

# Superior Court of California

## County of San Bernardino

### BUDGET SNAPSHOT



JUDICIAL COUNCIL  
OF CALIFORNIA  
GOVERNMENTAL AFFAIRS

February 2015

### Budget and Program Priorities for FY 2015-16

*The San Bernardino Superior Court is a severely underresourced and underfunded court. In fact, it is the second most underresourced and underfunded court in the state. The San Bernardino Superior Court has endured drastic budget cuts since 2009, which has had a substantial impact on access to justice for County residents. It is now time to focus on restoring services and access to justice for the citizens of San Bernardino County through increased judgeships, restored staffing, and improved technology.*

#### Availability of Judicial Officers

- The Court's 86 authorized and funded judicial positions meet just 60% of the Court's 2014 Assessed Judicial Need of 143 judicial positions
- One of the largest "per judicial position" caseloads in the state with 4,957 cases per judicial position, 30% higher than the statewide caseload average of 3,817 cases per judicial position
- Currently using many fewer assigned judges and many fewer commissioners due to lack of staff for courtrooms

#### Courtrooms and Court Houses

- Since FY 2006-07 the Twin Peaks, Redlands, Chino, Needles, and Big Bear courthouses have closed
- One courtroom was closed in Joshua Tree in FY 2012-13
- Night Court was eliminated countywide as of March 2013
- Barstow closed 4.4 courtrooms May 6, 2013, leaving one courtroom with a limited calendar open three days a week

#### Staff Impacts

- The Court's current number of staff meets just 63% of the its staff need of 1,427 positions per the 2013 Resource Allocation Assessment
- Furloughs instituted in FYs 2009-10 to 2012-13
- Many positions kept vacant since FY 2008-09
- Between 2011 and 2013, eliminated 268 positions, including 37 layoffs in FY 2012-13

#### Court Reporters

FY 2012-13 budget reductions resulted in laying off 14 court reporter positions for civil and misdemeanor criminal cases

#### Self-Help, Mediation, and Facilitator Services

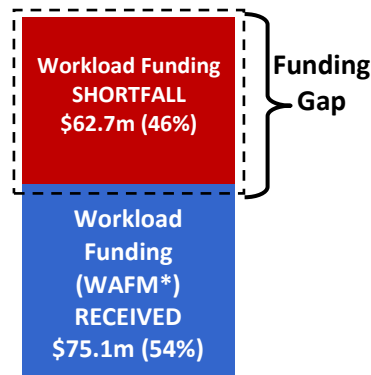
Court no longer provides forms; litigants without technology in poorest areas spend extra hours in line waiting to purchase them

#### Technology

The inability to carry fund balance forward has impacted the Court's opportunities to fund important technology projects to modernize existing systems and other important projects such as court funded facility modifications for our many old buildings

### 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 San Bernardino was calculated at \$137.8 million but the court received \$75.1 million. See reverse for a detailed explanation of how WAFM is calculated.**



### Counters, Clerks, and Telephone

Clerk's Office is now closed to the public at 3:00 p.m. daily

### Court Demographics

Population Served	2,088,371
Square Miles Covered	20,105
Total Number of Court Facilities	14

### Court Leadership

Presiding Judge	Hon. Marsha Slough
Court Executive Officer	Ms. Christina M. Volkers
Executive Office Contact	(909) 708-8767

### Budget Challenges for FY 2015-16

*San Bernardino County is the largest geographic county in the contiguous United States. Due to courthouse and courtroom closures, many court users must now travel much farther to complete jury service, attend court hearings, and obtain court services. Court users in distant areas with minimal/negligible public transportation must drive 6 hours (or more) round trip to access services.*

## 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.