



# Superior Court of California County of Kern BUDGET SNAPSHOT



JUDICIAL COUNCIL  
OF CALIFORNIA  
GOVERNMENTAL AFFAIRS

February 2015

## Budget and Program Priorities for FY 2015-16

*Utilization of reserve funded technology improvements installed in 2014-2015 for on-line access, customer service kiosks, and jury services processing have helped mitigate service cuts due to budget related staffing reductions. Court's use of encumbered reserve funds to replace aging case management system will be priority in 2015-2016 budget year.*

### Self-Help / Mediation / Facilitator Services

Limited resources were used to backfill for Legal Assistant lost due to sunset of grant. Mediation has been indefinitely suspended except for that funded by DRPA. Self-Help services have been maintained in remote regional court locations with utilization of video technology.

### Counters / Clerks / Telephones

Restoration of courtroom and courtroom support are priorities. No change in diminished hours of services to the public; counters and telephones remain closed daily at 4:00 and noon on Friday.

### Courtrooms / Court Facilities

- Lake Isabella Regional Court facility remains closed indefinitely.
- Taft Regional Court facility remains closed except for one day per week. Failures to Appear in misdemeanors have increased dramatically due to lack of public transportation to alternative court facility in Lamont.

### Staff Impacts

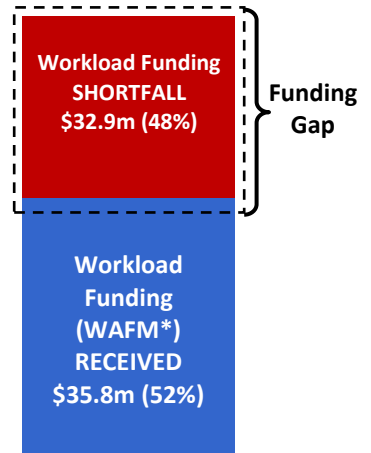
- Staff Vacancies: WAFM funding helped reduce court vacancies from 15% in FY 2013-14 to 12% (est.) by end of FY 2014-15. Courtroom staff and courtroom support positions were given priority for recruitment.
- Staff Reductions: 40 permanently deleted court positions due to budget reductions increased overall vacancy rate to 18.6%. Proposed state budget increase of 5% is insufficient to restore lost positions.
- Court Reporting: Court provided reporters have been indefinitely suspended in family law, except domestic violence, and civil unlimited with parties contracting for reporting services. Complaints on inability to provide court record for appeals have increased significantly.
- Turnover: 5-years of no salary increases have resulted in court compensation levels that are not competitive with local labor market. Recent increases in court employee turnover and unsuccessful recruitments for key technology positions are directly attributable to pay that has not kept pace with local market compensation.

### Availability of Judicial Officers

Year-long vacancies in judicial positions have been filled within the last month. It is estimated that one to two judges will retire each year for the next three years, as judicial officers appointed in Governor Brown's first term reach retirement age. JRS-3 has adversely impacted the number of applicants for judicial positions increasing delays in time needed to fill vacancies.

## Funding Shortfall

**\*WAFM is the Workload-based Allocation & Funding Methodology. It describes how much funding courts need based on their workload. In the current year, the workload-based allocation *needed* in Kern was calculated at \$68.7 million but the court received \$35.8 million. See reverse for a detailed explanation of how WAFM is calculated.**



## Court Demographics

Population Served	873,092
Square Miles Covered	8,162
Total Number of Court Facilities	10

## Court Leadership

Presiding Judge	Hon. John S. Somers
Court Executive Officer	Terry McNally
Executive Office Contact	(661) 868-4934

## Budget Challenges for FY 2015-16

*Increased operating costs for upcoming fiscal year will deplete proposed budget increase of 5%. As such, if not for WAFM reallocation, Kern would likely have to freeze new employee hiring resulting in cumulative vacancy rates, unfilled plus deleted positions, of approximating 20% or more. Depletion of court reserves will eliminate any additional investment in improved technology other than those initiatives already contracted/encumbered. This will limit our ability to modernize and improve the quality of services to court users.*

## **The Workload-based Allocation & Funding Methodology (WAFM)**

The Workload-based Allocation & Funding Methodology (WAFM) calculates the total funding needed for California's 58 trial courts based on case filings, workload and other factors.

To do this, WAFM relies on results from what we call the Resource Assessment Study (RAS) model to estimate total staffing needed using a weighted caseload model. Developed in partnership with national experts, the RAS model is based on a time study of over 5,000 case processing staff in 24 California trial courts. The study established a set of caseweights (amount of time in minutes to process a case from initial filing through any post-disposition activity) understanding that certain types of filings take more time and resources to handle than others. The weighted filings are used to estimate total staff needed in each court.

The WAFM model converts the staff need data into dollars, taking into account average salaries, benefits, operating expenses and equipment, and the local cost of labor using the Bureau of Labor Statistics as a benchmark. A "funding floor" is applied to the smallest trial courts because there is a basic operating threshold that must be met in order to provide service to the public. In other words, California's small courts do not have economies of scale, and yet there are basic expenditures that even the smallest courts must make. The result is, for each court, an estimate of the core operations funding required to adequately process its workload. This is known as the court's WAFM share.

Starting in FY 2013-14, a portion of each court's allocation is being recalculated according to its WAFM share. (A court's WAFM share is different from the courts' historical share of the statewide funding. The WAFM calculation tells us what the trial courts need to function based on current filings, whereas the historical share was based on the amount each court received from its county.)

Unfortunately, the total WAFM funding needed for all 58 courts exceeds the funding currently appropriated in the state budget by as much as \$800 million. (This is the WAFM funding gap.) To manage the budget reductions resulting from the implementation of WAFM in the absence of full trial court funding, the Judicial Council approved applying WAFM incrementally to each court's historical share of statewide funding, applying it 100% only to "new" money appropriated in the budget. New money is any undesignated general court operations funding increase above the FY 2012-13 State funding level.

The rules of application adopted by the Judicial Council are as follows:

- Each year beginning in FY 2013-14, and through/including FY 2017-18, incrementally more of the historical (base) funding (using FY 2012-13 as the base) will be subject to WAFM, until 50% of the FY 2012-13 base is distributed according to WAFM;
- All undesignated court operations state funding increases after FY 2012-13 are distributed according to the WAFM shares; and
- For each dollar of new state funding, one dollar of the historical base will be reallocated using WAFM.