



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: April 24, 2014

Title	Agenda Item Type
Trial Court Allocations: Maximum Reimbursement of Unused Savings from Program 45.45 for Court Interpreter Expenditures	Action Required
	Effective Date
	April 24, 2014
Rules, Forms, Standards, or Statutes Affected	Date of Report
N/A	DRAFT 04/08/14
Recommended by	Contact
Trial Court Budget Advisory Committee Hon. Laurie M. Earl, Judge of the Superior Court of Sacramento County, Cochair of the Trial Court Budget Advisory Committee	Patrick Ballard, 818-558-3115 patrick.ballard@jud.ca.gov
Zlatko Theodorovic, Director and Chief Financial Officer, AOC Fiscal Services Office and Cochair of the Trial Court Budget Advisory Committee	
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Executive Summary

At its January 23, 2014 meeting, the Judicial Council directed the Trial Court Budget Advisory Committee (TCBAC) to provide recommendations to the council at its April 24, 2014 meeting on the maximum amount each court will be eligible to receive in reimbursement from the \$12,924,795 of accumulated unused savings from Program 45.45 for expenditures on interpreters in civil cases where the parties are indigent and, should there be insufficient funding in Program 45.45, for costs related to court interpreters for all appearances in domestic violence cases, family law cases in which there is a domestic violence issue, and elder or dependent adult abuse cases.

In response, the TCBAC formed an Interpreter Funding Subcommittee (Subcommittee) which provided recommendations to the full advisory committee at its March 25, 2014 meeting. At that meeting the TCBAC adopted the four recommendations of the subcommittee related to the unused savings from the Trial Court Trust Fund Program 45.45. The recommendations include setting a maximum reimbursement from the unused savings that each court would be eligible to receive, tracking the reimbursement of the unused savings, prioritizing reimbursement of interpreter services for mandatory and previously grant reimbursed cases, and establishing separate tracking of expenditures for interpreter services for indigent parties in civil cases.

At its March 25, 2014 meeting, committee members expressed concern that the proposed implementation of expanded interpreter services into civil cases would trigger meet-and-confer requirements with California's regional interpreter unions. In light of the TCBAC's specific charge, the chairs of the TCBAC requested that the Court Executives Advisory Committee (CEAC) review the issues and determine whether the concern(s) should be raised before the council.

CEAC met on April 2, 2014 and discussed the policy implications surrounding a statewide and uniform expansion of court interpreting services. As part of this discussion, CEAC considered the need for a reallocation methodology that would allow courts to maintain regional uniformity in the delivery of services without requiring the council to reallocate the funding at a later date. Accordingly, CEAC proposes Recommendation 1(b), which is an alternative recommendation to TCBAC Recommendation 1(a). At the time of this report, the TCBAC did not have an opportunity to discuss CEAC's Recommendation 1(b), but will do so prior to the April 24, 2014 council meeting.

Recommendation

The TCBAC recommends that the council approve recommendations 1(a) or 1(b), 2, 3, and 4 with regard to the unspent savings from the Trial Court Trust Fund Program 45.45. Recommendation 1(b) is CEAC's alternative recommendation to the TCBAC's Recommendation 1(a). Recommendations 1(a) and 1(b) cannot both be approved because they propose differing allocation methods. CEAC did not review the other TCBAC recommendations and has no position on them.

1. Recommendations regarding allocation methodology:
 - a. Option 1(a) TCBAC Recommendation – Each court shall be eligible to receive in reimbursement from the unused savings a percentage of the unused savings that is equal to the average percentage of Program 45.45 reimbursements it received over the past five years (see column B on Attachment A); or
 - b. Option 1(b) CEAC Recommendation – Each region shall be eligible to receive in reimbursement from the unused savings a percentage of the unused savings that is equal to the average percentage of Program 45.45 reimbursements it received over the past five years. The Superior Courts of Solano and Ventura Counties which are not in interpreter regions would therefore have individual earmarked funds based on the same methodology. See shaded rows on Attachment B.
2. Staff from the Administrative Office of the Courts (AOC) should track the rate at which the unused savings are being drawn down and report that information each month to the trial courts. The TCBAC should review this information at least once each quarter.
3. If requests for reimbursement for mandated case types and domestic violence matters (including family law matters in which there is a domestic violence issue, and elder or dependent adult abuse) from the Trial Court Trust Fund Program 45.45 appropriation in the current fiscal year (2013–2014) exceed the amount of money in that fund, then the unused savings should first be allocated to Program 45.45 in an amount sufficient to cover the shortfall. This same amount of unused savings shall also be held to ensure adequate funds are available in FY 2014–2015 to cover the mandated case types and domestic violence matters. In FY 2014–2015, upon review and approval of the TCBAC, all remaining unused savings shall be allocated to each court pursuant to the percentages established in Recommendation 1(a) or to each region (depending on whether Recommendation 1(a) or Recommendation 1(b) is adopted) . If (a) requests for reimbursement from the Trial Court Trust Fund Program 45.45 in FY 2014–2015 exceed the amount of money in that fund, and (b) the unused savings have not been exhausted by the end of FY 2014–2015, then the remaining unused savings shall be allocated to the unsatisfied requests for reimbursement. The council should direct AOC staff to seek the necessary expenditure authority to permit reimbursement from the unused savings in FY 2013–2014 and FY 2014–2015. If there are additional unused savings in FY 2013–2014 from the Program 45.45 appropriation, those amounts shall be added to the total reimbursement each court or region is eligible to receive in FY 2014–2015 (depending on whether Recommendation 1(a) or Recommendation 1(b) is adopted).
4. The expenditures for requests for reimbursement that result from providing interpreters for indigent parties in civil cases are to be tracked separately. Data on those requests for reimbursement should be tracked monthly so it can be determined how quickly the unused savings are being spent. Direct AOC staff to create the necessary procedures that would collect this data from the Phoenix Financial System.

Previous Council Action

In October 2010, the council approved a policy that the \$4.84 million in savings from the Trial Court Trust Fund (TCTF) Program 45.45 appropriation for fiscal year (FY) 2009–2010, and any future savings, be set aside and made available to address future reimbursable court interpreter costs, including base funding.

In July 2011, the council redirected \$3.0 million savings in the FY 2009–2010 Court Interpreters Program to support court operations, with the remaining \$1.84 million in savings to be for the use of the Court Interpreters Program.

In May 2013, the Executive and Planning Committee, on behalf of the council, approved the formation of a limited-term Ad Hoc Joint Working Group to Address Court Interpreter Issues made up of representatives from each of the council's civil law subject matter advisory committees as well as the Trial Court Presiding Judges Advisory Committee, CEAC, TCBAC, the Access and Fairness Advisory Committee, the Court Interpreters Advisory Panel, and the council's internal Policy Coordination and Liaison Committee.

In August 2013, the council approved allocating \$1.73 million for the Domestic Violence—Family Law Interpreter Program from the TCTF using the Program 45.45 expenditure authority, rather than from the State Trial Court Improvement and Modernization Fund, which had been the source of the funding in previous years.

At its January 23, 2014 meeting, the council directed the TCBAC to provide recommendations to the council at its April 25, 2014 meeting on the maximum amount each court will be eligible to receive in reimbursement from the \$12,924,795 of accumulated unused savings from Program 45.45 for expenditures on interpreters in civil cases where the parties are indigent and, should there be insufficient funding in Program 45.45, for costs related to court interpreters for all appearances in domestic violence cases, family law cases in which there is a domestic violence issue, and elder or dependent adult abuse cases. The council further directed that the advisory committee's recommendations should be developed in a manner that will result in complete exhaustion of the unused savings by the end of fiscal year (FY) 2014–2015. These directions were made based on the recommendations of the Ad Hoc Joint Working Group to Address Court Interpreter Issues, which had been formed by the Executive and Planning Committee on behalf of the council, and charged with making recommendations to the council about (a) options for using all or a portion of the accumulated Program 45.45 funds and (b) options for ensuring coordination of efforts designed to expand the provision of court interpreter services in California.

At the January meeting, in addition to directing the TCBAC to recommend maximum allocations of the unused savings, the council also approved (1) using program 45.45 funds (the annual appropriation and unspent savings) to reimburse courts for costs related to court interpreters for all appearances in domestic violence cases, family law cases in which there is a domestic

violence issue, and elder or dependent adult abuse cases, and eliminating the previous \$1.73 million cap for such expenditures. The council also approved that courts can be reimbursed from program 45.45 appropriation and unused savings for court interpreters for indigent parties in civil cases. The council also approved a recommendation that courts would be directed to track the usage of interpreters in civil matters and report this information to the AOC in the format and time frame specified by the AOC.

Rationale for Recommendation

Current interpreter reimbursement process

Currently regional budgets are established for each interpreter region based on each region's percentage of the previous year's total interpreter reimbursement. The actual reimbursements to courts for interpreter costs are made on a monthly basis. Funds are advanced to the courts for staff interpreter costs based on the salary and benefit information for filled positions reported by the courts in their most current Schedule 7A. Contract interpreter costs are reimbursed based on the actual expenditures reported by courts in the Phoenix Financial System, as are cross assignment costs. At the end of the year, a year-end adjustment survey is completed by each court in which they report their eligible reimbursable interpreter costs for the year. This is then compared with the amount already reimbursed to the court. Courts either receive additional funds if they were underreimbursed, or have their current reimbursements reduced, if they were overreimbursed. Because the expenditures have not exceeded the Budget Act appropriation for the program – \$92.7 million – for the past several years, all courts have been 100 percent reimbursed for their eligible expenditures.

TCBAC Recommendations 1(a), 2, 3, and 4

The TCBAC formed an Interpreter Funding Subcommittee (Subcommittee) and directed them to provide recommendations to the full advisory committee at its March 25, 2014 meeting that address the council's charge. The members of the Subcommittee are: Judges Barry Goode (Chair), Steven Austin, and Mark Cope, and court executive officers Sherri Carter, Shawn Landry, and Christina Volkens. The Subcommittee met on February 26 and again on March 6 and considered the following information in developing its recommendations:

- 1) Filings data, broken down by case type.
- 2) Each court's past reimbursement from Program 45.45 funding for mandated cases for the past five years. The Subcommittee examined each court's percentage of total reimbursement based on an average of the last five years of reimbursements, the last three years of reimbursements, and using just the 2012–2013 year. The Subcommittee also examined what division of the unused interpreter savings would be if the Workload-Based Allocation and Funding Methodology (WAFM) percentages were used.
- 3) Census data on the population by county of individuals who speak English "less than very well."

The Subcommittee determined that there was no good data that demonstrated anticipated need and usage by court for interpreters in civil cases where the parties are indigent. While several efforts are beginning that will help in obtaining a better understanding of the need and anticipated use of interpreters in these areas, and the resulting cost, that information is not currently available. The Subcommittee decided that case filings data was not a good determinant of the relative need for interpreter funding by court. There was no real correlation between the number of filings and the need for interpreters in these cases. The Subcommittee also opted not to consider the census data. They then reviewed the percentage of total reimbursement from Program 45.45 for each court based on the most recent five years, the most recent three years, and the most recent year. The Subcommittee felt that basing an allocation on a single year's reimbursement did not allow for appropriate smoothing of possible one-year variations in interpreter usage. They observed that there was little difference between the five-year average and the three-year average, but concluded that the five-year average would be the fairest comparison.

The Subcommittee also considered using the percentage of the 2013–2014 trial court allocation each court received (when applying WAFM to 10% of the base funding and all of the new \$60 million and the historical percentages to the remaining 90% of the base) or the straight WAFM formula. However, the Subcommittee quickly concluded this was not a reasonable representation of the relative need for funding among the courts for costs of interpreters. The Subcommittee therefore recommended to the TCBAC using each court's five-year average percentage of total Program 45.45 reimbursement to determine the percentage of the unspent savings that each court will be eligible to receive.

The Subcommittee and TCBAC recommended that AOC staff track the usage of the unspent funding on a monthly basis and that the TCBAC review this usage quarterly. Tracking these reimbursements will let courts know how much of their maximum allocation is still available to them, with the understanding that adjustments will need to be made if the FY 2013–2014 costs for interpreter services in mandatory and previous DV FLIP grant-funded cases exceed the program 45.45 expenditure authority of \$92.794 million.

The recommended methodology will, in effect, prioritize without a funding cap, reimbursement for interpreter services in mandated cases, all appearances in domestic violence cases, family law cases in which there are a domestic violence issue, and elder or dependent adult abuse cases. At the same time, there will be funds available to each court for some expansion into civil cases where parties are indigent. The Subcommittee members felt it was important that the previously approved reimbursable costs continue to be fully reimbursed.

Separately tracking the reimbursements for interpreter services for indigent civil parties will enable the TCBAC to obtain important data including whether or not individual courts are expanding interpreter services to include indigent parties in civil cases.

CEAC Recommendation (1b)

In response to the TCBAC's request that CEAC discuss how expanded interpreter services could be implemented uniformly and fairly across the state, CEAC (at its April 2, 2014 meeting) considered the need for a reallocation methodology that would allow courts to maintain regional uniformity in the delivery of services without requiring the council to reallocate the funding at a later date. CEAC determined that under TCBAC Recommendation 1(a), as the 58 individual courts would draw down the funds made available to them, there would need to be a process in place to request that the council reallocate earmarked funds away from courts that are not fully expending their allotments to courts that have exhausted their projected funding. Without a reallocation, a disparity in the delivery of services would result as courts that draw down all of their funding would be placed in the position of ceasing to provide services while other courts would continue to provide them. Because the courts bargain regionally, CEAC determined that the allocation of surplus funding would also be better allocated regionally, as is done with the existing interpreter funding. This kind of allocation methodology would provide the courts with more flexibility to expend funds without requiring further action from the council to reallocate the funding at a later date. Each region would provide services until the region's allocated funds are exhausted. For this reason, CEAC proposes recommendation 1(b). Under this recommendation, earmarked funds in one region would be available to all courts in that region until all of the funds have been expended.

Comments, Alternatives Considered, and Policy Implications

Comments

This item was not circulated for comment.

Alternatives

No formal alternatives for setting the allocation amounts were considered by the TCBAC. The chair of the Subcommittee stated their position that the best indicator available for the need for court interpreters in these newer areas was the previous use of interpreters in the mandated areas.

There was a brief discussion during the TCBAC meeting on having the maximum allocation amount of the unspent funds determined on a regional basis, rather than by individual court. This might allow for consistency in the use of the funds within a region. The chair of the Subcommittee reminded the committee that the charge to the TCBAC from the council was to provide *to each court* a maximum amount of the unspent funds that it would be eligible to receive. As discussed earlier in this report, CEAC proposes Recommendation 1(b), which proposes the allocation of unspent funds on a regional basis. CEAC Recommendation 1(b) is an alternative to TCBAC Recommendation 1(a).

Policy implications

The Ad Hoc Joint Working Group to Address Court Interpreter Issues stated in its report to the council at its January 23, 2014 meeting, that waiting to change the interpreter reimbursement policies until the statutory amendment authorizing expenditure of court resources for interpreters in civil matters was not consistent with the working group's charge and their understanding that

immediate action should be taken to expand access to interpreters in ways that the branch believes are legally permissible. The council supported this understanding by approving the working group's recommendations.

Implementation Requirements, Costs, and Operational Impacts

Concern was expressed at the TCBAC meeting about how to implement the expansion of interpreter services into civil cases with indigent parties. For example, should implementation be the same for all courts in a region since expansion into civil will trigger meet-and-confer requirements? TCBAC felt that they were not the appropriate body to address these types of issues. TCBAC unanimously agreed to proceed with their allocation recommendations and to have implementation issues addressed by CEAC, which can make additional recommendations to the council at a later date if needed.

Relevant Strategic Plan Goals and Operational Plan Objectives

This report relates to strategic plan goal I: Access, Fairness, and Diversity. One of the objectives to goal I is to “[i]ncrease qualified interpreter services in mandated court proceedings and seek to expand services to additional court venues; increase the availability of language-assistance services to all court users.” Providing and tracking the use of these funds in reimbursing courts for expanded interpreter services in civil cases will allow for the development of more compelling and better justified requests for additional ongoing interpreter funding in the future.

Attachments and Links

1. Attachment A: Options for Allocation of Unspent Savings to Individual Courts from Program 45.45 (Court Interpreters)
2. Attachment B: Proposed Regional Allocation of Unspent Savings from Program 45.45 (Court Interpreters)

Options for Allocation of Unspent Savings to Individual Courts from Program 45.45 (Court Interpreters)

Court	5 Yr Average Interpreter Reimbursement	Share of \$12,924,795 Based on 5 Yr Avg	3 Yr Average Interpreter Reimbursement	Share of \$12,924,795 Based on 3 Yr Avg	2012-2013 Interpreter Reimbursement	Share of \$12,924,795 Based on 2012-2013 Reimb	2013-2014 Allocation %	Share of \$12,924,795 Based on 2013-2014 Allocation	WAFM Formula Only	Share of \$12,924,795 Based on WAFM Only
	A	B	C	D	E	F	G	H	I	J
Alameda	3.66%	472,488	3.83%	494,475	3.99%	515,699	4.67%	603,588	3.95%	510,529
Alpine	0.00%	259	0.00%	369	0.00%	0	0.04%	5,170	0.01%	1,292
Amador	0.04%	4,873	0.03%	4,107	0.03%	3,877	0.14%	18,095	0.10%	12,925
Butte	0.21%	27,203	0.22%	28,703	0.19%	24,557	0.51%	65,916	0.52%	67,209
Calaveras	0.02%	2,739	0.02%	2,214	0.01%	1,292	0.13%	16,802	0.10%	12,925
Colusa	0.14%	18,448	0.14%	17,805	0.11%	14,217	0.09%	11,632	0.07%	9,047
Contra Costa	1.55%	200,830	1.59%	204,910	1.64%	211,967	2.30%	297,270	2.36%	305,025
Del Norte	0.06%	7,454	0.05%	6,697	0.04%	5,170	0.15%	19,387	0.13%	16,802
El Dorado	0.22%	27,856	0.22%	28,249	0.20%	25,850	0.41%	52,992	0.40%	51,699
Fresno	2.69%	347,388	2.50%	322,854	2.36%	305,025	2.42%	312,780	2.56%	330,875
Glenn	0.10%	13,115	0.10%	12,461	0.08%	10,340	0.12%	15,510	0.08%	10,340
Humboldt	0.12%	15,730	0.12%	14,985	0.07%	9,047	0.34%	43,944	0.29%	37,482
Imperial	0.63%	81,712	0.59%	76,412	0.56%	72,379	0.44%	56,869	0.47%	60,747
Inyo	0.06%	8,292	0.06%	7,459	0.04%	5,170	0.12%	15,510	0.08%	10,340
Kern	2.56%	331,296	2.62%	338,599	2.50%	323,120	2.11%	272,713	2.66%	343,800
Kings	0.31%	40,315	0.32%	40,863	0.30%	38,774	0.34%	43,944	0.36%	46,529
Lake	0.11%	14,722	0.11%	14,290	0.08%	10,340	0.19%	24,557	0.15%	19,387
Lassen	0.05%	6,134	0.04%	5,216	0.01%	1,292	0.13%	16,802	0.11%	14,217
Los Angeles	35.26%	4,557,330	35.18%	4,546,474	36.20%	4,678,776	27.56%	3,562,074	29.11%	3,762,408
Madera	0.53%	68,327	0.51%	66,293	0.56%	72,379	0.41%	52,992	0.40%	51,699
Marin	0.62%	79,612	0.60%	78,023	0.54%	69,794	0.86%	111,153	0.57%	73,671
Mariposa	0.04%	4,922	0.04%	4,722	0.02%	2,585	0.06%	7,755	0.05%	6,462
Mendocino	0.33%	42,530	0.26%	33,130	0.23%	29,727	0.30%	38,774	0.28%	36,189
Merced	0.94%	121,779	0.97%	125,028	0.97%	125,371	0.65%	84,011	0.78%	100,813
Modoc	0.01%	748	0.01%	668	0.01%	1,292	0.06%	7,755	0.03%	3,877
Mono	0.04%	5,040	0.04%	5,244	0.04%	5,170	0.09%	11,632	0.08%	10,340
Monterey	0.95%	122,424	0.97%	125,063	0.98%	126,663	0.92%	118,908	1.00%	129,248
Napa	0.52%	66,619	0.51%	66,264	0.51%	65,916	0.41%	52,992	0.35%	45,237
Nevada	0.07%	8,624	0.06%	7,147	0.04%	5,170	0.26%	33,604	0.24%	31,020
Orange	9.16%	1,184,410	9.09%	1,174,439	9.00%	1,163,232	8.31%	1,074,050	7.26%	938,340
Placer	0.47%	60,797	0.39%	50,590	0.34%	43,944	0.79%	102,106	0.89%	115,031
Plumas	0.03%	3,653	0.02%	2,080	0.01%	1,292	0.10%	12,925	0.06%	7,755
Riverside	3.78%	488,528	3.65%	471,755	3.49%	451,075	4.15%	536,379	5.05%	652,702
Sacramento	3.73%	481,565	3.78%	488,162	3.82%	493,727	4.29%	554,474	4.38%	566,106
San Benito	0.11%	14,379	0.12%	14,963	0.11%	14,217	0.17%	21,972	0.14%	18,095
San Bernardino	5.17%	668,241	5.27%	681,477	5.15%	665,627	4.53%	585,493	5.79%	748,346
San Diego	6.71%	867,493	6.70%	865,334	6.76%	873,716	8.28%	1,070,173	7.20%	930,585
San Francisco	2.38%	307,050	2.43%	314,641	2.30%	297,270	3.50%	452,368	2.68%	346,385
San Joaquin	1.50%	194,186	1.45%	187,449	1.41%	182,240	1.69%	218,429	1.94%	250,741
San Luis Obispo	0.46%	59,026	0.46%	59,103	0.38%	49,114	0.73%	94,351	0.72%	93,059

Options for Allocation of Unspent Savings to Individual Courts from Program 45.45 (Court Interpreters)

Court	5 Yr Average Interpreter Reimbursement	Share of \$12,924,795 Based on 5 Yr Avg	3 Yr Average Interpreter Reimbursement	Share of \$12,924,795 Based on 3 Yr Avg	2012-2013 Interpreter Reimbursement	Share of \$12,924,795 Based on 2012-2013 Reimb	2013-2014 Allocation %	Share of \$12,924,795 Based on 2013-2014 Allocation	WAFM Formula Only	Share of \$12,924,795 Based on WAFM Only
San Mateo	1.78%	230,265	1.85%	239,097	1.79%	231,354	2.03%	262,373	1.86%	240,401
Santa Barbara	1.32%	169,997	1.43%	184,268	1.47%	189,994	1.24%	160,267	1.06%	137,003
Santa Clara	3.53%	456,287	3.56%	460,427	3.81%	492,435	4.96%	641,070	4.06%	524,747
Santa Cruz	0.74%	95,566	0.72%	93,691	0.79%	102,106	0.67%	86,596	0.61%	78,841
Shasta	0.25%	31,670	0.22%	28,544	0.22%	28,435	0.52%	67,209	0.54%	69,794
Sierra	0.00%	578	0.00%	429	0.00%	0	0.04%	5,170	0.01%	1,292
Siskiyou	0.09%	11,209	0.08%	10,923	0.06%	7,755	0.21%	27,142	0.12%	15,510
Solano	0.43%	55,649	0.44%	56,962	0.38%	49,114	1.12%	144,758	1.26%	162,852
Sonoma	1.40%	180,748	1.48%	191,819	1.39%	179,655	1.33%	171,900	1.41%	182,240
Stanislaus	0.70%	90,304	0.63%	80,999	0.55%	71,086	1.13%	146,050	1.40%	180,947
Sutter	0.33%	42,271	0.32%	41,194	0.31%	40,067	0.24%	31,020	0.28%	36,189
Tehama	0.15%	19,221	0.15%	18,832	0.11%	14,217	0.20%	25,850	0.20%	25,850
Trinity	0.04%	5,500	0.05%	6,444	0.05%	6,462	0.07%	9,047	0.07%	9,047
Tulare	1.48%	191,064	1.58%	204,612	1.60%	206,797	0.87%	112,446	0.93%	120,201
Tuolumne	0.03%	4,052	0.03%	3,600	0.01%	1,292	0.18%	23,265	0.15%	19,387
Ventura	1.74%	224,313	1.79%	230,927	1.85%	239,109	1.73%	223,599	1.94%	250,741
Yolo	0.60%	77,937	0.58%	75,341	0.50%	64,624	0.46%	59,454	0.49%	63,331
Yuba	0.08%	10,026	0.06%	7,970	0.05%	6,462	0.22%	28,435	0.18%	23,265
Total:	100.00%	12,924,795	100.00%	12,924,795	100.00%	12,924,795	100.00%	12,924,795	100.00%	12,924,795

Attachment B
Proposed Regional Allocation of Unspent Savings from
Program 45.45 (Court Interpreters)

Court	Region	Allocation Based on 5-Year Average
Los Angeles	1	4,557,330
San Luis Obispo	1	59,026
Santa Barbara	1	169,997
Region 1 Allocation:		4,786,353
Alameda	2	472,488
Contra Costa	2	200,830
Del Norte	2	7,454
Humboldt	2	15,730
Lake	2	14,722
Marin	2	79,612
Mendocino	2	42,530
Monterey	2	122,424
Napa	2	66,619
San Benito	2	14,379
San Francisco	2	307,050
San Mateo	2	230,265
Santa Clara	2	456,287
Santa Cruz	2	95,566
Sonoma	2	180,748
Region 2 Allocation:		2,306,705
Alpine	3	259
Amador	3	4,873
Butte	3	27,203
Calaveras	3	2,739
Colusa	3	18,448
El Dorado	3	27,856
Fresno	3	347,388
Glenn	3	13,115
Kern	3	331,296
Kings	3	40,315
Lassen	3	6,134
Madera	3	68,327
Mariposa	3	4,922
Merced	3	121,779
Modoc	3	748
Mono	3	5,040
Nevada	3	8,624
Placer	3	60,797
Plumas	3	3,653
Sacramento	3	481,565
San Joaquin	3	194,186
Shasta	3	31,670
Sierra	3	578
Siskiyou	3	11,209
Stanislaus	3	90,304
Sutter	3	42,271
Tehama	3	19,221
Trinity	3	5,500
Tulare	3	191,064
Tuolumne	3	4,052
Yolo	3	77,937
Yuba	3	10,026
Region 3 Allocation:		2,253,098
Imperial	4	81,712
Inyo	4	8,292
Orange	4	1,184,410
Riverside	4	488,528
San Bernardino	4	668,241
San Diego	4	867,493
Region 4 Allocation:		3,298,677
Solano Allocation:		55,649
Ventura Allocation:		224,313
Total Allocation:		12,924,795

Item 2: Proposed Revised 2014–2015 IMF Allocations for 10 IT Programs

Issue

Consider revising the TCBAC’s recommended 2014–2015 State Trial Court Improvement and Modernization Fund (IMF) allocation levels for 10 information technology programs for recommendation to the Judicial Council at the council’s April 24, 2014 meeting. The sum of the revised allocations is a net reduction of \$4.5 million from what is currently being recommended by the TCBAC.

Background

Based on its recently completed annual budget drill, the AOC Information Technology Services Office (ITSO) is proposing revised 2014–2015 IMF allocations for 11 programs. Attachment 2B displays the recommended and revised allocations for all the IMF programs managed by the ITSO. The consideration of the proposed \$12.6 million allocation for the telecommunications (LAN/WAN) program, which is about \$900,000 higher than the current TCBAC recommended allocation of \$11.7 million, will be deliberated by the Revenue and Expenditure Subcommittee and then brought to the TCBAC at the planned May meeting.

Below is a brief description of the reason(s) for the proposed revised allocation levels in 2014–2015. Attachment 2C provides a description and the purpose of each program. Based on the budget drill, for eight of the programs the revised need is lower by a total of \$5.2 million and for two the revised need is higher by a total of \$667,400.

Revised Need is Lower than the TCBAC Recommendation

1. Interim Case Management System

TCBAC: \$2,896,000

Revised Amount: \$1,246,800

The cost reductions are related to continued deferment of various SJE projects such as capital refresh projects while primarily focusing on those maintenance and operations projects that are required, along with incorporating minimal enhancements, while the SJE Court Consortium evaluates alternatives to replacing the SJE application. As such, the monthly SJE hosting costs at the CCTC has decreased from the amount projected last year. Additionally, there are one-time savings in FY 2014–2015 from deferred expenditures which are available for use with ICMS costs that will not be available in subsequent fiscal years.

2. Data Integration

TCBAC: \$4,086,600

Revised: \$3,903,600

The slight decrease is due to a minor cost adjustment in the program.

3. CLETS Services/Integration

TCBAC: \$533,300

Revised: \$433,400

The FY 2014–2015 request for CLETS includes funding for one full-time ITSO staff position and ongoing local assistance which includes data center service charges and needed contract services. The program reduction is the result of the purchase and refresh of server equipment that occurred in FY 2013–2014, but is not needed for this fiscal year.

4. California Courts Protective Order Registry

TCBAC: \$702,000

Revised: \$585,600

The program funds on-going maintenance and support for the CCPOR application. The reduction for the program from the previous fiscal year is the result of hiring one full-time ITSO staff, rather than using more expensive consulting services.

5. Uniform Civil Fees

TCBAC: \$385,700

Revised: \$343,000

The reduction is due to cost savings associated with the conversion of two Uniform Civil Fees support contractors to full-time ITSO staff positions during FY 2013–2014.

6. Justice Partner Outreach / E-Services (JPO&E)

TCBAC: \$361,500

Revised: \$200,700

The reduction is due to a reorganization within the program.

7. V2 CMS

TCBAC: \$3,254,800

Revised: \$647,500

The decrease is due to reductions in infrastructure costs and Fresno Superior Court's project to convert their criminal and traffic case types to Tyler Odyssey. The conversion project was started in January 2014 and is targeted to be completed in April 2015, with CMS V2 decommissioned by August 2015. Therefore, the budget has been reflected to account for the program ramping down in FY 2014–2015.

8. V3 CMS

TCBAC: \$5,997,500

Revised: \$5,658,100

The increase is due to an increase in infrastructure and CCTC costs in order to replace aging equipment.

Revised Need is Higher than the TCBAC Recommendation

9. Testing Tools - Enterprise Test Management Suite

TCBAC: \$595,300

Revised: \$624,300

The increase in funding for FY 2014–2015 is due to projected annual increases in software maintenance costs. The ETMS program provides a suite of software quality assurance tools, staff, and testing expertise.

10. California Courts Technology Center (CCTC)

TCBAC: \$9,848,800

Revised: \$10,487,200

This augmentation is needed to maintain the baseline services for the program, including upgrade of the end-user application access and security system, and to pay monthly invoices as obligated by the existing CCTC vendor contract. The existing end-user application access and security system is no longer supported by the vendor, and any outage may cause significant impacts to the courts' access to applications hosted at the CCTC.

TCBAC Recommended vs. ITSO Proposed FY 2014-2015 IMF Allocations

Line No.	Project and Program Title	FY 2013-14 JC Approved Allocation	FY 2014-15 AOC Initial Proposed Allocation	TCBAC Recommendation	ITSO Revised Allocation	Over/(Under) TCBAC's Recommended Allocation
		1	2	3	4	5 = 4 - 3
1	Telecommunications Support	15,608,480	11,705,000	11,705,000	12,620,574	915,574
2	Enterprise Policy/Planning (Statewide Planning and Development)	5,122,800	5,268,466	5,268,500	5,268,500	-
3	Interim Case Management Systems	1,650,600	2,896,497	2,896,500	1,246,800	(1,649,700)
4	Data Integration	3,906,900	6,986,527	4,086,600	3,903,600	(183,000)
5	California Courts Technology Center (CCTC)	9,465,100	9,848,730	9,848,800	10,487,200	638,400
6	Jury Management System	600,000	600,000	600,000	600,000	-
7	CLETS Services/Integration	515,200	533,286	533,300	433,400	(99,900)
8	CCPOR (ROM)	675,800	1,501,914	702,000	585,600	(116,400)
9	Testing Tools - Enterprise Test Management Suite	582,500	595,234	595,300	624,300	29,000
10	Uniform Civil Fees	385,000	385,602	385,700	343,000	(42,700)
11	Justice Partner Outreach / e-Services	572,000	590,482	361,500	200,700	(160,800)
12	Adobe LiveCycle Reader Service Extension	129,800	133,673	133,700	133,700	-
13	V2 CMS	2,646,700	3,254,800	3,254,800	647,500	(2,607,300)
14	V3 CMS	4,789,200	5,997,500	5,997,500	5,658,100	(339,400)
15	<i>Total, Information Technology Services Office</i>	<i>46,650,080</i>	<i>50,297,711</i>	<i>46,369,200</i>	<i>42,752,974</i>	<i>(3,616,226)</i>

Program Descriptions

1. Interim Case Management System

Proposed FY 2014–2015 Allocation – \$1,246,800, \$403,800 decrease from FY 2013–2014

Description

The budget for the ICMS program for FY 2014–2015 is being reduced. The cost reductions are related to continued deferment of various SJE projects while primarily focusing on those maintenance and operations projects that are required, along with incorporating minimal enhancements, while the SJE Court Consortium evaluates alternatives to replacing the SJE application. Additionally, there are one-time savings for FY 2014–2015 from deferred expenditures which are available for use that will not be available in subsequent years.

The ICMS Unit provides program support to trial courts running the Sustain Justice Edition (SJE) case management system. The ICMS budget is used to fund project management support and technical expertise for the CCTC-hosted courts as well as the Sustain User Group. Support includes maintenance and operations activities such as implementation of legislative updates, application upgrades, production support, disaster recovery services, CCTC infrastructure upgrades and patch management. Locally hosted SJE courts use ICMS program resources, as needed, for legislative updates and SJE support. A benefit available to SJE courts is the volume discount on licensing, provided by the vendor for courts hosted at the CCTC. The greater the number of users, the lower the licensing cost per user.

Funding for FY 2014–2015 will support:

- Production support
- Patch management
- Database stack upgrade including hardware refresh
- Legislative updates (e.g., Uniform Bail Schedule)
- Application enhancements (e.g. Imperial GC Services Interface)
- Disaster Recovery Exercises
- Infrastructure support and hosting services
- Support for testing and training

The ICMS unit also provides support, upon request, to courts with failing legacy case management systems, analytical and consultative support to the Judicial Council Technology Committee for courts requesting funding assistance for deployment of a commercial case management system, and assists with drafting of Budget Change Proposals to request additional branchwide funding related to case management systems. In addition, the ICMS team has been assigned to support the SJE Path Forward Court Consortium in developing a go-forward strategy for courts currently deployed on Sustain Justice Edition.

ICMS costs that are reimbursed by the trial courts are funded from the TCTF while all other costs are funded from the IMF. IMF funds on average approximately 51% of the CCTC hosting cost for those trial courts who have SJE hosted at the CCTC. The remaining 49% is funded by

the TCTF and reimbursed by the trial courts. There are no funds distributed directly to the courts from this program.

Purpose

Sustain Justice Edition (SJE) is deployed in 16 courts across 40 court locations. The SJE courts include the Superior Courts of Humboldt, Imperial, Lake, Madera, Merced, Modoc, Monterey, Plumas/Sierra, San Benito, Trinity, Napa, Placer, Santa Barbara, Tulare, and Tuolumne counties. Nine courts are hosted in the California Courts Technology Center while six are hosted locally. The Sierra court processes their traffic citations using the Plumas Court's SJE instance.

The nine SJE Sustain courts hosted at the CCTC are deployed on a common architecture. Among other benefits, this common architecture enables a single solution for interfaces to justice partners such as the Department of Motor Vehicles (DMV). Because interfaces such as DMV and DOJ are common among the nine SJE courts, enhancements can be leveraged for the benefit of all the courts. Locally hosted courts require separate efforts for their interfaces, including connectivity to the DMV.

The Interactive Voice Response (IVR) and Interactive Web Response (IWR) functions provide key benefits to the courts. The interfaces which support these functions were developed to provide the public an electronic mechanism for payment of fees and infractions. The IVR and IWR interface provides the public the ability to submit payments electronically 24/7, with the exception of downtime needed for hardware maintenance. Currently, 10 of the 16 courts are using the IVR and IWR function.

2. Data Integration

Proposed FY 2014–2015 Allocation – \$3,903,600, \$3,300 decrease from FY 2013–2014

Description

The Data Integration (DI) program currently provides services that enable the secure and efficient exchange of information between the courts and their justice and integration partners. Funding for the DI program enables the technical infrastructure and support necessary to facilitate this integration. Funding is not distributed directly to the courts. The slight decrease in funding required for FY 2014–2015 is due to a minor cost adjustment in the program.

The technical infrastructure includes hardware and software hosted at the CCTC that comprises the Integration Services Backbone (ISB). The ISB is used to exchange information between systems, both internal and external to the branch. The technical infrastructure includes sophisticated hardware and software hosted at the CCTC to facilitate communication with the California Department of Justice's (CA DOJ) and the California Law Enforcement Telecommunications System (CLETS) infrastructure. Many of the applications hosted at the CCTC rely on the ISB infrastructure, including California Courts Protective Order Registry to function with external justice and integration partners.

The technical support provided by the Data Integration program is necessary to ensure the hosted technical infrastructure is adequately maintained and enhanced. Technical support is provided in the following ways:

- Hardware maintenance is funded for the refresh of aging and out of support hardware.
- Software maintenance is funded for TIBCO products (the foundation of the ISB); the Omnixx product, which supports DOJ access through CLETS; and the DMVQUERY and DMVGATEWAY products, which facilitate ad hoc DMV access. For all of these products, the maintenance allows for product support necessary to obtain version upgrades, patches and vendor support for production issues.
- TIBCO development services maintain and support the ISB infrastructure and the production interfaces, as well as, the common services that are used to simplify interface development and support.
- Datamaxx services provide updates and enhancements for the Omnixx infrastructure as needed in support of CLETS access.
- Concepts2000 services provide steady-state support for the DMVQUERY and DMVGATEWAY products.

Purpose

The ISB infrastructure provides a central communications hub that reduces the complexity and cost of maintaining numerous point to point interfaces between centrally hosted systems, court systems, and their justice and integration partners.

The number of courts benefitting from data integration steady state support of the following products and production ISB interfaces are identified below:

- DOJ California Restraining and Protective Order System interface in support of 23 courts using CCPOR.
- Warrants/FTA (Failure to Appear), Justice Partner web portal, and credit card payment interfaces for three courts.
- Phoenix HR and Financial interfaces for five courts and seven integration partners.
- Support for different partners and systems are funded by DI, not by individual programs, in a leveraged model, where personnel and system resources are shared among various programs; costs are not easily attributable to specific programs.
- Web portal for submitting JBSIS information, supporting 37 courts.
- Document Management System (DMS), index, file service and Employment Development Department interfaces for three V3 courts.
- The Omnixx product and Datamaxx services support seven courts that currently access CLETS directly, as well as the 23 courts and their local agencies using CCPOR.
- DMVQUERY and DMVGATEWAY products, which facilitate ad hoc DMV access, support 12 CCTC-hosted courts that use the Sustain and V2 case management systems.

3. California Courts Technology Center (CCTC) – Operations

Proposed FY 2014–2015 Allocation – \$10,487,200, \$1,022,100 increase from FY 2013–2014

Description

This augmentation is needed to maintain the baseline services for the program, including upgrade of the end-user application access and security system, and to pay monthly invoices as obligated by the existing CCTC vendor contract. The existing end-user application access and security system is no longer supported by the vendor, and any outage may cause significant impacts to the courts' access to applications hosted at the CCTC.

The CCTC provides consistent, cost effective, and secure hosting services, including ongoing maintenance and operational support; data network management; desktop computing and local server support; tape back-up and recovery; help desk services; email services; and a dedicated service delivery manager. Today, the CCTC hosts service for all 58 California Superior Courts.

CCTC also provides a comprehensive disaster recovery program for court management systems, including Phoenix Financial and Human Resources Systems (SAP), California Courts Protective Order Registry (CCPOR), Court Case Management, (V2, V3), Interim Case Management Systems (ICMS), and the Computer-Aided Facilities Management System (CAFM). The CCTC also provides a complete suite of IT services to five hosted Superior Courts (Madera, Modoc, San Benito, Lake, and Plumas).

Funding from the State Trial Court Improvement and Modernization Fund (STCIMF) and the TCTF for FY 2014–2015 will be expended on maintaining core services and court requested services. These services allow the courts to rely on the skills and expertise of the maintenance and support within the CCTC to remediate defects, implement legislative updates, configure and install software and hardware upgrades, and address other minor and critical issues. Core services include:

- Data center application hosting services
- Local court server monitoring and remote site backup
- Data Center and local network management
- Help desk services
- Desktop and local server management and support services
- Hosted email services for 6 trial courts
- Disaster Recovery

None of the funding is distributed directly to the courts.

Purpose

In alignment with Judicial Council directives to affirm development and implementation of statewide technology initiatives, the CCTC program provides a Judicial Branch Technology Center for use by all courts. Benefits to the courts through the CCTC include enterprise-wide hardware and software license agreements, including bulk volume discounts in purchasing. Centralized changes (e.g., hardware and software patches) are more efficient to install. Centralized help desk support provides the courts a single point of contact and minimizes the impact of major incidents.

In the event of a significant interruption of court services, the disaster recovery program ensures that infrastructure and network services and trial court applications hosted in the CCTC can be safely and securely backed-up, redirected, and restored. Disaster recovery exercises routinely test the strength of the CCTC recovery strategy and ensure that vital court services, as well as data and communications, can be restored at a designated location. This program supports Judicial Council objectives to allow the courts to take advantage of operational efficiencies and cost effective services, eliminating redundant expenditures, and providing a coordinated approach to addressing statewide technology initiatives.

The program provides public benefit by utilizing technology to achieve efficiencies in the superior courts. It provides ongoing cost-effective maintenance and support for programs which allows the consistent and accessible administration of justice throughout the state.

4. California Law Enforcement Telecommunications System (CLETS)

Proposed FY 2014–2015 Allocation – \$433,400, \$81,800 decrease from FY 2013–2014

Description

Funds in FY 2014–2015 will be used to provide ongoing support for continuing operations and expansion of access to CLETS, for both direct access by the courts and for the California Courts Protective Order Registry (CCPOR). The funds allocated for support and local assistance provides support for requirements gathering, California Department of Justice (CA DOJ) approval, implementation, training, and system updates. Support is also provided for security policy compliance and audit related activities for the benefit of both the AOC and the Courts.

The program reduction is the result of the refresh of server equipment that was needed for FY 2013–2014, but is not needed this fiscal year. The CLETS program has no funds directly distributed to the courts; however, the program does pay for the associated licensing costs on behalf of the courts.

Purpose

The CLETS Program supports access to the statewide law enforcement network provided by the California Department of Justice (CA DOJ). This access provides trial court judicial officers with criminal justice information from California and various national databases to support complete and timely adjudication. CLETS access is also used by CCPOR as its sole method to provide and update restraining and protective orders to the CA DOJ and the NCIC (FBI) databases.

Working closely with the CA DOJ, the purpose of the CLETS Program is to provide staff support and consultation to the trial courts, as well as the CCPOR team, regarding setup, access approval, and security policy compliance relating to the access to CLETS. A timely response to issues that arise is critical to the court's efficiency and timeliness in preparing court calendars and case preparation; compliance with audit requirements; and accommodating employee transfers, turnover or reduction in staff.

Currently superior courts in eight counties, Fresno, Madera, Merced, Monterey, Plumas, San Francisco, Tulare and Yolo, utilize the AOC-sponsored CLETS Access Program through the services resident within the California Courts Technology Center (CCTC). One additional court, Placer Superior Court, is in the process for approval by the CA DOJ and subsequent CLETS access deployment. In addition, CLETS access support is currently provided to courts and/or local law enforcement agencies in 26 counties that utilize the CCPOR application for the timely submission of restraining and protective orders to the CA DOJ and subsequently to NCIC (FBI). The courts are required to complete a review of selected data prior to issuing restraining and protective orders, supported by CCPOR and the CLETS Program. The courts have the ability to also utilize CLETS to directly submit restraining and protective order to the CA DOJ. Benefits to the courts and the public derived from the CLETS Program include:

- Facilitating access to state and national databases with minimal direct cost to the trial courts. Infrastructure, licensing, training, consulting, deployment, and software support service agreements are provided and managed by the program on behalf of the supported courts.
- Providing direct access to the databases, ensuring more efficient, accurate, and complete research and providing information needed by the bench to make timely and informed decisions, often with a direct impact on public and officer safety.
- Providing the necessary staffing, methodology, and relationship management with the CA DOJ to facilitate the on-boarding process. Services provided by the program reduce the need for the courts to add and dedicate staff as CLETS subject matter experts.
- Hardware maintenance is funded for refresh of aging and out of support hardware.

5. California Courts Protective Order Registry

Proposed FY 2014–2015 Allocation – \$585,600, \$90,200 decrease from FY 2013–2014

Description

The CCPOR team provides primary production support for this centralized application, and develops court-requested enhancements and defect fixes, as well as system updates required by legislative changes and corresponding modifications to the Department of Justice California Restraining and Protective Order System (CARPOS). The CCPOR program does not directly distribute funds to the courts, only services. The reduction for the program from the previous fiscal year is the result of hiring an FTE to provide ongoing maintenance and support for the application, rather than using more expensive consulting services.

Purpose

CCPOR creates a statewide repository for restraining and protective orders that contains both data and scanned images of orders that can be accessed by judges, court staff, and law enforcement officers. CCPOR was developed by the trial courts and the AOC, based on a recommendation to the Judicial Council submitted by the Domestic Violence Practice and Procedure Task Force to provide a statewide protective order registry.

CCPOR provides major improvements to victim safety and peace officer safety in domestic violence cases and cases involving violent crimes. CCPOR counties depend on the CCPOR system for operational cost savings and improvements to victim and officer safety. Without CCPOR these counties would need to print and file the currently 80,000-plus restraining and protective order files currently managed in CCPOR, reverting to a manual business processes.

The courts have committed significant staff resources for training and use of the CCPOR system, in some cases deferring other vital projects. They have convinced their law enforcement partners to do the same because of the difference CCPOR makes in their counties. Law enforcement also benefits by using CCPOR by having the ability to retrieve the electronic copy of an order in seconds to ensure the mandated hit confirmation occurs, thus reducing the manual process of retrieving the hardcopy orders.

Issuance of restraining and protective orders is authorized in statutes Pen. Code, § 136.2 and 136.3; Pen. Code, § 646.91 and 646.91a; Gov. Code, § 77209(b)(f) (g) and (j); and Fam. Code 6380, 6404. CCPOR facilitates the entry of these orders into CARPOS, which is a specific court

responsibility. In addition, by promoting victim safety and perpetrator accountability, CCPOR supports the Judicial Council’s strategic plan Goal IV, Quality of Justice and Service to the Public, and the related operational plan objective (IV.1.e) for “[i]mproved practices and procedures to ensure fair, expeditious, and accessible administration of justice for litigants in domestic violence cases.”

Currently, 32 courts and their law enforcement partners depend on CCPOR for restraining and protective order processing. Due to budget reductions in FY 2011–2012 and FY 2012–2013, planned deployments to additional counties were canceled, and support for the application was reduced to a minimum level. The program received an NCHIP grant from the California DOJ for FY 2013–2014 to deploy CCPOR to an additional 12 counties by November 1, 2013 which has been successfully completed. The AOC, working with the California DOJ has obtained additional grant funding through the NCHIP 19 grant to onboard 1 large and 5 small counties by September 2014. These grant funds are restricted to deployment activities.

CCPOR provides judges with critical information necessary to prevent issuance of multiple protective orders with conflicting terms and conditions. It also provides law enforcement with complete images of these orders, including handwritten notes and enforcement warnings that are not captured by any other system. By creating a system that is shared by courts and their law enforcement partners, CCPOR bridges communication gaps and improves inter-agency cooperation. These benefits work together to safeguard victims of crime, and peace officers in the field.

6. Enterprise Test Management Suite

Proposed FY 2014–2015 Allocation – \$624,300, \$41,800 increase from FY 2013–2014

Description

The Enterprise Test Management Suite (ETMS) is a program that provides a suite of software quality assurance tools, staff and testing expertise. Funding in FY 2014–2015 will continue to be used to operate the ETMS software on AOC servers, purchase software maintenance for the programs that comprise the ETMS, fund a technical analyst to provide systems administration/technical support for the software, and extend some of the functionality available to the Criminal and Traffic CMS and to the Civil, Probate and Mental Health CMS. The increase in funding for FY 2014 – 2015 is due to projected annual increases in software maintenance costs.

Purpose

The ETMS program helps the courts receive more reliable AOC-developed software. Its value is in identifying priorities for fixing defects, documenting steps taken to remedy the defect, measuring the resolution of defects, and is specifically beneficial to custom developed software under AOC oversight.

ETMS provides a centralized repository for detailed descriptions of defects, service requests and requested enhancements. This facilitates prioritization, provides a repository for documenting actions, and allows the team to record the steps to test and ensure that defects have been fixed and enhancements are working properly. From this repository, release notes are generated for every major release of software and reviewed with court staff before installation and court

testing. Reports from the repository are used to track the numbers of defects, service requests and enhancements over time, look for trends, and help the AOC proactively identify areas which need further improvement.

Included in the testing suite are tools to help automate the testing process, enabling quality assurance staff to run a greater number of tests. This helps to ensure a higher standard of reliability and fewer defects in software delivered to the courts, with fewer resources. These tools are part of the larger quality assurance program, which develops and uses continuously improving processes to improve the quality and reliability of software. Software benefitting the trial courts that utilize the ETMS tools includes: the California Courts Protective Order Registry (CCPOR); Civil, Probate and Mental Case Management System (V3), Criminal and Traffic Case Management System (V2), Computer-Aided Facilities Management (CAFM), Contact and Position System (CAPS), Serranus, and the California Courts Web site.

7. Uniform Civil Fees

Proposed FY 2014–2015 Allocation – \$343,000, \$42,000 decrease from FY 2013–2014

Description

The current UCFS allocation funds two full-time ITSO staff that provides ongoing maintenance and support. The decrease is due to the conversion of two contractors to full-time ITSO staff resulting in cost savings. FY 2014–2015 funding for UCFS will support the following activities:

- Support for legislated and mandated changes to distribution rules to ensure accurate and timely civil fee distributions to appropriate entities within the mandated timeframes.
- Full support that provides a high level of system availability and reliability in order to help trial courts avoid penalties to state, county, court, and third parties for late reporting and distribution of funds.
- Support for system improvements to address changes to the business process.

UCFS provides services to the following business units:

- Trial Court Trust and Treasury Services
- Trial Court Budget & Technical Support Services
- Internal Audit Services

Purpose

UCFS was originally intended to be a temporary application (6-12 months) until the required functionality was incorporated into Phoenix or CCMS. This application has now been in place for seven years and modified many times to keep up with changing legislation and business processes.

UCFS supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of \$52 million distributed per month. In July 2005, the Legislature, through section 68085.1(b), required that the 58 trial courts submit a schedule of AB 145 remitted civil fees by code section at the end of each month to the AOC. Under section 68085.1, the AOC is responsible for the reporting and remittance of Uniform Civil Fees (UCF) cash collections. Accordingly, the Uniform Civil Fees System (UCFS) was developed to support the centralized reporting and distribution of UCF cash collections. A failure to distribute fees to

the appropriate entities within 45 days after the end of the month would result in the state assessing penalties up to \$24,000 per day that the distribution is late. The UCF System is used to calculate the correct distribution of 192 categories of fees collected by the 58 superior courts. The fees are distributed to up to 22 different funds or entities, such as the Trial Court Trust Fund's children's waiting room program, or a county law library. The distributions vary depending on the court, the fee, and the fund or entity receiving the funds. The system generates reports for the State Controller's Office and various entities that receive the distributed funds. Calculations are used by the AOC Fiscal Services Office to distribute funds to various entities as required by law.

UCFS benefits the public by minimizing the amount of penalties paid to the state for incorrect or late distributions and ensuring that the entities entitled to a portion of the civil fees collected, as mandated by law, receive their correct distributions.

8. Justice Partner Outreach/E-Services (JPO&E)

Proposed FY 2014–2015 Allocation – \$200,700, \$371,300 decrease from FY 2013–2014

Description

The JPO&E allocation funds two full-time ITSO staff to support the analysis, assessment, and implementation of e-services statewide. The TCBAC recommended that the local assistance funding for this program be eliminated for FY 2014–2015. The proposed FY 2014–2015 allocation is reflective of the TCBAC recommendation.

JPO&E continues to provide support and recommendations to the Judicial Council Technology Committee, the Court Technology Advisory Committee (CTAC), and the Judicial Council on statewide e-service and integration partner outreach initiatives. In FY2013–14, Phase two of a collaborative effort on improving disposition reporting with the National Center for State Courts (NCSC), California Department of Justice, Santa Clara Superior Court and Santa Clara County continued with funding from a NCSC grant. The successful outcome will provide a model for trial courts to utilize in reporting out dispositions with the DOJ as they implement case management systems. The JPO&E has no funds directly distributed to the courts.

This program also provides representation for the Judicial Branch at key partner forums, including: the Data Sharing Task Force, chaired by the California Sheriff and Chief of Police Associations; Traffic Records Coordinating Committee (TRCC), and strategic planning subcommittee providing direction on OTS grant funding and reporting to the feds on national highway traffic safety (NHTSA); and numerous local, state and national associations and technology forums.

Purpose

The program purpose is to implement the Judicial Council's objectives for court e-services and e-filing initiatives by supporting the planning and implementation of electronic filing of court documents, as well as electronic service of court documents, to all 58 California Superior Courts, the Courts of Appeal, Supreme Court, and local and state justice/integration partners.

JPO&E promotes and supports the Judicial Council's recommendations of creating statewide

business and technology solutions for e-services as an approach to drive operational and technical efficiencies, resulting in cost savings for the branch and its 58 superior courts. Benefits include:

- Provide a foundation to develop a plan for a uniform, secure, standardized statewide portal platform to provide simple e-filing capability for courts statewide that would be extensible to all court case management systems and e-filing service providers (EFSP), specifically benefiting trial courts with no e-filing or limited capabilities.
- Collaborate with trial courts on efforts to improve and implement e-services to Self-Represented Litigants (SRLs).
- Explore feasibility, requirements and funding for document management systems.
- Create access to simple court processes and training statewide for court staff, thereby allowing staff to better focus on customer support.
- Provide courts with documentation and information for future implementation of case management systems as it relates to e-filing and e-services.
- Promote and enhance judicial branch e-filing and information sharing initiatives through involvement in partner forums.
- Provide a mechanism for ongoing information sharing and communication to justice/integration partners, and vendors.
- Promote and support e-services and e-filing priorities of the Judicial Council.

9. V2 (Criminal and Traffic) Case Management System

Proposed FY 2014–2015 Allocation – \$647,500, \$1,999,200 decrease from FY 2013–2014. In FY 2013–14, the program’s allocations were funded with TCTF.

Description

Savings and technology efficiency initiatives reduced estimated costs for FY 2014–2015 by \$1,999,200 from the FY 2013–2014 allocation. These savings were achieved through infrastructure cost reductions, consolidating processing onto fewer servers, and will be aimed at reducing FY 2014–2015 infrastructure costs. In addition, the Fresno Superior Court initiated a project in January 2014 to convert their criminal and traffic case types from CMS V2 to Tyler Odyssey. The project is targeted to be complete in April 2015, with CMS V2 decommissioned by August 2015. Costs are therefore ramping down in FY 2014–2015.

V2 is a case management system for criminal and traffic cases, deployed in 2006 and currently operating in Fresno Superior Court. Maintenance and support was successfully transitioned from Deloitte Consulting, LLP to the Information Services Technology Office at the AOC in September 2009. The project broke even in June 2010. Fresno Superior Court is satisfied with the system performance and is supportive of the ITSO maintenance and support team.

During FY 2014–2015, V2 maintenance and operations projected budget will support:

- Support for data conversion to Tyler Odyssey
- Hardware and software maintenance.
- Infrastructure support and hosting services at the California Courts Technology Center (CCTC).
- Day to day operational application support and service requests.

- Product releases to address judicial branch requirements, including biannual legislative changes if necessary.

Purpose

V2 enables the Fresno Superior Court to process and administer its criminal and traffic caseload, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, payment, and financial processing. The daily fund distribution report generated by V2 calculates distributions for monies collected from fees and fines, an operation that was previously done manually. With the courtroom functionality, a defendant is able to walk out of a hearing and immediately receive a transcript of the hearing, including any actions or instructions delivered at the hearing. Justice Partners such as the District Attorney's office have inquiry access from their offices to authorized case information.

Automated interfaces to justice partner systems include: 1) Department of Motor Vehicles for updates and inquiries on traffic violations; 2) Web Pay for online payment of bail, fines, and fees; and 3) the Fresno County Sheriff's Office for warrants issued or revoked. The public is able to view authorized case information on V2 at kiosks. For example, a case participant is able to view the location and time of their hearing using a kiosk.

10. V3 (Civil, Small Claims, Probate, and Mental Health) Case Management System
Proposed FY 2014–2015 Allocation – \$5,658,100, \$868,900 increase from FY 2013–2014. In FY 2013-14, the program's allocations were funded with TCTF.

Description

The proposed allocation increase in FY 2014–2015 compared to last fiscal year is due to an increase in infrastructure and CCTC costs in order to replace aging equipment. In addition, one time cost savings used in FY 2013–2014, which were achieved through earlier infrastructure and CCTC cost reductions, are not available in FY 2014–2015.

Starting in 2006, the civil, small claims, probate and mental health interim case management system (V3) was deployed in six superior courts (Los Angeles, Orange, Sacramento, San Diego, San Joaquin, and Ventura). Five of the six courts rely on this production application for daily case management processing. As of June 2012, the Los Angeles Superior Court no longer enters new transactions into the V3 Court, using V3 for inquiry purposes only. The V3 case management system (CMS) was developed by a software development vendor, Deloitte Consulting, LLP. In July 2011, support for V3 was transitioned from Deloitte to the Information Services Technology Office at the AOC. Projected savings are \$5.7 million dollars through FY 2013-14.

The projected budget for FY 2014-15 will support the following:

- Hardware and software maintenance.
- Infrastructure support and hosting services for all environments: development, test, training, staging and production.
- Software product support including ongoing technical support to the California Courts
- Technology Center (CCTC) and locally hosted courts.
- User support.

- Product releases including court enhancement requests, judicial branch requirements, and bi- annual legislative changes.
- Future product enhancements as directed by the Court Technology Committee.

Purpose

The civil, small claims, probate and mental health interim case management system (V3) processes 25 percent of all civil cases statewide. V3 functionality enables the courts to process and administer their civil caseloads, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, work queue, payment and financial processing. All V3 courts are now using the latest version of the V3 application. This model allows for a single deployment and common version of the software, avoiding the cost of three separate installations.

E-filing has been successfully deployed at the Orange County and San Diego courts, saving time and resources. Sacramento Superior Court has also deployed e- filing for their Employment Development Department cases. Sacramento and Ventura integrate V3 with public kiosks. E-filing and public kiosks are recognized as providing public and justice partners with increased ease of use and efficiencies.

The V3 team has the ability to control product development and functionality to meet ongoing changes requested by the courts, legislature, public and justice partners that may not be available in a vendor controlled, off the shelf product.