

## JUDICIAL BRANCH BUDGET PRIORITIES 2016–2017



### Governor's Proposed Budget

We welcome the Governor's budget as proposed for the judicial branch, as it would provide \$146.3 million in crucial new funding for our courts, and reflects steady, new investment in the judicial branch since fiscal year 2012–2013.

The proposed new funding would be allocated for a variety of purposes for trial courts, appellate courts, and statewide programs, including:

**Innovation Grants – Language Access Expansion in Civil Proceedings – New Workload Associated with Proposition 47 Implementation – Trial Court Trust Fund Revenue (TCTF) Backfill – Support for Trial Court Operations.**

The Governor also continues to fund costs courts cannot control (e.g. rent increases, information systems and cyber security costs, employee health care and retirement cost increases, and increased court security costs) and backfill declining revenues to avoid further reductions in court services.

We look forward to working with the Administration and Legislature as we seek to address the ongoing fiscal and structural issues affecting access to justice for the people of California.

Additional Judicial Branch Budget Priorities		
Need	\$	Background
<b>1. Trial Court Funding Gap</b>	78.6 M	<ul style="list-style-type: none"> <li>To continue closing the existing gap between current workload and available funding.</li> <li>Based on the Workload Allocation and Funding Methodology (WAFM), \$2.4 billion is needed for a fully functioning court system, leaving a current funding gap of over \$400 million.</li> </ul>
<b>2. New Judgeships</b>	10.3 M	<ul style="list-style-type: none"> <li>For 14 new judgeships (including 2 appellate justices), and a minimal complement of staff positions to support the work of each judge.</li> <li>The most recent judicial needs assessment study shows a statewide need for 269 new judgeships to reduce backlogs and increase access to the courts. Two justices are needed to meet growing workload demands in the Fourth Appellate District Court of Appeal (Riverside).</li> <li>The Administration also proposes to reallocate up to five vacant superior court judgeships to counties with the greatest need.</li> </ul>
<b>3. Dependency Counsel</b>	22.0 M	<ul style="list-style-type: none"> <li>To increase the courts' ability to process cases more timely, promote fully informed judicial decisions, speed family reunification and permanent placement, and limit families' reentry into dependency. (\$22M figure is expected to be revised.) In addition, this will reduce caseloads from the current ratio of 225 clients per attorney to 188.</li> <li>Approximately 154,900 parents and children require specially trained dependency attorneys under Welfare and Institutions Code §317.</li> </ul>

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<b>4. Appellate Counsel</b>	2.2 M	<ul style="list-style-type: none"> <li>• To fund California’s six Appellate Projects                             <ul style="list-style-type: none"> <li>○ Supreme Court appellate project work on death penalty cases (\$800K)</li> <li>○ Five Courts of Appeal appellate projects work on non-death penalty cases (\$1.4M)</li> </ul> </li> <li>• The Appellate Projects are critical to satisfying the constitutional guarantee that indigent defendants, both adults and juveniles, convicted of a felony have competent counsel.</li> </ul>
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Other Considerations and Impacts	
<b>Civil Assessment Revenue</b>	Civil assessments are projected to decline by \$23 million in the current year, and by \$18 million next year. Similar to the TCTF revenue shortfall, without an appropriate backfill, this decline in revenue will result in additional service reductions in local trial courts.
<b>1% Reserves Cap</b>	The cap continues to result in cash-flow problems for local courts, inhibits the replacement of failing equipment, and limits long-term planning. Since June 2014, 53 trial courts have required cash advances to avoid missing payroll or other payment obligations.
<b>One-Time Solutions</b>	To partially offset \$1.2 billion in budget cuts and prevent debilitating impacts on public access to justice, user fees and fines were increased by the Legislature, local trial court reserves spent down, and statewide project and construction funds diverted to court operations or the state’s General Fund. These mostly one-time solutions are exhausted.
<b>Reduced Service Impacts</b>	Staffing reductions, closed facilities, and limited hours mean that the public must travel longer distances, miss more time at work, and wait much longer for resolution.

