



JUDICIAL COUNCIL OF CALIFORNIA

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

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on January 22, 2015

Title	Agenda Item Type
Budget: Fiscal Year 2015–2016 Budget Request for the Trial Courts	Action Required
	Effective Date
	January 22, 2015
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	January 12, 2015
Recommended by	Contact
Trial Court Budget Advisory Committee Hon. Laurie M. Earl, Chair	Patrick Ballard, 818-558-3115 patrick.ballard@jud.ca.gov

Executive Summary

The Trial Court Budget Advisory Committee recommends that the Judicial Council approve a proposed fiscal year (FY) 2015–2016 budget request for court-provided security and request a growth percentage increase starting in 2016–2017. Submittal of budget change proposals (BCPs) is the standard process for proposing funding adjustments in the State Budget. Spring BCPs are to be submitted to the state Department of Finance by the second week of February.

Recommendation

The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council, effective January 22, 2015, approve the preparation and submission of a fiscal year (FY) 2015–2016 spring budget change proposal (BCP) to the state Department of Finance for trial court–provided security. The TCBAC recommends that a BCP be submitted for the maintenance of court-provided security funding at 2010–2011 levels, and include a request for a growth percentage increase starting in 2016–2017.

Previous Council Action

The Judicial Council has statutory authority to approve budget requests on behalf of the trial courts. The recommendation in this report is consistent with the council's past practice under this authority.

Rationale for Recommendation

When Criminal Justice Realignment occurred in 2011, funding for sheriff-provided security was transferred to the counties. As a result, in July of 2011 trial court base budgets were reduced by the total amount for sheriff-provided security—\$484.6 million—while a total of \$41.0 million remained in the base budgets for the 39 courts with court-provided security costs (private security contracts, court attendants, marshals, and other costs such as alarm systems). Currently, county-provided sheriff security receives growth funding from the Trial Court Security Growth Special Account; however, courts have not received any funding for increased costs for private security contracts since 2010–2011. Courts do, however, receive funding for benefit adjustments for marshal and court security staff through the benefit funding process.

In May 2014, Judge Earl appointed a Security Growth Funding Working Group to determine (a) whether the affected courts should receive growth funding and at what rate, and (b) what the best source(s) for any such funding would be.

BCP recommendation for Judicial Council approval

At the TCBAC meeting on September 26, 2014, the committee voted unanimously to approve the Security Growth Funding Working Group's recommendation to send a security survey to the courts that have court-provided security and to develop a costing justification and/or methodology to support a spring BCP, based on the data received. A survey was sent out on October 22, 2014, on behalf of the TCBAC to the 39 courts with court-provided security. Based on the results of the survey, the working group presented options at the TCBAC meeting on December 9, 2014. Each option reviewed by the committee is provided below.

- Option 1: Do not submit a spring BCP in 2015 for courts with court-provided security cost increases.
- Option 2: Submit a spring BCP in 2015 to maintain funding at 2010–2011 security levels, currently estimated to be \$2.7 million.
- Option 3: Submit a spring BCP to maintain funding at 2010–2011 security levels with the current cost estimated to be \$2.7 million and request a growth percentage increase starting in 2016–2017. The working group would provide a recommendation to the TCBAC in January 2015 that defines the growth factor, and determine whether the baseline amount for any growth factor should be restricted in the future to be used only for court-provided security. The option also includes more follow-up with courts on the information provided in the security survey in regards to the \$2.7 million current estimate.

Discussion. The TCBAC considered all the options and voted unanimously to approve option 3. The committee made this recommendation because the 2014–2015 cost increases for some courts are based on reduced security levels from 2010–2011 and a growth factor needs to be included to address future cost increases.

Comments, Alternatives Considered, and Policy Implications

This item was not circulated for public comment, but input was obtained through the previously discussed survey sent to the 39 trial courts that have court-provided security. Options were considered by the TCBAC and are discussed in the Rationale for Recommendation section of the report.

Implementation Requirements, Costs, and Operational Impacts

Not applicable.

Relevant Strategic Plan Goals and Operational Plan Objectives

The recommendation to submit a BCP for court-provided security will address the strategic plan goals of Access, Fairness, and Diversity (Goal I); Independence and Accountability (Goal II); Modernization of Management and Administration (Goal III); Quality of Justice and Service to the Public (Goal IV); and Branchwide Infrastructure for Service Excellence (Goal VI).

Attachments

None