



Superior Court of California County of Alpine BUDGET SNAPSHOT

March 2017



JUDICIAL COUNCIL
OF CALIFORNIA
GOVERNMENTAL AFFAIRS

Hon. Thomas Kolpacoff, Presiding Judge

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Court Service Highlights in the Current Year

- **Impaneled first grand jury since FY 2010-11**
- **Implemented electronic time sheets**
- **Entered into comprehensive collection activities with GC Services**
- **Increased phone hours daily to 8:00 AM – 4:00 PM**

Court Service Highlights in Detail

Grand jury: Alpine is small and very rural with residents spread throughout the county. Grand jury letters were sent to all registered voters. In the past, the court did not receive enough responses to impanel a grand jury. This year, we were successful in impaneling an 11-member grand jury with two alternates for FY 2016-17. This is the first Alpine County Grand Jury impaneled since FY 2010-11.

Operational efficiencies: The court implemented electronic time sheets (employee self-service and manager self-service) through Judicial Council and SAP. This has eliminated paperwork and increased efficiency in preparing and approving time sheets and payroll.

Comprehensive collections: Pursuant to a new arrangement, we forwarded approximate 200 delinquent cases to GC Services since July 2016. We continue to send delinquent cases to collections every two weeks.

Calling the court: After some operational reorganization, we increased our mid-week phone hours. We previously answered phones all day Mondays and Fridays, but only 8:00 AM to noon Tuesdays, Wednesdays, & Thursdays. Now phones are answered all day every week day.

Additional improvements:

- Since the implementation of a new case management system in May 2015, staff are much more efficient in processing daily workload.
- None of Alpine’s current cases were converted to the new case management system in May 2015, so we continue to manually input older cases into the new system as time allows or as they come up on calendar.
- Older cases are reviewed and entered into the new case management system. When entering older cases into new system, any outstanding delinquent cases are processed to collections.

Budget Challenges and Priorities

Availability of judicial officers: Alpine has two judicial officers who are both regularly reassigned to other courts (Amador, Calaveras, El Dorado, Mono, Inyo, Mariposa, Merced, Modoc, Nevada, Placer, Sacramento, San Joaquin, San Luis Obispo, Sierra, Stanislaus, Sutter, Toulumne, Yolo and Yuba) sometimes making the scheduling of hearings in Alpine very challenging.

Court reporters & court interpreters: The court has no court reporter employees or interpreter employees. We must contract court reporters from Nevada, Capital Reporters. Interpreter services are nearly impossible to get in person, and when we do, they charge exorbitant fees.

Court security: We have one regularly assigned bailiff on court days. The same bailiff staffs the metal detector and works in the courtroom.

Self-help: Our self-help service is onsite at the courthouse the third Thursday of each month.

Court staff and JCC services: The court continues to rely on the Judicial Council staff for roles previously performed by staff, such as accounts payable, daily bank reconciliation and planning fiscal budgets. Our court executive officer is responsible for all human resources, jury services, accounts payable, and bookkeeping functions.

Court Demographics

Population Served	1,110
Square Miles Covered	743
Total Number of Court Facilities	1
Number of judicial officers	2
Number of non-judicial staff	4 FTE

Why do courts need more money if filings are down?

Most of California's courts have not been funded at 100% of their need for at least the past five years. Some courts, specifically those that are considered historically under-resourced, have always been chronically underfunded.

How courts are funded

Trial court revenues can be divided into three categories: state financing sources, grants, and other financing sources. The majority of the courts' revenue comes from the state, and the vast majority of state funding is provided by the Trial Court Trust Fund (TCTF). State financing sources also include reimbursements for court interpreters and other costs. Grant funding for child support commissioners and facilitators is a significant portion of grant revenue. Local fees, local reimbursements, and the recovery of costs for comprehensive collection programs make up a significant portion of other financing sources revenue. Reimbursements are paid to the courts in the amounts they are authorized to spend. Grant funding is allocated to the courts based on amounts they are awarded based on grant applications and program criteria. Local fees and collections are distributed to the courts according to schedules and statutes that govern how much courts are entitled to retain from what is collected. However, these other financing sources account for only a modest amount of all trial court revenues. The majority of funds distributed from the TCTF to the trial courts is determined by way of a statewide filings-based formula called the Workload-based Allocation and Funding Methodology (WAFM) which allocates funds based on each court's share of the estimated statewide funding need calculated from a three-year average of filings and case type at each court.

WAFM

The WAFM calculation begins with resources assessment study which assigns a relative time value to each type of case (felony, unlimited civil, family law, etc.). That value is determined through time studies performed at the courts and research in clerk's offices, self-help centers, and courtrooms. As a result, this method assesses the average amount of processing time each case type requires of court staff. We then multiply this amount of time, called a caseweight, by the court's three-year average of the number of cases filed for that case type. We use the sum of the calculated times for all case types to estimate a staffing need. WAFM then determines an overall 'workload based' funding need for each trial court using that staffing need in combination with information on court employees compensation, operating expenses, and equipment expenditures. WAFM was created by the Judicial Council to establish an equitable way to allocate money to the courts. Prior to WAFM, courts received a share of TCTF funds based on how much funding they received historically from their counties (when trial courts were funded by the counties rather than by the State). The change from local to state funding occurred in 1997 with the passage of the Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233; Ch. 850, Statutes of 1997). Unfortunately, even with the introduction and use of WAFM as a model, California's courts suffer a shortfall in funding. In fact, courts currently share funding that is less than 100% of their estimated need, which means that just about every court in California receives less money than it needs to serve the public. It is important to stress that WAFM provides a mechanism to distribute money to the courts, but it does not mean there is sufficient money to fund court operations and services.

Impact of legislation and ballot initiatives

Some bills that become law require the courts to perform new functions without providing funding to support those new functions. For example, SB 1134 (Leno; Ch. 785, Statutes of 2016) requires all California courts (trial courts, Courts of Appeal, and the Supreme Court) to rehear specified habeas corpus petitions because that bill changed the standard of review for such cases. As a result of these "do-over" filings and hearings without an appropriation of funding, court revenues must be spent hearing cases a second time, delaying for weeks and months any new cases because no funding was appropriated with this bill. The same is true for ballot initiatives. Prop. 64 allows people who previously had convictions for specified marijuana crimes to petition the courts to have their convictions vacated. Tens of thousands of people in California have been convicted of marijuana violations; they may now be eligible to ask the courts to undo their convictions, but the initiative didn't include funding to help the courts process these requests. That means that courts will spend their revenues to address these marijuana issues, rather than hearing new cases that are filed.

Other factors

Even though fewer cases were filed in 2015 than in 2014, courts are still underfunded no less than \$430 million because: (1) Courts have been historically underfunded. Even though filings are down, they are not down enough to close the gap between what courts need and what they have. (2) More people are representing themselves in court. Since individuals are largely unfamiliar with court procedures, these cases take longer than cases that are tried by lawyers. (3) There are more criminal cases going to trial. Statistics show that since the passage of AB 109 (realignment) and Prop. 47 (felonies converted to misdemeanors in certain cases), the number of trials has increased *and* the length and complexity of trials have also increased. (4) Language services are becoming more critical. The courts face new and increasing responsibilities to manage and provide interpreter services for litigants who are not English speakers. While the services of interpreters are often reimbursed, management and logistics associated with language access are not. (5) Since realignment there have been significant changes to how people are sentenced and the duration courts retain jurisdiction over them, resulting in new hearings, increased paperwork, and other logistics that must be managed by the courts.