake	2014	426	423	317	266	275	349	191	126	63	36	125
Lassen	2012	124	419	433	165	187	174	103	71	41	26	38
Lassen	2013	143	332	332	100	175	170	99	65	30	27	30
Lassen	2014	126	128	131	142	153	187	80	58	27	20	39
Los Angeles	2012	67,182	69,087	103,824	62,698	37,268	34,080	20,222	8,252	5,368	3,572	6,763
Los Angeles	2013	61,110	64,819	96,442	59,034	35,304	26,479	19,958	8,136	5,110	3,522	7,154
Los Angeles	2014	56,354	64,483	87,823	54,504	35,282	23,070	20,393	8,240	6,378	3,854	7,098
Madera	2012	660	1,069	2,988	295	632	796	309	120	1,082	91	80
Madera	2013	499	516	1,592	319	544	756	246	96	1,147	88	84
Madera	2014	509	510	1,641	258	526	783	271	74	998	74	90
Marin	2012	658	1,686	1,589	964	979	450	280	82	145	72	328
Marin	2013	540	1,558	1,324	888	948	363	290	78	148	54	303
Marin	2014	452	1,448	1,083	834	915	325	252	92	129	87	326
Mariposa	2012	50	52	133	45	60	87	43	3	9	11	22
Mariposa	2013	48	51	140	30	68	68	36	2	6	15	22
Mariposa	2014	44	34	135	32	66	61	44	3	29	14	24
Mendocino	2012	353	654	553	278	417	387	266	164	92	57	124
Mendocino	2013	300	644	471	278	374	411	281	37	205	53	108
Mendocino	2014	323	664	475	225	349	378	252	72	92	70	122

FY 15-16 RAS Three-year filings

county	Fiscal Year	Mental Health	Juvenile delinquency	Juvenile dependency	Felony	Misd- traffic	Misd- non traffic	Infractions	EDD	Asbestos
Imperial	2012	72	455	223	1,942	2,773	2,876	57,250		
Imperial	2013	94	316	214	2,425	2,856	2,653	48,347		
Imperial	2014	79	216	248	2,193	2,701	2,621	57,247		
Inyo	2012	2	145	12	207	340	451	12,609		
Inyo	2013	-	107	7	228	268	472	9,308		
Inyo	2014	-	71	7	217	275	415	9,230		
Kern	2012	955	2,058	1,068	9,169	15,950	15,695	162,451		
Kern	2013	985	1,965	749	10,847	13,540	17,506	137,090		
Kern	2014	912	1,754	802	10,552	14,021	18,930	137,814		
Kings	2012	204	270	190	2,498	1,593	2,331	26,605		
Kings	2013	158	248	190	2,819	1,410	2,056	22,547		
Kings	2014	142	163	209	2,604	1,324	1,827	23,802		
Lake	2012	81	154	45	820	568	1,230	5,066		
Lake	2013	68	142	77	932	574	1,038	4,550		
Lake	2014	74	116	50	1,156	667	1,265	5,980		
Lassen	2012	15	70	66	535	368	296	7,233		
Lassen	2013	13	69	39	522	393	270	7,515		
Lassen	2014	18	50	55	401	257	321	5,467		
Los Angeles	2012	6,509	15,269	19,443	57,630	278,668	142,459	1,652,299		254
Los Angeles	2013	7,028	12,005	21,338	56,898	215,458	112,687	1,432,965		279
Los Angeles	2014	7,532	9,047	22,095	56,620	201,319	117,057	1,401,238		246
Madera	2012	31	442	178	1,680	3,928	1,272	14,082		
Madera	2013	42	309	280	1,925	4,254	1,147	12,279		
Madera	2014	34	318	247	1,999	3,486	1,208	14,762		
Marin	2012	229	331	54	1,136	2,483	1,670	44,332		
Marin	2013	200	303	69	1,000	1,624	1,586	41,297		
Marin	2014	257	247	65	1,071	1,542	1,699	37,761		
Mariposa	2012	1	25	38	218	190	423	2,067		
Mariposa	2013	2	43	41	218	160	464	1,973		
Mariposa	2014	2	10	13	181	247	414	2,009		
Mendocino	2012	62	487	136	854	2,068	1,607	12,879		
Mendocino	2013	40	398	159	1,045	2,040	1,960	12,420		
Mendocino	2014	51	297	188	1,084	2,199	2,151	13,928		

FY 15-16 RAS Three-year filings

county	Fiscal Year	Unlawful Detainer	Civil- unlimited	Civil- limited	Small Claims	Family Law- Marital	Family law- child support	Family law- DV	Family law- parentage	Family law- other petitions	Conserv/G uard	Estates/Tr usts
Merced	2012	1,446	812	1,907	1,050	1,020	1,619	607	260	179	150	156
Merced	2013	1,374	756	1,669	871	926	1,801	628	258	165	123	166
Merced	2014	1,211	741	1,427	885	931	1,329	585	250	332	142	189
Modoc	2012	21	49	47	32	65	66	59	2	77	12	29
Modoc	2013	23	57	57	28	61	56	61	1	90	7	23
Modoc	2014	17	50	48	22	52	29	46	3	54	8	20
Mono	2012	32	109	54	119	54	15	14	16	6	5	7
Mono	2013	23	93	61	79	54	12	15	10	10	5	12
Mono	2014	24	69	35	59	32	16	10	11	3	2	10
Monterey	2012	1,436	1,564	2,756	966	1,355	1,670	377	394	132	145	291
Monterey	2013	1,221	1,401	2,824	901	1,294	1,649	424	297	102	123	244
Monterey	2014	1,047	1,427	2,362	812	1,299	1,500	494	380	133	124	294
Napa	2012	395	821	994	388	610	385	362	106	98	66	161
Napa	2013	335	707	900	383	608	373	291	92	63	63	169
Napa	2014	288	695	737	406	595	354	291	80	78	71	168
Nevada	2012	360	541	820	390	473	270	134	47	90	60	101
Nevada	2013	245	450	734	402	451	246	129	38	102	54	103
Nevada	2014	221	478	534	331	371	238	140	39	108	55	105
Orange	2012	14,052	19,004	29,551	16,667	11,995	7,105	5,015	1,757	800	663	1,963
Orange	2013	12,573	17,392	26,206	14,828	11,831	7,166	5,024	1,882	713	754	2,127
Orange	2014	11,305	16,564	21,879	13,957	11,229	5,908	4,800	1,934	658	755	2,561
Placer	2012	1,298	2,229	2,556	1,341	1,693	749	820	105	456	138	226
Placer	2013	991	2,209	2,603	1,233	1,586	517	816	87	530	118	230
Placer	2014	853	1,909	2,053	1,028	1,561	664	803	77	369	136	291
Plumas	2012	69	144	100	132	87	108	82	13	40	12	24
Plumas	2013	61	91	84	104	117	88	42	11	41	15	32
Plumas	2014	68	78	77	70	94	92	39	10	29	21	41
Riverside	2012	15,985	12,203	24,252	11,955	9,684	8,648	6,365	2,294	1,204	800	1,496
Riverside	2013	13,776	10,357	20,904	10,759	9,129	9,192	6,487	2,227	1,233	695	1,748
Riverside	2014	12,530	9,759	18,051	10,324	8,830	9,442	6,366	2,180	1,369	765	1,686
Sacramento	2012	11,413	7,639	71,719	6,200	6,329	7,770	3,337	1,327	1,815	547	824
Sacramento	2013	10,259	8,297	70,986	5,598	5,473	7,062	3,346	913	1,865	610	1,012
Sacramento	2014	9,867	8,024	10,134	4,720	5,875	6,732	3,960	835	2,027	642	1,081

FY 15-16 RAS Three-year filings

county	Fiscal Year	Mental Health	Juvenile delinquency	Juvenile dependency	Felony	Misd- traffic	Misd- non traffic	Infractions	EDD	Asbestos
Merced	2012	110	648	379	2,740	3,063	2,211	45,344		
Merced	2013	163	527	452	2,652	2,629	2,342	39,785		
Merced	2014	168	435	408	2,639	2,776	2,702	39,206		
Modoc	2012	5	26	12	125	121	205	1,217		
Modoc	2013	1	24	17	130	158	219	1,428		
Modoc	2014	2	25	16	179	137	234	1,400		
Mono	2012	1	44	11	126	393	275	7,898		
Mono	2013	1	20	3	167	637	363	6,362		
Mono	2014	1	34	2	176	605	624	4,470		
Monterey	2012	65	1,205	145	3,335	7,297	5,913	54,130		
Monterey	2013	80	1,046	175	3,372	6,681	5,358	49,376		
Monterey	2014	92	861	170	3,478	6,556	5,192	41,525		
Napa	2012	131	349	71	1,074	1,669	930	12,676		
Napa	2013	104	349	87	1,210	1,983	1,162	14,976		
Napa	2014	147	311	106	1,439	1,967	1,363	16,933		
Nevada	2012	36	170	85	688	1,743	1,704	15,018		
Nevada	2013	26	130	59	630	1,553	1,558	14,216		
Nevada	2014	12	117	53	684	1,728	1,445	18,481		
Orange	2012	1,847	4,958	1,518	16,402	55,620	35,768	402,593		3
Orange	2013	1,461	4,126	1,374	18,387	46,291	34,315	361,172		3
Orange	2014	2,016	3,397	1,296	18,837	30,316	28,632	334,791		4
Placer	2012	177	537	523	2,004	2,982	2,671	35,855		
Placer	2013	164	506	568	2,586	2,800	2,813	29,733		
Placer	2014	217	484	586	2,989	2,704	2,265	31,829		
Plumas	2012	6	16	49	153	391	316	2,628		
Plumas	2013	3	19	28	168	311	356	2,402		
Plumas	2014	2	18	24	154	288	304	2,244		
Riverside	2012	138	4,083	2,696	16,457	24,928	15,747	315,260		2
Riverside	2013	269	3,365	2,948	17,762	22,974	17,129	273,674		2
Riverside	2014	406	3,113	3,562	18,804	23,493	18,238	273,991		1
Sacramento	2012	1,632	1,920	904	9,614	33,128	9,542	201,128	58051	3
Sacramento	2013	2,007	1,833	1,008	9,773	28,725	10,116	183,223	60040	3
Sacramento	2014	2,071	1,546	1,474	11,508	27,525	10,082	170,478	46052	1

FY 15-16 RAS Three-year filings

county	Fiscal Year	Unlawful Detainer	Civil- unlimited	Civil- limited	Small Claims	Family Law- Marital	Family law- child support	Family law- DV	Family law- parentage	Family law- other petitions	Conserv/G uard	Estates/Tr usts
San Benito	2012	177	165	543	165	229	267	28	82	38	28	16
San Benito	2013	146	167	546	174	235	195	28	82	29	9	28
San Benito	2014	123	159	448	548	176	163	39	65	47	23	36
San Bernardino	2012	17,801	9,464	20,807	14,606	9,338	15,196	5,536	2,165	1,425	1,106	1,119
San Bernardino	2013	16,070	9,390	19,705	13,483	8,428	13,318	5,465	1,867	1,496	1,037	1,198
San Bernardino	2014	14,500	9,204	17,276	13,375	7,991	13,330	4,973	1,752	1,648	942	1,264
San Diego	2012	14,575	18,618	23,082	16,400	14,573	6,577	5,628	1,821	2,532	772	1,708
San Diego	2013	13,273	17,559	23,120	14,608	12,969	5,964	5,588	1,495	2,462	755	1,719
San Diego	2014	11,977	17,041	20,065	12,997	13,051	6,234	5,817	1,462	2,222	775	1,825
San Francisco	2012	4,263	7,695	5,212	3,163	2,663	1,292	1,222	134	523	202	772
San Francisco	2013	3,784	8,651	4,870	3,110	2,687	1,169	1,160	134	550	205	800
San Francisco	2014	3,385	6,460	3,971	2,918	2,570	1,208	1,180	136	479	209	780
San Joaquin	2012	4,471	2,912	5,866	2,846	2,485	3,239	1,666	252	613	288	501
San Joaquin	2013	3,986	2,709	5,837	1,854	2,428	3,053	1,556	270	575	282	494
San Joaquin	2014	3,799	2,771	4,948	1,584	2,236	3,061	1,659	237	657	283	510
San Luis Obispo	2012	728	1,255	1,745	916	1,029	752	332	102	214	94	288
San Luis Obispo	2013	679	1,153	1,642	828	978	565	289	81	237	74	243
San Luis Obispo	2014	608	1,068	1,243	760	972	525	310	78	235	83	293
San Mateo	2012	1,981	2,382	4,694	2,324	2,470	1,254	911	151	1,665	148	845
San Mateo	2013	1,872	2,092	4,264	1,929	2,256	1,077	791	140	1,462	121	729
San Mateo	2014	1,590	2,098	3,667	1,872	2,237	1,031	811	156	1,315	136	836
Santa Barbara	2012	1,261	1,919	2,852	1,389	1,489	1,142	445	246	173	115	427
Santa Barbara	2013	1,212	1,931	2,758	1,396	1,440	1,129	438	244	156	137	374
Santa Barbara	2014	1,074	1,783	2,233	1,328	1,457	810	475	239	150	130	409
Santa Clara	2012	5,130	7,887	11,762	5,737	5,897	3,195	1,081	1,202	443	465	1,410
Santa Clara	2013	4,329	7,353	10,881	4,938	5,504	2,771	1,075	1,101	437	470	1,395
Santa Clara	2014	3,811	7,023	9,120	4,622	5,571	3,051	968	1,075	466	504	1,466
Santa Cruz	2012	682	1,200	1,809	947	1,010	409	497	212	232	59	252
Santa Cruz	2013	626	1,044	1,591	910	939	635	431	204	214	52	226
Santa Cruz	2014	480	989	1,292	801	895	340	440	202	215	66	222
Shasta	2012	881	931	1,464	623	987	869	422	228	194	155	179
Shasta	2013	852	884	1,461	534	953	729	448	130	302	138	231
Shasta	2014	796	856	1,274	488	870	927	517	71	337	131	232
Sierra	2012	8	12	11	5	11	12	8	4	5	3	11
Sierra	2013	13	23	17	7	13	5	9	2	9	4	3
Sierra	2014	5	11	9	3	8	12	2	2	17	2	9

FY 15-16 RAS Three-year filings

county	Fiscal Year	Mental Health	Juvenile delinquency	Juvenile dependency	Felony	Misd- traffic	Misd- non traffic	Infractions	EDD	Asbestos
San Benito	2012	5	73	76	457	997	555	5,334		
San Benito	2013	2	54	52	364	780	495	4,509		
San Benito	2014	15	23	67	476	774	532	4,008		
San Bernardino	2012	758	3,642	2,344	18,814	45,494	36,887	261,695		
San Bernardino	2013	834	3,081	2,802	20,237	42,234	34,120	232,561		
San Bernardino	2014	960	3,102	2,781	20,822	39,353	32,085	226,900		
San Diego	2012	1,432	3,550	1,983	16,894	25,774	25,393	445,197		13
San Diego	2013	1,591	2,854	1,530	18,114	20,678	24,786	429,039		3
San Diego	2014	1,670	2,878	1,340	18,696	19,843	24,132	395,556		2
San Francisco	2012	2,581	724	948	4,631	2,432	2,183	177,039		233
San Francisco	2013	2,574	683	943	4,402	1,794	2,164	155,657		86
San Francisco	2014	2,653	616	836	4,166	1,536	2,619	196,578		115
San Joaquin	2012	958	917	524	6,302	18,896	6,025	63,131		
San Joaquin	2013	1,071	963	685	7,873	18,985	6,138	59,389		
San Joaquin	2014	1,154	792	758	7,423	21,245	6,435	62,178		
San Luis Obispo	2012	962	358	249	2,313	4,875	6,372	39,819		
San Luis Obispo	2013	767	412	361	2,537	4,831	7,421	35,350		
San Luis Obispo	2014	696	250	264	2,547	4,629	6,811	30,308		
San Mateo	2012	192	2,269	566	2,983	4,872	6,044	136,314		
San Mateo	2013	142	1,939	698	3,320	4,559	6,488	131,043		
San Mateo	2014	172	1,840	702	3,662	4,277	8,171	115,434		
Santa Barbara	2012	278	1,136	281	2,955	4,880	8,199	70,120		
Santa Barbara	2013	226	936	276	3,160	4,025	7,330	65,785		
Santa Barbara	2014	327	831	242	3,637	4,107	6,459	71,227		
Santa Clara	2012	739	1,575	499	8,068	11,342	14,658	211,245		
Santa Clara	2013	683	1,514	571	8,862	10,028	13,399	191,815		
Santa Clara	2014	828	1,152	574	9,611	11,678	15,428	168,179		
Santa Cruz	2012	59	577	321	1,916	3,221	3,614	40,668		
Santa Cruz	2013	69	529	225	2,145	2,944	2,926	43,058		
Santa Cruz	2014	64	440	230	2,432	2,685	3,070	42,332		
Shasta	2012	27	540	313	3,008	2,912	2,929	24,403		2
Shasta	2013	45	504	305	3,761	2,355	3,075	26,257		3
Shasta	2014	49	497	264	3,757	1,790	2,732	26,541		0
Sierra	2012	1	8	9	23	41	47	670		
Sierra	2013	-	15	1	34	15	69	565		
Sierra	2014	2	3	-	28	20	51	436		

FY 15-16 RAS Three-year filings

county	Fiscal Year	Unlawful Detainer	Civil- unlimited	Civil- limited	Small Claims	Family Law- Marital	Family law- child support	Family law- DV	Family law- parentage	Family law- other petitions	Conserv/G uard	Estates/Tr usts
Siskiyou	2012	173	188	312	110	199	256	160	15	97	24	82
Siskiyou	2013	168	181	304	103	185	229	166	17	93	36	79
Siskiyou	2014	198	200	288	105	167	258	194	7	98	31	75
Solano	2012	2,882	1,948	3,935	1,591	1,850	2,010	1,412	496	280	276	311
Solano	2013	2,541	1,872	3,697	1,400	1,644	1,733	1,400	441	313	258	319
Solano	2014	2,426	1,854	3,350	1,257	1,650	1,519	1,467	487	287	262	372
Sonoma	2012	1,785	2,347	2,295	1,648	2,051	1,012	573	387	462	182	664
Sonoma	2013	1,483	2,339	3,263	1,424	1,930	935	532	355	581	172	579
Sonoma	2014	1,221	2,192	1,454	1,332	1,863	798	543	324	366	187	673
Stanislaus	2012	3,268	1,842	4,213	1,720	2,596	2,563	1,751	238	696	343	365
Stanislaus	2013	2,729	1,633	3,908	1,704	2,271	2,332	1,608	217	598	344	391
Stanislaus	2014	2,511	1,717	3,789	1,114	2,223	2,164	1,637	194	660	373	399
Sutter	2012	478	440	703	293	509	481	272	39	144	80	90
Sutter	2013	456	433	625	266	436	462	277	37	171	91	82
Sutter	2014	444	516	571	259	425	465	314	34	127	82	80
Tehama	2012	363	239	372	485	379	444	173	96	111	48	87
Tehama	2013	352	291	397	463	335	439	163	82	105	36	64
Tehama	2014	330	268	355	395	310	501	113	72	96	58	83
Trinity	2012	38	113	46	21	94	62	60	29	32	9	23
Trinity	2013	25	102	38	32	86	62	27	25	35	17	30
Trinity	2014	7	81	3	16	49	42	23	9	43	8	16
Tulare	2012	2,291	1,454	3,596	1,177	1,855	1,291	1,019	313	746	163	275
Tulare	2013	2,164	1,493	3,513	1,158	1,693	810	997	279	806	172	239
Tulare	2014	1,898	1,403	3,549	1,028	1,703	1,228	1,002	250	817	216	317
Tuolumne	2012	223	277	309	202	242	222	130	29	83	39	70
Tuolumne	2013	204	252	252	177	240	249	174	30	98	37	53
Tuolumne	2014	208	249	199	194	263	207	155	30	81	40	95
Ventura	2012	3,049	4,077	6,795	4,357	3,464	1,481	1,250	778	294	401	489
Ventura	2013	2,727	3,800	6,179	3,603	3,264	1,256	1,103	746	347	404	469
Ventura	2014	2,406	3,494	4,994	3,313	3,256	1,570	1,227	777	377	456	545
Yolo	2012	812	758	1,099	430	731	879	408	111	148	109	127
Yolo	2013	646	706	1,021	456	657	746	386	118	166	78	138
Yolo	2014	591	680	904	407	590	746	341	109	204	90	117
Yuba	2012	477	360	504	177	454	442	298	54	115	58	55
Yuba	2013	439	320	473	148	360	406	250	39	139	61	50
Yuba	2014	490	323	366	132	387	432	285	20	120	66	47

FY 15-16 RAS Three-year filings

county	Fiscal Year	Mental Health	Juvenile delinquency	Juvenile dependency	Felony	Misd- traffic	Misd- non traffic	Infractions	EDD	Asbestos
Siskiyou	2012	3	70	78	589	632	650	14,852		
Siskiyou	2013	1	64	73	545	566	612	13,900		
Siskiyou	2014	5	71	78	608	462	455	13,871		
Solano	2012	173	652	236	4,380	2,948	4,538	44,025		
Solano	2013	189	527	260	3,645	1,996	2,691	46,458		
Solano	2014	250	483	249	3,770	2,319	3,510	42,819		
Sonoma	2012	585	814	305	3,300	5,651	6,810	76,162		
Sonoma	2013	645	569	266	3,027	5,346	6,870	64,748		
Sonoma	2014	585	501	221	3,051	5,126	6,956	49,920		
Stanislaus	2012	95	641	272	6,359	7,326	3,405	47,588		
Stanislaus	2013	218	492	468	6,829	6,936	3,594	45,196		
Stanislaus	2014	375	505	433	7,432	6,692	3,608	42,044		
Sutter	2012	92	147	91	1,002	1,109	1,278	12,221		
Sutter	2013	80	154	86	1,270	931	1,313	12,077		
Sutter	2014	88	172	69	1,253	578	1,390	12,556		
Tehama	2012	12	108	141	874	1,824	1,192	12,846		
Tehama	2013	13	99	130	1,177	1,646	1,279	11,210		
Tehama	2014	13	81	161	1,179	1,729	1,196	13,928		
Trinity	2012	3	50	54	379	314	265	2,208		
Trinity	2013	13	33	40	282	150	228	1,799		
Trinity	2014	1	24	49	179	135	76	1,105		
Tulare	2012	241	816	586	4,245	4,286	6,052	62,734		
Tulare	2013	234	765	554	4,363	3,872	6,083	57,101		
Tulare	2014	293	774	721	5,454	4,044	7,005	53,526		
Tuolumne	2012	18	73	179	661	879	767	5,923		
Tuolumne	2013	20	56	133	696	752	876	6,419		
Tuolumne	2014	45	65	187	824	768	937	5,734		
Ventura	2012	517	2,828	588	3,848	5,058	9,056	129,197		1
Ventura	2013	566	2,078	597	4,256	4,027	8,309	116,482		2
Ventura	2014	603	1,863	693	4,445	4,009	8,034	116,865		1
Yolo	2012	68	379	176	1,740	3,059	2,741	25,569		
Yolo	2013	54	320	200	1,692	2,934	2,537	25,262		
Yolo	2014	67	317	240	2,156	2,726	2,734	23,630		
Yuba	2012	74	114	79	847	352	1,582	14,210		
Yuba	2013	32	119	216	867	494	1,582	11,459		
Yuba	2014	21	89	212	974	450	1,675	10,148		

FY 2015-16 RAS FTE Need

Court	Program 10 (Operations) Staff Need										Program 90 (Administration) Staff			Total RAS Need (J+M)	FY 14-15 RAS FTE Need	% change from FY 14-15 to FY 15-16
	Infractions	Criminal	Civil	Family Law	Pr/MH	Juvenile	Total Program 10 Need (A thru F)	Manager/Supervisor Ratio (by cluster)	Manager/Supervisor Need (G/H)	Total Program 10 Need, Rounded up (G+H)	Non-RAS FTE (for Program 90 Need Calculation)*	Program 90 ratio (by cluster)	Program 90 Need, Rounded up (K/L)			
	A	B	C	D	E	F	G	H	I	J	K	L	M			
Alameda	76.3	121.2	119.6	103.4	31.9	18.0	470.3	11.1	42.3	513	85.6	7.2	83.0	596	626	-5%
Alpine	0.5	0.2	0.4	0.1	0.0	0.0	1.4	6.9	0.2	2	0.4	5.7	1.0	3	3	0%
Amador	2.1	7.0	2.6	3.9	1.2	0.8	17.6	6.9	2.5	21	2.3	5.7	5.0	26	25	4%
Butte	10.1	34.4	12.1	24.8	12.4	7.3	101.0	8.6	11.7	113	16.5	6.4	21.0	134	139	-4%
Calaveras	1.5	5.3	3.4	4.8	1.9	1.9	18.7	6.9	2.7	22	2.5	5.7	5.0	27	27	0%
Colusa	3.7	4.8	0.8	1.5	0.5	1.0	12.3	6.9	1.8	15	1.5	5.7	3.0	18	18	0%
Contra Costa	30.3	64.4	70.5	81.9	25.6	20.5	293.2	8.6	34.0	328	18.9	6.8	52.0	380	395	-4%
Del Norte	2.1	6.0	3.2	4.8	2.6	1.9	20.7	6.9	3.0	24	3.0	5.7	5.0	29	33	-12%
El Dorado	7.9	17.5	12.6	15.7	4.7	7.0	65.4	8.6	7.6	73	4.9	6.4	13.0	86	89	-3%
Fresno	29.3	169.0	67.2	93.4	23.5	30.3	412.7	8.6	47.9	461	27.4	6.8	72.0	533	535	0%
Glenn	4.0	4.0	1.1	3.6	1.4	1.2	15.3	6.9	2.2	18	4.5	5.7	4.0	22	25	-12%
Humboldt	7.5	28.6	9.3	13.4	7.2	3.1	69.2	8.6	8.0	78	2.0	6.4	13.0	91	91	0%
Imperial	22.6	33.1	10.3	27.6	5.0	5.5	104.1	8.6	12.1	117	15.3	6.4	21.0	138	142	-3%
Inyo	4.3	3.9	1.1	2.4	0.8	0.8	13.3	6.9	1.9	16	3.2	5.7	4.0	20	20	0%
Kern	42.6	170.8	44.3	99.1	28.6	25.1	410.4	8.6	47.6	459	51.0	6.8	76.0	535	543	-1%
Kings	10.1	34.1	6.4	16.3	4.0	4.3	75.2	8.6	8.7	84	4.6	6.4	14.0	98	102	-4%
Lake	2.2	13.9	5.9	7.7	3.2	1.7	34.5	8.6	4.0	39	1.6	6.4	7.0	46	46	0%
Lassen	2.8	6.1	3.6	4.5	1.4	1.2	19.5	6.9	2.8	23	2.3	5.7	5.0	28	31	-10%
Los Angeles	436.6	1,210.6	1,012.4	826.2	248.8	388.1	4,122.7	11.1	370.7	4494	471.0	7.2	687.0	5,181	5,490	-6%
Madera	5.7	26.6	11.6	18.9	4.2	5.7	72.8	8.6	8.4	82	6.1	6.4	14.0	96	99	-3%
Marin	17.2	17.8	18.7	16.3	7.0	2.8	79.7	8.6	9.3	89	6.7	6.4	15.0	104	109	-5%
Mariposa	0.8	3.6	0.8	1.5	0.7	0.6	8.1	6.9	1.2	10	3.4	5.7	3.0	13	13	0%
Mendocino	5.5	18.1	7.7	10.1	3.7	4.9	49.9	8.6	5.8	56	3.7	6.4	10.0	66	66	0%
Merced	17.3	37.1	14.8	27.6	7.8	9.5	114.1	8.6	13.2	128	11.7	6.4	22.0	150	159	-6%
Modoc	0.6	2.3	0.6	1.7	0.6	0.4	6.2	6.9	0.9	8	2.0	5.7	2.0	10	9	11%
Mono	2.6	3.5	1.1	0.9	0.2	0.3	8.6	6.9	1.2	10	1.8	5.7	3.0	13	14	-7%
Monterey	20.2	58.3	22.0	31.0	8.0	8.9	148.4	8.6	17.2	166	13.4	6.8	27.0	193	202	-4%
Napa	6.2	17.9	9.4	12.6	4.9	3.4	54.4	8.6	6.3	61	7.3	6.4	11.0	72	73	-1%
Nevada	6.6	13.3	6.8	8.1	3.3	1.9	40.0	8.6	4.6	45	6.9	6.4	9.0	54	55	-2%
Orange	106.9	328.3	257.9	228.5	59.1	46.9	1,027.5	11.1	92.4	1120	178.0	7.2	180.0	1,300	1,350	-4%
Placer	13.5	36.1	27.2	30.9	8.5	11.5	127.7	8.6	14.8	143	7.0	6.4	24.0	167	169	-1%
Plumas	1.0	2.9	1.4	2.3	0.9	0.6	9.2	6.9	1.3	11	1.1	5.7	3.0	14	15	-7%
Riverside	84.0	254.0	186.5	232.2	45.4	67.8	869.9	11.1	78.2	949	117.7	7.2	148.0	1,097	1,125	-2%
Sacramento	54.0	166.0	208.0	151.6	44.2	27.9	651.7	11.1	58.6	711	59.1	7.2	107.0	818	739	11%
San Benito	1.9	6.9	3.3	4.8	1.1	1.3	19.2	6.9	2.8	22	1.3	5.7	5.0	27	29	-7%
San Bernardino	70.2	351.4	182.2	238.6	55.9	59.9	958.2	11.1	86.2	1045	73.3	7.2	155.0	1,200	1,267	-5%
San Diego	123.6	278.3	252.2	257.5	55.3	43.5	1,010.4	11.1	90.9	1102	110.1	7.2	168.0	1,270	1,298	-2%
San Francisco	51.5	52.7	93.0	49.0	31.8	17.8	295.9	11.1	26.6	323	25.8	7.2	49.0	372	395	-6%
San Joaquin	25.7	112.5	48.0	61.2	22.4	15.4	285.1	8.6	33.1	319	12.2	6.8	49.0	368	375	-2%
San Luis Obispo	14.7	51.0	15.9	18.7	10.9	6.5	117.7	8.6	13.7	132	7.5	6.4	22.0	154	160	-4%
San Mateo	37.3	59.3	34.8	47.1	13.3	22.4	214.3	8.6	24.9	240	17.8	6.8	38.0	278	294	-5%
Santa Barbara	28.8	59.7	26.3	28.7	10.3	10.0	163.7	8.6	19.0	183	28.3	6.8	32.0	215	222	-3%
Santa Clara	55.6	144.6	103.0	101.7	36.0	17.0	457.9	11.1	41.2	500	45.7	7.2	76.0	576	603	-4%
Santa Cruz	17.5	34.6	15.2	20.0	4.7	7.1	99.2	8.6	11.5	111	19.7	6.4	21.0	132	134	-1%
Shasta	10.7	46.3	13.3	21.4	7.6	7.6	106.9	8.6	12.4	120	55.4	6.4	28.0	148	149	-1%
Sierra	0.2	0.5	0.2	0.3	0.2	0.1	1.5	6.9	0.2	2	1.1	5.7	1.0	3	4	-25%
Siskiyou	5.9	8.1	2.8	5.3	1.9	1.6	25.6	8.6	3.0	29	4.6	6.4	6.0	35	36	-3%
Solano	18.5	52.6	31.9	46.4	14.6	7.2	171.2	8.6	19.9	192	6.0	6.8	30.0	222	233	-5%
Sonoma	26.5	58.3	30.2	37.1	16.5	7.9	176.5	8.6	20.5	197	21.5	6.8	33.0	230	245	-6%
Stanislaus	18.7	86.6	31.9	57.2	18.6	9.2	222.2	8.6	25.8	249	7.6	6.8	38.0	287	293	-2%
Sutter	5.1	16.7	6.7	10.9	4.6	2.2	46.2	8.6	5.4	52	9.7	6.4	10.0	62	63	-2%
Tehama	5.3	16.4	4.7	8.8	2.6	2.7	40.5	8.6	4.7	46	3.3	6.4	8.0	54	54	0%
Trinity	0.7	3.6	1.0	1.9	0.7	0.9	8.7	6.9	1.3	10	4.0	5.7	3.0	13	15	-13%
Tulare	24.1	70.6	26.2	40.3	11.2	14.2	186.6	8.6	21.6	209	21.9	6.8	35.0	244	239	2%
Tuolumne	2.5	10.7	3.5	5.9	2.3	2.9	27.9	8.6	3.2	32	2.0	6.4	6.0	38	38	0%
Ventura	35.3	72.4	57.3	64.5	24.4	23.5	277.3	8.6	32.2	310	74.5	6.8	57.0	367	380	-3%
Yolo	10.4	29.9	10.4	16.5	5.1	5.2	77.5	8.6	9.0	87	13.0	6.4	16.0	103	105	-2%
Yuba	5.0	14.3	5.1	9.9	3.1	3.2	40.6	8.6	4.7	46	2.0	6.4	8	54	53	2%
Statewide	1,634.4	4,558.7	3,160.3	3,262.8	958.4	1,002.1	14,576.7		1,438.9	16,047.0	1,711.9		2,563.0	18,610	19,261	-3%

*Reported on FY 14-15 Schedule 7A; non-RAS staff include categories such as SJOs, Enhanced Collections Staff, and Interpreters



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FACT SHEET

April 2015

Resource Assessment Study

The Resource Assessment Study (RAS) model is used to estimate the number of staff needed to handle the volume of filings coming before the courts. The estimates are updated annually with new filings data. The staff time study that provides the underlying data for updating the RAS model takes place every five years. The study is conducted by the Office of Court Research (OCR), with oversight and guidance from the Workload Assessment Advisory Committee (WAAC). Since the RAS model is used as the basis for the Workload-based Allocation and Funding Methodology, WAAC and OCR work in close collaboration with the Trial Court Budget Advisory Committee and the Judicial Council Fiscal Services office. The Judicial Council first approved the RAS methodology in 2005, with a provision to make ongoing technical adjustments to the model as data become available.

Why are uniform measures of staff workload needed?

Prior to state funding of the trial courts, statewide resources and their relationship to how individual courts were staffed and funded were not at issue. With the bulk of trial court funding coming from county governments, it was possible for one court to receive additional funding without having any implications for the amount of funding available to another court.

The advent of state funding made it necessary for the California judiciary to begin evaluating its priorities as a branch. The Lockyer-Isenberg Trial Court Funding Act of 1997 points out that state funding “is necessary to provide uniform standards and procedures, economies of scale and structural efficiency and simplification.” Achieving these goals, however, involves making difficult choices regarding scarce resources. In order to assist branch leaders in documenting the resource needs of the courts, OCR was directed to develop measures of workload that provide a single yardstick against which all trial courts may be evaluated.

The benefits of establishing uniform measures of workload go beyond the allocation of funding among courts. Using uniform measures of workload can create a more

predictable and transparent fiscal environment. With a workload model in place, court leadership are aware of what the formulas will be for evaluating resource needs and can plan accordingly. Furthermore, when workload studies are conducted on a regular basis, they can be a tool for assessing changes in the nature and extent of staff workload—whether due to new legislation or rules of court, changes in business process, or the implementation of new programs and services.

How does the RAS model estimate workload?

The staff workload study, which provides the underlying data for the RAS model, involves surveying staff in a sample of courts about the tasks they are performing, reported according to case type, at various points in time during a designated sample period. Taken together, these data points create a composite picture of case processing work in the courts and allow for an estimation of the number of minutes required to process a filing of each casetype, from initial filing through post-disposition activity.

Time studies invariably measure actual resource levels. As a result, the initial estimates of time per filing must be evaluated carefully to avoid implying that actual resource levels are appropriate. In order to address these concerns and to ensure that the final caseweights represent efficient and effective case processing, a quality adjustment phase is incorporated into the study. This phase consists of (1) surveying courts on their use of contractors, outside vendors, or volunteers to perform case processing work and adding the time they contribute to the workload estimates, (2) conducting site visits to study courts to review and validate the data and to understand the areas where courts need additional time to more satisfactorily perform their work, and (3) conducting Delphi sessions with court subject matter experts to review and recommend adjustments to the caseweights.

The number of minutes per filing, or caseweight, is multiplied by three-year average filings to arrive at the total time needed to process cases of all types. In turn, that total is divided by the staff-year value—the total staff time available for work activities, taking into account holidays, vacation, sick leave, etc.—to come up with the number of full-time equivalent staff needed to handle the caseload.

For purposes of the budget allocation process, the model also has to be augmented to incorporate the full range of staff in the trial courts—not just those directly involved in case processing—including supervisors, managers, and administrative staff. These staff are incorporated into the model using positions (Schedule 7A) data.

How is the RAS model related to funding allocation?

Due to ongoing concerns regarding the equity of funding among courts, the Judicial Council, in Spring 2013, approved the Workload-based Allocation and Funding Methodology (WAFM), an approach intended to move the branch toward a model based more on workload and less on historical funding levels (prior to state trial court funding). The full-time equivalent staff need produced by RAS is translated into dollars using average salary costs, adjusting for cost-of-labor differentials using Bureau of Labor Statistics data, and including actual retirement and health care costs. Non-personnel costs and other elements are factored into WAFM to project the total funding need for each court.

Contact:

Deana Farole, Supervising Research Analyst, Court Operations Services, Office of Court Research, deana.farole@jud.ca.gov

Additional resources:

Judicial Council report on updated RAS parameters, February 2013,

<http://www.courts.ca.gov/12922.htm>

Judicial Council report recommending WAFM, <http://www.courts.ca.gov/documents/jc-20130426-itemP.pdf>

Workload Assessment Advisory Committee, <http://www.courts.ca.gov/waac.htm>

Workload Assessment Advisory Committee

Annual Agenda—2015

Approved by E&P/RUPRO: _____

I. ADVISORY BODY INFORMATION

Chair:	Hon. Lorna Alksne
Staff:	Leah Rose-Goodwin and Deana Farole, Court Operations Services, Office of Court Research (OCR)
Advisory Body's Charge: The committee makes recommendations to the council on judicial administration standards and measures that provide for the equitable allocation of resources across courts to promote the fair and efficient administration of justice. The committee must recommend: (1)Improvements to performance measures and implementation plans and any modifications to the Judicial Workload Assessment and the Resource Assessment Study Model; (2)Processes, study design, and methodologies that should be used to measure and report on court administration; and (3)Studies and analyses to update and amend case weights through time studies, focus groups, or other methods.	
Advisory Body's Membership: 16 members: 8 judicial officers, 8 court executives	
Subgroups/Working Groups: Special Circumstances Subcommittee; Child Support Commissioner and Family Law Facilitator Program Allocation Methodology Joint Subcommittee	
Advisory Body's Key Objectives for 2015: <ul style="list-style-type: none">• Finalize the project plan and methodology for conducting an update to the staff workload study.• Conduct the staff workload study update and produce preliminary results.• Improve data quality of filings data in the RAS categories.	

II. ADVISORY BODY PROJECTS

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
1.	Staff workload study update. The update will consist of a time study of a sample of trial courts and is intended to update the caseweights and other model parameters that are used to estimate workload need. The committee's work in 2015 will consist of discussing the study parameters and methodology, advising council staff on and assisting with recruitment of courts to participate in the study, and directing council staff in carrying out the study and conducting a preliminary analysis of the results.	1	<p>Judicial Council Direction: In February 2013, the Judicial Council approved the updated RAS model parameters for use in estimating court staff workload need, with the understanding that ongoing technical adjustments will continue to be made by council staff as the data become available. The need for regular updates to the workload model has become more urgent now that RAS is used as the foundation piece of the model used to allocate trial court funding (WAFM).</p> <p>Origin of Project: The SB 56 Working Group was formed in 2009 at the direction of the Administrative Director to provide trial court input and oversight to the Office of Court Research in its ongoing work to revise and improve the workload estimates for judges and court staff. In October</p>	Ongoing. A preliminary analysis will be completed by the end of 2015, with review of preliminary results, caseweight adjustments, and finalization of the caseweights to continue through 2016.	Updated caseweights to measure trial court staff workload. These caseweights are used to estimate trial court staff need, which is then used for the WAFM model.

¹ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

² For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>2013, the advisory committee voted to update the studies every 5 years, as resources permit. In December 2013, the Judicial Council approved a recommendation to establish the Judicial Branch Resource Needs Assessment Advisory Committee to succeed the SB 56 Working Group and to continue its work. In April 2014, the committee was renamed to the Workload Assessment Advisory Committee (WAAC).</p> <p>Resources: 0.25 FTE Manager, 1.0 FTE Supervising Research Analyst, 2.5 FTE Senior Research Analyst, 0.5 FTE Staff Analyst II (2 FTE Senior Research Analysts are pending recruitment; all others are existing staff); ITSO support to create web-based data collection interface; subject matter expert consultants from the Center for Families, Children & the Courts and Criminal Justice Services.</p> <p>Key Objective Supported: #1 and #2</p>		
2.	Convene Special Circumstances Subcommittee to study the impact of special circumstances cases on the felony caseload and make recommendations to	1	<p>Judicial Council Direction: In February 2013, the Judicial Council approved the updated RAS model parameters for use in estimating court staff workload need, with the</p>	Anticipated completion date is May 2015.	The subcommittee will formulate recommendations for consideration by the full committee on how

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	the full committee on how to handle such cases.		<p>understanding that ongoing technical adjustments will continue to be made by council staff as the data become available.</p> <p>Origin of Project: At its January 16, 2014 meeting, the Trial Court Budget Advisory Committee passed a motion to recommend to the Judicial Council that WAAC consider establishing a casetype for special circumstances cases. The motion was intended to highlight the extraordinary resource needs for those cases and also the criticality of the workload models to direct resources to courts based on workload. At the February 20, 2014 Judicial Council meeting, the Council refined the TCBAC's recommendation to recommend that WAAC specifically study homicide-death penalty cases.</p> <p>Resources: 0.1 FTE Supervising Research Analyst, 0.25 FTE Senior Research Analyst, nominal time from Manager (existing OCR staff). Subcommittee consists of representatives from the trial courts who are current WAAC members. Meeting expenses will be absorbed into existing IMF allocation for</p>		to approach special circumstances cases in terms of data collection and the analysis of court resource needs in this area.

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			WAAC. Key Objective Supported: #1		
3.	<p>Improve data quality of filings data in the RAS categories, including:</p> <ul style="list-style-type: none"> • Working with courts to ensure that data are reported in all of the RAS casetype categories • Evaluate court reporting practices for filings data to ensure they meet current JBSIS standards; update and clarify JBSIS standards as needed • Develop different possibilities for validating the filings data used in the RAS model, including establishing a data auditing process for filings data. <p>This project is a partnership with the Court Executive Advisory Committee.</p>	1	<p>Judicial Council Direction: The Judicial Council approved the judicial workload study (December 2011) and the Resource Assessment Study (February 2013) as the methodologies used to estimate judge and staff workload need. Both studies use filings as the driver to estimate resource need. The accuracy of the estimates rely on the accurate and complete reporting of filings data by the trial courts. The Council’s motions to approve the two studies also anticipated the need for ongoing technical adjustments to the models as better data became available.</p> <p>Origin of Project: The need for better data reporting and data auditing were discussed at the last SB 56 Working Group meeting (October 2013). The issue has also been raised at various forums, including CEAC; Trial Court Budget Advisory Committee meetings; and Funding Methodology Subcommittee meetings.</p> <p>Resources: COS-OCR staff (existing</p>	Ongoing	The result of this work will be an improvement in the data presently collected from the courts for the RAS model.

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>resources); ITSO staff (existing resources); a more extensive data validation project (3rd bullet) could require additional staff resources.</p> <p>Key Objective Supported: #3</p>		
4.	<p>To enrich recommendations to the council and avoid duplication of effort, members of the Family and Juvenile Law Advisory Committee will collaborate with members of the Trial Court Budget Advisory Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services to reconsider the allocation methodology developed in 1997 and report back at the February 2016 Judicial Council meeting.</p>	1	<p>Judicial Council Direction: At its April 17, 2015 meeting, the Judicial Council received and approved a recommendation from the Family and Juvenile Advisory Committee to form a joint subcommittee to study the AB 1058 funding methodology.</p> <p>Origin of Project: The AB 1058 funding methodology was first established in 1997 and has not since been updated. In reviewing the proposed midyear funding reallocations, the Family and Juvenile Law Advisory Committee acknowledge the need to reexamine the funding methodology to account for “the myriad of factors that must be considered when allocating funding to both optimize program success and provide for mechanisms for all funds to be spent by the end of each fiscal year.”</p> <p>Resources: COS-OCR staff, existing</p>	<p>Work to be completed by December 31, 2015; report with recommendations due to the Judicial Council in February 2016.</p>	<p>The subcommittee will provide recommendations to the Judicial Council for updating the AB 1058 funding methodology.</p>

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>resources, but contingent on filling the two senior research analyst positions referenced above in #1; CFCC staff (existing resources); Finance staff (existing resources)</p> <p>Key Objective Supported: N/A (WAAC is acting in a consulting role and the key objective rests with the Family and Juvenile Law Advisory Committee.)</p>		
5.	Develop an interim caseweight for complex civil cases, applying it to paid complex civil case fee filings, for the purposes of FY 2015-16 budget allocations. For future budget cycles, review the validity of the weighting and propose a long-term solution.	1	<p>Judicial Council Direction: At its April 17, 2015 meeting, the Judicial Council received and approved a recommendation from the Trial Court Budget Advisory Committee to direct the Workload Assessment Advisory Committee to include the paid complex case fee filings in the Resource Assessment Study computation of workload need and assign to them an interim caseweight, until such time as the advisory committee reviews the validity of the weighting.</p> <p>Origin of Project: In March 2015, the Trial Court Budget Advisory Committee's Revenue and Expenditure Subcommittee met to review allocations from the State Trial Court Improvement and</p>	Interim caseweight will be developed by June 2015 for use in FY 2015-16 budget allocations. Long-term solution will be incorporated into the 2015 staff workload study update.	The committee will develop an interim caseweight for complex civil for FY 2015-16 budget allocations, as well as a longer-term solution to capturing the workload associated with complex civil cases.

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>Modernization Fund (IMF). In order to address shortfalls in the fund, the subcommittee recommended, and the full committee approved, the elimination of funding for the complex civil litigation pilot programs. Assigning a separate caseweight that recognizes the additional workload involved in processing complex civil cases was seen as a way to continue to support enhanced case processing in complex civil in the absence of the IMF funding.</p> <p>Resources: COS-OCR staff (existing resources); Finance staff (existing resources)</p> <p>Key Objective Supported: #1</p>		

III. STATUS OF 2014 PROJECTS:

[List each of the projects that were included in the 2014 Annual Agenda and provide the status for the project.]

#	Project	Completion Date/Status
1.	Staff and judge workload studies update: the workload studies update will consist of a time study of a sample of trial courts and is intended to update the caseweights and other model parameters that are used to estimate workload need. The committee's work in 2014 will consist of discussing the study parameters, methodology, and securing the resources to conduct the time study data collection.	Ongoing. The staff workload study parameters and methodology are under continued discussion and will be finalized in Summer 2015, with the study to be conducted in the Fall. The judge workload study will trail the staff workload study in order to minimize the burden on participating courts. JC staff have submitted one PAR to recruit a research position in OCR to support the project; a second PAR will be submitted for another position to start in July 2015. These positions are key to the ability of OCR staff to support the project, because of loss of several key staff who previously were assigned to the project and in light of the recommendation by OCR and agreement by the Executive Office that the entire study should be done in-house, rather than contracted out to the National Center for State Courts as was the case with the previous study.
2.	Update the Judicial Needs Assessment: this project involves using updated filings data to project the need for judicial officers. Biennial updates in even-numbered years are required by Government Code Section 61614(c)(1).	Complete. The Judicial Council approved the report for transmission to Legislature and Governor on December 12, 2014.
3.	Review the method for prioritizing judicial need and determine if changes should be made to the current method.	Complete. The committee's recommendation to lower the eligibility threshold to get on the list for a new judgeship from 1.0 to 0.8 FTE was approved by the council on December 12, 2014.
4.	<p>Improve data quality of filings data in the RAS categories, including:</p> <ul style="list-style-type: none"> • Working with courts to ensure that data are reported in all of the RAS casetype categories • Evaluate court reporting practices for filings data to ensure they meet current JBSIS standards; update and clarify JBSIS standards as needed • Develop different possibilities for validating the filings 	Ongoing. Key milestones achieved in 2014 include modifying the JBSIS web portal to accept filings in the disaggregated family law-other category (DV, parentage, child support, and family law-other petitions). Portal modifications for probate and civil limited will be completed in early 2015. Additionally, a working group of CEAC has been convened to compile and prioritize a list of JBSIS reporting issues.

	data used in the RAS model, including establishing a data auditing process for filings data.	
5.	Subordinate Judicial Officer Conversion Program: Provide to E&P updated information that would show how the remaining 54 subordinate judicial officer conversions authorized under Government Code section 61695 would be allocated if more current workload data were used.	Ongoing. This project was delayed because of the need to update the number of authorized subordinate judicial officer FTE in the courts. A census was conducted in September 2014, and E&P reviewed changes made in several courts at its October 9, 2014 meeting. An updated analysis will be reviewed by WAAC in January 2015 and, if approved, will be presented to E&P in early 2015.

IV. Subgroups/Working Groups - Detail

Subgroups/Working Groups: [For each group listed in Section I, including any proposed “new” subgroups/working groups, provide the below information. For working groups that include members who are not on this advisory body, provide information about the additional members (e.g., from which other advisory bodies), and include the number of representatives from this advisory body as well as additional members on the working group.]

Subgroup or working group name: Special Circumstances Subcommittee

Purpose of subgroup or working group: To study the impact of special circumstances cases on the felony caseweight and make recommendations to the full committee on how to handle such cases.

Number of advisory body members on the subgroup or working group: 5

Number and description of additional members (not on this advisory body): N/A

Date formed: 11/20/2014

Number of meetings or how often the subgroup or working group meets: Approximately 4 monthly meetings are anticipated.

Ongoing or date work is expected to be completed: Work is expected to be completed by May 2015.

Subgroup or working group name: Child Support Commissioner and Family Law Facilitator Program Allocation Methodology Joint Subcommittee

Purpose of subgroup or working group: To reconsider the AB 1058 allocation methodology developed in 1997, with an eye to the myriad of factors that must be considered when allocating funding to both optimize program success and provide for mechanisms for all funds to be spent by the end of each fiscal year.

Number of advisory body members on the subgroup or working group: 2-3

Number and description of additional members (not on this advisory body): 6 members of the Family and Juvenile Law Advisory Committee, 6 members of the Trial Court Budget Advisory Committee

Date formed: 4/17/2014

Number of meetings or how often the subgroup or working group meets: Monthly meetings by conference call are anticipated.

Ongoing or date work is expected to be completed: Work is expected to be completed by December 31, 2015, with a report with recommendations due to the Judicial Council in February 2016.



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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: April 17, 2015

Title

Child Support: Midyear Funding Reallocation for Fiscal Year 2014–2015 and Base Funding Allocation for Fiscal Year 2015–2016 for the Child Support Commissioner and Family Law Facilitator Program

Agenda Item Type

Action Required

Effective Date

April 17, 2015

Date of Report

April 8, 2015

Rules, Forms, Standards, or Statutes Affected

None

Contact

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Recommended by

Family and Juvenile Law Advisory Committee

Hon. Jerilyn L. Borack, Cochair

Hon. Mark A. Juhas, Cochair

Executive Summary

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve the reallocation of funding for the Child Support Commissioner and Family Law Facilitator Program for the remainder of fiscal year (FY) 2014–2015. The committee also recommends that the Judicial Council approve the allocation of funding for this same program for FY 2015–2016, as required by Assembly Bill 1058 (Stats. 1996, ch. 957). Finally, the committee seeks approval to reconsider the allocation methodology developed in 1997 for implementation in future allocations. The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council. At midyear, under an established procedure described in the standard agreement with each superior court, the Judicial Council redistributes to courts with a documented need for additional funds any unallocated funds and any available funds from courts that are projected not to spend their full grants that year. The courts are also offered an option to use local court funds up to an approved amount to draw down, or qualify for, federal matching funds. Finally, the committee

recommends that the Judicial Council approve, with oversight provided by the Executive and Planning Committee, the formation of a joint sub-committee that will include representatives from the Family and Juvenile Law Advisory Committee, including the cochairs or their designees, the Trial Court Budget Advisory Committee, the Workload Assessment Advisory Committee, and the California Department of Child Support Services to reconsider the allocation methodology developed in 1997 and report back at the February 2016 Judicial Council meeting.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective April 17, 2015:

1. Approve the reallocation for funding of child support commissioners for FY 2014–2015, subject to the state Budget Act;
2. Approve the reallocation for funding of family law facilitators for FY 2014–2015, subject to the state Budget Act;
3. Approve allocation for funding of child support commissioners for FY 2015–2016, subject to the state Budget Act; and
4. Approve the allocation for funding of family law facilitators for FY 2015–2016, subject to the state Budget Act.
5. Direct the committee to pursue, with oversight provided by the Executive and Planning Committee, formation of a joint sub-committee that will include representatives from the Family and Juvenile Law Advisory Committee, including the cochairs or their designees, the Trial Court Budget Advisory Committee, the Workload Assessment Advisory Committee, and the California Department of Child Support Services to reconsider the allocation methodology developed in 1997 and report back at the February 2016 Judicial Council meeting.

Tables detailing the recommended reallocations and allocations of funding are attached at pages 8–11.

Previous Council Action

The Judicial Council is required annually to allocate nontrial court funding to the Child Support Commissioner and Family Law Facilitator Program, and has done so since 1997.¹ A cooperative

¹ AB 1058 added article 4 to chapter 2, of part 2, of division 9 of the Family Code, which at section 4252(b)(6) requires the Judicial Council to “[e]stablish procedures for the distribution of funding to the courts for child support commissioners, family law facilitators pursuant to [Family Code] Division 14 (commencing with Section 10000) and related allowable costs.” A copy of the original Judicial Council Report from 1997 is attached that provided the foundation for funding the Child Support Commissioner and Family Law Facilitator Program.

agreement between the California Department of Child Support Services (DCSS) and the Judicial Council provides the funds for this program and requires the council to annually approve the funding allocation. Two-thirds of the funds are federal, and one-third comes from the state General Fund (nontrial court funding). Any funds left unspent during the fiscal year revert to the state General Fund and cannot be used in subsequent years.

Under an established procedure described in the standard agreement with each superior court, the Judicial Council at midyear redistributes to courts with a documented need for additional funds any unallocated funds and any available funds from courts that are projected not to spend their full grants. In addition, in FY 2007–2008, DCSS and the Judicial Council of California provided a mechanism for the courts to recover two-thirds of additional program costs beyond the contract maximum covered by use of local trial court funds. This federal drawdown option continues to be available for FY 2015–2016.

Rationale for Recommendation

Midyear reallocation, FY 2014–2015

The midyear reallocation process is a review of each court's program funding in the current fiscal year, conducted through a questionnaire distributed to each court to allow courts to indicate whether or not they anticipate having additional funds that can be reallocated to courts that have demonstrated a need for additional funds. Historically, the midyear reallocation is to meet one-time, nonrecurring special needs, such as equipment purchases or temporary help to clear work backlogs. This year, a number of courts indicated a need for additional funds just to maintain current service levels due to increased costs of doing business. In FY 2007–2008, an additional procedure—the federal drawdown option—was put in place to assist in covering the cost of maintaining current program service levels through the use of local trial court funds spent beyond the current contract maximum and used as a match to obtain additional federal funds for the program. Federal drawdown funds voluntarily returned by some courts are also available to be redistributed to courts that have requested additional federal drawdown funds. Therefore, the committee recommends reallocation of the limited amount of funds available based on a proportional formula to all courts that have indicated a need.

Base funds and funds under the federal drawdown option, allocated at the beginning of this fiscal year but returned by courts unable to use all of these funds, are proposed for reallocation during this midyear process. As a result of the midyear reallocation process, for the Child Support Commissioner Program, a total of \$1,425,701 is available because one court has volunteered to return \$7,780 in base funds, nine courts have volunteered to return a combined \$847,792 in federal drawdown option funds, and \$570,129 is available in previously unallocated base funds. For the Family Law Facilitator Program, a total of \$362,393 is available because one court has volunteered to return \$23,624 in base funds and three courts have volunteered to return a combined \$148,726 in federal drawdown option funds, as well as \$190,043 in previously unallocated base funds.

Under an established procedure described in the standard agreement with each superior court, a questionnaire is sent to each court requesting the information needed to evaluate appropriate funding levels. In addition to compiling questionnaire responses, Judicial Council staff gathers information on each court's historical spending patterns and calculates projected spending based on invoices received to date for the current fiscal year. The Family and Juvenile Law Advisory Committee then recommends proposed funding changes. The criteria for consideration of court requests are caseload, funds available for redistribution, historical spending patterns, special needs, and staffing levels. Funds returned by courts with a historical pattern of underspending, funds voluntarily returned, and any previously unallocated funds are redistributed to courts with documented needs.

This midyear reallocation process ensures that the highest proportion of total funds allocated to the courts is spent where funding is needed. This process also minimizes the amount of unspent funds that revert to the state General Fund.

A total of \$1,425,701 from all child support program grant sources was available for reallocation to the child support commissioner component of the program. A total of 32 courts requested no change to their child support commissioner base allocations, 22 requested no change to their federal drawdown option, one court offered to return base funds, and nine courts offered to return federal drawdown option funds.

A total of \$362,393 from all Family Law Facilitator Program grant sources was available for reallocation to the family law facilitator component of the program. A total of 26 courts requested no change to their family law facilitator base allocations, 22 requested no change to their federal drawdown option, one court offered to return base funds, and three courts offered to return federal drawdown funds.

All allocations to courts requesting additional funding have been based on proportionately allocating the available base and federal drawdown funds among the courts requesting additional funds proportionate to their share of the total base funding. Under the established allocation procedures for this program, the request was reviewed by the Family and Juvenile Law Advisory Committee. The committee recommends the Judicial Council adopt the allocations for the Child Support Commissioner Program detailed on the table on page 8 and the allocations for the Family Law Facilitator Program detailed on the table at page 9.

Base funding, FY 2015–2016

The Judicial Council is also responsible for the allocation of base program funding at the beginning of each fiscal year. In 1997, the Judicial Council established staffing standards for child support commissioners under Family Code section 4252(b)(3). Staffing standards are based on the number of local child support agency cases that have established child support orders. In addition, under an established procedure described in the standard agreement with each superior court, questionnaires are sent annually to each court requesting the information needed to evaluate appropriate funding levels in case of any exceptional needs.

Funding for FY 2015–2016 for the child support commissioner component of the program will be \$32.1 million base allocation and \$12.2 million from the federal drawdown option; funding for the family law facilitator component will be \$10.9 million base allocation and \$4.2 million from the federal drawdown option, for a total program base allocation of \$43.1 million and a total federal drawdown allocation of \$16.4 million. Statewide program funding for FY 2015–2016 is the same amount as for FY 2014–2015.

In 2014–2015, the Superior Court of Contra Costa County voluntarily terminated participation in federal drawdown funding and relinquished those available funds. This has resulted in one less court day per week and has a substantial impact on this court’s ability to meet required federal performance standards. For FY 2015–2016, the Superior Court of Contra Costa County has requested a partial restoration of federal drawdown participation for the Child Support Commissioner Program. In prior years, the Judicial Council has restored funds voluntarily relinquished by courts, when funds were available to do so. This practice helps ensure that courts will return funds that they don’t use but can be used by other courts without concern that those funds will not be available in future fiscal years, if needed. In 2013–2014, the Superior Court of Contra Costa County was allocated \$302,793 in federal drawdown. After doing a detailed analysis of need, the court has requested a partial restoration of \$161,403. Because other courts have requested a decrease in participation in the federal drawdown option for FY 2015–2016, funds are available to restore the federal drawdown funds in the amount requested by the Superior Court of Contra Costa County with additional funds available to allocate to other requesting courts.

In order to ensure that the Superior Court of Contra Costa County can meet the federal performance standards, the committee recommends a partial restoration of federal drawdown funds of \$161,403 be allocated to the Child Support Commissioner Program for the Superior Court of Contra Costa County for FY 2015–2016.

The committee recommends that courts be allocated base funding and federal drawdown funding at the same level, less any amount a court indicated that they wish to relinquish, for both the Child Support Commissioner Program and Family Law Facilitator Program as in FY 2014–2015. The committee further recommends that additional available base and federal drawdown funds, less the amount recommended to be provided to the Superior Court of Contra Costa County, be allocated among all the courts requesting additional funds proportionate to their share of the total base funding. This would provide courts with funds consistent with the funding they received in the prior fiscal year and provide all courts that have requested additional funds with some additional funds. The committee recommends the Judicial Council adopt the allocations for the Child Support Commissioner Program detailed on the table on page 10 and the allocations for the Family Law Facilitator Program detailed on the table at page 11.

Funding Allocation Work Group and revised timing of allocations

Historically, the Judicial Council has considered midyear reallocations in conjunction with next fiscal year allocations at the April Judicial Council meeting. This has allowed courts time to

spend allocated funds, determine if projections were correct, and either return funds not anticipated to be spent or request additional funding. However, given this timing the reallocations have resulted in some funds reverting to the General Fund each year. Placing this item for discussion earlier in the fiscal year would provide a better balance of identification of funds, time for spending by the courts that receive reallocations, and minimize the risk that funds would go unspent. The committee recommends that the reallocation of base funding and federal draw down funding for FY 2015–2016 be placed on the February 2016 Judicial Council agenda.

The committee will also seek approval from the Judicial Council Rules and Projects Committee to add reconsideration of the AB 1058 Child Support Commissioner and Family Law Facilitator Program fiscal allocation methodology to the current annual agenda and for the coming year. In addition, if directed, the committee will pursue—with oversight by the Judicial Council Executive and Planning Committee—formation of a joint sub-committee that will include representation from the Family and Juvenile Law Advisory Committee, including the cochairs or their designees, the Trial Court Budget Advisory Committee, the Workload Assessment Advisory Committee, and the California Department of Child Support Services. The joint sub-committee would be charged with examining the myriad of factors that must be considered when allocating funding to both optimize program success and provide for mechanisms for all funds to be spent by the end of each fiscal year. The joint sub-committee would be asked to report back to the Family and Juvenile Law Advisory Committee, the Trial Court Budget Advisory Committee, and the Workload Assessment Advisory Committee by December 31, 2015.

Comments, Alternatives Considered, and Policy Implications

This proposal was not circulated for public comment; however, a detailed funding questionnaire was completed by all 58 courts and used to develop the allocation recommendations.

Alternatives considered for allocating base funding, FY 2015–2016

The committee considered not restoring the federal drawdown participation for the Superior Court of Contra Costa County’s Child Support Commissioner Program in the specific amount requested and instead allocating funding to that court as part of the overall FY 2015–2016 funding allocation. This option was rejected because, although this allocation would allow some funds to be restored to this court, it is inconsistent with prior Judicial Council action of restoring funds voluntarily relinquished where those funds are available. In addition, the funds available through this allocation would be insufficient to make the changes necessary to meet the federal performance standards.

The committee considered allocating additional available base and federal drawdown funds relinquished by courts for both the Child Support Commissioner Program and Family Law Facilitator Program only to courts that have spent all of the funds allocated to them in the three most recent fiscal years. The committee rejected this option because, although it provides some additional funds to courts that have consistently spent all of the funds allocated to them, it is more appropriate to allocate the funds among all courts that have indicated a need for additional funds.

The committee considered placing the reallocation of base funding and federal drawdown funding for FY 2015–2016 on the December 2015 or April 2016 Judicial Council agenda. The committee rejected placing it on the December 2015 agenda as it would require the courts to notify staff in October of anticipated excess funds. As this is early in the fiscal year, this could result in some funds that could have been reallocated not being identified and reverting to the General Fund. The committee also rejected placing it on the April 2016 agenda. Although continuing to place the issue of midyear reallocation on the April agenda would allow for identification of most funds needing to be reallocated, it will result in courts receiving additional funds later in the fiscal year which may result in funds going unspent and reverting to the General Fund.

Implementation Requirements, Costs, and Operational Impacts

To draw down federal funds, federal provisions require payment of a state share of one-third of total expenditures. Therefore, each participating court will need to provide the one-third share of the court's total cost to draw down two-thirds of total expenditures from federal participation.

Attachments

1. Child Support Commissioner Program Midyear Reallocation, FY 2014–2015, at page 8
2. Family Law Facilitator Program Midyear Reallocation, FY 2014–2015, at page 9
3. Child Support Commissioner Program Allocation, FY 2015–2016, at page 10
4. Family Law Facilitator Program Allocation, FY 2015–2016, at page 11
5. Judicial Council report from 1997 for Child Support Commissioner and Facilitator Allocation Funding, at page 12



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on April 17, 2015

Title	Agenda Item Type
Trial Courts: Allocations from the State Trial Court Improvement and Modernization Fund and the Trial Court Trust Fund for 2015–2016	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	July 1, 2015
Recommended by	Date of Report
Trial Court Budget Advisory Committee Hon. Laurie M. Earl, Chair	April 8, 2015
	Contact
	Steven Chang, 415-865-7195 steven.chang@jud.ca.gov

Executive Summary

The Trial Court Budget Advisory Committee is recommending fiscal year (FY) 2015–2016 allocations for various programs and projects funded from the State Trial Court Improvement and Modernization Fund (IMF; \$59.372 million) and the Trial Court Trust Fund (\$139.371 million); the elimination of IMF funding starting in 2015–2016 or 2016–2017 for various programs and projects; the shift of IMF costs for various programs either to other judicial branch funds, the courts, or other sources; and other funding-related proposals. Depending on the outcome of the Budget Act of 2015, the advisory committee might propose changes to these recommendations for the council’s consideration at its July 2015 meeting.

Recommendation

With the exception of one, two, or three no votes on a few items, on March 23, 2015, the Trial Court Budget Advisory Committee (TCBAC) unanimously adopted the following recommendations for consideration by the Judicial Council:

1. Allocate \$59.372 million from the State Trial Court Improvement and Modernization Fund (IMF) in FY 2015–2016, including:
 - a) a net reduction of \$10.848 million from the total 2014–2015 allocation level approved by the council,
 - b) the total elimination of funding for 9 programs (\$7.4 million) and partial elimination (\$122,000) for one program, including the following:
 - HR – Court Investigations, and if the Judicial Council believes that this program is a priority conduct an analysis on whether council staff are able to provide the service under a JC master agreement whereby participating courts would pay for their costs from the Trial Court Trust Fund (TCTF),
 - Worker’s Compensation Reserve,
 - Audit Contract,
 - Justice Partners Outreach/e-services,
 - ADR Centers,
 - Complex Civil Litigation,
 - Judicial Conduct Reporter,
 - Trial Court Security Grants, and if the Judicial Council believes that this program is a priority consider whether it is appropriate to fund from one of the state construction funds, and
 - One position from the Trial Court Procurement, and if the Judicial Council believes that this program is a priority consider whether it is appropriate to fund from one of the state construction funds.
 - c) the elimination of funding for ongoing maintenance costs for the California Law Enforcement Telecommunications Systems (CLETS) program (\$433,400). If the Judicial Council believes that this program is a priority, they could conduct an analysis on whether trial courts that wish to continue participation in this program could pay for their costs from the TCTF. Collecting payments from the court’s TCTF distribution would require that the Judicial Council grant an exception to the council’s statewide administrative infrastructure funding policy (also part of recommendation 5),
 - d) have the council reconsider its February 2015 decision to not allocate any funding in 2015–2016 for the Jury Management Systems program, and allocating \$19,000 from 2015–2016 jury instruction royalties to the Jury System Improvement Projects and any remaining royalties to the Jury Management Systems program,
 - e) impose a 15 percent reduction to the Center for Judiciary Education and Research (CJER) allocation and allow the CJER Governing Committee to determine how to assign the recommended \$1.202 million allocation among the five education program categories, and
 - f) impose a \$500,000 reduction to the Litigation Management program and direct that Judicial Council staff of the program bring before the TCBAC Revenue and Expenditure Subcommittee any claims whose costs cannot be covered within the amount allocated for funding consideration from the IMF.

2. Eliminate IMF funding for the JusticeCorps program starting in 2016–2017, direct council staff to work with all interested courts for possible participation in the JusticeCorps program starting in 2016–2017, and require courts to fund their share of the cost of the program.
3. Consider shifting costs away from the IMF starting in 2016–2017 as follows:
 - a) Shift the costs of translating domestic violence forms under the Domestic Violence—Family Law Interpreter Program to the TCTF Program 45.45 Court Interpreter appropriation and advise the TCBAC of the council’s decision by the council’s October 2015 meeting, and
 - b) Shift the “core central office” costs of the Court Interpreters Program (CIP)—Testing, Development, Recruitment and Education, Treasury Services—Cash Management, Audit Services, Uniform Civil Fees, and Regional Office Assistance Group programs to the Judicial Council’s General Fund appropriation and advise the TCBAC of the council’s decision by the council’s October 2015 meeting, and
 - c) Have council staff determine whether the costs of the Trial Court Transactional Assistance Program can be provided on a fee-for-service basis, having the courts reimburse the applicable state fund for services used, and have staff advise the TCBAC of their determination by October 1, 2015.
4. Determine the viability of cost recovery for two programs by:
 - a) Directing council staff to determine if a cost recovery model for the CFCC Publications program can be established with justice partners that share the materials beginning in 2016–2017 and to report back to the TCBAC by October 1, 2015, and
 - b) Directing council staff to explore a reimbursable option for the California Courts Protective Order Registry (CCPOR) program in 2016–2017 and onward, to evaluate the effects on the CCPOR program of the recommendation to have courts fund the CLETS program instead of the IMF, and to report back to the TCBAC by October 1, 2015.
5. Allocate \$139.37 million from the Trial Court Trust Fund (TCTF) for specific programs and projects, including a reduction of \$1.5 million in reimbursement of courts’ eligible jury costs, and \$1.259 million in allocations for three programs previously paid for from the IMF: court investigations (see recommendation 1(b)), CLETS program (see recommendation 1(b)), and Other Post-Employment Benefits Valuations. These recommended allocations are at the level that Judicial Council staff have stated are required at this time to maintain these programs.
 - a) For the reimbursement of jury costs, direct council staff to make, if eligible jury costs exceed the total allocation, a year-end allocation adjustment so that each court receives a share of the approved allocation proportionate to their share of the statewide allowable jury expenditures.
6. Require that any new proposal that would rely on Trial Court Trust Fund or State Trial Court Improvement and Modernization Fund funding, or that would add new costs to an existing program above the program’s FY 2014–2015 level, must include information on alternative funding options and must be reviewed by the Trial Court Budget Advisory Committee prior to presentation to the Judicial Council for consideration.
7. Direct the Workload Assessment Advisory Committee to include the paid complex case fee filings in the Resource Assessment Study computation of workload need and assign to them

the asbestos weighting of about 3,546 minutes, until such time as the advisory committee reviews the validity of the weighting.

See Attachment 1 for a summary of the recommendations related to FY 2015–2016 allocations from the IMF. See Attachment 4 for a summary of the recommendations related to FY 2015–2016 allocations from the TCTF.

Previous Council Action

Since the inception of state trial court funding in 1996, every year the Judicial Council or the Executive and Planning Committee has allocated trial court–related funding from the IMF (or its predecessor funds, the Judicial Administration Efficiency and Modernization Fund and the Trial Court Improvement Fund) and the TCTF.

At its February 2015 meeting, the council approved postponing non-critical Sustain projects for a projected savings of \$100,000 in FY 2015–2016, delaying deployment of CCPOR to 4–6 courts if grant funds were not available for a projected savings of \$334,000 in 2015–2016, and postponing spending IMF monies on jury management systems for a projected savings of \$600,000 in 2015–2016.

To address the imbalance between revenue and expenditures in the IMF, on June 27, 2014, the council adopted a recommendation of the TCBAC to submit a budget change proposal requesting that the Budget Act language requiring a transfer \$20 million from the IMF to the TCTF be removed, and, if removed, instead require shifting of the cost of the V3 case management system to the IMF from the TCTF. The Governor is proposing the discontinuance of the transfer, which is reflected in the current version of the Budget Act of 2015 (Assembly Bill 103).

At its August 23, 2013 business meeting, the council exercised its authority provided by statute and delegated to the Administrative Director the limited authority to transfer allocations between projects and programs that are funded from the IMF, subject to the following criteria:

1. The sum of allocation transfers cannot exceed 20 percent of the allocation to be reduced or 20 percent of the allocation to be augmented.
2. The Administrative Director must notify the chair of the council’s Executive and Planning Committee and the chair of the TCBAC in advance of any transfer.¹
3. The Administrative Director must report back to the council on the rationale for and amounts of any approved adjustments after the end of the fiscal year.

¹ Originally, the Administrative Director was to notify the co-chairs of the TCBAC, but the rule of court was amended to eliminate a co-chair.

The council adopted its policy on statewide administrative infrastructure funding on April 14, 2006 (see Attachment 9).

Rationale for Recommendations

At its March 23, 2015 public meeting, the TCBAC considered the recommendations of its Revenue and Expenditure Subcommittee, which adopted recommendations related to the IMF and TCTF during its March 10–11, 2015 public meeting. The TCBAC deferred taking action on the subcommittee’s recommendation to reduce the amount paid from the IMF for the V3 civil case management system and the Intermediate Case Management Systems (ICMS) programs by a total of \$1.381 million from their FY 2014–2015 allocation levels and to have the participating courts assume those costs. The subcommittee reviewed all planned project and program allocations for FY 2015–2016, reduction options and impacts provided by Judicial Council staff for IMF-funded programs and projects (see pages 108–189 of Attachment 8), the results of survey responses from 56 superior courts regarding the projects and programs funded by the IMF (see pages 28–107 of Attachment 8), and the statutes that authorize the IMF and that authorized its predecessor funds (see Attachment 11). In considering the allocation levels for projects and programs funded from the IMF, the subcommittee identified the following criteria or principles to help guide the decision-making process: whether programs/projects are mandated, the number of courts served, value to the courts and the branch according to the survey results, the appropriateness of the IMF as the fund source, and the impact program and project funding reductions would have on individual courts and the judicial branch. Recommendations regarding allocations and reductions were developed based on this review. The subcommittee formed a six-member ad hoc group to meet in the next few months to further review in detail the California Courts Technology Center (CCTC), Enterprise Policy and Planning, and Phoenix programs and report back to the subcommittee with any recommendations.

Rationale for recommendation 1

Attachment 1 provides a summary of the recommendations related to FY 2015–2016 allocations from the IMF, totaling \$59.372 million, and assumes a zero allocation for the V3 case management system and the ICMS programs, for which a TCBAC recommendation is still pending. To address an estimated negative \$11.1 million fund balance due to an estimated \$15.9 million deficit in the IMF by the end of FY 2015–2016, based on estimated 2015–2016 revenue and 2014–2015 allocation levels (see column B of Attachment 1), the TCBAC recommends a net reduction of \$10.848 million or a 15.2% decrease from the allocation level approved by the council for 2014–2015. The current version of the Budget Act of 2015, which discontinues the \$20 million to the TCTF from the IMF, provides sufficient state operation and local assistance expenditure authority for the recommended allocations (see Attachment 2). The allocations being recommended thus far will result in an estimated \$7.25 million fund balance by the end of 2015–2016 (see column E of Attachment 3).

The net reduction includes the elimination of \$7.525 million in allocations for 10 programs, a reduction of \$3.948 million in allocations for 16 programs, an increase of \$625,300 in allocations

for 4 programs, maintaining 14 programs at their 2014–2015 levels, and deferring a recommendation on the allocation levels for the V3 and ICMS programs.

For 2 of the 10 programs for which IMF funding elimination is recommended, the council is also being asked to consider shifting the costs for those programs to one or more of the state construction funds, to the extent that they are a council priority: shift \$1.2 million of costs related to the Trial Court Security Grants program, which purchases and maintains court video surveillance (cameras), access systems, duress alarm systems and other security enhancements, such as ballistic glass, critical fencing, and secured parking for bench officers, and shift \$122,000 of costs of the facility-related position within the Trial Court Procurement program, but maintain the other position, which works on statewide master contracts that can be used by the trial courts. For 2 of the 10 programs for which IMF funding elimination is recommended, the council is also being asked to require courts that elect to participate in those programs to pay for their cost of participation through the TCTF. For the human resource court investigation program, which covers the costs related to court investigations stemming from courts' personnel issues, the recommendation is to eliminate the \$94,500 allocation and have courts that choose to use Judicial Council staff assistance and a council master agreement reimburse the TCTF for the costs of the services provided. For the CLETS program, which supports access to the statewide law enforcement network provided by the California Department of Justice, the recommendation is to eliminate the \$433,400 allocation, and, as an exception to the council's statewide administrative infrastructure funding policy, require courts that choose to participate in the program to reimburse the TCTF for the cost of their participation. The remaining 6 programs for which IMF funding elimination is recommended are the following:

- Workers' Compensation Reserve (\$1.231 million)
- Audit Contract (\$150,000)
- Justice Partner Outreach / e-Services (\$200,700)
- Alternative Dispute Resolution Centers (\$75,000)
- Complex Civil Litigation Program (\$4 million)
- Subscription Costs—Judicial Conduct Reporter (\$17,100)

The Workers' Compensation Reserve is no longer needed as it is unlikely that there will be any more workers' compensation tail claims settlements with counties. If a settlement does occur, council staff will work with the Judicial Branch Workers' Compensation Program Advisory Committee to determine whether the Judicial Branch Workers' Compensation Fund can and should be used to pay for any settlement. The council's Audit Services office has not used the audit contract allocation for a number of years, and audit staff will continue to perform audits of trial courts. The purpose of the Justice Partner Outreach / e-Services program is to implement the Judicial Council's objectives for court e-services and e-filing initiatives by supporting the planning and implementation of electronic filing of court documents, as well as electronic service of court documents, for all 58 California superior courts and local and state justice/integration partners. In addition, the program provides ongoing communication and support for the courts as it relates to exchanges and information sharing with local and state

justice/integration partners. The Alternative Dispute Resolution (ADR) Centers program contracts for the development of materials to help support court-connected ADR programs across the state. The Complex Civil Litigation Program mainly funds court staff of complex civil litigation departments in the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco, and Santa Clara Counties. The Subscription Costs—Judicial Conduct Reporter program provides for four quarterly issues of the Judicial Conduct Reporter. Each of the four editions is distributed to every judicial officer electronically through court administration.

Sixteen programs are recommended to be reduced, some on a one-time basis, by a total of \$3.948 million, with the reduction amounts ranging from 1% to 100% of the 2014–2015 level, as displayed in Table 1.

Table 1: Recommended One-Time and Possible Ongoing Reductions in 2015–2016

Program	2014–15 Allocation	Recommended 2015–2016 Reduction	Reduction as a % of 2014–15 Allocation	Note
Data Integration	3,903,600	(54,000)	-1%	
Enterprise Policy/Planning (Statewide Development)	5,268,500	(48,000)	-1%	
Telecommunications Support	11,705,000	(1,055,000)	-9%	One-time
Phoenix Program	13,885,300	(1,389,000)	-10%	One-time
Litigation Management Program	4,500,000	(500,000)	-11%	
Mandated, Essential & Other Education for Judicial Officers	841,000	(126,000)	-15%	
Faculty and Curriculum Development	288,000	(43,000)	-15%	
CIP—Testing, Development, Recruitment, and Education	168,000	(25,000)	-15%	Shift costs in 2016–17
Distance Learning	147,000	(22,000)	-15%	
Essential/Other Education for Court Personnel	92,000	(14,000)	-15%	
Essential/Other Education for Court Management	46,000	(7,000)	-15%	
Domestic Violence—Family Law Interpreter Program	20,000	(3,000)	-15%	Shift costs in 2016–17
Court-Ordered Debt Task Force	25,000	(6,000)	-24%	
CFCC Educational Programs	90,000	(23,000)	-26%	
Trial Court Labor Relations Academies and Forums	34,700	(9,000)	-26%	
Testing Tools—Enterprise Test Management Suite	624,300	(624,300)	-100%	One-time

Fourteen programs are recommended to be maintained at their 2014–2015 allocation level, totaling \$19.872 million:

- Trial Court Performance Measures Study (\$13,000)
- Jury System Improvement Projects (\$19,000)
- CFCC Publications (\$20,000)
- Budget-Focused Training and Meetings (\$50,000)
- Interactive Software—Self-Rep Electronic Forms (\$60,000)
- Self-Represented Litigants Statewide Support (\$100,000)
- Treasury Services—Cash Management (\$238,000)
- JusticeCorps (\$347,600)
- Trial Courts Transactional Assistance Program (\$451,000)
- Audit Services (\$660,000)
- Judicial Performance Defense Insurance (\$966,600)
- Regional Office Assistance Group (\$1,460,000)
- Self-Help Center (\$5,000,000)
- California Courts Technology Center (\$10,487,200)

Four programs are recommended to be increased from their 2014–2015 allocation level by a total of \$625,300. The cost of the Adobe LiveCycle Reader Service Extension license is expected to increase by \$7,300 to about \$141,000 in 2015–2016. The Uniform Civil Fees system needs a one-time increase of \$23,000 for an upgrade to the system. The CCPOR program needs a one-time increase of \$130,000 for a hardware refresh in 2015–2016. The Jury Management Systems program was not funded in 2014–2015, and at its February 2015 meeting, the council approved not providing an allocation from the IMF for the program in 2015–2016. The TCBAC believes that when the recommendation to postpone funding this program in 2015–2016 was made at the February 2015 meeting, the council was likely unaware that 2015–2016 jury instruction royalties, which under Government Code section 77209 must be used for jury system improvements, will be available for the Jury Management Systems program. The royalties in 2015–2016 are estimated to be about \$485,000. The committee recommends that the royalties first be used for the Jury System Improvement Projects, which fund the costs of the two advisory committees that prepare the official jury instructions that are used by all courts, and that the remainder of the royalties be allocated toward the Jury Management Systems program, which provides funds for jury management systems in the trial courts.

The TCBAC recommends a reduction of 15 percent from the 2014–2015 allocation level for education programs managed by the Center for Judiciary Education and Research (CJER), from \$1.414 million to \$1.202 million, and allowing the CJER Governing Committee to determine how to assign the allocation among the five education program categories:

- Distance Learning
- Essential/Other Education for Court Management
- Essential/Other Education for Court Personnel

- Faculty and Curriculum Development
- Mandated, Essential & Other Education for Judicial Officers

Rationale for recommendation 2

The TCBAC recommends that the IMF contribution for the JusticeCorps program be continued only through 2015–2016, since 2015–2016 is final year of the current three-year grant, and that, apart from any grant funding from AmeriCorps, courts fund their share of the cost of the program. There currently is no formal application process for courts to request participation. Interested courts contact the Judicial Council program staff and are briefed on the requirements for participation.

Rationale for recommendation 3

The TCBAC recommends that the council consider shifting costs for various programs away from the IMF to other funds or to the courts starting in FY 2016–2017. The committee believes the costs of translating domestic violence forms under the Domestic Violence—Family Law Interpreter Program can be paid for from the TCTF Program 45.45 Court Interpreter appropriation. The TCBAC would like to know by the council’s October 2015 meeting of the council’s decision, as the TCBAC’s Revenue and Expenditure Subcommittee will likely begin their work on developing recommendations on 2016–2017 IMF allocation levels in October 2015. The committee believes the costs of “core central office” functions, namely the functions provided by council staff in the CIP—Testing, Development, Recruitment and Education, Treasury Services—Cash Management, Audit Services, Uniform Civil Fees, and Regional Office Assistance Group programs, should be paid for out of the Judicial Council’s General Fund appropriation. The TCBAC believes it might be too disruptive to attempt this in 2015–2016, so it is recommending that the council continue to fund these programs from the IMF allocation in 2015–2016, as indicated in the rationale for recommendation 1. The TCBAC would like to know by the council’s October 2015 meeting of the council’s decision regarding the shifting of core central office function costs.

Similar to its recommendation to have courts pay for their cost of participating in the CLETS program and for the cost of court investigations, the TCBAC is requesting that the council have its staff determine whether the costs of the Trial Court Transactional Assistance Program can be provided on a fee-for-service basis that would require the courts to reimburse the applicable state fund for services used, and have staff advise the TCBAC of their determination by October 1, 2015.

Rationale for recommendation 4

The TCBAC believes that cost recovery is desirable and a possibility for two justice partner-related programs, namely the CFCC Publications and CCPOR programs; accordingly, the committee recommends that the council direct its staff to determine the feasibility and report back to the TCBAC by October 1, 2015. The TCBAC’s Revenue and Expenditure Subcommittee will likely begin their work on developing recommendations on 2016–2017 IMF allocation levels in October 2015.

Rationale for recommendation 5

Attachment 4 provides a summary of the recommendations related to 2015–2016 allocations from the TCTF, totaling \$139.371 million. The recommendations related to the Judicial Council (Program 30.05) state operations appropriation, which is used to fund the costs of Judicial Council staff, and the Trial Court Operations (Program 30.15) state operations appropriation, which is used to fund operational costs not related to council staff costs, represent the universe of proposed allocations. The recommended allocations related to the Support for Operation of the Trial Courts (Program 45.10) local assistance appropriation, which is used primarily to distribute allocations and reimbursements to the trial courts, are limited to those programs that reimburse trial court costs or pay dependency counsel vendors. The current version of the Budget Act of 2015 provides sufficient expenditure authority for the recommended allocations (see Attachments 5 and 6). The new allocations being recommended either have a net-zero effect on the TCTF fund balance, as the costs associated with the allocations will be reimbursed by trial courts, or will increase the fund balance by \$1.5 million. Assuming that any additional revenue shortfall to the TCTF is backfilled from the General Fund, the \$20 million transfer to the TCTF from the IMF is discontinued, and the costs of the V3 programs are shifted to the IMF, there is estimated to be a total fund balance of \$20.6 million and an unrestricted fund balance of \$3.67 million by the end of 2015–2016 (see row 41 of column F of Attachment 7). The unrestricted fund balance is projected to decline by \$5.57 million due to a structural deficit of revenues to expenditures (see row 43 of Attachment 7).

Of the recommended \$139.37 million allocation from the TCTF, the TCBAC recommends the following changes from 2014–2015. First, allocate \$1.259 million and require courts that choose to participate to reimburse the TCTF for the cost of their participation for the following three programs previously paid for from the IMF: court investigations (see recommendation 1(b)), CLETS program (see recommendation 1(b)), and Other Post-Employment Benefits Valuations, which are required by the Government Accounting Standard Board Statements 43 and 45 to be reported at least every other year. Second, reduce the allocation for jury reimbursement by \$1.5 million, from \$16 million to \$14.5 million. Recent jury reimbursement activity indicates that this reduced allocation amount would still be sufficient to reimburse all eligible trial court jury costs. The reimbursement for 2013–2014 was \$13.9 million and the 2014–2015 reimbursement is estimated to be \$14.0 million. The latest five-year average of program expenditures is \$15.1 million and the latest three-year average is \$14.5 million. Third, if statewide allowable jury expenditures exceed the approved allocation, a year-end adjustment can be made to courts' allocations to ensure each court receives a share of the approved allocation based on their share of the statewide allowable jury expenditures. This would allow courts to be reimbursed at the same proportion from the allocation regardless of when their jury expenditures are incurred in the event that statewide costs exceed the amount allocated.

The TCBAC is not recommending any changes related to allocations from statutorily restricted revenues, estimated to be \$9.165 million in FY 2015–2016, for the Sargent Shriver Civil Counsel Pilot Program, Equal Access Fund (for the State Bar), and the Court-Appointed Dependency

Counsel Collections (see column B of Attachment 4). The allocations will be adjusted to reflect the actual revenues received. Nor is the TCBAC recommending any changes to the council's statewide administrative infrastructure funding policy for the Phoenix human resource and virtual buyer program, CCTC, and the V3 case management system and ICMS programs. Excluding the new allocations, the estimated total reimbursement is \$4.54 million. The TCBAC deferred taking action on the Revenue and Expenditure Subcommittee's recommendation to have courts on the V3 and Sustain case management systems pay for \$1.381 million in costs currently paid from the IMF through the TCTF. Lastly, the TCBAC recommends maintaining the 2014–2015 allocation levels for seven programs, totaling \$109.9 million:

- California State Auditor Reimbursement (\$325,000)
- Court-Appointed Dependency Counsel (\$103,725,000)
- Children in Dependency Case Training (\$113,000)
- Statewide Support for Collections Programs (\$625,000)
- Replacement Screening Stations Reimbursements (\$2,286,000)
- Self-Help Center Reimbursements (\$2,500,000)
- Elder Abuse Reimbursements (\$332,000)

AB 103, the current version of the Budget Act of 2015, includes provisional language that “\$325,000 shall be allocated by the Judicial Council in order to reimburse the California State Auditor for the costs of trial court audits” and a provision stating that “\$103,700,000 is available to support Court-Appointed Dependency Counsel workload.” The TCTF received a General Fund transfer increase in FY 2007–2008 to fund the Children in Dependency Case Training program to help the judicial branch comply with Assembly Bill 2480 (Stats. 2006, ch. 385), which concerns the appointment of counsel for children in appeals of dependency court orders. The council approved the move of the Statewide Support for Collections Programs allocation to the TCTF from the IMF starting in 2014–2015 at its April 2014 meeting. The Replacement Screening Stations Reimbursements covers the cost of replacing and maintaining, through service agreement, x-ray machines and magnetometers in the trial courts. The Self-Help Center Reimbursements is part of the \$6.2 million allocated from the TCTF, of which \$3.7 million is in the courts' base allocation, and \$5 million from the IMF. When combining the two fund sources, the minimum allocation for any court is \$34,000, with the remainder distributed according to population size in the county where the trial court is located. Elder Abuse Reimbursements distributes to trial courts \$185 per elder or dependent adult protective order filing (EA-100). Although the distribution amount was not intended to cover the actual cost to a court of processing an order, the allocation level will likely result in courts being reimbursed at about 45 percent of eligible reimbursements.

Rationale for recommendation 6

Given the declining revenues to the IMF and TCTF and the depletion of fund balance, the TCBAC recommends that any new proposal that would rely on TCTF or IMF funding or any proposal adding new costs to an existing program above the program's FY 2014–2015 level must

include information on alternative funding options and must be reviewed by the TCBAC prior to presentation to the Judicial Council for consideration.

Rationale for recommendation 7

The TCBAC recommends that the council direct the Workload Assessment Advisory Committee (WAAC) to include the paid complex case fee filings in the Resource Assessment Study computation of workload need and assign to them the asbestos weighting of about 3,546 minutes, until such time as the advisory committee reviews the validity of the weighting. This recommendation is made in the context of the recommendation to eliminate IMF funding for the Complex Civil Litigation Program, as part of recommendation 1, and is proposed as an interim solution. When computing workload need, the committee believes it is more accurate to use the caseweight of one of the specifically measured unlimited civil case types, i.e., asbestos cases, for complex case filings, rather than the overall caseweight applied to all unlimited civil cases. The difference of 2,750 minutes in the caseweights (3,546 minutes for asbestos and 796 minutes for unlimited civil) is significant and could make a material difference in the computation of courts' workload and funding need. The asbestos caseweight is only intended as an interim caseweight solution for computing workload related to complex civil cases until the WAAC is able to review the validity of the weighting.

Comments

Four written comments related to the Revenue and Expenditure Subcommittee's recommendations for the TCBAC's March 23, 2015 meeting were received (see Attachment 10). Fifty-six courts responded to a survey about IMF-funded programs and projects, which was a joint effort of the chairs of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee and council staff (see pages 28–107 of Attachment 8).

Alternatives Considered

The Revenue and Expenditure Subcommittee reviewed 15% and 25% reduction options provided by the Judicial Council offices that manage programs and projects funded from the IMF (see pages 108–189 of Attachment 8).

Attachments

1. Attachment 1: Recommended 2015–2016 IMF Allocations
2. Attachment 2: Recommended 2015–2016 IMF Allocations and Appropriations: State Operations vs. Local Assistance
3. Attachment 3: IMF—Fund Condition Statement
4. Attachment 4: Recommended 2015–2016 TCTF Allocations
5. Attachment 5: TCTF Judicial Council and Trial Court Operations Appropriations vs. Allocations
6. Attachment 6: Estimated and Recommended 2015–2016 TCTF Program 45.10 Allocations vs. Budget Bill Appropriation Level
7. Attachment 7: TCTF—Fund Condition Statement

8. Attachment 8: Meeting Materials of the TCBAC Revenue and Expenditure Subcommittee's March 10–11, 2015 Meeting
9. Attachment 9: April 14, 2006 report to the council regarding "Approval of Statewide Administrative Infrastructure Services Funding Process and Delegation of Authority to Allocate funds from the Trial Court Trust fund and the Trial Court Improvement Fund"
10. Attachment 10: Written public comments related to the IMF submitted for the TCBAC's March 23, 2015 Meeting
11. Attachment 11: Statutes that Established the State Trial Court Improvement and Modernization Fund and its Predecessor Funds