

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Stephen Nash, Director, Finance Division, 415-865-7584
Ruben Gomez, Manager, 415-865-7686
Diane Lowery, Supervising Budget Analyst, 916-263-1752

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SUBJECT: Fiscal Year 2008–2009 Budget Request for the Supreme Court, Courts of Appeal, the California Judicial Center Library, and the Administrative Office of the Courts (Action Required)

Issue Statement

The Judicial Council has statutory authority to approve the judiciary's budget requests for the Supreme Court, the California Judicial Center Library, the Courts of Appeal, and the Judicial Council/Administrative Office of the Courts (AOC).

I. State Operations Budget Requests

Background

Staff is currently reviewing workload and cost information related to the provision of services to the courts and the public, as well as for internal infrastructure needed to support judicial branch operations. The review process includes determining whether the costs associated with workload growth and cost increases are justifiable, whether or not the judiciary has sufficient resources to address these workload growth and cost increases, and finally, developing recommendations regarding resource augmentations that may be required.

Based upon this review, staff have identified the following workload and funding issues which would result in a need for additional resources:

Supreme Court

- Increased costs for the Court Appointed Counsel programs for the Supreme Court and Courts of Appeal.
- Costs are increasing for law library subscriptions and books for the Supreme Court and the Courts of Appeal.

- Capital Central Staffing workload is growing, requiring additional staff.

Courts of Appeal

- Costs will be incurred to move and acquire temporary space for the Third District – Sacramento, during the renovation of the historic Library and Courts building (circa 1928 building).
- Costs will be incurred for tenant improvements and leases during the expansion and renovation of the Fourth Appellate District (Division One – Courthouse) – San Diego.
- The Fourth Appellate District – San Diego has documented a need to establish a Settlement Conference Coordinator and a Settlement Conference Center.
- Additional staffing resources are needed to eliminate a projected case backlog and increased workload in the Fourth Appellate District (Division Two – Riverside).
- Resources are needed for the acquisition of 10th floor space for Sixth Appellate District – San Jose.

Judicial Council/AOC

- Office of Court Construction and Management (OCCM) – Funding is needed to address inflationary costs increases related to county facility payments.
- Executive Office, Emergency Response Services (ERS) Unit – Additional staffing resources are required to address emergency response and security issues for the judicial branch and to provide support needed for ERS’s growing workload.
- Appellate and Trial Court Judicial Services (ATCJS) – Additional staffing is needed to provide infrastructure support and manage new liaison responsibilities to the Habeas Corpus Resource Center; and to provide increased support for the Assigned Judges Program to complete critical projects and ensure continued efficient operation of the program.
- Office of General Counsel (OGC) – Additional staffing is needed to meet the expanding needs of the courts and the Judicial Council for support for the Probate and Mental Health Programs; and to optimize the availability, quality, and use of court-connected Alternative Dispute Resolution Programs for civil cases throughout California.
- Center for Families, Children and the Courts (CFCC) – Additional staff is needed to support the Effective Practices for Juvenile Delinquency Unit to

support the work with the courts relating to delinquency case management; and to provide support for courts regarding the administration of Self-Help Centers.

- Education Division – Staffing is needed to develop and administer education courses; and to develop content for on-line courses for judges and court staff.
- Executive Office Programs (EOP) – Additional resources are needed to develop appellate court workload standards and address data quality control for trial court accountability and performance. Accurate measurement of workload will enhance the operational efficiency of the courts of appeal.
- Northern/Central Regional Office (NCRO) – Increased administrative support is needed for the continued implementation of the PHOENIX project.
- Southern Regional Office (SRO) – Workload needs in the office grow as the level of services provided to courts continues to increase; additional staff is needed to provide assistance to the trial courts and regional office.
- Office of Governmental Affairs (OGA) – Additional resources are needed to support the growth of outreach and education efforts, including Bench Bar Coalition and Day-in-Sacramento Events, and the New Laws Workshops administered by OGA.
- Finance Division – Significant workload growth requires additional staffing in Internal Audit Services, to improve accountability of use of public resources and adherence to statutory and constitutional mandates; in accounting to address increased facilities-related technical accounting workload; and in contracts and budgets.
- Human Resources Division – The division proposes the establishment of an in-house benefits program for the superior courts to replace services currently obtained through an external Third Party Administrator.
- Information Services Division – The division proposes replacement of seventeen limited-term positions with eleven permanent positions to support on-going workload. In addition, additional staffing is needed to address administrative services and enterprise resource planning workload needs related to statewide trial court initiatives and AOC and appellate projects.

The following other General Fund proposals are under development:

- NCRO PHOENIX Project Enhancement – Resources are needed to fully implement all aspects of PHOENIX (all modules), to have both financial

and human resources components of the project fully implemented in California's courts.

- Funding is needed to support increased operations costs for new trial court facilities.
- A need has been identified for Risk Property and General Liability Insurance related to the transfer of court facilities and the lease of properties for use by the courts and other judicial branch entities.
- Funding is needed to support space expansion in the Hiram Johnson State Building for both the Supreme Court and the AOC.
- Expansion of the Judicial Council Conference Center is being proposed.

In addition, AOC staff are preparing proposals related to the following Special Fund and Technical Adjustment issues:

- Increased appropriation authority from the Appellate Court Trust Fund is needed to support increased costs associated with a new courthouse for the Fourth District Court of Appeals – Santa Ana.
- Increased reimbursement authority is needed for the Trial Court Trust Fund and Trial Court Improvement Fund in support of various trial court administrative services programs.
- Increased appropriation authority from the State Court Facilities Construction Fund is needed to support trial court facility modification projects for facilities transferred to state responsibility.
- Technical adjustment – increased appropriation authority is needed for the Court Facilities Trust Fund to accommodate increased revenue for payment of operations and maintenance expenditures for court facilities transferred to State responsibility.
- Technical adjustment – increased Federal Trust Fund expenditure authority is needed to cover a pending new federal grant.
- Technical adjustment – increased General Fund reimbursement authority is needed to accommodate two new awards, one each from the Office of Emergency Services and the Office of Traffic Safety.
- Technical adjustment – additional provisional budget language is needed to provide authority for intra-schedule transfer of funds in the State Court Facilities Construction Fund between the AOC and OCCM.
- Technical adjustment – an appropriation is being proposed so that Proposition 63 (Mental Health Services Act) funds will be directly provided

to the judicial branch in lieu of an annual interagency agreement with the Department of Mental Health.

Recommendation

1. Staff recommends that the Judicial Council approve the development of budget change proposals (BCPs) for fiscal year 2008-2009 to address issues identified in this report, to be submitted to the Department of Finance, for the Supreme Court, the Courts of Appeal, the Judicial Council, and the California Judicial Center Library that identify baseline resource needs associated with increased costs and workload related to the provision of services to the courts and the public, as well as for internal infrastructure needs to support judicial branch operations.

Rationale for Recommendation

Staff have been endeavoring to identify critical operational and programmatic needs that have developed and which result in a need for additional resources. Various resource needs have been identified, and these are being reviewed by staff.

Alternative Actions Considered

In developing the recommendations, the following alternative was considered:

- An alternative approach would be to consider funding only those proposals that are re-submittals of the AOC program workload adjustments BCP, which was denied during the FY 2007–2008 budget process. While most of the previous requests are being addressed in the FY 2008–2009 budget process, new or modified workload and priority needs have been identified. Staff, therefore, do not recommend this alternative.

Comments from Interested Parties

Not applicable.

Implementation Requirements and Costs

Not applicable.

II. Delegation of authority to the Administrative Director of the Courts to make technical changes to this budget as necessary.

Recommendation

2. Staff recommends that the Judicial Council delegate authority to the Administrative Director of the Courts to make technical changes to these budget proposals as necessary, including the ability to develop additional

proposals to meet any critical needs which are identified during the development of the 2008–2009 state budget.

Rationale for Recommendation

To the extent that additional information is received which requires technical changes to the funding requests identified in this report, there may be a need to modify the budget change proposals being submitted to the Department of Finance.

Alternative Actions Considered

Not applicable.

Comments from Interested Parties

Not applicable.

Implementation Requirements and Costs

Not applicable.