



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

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April 26, 2011

Hon. Mark Leno  
California State Senate  
Chair, Joint Legislative Budget Committee  
State Capitol, Room 5100  
Sacramento, California 95814

Hon. Bob Blumenfield  
California State Assembly  
Chair, Budget Committee  
State Capitol, Room 6026  
Sacramento, California 95814

Hon. Bob Huff  
California State Senate  
Vice-Chair, Committee on Budget and  
Fiscal Review  
State Capitol, Room 5097  
Sacramento, California 95814

Hon. Jim Nielsen  
California State Assembly  
Vice-Chair, Committee on Budget  
State Capitol, Room 6031  
Sacramento, California 95814

Re: Annual Report of Special Funds Expenditures for Fiscal Year 2009–2010 (Including Supplemental Information on Statewide Technology Infrastructure Funding and Expenditures)

Dear Senator Leno, Senator Huff, Assembly Member Blumenfield, and Assembly Member Nielsen:

Under the reporting requirements set forth in Government Code section 77209(j), regarding use of the Trial Court Improvement Fund, and the Supplemental Report of the 2000 Budget Act, Item 0450-101-0932—Trial Court Funding, pertaining to the Judicial Administration Efficiency and Modernization Fund, the Judicial Council respectfully submits this Annual Report of Special Funds Expenditures for Fiscal Year (FY) 2009–2010.

In addition, though not required by statute or supplemental report language, the report contains an addendum with information relating to the amount of funding from the Trial Court Trust Fund and the Trial Court Improvement Fund allocated to the courts through the supplemental funding

process, as well as amounts paid directly out of the Trial Court Trust Fund in FY 2009–2010 for statewide administrative infrastructure costs. The council has required that this supplemental information be provided to the council by Administrative Office of the Courts (AOC) staff.

Funding provided by the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund represents an essential component of the judicial branch budget. These funding sources are the foundation for essential statewide services, ongoing technology programs and infrastructure initiatives, and education and development programs and provide the critical funding necessary to support innovative and model programs, pilot projects, and other special projects. The Trial Court Trust Fund serves as the primary source of funding allocated to courts for court operations and provides critical support for statewide technology infrastructure for the trial courts. The programs and initiatives detailed in this report highlight many of the judicial branch's efforts to ensure that all Californians have access to a fair system of open and equal justice.

If you have any questions related to this report, please contact Stephen Nash, Director, AOC Finance Division, at 415-865-7584 or by e-mail at [stephen.nash@jud.ca.gov](mailto:stephen.nash@jud.ca.gov).

Sincerely,



William C. Vickrey  
Administrative Director of the Courts

WCV/cs

Enclosures

cc: Members of the Judicial Council  
Ms. Kiyomi Burchill, Policy Consultant, Office of Senate President pro Tempore  
Darrell S. Steinberg  
Hon. Gregory P. Schmidt, Secretary of the Senate  
Ms. Jody Martin, Principal Consultant, Joint Legislative Budget Committee  
Mr. Brian Brown, Consultant, Senate Committee on Budget and Fiscal Review  
Mr. Matt Osterli, Consultant, Senate Republican Fiscal Office  
Ms. Fredericka McGee, General Counsel, Office of Assembly Speaker John A. Pérez  
Ms. Diane F. Boyer-Vine, Legislative Counsel  
Mr. E. Dotson Wilson, Chief Clerk of the Assembly  
Mr. Joe Stephenshaw, Consultant, Assembly Committee on Budget  
Mr. Allan Cooper, Consultant, Assembly Republican Fiscal Office  
Mr. Drew Soderborg, Fiscal and Policy Analyst, Legislative Analyst's Office  
Ms. Jennifer Osborn, Principal Program Budget Analyst, Department of Finance  
Mr. Ronald G. Overholt, AOC Chief Deputy Director

Ms. Sheila Calabro, Regional Administrative Director, AOC Southern Region  
Ms. Jody Patel, Regional Administrative Director, AOC Northern/Central Region  
Ms. Christine Patton, Regional Administrative Director, AOC Bay Area/Northern Coastal  
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Mr. Curtis L. Child, Director, AOC Office of Governmental Affairs  
Mr. Stephen Nash, Director, AOC Finance Division  
Mr. Mark Moore, Director, AOC CCMS Program Management Office  
Mr. Curt Soderlund, Director, AOC Trial Court Administrative Services Division  
Mr. Mark Dusman, Director, AOC Information Services Division  
Ms. Marcia A. Carlton, Assistant Director, AOC Finance Division  
Ms. Tina Carroll, Executive Office Liaison, AOC Executive Office  
Mr. Steven Chang, Manager, AOC Finance Division  
Mr. Henry Sepulveda, Senior Governmental Affairs Analyst, AOC Office of  
Governmental Affairs  
Mr. Colin Simpson, Supervising Budget Analyst, AOC Finance Division



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Title of Report: *Report of Special Funds Expenditures for Fiscal Year 2009–2010  
(Including Supplemental Information on Statewide Technology  
Infrastructure Funding and Expenditures)*

Statutory Citation: Government Code section 77209(j) and Supplemental Report of the 2000  
Budget Act, Item 0450-101-0932—Trial Court Funding

Date of Report: April 2011

Under the reporting requirements set forth in Government Code section 77209 (j), regarding use of the Trial Court Improvement Fund, and the Supplemental Report of the 2000 Budget Act, Item 0450-101-0932—Trial Court Funding, pertaining to the Judicial Administration Efficiency and Modernization Fund, the Judicial Council respectfully submits this Annual Report of Special Funds Expenditures for Fiscal Year 2009–2010.

The following summary of the report is provided in accordance with the requirements of Government Code section 9795.

Funding provided by the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund represents an essential component of the judicial branch budget. These funding sources are the foundation for essential statewide services, ongoing technology programs and infrastructure initiatives, and education and development programs, and provide the critical funding necessary to support innovative and model programs, pilot projects, and other special projects. The programs and initiatives detailed in this report highlight many of the judicial branch's efforts to ensure that all Californians have access to a fair system of open and equal justice.

The full report is available at [www.courts.ca.gov/reference/legislaturereports.htm](http://www.courts.ca.gov/reference/legislaturereports.htm).

A printed copy of the report may be obtained by calling 415-865-7454.

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# Annual Report of Special Funds Expenditures for Fiscal Year 2009–2010

(Including Supplemental Information  
on Statewide Technology  
Infrastructure Funding and  
Expenditures)

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APRIL 2011



ADMINISTRATIVE OFFICE  
OF THE COURTS

## INTRODUCTION

The Judicial Council allocates funds from the Trial Court Improvement Fund (TCIF) to assist courts in improving court management and efficiency, case processing, and timeliness of trials. Government Code<sup>1</sup> section 77209(g) authorizes the council to administer monies deposited in the TCIF and allows the council, with appropriate guidelines, to delegate administration of the fund to the Administrative Director of the Courts.

The Judicial Administration Efficiency and Modernization Fund (Modernization Fund) supports statewide initiatives for ensuring the highest quality of justice in all of California's trial courts. Section 77213(b) authorizes the council to administer monies deposited in the Modernization Fund and allows the council, with appropriate guidelines, to delegate administration of the fund to the Administrative Director of the Courts. In accordance with section 77213(c), the council has approved internal guidelines to provide management and staff with general policies and procedures for allocating funds from the Modernization Fund and tracking expenditures on an annual basis. The Modernization Fund is designated to fund projects that promote improved access to, and efficiency and effectiveness of, the trial courts.

In accordance with section 77209(j), the council is required to annually report to the Legislature on expenditures from the TCIF. In addition, language in the Supplemental Report of the 2000 Budget Act (Item 0450-101-0932, Trial Court Funding) requested an annual reporting to the Legislature of expenditures from the Modernization Fund. In accordance with the statutory requirement and legislative intent expressed in the Supplemental Report, the council submits this report to the Legislature.

## FUNDING SOURCES AND RESTRICTIONS

(Refer to Attachments A and B.)

The TCIF (Attachment A, page 1) is supported by a variety of funding sources, including annual deposits from the 50/50 excess fees and fines split revenue pursuant to section 77205(a), the 2% automation fund pursuant to section 68090.8(b), interest from the Surplus Money Investment Fund (SMIF), royalties from publication of jury instructions, other miscellaneous revenues, and a transfer from the Trial Court Trust Fund (TCTF). Section 77209(b) places specific restrictions on the use of the transfer from TCTF: at least one-half of this amount must be set aside as a reserve that may not be allocated prior to March 15 of each fiscal year unless a court's urgent needs require an allocation from it.

The Modernization Fund (Attachment B, page 1) is appropriated annually in the state Budget Act. Section 77213 prescribes the primary purposes for the fund, including improved technology that promotes efficiency and access to justice.

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<sup>1</sup> Unless otherwise indicated, all citations are to the California Government Code.

For fiscal year (FY) 2009–2010, expenditures and encumbrances from the special funds were made in the following broad categories, described in greater detail below:

**TCIF** (Refer to Attachment A, page 2.)

|   |                     |
|---|---------------------|
| • Ongoing Statewide Programs              | \$73,276,083        |
| • Trial Court Projects and Model Programs | 4,757,171           |
| • Emergency Funding                       | <u>40,226</u>       |
| Total Expenditures and Encumbrances:      | <u>\$78,073,480</u> |

**Modernization Fund** (Refer to Attachment B, page 1.)

|   |                     |
|---|---------------------|
| • Statewide Technology Infrastructure                       | \$30,208,311        |
| • Education and Developmental Programs                      | 2,284,576           |
| • Pilot Projects, Special Initiatives, and Ongoing Programs | <u>5,352,226</u>    |
| Total Expenditures and Encumbrances:                        | <u>\$37,845,113</u> |

TRIAL COURT IMPROVEMENT FUND (TCIF)  
 FY 2009–2010 EXPENDITURES AND ENCUMBRANCES  
 (Refer to Attachment A, page 2.)

In FY 2009–2010, the council expended \$78.073 million<sup>2</sup> from the TCIF. Most of the projects funded by the TCIF represent ongoing efforts or initiatives that support programs that most trial courts would not otherwise be able to provide or perform. Since the passage of the Trial Court Funding Act of 1997, the state has been responsible for funding trial court operations. Consistent with this change, the Administrative Office of the Courts (AOC) has been charged with developing and implementing statewide infrastructure to provide services that were previously provided by the counties. The projects and programs listed in Categories 1 through 3 represent critical efforts of statewide importance as well as direct support for the trial courts provided by the TCIF.

**Category 1: Ongoing Statewide Programs: \$73.276 million**

(Refer to Attachment A, page 3 for the amounts allocated for each of these programs.)

To improve trial court administration, increase meaningful access to justice, and enhance the provision of justice throughout the state, the council continued support for the following ongoing statewide programs and multiyear initiatives:

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<sup>2</sup> In general, amounts rounded to the nearest thousand.

### **Trial Court Security Grants**

The allocated funds were expended to maintain existing statewide master agreements for the purchase, installation, and maintenance of security-related equipment in trial courts: (a) duress alarm, video surveillance, and access systems were installed and maintained in 17 courts; (b) entrance screening equipment was purchased and installed in 3 courts; (c) security enhancements were made in 1 court; (d) the mechanism and training necessary for the trial courts to complete their own emergency plans and to continue to maintain and update their own continuity-of-operations plans was developed; and (e) a pilot project enabling the duress, video surveillance, and access systems to be linked by means of the most current technology was initiated in order to create a more efficient, cost-effective overall system.

### **Litigation Management Program**

The allocated funds were expended to pay: (a) judgment and settlement expenses, as required by section 811.9, which specifies that the council provide for the representation, defense, and indemnification of the state's trial courts, trial court judicial officers, and employees; and (b) attorney fees for the costs of defense, including fees for attorneys from the Attorney General's Office and private counsel, and for the costs of civil claims and actions brought against covered entities and individuals. A portion of the unexpended allocation will be carried over to the next fiscal year in order to cover pending obligations and contingent liabilities.

### **Commission on Judicial Performance (CJP) Defense Insurance Program**

The allocated funds were expended to provide efficiently administered, cost-effective, and uniform insurance for all California justices, judges, and subordinate judicial officers. The CJP Defense Insurance program was approved by the council as a comprehensive loss prevention program in 1999. The program (a) covers defense costs in proceedings related to CJP complaints; (b) protects judicial officers from exposure to excessive financial risk for acts committed within the scope of their judicial duties; and (c) through required ethics training for judicial officers, lowers the risk of conduct that could develop into increased complaints.

### **Subscription Costs—*Judicial Conduct Reporter***

The allocated funds were expended to cover the annual subscription cost for this publication. The *Judicial Conduct Reporter* is a quarterly newsletter published by the American Judicature Society that reports on recent opinions and other issues involving judicial ethics and discipline. It is distributed to all judicial officers as a part of the AOC ethics education program, which was implemented as a means of risk management when the council initiated the CJP insurance program.

### **Trial Court Transactional Assistance Program (TCTAP)**

The allocated funds were expended to pay attorney fees and related expenses to assist trial courts in numerous areas including business transactions, labor and employment, finance and taxation, and real estate. The council established TCTAP in July 2001 as a means by which the AOC Office of the General Counsel (OGC) could provide transactional legal assistance to the trial courts through outside counsel selected and managed by the OGC. Subsequently, the OGC

determined that most legal services could be provided more economically by in-house counsel, who could develop institutional knowledge and expertise. This resulted in council approval to redirect a portion of the annual TCTAP budget to fund attorney and support staff positions in the regional offices of the AOC to provide any legal services required by the trial courts relating to their operations.

### **Self-Represented Litigants—Statewide Support**

The allocated funds were expended for statewide conferences and related activities enabling self-help centers to provide efficient and effective services to litigants. More than 150 attorneys and court staff participated in a two-day family law conference that focused on the needs of low- and moderate-income family law litigants and developed strategies for assisting the large numbers of family law self-represented litigants who come to court each year. A three-day statewide conference with over 400 self-help and legal services attorneys, court staff, and county law librarians provided educational information in other areas of law such as small claims, landlord/tenant, and guardianship, as well as service delivery best practices in use throughout the state. In addition, the AOC self-help website was updated, adding step-by-step procedures for common legal issues, and more than a thousand pages of information was translated into Spanish. An information-sharing website for self-help and legal services staff was expanded to include information and materials from the conferences, brochures, and videos that all courts can share or adapt for their use.

### **Domestic Violence—Family Law Interpreter Program**

The allocated funds were distributed to 45 courts to provide interpreter services in court hearings, family court services mediation proceedings, and family law facilitator sessions in domestic violence matters. Participating courts used the funds to cover the costs of providing certified or registered interpreters (including per diem, salary, benefits, and mileage), Language Line Services, and interpreter coordinator services. The funds were also used to ensure that revisions to domestic violence-related court forms and information sheets were translated into Chinese, Korean, Spanish, and Vietnamese. Feedback from participating courts indicated that the program has been extremely helpful in improving access to California's justice system, enhancing safety for domestic violence victims and children, and improving court efficiency by reducing the need for continuances of court hearings resulting from lack of interpreters.

### **Self-Help Centers**

The allocated funds were expended to maintain or expand self-help assistance in all 58 superior courts, with the funding amount apportioned according to a population-based formula. Eighty percent or more of the funding was used for staffing to increase the amount of services available in self-help centers, and the remaining 20 percent was used for supplies, travel, and related operational expenses. All trial courts have now implemented self-help assistance and serve over 480,000 litigants each year in a wide variety of case types, including domestic violence, family law, guardianship, housing, landlord/tenant, and other civil matters. The funding also provided other assistance through workshops, one-on-one sessions, phone appointments, e-mail information, mediation, and a variety of other methods to help litigants navigate the court

system. Resources developed by local programs are shared with other self-help programs throughout the state.

### **Online Training**

The allocated funds were expended to purchase a variety of online courses that are provided to the trial courts as a part of distance education efforts. The training courses provided access to online libraries containing numerous on-demand software and professional development courses for court staff and judges. The allocated funds were also expended for online media hosting licenses, course development, and content management.

### **Branchwide Strategic Planning**

The allocated funds were expended to support activities in two major areas:

- a. **Public trust and confidence/procedural fairness:** The Procedural Fairness Editorial Board, an advisory group composed of members of the California judicial branch, state and national experts, and leading academic professionals, was formed by the Administrative Director in 2009. The board has helped develop procedural fairness content and resources for the California judicial branch's web redesign.
- b. **Presiding Judge and Court Executive Officer Rules and Roles Analysis Working Group:** The working group was created to review and determine the need for modification of California Rules of Court in order to better align the rules to reflect current duties and clarify the roles and relationship of the presiding judge and court executive officer leadership team. An interim report was presented to the Trial Court Presiding Judges and Court Executives Advisory Committees in January 2010. During the December 2010–January 2011 comment cycle, the advisory committees approved draft rule proposals regarding presiding judge and court executive officer responsibilities for circulation for public comment.

### **California Courts—Connecting With Constituencies**

The allocated funds were expended to provide judicial branch outreach and education to Californians by means of two approaches:

- a. **Resources for redesign of trial court websites:** New website templates were developed to improve the usability of trial court websites and enhance the courts' ability to serve the public online. Ten trial courts received assistance with template implementation and migration services.
- b. **California on My Honor Civics Institute for Teachers:** Professional development was provided to teachers who worked with specifically trained teacher leaders and collaboratively created tools to educate the public about the judicial branch. In addition, the Leadership Institute and Local Court Connection Workshop were completed in summer 2010.

### **Employee Assistance Program (EAP) for Bench Officers**

The allocated funds were expended to provide various types of assistance and support to the program members, including judges, commissioners, referees, and assigned judges in the trial courts, and their families in dealing with a wide range of personal, family, and financial matters. On March 1, 2010, the program saw a change of vendors as the judiciary, through its competitive bid process, chose Managed Health Network (MHN) as its new EAP provider. The base services provided to participants include personal consultation services from specialized counselors, access to appropriate treatment providers, and information about community resources available online or by toll-free phone call.

### **Trial Court Benefits Program—Legal Advice**

The allocated funds were expended to maintain two contracts with outside counsel for legal advice—one for the review of general benefits for the superior courts of California, and another for issues related specifically to the Trial Court Benefits Program. The benefits program, whose contract ended in FY 2009–2010, received assistance with termination-related matters. Legal counsel on general benefits–related matters was provided to the Superior Courts of Alameda, Marin, Orange, Placer, Riverside, Sacramento, San Benito, San Bernardino, and Sonoma Counties.

### **Ongoing Statewide Technology Infrastructure—Local Assistance**

A total of \$88.478 million was expended in support of statewide administrative and technology initiatives. Of that total, \$58.270 million was from the TCIF (refer to Attachment A, page 4 for the amounts allocated for each of these programs) and \$30.208 million was from the Modernization Fund (refer to Attachment B, page 2 for the amounts allocated for each of these programs).

In this section, the statewide administrative and technology infrastructure is divided into two categories: (1) Projects, and (2) Ongoing Programs and Services. The Projects category consists of development and deployment of technology projects that have a limited-term scope and include very large branchwide initiatives, projects focused on a smaller subset of the trial courts, or are projects oriented toward improvement of the statewide information technology infrastructure that support trial court projects and programs. The Ongoing Programs and Services category consists of maintenance and operations activities of very large branchwide initiatives, those ongoing operations that are necessary for system maintenance, miscellaneous programs that provide service to the trial courts, and AOC staff support of the statewide administrative and technology infrastructure.

#### **Projects**

##### ***California Court Case Management System (CCMS)***

CCMS is a statewide initiative to develop and deploy a unified case management system for all 58 superior courts. The project is being managed by the CCMS Program Management Office

with support from the AOC Information Services Division. Over 200 court representatives from more than 29 counties have participated in the application's design and testing.

CCMS utilizes the technology and the functionality developed for an interim civil system, incorporates the criminal and traffic functionality developed for an interim application, and has developed new functionality for family law, juvenile delinquency, and juvenile dependency. Additional areas of functionality in CCMS include court interpreter and court reporter scheduling. CCMS has four distinct components: a core product, an Internet portal, a statewide data warehouse, and data exchanges with justice partners. For more information about CCMS benefits and functionality, please go to <http://www.courts.ca.gov/partners/ccms.htm>.

The Standardization and Configuration deliverable was accepted on July 2, 2009. The Standardization and Configuration working group, comprised of court subject matter experts, continues to define the level of statewide standardization for each configurable area in the application.

Integration testing for the core product began in September 2009. An assessment in early 2010 by the AOC, vendor, and courts revealed unacceptable problems with the coding that necessitated significant additional effort to meet product requirements and resulted in a later product delivery date. The comprehensive effort to perform a complete review of the application against the final functional design was initiated and completed before re-engaging in integration testing. The AOC is in the process of developing a request for proposals from vendors to perform an independent review of the CCMS product as recommended by the California State Auditor. Formal acceptance of CCMS will occur after the independent quality review is completed and plans are in place to address any issues identified by the review. The objective will be to resolve any issues during the warranty and before the early adopter courts go live with CCMS.

In FY 2009–2010, allocated funding supported:

***CCMS Development***

- Hardware and software maintenance;
- Information services and vendor support for the infrastructure and hosting services for testing, training, and production environments;
- Data integration, outside legal counsel, independent project oversight, and consulting services;
- Development of the code for the core product, e-filing, and the web portal;
- Creation of approximately 18,000 test scripts;
- Completion of the Standardization and Configuration deliverable;
- Integration testing for the core product; and
- Verification of the final functional design.

### ***CCMS Deployment***

In 2008, the AOC issued a request for proposals for the statewide deployment of CCMS. As a result of the fiscal challenges facing the state, the AOC did not complete the procurement. However, the AOC will be moving forward with a limited deployment of CCMS to three early adopter courts—the Superior Courts of San Diego, San Luis Obispo, and Ventura Counties.

The Early Adopter Readiness and Assessment Statement of Work for the CCMS deployment project was executed, and kick-off meetings were held with each court. Activities in the statement of work include:

- Deployment tools and templates that may be leveraged for future court deployments;
- Data conversion assessment and plan for each of the early adopter courts;
- Infrastructure assessments specific to each early adopter court; and
- Local integration assessment with justice partners for the early adopter courts.

### ***California Courts Protective Order Registry (CCPOR)***

The CCPOR project will result in a statewide protective order repository that provides complete, accessible information on restraining and protective orders. Access to protective orders through CCPOR will ultimately be available 24 hours a day, seven days a week in all court jurisdictions and venues. Two key components of CCPOR are the ability to enter and upload protective order data into the system and to search and retrieve that data, including electronic images of court orders. Viewing these electronic images is particularly valuable as it allows users to see special conditions and notes added by judges that are not available through the Department of Justice's California Restraining and Protective Order System (CARPOS). To minimize redundant efforts, information about court orders that is keyed into CCPOR is extracted and automatically imported into CARPOS. In FY 2009–2010, allocated funds were expended to:

- Produce final business and technical requirements;
- Finalize architecture and system design;
- Build out staging and production infrastructures at the California Courts Technology Center;
- Develop and execute the communication plan;
- Develop deployment materials, including the planning guide, user guide, test scripts, and project website;
- Hold deployment kick-off meetings and demonstrate CCPOR functionality at conferences and meetings around the state; and
- Complete user acceptance testing and roll out the application to the first two courts.

### ***Enterprise Test Management Suite (ETMS)***

ETMS provides application enhancement for the software testing process and improves applications quality management. The major activities in FY 2009–2010 included work with the selected vendor to train AOC staff and provide additional knowledge transfer. Tools from the ETMS tool suite were used by the vendor to precisely evaluate response times of the civil, small claims, probate, and mental health case management system (V3 CMS) at the Superior Court of Sacramento County.

### ***E-Exchange***

In FY 2009–2010, allocated funds were expended to pay for travel and technical consulting services related to several joint application design sessions specifically related to V3 CMS e-filing, CCMS-V4 e-filing, and e-service functional requirements. Additional work was done to upgrade the Second Generation Electronic Filing Specifications (2GEFS) filing and policy schemas and create new “plug-in” schemas. Additionally, in preparation for CCMS-V3 product acceptance testing, the e-filing test suite and e-filing manager were upgraded to new 2GEFS schemas. The e-filing team provided test support services by developing test scenarios and scripts, testing court policies, supporting court users during testing, performing stress and functional testing, and triaging e-filing defects. At the end of the fiscal year, the product acceptance testing for V3 CMS e-filing was successfully completed, and the team began developing test scenarios for CCMS-V4.

### **Ongoing Programs and Services**

#### ***California Courts Technology Center (CCTC)***

In FY 2009–2010, allocated funds were expended to continue providing courts with centralized and comprehensive information technology support services. The major accomplished activities include continued services by the CCTC, including Microsoft Exchange, Microsoft Active Directory, Disaster Recovery, Appellate Court Case Management System (ACCMS), Computer-Aided Facilities Management (CAFM), Integration Services Backbone (ISB), and local court desktop/remote server support. CCTC continued to host Phoenix Financial for the 58 courts and Phoenix Human Resources (HR) for 7 courts. Three case management systems providing direct services to 12 courts also continued to operate out of the CCTC: Sustain; the Criminal and Traffic (V2) CMS; and Civil (V3) CMS. In development were the stress and product acceptance testing environments for CCMS-V4 and CCPOR.

#### ***Case Management System—Civil (V3)***

The interim application for civil, small claims, probate, and mental health is in production in the Superior Courts of Los Angeles, Orange, Sacramento, San Diego, San Joaquin, and Ventura Counties. This application supports processing of 25 percent of civil cases statewide.

During FY 2009–2010, several new releases that offered tools to improve efficiency at the courts were implemented. Release 8/9 was deployed in November 2009 and provided significant improvements to courtroom functionality, specifically the Minute Order Capture System

(MOCS). Release 10 was deployed in May 2010 and provided the ability to process e-filed documents, which is in use at the Superior Court of Orange County. Other functionality in Release 10 includes electronic clerk review, digital stamping and endorsing, electronic notification of filing and return of endorsed documents, and system verification that the data elements are complete and accurate.

During FY 2009–2010, funding supported:

- Hardware and software maintenance;
- Infrastructure support and hosting services at the vendor’s data center;
- Infrastructure support and hosting services for testing, training, and production environments at the CCTC;
- Vendor help desk support for end users; and
- New releases of the product to address legislative changes.

### ***Case Management System—Criminal and Traffic (V2)***

The Superior Court of Fresno County implemented the interim criminal and traffic case management system in July 2006. Release 6 was deployed at the court in March 2010. The release corrected 13 high-priority defects that impacted court operations in the areas of fiscal reporting, notices, and errors in processing cases. The court was also able to eliminate workarounds and improve its ability to work with justice partners and serve customers.

During FY 2009–2010, funding supported:

- Hardware and software maintenance;
- Infrastructure support and hosting services;
- Help desk support for end users; and
- New releases of the product to address judicial branch requirements and legislative changes.

Transition of maintenance and support from Deloitte Consulting to the AOC began in FY 2008–2009 and was completed successfully in September 2009. Total savings from assuming internal responsibility for support of the application is estimated at \$4.8 million over the projected useful life of the system.

### ***Data Integration***

In FY 2009–2010, allocated funds were expended to continue the Data Integration program and work with trial courts to develop a statewide approach to data exchange standards and the ISB. The team completed development work that supported rapid and consistent development of interfaces for the suite of common services. Common services are reusable functional components common to most information exchanges, such as encryption/decryption, routing, duplicate detection, replay, response correction, logging and exception handling, and auditing. In conjunction with the CCMS project, development continued on 121 data exchanges servicing all case types to facilitate integration between CCMS courts and their justice partners. Each exchange was reviewed for conformance with development and data standards.

Also, development of the Judicial Branch Statistical Information System (JBSIS) portal, which facilitates the provision of court information to the central JBSIS data warehouse, was completed. Support also was provided for the onboarding of courts to this new portal.

The data integration team supported the rollout of and onboarding of courts to CCPOR. The ISB team maintains the integration infrastructure between the CCPOR application and the Department of Justice. The team also supported efforts by the Phoenix team as they developed automated interfaces for six integration partners that were part of the HR deployment for the Superior Court of San Bernardino County.

### ***Enterprise Policy and Planning Operations***

The AOC is currently managing the delivery of a number of technology initiatives; Enterprise Policy and Planning ensures that the comprehensive technological needs of the branch will be met in an efficient manner. In FY 2009–2010, allocated funds were expended to develop and maintain branchwide technology and planning commitments through Enterprise Architecture (EA). This program provides a roadmap for how all the various technology initiatives fit together from a business and technology perspective. The major activities in FY 2009–2010 included:

- Actively researching, developing, and reviewing software architecture plans for branchwide applications and infrastructure;
- Continuing work on five-year estimates for hardware requirements for the CCTC;
- Interfacing between application development teams and branch-level software partners including Oracle and Adobe;
- Implementing the EA governance and decision review process for the branch; and
- Providing support to the local courts with EA-related issues and solution design.

### ***Interim Case Management System (ICMS)***

In FY 2009–2010, allocated funds were expended to complete implementation in 15 of 16 courts that use the Sustain Justice Edition case management system. The efforts related to data cleanup and conversion in these courts and interfaces with justice partners will greatly facilitate their transition to CCMS.

### ***Phoenix Financial and Human Resources Services***

The Phoenix Financial System is a statewide system that enables courts to maintain control over expenditures, providing timely information about fiscal needs while complying with policies, procedures, regulations, and standardized processes. The current configuration includes general ledger, cost accounting, materials management, accounts payable, accounts receivable, project accounting, and trust accounting. As of July 2009, all 58 courts were on the Phoenix Financial System. In FY 2009–2010, allocated funds were expended to further the progress of the overall project, ensuring that each milestone was reached as scheduled.

The Phoenix Human Resources System is a human resources management system that will leverage technology for human resources administration and in-house payroll processing, develop a customer service call center, standardize processes and procedures, collect data at the source, provide central administrative processing, and provide manager self-service (MSS) and employee self-service (ESS) functions to the employees of the courts. Seven superior courts (Lake, Riverside, Sacramento, Santa Cruz, Siskiyou, Stanislaus, and San Bernardino Counties) are currently on the system.

The Phoenix program has successfully built a hardware environment enabling and supporting future growth and functionality; thus it serves as the foundation for full system software upgrades of all Phoenix system environments in the future. These improvements and design enhancements—including data exchange interfaces to banks, benefits providers, and the courts—were completed successfully, resulting in increased user-friendly functionality and support for additional trial court business processing and capacity.

The program also completed safeguard and quality control projects such as the SECUDE technical implementation, which increases the security of court data as it travels from the courts to the CCTC, and the Disaster Recovery Exercise, which executes a recovery plan should a program disaster occur in the production systems. Finally, the program established a methodology for system configuration and deployment that includes in-depth testing, detailed planning of complex technical milestones, and online transactions/processing assistance for court users through the use of a tool called RWD-Productivity Pak.

In FY 2009–2010, allocated funds were expended to support the implementation and planning efforts associated with the offering of human resources and payroll functions that use the same SAP operating platform that supports the Phoenix Financial System. Monies were used to cover project expenses that included support staff, contractors, software licenses, hardware maintenance, and training.

### ***Telecommunications Support***

The ongoing goal of the court telecommunications program is to develop and maintain a network infrastructure aligned with the emerging needs of enterprise applications such as Phoenix and CCMS. To that end, allocated funds were expended to replace network equipment in 45 courts that could no longer be maintained.. Funding is also being provided to maintain a high level of network reliability in acknowledgement of the increased reliance on internal and external connectivity with CCTC, state and local justice partners, and among court locations. Program funds provide the foundation for other forms of communication that the courts require, such as Voice over IP, building automation systems, security cameras, electronic signage, and energy management systems, thereby providing cost savings to courts as these systems are implemented. Lastly, funding supported the critical focus on information security by providing 24/7 system monitoring for electronic intrusions and data corruption.

### **Statewide Administrative and Technology Infrastructure—Support**

In FY 2009–2010, of the \$58.269 million spent on statewide administrative and technology infrastructure, a portion was related to AOC staff costs (\$6.930 million) and additional initiatives that support courts in various areas (\$2.677 million), consistent with specific appropriations in the State Budget from the TCIF (refer to Attachment A, page 4). The funding was expended on the following:

### ***Statewide Technology Infrastructure—Support***

Support for the statewide technology infrastructure requires continuous dedication of AOC staff, temporary staff, and outside private consultants. The AOC continues to make great strides toward completion of these initiatives, which includes design, development, implementation and deployment, and continuous maintenance of the many projects now under way.

### ***Additional Initiatives***

#### ***California Law Enforcement Telecommunications System (CLETS)***

CLETS access, as provided by the Department of Justice, was enabled during FY 2006–2007 through the CCTC by the implementation of hardware, software, and telecommunications services. AOC staffing for the program was maintained to continue the appropriate level of support for the project. Two new courts were added to CLETS during FY 2009–2010, bringing the total number of supported courts to seven. These courts are using the statewide network to access and update various California and federal databases, including CARPOS.

#### ***Trial Court Reengineering***

In FY 2009–2010, allocated funds were expended to continue the AOC’s Northern/Central Regional Office (NCRO) Reengineering Unit. The unit, consisting of a manager and senior court services analyst, focuses on reengineering the business processes and systems of trial courts to achieve improvement in business performance. Upon request from a trial court, the unit observes the court’s workflow and business processes as well as meets and collaborates with the court’s judicial officers, executive management, management team, and line staff to identify and recommend efficient and streamlined processes. The unit has been actively assisting courts throughout the state with primary emphasis on courts served by the NCRO. In FY 2009–2010, reengineering efforts included the finalization of analysis and recommendations for civil business process activities in the Amador County court and family law business processes in the Fresno County court. The unit has also initiated projects focusing on civil business processes for the El Dorado County court; finance business operations for the San Mateo County court, and traffic business processes for the San Joaquin and Stanislaus County courts.

#### ***Enhanced Collections***

The Enhanced Collections Unit (ECU) provided continued professional support and assistance to the collaborative court and county collection programs to improve collections statewide. The ECU assisted programs with the development and modification of operational practices helpful in meeting the established performance measures, benchmarks, and best practices adopted by the

Judicial Council. In collaboration with the California State Association of Counties and subject matter experts, the ECU identified statutory changes needed to improve the collection of delinquent fines, fees, forfeitures, bail, penalties, and assessments.

The ECU provided ongoing professional and technical support to all court and county programs, as well as justice partners, to improve the effectiveness of the statewide collection of delinquent court-ordered debt. Enhancements include participation in the Franchise Tax Board's Court-Ordered Debt program, implementation of memoranda of understanding between the collaborative court and county collection programs, and joint agreements with collections vendors under the statewide master agreements.

### ***Internal Audits***

Consistent with prior-year funding, allocated funds were expended to provide continued support for six staff positions.

### ***Regional Office Assistance Group***

Allocated funds were expended for attorneys and staff working primarily in the three AOC regional offices, whose mission is to establish and maintain effective working relationships with the trial and appellate courts and serve as liaisons, clearinghouses, advocates, consultants, and service providers to the trial courts.

### ***Treasury Cash Management***

Allocated funds were expended on one senior accountant and one staff accountant, including travel and rent costs. These staff are engaged in the accounting and distribution of the uniform civil fees (UCF) collected by the trial courts. Responsibilities include receiving monthly UCF collection reporting from all 58 trial courts, entering this reporting in a web-based application that calculates the statutory distributions, executing the monthly cash distributions when due to state and local agency recipients, and accounting for the function in the Phoenix Financial System. Staff performed other cash management and treasury duties as needed for the trial courts.

## **Category 2: Trial Court Projects and Model Programs: \$4.757 million**

(Refer to Attachment A, page 5 for the amounts allocated for each of these programs.)

Funding was provided for various ongoing and limited-term projects that support trial court operations as well as improve court management and efficiency, case processing, and timeliness of trials. The projects and programs include the following:

### **Domestic Violence Practice and Procedure Task Force**

The allocated funds were expended to support the work of the Domestic Violence Practice and Procedure Task Force. The task force held a face-to-face meeting on April 23, 2010, in conjunction with the council meeting. A forum on risk assessment in domestic violence cases was held on June 23, 2010, and resulted in a report and recommendations that will be considered

by the task force in the 2010–2011 fiscal year. In addition, the task force, in collaboration with the Center for Judicial Education and Research, produced distance learning projects including a Great Minds video broadcast entitled “Domestic Violence and Cultural Responsiveness.”

### **Snapshot 2008**

The allocated funds were expended to continuously support the projects related to statistical measurement of family court and custody mediation and the trial court workload study. The objectives of these projects and the study were to collect and analyze workload data from family courts and relevant data on the costs and impact of implementing the projects’ recommendations.

### **Quadrennial Review of Statewide Uniform Child Support Guideline**

The allocated funds were expended to contract with a research agency providing technical assistance on court case-filing reviews related to the Statewide Uniform Child Support Guideline. Family Code section 4054(a) requires that, at least every four years, the council review this guideline to recommend appropriate revisions to the Legislature. Federal regulations (45 C.F.R. § 302.56) also require that each state review its guideline at least every four years. The primary purpose of this review requirement is to ensure that the guideline results in the determination of appropriate child support award amounts.

### **Commission for Impartial Courts**

The allocated funds were expended to pay for one meeting of the Commission for Impartial Courts (CIC) Steering Committee, chaired by Associate Justice Ming W. Chin of the California Supreme Court. In December 2009 the committee presented its final report with 71 recommendations to the council. Subsequent to this, a new Commission for Impartial Courts Implementation Committee was formed. This committee has met once and has presented a combined total of 25 recommendations for council approval at the February, April, and June 2010 meetings.

### **Other Postemployment Benefits (OPEB) Valuation Report**

The allocated funds were expended for consultant services to produce the necessary information to complete the OPEB report. The purpose of this report is to provide the State Controller’s Office with the OPEB liability for each trial court based on the requirements of Governmental Accounting Standards Board Statements Nos. 43 and 45. Information from this report will also be included into the state’s Comprehensive Annual Financial Report.

### **Reimbursement to Trial Courts for Public Access**

The allocated funds were expended to partially reimburse superior courts for their costs of providing public access to nondeliberative or nonadjudicative court records. The council approved a one-time allocation to reimburse trial courts for specified expenses incurred between January 1, 2010, and December 31, 2011, in response to requests for public access to judicial administrative records under rule 10.500 of the California Rules of Court and as provided in the fee procedures and guidelines published by the AOC.

### **Workers' Compensation Reserve**

The allocated funds were expended to pay for the tail claim settlements with Alameda, Kern, and San Diego Counties. Funds also paid for the services of a consultant for tail claim data validation and liability calculations. The AOC has been resolving outstanding liabilities with various counties for January 1, 2001, to June 30, 2003, court workers' compensation liabilities. The workers compensation reserve funds were established to pay tail claim costs, which are the subject of negotiations with various counties. During this reporting period, runoff liabilities are pending with Fresno, Orange, Sacramento, and Santa Clara Counties.

### **Trial Court Health-Care Reserve**

The allocated funds were expended to pay medical claims incurred prior to midnight, January 1, 2009. Funds also paid for a benefits consultant for specific program support and deliverables, such as (a) development of a self-insured plan disengagement strategy and providing options to courts for other standalone solutions, and (b) assistance in identifying available carrier and community resources.

### **Category 3: Emergency Funding: \$40,226**

(Refer to Attachment A, page 6 for the amount allocated for this category.)

The allocated funds were expended to provide one-time deficiency funding to the Superior Court of Plumas County for operational costs related to opening the Plumas-Sierra Regional Courthouse. The court is financially responsible for the new courthouse and its maintenance. Based on review and analysis of the court's deficiency funding request, it was determined that the court lacked the necessary resources to cover the one-time costs while maintaining the minimum operating and emergency reserve required by council fund balance policy. This one-time funding addressed furniture, equipment, and other costs for the new courthouse.

## MODERNIZATION FUND

### FY 2009–2010 EXPENDITURES AND ENCUMBRANCES

(Refer to Attachment B, page 1.)

In FY 2009–2010, the council expended \$37.845 million from the Modernization Fund. The Modernization Fund provides the primary support for critical technology projects (e.g., case management systems, statewide planning and development support, and data integration standards), mandated and nonmandated education for judicial officers (e.g., orientation for new judges, the Judicial College, and the Continuing Judicial Studies Program), education for court administration and staff (e.g., technical assistance to local courts, trial court faculty program, and distance learning), and key local assistance initiatives (e.g., complex civil litigation programs, court-appointed counsel performance database, developing promising practices, and testing development and implementation for the Court Interpreters Program). A description of these projects follows.

## **Category 1: Statewide Technology Infrastructure: \$30.208 million**

(Refer to Attachment B, page 2 for the amounts allocated for each of these programs.)

A total of \$30.208 million was spent on the following statewide technology projects:

### **Statewide Technology Infrastructure—Local Assistance**

#### **Projects**

##### ***California Courts Protective Order Registry (CCPOR)***

In FY 2009–2010, both TCIF and Modernization Fund resources supported the CCPOR project. (For details, refer to the California Courts Protective Order Registry (CCPOR) item in the TCIF section of this report.)

##### ***Courts Linked by Information and Knowledge (CLIK) System Development Project (formally known as Themis System Project)***

The purpose of this project is to replace the current Themis System, which was first developed in 2001 on a platform no longer supported by the software vendor. This system consists of one common database, the Contact and Positions System (CAPS), which is used by the other subsystems: the Assigned Judges Tracking System (AJTS), Education Audio Video, Nominations, and Faculty.

CAPS provides names, titles, and various demographic data for key personnel both within and external to the judicial branch. AJTS facilitates the matching and assignment of active judges from one court to another or of retired judges to courts when the court has a critical need for assistance. The assignments are 90 percent for trial courts and 10 percent for appellate courts. The system matches the criteria submitted by the court to a database of judges and their qualifications (CAPS), then produces a list of judges who meet the specified criteria. Under this project, CAPS and AJTS will be rewritten to incorporate new business requirements and to use newer technology that will make the systems more robust and easier to enhance in the future. The other subsystems will need to be upgraded along with AJTS to accommodate changes in the database and application software version.

Funding in FY 2009–2010 supported the development of user requirements and functional specifications documents, system architecture design, and database design for the new CLIK system.

### ***Uniform Civil Fees***

In July 2005, the Legislature, through section 68085.1(b), required that the 58 trial courts submit a schedule of AB 145 remitted civil fees by code section at the end of each month to the AOC. Under section 68085.1, the AOC is responsible for the reporting and remittance of uniform civil fees (UCF) cash collections. Accordingly, the UCF System was developed to support the centralized reporting and distribution of UCF cash collections. The total cash collected by the courts averages \$45 to \$50 million each month. A failure to distribute fees to the appropriate entities within 45 days after the end of the month would result in the state assessing penalties of nearly \$20,000 per day that the distribution is late. The UCF System is used to calculate the correct distribution of 116 categories of fees collected by the superior courts. The fees are distributed to up to 22 different funds or entities, such as the Trial Court Trust Fund's children's waiting room program or a county law library. The distributions vary depending on the court, the fee, and the fund or entity receiving the funds. The system generates reports for the State Controller's Office and various entities that receive the distributed funds. Calculations are used by the AOC Finance Division to distribute funds to various entities as required by law.

Work in FY 2009–2010 included an update reflecting major changes in the fee schedules and distributions as legislated by the state and local governments in November 2009. Major enhancements included upgrading the Bank of America interface to support consolidation of trial court accounts into a master account. In addition, the design and development of an enhancement that establishes fee code history and allows effective dating of fee code changes was completed and is now being tested. This enhancement will provide for more accurate historical reporting and enhance the process of testing and implementing fee code changes. Minor changes and additional reporting were also provided throughout the year.

### **Ongoing Programs and Services**

#### ***California Court Case Management System (CCMS)***

In FY 2009–2010, both TCIF and Modernization Fund resources supported CCMS. (For details, refer to the California Court Case Management System item in the TCIF section of this report.)

#### ***California Courts Technology Center (CCTC)***

In FY 2009–2010, both TCIF and Modernization Fund resources supported CCTC. (For details, refer to the California Courts Technology Center item in the TCIF section of this report.)

#### ***Data Integration***

In FY 2009–2010, both TCIF and Modernization Fund resources supported data integration. (For details, refer to the Data Integration item in the TCIF section of this report.)

### ***Enterprise Policy and Planning Operations***

In FY 2009–2010, both TCIF and Modernization Fund resources supported enterprise policy and planning operations. (For details, refer to the Enterprise Policy and Planning Operations item in the TCIF section of this report.)

### ***Interim Case Management Systems (ICMS)***

In FY 2009–2010, both TCIF and Modernization Fund resources supported ICMS. (For details, refer to the Interim Case Management Systems item in the TCIF section of this report.)

## **Category 2: Educational and Developmental Programs: \$2.284 million**

(Refer to Attachment B, page 3 for the amounts allocated for each of these programs.)

The council’s strategic plan identifies education of judges, subordinate judicial officers, and nonjudicial court staff as a significant means to advance the mission and goals of the judicial branch in the areas of access, fairness, diversity, and ethics. With the increasing complexity of the law and court procedures, delivery of justice to the people of California requires judges and court personnel to be equipped with knowledge, skills, and abilities that enable them to administer the justice system in a fair and effective manner that fosters public confidence. The allocations for education programs fall into five general categories: mandated state education programs for judges (e.g., orientation for new judges, family law assignment education), nonmandated education programs for judges (e.g., Winter Continuing Judicial Studies Program, overview courses, Probate Conservatorship Institute), education/training/programs related to court administration (e.g., court management courses, “train the trainers” faculty development, trial court faculty programs), education programs for court staff (e.g., Court Clerk Training Institute, distance learning, Trial Court Judicial Attorneys Institute), and other educational and developmental programs (e.g., teen courts and Beyond the Bench, budget-focused training and meetings, Labor Relations Academy).

Funding enables judges and subordinate judicial officers to participate in mandated and assignment-related educational programs. Additionally, funding supports trial court staff training programs. Education and development funding covers the costs of lodging and group meals for participants attending statewide education programs and conferences as well as mandatory education programs for judges and nonmandatory education programs for judges, court executives, and other court staff. Funding also covers the development and transmission of broadcast programs.

## **Category 3: Pilot Projects, Special Initiatives, and Ongoing Programs: \$5.352 million**

(Refer to Attachment B, page 4 for the amounts allocated for each of these programs.)

The delivery of justice can be enhanced by improving access, efficiency, and effectiveness. In FY 2009–2010, the council allocated funding from the Modernization Fund to support

innovative programs that enhanced the delivery of justice. The projects and programs include the following:

### **Complex Civil Litigation Program**

The allocated funds were expended to provide support for the Complex Civil Litigation Program, which began as a pilot program in January 2000 to improve the management of complex civil cases. In August 2003, the council made the program permanent. The National Center for State Courts reported on the program in its *Evaluation of the Centers for Complex Litigation Pilot Program*. The lengthy report included information on the number of complex cases filed; the impact of the complex litigation departments on case and calendar management; the impacts on trial courts, attorneys, and parties; and recommendations to the Legislature and the Governor concerning complex litigation departments. In FY 2009–2010, the program involved 18 departments in the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco, and Santa Clara Counties.

### **Self-Help Videos for the Website**

The allocated funds were expended on server costs for videos to educate the public on topics such as how to prepare for court and how mediation works. Funding also supported the development of a video for self-represented litigants on how the appellate process works.

### **Interactive Software—Self-Represented Litigant Electronic Forms**

The allocated funds were expended to develop “plain language” forms and translations of commonly used forms. Additionally, a national document assembly server that will enable litigants to complete forms online at no charge was funded. Developed in collaboration with legal services programs, these interactive programs can be used in every county to help litigants quickly and accurately complete pleadings in workshop settings.

### **Court-Appointed Counsel Performance Database**

The allocated funds were expended to pay for licensing fees that allowed for continued use of the Court-Appointed Counsel Performance Database, which houses data reported on a monthly basis by more than 500 attorneys participating in the Dependency Representation, Administration, Funding, and Training (DRAFT) program. The continued use of the database has enabled quality data analysis, resulted in a more expeditious data reporting process for attorneys, and has been instrumental in quantitatively measuring the relationship of attorney performance to child welfare outcomes.

### **Collaborative Justice**

The allocated funds were expended to host California’s fifth annual statewide Youth Court Summit that was held in June 2010 at the University of California, Davis. Participants included more than 130 youth and peer court staff, juvenile bench officers, education experts, and representatives from youth-focused associations who shared ideas and best practices about youth courts. The focus was “Healthy Decisions for a New Decade.” Youth courts offer teen offenders an alternative to the traditional juvenile justice system. Funding supported the creation

of an updated research publication outlining the history of collaborative justice courts in California. This publication documents pertinent milestones and activities in the field including funding developments and legislation and will be distributed to policymakers and practitioners in the justice system.

### **Presiding Judges and Court Executives Meetings**

The allocated funds were expended to facilitate face-to-face meetings that provided a forum for presiding judges, assistant presiding judges, court executives, assistant court executives, and other court leaders to discuss and consider both local and statewide court administration issues as well as take action on committee-sponsored initiatives. Eleven newly appointed trial court executive officers (CEOs) were invited in June 2010 for a day-long leadership meeting to have discussions with AOC leaders on topics including statewide judicial branch issues and initiatives, efforts of the council and AOC, opportunities for CEOs to become involved in statewide initiatives as trial court leadership representatives, the role of the trial court CEO from the council perspective, and overviews of court programs and services supported by various AOC divisions. In addition, the council directed the Court Executives Advisory Committee to consider amendments to rule 10.473 of the California Rules of Court to address ethics training requirements for trial court executive officers. Rule 10.473 was circulated for comment during the spring 2010 public comment cycle.

### **Kleps Award Program**

The allocated funds were expended to provide training and technical assistance to courts to encourage replication of programs that have received the Ralph N. Kleps Award. Sharing effective practices is one of the main objectives of the Kleps Award Committee. In FY 2009–2010, five web-based demonstrations were held and attended by 100-plus participants from 20 appellate districts and trial courts throughout the state. Web-based demonstrations enabled court staff to attend at their court locations. Court projects are selected to receive the Kleps Award based on their innovation, their positive impact on the court, their transferability to other courts, and their reflection of at least one of the goals of the council’s long-range strategic plan. Funds were also expended for the printing and distribution of the publication *Innovations in the California Courts*, which profiles replicable court innovations and statewide initiatives, including projects that are Kleps recipients. This publication also describes statewide initiatives designed to promote advances in infrastructure, management, communications and other aspects of the day-to-day business of the California courts.

### **Branchwide Communications**

The allocated funds were expended to support two distinct communication activities:

- a. Jury management and improvement initiatives: The program focused on educating the public, jurors, and potential jurors about the importance of jury service and the work of the superior courts through production of an educational outreach brochure, *Court and Community*, which provided uniform information to the public about the mechanics and importance of jury service and is distributed along with each jury summons in 15 trial courts.

- b. 2010 *Pocket Directory of California Judicial Leaders*: The directory was published and distributed in February 2010 to court leaders, members of the council and chairs of its committees, and justice partners. Contact information for branch leaders was gathered, verified, and published in a convenient format, in cooperation with *Capitol Enquiry*, the leader in producing such directories for governments.

### **Developing Promising Practices**

The allocated funds were expended to support three programs:

- a. California JusticeCorps Program: JusticeCorps assists court-based self-help center attorneys in serving the public by helping to triage cases, providing information and referrals, identifying and completing legal forms, and assisting in court hearings. The program recruited, trained, and placed 258 undergraduate university students in court-based legal access self-help centers, with a majority of these students completing 300 hours of service during an academic year.
- b. California on My Honor Civics Institute for Teachers: The Civics Institute trains teachers to create effective civic education projects for their K–12 students.
- c. Local Court Connection Workshop: This one-day workshop in March 2010 featured guest speakers, observations of live court proceedings, and local, state and national civic education resources to introduce teachers to the courts and motivate them to offer effective civic education opportunities in their classes.

### **Trial Court Performance and Accountability**

The allocated funds were expended to implement phase one of a two-part project to develop measures of performance and accountability in the trial courts as an outgrowth of the council's adoption of the Resource Allocation Study (RAS) model and Judicial Needs Assessment and as required by statute (§ 77001.5). The SB 56 Working Group met twice to review and give input on the judge and staff study methodologies. Data collection for the judicial officer workload study was completed in May 2010, with follow-up analysis slated for fall and winter 2010. For the staff workload study, a new methodology was developed to obtain more detailed empirical data to try to establish linkages between workload, performance, and resource needs. A pilot test was conducted in the criminal divisions of three courts to evaluate whether the new methodology would capture more detailed data with a relatively low impact on staff.

### **Court Interpreters Program—Testing, Development, and Implementation**

The allocated funds were expended to cover costs in several areas:

- a. Court interpreter test administration: Funds were used to administer the written and oral court interpreter exams and to support California's transition to the exams developed by the Consortium for Language Access in the Courts. A total of 359 written court interpreter

exams were administered at 20 locations in California. Additionally, a total of 405 oral court interpreter exams in 12 certified languages, as well as English-only exams for registered status, were administered in 5 locations.

- b. Live proctor and rater training sessions: These sessions ensure standardized administration practices of Consortium oral exams so that the public and trial courts have access to qualified certified and registered interpreters.
- c. Court Interpreter Advisory Panel Meeting: Panel members discussed the results of a comprehensive study of Consortium court interpreter examinations to determine whether the Consortium's examinations were comparable in structure, content, and level of difficulty to California's exams and could be used to qualify interpreters without modification. They adopted the Consortium examinations for future use, which has resulted in an updated fresh bank of exams and increased efficiencies in exam development and maintenance.

### **Judicial Council Orientation and Branchwide Planning Meeting**

In FY 2009–2010, Modernization Fund resources also supported the Judicial Council orientation and branchwide planning meeting. The allocated funds were expended to continue deployment of a statewide initiative on procedural fairness. (For details, refer to the Branchwide Strategic Planning item in the TCIF section of this report.)

### **Interpreter Recruitment Campaign**

The allocated funds were expended to support a variety of recruitment related activities:

- a. Skill-building workshop: Fifty interpreter test candidates in Spanish, Korean, and Vietnamese participated and completed the workshop, which included 16 hours of training in simultaneous and consecutive interpretation and sight translation.
- b. Statewide training program coordinators meeting: Sixteen institutions, including one from out of state, were represented by interpreter training program directors, coordinators, and lead faculty who discussed the traits of screening candidates, materials choices, and the use of internships and mentorships in training.
- c. Interpreter conferences: A presentation was made to members of the California Healthcare Interpreting Association regarding the crossover opportunities between medical and legal interpreting.
- d. Ethics and orientation workshops: Under sections 68561 and 68562, all newly certified and registered interpreters must meet the education requirements established by the council.
- e. Advanced American Sign Language (ASL) legal training: Thirty interpreters who met stringent prerequisites attended a training session at the Registry of Interpreters for the Deaf Region V Biennial 2010 Conference.

## CONCLUSION

During the past decade, the judicial branch has undergone dramatic and fundamental structural changes, including the transition from county to state funding of the trial courts along with subsequent improvements in the branch's budget process and the unification of municipal and superior courts. All these changes are necessary components of the judicial branch's focus on creating a strong, unified judicial branch that is better equipped to comprehensively deliver justice to all Californians.

Funding from the TCIF and Modernization Fund continues to represent a vital component of the judicial branch budget to ensure equal access to fair and consistent justice across the state.

## ADDENDUM

### Supplemental Information on FY 2009–2010 Statewide Administrative and Technology Infrastructure Funding and Expenditures

At its April 21, 2006, business meeting, the Judicial Council directed that AOC staff report annually to the council on the amount of funding from the Trial Court Trust Fund (TCTF) and the Trial Court Improvement Fund (TCIF) allocated to the courts through the supplemental funding process, as well as any amounts paid directly out of the TCTF in the previous fiscal year for statewide administrative infrastructure costs. This addendum provides that information.

#### **Statewide Technology Infrastructure**

A total of \$55.119 million from the TCTF was expended and/or encumbered in support of statewide administrative and technology initiatives that support the objectives set forth by the council in its strategic and operational plans and as approved by the council's Court Technology Advisory Committee.

The chart below displays the expenditures and encumbrances directly from the TCTF in FY 2009–2010 for statewide administrative and technology infrastructure.

| <b>Description</b>   | <b>Amount<sup>3</sup></b> |
|--|---------------------------|
| California Court Case Management System (CCMS)   | \$27,684,050              |
| California Courts Technology Center (CCTC)—Operations                                    | 10,058,475                |
| Interim Case Management System (Sustain)   | 3,923,708                 |
| Phoenix Financial and Human Resources Services   | 5,250,864                 |
| <b>Subtotal, Statewide Administrative and Technology Infrastructure—Local Assistance</b> | <b>46,917,097</b>         |
| <b>Subtotal, Statewide Administrative and Technology Infrastructure—Support</b>          | <b>8,201,984</b>          |
| <b>Total, Statewide Administrative and Technology Infrastructure</b>                     | <b>\$55,119,082</b>       |

<sup>3</sup> Amounts displayed rounded to nearest dollar. Subtotals and totals reflect the sum of itemized amounts to the penny, then rounded to the nearest dollar.

## **Local Assistance: Ongoing Programs and Services**

### ***California Court Case Management System (CCMS)***

In FY 2009–2010, TCTF resources also supported CCMS. (For details, refer to the California Court Case Management System item in the TCIF section of the report.)

### ***California Courts Technology Center (CCTC)***

In FY 2009–2010, TCTF resources also supported CCTC operations. (For details, refer to the California Courts Technology Center item in the TCIF section of the report.)

### ***Interim Case Management Systems (ICMS)***

In FY 2009–2010, TCTF resources also supported ICMS. (For details, refer to the Interim Case Management Systems item in the TCIF section of the report.)

### ***Phoenix Financial and Human Resources Services***

In FY 2009–2010, TCTF resources also supported Phoenix financial and human resources services. (For details, refer to the Phoenix Financial and Human Resources Services item in the TCIF section of the report.)

In FY 2009–2010, of the \$55.119 million spent on and/or encumbered for statewide administrative and technology infrastructure, a portion was related to AOC staff costs (\$8.202 million), as provided for in the Budget Act. Support for the statewide technology infrastructure requires continuous dedication of AOC staff, temporary staff, and outside private consultants.

## **Supplemental Funding Process Allocations**

To ensure a consistent approach for considering court requests for supplemental funding, the council approved the creation of a Statewide Administrative Infrastructure Funding Committee. The role of the committee was to review staff recommendations regarding individual court requests and to forward its recommendations to the Administrative Director of the Courts for a final decision based on the availability of unallocated funds in the TCTF and TCIF.

The council delegated authority to the Administrative Director of the Courts to allocate one-time and ongoing unallocated funds from the TCTF and TCIF to the trial courts in accordance with the supplemental funding request process. This delegated authority was also extended to provide direct payment from TCTF of critical statewide costs associated with the trial court administrative services and technology initiatives to the extent one-time funding was available.

The table below displays the distribution of these allocated funds to courts in FY 2009–2010.

| <b>Description</b>                             | <b>Funding Distributed</b> |
|--|----------------------------|
| Phoenix Financial and Human Resources Services | \$1,883,794                |
| Interim Case Management System (Sustain)       | 1,033,533                  |
| California Courts Technology Center (CCTC)     | 776,550                    |
| <b>Total, Supplemental Funding Distributed</b> | <b>\$3,693,877</b>         |

Of the \$3.694 million distributed to courts, \$3.341 million is ongoing and augments base allocations for trial court operations.

**Trial Court Improvement Fund**  
**FY 2009–2010**  
**Resources**

| <b>Description</b>  | <b>Amount</b>        |
|---|----------------------|
| <b>BEGINNING FUND BALANCE</b>   | <b>\$ 35,610,873</b> |
| Prior Year Adjustments  | 5,021,218            |
| Adjusted Beginning Fund Balance   | 40,632,091           |
| <b>REVENUES AND TRANSFERS</b>   |                      |
| 50/50 Excess Fines and Forfeitures Split Revenue                            | 46,612,971           |
| 2% Automation Fund Revenue  | 17,727,281           |
| Interest From Surplus Money Investment Fund                                 | 393,790              |
| Royalties From Publication of Jury Instructions                             | 413,039              |
| Miscellaneous Revenue   | 10,995               |
| 1% Transfer From the Trial Court Trust Fund                                 | 25,179,400           |
| Transfer to Trial Court Trust Fund (AB 1806, Gov. Code, § 77202(a)(B)(iii)) | (31,563,000)         |
| <b>Total Revenues and Transfers</b>   | <b>58,774,476</b>    |
| <b>Total Resources</b>  | <b>\$ 99,406,567</b> |

**Trial Court Improvement Fund  
FY 2009–2010  
Summary of Expenditures and Encumbrances**

| <b>Description</b>                                    | <b>Amount</b>        |
|---|----------------------|
| <b>Total Resources</b>                                | <b>\$ 99,406,567</b> |
| <b>Expenditures and Encumbrances</b>                  |                      |
| Ongoing Statewide Programs                            | 73,276,083           |
| Trial Court Projects and Model Programs               | 4,757,171            |
| Emergency Funding                                     | 40,226               |
| <b>Subtotal Expenditures and Encumbrances</b>         | <b>78,073,480</b>    |
| Pro Rata, Statewide General Administrative Services   | 658,575              |
| <b>Total Expenditures, Encumbrances, and Pro Rata</b> | <b>78,732,055</b>    |
| <b>Total Fund Balance</b>                             | <b>\$ 20,674,512</b> |

**Trial Court Improvement Fund  
FY 2009–2010 Expenditures and Encumbrances  
Category I—Ongoing Statewide Programs**

| <b>Description</b>   | <b>Amount</b>        |
|--|----------------------|
| Trial Court Security Grants  | \$ 2,098,303         |
| Litigation Management Program  | 4,059,403            |
| Commission on Judicial Performance Defense Insurance Program                         | 762,114              |
| Subscription Costs— <i>Judicial Conduct Reporter</i>                                 | 19,725               |
| Trial Court Transactional Assistance Program   | 510,401              |
| Self-Represented Litigants—Statewide Support   | 308,649              |
| Domestic Violence—Family Law Interpreter Program                                     | 1,750,000            |
| Self-Help Centers  | 5,000,000            |
| Online Training  | 1,901                |
| Branchwide Strategic Planning  | 44,029               |
| California Courts—Connecting With Constituencies                                     | 296,105              |
| Employee Assistance Program for Bench Officers                                       | 85,000               |
| Trial Court Benefits Program—Legal Advice  | 70,753               |
| Statewide Administrative and Technology Infrastructure—Local Assistance <sup>1</sup> | 48,662,355           |
| Statewide Administrative and Technology Infrastructure—Support <sup>1</sup>          | 9,607,345            |
| <b>Total Ongoing Statewide Programs</b>  | <b>\$ 73,276,083</b> |

<sup>1</sup> See Attachment A, page 4 for the detail of statewide administrative and technology infrastructure expenditures and encumbrances.

**Trial Court Improvement Fund**  
**FY 2009–2010 Expenditures and Encumbrances**  
**Statewide Administrative and Technology Infrastructure**

| Description   | Amount               |
|---|----------------------|
| <b>Projects</b>   |                      |
| CA Courts Protective Order Registry (CCPOR)                                       | \$ 41,265            |
| Enterprise Test Management Suite (ETMS)   | 1,873,895            |
| E-Exchange  | 1,087,649            |
| <b>Programs</b>   |                      |
| California Courts Technology Center (CCTC)—Operations                             | 1,316,688            |
| California Court Case Management System (CCMS)                                    | 15,396,413           |
| Data Integration  | 2,275,209            |
| Enterprise Policy and Planning—Operations   | 1,514,773            |
| Interim Case Management Systems (ICMS)  | 749,241              |
| Phoenix Financial and Human Resources Services                                    | 9,705,452            |
| Telecommunications Support  | 14,701,770           |
| <b>Subtotal Statewide Technology Infrastructure—Local Assistance</b>              | <b>48,662,355</b>    |
| <b>Statewide Administrative and Technology Infrastructure—Support<sup>1</sup></b> | <b>9,607,345</b>     |
| <b>Total Statewide Administrative and Technology Infrastructure</b>               |                      |
| <b>- Local Assistance and Support</b>   | <b>\$ 58,269,700</b> |

<sup>1</sup> As specified by the provisions of Government Code section 68085(a)(2)(A), the amount available from the TCIF that can be used for statewide administrative infrastructure initiatives support is 20 percent of the amounts deposited into the TCIF pursuant to Government Code section 77205(a).

**Trial Court Improvement Fund**  
**FY 2009–2010 Expenditures and Encumbrances**  
**Category II—Trial Court Projects and Model Programs**

| <b>Description</b>  | <b>Amount</b>       |
|---|---------------------|
| Domestic Violence Practice and Procedure Task Force             | \$ 24,599           |
| Snapshot 2008   | 4,365               |
| Quadrennial Review of Statewide Uniform Child Support Guideline | 69,499              |
| Commission for Impartial Courts                                 | 3,222               |
| Other Postemployment Benefits (OPEB) Valuation Report           | 219,846             |
| Reimbursement to Trial Courts for Public Access                 | 1,131               |
| Workers' Compensation Reserve                                   | 4,236,009           |
| Trial Court Health-care Reserve                                 | 198,500             |
| <b>Total Trial Court Projects and Model Programs</b>            | <b>\$ 4,757,171</b> |

**Trial Court Improvement Fund**  
**FY 2009–2010 Expenditures and Encumbrances**  
**Category III—Emergency Funding**

| <b>Description</b>                                 | <b>Amount</b>    |
|--|------------------|
| Deficiency Funding to Plumas County Superior Court | \$ 40,226        |
| <b>Total Emergency Funding</b>                     | <b>\$ 40,226</b> |

**Judicial Administration Efficiency and Modernization Fund  
FY 2009–2010**

**Summary of Expenditures and Encumbrances**

| <b>Description</b>  | <b>Amount</b>        |
|---|----------------------|
| <b>Appropriation</b>                                      | <b>\$ 38,709,000</b> |
| <b>Expenditures and Encumbrances by Category</b>          |                      |
| Statewide Technology Infrastructure                       | 30,208,311           |
| Education and Developmental Programs                      | 2,284,576            |
| Pilot Projects, Special Initiatives, and Ongoing Programs | 5,352,226            |
| <b>Total Expenditures and Encumbrances</b>                | <b>\$ 37,845,113</b> |
| <b>Appropriation Savings</b>                              | <b>\$ 863,887</b>    |

**Judicial Administration Efficiency and Modernization Fund**  
**FY 2009–2010 Expenditures and Encumbrances**  
**Category I—Statewide Administrative and Technology Infrastructure**

| <b>Description</b>   | <b>Amount</b>        |
|--|----------------------|
| <b>Projects</b>  |                      |
| California Courts Protective Order Registry (CCPOR)                  | \$ 639,114           |
| CLIK System Development Project                                      | 547,590              |
| Uniform Civil Fees   | 188,470              |
| <b>Programs</b>  |                      |
| California Court Case Management System (CCMS)                       | 18,952,989           |
| California Courts Technology Center (CCTC)—Operations                | 277,212              |
| Data Integration   | 4,345,603            |
| Enterprise Policy and Planning—Operations                            | 2,758,563            |
| Interim Case Management Systems (ICMS)                               | 2,498,770            |
| <b>Total, Statewide Administrative and Technology Infrastructure</b> | <b>\$ 30,208,311</b> |

**Judicial Administration Efficiency and Modernization Fund**  
**FY 2009–2010 Expenditures and Encumbrances**  
**Category II—Educational and Developmental Programs**

| <b>Description</b>   | <b>Amount</b>       |
|--|---------------------|
| Orientation for New Court Judges                                     | \$ 106,289          |
| B. E. Witkin Judicial College of California                          | 304,592             |
| Family Law Assignment Education                                      | 14,512              |
| <i><b>Subtotal, Mandated State Education Program</b></i>             | <b>425,393</b>      |
| Criminal Law and Procedure Institute                                 | 25,408              |
| Winter Continuing Judicial Studies Program (CJSP)                    | 235,370             |
| Overview Courses   | 122,965             |
| Probate and Conservatorship Institute                                | 36,640              |
| <i><b>Subtotal, Nonmandated Education Programs</b></i>               | <b>420,383</b>      |
| Court Management Course (Fall CJSP)                                  | 117,102             |
| Technical Assistance to Local Courts                                 | 200,164             |
| Train the Trainers—Faculty Development                               | 95,274              |
| Trial Court Faculty (Statewide Education Programs)                   | 290,180             |
| Court Management Curriculum  | 33,333              |
| <i><b>Subtotal, Programs Related to Court Administration</b></i>     | <b>736,053</b>      |
| Mid-level Management Conferences                                     | 33,529              |
| Court Clerk Training Institute                                       | 150,118             |
| Distance Learning (Satellite Broadcast)                              | 231,663             |
| Trial Judicial Attorney Institute                                    | 54,749              |
| <i><b>Subtotal, Programs for Trial Court Staff</b></i>               | <b>470,059</b>      |
| CFCC Programs (Teen Courts and Beyond the Bench)                     | 85,080              |
| CFCC Publications  | 110,383             |
| Trial Court Outreach—Visits to Council/AOC                           | 1,394               |
| <i>California Courthouses</i> Book                                   | 300                 |
| Budget Focused Training and Meetings                                 | 11,675              |
| Labor Relations Academy  | 23,856              |
| <i><b>Subtotal, Other Educational and Developmental Programs</b></i> | <b>232,688</b>      |
| <b>Total Education and Developmental Programs</b>                    | <b>\$ 2,284,576</b> |

**Judicial Administration Efficiency and Modernization Fund**  
**FY 2009–2010 Expenditures and Encumbrances**  
**Category III—Pilot Projects, Special Initiatives, and Ongoing Programs**

| <b>Description</b>   | <b>Amount</b>       |
|--|---------------------|
| Complex Civil Litigation Program                                       | \$ 4,001,010        |
| Self-Help Videos for the Website                                       | 4,021               |
| Interactive Software—Self-Represented Litigant Electronic Forms        | 45,050              |
| Court-Appointed Counsel Performance Database                           | 228,871             |
| Collaborative Justice  | 34,768              |
| Presiding Judges and Court Executives Meetings                         | 123,575             |
| Kleps Award Program  | 12,275              |
| Branchwide Communications  | 111,076             |
| Developing Promising Practices   | 338,355             |
| Trial Court Performance and Accountability                             | 175,995             |
| Court Interpreters Program—Testing Development and Implementation      | 209,241             |
| Judicial Council Orientation and Branchwide Planning                   | 3,086               |
| Interpreter Recruitment Campaign                                       | 64,903              |
| <b>Total Pilot Projects, Special Initiatives, and Ongoing Projects</b> | <b>\$ 5,352,226</b> |