

Written Comments Received for
December 11, 2012, Trial Court Funding Workgroup Meeting

Item No.	Name and Title	Affiliation	Topic	Date of Receipt
1	Hon. Kelvin D. Filer, Judge	Superior Court of California, County of Los Angeles	Federal Funding	November 13, 2012
2	Hon. David W. Herrick, Presiding Judge Hon. Stephen O. Hedstrom, Assistant Presiding Judge Krista LeVier, Court Executive Officer	Superior Court of California, County of Lake	Trial Court Funding Allocation Methodology	December 7, 2012

From: [Judge Kelvin D. Filer](#)
To: [TCFWG](#)
Subject: Federal Funding ??
Date: Tuesday, November 13, 2012 5:40:51 PM

Dear AOC - I have been inquiring and wondering for several years why our courts have NOT sought FEDERAL funding ??? Specifically, I believe that using our creative talents and powers of persuasion that we (the court system) would qualify for federal funding from Homeland Security. For example, if there was an incident, the courts would be needed to adjudicate cases, file claims, house detainees, etc. Plus, most of our courthouses are the tallest structures in their area and could/should be the desired repositories for communication systems, ergo, in the event of an incident, the courthouses could serve as the command posts - hence a FEDERAL need to make sure our courthouses are structurally sound and well-maintained !! I just think that we (the court system) need to "think outside the box" and try to do something on the revenue end of the spectrum??? Finally, whether it is publicly acknowledged or not, when it comes to Homeland Security, it is an endless opportunity for funds so long as the need can be justified. This additional revenue would offset and/or replace state cuts ? Just my two cents ! Kelvin D. Filer (310) 603-7217



Superior Court
State of California
County of Lake
255 N. Forbes Street
Lakeport, California 95453
707-263-2374

David W. Herrick

PRESIDING JUDGE

December 7, 2012

Trial Court Funding Workgroup
C/o Hon Harry E. Hull, Jr., Co-Chair
Hon. Phillip Isenberg, Co-Chair

Via Electronic Mail TCFWG@jud.ca.gov

Re: Trial Court Funding Workgroup

Dear Committee Members:

We thank you for the time and effort you are investing in evaluating the state's progress in achieving the goals of the Lockyer-Isenberg Trial Court Funding Act of 1997. As you are aware, a trial court budget that promotes equal access to the courts statewide is one of the primary goals of the Act. The state has fallen short of meeting that goal due to inequitable funding among trial courts statewide.

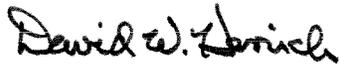
Over the last several years of devastating budget cuts, some trial courts have been able to maintain services to the public and provide benefit and wage increases to staff. At the same time others are closing courthouses, closing courtrooms, reducing and furloughing staff, reducing hours, and in general, severely reducing access to the courts. Lake County is in the latter group. Our court has not given salary or benefit increases to staff in the last five years. We reduced staffing approximately 35%, furloughed remaining staff for three of the last four years, and reduced operating costs. As a result, we have been forced to reduce the hours in which we serve the public. Our phones and public counters close each day at 1:00 p.m., and with the exception of in custody arraignments, every courtroom is dark for 16 otherwise regular work days in fiscal year 2012/2013. Even with these measures, our staff cannot keep up with the workload.

Since passage of the Act, the Judicial Council allocates funding increases and decreases to trial courts on a pro rata basis (every county's portion of the statewide

trial court budget remaining the same), with the exception of two or three years where a very small portion of increased funding was redirected to severely underfunded courts, including Lake County. Unfortunately, this pro rata allocation has continued inequities that existed before the Act. These inequities are exacerbated during the last four years of severe underfunding of trial courts statewide.

Disparate impacts upon access to justice from county to county will continue until workload is considered when making funding decisions. Without funding based at least in large part on workload, there cannot be equal access to justice for all Californians.

Sincerely,



David W. Herrick
Presiding Judge



Stephen O. Hedstrom
Assistant Presiding Judge



Krista LeVier
Court Executive Officer

cc: Chief Justice Tani G. Cantil-Sakauye
Steven Jahr, Administrative Director of the Courts
Allan D. Harcastle, Judicial Council Liaison to Lake Superior Court