

County of Riverside



JUDICIAL COUNCIL OF CALIFORNIA
GOVERNMENTAL AFFAIRS

BUDGET SNAPSHOT

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Court Service Highlights in the Current

- Increasing access to justice and public services
- Implementing technological enhancements
- Prioritizing self-help

Court Service Highlights in Detail

Increasing access to justice, expanding public services

With the funds provided in FYs 2015-16 and 2016-17, the court was able to partially restore critical staffing through an incremental approach after years of budget reductions and the loss of civil assessment funds because of the amnesty program. The process has been halting and shortages still exist. Misdemeanor filings have gone down but felony filings have increased. The court decreased the number of criminal courtrooms to add a needed family law courtroom, an additional probate bench, another juvenile dependency courtroom in the southwest part of the county, and a new civil court where none had existed before. Thankfully, Riverside County has a new six-courtroom justice center in the middle of a 180-mile long county, reducing residents' commute time significantly.

Implementing technological enhancements

The court has been able to move forward with implementation of a new case management system, e-Court. The first modules are scheduled to go-live in July 2017. This new system will provide a user-friendly interface for staff, judges and other agencies, and will streamline functionality.

In other areas, the court continues to use technology to provide access online, over the phone, via fax or other electronic media, at kiosks, and at local businesses, so court services are more convenient and accessible for the public. We are implementing file and document storage solutions to increase efficiency, reduce paper, and streamline court processes caused by 180 criminal complaints e-filed per day. We are preparing for the implementation of a new electronic content management solution that will house over 160 million electronic case file images.

Prioritizing self-help

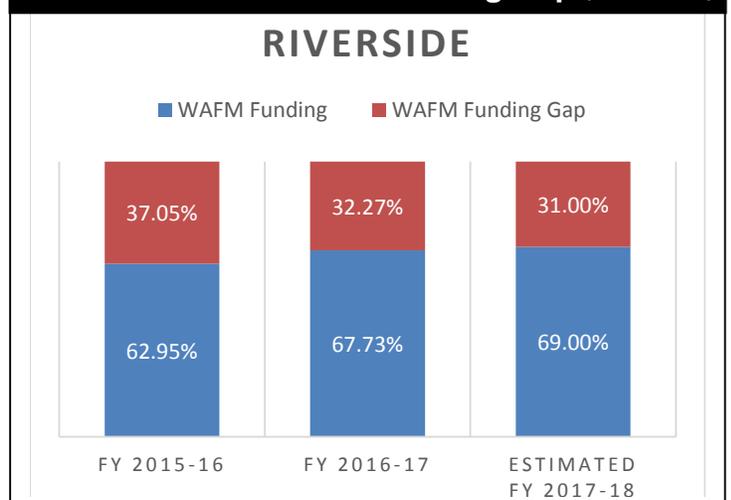
The court continues providing assistance to self-represented litigants despite a lack of adequate funding. Electronic queues have been installed to improve customer intake, the small claims advisory program has restored on-site assistance to customers, and the court has partnered with other organizations to provide family law and eviction workshops to members of the community. A program to assist those in need of domestic violence orders is also being piloted. With an increase in probate filings, the court now offers assistance to unrepresented customers with decedent's estates and elder abuse restraining orders.

Budget Challenges and Priorities

The court was provided minimal WAFM money in FY 2016-17. This is the second-to-last year that underfunded courts like Riverside will receive an increase in the allocation intended to bring us more in line with the funding levels of other trial courts. Because our court has been underfunded for so long, any new money has been used to restore previously reduced services and, where critical, implement new services such as in self-help, case processing, and courtroom staffing. The court remains under-resourced, however. Positions remain vacant in order to meet budget demands.

Complicating matters, the court struggles with the additional workload from unfunded initiatives, such as Propositions 57, 63, 64, and 47. Civil assessment revenues, which bridge the gap in funding each year and allow the court to remain open to the public, continue to decline. This has resulted in a loss of revenue of approximately \$7 million over the past 4 years. The effects of the revenue loss are compounded because of the 1% limit on reserves and a continual struggle to ensure enough funds are set aside for payroll costs, technology infrastructure, and emergency projects. As a result of the Governor's Proposed Budget, the court may need to consider a freeze on positions, courtroom closures, and a further reduction in public service hours in the coming fiscal year. It's worth noting that even as a court that has benefited from WAFM, we remain underfunded by nearly one-third of the funds we need to operate. (See chart, below.)

Workload Allocation & Funding Gap (see reverse)



Court Demographics

Population Served	2,347,828
Square Miles Covered	7,303
Total Number of Court Facilities	14
On the web: www.riverside.courts.ca.gov	

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.