

2010 LEGISLATIVE STATUS REPORT TO THE BENCH-BAR COALITION

Overview of the Fiscal Year 2010-2011 Judicial Branch Budget

At this time, the Governor and the Legislature have not yet reached agreement on a budget plan, including how to close an estimated \$19 billion deficit. This year sets a record for the latest enactment of the State Budget, surpassing the September 23 record set in 2008.

The fiscal year 2010–2011 judicial branch budget, as adopted by the Senate and Assembly Budget Committees, contains proposals for new revenues and funding to offset a portion of the severe budget reductions that were implemented in fiscal years 2008–2009 and 2009–2010. These new revenues include the following:

- Two-year increase in the court security fee on criminal convictions from \$30 to \$40.
- Three-year increase in the first paper filing fee in the amount of \$40 for most cases, and \$20 for limited civil cases where the amount in controversy is less than \$10,000.
- \$250 Increase in the “pro hac vice” fee imposed on out-of-state attorneys practicing in California courts, plus an annual renewal fee.
- New \$40 fee imposed on red light camera vendors, or in some combination on vendors, and local governments.
- New \$20 telephonic hearing fee.
- \$3 increase in the penalty on parking citations.
- Increase in the motion fee for summary judgments, increasing the fee from \$200 to \$500.

The proposed fiscal year 2010–2011 budget also contains one-time redirections from dedicated funds, including the State Court Construction Fund, Trial Court Trust Fund, Judicial Administration Efficiency and Modification Fund, and Trial Court Improvement Fund. A total of \$98 million is redirected from the State Court Construction Fund (including \$73.4 million from the Immediate and Critical Needs Account supporting the SB 1407 courthouse construction) and \$32 million from the other trial court funds, for a total redirection of \$130 million. The Governor and the Budget Committees also fully restored a \$100 million one-time reduction made in FY 2009-2010.

The combination of new revenues (\$106 million), fund transfers (\$130 million), one-time reduction restoration (\$100 million), addition of employee health and benefit costs (\$18 million), minus a reduction taken by the Budget Committees (\$25 million), equals a total \$329 million restoration which should enable trial courts to keep their doors open to the public this year.

With the one-time and short-term nature of some of these funding sources, securing adequate funding to keep courts open and serving the public will be a continuing focus of the Bench-Bar Coalition.

For more information about the judicial branch budget, contact Curt Child or Donna Hershkowitz in the Office of Governmental Affairs at (916) 323-3121.