Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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Chief Justice of California
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WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

April 6, 2010

Ms. Diane F. Boyer-Vine
Legislative Counsel
State of California
State Capitol, Room 3021
Sacramento, California 95814

Mr. Gregory P. Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

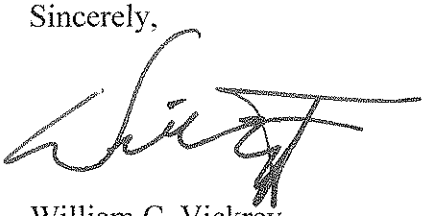
Re: Report to the Legislature on Allocation of Funding for Support of New Judgeships Authorized in FY 2006–2007 and FY 2007–2008 as Required by the 2006 and 2007 Budget Acts

Dear Ms. Boyer-Vine, Mr. Schmidt, and Mr. Wilson:

Attached is the Judicial Council report on the Allocation of Funding for Support of New Judgeships Authorized in FY 2006–2007 and FY 2007–2008, for the period July 1, 2007, through June 30, 2009, as required by the 2006 Budget Act (Stats. 2006, ch. 47/48) and the 2007 Budget Act (Stats. 2007, ch. 171).

If you have any questions related to this report, please contact Stephen Nash, Director, Administrative Office of the Courts (AOC), Finance Division, at 415-865-7584.

Sincerely,



William C. Vickrey
Administrative Director of the Courts

WCV/VM
Attachment
cc: Members of the Judicial Council
Ronald G. Overholt, AOC Chief Deputy Director
Brian Brown, Consultant, Senate Committee on Budget and Fiscal Review
Matt Osterli, Consultant, Senate Republican Caucus
Joe Stephenshaw, Consultant, Assembly Budget Committee
Allan Cooper, Consultant, Assembly Republican Fiscal Office
Sheila Calabro, Regional Administrative Director, AOC Southern Region
Jody Patel, Regional Administrative Director, AOC Northern/Central Region
Christine Patton, Regional Administrative Director, AOC Bay Area/Northern Coastal Region
Stephen Nash, Director, AOC Finance Division
Donna S. Hershkowitz, Assistant Director, AOC Office of Governmental Affairs
Henry Sepulveda, Senior Governmental Affairs Analyst, AOC Office of Governmental Affairs
Judicial Administration Library (two copies)

Report on Allocation of Funding for Support of New Judgeships Authorized in FY 2006–2007 and FY 2007–2008

I. Judgeships Authorized in FY 2006–2007

Background

The Budget Act of 2006 (Stats. 2006, ch. 47/48) provided funding beginning in fiscal year (FY) 2006–2007 for the costs to support 50 new trial court judgeships and staff. Allocation of the funding was contingent upon the passage of legislation authorizing the establishment of the judicial positions. The authorizing legislation, Senate Bill 56 (Stats. 2006, ch. 390), was enacted into law on September 22, 2006. Item 0250-101-0932, Provision 10 of the Budget Act of 2006 required that "the Judicial Council . . . report to the Legislature on January 1, 2008, and annually thereafter, until all judgeships are appointed and new staff hired," on the funds allocated to each trial court to fund the new positions. This provisional language further required that any funds not used for the purpose of supporting the new judgeships revert to the state General Fund.

One month of funding for salaries and benefits and ongoing operational expenses and facilities funding was provided in FY 2006–2007. The allocation and reversion of these funds were reported in a previous report to the Legislature. The Budget Act of 2007 (Stats. 2007, ch. 171) contained a veto of one month of funding ($2.980 million) for these judgeships, reducing the total amount appropriated in FY 2007–2008 to 11 months of funding. In FY 2008–2009, the final month of funding was appropriated. As of December 29, 2009, all 50 judgeships authorized and funded under SB 56 have been appointed. As a result of the completion of appointments, the report issued in 2011, covering fiscal year 2009–2010 funding, shall be the last report required under the language of the budget act.

Allocations

While only an additional 10 months of ongoing funding for these judgeships was appropriated in FY 2007–2008 (not including the one month already in the base funding), the Judicial Council approved allocation of the entire 12 months funding for support staff and operational expenses as many judges had been appointed and most courts had hired staff to support the judges.[1] The following table (see page 2) displays the allocations to the courts in FY 2007–2008 and FY 2008–2009 of the operational and support funding for the new judgeships and the ongoing facilities funding. (Allocation of the judicial compensation funding is not shown as this funding is not allocated to the courts.)

[1] Five judges were appointed in FY 2006–2007; 35 judges were appointed in FY 2007–2008; 9 judges were appointed in FY 2008–2009; and the final judge of the first complement of 50 judges was appointed in FY 2009–2010.

Court System	FY 2007–2008				FY 2008–2009		
	One Month Ongoing Base Operational Funding Allocation	11 Months Ongoing Operational Funding Allocation	Facilities Funding Allocation	Total Allocation (A+B+C)	Full Year Operational Funding Allocation	Facilities Funding Allocation	Total Funding Allocation (E+F)
	A	B	C	D	E	F	G
Butte	33,605	369,656	-	403,261	403,261	-	403,261
Contra Costa	53,945	593,393	-	647,338	647,338	-	647,338
Fresno	153,228	1,685,509	342,336	2,181,073	1,838,737	342,336	2,181,073
Kern	88,383	972,210	-	1,060,593	1,060,593	-	1,060,593
Los Angeles	99,839	1,098,224	-	1,198,063	1,198,063	-	1,198,063
Madera	64,384	708,227	68,970	841,581	772,611	188,694	961,305
Merced	79,058	869,636	-	948,694	948,694	-	948,694
Monterey	43,877	482,649	359,000	885,526	526,526	72,549	599,075
Orange	49,352	542,874	-	592,226	592,226	-	592,226
Placer	46,249	508,742	-	554,991	554,991	-	554,991
Riverside	296,228	3,258,504	-	3,554,732	3,554,732	-	3,554,732
Sacramento	237,322	2,610,540	-	2,847,862	2,847,862	-	2,847,862
San Bernardino	327,980	3,607,783	-	3,935,763	3,935,763	-	3,935,763
San Joaquin	140,068	1,540,747	-	1,680,815	1,680,815	264,252	1,945,067
Shasta	38,457	423,031	149,677	611,166	461,488	75,017	536,505
Solano	46,445	510,900	30,000	587,345	557,345	-	557,345
Sonoma	105,530	1,160,827	-	1,266,357	1,266,357	-	1,266,357
Stanislaus	128,980	1,418,775	779,124	2,326,878	1,547,755	186,168	1,733,923
Tulare	68,134	749,478	-	817,612	817,612	-	817,612
Ventura	45,444	499,879	-	545,323	545,323	-	545,323
Total:	**2,146,507**	**23,611,584**	**1,729,107**	**27,487,198**	**25,758,091**	**1,129,016**	**26,887,107**

II. Judgeships Authorized in FY 2007–2008

Background

The Budget Act of 2007 (Stats. 2007, ch. 171) included $27.767 million in FY 2007–2008 to support 50 new judgeships and staff. The funding represented one month of ongoing funding for the 50 judgeships, accompanying support staff, and facilities costs and the one-time funding associated with the positions and tenant improvements. Expenditure of the funding was contingent upon the passage of legislation authorizing the establishment of the judicial positions. The authorizing legislation, Assembly Bill 159 (Stats. 2007, ch. 722), was signed by the Governor and enacted into law on October 14, 2007. The funding provided assumed that judgeships could begin being appointed at the end of FY 2007–2008.

As part of a special legislative session addressing midyear budget issues, on February 15, 2008, the Senate and Assembly passed legislation that reduced funding to the Judicial Branch in FY 2007–2008 by delaying

the funding for the additional 50 judgeships (and the related staff and facility costs) authorized by AB 159 from June 2008 to June 2009.

Subsequent actions of the Legislature and Governor further deferred funding for the judgeships from June 2009, to July 1, 2009. Funding of $7.651 million remained in the Budget Act of 2007— $2.651 million in one-time operational funding and $5.0 million for one-time tenant improvements related to the new judgeships.

Item 0250-101-0932, Provision 11 of the Budget Act requires that "the Judicial Council . . . report to the Legislature on January 1, 2008, and each January 1 thereafter, until all judgeships are appointed and new staff hired," on the funds allocated to each trial court to fund the new judgeships created under AB 159. Provision 11 further required that any funds not used for this purpose revert to the state General Fund. The one-time operational support funding was distributed to the courts in November 2007. The trial courts that received the new judgeship funding were surveyed to verify the amount each court expended in support of its anticipated new judicial positions and support staff in FY 2007–2008. Based on the survey, the amount of funding to be reverted was determined. Of the $2.651 million in one-time operational funding provided in the Budget Act for the fiscal year, $2.279 million was expended and $271,955 reverted to the state General Fund. Of the $5.0 million in one-time tenant improvement funding, $4.992 million was allocated in FY 2007–2008.

The amount of one-time operational and tenant improvement funding distributed to each court in FY 2007–2008 is displayed in the table below. In FY 2008–2009, one month of ongoing staff and operating funding in support of the AB 159 judgeships was appropriated to the Trial Court Trust Fund, and one month of ongoing facilities funding was appropriated to the Court Facilities Trust Fund. The allocation of these funds is also displayed below.

	FY 2007–2008			FY 2008–2009		
Court System	Adjusted One-Time Operational Funding Allocation	Facilities Funding Allocation	Total Funding Allocation (B+C)	One Month Ongoing Operational Funding Allocation	Facilities Funding Allocation	Total Funding Allocation (E+F)
	B	C	D	E	F	G
Butte	52,054	470,000	522,054	36,454	-	36,454
Contra Costa	59,000	105,000	164,000	53,072	-	53,072
Del Norte	-	6,650	6,650	34,862	-	34,862
Fresno	197,000	-	197,000	157,315	-	157,315
Kern	-	-	-	132,281	-	132,281
Kings	59,000	-	59,000	33,890	-	33,890
Los Angeles	17,856	-	17,856	49,758	-	49,758
Madera	59,000	17,600	76,600	36,156	14,355	50,511
Merced	105,000	-	105,000	82,471	-	82,471
Monterey	-	-	-	43,171	-	43,171
Orange	59,000	-	59,000	49,204	-	49,204

Court System	FY 2007–2008			FY 2008–2009		
	Adjusted One-Time Operational Funding Allocation	Facilities Funding Allocation	Total Funding Allocation (B+C)	One Month Ongoing Operational Funding Allocation	Facilities Funding Allocation	Total Funding Allocation (E+F)
	B	C	D	E	F	G
Placer	105,000	-	105,000	92,261	-	92,261
Riverside	348,000	-	348,000	293,400	-	293,400
Sacramento	302,000	-	302,000	297,465	-	297,465
San Bernardino	348,000	1,064,872	1,412,872	303,183	-	303,183
San Joaquin	151,000	1,597,308	1,748,308	143,211	22,500	165,711
Shasta	65,500	498,000	563,500	35,782	-	35,782
Solano	23,635	527,366	551,001	45,411	-	45,411
Sonoma	59,000	704,784	763,784	54,316	382,142	436,458
Stanislaus	105,000	-	105,000	87,214	-	87,214
Tulare	105,000	-	105,000	71,110	-	71,110
Yolo	59,000	-	59,000	38,979	-	38,979
Total:	**2,279,045**	**4,991,580**	**7,270,625**	**2,170,966**	**418,997**	**2,589,963**
One-Time Funding Received:	**2,651,000**	**5,000,000**	**7,651,000**	-	-	-
One-Time Amount Unexpended	**371,955**	**8,420**		-	-	-
Funding reduced in Line Item Veto	**(100,000)**	-	-	-	-	-
Amount Reverted	**271,955**	-	-	-	-	-

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Title of Report: Report on Allocation of Funding for Support of New Judgeships Authorized in FY 2006–2007 and FY 2007–2008

Statutory Citation: 2006 Budget Act (Stats. 2006, ch. 47/48) and 2007 Budget Act (Stats. 2007, ch. 171)

Date of Report: April 6, 2010

The Judicial Council has submitted a report to the Legislature in accordance with the 2006 Budget Act (Stats. 2006, ch. 47/48) and the 2007 Budget Act (Stats. 2007, ch. 171).

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

The Budget Acts of 2006 and 2007 (provisions 10 and 11, respectively) provided funding for new trial court judgeships, supporting staff, and operations costs. The Budget Acts also required reports on the allocation of these funds for the new positions. The attached report provides information on the funding received in support of the judgeships and the amount allocated to each trial court in FY 2007–2008 and FY 2008–2009.

The full report can be accessed on the following Web site:
http://www.courtinfo.ca.gov/reference/legislaturereports.htm

A printed copy of the report may be obtained by calling 415-865-7553.

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