



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: February 19, 2015

Title	Agenda Item Type
Judicial Council Form: Update to Federal Poverty Guidelines	Action required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise form JV-132	February 19, 2015
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	February 10, 2015
Hon. Jerilyn L. Borack, Cochair	Contact
Hon. Mark A. Juhas, Cochair	Corby Sturges, 415-865- 4507 corby.sturges@jud.ca.gov

Executive Summary

The Family and Juvenile Law Advisory Committee recommends revising one Judicial Council form containing figures based on the federal poverty guidelines to reflect the updates to those guidelines recently published by the federal government.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise *Financial Declaration—Juvenile Dependency* (form JV-132) to reflect 2015 increases in the federal poverty guidelines.

The revised form is attached at pages 4–6.

Previous Council Action

The *Financial Declaration—Juvenile Dependency* (form JV-132) was adopted on October 26, 2012, for a January 1, 2013, effective date. The form has been revised twice to reflect annual updates to the poverty guidelines, most recently on February 20, 2014.

Rationale for Recommendation

The Judicial Council has established a program under Welfare and Institutions Code section 903.47 to collect reimbursement of the cost of court-appointed counsel in dependency proceedings from liable persons found able to pay. Under the statewide standard adopted by the council, a court may determine that an otherwise liable person is unable to pay reimbursement if, among other reasons, that person's monthly household income is 125 percent or less of the current federal poverty guidelines established by the federal Department of Health & Human Services (DHHS). DHHS updates the poverty guidelines annually to reflect the previous year's change in prices as measured by the Consumer Price Index.

Financial Declaration—Juvenile Dependency (form JV-132) contains figures based on the poverty guidelines. Specifically, the table in item 3 provides monthly income levels on which a court may base a determination that an individual is unable to pay reimbursement for the cost of court-appointed counsel.

Revisions required

The monthly income figures in item 3 on the juvenile dependency financial declaration form currently reflect 125 percent of the 2014 monthly poverty guidelines established by DHHS. DHHS released revised federal poverty guidelines on January 22, 2015.¹ As a result, this item must be revised to reflect the 2015 federal poverty guideline revisions.

To determine the new monthly income figures for the form, the federal poverty guidelines must be multiplied by 125 percent and divided by 12.² The new figures are reflected in item 3 on the revised form (at page 4 of this report).

Comments, Alternatives Considered, and Policy Implications

Staff to the Family and Juvenile Law Advisory Committee monitors revisions to the poverty guidelines and ensures that the financial declaration form is revised as necessary and submitted to the council. Revised form JV-132 should take effect immediately to ensure that litigants are provided with accurate monthly income guidelines on which a court may base a decision regarding parties' financial liability. This rapid change to the form is necessary because the revised poverty guidelines take effect immediately upon release. Once adopted by the Judicial Council, revised form JV-132 will be distributed to the courts and forms publishers and posted to

¹ See Annual Update of the HHS Poverty Guidelines, 80 Fed. Reg. 3236, 3237 (Jan. 22, 2015), attached at pages 7–8.

² The Computation Sheet is attached at page 9.

the California Courts website.

Implementation Requirements, Costs, and Operational Impacts

If a court provides free copies of this form to parties, it will incur costs to print or duplicate the revised form. However, the revisions are required to make the form consistent with current law.

Attachments

1. Form JV-132, at pages 4–6
2. Excerpt from Federal Register, at pages 7–8
3. Computation Sheet, at page 9

DRAFT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY	
TELEPHONE NO.:	FAX NO. (optional):		
E-MAIL ADDRESS:			
ATTORNEY FOR (Name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF			
STREET ADDRESS:			
MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
CHILDREN'S NAMES:			
FINANCIAL DECLARATION—JUVENILE DEPENDENCY			CASE NUMBER:

1. Personal Information:

Name:		Social Security Number:	
Other names used:			
Relationship to Child: <input type="checkbox"/> Mother <input type="checkbox"/> Father		I.D. or Driver's License Number:	
<input type="checkbox"/> Other Responsible Person (specify):			
Address:		Date of Birth:	Age:
City:	Zip:	Phone:	Alternate Phone:
Marital Status:			
<input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Domestic partner <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed			
Name of Spouse/Partner:		Number of dependents living with you:	
Names and ages of dependents:			

2. I receive (check all that apply): Medi-Cal SNAP (food stamps) SSI SSP
 County Relief/General Assistance CalWORKS or Tribal TANF (Temporary Assistance to Needy Families)
 IHSS (In-Home Supportive Services) CAPI (Case Assistance Program for Aged, Blind, and Disabled)

3. My gross monthly household income (before deductions for taxes) is less than the amount listed below:

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$433.34 for each extra person.
1	\$1,226.05	3	\$2,092.71	5	\$2,959.38	
2	\$1,659.38	4	\$2,526.05	6	\$3,392.71	

4. I have been reunified with my child(ren) under a court order attached.

5. I am receiving court-ordered reunification services.

CHILDREN'S NAMES:	CASE NUMBER:
RESPONSIBLE PERSON'S NAME:	

6. Employment:

Your Employment				Your Spouse/Partner's Employment			
Employer:				Employer:			
Address:				Address:			
City and Zip Code:		Phone:		City and Zip Code:		Phone:	
Type of Job:				Type of Job:			
How long employed:	Working now?	Monthly salary:	Take home pay:	How long employed:	Working now?	Monthly salary:	Take home pay:
If not now employed, who was your last employer? <i>(Name, Address, City, and Zip Code):</i>				If not now employed, who was this person's last employer? <i>(Name, Address, City, and Zip Code):</i>			
Phone number of last employer:				Phone number of last employer:			

7. Other Monthly Income and Assets:

Other Income	Assets: What Do You Own?
Unemployment\$	Cash \$
Disability \$	Real Property/Equity \$
Social Security\$	Cars and Other Vehicles \$
Workers' Compensation \$	Life Insurance \$
Child Support Payments\$	Bank Accounts <i>(list below)</i> \$
Foster Care Payments\$	Stocks and Bonds \$
Other Income \$	Business Interest \$
Total \$	Other Assets \$
	Total \$
	Name and branch of bank:
	Account numbers:

CHILDREN'S NAMES:	CASE NUMBER:
RESPONSIBLE PERSON'S NAME:	

8. Expenses:

Monthly Household Expenses	Reunification Plan: Monthly Cost of Required Services
Rent or Mortgage Payment \$	Parenting Classes \$
Car Payment \$	Substance Abuse Treatment \$
Gas and Car Insurance \$	Therapy/Counseling \$
Public Transportation \$	Medical Care/Medications \$
Utilities (Gas, Electric, Phone, Water, etc.)... \$	Domestic Violence Counseling \$
Food \$	Batterers' Intervention \$
Clothing and Laundry \$	Victim Support \$
Child Care \$	Regional Center Programs \$
Child Support Payments \$	Transportation \$
Medical Payments \$	In-Home Services \$
Other Necessary Monthly Expenses \$	Other \$
Total \$	Total \$

9. Loan/Expense Payments (other than mortgage or car loan):

Name of lender and type of loan/expense	Monthly payment	Balance owed
	\$	\$
	\$	\$
	\$	\$
	\$	\$

I declare under penalty of perjury under the laws of the State of California that the above information is true and correct.

Date:

(TYPE OR PRINT NAME)

▶

(SIGNATURE OF DECLARANT)

FOR FINANCIAL EVALUATION OFFICER USE ONLY

TOTAL INCOME	\$	COST OF LEGAL SERVICES	\$
TOTAL EXPENSES	\$	MONTHLY PAYMENT	\$
NET DISPOSABLE INCOME	\$	TOTAL COST ASSESSED	\$

The above-named responsible person is presumed unable to pay reimbursement for the cost of legal services in this proceeding and is eligible for a waiver of liability because

- he or she receives qualifying public benefits
- his or her household income falls below 125% of the current federal poverty guidelines
- he or she has been reunified with the child(ren) under a court order and payment of reimbursement would harm his or her ability to support the child(ren).

Date:

(TYPE OR PRINT NAME)

▶

(SIGNATURE OF FINANCIAL EVALUATION OFFICER)

By Order of the Federal Maritime Commission.

Dated: January 16, 2015.

Rachel E. Dickon,
Assistant Secretary.

[FR Doc. 2015-01033 Filed 1-21-15; 8:45 am]

BILLING CODE 6730-01-P

FEDERAL RESERVE SYSTEM

Federal Open Market Committee; Domestic Policy Directive of December 16-17, 2014

In accordance with Section 271.25 of its rules regarding availability of information (12 CFR part 271), there is set forth below the domestic policy directive issued by the Federal Open Market Committee at its meeting held on December 16-17, 2014.¹

Consistent with its statutory mandate, the Federal Open Market Committee seeks monetary and financial conditions that will foster maximum employment and price stability. In particular, the Committee seeks conditions in reserve markets consistent with federal funds trading in a range from 0 to 1/4 percent. The Committee directs the Desk to undertake open market operations as necessary to maintain such conditions. The Committee directs the Desk to maintain its policy of rolling over maturing Treasury securities into new issues and its policy of reinvesting principal payments on all agency debt and agency mortgage-backed securities in agency mortgage-backed securities. The Committee also directs the Desk to engage in dollar roll and coupon swap transactions as necessary to facilitate settlement of the Federal Reserve's agency mortgage-backed securities transactions. The System Open Market Account manager and the secretary will keep the Committee informed of ongoing developments regarding the System's balance sheet that could affect the attainment over time of the Committee's objectives of maximum employment and price stability.

By order of the Federal Open Market Committee, January 9, 2015.

William B. English,
Secretary, Federal Open Market Committee.

[FR Doc. 2015-01008 Filed 1-21-15; 8:45 am]

BILLING CODE 6210-01-P

¹ Copies of the Minutes of the Federal Open Market Committee at its meeting held on December 16-17, 2014, which includes the domestic policy directive issued at the meeting, are available upon request to the Board of Governors of the Federal Reserve System, Washington, DC 20551. The minutes are published in the Federal Reserve Bulletin and in the Board's Annual Report.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Decision To Evaluate a Petition To Designate a Class of Employees From the Westinghouse Electric Corp. in Bloomfield, New Jersey, To Be Included in the Special Exposure Cohort

AGENCY: National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, HHS.

ACTION: Notice.

SUMMARY: NIOSH gives notice as required by 42 CFR 83.12(e) of a decision to evaluate a petition to designate a class of employees from the Westinghouse Electric Corp. in Bloomfield, New Jersey, to be included in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program Act of 2000. The initial proposed definition for the class being evaluated, subject to revision as warranted by the evaluation, is as follows:

Facility: Westinghouse Electric Corp.

Location: Bloomfield, New Jersey.

Job Titles and/or Job Duties: All employees who worked in any plant production area.

Period of Employment: January 1, 1950 through March 1, 2011.

FOR FURTHER INFORMATION CONTACT: Stuart L. Hinnefeld, Director, Division of Compensation Analysis and Support, National Institute for Occupational Safety and Health, 1090 Tusculum Avenue, MS C-46, Cincinnati, OH 45226-1938, Telephone 877-222-7570. Information requests can also be submitted by email to DCAS@CDC.GOV.

John Howard,

Director, National Institute for Occupational Safety and Health.

[FR Doc. 2015-01056 Filed 1-21-15; 8:45 am]

BILLING CODE 4163-19-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Annual Update of the HHS Poverty Guidelines

AGENCY: Department of Health and Human Services.

ACTION: Notice.

SUMMARY: This notice provides an update of the Department of Health and Human Services (HHS) poverty guidelines to account for last calendar year's increase in prices as measured by the Consumer Price Index.

DATES: *Effective Date:* January 22, 2015, unless an office administering a program using the guidelines specifies a different effective date for that particular program.

ADDRESSES: Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: For information about how the guidelines are used or how income is defined in a particular program, contact the Federal, state, or local office that is responsible for that program. For information about poverty figures for immigration forms, the Hill-Burton Uncompensated Services Program, and the number of people in poverty, use the specific telephone numbers and addresses given below.

For general questions about the poverty guidelines themselves, contact Kendall Swenson, Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201, telephone: (202) 690-7507, or visit <http://aspe.hhs.gov/poverty/>.

For information about the percentage multiple of the poverty guidelines to be used on immigration forms such as USCIS Form I-864, Affidavit of Support, contact U.S. Citizenship and Immigration Services at 1-800-375-5283.

For information about the Hill-Burton Uncompensated Services Program (free or reduced-fee health care services at certain hospitals and other facilities for persons meeting eligibility criteria involving the poverty guidelines), contact the Health Resources and Services Administration Information Center at 1-800-275-4772. To receive a Hill-Burton information package, call 1-800-638-0742 (for callers outside Maryland) or 1-800-492-0359 (for callers in Maryland). You also may visit <http://www.hrsa.gov/gethealthcare/affordable/hillburton/>.

For information about the number of people in poverty, visit the Poverty section of the Census Bureau's Web site at <http://www.census.gov/hhes/www/poverty/poverty.html> or contact the Census Bureau's Customer Service Center at 1-800-923-8282 (toll-free) or visit <https://ask.census.gov> for further information.

SUPPLEMENTARY INFORMATION:

Background

Section 673(2) of the Omnibus Budget Reconciliation Act (OBRA) of 1981 (42 U.S.C. 9902(2)) requires the Secretary of

the Department of Health and Human Services to update the poverty guidelines at least annually, adjusting them on the basis of the Consumer Price Index for All Urban Consumers (CPI-U). The poverty guidelines are used as an eligibility criterion by the Community Services Block Grant program and a number of other Federal programs. The *poverty guidelines* issued here are a simplified version of the *poverty thresholds* that the Census Bureau uses to prepare its estimates of the number of individuals and families in poverty.

As required by law, this update is accomplished by increasing the latest published Census Bureau poverty thresholds by the relevant percentage change in the Consumer Price Index for All Urban Consumers (CPI-U). The guidelines in this 2015 notice reflect the 1.6 percent price increase between calendar years 2013 and 2014. After this inflation adjustment, the guidelines are rounded and adjusted to standardize the differences between family sizes. The same calculation procedure was used this year as in previous years. (Note that these 2015 guidelines are roughly equal to the poverty thresholds for calendar year 2014 which the Census Bureau expects to publish in final form in September 2015.)

The poverty guidelines continue to be derived from the Census Bureau's current official poverty thresholds; they are not derived from the Census Bureau's new Supplemental Poverty Measure (SPM).

The following guideline figures represent annual income.

2015 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Persons in family/household	Poverty guideline
1	\$11,770
2	15,930
3	20,090
4	24,250
5	28,410
6	32,570
7	36,730
8	40,890

For families/households with more than 8 persons, add \$4,160 for each additional person.

2015 POVERTY GUIDELINES FOR ALASKA

Persons in family/household	Poverty guideline
1	\$14,720
2	19,920
3	25,120

2015 POVERTY GUIDELINES FOR ALASKA—Continued

Persons in family/household	Poverty guideline
4	30,320
5	35,520
6	40,720
7	45,920
8	51,120

For families/households with more than 8 persons, add \$5,200 for each additional person.

2015 POVERTY GUIDELINES FOR HAWAII

Persons in family/household	Poverty guideline
1	\$13,550
2	18,330
3	23,110
4	27,890
5	32,670
6	37,450
7	42,230
8	47,010

For families/households with more than 8 persons, add \$4,780 for each additional person.

Separate poverty guideline figures for Alaska and Hawaii reflect Office of Economic Opportunity administrative practice beginning in the 1966–1970 period. (Note that the Census Bureau poverty thresholds—the version of the poverty measure used for statistical purposes—have never had separate figures for Alaska and Hawaii.) The poverty guidelines are not defined for Puerto Rico or other outlying jurisdictions. In cases in which a Federal program using the poverty guidelines serves any of those jurisdictions, the Federal office that administers the program is generally responsible for deciding whether to use the contiguous-states-and-DC guidelines for those jurisdictions or to follow some other procedure.

Due to confusing legislative language dating back to 1972, the poverty guidelines sometimes have been mistakenly referred to as the “OMB” (Office of Management and Budget) poverty guidelines or poverty line. In fact, OMB has never issued the guidelines; the guidelines are issued each year by the Department of Health and Human Services. The poverty guidelines may be formally referenced as “the poverty guidelines updated periodically in the **Federal Register** by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).”

Some federal programs use a percentage multiple of the guidelines

(for example, 125 percent or 185 percent of the guidelines), as noted in relevant authorizing legislation or program regulations. Non-Federal organizations that use the poverty guidelines under their own authority in non-Federally-funded activities also may choose to use a percentage multiple of the guidelines.

The poverty guidelines do not make a distinction between farm and non-farm families, or between aged and non-aged units. (Only the Census Bureau poverty thresholds have separate figures for aged and non-aged one-person and two-person units.)

Note that this notice does not provide definitions of such terms as “income” or “family,” because there is considerable variation in defining these terms among the different programs that use the guidelines. These variations are traceable to the different laws and regulations that govern the various programs. This means that questions such as “Is income counted before or after taxes?”, “Should a particular type of income be counted?”, and “Should a particular person be counted as a member of the family/household?” are actually questions about how a specific program applies the poverty guidelines. All such questions about how a specific program applies the guidelines should be directed to the entity that administers or funds the program, since that entity has the responsibility for defining such terms as “income” or “family,” to the extent that these terms are not already defined for the program in legislation or regulations.

Dated: January 16, 2015.

Sylvia M. Burwell,
Secretary of Health and Human Services.

[FR Doc. 2015–01120 Filed 1–21–15; 8:45 am]

BILLING CODE 4150–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–15–15KX]

Proposed Data Collections Submitted for Public Comment and Recommendations

The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction

Computation Sheet

Number in Family	2015 Federal Poverty Guidelines (A)	125% of Poverty Guidelines (B) (B = A x 125%)	2015 California Monthly Income (C) (C = B / 12)*
1	\$11,770.00	\$14,712.50	\$1,226.05
2	15,930.00	19,912.50	1,659.38
3	20,090.00	25,112.50	2,092.71
4	24,250.00	30,312.50	2,526.05
5	28,410.00	35,512.50	2,959.38
6	32,570.00	40,712.50	3,392.71
Each additional person	4,160.00	5,200.00	433.34

*Figures are rounded up to the nearest cent.

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JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: February 19, 2015

Title	Agenda Item Type
Judicial Branch Administration: 2015–2016 Budget Change Proposal to Strengthen Information System Security and Data Reliability	Action Required
	Effective Date
	February 19, 2015
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	February 17, 2015
Recommended by	Contact
Hon. James E. Herman, Chair Judicial Council Technology Committee Curt Soderlund, Chief Administrative Services Zlatko Theodorovic, Financial Officer Judicial Council Staff	Curt Soderlund, 916-263-5512 curt.soderlund@jud.ca.gov

Executive Summary

In August 2014, the Judicial Council approved a conceptual outline for funding the additional work needed to fully implement an information security program and resolve the California State Auditor recommendations. In alignment with this approved concept, Judicial Council staff recommends and the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch support submission of a proposal for a General Fund augmentation in Fiscal Year 2015–2016 to implement recommendations from the California State Auditor. The recommended augmentation, for the amount of \$2.4 million with an on-going commitment of an additional \$1.1 million in subsequent years, is recommend and would allow the Judicial Council to comply with the State Auditor's recommendations in separate audit reports and confidential management letters issued on judicial branch procurement in 2013 and on a statewide review of data reliability in 2014. This proposed funding augmentation includes support for three Full

Time Equivalent (FTE) positions that are required as existing staff levels cannot support these additional duties. These positions would serve to safeguard Judicial Council information systems while also serving the broader data assurance objectives for California's state government in biennial reporting by the state auditor since 2008.

Recommendation

Judicial Council staff with oversight from the three committee chairs recommend the Judicial Council approve the submission of a budget change proposal to the State Department of Finance, requesting a one-time augmentation of \$2.4 million in Fiscal Year 2015–2016 and an additional \$1.1 million in subsequent fiscal years. The purpose of this augmentation is to implement recommendations from the California State Auditor intended to strengthen security controls and assure the reliability of judicial branch data. The funding requested would be used to achieve the following deliverables and objectives:

1. Audit and Accountability

- Deliverable: Implementation of user access auditing tools enabling the courts, to locally collect and monitor server log data and report on user account changes.
- Budget: \$615,000 one-time and \$47,000 ongoing
- Objective: A centrally-funded auditing program that provides licensing for the courts to use the same auditing tools implemented within the Judicial Council, without diverting court funding from other priorities.

2. Risk Assessment

- Deliverable: Establishment of periodic organizational risk assessments of Judicial Council information systems.
- Budget: \$210,000 one-time and \$208,000 ongoing
- Objective: Ongoing risk assessments to determine risk and magnitude of harm associated with unauthorized access, use, disclosure, disruption, modification or destruction of information and information systems that support their operations and assets.

3. Contingency Planning

- Deliverable: Implementation of a disaster recovery program to guard against inadvertent disruptions of Judicial Council information systems and data loss.
- Budget: \$889,000 one-time and \$512,000 ongoing
- Objective: A Disaster Recovery program to ensure service continuity by addressing potential disruptions in information technology systems, ranging from minor interruptions such as temporary power failures as well as major disasters such as fires, natural disasters and terrorism.

4. Security Program Management

- Deliverable: Implementation of a formalized security program for Judicial Council information systems.
- Budget: \$365,000 one-time and \$345,000 ongoing

- Objective: Improvements in the security program for Judicial Council information systems to implement and enforce best practices to avoid risk of compromising data and data loss.

5: Media Protection

- Deliverable: Complete preparations for the implementation of a data classification program within the Judicial Council
- Budget: \$325,000 one time
- Objective: A properly architected data classification program to ensure that data is stored, labeled and safeguarded appropriately according to its classification, and that the appropriate security measures are followed to preserve the integrity, availability and required level of confidentiality of the council's information resources.

6: Staff support (3.0 FTE positions included in the figures above) to perform the following functions:

A Disaster Recovery Program (referenced above in item 3. Contingency Planning)

- For a workload increase that will require one additional position for a full time Business System Analyst to administer the program.

Security Program (Referenced above in 4. Security Program Management)

- For a workload increase that will require the addition of a 1.0 FTE Supervising Analyst B position and 1.0 FTE Business Systems Analyst position for developing and overseeing a security operation, enforcing compliance standards and working with external agencies to communicate threats and vulnerabilities.

Previous Council Action

In 2013, the California State Auditor issued audit report and confidential management letters advising that the Judicial Council needed to make immediate improvements in the controls applied to secure the council's information systems and, in 2014, that although the Judicial Council had made strides internally to follow industry-standard best practices, the same capabilities, policies and procedures implemented by the council needed to be implemented for the courts. Weaknesses cited included the need for periodic risk assessments to safeguard information systems from disruption and data loss.

Upon receipt of the auditor's recommendations, an oversight committee of the chairs of the Judicial Council Technology Committee (JCTC), Trial Court Presiding Judges Advisory Committee (TCPJAC), and the Court Executive Advisory Committee (CEAC) was established to guide the response. With the committee's oversight, the Judicial Council Technology Office implemented a framework of information systems controls, and conducted a gap analysis within the Judicial Council that identified improvements that are necessary but cannot be addressed without additional staff and resources.

In February 2013, the Chief Justice authorized the creation of the Technology Planning Task Force (TPTF). The task force was charged with working collaboratively to define judicial branch

technology governance in terms of statewide versus local decision making, to develop a strategic plan for technology across all court levels that provides a vision and direction for technology within the branch, and to develop recommendations for a stable, long-term funding source for supporting branch technology, as well as a delineation of technology funding sources.

In January 2014, the Judicial Council approved the [concept of the court technology governance and strategic plan](#), prepared by the Technology Planning Task Force, based on the information provided in the executive summary for the governance and funding model and plans.

In August 2014, the Judicial Council approved the [Court Technology Governance and Strategic Plan](#). The chair of the JCTC stated that the plan would return to the council with updates related to language access. The Strategic Plan's Goals 2 (Optimize Branch Resources) and 3 (Optimize Infrastructure) are addressed by this BCP. The BCP also maps to two of the Tactical Plan for Technology's initiatives: Court Information Systems Security Policy Framework and Court Disaster Recovery Framework and Pilot.

Also, in August 2014, the Judicial Council approved a conceptual outline for funding the additional work needed to fully implement an information security program and resolve the California State Auditor recommendations. The conceptual proposal for a funding augmentation, however did not provide specific cost details; the total amount was left to be determined. This proposal is being brought to the council for review and approval, now that the financial and personnel commitments to accomplish the work have been identified and the level of effort calculations are available in greater detail.

In October 2014, the Judicial Council approved the [Update to the Court Technology Governance and Strategic Plan](#).

On February 4, 2015, the council's Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch reviewed the details of this funding augmentation and approved submitting the request to the Department of Finance for Fiscal Year 2015–2016.

Rationale for Recommendation

The recommended funding augmentation, of \$2.4 million in FY 2015-2016 and \$1.1 million ongoing in subsequent years, is needed to address weaknesses in the Judicial Council's existing information technology infrastructure that, if unaddressed, could compromise the security of branch data. Lack of sufficient funding to take corrective measures would leave the Judicial Council and the courts out of compliance with auditor's directives to strengthen information security controls. These directives are part of a wider-reaching focus of the state auditor to assess data reliability within the State's information technology systems. Deficiencies identified by the auditor are reported to the Governor, Legislative Leaders, and to the public.

While the Judicial Council Technology Office has implemented some of the controls necessary for auditing user access within Judicial Council information systems, the work is not complete.

Additional resources are necessary to implement these same capabilities within the courts. Furthermore, in the analysis of the corrective measures needed to achieve the recommended level of data security, staff have identified work that remains in each of five key areas specified by National Institute of Standards and Technology (NIST), an industry source on best practices for developing or enhancing an information security program. These five areas are considered basic components of a program to protect the integrity, availability, and confidentiality of agency data and safeguard information assets and resources. The five areas are referenced above in the recommendation section of this report to the council and include:

1. audit and accountability,
2. risk assessment,
3. contingency planning,
4. security program management,
5. media protection.

As noted in the recommendation above, work, which will require additional funding and resources, remains to be accomplished in each of these areas to fully implement a credible information security program for the Judicial Council and the trial courts.

Comments, Alternatives Considered, and Policy Implications

As stated in the August 2014 report to the Judicial Council in which the conceptual outline for this funding augmentation was first proposed, the Judicial Council has statutory authority to approve budget requests on behalf of the Supreme Court, Courts of Appeal, Judicial Council, and Judicial Branch Facilities Program. Once the specific financial details of the proposal became known, staff to the Judicial Council submitted the proposal to the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch for review, in accordance with the council's fiscal oversight process. The committee reviewed the merits and the implications of this proposal and approved it.

The alternative to approving this proposal, would be to forego requesting the funds needed to fully implement an information security program that meets industry standards for information technology and addresses the California State Auditor's recommendations. This course of action however, would leave the Judicial Council's information systems vulnerable to an unacceptable level of risk, according to the state auditor, and would not serve to protect the information assets of the courts and the branch, at a level expected for council oversight.

Implementation Requirements, Costs, and Operational Impacts

Implementation requirements, costs and operational impacts, are detailed in the recommendation section above.

Relevant Strategic Plan Goals and Operational Plan Objectives

The funding proposals requested for the appellate courts, Judicial Council, and Judicial Branch Facilities Program will address the strategic plan goals of Access, Fairness, and Diversity (Goal I); Modernization of Management and Administration (Goal III); and Quality of Justice and

Service to the Public (Goal IV). The Judicial Council approved Court Technology Governance and Strategic Plan that includes the strategic and tactical plans for technology.

Attachments and Links

1. Attachment A: [California State Auditor Report on Judicial Branch Procurement, Report 2013-302/2013-303](#)
2. Attachment B: [California State Auditor Report on Data Reliability, Report 2014-401](#)
3. Attachment C: [Budget: Fiscal Year 2015–2016 Budgets for the Supreme Court, Courts of Appeal, Judicial Council, and Judicial Branch Facilities Program](#)

DRAFT