

Item 5: Recommendations of the Funding Methodology Subcommittee

Issue

Consider six recommendations from the Funding Methodology Subcommittee.

Background

The TCBAC established three subcommittees, including the Fund Methodology Subcommittee, at its inaugural meeting on July 9, 2013. At its August 6, 2013 meeting, the subcommittee formed two subgroups, one to review possible modifications to the WAFM to address issues related to small courts and one to review issues related to the allocation of funding from the State Trial Court Improvement and Modernization Fund for the complex civil litigation program. Both subgroups held meetings to develop work products for review by the subcommittee. The subcommittee met in Sacramento on December 10, 2013 and unanimously approved five recommendations related to WAFM adjustments and the allocation for the complex civil litigation program. All members attended in person or by phone except for one. A sixth recommendation, related to the Resource Assessment Study, was unanimously approved by the subcommittee by e-mail.

The subcommittee received a request from the Presiding Judge of the Superior Court of Mendocino County to amend the WAFM so that it gives “consideration for additional funding for any court that has such a significant population center living in a remote and challenging geographic area that the court is not able to provide reasonably adequate court services to the entire court population.” This request identifies issues similar to existing parking lot items, which have not yet been addressed by the subcommittee.

Recommendations

1. Starting with the WAFM that will be used to compute 2014–2015 allocation adjustments, use 3-year average for BLS adjustment for all courts as part of WAFM.
2. Create FTE allotment floor for courts with less than 50 FTEs. The floor is the median BLS-adjusted average FTE allotment of courts with less than 50 FTEs.
3. Establish an absolute funding floor of \$750,000 (for 2014) and a graduated floor (for 2014–2015: \$875,000, \$1,250,000, or \$1,874,999), where the floor is based on the court’s WAFM funding need.
4. For courts whose WAFM-related funding level is below the absolute floor of \$750,000, fund them at the floor. For courts who would receive a graduated floor funding level, their allocation would be determined as follows: if the graduated funding floor for a particular court is less than the prior year allocation, plus 10%, then apply the graduated funding floor. If the graduated funding floor is greater than the prior year’s allocation plus 10%, then the

higher of two amounts is applied: 1) the prior year's allocation plus 10%; or 2) the court's allocation if no floor were applied.

5. Courts should receive the same level of funding from the \$4 million State Trial Court Improvement and Modernization Fund allocation for the complex civil litigation program in 2014–2015 as they did in 2013–2014. Starting in 2014–2015, the allocation of the \$4 million should use a different methodology. The new allocation methodology should address the inequities of the current methodology.
6. Recommend to the council that they direct the SB 56 Working Group to study death penalty cases in their next round of updates and direct the Court Executives Advisory Committee to work with the SB 56 Working Group to determine how best to collect the data necessary to support the study and, when a determination is made, the council should direct the trial courts to start reporting such data.

Summary

BLS Based on Calculating 3YR Average BLS (w/ State or Local or State/Local Average decision rules applied (50% threshold))

Cluster	County	% Local	% State	State Employment More than 50% of Govt Workforce?	3YR AVG BLS Local (92)	3YR AVG BLS State (92)	3YR AVG BLS (State & Local 92)	3YR AVG (2010-2012) BLS Factor (50% Workforce Threshold)	1YR (2012) BLS Factor (50% Workforce Threshold)
4	Alameda	84%	16%	No	1.42	1.12	1.27	1.42	1.43
1	Alpine	100%	0%	No	0.82		0.82	0.82	0.84
1	Amador	33%	67%	Yes	0.94	1.04	0.99	0.99	1.02
2	Butte	89%	11%	No	0.92	0.86	0.89	0.92	0.92
1	Calaveras	90%	10%	No	0.86	0.99	0.93	0.86	0.89
1	Colusa	94%	6%	No	0.70	1.11	0.91	0.70	0.70
3	Contra Costa	96%	4%	No	1.25	0.98	1.12	1.25	1.25
1	Del Norte	31%	69%	Yes	0.64	0.95	0.79	0.79	0.78
2	El Dorado	96%	4%	No	0.99	1.18	1.09	0.99	0.99
3	Fresno	70%	30%	No	1.00	1.16	1.08	1.00	0.98
1	Glenn	96%	4%	No	0.68	0.96	0.82	0.68	0.69
2	Humboldt	82%	18%	No	0.76	1.10	0.93	0.76	0.77
2	Imperial	53%	47%	No	0.77	0.93	0.85	0.77	0.88
1	Inyo	72%	28%	No	0.83	0.94	0.89	0.83	0.82
3	Kern	60%	40%	No	1.05	0.96	1.01	1.05	1.05
2	Kings	32%	68%	Yes	0.85	0.92	0.89	0.89	0.90
2	Lake	96%	4%	No	0.76	0.80	0.78	0.76	0.76
1	Lassen	20%	80%	Yes	0.67	0.93	0.80	0.80	0.82
4	Los Angeles	91%	9%	No	1.34	1.18	1.26	1.34	1.35
2	Madera	38%	62%	Yes	0.84	1.03	0.94	0.94	0.85
2	Marin	66%	34%	No	1.30	0.95	1.12	1.30	1.27
1	Mariposa	93%	7%	No	0.74	1.01	0.87	0.74	0.78
2	Mendocino	84%	16%	No	0.86	0.84	0.85	0.86	0.83
2	Merced	100%	0%	No	0.91		0.91	0.91	0.90
1	Modoc	83%	17%	No	0.61	1.00	0.80	0.61	0.60
1	Mono	91%	9%	No	1.20	0.67	0.93	1.20	1.17
3	Monterey	61%	39%	No	1.19	0.94	1.06	1.19	1.20
2	Napa	80%	20%	No	1.21	0.84	1.03	1.21	1.22
2	Nevada	90%	10%	No	0.97	0.80	0.88	0.97	0.97
4	Orange	91%	9%	No	1.30	1.10	1.20	1.30	1.31
2	Placer	95%	5%	No	1.14	0.87	1.01	1.14	1.18
1	Plumas	93%	7%	No	0.70	0.73	0.72	0.70	0.70
4	Riverside	100%	0%	No	1.07		1.07	1.07	1.07
4	Sacramento	15%	85%	Yes	1.20	1.36	1.28	1.28	1.29
1	San Benito	100%	0%	No	0.97		0.97	0.97	0.99
4	San Bernardino	82%	18%	No	1.05	1.11	1.08	1.05	1.05
4	San Diego	85%	15%	No	1.17	1.15	1.16	1.17	1.17
4	San Francisco	53%	47%	No	1.61	1.53	1.57	1.61	1.65
3	San Joaquin	70%	30%	No	1.11	1.08	1.10	1.11	1.10
2	San Luis Obispo	55%	45%	No	1.07	1.09	1.08	1.07	1.07
3	San Mateo	95%	5%	No	1.45	0.86	1.15	1.45	1.44
3	Santa Barbara	93%	7%	No	1.16	0.98	1.07	1.16	1.18
4	Santa Clara	94%	6%	No	1.47	0.99	1.23	1.47	1.43
2	Santa Cruz	87%	13%	No	1.17	0.82	1.00	1.17	1.16
2	Shasta	64%	36%	No	0.85	1.04	0.95	0.85	0.85
1	Sierra	100%	0%	No	0.71		0.71	0.71	
2	Siskiyou	84%	16%	No	0.71	0.80	0.75	0.71	0.69
3	Solano	61%	39%	No	1.22	1.00	1.11	1.22	1.19
3	Sonoma	88%	12%	No	1.17	1.06	1.11	1.17	1.15
3	Stanislaus	96%	4%	No	1.02	0.92	0.97	1.02	1.02
2	Sutter	95%	5%	No	0.95	0.91	0.93	0.95	0.96
2	Tehama	95%	5%	No	0.80	0.98	0.89	0.80	0.80
1	Trinity	93%	7%	No	0.65	0.93	0.79	0.65	0.65
3	Tulare	91%	9%	No	0.82	0.89	0.85	0.82	0.83
2	Tuolumne	48%	52%	Yes	0.84	0.98	0.91	0.91	0.84
3	Ventura	90%	10%	No	1.23	1.04	1.13	1.23	1.21
2	Yolo	85%	15%	No	1.01	1.53	1.27	1.01	1.01
2	Yuba	100%	0%	No	0.94		0.94	0.94	0.93
	Statewide				1.00	1.00	1.00	1.00	1.00

1 If use single year (2012), Tuolumne would get local BLS applied (the number reflected) because it would show the reverse employee % (52% local and 48% state)

TCBAC: WAFM Subcommittee
 Small Court Adjustment Analysis
 Prepared: October 3, 2013
 Analysis of Average Salaries / BLS
 BLS Is As Stated in August WAFM Draft

Cluster	Court	BLS Factor	Calculate Final FTE Dollar Factor ***NEW CONCEPT***						Difference From Original FTE Factor	Total Difference in Need
			FTE Dollar Factor Applied (Current -- \$56,396*BLS)	FTE Need	Eligible for FTE Floor Factor Analysis (Has Need < 50 FTE)?	Has Need <50 AND FTE Dollar Factor is Less Than Allowed Floor (\$43,866)?	Final FTE Dollar Factor			
			[a]	[b]	[c]	[d]	[e]	[g]		
1	Alpine	0.77	\$ 43,454	3	Yes	Yes	\$ 43,866	\$ 412	\$ 1,235.67	
1	Amador	0.97	\$ 54,710	27	Yes		\$ 54,710	\$ -	\$ -	
1	Calaveras	0.86	\$ 48,501	27	Yes		\$ 48,501	\$ -	\$ -	
1	Colusa	0.70	\$ 39,757	20	Yes	Yes	\$ 43,866	\$ 4,109	\$ 82,177.70	
1	Del Norte	0.79	\$ 44,278	30	Yes		\$ 44,278	\$ -	\$ -	
1	Glenn	0.68	\$ 38,588	26	Yes	Yes	\$ 43,866	\$ 5,278	\$ 137,234.27	
1	Inyo	0.83	\$ 46,952	21	Yes		\$ 46,952	\$ -	\$ -	
1	Lassen	0.79	\$ 44,558	32	Yes		\$ 44,558	\$ -	\$ -	
1	Mariposa	0.75	\$ 42,265	15	Yes	Yes	\$ 43,866	\$ 1,601	\$ 24,017.00	
1	Modoc	0.62	\$ 34,685	9	Yes	Yes	\$ 43,866	\$ 9,181	\$ 82,629.60	
1	Mono	1.19	\$ 66,906	14	Yes		\$ 66,906	\$ -	\$ -	
1	Plumas	0.71	\$ 39,991	16	Yes	Yes	\$ 43,866	\$ 3,875	\$ 62,003.40	
1	San Benito	0.98	\$ 55,307	31	Yes		\$ 55,307	\$ -	\$ -	
1	Sierra	0.73	\$ 41,240	3	Yes	Yes	\$ 43,866	\$ 2,626	\$ 7,878.93	
1	Trinity	1.00	\$ 56,649	17	Yes		\$ 56,649	\$ -	\$ -	
2	Butte	0.91	\$ 51,255	139			\$ 51,255	\$ -	\$ -	
2	El Dorado	0.99	\$ 55,558	94			\$ 55,558	\$ -	\$ -	
2	Humboldt	0.76	\$ 42,806	93			\$ 42,806	\$ -	\$ -	
2	Imperial	0.76	\$ 42,603	149			\$ 42,603	\$ -	\$ -	
2	Kings	0.87	\$ 49,135	104			\$ 49,135	\$ -	\$ -	
2	Lake	0.75	\$ 42,510	46	Yes	Yes	\$ 43,866	\$ 1,356	\$ 62,354.32	
2	Madera	0.92	\$ 52,066	102			\$ 52,066	\$ -	\$ -	
2	Marin	1.30	\$ 73,375	115			\$ 73,375	\$ -	\$ -	
2	Mendocino	0.87	\$ 48,958	70			\$ 48,958	\$ -	\$ -	
2	Merced	0.92	\$ 51,849	177			\$ 51,849	\$ -	\$ -	
2	Napa	1.23	\$ 69,290	78			\$ 69,290	\$ -	\$ -	
2	Nevada	0.96	\$ 54,292	57			\$ 54,292	\$ -	\$ -	
2	Placer	1.14	\$ 64,225	178			\$ 64,225	\$ -	\$ -	
2	San Luis Obispo	1.08	\$ 61,063	161			\$ 61,063	\$ -	\$ -	
2	Santa Cruz	1.17	\$ 66,219	140			\$ 66,219	\$ -	\$ -	
2	Shasta	0.85	\$ 47,726	149			\$ 47,726	\$ -	\$ -	
2	Siskiyou	0.71	\$ 39,835	38	Yes	Yes	\$ 43,866	\$ 4,031	\$ 153,190.38	
2	Sutter	0.95	\$ 53,336	63			\$ 53,336	\$ -	\$ -	
2	Tehama	0.81	\$ 45,440	55			\$ 45,440	\$ -	\$ -	
2	Tuolumne	0.91	\$ 51,237	40	Yes		\$ 51,237	\$ -	\$ -	
2	Yolo	1.01	\$ 56,847	110			\$ 56,847	\$ -	\$ -	
2	Yuba	0.92	\$ 51,675	53			\$ 51,675	\$ -	\$ -	
3	Contra Costa	1.26	\$ 71,165	423			\$ 71,165	\$ -	\$ -	
3	Fresno	1.01	\$ 57,078	536			\$ 57,078	\$ -	\$ -	
3	Kern	1.05	\$ 59,268	542			\$ 59,268	\$ -	\$ -	
3	Monterey	1.19	\$ 67,005	215			\$ 67,005	\$ -	\$ -	
3	San Joaquin	1.12	\$ 62,913	398			\$ 62,913	\$ -	\$ -	
3	San Mateo	1.45	\$ 81,923	313			\$ 81,923	\$ -	\$ -	
3	Santa Barbara	1.14	\$ 64,160	232			\$ 64,160	\$ -	\$ -	
3	Solano	1.24	\$ 70,146	252			\$ 70,146	\$ -	\$ -	
3	Sonoma	1.22	\$ 68,704	259			\$ 68,704	\$ -	\$ -	
3	Stanislaus	1.02	\$ 57,502	312			\$ 57,502	\$ -	\$ -	
3	Tulare	0.81	\$ 45,808	248			\$ 45,808	\$ -	\$ -	
3	Ventura	1.22	\$ 68,794	398			\$ 68,794	\$ -	\$ -	
4	Alameda	1.42	\$ 79,857	686			\$ 79,857	\$ -	\$ -	
4	Los Angeles	1.33	\$ 74,743	5592			\$ 74,743	\$ -	\$ -	
4	Orange	1.30	\$ 73,359	1427			\$ 73,359	\$ -	\$ -	
4	Riverside	1.07	\$ 60,297	1173			\$ 60,297	\$ -	\$ -	
4	Sacramento	1.28	\$ 72,090	825			\$ 72,090	\$ -	\$ -	
4	San Bernardino	1.05	\$ 59,227	1344			\$ 59,227	\$ -	\$ -	
4	San Diego	1.18	\$ 66,721	1444			\$ 66,721	\$ -	\$ -	
4	San Francisco	1.62	\$ 91,411	417			\$ 91,411	\$ -	\$ -	
4	Santa Clara	1.47	\$ 82,929	646			\$ 82,929	\$ -	\$ -	

\$ 612,721.27

Courts < 50 FTE Need*	WAFM Post BLS FTE Allotment
Mean Sal	\$ 46,190
Median Sal	\$ 43,866

*Per August run of RAS, 18 courts fall into this category.

Impact of Recommendations for 3 Yr BLS Averaging and Under 50 FTE Need FTE Dollar Adjustment

12/2/2013

Cluster	Court	WAFM Need Calculations			Differences			Recommendation Results in Higher Than 2012 BLS Update?
		WAFM Need - Presented to Council	WAFM Need - Updated for 2012 BLS ONLY	WAFM Need - Updated for Small Court Recommendations	Between Update for 2012 BLS and Original	Between Recommendations and 2012 BLS Update	Between Recommendations and Original	
A	B	C	D	E	F = D-C	G = E-D	H = E-C	I
1	Alpine	\$ 313,085	\$ 330,738	\$ 327,466	17,653	(3,272)	14,381	No
1	Amador	\$ 2,658,772	\$ 2,759,070	\$ 2,702,700	100,298	(56,371)	43,928	No
1	Calaveras	\$ 2,726,406	\$ 2,788,932	\$ 2,720,284	62,526	(68,648)	(6,122)	No
1	Colusa	\$ 1,790,396	\$ 1,781,821	\$ 1,888,667	(8,574)	106,845	98,271	Yes
1	Del Norte	\$ 3,427,449	\$ 3,408,494	\$ 3,442,476	(18,955)	33,982	15,027	Yes
1	Glenn	\$ 2,137,215	\$ 2,149,476	\$ 2,308,578	12,261	159,102	171,363	Yes
1	Inyo	\$ 2,175,071	\$ 2,148,672	\$ 2,174,292	(26,399)	25,620	(779)	Yes
1	Lassen	\$ 2,966,996	\$ 3,044,053	\$ 2,992,710	77,057	(51,343)	25,714	No
1	Mariposa	\$ 1,425,256	\$ 1,462,771	\$ 1,452,150	37,515	(10,620)	26,895	No
1	Modoc	\$ 735,568	\$ 721,997	\$ 827,526	(13,571)	105,529	91,958	Yes
1	Mono	\$ 1,957,040	\$ 1,940,009	\$ 1,971,874	(17,030)	31,864	14,834	Yes
1	Plumas	\$ 1,440,873	\$ 1,434,000	\$ 1,510,183	(6,873)	76,183	69,310	Yes
1	San Benito	\$ 3,694,249	\$ 3,721,385	\$ 3,676,547	27,136	(44,838)	(17,702)	No
1	Sierra	\$ 329,919	\$ 321,558	\$ 337,661	(8,360)	16,102	7,742	Yes
1	Trinity	\$ 1,881,266	\$ 1,434,674	\$ 1,570,965	(446,592)	136,291	(310,301)	Yes
2	Butte	\$ 13,541,129	\$ 13,612,166	\$ 13,656,003	71,037	43,837	114,874	Yes
2	El Dorado	\$ 10,382,673	\$ 10,444,760	\$ 10,435,689	62,087	(9,071)	53,016	No
2	Humboldt	\$ 7,564,312	\$ 7,662,978	\$ 7,568,184	98,666	(94,794)	3,872	No
2	Imperial	\$ 12,247,459	\$ 13,613,547	\$ 12,418,026	1,366,088	(1,195,521)	170,567	No
2	Kings	\$ 9,352,955	\$ 9,561,225	\$ 9,470,149	208,270	(91,076)	117,194	No
2	Lake	\$ 3,882,381	\$ 3,890,936	\$ 3,958,438	8,555	67,502	76,057	Yes
2	Madera	\$ 10,356,371	\$ 9,762,375	\$ 10,449,286	(593,996)	686,910	92,914	Yes
2	Marin	\$ 14,741,723	\$ 14,504,338	\$ 14,709,162	(237,385)	204,824	(32,561)	Yes
2	Mendocino	\$ 7,224,958	\$ 6,998,634	\$ 7,170,061	(226,324)	171,427	(54,897)	Yes
2	Merced	\$ 20,399,558	\$ 20,053,860	\$ 20,207,864	(345,697)	154,004	(191,694)	Yes
2	Napa	\$ 9,057,582	\$ 8,997,230	\$ 8,959,143	(60,353)	(38,086)	(98,439)	No
2	Nevada	\$ 6,295,984	\$ 6,350,226	\$ 6,313,292	54,242	(36,934)	17,308	No
2	Placer	\$ 23,251,433	\$ 23,822,125	\$ 23,319,481	570,692	(502,644)	68,048	No
2	San Luis Obispo	\$ 18,733,772	\$ 18,582,601	\$ 18,591,836	(151,171)	9,235	(141,936)	Yes
2	Santa Cruz	\$ 15,906,393	\$ 15,751,727	\$ 15,875,379	(154,667)	123,652	(31,014)	Yes
2	Shasta	\$ 13,998,489	\$ 14,030,647	\$ 14,030,441	32,158	(205)	31,952	No
2	Siskiyou	\$ 3,038,779	\$ 2,978,203	\$ 3,227,864	(60,576)	249,661	189,085	Yes
2	Sutter	\$ 7,185,820	\$ 7,273,237	\$ 7,204,967	87,417	(68,269)	19,148	No
2	Tehama	\$ 5,096,629	\$ 5,064,361	\$ 5,077,528	(32,268)	13,167	(19,101)	Yes
2	Tuolumne	\$ 3,991,693	\$ 3,755,716	\$ 3,993,087	(235,977)	237,371	1,394	Yes
2	Yolo	\$ 12,826,427	\$ 12,865,745	\$ 12,853,423	39,318	(12,322)	26,996	No
2	Yuba	\$ 4,684,787	\$ 4,748,659	\$ 4,772,437	63,872	23,778	87,650	Yes
3	Contra Costa	\$ 61,458,796	\$ 61,081,148	\$ 61,011,927	(377,647)	(69,221)	(446,868)	No
3	Fresno	\$ 66,645,307	\$ 64,954,689	\$ 65,885,027	(1,690,618)	930,338	(760,280)	Yes
3	Kern	\$ 69,196,054	\$ 69,379,548	\$ 69,257,228	183,494	(122,320)	61,174	No
3	Monterey	\$ 26,109,772	\$ 26,351,135	\$ 26,141,457	241,363	(209,678)	31,684	No
3	San Joaquin	\$ 50,362,896	\$ 49,870,985	\$ 50,227,740	(491,911)	356,755	(135,156)	Yes
3	San Mateo	\$ 48,234,039	\$ 48,033,857	\$ 48,102,652	(200,182)	68,795	(131,387)	Yes
3	Santa Barbara	\$ 27,524,863	\$ 28,317,114	\$ 27,856,714	792,251	(460,400)	331,851	No
3	Solano	\$ 32,865,908	\$ 31,683,595	\$ 32,466,471	(1,182,313)	782,876	(399,437)	Yes
3	Sonoma	\$ 36,585,471	\$ 35,041,628	\$ 35,457,903	(1,543,843)	416,276	(1,127,567)	Yes
3	Stanislaus	\$ 36,371,603	\$ 36,415,720	\$ 36,464,544	44,117	48,824	92,941	Yes
3	Tulare	\$ 24,217,472	\$ 24,480,523	\$ 24,394,714	263,051	(85,809)	177,242	No
3	Ventura	\$ 50,459,838	\$ 50,295,736	\$ 50,699,049	(164,102)	403,312	239,210	Yes
4	Alameda	\$ 102,625,738	\$ 103,569,254	\$ 102,925,895	943,516	(643,360)	300,156	No
4	Los Angeles	\$ 756,848,432	\$ 766,295,418	\$ 761,230,368	9,446,986	(5,065,051)	4,381,935	No
4	Orange	\$ 188,693,229	\$ 189,517,954	\$ 188,495,633	824,725	(1,022,321)	(197,596)	No
4	Riverside	\$ 131,218,239	\$ 131,646,140	\$ 131,387,015	427,901	(259,125)	168,776	No
4	Sacramento	\$ 113,738,948	\$ 114,658,138	\$ 113,781,450	919,190	(876,688)	42,502	No
4	San Bernardino	\$ 150,632,158	\$ 150,908,640	\$ 150,623,527	276,482	(285,113)	(8,631)	No
4	San Diego	\$ 187,266,285	\$ 185,835,301	\$ 185,854,865	(1,430,984)	19,564	(1,411,420)	Yes
4	San Francisco	\$ 69,571,227	\$ 70,437,763	\$ 69,345,430	866,536	(1,092,333)	(225,797)	No
4	Santa Clara	\$ 105,571,012	\$ 103,421,901	\$ 105,516,953	(2,149,111)	2,095,053	(54,058)	Yes
TOTAL ALL TRIAL COURTS		\$ 2,599,618,155	\$ 2,605,969,132	\$ 2,601,292,380	\$ 6,350,977	\$ (4,676,752)	\$ 1,674,225	No

11/12/2013

Position Needed	"FTE" Count [a]	Program 10 or 90? [b]	Base FTE \$\$ Value [c]	Salary Driven Benefit [d]	Non Salary Driven Benefit [e]	TOTAL Allotment for 'FTE' [f]=[c]+[d]+[e]
Court Executive Officer	1	90	\$ 115,576	\$ 36,347	\$ 10,702	\$ 162,625.31
Processing Clerk [1]	3	10	\$ 43,866	\$ 13,914	\$ 8,743	\$ 199,569.93
Administrative Support (HR/Fiscal)	1	90	\$ 43,866	\$ 13,795	\$ 10,702	\$ 68,363.37
Courtroom Clerk	1	10	\$ 43,866	\$ 13,914	\$ 8,743	\$ 66,523.31
Court Reporter	0.5	10	\$ 43,866	\$ 13,914	\$ 8,743	\$ 33,261.66
TOTAL PERSONNEL FLOOR	6.5					\$ 530,344

OE&E per FTE [2]						\$ 27,928
Total OE&E [3]=[2]*[a]						\$ 181,532
TOTAL FLOOR NEED						\$ 711,876
Round To (Manual Entry)						\$ 750,000

OE&E Validation:

Five Cluster 1 courts volunteered to review detailed actual operating expenses in an effort to identify those costs that reflected the cost of "opening" business. This analysis focused on identifying costs that must exist regardless of workload. Their results found that:

OE&E "Minimum Needed", Based on Detailed Review of Small Court

\$ 168,204

Notes:

[a] Establishes FTE based on practical need **not based on filings.**

[b] Designation of "operations", Program 10, or "administration", Program 90.

[c] Value is based on 1) CEO = median CEO salary for all Cluster 1 courts and 2) median post BLS adjusted FTE allotment per WAFM for all courts with fewer than 50 FTE 'need.'

[d] and [e] Based on the **median** salary and non-salary driven benefits for the five courts that participated in the analysis.

[f] sum of [c], [d], and [e].

[1] Includes all leave coverage for processing staff and courtroom clerk. Likely breakdown: 0.75 criminal, 0.75 civil/family, 1.0 traffic, 0.5 coverage.

[2] WAFM existing formula provides \$27,928 per "need" FTE for OE&E (compared to \$20,287 for Cluster 2-4). Group compared this outcome to existing OE&E cost in very small court, returning nearly identical OE&E costs.

[3] =[2] * [a]

TCBAC: WAFM Subcommittee: Small Court Review

Identifying a Funding "Floor"

Applying a graduated factor to slightly larger courts

11/12/2013

Setting a Variable Floor

	WAFM			Calculate Variable Funding Floor		
	Calculated Need	Minimum Floor Factor	Floor "Share" of Need	WAFM Need	Floor Supplement	Final Variable Funding Floor
Need of equal to or less than	\$ 749,999	\$ 750,000	100%	\$ -	\$ 750,000	\$ 750,000
Need of equal to or less than	\$ 1,249,999	\$ 750,000	75%	\$ 312,500	\$ 562,500	\$ 875,000
Need of equal to or less than	\$ 1,749,999	\$ 750,000	50%	\$ 875,000	\$ 375,000	\$ 1,250,000
Need of equal to or less than	\$ 2,249,999	\$ 750,000	25%	\$ 1,687,499	\$ 187,500	\$ 1,874,999
Need of greater than or equal to	\$ 2,250,000					\$ 1,874,999

Applying the Variable Funding Floor

**Reminder - in FY 14/15 the WAFM Model will only be used to distribute 15% of the allocation - the table below illustrates a theoretical application if WAFM was used 100%.

How Applied	WAFM Calculated Need (Aug Run, Does NOT include new adjustments)	Current WAFM Funding %	Funding Allocation If No Floor (Assumes 100% Allocation Under New Model)	Variable Funding Floor	FINAL WAFM FUNDING WOULD BE	Floor Applied?	Difference If Floor Applied
Court A	\$ 238,000	60%	\$ 142,800	\$ 750,000	\$ 750,000	Yes	\$ 607,200
Court B	\$ 753,680	60%	\$ 452,208	\$ 875,000	\$ 875,000	Yes	\$ 422,792
Court C	\$ 1,477,416	60%	\$ 886,449	\$ 1,250,000	\$ 1,250,000	Yes	\$ 363,550
Court D	\$ 2,131,683	60%	\$ 1,279,010	\$ 1,250,000	\$ 1,279,010	No	N/A
Court E	\$ 2,057,064	60%	\$ 1,234,239	\$ 1,250,000	\$ 1,250,000	Yes	\$ 15,761
Court F	\$ 2,966,306	60%	\$ 1,779,784	\$ 1,874,999	\$ 1,874,999	Yes	\$ 95,215
Court G	\$ 3,040,826	60%	\$ 1,824,496	\$ 1,874,999	\$ 1,874,999	Yes	\$ 50,504
Court H	\$ 3,456,993	60%	\$ 2,074,196	\$ 1,874,999	\$ 2,074,196	No	N/A

Impact of Recommendations for ALLOCATION FLOOR

12/2/2013

THEORETICAL ALLOCATIONS -- ILLUSTRATION FOR WORK GROUP ONLY

Cluster	Court	ALLOCATION FLOOR					Determine if Floor Applies		
		A	B	C	D	F1	F2	G	G1
		Baseline Operations Funding (Historical Funding Less \$261 Million)	WAFM Calculated Need - Adjusting 2012/13 Model for Group Recommendations ONLY ***THIS WILL NOT BE NEEDED FOR 14/15***	Baseline Funding (Comparable to WAFM) Proportions - All Courts	WAFM Need Proportions - All Courts	(**THEORETICAL TO ILLUSTRATE MODEL ONLY**)	Difference From "Baseline"	Graduated Funding Floor That Would Apply	Apply Floor?
A	Butte								
1	Sierra	542,215	337,661	0.038%	0.013%	506,275	(35,940)	750,000	Y
1	Alpine	552,142	327,466	0.038%	0.012%	514,276	(37,866)	750,000	Y
1	Modoc	890,668	827,526	0.062%	0.028%	842,360	(48,308)	875,000	Y
1	Mariposa	920,593	1,452,150	0.064%	0.055%	907,509	(13,084)	1,250,000	Y
1	Trinity	990,359	1,570,965	0.069%	0.072%	995,567	5,208	1,250,000	Y
1	Mono	1,232,348	1,971,874	0.086%	0.075%	1,217,556	(14,792)	1,874,999	Y
1	Colusa	1,368,302	1,888,667	0.095%	0.069%	1,330,681	(37,622)	1,874,999	Y
1	Plumas	1,441,037	1,510,183	0.100%	0.055%	1,376,774	(64,263)	1,250,000	N
1	Inyo	1,722,461	2,174,292	0.120%	0.084%	1,670,739	(51,722)	1,874,999	Y
1	Glenn	1,811,707	2,308,578	0.126%	0.082%	1,748,962	(62,744)	1,874,999	Y
1	Lassen	1,890,662	2,992,710	0.131%	0.114%	1,866,002	(24,660)	1,874,999	Y
1	Calaveras	1,950,892	2,720,284	0.135%	0.105%	1,906,877	(44,015)	1,874,999	N
1	Amador	2,080,491	2,702,700	0.144%	0.102%	2,019,769	(60,723)	1,874,999	N
1	Del Norte	2,202,321	3,442,476	0.153%	0.132%	2,172,009	(30,312)	1,874,999	N
1	San Benito	2,496,024	3,676,547	0.173%	0.142%	2,451,125	(44,898)	1,874,999	N
2	Tuolumne	2,589,803	3,993,087	0.180%	0.154%	2,552,008	(37,794)	1,874,999	N
2	Lake	2,903,720	3,958,438	0.202%	0.149%	2,828,477	(75,243)	1,874,999	N
2	Tehama	2,907,298	5,077,528	0.202%	0.196%	2,898,980	(8,318)	1,874,999	N
2	Yuba	3,225,076	4,772,437	0.224%	0.180%	3,162,160	(62,916)	1,874,999	N
2	Siskiyou	3,254,627	3,227,864	0.226%	0.117%	3,097,548	(157,079)	1,874,999	N
2	Sutter	3,403,045	7,204,967	0.236%	0.276%	3,460,918	57,873	1,874,999	N
2	Nevada	3,817,225	6,313,292	0.265%	0.242%	3,784,373	(32,852)	1,874,999	N
2	Mendocino	4,379,075	7,170,061	0.304%	0.278%	4,341,514	(37,562)	1,874,999	N
2	Kings	4,765,510	9,470,149	0.331%	0.360%	4,807,220	41,710	1,874,999	N
2	Humboldt	5,005,941	7,568,184	0.348%	0.291%	4,924,497	(81,444)	1,874,999	N
2	El Dorado	5,880,901	10,435,689	0.408%	0.399%	5,868,130	(12,770)	1,874,999	N
2	Madera	5,953,244	10,449,286	0.413%	0.398%	5,931,782	(21,462)	1,874,999	N
2	Napa	6,088,978	8,959,143	0.423%	0.348%	5,981,974	(107,003)	1,874,999	N
2	Imperial	6,294,286	12,418,026	0.437%	0.471%	6,343,508	49,222	1,874,999	N

12/2/2013 THEORETICAL ALLOCATIONS -- ILLUSTRATION FOR WORK GROUP ONLY

Cluster	Court	Baseline Operations Funding (Historical Funding Less \$261 Million)	WAFM Calculated Need - Adjusting 2012/13 Model for Group Recommendations ONLY ***THIS WILL NOT BE NEEDED FOR 14/15***	Baseline Funding (Comparable to WAFM) Proportions - All Courts	WAFM Need Proportions - All Courts	ALLOCATION IF NO FLOOR APPLIED (**THEORETICAL TO ILLUSTRATE MODEL ONLY**)			Determine if Floor Applies				
						A	B	C	D	F1	F2	G	G1
A	Butte												
2	Yolo	6,504,149	12,853,423	0.452%	0.493%	6,564,466	60,317	1,874,999	N				
2	Butte	7,287,810	13,656,003	0.506%	0.521%	7,309,364	21,554	1,874,999	N				
2	Shasta	7,409,092	14,030,441	0.514%	0.538%	7,443,860	34,768	1,874,999	N				
2	Merced	9,033,368	20,207,864	0.627%	0.785%	9,260,402	227,034	1,874,999	N				
2	Sanja Cruz	9,910,386	15,875,379	0.688%	0.612%	9,800,745	(109,641)	1,874,999	N				
2	San Luis Obispo	10,604,942	18,591,836	0.736%	0.721%	10,582,514	(22,427)	1,874,999	N				
2	Placer	11,114,142	23,319,481	0.772%	0.894%	11,291,125	176,983	1,874,999	N				
2	Marin	13,338,797	14,709,162	0.926%	0.567%	12,821,779	(517,018)	1,874,999	N				
3	Tulare	12,293,011	24,394,714	0.853%	0.932%	12,405,637	112,626	1,874,999	N				
3	Monterey	13,009,124	26,141,457	0.903%	1.004%	13,154,994	145,870	1,874,999	N				
3	Stanislaus	15,497,803	36,464,544	1.076%	1.399%	15,963,429	465,626	1,874,999	N				
3	Solano	15,704,185	32,466,471	1.090%	1.264%	15,954,917	250,731	1,874,999	N				
3	Santa Barbara	18,365,326	27,856,714	1.275%	1.059%	18,053,988	(311,338)	1,874,999	N				
3	Sonoma	18,845,883	35,457,903	1.308%	1.407%	18,988,551	142,668	1,874,999	N				
3	San Joaquin	23,639,320	50,227,740	1.641%	1.937%	24,066,072	426,753	1,874,999	N				
3	Ventura	24,366,827	50,699,049	1.692%	1.941%	24,726,200	359,374	1,874,999	N				
3	Kern	28,781,786	69,257,228	1.998%	2.662%	29,737,866	956,080	1,874,999	N				
3	San Mateo	29,770,060	48,102,652	2.067%	1.855%	29,465,776	(304,285)	1,874,999	N				
3	Contra Costa	32,906,460	61,011,927	2.284%	2.364%	33,021,339	114,879	1,874,999	N				
3	Fresno	34,456,224	65,885,027	2.392%	2.564%	34,703,519	247,295	1,874,999	N				
4	San Francisco	52,988,157	69,345,430	3.678%	2.676%	51,544,389	(1,443,768)	1,874,999	N				
4	Riverside	57,140,417	131,387,015	3.967%	5.048%	58,697,377	1,556,961	1,874,999	N				
4	San Bernardino	61,335,147	150,623,527	4.258%	5.794%	63,548,389	2,213,242	1,874,999	N				
4	Sacramento	61,567,979	113,781,450	4.274%	4.375%	61,713,630	145,650	1,874,999	N				
4	Alameda	69,586,867	102,925,895	4.831%	3.948%	68,314,829	(1,272,038)	1,874,999	N				
4	Santa Clara	74,267,457	105,516,953	5.156%	4.061%	72,690,562	(1,576,895)	1,874,999	N				
4	San Diego	122,736,644	185,854,865	8.520%	7.204%	120,839,689	(1,896,955)	1,874,999	N				
4	Orange	122,983,490	188,495,633	8.538%	7.258%	121,140,920	(1,842,570)	1,874,999	N				
4	Los Angeles	392,482,162	761,230,368	27.246%	29.114%	395,172,069	2,689,907	1,874,999	N				
	Statewide	1,440,487,965	2,601,292,380	100%	100.000%	1,440,487,965							

Excluding Those Where F 1,428,566,509

2,585,440,492

THEORETICAL ALLOCATIONS -- ILLUSTRATION FOR WORK GROUP ONLY

Cluster	Court	Determine Adjusted Allocation if Floor Might Apply			Calculate Final Allocation **THEORETICAL**			DIFFERENCE IN ALLOCATION DUE TO INSTITUTING FLOOR	DIFFERENCE FROM "BASELINE"
		Prior Year Plus 10% (A plus 10% of A)	Allocation if no floor applied (same as F1)	ADJUSTED ALLOCATION FLOOR [G is always greater than H2. If G is 750,000, use G. If G is less than H1, use G. If G is greater than H1, then use the higher of H1 and H2]	Historical Funding Share (excluding floor courts)	WAFM share (excluding floor courts)	FINAL ALLOCATION (**THEORETICAL TO ILLUSTRATE MODEL ONLY**)		
A	Butte	H1 = A * 1.1	H2 = F1	H3	I1	I2	I3	L = I3-F1	M=I3-C
1	Sierra	596,437	506,275	750,000			750,000.00	243,725	207,785
1	Alpine	607,356	514,276	750,000			750,000.00	235,724	197,858
1	Modoc	979,734	842,360	875,000			874,999.75	32,640	(15,668)
1	Mariposa	1,012,652	907,509	1,012,652			1,012,651.82	105,143	92,059
1	Trinity	1,089,394	995,567	1,089,394			1,089,394.00	93,827	99,035
1	Mono	1,355,583	1,217,556	1,355,583			1,355,583.00	138,027	123,235
1	Colusa	1,505,133	1,330,681	1,505,133	0.10%		1,505,133.00	174,452	136,831
1	Plumas					0.06%	1,379,370.97	2,597	(61,666)
1	Inyo	1,894,707	1,670,739	1,874,999			1,874,999.00	204,260	152,538
1	Glenn	1,992,877	1,748,962	1,874,999			1,874,999.00	126,037	63,292
1	Lassen	2,079,729	1,866,002	1,874,999			1,874,999.00	8,997	(15,663)
1	Calaveras				0.14%		1,904,720.31	(2,156)	(46,171)
1	Amador				0.15%		2,020,304.27	535	(60,187)
1	Del Norte				0.15%		2,170,716.79	(1,292)	(31,604)
1	San Benito				0.17%		2,447,780.93	(3,345)	(48,243)
2	Tuolumne				0.18%		2,549,597.62	(2,410)	(40,205)
2	Lake				0.20%		2,830,004.45	1,528	(73,716)
2	Tehama				0.20%		2,895,011.23	(3,969)	(12,286)
2	Yuba				0.23%		3,163,958.09	1,798	(61,118)
2	Siskiyou				0.23%		3,105,252.76	7,705	(149,375)
2	Sutter				0.24%		3,458,323.26	(2,595)	55,278
2	Nevada				0.27%		3,781,580.40	(2,792)	(35,645)
2	Mendocino				0.31%		4,334,182.66	(7,331)	(44,893)
2	Kings				0.33%		4,808,717.44	1,497	43,208
2	Humboldt				0.35%		4,919,932.50	(4,564)	(86,008)
2	El Dorado				0.41%		5,865,148.90	(2,982)	(15,752)
2	Madera				0.42%		5,930,960.65	(821)	(22,283)
2	Napa				0.43%		5,970,755.45	(11,219)	(118,222)
2	Imperial				0.44%		6,346,275.01	368	(3,544,091)

12/2/2013 THEORETICAL ALLOCATIONS -- ILLUSTRATION FOR WORK GROUP ONLY

Cluster	Court	Determine Adjusted Allocation if Floor Might Apply			Calculate Final Allocation **THEORETICAL**			DIFFERENCE IN ALLOCATION DUE TO INSTITUTING FLOOR	DIFFERENCE FROM "BASELINE"
		Prior Year Plus 10% (A plus 10% of A)	Allocation if no floor applied (same as F1)	ADJUSTED ALLOCATION FLOOR [G is always greater than H2. If G is 750,000, use G. If G is less than H1, use G. If G is greater than H1, then use the higher of H1 and H2]	Historical Funding Share (excluding floor courts)	WAFM share (excluding floor courts)	FINAL ALLOCATION (**THEORETICAL TO ILLUSTRATE MODEL ONLY**)		
A	Butte	H1 = A*1.1	H2 = F1	H3	I1	I2	I3	L = I3-F1	M=I3-C
2	Yolo				0.46%	0.50%	6,559,155.87	(5,310)	55,007
2	Butte				0.51%	0.53%	7,308,251.05	(1,113)	20,441
2	Shasta				0.52%	0.54%	7,437,998.98	(5,861)	28,907
2	Merced				0.63%	0.78%	9,239,862.61	(20,540)	206,494
2	San Cruz				0.69%	0.61%	9,789,388.97	(11,356)	(120,997)
2	San Luis Obispo				0.74%	0.72%	10,564,020.16	(18,494)	(40,922)
2	Placer				0.78%	0.90%	11,282,998.81	(8,127)	168,857
2	Marin				0.93%	0.57%	12,808,318.88	(13,460)	(530,479)
3	Tulare				0.86%	0.94%	12,402,575.63	(3,062)	109,564
3	Monterey				0.91%	1.01%	13,143,052.07	(11,942)	133,928
3	Stanislaus				1.08%	1.41%	15,951,209.48	(12,219)	453,406
3	Solano				1.10%	1.26%	15,916,068.30	(38,848)	211,883
3	Santa Barbara				1.29%	1.08%	18,054,825.78	838	(310,500)
3	Sonoma				1.32%	1.37%	18,906,703.93	(81,847)	60,821
3	San Joaquin				1.65%	1.94%	24,033,154.31	(32,918)	393,835
3	Ventura				1.71%	1.96%	24,713,456.22	(12,744)	346,630
3	Kern				2.01%	2.68%	29,708,694.63	(29,171)	926,909
3	San Mateo				2.08%	1.86%	29,429,464.64	(36,311)	(340,596)
3	Contra Costa				2.30%	2.36%	32,962,939.26	(58,400)	56,479
3	Fresno				2.41%	2.55%	34,625,773.70	(77,746)	169,550
4	San Francisco				3.71%	2.68%	51,483,418.96	(60,970)	(1,504,738)
4	Riverside				4.00%	5.08%	58,643,292.74	(54,084)	1,502,876
4	San Bernardino				4.29%	5.83%	63,477,922.81	(70,466)	2,142,776
4	Sacramento				4.31%	4.40%	61,653,120.91	(60,509)	85,141
4	Alameda				4.87%	3.98%	68,265,480.47	(49,348)	(1,321,387)
4	Santa Clara				5.20%	4.08%	72,618,003.94	(72,558)	(1,649,453)
4	San Diego				8.59%	7.19%	120,644,252.94	(195,437)	(2,092,391)
4	Orange				8.61%	7.29%	121,012,059.81	(128,860)	(1,971,430)
4	Los Angeles				27.47%	29.44%	395,007,045.51	(165,024)	2,524,883
	Statewide			12,962,759	100.00%	100.00%	1,440,487,965.46	0	0

Small Court Adjustments

Rationale for BLS adjustment:

- Local government is the sector most closely aligned with court employment
- A three-year average will allow for smoothing of any major economic changes
- The average salary of local government employees relative to the statewide average local pay is used as a point of comparison with a court, unless more than 50% of the workforce consists of state employees
- If more than 50% of the county workforce consists of state employees, then a combination of state and local pay is used to construct the BLS index.

Rationale for \$ per FTE adjustment for courts with RAS FTE need of 50 or fewer:

- The existing rationale of applying BLS with no modifiers resulted in some rural courts with unrealistically low \$ per FTE allotments.
- The Federal and State governments recognize employers of 50 or fewer employees have special circumstances, and are frequently presented with different compliance requirements with Federal and State rules.
- Therefore, if a court has a RAS estimated need of 50 or fewer FTE, then the FTE \$ applied for that court will be the higher of that court's per FTE \$ allotment (after BLS is applied) or the BLS-adjusted median FTE \$ allotment of the courts with less than 50 FTE need.

Rationale for Funding Floor

- There is a minimum level of funding that is required for a court to serve the public. This minimum level is based on practical need so that court can provide a minimal level of service.
- A minimum level, or hard floor, establishes a base level of funding to ensure a court can operate in each of the State's 58 counties.
- A graduated floor is also being established to recognize that for small entities that are slightly larger than the "hard floor" also have a minimum amount of funding required plus some workload driven costs. This graduated floor stops growing at \$2,250,000 due to recognize that at that point workload is sufficient to drive need.
- The graduated floor applies to all courts, although most will have an allocation greater than the floor and it is therefore moot.
- How the floor is applied:
 - o A court's need is calculated via the WAFM model.

- Each court's allocation is then calculated based the court's share of available funding (based on their share of total need – or share of need/historical funding level).
- Each court's allocation is compared to the graduated floor. **If a court's allocation would fall below the appropriate floor amount, the floor is applied instead.**
- The total amount of funding allocated via the floor is determined in the following way:
 - If a court's floor funding is the hard floor (currently \$750,000), their allocation is the hard floor amount.
 - If a court's floor allocation is less than the sum of their prior year funding plus 10%, then they receive the floor funding.
 - If a court's floor funding is greater than the prior year's funding plus 10%, then they receive the higher of either: 1) prior year funding plus 10%; or 2) their current year allocation if the floor were not applied.
- The "floor funding" is then subtracted from the total allocation available.
- The new share of funding is then calculated for all courts not subject to the floor to determine their final allocation.



Superior Court of California County of Mendocino

From the Chambers of
HON. RICHARD J. HENDERSON
Presiding Judge

October 15, 2013

Honorable Steven Jahr
Administrative Director of the Courts
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

RE: WAFM Factors

Judge Jahr:

I would like to request the inclusion of some additional factors in the WAFM. The existing factors are generally adequate to cover both single-site and multiple-site court operations. However, some multiple-site courts in smaller, rural counties present unique factors which make access to justice both more difficult and more costly than in the typical branch court. These are courts in which a significant segment of the population, exceeding 25%, is located in a discreet area a relatively long distance from the main court facility. Due to the economies of scale inherent in small, rural courts, it is much more difficult and costly to provide court services that are adequate to serve two separate but significant populations. The Mendocino court has experienced this problem over the years, but I suspect there are other courts with significant and similarly isolated populations. I wish to emphasize at the outset that this request is not addressed to the typical branch court serving a small segment of the population but only to branch courts serving at least 25% of the population.

The factor we propose for inclusion in WAFM is consideration for additional funding for any court that has such a significant population center living in a remote and challenging geographic area that the court is not able to provide reasonably adequate court services to the entire court population. Although I will use the Mendocino court as an example, I would imagine there are several other smaller, rural courts facing the same problems.

1. Current Exclusion of the Factor from the WAFM: The funding methodology does not currently include any reference to the operation of branch courts, much less the unique problems inherent in serving two or more diverse but significant population centers in rural courts.

2. Identification and description of the basis for which adjustment is requested: For some courts, such as Mendocino, the provision of court services to the entire court population is much more difficult and complex. The population of the county is split into two distinct geographical areas, with 70% in the inland area where the seven-courtroom main court is located and 30% (26,700) in the coastal area where a single-courtroom branch is located. A mountain range and sixty rugged driving miles separate the two population centers, making it very difficult, especially in periods of bad weather, for the coastal citizens to travel to the main court. The scope of services that can be presently provided at the coastal branch court is limited, forcing coastal litigants, witnesses, law enforcement officers, jurors, attorneys and interested parties to make the three hour round trip to the main court.

In areas such as family law, juvenile law and probate, the coastal court caseload is not sufficient to justify full time clerical positions under the RAS II staffing model. The distance and bad weather driving conditions make it impossible to require clerks in the inland court to drive to the coast on a regular basis. The court is left with two equally unpalatable alternatives: either fully staff one location to the detriment of the other or to curtail services at the smaller, coastal branch. The Mendocino court has elected to limit available services in the coastal branch, declining to provide services in the areas of juvenile law, family law cases involving mediation and conservatorships. With a limited clerical staff, the coastal court is also not able to try civil or criminal jury cases of longer duration than three days. This is not an acceptable solution for a discreet population (26,700) that is larger than the entire populations of at least nine courts! (Alpine, Colusa, Inyo, Mariposa, Modoc, Mono, Plumas, Sierra and Trinity counties.)

A significant population of 30% deserves better court services than the court can currently afford to provide. An upward adjustment in the funding methodology would permit the Mendocino court to adequately serve the population in both areas.

3. Necessity for Requested Adjustment: The staffing levels under the RAS II study are sufficient to handle the *combined* total caseload within the court. However, due to the economies of scale, the court is not able to provide in *both* locations a sufficient number of clerks to handle all types of judicial services: criminal, general and limited civil, family, juvenile (both delinquency and dependency) small claims, traffic and probate law and the necessary supervisory personnel. Due to the distances and driving times involved, it is not practical to require clerks to drive back and forth between the two courts as required. The only alternative presently available to the court is to operate the coastal court on a limited basis thereby depriving a significant segment of the population from full access to justice. With some additional funding, the court could adequately staff *both* locations and adequately serve both population centers.

4. Potential Application of Requested Factor: It is most likely that at least El Dorado court is in a similar situation with a significant population segment isolated from the main population center. It, too, is a relatively small court (eleven judges) in a rural area with two distinct but significant population centers.

5. Staffing Needs: The court believes it would be able to provide a reasonable level of judicial services to both populations with the addition of 2-3 additional clerical positions.

6. Consequences to the Public: Parties, witnesses and persons interested or involved in juvenile matters, family law matters requiring mediation and conservatorship matters will have to make the mountainous, round trip drive to Ukiah and back for all required hearings. Long-cause criminal and civil jury trials will continue to be heard in the main court, requiring all potential jurors, witnesses, attorneys and others to make the long trip over the mountains.

7. Consequences to the Court: The court will continue to struggle to provide adequate judicial services to all significant segments of the population. The court will also continue to field vocal and legitimate criticism from coastal residents as to why they must travel so far to obtain the same judicial services that are offered in the inland areas.

On behalf of similarly situated courts, we ask that you adjust the WAFM to consider the additional costs involved in providing a full panoply of judicial services to significant but separated population centers in smaller rural courts. We believe that these courts are faced with unique challenges that do not apply to the typical main/branch court operation.

Sincerely,

/s/

Hon. Richard J. Henderson
Presiding Judge
Mendocino Superior Court

Copies:
Hon. Brian Walsh, TCPJ