



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on January 23, 2014

Title	Agenda Item Type
Judicial Council Report to the Legislature: Fee Revenue and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013	Action Required
	Effective Date
	January 23, 2014
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	January 10, 2014
Recommended by	Contact
Administrative Office of the Courts Steven Jahr, Administrative Director of the Courts	Zlatko Theodorovic, 916-263-1397 zlatko.theodorovic@jud.ca.gov

Executive Summary

The Administrative Office of the Courts recommends approving *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013*, as required by Government Code section 68086(c), to be sent to the chair and vice-chair of the Joint Legislative Budget Committee.

Recommendation

The Administrative Office of the Courts (AOC) recommends that the Judicial Council:

1. Approve the *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013* (Attachment A);
and
2. Direct the AOC to submit the report to the Legislature.

Previous Council Action

The report on trial court reporter fees collected and expenditures for court reporter services in superior court civil proceedings has been required and submitted under Government Code section 68086(c) since fiscal year 2003–2004.

Rationale for Recommendation

Government Code section 68086(c) requires the Judicial Council to report to the Legislature on fees collected by courts under Government Code sections 68086(a)(1) and 68086.1 and the total amount spent for services of official court reporters in civil proceedings statewide in the prior fiscal year. The report must be submitted on or before February 1 after the end of each fiscal year.

Comments, Alternatives Considered, and Policy Implications

Because this report is required by the above-referenced section of the Government Code, no alternatives were considered. This report is not required to circulate for public comment.

Implementation Requirements, Costs, and Operational Impacts

Submission of this mandated report to the Legislature imposes no implementation requirements, costs, or operational impacts on the trial courts.

Attachments

1. Attachment A: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013*



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HON. STEVEN JAHR
Administrative Director of the Courts

January 24, 2014

Hon. Mark Leno
Chair, Joint Legislative Budget Committee
California State Senate
State Capitol, Room 5019
Sacramento, California 95814

Hon. Nancy Skinner
Vice-Chair, Joint Legislative Budget Committee
California State Assembly
State Capitol, Room 6026
Sacramento, California 95814

Re: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013*, as required by Government Code section 68086(c)

Dear Senator Leno and Assembly Member Skinner:

The Judicial Council respectfully submits this report, as required by Government Code section 68086(c), concerning court reporter fees collected under Government Code sections 68086(a)(1) and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year (FY) 2012–2013.

In FY 2012–2013, \$25,454,498 was remitted to the Trial Court Trust Fund as required by Government Code sections 68086(a)(1) and 68086.1. The breakdown of the remitted funds is as follows:

- Under Government Code section 68086(a)(1)(A), \$3,700,530 came from fees paid by parties to civil proceedings for the services of an official court reporter in each proceeding lasting less than one hour.
- Under Government Code section 68086(a)(1)(B), \$5,848,725 came from fees paid by parties to civil proceedings for the services of an official court reporter in proceedings lasting more

- than one hour on the first day and each succeeding judicial day the services are provided.
- The amount of \$15,905,243 is attributable to the fee required to be deposited in the Trial Court Trust Fund by Government Code section 68086.1 from the following: first paper filings and responses for civil proceedings, other than proceedings under the Probate Code, in the superior court where the amount demanded is more than \$10,000; family law filings and responses; and marriage dissolution filings and responses. This amount reflects the distribution to the Trial Court Trust Fund from total revenues collected for first paper, family law, and marriage dissolution filings and responses from July 1, 2012, to June 30, 2013.¹

In FY 2012–2013, the estimated amount spent for the services of court reporters in superior court civil proceedings was \$77,252,376. The expenditure amount is an estimate because most courts do not track the time court reporters spend in proceedings by case categories. The estimate of \$77,252,376 was made by taking the sum of total FY 2012–2013 budgeted salaries and benefits for all filled court reporter employee positions as of July 1, 2012 (\$218,773,159), and total FY 2012–2013 expenditures on contract court reporters (\$5,146,772), and multiplying by the estimated proportion of time court reporters spend on civil cases (civil, probate, mental health, guardianship, and family) versus all cases, 34.5 percent. The time percentage estimate is based on the most recent time study survey, which was conducted by the National Center for State Courts in September 2003 and involved nine California superior courts—Amador, Calaveras, Los Angeles, Sacramento, San Bernardino, San Joaquin, San Mateo, Shasta, and Stanislaus Counties—representing about 51 percent of statewide authorized court reporter positions.²

If you have any questions related to this report, please contact Mr. Zlatko Theodorovic, Director, Fiscal Services Office, Administrative Office of the Courts (AOC), at 916-263-1397.

Very truly yours,

Steven Jahr
Administrative Director of the Courts

¹ Of the amount collected, \$9,405,243 was available to be used for services of an official court reporter in civil proceedings, because a \$6.5 million ongoing redirection of this revenue to offset trial court funding reductions was approved by the Judicial Council at its July 22, 2011, business meeting as authorized by Government Code section 68086.1(c).

² Per FY 2012–2013 Schedule 7As, as submitted by the courts, 892 of 1,744 authorized court reporter full-time equivalent positions as of July 1, 2012.

Hon. Mark Leno
Hon. Nancy Skinner
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cc: Gregory P. Schmidt, Secretary of the Senate
Diane F. Boyer-Vine, Legislative Counsel
E. Dotson Wilson, Chief Clerk of the Assembly
Margie Estrada, Policy Consultant, Office of Senate President pro Tempore Darrell S. Steinberg
Fredericka McGee, General Counsel, Office of Assembly Speaker John A. Pérez
Matt Osterli, Consultant, Senate Republican Fiscal Office
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Report title: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013*

Statutory citation: Assem. Bill 1759 (Stats. 2003, ch. 159) Code section: Gov. Code, § 68086(c)

Date of report: January 24, 2014

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 68086(c).

The following summary of the report is provided under the requirements of Government Code section 9795.

This report provides information concerning court reporter fees collected under Government Code sections 68086(a)(1) and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year (FY) 2012–2013. Trial courts reported collecting \$25,454,498 for the period July 1, 2012, to June 30, 2013. Because most courts do not track the amount of time court reporters spend in proceedings by case categories, statewide expenditures related to civil proceedings must be estimated. Expenditures on court reporter services in civil proceedings in FY 2012–2013 are estimated to have been \$77,252,376.

The full report is available at www.courts.ca.gov/7466.htm.

A printed copy of the report may be obtained by calling 415-865-7966.