

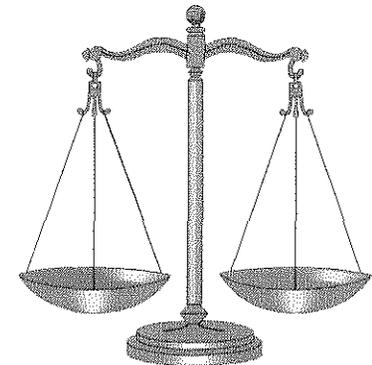


AB 233 - Implications

October 21, 1997

◆ Policy

- **By Statute**
- **Co-equal, Independent Branch**
- **Equal Access**
- **Statewide Policies**
- **Local Management**
- **Efficiencies, Coordination**





- ◆ **Opportunities**
 - **Improve Level and Stability of Funding Over Time**
 - **Policy -- Budget**
 - **Target Programs**
 - **Pilot Programs/Initiatives**



◆ **Internal Concerns**

- **Level of Funding This Year**
- **Level of Funding Next Year**
- **Judge/Employee COLA**
- **Judicial -- Policy Drive Budget**
- **Local Management -- Ability and Freedom**



- ◆ **External Concerns**
 - **Working Relationship Between County and Courts**
 - **Employee Issues -- Status, Funding, Liability**
 - **Facilities -- Responsibilities**
 - **Interpreters -- Rates**

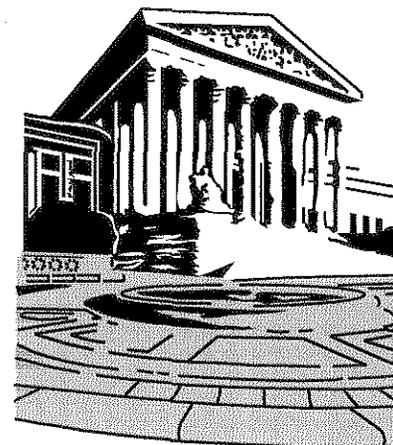


Expectations of the Judiciary

October 21, 1997

◆ **Opportunities**

- **Establish Direction**
- **Promote Equal Justice**
- **Promote Excellence In Priority Areas
By Seeking Full Funding For Certain
Programs e.g., Security, Interpreters**





- ◆ **Responsibilities**
 - **Executive and legislative branches will look only to Judicial Council for accountability for:**
 - ➔ **Budget Proposals**
 - ➔ **Budget Management**
 - ➔ **Results of Funded Programs**



- ◆ **Judicial Council Must:**
 - **Set realistic financial limits for growth**
 - **Establish compelling program priorities**
 - **Articulate outcomes/benefits of funding and measure the same**



- ◆ **Judicial Branch Must Shift From An Accounting Based Budget To A Program Budget**
 - **Judicial Branch needs to present a budget proposal in a manner that will permit the Governor/Legislature to know what they are supporting or opposing.**



(Continued)

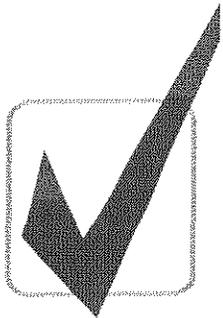
- **The budget request must document the problem/need and the benefit of funding a particular proposal.**
- **Not everything can be done in one year. Clear plans on how a program will be implemented if funding is phased.**



What Passed

October 21, 1997

◆ **AB 233 (Escutia and Pringle) as the
“Lockyer-Isenberg Trial Court Funding
Act of 1997”**



- **Operative January 1, 1998**
- **Effective for Entire 1997-98 Fiscal Year**



- ◆ **AB 1438 (Escutia): Trial Court Employee Relations**
 - **Part of Package**
 - **Recognizes Rules of Court Adopted by the Council**
 - **Rules Become Operative on January 1, 1998**



- ◆ **AB 420 (Baca): 40 New Judgeships**
 - **Authorized but not Funded**
 - **Allocation to be Based on Judicial Council Study**
 - **Governor and Legislative Leaders State a Need to See Recent Data and Examine Fiscal Condition of the State**



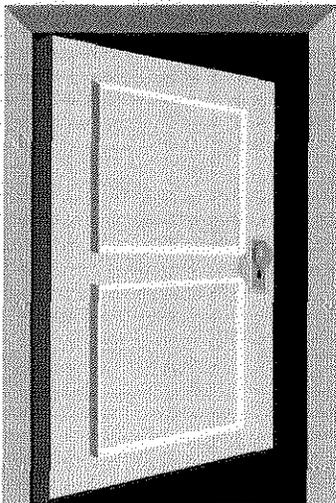
- ◆ **AB 1574 (Escutia): Funding Appropriation of \$157.5 Million**
 - **Appropriates First Six Months' Criminal Fine Revenues Sent to the State**



Organization of AB 233

October 21, 1997

- ◆ **Intent Language v. Substantive Language**
- ◆ **Recurring Themes**



- **Coordination, Unification**
- **Judicial Council Accountability**
- **Equal Access**
- **Statewide Policies**
- **Local Management**



'91 Realignment Act

'97 TCF Act

County

Pays all. State does not pay.

Pay to state annually level spent on courts in FY 1994-95 and amount of fines collected in FY 1994-95 plus 50% of growth.

State

Intent to pay 70% of costs; no requirement.

State responsible to appropriate all funding as approved for operations of trial courts.



'91 Realignment Act

'97 TCF Act

Budget Development

Local Court Level.

- ➔ **No coordination or requisite: priorities or direction**

- **State policies and goals**
- **Local Budget Request**
- **Statewide Priorities**

Budget Management

- **Fuzzy relationship between county and courts**
- **Reporting expenditures to state**

- **Courts of the county have authority consistent with JC guidelines**
- **Report expenditures to state**

Accountability Unclear

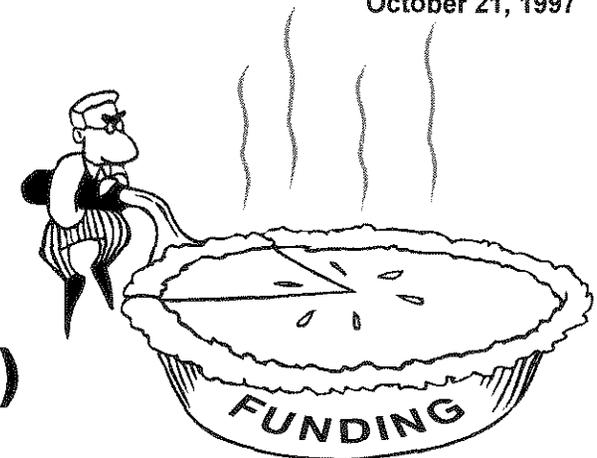
Judicial Council



FY 1997-98 Appropriation

October 21, 1997

- ◆ **Legislative Appropriations**
- **\$1.614 b**
- ◆ **Available Funding (Court Ops)**
- **\$1.566 billion**
- ◆ **1996-97 Estimated Expenditures**
- **\$1.526+ billion**





Key Elements of Trial Court Funding Structure

October 21, 1997



- ◆ **State Fund Structure**
 - **Trial Court Trust Fund**
 - **Court Improvement Fund**
 - **Judicial Administration Efficiency and Modernization Fund**

- ◆ **Local Fund Structure**
 - **Trial Court Operations Fund**
 - **2% Automation Fund**

- ◆ **Assigned Judges Program**

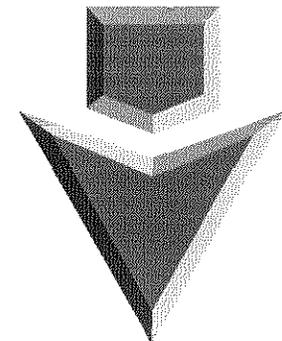


Funding Issues FY 1997-98

October 21, 1997

◆ **Shortfalls: 1997-98 Deficiencies**

- **Court Interpreter Program (\$3 m)**
- **Electronic Recording (\$6.8 m)**
- **Cost-of-Living-Adjustments (\$15 m)**
- **Fee Collections - now below previous levels**
- **Other Issues**

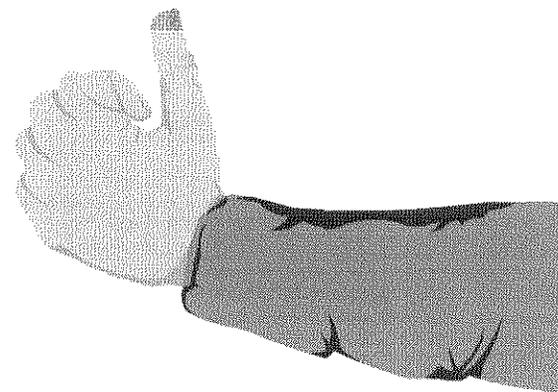




Impact on Judges

October 21, 1997

- ◆ **Local Benefits**
- ◆ **Pay Parity**
- ◆ **Fairness Education**
- ◆ **Sabbaticals**
- ◆ **Additional Benefits**





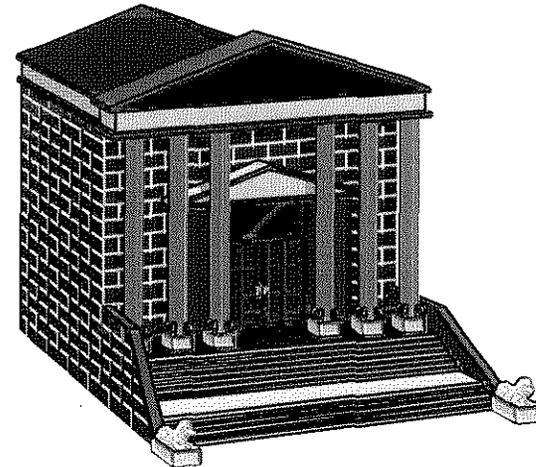
Task Force on Court Facilities

October 21, 1997

Facilities

◆ Near-Term

- **Upkeep**
- **Major Maintenance**
- **New Construction**





◆ **Long-Term**

- **Study**
- **Scope**
- **Task Force**
 - ➔ **Composition**
 - ➔ **Deadlines**
 - ➔ **Funding/Staffing**
- **\$5 million Trial Court Facility Repair, Renovation & Maintenance Fund**



Status and Classification of Court Employees

October 21, 1997



- ◆ **Are court employees county, state or ??**



Key Points

October 21, 1997

- ◆ **New Statute and Rules Effective January 1, 1998**



- ◆ **“Meet and Confer” Obligation Extended to Non-Economic Issues**



Task Force on Court Employees

October 21, 1997



◆ **Issues**

- **COLA's**
- **Court Personnel Systems**
- **Classification of Court Employees**
- **Liability Issues**
- **Other Issues**

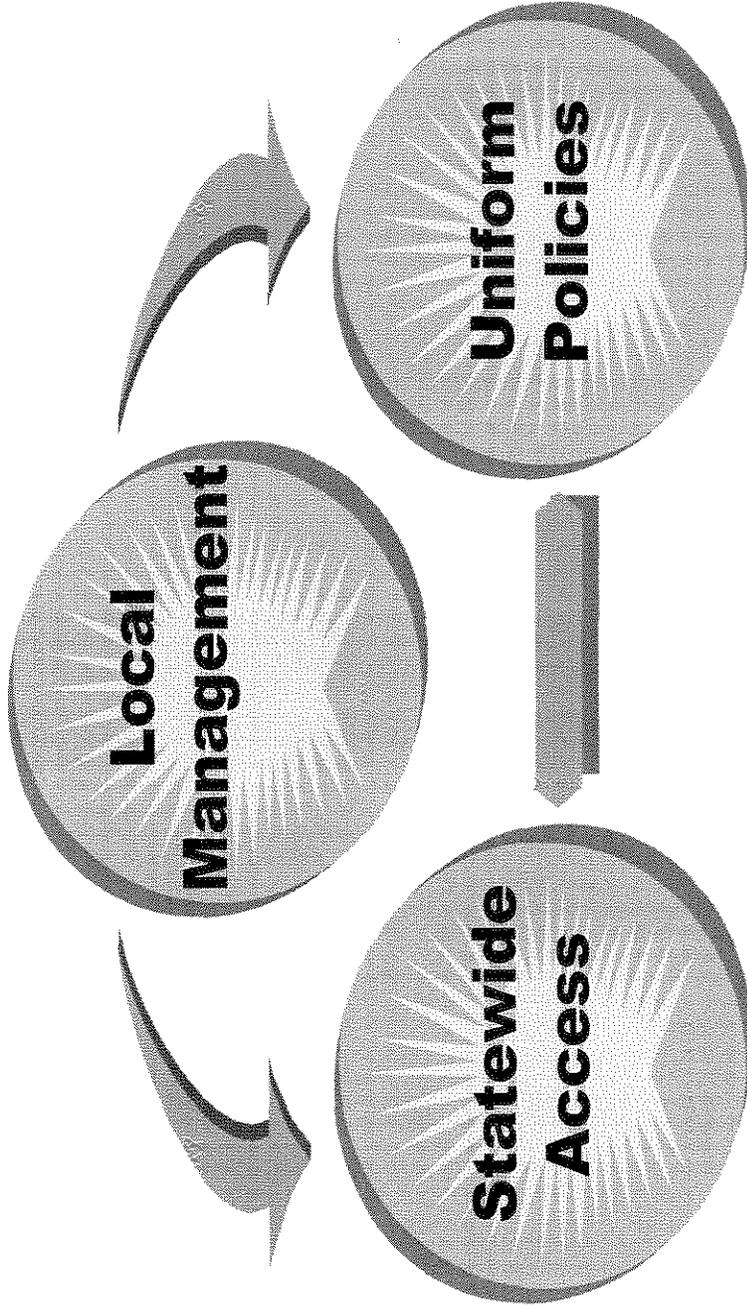


- ◆ **Intent**
 - **To design new Personnel System**
by January 1, 2001



Decentralized Court Management

October 21, 1997





**By July 1, 1998, Council to Promulgate Rules
for a Decentralized System of Trial Court
Management to Address:**

- ◆ **Local Courts Manage Day-to-Day Operations**
- ◆ **Countywide/Regional Administration of Programs**
- ◆ **Budget Management**
- ◆ **Manage Personnel System**
- ◆ **Equal Access to Justice Throughout the State Using Standard Processes and Procedures Whenever Feasible**