



## JUDICIAL COUNCIL OF CALIFORNIA

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*Director, Governmental Affairs*

July 21, 2021

Hon. Lorena Gonzalez, Chair  
Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, California 95814

Subject: Senate Bill 567 (Bradford), as amended July 1, 2021 – Fiscal Impact Statement

Dear Assembly Member Gonzalez:

SB 567, which, among other things: (1) provides that when a judgment of imprisonment is to be imposed and the statute specifies three possible terms, the court shall, in its sound discretion, order imposition of a sentence not to exceed the middle term, unless there are circumstances in aggravation that, in the case of a trial by jury, have been stipulated to by the defendant, or, at trial by the jury or by the judge in a court trial, have been found true beyond a reasonable doubt, and (2) requires the court, upon the request of the defendant, to bifurcate the trial on the circumstances in aggravation from the trial of charges and enhancements. Provides that the jury shall not be informed of the bifurcated allegations until there has been a conviction of a felony offense.

### *Fiscal Impact*

We estimate this bill could have a fiscal impact of approximately \$1.2 million annually, as a result of increased trial court workloads. The provisions of this bill create a significant workload impact on the courts by requiring that portions of the existing cases be bifurcated into two trials. Specifically, bifurcating these types of criminal matters will add between 150 minutes and 200 minutes of workload time to each case. We conservatively estimate that the provisions of this bill will annually impact 1,000 criminal case statewide. New unfunded workload to the courts could result in delays of court services, prioritization of court cases, and may impact access to justice.

Hon. Lorena Gonzalez

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Should you have any questions or require additional information, please contact Mark Neuburger at 916-323-3121.

Sincerely,

*Sent July 21, 2021*

Cory T. Jasperson  
Director, Governmental Affairs

CTJ/MN/jh

cc: Members, Assembly Appropriations Committee  
Hon. Steven Bradford, State Senator, 35<sup>th</sup> District  
Mr. Gary Olson, Assembly Republican Office of Policy  
Ms. Jessica Devencenzi, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Jessie Romine, Budget Analyst, Department of Finance  
Mr. Martin Hoshino, Administrative Director, Judicial Council of California