



## Judicial Council of California · Administrative Office of the Courts

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# REPORT TO THE JUDICIAL COUNCIL

Business meeting on October 26, 2012

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Title	Agenda Item Type
Judicial Branch Administration: Reduced Annual Membership Dues for the National Center for State Courts	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	January 1, 2013
Recommended by	Date of Report
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### Executive Summary

State court judicial councils and administrative offices pay membership dues annually for the support of and participation in activities of the National Center for State Courts (NCSC). The NCSC is a nonprofit organization charged with improving judicial administration in state courts through efforts directed by the Conference of Chief Justices, the Conference of State Court Administrators, and other associations of judicial leaders. Given the level of cumulative budget reductions for the Judicial Council/Administrative Office of the Courts (AOC), the AOC recommends reducing the annual payment to the NCSC for the 2013 calendar year.

### Recommendation

The preliminary 2013 NCSC dues assessment approved by the NCSC board for the Judicial Council of California/AOC was set at \$582,025. This amount is based on an established formula applied to all member states. In light of the fiscal crisis confronting California's court system, the AOC recommends a reduced dues payment of \$232,810 for 2013. Further, the AOC recommends that the Judicial Council reconsider the payment level for 2014 at the outset of the 2013–2014 fiscal year.

## **Previous Council Action**

No previous action.

## **Rationale for Recommendation**

The National Center for State Courts dues assessment is based on a formula that combines a base amount with a population component (a dollar amount per 1,000 population) to have parity among the states. Because California is the most populous state, its assessment is larger than that of any other state.

These kinds of dues are typical in government. The same formula is used by the National Conference of State Legislators to determine the California Legislature's dues assessment. (Of note, the California Legislature currently pays an amount lower than the assessment.)

In light of the fiscal crisis in California's court system and the budget reductions to the Judicial Council/AOC, the AOC discussed with the NCSC a reduced payment from California for 2013, to which the NCSC agreed.

It is, therefore, proposed that the payment to the NCSC be reduced by 60 percent (\$349,215) for a payment of \$232,810 for 2013. Although the National Center for State Courts may need to make necessary adjustments to its service level, this payment would ensure that the Judicial Council/AOC maintain the ability to have an active role in influencing the national agenda for state courts and retain a level of access to national resources that helps inform and support judicial branch programs and services to improve the administration of justice in California. (All savings would be reallocated to assist in continuing to provide direct services to the courts in areas such as labor negotiations.)

## **Comments, Alternatives Considered, and Policy Implications**

NCSC services include the following:

- The NCSC serves as a clearinghouse for research information and comparative data to support improvement in judicial administration in state courts, including white papers, nationwide surveys, and analysis of court workload and future trends in state courts.
- The organization provides judicial councils, AOCs, and state courts with access to judicial administration expertise in a variety of forms—from Web and educational resources to consulting and hands-on assistance.
- The NCSC's government relations function also supports policy development on federal legislation and other national issues affecting state courts.

Details on NCSC services available to state courts, judicial councils, and their administrative offices are available at [www.ncsc.org](http://www.ncsc.org).

Alternatives considered included:

- Nonpayment of dues
  - This approach would limit the Judicial Council/AOC's ability to access NCSC research information and comparative data from other state court systems.
  - It would also impede the California courts' ability to influence federal policy development with respect to state court systems through the agenda advanced by the Conference of Chief Justices and the Conference of State Court Administrators.
- Dues reduction based on cumulative cuts to the Judicial Council/AOC budget
  - A reduction of 30.1 percent was considered based on the cumulative General Fund reduction to the Judicial Council/AOC budget since fiscal year 2007–2008. This decrease would represent a reduction of \$180,319, for a payment of \$401,706.
  - A reduction of 23.6 percent was considered based on the overall budget reduction to the Judicial Council/AOC budget since fiscal year 2007–2008. This decrease would represent a reduction of \$137,370, for a payment of \$444,655.
  - Both levels of reduction were deemed insufficient to provide adequate savings.

### **Implementation Requirements, Costs, and Operational Impacts**

None.

### **Attachments**

None.

