

JUDICIAL COUNCIL MEETING Minutes of March 1, 2002, Meeting

The Judicial Council of California business meeting began at 11:29 a.m. on Friday, March 1, 2002, at the Administrative Office of the Courts (AOC) in San Francisco, California, on the call of Chief Justice Ronald M. George, chair.

Judicial Council members present: Chief Justice Ronald M. George; Associate Justice Marvin R. Baxter; Associate Justices Richard D. Aldrich, Norman L. Epstein, and Richard D. Huffman; Judges Gail A. Andler, Robert A. Dukes, Leonard P. Edwards, William C. Harrison, Brad R. Hill, Donna J. Hitchens, Ronald M. Sabraw, and Barbara Ann Zúñiga; Ms. Pauline W. Gee; Mr. Rex Heeseman; and Mr. Thomas J. Warwick, Jr.; and **advisory members:** Associate Justice Ronald B. Robie; Judges Stephen D. Bradbury and Frederick Paul Horn; Commissioner Bobby R. Vincent, Ms. Christine Patton, Mr. Arthur Sims, and Mr. Alan Slater.

Absent: Judge Aviva K. Bobb, Senator Martha Escutia, Assembly Member Darrell Steinberg, and Mr. John J. Collins.

Others present included: Mr. William C. Vickrey, Ms. Beth Jay, Mr. Marc Wolf; **staff:** Mr. Michael Bergeisen, Mr. James Carroll, Ms. Audrey Evje, Mr. Bob Fleshman, Ms. Denise Friday, Ms. Sheila Gonzalez, Ms. Tina Hansen, Ms. Susan Hough, Ms. Kathleen Howard, Mr. Ray LeBov, Mr. Frederick Miller, Ms. Vicki Muzny, Ms. Diane Nunn, Ms. Eraina Ortega, Mr. Ronald Overholt, Ms. Theresa Sudo, Ms. Pat Sweeten, Ms. Marcia Taylor, and Ms. Karen Thorson.

Except as noted, each action item on the agenda was unanimously approved on the motion made and seconded. (Tab letters and item numbers refer to the binder of Reports and Recommendations dated March 1, 2002, that were sent to members in advance of the meeting.)

Public Comment Related to Trial Court Budget Issues

The Chief Justice noted that there had been no requests for public comment.

Approval of Judicial Council Meeting Minutes of January 30, 2002

The council approved the meeting minutes of January 30, 2002.

Judicial Council Committee Presentations

Executive and Planning Committee

Associate Justice Richard D. Huffman, chair, reported that the Executive and Planning Committee had held a conference call to work with staff in setting the guidelines for the Planning Meeting. Staff of the Executive and Planning Committee along with other committees spent the last two days reviewing the development of budget priorities. Justice Huffman recognized the staff for a job well done. The Executive Committee was to meet in the afternoon to make nominations for the newly created Judicial Branch Budget Advisory Committee (JBBAC) and one other appointment to send to the Chief Justice.

Policy Coordination and Liaison Committee

Associate Justice Marvin R. Baxter, chair, reported that the Policy Coordination and Liaison Committee had met once since their last meeting on February 14, 2002. The committee reviewed and adopted the following additional recommendations on Judicial Council-sponsored legislation:

- Lifting of a sunset on a legal document assistance registration program;
- Changes to judicial retirement that conform to provisions of the judicial retirement system of other state systems; and
- Conform the compensation of a retired judge assigned to serve on a court of appeal or the Supreme Court to that of a retired judge assigned to serve on a trial court.

The Legislature introduced several council-sponsored legislative proposals, including the following:

- Assembly Bill 2321—clarifies the procedure for presentation in review of tort claims against courts, the Judicial Council, and the AOC;
- Senate Bill 1396—clarifies and makes uniform allowable court security costs;
- Senate Bill 1732—addresses Task Force on Court Facilities recommendations for state responsibility for court facilities;
- Assembly Bill 2879—contains the judicial retirement changes; and
- Senate Bill 2011—addresses workers' compensation by allowing courts to self-insure, like other state agencies, and establishing a judicial branch workers' compensation fund to pay claims.

Justice Baxter informed the council members that the committee will send out a list of the bills to the council members next week and will keep the council informed as the bills work their way to the Legislature.

Justice Baxter reported that the liaison function has been moving along with additional meetings in the Chief Justice's chambers. Recent meetings have been held with the

California Associations of Defense Counsel, California District Attorneys' Association, State Bar, Board of Governors' executive staff, California State Association of Counties (CSAC) and the criminal defense bar.

Justice Baxter made mention of the Sacramento visit made by the Chief Justice; Mr. William C. Vickrey, Administrative Director of the Courts; Mr. Ronald Overholt, Chief Deputy Director of the AOC; and Mr. Ray LeBov, Director of the AOC Office of the Governmental Affairs (OGA) with the legislative leadership as well as leaders of the Budget and Judiciary Committees and that the discussion were very positive.

The Chief Justice also indicated that their legislative visits in Sacramento was productive, they received positive and interested reaction, the legislators seemed to look forward to their visit and were amenable to discussing the council's various proposals whether on subordinate judicial officer legislation or budgetary matters.

The Chief Justice reported that on February 26, 2002, 12 meetings were held and 8 additional meetings the preceding Tuesday, and it is expected that on the third visit the group will meet with policy committee chairs and vice-chairs, and Budget subcommittee chairs and vice-chairs. The Chief Justice commended Mr. LeBov and Ms. Kate Howard, who participated at some of the meetings, for their excellent groundwork and precision in scheduling the meetings.

Justice Baxter reminded the council of the upcoming State of the Judiciary Address followed by the Judicial/Legislative/Executive Forum. Formal invitations have been sent out, and council members should notify OGA whether or not they plan on attending.

Rules and Projects Committee

Associate Justice Ronald B. Robie, chair, reported that the Rules and Projects Committee is meeting on March 11, 2002, to receive the items that will be distributed for comment, and will be brought before the council in the fall. Another meeting will follow to consider the arbitrator/mediator rules, which will be on the April Judicial Council agenda.

CONSENT AGENDA

ITEM 1 *Information Sheet on Waiver of Court Fees and Costs (Form 982(a)(17)(A)) Should be Revised to Reflect 2002 Increases in the Federal Poverty Guidelines (Action Required)*

The Judicial Council has formulated and adopted uniform forms and rules of court for litigants proceeding in forma pauperis. One of the uniform forms is the *Information Sheet on Waiver of Court Fees and Costs* (form 982(a)(17)(A)).

In accordance with Government Code section 68511.3(a)(6)(B), item 2 on the *Information Sheet* provides monthly income figures on which a court may base a decision to grant in forma pauperis status. The monthly income figures on the information sheet currently reflect 125 percent of the 2001 monthly poverty guidelines established by the U.S. Department of Health and Human Services (HHS). HHS released the revised federal poverty guidelines on February 14, 2002. As a result, item 2 on the *Information Sheet* also must be revised effective March 1, 2002, to reflect the 2002 federal poverty guideline revisions.

Council action:

The Judicial Council, effective March 1, 2002, approved the revision of Information Sheet on Waiver of Court Fees and Costs (form 982(a)(17)(A)) to conform to 2002 federal poverty guidelines.

DISCUSSION AGENDA

Item 2 Fiscal Year 2003–2004 Judicial Branch Budget Priorities and Caps (Action Required)

Ms. Christine Hansen, Director, AOC Finance Division, presented the report on the judicial branch budget process. Ms. Hansen indicated that the staff of the Finance Division and the Research, Innovation and Planning Unit of the Executive Office Programs (EOP) Division, jointly developed a budget priority survey, which was comparable to the survey that was done last year but significantly more comprehensive.

Ms. Hansen summarized the steps in the trial court budget process:

- Survey submitted November 2001
- Budget Priority Conference held on January 28–29, 2002
- Consensus group recommendation
- Staff recommendation

The survey was tested at a court planning meeting on October and sent to all trial court presiding judges and executive officers in November. More than 50 courts responded to the survey. Subsequently, a Trial Court Budget Priority Conference of presiding judges and executive officers from 50 courts was held in late January at the California Judicial Administration Conference (CJAC). The purpose of the conference was to help the executive officers and presiding judges develop a consensus recommendation for budget priorities and caps for the trial courts for fiscal year 2003–2004.

The process resulted in one listing of all the priority areas. Because of the difficult economic situation, the staff decided that, instead of just coming up with a group of all the priorities, the list would be split between mandatory costs and non-mandatory costs.

In the Governor's budget this year, there are items considered mandatory in order to ensure that the budget cover the things the court was going to have to pay for. Following is the prioritization done by the court executives and the presiding judges.

Prioritization of Requests

- Mandatory
 - Negotiated Salary Increases (NSIs) and benefits for court staff
 - NSIs and benefits for security
 - Pay Equity (courts were notified last year that this is the last year that courts will be able to submit requests for pay equity due to unification)
 - Increased County Charges
 - Postage/Mailing Cost Increase
 - Court Interpreters (workload increase and rate increase up to NSI)

- Non-Mandatory
 - Pay Equity (market-driven)
 - Technology
 - County/State Transition (human resources and fiscal costs the courts are now having to incur by setting up their own operations)
 - Judicial Salary Increase
 - Family and Children
 - Records Management
 - Perimeter Security
 - Legal Research
 - Self-Help Centers
 - Facilities (rule 810–allowable)
 - Staff Education and Training
 - Court Reporters
 - Court Interpreters (rate increase above NSI)

Ms. Hansen reported that at the budget conference many courts expressed concern about their inability to provide for a minimum level of service. Since the beginning of the shift to state responsibility for trial court funding, court staffing budget change requests have not been well received by the Governor or the Legislature. Over the past couple of years, the AOC's Research, Innovation and Planning Unit has been working on courtroom and non-courtroom staffing standards. Neither type of standards is complete at this time. Until final staffing standards have been developed to help courts improve the service they provide in the courtroom, the consensus group recommended that extraordinary requests should be submitted.

Extraordinary Requests

- Court Reporters
 - Consensus Group Recommendation: 1.0 court reporter per bench officer.

- Staff Recommendation: Courts must also have less than 1.0 court reporter per judicial need.
- Legal Research
 - Consensus Group Recommendation: Court must have less than .25 legal research staff per bench officer.
 - Staff Recommendation: They must also have less than .25 legal research staff per judicial need.

Ms. Hansen indicated that this is an interim measure to try to deal with some of the most extreme understaffing situation in the courts. It is not our recommendation that this be the appropriate level of staffing in the court. This is a way to start making some headway toward resolving a significant understaffing area.

- No cap applied to requests, but courts must meet previously mentioned criteria (the courts need to justify their request).
- Estimated cost—\$23.9 million

Statewide Requests

- NSIs and Benefits for Court Staff (includes NSIs, salary-driven benefits, medical, and dental benefits)

Ms. Hansen reported that NSIs and benefits are tied to state employee agreements. They are negotiated by the Chief Justice, Mr. Vickrey, the Department of Personnel Administration, and the Department of Finance. Therefore courts are not asked to submit anything in this area but we'll be going forward with something on their behalf after negotiations have occurred. The NSI has already been determined at the 2.5 percent level for next year.

- Court staff retirement and workers' compensation
 - Consensus Group and Staff Recommendations concur
 - Estimated Cost—\$17.1 million

Discussion

Mr. Vickrey asked for clarification on court staff retirement and workers' compensation costs.

Ms. Hansen indicated that if a court now has a significant retirement cost, since the courts are now being charged a higher rate of retirement, this statewide request would be a means for us to cover the costs. The request for workers' compensation would be an opportunity for us to address where workers' compensation costs had gone up and the court does not have the budget. Ms. Hansen is also working with Ms. Susan Hough,

Director of the AOC Human Resources Division, and her staff in the area of workers' compensation and what can be done on a statewide basis.

Ms. Hansen responded to another question about whether this is an annual expense for which we have to set money aside for future retirements and benefits. She said this is actually the amount that employer pays for each employee. For instance, in the PERS system, we were paying as high as 10 or 11 percent contribution on salary for retirement. When the investments were going really well for a while, this payment went down to zero. We go back and we ask what you were paying as of 1997–1998 because that's what you were budgeted for. If the rate goes above the 1997–1998, you were budgeted at 10 percent. If the rate now is going to 12 percent or 13 percent, we would ask DOF for that incremental difference of 3 percent baseline so that the court is not disadvantaged from where they were when state funding started.

A question was raised about whether the \$71 million was for workers' compensation and retirement or whether it included the NSIs.

Ms. Hansen answered that the \$71 million is a total of everything and it's really a rough guess. We wanted to provide the council with a ballpark figure based on the past so that when you approve an overall recommendation you have an idea of the percentage increase that might be in a court's budget.

Mr. Vickrey asked if there's any argument to be made that if the retirement contribution cost of the employer is increasing, perhaps the county should be obligated for some of those costs based on changes that they've made in the contribution rates in effect here.

Ms. Hansen and Mr. Vickrey agreed that a follow-up on this aspect is necessary to determine if some of the costs could be placed back on the counties.

- NSIs and Benefits for Sheriffs (includes NSIs, salary-driven benefits and non-salary driven benefits (including health, dental, vision, and retirement based on confirmed contract))
 - Consensus Group and Staff Recommendation concur
 - Estimated Cost—\$25.41 million

- Judicial Salary Increase (8.5 percent effective January 1, 2004)
 - Consensus Group and Staff Recommendation concur
 - Estimated Cost—\$12.85 million

- Pay Equity (unification, realignment, market-driven)
 - Consensus Group and Staff Recommendation concur
 - Mandatory Cost Estimate—\$5.0 million
 - Non-Mandatory Cost Estimate—\$25.0 million

In FY 2002-2003 only pay equity agreements based on unification were permitted to be requested. Ms. Hansen mentioned that the AOC Human Resources Division has been working with a consultant on a compensation study for trial courts. This study will not be completed in time for mailing with the budget development package in late March. Therefore, it is recommended that a separate package be mailed to courts once the study is completed. Then we can proceed with pay equity recommendations affected not only by unification but also by realignment and market-driven factors.

- Technology (includes staff, asset management, telecommunications, no request for case management systems (CMS))
 - Consensus Group Recommendation: Same as above
 - Staff Recommendation: Same as above except a finance letter should be submitted in spring 2003 for CMS if funds needed
 - Estimated Cost—\$27.6 million

Ms. Hansen pointed out that technology funding through the budget process has been sporadic in the past. A few years ago a submitted amount of funding was provided, while in recent years no funding has been received. The recommendation is to seek funding for staff, asset management, and telecommunications. These have been submitted in the past and have not been successful but we will continue to pursue them. Because results are not yet available on previous spending received for case management systems, it was recommended that no CMS funding be sought at this time. Available one-time funding, however, should be provided if the immediate need is there. And staff further recommends that if either insufficient or no one-time funding is available or when we have more information about the status of our case management systems that we consider submitting a finance letter in the spring of 2003 for case management funding.

- Postage/Mailing Cost Increase
 - Consensus Group and Staff Recommendation concur
 - Estimated Cost—\$1.6 million

Ms. Hansen stated that during the breakout sessions of the Budget Priority Conference, some courts expressed concern about the effects of inflation on routine items in their budgets. While costs continue to go up, they don't receive funding to cover them. Considering that inflation could affect numerous areas, we decided to look at just postage and mailings. These can be a significant costs in the courts and it's easy to document costs that have risen since state funding.

- Court Interpreters (include workload increase and rate increase)
 - Consensus Group Recommendation: Workload increase only
 - Staff Recommendation: Workload and rate increase of \$40 to federal court rate
 - Estimated Mandatory Cost—\$11.593 million

- Estimated Non-Mandatory Cost—\$2.826 million

The consensus group recommendation for court interpreters is to request funding to cover the growth of workload only, with no rate increase. Consistent with previous council direction, the staff recommendation is to pursue funding for workload growth but also to seek funding to raise the rate for certified and registered interpreters by \$40 to match the \$305 rate paid by federal courts. Increasing the rate would bring the interpreters more balanced with the court staff that has received increases due to NSIs. Increasing the rate may also help address the shortfall in the number of interpreters available by encouraging people to pursue court interpreting as a career.

Individual Court Requests

- Increased County Charges (all areas)
 - Consensus Group and Staff Recommendation concur
In the area of increased county charges for all areas, this was a mandatory area, this is just the cost that the counties are currently passing on to the court that this be included.
- County/State Transition (human resources and fiscal only)
 - Consensus Group and Staff Recommendation concur
Both consensus group and staff recommend that the highest priorities are in the HR and fiscal areas because of the responsibilities that the courts must take over. It is recommended that courts be able to submit requests for additional costs in staffing needs in these areas.
- Records Management (includes technology related to records management (imaging), equipment, personnel, and storage)
 - Consensus Group and Staff Recommendation concur
- Security (includes perimeter staffing and equipment only)
 - Consensus Group and Staff Recommendation concur

The consensus group and staff agreed that since security issues are being studied, we will limit security requests to perimeter staffing, equipment needs, and NSIs and benefits.

- Family and Children (includes mediators, custody evaluators, and investigators only)
 - Consensus Group and Staff Recommendation concur
- Facilities (rule 810—allowable costs for painting, carpeting, and furniture only)
 - Consensus Group and Staff Recommendation concur
- Self-Help Centers
 - Consensus Group and Staff Recommendation concur

- Staff Training and Education
 - Consensus Group and Staff Recommendation concur

Local Needs Requests

Courts can submit up to two local needs requests in any area not previously mentioned as a statewide or individual court priority.

There are always one or two calls on local needs requests that are critical to courts but that do not make it on the recommended priority list that goes out from staff and is approved by the council. In fiscal year 2002, courts were allowed to submit an unlimited number of local needs requests, which were then folded into budget change proposals. At fiscal year 2002–2003, no local needs request were permitted. The consensus group and staff agreed that the courts should be able to submit for other high priority areas therefore we decided to allow each court to submit up to two local needs requests.

Budget Cap

On individual and local needs requests, the consensus group and staff recommendation was that the cap be at 7.5 percent of the court's baseline budget or \$250,000, whichever is greater (the maximum would be \$128.4 million).

Staff also recommends that the cap be 5 percent of the court's baseline budget or \$175,000, whichever is greater (Maximum of \$85.8 million).

This same cap was also imposed during the budget process in fiscal year 2002–2003; however, there are substantial differences between the current recommendation and those for fiscal year 2002–2003. For example, there are more statewide requests that are not subject to a cap, such as security, NSIs, retirement, workers' compensation, pay equity increases, and postage and mailing. The clerks and presiding judges felt that these areas should be considered statewide requests rather than individual requests. These items amounted to approximately, \$98 million or 73 percent of the 7.5 percent cap. We are recommending that the cap for individual local needs requests be reduced to 5 percent of the court's budget or \$175,000, whichever is greater.

Trial Court Requests

Recognizing that the total of all trial court requests could exceed \$292 million, which represents 13 percent of the trial courts' current operating budget, including judges' salaries and interpreters' increases, staff recommends that, once the final numbers from the May Revise are received and taking into consideration the state of the economy, staff will submit a proposal to the council in August on behalf of the trial courts, and consider whether or not it needs to be reduced to something more in the range of 7 to 8 percent. The mandatory costs were estimated at about 5 percent, whereas the non-mandatory at 8 percent; so if the economy does not improve, we may go forward with just the mandatory items and then determine whether the highest priority items can go up to 2 or 3 percent.

Mr. Vickrey suggested that, given the budget briefing, it would be appropriate to have the council request that the budget request come back with perhaps two or three different scenarios starting at 5 and 7 percent and then whatever the total request is. The \$300 million in a good year is probably not realistic and given the bleak picture painted by the memo disseminated this morning, it seems we would be doing well to fight to get the necessary money to meet the operationally driven cost increases, such as salaries.

Ms. Hansen agreed and will prepare various options given the current state of the economy. An extensive training is under way this month to train approximately 300 court employees on how to prepare budget requests with appropriate workload justification, etc. The same working group concept will be used, court executives as part of a group that will review the requests. Ms. Hansen suggested that once all the courts are trained on how to prepare a request, tougher standards should be applied to ensure adequate justification. If the results will not bring the numbers down a bit, staff will recommend alternatives at lesser cost.

Mr. Vickrey suggested that when the budget packet goes out to the courts, the council include a caveat that under current budget conditions, some requests may be disapproved in arriving at a realistic judicial branch budget request. As a result, courts should submit prioritized budget requests. A survey of the budget process of other states shared that a lot of communications to the courts are setting limits in the range of 3 to 4 percent on budgets, with a caveat that that may be overly optimistic in terms of the request level.

Supreme Court/Court of Appeal/Judicial Council/HCRC Recommendation

Of the \$18.3 million originally submitted to the DOF on behalf of those entities in fiscal year 2002–2003, only \$619,000 or 3 percent of our original request was actually included in the Governor's budget. In the area of finance letters, an additional \$4.342 million has been submitted, and this includes accounting services, legal services staff for the regional offices, and appellate court attorneys for the Courts of Appeal. The plan is to look at all of the previously denied high-priority requests to determine if those priorities still exists and then ask staff to reassess for any new needs. Staff anticipates using fiscal constraints similar to those used last year for the rest of the branch. What will be submitted to the

council in August is quite similar to what was seen this past year so that we can still work towards those approved. This time we don't have any specific new priority areas.

Funding Requests

Only 3 percent of requested funding for fiscal year 2002–2003 was included in the Governor's budget.

Staff recommends working with entities to reassess previous requests. These requests may be resubmitted if still eligible. New requests may be submitted if they are high priority and meet fiscal requirements.

Mr. Vickrey reminded the council that last year we had legislation that provided for a pay differential for presiding judges, based on the size of the courts. Studies of the smaller courts—those with 2-4 judges—were not included in the process. They have been informed by the council and the Chief Justice that we will discuss this issue with the executive and legislative branches. While such a proposal is not formally included in this package, unless there are any objections, we will continue talking about the issue with the DOF. The amount is about \$40,000 and may rise to the level of a budget request. We will go over the data and come back in July or August so the council can revisit the structural issue.

The Chief Justice reported that we were quite fortunate to make the change for the courts of 5 or more judges; we were able to make the greatest justification for those courts. But the council does not want to exclude the smaller courts if we can make a case that they should be covered as well, and we will pursue it.

The Chief Justice asked Judge Stephen D. Bradbury to communicate this message to California Judges Association (CJA) members who are interested. He also asked Judge Frederick Paul Horn to speak to the Trial Court Presiding Judges Advisory Committee.

Judge Bradbury pointed out that the CJA board was unanimous that there should be equality throughout the state.

Justice Huffman explained that the Executive Committee addressed the issue when the matter first came up and was listed among the top priorities of the budget requests. While the committee recognized that it was a legitimate priority of the council to proceed legislatively with a policy issue, putting in a \$40,000 item as a top priority in a \$2.5 billion budget request is not likely to advance the policy. So staff was asked to remove it from the priority list for budget purposes without any impact whatever on the policy and legislative issue.

Justice Huffman moved to approve staff's recommendation with the modification that individual requests be limited to 5 percent of the baseline budget and that after analysis of the fiscal conditions, that staff presents options to the Judicial Council which may be less than the amount requested.

Judge Donna Hitchens seconded the motion.

Justice Huffman asked Ms. Hansen whether these priorities are set to seek an increase in the budget and if these priorities would be of any assistance to either the branch, the Finance Division, Mr. Vickrey, or the Chief Justice in dealing with potential reductions or whether it is a separate and different issue. He continued that if the Legislative Analyst is correct, we're not looking at increases of any kind in the budget but potential reductions.

Ms. Hansen replied that we prioritize what we submit to the DOF so that through the budget negotiations we look at not only the overall budget requests and what that prioritization is statewide, but individual requests as prioritized by the courts. Then if we need to make reductions quickly, we know how important a request is to the court and how important it is statewide.

Justice Huffman articulated that the new Judicial Branch Budget Advisory Committee is a marvelous step forward. It will assist the staff and ultimately the council in setting priorities. But he reminded the council that it has not yet solicited the input of the advisory committees. Now we're trying to meet basic needs, and the staff have introduced a fair and balanced analysis, but over time we will need a process in which we have the input of the council's advisory committees, as well as the presiding judges and court executives.

Council action:

The Judicial Council approved staff's recommendations on the following trial court budget priorities with the modification that individual requests be limited to 5 percent of the baseline budget and that after analysis of the fiscal conditions, that staff present options to the Judicial Council which may be less than the amount requested:

1. Courts can make extraordinary requests in non-mandatory areas with no cap, if they:
 - a. currently have less than 1.0 court reporter per bench officer and less than 1.0 court reporter per judicial need and
 - b. currently have less than .25 legal research staff per bench officer and less than .25 legal research staff per judicial need (\$23.9 million).
2. Statewide needs requests: mandatory and non-mandatory; can be made in the following areas:
 - a. Negotiated Salary Increases (NSIs) (mandatory) and benefits for court staff (NSIs and salary-driven benefits, retirement, and workers' compensation).
 - b. NSIs and benefits for sheriffs (mandatory) —minimum estimated \$25.41 million.
 - Security personnel include NSIs, salary-driven benefits, and non-salary-driven benefits (including health, dental, vision, and retirement) based on confirmed contract.
 - c. Seek an increase of 8.5 percent for non-mandatory judicial salary increase

- effective January 1, 2004 (estimated \$12.85 million).
- d. The goal of pay equity adjustment includes mandatory and non-mandatory costs, whether because of unification, realignment, or market-driven factors; mandatory costs are estimated at \$5 million and non-mandatory at \$25 million.
 - e. Technology (\$27.6 million) includes mandatory and non-mandatory for the following areas:
 - Staff (\$6.0 million).
 - Asset Management (\$8.4 million).
 - Telecommunications LAN/WAN Network (\$13.2 million).
 - Case Management Systems (\$0) should be funded from existing one-time resources, where approved.
 - f. Operating expense cost increase for postage/ mailing costs (mandatory).
 - g. Court interpreter requests include mandatory and non-mandatory costs for the following:
 - All actual court interpreter workload costs to be funded; need to seek additional funding if funds are unavailable.
 - An increase of \$40 per day in the rate for certified and registered court interpreters should be sought.
3. The cap for non-mandatory individual court requests is limited to 5 percent or \$175,000, whichever is greater, for the following areas:
- a. Increased county charges (all areas)
 - b. County/state transition (human resources and fiscal only)
 - c. Records management (technology, equipment, personnel, and storage)
 - d. Security (perimeter staffing and equipment only)
 - e. Family and children (mediators, evaluators, and investigators only)
 - f. Facilities (rule 810–allowable costs for painting, carpeting, and furniture only)
 - g. Self-help centers
 - h. Staff training and education
 - i. Courts can submit of up to two local needs requests in any area not previously mentioned as a statewide or individual court priority.
4. Previous requests for Supreme Court, Courts of Appeal, Judicial Council, and Habeas Corpus Resource Center will be reassessed and may be resubmitted if still eligible; new requests may be submitted if they are high priorities and meet fiscal requirements.

The motion passed.

Circulating and Appointment Orders Approved

Circulating Orders:

No circulating orders were approved since the last meeting.

Appointment Orders: Appointment to the Judicial Council's Probation Services Task Force

For information only; no action necessary.

Appointment Orders: Appointment to the Judicial Council's Litigation Management Committee

For information only; no action necessary.

There being no further business, the meeting was adjourned at 12:16 p.m.

Respectfully submitted,

William C. Vickrey
Secretary