



JUDICIAL COUNCIL
OF CALIFORNIA

WORKLOAD ASSESSMENT
ADVISORY COMMITTEE

www.courts.ca.gov/waac.htm
waac@jud.ca.gov

WORKLOAD ASSESSMENT ADVISORY COMMITTEE

MATERIALS FOR MARCH 3, 2020

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WORKLOAD ASSESSMENT ADVISORY COMMITTEE

NOTICE AND AGENDA OF OPEN IN-PERSON MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e))

THIS MEETING IS BEING RECORDED

Date: March 3, 2020
Time: 10:00 AM - 2:00 PM
Location: Judicial Council, 455 Golden Gate Avenue, 3rd Floor, Redwood Room
San Francisco, California 94102
Public Call-in Number: 1-877-820-7831; passcode 3826880 (Listen Only)

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [insert e-mail address].

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the November 18, 2019, Workload Assessment Advisory Committee meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1)-(2))

In-Person Public Comment

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker

represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least one hour prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to waac@jud.ca.gov or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, California 94102, attention: Business Management Services/Office of Court Research. Only written comments received by 9:00 a.m. on March 2, 2020, will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS I–II)

Item I

Resource Assessment Study (RAS) Policy (Action Required)

Review and discuss current RAS policies to determine if any changes should be made going forward.

Presenter(s): Hon. Lorna A. Alksne, Chair

Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Business Management Services, Office of Court Research

Item II

Adjustment Request Process (ARP) Referred to WAAC (Action Required)

Review and discuss the requests from the following courts:

1) *Monterey Superior Court ARP*

The court requests that Assessed Judicial Need (AJN), Resource Assessment Study (RAS), and Workload-Based Allocation and Funding Methodology (WAFM) be adjusted to take into account courts' varying degrees of need for language access services and its impact on case processing workload.

2) *El Dorado Superior Court ARP*

The court requests that multiple locations, especially in small courts, be accounted for in Workload assessments.

3) *Los Angeles/San Diego Superior Courts ARP*

The request is for the committee to consider a new caseweight for certification hearings performed under Welfare and Institutions code section 5256.1. This workload was not previously captured but is now captured in filings' counts for 2018-19.

Presenter(s): Hon. Lorna A. Alksne, Chair

Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Business Management Services, Office of Court Research

Mr. Nicholas Armstrong, Senior Analyst, Judicial Council Business Management Services, Office of Court Research

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

Annual Agenda

Review and discuss the current WAAC Annual Agenda.

Presenter(s): Hon. Lorna A. Alksne, Chair

Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Business Management Services, Office of Court Research

Info 2

Funding Methodology Subcommittee (FMS) WAAC-related Items

Provide updates on two items heard at the February 20 FMS meeting that have relevance to WAAC and workload models.

Workplan Item: Cluster 2

ARP: San Francisco

Presenter(s): Hon. Lorna A. Alksne, Chair

Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Business Management Services, Office of Court Research

Info 3

JBSIS 3.0

Provide update on JBSIS 3.0 and reporting timelines.

Presenter(s): Ms. Leah Rose-Goodwin, Manager, Judicial Council Business Management Services, Office of Court Research

V. ADJOURNMENT

Adjourn



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WORKLOAD ASSESSMENT ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

November 18, 2019
12:00 p.m. - 1:00 p.m.
via Conference Call

Advisory Body Members Present: Hon. Lorna A. Alksne, Chair; Hon. Charles R. Brehmer; Hon. Pamela L. Butler; Hon. Stephanie Cameron; Hon. Joyce C. Hinrichs; Hon. Kirk H. Nakamura; Hon. Lawrence P. Riff; Hon. Jennifer K. Rockwell; Ms. Sherri R. Carter; Ms. Arlene D. Junior; Mr. James Kim; Mr. Michael D. Planet; Ms. Kim Turner

Advisory Body Members Absent: Ms. Bonnie Sloan

Others Present: Ms. Leah Rose-Goodwin; Ms. Kristin Greenaway; Mr. Nicholas Armstrong; Ms. Carolyn Bernabe; Ms. Rose Butler

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:00 p.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the August 15, 2019, Workload Assessment Advisory Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

Item 1

Adjustment Request Process (ARPs)

Action:

The committee was informed of two ARPs that have been referred by the Trial Court Budget Advisory Committee (TCBAC) and was provided a summation of the ARPs with the intent to discuss the ARPs further when the committee next meets in-person. Staff needs to get feedback from the TCBAC at its meeting in February. The following courts have submitted the ARPs.

1) Monterey County Superior Court ARP

The court requests for adjustments to the Assessed Judicial Need (AJN), Resource Assessment Study (RAS), and Workload-Based Allocation and Funding Methodology (WAFM) to address the varying degrees of need for language access services and its

impact on case processing workload. Staff has contacted the Monterey Superior Court to obtain case level data to start the study.

2) Los Angeles/San Diego Counties Superior Courts ARP

The courts' request is for the committee to consider a new case weight for certification hearings performed under Welfare and Institutions code section 5256.1. Staff will work with the courts to better understand the issue.

3) El Dorado County Superior Court ARP

This ARP has yet to be officially referred by the TCBC; however, the committee has been informed in advance of the ARP. The court requests that multiple locations, especially in small courts, be accounted for in workload assessments.

Item 2

Workload Study Approach/Methodology

Action:

The committee has been informed of two mandated study reports under the committee's purview that are due in November. The reports are:

- *Standards and Measures that Promote the Fair and Efficient Administration of Justice, as required under Government Code section 77001.5. This is an annual report.*
- *The Need for New Judgeships in the Superior Courts – 2019 Update of the Judicial Needs Assessment, as required under Government Code section 69614(c)(1) & (3). This is a biennial report, due on even-numbered years. This was initially due in 2018, of which a preliminary report was submitted with the provision for the final report to be submitted in November 2019. The decision was made to include the new measures found in other studies made in 2018. This is the final report.*

Over the next year, the staff has proposed developing a policy document and, through the process, identify other possible approaches to the workload studies. Some ideas mentioned by committee members were: 1) Meet more regularly; 2) Find ways to incorporate current information as things change, e.g., law changes that may affect workload; 3) Add granularity to capture the different levels of casetype complexity that are currently lumped into broad 'baskets,' and; 4) Allocate the weights and measures to properly credit the courts with higher levels of workload.

Staff provided a recap of the key aspects of the workload studies and questions to consider: Should these key aspects be augmented? Are the timelines effective? Is the five-year plan appropriate? Are there ways to automate data collection efforts?

Item 3

Next WAAC Meeting, February 2020

Action:

The committee was informed to expect a poll to determine the date of the next in-person meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:39 p.m..

DRAFT

Summary: Workload Studies Policies and Methodology

Driver: Filings-based model

- Filings are best available data
- 3-year average filings
- Most recent filings data available
- Case types now similar for each study, staff and judge
- 22 case type caseweights

Filings: JBSIS

- Courts must be able to report filings in the RAS categories. As a general rule, there are no filings data adjustments (e.g. filling in missing data) made for courts who cannot report complete data.
- The filings counts used in RAS must match what has been submitted into the JBSIS data warehouse.
- To be consistent with the data management requirements in JBSIS and the recommendations made by the Audit Advisory Committee, court data from each of the three filings years is managed in the following way: the data for each fiscal year is “frozen” in the year it is submitted. For example, the 17-18 data that was submitted on or around December 2019 has been “frozen” into RAS. If a court later needs to amend a previous year’s filings data submission under either the JBSIS error correction policy or as a result of a JBSIS data audit, the court can request access to the JBSIS database to make changes. For courts that need to amend filing data as a result of the JBSIS error correction policy, data changes must be accompanied by a list of the corresponding case numbers, both pre- and post- change by month. Courts that need to amend as a result of a JBSIS data audit will not be required to provide a case listing but should maintain one for reference.

Time Study

- Time Diary (Judge)
- Random Moment (Staff)
- Electronic reporting

Data Collection Period

- 4 weeks, consecutive
- Spring or Fall

Court Participation

- Voluntary participation
- Representative Sample of Courts
 - Small, medium, large, urban, suburban, and rural
 - Northern, coastal, central, and southern regions
- Court cluster model
 - Four clusters
- Court participation varies study period to study period

Update Cycles

- Annually – Filings
- Periodically – study update every five years (time study)
- Biennial: Government Code 61614(c)(1) requires updates every two years to Judicial Needs Assessment
- Interim adjustments as needed
- Periodically (every 3 years)
 - Program 90
 - Manager/Supervisor

Methodology

- Case Processing Staff Need– conduct Time Study to develop caseweights
- FTE Need: Filings x Caseweights / Workyear (minutes)
- Complex Filings (based on Complex Fee Data)
- Asbestos filings – manually request
- EDD filings – manually request
- Ratios used to compute FTE Need (Staff only)
 - Manager/Supervisor Need Cluster Based Ratios – use Schedule 7A - update every 3 years
 - Program 90 Administrative Staff Need Cluster Based Ratios – use Schedule 7A
 - Court Reporters
- Court Interpreters not in model
 - Interpreter supervisors are included as part of manger/supervisor ratio
- Adjustments
 - Small Courts, round up to nearest whole number

Oversight Committee

- Workload Assessment Advisory Committee
 - Previously Resource Needs Assessment Advisory Committee
 - Previously Resource Allocation Study Working Group
 - Previously SB 56 Working Group
 - Previously Workload Assessment Policy Committee (WAPC)
- In collaboration with JCC Finance and Trial Court Budget Working Group
- Updates to Court Executives Advisory Committee (CEAC) and Trial Court Presiding Judges Advisory Committee (TCPJAC)

Resource Assessment Study (RAS)

In 2000, the Judicial Council's Office of Court Research was directed to develop workload measures for nonjudicial trial court staff with the goal of developing a method for allocating resources to the trial courts that takes into account workload.

- contracted with National Center for State Courts (NCSC) in early Workload Models
- filings-based workload model used to determine the need for court staff for case processing work
- used as the basis Workload Formula, formerly the Workload-based Allocation and Funding Methodology (WAFM)
- weighted caseload methodology developed by NCSC
- utilized data gathered from the time study to construct a year value
- apply caseweights to allow for differences in workload across casetypes
- used in at least 25 different states for measuring court staff workload (and judicial workload)
- 2004 - RAS first implemented
- 2005 - the Judicial Council approved the RAS model
- 2013 – Begin using model as basis for funding allocations
- 2013 - SB 56 Working Group approved update of RAS and Judicial Workload Models every five years
- 2016 – Delphi conducted, but not incorporated
- 2016 – RAS time study updated (most recent)
- 2017 - caseweights based on 2016 time study approved by Judicial Council

Judicial Workload Study (JWS)

- Filings-based workload model to determine the need for judicial officers in the trial courts
- use caseweights to represent the average case processing time for different case types
- case-related and non-case-related activities
- used to advocate to the Legislature for new judgeships
- Study conducted by the National Center for State Courts in 2001 and 2011
- 2018: Study conducted by the Judicial Council Office of Court Research
- Previous studies have used Delphi process
- August 2001 - the Judicial Council approved the JWS model
- 2010, 2018 - model updated
- 2019 – judicial caseweights based on 2018 time study approved by Judicial Council

Items to Consider

- **Review process of workload studies**
 - a. **What timeline for updates is appropriate?**

Study update every 5 years whether to consider work on shorter turnaround time
 - b. **What timeline for data collection is appropriate?**

Time study period between two to four weeks in the Spring or Fall
 - c. **What are NCSC/Other States doing?**

Used in at least 25 different states for measuring court staff workload
 - d. **Can automations be incorporated to reduce the data collection effort?**

- **Review current methodologies and explore if there are new or different approaches to measure judicial and staff workload**
 - Model Refinements/Adjustments Review

- **Review data collection process**
 - Time study (Time Diary or Random Moment) - electronic
 - Training (“train the trainer” sessions)
 - In person
 - WebEx
 - Video
 - Data validation
 - Supplemental Survey
 - Delphi Process - Focus groups (not included in last RAS or Judge)
 - WAAC reviews caseweights and other model parameters
 - Updates to Court Executives Advisory Committee and Trial Court Presiding Judges Advisory Committee (TCPJAC)
 - Judicial Council approval of caseweights and other model parameters

- **Review Calculation of Caseweights, Work Year Value, Filings Trends**
 - Case complexity increasing
 - Judges taking on new and expanded roles (described as “appellate” type work)
 - New and amended laws
 - Multiple legislative initiatives
 - New court rules, policy and procedures
 - Transition to new case management systems (CMS) or other technologies
 - Judicial vacancies resulting from retirements, elevations, operational restructuring
 - Funding and staffing issues from all the unfunded legislative mandates

- **Review Number of Casetypes**
 - Future: Expand casetype categories as data becomes available and improvements in the quality of filings data submitted by the courts
 - Current: collapse and consolidate filings data not available for all casetypes

- **Court study participation**
 - Maintain consistency on court participation (same courts year to year)?
 - Include: Small, medium, large, urban, suburban, and rural

- Include: Northern, coastal, central, and southern regions
- Other factors to consider?
- **Evaluate existing court cluster model and determine if the clusters should be changed**
- **Refine ways to study the small courts on measuring their workload need**
 - Longer time study period and simpler data collection tools.
- **Develop a policy document that will document aspects of the methodology and decision rules and approaches that we apply when conducting workload studies**

Attachments

Attachment 1. RAS Caseweights

Attachment 2. Judicial Officer Caseweights

Attachment 3. RAS Components

Attachment 1. RAS Caseweights

RAS Caseweights (2017)		
Casetype	Weight in minutes	Notes
Infractions (for courts with <100k filings)	38	
Infractions (For courts with >100k filings)	22	
Misdemeanor-non traffic	478	
Misdemeanor- traffic	103	
Felony	813	
Asbestos	3,625	
Unlimited Civil	719	
Limited Civil	182	
Unlawful Detainer	276	
Small Claims	259	
Mental Health	324	
Estates/Trusts	1,831	
Conservatorship/ Guardianship	2,225	
Juvenile Delinquency	646	
Juvenile Dependency	1,211	
Dissolution/Separation/Nullity	861	
Family Law- Child Support	405	
Family Law- Domestic Violence	475	
Family Law- Parentage	1,260	
Family Law- All other petitions	571	
EDD	14	(Employment Development Department cases, only filed in Sacramento Superior Court)
Complex	1,921	(Courts cannot count complex cases as "filings" so to arrive at a filings proxy, we use fee data from Finance to estimate the number of complex cases)

Attachment 2. Judicial Officer Study Caseweights

2018 Judicial Workload Study Update - Caseweights and Standards

Work Year Value	77,400
3-Year Average Filings	FY2015, FY2016, FY2017

Case Type	2018 Caseweights²
	<i>minutes per filing</i>
<i>Criminal</i>	
Felony	204
Misdemeanor - Traffic	15
Misdemeanor - Non-Traffic	45
Infractions	1.3
<i>Civil</i>	
Complex	707
Asbestos	553
Unlimited Civil	115
Limited Civil (without UD)	15
Limited Civil - Unlawful Detainer	13
Small Claims	20
<i>Family Law</i>	
Family Law - Dissolution	85
Family Law - Parentage	127
Family Law - Child Support	43
Family Law - Domestic Violence	56
Family Law - Other Petitions	133
<i>Juvenile</i>	
Juvenile Dependency	199
Juvenile Delinquency	149
<i>Probate and Mental Health</i>	
Probate - Other	79
Conservatorship/Guardianship	119
Mental Health	46
EDD	0.4

Attachment 3. RAS Components

Resource Assessment Study (RAS) Model Components to Calculate Staff Need

Component	Details
Average filings	Three-year average filings in each RAS case type based on the last three fiscal years' data available from JBSIS.
Caseweights	Use most recent RAS Model update
Staff year value	98,550 minutes (1642.5 hours)
Court reporter need (FTE)	For most courts, court reporter need is calculated by multiplying assessed judicial need in each mandated case type by a factor of 1.25 (Felony, Misdemeanor, Conservatorship & Guardianship, and Mental Health). For the 15 courts mandated to use court reporters in all case types (except Infractions), the same multiplication factor is used across all case types. ¹
Manager/supervisor ratios	Ratios are based on existing staffing patterns in the courts as reported in the last three years' available Schedule 7A data. The ratio of staff to managers/supervisors is calculated for each court and each year. The cluster ratio is then calculated by taking the median of observed ratios in each cluster.

Cluster	2016 Updated Ratio
1	7.5
2	7.8
3	8.6
4	11.4

Administrative staff (Program 90) ratios	Ratios are based on existing staffing patterns in the courts as reported in the last three years' available Schedule 7A data. The ratio of staff and managers to support staff is calculated for each court and each year. The cluster ratio is then calculated by taking the median of observed ratios in each cluster.
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Cluster	2016 Updated Ratio
1	4.3
2	5.9
3	7.6
4	7.6

¹ Those courts are: Butte, Contra Costa, El Dorado, Lake, Madera, Mendocino, Merced, Monterey, Nevada, Shasta, Solano, Stanislaus, Tehama, Tulare, and Tuolumne.

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Business Management Services
Report to the Workload Assessment Advisory Committee

(Action Item)

Title: Superior Court of Monterey Adjustment Request Proposal

Date: 2/14/2020

Contact: Nicholas Armstrong, Senior Research Analyst
415-865-7829 | Nicholas.Armstrong@jud.ca.gov

Issue

The Superior Court of Monterey County submitted an Adjustment Request regarding the influence of language access services on case processing workload. The court specifically requests the workload models be adjusted to account for the varying need of language access services and the increased impact these services have on case processing workload.

Background

Language Access and Expanded Service in California

In California, the most diverse state in the country, over 200 languages are spoken and approximately 44 percent of households speak a language other than English. Nearly 7 million (19%) Californians report speaking English “less than very well”.¹

In January 2015, Evidence Code section 756 became law (clarifying that courts should provide interpreters in civil matters).² This expanded the case types in which the courts can and should provide interpreters to limited-English-proficient (LEP) parties to include civil cases. Prior to this, the law authorized or required the expenditure of court funds for in-courtroom interpreters only in certain civil case matters involving domestic violence, ancillary family law matters, and elder or dependent adult abuse protective orders. Section 756 prioritizes case types in the event that a court has insufficient resources to provide interpreters in all civil case types. Over the past three and a half years, the California courts have made significant progress to provide interpreters in civil case types following the priority order dictated by statute.

Although the need and demand for language access services is growing statewide, the demands for these services may differ from county to county. Therefore, workload may be impacted differently from county to county.

¹ <https://www.courts.ca.gov/languageaccess.htm>

² https://www.courts.ca.gov/documents/CLASP_report_060514.pdf

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Analysis

Workload Measurement Policies

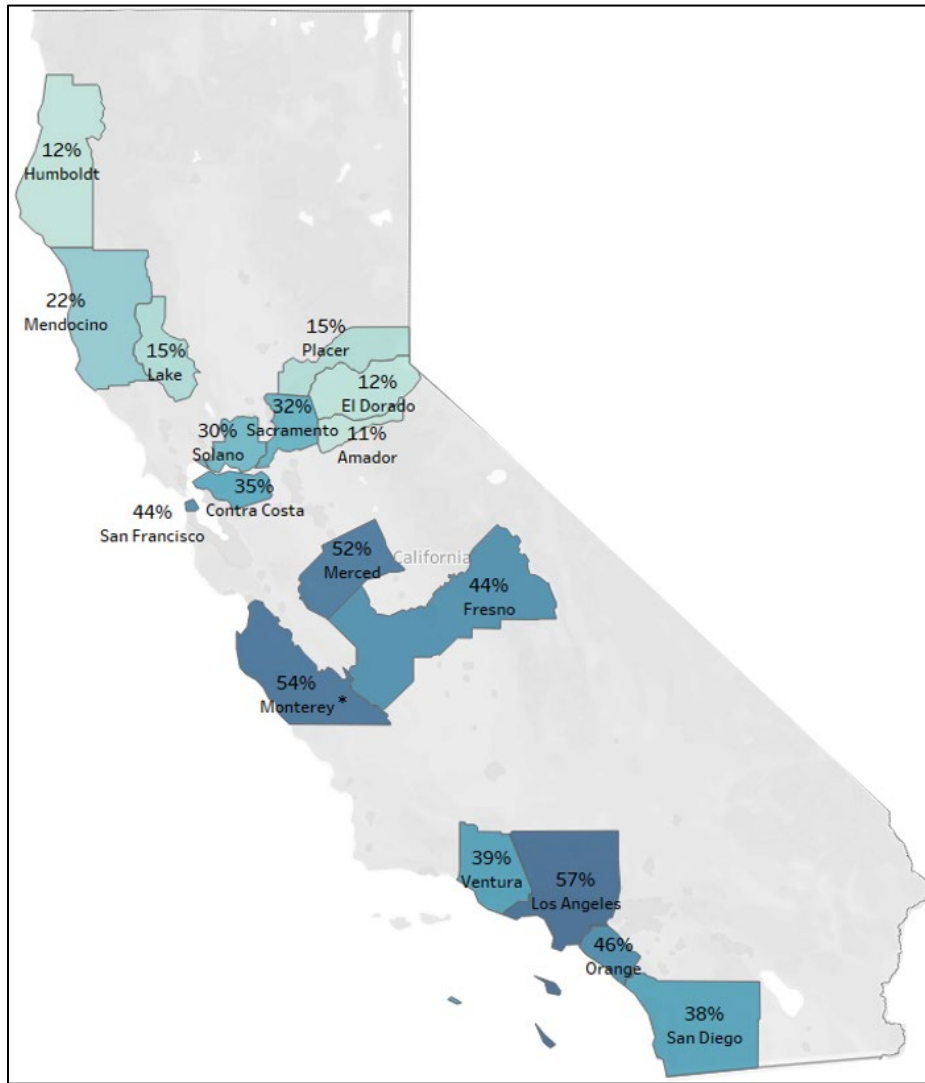
The Workload Formula is based on the Resource Assessment Study (RAS) model. The RAS model estimates the need for nonjudicial trial court staff by developing caseweights based on a time study that measures the amount of time needed to process a case from filing through post disposition. The caseweights are applied to three-year average of filings for 22 different case types. The different casetypes are then divided by the average work year to determine the number of full-time equivalents (FTE) needed for each court's workload. This provides an estimated FTE need for case processing staff.

The RAS model is updated periodically to capture changes in workload and other factors that may impact need, such as changes in interpreter workload. The next update will be conducted in approximately FY 2021-22. The model updates involve participants from a diverse and representative sample of trial courts across the state and captures courts with differing levels of language access services. However, a caseweight is an average and is uniformly applied to all courts statewide regardless of the level of language access services used in a county.

Fifteen courts comprised the representative sample during the 2016 RAS model update. Utilizing Census Bureau data (shown in figure 1 on the next page) 10 of the 15 counties sampled have more than 30 percent of the population reporting that a language other than English is spoken at home. Two sampled counties reported over 50 percent. Monterey, the requesting court, reported approximately 54 percent. Of the RAS sample courts, only Los Angeles was higher at 57 percent. Although this is a proxy for and not a direct measure of language access use, it demonstrates the relative need for interpreters in the California trial courts and its representation in the RAS model caseweights.

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Figure 1. 2016 RAS Model Update Participating Counties and Proportion of Population Reporting a Language Other Than English Spoken at Home



*Not in RAS sample

Monterey Data Set

To test the hypothesis that cases with court interpreters require more court staff work minutes on average, JCC staff requested a data file of all criminal cases (felony and misdemeanor) disposed of in 2018. Data elements in the file included all hearings held associated with each case, whether a court interpreter was present, hearing dates, criminal case type, and disposition data. The data generally supported the claim that cases requiring an interpreter involve more staff

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work. More explicitly, there was a statistically significant³ difference in the number of hearings between cases with an interpreter compared to cases without an interpreter (see table 1). On average, there were 6.3 hearings for cases with an interpreter present (at least at one hearing) compared to an average of 5.4 hearings for cases with no interpreter present. This effect was more pronounced in felony cases with an average of 10.6 hearings for cases with an interpreter compared to an average of 8.2 hearings for cases without an interpreter. It is less pronounced, yet still statistically significant, for misdemeanor cases with 5.4 hearings on average for cases requiring an interpreter compared to 4.8 hearings on average for cases without an interpreter.

Table 1. Comparing Average Number of Hearings and Language Access Services Status

Language Access Status	Average Number of Hearings		
	Felony and Misdemeanor*	Felony Only*	Misdemeanor Only*
No Interpreter Present	5.4 (8,903 cases)	8.2 (1,543 cases)	4.8 (7,360 cases)
Interpreter Present (At Least One Hearing)	6.3 (2,184 cases)	10.6 (384 cases)	5.4 (1,800 cases)

*Statistically Significant

Another data point compared was case length in days, measured from the first to last hearing date (see table 2). For felony and misdemeanor cases combined, there was no statistically significant difference in case length between cases with an interpreter to those without an interpreter. Cases with an interpreter had an average length of 221 days, while cases without were 208. However, the average length for felony cases alone was statistically significant. Felony cases with an interpreter present for at least one hearing had an average length of 318 days, while it was only 216 for ones without an interpreter. There was no statistically significant difference in length for misdemeanor cases.

Table 2. Comparing Average Case Length (In Days) and Language Access Services Status⁴

Language Access Status	Average Length of Case (Days)		
	Felony and Misdemeanor	Felony Only*	Misdemeanor Only
No Interpreter Present	208 (8,850 cases)	216 (1,506 cases)	208 (7,344 cases)
Interpreter Present (At Least One Hearing)	221 (2,181 cases)	318 (381 cases)	191 (1,800 cases)

*Statistically Significant

These data findings generally support the claim criminal cases with interpreters require more work than cases without interpreters. However, the impact was more pronounced in felony compared to misdemeanor cases. Misdemeanor cases had only a minor difference in the average number of hearings, and they did not take longer in terms of days from first to last hearing. Because this data set only included criminal cases, it is unknown if this effect is demonstrated across the variety of non-criminal cases as well. Also, this dataset only contains information

³All statistical tests were T tests by group means comparisons. Statistically significance set at p<.05

⁴ Some cases had invalid or missing dates and were not included in analysis

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from one court. A more complete picture of the effect of interpretations on general court workload is needed before making any changes to the model on this basis.

Summary

The RAS model is a model of averages. The caseweights encompass the full range of case processing activities and reflect the average time per case, including cases involving court interpreters. As shown in the map (figure 1), the most recent RAS model update included courts that encompass a range of estimated interpreter use (based on population statistics). Therefore, the current set of caseweights reflect that workload. However, the model does not currently distinguish between courts with a high level of interpreter use and those with less. As we prepare to conduct the next RAS Model update (~2020-21), it may be worth exploring if differentiating workload based on interpreter use is appropriate to incorporate in the RAS model and, if so, to then determine if data is available to do so.

Recommendation

1. The committee should direct staff to continue to include a representative sample of courts that includes courts with all levels of language service workload in the next RAS Model update, scheduled for approximately 2021-22.
2. The committee should direct staff to explore ways to address the varying degrees to which language service workload differs from court to court and how the RAS model can address those difference in the next RAS Model update, scheduled for approximately 2021-22.



SUPERIOR COURT OF CALIFORNIA
COUNTY OF MONTEREY

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www.monterey.courts.ca.gov

LYDIA M. VILLARREAL
Presiding Judge
2018 - 2020

JULIE R. CULVER
Asst. Presiding Judge

CHRIS RUHL
Court Executive Officer

January 15, 2019

Martin Hoshino
Administrative Director
Judicial Council of California

Via Email

RE: WAFM Adjustment Request – Monterey Superior Court

Dear Mr. Hoshino:

Pursuant to the December 3, 2018 email to Presiding Judges and Court Executive Officers from Leah Rose-Goodwin, please accept this letter as the Monterey County Superior Court's request for a Workload-based Allocation and Funding Methodology (WAFM) Adjustment.

As you will see below, this is not so much a request for specific funding. It is more a request that would likely impact all courts in assessing trial court judicial and staff resource needs for purposes of calculating courts' Assessed Judicial Need (AJN), Resource Assessment Study (RAS) staffing needs, and WAFM share. **In particular, we request that AJN, RAS and WAFM be adjusted to take into account courts' varying degrees of need for language access services and the resultant impact on case processing workload.**

One of the benefits of working for more than one trial court in different areas of the state is that one gets to see the impact that economics, demographics, etc. have on court operations.

Since coming to Monterey from Mendocino, I have been struck by the high needs for language access in this Court. That is not surprising, as the population of Monterey County is nearly 60% Latino/a. In addition, with the very large percentage of migrant and immigrant agricultural workers (Monterey also has the highest percentage of non-citizens of any county in the state), we are seeing greater and greater need not only for Spanish language access services, but also for an increasing number of indigenous Mexican or Central American languages. More than 54% of this county's population speaks a language other than English, according to recent census data: <https://www.census.gov/quickfacts/fact/table/montereycountycalifornia/RHI725217>

I see all of this playing out in very concrete ways in our courtrooms. Cases requiring an interpreter (or interpreters) take longer to process – especially in the courtroom – thus requiring both more judicial time and more staff time than cases that do not involve interpreters. And that additional time is further magnified in cases involving speakers of indigenous Mexican or Central American languages, which often require use of a Spanish “relay” interpreter in addition to an interpreter in the indigenous language.¹

All of that is to say – I am seeing that in a county and court like Monterey, with such a relatively high need for interpreters and language access, there appears to be more judicial and staff time needed to process cases than in counties and courts without, or with substantially less, such need.

I decided to inquire with JCC’s Office of Court Research (OCR) about this. Specifically I asked whether either the Judicial Needs Assessment or RAS take this practical consideration into account in any way in assessing either judicial or staff need in the trial courts.

OCR indicated that this consideration is not captured very well in either the RAS or Judicial Workload models. Although their workload studies do capture time spent on cases requiring interpreter services, that case processing time is only used to calculate the average case processing time, or caseweight, for a given case type. That caseweight is then applied statewide; so there is no differentiation between courts with potentially greater workloads due to a higher percentage of cases requiring interpreter services, and those with more linguistically homogeneous populations.

Of course, there is a nexus between this and the related need to create a sustainable and adequate funding stream for Language Access services, and in particular for interpreter services. But this request deals specifically with the impact of language access needs on judicial and non-interpreter court staff resources.

We also understand there would be a need for more detailed data on how the workload and processing time for interpreter cases is different than for non-interpreter cases. Perhaps this is something that could be included in the current initiatives concerning Data Analytics, to help create an analytical framework for assessing the impact that language access needs have on the workload of all California trial courts.

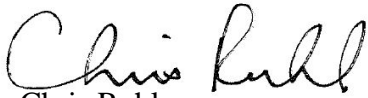
I have not yet asked court staff here in Monterey to quantify exactly how many of our cases require an interpreter (including indigenous languages that require an additional, relay interpreter). But if that would help inform your consideration of this request for purposes of either AJN or RAS/WAFM, we would certainly do so.

¹ Another unique but significant operational/workload impact when looking for interpreters for Mexican or Central American indigenous languages is the time it takes *just to determine which language is needed*. For example, if we are told that a litigant needs a Triqui interpreter, we will find an interpreter who speaks Triqui. Often we find that we have brought in an interpreter who speaks a different kind of Triqui. (The analogy that has been given to us is: If we were told a party needs a romance language, we would not know which romance language. If we guess French and the party speaks Spanish, we still have no communication.) So we then need to look for a new interpreter. We have found we need to look for an interpreter from the party’s particular home region or community in Mexico or Central America. We are often looking for a needle in a haystack. It is especially daunting when the interpreter is needed in a criminal case in which a party has a right to a speedy trial.

And of course, we would be happy to respond to any questions or provide any other additional information to likewise help inform your consideration of this request.

Thank you and the Trial Court Budget Advisory Committee (TCBAC) for the opportunity to submit this WAFM Adjustment Request.

Sincerely,

A handwritten signature in black ink that reads "Chris Ruhl". The signature is written in a cursive, flowing style.

Chris Ruhl
Executive Officer
Superior Court of California, County of Monterey
240 Church Street
Salinas, CA 93901

(831) 775-5678

CC: Trial Court Budget Advisory Committee

(Action Item)

Title: Superior Court of El Dorado Workload Formula Adjustment Request
Date: 2/11/2020
Contact: Nicholas Armstrong, Senior Research Analyst
415-865-7829 | Nicholas.Armstrong@jud.ca.gov

Issue

The Superior Court of El Dorado submitted an Adjustment Request seeking an adjustment to the Workload Formula that was initially referred to the Funding Methodology Subcommittee (FMS). The request seeks to address the additional workload needs of small courts with multiple locations. The court states that the Workload Formula does not provide sufficient funding for small courts operating multiple locations.

After analysis and review, FMS recommended denying the request, but recommended that the request be referred to the Workload Assessment Advisory Committee (WAAC) to assess if the Resource Assessment Study (RAS) model would be a more appropriate place to review and address the court's request.

Background

Previous Requests for Changes in the Workload Formula Based on Location

In early 2014, TCBAC previously reviewed a request for a change to the Workload Formula based on geography and operation of multiple locations where 25% or more of the population were served by an outlying location. A working group of FMS was formed to evaluate the request, submitted by the Superior Court of Mendocino County, and determine whether an adjustment was to be made. Ultimately, the group recommended that the request be denied. The basis for denial was that the Workload Formula and underlying Resource Assessment Study model properly identified the funding need based on workload but that it was the lack of full funding and not an omission in the workload model that made it difficult for the court to support a branch location. The committee denied the request for the adjustment, acknowledging instead that lack of full funding was an access to justice issue that fell outside the scope of the Adjustment Request Process and the purview of the committee.

Funding Methodology Subcommittee Review and Recommendation

At its June 17, 2019 meeting, FMS directed staff to review the request and confirm whether there had been any changes in council policy or circumstances that would warrant a new perspective on this issue.

FMS reviewed the request at its October 8, 2019 meeting ([Attachment A](#)). During the meeting, the need for many courts, both small and large, to serve more than one population concentration was discussed at length. The issues discussed included:

- Counties that may have a low overall population but have jurisdiction over a large geographic area.
- Courts that have “inherited” a certain number of locations to operate not based on geographic or population factors.
- Facilities partly based on historical use patterns, often holdovers from before trial court unification

Although these factors were discussed, the committee acknowledged that the Workload Formula does not use the number of locations as a factor in making allocation decisions. Also, one of the primary Workload Formula principles is that courts should locally determine how best to allocate funding. FMS denied the request by referred the request to WAAC.

FMS focused on the “span of control” in court management as a possible feasible way to address this issue, referring to the need of a supervisor or manager at each location. Therefore, the underlying RAS model was thought to be a place for potential adjustment and the request was referred to WAAC as the committee that oversees RAS.

Relevant Branch Policies

Judicial Branch Facilities Policy

California Rules of Court, Rule 10.182 addresses the operation and maintenance of court facilities, but purely from a physical plant perspective and not in terms of the operation needs of a court. While the Judicial Council’s policy on evaluating and prioritizing trial court capital-outlay projects is extensive, presently, there is no policy dictating the number or specific location of courthouses within a county. For newly-funded trial court capital-outlay projects, potential requested sites would be evaluated in terms of proximity to population centers, transportation routes, etc. in accordance with the Judicial Council’s *Site Selection and Acquisition Policy for Judicial Branch Facilities* (see Attachment B)

Analysis

Current Workload Measurement Policies

The Workload Formula is based on the Resource Assessment Study (RAS) model that is driven by a courts 3-year average total filings. Filings are multiplied by caseweights for 22 different casetypes and then divided by the average work year to determine the number of full-time

equivalents (FTE) needed for each court's workload. This provides an estimated need for case processing staff (Program 10). These case processing FTE estimates are multiplied by ratios to determine managers/supervisors and administration staff FTE estimates. The supervisors/managers and administration staff ratios are derived from reported data in the Schedule 7A, based on court size, expressed as clusters.

The RAS model does not factor in the number of locations that a court operates. Further, the number of court locations is considered a local decision, with courts determining how best to allocate its resources. The number of court locations has changed over time and during the most recent recession, many courts closed locations, trimmed hours and days of operation, or closed courtrooms. Some courts have reopened locations following years of new funding for the branch whereas other courts have kept those locations closed. Court locations and hours of operation are posted on court websites, but there is not a centralized, up to date database of court location information. Based on available facilities information, we estimate that there are 12 small courts (cluster one and two) with multiple locations that are more than 25 miles apart, out of a total 37 cluster one and two courts.

The adjustment request specifically mentioned the issue as related to small courts. However, in recent FMS and TCBAC meetings, it was mentioned that large courts may also be impacted by the costs of operating multiple locations. It should be noted that there are several adjustments to the RAS model that are based on court size and that are designed to account for the lack of economy of scale in the smallest courts. In general, there are 4 small court adjustments in the RAS model. These adjustments are generally referred to as small court adjustments because the adjustments generally benefit the small courts. However, each individual adjustment impacts each cluster—and courts within the cluster—differently. The adjustments include: Rounding FTE need to whole numbers, cluster-based manager/supervisor ratio, cluster-based Program 90 ratio, and separate infractions case weights.

The manager-supervisor ratio somewhat accounts for differences in economies of scale due to the size of a court. Smaller courts have a lower ratio (1 manager/supervisor for every 7.40 staff) compared to larger courts, whose ratio is higher (1:11.40). The Program 90 calculation has a similar adjustment based on court size.

While the RAS model does not currently account for location, the ARP raises a compelling point, which is that courts have often "inherited" a number of locations to operate and closing or consolidating locations will reduce access to justice to court users. However, having an adjustment factor based on location that is solely based on the number of existing locations absent any specific criteria could be difficult to justify.

Recommendation

Based on the current RAS model policies and absent specific criteria to establish and maintain locational needs, the request should be denied.

Attachments

Attachment A <https://www.courts.ca.gov/documents/tcbac-20191008-fms-materials.pdf>

Attachment B. [www.courts.ca.gov/documents/site selection acquisition policy.pdf](http://www.courts.ca.gov/documents/site_selection_acquisition_policy.pdf)



SUPERIOR COURT OF CALIFORNIA COUNTY OF EL DORADO

2850 Fairlane Court Suite 110
Placerville, California 95667

The Superior Court of California, County of El Dorado respectfully submits the following WAFM Adjustment Request as the required resources to operate multiple location courts – specifically small courts with multiple locations – is not factored into the WAFM model at this time.

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

Courts with multiple locations, especially small courts, are not considered in the model for funding distribution. WAFM allocations follow filing trends, failing to take into consideration the minimum staffing level and resources required in each location simply to maintain an acceptable level of continuity of operations at each location. Multiple locations results in duplicative staffing and increased expenses that would not otherwise be incurred for a single-site court.

This Court is requesting that WAFM be modified to take into consideration the additional resources required to keep small, multi-location courts operating at the expected standard and level of efficiency required by the Judicial Branch, and its own mission statement.

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

Our Court is spread out over 5 locations and 80 miles, with one courthouse located in South Lake Tahoe. Travel is often impacted in the winter and spring due to unpredictable weather and mountain conditions. The budget is insufficient to allow full time public access to justice due to the increased consumption of resources necessary to operate multiple court locations.

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

Due to WAFM underfunding in prior years, this Court has been reliant on court fees to help fund operational expenses. The significant decline in court fees collected has made the need for a WAFM adjustment even more critical. If our Court was in one centralized location, we would be able to fund sufficient staffing levels, due to substantial reductions in duplicative operational costs and staffing requirements. However, since we have multiple locations, we have had to fund greater operational costs, and stretch staffing over those locations.

WAFM funding adjusts pursuant to filing trends, recalculating the court's share on an annual basis. Consideration of multiple locations as a factor in determining "baseline resources," i.e. complement of staffing, necessary for court locations to remain able to serve the public at a standard level of operating should be part of the determining factor in WAFM allocations. Each Court location require minimum staffing levels beyond just clerical; administrative and support

positions are also be required. For example, our South Lake Tahoe branch is so far removed from other court locations, it requires its own operations manager, a minimum of administrative staff and court reporters, its own lead clerk, as well as clerical staff, simply to maintain operations.

Each location is at its minimum staffing level to function, with reduced public access. We are constantly moving staff – court reporters, clerks, IT staff – between locations to cover for absences due to illness, vacation, training, etc. These transfers raise an issue of liability and actual cost of unproductive driving time, which could be 15 minutes to an hour and a half, depending on locations. Orchestrating these scheduling moves takes a lot of administrative time as well as the aforementioned non-productive driving time, a resource that would be better spent if we had adequate funding to provide adequate staffing levels.

Each location requires duplicate services, such as IT support and equipment; court reporters; interpreters; operational equipment, often with contracts (copiers, postage meters, security equipment); increased vendor expenses due to the South Lake Tahoe location; and, services that would otherwise not be needed at all, such as a courier.

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

This issue is not unique to our court; in fact all small courts with multiple locations are at a disadvantage with the current model. Small fluctuations in funding to small courts have a direct impact on access to justice for residents in those courts’ counties. This Court has had fewer filings and therefore we receive a smaller allocation than larger courts, but are still required to maintain full time operations in 5 locations.

5. Detailed description of staffing need(s) and/or costs required to support the factor that is unaccounted for by WAFM.

Duplicative expenses are required to maintain 5 court locations. El Dorado Court has had to reduce staffing well below WAFM need to fund operations:

Fiscal Year	WAFM Need	Actual Filled FTE Q4
FY 16/17	82	75.30
FY 17/18	76	71.00
FY18/19	74	69.80 (as of 12/31/18)

Due to its distant location, our South Lake Tahoe court requires 1 Court Operations Manager (\$117,031 average annual salary & benefits per FTE), 1 Child Custody Recommending Counselor (\$130,114), and 1 Lead Clerk (\$91,020), as well as sufficient clerks to provide basic services and support. The total cost for these 3 duplicative positions at one location alone is \$338,165.

Examples of duplicative operational expenses at each location are:

Description	Average/ location	# of locations	Annual expense
Janitorial	\$17,000.00	5	\$ 85,000.00
Postage Meter Lease	1,500.00	4	6,000.00
Copiers	2,500.00	5	12,500.00
Security Equip. Registration	512.00	5	2,560.00
Security Equip. Maintenance (for years not reimbursed by JCC – between replacements)	3,000.00	5	15,000.00
Sonitrol Building Security	3,840.00	5	19,200.00
Shredding services	750.00	5	3,750.00
Data Circuits for interconnecting court facilities	7609.00	4	30,437.00
Servers for each location (avg. every 5 years, <i>annual</i> average/amount stated here)	1,080.00	3	3,240.00
Annual remote server support contract	600.00	3	1,800.00
TOTAL	\$38,391.00		\$179,397.00

Contract court reporter and interpreter expenses are increased for multiple locations. Time could be more efficiently used in a single location, instead of hiring for multiple locations, and not being able to fully utilize the contractor for the entire day or half day.

Other annual operational costs would not be needed at all, such as:

Description	Annual Cost
Courier between courts	\$21,250.00
Fedex between SLT & West Slope	1,000.00
Travel Expense between courts	4,000.00
TOTAL	\$26,250.00

A centralized location is able to operate at a significantly reduced cost.

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

El Dorado has closed its clerk's offices at 3 pm to the public; the phones turn off at 1 pm. Due to inadequate staffing levels, we have been forced to close non-priority divisions (civil, family law) from time to time to keep our mandated dockets covered (criminal and juvenile). Predicting when these one-day or temporary closures will occur is impossible, as it depends on unknown and uncontrollable events such as illness or accident caused vacancies. Not only is access to justice denied, the public is further inconvenienced by not knowing they cannot conduct their business until they arrive to a closed door. We recently had to shut down our mandated small claims night court program, resulting in even longer waits for litigants to get their day in court.

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

As our facilities must remain operational, without an increase in funding the Court's only recourse is to further reduce staffing, to utilize salary savings to meet operational expenses. This has a direct negative impact on access to justice. The goal and our mission statement has always been to improve services and increase access to justice for the public. Instead we are holding vacant FTE positions to utilize salary savings for operating costs.

- Shutdown of mandated programs, such as small claims night court
- Even longer wait times to get a court date
- Continued long wait for Court Recommended Counseling appointments
- Continued reduction in accessibility at all courthouse locations to court clerks (currently close at 3 pm each day, may need even shorter days)
- Continued reduction in accessibility to telephonic assistance (phones shut off at 1 pm)
- Inability to implement sustain some mandated services such as juvenile mediation services
- Increased occasional court or division closures
- Longer wait times for customer service, due to decreased staffing levels and open hours
- Difficulty maintaining certain grant related programs due to inability to fund matching requirements

8. Any additional information requested by the JCC Budget Services, Funding Methodology Subcommittee, and/or TCBAC deemed necessary to fully evaluate the request.



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE
FUNDING METHODOLOGY SUBCOMMITTEE

MATERIALS FOR OCTOBER 8, 2019

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(Action Item)

Title: Workload Formula Adjustment Request: El Dorado Superior Court
Date: 9/25/2019
Contact: Leah Rose-Goodwin, Manager
415-865-7708 | leah.rose-goodwin@jud.ca.gov

Issue

The Superior Court of El Dorado submitted an Adjustment Request to ask that the Workload Formula be adjusted to account for operating multiple locations. The court states that the model currently does not provide sufficient funding for operating multiple locations, particularly in smaller courts, in order to maintain “the expected standard and level of efficiency required by the Judicial Branch, and its own mission statement.”

This proposal was referred to the Funding Methodology Subcommittee for inclusion in its workplan for the current year. The Adjustment Request Policy states that FMS should provide its recommendation to TCBAC by January of the year in which the request may take effect.

Background

In early 2014, TCBAC previously reviewed a request for a change to the Workload Formula based on geography and operation of multiple locations where 25% or more of the population were served by an outlying location. A working group of FMS was formed to evaluate the request, submitted by the Superior Court of Mendocino County, and determine whether an adjustment was to be made. Ultimately, the group recommended that the request be denied. The basis for denial was that the Workload Formula and underlying Resource Assessment Study model properly identified the funding need based on workload but that it was the lack of full funding and not an omission in the workload model that made it difficult for the court to support a branch location. The committee denied the request for the adjustment, acknowledging instead that lack of full funding was an access to justice issue that fell outside the scope of the Adjustment Request Process and the purview of the committee.

At its June 17, 2019 meeting, FMS acknowledged receipt of the Adjustment Request from the El Dorado Superior Court and directed staff to review the request and confirm whether there had been any changes in council policy or circumstances that would warrant a new perspective on this issue.

Analysis

The following factors were considered in reviewing this request:

Workload Measurement Policies

Staff Need Based on Courtwide Workload. The Workload Formula is based on the Resource Assessment Study (RAS) model that is driven by a court's average total filings. Filings are multiplied by caseweights for 22 different casetypes and then divided by the average work year to determine the number of full-time equivalents needed for the court's workload. These estimates are multiplied by ratios to determine the number of managers/supervisors and administrative staff needed. The ratios are based on average staffing ratios derived from data in the Schedule 7A, based on court size.

The model currently does not provide a basic level of staffing based on court location. An earlier analysis of court locations relative to workload, conducted in 2004 when the RAS model was first adopted, found that courts that operated multiple facilities varied in how outlying locations were used: outlying locations could be open fewer days per week or hours per day relative to the primary location; and outlying locations differed in the types of matters that they handled depending on the type of facility, local needs, or available resources. This variation was difficult to quantify in the workload model because either the underlying data needed are not currently collected by the Judicial Council or the time required to collect the data was too burdensome. It should be noted that the RAS model does factor in staff travel time between locations for courts that operate out of multiple sites.

Formula Adjustments That Account for Workload Need in Smaller Courts. The RAS model does make some adjustments that benefit primarily the smaller courts; these adjustments are intended to balance out some of the inefficiencies and lack of economies of scale that smaller courts and courts with multiple locations are facing. For example, staff FTE estimates are rounded up to the nearest whole value, so that a court with a need for 19.1 staff will get a workload need of 20. Other adjustments include a larger infractions caseweight and lower manager/supervisor and Program 90 ratios.

On the Workload Formula side, there are adjustments made for salary costs in smaller courts and to Operating Expenses and Equipment costs. Additionally, FMS is separately reviewing both OE&E expenditures and the effect of the formula on the cluster two courts (El Dorado is part of cluster two.) While the subcommittee has not reviewed those recommendations yet, the purpose of those analyses is to make sure that the Workload Formula is not disadvantaging smaller courts for many of the same reasons expressed in the Adjustment Request.

Allocation of Resources as a Local Decision. The Workload Formula is not designed to be a staffing model; instead, workload need, expressed as FTE, is converted to dollars that courts can deploy in the manner that they choose. The model does not use the number of locations as a factor in making allocation decisions. One of the primary Workload Formula principles is that courts should locally determine how best to allocate funding.

Court Construction and Facilities Policies

Staff from the Judicial Council court construction and facilities policies were consulted to determine whether there had been any policy development in recent years regarding locations that courts should operate. The Site Selection and Acquisition Policies for Court Facilities (August 2009) and Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects (August 2019) were consulted. The scoring criteria utilized in the latter document assigns points for projects that realize cost avoidance or savings through operational or organizational efficiencies. Points are also assigned for “access to court services” which is defined as a court’s proportion of authorized judicial resources compared to assessed judicial need. Neither policy incorporates criteria for geographical considerations, including locations of population centers and then like.

California Rules of Court, Rule 10.182 addresses the operation and maintenance of court facilities, but purely from a physical plant perspective and not in terms of the operational needs of a court.

There do not appear to be any rules or standards regarding the criteria for siting or maintaining a particular court location or specific number of locations, such as proximity to population centers and transportation routes, the number and type of matters that should be transacted at an outlying location, and the like. The existence of many court facilities seems to be partly based on historical use patterns, often holdovers from the era before trial court unification when there were two tiers in the lower court system.

Recommendation

Based on the research conducted by staff, it is recommended that FMS deny the request.



Site Selection and Acquisition Policy for Judicial Branch Facilities

AUGUST 14, 2009



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

1. Goals and Principles Guiding Site Selection and Acquisition

Successful implementation of the trial and appellate court capital outlay program is grounded in the following goals and principles to be applied to each capital outlay project in the context of selecting a site for a new court facility:

- 1.1. Strive to maximize the efficiency of each dollar appropriated by making timely decisions.
- 1.2. The scope of the project shall not be reduced, which would jeopardize the quality and functionality of the building.
- 1.3. Projects should be sited in areas that are accessible to the public.
- 1.4. As long as the three goals and principles (stated above) are met, siting a new courthouse should strive to meet historical and local preferences.
- 1.5. The AOC will work in partnership with the court(s) to implement this policy.

2. Definitions

- 2.1. Acquisition: Purchase or conveyance of land and/or building for court facilities.
- 2.2. Contaminated Sites: Sites that are directly or indirectly polluted.
- 2.3. Controversial Sites: Sites or matters related to site selection and/or acquisition for new court facilities, which include unresolved issues or disputes about criteria, cost, location, potential environmental impacts or any other feature of a specific site or sites, which are raised by members of the staff of the AOC, the Project Advisory Group, the court or courts involved in the project, the local or regional jurisdictions, the public or private business entities.
- 2.4. Court Facilities: Buildings or other structures used for court operations or functions, including grounds appurtenant and/or parking.
- 2.5. Eminent Domain: The right of government to take private property for public purpose. Eminent domain is governed by California Code of Civil Procedure, sections 1230.010 et seq.
- 2.6. Lease: Term-based transaction with third party for land, buildings and/or parking for court facilities.
- 2.7. Priority Criteria: Those project, technical, or economic criteria that must be met to support a project that meets the goals and principles of site selection and acquisition articulated in Section 3. Decision Making Authority. (See section 9.1.)
- 2.8. Site Selection: The process of establishing appropriate criteria, potential locations, and evaluation of options for locating for new court facilities.
- 2.9. State Public Works Board (SPWB): Under the Trial Court Facilities Act of 2002 (SB1732-Dunn), Section 70304 (b), acquisition and construction of court facilities is subject to the Property Acquisition Law, Government Code Section 15850 et seq. Under that statute, site acquisitions are subject to approval by the SPWB. The SPWB was

created by the California Legislature to oversee the fiscal matters associated with construction of projects for state agencies, and to select and acquire real property for state facilities and programs.

3. Decision Making Authority – Role of the Administrative Director of the Courts

- 3.1. Whenever a capital project for a Judicial Branch facility is funded in the State Budget for site selection and acquisition, the Administrative Director of the Courts (ADOC) or his or her designee will, upon recommendation by staff of the Administrative Office of the Courts (AOC):
 - 3.1.1. Have the authority to establish criteria for selection of sites for specific projects;
 - 3.1.2. Approve sole source justification of any specific site;
 - 3.1.3. Have the authority to approve selection of sites prior to submittal to the SPWB;
 - 3.1.4. Have the authority to approve negotiated terms of acquisition prior to submittal to the SPWB;
 - 3.1.5. Have the authority to acquire court facility sites and to execute required documentation to acquire those sites without further Judicial Council approval; and
 - 3.1.6. Refer to the Judicial Council the approval decision for the selection and acquisition of those recommended sites that the Administrative Director of the Courts, in his or her discretion, with input from the AOC staff, determines are controversial, as that term is defined in Section 2 or as otherwise required or deemed appropriate by the Administrative Director of the Courts, or by the Executive and Planning Committee of the Judicial Council.¹

4. Role of the Project Advisory Group (PAG) in Site Evaluation and Selection

- 4.1. The PAG is established by California Rules of Court, rule 10.184(d).²
- 4.2. The AOC Project Manager chairs the PAG.
- 4.3. For new Judicial Branch facilities, the PAG will provide input to the AOC. Input may include participating in: (a) defining objective and consistent site selection criteria; (b) determining which sites should be evaluated prior to site selection; and (c) determining the preferred and alternative site or sites or sites to be submitted to the SPWB. In every case the ADOC shall make the final site selection, except for those site selection decisions referred to the Judicial Council in section 3.1.6 above.

¹ California Rules of Court, rule 10.11 outlines responsibilities of Executive and Planning Committee:

² California Rules of Court, rule 10.184(d): “Advisory group for construction projects: The Administrative Office of the Courts, in consultation with the leadership of the affected court, must establish and work with an advisory group for each court construction or major renovation project. The advisory group consists of court judicial officers, other court personnel, and others affected by the court facility. The advisory group must work with the Administrative Office of the Courts on issues involved in the construction and renovation, from the selection of a space programmer and architect through occupancy of the facility.”

- 4.4. The Presiding Judge or a designated sitting judge shall represent the Court and other non-AOC members of the Project Advisory Group and will sign off on the site selection criteria and recommended site presented to the Administrative Director of the Courts.

5. Evaluation and Selection of Site Types

This section identifies the characteristics of sites, and the conditions under which such sites may or may not be selected for new Judicial Branch facilities.

- 5.1. Conditions and Characteristics of Sites to be Evaluated and Selected. This section identifies the conditions under which certain types of sites shall be evaluated and selected as prospective sites for new judicial branch facilities. Each of these site types will have certain merits and some site types introduce potential risks, schedule delays, or associated higher costs to the project. In developing the conditions under which each site type may be selected for a new Judicial Branch facility, the Judicial Council's intent is to support the goals and principles articulated in Section 1.
- 5.2. Downtown Site. Downtown sites include sites in densely developed areas of large cities and those compact areas in smaller cities that are locally known as the downtown. They may include civic center areas and other areas of concentrated office, governmental, or institutional uses.

Preference may be given to siting a new Judicial Branch facility in a downtown area, presuming said site meets other high priority criteria, upon the following:

- 5.2.1. The acquisition can be accomplished within the appropriated site acquisition budget, does not increase the total project budget, and does not result in schedule delays; or
 - 5.2.2. The acquisition results in an increase of no more than 5% to the appropriated site acquisition budget (still requires DOF/PWB augmentation under the current capital outlay system) and does not increase the total project budget (i.e., savings are found in the design and construction of the project to offset increase in the site acquisition costs), and does not delay the project schedule; or
 - 5.2.3. All project cost increases resulting from the acquisition are paid for by other public and/or private entities, including but not limited to cost increases due to infrastructure updates, environmental due diligence, escalation resulting from schedule delays and related costs; and
 - 5.2.4. There are no alternative sites that meet high priority criteria available for the courthouse within the demographic area to be served by the project.
- 5.3. Site Near Jail Facility. Sites near county and city jails are those that are directly adjacent or on the same parcel as an existing jail facility. Preference may be given to siting a new Judicial Branch facility near a jail facility, presuming said site meets other high priority criteria, only if:
 - 5.3.1. The acquisition can be accomplished within the appropriated site acquisition budget, does not increase the total project budget, and does not result in schedule delays; or

- 5.3.2. The acquisition results in an increase of no more than 5% to the appropriated site acquisition budget (still requires DOF/PWB augmentation under the current capital outlay system) and does not increase the total project budget (i.e., savings are found in the design and construction of the project to offset increase in the site acquisition costs), and does not delay the project schedule; or
 - 5.3.3. All project cost increases resulting from the acquisition are paid for by other public and/or private entities, including but not limited to cost increases due to providing unanticipated infrastructure to support the new courthouse and escalation resulting from schedule delays;
 - 5.3.4. The County commits to maintaining primary in-custody housing at the jail site for the anticipated lifecycle of the new courthouse; and
 - 5.3.5. There is adequate public transportation serving the jail and its immediate vicinity.
- 5.4. Greenfield Site. Greenfield sites are sites that are undeveloped and may require the project to fund infrastructure (e.g., roads, electrical, water, sewer) to support the courthouse project. Preference may be given to siting a new Judicial Branch facility on a Greenfield site, presuming said site meets other high priority criteria, only if:
- 5.4.1. The acquisition can be accomplished within the appropriated site acquisition budget, does not increase the total project budget, and does not result in schedule delays; or
 - 5.4.2. The acquisition results in an increase of no more than 5% to the appropriated site acquisition budget (still requires DOF/PWB augmentation under the current capital outlay system) and does not increase the total project budget (i.e., savings are found in the design and construction of the project to offset increase in the site acquisition costs), and does not delay the project schedule; or
 - 5.4.3. All project cost increases resulting from the acquisition are paid for by other public and/or private entities, including but not limited to the cost increases due to providing unanticipated infrastructure to support the new courthouse, site clean-up, and escalation resulting from schedule delays; and
 - 5.4.4. There is adequate public transportation serving the site or within a reasonable proximity.
- 5.5. Conditions and Characteristics of Sites That Will Not Be Selected. State law and sound fiscal policy dictate not siting Judicial Branch facilities on sites with specific conditions. The AOC shall not site new Judicial Branch facilities on sites that meet one or more of the following:
- 5.5.1. Violate the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code sections 2621 et seq.).
 - 5.5.2. Are located within a 100-year floodplain, as defined by the U.S. Army Corps of Engineers, unless adequate and appropriate mitigation measures are approved by the AOC, incorporated into the project and substantially reduce or eliminate the specific conditions.

- 5.5.3. Are contaminated sites, or sites that are directly or indirectly polluted. These sites may or may not qualify as a “brownfield” under the Brownfield Act.
- 5.5.4. Are located in an area with a known or anticipated water, development, or sewer moratorium, unless an express waiver from these restrictions can be promptly secured from the authorized entity.
- 5.5.5. Require additional costs—infrastructure, clean-up—to develop that would result in a need to augment, through the DOF/PWB current capital outlay system, the total project budget.
- 5.5.6. Will result in cost increases to the project that will not be paid for by either another entity or the current property owner and would, therefore, result in a reduction to project scope.
- 5.5.7. Create schedule delays that will unreasonably negatively affect court operations and potentially increase construction costs.

6. Use of Eminent Domain

Use of eminent domain by other governmental entities to assemble or acquire properties for courthouses may be appropriate as determined by the AOC in consultation with the local court.

7. Selection of Competitive Sites for PWB Approval

- 7.1. In all site selections, AOC staff will seek to identify at least two or more sites that best meet the site selection criteria and will have the authority to negotiate terms of acquisition with two, or multiple, sellers.
- 7.2. In those cases where multiple sites are not available, where specific sites which meet the high priority criteria have been offered to the state at no cost, or where there is a specific economic or other benefit to the state of a single site which meets the high priority criteria, a sole source justification for that property may be prepared by AOC for consideration and approval by the ADOC, as indicated in Section 3 above. The sole source justification will describe the basis of site location subject to the standardized site criteria for evaluation and will explain and defend the economic or other benefit or opportunity of the site selection and acquisition to the state, based on its unique financial considerations or other features.

8. Site Selection Criteria

- 8.1. This policy provides sample criteria for site selection to support objective and consistent guidelines by which the AOC shall evaluate and ultimately select real property sites for location of new Judicial Branch facilities.
- 8.2. AOC staff will consider and recommend sites for selection and acquisition that best meet the established criteria, including sites, locations, and proposals that will provide specific economic benefit or opportunities to the state.
- 8.3. The use of standardized criteria for selection of sites, the objective and consistent evaluation of available properties against these criteria, and the creation of a standard

process of competitive solicitation of properties, shall guide AOC staff in recommendations to the Administrative Director of the Courts and to the Judicial Council, as appropriate, for site acquisitions for facilities.

- 8.4. The AOC, in selecting specific criteria, shall:
 - 8.4.1. Establish consistent and objective priority criteria for identifying project-specific site requirements for new Judicial Branch facilities;
 - 8.4.2. Provide a structured and comprehensive method to determine the general and specific site location criteria for a project; and
 - 8.4.3. Provide demonstrable measures for competitive evaluation of potential sites that have been identified.

9. Site Evaluation, Selection, and Acquisition Process

This section outlines the process for evaluating sites for possible selection, selecting sites for presentation to the SPWB, and acquiring sites for new Judicial Branch facilities.

- 9.1. Use of Standardized Site Criteria: For all new Judicial Branch facilities, the AOC shall select sites for preliminary evaluation based on site selection criteria. The AOC will approve the priority and full set of final criteria prior to conducting any property identification or solutions. The AOC will develop a weighting system for each project to identify priority criteria. The AOC may establish unique weighting to reflect the specific requirements of a project. The AOC must describe the basis for the weighing of criteria for each project. For each project, the Presiding Judge will approve the weighing system.
- 9.2. Identification of a Potential Site or Sites: Once the priority and full set of criteria are approved by the AOC for a particular project, the AOC will solicit and identify competitive proposals for sites that meet the site criteria. In the case of projects in which a specific site has been proposed for donation, or discounted purchase, or which provide some other specific and unique economic or other benefit or opportunity to the state, the AOC will also solicit competitive proposals that meet the site criteria to provide an alternative if the donation or discounted purchase cannot be accomplished.
- 9.3. Evaluation of Identified Sites: Once a site or sites have been identified, the AOC will determine which sites will be pursued competitively. The sites will be given a priority by the weighting and point-assignment system developed in the criteria stage described in Section 8. Specific sites which have been proposed for donation, or discounted purchase, or which provide some other specific and unique economic or other benefit or opportunity to the state, shall be evaluated by the same criteria as competitively solicited sites; except that in those cases where multiple sites are not available, where specific sites have been offered to the state at no cost, or where there is a specific economic or other benefit to the state of a single site, one site may be evaluated, for which a sole source justification will be prepared, as described in Section 7 above, if that sole source site meets the identified high priority selection criteria.
- 9.4. Site Investigation/Due Diligence: Once a site or sites have been identified for further evaluation the AOC will engage in due diligence activities on each site. Due diligence will include but not be limited to: title review; environmental review; appraisal; and may

also include surveys; geotechnical studies; and other additional studies/testing as warranted.

- 9.5. Administrative Director of the Courts Approves Site Selection: AOC staff shall submit to the ADOC a memorandum summarizing the site selection criteria and recommendation for selection of the preferred and one or more alternate sites or the justification for a sole source selection. After resolving any “Controversial Sites” issue, if any, pursuant to section 3.1.6, the ADOC will direct staff to proceed to presenting the site selection to the SPWB by signing approval on the staff memorandum.
- 9.6. Selection of Sites and Presentation to SPWB: AOC staff presents the preferred and one or more alternate sites to the SPWB for approval.
- 9.7. Negotiation of Terms: Terms of acquisition will be negotiated by the AOC after approval of selection by the SPWB.
- 9.8. Administrative Director of the Courts Approves Site Acquisition: After negotiation of terms is concluded, AOC staff present to the ADOC for approval all acquisition related documents.
- 9.9. Site Acquisition Approval and Presentation to the SPWB: After the ADOC approves all acquisition related documents, AOC staff present the proposed acquisition to the SPWB for approval.

10. Site Selection Criteria, Ranking, and Approval Form

The following pages present a form that will be used for initially recording the site selection criteria, and then scoring those criteria, ranking a minimum of two sites, and indicating the approval of the Presiding Judge for the court, the Director of the AOC Office of Court Construction and Management, and the Administrative Director of the Courts.

Site Selection Criteria

Superior Court of California - County of _____, New _____ Courthouse

Date of Advisory Team Meeting: Month, Day, Year

	SITE SELECTION CRITERIA (% indicates weighted importance)	DEFINITIONS			Site 1 (Name)	Site 2 (Name)	REMARKS
SITE FEATURES							
		Preferred	Acceptable or Neutral	Not Preferred	Points	Points	
SC 1.	Required Site Area/Site Coverage						
SC 1.1	Minimum site area identified is ____ acres	Site area is within ____% of optimum area (____ ac)	Area is between ____% of optimum area (____ AC)	Site area is ____% over or under of optimum area (____AC)			
SC 1.2	Parking for ____ vehicles	Site has ability for required parking (____ spaces)	Site has potential for _____ vehicles	Site has potential for less than ____ vehicles			
SC 1.3	Expansion Capability for future addition(s) of building	Site has expansion potential	Site has limited expansion potential	Site has no expansion potential			
SC 1.4	Expansion Capability for Parking	Site has expansion potential	Site has limited expansion potential	Site does not have expansion potential			
SC 2.	Location Preferences/Adjacencies (modify depending on project scope/case type)						
SC 2.1	Existing or proposed new pre-trial Holding Facility	Just adjacent to site	Within ____ blocks walking distance (<____ mi) of site	Beyond ____ mile of site			
SC 2.2	District Attorney	Just adjacent to site	Within ____ blocks walking distance (<____ mi) of site	Beyond ____ mile of site			
SC 2.3	Public Defender	Just adjacent to site	Within ____ blocks walking distance (<____ mi) of site	Beyond ____ mile of site			
SC 2.4	Probation	Within ____ mile radius (safe transport of detainees)	Within ____ miles of site (w/ access to major roads)	Beyond ____ miles of site (Difficult to transport detainees)			
SC 2.5	Local retail and eating areas	Within courthouse site or just adjacent to site	Within ____ blocks walking distance (< ____ mi) of site	Beyond ____ mile of site			
SC 2.6	Social Services	Within courthouse site or just adjacent to site	Within ____ blocks walking distance (<____ mi) of Site	Site beyond ____ mile of Site			
SC 2.7	Public Transportation	Just adjacent to site	Within ____ blocks walking distance (< ____ mi) of site	Site beyond ____ mile of Site			
SC 2.8	Public Open Space	Site adjacent to POS	Site within ____ blocks walking distance (<____ mi) of POS	Site beyond ____ mile of POS			
SC 3.	Security Concerns						
SC 3.1	Ability to provide a 20' setback if required	Site provides for more than ____' setback	Site provides for ____' setback	Site provides for less than ____' setback			
SC 4.	Sustainability/LEED Credits						
SC 4.1	Site Elevation	Site elevation greater than 5ft above 100-yr flood'	Site elevation is at 5 ft above 100-yr flood	Site elevation not 5 ft above 100-yr flood			
SC 4.2	Solar orientation	Site/surrounds enhance natural daylight to project	Site/surrounds partially support natural daylight to project	Site/surrounds prevent natural daylight to project			
SC 4.3	Re-Use	Site has potential for re-use	Site has some potential for re-use	Site has little potential for re-use			

Site Selection Criteria

Superior Court of California - County of _____, New _____ Courthouse

Date of Advisory Team Meeting: Month, Day, Year

	SITE SELECTION CRITERIA (% indicates weighted importance)	DEFINITIONS			Site 1 (Name)	Site 2 (Name)	REMARKS
SITE FEATURES		Preferred	Acceptable or Neutral	Not Preferred	Points	Points	
SC 5. Neighborhood Character/Immediate Surroundings							
SC 5.1	Neighborhood Compatibility Parameters:	Courthouse on this site fits surrounding use	Courthouse on this site may fit surrounding use	Courthouse on this site does not fit surrounding use			
SC 5.2	Neighborhood Use Compatibility Parameters:						
SC 5.2.a	Residential (Single Family)	Beyond __ blocks (__ mile) of site	Within __ blocks walking distance (< __ mi) of site	Just adjacent to site			
SC 5.2.b	Local Retail Area	Within __ blocks walking distance (< __ mi) of site	Within __ blocks walking distance (__ mi) of site	Beyond __ mile of site			
SC 5.2.c	Large Scale Retail: Malls	Beyond __ miles of site	Within __ miles of site	Within __ mile of site			
SC 5.2.d	Governmental Buildings/Center	Within __ blocks walking distance (1/4 mi) of site	Within __ mile of site	Greater than __ mile from site			
SC 5.2.e	Industrial Areas	Beyond __ miles of site	Within __ miles of site	Within __ miles of site			
SC 5.2.f	Neighborhood Concerns to adjacent courthouse	No neighborhood concerns	Some neighborhood concerns	Extensive neighborhood concerns			
SC 6. Traffic and Transportation							
SC 6.1	Proximately to public transportation	Within 1 - 3 blocks walking distance (< 1/8 mi) of site	Within __ blocks walking distance (__ mi) of site	Beyond __ mile of site			
SC 6.2	Proximately to public parking	Within 1 - 3 blocks walking distance (< 1/8 mi) of site	Within __ blocks walking distance (__ mi) of site	Beyond __ mile of site			
SC 7. Image and Visibility							
SC 7.1	Visibility of Site to Public	Site is visible and easy to find	Site has moderate visibility	Site is remote and difficult to find			
SC 8. Local Planning Requirements/Initiatives							
SC 8.1	Compliance with local comprehensive land use plan	Project at site would fully comply with land use plan	Project at site would partially comply with land use plan	Project at site does not comply with land use plan			
SC 9. Initiatives							
SC 9.1	Site for courthouse supports County and City planning initiatives	Supports County and City planning initiatives	Somewhat supports County and City planning initiatives	Contrary to County and City planning initiatives			
SC 10. Budget							
SC 10.1	Site Acquisition Cost	Donated	Under-market value	Market value			

Site Selection Criteria

Superior Court of California - County of _____, New _____ Courthouse

Date of Advisory Team Meeting: Month, Day, Year

SITE SELECTION CRITERIA (% indicates weighted importance)		DEFINITIONS			Site 1 (Name)	Site 2 (Name)	REMARKS
SITE FEATURES		Preferred	Acceptable or Neutral	Not Preferred	Points	Points	
SC 10.2	Existing buildings and site improvements	Clear of buildings & other site improvements	Minor demolition required to clear site	Buildings/ improvements to be demolished			
SC 10.3	Utility improvements available	Existing service or available at property line	Utility service within ___ mile of site	Utility service greater than ___ mile			
SC 10.4	Local Economic Development Impact	Courthouse on this site supports economic revitalization	Courthouse is compatible with local economic levels	Courthouse on this site disrupts local economic levels			
SC 11.	Environment						
SC 11.1	Environmental mitigation measures required	CEQA Negative Declaration	Moderate mitigation required	Extensive Mitigation Required			
SC 11.2	If any existing structures are to be demolished is abatement necessary?	No abatement necessary	Some abatement necessary	Extensive abatement necessary			
SC 11.3	Previous environmental concerns, e.g. industrial, farming, wetlands	No previous environmental concerns	Some previous environmental concerns	Extensive previous environmental concerns			
SC 11.4	Archeological/cultural area	Site has no archeological or cultural issues	Some Archeological or cultural issues	Conflicting archeological or cultural issues			
SC 12.	Physical Elements						
SC 12.1	Topographic and hydrologic characteristics of the site	Site is generally leveled with proper drainage	Moderate earth movement required to level and drain site	Extensive earth movement req. or poor drainage			
SC 12.2	Unique Features or Landmarks, if on site	Courthouse complements unique features or landmarks	Courthouse does not conflict with existing landmarks	Courthouse conflicts with unique features/landmarks			
SC 12.3	Existing improvements and buildings	Minimum demolition and removal	Moderate demolition and removal	Extensive demolition and removal			
SC 12.4	Existing vegetation and landscape	Minimum demolition and removal	Moderate demolition and removal	Extensive demolition and removal			
SC 13.	Public Streets and Alleys						
SC 13.1	Adjacent right of way improvements required	Fits in existing grid without additional requirements	Moderate re-work of existing grid is required	Extensive road and street work is required			
SC 13.2	Traffic control devices/improvements required	No additional traffic control improvements required	Moderate traffic control improvements required	Extensive traffic control improvements required			

Site Selection Criteria

Superior Court of California - County of _____, New _____ Courthouse

Date of Advisory Team Meeting: Month, Day, Year

SITE SELECTION CRITERIA (% indicates weighted importance)	DEFINITIONS			Site 1 (Name)	Site 2 (Name)	REMARKS
SITE FEATURES	Preferred	Acceptable or Neutral	Not Preferred	Points	Points	
SC 14.	Subsurface/Geotechnical Conditions					
SC 14.1	Determine local geotechnical, subsurface and soils conditions	Soil conditions are favorable and ready for construction	Soil conditions may require moderate preparation	Soil conditions are uncertain or of potential high risk		
SC 14.2	Availability of Geotechnical reports	Geotechnical reports are readily available	Geotechnical study is underway	No geotechnical study has been started		
SC 15.	Seismic Conditions/Requirements					
SC 15.1	Determine state and local seismic requirements, parameters and zones	Standard seismic considerations	Moderate seismic considerations	High risk of seismic activity		
SC 15.2	Availability of seismic assessment reports	Seismic study conducted & report is readily available	Seismic study started; report is not yet available	No seismic study has been conducted at all		
SC 16.	Utility Infrastructure/Local Systems' Capacity/Condition					
SC 16.1	Power	Power available in top condition	Power may require upgrade	Power not available or may require additional resources		
SC 16.2	Sewer	Sewer available into condition	Sewer may require upgrade	Sewer not available or may require additional resources		
SC 16.3	Storm Runoff	Storm Runoff available in top condition	Storm Runoff may require upgrade	Storm runoff not available/may require add'l resources		
SC 16.4	Water	Water available in top condition	Water may require upgrade	Water not available or may require additional resources		
SC 16.4	Gas	Gas available in top condition	Gas may require upgrade	Gas not available or may require additional resources		
SC 16.5	Telephone	Telephone available in top condition	Telephone may require upgrade	Telephone not available/may require add'l resources		

Site Selection Criteria

Superior Court of California - County of _____, New _____ Courthouse

Date of Advisory Team Meeting: Month, Day, Year

	SITE SELECTION CRITERIA (% indicates weighted importance)	DEFINITIONS			Site 1 (Name)	Site 2 (Name)	REMARKS
SITE FEATURES		Preferred	Acceptable or Neutral	Not Preferred	Points	Points	
SC 17.	Existing Use, Ownership and Control						
SC 17.1	Current use of site	Currently vacant	Partially vacant and able to relocate	Occupied, not able to relocate			
SC 17.2	Current ownership	Public/Private ownership, single entity	Public/Private ownership, limited entities	Private ownership, multiple entities			
SC 17.3	Control	Available for negotiation or sale	Has been offered for sale	Not offered for sale			
SC 18.	Final Site Score						

Footnotes: Explanation of point ranking/rating/weighting

Approvals:

 Presiding Judge
 Superior Court of
 _____ County

 Director
 Office of Court Construction and
 Management

 Administrative Director of the Courts

Date: _____

Date: _____

Date: _____

(Action Item)

Title:

Superior Court of Los Angeles and the Superior Court of San Diego County
Joint Workload Formula Adjustment Request

Date: 2/19/2020

Contact: Kristin Greenaway, Supervising Research Analyst
415-865-7832 | kristin.greenaway@jud.ca.gov

Issue

The Superior Courts of Los Angeles County and San Diego County submitted an Adjustment Request seeking to adopt a new RAS caseweight for, and to include in the Workload Formula, certification hearings performed under Welfare and Institutions Code sections 5256 et seq. The court requests the Workload Assessment Advisory Committee (WAAC) to determine if this previously unreported workload should be included in the RAS/Workload Formula. The court further requests that if the committee determines that this workload should be counted, that a new and separate caseweight be developed to apply to this workload.

Background

The Welfare and Institutions Code requires hearing officers for the purpose of conducting hospital-based hearings under section 5256.1 and other sections. In certain counties, the Superior Court funds the costs of these hearing officers per California Rule of Court 10.810(d), which includes as allowable costs "mental health hearing officer" under Function 10. As stated in the request, the workload involved in these hearings is not currently captured by RAS/WAFM and therefore is not currently funded because prior to 2018, certification hearings under this code were not reported in JBSIS.

Under JBSIS 2.3, these matters were reported as hearings in JBSIS, but not under Row 200, which captures new filings used for measurement of workload. Recognizing this gap, the CEAC JBSIS Subcommittee recommended, and the Judicial Council adopted, changes to JBSIS v3.0 that allow courts to report certification hearings on Row 200 as new filings. Revisions were made to JBSIS in January 2018 (JBSIS v2.3 was replaced by v3.0) which allowed for reporting of these hearings effective July 1, 2018.

As of 2018-19, these certification hearings will be reported under 5250 as new filings. Because there are differences across the state in how certification hearings are held, the JBSIS Manual (v3.0) includes a definition for which courts should report this workload:

A certification filing should only be counted if the certification hearing is handled by a judge, subordinate judicial officer (SJO), mental health hearing officer of the court, or other court- employed personnel. A certification filing should not be counted if the certification hearing is handled by county personnel not employed by the court. [Judicial Branch: Revisions to the Judicial Branch Statistical Information System (JBSIS), Report to the Judicial Council of December 18, 2017, p. 52]

Relevant Branch Policies

In 2000, the Judicial Council’s Office of Court Research was directed to develop workload measures for case processing trial court staff (Program 10 and 90) with the goal of developing a method for allocating resources to the trial courts that takes into account workload. The Judicial Council approved the Resource Assessment Study (RAS) model at its July 20, 2005 meeting.^{1,2}

In February 2013, the council approved an updated version of RAS caseweights and other model parameters derived from a 2010 time study.³ In that same year, the council approved a recommendation to adopt a new funding model, the Workload-based Allocation and Funding Methodology (WAFM) that would use the RAS model as the basis for its workload-based funding model.⁴ This funding model is now referred to as the Workload Formula.

The RAS model is a weighted caseload model used to estimate resource need in the trial courts. It measures case complexity through the development of caseweights - the amount of time, in minutes, needed to process a case from filing through disposition, including any post-disposition activity. These weights are applied to filings (workload driver) to estimate each court unique workload. Currently the RAS Model includes caseweights for 22 separate case types.

The RAS model is updated periodically (every 5 years) to capture changes in workload or improved data availability. Updates over the years have included expanded case type categories. The RAS model update was last approved in 2017 by the Judicial Council. The next update will be conducted in approximately 2021-22.

The RAS model policies state that all case processing work is to be included in the estimate of full-time equivalent (FTE) need. If there is dedicated funding for an area of case processing workload (e.g. Court Interpreters), that workload is not included in the calculation of FTE need

¹ See <http://www.courts.ca.gov/documents/0705item1.pdf>.

² At the time, the RAS model was an acronym for Resource Allocation Study model—later revised to Resource Assessment Study model—to better reflect the model’s use in assessing, not allocating, workload.

³ See <http://www.courts.ca.gov/documents/jc-20130226-itemM.pdf>.

⁴ See <http://www.courts.ca.gov/documents/jc-20130426-itemP.pdf>.

and incorporated elsewhere in the trial court funding models. Because the workload referenced in the request does not have dedicated funding and the workload, in some courts, is conducted by case processing staff, the workload should be captured in the RAS model.

Analysis

Current Workload Measurement Policies

The Workload Formula is based on the Resource Assessment Study (RAS) model that is driven by a courts 3-year average total filings. Filings are multiplied by caseweights for 22 different casetypes and then divided by the average work year to determine the number of full-time equivalents (FTE) needed for each court's workload. This provides an estimated need for case processing staff (Program 10). As more detailed filings data become available, the ability to further refine the model and expand the number of caseweights is considered. Since the inception of the RAS model in 2004-05, the filings categories have expanded and, as data gathering and data reporting improves, further growth and refinement is expected.

Per policy, the RAS model also recognizes the need for interim adjustments to the model that fall outside of the scope of the periodic RAS model updates. Additionally, the model incorporates caseweights that recognize workload that is specific to a court (EDD filings) or to a smaller set of courts (Asbestos filings).

Beginning in 2018-19, certification hearings are now reported as a separate filing category in JBSIS and Portal under Report 10A Mental Health. Based on still incomplete 2018-19 filings data, eleven courts have reported filings in this category. To date, a total of 55,000 certification hearing filings have been reported for 2018-19. To give an idea of scale, the Superior Court of Los Angeles County reported 10,000 mental health filings in FY 2017-18. Based on their reported FY 2018-19 certification hearing filings of 40,000, their mental health filings workload will grow by approximately 500%.

Considerations

Because this previously unreported workload falls within what is considered appropriate workload as part of the RAS model (in those set of courts that use case processing staff to conduct the hearings), the committee is being requested to consider if this workload should be included as part of RAS. If so, the committee should consider how and when to incorporate this newly reported filing data. At this time, it is unknown whether the workload associated with these cases is similar or different to that of other mental health workload and by what magnitude.

Some approaches to consider are:

1. Should these filings be temporarily mapped to the Mental Health caseweight, 324 minutes) and captured as workload in the general mental health category until this

workload can be more fully studied during the next RAS Update (approximately 2021-22);

- a. Pro: Allows for workload to be incorporated for 2020-21 update
 - b. Con: May overstate current need (high caseweight)
2. Should an interim adjustment should be made (e.g., temporary caseweight) to capture this workload for current years until the workload can be studied further in the next RAS Update;
 - a. Pro: Allows for workload to be incorporated for 2020-21 update
 - b. Con: Not a fully studied caseweight
 3. Should the certification filings be removed from the Mental Health filings counts until the workload associated with these filings can be studied in the next RAS Update?
 - a. Pro: The study will give a more accurate weight
 - b. Con: Will understate current need (workload not captured) for several years.

Another important consideration about this workload is that the filings should only be reported, and the workload weighted, by those courts where court staff are handling the hearing. It is possible that courts might report filings in this reporting category even though they are processed by non-court staff. Currently the only means of validating these data would be to have the Judicial Council's Audit Services division include a review of this filings type along with the other data that are reviewed as part of the JBSIS data audits. If the committee recommends establishing a weight for this workload or using the existing caseweight, then staff will work with Audit Services to ask that these filings be included in their review.

Summary

Overall, 1) the workload identified in the ARP appears to fit within the scope of workload that should be captured by the RAS model, 2) current RAS policy supports making interim adjustments to the model as needed, and 3) there is RAS policy precedent to create caseweights for filings that are in one or only a few trial courts statewide. With regard to how and when the workload should be incorporated in the model (considering the approaches described in the section above), staff considered RAS precedent, current RAS policy as well as the impact to the courts of each of the approaches and drafted recommendations to address the request.

Recommendation

1. Staff recommends the referenced workload should be captured as part of the RAS Model.
2. The committee should direct staff to develop an interim solution to capture this workload until the next RAS update scheduled in approximately FY 2021-22.

3. The committee recommends that the workload associated with this filing be studied, and a new and separate caseweight be considered, in the next RAS update scheduled in approximately 2021-22.
4. The committee should direct staff to work with the audit services team to ensure these filings are being reported correctly by the courts.

Attachments

<G:\BMS\OCR\WAFM\ARPs\2019-20\5250 filings.xlsx>



December 14, 2018

Martin Hoshino
Administrative Director
Judicial Council of California
455 Golden Gate Ave.
San Francisco, CA

Re: Workload-Based Allocation and Funding Methodology (WAFM) Adjustment Request

Dear Mr. Hoshino,

Please accept the attached WAFM Adjustment Request, jointly proposed by the Superior Courts of Los Angeles and San Diego, to include in the RAS and WAFM models the workload from certification hospital hearings under Welfare and Institutions Code 5256 and other sections, as proposed in the attached request.

Sincerely,

Handwritten signature of Sherri R. Carter in blue ink.

Sherri R. Carter
Executive Officer/Clerk of Court
Los Angeles Superior Court

Handwritten signature of Michael M. Roddy in blue ink.

Michael M. Roddy
Executive Officer
San Diego Superior Court

c: Hon. Jonathan B. Conklin, Trial Court Budget Advisory Committee Chair
tcbac@jud.ca.gov

Proposal to adopt a new RAS case weight for, and to include in WAFM, certification hearings performed under Welfare and Institutions Code sections 5256 et seq.

Jointly proposed by the Los Angeles Superior Court and the San Diego Superior Court.

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

The Welfare and Institutions Code requires hearing officers for the purpose of conducting hospital-based hearings under section 5256.1 and other sections (see below for more detail). In certain counties, the Superior Court funds the costs of these hearing officers per California Rule of Court 10.810(d), which includes as allowable costs "mental health hearing officer" under Function 10. The workload involved in these hearings is not captured by RAS/WAFM.

First, the workload of the certification hearings is not picked up through any existing workload categories in RAS/WAFM. Certification hearings are done after a "5150 hold" is placed upon an individual, and the hospital holding the individual desires to extend the hold. The hearings are not "subsequent" hearings related to any other type of filing measured by RAS. They do not typically arise pursuant to an LPS Conservatorship, a question of competence to stand trial, or other mental health proceeding; the court is not involved in a 5150 hold. This is orphaned workload; RAS does not capture this workload in any case category and thus WAFM does not fund it.

Second, JCC staff does not include certification as new filings under RAS/WAFM. In fact, until revisions were made to the JBSIS Manual in January, 2018, JBSIS was not able to capture these hearings as workload. JBSIS Manual v2.3 (replaced by v3.0 as of FY18-19) allowed for reporting of these hearings – but not under JBSIS Row 200, which captures new filings used for measurement of workload.¹ Recognizing this gap, the CEAC JBSIS Subcommittee recommended, and the Judicial Council adopted, changes to the JBSIS Manual v3.0 that allow courts to report certification hearings on Row 200 as new filings.

Recognizing differences across the state in how the certification hearings are held, JBSIS Manual v3.0 includes the following definition of reportable workload:

A certification filing should only be counted if the certification hearing is handled by a judge, subordinate judicial officer (SJO), mental health hearing officer of the court, or other court- employed personnel. A certification filing should not be

¹ Technical note: In the Data Matrix under JBSIS v2.3, the JBSIS column in which they were captured, Column 10, did not map onto Row 200, which captures workload. JBSIS Manual v3.0 allows Column 10 filings to be reported on Row 200.

counted if the certification hearing is handled by county personnel not employed by the court. [Judicial Branch: Revisions to the Judicial Branch Statistical Information System (JBSIS), Report to the Judicial Council of December 18, 2017, p. 52.

As noted in the *Report to the Judicial Council* from December 18, 2017, recommending the above revisions to the JBSIS Manual (among other changes), CEAC suggests:

Because of the significant changes to the Mental Health case type categories, the Workload Assessment Advisory Committee (WAAC) will need to evaluate which filings data to use in RAS. [Judicial Branch: Revisions to the Judicial Branch Statistical Information System (JBSIS), Report to the Judicial Council of December 18, 2017, p. 60.

A first step, however, is to determine that this workload belongs in RAS/WAFM. If it is decided that the certification hearings captured by JBSIS should count as workload in RAS, a case weight can be assigned to them and JBSIS-reported workload data can be incorporated in RAS/WAFM.

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

The Welfare and Institutions Code requires hearing officers for the purpose of conducting hospital-based hearings as cited below (i.e., "certification review hearings" following involuntary hospitalization under section 5250).

WIC 5256: When a person is certified for intensive treatment pursuant to Sections 5250 and 5270.15, a certification review hearing shall be held unless judicial review has been requested as provided in Sections 5275 and 5276. The certification review hearing shall be within four days of the date on which the person is certified for a period of intensive treatment unless postponed by request of the person or his or her attorney or advocate. Hearings may be postponed for 48 hours or, in counties with a population of 100,000 or less, until the next regularly scheduled hearing date.

WIC 5256.1: The certification review hearing shall be conducted by either a court-appointed commissioner or a referee, or a certification review hearing officer.[...]

WIC 5270.15: (a) Upon the completion of a 14-day period of intensive treatment pursuant to Section 5250, the person may be certified for an additional period of not more than 30 days of intensive treatment[...] (b) A person certified for an additional 30 days pursuant to this article shall be provided a certification review hearing in accordance with Section 5256 unless a judicial review is requested pursuant to Article 5 (commencing with Section 5275).

And see Doe v. Gallinot, 486 F.Supp. 983 (1979), which requires a due process hearing for patients certified for involuntary psychiatric treatment.

In certain counties, the Superior Court funds the costs of these hearing officers per California Rule of Court 10.810(d), which includes as allowable costs "mental health hearing officer" under Function 10. However, RAS does not capture this workload and therefore WAFM does not fund it (see next section).

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

No other funding is available for this mandated work. These certification hearings are a statutory mandate.

In both the Los Angeles and San Diego courts, significant court resources are spent on this work (authorized under CRC 10.810):

- In FY17-18, the Los Angeles Superior Court spent \$2.7 million on court-employed hearing referees and support staff dedicated solely to certification hearings.
- In FY17-18, the San Diego Superior court spent \$652,040 on court-employed hearing referees and support staff dedicated solely to certification hearings. *Note: This does not include \$55,537 in employee costs for Riese hearings, which is reimbursed by the County of San Diego.*

These funds are available only from the Courts' WAFM-related allocation; no other funding sources are available. The lack of inclusion in the RAS/WAFM model means that those funds must be reallocated from other areas, reducing each Court's ability to adequately meet other obligations.

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

Any Court that meets the JBSIS definition of court-provided hearing officer in JBSIS Manual 3.0 would be able to report certification hearings and receive RAS/WAFM workload credit for them.

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

The RAS case weight is yet to be determined. In FY17-18, the Los Angeles Superior Court spent \$2.7 million on compensation for 15 Mental Health Hearing Officers and four support staff. San

Diego spent \$652,040 on compensation for 2.9 FTEs Mental Health Hearing Officers and 1.4 FTEs support staff.

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

Because RAS/WAFM does not cover this mandated work, the work must be funded from other areas of the Court. Given the fact that all California trial courts are under-resourced, filling this funding gap means that other important services – window clerks, courtroom clerks, or clerical employees processing documents, for instance – are not available to serve the public.

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

Because these hearings are statutorily mandated, they must be conducted. The consequences of not receiving the funding to support this work results in funding being taken from other areas of the Court.

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

The people who are the subjects of certification hearings are among society's most vulnerable. Their liberty is at stake in deep and profound ways. The statutory protections offered by the Welfare and Institutions Code are among the most important duties of a Court. This work is obviously core workload; it deserves RAS/WAFM funding.

Court: EVERY COURT Time period: Fiscal Month/Year
210 Certification

Alameda	
Amador	
Butte	0
Calaveras	0
Colusa	0
Contra Costa	
Del Norte	
El Dorado	
Fresno	0
Glenn	
Humboldt	11
Imperial	0
Inyo	
Kern	
Kings	0
Lake	
Lassen	0
Los Angeles	
Madera	0
Marin	
Mariposa	
Mendocino	
Merced	0
Modoc	
Mono	
Monterey	0
Napa	
Nevada	
Orange	
Placer	
Riverside	
Sacramento	
San Benito	
San Bernardino	
San Diego	
San Francisco	
San Joaquin	
San Luis Obispo	64
San Mateo	0
Santa Barbara	199
Santa Cruz	0
Shasta	
Sierra	
Siskiyou	0
Solano	

Sonoma	0
Stanislaus	0
Sutter	0
Tehama	1
Trinity	
Tulare	0
Tuolumne	
Ventura	488
Yolo	39
Yuba	0

4,513
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40,789

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3,696

2,273

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9

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Workload Assessment Advisory Committee
Annual Agenda¹—2020
Approved by Executive and Planning Committee: [Date]

I. COMMITTEE INFORMATION

Chair:	Hon. Lorna Alksne, Superior Court of San Diego County
Lead Staff:	Ms. Leah Rose-Goodwin, Manager, Business Management Services Ms. Kristin Greenaway, Supervising Research Analyst, Business Management Services
<p>Committee's Charge/Membership: Per Rule 10.66 adopted effective January 1, 2015, 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:</p> <ol style="list-style-type: none"> (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. <p>Rule 10.66(c) sets forth the membership position categories of the committee. The Workload Assessment Advisory Committee currently has 14 members. The current committee roster is available on the committee's web page.</p>	
<p>Subcommittees/Working Groups²: None.</p>	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

Meetings Planned for 2020³ (Advisory body and all subcommittees and working groups)

February 2020 – Date TBD, San Francisco, 10:00 a.m. – 2:00 p.m.

Teleconference dates – TBD (estimate May and August)

Check here if exception to policy is granted by Executive Office or rule of court.

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³ Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

COMMITTEE PROJECTS

#	New or One-Time Projects ⁴
1.	<p data-bbox="180 277 1087 313">Project Title: Adjustment Request Process (ARPs) Submissions (New)</p> <p data-bbox="1619 277 1759 313">Priority⁵ 2</p> <p data-bbox="1619 337 1938 373">Strategic Plan Goal⁶ III</p>
	<p data-bbox="180 399 1955 505">Project Summary⁷: The Workload Formula Adjustment Request Process (ARP) is a process that provides courts the opportunity to request an adjustment to the Workload Formula. These requests are directed to the Trial Court Budget Advisory Committee (TCBAC) and then directed to the appropriate committee with the subject matter expertise related to the request. Three ARPs have been directed to WAAC.</p> <p data-bbox="180 545 804 581">Status/Timeline: To be completed by June 2020.</p> <p data-bbox="180 621 1955 727">Fiscal Impact/Resources: Changes made will be accomplished within existing resources. The trial courts may need to be consulted to help define the changes needed. Completion of this project will be accomplished with 1.0 FTE Senior Analyst, .10 FTE Analyst, and .25 of Supervising Analyst for a period of 5 months (existing resources).</p> <p data-bbox="180 735 1902 808"><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p data-bbox="180 849 762 885">Internal/External Stakeholders: Trial courts.</p> <p data-bbox="180 922 548 958">AC Collaboration: TCBAC.</p>

⁴ 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.

⁵ 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.

⁶ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

⁷ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	Ongoing Projects and Activities⁴	
1.	Project Title: Resource Assessment Study (RAS) Update	Priority⁵ 1 Strategic Plan Goal⁶ III
<p>Project Summary⁷: In October 2013, the Workload Assessment Advisory Committee approved a motion stating that the workload studies (both staff and judicial) should be updated every five years, though not concurrently. The resource assessment study (RAS) is used to update the caseweights (i.e., time per filing) and other model parameters that are needed to estimate workload-based need for trial court staff.</p> <p>The committee’s work in the coming year will be to review RAS processes and policies and make any recommended changes as necessary. This review and assessment will begin the preparation for implementation of the next RAS update in the trial courts. When necessary, the chair will make presentations to the Trial Court Presiding Judges Advisory Committee (TCPJAC) and Court Executives Advisory Committee so that committee members can be apprised of the work of the committee.</p> <p>Status/Timeline: Ongoing; expected completion date of process/policy review is 2020–21; expected completion of next RAS update is 2023.</p> <p>Fiscal Impact/Resources: Completion of this project will be accomplished with 1.5 FTE Senior Analyst, 1.0 FTE Analyst, and .50 of Supervising Analyst for a period of 1 year (existing resources).</p> <p><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial courts, Department of Finance, and Legislature.</p> <p>AC Collaboration: TBD/As needed.</p>		
2.	Project Title: Judicial Needs Assessment	Priority⁵ 1 Strategic Plan Goal⁶ III
<p>Project Summary⁷: Government Code section 61614(c)(1) requires the Judicial Council to prepare biennial updates of the Judicial Needs Assessment in even-numbered years. The needs assessment is used as the basis for Budget Change Proposals for new judgeships, Subordinate Judicial Officers conversion requests, and to seek authorization for additional judgeships. An assessment was issued in November 2018, but the workload analysis was done on the basis of the old caseweights. An updated assessment was issued in November 2019 to reflect the most current workload measures based on Judicial Workload Study update.</p>		

#	Ongoing Projects and Activities⁴	
	<p>Status/Timeline: Will be completed November 1, 2020.</p> <p>Fiscal Impact/Resources: Completion of this report requires 0.25 FTE of an analyst (existing position) for a two-month period of time. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial Courts, Department of Finance, and Legislature</p> <p>AC Collaboration: None.</p>	
3.	<p>Project Title: Report on Standards and Measures (Gov. Code § 77001.5)</p>	<p>Priority⁵ 1</p>
	<p>Strategic Plan Goal⁶ II</p> <p>Project Summary⁷: Government Code section 77001.5 requires the Judicial Council to report to the Legislature annually on judicial administration standards and measures.</p> <p>Status/Timeline: Will be completed November 1, 2020.</p> <p>Fiscal Impact/Resources: Completion of this project will be accomplished with .20 FTE Senior Analyst/Analyst for a period of 2 months. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	

#	Ongoing Projects and Activities⁴ [Group projects by priority number.]	
4.	Project Title: Workload Modeling (various, TBD)	Priority 2⁵
		Strategic Plan Goal 3⁶
<p>Project Summary⁷: The judicial branch seeks to become a more data-driven organization; as part of that effort, the branch may need to implement new workload models to allocate resources more effectively. Previously, WAAC partnered with TCBAC and the Family and Juvenile Law Advisory Committee to develop a new allocation methodology for AB 1058 funding. Similarly, WAAC may be called upon to provide its expertise in developing funding models for other funding streams.</p> <p>Status/Timeline: Ongoing/TBD.</p> <p>Fiscal Impact/Resources: Unknown/TBD. Scope of work as yet to be determined.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial courts, Department of Finance, and Legislature.</p> <p>AC Collaboration: TBD/As needed.</p>		
5.	Project Title: Interim Updates to Workload Models	Priority⁵ 2
		Strategic Plan Goal⁶ III
<p>Project Summary⁷: As new laws are passed or changes in court data collected are made, updates may need to be made to the workload models (both staff (RAS) and judicial) to reflect those changes. As needed, WAAC will review and propose changes to the models.</p> <p>Status/Timeline: Ongoing/TBD</p> <p>Fiscal Impact/Resources: Changes made will be accomplished within existing resources. Depending on scope of work could be up to .25 FTE Senior Analyst/Analyst. The trial courts may need to be consulted to help define the changes needed.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Trial Courts, Department of Finance, and Legislature.</p> <p>AC Collaboration: TBD/As needed.</p>		

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II. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	e, approved by Judicial Council September 2019.
2.	Judicial Needs Assessment, submitted to Legislature November 2019.
3.	Report on Standards and Measures (Gov. Code § 77001.5), submitted to Legislature November 2019

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