

*The following meeting perspective was prepared by Workgroup member Judge David Rosenberg, Superior Court of Yolo County. Official minutes from the meeting will soon be posted to the [Workgroup's website](#) when they are available.*

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Feb 20, 2013

The Trial Court Funding Workgroup held its fourth meeting in Sacramento on February 19. All 10 members of the workgroup were in attendance—four appointed by the Governor and six appointed by the Chief Justice. The workgroup is co-chaired by Justice Harry Hull and by former Assemblyman Phil Isenberg. The workgroup is getting very close to completing its assignment. One more two-day meeting is planned in March, and the Workgroup is scheduled to provide its report and recommendations to the Judicial Council at its April 25–26 meeting. So, the rubber will soon meet the road. Central to the assignment of the workgroup is to determine how the 1997 Trial Court Funding Act's promise of "equal access to justice" can finally be achieved. Over the years, with only minor tweaks, the funding allocations to the 58 trial courts have pretty much followed the same historical allocation formula as existed when trial courts were funded by the counties. And when trial courts were funded by the counties, the level of support, by county, varied greatly. Governor Jerry Brown has insisted that it's time to find a fairer and more equitable funding allocation methodology for the trial courts.

At the February 19 meeting, workgroup members received a briefing on the SB 56 Working Group. In particular, we discussed the weighted caseload model used to determine how many trial court staff are needed to perform various trial court functions. The RAS model was updated in 2010 from the model in 2005, and received input from over 30 trial courts in the process. The work of over 5,000 trial court employees was studied, working with the National Center for State Courts. Results of the 2010 survey were that trial courts are leaner than they were in 2005, and trial courts need more resources than they currently have.

Presiding Judge Laurie Earl then presented an update on the work of her Funding Methodology Subcommittee of the Trial Court Budget Working Group. Judge Earl made clear that other than a three-year period under the SAL, no adjustments were made to the historical funding allocations and methodologies which pre-dated the 1997 Trial Court Funding Act. Judge Earl's subcommittee is working on an annual budget development process for trial courts, as well as an annual statewide budget allocation process. Our workgroup will look at those in more detail in our March meetings.

Several members of the workgroup expressed concerns that no matter what new allocation methodology is developed, we still have to address the significant issues presented by a lack of funding for technology and IT systems by trial courts.

The workgroup spent a considerable amount of time reviewing the table of contents and general outline of the final report, as well as a number of charts showing funding levels over the years.

Workgroup members anticipate that our March meetings will go a long way to finalizing the report. That final report will have to be posted on the Judicial Council website by April 18.

Judge Dave Rosenberg  
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