



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 26, 2012

Title	Agenda Item Type
Trial Court Special Funds: Allocations for Fiscal Year 2012–2013 (Action Required)	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	October 26, 2012
Recommended by	Date of Report
Trial Court Budget Working Group and Administrative Office of the Courts	October 23, 2012
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Executive Summary

The Trial Court Budget Working Group recommends a one-time allocation of \$71.923 million from the State Trial Court Improvement and Modernization Fund (STCIMF) for various programs in support of the trial courts, including \$6.769 million related to the financial component of Phoenix Financial and Human Resources Services costs previously charged to trial courts, a one-time allocation from the Trial Court Trust Fund (TCTF) of \$58.836 million to offset reductions to trial court operations funding, and any revenue from the new \$30 fee for court reporting services in civil proceedings lasting under one hour be allocated to courts in the

amount that each court collected. In addition, in order to fully distribute the recommended TCTF allocation, the working group is recommending that the council direct staff to seek additional expenditure that is subject to the approval to the Department of Finance and Legislature. The working group is also asking the Judicial Council to consider delegating the authority to transfer STCIMF allocations during the year from one program or project to another, subject to any restrictions or conditions provided by the council.

Recommendation

The Trial Court Budget Working Group (TCBWG) recommends that the council:

1. Allocate to each trial court a proportionate share of a \$58.836 million reduction offset based on each court's share of the beginning 2012–2013 allocation for base operations excluding 2011–2012 allocations related to security, of which \$25.315 million can be allocated and then distributed to courts within the existing Trial Court Trust Fund Program 45.10 (Support for Operation of the Trial Courts) expenditure authority and of which \$33.701 million requires additional expenditure authority that is subject to the approval of the Department of Finance and Legislature;
2. Allocate to courts any revenue from the new \$30 fee for court reporting services in civil proceedings lasting under one hour in the amount that each court collected, subject to available Trial Court Trust Fund Program 45.10 (Support for Operation of the Trial Courts) expenditure authority or the approval by the Department of Finance and Legislature of additional expenditure authority in the amount of \$4 million;
3. Direct AOC staff to request from the Department of Finance and Legislature \$37.701 million in additional Trial Court Trust Fund Program 45.10 (Support for Operation of the Trial Courts) expenditure authority pursuant to the authority provided to the council in the Trial Court Trust Fund provision 4 language of the Budget Act of 2012;
4. Allocate \$71.923 million in one-time funding from the State Trial Court Improvement and Modernization Fund (STCIMF) for various programs in support of the trial courts, including \$6.769 million related to the financial component of Phoenix Financial and Human Resources Services costs previously charged to trial courts, and direct the AOC to request the council for augmentations to the \$4.5 million Litigation Management Program allocation if needed; and
5. Consider delegating to the appropriate designee(s) the authority to transfer STCIMF allocations approved for 2012–2013 by the council from one program or project to another, subject to any restrictions or conditions provided by the council.

If the council delegates the authority to transfer STCIMF allocations approved for 2012–2013 by the council from one program or project to another, the Administrative Office of the Courts recommends that the council consider the following options:

6. Limit the authority to transfer STCIMF allocations approved for 2012–2013 by the council from one program or project to another to 20 percent of the allocation of the program/project from which it will be transferred;
7. Direct the designee(s) to report back to the council after the end of 2012–2013 any transfers of STIMF allocations made between programs/projects and the rationale for any transfers; and
8. Direct the AOC to develop internal guidelines for the administration of the new State Trial Court Improvement and Modernization Fund.

Recommendation 1: Offset to Trial Court Reductions

1. Allocate to each trial court a proportionate share of a \$58.836 million reduction offset based on each court's share of the beginning 2012–2013 allocation for base operations excluding 2011–2012 allocations related to security, of which \$25.315 million can be allocated and then distributed to courts within the existing Trial Court Trust Fund Program 45.10 (Support for Operation of the Trial Courts) expenditure authority and of which \$33.701 million requires additional expenditure authority that is subject to the approval of the Department of Finance and Legislature.

Rationale for Recommendation 1

The Trial Court Budget Working Group has identified a total of \$58.836 million in Trial Court Trust Fund monies that it recommends be allocated one-time to courts to partially offset the \$385 million one-time reduction allocated to courts by the council this fiscal year. The TCTF monies identified, which excludes any unspent fund balance restricted by statute or the council, such as those restricted by council policy for reimbursing courts for court interpreter costs, includes the following (all approved by the council at its August 31, 2012 meeting, except as noted):

- The use of \$41 million in 2011–2012 TCTF ending unrestricted fund balance, which the council has not yet allocated.
- The permanent redirection of \$12.489 million from the allocation set aside for reimbursing courts for juror costs.
- The permanent redirection of \$3.776 million from the allocation for the V3 case management system.
- The one-time redirection of \$1 million from the allocation set aside for replacement screening stations.

- The permanent redirection of \$571,000 from the allocation for the V2 case management system.

Allocating and distributing the \$58.836 million to courts would result in an estimated 2012–2013 ending total fund balance of \$37.5 million in the TCTF, of which \$9.0 million is restricted by statute or council policy (see column C of Attachment A).

Consistent with its recommendation related to the allocation of the 2 percent holdback, which the council approved at its July 27, 2012 meeting, the TCBWG recommends that each court’s share of the \$58.836 million be allocated based on each court’s proportionate share of the 2012–2013 beginning base allocation for court operations excluding 39 courts’ 2011–2012 security allocations (see columns E and F of Attachment B).

Given the enactment of AB 1477 on September 27, 2012, which amended the Budget Act of 2012 and reduced the TCTF Program 45.10 expenditure authority by \$29.134 million to \$1.343 billion, and Judicial Council actions to date, AOC staff estimates that the total expenditure authority that is currently available pursuant to the Budget Act of 2012 to allocate additional funding to courts is \$25.1 million (see Attachment C). As such, the allocation and distribution of the remaining \$33.701 million reduction offset funding in 2012–2013 will require an augmentation of the TCTF Program 45.10 expenditure authority.

Recommendation 2: Allocation of Revenue from New Civil Court Reporting Services Fee

2. Allocate to courts any revenue from the new \$30 fee for court reporting services in civil proceedings lasting under one hour in the amount that each court collected, subject to available Trial Court Trust Fund Program 45.10 (Support for Operation of the Trial Courts) expenditure authority or the approval by the Department of Finance and Legislature of additional expenditure authority in the amount of \$4 million.

Rationale for Recommendation 2

In order to offset the costs incurred by the courts that are providing court reporter services in civil proceedings lasting under one hour, the TCBWG is recommending that the council allocate to courts any revenue from the new \$30 fee for court reporting services in civil proceedings lasting under one hour in the amount that each court collected. As a result of the enactment of SB 1021, effective June 27, 2012, Government Code section 68086(a)(1)(A) requires a new \$30 fee for court reporting services in civil proceedings lasting under one hour. While GC section 68085.1 requires trial courts to remit any monies collected pursuant to GC section 68086 to the TCTF, statute is silent regarding how the monies should be allocated among courts.

Nevertheless, GC section 68086(b) requires that the fees collected “shall be used only to pay the cost for services of an official court reporter in civil proceedings.” If a court were to receive a share of the statewide \$30 fee revenue in an amount that exceeded its actual costs, the court could not use the “excess” monies for any other purpose, including reduction offset. The

allocation of the revenues back to courts in the amount that they collected ensures that statewide the maximum amount of the restricted revenues will be used to offset courts' court reporter costs.

The Budget Act of 2012 does not include additional TCTF Program 45.10 expenditure authority related to this new revenue. Courts have remitted a little over \$500,000 for the first two months of the fiscal year (see Attachment D). Assuming the statewide level of remittances will be near the August level for the rest of the year, the total amount of revenue could be around \$4 million. If the council were to approve Recommendation 1 and use the remaining \$25.1 million expenditure authority to allocate \$25.1 million in reduction offsets, the council would need to request additional expenditure authority to allocate and distribute back to courts the fee revenue remitted to the TCTF. As an alternative to Recommendation 1, the council could instead utilize the remaining \$25.1 million expenditure authority in TCTF Program 45.10 to allocate \$21.1 million in reduction offsets and \$4 million in court reporter fee revenue, and then request an additional \$37.701 million in expenditure authority to allocate the remaining \$37.701 million in reduction offsets.

In addition to allocating and distributing \$58.836 million for reduction offsets, allocating and distributing the \$4 million to courts would result in an estimated 2012–2013 ending total fund balance of \$33.5 million in the TCTF, of which \$9 million is restricted by statute or council policy (see column F of Attachment A).

Recommendation 3: Request Additional Expenditure Authority

3. Direct AOC staff to request from the Department of Finance and Legislature \$37.701 million in additional Trial Court Trust Fund Program 45.10 (Support for Operation of the Trial Courts) expenditure authority pursuant to the authority provided to the council in the Trial Court Trust Fund provision 4 language of the Budget Act of 2012

Rationale for Recommendation 3

In order to allocate and distribute \$58.836 million in reduction offsets and an estimated \$4 million in court reporter fee revenues to courts in 2012–2013, an estimated additional \$37.701 million in TCTF Program 45.10 expenditure authority is needed (see Attachment C). Provision 4 language concerning the TCTF in the Budget Act of 2012 authorizes the council to request additional TCTF Program 45.10 expenditure authority as follows:

Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Trial Court Trust Fund, which is in addition to the amount appropriated in this item. Any augmentation must be approved in joint determination with the Chairperson of the Joint Legislative Budget Committee and shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the

Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the chairperson of the joint committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine. When a request to augment this item is submitted to the Director of Finance, a copy of that request shall be delivered to the chairpersons of the committees and appropriate subcommittees that consider the State Budget. Delivery of a copy of that request shall not be deemed to be notification in writing for purposes of this provision.

Recommendation 4: State Trial Court Improvement and Modernization Fund Allocations

4. Allocate \$71.923 million in one-time funding from the State Trial Court Improvement and Modernization Fund (STCIMF) for various programs in support of the trial courts, including \$6.769 million related to the financial component of Phoenix Financial and Human Resources Services costs previously charged to trial courts, and direct the AOC to request the council for augmentations to the \$4.5 million Litigation Management Program allocation if needed.

Previous Council Action

The Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233; Stats. 1997, ch. 850, § 1) created the Judicial Administration Efficiency and Modernization Fund (Modernization Fund) and the Trial Court Improvement Fund (Improvement Fund) to support projects and programs that benefit trial courts and provide a means of addressing trial courts' unanticipated urgent needs (See *id.*, §§ 3, 46.). SB 1021 (Stats. 2012, ch. 97) amended Government Code section 77209 to establish the STCIMF as the successor fund of both the Improvement Fund and the Modernization Fund. GC section 77209(f) directs that the Judicial Council shall administer the monies deposited into the STCIMF. GC section 68502.5(a)(6) specifies that the fund's purpose is to ensure equal access to trial courts by the public, and to improve trial court operations, and to meet trial court emergencies, as expressly authorized by statute. Until 2003–2004, the council approved detailed allocations from the Modernization Fund and Improvement Fund. From 2004–2005 to 2008–2009, in accordance with rule 10.11 of the California Rules of Court and in conformance with the internal guidelines approved by the council on January 30, 2002, the Executive and Planning Committee (E&P) approved these allocations on behalf of the council. Since 2009–2010, allocations have been considered and approved by the council.

The Budget Act of 2011 (SB 87; Stats. 2011, ch. 33) included a transfer of \$20 million from the Modernization Fund to the TCTF to mitigate the impact of judicial branch funding reductions on trial court operations. Consistent with this action, the Legislature reduced the Modernization Fund appropriation from the fund in 2011–2012 from \$38.7 million to \$18.7 million. Given that the level of allocation from this fund in 2011–2012 would have totaled \$39.3 million, the

TCBWG formed a subcommittee to review projects and programs. The subcommittee recommended \$20.6 million in allocation reductions for the full working group's consideration. The TCBWG approved these recommendations which were then submitted to and approved by the Judicial Council at its July 22, 2011, business meeting.

The Budget Act of 2012 (AB 1464; Stats. 2012, ch. 21) continued the \$20 million transfer from the new STCIMF to the TCTF. Additionally, the Budget Act directed the Judicial Council to allocate \$385 million in reductions to trial courts. At their July 17, 2012 meeting, the TCBWG approved the formation of a subcommittee to review and identify potential current year and future savings from the STCIMF and TCTF for the purpose of offsetting reductions to trial court operations funding.

Ten members of the TCBWG, five presiding judges and five court executive officers, volunteered to serve on the ad hoc Expenditure Subcommittee. The subcommittee reviewed all planned project and program allocations as well as reduction options and impacts identified by the AOC. Recommendations regarding allocations and reductions were developed based on this review. The subcommittee convened on August 22, 2012, with presentations provided by applicable AOC offices on program and project activities from the TCTF, information on the impacts of reductions, and additional information provided to subcommittee members as requested. At the conclusion of the August 22, 2012, meeting, the subcommittee made recommendations to the TCBWG, which were approved and five being submitted to the Judicial Council for approval. Among the recommendations approved at the Judicial Council's August 31, 2012, meeting was the deferral of allocating \$6.769 million related to the financial component of the Phoenix Financial and Human Resources Services program to the council's October 26, 2012, meeting.

The subcommittee reconvened on September 27 and 28, 2012, to review programs and projects allocated from the STCIMF as well as considered the feasibility of funding the financial component of the Phoenix Financial and Human Resources Services costs from the STCIMF. The meeting concluded with the subcommittee recommending one-time allocations which, in general, continued the program and project allocation amounts the Judicial Council approved at their July 22, 2011 meeting. The recommendations also included \$1.648 million in reductions as well as STCIMF funding the \$6.769 million in costs related to the Phoenix Financial and Human Resources Services program previously funded from the TCTF, a net increase of \$5.121 million (see column F of Attachment G). The recommendations include AOC proposed allocations for projects or programs administered by the AOC Information and Technology Services Office and Legal Services Office, based on the total amount the TCBWG recommended be available to allocate among all projects and programs managed by each of the offices.

When practicable, the subcommittee focused on activities that could be deferred, modified, or suspended, while attempting to preserve funding for as many of the core programs as possible. The subcommittee also considered program and project expenditures in the prior year. The subcommittee will reconvene in January 2013 to review the programs and projects with the intention of developing a long-term strategy for funding programs from the STCIMF and other funds based on branch priorities and providing recommendations to the TCBWG.

Rationale for Recommendation 4

The recommended allocations would fund previously approved projects and programs that are intended to improve the administration of and access to justice in the trial courts. The recommendations are consistent with judicial branch goals and the statutory purposes of the fund and are intended to achieve various goals of the judicial branch as they apply to trial courts, including branchwide infrastructure for service excellence.

Resources. Ending fund balances for 2010–2011 and 2011–2012 as well as estimated 2012–2013 revenues and transfers represent fund resources that are anticipated to be available to fund the various projects and programs. Attachment E displays an overview of 2010–2011 and 2011–2012 year-end resources and expenditures/encumbrances (columns A and B) and estimated 2012–2013 resources and recommended allocations (columns C and D) from the STCIMF.

The STCIMF receives funding from a number of sources: an annual appropriation of state General Fund monies, which is \$18.709 million in 2012–2013; 50/50 Excess Fines Split Revenue (Gov. Code., § 77205) representing the state’s 50 percent share of the fee, fine, and forfeiture revenue that exceeds each county’s base revenue Maintenance of Effort (MOE) level from 1998–1999; interest earned on retained funds through the Surplus Money Investment Fund (SMIF); 2 percent Automation Fund (*id.*, § 68090.8(b)) revenues representing 2 percent of the fine, penalty, and forfeiture collections in criminal cases; and revenues from the sale of documents and royalties from publication of uniform jury instructions (see Attachment F, rows 7 through 17, for detailed 2010–2011 and 2011–2012 year-end actual as well as 2012–2013 estimated revenues). Including the beginning balance of \$48.129 million, the total estimated resources for the STCIMF in 2012–2013 is \$104.974 million.

Recommended FY 2012–2013 Allocations for Projects and Programs. This section discusses the proposed allocations for projects and programs. The TCBWG recommends that the Judicial Council approve these adjustments to the July 22, 2011 approved allocations. Table 1 below displays, by the AOC office that manages the projects and programs, the previously approved allocation amounts, proposed adjustments to previously approved allocations, and the resulting total recommended allocations for 2012–2013.

Table 1. STCIMF Recommended 2012–2013 One-Time Allocations

AOC Office	Previously Approved Allocations	Proposed Adjustment to Previously Approved Allocations	Total Recommended One-Time Allocations
Trial Court Administrative Services Office	\$6,758,000	\$6,769,000	\$13,527,000
Office of Education/CJER	\$1,483,000	(\$290,000)	\$1,193,000
Information and Technology Services Office	\$33,861,000	(\$807,000)	\$33,054,000
Legal Services Office	\$11,829,000	(\$429,000)	\$11,400,000
Center for Families, Children, and the Courts	\$7,000,000	--	\$7,000,000
Human Resources Services Office	\$2,131,000	(\$40,000)	\$2,091,000
Fiscal Services Office	\$2,083,000	(\$55,000)	\$2,028,000
Office of Security	\$1,200,000	--	\$1,200,000
Court Operations Special Services Office	\$457,000	(\$27,000)	\$430,000
Total	\$66,802,000	\$5,121,000	\$71,923,000

Previously Approved Projects and Programs. The various projects and programs that were previously approved by the council and included in these recommendations are described in Attachment H and are organized in the same order as those listed in Attachment F, “State Trial Court Improvement and Modernization Fund -- Detailed Fund Condition Statement”, and Attachment G, “State Trial Court Improvement and Modernization Fund: 2012–2013 Recommended Allocation by Program/Project”.

Rollover Requests. AOC currently has no recommended rollover funding requests for 2012–2013.

New Funding Requests. AOC currently has no recommended new funding requests for 2012–2013.

Technical Allocation Adjustments in 2011–2012. At its July 22, 2011, business meeting, the Judicial Council delegated authority to the Administrative Director of the Courts to adjust allocations of funds to courts and for approved programs and projects, as needed, to address unanticipated needs and contingencies. Any adjustments were to be reported back to the council after the end of the fiscal year. No technical allocation adjustments from the TCTF, Improvement Fund, and Modernization Fund were approved by the Administrative Director of the Courts for 2011–2012.

Adjustments to Previously Approved Allocations. The TCBWG proposes adjustments to 32 previously approved allocations of projects and programs or AOC office for a net increase of \$5.121 million. Column F of Attachment G displays the reduction and augmentation amount by individual project or program or AOC office and Column G displays the resulting allocation amount. The reduction and augmentation amount as well as description and impact of each adjustment to the 32 projects or programs are discussed below.

Trial Court Administrative Services Office

1. Phoenix Financial and Human Resources Services

Augmentation: \$6,769,000

Description and Impact: This adjustment will have no impact on the services provided to the trial courts by the Trial Court Administrative Services Office and only reflects the change in fund source. The allocation amount of \$6,769,000 was initially funded through the Trial Court Trust Fund with those costs being reimbursed by the courts for direct process services delivered to the courts. The trial courts would not be charged in 2012–2013 for these services.

Office of Education/CJER

2. New Judge Education and Judicial Primary Assignment Orientation Courses.

Reduction: \$171,000

Description and Impact: This adjustment impacts the New Judge Orientation (NJO) Program, B.E. Witkin Judicial College of California, and Primary Assignment Orientation (PAO) courses. The reduced funding level will still allow CJER to deliver required new judge education in 2012–2013, but will not meet known future needs as the Governor appoints new judges. CJER projects a need to restore a portion of this budget reduction in 2013–2014 and restore the entire reduction for 2014–2015 in order to deliver required new judge education programs for a large number of new judges anticipated to be appointed during this time period.

- a. New Judge Orientation (NJO): Funding will cover five New Judge Orientation programs in 2012–2013. Typically, ten NJO programs are offered each year. Only two programs were offered in 2011–2012 due to unusually low judicial appointments by Governor Brown. CJER projects an increase need for NJO in 2013–2014 and the need for a full complement of NJO programs in 2014–2015.
- b. B.E. Witkin Judicial College of California: Reduced funding is sufficient in 2012–2013 but only for an unusually small Judicial College of approximately fifty (50) new judges and commissioners. College participation is typically between 100 and 120 judges, but has exceeded 150 in the past. CJER projects a very large Judicial College in 2014–2015.

- c. Primary Assignment Orientation (PAO) courses: Funding is provided at the level of prior year expenditures and is intended to enable delivery of Primary Assignment Orientation courses at the same level as 2011–2012.
3. Continuing Judicial Education: Leadership Training
Augmentation: \$55,000
Description and Impact: Funding will enable delivery of the Presiding Judge/Court Executive Officer (PJ/CEO) and Supervising Judges Institutes in 2012–2013. This line item is new, but the funding is not new. These programs were previously allocated in another line item.
4. Continuing Judicial Education: Statewide Judicial Institutes
Augmentation: \$80,000
Description and Impact: Most Statewide Judicial Institutes are held on a two-year schedule. Only Cow County is held on an annual basis. In the coming year, funding will enable delivery of the Family Law, Juvenile Law, Civil Law, and Cow County institutes.
5. Continuing Judicial Education: Advanced Education for Experienced Judges
Augmentation: \$13,000
Description and Impact: Funding will enable delivery of courses for experienced judges, including Advanced Capital Case Round Table, Complex Civil Litigation Workshop, Civil and Criminal Evidence and selected issue courses in domestic violence (Elder Abuse, Immigration, and Trafficking). This is a new line item but the funding is not new. These courses were previously allocated in other line items.
6. Continuing Judicial Education: Regional and Local Judicial Education Courses
Reduction: \$33,000
Description and Impact: Funding is provided at the level of prior year expenditures and is intended to enable delivery of local and regional judicial education courses at the same level as 2011–2012. These courses are provided using a very cost effective delivery method and enable judges to attend education events close to their courts, reducing the time and cost of travel. Reducing funding to the level of prior year expenditures may reduce the ability of CJER to use these venues to respond to the identified education needs of the courts during the coming year.
7. Leadership Training Non-Judicial
Reduction: \$24,000
Description and Impact: There are no impacts in 2012–2013. However, the CJER Governing Committee’s two year education plan, which was developed using prior year budget expectations, calls for the delivery of a Mid Level Management Conference in 2013–2014 at a cost of \$50,000. Elimination of funding for this line item leaves CJER without funding for

that conference unless the funding is restored for the 2013–2014 budget. Because large conferences take some time to plan and contracting cannot begin without funding certainty, delivery of this 2013–2014 conference may not be possible. This would likely have a disproportionate impact on smaller courts which have fewer resources for leadership training and would reduce the ability of courts to prepare their managers for leadership roles and responsibilities.

8. Manager and Supervisor Training

Reduction: \$27,000

Description and Impact: Funding will enable delivery of three Core 40 courses for statewide audiences (new trial court supervisors and both new and experienced managers). Last year, two were held in local courts and so available to only a very limited number of courts. Additionally, two new Core 24 courses (for experienced managers) will be delivered (one for a statewide audience and one held in a local court). Funding will enable delivery of Institute for Court management (ICM) courses at the same level as last year, and twelve will be offered. As with last year, but unlike any other CJER courses, the cost of participant lodging will remain the responsibility of the participants or their courts.

9. Court Personnel Institutes

Reduction: \$72,000

Description and Impact: The Court Clerk’s Training Institute (CCTI) will remain limited to two one-week programs. Funding will allow for one of the two CCTI programs to be held in Southern California. Funding is reduced because the Trial Court Judicial Attorney Institute (TCJAI) program is not scheduled in 2012–2013. However, the CJER Governing Committee’s two year education plan calls for the delivery in 2013–2014 of a Trial Court Judicial Attorney Institute at a cost of \$50,000 and a Human Resources Institute at a cost of \$30,000. Elimination of funding for this line item leaves CJER without funding for those two programs unless the funding is restored for the 2013–2014 budget. Because large conferences take some time to plan and contracting cannot begin without funding certainty, delivery of these 2013–2014 education programs may not be possible. Elimination of these education programs would negatively impact the staff attorneys and HR professionals and the courts where they work by forcing them to seek out relevant education opportunities elsewhere.

10. Regional and Local Staff Courses

Augmentation: \$20,000

Description and Impact: Funding is provided to deliver three Core Leadership and Training Tools classes for statewide audiences rather than in local courts, enabling all courts to benefit from this curriculum. Funding will allow for continuation of other programming at last year’s level and ten classes are planned with a wide array of topics (held three times each). This cost effective programming offers convenience to courts and to staff who do not have time to

attend statewide events. This line item is new, but the funding is not new. These programs were previously budgeted in another line item.

11. Statewide Education Programs: Trial Court Faculty

Reduction: \$54,000

Description and Impact: This line item funds faculty costs for all live programs. Funding is intended to meet faculty needs for 2012–2013 but will not be sufficient to fund faculty costs in 2013–2014 and 2014–2015 for the increased number of New Judge Orientation (NJO) programs required for new judges appointed by the Governor before he leaves office.

Additional funding will also be required for programs planned by the CJER Governing Committee for 2013–2014, including the Trial Court Judicial Attorneys Institute (TCJAI), HR Institute, and Mid Level Management Conference programs. Reduction of funding for this line item leaves CJER without sufficient funding to reimburse the travel and other costs of its volunteer faculty who are responsible for teaching at these planned education programs. Without a restoration of this funding in 2013–2014, delivery of these programs may not be possible.

12. Faculty Development

Reduction: \$55,000

Description and Impact: Funding is reduced to a level required to meet training for planned programs such as the Judicial College, New Judge Orientation, Court Clerks Training Institute and other such programs. Newly recruited faculty depend upon this training to be effective in teaching their courses. General faculty development programs will be reduced or will be delivered using distance education methods. A permanent reduction in this funding would ultimately reduce the number of qualified and prepared faculty available to teach at CJER and locally sponsored education events.

13. Curriculum Committee and Education Plan Development

Augmentation: \$1,000

Description and Impact: Funding is provided to augment grant funding for planning of domestic violence education in collaboration with the Center for Families Children and the Courts (CFCC). This line item is new, but the funding is not new. These costs were previously budgeted in another line item.

14. Distance Education – Satellite Broadcast

Reduction: \$33,000

Description and Impact: Reduced funding is sufficient to allow currently planned broadcasts due to cost reductions achieved through improved contracting and a reduction in new infrastructure costs. This cost effective delivery method serves as the core delivery method for staff and manager/supervisor education, providing a comprehensive and timely statewide

approach to high-quality education that is for many courts the only source of staff education. Many broadcasts are also recorded and posted online as on-demand resources or made available as DVDs.

15. Distance Education – Online Video, Webinars & Videoconferences

Augmentation: \$10,000

Description and Impact: Funding will enable CJER to fund hosting services for online video for distance education products and to improve current streaming video by allowing for use on iPads and other such mobile devices. Online video resources are created to be available on demand on the Education section of the Serranus web site or other judicial education sites. These video resources include lectures recorded at live programs, 10-minute mentor videos and associated materials, introductory videos for new judges, and video lectures on a wide variety of judicial education topics. This line item is new, but the funding is not new. These costs were previously budgeted in another line item.

Information and Technology Services Office

16. California Courts Technology Center (CCTC) – Operations

Augmentation: \$807,000

Description and Impact: Last fiscal year, the CCTC program funding was reduced by \$5,358,109, which resulted in the cancellation and delay of various critical CCTC projects. The augmentation is needed to maintain the baseline services for the program, including upgrade of the end-user application access authentication and security system, and to pay monthly invoices as obligated by the existing CCTC vendor contract. The existing end-user application access and security system is no longer supported by the vendor, and any outage may cause significant impacts to the courts' access to the various applications hosted at the CCTC.

17. Telecommunications Support

Augmentation: \$1,576,000

Description and Impact: Last fiscal year, the Telecommunications program was reduced by \$6,600,000, which resulted in the cancellation of the Network Technology Refresh program for the trial courts. The reinstatement of \$1,576,000 will allow up to 20 courts to participate in the network technology refresh program for the replacement of network devices.

Currently, 52 trial courts participate in the telecommunications refresh project. The multi-year project consists of purchasing and managing the replacement and installation of 464 network switches and 233 routers for these 52 courts and needs to be completed by 2015–2016 to ensure that equipment does not become outdated and unsupported, which may lead to increased hardware failure and the potential unavailability of connectivity to applications hosted locally and at the CCTC. The partial reinstatement of funds in 2012–2013 will allow

the program to continue at a minimum level, and to complete the multi-year project by 2015–2016, assuming funding is restored to its original level (\$6,600,000/year) in future years.

18. Judicial Branch Enterprise Licensing and Policy

Reduction: \$699,000

Description and Impact: The Federated Identity project, which delegates and simplifies management of user account security policies for the courts, has been cancelled for 2012–2013 due to the cancellation of CCMS deployments.

19. Data Integration

Reduction: \$433,000

Description and Impact: In addition to budget reductions in 2011–2012, the program has identified further savings for 2012–2013. These savings were achieved through reduction of TIBCO developer annual support by moving from TIBCO professional services to direct staff augmentation contractors. Review of current and future scope for development and support of interfaces (significantly reduced due to CCMS cancellation) allowed for reduction of the overall number of developers for additional savings.

20. Interim Case Management System

Reduction: \$2,339,000

Description and Impact: The reduced budget is achieved through the reduction of three consultants, technical efficiencies from changing to a lower cost storage device, the elimination of unnecessary data storage, and a reduction in vendor support costs. A consortium of courts from the Sustain User Group is currently evaluating alternatives to replacing Sustain Justice Edition. The interim approach is to reduce vendor support and development costs to a minimum until a path forward is determined and approved by the Judicial Council Technology Committee.

21. Justice Partner Outreach/E-Services (JPO&E) (formerly Statewide Electronic Business Services

Augmentation: \$281,000

Description and Impact: Last fiscal year, program funding was reduced by \$600,000, which resulted in the cancellation of various e-filing related projects. The reinstatement of \$281,000 will allow the program to fund critical core baseline services and will be used for resources to analyze and support the e-services roadmap, including assisting, developing, and documenting e-services solutions in a timely manner for the trial courts.

Legal Services Office

22. Judicial Performance Defense Insurance

Augmentation: \$85,000

Description and Impact: The funding will allow the program to address an increase in the premium due to an increase in the number of claims in the past three years.

23. Trial Court Transactional Assistance Program

Reduction: \$234,000

Description and Impact: The program will have \$234,000 less in available funds to retain outside counsel in response to courts' requests for legal representation in labor arbitrations and Public Employee Relations Board matters.

24. Regional Office Assistance Group

Reduction: \$280,000

Description and Impact: The reduction will be realized from salary savings for three unfilled ROAG funded positions (2 attorneys and 1 secretary). Not filling the vacant attorney positions may impact the AOC's ability to provide timely legal assistance to the trial courts.

Human Resources Services Office

25. HR Legal Counsel for Trial Court Benefits

Reduction: \$40,000

Description and Impact: As a result of the reduction, the AOC will reduce the legal services provided to trial courts on general benefit issues, and will largely focus on critical, high priority benefits inquiries from the courts. As a result this will immediately limit access by courts to this valuable resource to only a select few; some courts will have to rely on internal resources or solicit their own outside counsel once project funds have been depleted. In addition the change in funding will reduce the frequency of posting HR benefits legislation updates on Serranus. Courts risk the possibility of missing out on pertinent information related to federal health care reform initiatives and other tax changes for 2013.

Fiscal Services Office

26. Enhanced Collections

Reduction: \$101,000

Description and Impact: The recommended adjustment is a result of the deletion of one (1.0) position allocated to the unit. The position was backfilled and its responsibilities were assumed by an Assistant Director position. The reduction does not impact the activities of the unit, as we will continue to assist the 58 courts and counties in developing or enhancing their collection programs. The Judicial Council is mandated to submit, by December 31, 2012, an annual report to the Legislature on the performance of the statewide collection of court-ordered debt, and a one-time report summarizing the results of the statewide amnesty

program. These reports will be completed and submitted by the unit to the Judicial Council at its December 14, 2012 meeting.

27. Internal Audit

Reduction: \$104,000

Description and Impact: This is a transition year for the statutorily mandated financial statement and contract law audits by external audit agencies of the trial courts. While a reduction in IAS workload concerning the trial courts will occur due to these audits, an assessment will be conducted in the second half of the year to determine the exact impact on IAS and the resulting audit plan adjustment. The evaluation will also take into consideration the Strategic Evaluation Committee requirement to perform more AOC audits.

28. Treasury Services

Reduction: \$4,000

Description and Impact: The funding reduction will not affect the centralized collection and disbursement of uniform civil fees by the AOC's Trial Court Trust and Treasury Services Unit, because the reduction is from the elimination of the excess of budgeted rent and unallocated expenses over actual expenses for the prior 2011–2012 fiscal year.

29. Trial Court Procurement

Augmentation: \$117,000

Description and Impact: This will address the funding shortfall for the salary and benefits for two currently filled positions: one Contract Specialist who works on statewide master contracts that the trial courts avail themselves of and one Senior Procurement Specialist who works closely with the trial courts on many procurement related issues.

30. Budget Focused Training and Meetings

Augmentation: \$37,000

Description and Impact: Funding supports activities and the meetings of the TCBWG its Expenditure Subcommittee. The cost for an in-person budget working group meeting has historically averaged \$7,500 (based on full attendance and including all travel and meal expenses). At least three working group meetings have occurred or are scheduled for the July through December 2012 timeframe, with an equal number expected in the latter half of this fiscal year. The projected need is based on six in-person meetings in 2012–2013.

Court Operations Special Services Office

31. Trial Court Performance and Accountability

Reduction: \$7,000

Description and Impact: The Office of Court Research has suspended all new data collection activities related to the Trial Court Performance and Accountability program and is now

exclusively conducting analysis for this project on existing data collected during the judicial and staff workload studies of 2010 and 2011 or reported to the AOC through the Judicial Branch Statistical Information System (JBSIS). In addition, the SB 56 Working Group no longer holds two in-person meetings each year but, instead, holds one meeting in-person to review data and set the agenda for compliance with GC section 77001.5, which requires that the Judicial Council adopt and report annually on “standards and measures that promote the fair and efficient administration of justice.”

32. Kleps Awards Program

Reduction: \$20,000

Description and Impact: There will be no court programs evaluated by the Ralph N. Kleps Award Committee and no awards given in 2012–2013 to recognize trial and appellate courts that identify and demonstrate innovation in the administration of justice. The staff assigned to support the Award Committee have been redeployed.

Augmentation to the \$4.5 Million Litigation Management Program Allocation. The TCBWG recognizes that in 2012–2013 the liabilities covered by the program could exceed the recommended allocation of \$4.5 million due to unanticipated events that are beyond the control of the program. As such, the TCBWG recommends that the council direct the AOC to request from the council, if needed, any augmentations to the initial allocation of \$4.5 million.

2011–2012 Excess 50/50 Split Revenue Distributions. Government Code section 77205(a) requires the council to determine an allocation of 50/50 excess split revenues that exceed the total 2002–2003 level. On December 7, 2004, the council adopted a methodology whereby courts in counties whose 50/50 excess split revenues exceeded the 2002–2003 base would receive a pro rata share of a minimum of 20 percent of the total excess revenues. From 2004–2005 to 2007–2008, total 50/50 excess split revenues exceeded the total 2002–2003 base, and pro rata distributions were made to eligible courts from 20 percent of the excess revenue. Beginning 2008–2009 through 2011–2012, the total 50/50 excess split revenues have not exceeded the 2002–2003 base. As a result, no excess revenue will be available for distribution to the courts in 2012–2013.

Alternatives considered and policy implications

The TCBWG Expenditure Subcommittee was provided with information from the AOC that discussed the impact of 10-percent and 15-percent budget reductions. The TCBWG it was determined that it would be impractical to make unanticipated adjustments of that magnitude to programs without negatively impacting courts that were depending on those services and distributions.

Recommendation 5: Delegation of Authority to Transfer Allocations

5. Consider delegating to the appropriate designee(s) the authority to transfer STCIMF allocations approved for 2012–2013 by the council from one program or project to another, subject to any restrictions or conditions provided by the council.

Previous council action

Government Code section 77209(f) allows the Judicial Council, with appropriate guidelines, to delegate the administration of the State Trial Court Improvement and Modernization Fund, to the Administrative Director of the Courts. However, there currently are no approved guidelines for the STCIMF and no designee(s) are currently formally authorized by the council to act on its behalf with regard to the administration of the STCIMF.

At its January 30, 2002, business meeting, the council approved guidelines for the delegation of the administration of the STCIMF predecessor funds, the Improvement Fund and the Modernization Fund, to the Executive and Planning Committee (E&P) and the Administrative Director of the Courts (see Attachments I and J). Under the guidelines, once E&P approved allocations from the funds, the Administrative Director of the Courts could, among other things, approve new projects or programs within the approved funding level of the budget categories; approve changes to, defer, or eliminate programs or projects in the approved budget, if the changes, deferrals, or eliminations do not result in a transfer of money from any budget category; approve one-time emergency funding requests from the reserve; and transfer up to 20 percent of the budget from Categories I and II to any other category.

From 2004–2005 to 2008–2009, in accordance with rule 10.11 of the California Rules of Court and in conformance with the internal guidelines approved by the council on January 30, 2002, the E&P approved these allocations on behalf of the council. In addition, on an annual basis, the Judicial Council has delegated authority to the Administrative Director of the Courts to make technical adjustments, as needed, during the year and requiring any adjustments to be reported back to the council at the end of the fiscal year.

Rationale for Recommendation 5

For some of the allocations included in this report, the actual amounts may change as updated information is received from project and program managers. Rather than requiring the AOC to return to the council during the fiscal year to seek authority to amend these allocations, the council may find it more expedient to have the authority to make these adjustments delegated in advance.

During presentations to the TCBWG Expenditure Subcommittee, several AOC offices expressed the importance of the flexibility to adjust program allocations during the year, as needed. In particular, the Office of Education and the CJER Governing Committee explained that “as final costs of individual programs often change due to varying attendance levels, faculty availability,

and venue-related contract terms” allowing the transfer of allocations between program budgets would “assist staff in most efficiently using the approved funds.”

Alternatives considered and policy implications

All adjustments to allocations must be approved by the council. This approach could cause delays in providing necessary funding to the programs or projects involved which could ultimately negatively impact the trial courts.

If the council delegates the authority to transfer STCIMF allocations approved for 2012–2013 by the council from one program or project to another, the Administrative Office of the Courts recommends that the council consider the following options:

Recommendation 6: 20% Limit on Delegated Authority Related to Allocation Transfer Amount

6. Limit the authority to transfer STCIMF allocations approved for 2012–2013 by the council from one program or project to another to 20 percent of the allocation of the program/project from which it will be transferred.

Previous council action

See discussion under the “Previous council action” section of Recommendation 5.

Rationale for Recommendation 6

As noted in the “Previous council action” section of Recommendation 5, GC section 77209(f) explicitly identifies “appropriate guidelines” as necessary if the Judicial Council decides to delegate authority to administer the STCIMF. As no formal written guidelines have been approved by the Judicial Council for the administration of the STCIMF, the council should define the scope of any authority delegated. The 20-percent transfer limit is consistent with the limits imposed by the council in its internal guidelines for the Improvement Fund and Modernization Fund (see Attachments I and J). These limits would be superseded by any limits defined by the Judicial Council in approved internal guidelines (see Recommendation 8).

Recommendation 7: Report Requirement for Allocation Transfers Made

7. Direct the designee(s) to report back to the council after the end of 2012–2013 any transfers of STIMF allocations made between programs/projects and the rationale for any transfers.

Previous council action

Since 2009–2010, when the Judicial Council began considering and approving allocations instead of delegating that authority to the Executive and Planning Committee, the Judicial

Council has annually delegated authority to the Administrative Director of the Courts to adjust allocations of funds to courts and for approved programs and projects, as needed, to address unanticipated needs and contingencies. As part of that delegation, any adjustments were to be reported back to the council after the end of the fiscal year.

Rationale for Recommendation 7

This is a standard condition to the delegation of authority that the Judicial Council has included every year it has granted this authority. This allows the council to be informed of any changes in the allocation amounts previously approved by the council. This requirement also promotes transparency of Judicial Council delegate's actions which is important in maintaining public trust and confidence in the judicial branch. In addition, this direction provides additional clarification compared to prior years' directions in specifically requiring a rationale for any transfers made.

Recommendation 8: Internal Guidelines for the State Trial Court Improvement and Modernization Fund

8. Direct the AOC to develop internal guidelines for the administration of the new State Trial Court Improvement and Modernization Fund.

Rationale for Recommendation 8

Government Code section 77209(f) allows the Judicial Council, with appropriate guidelines, to delegate the administration of the State Trial Court Improvement and Modernization Fund, to the Administrative Director of the Courts. In the absence of delegating authority to administer the fund, internal guidelines would still be of benefit to the council and the programs funded from STCIMF. Guidelines that define budget categories as well as allowable expenses from the fund will clarify its use for programs and facilitate the annual budget management process.

Attachments

1. Attachment A: Trial Court Trust Fund Summary Fund Condition Statement
2. Attachment B: One-Time Allocation of \$58.836 Million Reduction Offset
3. Attachment C: Trial Court Trust Fund Program 45.10 Allocations and Total Appropriation
4. Attachment D: 2012-2013 Remittance of \$30 Court Reporter Fee to Trial Court Trust Fund
5. Attachment E: State Trial Court Improvement and Modernization Fund Summary Fund Condition Statement
6. Attachment F: State Trial Court Improvement and Modernization Fund Detailed Fund Condition Statement
7. Attachment G: State Trial Court Improvement and Modernization Fund Trial Court Budget Working Group Recommendations
8. Attachment H: State Trial Court Improvement and Modernization Fund Program/Project Descriptions and Purposes
9. Attachment I: Trial Court Improvement Fund Internal Guidelines

10. Attachment J: Judicial Administration Efficiency and Modernization Fund Internal Guidelines

Trial Court Trust Fund -- Summary Fund Condition Statement

		FY 2012-2013							
		Actual		Current Estimate	TCBWG Recommendation 1	Estimate based on TCBWG Recommendation 1	Current Estimate	TCBWG Recommendation 1 and 2	Estimate based on TCBWG Recommendation 1 and 2
		2010-11	2011-12	A	B	C	D	E	F
1	Beginning Balance	103,839,928	72,918,702	105,535,205		105,535,205	105,535,205		105,535,205
2	Prior-Year Adjustments	2,236,204	42,010,999	13,108,537		13,108,537	13,108,537		13,108,537
3	Adjusted Beginning Balance	106,076,131	114,929,701	118,643,742	-	118,643,742	118,643,742	-	118,643,742
5	Revenue/Net Transfers	3,037,610,810	2,486,766,503	1,759,041,981		1,759,041,981	1,759,041,981		1,759,041,981
7	Total Resources (row 3 + 5)	3,143,686,942	2,601,696,204	1,877,685,722	-	1,877,685,722	1,877,685,722	-	1,877,685,722
9	Expenditures/Encumbrances/Allocations	3,070,768,240	2,496,160,999	1,781,340,544	58,836,000	1,840,176,544	1,781,340,544	62,836,000	1,844,176,544
11	Total Fund Balance (row 7 - 9)	72,918,702	105,535,205	96,345,179		37,509,179	96,345,179		33,509,179
12	Net Revenue/Transfers Over or (Under) Expenditure (row 5 - 9)	(33,157,429)	(9,394,496)	(22,298,563)		(81,134,563)	(22,298,563)		(85,134,563)
14	<i>Restricted Fund Balance</i>	-	-	-		-	-		-
15	Court Interpreter	4,506,979	7,184,307	8,026,315		8,026,315	8,026,315		8,026,315
16	Court-Appointed Dependency Counsel Collections	781,026	972,000	972,000		972,000	972,000		972,000
17	Total Restricted Fund Balance	5,288,005	8,156,308	8,998,315		8,998,315	8,998,315		8,998,315
19	Reserve for 5.6% Decrease in Civil Fees	N/A	N/A	22,867,347		22,867,347	22,867,347		22,867,347
20									
21	Total Unrestricted or Unreserved Fund Balance (row 11 - 17 - 19)	67,630,698	97,378,898	64,479,516		5,643,516	64,479,516		1,643,516

One-Time Allocation of \$58.836 Million Reduction Offset

Court					Option 1 - Recommended			Option 2			Variance between Option 1 and 2	% Variance
	2012-2013 Beginning Base Allocation	2011-2012 Security Allocation	Adjusted Base	% of Total Adjusted Base	Allocation of \$25.135 Million Using Adjusted Base	Allocation of \$33.701 Million Using Adjusted Base	Total	Allocation of \$25.135 Million Using Base	Allocation of \$33.701 Million Using Base	Total		
	A	B	C (A-B)	D	E (\$25.135M * D)	F (\$33.701M * D)	G	H	I	J		
Alameda	85,128,205	3,177,924	81,950,281	4.8%	1,213,731	1,627,370	2,841,100	1,231,068	1,650,616	2,881,685	(40,585)	-1.4%
Alpine	624,271	-	624,271	0.0%	9,246	12,397	21,643	9,028	12,104	21,132	510	2.4%
Amador	2,376,119	-	2,376,119	0.1%	35,192	47,185	82,377	34,362	46,072	80,434	1,942	2.4%
Butte	9,046,734	467,145	8,579,589	0.5%	127,069	170,374	297,442	130,828	175,414	306,242	(8,800)	-3.0%
Calaveras	2,178,130	-	2,178,130	0.1%	32,259	43,253	75,513	31,499	42,233	73,732	1,781	2.4%
Colusa	1,544,857	-	1,544,857	0.1%	22,880	30,678	53,558	22,341	29,954	52,295	1,263	2.4%
Contra Costa	38,367,987	-	38,367,987	2.3%	568,252	761,912	1,330,164	554,853	743,946	1,298,799	31,365	2.4%
Del Norte	2,605,956	-	2,605,956	0.2%	38,596	51,749	90,345	37,686	50,529	88,215	2,130	2.4%
El Dorado	6,745,775	-	6,745,775	0.4%	99,909	133,958	233,866	97,553	130,799	228,352	5,514	2.4%
Fresno	38,599,493	-	38,599,493	2.3%	571,681	766,509	1,338,190	558,201	748,435	1,306,636	31,554	2.4%
Glenn	2,050,176	9,779	2,040,397	0.1%	30,219	40,518	70,738	29,648	39,752	69,401	1,337	1.9%
Humboldt	5,999,285	167,800	5,831,485	0.3%	86,368	115,802	202,169	86,758	116,325	203,082	(913)	-0.5%
Imperial	7,587,595	420,479	7,167,116	0.4%	106,149	142,325	248,474	109,727	147,122	256,849	(8,375)	-3.4%
Inyo	2,058,919	186,658	1,872,261	0.1%	27,729	37,179	64,909	29,775	39,922	69,697	(4,788)	-7.4%
Kern	34,087,708	65,567	34,022,141	2.0%	503,887	675,612	1,179,499	492,954	660,953	1,153,907	25,592	2.2%
Kings	6,146,561	421,918	5,724,643	0.3%	84,785	113,680	198,465	88,888	119,180	208,068	(9,603)	-4.8%
Lake	3,643,626	196,493	3,447,133	0.2%	51,054	68,453	119,507	52,692	70,649	123,341	(3,834)	-3.2%
Lassen	2,508,572	293,836	2,214,736	0.1%	32,802	43,980	76,782	36,277	48,641	84,918	(8,136)	-10.6%
Los Angeles	491,011,446	14,294,467	476,716,979	28.1%	7,060,451	9,466,651	16,527,102	7,100,687	9,520,598	16,621,285	(94,183)	-0.6%
Madera	7,096,460	381,406	6,715,054	0.4%	99,454	133,348	232,801	102,624	137,599	240,223	(7,422)	-3.2%
Marin	15,662,429	9,625	15,652,804	0.9%	231,827	310,834	542,661	226,500	303,691	530,191	12,470	2.3%
Mariposa	1,086,660	-	1,086,660	0.1%	16,094	21,579	37,673	15,715	21,070	36,785	888	2.4%
Mendocino	4,941,594	299,349	4,642,245	0.3%	68,754	92,186	160,940	71,462	95,816	167,278	(6,338)	-3.9%
Merced	10,443,095	-	10,443,095	0.6%	154,668	207,379	362,047	151,021	202,489	353,510	8,537	2.4%
Modoc	1,101,749	789	1,100,960	0.1%	16,306	21,863	38,169	15,933	21,363	37,295	873	2.3%
Mono	1,417,236	24,156	1,393,080	0.1%	20,632	27,664	48,296	20,495	27,480	47,975	321	0.7%
Monterey	15,970,046	870,000	15,100,046	0.9%	223,640	299,857	523,497	230,948	309,656	540,604	(17,107)	-3.3%
Napa	7,495,781	295,552	7,200,229	0.4%	106,640	142,982	249,622	108,399	145,341	253,741	(4,119)	-1.7%
Nevada	5,077,545	433,431	4,644,114	0.3%	68,782	92,223	161,005	73,428	98,452	171,881	(10,876)	-6.8%
Orange	143,371,602	2,733,776	140,637,826	8.3%	2,082,927	2,792,787	4,875,714	2,073,346	2,779,942	4,853,289	22,426	0.5%
Placer	13,395,483	-	13,395,483	0.8%	198,395	266,008	464,402	193,717	259,735	453,452	10,950	2.4%
Plumas	1,652,863	-	1,652,863	0.1%	24,480	32,823	57,302	23,903	32,049	55,951	1,351	2.4%
Riverside	70,606,776	1,931,520	68,675,256	4.0%	1,017,120	1,363,754	2,380,874	1,021,069	1,369,049	2,390,118	(9,244)	-0.4%
Sacramento	73,305,995	1,864,424	71,441,571	4.2%	1,058,091	1,418,687	2,476,778	1,060,103	1,421,386	2,481,490	(4,712)	-0.2%
San Benito	2,856,982	-	2,856,982	0.2%	42,314	56,734	99,048	41,316	55,396	96,712	2,335	2.4%
San Bernardino	76,326,257	3,269,446	73,056,811	4.3%	1,082,013	1,450,763	2,532,776	1,103,780	1,479,948	2,583,729	(50,953)	-2.0%

Court					Option 1 - Recommended			Option 2			Variance between Option 1 and 2	% Variance
	2012-2013 Beginning Base Allocation	2011-2012 Security Allocation	Adjusted Base	% of Total Adjusted Base	Allocation of \$25.135 Million Using Adjusted Base	Allocation of \$33.701 Million Using Adjusted Base	Total	Allocation of \$25.135 Million Using Base	Allocation of \$33.701 Million Using Base	Total		
	A	B	C (A-B)	D	E (\$25.135M * D)	F (\$33.701M * D)	G	H	I	J		
San Diego	142,274,303	657,192	141,617,111	8.3%	2,097,430	2,812,234	4,909,664	2,057,478	2,758,666	4,816,144	93,521	1.9%
San Francisco	62,880,502	-	62,880,502	3.7%	931,296	1,248,682	2,179,978	909,337	1,219,238	2,128,575	51,403	2.4%
San Joaquin	27,281,906	287,747	26,994,159	1.6%	399,799	536,050	935,849	394,533	528,990	923,523	12,326	1.3%
San Luis Obispo	13,152,412	241,676	12,910,736	0.8%	191,215	256,382	447,597	190,202	255,022	445,224	2,373	0.5%
San Mateo	36,130,391	443,042	35,687,349	2.1%	528,550	708,680	1,237,230	522,494	700,560	1,223,054	14,176	1.1%
Santa Barbara	21,986,762	1,055,112	20,931,650	1.2%	310,010	415,661	725,671	317,958	426,318	744,276	(18,606)	-2.6%
Santa Clara	86,365,237	-	86,365,237	5.1%	1,279,119	1,715,042	2,994,160	1,248,958	1,674,602	2,923,560	70,601	2.4%
Santa Cruz	11,594,996	-	11,594,996	0.7%	171,729	230,254	401,982	167,679	224,824	392,504	9,479	2.4%
Shasta	11,258,143	2,389,668	8,868,475	0.5%	131,347	176,110	307,457	162,808	218,293	381,101	(73,643)	-24.0%
Sierra	614,465	-	614,465	0.0%	9,101	12,202	21,303	8,886	11,914	20,800	502	2.4%
Siskiyou	3,760,082	-	3,760,082	0.2%	55,689	74,668	130,357	54,376	72,907	127,283	3,074	2.4%
Solano	18,499,167	435,400	18,063,767	1.1%	267,535	358,710	626,245	267,523	358,695	626,217	28	0.0%
Sonoma	21,874,603	440,000	21,434,603	1.3%	317,459	425,649	743,107	316,336	424,143	740,480	2,628	0.4%
Stanislaus	17,253,129	9,326	17,243,803	1.0%	255,391	342,428	597,818	249,503	334,534	584,038	13,781	2.3%
Sutter	4,107,540	247,071	3,860,469	0.2%	57,176	76,661	133,837	59,401	79,644	139,045	(5,208)	-3.9%
Tehama	3,293,218	-	3,293,218	0.2%	48,774	65,397	114,171	47,624	63,855	111,479	2,692	2.4%
Trinity	1,573,346	450,608	1,122,738	0.1%	16,628	22,295	38,924	22,753	30,507	53,260	(14,336)	-36.8%
Tulare	14,662,222	15,576	14,646,646	0.9%	216,925	290,853	507,778	212,035	284,297	496,333	11,446	2.3%
Tuolumne	3,266,745	220,516	3,046,229	0.2%	45,116	60,492	105,608	47,242	63,341	110,583	(4,975)	-4.7%
Ventura	29,911,573	1,559,157	28,352,416	1.7%	419,916	563,023	982,938	432,562	579,978	1,012,540	(29,602)	-3.0%
Yolo	8,422,926	582,889	7,840,037	0.5%	116,115	155,688	271,803	121,807	163,319	285,125	(13,322)	-4.9%
Yuba	3,797,975	132,569	3,665,406	0.2%	54,287	72,788	127,074	54,924	73,642	128,566	(1,491)	-1.2%
Total	1,738,081,611	40,983,089	1,697,098,522	100.0%	25,135,000	33,701,000	58,836,000	25,135,000	33,701,000	58,836,000	-	0.0%

Trial Court Trust Fund -- Program 45.10 Allocations and Total Appropriation

#	Description	Type	Estimated 2012-13 Allocations
1	I. Prior-Year Ending Baseline Allocation	Base	1,684,326,038
3	II. Adjustments		
4	Reduction for FY 2011-12 Appointed Converted SJO Positions	Base	-1,545,824
5	New Screening Station Funding	Base	114,509
6	Total, Adjustments		-1,431,315
8	III. FY 2012-2013 Allocations		
9	\$385 Million Court Operations Reduction	Non-Base	-385,000,000
11	\$240 Million Adjustment for Funding to be Distributed from ICNA	Non-Base	-240,000,000
12	2.0% Holdback	Non-Base	-27,813,940
13	1.5% & 0.5% Emergency Funding & Unspent Funding Allocated Back to Courts	Non-Base	27,813,940
14	San Luis Obispo CMS Replacement	Non-Base	3,360,000
15	Prior Year Judicial Council-Approved Allocations for screening stations and facilities operations and security	Non-Base	192,136
16	Criminal Justice Realignment Funding	Base	9,223,000
17	Non-Sheriff's Base Security Funding	Base	3,615,864
18	Prior Year Judicial Council-Approved Allocations for screening stations	Base	505,426
19	Total, FY 2012-2013 Allocations		-608,103,574
21	IV. Estimated Reimbursements		
22	Court-Appointed Dependency Counsel (includes DRAFT Program)	Non-Base	103,725,000
23	Jury	Non-Base	16,000,000
24	PC Replacement	Non-Base	7,400,000
25	Replacement Screening Stations	Non-Base	1,286,000
26	Self-Help Center ¹	Non-Base	2,500,000
27	Elder Abuse	Non-Base	332,000
28	Total, Reimbursements		131,243,000
30	V. Estimated Revenue Distributions¹		
31	Civil Assessment	Non-Base	96,996,491
32	Fees Returned to Courts	Non-Base	18,036,810
33	Replacement of 2% automation allocation from TCIF	Non-Base	10,907,494
34	Children's Waiting Room	Non-Base	4,012,388
35	Automated Recordkeeping and Micrographics	Non-Base	3,149,166
36	Telephonic Appearances Revenue Sharing	Non-Base	943,840
37	Total, Revenue Distributions		134,046,190
39	VI. Miscellaneous Charges		

Attachment C

#	Description	Type	Estimated 2012-13 Allocations
40	Judicial Branch Worker's Compensation Fund Premiums	Non-Base	-16,516,037
41	Statewide Administrative Infrastructure Charges	Non-Base	-5,698,887
42	Total, Miscellaneous Charges		-22,214,924
44	Total, Base Program 45.10 Allocations		1,696,239,013
45	Total, Non-Base Program 45.10 Allocations		-378,373,598
47	Total, Estimated FY 2012-13 Program 45.10 Trial Court Allocations		1,317,865,415
49	Program 45.10 Appropriation (per AB 1477)		1,343,000,963
51	Estimated Remaining Program 45.10 Appropriation		25,135,548
53	Recommended allocation for reduction offset		58,836,000
54	Recommended allocation of court reporter fee (based on current estimate)		4,000,000
56	Estimated Appropriation Shortfall		-37,700,452

1. With the exception of the 2% replacement allocation and the telephonic appearance fee revenue sharing allocation, both of which are fixed by statute, the revenue level, by court and statewide, depends on actual fee and assessment remittances to the Trial Court Trust Fund.

**2012-2013 Remittance of \$30 Court
Reporter Fee to Trial Court Trust Fund**

Court	July	August	Total
Alameda	-	-	-
Alpine	-	-	-
Amador	-	-	-
Butte	-	120	120
Calaveras	-	30	30
Colusa	-	-	-
Contra Costa	13,593	19,338	32,931
Del Norte	-	-	-
El Dorado	40	-	40
Fresno	840	120	960
Glenn	-	-	-
Humboldt	-	-	-
Imperial	537	659	1,197
Inyo	-	-	-
Kern	-	-	-
Kings	1,620	3,900	5,520
Lake	-	179	179
Lassen	-	-	-
Los Angeles	90	30	119
Madera	30	150	180
Marin	-	150	150
Mariposa	30	120	150
Mendocino	120	120	240
Merced	-	-	-
Modoc	-	-	-
Mono	-	-	-
Monterey	-	150	150
Napa	-	-	-
Nevada	-	-	-
Orange	22,979	89,554	112,533
Placer	-	-	-
Plumas	60	150	210
Riverside	43,703	64,144	107,847
Sacramento	989	1,497	2,486
San Benito	-	-	-
San Bernardino	32,253	52,747	85,001
San Diego	-	-	-
San Francisco	3,180	13,860	17,040
San Joaquin	-	-	-
San Luis Obispo	2,756	2,108	4,864
San Mateo	-	30	30
Santa Barbara	-	-	-
Santa Clara	27,853	45,315	73,168
Santa Cruz	-	-	-
Shasta	-	-	-
Sierra	-	-	-
Siskiyou	-	-	-
Solano	-	9,124	9,124
Sonoma	2,128	11,122	13,250
Stanislaus	960	3,480	4,440
Sutter	-	-	-
Tehama	-	748	748
Trinity	-	-	-
Tulare	3,381	10,265	13,646
Tuolumne	30	-	30
Ventura	2,876	14,080	16,955
Yolo	-	-	-
Yuba	-	-	-
Total	160,048	343,290	503,338

**State Trial Court Improvement and Modernization Fund --
Summary Fund Condition Statement¹**

	Actual ²		Estimate	
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2012-13 Adjusted ⁵
	A	B	C	D
1 Beginning Balance	51,607,538	41,298,062	48,128,575	48,128,575
2 Prior-Year Adjustments	8,248,413	4,622,852	6,129,159	6,129,159
3 Adjusted Beginning Balance	59,855,951	45,920,914	54,257,734	54,257,734
4				
5 Revenue	63,977,881	55,152,046	52,627,726	52,627,726
6 Transfers - Ongoing ³	34,378,140	26,842,630	5,312,000	5,312,000
7 Subtotal, Revenue/Ongoing Transfers	98,356,021	81,994,676	57,939,726	57,939,726
8 Transfers - One-time ⁴	(31,600,000)	(20,000,000)	(7,223,000)	(7,223,000)
9				
10 Total Resources	126,611,972	107,915,590	104,974,459	104,974,459
11				
12 Expenditures/Encumbrances/Allocations				
13 Program 30 (support provided by AOC staff)	5,817,863	7,207,342	7,894,886	14,822,011
14 Program 45 (distribution to courts and vendors)	78,634,277	52,133,635	59,209,632	57,104,817
15 Charge for services provided by the SCO	861,770	446,039	163,000	163,000
16 Total Expenditures/Encumbrances/Allocations	85,313,910	59,787,016	67,267,518	72,089,828
17				
18 Fund Balance	41,298,062	48,128,575	37,706,941	32,884,632
19 Net Revenue/Ongoing Transfers Over or (Under) Expenditure	13,042,111	22,207,660	(9,327,792)	(14,150,102)
20				
21 <i>Restricted Fund Balance</i>				
22 Jury Instructions Royalties	1,068,731	1,478,216	1,386,405	1,386,405
23 Total Restricted Fund Balance	1,068,731	1,478,216	1,386,405	1,386,405
24				
25 Total Unrestricted Fund Balance (row 18 -23)	40,229,331	46,650,359	36,320,536	31,498,227
26				
27 Appropriation Authority				
28 Program 30 (support provided by AOC staff) ⁶	9,601,000	9,601,000	9,007,000	9,007,000
29 Program 30 Appropriation Balance	3,783,137	2,393,658	1,112,114	(5,815,011)
30 Program 45 (distribution to courts and vendors) ⁷	N/A	N/A	71,309,000	71,309,000
31 Program 45 Appropriation Balance	N/A	N/A	12,099,368	14,204,183

Notes

- 1 SB 1021, effective in FY 2012-2013, merged the Judicial Administration Efficiency and Modernization Fund and the Trial Court Improvement Fund into the State Trial Court Improvement and Modernization Fund.
- 2 Combines the FY 2010-2011 and FY 2011-2012 fund condition statements of the Judicial Administration Efficiency and Modernization Fund and the Trial Court Improvement Fund.
- 3 Included in this line are transfers from the General Fund, to the Trial Court Trust Fund per GC 77209(j) (previously GC 77209(k)), from the Trial Court Trust Fund (TCTF) previously required per GC 77209(b), and assumes that \$20 million of the transfer to the TCTF in FY 2012-2013 will continue in future fiscal years.
- 4 Included in this line are the \$31.6 million and \$20 million transfers from the Modernization Fund to the TCTF in FY 2010-2011 and FY 2011-2012 as well as FY 2012-2013 transfers to the TCTF related to AOC staff cost savings, the Deloitte CCMS Delay Cost reimbursement, and fund balance.
- 5 Assumes approval of the proposed adjustments in the Detailed Fund Condition Statement.
- 6 The 2012 Budget Act allows this item's appropriation authority to be increased up to \$18.673 million.
- 7 Prior to FY 2012-2013, the former Trial Court Improvement Fund was continuously appropriated and did not have an expenditure limit. The Judicial Administration Efficiency and Modernization Fund had an appropriation of \$38.709 million in FY 2010-2011 and \$18.709 million in FY 2011-2012.

State Trial Court Improvement and Modernization Fund -- Detailed Fund Condition Statement

	FY 2010-11 Actual	FY 2011-12 Allocation	FY 2011-12 Actual	FY 2012-13 Initial Estimate	FY 2012-13 Recommended Adjustments	FY 2012-13 Adjusted Estimate
	A	B	C	D	E	F
1 Beginning Balance	51,607,538		41,298,062	48,128,575		48,128,575
2 <i>Prior Year Adjustments</i>						
3 Adjustment for Revenue and Expenditure	8,248,413		4,622,852	-		-
4 Deloitte CCMS Development Delay Cost Reimbursement	-		-	3,629,159		3,629,159
5 Repayment of Urgent Needs Loan	-		-	2,500,000		2,500,000
6 Revenues and Transfers	66,756,021		61,994,676	50,716,726		50,716,726
7 50/50 Excess Fines Split Revenue	44,718,887		35,443,013	35,759,401		35,759,401
8 2% Automation Fund Revenue	17,746,416		16,748,471	16,112,564		16,112,564
9 Jury Instructions Royalties	548,795		526,189	526,189		526,189
10 Interest from SMIF	411,115		243,980	229,572		229,572
11 Other Revenues	552,668		2,190,394	-		-
12 Transfer from State General Fund	38,709,000		38,709,000	38,709,000		38,709,000
13 Transfer to Trial Court Trust Fund (from Modernization Fund)	(31,600,000)		(20,000,000)	(23,000,000)		(23,000,000)
14 Transfer to TCTF (GC 77209(j))	(31,563,000)		(31,563,000)	(13,397,000)		(13,397,000)
15 1% Reserve (from TCTF)	27,232,140		19,696,630	-		-
16 Transfer to TCTF (Improvement Fund AOC staff savings)	-		-	(594,000)		(594,000)
17 Transfer to TCTF (Improvement Fund portion of Deloitte)	-		-	(3,629,000)		(3,629,000)
18 Total Resources	126,611,972		107,915,590	104,974,459	-	104,974,459
19						
20 Projects/Programs - Expenditures/Allocations						
21						
22 <i>Trial Court Administrative Services Office</i>	8,203,187	6,758,577	6,426,698	6,758,000	6,769,000	13,527,000
23 Phoenix Financial and Human Resources Services	8,203,187	6,758,577	6,426,698	6,758,000	6,769,000	13,527,000
24 <i>Office of Education/CJER</i>	1,857,667	1,483,000	1,061,013	1,483,000	(290,000)	1,193,000
25 A. Mandated, Essential & Other Education for Judicial Officers	754,835	636,000	513,706	636,000	(56,000)	580,000
26 New Judge Education and Judicial Primary Assignment Orientation Courses	588,049	520,000	411,769	520,000	(171,000)	349,000
27 Continuing Judicial Education - Leadership Training	-	-	-	-	55,000	55,000
28 Continuing Judicial Education - Statewide Judicial Institutes	144,656	75,000	91,365	75,000	80,000	155,000
29 Continuing Judicial Education - Advanced Education for Experienced Judges	22,130	-	1,602	-	13,000	13,000
30 Continuing Judicial Education - Regional and Local Judicial Education Courses	-	41,000	8,970	41,000	(33,000)	8,000
31 B. Essential & Other Education for CEOs, Managers, and Supervisors	162,198	102,000	51,007	102,000	(51,000)	51,000
32 Judicial Administration Statewide Conference	2,329	-	-	-	-	-
33 Leadership Training Non-Judicial	72,626	24,000	10,959	24,000	(24,000)	-
34 Manager and Supervisor Training	87,243	78,000	40,049	78,000	(27,000)	51,000
35 C. Essential and Other Education for Court Personnel	308,546	155,000	111,574	155,000	(52,000)	103,000
36 Court Personnel Institutes	109,063	155,000	111,574	155,000	(72,000)	83,000
37 Regional and Local Court Staff Courses	-	-	-	-	20,000	20,000
38 Technical Assistance Grants	199,483	-	-	-	-	-
39 D. Faculty and Curriculum Development	381,722	370,000	217,872	370,000	(108,000)	262,000
40 Statewide Education Programs - Trial Court Faculty	274,193	290,000	191,203	290,000	(54,000)	236,000
41 Faculty Development	107,529	80,000	26,669	80,000	(55,000)	25,000
42 Curriculum Committee and Education Plan Development	-	-	-	-	1,000	1,000
43 E. Distance Learning	250,366	220,000	166,854	220,000	(23,000)	197,000
44 Distance Education - Satellite Broadcast	250,366	220,000	166,854	220,000	(33,000)	187,000
45 Distance Education - Online Video, Webinars, & Videoconference	-	-	-	-	10,000	10,000
46 <i>Information and Technology Services Office</i>	48,912,435	33,865,783	23,524,207	33,861,000	(807,000)	33,054,000
47 CCTC - Operations	11,122,755	7,837,640	4,310,985	7,837,000	807,000	8,644,000
48 Telecommunications Support	13,811,166	7,164,167	6,112,610	7,164,000	1,576,000	8,740,000
49 Judicial Branch Enterprise Licensing and Policy	6,725,707	5,957,966	5,665,615	5,957,000	(699,000)	5,258,000
50 Data Integration	6,189,334	4,824,977	3,068,794	4,824,000	(433,000)	4,391,000
51 Interim Case Management System	5,677,968	5,152,306	2,418,607	5,152,000	(2,339,000)	2,813,000
52 Enterprise Test Management Suite	788,725	828,713	488,968	828,000	-	828,000
53 California Courts Protective Order Registry	481,000	663,136	661,259	663,000	-	663,000
54 Jury Grant Program Support	-	600,000	-	600,000	-	600,000
55 Uniform Civil Fees	266,901	385,602	384,968	385,000	-	385,000
56 Statewide Electronic Business Services	579,661	287,068	286,776	287,000	281,000	568,000
57 CLETS	108,658	164,208	124,188	164,000	-	164,000
58 CLIK System	440,748	-	-	-	-	-
59 CCMS Development	2,019,679	-	855	-	-	-
60 DMS Development & Deployment	699,141	-	582	-	-	-
61 V2 & V3 Maintenance and Operations	993	-	-	-	-	-
62 <i>Legal Services Office</i>	12,074,479	11,830,905	11,246,744	11,829,000	(429,000)	11,400,000

State Trial Court Improvement and Modernization Fund -- Detailed Fund Condition Statement

	FY 2010-11 Actual	FY 2011-12 Allocation	FY 2011-12 Actual	FY 2012-13 Initial Estimate	FY 2012-13 Recommended Adjustments	FY 2012-13 Adjusted Estimate	
	A	B	C	D	E	F	
63	Litigation Management Program	4,067,810	4,500,000	3,974,030	4,500,000	-	4,500,000
64	Complex Civil Litigation Program	4,001,010	4,001,010	4,001,010	4,001,000	-	4,001,000
65	Judicial Performance Defense Insurance	761,773	793,923	794,247	793,000	85,000	878,000
66	Trial Courts Transactional Assistance Program	248,250	685,000	603,239	685,000	(234,000)	451,000
67	Alternative Dispute Resolution for Civil Cases	1,363,953	75,000	60,765	75,000	-	75,000
68	Jury System Improvement Projects	50,000	18,000	14,614	18,000	-	18,000
69	Subscription Costs - Judicial Conduct Reporter	19,725	17,110	17,080	17,000	-	17,000
70	Regional Office Assistance Group	1,561,958	1,740,862	1,781,758	1,740,000	(280,000)	1,460,000
71	Center for Families, Children, and the Courts	7,572,089	7,131,513	7,112,043	7,000,000	-	7,000,000
72	Self-Help Centers	5,194,009	5,000,000	4,999,992	5,000,000	-	5,000,000
73	Domestic Violence - Family Law Interpreter Program	1,750,000	1,750,000	1,750,000	1,750,000	-	1,750,000
74	Self-represented Litigants Statewide Support	286,065	150,000	169,519	100,000	-	100,000
75	CFCC Educational Programs	155,860	90,273	90,400	90,000	-	90,000
76	CFCC Publications	123,251	20,000	20,013	20,000	-	20,000
77	Self-Help Videos for the Web-Site	2,400	-	400	-	-	-
78	Domestic Violence - Order After Hearing	-	81,240	81,420	-	-	-
79	Interactive Software - Self-Rep Electronic Forms	60,503	40,000	300	40,000	-	40,000
80	Human Resources Services Office	625,799	6,265,896	1,179,549	2,131,000	(40,000)	2,091,000
81	Judicial Officer Assistance Program	100,000	85,000	85,000	85,000	-	85,000
82	HR Legal Counsel for Trial Court Benefits	80,000	80,000	40,000	80,000	(40,000)	40,000
83	Labor Relations Academy	3,691	23,004	23,265	23,000	-	23,000
84	Workers' Compensation Program Reserve	392,108	6,027,892	981,284	1,893,000	-	1,893,000
85	Human Resources - Trial Court Investigation	50,000	50,000	50,000	50,000	-	50,000
86	Fiscal Services Office	2,443,957	13,633,925	6,638,333	2,083,000	(55,000)	2,028,000
87	Enhanced Collections	752,073	801,947	584,118	801,000	(101,000)	700,000
88	Internal Audits	610,919	764,664	602,697	764,000	(104,000)	660,000
89	Treasury	240,868	228,230	224,449	228,000	(4,000)	224,000
90	Trial Court Procurement	70,054	127,760	153,468	127,000	117,000	244,000
91	Budget Focused Training and Meetings	29,870	13,009	13,938	13,000	37,000	50,000
92	Audit Contract	450,000	150,000	-	150,000	-	150,000
93	OPEB Valuation Report	269,954	1,000,000	553,751	-	-	-
94	Trial Court Reimbursement for Public Access	19,876	700,000	5,300	-	-	-
95	On-line Training	344	-	-	-	-	-
96	20% for Administrative Cost (SB 940)	-	-	611	-	-	-
97	Urgent Needs ¹	-	9,848,315	4,500,000	-	-	-
98	Office of Security	1,637,066	1,448,550	1,445,438	1,200,000	-	1,200,000
99	Trial Court Security Grants	1,637,066	1,448,550	1,445,438	1,200,000	-	1,200,000
100	Court Operations Special Services Office	1,035,289	458,185	419,674	457,000	(27,000)	430,000
101	Public Education and Outreach	535,474	277,800	277,000	277,000	-	277,000
102	Court Interpreter Testing, Recruitment and Education	286,919	140,385	124,973	140,000	-	140,000
103	Trial Court Performance and Accountability	61,361	20,000	13,029	20,000	(7,000)	13,000
104	Quality of Justice and Service to the Public	89,758	-	-	-	-	-
105	Kleps Awards Program	41,174	20,000	4,671	20,000	(20,000)	-
106	Branchwide Communications	20,603	-	-	-	-	-
107	Trial Court Liaison Office	90,173	290,946	287,279	-	-	-
108	Trial Court Reengineering	90,173	290,946	287,279	-	-	-
109	Total, Project/Program Expenditures/Allocations	84,452,140	83,167,280	59,340,977	66,802,000	5,121,000	71,923,000
111	Charge for services provided by the SCO	861,770	446,040	446,039	163,000	-	163,000
113	Total Fund Balance	41,298,062		48,128,575	38,009,459	(5,121,000)	32,888,459

Notes

¹ Starting in 2012-2013, this reserve for urgent needs through March 31 of the fiscal year is no longer statutorily required.

**State Trial Court Improvement and Modernization Fund - Project/Program Allocation and Expenditure Information &
Trial Court Budget Working Group Recommendations**

		FY 2011-12 Budget Allocations and Expenditures				FY 2012-13 Recommended Adjustments and Allocations		
		Base Allocations	One-Time Adjustments	Judicial Council-Approved Allocations	Year-end Actual Expenditures	FY 2011-12 Allocations Excluding Rollovers	TCBWG Recommended Adjustments	TCBWG Recommended Allocations
		A	B	C	D	E	F	G
1	Trial Court Administrative Services Office	7,586,978	(828,401)	6,758,577	6,426,698	6,758,000	6,769,000	13,527,000
2	Phoenix Financial and Human Resources Services	7,586,978	(828,401)	6,758,577	6,426,698	6,758,000	6,769,000	13,527,000
3	Office of Education/CJER	2,331,542	(848,542)	1,483,000	1,061,013	1,483,000	(290,000)	1,193,000
4	A. Mandated, Essential & Other Education for Judicial Officers	975,500	(339,500)	636,000	513,706	636,000	(56,000)	580,000
5	New Judge Education and Judicial Primary Assignment Orientation Courses	561,500	(41,500)	520,000	411,769	520,000	(171,000)	349,000
6	Continuing Judicial Education - Leadership Training	-	-	-	-	-	55,000	55,000
7	Continuing Judicial Education - Statewide Judicial Institutes	269,000	(194,000)	75,000	91,365	75,000	80,000	155,000
8	Continuing Judicial Education - Advanced Education for Experienced Judges	30,000	(30,000)	-	1,602	-	13,000	13,000
9	Continuing Judicial Education - Regional and Local Judicial Education Courses	115,000	(74,000)	41,000	8,970	41,000	(33,000)	8,000
10	B. Essential & Other Education for CEOs, Managers, Supervisors	293,042	(191,042)	102,000	51,007	102,000	(51,000)	51,000
11	Judicial Administration Statewide Conference	38,042	(38,042)	-	-	-	-	-
12	Leadership Training Non-Judicial	115,000	(91,000)	24,000	10,959	24,000	(24,000)	-
13	Manager and Supervisor Training (Management Courses)	140,000	(62,000)	78,000	40,049	78,000	(27,000)	51,000
14	C. Essential and Other Education for Court Personnel	368,000	(213,000)	155,000	111,574	155,000	(52,000)	103,000
15	Court Personnel Institutes	168,000	(13,000)	155,000	111,574	155,000	(72,000)	83,000
16	Regional and Local Court Staff Courses	-	-	-	-	-	20,000	20,000
17	Technical Assistance Grants	200,000	(200,000)	-	-	-	-	-
18	D. Faculty and Curriculum Development	420,000	(50,000)	370,000	217,872	370,000	(108,000)	262,000
19	Statewide Education Programs - Trial Court Faculty	300,000	(10,000)	290,000	191,203	290,000	(54,000)	236,000
20	Faculty Development	120,000	(40,000)	80,000	26,669	80,000	(55,000)	25,000
21	Curriculum Committee and Education Plan Development	-	-	-	-	-	1,000	1,000
22	E. Distance Learning	275,000	(55,000)	220,000	166,854	220,000	(23,000)	197,000
23	Distance Education - Satellite Broadcast	275,000	(55,000)	220,000	166,854	220,000	(33,000)	187,000
24	Distance Education - Online Video, Webinars, & Videoconferences	-	-	-	-	-	10,000	10,000
25	Information and Technology Services Office	48,100,762	(14,234,979)	33,865,783	23,524,207	33,861,000	(807,000)	33,054,000

**State Trial Court Improvement and Modernization Fund - Project/Program Allocation and Expenditure Information &
Trial Court Budget Working Group Recommendations**

		FY 2011-12 Budget Allocations and Expenditures				FY 2012-13 Recommended Adjustments and Allocations		
		Base Allocations	One-Time Adjustments	Judicial Council-Approved Allocations	Year-end Actual Expenditures	FY 2011-12 Allocations Excluding Rollovers	TCBWG Recommended Adjustments	TCBWG Recommended Allocations
		A	B	C	D	E	F	G
26	CCTC - Operations	11,527,190	(3,689,550)	7,837,640	4,310,985	7,837,000	807,000	8,644,000
27	CCIS Policy Deployments	424,973	(424,973)	-	-	-	-	-
28	Telecommunications Support	13,764,167	(6,600,000)	7,164,167	6,112,610	7,164,000	1,576,000	8,740,000
29	Judicial Branch Enterprise Licensing and Policy	5,957,966	-	5,957,966	5,665,615	5,957,000	(699,000)	5,258,000
30	Data Integration	6,031,688	(1,206,711)	4,824,977	3,068,794	4,824,000	(433,000)	4,391,000
31	Interim Case Management System	5,152,306	-	5,152,306	2,418,607	5,152,000	(2,339,000)	2,813,000
32	Enterprise Test Management Suite	828,713	-	828,713	488,968	828,000	-	828,000
33	California Courts Protective Order Registry	1,032,136	(369,000)	663,136	661,259	663,000	-	663,000
34	Jury Grant Program Support	600,000	-	600,000	-	600,000	-	600,000
35	Uniform Civil Fees	385,602	-	385,602	384,968	385,000	-	385,000
36	Statewide Electronic Business Services (SEBS)	887,068	(600,000)	287,068	286,776	287,000	281,000	568,000
37	CA Law Enforcement Telecommunications System (CLETS)	263,322	(99,114)	164,208	124,188	164,000	-	164,000
38	CCMS Development	-	-	-	855	-	-	-
39	DMS Development & Deployment	-	-	-	582	-	-	-
40	E-Forms Project (Smart Forms)	331,437	(331,437)	-	-	-	-	-
41	Statewide Electronic Filing Portal	55,122	(55,122)	-	-	-	-	-
42	CLIK System	859,072	(859,072)	-	-	-	-	-
43	Legal Services Office	13,517,281	(1,686,376)	11,830,905	11,246,744	11,829,000	(429,000)	11,400,000
44	Litigation Management Program	4,500,000	-	4,500,000	3,974,030	4,500,000	-	4,500,000
45	Complex Civil Litigation Program	4,001,010	-	4,001,010	4,001,010	4,001,000	-	4,001,000
46	Judicial Performance Defense Insurance	762,299	31,624	793,923	794,247	793,000	85,000	878,000
47	Trial Courts Transactional Assistance Program	685,000	-	685,000	603,239	685,000	(234,000)	451,000
48	Alternative Dispute Resolution for Civil Cases	1,740,000	(1,665,000)	75,000	60,765	75,000	-	75,000
49	Jury System Improvement Projects	68,000	(50,000)	18,000	14,614	18,000	-	18,000
50	Subscription Costs - Judicial Conduct Reporter	20,110	(3,000)	17,110	17,080	17,000	-	17,000
51	Regional Office Assistance Group	1,740,862	-	1,740,862	1,781,758	1,740,000	(280,000)	1,460,000
52	Center for Families, Children, and the Courts	7,365,037	(233,524)	7,131,513	7,112,043	7,000,000	-	7,000,000
53	Self-Help Centers	5,000,000	-	5,000,000	4,999,992	5,000,000	-	5,000,000
54	Domestic Violence - Family Law Interpreter Program	1,750,000	-	1,750,000	1,750,000	1,750,000	-	1,750,000
55	Self-Represented Litigants Statewide Support	300,000	(150,000)	150,000	169,519	100,000	-	100,000
56	CFCC Educational Programs	129,226	(38,953)	90,273	90,400	90,000	-	90,000
57	CFCC Publications	121,961	(101,961)	20,000	20,013	20,000	-	20,000
58	Self-Help Videos for the Web-Site	3,850	(3,850)	-	400	-	-	-
59	Domestic Violence - Order After Hearing	-	81,240	81,240	81,420	-	-	-
60	Interactive Software - Self-Rep Electronic Forms	60,000	(20,000)	40,000	300	40,000	-	40,000

**State Trial Court Improvement and Modernization Fund - Project/Program Allocation and Expenditure Information &
Trial Court Budget Working Group Recommendations**

		FY 2011-12 Budget Allocations and Expenditures				FY 2012-13 Recommended Adjustments and Allocations		
		Base Allocations	One-Time Adjustments	Judicial Council-Approved Allocations	Year-end Actual Expenditures	FY 2011-12 Allocations Excluding Rollovers	TCBWG Recommended Adjustments	TCBWG Recommended Allocations
		A	B	C	D	E	F	G
61	Human Resources Services Office	1,260,004	5,005,892	6,265,896	1,179,549	2,131,000	(40,000)	2,091,000
62	Judicial Officer Assistance Program	100,000	(15,000)	85,000	85,000	85,000	-	85,000
63	HR Legal Counsel for Trial Court Benefits	80,000	-	80,000	40,000	80,000	(40,000)	40,000
64	Labor Relations Academy	30,004	(7,000)	23,004	23,265	23,000	-	23,000
65	Workers' Compensation Program Reserve	1,000,000	5,027,892	6,027,892	981,284	1,893,000	-	1,893,000
66	Human Resources - Trial Court Investigation	50,000	-	50,000	50,000	50,000	-	50,000
67	Fiscal Services Office	13,478,188	155,737	13,633,925	6,638,333	2,083,000	(55,000)	2,028,000
68	Enhanced Collections	801,947	-	801,947	584,118	801,000	(101,000)	700,000
69	Internal Audits	764,664	-	764,664	602,697	764,000	(104,000)	660,000
70	Treasury	228,230	-	228,230	224,449	228,000	(4,000)	224,000
71	Trial Court Procurement	357,760	(230,000)	127,760	153,468	127,000	117,000	244,000
72	Budget Focused Training and Meetings	27,272	(14,263)	13,009	13,938	13,000	37,000	50,000
73	Audit Contract	750,000	(600,000)	150,000	-	150,000	-	150,000
74	OPEB Valuation Report	-	1,000,000	1,000,000	553,751	-	-	-
75	Trial Court Reimbursement for Public Access	700,000	-	700,000	5,300	-	-	-
76	20% for Administrative Cost (SB 940)	-	-	-	611	-	-	-
77	Urgent Needs	9,848,315	-	9,848,315	4,500,000	-	-	-
78	Office of Security	2,000,000	(551,450)	1,448,550	1,445,438	1,200,000	-	1,200,000
79	Trial Court Security Grants	2,000,000	(551,450)	1,448,550	1,445,438	1,200,000	-	1,200,000
80	Court Operations Special Services Office	1,367,300	(909,115)	458,185	419,674	457,000	(27,000)	430,000
81	Public Education and Outreach	511,800	(234,000)	277,800	277,000	277,000	-	277,000
82	Court Interpreter Testing, Recruitment and Education	315,000	(174,615)	140,385	124,973	140,000	-	140,000
83	Trial Court Performance and Accountability	146,000	(126,000)	20,000	13,029	20,000	(7,000)	13,000
84	Quality of Justice and Service to the Public	260,000	(260,000)	-	-	-	-	-
85	Kleps Awards Program	54,500	(34,500)	20,000	4,671	20,000	(20,000)	-
86	Branchwide Communications	80,000	(80,000)	-	-	-	-	-
87	Trial Court Liaison Office	290,946	-	290,946	287,279	-	-	-
88	Trial Court Re-engineering	290,946	-	290,946	287,279	-	-	-
89								
90	Total	97,298,038	(14,130,758)	83,167,280	59,340,977	66,802,000	5,121,000	71,923,000

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Trial Court Administrative Services Office

Phoenix Financial and Human Resources Services

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds are primarily used to fund required licensing, hardware, maintenance and operations (M&O), technology center support costs, and end user training in direct support of the trial courts. In addition, this funding supports AOC staff in the Phoenix Program's ERP Unit. The unit performs the following support functions:

- Addressing system fixes
- Performing minor system enhancements
- Providing basic support and patching
- Maintaining hardware
- Maintaining software for the various environments

There are also three distinct Information Services Division units performing Phoenix-related activities:

1. Staff critical for maintenance and operations of the 32 Phoenix interfaces, their support and troubleshooting as well as external vendor support for ING, Bank of America, CalPERS and court health and benefit providers. Additionally, this unit supports the complete security and role maintenance of all 58 courts, and the TCAS and supporting organizations. This supports the ISD technical team's management of court relationship for Phoenix-to-court technical leads, the relationship management to the CCTC, and all the various supporting application vendors. The supervising staff manages cost and expenses, and performs budget forecasting for ISD. Additionally, this staff prepares all Phoenix ISD reports to the Judicial Council and AOC executive management, and provides leadership in the technical roadmap for Phoenix, including patching, refresh, Disaster Recovery, update application for tax rules and regulations, and constant monitoring and tuning of all Phoenix environments both at the AOC and the Tempe and Omaha CCTC environments.
2. This unit provides end user steady state support for desktops, laptops, printers, software, and other computing infrastructure used by TCAS, as well as project support including system and application deployments, refreshes and upgrades.
3. This unit supports the development team for Phoenix and the trial courts. This supports requests from courts to support changes in regulations, research and resolution of errors for courts and court staff, and maintenance of workflow for processing purchase orders and those approvals, as well as the development of reporting tools for the courts and TCAS support staff. Additionally, this staff provides business analysis and project management for the roll out and support of new vendor and interfaces, including the

CCMS and UCFS systems, the roll out of new tools and the management of the security and encryption software for all 58 courts and AOC users. The technical application development lead serves as a liaison to vendor partners for knowledge transfer and has the primary ownership for code reviews, technical and functional specifications.

2. Program Purpose

The purpose of the Phoenix Program is to provide daily centralized administrative services to the trial courts including accounting and financial services, trust accounting services, purchasing services, a centralized treasury system, human capital management services, and core business analysis, training and support. Program staff design, test, deploy, maintain, and manage the Phoenix System which enables the courts to produce a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations. The objectives of the system are to:

- Standardize accounting and business functions;
- Ensure uniformity of financial record keeping and maintenance;
- Provide consistency of data and quality of management information;
- Provide judicial partners with timely and comprehensive financial information on a regular and timely basis;
- Maximize investment opportunities and timely use and disbursement of cash; and
- Provide comprehensive payroll services and solutions to trial courts.

The branch benefits from an integrated, state-administered program promoting statewide consistency in court administrative practices. The Phoenix Program was established in response to the Judicial Council's directive for statewide fiscal accountability and human resources support as part of the council's strategic plan, specifically, then-Goal IV: Branchwide Infrastructure for Service Excellence.

The financial component of the Phoenix System has been implemented in all 58 courts and allows for uniform process, accounting, and reporting. The human capital management component of the Phoenix System has been implemented in 7 courts to date, providing human resources management and payroll services. The general public is not a direct recipient of the benefits provided by the Phoenix Program.

Office of Education/ CJER

Summary and Explanation of Education and Developmental Program Proposed Allocations

Staff propose that funding be allocated at the five subcategory levels to allow the CJER Governing Committee ability to meet changing needs during the year while maintaining the Council's intent of funding at different levels for different audiences. It would also assist staff in most efficiently using the approved funds as final costs of individual programs often change due to varying attendance levels, faculty availability, and venue-related contract terms. Any program funding changes within a subcategory will only occur based on direction from the Chair of the CJER Governing Committee. Staff would submit any requests for funding changes between subcategories for approval to the Judicial Council or, if the authority is delegated by the council, the Administrative Director of the Courts as authorized under GC section 77209(f).

Descriptions for the individual programs within each subcategory are provided to facilitate allocation decisions at a more granular level if the Trial Court Budget Working Group and Judicial Council opt to allocate funding at the program level instead.

A. Mandated, Essential & Other Education for Judicial Officers

New Judge Education and Judicial Primary Assignment Orientation Courses

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for trial court participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the following:

- a. New Judge Orientation Program
- b. B.E Witkin Judicial College
- c. Judicial Primary Assignment Orientation and Overview Courses

2. Program Purpose

All newly elected or appointed judges and subordinate judicial officers are required by Rule of Court 10.462 (c)(1) to complete new judge education offered by the AOC Education Division/CJER by attending the New Judge Orientation Program within 6 months of taking the oath of office, attending an orientation course in their primary assignment within one year of taking the oath of office, and attending the B.E. Witkin Judicial College within two years of

taking the oath of office. By rule of court, the Education Division/CJER is the sole provider for these audiences.

These three programs which comprise the new judge education required under Rule 10.162(c)(1) have been determined by the CJER Governing Committee to be essential for new judges and subordinate judicial officers, and are specifically designed for that audience. The content of each program has been developed by the various curriculum committees appointed by the CJER Governing Committee; below are brief descriptions of each:

- a. The week-long New Judge Orientation Program is designed to assist new judges and subordinate judicial officers in making the transition from attorney advocates to judicial officers and includes the subject areas of judicial ethics, fairness, and trial management. Program participants focus on ethics, including demeanor (demeanor issues are the number one cause of discipline by the Commission on Judicial Performance), fairness, and courtroom control in this highly interactive program, as well as learning about the judicial branch, Judicial Council, and Administrative Office of the Courts. The concept at NJO is to give the new judge the opportunity, as they begin their careers, to focus on the core of what it means to be a judge and to come away with a commitment to maintaining high standards in their work. The number of programs required depends on the number of judicial appointments in a given year. Nine programs can be offered with this fiscal year's funding request for approximately 115 participants. There are four highly experienced faculty members for the entire week.
- b. The two week Judicial College offers new judges and subordinate judicial officers a broader educational experience than the orientation courses while still emphasizing their current position as new bench officers. Extensive courses in evidence and other basic civil and criminal courses are offered as well as a multitude of relevant elective courses, including mental health and the courts, self-represented litigants, and domestic violence. The college class is divided into seminar groups which meet frequently during the college to provide participants an opportunity to discuss the courses, and answer questions that arise during the program. The college design is premised on the belief that working professionals learn best from each other. The small group design of the college, as well as the presence of seminar leaders, is a means to encourage this type of learning. This also allows participants to bring sensitive issues with them which they might be reluctant to raise at their local courts. The statewide program provides an early opportunity for new judges to see a variety of approaches within different courts. As with NJO, the number of participants varies based on the number of judicial appointments. In the past, participation has ranged from approximately fifty-five to one hundred and forty judges and subordinate judicial officers.

- c. The Primary Assignment Orientation courses (PAOs) provide new judges and subordinate judicial officers with an intense immersion in their primary assignment (civil, criminal, probate, family, juvenile, traffic, probate) with a heavy emphasis on the nuts and bolts of the assignment, detailed procedures and protocols, as well as classroom exercises designed to test their skills in the assignment. These courses are also available to experienced judges who are moving into a new assignment for the very first time in their career.

In addition to the Primary Assignment Orientation programs, the Education Division/CJER offers advanced courses for experienced judges who are moving into new assignments which are substantively more complex than those covered by the PAOs above (e.g., felony sentencing, homicide trials, capital cases). These programs are designed for experienced judges who are expected by the education rule to take a course in their new primary assignment or to fulfill other statutory or case-law-based education requirements. Planned courses can accommodate up to 680 participants per year.

All of the orientation courses are taught by judicial faculty who have been specifically trained for this education program and who are acknowledged experts in these assignments. Because these programs focus deeply on all of the major bench assignments, the Assigned Judges Program relies heavily on the PAOs to provide its judges with the education and training they need to be able to take on assignments which these retired judges may never have had during their active careers.

These programs are statewide programs, and provide judges and subordinate judicial officers from all over the state the opportunity to network with their colleagues and learn the different ways various courts do the work of judging. This ensures cohesiveness of the bench, as well as the fair administration of justice statewide. Educating judges to understand the rules and issues of ethics and fairness enhances public confidence in the judiciary, and ensures access to justice.

The structure of NJO as well as the college provides two staggered opportunities for new judges to develop relationships that last throughout a judicial officer's career. Many of the NJO exercises require new judges to reveal themselves in a very personal way. Bringing the newly assigned judges together also allows them to ask the faculty questions and discuss issues with them as well as with their colleagues. Uniformity in judicial practice and procedure is promoted by the sharing of ideas and best practices. The benefits to the individual judge, who is able to feel confident in his or her practice on the bench, and to courts, most of whom are unable to provide a systematic training program for judges, are great. Moreover, providing a well educated judiciary enhances the administration of justice, increases the public's confidence in the judicial branch, and promotes support for the branch.

All judges, justices and court leadership (PJs, APJs, CEOs and Clerk Administrators) were surveyed at the end of the first education cycle regarding the effectiveness of judicial education in California. 415 responses (24.2% response rate) were received. Question 1 of the survey asked whether requiring specific education for new justices or judges is reasonable and appropriate: 80% of justices agreed, 86% of judges agreed, and 96% of trial court leadership agreed. Question 2 asked whether requiring/expecting specific education programs for judges beginning a new role or assignment is reasonable and appropriate. 88% of justices agreed, 77% of judges agreed, and 85% of trial court leadership agreed. Based upon this feedback, the CJER Governing Committee concluded that these programs are highly valued by the courts.

Continuing Judicial Education - Leadership Training

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the following:

- a. PJ/CEO Court Management Program:
- b. Supervising Judges Program:

2. Program Purpose

Two programs offer educational opportunities for trial court judicial leadership. Each of these programs offers participants a chance to learn management techniques, strategies, and best practices that are designed for the unique environment that is the courts. In each case the participants have the responsibility to support and manage people, calendars, and projects. The ability to bring court leaders together to focus on the specific and special nature of their responsibilities is essential to the smooth, efficient, and fair operations of the court. These programs enable judges to fulfill continuing education hours and expectations under rules 10.462 (c) (2) and 10.462 (c) (2) (a-c).

- a. The PJ/CEO Court Management Program brings together the top leadership in the trial courts for a multi-day education event which focuses on the challenges of managing trial courts (especially in the current financial environment) as well as focusing on the rewards of creating and building an effective partnership between the Presiding Judge and Court Executive Officer. This program is especially critical opportunity for new Presiding Judges to begin building that partnership with their CEOs. The program contains segments which break out the trial courts by size, appreciating that different size courts have unique issues and challenges. Finally, this program is intended to instill a sense of community and bonding among trial court leadership throughout the state. Courses on finance, human resources, strategic planning are frequently offered.

- b. The Supervising Judges program is the one education program that focuses on this very challenging and politically difficult leadership position. Supervising judges are charged with managing peer judges and calendar assignments. In the larger courts, Supervising Judges may also have responsibilities for an entire court facility. Smaller courts also benefit because they are less likely to be able to provide this type of training locally and rely on this program to develop their supervising judges. Course can include basic management, how to lead teams, effective communication skills.

Continuing Judicial Education – Statewide Judicial Institutes

1. Description of Program Activities/Expenditures in FY 2012–2013

Because Judicial Institutes are not offered every year, a different number of institutes of different sizes are offered in a given year. Because of this, the specific funding requirements differ from year to year

In FY 2012–2013, the Education Plan developed by the CJER Governing Committee includes the following institutes:

- a. Family Law Institute –
Current funding covers lodging and group meals for approximately 100 trial court participants at the 2 1/2 day program. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.
- b. Juvenile Law Institute –
Current funding covers lodging and group meals for approximately 90 trial court participants at the 2 1/2 day program. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.
- c. Cow County Institute –
The funding covers lodging and group meals for about 70 trial court participants. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.
- d. Civil Law Institute –
Current funding covers lodging and group meals for about 80 trial court participants at a 2 1/2 day program. Additional costs covered include participant materials production, meeting room rental and AV equipment rental.

2. Program Purpose

The Education Division/CJER offers this class of program in all of the major trial court bench assignments (civil, criminal, family, juvenile, probate) as well as specific programs for appellate justices, rural court judges (aka “cow county”), appellate court attorneys, and trial court

attorneys. The bench assignment institutes are designed primarily for experienced judicial officers, but judges new to the assignment also benefit from attending. The specialized institutes are keyed for those audiences. All of these two day programs typically offer between 12 and 20 courses covering topics of current interest, legal updates, and so forth. Participants frequently comment that the learning environment is greatly enhanced by meeting statewide with their colleagues, because it provides an opportunity to learn about different strategies for dealing with the many challenges faced by judges in the same assignment or by the specific audiences attending the institute. By attending these programs, judges and subordinate judicial officers achieve education hours towards the continuing education expectations and requirements of California Rules of Court. These programs have had attendances ranging from 70 to 140.

Essential content is identified by Curriculum Committees appointed by the CJER Governing Committee and actually developed by workgroups. This content can include in-depth coverage of common, yet complex, issues which are not covered in sufficient detail at the Primary Assignment Orientations. In addition, there are many course offerings on advanced topics as well as courses on recent developments in the law. The primary benefit to the courts, and the branch as a whole, is that statewide programming for experienced judges provides uniformity in the administration of justice and the opportunity for them to network with other advanced judges. Additionally, when the content and program design is appropriate, sessions at institutes are videotaped by staff and posted online to Serranus, where they are available to all judges.

- a. The Family Law Institute was formerly an annual program attended by approximately 100-120 family law judicial officers. Previous cuts reduced this institute from being offered every year to every other year. By attending this program, judges and subordinate judicial officers acquire education hours towards the continuing education expectations and requirements of California Rule of Court 10.462 (d), 10.463, and 10.464.

This program is designed primarily for experienced judicial officers, but judges new to the assignment also attend. Participants frequently comment that the learning environment is greatly enhanced by meeting statewide with their colleagues, because it provides an opportunity to learn about different strategies for dealing with the many challenges faced by family law judges.

The Family Law Institute offers content identified by the Family Law Curriculum Committee as essential for judges and subordinate judicial officers who hear family law cases, and includes the following: in-depth coverage of common issues that, because of their complexity, cannot be covered in sufficient detail at the Family Law Primary Assignment Orientation; many courses on advanced topics; and courses on recent developments in the law. Over the past two years, there has been a sea-change in family

law in light of Elkins Task Force Recommendations and new legislation. Existing rules of court are under review and new rules are being drafted to address the many changes in family law.

This institute is the Education Division/CJER's only forum for advanced education in family law. Program content focuses on issues that are particularly challenging in this area of the law. The primary benefit to the courts, and the branch as a whole, is that statewide programming for experienced judges provides uniformity in the administration of justice and the opportunity for them to network with other advanced judges.

- b. The Juvenile Law Institute was formerly an annual program attended by approximately 100-120 juvenile law judges and subordinate judicial officers. Previous cuts reduced this institute from being offered every year to every other year. By attending this program, judges and subordinate judicial officers achieve education hours towards the continuing education expectations and requirements of California Rules of Court 10.462 (d) and 10.463, as well as Welfare and Institutions Code section 304.7 for experienced judicial officers. Note that this statute also requires that the Judicial Council submit an annual report to the Legislature on compliance with education and training standards required by the statute. (See corresponding Rule of Court, Rule 10.469). This program also meets Government Code sections 68555 (domestic violence see corresponding Rule of Court, Rule 10.464 re: Domestic Violence) and 68553.5 (mental health and developmental disability).

This institute is designed primarily for experienced judges and subordinate judicial officers, but judges and subordinate judicial officers new to the assignment also attend. While there are some multi-disciplinary programs offered in the juvenile law area, the Juvenile Law Institute provides judicial officers with an opportunity to receive training that is specific to judicial officers and the decisions they make.

Our participants frequently comment that the learning environment is greatly enhanced by meeting statewide with their colleagues, because it provides an opportunity to learn about different strategies for dealing with the many challenges faced by the juvenile courts in California. In the area of delinquency, the move toward local programming for delinquent youth has presented new challenges at the local level and statewide education is essential. In the area of dependency, there are always new cases that significantly impact the decisions of the court and recently, as a result of the work of the Blue Ribbon Commission, the state legislature has enacted new laws affecting foster children and their treatment in the courts.

The Juvenile Law Institute provides content identified by the Juvenile Law Curriculum Committee as essential for judges and subordinate judicial officers in dependency and/or delinquency assignments, including the following programming: topics that cannot be covered at the annual Juvenile Dependency and Juvenile Delinquency Primary Assignment Orientations due to time limitations; many courses on advanced legal topics; training in non-legal areas that greatly impact juvenile court decisions (i.e., substance abuse, mental health, competency, child development); and courses on recent developments in the law.

- c. As with all other CJER institutes, previous cuts have already reduced funding for this program. Prior to the first Modernization Fund cut, the Cow County Institute, a 2 1/2 day program designed to cover a broad range of education that meets the unique needs of judges in rural counties, was provided every year to rural court judges and was considered the major educational program provided to this group of judges. It is a critical educational opportunity for Cow County judges with their unique education needs. Nearly 50% of California's superior courts have 10 or fewer judges. This institute is designed specifically for these courts and the CJER Governing Committee now recommends offering it each year.

This institute is designed to address the unique needs of judges and commissioners in counties of 20 judges or less. The challenges faced by judges and commissioners in small counties which are not commonly found in larger courts include multi-disciplinary assignments and the sudden need to cover a colleague's calendar in an unfamiliar area of law; frequent service in court administrative roles; disqualification issues and other ethical quandaries due to living in small communities; and resource limitations such as lack of access to drug treatment facilities, mental health facilities, psychiatrists and other experts, other community based services, public information officers, judicial colleagues with expertise in a specific legal area, and research attorneys. A workgroup of judges from small counties define the course topics and work with staff and faculty to create lesson plans for each course that not only address each area of substantive law or court administration, but are also tailored to address these issues unique to isolated, rural courts.

Content covered in other courses and institutes are often focused on the large courts, as most of the judges attending these programs come from medium to large courts. Therefore, the needs of judges in rural courts can be overlooked in other CJER programs.

Courses in all disciplines are offered, thereby providing an efficient method for judges to become versed or updated in all areas of the law in a single forum, reducing the need to travel to multiple institutes in different substantive areas. Courses range from nuts and bolts overviews, to legal updates, and to in-depth treatment of complex areas of law. A

recent example of a specially designed substantive law course is the Domestic Violence and Rural Courts: Selected Issues course. This course provided a multidisciplinary criminal, juvenile, and family law “nuts and bolts” look at how a rural location may present unique issues in domestic violence cases such as transportation during winter months for alleged victims and perpetrators, lack of available interpreters, conflicting tribal court orders, firearms restrictions in hunting communities, and innovative approaches some rural courts have used to deal with these issues.

To address the administrative roles played by many attendees, informational sessions which focus on obtaining various services and grant funding and courses discussing case flow management techniques are also offered. This year, a Case Flow Management course was offered. Utilizing the reports from the AOC’s regional California judicial workshops and site visits begun in 2005 which generated practical information about the principles of case flow management in criminal, family, and civil courts, this course focused on the application of these principle to small courts. One member of the faculty had been instrumental in the application of these techniques in Solano County for the family law calendar and estimated local annual savings of \$50,000 to \$100,000, plus reduced trips to court for litigants, and other clear benefits.

The opportunity to meet with other similarly situated judges and commissioners is also invaluable. To strengthen collegiality and build mentoring relationships that extend beyond the institute, courses are taught in roundtable discussion formats extensively. This fosters the sharing of ideas for handling problematic areas in the law and for sharing calendar management strategies. Faculty often field phone calls in their areas of expertise years after teaching at the institute. The benefits to participants are enormous, and these judges are particularly isolated in small courthouses, often in remote locations.

- d. The Civil Law Institute has been held since 1983; until 2010, it was offered every year. Previous cuts reduced this institute from being offered every year to being offered on an every-other-year basis. The program is attended by approximately 80 civil law judges and subordinate judicial officers. By attending this program, judges and subordinate judicial officers achieve education hours towards the continuing education expectations and requirements of California Rule of Court 10.462(c)(4) and 10.462 (d), as well as Rule 10.469 (b), which requires that judges and subordinate judicial officers assigned to jury trials regularly complete educational programs devoted to the conduct of jury voir dire and the treatment of jurors.

This program is designed primarily for experienced judicial officers, but judges new to the assignment also attend. The program provides continuing substantive and procedural education for all California civil law judges and subordinate judicial officers in the essential areas in which a civil law judicial officer should stay current. It also provides a

forum for civil law judges to meet to discuss hot topics and cutting edge issues as well as to get updates in the civil arena. The benefits of this live, face-to-face program are enabling participants to share solutions with one another, and promoting uniformity in judicial practice and procedure. Participants frequently comment that the learning environment is greatly enhanced by meeting statewide with their colleagues, because it provides an opportunity to learn about different strategies for dealing with the many challenges faced by civil law judges.

The Civil Law Institute offers content identified by the Civil Law Curriculum Committee as essential for judges and subordinate judicial officers who hear civil law cases, and includes the following: in-depth coverage of common issues that, because of their complexity, cannot be covered in sufficient detail at the Civil Law Primary Assignment Orientation; many courses on advanced topics; and courses on recent developments in the law.

The courts benefit by being able to send their judges to a forum where the judges learn from highly qualified subject matter experts who are able to answer questions and discuss issues.

Continuing Judicial Education - Advanced Education for Experienced Judges

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for trial court participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses.

2. Program Purpose

In addition to Primary Assignment Orientation Courses, the Education Division/CJER offers advanced courses for experienced judges. These are continuing education courses designed to address issues of advanced judging.

As with the New Judge Education programs and Primary Assignment Orientation programs these programs are statewide programs and provide judges and subordinate judicial officers from all over the state the opportunity to network with their colleagues and learn the different ways various courts do the work of judging. This ensures cohesiveness of the bench, as well as the fair administration of justice statewide. Planned courses can typically accommodate up to 210 participants per year.

Continuing Judicial Education - Regional and Local Judicial Education Courses

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for trial court participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses.

2. Program Purpose

Regional and Local Judicial Education courses allow the Education Division/CJER to provide high-quality judicial education to the trial courts. Statewide budget reductions over the past few years have necessitated that the Education Division/CJER develop and expand both of these programs because they offer a much less expensive alternative to statewide programming while preserving the quality of our education. The courses and programs included in both the regional and local programming are considered and identified by the Governing Committee's curriculum committees and are taught by experienced CJER judicial faculty. Regional and local programs provide invaluable educational experiences and opportunities for interaction and discussions with colleagues across California.

Regional Judicial Education

Providing regional courses enables judges and commissioners to attend education events which are closer to their courts. They are also still able to connect with their colleagues from surrounding courts. These courses are able to be delivered inexpensively when compared to the traditional multi-day statewide events, such as institutes. Faculty is recruited regionally whenever possible, so their expenses and time away from court can be reduced. Regional courses address substantive law areas such as civil, criminal, family, juvenile, domestic violence and probate/mental health. The half-day courses are held at AOC regional offices and at court locations that serve multiple courts. Regional programs provide additional opportunities to learn from outstanding CJER faculty and to interact with colleagues, but closer to home, thereby reducing the time and cost of travel. Once a regional course has been offered and has been evaluated as successful and well-received, it is added to the local court catalog, and presiding judges may request that course be delivered in their courts at their convenience. For domestic violence education courses, some funding is provided for participant costs not covered by CFCC grant funding. Approximately 24 regional courses are planned for this fiscal year. Typically between fifteen and thirty people attend each course.

Local Court Judicial Education

With the local education effort, courts are able to request and host judicial education classes at their court by selecting course(s) from the Judicial Education Course Catalog and contacting the Education Division/CJER with a proposed date. The Education Division/CJER recruits the

faculty and works with the court to provide written materials for the course. Local courts will typically arrange for an appropriate classroom for the course and handle the participant attendance and registration aspects for the course, unless otherwise requested. As funds allow, the AOC pays for faculty travel expenses and course materials and will provide audiovisual support as requested. In addition, many of the classes offered locally were taken from classes offered in our statewide programs as well as from some trial court programs and they are uniquely appropriate for local delivery.

The courses offer effective judicial education in substantive areas of law, as well as access, collaborative courts, computer training, court security, domestic violence, fairness, judicial ethics, and self represented litigants. The faculty members who teach the courses are very experienced in the areas they teach and they are trained in adult learning principles.

Courses are designed for approximately twenty participants. The number of local courses offered, and the resulting number of participants, is dependent upon how many courts request these courses in any given year.

B. Essential & Other Education for CEOs, Managers, and Supervisors

Manager and Supervisor Training

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for trial court participant lodging for the Core 40 and Core 24 Courses, but not for the ICM courses. Courts must pay lodging for ICM participants. It will also be used to pay for business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses.

The estimated funding needs for each program are:

- a. Institute for Court Management (ICM) Courses:
- b. Core 40 Courses:
- c. Core 24 Courses:

2. Program Purpose

- a. The Institute for Court Management (ICM) courses comprise a series which lead to certification by the National Center for State Courts. The courses serve a dual purpose: (a) to provide relevant education courses for court leaders based on the core competencies identified by the National Association for Court Managers, and (b) to provide this education locally at a significantly reduced cost to courts and participants as compared to the national programs. The series of courses are the primary education

offered by CJER which addresses essential functions of court managers. This program grew out of a multi-state consortium formed in 2008 between the California Administrative Office of the Courts (AOC), ICM, and six other states to enhance the existing ICM certification program and prepare court leaders with the skills and knowledge they need to effectively manage courts in the future. This effort has resulted in being able to provide affordable delivery of management education and certification for court managers and supervisors. In the past, the courts had to pay ICM to bring these courses to their location or send their staff to NCSC headquarters in Williamsburg, Virginia, and the cost was prohibitive for most courts. CJER's ability to offer these courses at the regional offices using California faculty has allowed all courts - small, medium, and large - to reap the benefits of this program.

Twelve courses have been developed which comprise the certification program: Fundamental Issues of Caseflow Management; Court Performance Standards (CPS): CourTools; Managing Court Financial Resources; Purposes and Responsibilities of Courts; Managing Human Resources; Managing Technology Projects and Technology Resources; Essential Components; Visioning and Strategic Planning; Court Community Communication; Education, Training, and Development; Leadership; and High-Performance Court Framework: Concluding Seminar.

The initial capital investment has yielded extremely positive results in advancing judicial branch education for court leaders. Since June 2009 over 90 court leaders have achieved the Certified Court Manager or Certified Court Executive certification from ICM, and there have been 846 course participants who have taken one or more courses. The ICM courses are taught and held within California, making attendance affordable and convenient. It is evident from the hundreds of participants taking these courses that the program is effective and remains a viable educational opportunity, promoting professional and personal development for court leaders. Funding will enable CJER to offer the twelve courses on the Education Plan for this year for up to three hundred and sixty participants.

- b. The CORE 40 is an intensive one-week program for new trial court supervisors as well as managers (both new and experienced). It contains valuable and practical information that can be used to improve their leadership skills as well as enhance the overall performance of their staff. Classes are limited to 28 participants who are selected from applications received online. Topics include group development, employment law, and performance management. Three programs are planned for this year, for a total of ninety participants.
- c. The CORE 24 program is designed for experienced managers and takes them through more advanced topics and areas, including topics such as leadership skills, fiscal/budget

management and planning, presentation skills, business reengineering, communication, technology, and conflict management. This course is also intended to begin preparing experienced management for possible development for the next phase of their careers in the courts. Two programs are planned for this year, for a total of sixty participants.

C. Essential and Other Education for Court Personnel

Court Personnel Institutes

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for trial court participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the Court Clerk Training Institute.

2. Program Purpose

Court Clerk Training Institute

This week-long program offers courtroom and court legal process clerks education in each area of the court (civil, traffic, criminal, probate, family, juvenile). Courts must have staff who are well trained and who are prepared to provide excellent customer service along with accurate legal information. They must also be knowledgeable, familiar with the Rules of Court, and changes to the laws that affect their responsibilities and their customers' access to justice.

Classes taught by experienced court staff include Criminal Misdemeanors, Criminal Felony, Civil Procedures, Traffic, Probate, Juvenile Dependency and Delinquency, and Family. CCTI was started by Orange Court in 1998 and was subsequently transferred to the AOC in early 1990s as a statewide program.

CCTI has a special relationship with the smaller courts, although all 58 courts have accessed this education for their staff. Smaller courts do not often have training departments and rely on CJER to provide a statewide perspective on the duties and responsibilities of courtroom and counter staff. It is the larger courts who often provide faculty for this program. CCTI has been an essential education program for courts for more than 25 years and continues to prepare court staff for the essential functions of their jobs consistent with the law and statewide practices. Letting staff go for a week of education is a burden to the courts, but one they are willing to bear as we have not added the cost of hotel rooms to their share of the costs. In addition to legal process and procedure, classes stress statewide consistency, ethical performance, and efficient use of public funds. Many of today's court managers and supervisors are graduates of CCTI and continue to send their staff for this opportunity to learn with clerks from all 58 counties.

Two programs are planned for this year, for a total of one hundred and seventy participants.

Regional and Local Court Staff Courses

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for trial court participant lodging and business meals, meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses for the following:

- a. Court Staff Regional and Local Training: \$5,000
- b. Core Leadership and Training Skills: \$20,000

2. Program Purpose

- a. As with Regional and Local Court Judicial Education, Regional and Local Court Staff education allows the Education Division/CJER to provide high-quality judicial education to the trial courts at a greatly reduced cost and with a greatly enhanced convenience to the courts. In fact, the regional and local education model originated in the area of court staff education, primarily because of the challenges involved in enabling court staff to take time out from their critical duties to attend statewide, multi-day education events. And now with severe statewide budget reductions over the past few years, this model of delivering education has become even more critical for court staff. The courses and programs included in both the regional and local programming are considered and identified by the Governing Committee's curriculum committees which are devoted to court staff education and are taught by experienced CJER faculty.

Courses cover a wide array of topics; human resources, traffic, case processing in the major court assignments of civil, criminal, probate, family, and juvenile, as well as broad topics relevant to all court staff, such as preventing sexual harassment. Thirty courses (ten courses offered three times each) are planned, which can accommodate as many as nine hundred total participants.

- b. This course, also offered regionally and locally, is designed for lead/senior clerks and assistant supervisors. Among other things, this two-day course teaches participants behaviors that contribute to effective leadership, discusses challenges to leading friends and former peers and identifies strategies to meet those challenges, and identifies approaches to building successful and effective work relationships at all levels of the organization. Two planned courses will accommodate approximately sixty participants.

D. Faculty and Curriculum Development

Statewide Education Programs - Trial Court Faculty

1. Description of Program Activities/Expenditures in FY 2012–2013

The funding covers lodging, group meals, and travel for pro bono faculty teaching trial court programs. The amount needed directly correlates with the amount of statewide, regional and local trial court programs and products developed and provided.

2. Program Purpose

Faculty who are asked to serve as volunteers are not likely to be able to offer their services if their expenses are not paid for by the Education Division/CJER. Local courts would be hard pressed to support a judge or court staff faculty member's desire to serve as faculty if the cost of that service is passed to the local court.

Faculty Development

1. Description of Program Activities/Expenditures in FY 2012–2013

The funding covers the cost of lodging, group meals, and travel for trial court participants at train the trainer and faculty development programs, some of which are foundational for new faculty and some of which are designed to support specific courses or programs. It may also be used for meeting room rental, AV equipment and other such program related rentals, and participant materials production expenses.

2. Program Purpose

Faculty development is a critical component of the effectiveness of the judicial branch education system which is almost completely dependent on judges and court staff volunteering to teach their peers. Serving as faculty is a leadership function that requires subject matter expertise, knowledge, experience, and confidence in one's design and delivery skills. By developing and supporting a wide and diverse faculty base, CJER has assured the branch that continuing education needs will be met by a collaborative, talented group of well trained faculty. These same faculty members often serve as local faculty bringing the education we provide home to their courts in the form of local court education.

CJER faculty development programs have prepared court staff faculty in their efforts to develop and teach at judicial and court staff programs. It is the volunteer faculty from the court who provide this education, and without support from CJER, it is doubtful that these faculty positions could be filled. Competent subject matter experts must also possess the knowledge, skills, and abilities to design and deliver education effectively. With training and education, many subject

matter experts have developed the requisite skills to pass on their knowledge and experience as judicial branch faculty. This year, there is reduced programming in this area.

Current CJER faculty development programs include a) critical course and/or program specific faculty development (e.g. NJO, the College, ICM); b) Design Workshops for new or updated courses in development (e.g. regional one-day and orientation/institute courses); c) advanced faculty development courses (offered this year as webinars) which allow faculty to work on more complex faculty skills; and d) short lunchtime webinars for advanced faculty on discrete faculty development topics. As a result of the Faculty Development Fundamentals course, many new courses have been developed by the participants and those courses are now offered statewide under the local court training initiative.

Curriculum Committees and Education Plan Development

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for business meals of committee members from trial courts involved in curriculum development work associated with Domestic Violence Education.

2. Program Purpose

Domestic Violence curriculum committee meetings are held in-person once a year with costs of travel and lodging covered under grant funding. This funding was established to pay for meals costs not covered under the grant funding.

E. Distance Learning

Distance Education - Satellite Broadcast

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for transmission of statewide educational satellite broadcasts for trial court audiences, new satellite downlink site installation work in trial court facilities, and maintenance and repair work and fees associated with existing trial court satellite downlink sites. It will also be used to pay for lodging, business meals and travel costs associated with faculty for trial court satellite broadcast education.

2. Program Purpose

The development of alternative methods for delivery of education was established by the CJER Governing Committee as a strategic goal in the mid 1990s. The intent of the Governing Committee was to meet an increasing need for education by judges, managers and staff by

establishing cost effective delivery mechanisms that were an alternative to traditional statewide programs and written publications. Staff was directed to leverage new technologies to increase education for judges, enable new educational services for court staff and manager audiences, and provide mechanisms for continuing delivery of education even during tight budgetary times.

The Education Division/CJER has met the goal of providing distance education to all judicial branch audiences, and much of it is delivered via the educational satellite broadcast network. The satellite network serves as the core delivery method for staff and manager/supervisor education, providing a comprehensive and timely statewide approach to high-quality staff education that is for many courts the only source of staff education. Many of the broadcasts are also recorded and provided online or as DVDs to serve as resources for local training throughout the year and/ posted online. Training required statewide, including sexual harassment prevention training, is delivered regularly by satellite broadcast, and time sensitive training has been provided for judges on a number of occasions in response to new legislation, such as SB1407 and CRC 10.500. Broadcast education is also provided specifically for judges, presiding judges, and CEOs.

Education delivered via satellite to court staff includes such topics as:

- Updates to the ADA
- The jury process
- Felony and misdemeanor appeals
- Certifying copies
- Customer service

Education delivered via satellite for Managers and Supervisors includes such topics as:

- Handling disasters
- Coaching and communication
- Technology management
- Change Management
- Stress management
- Preventing and Responding Sexual Harassment

Education delivered via satellite for PJs and CEOs includes such topics as:

- ADA issues for Court Leaders
- Court Security
- Ethical Excellence

Education delivered via satellite for Justices and Judges includes such topics as:

- AB939 Overview
- Judicial Canons Updates
- How a child enters the Juvenile Dependency system

Distance Education - Online Video, Webinars, & Videoconferences

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds will be used to pay for storage, encoding and transmission of trial court statewide educational video products delivered online.

2. Program Purpose

A natural evolution of the Satellite Broadcast initiative has been the development of online instructional videos, videoconferences, and webinars. These three lines of educational products further leverage the distance mediated technologies the AOC has acquired over the past ten years and enables the Education Division/CJER to develop multiple product lines to meet the educational needs of virtually every judicial branch audience it serves. The broadcast video production studio, which was originally created solely for the purpose of developing and transmitting broadcasts, is now used frequently to create instructional videos which are immediately uploaded to either the Serranus (judicial) or COMET (administrative) web sites. Funding is needed to enable streaming of judicial education videos to mobile devices like I-PADs as well as desktop computers, and to improve video quality to a standard that users have come to expect. Videoconferencing technology provides an ideal venue for the appellate courts which are small in number and which are spread across the state. Videoconferencing is an immediate, live technology which enables the Education Division/CJER to design classroom style programming for this critical audience. Webinars, largely due to their enormous cost savings as compared to other models, have proliferated over the past two years and have largely replaces live meetings.

Information Technology Services Office

California Courts Technology Center (CCTC) – Operations

1. Description of Program Activities/Expenditures in FY 2012–2013

The CCTC provides consistent, cost effective, and secure hosting services, including ongoing maintenance and operational support; data network management, desktop computing and local server support; tape back-up and recovery; help desk services; email services; and a dedicated service delivery manager.

CCTC also provides a comprehensive disaster recovery program for court management systems, including Phoenix Financial and Human Resources Systems (SAP), California Courts Protective Order Registry (CCPOR), Court Case Management, (V2, V3), Interim Case Management Systems (ICMS), and the Computer-Aided Facilities Management System (CAFM). The CCTC

also provides a complete suite of IT services to five hosted Superior Courts (Madera, Modoc, San Benito, Lake, and Plumas).

Funding from the State Trial Court Improvement and Modernization Fund (STCIMF) and the Trial Court Trust Fund (TCTF) for FY 2012–2013 will be expended on maintaining core services and court requested services. These services allow the courts to rely on the skills and expertise of the maintenance and support within the CCTC to remediate defects, implement legislative updates, configure and install software and hardware upgrades, and address other minor and critical issues. These core services are as follows:

- Data center application hosting services
- Local court server monitoring and remote site backup
- Data Center and local network management
- Help desk services
- Desktop and local server management and support services
- Hosted email services for 6 trial courts
- Disaster Recovery

None of the funding is distributed directly to the courts.

2. Program Purpose

In alignment with Judicial Council directives to affirm development and implementation of statewide technology initiatives, the CCTC program provides a Judicial Branch Technology Center for use by all courts.

Benefits to the courts through the CCTC include enterprise-wide hardware and software license agreements, including bulk volume discounts in purchasing. Centralized changes (e.g. hardware and software patches) are easier and more efficient to install. Centralized help desk support provides the courts a single point of contact and minimizes the impact of major incidents.

In the event of a significant interruption of court services, the Disaster Recovery program ensures that infrastructure and network services and trial court applications hosted in the CCTC can be safely and securely backed-up, redirected, and restored. Disaster recovery exercises are conducted routinely to test the strength of the CCTC recovery strategy and to ensure that vital court services, as well as data and communications, can be restored at a designated location.

This program supports Judicial Council objectives to allow the courts to take advantage of operational efficiencies and cost effective services, eliminating redundant expenditures, and providing a coordinated approach to addressing statewide technology initiatives.

The program provides public benefit by utilizing technology to achieve efficiencies in the superior courts. It provides ongoing cost-effective maintenance and support for programs which allows the consistent and accessible administration of justice throughout the state. Today, the CCTC hosts service for all 58 California Superior Courts.

Telecommunications Support

1. Description of Program Activities/Expenditures in FY 2012–2013

This program develops and supports a standardized level of network infrastructure for the California superior courts. This infrastructure provides a foundation for local and enterprise system applications such as Phoenix and case management systems, via shared services at the CCTC, which eases deployment and provides operational efficiencies, and secures valuable court information resources.

The Network Technology Refresh program has been offered each year to courts that participated in the initial telecommunications LAN WAN Initiative. The core objective of the program is to maintain the investment made in the original telecommunications project by updating local network equipment that is no longer supported due to aging technology. The project forecasts the refresh cycle by working with our service integrators and hardware vendors to create an annual technology roadmap identifying the technology requiring replacement while reviewing both existing and new technologies available to the branch.

The goal of the current refresh cycle is to replace 464 network switches by 2015 and 233 routers by 2016 at 52 courts. In order to complete the replacement of all identified devices by July 2016, there is a set target of at least 15 out of the 52 courts for refresh this fiscal year and a target to complete the remainder in the following fiscal year pending future funds.

Network Maintenance

The network maintenance component affords the trial courts critical vendor support coverage for all network and security infrastructure. Contracts for maintaining the equipment have been negotiated to leverage the volume of the entire branch, resulting in savings that allowed the program to cover these charges, relieving individual courts of this burden and allowing them to redirect funding to other operational needs.

The program negotiated a branch-wide agreement that saves the branch 31% over five years. Fifty-four trial courts currently participating in the network technology refresh are covered by this program.

The Network Security Services program maintains network system security and data integrity of court information by offering three managed security services: managed firewall and intrusion prevention, vulnerability scanning, and web browser security. These network security tools mitigate the risk of court data being erroneously exposed without proper authority and ensure continuous court operations to the public. Currently, 55 trial courts subscribe to at least one of the security services, while 10 courts benefit from all three services. All 55 courts subscribe to the managed firewall and intrusion prevention system, and five courts are scheduled to add another service this fiscal year.

The Network Technology Training program affords court IT staff the opportunity to attend foundational and specialized network training courses via state-of-the-art training centers and comprehensive on-line courses. This ensures that the courts have the necessary skill sets to operate, maintain, and expand their infrastructure in response to local and enterprise needs. To date, 58 staff members from 25 courts have attended network training courses. We anticipate that 15-20 courts will participate in training courses this year.

In the Ad-Hoc Network Consulting program, independent consultants are engaged to provide expert network engineering and program management as part of the network technology refresh project. These consultants are commonly utilized by the individual trial courts to offer local engineering services for court projects and issues outside of technology refresh projects.

The Network Equipment Trade-in program provides an avenue for the courts to dispose of outdated network technology. This option allows the branch the opportunity to reinvest old technology in order to maximize the branch purchasing power of future court technology refresh projects.

The Central LAN Management System program has initiated the deployment of a central LAN Management System which provides an accurate inventory of all deployed network hardware in order to forecast future technology refresh cycles. The system also provides the courts with network topology tools and configuration management. LMS will be available to all courts participating in the technology refresh projects this fiscal year.

In addition to the amount funded in FY 2011-2012, the AOC is recommending the reinstatement of \$1,575,826 to allow up to 20 small courts to participate in the network technology refresh program for the replacement of network devices. The Network Technology Refresh program, suspended in FY 2011-2012, has been offered each year to courts that participated in the initial telecommunications LAN/WAN Initiative. The core objective of the program is to maintain the investment made in the original telecommunications project by updating equipment that is no longer supported due to aging technology. The project forecasts the refresh cycle by working with our service integrators and hardware vendors to create an annual technology roadmap

identifying the technology requiring replacement while reviewing both existing and new technologies available to the branch. These activities would be restarted at a reduced schedule and courts with the greatest need will be prioritized. Due to savings from reduced costs in the Interim Case Management System and Data Integration programs, the net increase in budgeted technology funding from FY 2011-2012 to FY 2012-2013 would be \$0.

2. Program Purpose

The program provides a secure, robust and scalable network infrastructure aligned with emerging needs of enterprise court services. The LAN WAN initiative was responsible for providing the trial courts with the infrastructure required to physically separate from their county partners. The Network Technology Refresh component continually refreshes equipment and technology to ensure the courts have the infrastructure required to offer the public reliable and continuous court access. Currently, 56 courts have benefited from this program since its inception in 2003.

The branch is able to leverage better hardware and service discounts and benefit from a pool of expert network engineering resources. The same efforts would cost the courts much more in resources and funding if done from an individual court basis. The current support model allows us to pool resources, funding and ensures a standard network infrastructure and security architecture across the branch.

Judicial Branch Enterprise Licensing and Policy

1. Description of Program Activities/Expenditures in FY 2012–2013

This budget primarily funds the Oracle Branch-wide License Agreement (BWLA), which includes four components: enterprise database; advanced security; BEA WebLogic Suite; and identity manager with additional options. In addition, this budget funds the ISD enterprise architecture (EA) and enterprise methodology and process (EMP) programs.

The Oracle BWLA provides the entire branch with the identified Oracle products and unlimited use of these licenses. The enterprise architecture program identifies interdependencies between branch-wide data and systems to improve investments in technology, while the enterprise methodology and process program is dedicated to improving the organization's project management discipline and delivery, by developing a standard set of project artifacts, implementing project management best practices and standards, and maintaining a centralized information repository.

This program does not directly distribute funds to the trial courts.

2. Program Purpose

The Oracle BWLA provides the entire branch with unlimited use of the covered Oracle software licenses which frees up local courts from having to burden resources with complex software asset management and expensive annual maintenance renewals for the four components. Instead, local courts may access and install these Oracle products at no charge in any environment, whenever needed, without the expense of license administration. Enterprise architects provide support to guide the development and implementation of statewide applications and ensure compatibility with CCTC infrastructure, communications and security protocols. The EMP develops and promotes standardized, repeatable processes to reduce complexity and increase efficiencies throughout the solution development lifecycle (SDLC), on both application and infrastructure efforts.

The efforts of the EA and EMP programs align with Judicial Council Goal 3, Modernization of Management and Administration and Goal 6, Branch-wide Infrastructure for Service Excellence. In addition, the EMP program promotes standardized, repeatable processes throughout the system development lifecycle that were requested by the Bureau of State Audits and the California Technology Agency in their review of the CCMS program, and recommended to be applied to all future technology projects.

The products included in the Oracle BWLA are key components to the courts' current and future application infrastructure throughout the branch, for both production and non-production environments. These Oracle products are an intrinsic part of CCMS V2 and V3, Phoenix, CAFM, ACCMS, and CCPOR. The licenses are also widely used by applications that are hosted at local superior court facilities. Courts may also request consultation from enterprise architects to assist with their local initiatives.

With responsibility for optimizing the scope and accessibility of accurate statewide judicial information, and the technical delivery of key branch-wide systems – ISD supports and coordinates the application of technology throughout the judicial branch and manages centralized statewide technology projects. The Oracle BWLA, EA and EMP programs support a sound technological infrastructure and effective case management, facilities, finance, human resource, and other court systems to meet the needs of the public.

Data Integration

1. Description of Program Activities/Expenditures in FY 2012–2013

The Data Integration program currently provides services that enable the efficient exchange of information between the courts and their integration partners. The funding for the program

enables the technical infrastructure and support necessary to facilitate this integration. The funding is not distributed directly to the courts.

The technical infrastructure includes hardware and software hosted at the CCTC that comprises the Integration Services Backbone (ISB). The ISB is used to exchange information between systems, both internal and external to the branch.

The technical infrastructure includes sophisticated hardware and software hosted at the CCTC to facilitate communication with the California Department of Justice's (DOJ) and the California Law Enforcement Telecommunications System (CLETS) infrastructure. Many of the applications hosted at the CCTC rely on the ISB infrastructure including California Courts Protective Order Registry (CCPOR) to function with external justice partners.

The technical support provided by the Data Integration program is necessary to ensure the hosted technical infrastructure is adequately maintained and enhanced. Technical support is provided in the following ways:

- Software maintenance is funded for TIBCO products (the foundation of the ISB); the Omnixx product, which supports DOJ access through CLETS; and the DMVQUERY and DMVGATEWAY products, which facilitate ad hoc DMV access. For all of these products, the maintenance allows for product support necessary to obtain version upgrades, patches and vendor support for production issues.
- TIBCO development services maintain and support the ISB infrastructure and the production interfaces, as well as, the common services that are used to simplify interface development and support.
- Datamaxx services provide updates and enhancements for the Omnixx infrastructure as needed in support of CLETS access.
- Concepts2000 services provide steady-state support for the DMVQUERY and DMVGATEWAY products.

In addition to the reductions in FY 2011–2012, there are estimated savings of \$433,951 for FY 2012–2013. These savings were achieved through reduction of TIBCO developer annual support by moving from TIBCO professional services to direct contractors. Review of current and future scope for development and support of interfaces allowed for reduction of the overall number of developers for additional savings.

2. Program Purpose

The ISB infrastructure provides a central communications hub that reduces the complexity and cost of maintaining numerous point to point interfaces between centrally hosted systems, court systems, and their justice partners.

The number of courts benefitting from data integration steady state support of the following products and production ISB interfaces are identified below:

- DOJ California Restraining and Protective Order System interface in support of 21 courts using CCPOR;
- Warrants/FTA, Justice Partner web portal, and credit card payment interfaces for three courts;
- Phoenix HR and Financial interfaces for five courts and seven integration partners;
- Support for different partners and systems are funded by DI, not by individual programs, in a leveraged model, where personnel and system resources are shared among various programs; costs are not easily attributable to specific programs.
- Web portal for submitting JBSIS information, supporting 37 courts;
- Document Management System (DMS), index, file service and Employment Development Department interfaces for three V3 courts;
- The Omnixx product and Datamaxx services support seven courts that currently access CLETS directly, as well as the 21 courts using CCPOR; and
- DMVQUERY and DMVGATEWAY products, which facilitate ad hoc DMV access, support 12 CCTC-hosted courts that use the Sustain and V2 case management systems.

Interim Case Management System

1. Description of Program Activities/Expenditures in FY 2012–2013

The ICMS Unit provides program support to trial courts running the Sustain Justice Edition (SJE) case management system. The ICMS budget is used to fund project management support and technical expertise for the CCTC-hosted courts as well as the Sustain User Group. Support includes maintenance and operations activities such as implementation of legislative updates, application upgrades, production support, disaster recovery services, CCTC infrastructure upgrades and patch management. Locally hosted SJE courts use ICMS program resources, as needed, for legislative updates and SJE support.

Funding for FY 12/13 will support:

- Production support
- Application upgrades
- Database upgrade

- Legislative updates (e.g., SB 1021 Civil Fees and SB 1006 DNA Penalty Assessment)
- Application enhancements (e.g., FTB COD)
- Disaster Recovery Exercises
- Hardware refresh
- Infrastructure support and hosting services
- Support for testing and training

The ICMS unit also provides support, upon request, to courts with failing legacy case management systems. Staff is assigned to work with the courts to perform high-level assessments and to assist in identifying a stabilization strategy. Alternative case management assessments were performed at the Nevada, Sonoma, Kings, Plumas and San Luis Obispo Superior Courts. Most recently the ICMS team has been assigned to support the Sustain User Group in developing a go-forward strategy for courts currently deployed on Sustain.

ICMS costs that are reimbursed by the trial courts are funded from the TCTF while all other costs are funded from the STCIMF. STCIMF funds approximately 50% of the CCTC hosting cost for those trial courts who have SJE hosted at the CCTC. The remaining 50% is funded by the TCTF and reimbursed by the trial courts.

The budget for the ICMS program for FY 2012-13 is being reduced by \$1.3M. The cost reductions are related to the reduction of three consultants, technical efficiencies from changing to a lower cost storage device, and elimination of unnecessary data storage.

There are no funds distributed directly to the courts from this program.

2. Program Purpose

Sustain Justice Edition (SJE) is deployed in 16 courts across 48 court locations. The SJE courts are the Superior Courts of Humboldt, Imperial, Lake, Madera, Merced, Modoc, Monterey, Plumas/Sierra, San Benito, Trinity, Napa, Placer, Santa Barbara, Tulare, and Tuolumne counties. Ten courts are hosted in the California Courts Technology Center while five are hosted locally. The Sierra court processes their traffic citations using the Plumas Court's SJE instance.

The 10 SJE Sustain courts hosted at the California Court Technology Center (CCTC) are deployed on a common architecture. Among other benefits, this common architecture enables a single solution for interfaces to justice partners such as the Department of Motor Vehicles (DMV). Because interfaces are common among the 10 SJE courts, enhancements can be leveraged for the benefit of all the courts. Locally hosted courts require separate development efforts for their interfaces including connectivity to the DMV.

The Interactive Voice Response (IVR) and Interactive Web Response (IWR) functions provide key benefits to the courts. The interfaces which support these functions were developed to provide the public an electronic mechanism for payment of fees and infractions. The IVR and IWR interface provides the public the ability to submit payments electronically 24/7 with the exception of downtime needed for hardware maintenance. Currently, 11 of the 15 courts are using the IVR and IWR function. In addition, the IVR and IWR function was expanded to interface with the jury system in the Lake, Madera and San Benito Superior Courts. With this jury integration, the public can inquire, postpone and report jury status. The use of the IVR and IWR functions allow the public to perform transactions without intervention of court personnel. Additionally, with this electronic access, the public can perform these transactions outside of the normal business hours.

Another benefit available to SJE courts is the volume discount on licensing, provided by the vendor for courts hosted at the CCTC. The greater the number of courts, the lower the licensing cost per court.

Enterprise Test Management Suite

1. Description of Program Activities/Expenditures in FY 2012–2013

The Enterprise Test Management Suite (ETMS) is a program that provides a suite of software quality assurance tools, staff and testing expertise. Funding in 2012-2013 will be used to operate the ETMS software on AOC servers, purchase software maintenance for the programs which comprise the ETMS, fund a technical analyst to provide systems administration/technical support for the software, and extend some of the functionality available to the Criminal and Traffic CMS and to the Civil, Probate and Mental Health CMS. This activity is funded through ETMS (not V3) and is a one-time cost.

2. Program Purpose

The ETMS program helps the courts receive more reliable AOC-developed software. Its value is in identifying priorities for fixing defects, documenting steps taken to remedy the defect, measuring the resolution of defects and is specifically beneficial to custom developed software under AOC oversight.

ETMS provides a centralized repository for software defects encountered by the courts. The repository contains a detailed description of defects, and severity of those defects, so that remedial action can be prioritized, actions taken to remedy those defects, and steps taken to test and ensure the defects have been fixed. From this repository, release notes are generated for every major release of software and reviewed with court staff before installation and court testing. Reports from the repository are used to track the numbers of defects over time, look for trends, and help the AOC proactively identify areas which need further improvement.

Included in the testing suite are tools to help automate the testing process, enabling quality assurance staff to run a greater number of tests. This helps to ensure a higher standard of reliability and fewer defects in software delivered to the courts – with fewer resources. These tools are part of the larger quality assurance program, which develops and uses continuously improving processes to improve the quality and reliability of software. Software benefitting the trial courts which utilize the ETMS tools includes: the California Courts Protective Order Registry (CCPOR); Civil, Probate and Mental Case Management System (V3), Criminal and Traffic Case Management System (V2), Computer-Aided Facilities Management (CAFM), Contact and Position System (CAPS), Serranus, and the California Courts Web site.

California Courts Protective Order Registry

1. Description of Program Activities/Expenditures in FY 2012–2013

FY 2012–2013 funds will be used to host the CCPOR application at the CCTC; to cover support costs for licensed software; and to fund contractors to support system users.

The CCPOR team, funded from multiple funding sources, provides primary production support for this centralized application and develops court-requested enhancements and defect fixes, as well as system updates required by legislative changes, and corresponding modifications to the Department of Justice California Restraining and Protective Order System (CARPOS).

The CCPOR program does not have funds directly distributed to the courts, only services.

2. Program Purpose

CCPOR creates a statewide repository for restraining and protective orders that contains both data and scanned images of orders that can be accessed by judges, court staff, and law enforcement officers. CCPOR was developed by the trial courts and the AOC, based on a recommendation to the Judicial Council submitted by the Domestic Violence Practice and Procedure Task Force to provide a statewide protective order registry.

CCPOR provides major improvements to victim safety and peace officer safety in domestic violence cases and cases involving violent crimes. CCPOR counties depend on the CCPOR system for operational cost savings and improvements to victim and officer safety. Without CCPOR these counties would need to print and file the currently 80,000-plus restraining and protective order files currently managed in CCPOR reverting to a manual business processes.

The courts have committed significant staff resources for the training and use of the CCPOR system, in some cases deferring other vital projects. They have convinced their law enforcement partners to do the same because of the difference CCPOR makes in their counties.

Issuance of restraining and protective orders is authorized in statutes Pen. Code, § 136.2 and 136.3; Pen. Code, § 646.91 and 646.91a; Gov. Code, § 77209(b)(f) (g) and (j); and Fam. Code 6380, 6404. CCPOR facilitates the entry of these orders into CARPOS, which is a specific court responsibility. In addition, by promoting victim safety and perpetrator accountability, CCPOR supports the Judicial Council's strategic plan Goal IV, Quality of Justice and Service to the Public, and the related operational plan objective (IV.1.e) for "[i]mproved practices and procedures to ensure fair, expeditious, and accessible administration of justice for litigants in domestic violence cases."

Currently, 21 courts and their law enforcement partners depend on CCPOR for restraining and protective order processing. Due to budget reductions in FY 2011-12, planned deployments to additional counties were canceled, and support for the application was reduced to a minimum level. The program recently received an NCHIP grant from the DOJ to deploy the system in 10 additional counties by June 2013. These grant funds are restricted to deployment activities.

The registry provides judges with critical information necessary to prevent issuance of multiple protective orders with conflicting terms and conditions. It also provides law enforcement with complete images of these orders, including handwritten notes and enforcement warnings that are not captured by any other system. By creating a system that is shared by courts and their law enforcement partners, CCPOR bridges communication gaps and improves inter-agency cooperation. These benefits work together to safeguard victims of crime, and peace officers in the field.

Jury Grant Program Support

1. Description of Program Activities/Expenditures in FY 2012–2013

In FY 2012-2013, \$600,000 is available to be distributed to the courts in the form of grants to improve court jury management systems. All courts are eligible to apply for the jury funding. The number of courts receiving grants varies according to the size of grants available.

2. Program Purpose

Information Services Division has provided funding since the 2000-2001 fiscal year for trial courts to improve their jury management systems. The impetus for providing technology funding was implementation of one-day or one-trial juror service in all superior courts which required courts to summon and process many more jurors than the earlier practice of two-week

availability for service common throughout the state. When the program began, courts were working with outdated DOS versions of jury management systems that were vendor- or in-house developed. These systems had reached the end of their useful life and required upgrading as they could not adequately support the new requirements of one-day or one-trial.

All 58 trial courts have an opportunity to participate and take advantage of this program and, to date, 55 of 58 courts have received some level of funding.

As a result of this program, system improvements have provided benefits to potential jurors, jurors, and the courts. Courts have been able to meet Judicial Council goals of modernization and service to the public by receiving funding to implement their jury improvement projects.

The public has benefited by being able to use familiar, existing technology to streamline communication with the court as a potential juror. A few keystrokes or telephone button presses allow summoned jurors to change their address, postpone, or decline service as permitted. Courts that have implemented IVR, for example, report that when they formerly summoned a large pool, the jury office voice mailbox would quickly fill up. Jurors no longer encounter that obstacle to communicating with the court. Jurors no longer have to listen to long telephone messages the night before reporting, but are able to go directly to their own record by keying in their bar code on their telephone or personal computer.

The courts have benefited by being able to free up staff from dealing with routine, repetitive tasks that occur when a new pool is summoned. Data entry has been greatly reduced, with accuracy improved by direct entry of personal data by the juror. Courts report that IVR systems pick up between 50 and 75 percent of routine callers, far exceeding typical IVR projects in other businesses that normally pick up 30 to 40 percent of callers. Staff is now available to deal with more complex matters in the jury office, or can be reassigned to other court operations.

The AOC has benefited by receiving more accurate statistical information about jury service. The Office of Court Research worked with jury managers and system vendors to standardize definitions of jury data elements so that data collection and reporting can be captured and sent to the AOC for research and budget development purposes.

In their final reports to the AOC, courts have reported high levels of satisfaction with their completed projects. This program provides courts that may have budget constraints the ability to introduce new, more efficient solutions for managing their jury programs. Each court provides a justification and plan to ensure the funds are being used effectively. At the conclusion of the project, the court submits a final report and invoices to confirm work outlined in the original plan.

Uniform Civil Fees

1. Description of Program Activities/Expenditures in FY 2012–2013

The current UCFS funding is for two full-time ISD contractors performing ongoing maintenance and support. UCFS was not allotted any staffing support and relies solely on contractors.

FY 2012-13 funding for UCFS will provide support for the following activities:

- Support for legislated and mandated changes to distribution rules to ensure accurate and timely civil fee distributions to appropriate entities within the mandated timeframes;
- Full support that provides a high level of system availability and reliability in order to help trial courts avoid penalties to state, county, court, and third parties for late reporting and distribution of funds;
- Support for system improvements to address changes to the business process.

Software and hardware maintenance for the UCFS application development technology was only allocated for UCFS for one time development. Due to overall ISD cuts for software vendor support, in FY 2011-2012, UCFS support was included in the reductions. Without software maintenance agreements, the application development technology cannot be upgraded to current versions and the AOC cannot request support from the software vendors should issues occur. Although lack of vendor support did not have an impact on operation of the application during FY 2011-2012, continued operation without hardware and software upgrades or vendor support will begin to increase the operational risk to the system as system technology continues to age and becomes obsolete. Supporting the system will be more difficult and costly. If software maintenance is not paid and the software is not upgraded, the costs will be greater, as new licenses would have to be purchased to support the production use of the application.

UCFS provides services to the following business units:

- Trial Court Trust and Treasury Services
- Trial Court Budget & Technical Support Services
- Internal Audit Services

2. Program Purpose

UCFS was originally intended to be a temporary application (6–12 months) until the required functionality was incorporated into Phoenix or CCMS. This application has been in place for six years and modified many times to keep up with changing legislation and business processes.

UCFS supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of \$52 million distributed per month. 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 Uniform Civil Fees System (UCFS) was developed to support the centralized reporting and distribution of UCF cash collections. 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 up to \$24,000 per day that the distribution is late. The UCF System is used to calculate the correct distribution of 192 categories of fees collected by the 58 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.

UCFS benefits the public by minimizing the amount of penalties paid to the state for incorrect or late distributions and ensuring that the entities entitled to a portion of the civil fees collected, as mandated by law, receive their correct distributions.

Justice Partner Outreach/E-Services (JPO&E) (Formerly Statewide Electronic Business Services)

1. Description of Program Activities/Expenditures in FY 2012–2013

FY 2012-13 funds will be used for two positions which manage and support analyzing and assessing e-services statewide, including e-filing priorities and needs of the trial courts, and ongoing communication and information exchange with state and local justice partners. An extensive assessment and analysis of the e-filing capabilities and needs will be conducted of several trial courts, including large courts (Los Angeles, Orange, and San Diego), medium courts (Ventura, San Luis Obispo, Santa Clara, Fresno, Sacramento, San Bernardino) and small courts (San Francisco, Contra Costa). Proposals of e-filing readiness templates related to functional, technical, and connectivity requirements, including master service agreements for procurement and statewide e-filing standards, and possible statewide e-filing solutions, will be provided to the Technology Initiatives Working Group. The resulting e-filing roadmap will aid in providing recommendations to CTAC and the Judicial Council on statewide e-service initiatives.

This program also provides representation for the Judicial Branch at key partner forums, including: the Data Sharing Task Force (Chaired by the California Sheriff and Chief of Police Associations); Traffic Records Coordinating Committee (TRCC) and Strategic Planning Subcommittee-providing direction on OTS grant funding and reporting to the feds on national

highway traffic safety (NHTSA); and, numerous local, state and national association and technology forums.

In addition to the amount funded in FY 2011-2012, the AOC is recommending reinstatement of \$158,125 to fully fund a position that was vacant in the prior year. Due to savings from reduced costs in the Interim Case Management System and Data Integration programs, the net increase in budgeted technology funding from FY 2011-2012 to FY 2012-2013 would be \$0. Due to the elimination of all other SEBS project budgets, funds cannot be re-directed from within the SEBS program (OE&E) to offset these personal services expenses.

The request for reinstatement of \$158,125 is to fully fund a position left vacant in FY 2011-2012. The position is to support an extensive assessment and analysis of the e-filing capabilities and needs of small, medium and large trial courts and provide business and technical support to create critical readiness templates for the courts. This includes functional, technical and connectivity requirements, dependent on priorities set by the Judicial Council which could include statewide solutions for e-filing standards, systems and master service level agreements. The work will be utilized to develop plans and aid in implementation of the trial courts e-filing roadmap and providing recommendations to CTAC and the Judicial Council on statewide e-service initiatives.

This position is critical to complete this analysis and support for the e-services roadmap currently being examined and formulated by the Technology Initiatives Working Group/E-Filing Workstream. As this unit has taken on increasing responsibility for justice partner outreach and e-filing initiatives with reduced staffing, there has been a marked decrease and slow down in work production and meeting the timely needs of the courts and branch as a whole. If these funds are not reinstated for FY 2012-2013, current resources only allow for maintenance of efforts to date, without the ability to aid the courts or the branch to move forward with e-filing assessment and initiatives.

The JPO&E has no funds directly distributed to the courts.

2. Program Purpose

JPO&E promotes and supports the Judicial Council's recommendations of creating statewide business and technology solutions for e-services as an approach to drive operational and technical efficiencies resulting in cost savings for the branch and its 58 superior courts.

The program purpose is to implement the Judicial Council's objectives for court e-services and e-filing initiatives by supporting the planning and implementation of electronic filing of court documents, as well as electronic service of court documents, to all 58 California Superior Courts and local and state justice/integration partners.

Benefits of the JPO&E program include:

- Providing a foundation to develop a plan for a uniform, secure, standardized statewide portal platform to provide simple e-filing capability for courts statewide that would be extensible to all court case management systems and e-filing service providers (EFSP), specifically benefiting trial courts with no e-filing or limited capabilities;
- Creating access to simple court processes and training statewide for court staff, thereby allowing staff to better focus on customer support;
- Promoting and enhancing judicial branch e-filing and information sharing initiatives through involvement in partner forums, and;
- Providing a mechanism for ongoing information sharing and communication to justice/integration partners, and EFSPs.

California Law Enforcement Telecommunications System (CLETS)

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds in FY 2012–2013 will be used for one analyst position to support continuing operations and expansion of access to CLETS, for both direct access by the courts and for the California Courts Protective Order Registry (CCPOR). This staff provides support for requirements gathering, Department of Justice (DOJ) approval, implementation, training, and system updates. Support is also provided for staff security and certification, compliance and audit support.

The CLETS program has no funds directly distributed to the courts; however, the program does pay for the associated licensing costs on behalf of the courts.

2. Program Purpose

The CLETS Access Program supports the statewide law enforcement network maintained by the California Department of Justice (DOJ), which provides trial court judicial officers with California and national criminal justice information for the benefit of complete and timely decisions by the bench. CLETS access is also used by CCPOR as its sole method of providing and updating restraining and protective orders to the CA DOJ and the NCIC (FBI) databases.

Working closely with the California DOJ, the purpose of the CLETS Access Program is to provide staff support and consultation to the trial courts and the CCPOR team regarding setup, access approval, compliance and security for access to CLETS. A timely response to issues that arise are critical to the court's efficiency and timeliness in preparing calendars to ensure system availability, compliance with audit timelines, and accommodating employee turnover or reduction in staff.

Currently Superior Courts in Fresno, Madera, Monterey, Plumas, San Francisco, Tulare and Yolo Counties utilize the AOC-sponsored CLETS Access Program, with two additional courts, Merced and Placer, in the process for approval and deployment. In addition, CLETS access support is provided to 21 courts and local law enforcement agencies utilizing the CCPOR application for the timely submission of restraining and protective orders for the CA DOJ and subsequently to NCIS (U.S.). Expansion of CCPOR to 10 additional courts and their local partners will occur in FY 2012-2013.

Penal Code 11105 and others provide specific authority for the court to access databases for general or detailed purposes. The courts are required to complete a review of selected data prior to issuing restraining and protective orders, supported by CCPOR and the CLETS Access Program. The courts also utilize CLETS to directly submit restraining and protective order to the CA DOJ.

Benefits to the courts and the public derived from the CLETS Access Program include:

- Facilitating access to state and national databases with minimal direct cost to the trial courts. Infrastructure, licensing, training, consulting, deployment, and software support service agreements are provided and managed by the program on behalf of the supported courts.
- Providing direct access to the databases ensuring more efficient, accurate, and complete research providing information needed by the bench to make timely and informed decisions, often with a direct impact on public and officer safety.
- Providing the necessary staffing, methodology, and relationship management with the California DOJ to facilitate the on-boarding process. Services provided by the program relieve the courts from adding and dedicating staff as CLETS access and compliance experts.

Legal Services Office

Litigation Management Program

1. Description of Program Activities/Expenditures in FY 2012–2013

As it has been every year since the Litigation Management Program was established by the Judicial Council in December 1999, the funding will be spent to pay settlements, judgments (if any), and litigation costs, including attorney fees, arising from claims and lawsuits against the trial courts. In addition, at court request, the Office of the General Counsel will provide counsel to assist courts with responses to subpoenas or to assist judges with answers to disqualification statements. Over the past five years, the OGC has managed annually an average of 485 claims

and lawsuits, including employment lawsuits, against the trial courts, and has assisted trial courts with, on average, 113 subpoenas and 75 judicial disqualifications per year.

2. Program Purpose

Government Code section 811.9 directs the Judicial Council to provide for representation, defense, and indemnification of claims and lawsuits against the judicial branch, including all trial courts. Rules 10.201 and 10.202 describe the procedures and responsibilities for managing and resolving claims and lawsuits. As anticipated by the Judicial Council, centralized management provides the benefit of consistency in defense strategy and permits the efficiencies of sharing legal research and pleadings in similar matters. The centralized program also enables OGC to identify and assist courts in addressing similar issues that arise in different parts of the state, such as challenges to electronic record access or issues concerning disability-related leaves of absence and reasonable accommodation. In addition, the courts do not have to bear the burdens of locating counsel, negotiating law firm contracts, directing outside counsel, editing briefs, and reviewing bills. Just as the trial courts benefit by having access to these services, the general public benefits because judicial officers and trial court staff can focus on providing access to justice, rather than defending against lawsuits.

Complex Civil Litigation Program

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012–13 will be distributed to the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco, and Santa Clara Counties. These funds are spent by the courts to maintain a total of 17 dedicated complex litigation departments in six superior courts with the following characteristics: assignment of each complex case to a single judge to handle all aspects of the litigation; judges who have experience, interest, and expertise in handling complex civil litigation; innovative case management techniques, technology designed for complex cases; and additional (beyond a typical civil department) experienced court personnel, including a dedicated research attorney for each department. The expenditures support the operation of courtrooms handling hundreds of complex cases with exceptional judicial management to avoid placing unnecessary burdens on the court (as a whole) or litigants and to expedite the case, keep costs reasonable, and promote effective decision making by the court, the parties, and counsel. Hundreds of parties benefit from the program.

2. Program Purpose

Courts benefit from the focused and efficient case management techniques applied by experienced program judges to more expeditiously resolve complex cases. The program allows the most management-intensive cases to be removed from the pool of general civil cases where

they would delay dispositions overall. This is explained by program courts in their responses to a 2012 survey. The Superior Court of Los Angeles County stated, “Experience has demonstrated that, when complex cases are mixed with a calendar of general jurisdiction cases, the litigation activity generated by even one ‘unmanaged’ complex case can occupy the law-and-motion calendar of a civil courtroom for days or even weeks. It is not an exaggeration to say that, in Los Angeles, it might take 9 months to a year to be able to calendar a motion in a general jurisdiction court if the [program] cases were spread among the general jurisdiction courts. The public, regardless of the size of their cases, would be severely adversely impacted.” Thus, through the program, members of the public with complex cases, as well as non-complex cases benefit.

In April 2010, the council recognized that the efforts and expertise of judges and staff dedicated to the program have resulted in the effective resolution of thousands of complex cases and reduced the time to resolution for many of them, and honored the judges, staff, and participating courts for their contributions in ensuring access to justice for all Californians.

Judicial Performance Defense Insurance

1. Description of Program Activities/Expenditures in FY 2012–2013

The funding for this program is used to pay the insurance premium for trial court judges and subordinate judicial officers for a master insurance policy for the defense of judicial officers in proceedings before the Commission on Judicial Performance (CJP). The program, which began in 1999, is open to all justices, judges, commissioners, referees, and hearing officers. To obtain insurance coverage, judicial officers must agree to complete an ethics training program once every three years. All but six judicial officers are enrolled in the program.

Due to an increase in the number of claims in the past three years, the premium is expected to increase for FY 2012–2013. Although a premium quote will not be provided until mid-August 2012, the cost increase is currently estimated as \$87,649 with \$83,369 of that increase being paid from the STCIMF as the proportionate amount attributable to trial court judges.

2. Program Purpose

The program is not required by statute or rule of court. The program was developed as a result of a Judicial Council action in 1999 authorizing the Administrative Director to enter into an insurance policy contract to provide this coverage to all judicial officers.

The benefit derived from this program is that all judicial officers are covered by the insurance policy. Formerly, each court decided individually whether it would provide coverage for its judicial officers. Consequently, some judicial officers had coverage and others did not.

The general public benefits because judicial officers are not distracted by CJP investigations, which can be time-consuming. In 2011, nearly 70 percent of the investigations were closed without discipline. Instead of the judicial officers spending time responding to allegations, defense attorneys compensated under the policy represent them and respond to the CJP on their clients' behalf.

Trial Courts Transactional Assistance Program

1. Description of Program Activities/Expenditures in FY 2012–2013

The Trial Court Transactional Assistance Program (TCTAP) was established within the OGC in FY 2001–02 to respond to trial court requests for legal services on transactional and business operational matters. Initially the TCTAP fund was used to provide transactional legal assistance to the courts through outside counsel selected and managed by the OGC. Subsequently, the Judicial Council broadened authorized uses of the TCTAP funds to include all legal services required by the trial courts relating to trial court operations. Currently, the TCTAP fund is primarily used to provide legal assistance to the trial courts through outside counsel on labor matters, including approximately 65 labor arbitrations arising under trial court/union collective bargaining agreements per year and approximately 25 administrative proceedings before the Public Employment Relations Board (PERB) per year.

In addition to providing legal assistance with trial court labor matters, and as a result of the reduced attorney staffing in OGC, it is anticipated that the TCTAP Fund will be used to engage outside counsel to assist trial courts in the following areas, if necessary: major transactions involving information services, finance, and significant transactional matters. The fund would also be used for tax and employee benefit-related legal advice, if necessary.

2. Program Purpose

As anticipated by the Judicial Council, centralized management of legal services provides the benefit of consistency in defense strategy and permits the efficiencies of sharing information, legal research, and pleadings in similar matters. The centralized program also enables OGC to identify and assist courts in addressing similar issues that arise in different parts of the state, such as challenges to disciplinary action, and to retain outside counsel with substantial experience in working with the courts under the Trial Court Employment Protection and Governance Act. With respect to transactional matters, courts receive assistance from counsel with specialized and unique skills not possessed by OGC or court counsel, and from outside counsel when demand for legal services exceeds workload capacity of OGC's reduced staff. Courts benefit by not having to hire their own in-house counsel or retain outside counsel and bear the burdens of negotiating law firm contracts, directing outside counsel, reviewing and editing legal briefs, and reviewing bills. The general public benefits because judicial officers and trial court staff can focus on

providing access to justice, rather than defending against labor-related claims and performing or purchasing legal services necessary to trial court operations.

Alternative Dispute Resolution for Civil Cases

1. Description of Program Activities/Expenditures in FY 2012–2013

Historically, the ADR Program provided direct financial support to help courts plan, implement, maintain, and improve mediation and settlement programs for unlimited and limited civil cases and small claims, unlawful detainer, and civil harassment proceedings (civil cases). In fiscal year (FY) 2011–12, the budget for the ADR Program was reduced from \$1,740,000 to \$75,000. If the ADR Program receives \$75,000 in FY 2012–13, the funds will be used, as they were in FY 2011–12, to contract for the development of materials to help support court-connected ADR programs across the state. Based on input provided by an *ad hoc* group of Court Executive Officers and ADR Program Administrators, these statewide materials may include: (1) a resource manual for courts to help self-represented litigants access and effectively participate in court ADR programs; (2) resources to help courts determine the optimum ADR program types and service models to efficiently use their limited resources; (3) a recorded training program to improve mediators' effectiveness in mediating civil cases with self-represented litigants; and/or (4) templates to help courts efficiently review and analyze responses to post-mediation surveys.

2. Program Purpose

The ADR Program helps to reduce court workloads, save litigants' time and money, and improve user satisfaction with court services by promoting the availability, use, and quality of court-connected mediation and settlement programs for civil cases. The ADR Program also helps courts fulfill section 10.70(a) of the Standards of Judicial Administration, which provides that all trial courts should implement mediation programs for civil cases as part of their core operations, and implements Goal IV, Policy 6, of the 2006–2012 strategic plan for the California Judicial Branch, which is to: "Support and expand the use of successful dispute resolution programs." All courts with ADR programs for civil cases may directly benefit from the development of statewide materials, including videos, surveys, and training materials, to promote the use and quality of these programs. The ADR Program benefits civil litigants across the state by helping courts provide mediation and settlement programs, and information about how to effectively participate in those programs. The program also benefits litigants and the public by helping courts increase the options for resolving disputes, reduce the public and private costs associated with trials and hearings, reduce the time required to resolve disputes, and increase trust and confidence in the courts.

Jury System Improvement Projects

1. Description of Program Activities/Expenditures in FY 2012–2013

The funding for this project comes from the royalties received from licensing and publishing the Judicial Council’s official civil and criminal jury instructions. (See Gov. Code, § 77209(i) (“Royalties received from the publication of uniform jury instructions shall be deposited in the Trial Court Improvement Fund and used for the improvement of the jury system.”.) Under rule 2.1050, the AOC requires commercial publishers to acquire a license before publishing the instructions and to pay royalties in exchange for permission to publish the instructions.

In 2012–13, the program funds will be used to (1) support the meeting expenses of the Advisory Committees on Criminal and Civil Jury Instructions; and (2) cover the expense of obtaining copyright protection for the official publication of the Judicial Council’s jury instructions.

a) Advisory Committee Meeting Expenses (approximately \$15,000/fiscal year)

The two advisory committees play an integral role in updating the jury instructions. The advisory committees are charged with regularly reviewing case law and statutes affecting jury instructions and making recommendations to the council for updating, amending, and adding topics to the council’s criminal and civil jury instructions. (rules 10.58 and 10.59.) Each committee produces at least two releases of new and revised instructions each year and presents them to the council for adoption. On adoption, the AOC prepares and transmits the manuscript to licensed publishers for publication in print and other media. Royalties from these publications make up the fund.

Each of the advisory committees meets in person once or twice a year and by videoconference and teleconference as needed throughout the year. Advisory committee subcommittees or working groups also meet by teleconference, videoconference, or in person during the year, as needed.

b) Copyright of Jury Instructions (approximately \$3,000/fiscal year)

To protect the council’s copyright in the jury instructions, each time the council approves new or amended instructions, the AOC registers a copyright in them. Project funding will be used to pay outside counsel for copyright registration work and for copyright application filing fees.

2. Program Purpose

The program’s purpose is to support the development of the Judicial Council’s civil and criminal jury instructions, protect the instructions approved by the council, and provide for continued royalties to fund this program and other programs “for the improvement of the jury system.” (Gov. Code, § 77209(i).) The “jury instructions approved by the Judicial Council are the official instructions for use in California.” (Cal. Rules of Court, rule 2.1050.) The goal of the instructions

is “to improve the quality of jury decision making by providing standardized instructions that accurately state the law in a way that is understandable to the average juror.” (*Ibid.*)

Subscription Costs – Judicial Conduct Reporter

1. Description of Program Activities/Expenditures in FY 2012–2013

This quarterly publication is provided to all judicial officers as part of the AOC’s ethics education program. It is also distributed to Judicial Council members and certain judicial branch employees and is posted on Serranus. In view of the California judiciary’s budgetary issues, the publisher has provided an electronic version of the publication for a flat fee of \$18,200 per year, \$17,080 of which is paid for with funds from the STCIMEF, with the remainder paid for from funds allocated to the appellate courts.

2. Program Purpose

There is no statute or rule that requires the Judicial Council to provide this publication. In 2000, the AOC made a decision to subscribe to the publication as part of the AOC’s ethics education program. The specific benefit derived from this program is that the publication contributes to the ethics education of all judicial officers with all courts benefiting from its distribution. The general public benefits from the subscription because ethics education for judicial officers promotes the integrity of the judiciary and enhances public confidence in the judiciary.

Regional Office Assistance Group

1. Description of Program Activities/Expenditures in FY 2012–2013

The ROAG was established within OGC in FY 2004–05 to provide direct legal services to trial courts from regional locations. In FY 2012–13, as in prior years, ROAG attorneys will provide legal services in the areas of labor/employment, legal opinions, and transactional/business operations directly to trial courts. The following activities for FY 2011-12 provide a measure of the anticipated scope/volume of direct legal services to courts in FY 2012–13 provided by OGC attorneys including those in ROAG-funded positions.

Labor and Employment: Provided legal services on labor/employment issues, including wage/hour issues, leaves of absence, discrimination, harassment, unfair labor practices, workers’ compensation, workplace safety, complaint investigation/resolution, and personnel policies/procedures. During FY 2011-12, handled approximately 400 inquiries, 35 prelitigation matters, 68 labor arbitrations, and 18 matters filed with the Public Employment Relations Board.

Legal Opinions: Responded to requests for legal opinions/advice from trial courts on numerous issues, from use of public funds to ethics. In FY 2011–12, received 357 requests for legal opinions/ advice from trial courts and provided guidance responding to 327 requests.

Transactions and Business Operations: Provided legal assistance/advice on court business operations and transactions including negotiating and drafting contracts/MOUs, as well as business and legal issues involving procurement, outsourcing, security, intellectual property, and risk management. With the Judicial Council's adoption of the *Judicial Branch Contracting Manual* on August 26, 2011, in response to the new California Judicial Branch Contract Law, OGC regional counsel continue to assist courts with interpretation and application of the new law to trial court procurement programs. Over 500 matters of varying complexity handled during FY 2011–12.

2. Program Purpose

The Judicial Council has charged OGC with providing comprehensive legal services to the trial courts. The ROAG is a cost-effective means to meet that mandate through in-house attorneys who are subject matter experts within their specialized areas of law and experienced counselors possessing valuable background information on the local operations and workings of the trial courts. The program achieves cost savings in numerous ways: (1) salaried OGC attorneys are less costly than purchasing similar services from outside counsel; (2) a dedicated attorney group focused on trial court operations legal issues that is available as a single legal resource to all 58 trial courts promotes efficiency; and (3) the ROAG model allows for sharing of legal services among trial courts with similar needs and issues. The ROAG offers legal assistance to all 58 courts in the areas of labor and employment law, legal opinions, and transactional law. The program benefits the general public by relieving the courts of the need to engage and manage outside counsel for these types of legal services.

Center for Families, Children, and the Courts

Self-Help Centers

1. Description of Program Activities/Expenditures in FY 2012–2013

Funds are used to support Self-Help Centers in all 58 trial courts. Self-help centers provide assistance to self-represented litigants in a wide array of civil law matters to save the courts significant time and expense in the clerk's office and in the courtroom. \$5 million in STCIMF funds are distributed directly to the courts for public self-help center programs and operations. An additional \$6.2 million in funds are provided from the TCTF. All 58 trial courts receive funding for their Self-Help Centers. The combined minimum allocation is \$34,000 with the

remainder distributed according to population size in the county where the trial court is located. Ninety-two percent of the funds are used by the courts for staffing. None of these funds are used for AOC administrative costs. Self Help Centers serve over 450,000 persons per year with the STCIMF and TCTF funds.

2. Program Purpose

The Statewide Action Plan for Serving Self-Represented Litigants which was approved by the Judicial Council in 2004 calls for self-help centers in all counties. California Rule of Court 10.960 provides that self-help services are a core function of courts and should be budgeted for accordingly. The California Budget Act provides that “up to \$5,000,000 [from the Trial Court Improvement Fund] shall be available for support of services for self-represented litigants.” Based upon recommendations by the Trial Court Budget Working Group, the Judicial Council has allocated an additional \$6,200,000 for self-help services from the Trial Court Trust Fund since 2007. Reducing self-help services would increase court’s other costs. When self-help staff are decreased, the number of questions and issues at the public counter increases substantially, therefore increasing line lengths and wait times. Similarly, self-help services improve the quality of documents filed, thereby reducing follow-up and clean-up work in the clerk’s office. Evaluations show that court-based assistance to self-represented litigants is operationally effective and carries measurable short and long-term cost benefits to the court. One study found that self-help centers workshops save \$1.00 for every \$.23 spent. When the court provides one-on-one individual assistance to self-represented litigants, savings of \$1.00 can be achieved from expenditures ranging from \$.36 to \$.55. If the self-help center also provides assistance to self-represented litigants to bring their cases to disposition at the first court appearance, the court saves \$1.00 for every \$.45 spent. Demand for self-help services is strong. Courts indicate that they are not able to keep up with increasing public demand for self-help services and need additional staff. In a 2007 survey, the courts identified a need of \$44 million in additional funds to fully support self-help. The judicial branch has been able to allocate a quarter of the amount needed in 2007, \$11.2 million annually.

Domestic Violence – Family Law Interpreter Program

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012-13 will be used to provide interpreters in domestic violence, elder abuse, and family law matters. \$1,730,000 of the \$1,750,000 allocation is distributed directly to the courts. Court funding is used entirely for court staffing and service-related travel. The remaining \$20,000 of the allocation is used to pay for the translation of domestic violence forms and instructions and to make them available to all courts. It is critical to keep these forms updated to reflect legislative changes.

None of these funds are used for AOC administrative costs. These funds are available to all 58 courts. Forty-eight courts requested funding from this allocation in FY 2011-12. Awards are based on prior year actual costs and the availability of program resources. An estimated 40,000 interpretations are completed with these funds annually.

2. Program Purpose

This program was established by the Judicial Council in 2001, following a pilot program implementing California legislation (Assem. Bill 1884 (Stats. 1998, ch. 981)). That bill directed the Judicial Council to implement a one year pilot program to provide interpreters in specified domestic violence and child custody matters and to collect data and report back to the legislature. Based upon the evaluation of that pilot, the Judicial Council authorized funds and established the Domestic Violence-Family Law Interpreter Program. The allocation was further augmented in 2005.

Interpreter shortages adversely affect court proceedings. Attorneys report that when interpreters are not available, court proceedings, particularly those involving self-represented litigants, often result in continuances or very difficult, protracted hearings. There is strong demand for this funding. Even at the current level, the funding falls far short of court needs. Court requests typically total \$3.0 to \$3.5 million in each fiscal year--about twice the amount available from this allocation.

Interpreter shortages also compromise public safety, resulting in delays in processing restraining orders, and potentially affect the quality and enforceability of orders, which in turn affect law enforcement, schools, and others who have to interpret orders in these cases. Without these funds, limited English proficiency (LEP) individuals would have reduced access to the courts. The federal Department of Justice (DOJ) is currently investigating language access complaints in two California courts. They have provided a guidance document stating they believe that all courts must provide interpretation in all case types, including all civil case types, or risk losing all federal funding for all court programs.

Self-Represented Litigants Statewide Support

1. Description of Program Activities/Expenditures in FY 2012–2013

This funding supports statewide services available to court self-help centers in all of California's 58 trial courts. Fiscal year 2012-2013 funding will be used to add new content, tools, and resources on the statewide self-help website. These tools will allow litigants to get information and assistance with their legal issues at home or other locations so that they can either avoid the need to come to a self-help center or require less time at the center. The self-help website also provides links to local court self-help services. There are also links to the "Ask a Librarian"

website that allows the user to access a law librarian and ask questions. Additional links are provided to many legal resources, such as local lawyer referral services, domestic violence hotlines, and the State Bar website. The new judicial branch website design adds many additional features, such as video clips developed by the local courts and the AOC. Additional content will be translated into Spanish and reviewed by a bilingual attorney to ensure legal accuracy.

The self-help section of the judicial branch website at <http://www.courts.ca.gov/selfhelp.htm>, includes instructional videos and materials from local self-help programs that have been adapted for statewide use. Many courts have requested the development of additional videos and other multi-media products for self-represented litigants as a way to provide more information in a time of staff reductions. One regularly requested video is on the basic divorce process and timelines that litigants should meet in preparing their pleadings. Another request is for a training video for new volunteers, adapted from existing materials from new employee orientation, explaining the importance of neutrality and basic tenets of the code of ethics. This will assist courts that want to take advantage of a new State Bar rule encouraging retired attorneys to volunteer at self-help centers.

In Fiscal Year 2012-13, funding will support regional workshops for self-help court staff and court partners in legal aid, law librarians, mediators, and small claims advisors. Regional training will conserve travel costs and time away from work. The workshops will provide MCLE and other professional credit on topics of significance to this audience (e.g., changes in family law, consumer debt, international service requirements) as well as strategies for effectively serving the greatest possible number of people (e.g., leveraging technology, collaborative partnerships). This approach is offered as an alternative to two statewide conferences were discontinued due to budget cuts. The allocation supports operational costs. None of these funds are used for AOC administrative costs. Support is available to all courts.

2. Program Purpose

In February 2004, the Judicial Council adopted a Statewide Action Plan for Serving Self-Represented Litigants that called upon the AOC to develop resources that can be used by programs statewide including distributing local court innovations for use by all other courts.

Demand for these services is high. The website provides local courts with information that they would otherwise need to research, translate, and post on their own. It saves hundreds of hours of duplicative work. Many courts have requested the development of videos for self-represented litigants as a way to provide more information in a time of staff reductions. Training events draw an audience of over 500 people. Over 4 million users view the self-help website annually. The self-help website usage has increased by 135% over the last eight years.

CFCC Educational Programs

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012-13 will support the statewide Family Law Education Program (FLEP) conference, last offered in spring 2011. FLEP will share the venue with other smaller programs that provide required education. The requested allocation will fund lodging and food only.

Consistent with current AOC cost reduction practices, CFCC now offers formerly annual statewide in-person training events (e.g., Beyond the Bench and FLEP) every other year. Planned for spring 2013, FLEP provides an opportunity for family court services staff, family dispute resolution administrators, child support commissioners and other programs involved in family cases, to meet their annual mandatory education requirements at one event through a series of training programs, workshops, and meetings. To maximize the benefit to attendees and reduce the need for them to attend multiple trainings, other CFCC programs will share the FLEP venue to provide mandated education in the areas of domestic violence, juvenile crossover issues, access to visitation, child support, as well as programs for family law facilitators and other in-court assistance to litigants.

CFCC partners with the Education Division/CJER to hold FLEP in conjunction with the Family Law Institute for family law judicial officers. The efficiency of using a shared venue results in cost savings in the areas of facility rental and faculty while also maximizing training opportunities for participants and reducing their annual travel costs and time away from court for court staff. Following cost reduction practices observed by CJER and CFCC's Beyond the Bench, judicial officers and court staff act as volunteer faculty. Paid speakers are used only when volunteer faculty are not available. Although funds are not distributed directly to the courts, all funds are applied to educational programs for court personnel and court-affiliated providers. None of these funds are used for AOC administrative costs. Participation is open to those working with courts across the state. Based on prior attendance, a projected audience of 450 attendees is expected.

2. Program Purpose

FLEP meets annual minimum education requirements for participants; costs to courts for providing the mandatory training are reduced through this event. The cost of FLEP training is approximately \$200 per person, far below the rate of outside vendors. A statewide conference also provides the opportunity for face-to-face collaboration with colleagues across the state and a forum to exchange effective approaches to meeting the challenges of the current economic climate.

FLEP meets mandatory education requirements under CRC 5.210, 5.215, 5.220, 5.225, and 5.230, including education for child custody mediators, evaluators, and directors that meet mandates for domestic violence training, new court professionals training, and general education. These education requirements are part of a larger mandated function for support of family courts and mandatory child custody mediation by the Judicial Council pursuant to FC 1850 and Government code 68553 and Government Code § 68555 for which CFCC provides a range of program activities, including FLEP. Likewise, per Federal (42USC 654(7) and 45 CFR 303.34); 42 USC 666(a)(2); 45 CFR 304.21(b)(2)); and State (AB1058, Stats. 1996, Ch.958; Family Code 3830, 4054,4067) mandates and CRC 5.300-d.375 and 5.35, CFCC provides funding, training, and technical assistance to child support programs, including mandatory education programs provided at FLEP. The Access to Visitation Program provides training and technical assistance in order to comply with Federal mandates and terms and conditions for Federal funding (42 USC 669B) as well as Family Code 3200-3204. These mandates are also met through training programs and meetings held as part of FLEP.

FLEP is education designed specifically for family law professionals working in the courts. It meets annual mandatory educational requirements. Costs of food and lodging are covered and required certification of attendance is provided. Nearly all courts participate in this training. Family court programs address some of the most complex and sensitive matters in the courts, including domestic violence, child abuse and neglect, child support, and child custody. Family courts are also among the highest volume courts and serve all community members. Consequently, it is difficult to overstate the impact on the public of effective, efficient services in Family Court, that appropriately address safety and the well being of children and families.

It is noted that the Bureau of State Audits conducted a program audit regarding compliance with the training mandates in child custody mediation and evaluation in FY2010-11. This reflects the interest of the public, and of policymakers, in compliance with these mandates, and in supporting the functioning of family courts.

CFCC Publications

1. Description of Program Activities/Expenditures in FY 2012–2013

In fiscal year 2012-2013, the allocation will be used to support maintenance of the *California Dependency Online Guide*.

Over 4,800 individual entries are available on the *California Dependency Online Guide*, including a comprehensive case law page with summaries and case text for California dependency and related state and federal cases; links to legal resources, including California Rules of Court, Judicial Council forms, California statutes, and state and federal regulations; sample briefs, motions, and writs; a calendar of upcoming conferences and trainings; distance-

learning courses, including for-credit online courses that meet the eight-hour training requirement for new dependency attorneys; educational content, such as handouts from the Beyond the Bench conference and other conferences, articles, brochures, videos, reference charts, publications; expert witness listings, including links to other databases of experts; information about county-specific reunification and family maintenance service providers, in areas such as substance abuse treatment and therapy and domestic violence counseling, including links to county or regional databases of service providers serving most California counties; juvenile court-related links to resource libraries, directories, service and training organizations, courts, and government agencies; and child welfare news, including timely updates about new and pending statutes, cases, California Rules of Court, and Judicial Council forms. This resource is available statewide. None of these funds are used for AOC administrative costs.

2. Program Purpose

The California Dependency Online Guide is a chief training and information resource used by 2,000 court-appointed attorneys in dependency proceedings across the state and a source of relevant, up-to-date information for judicial officers, attorneys, and all professionals working in California's child welfare system. This statewide resource saves costs of print publications, in-person training, and attorney time by providing easy access to practice resources.

The online guide is an important resource supporting the quality of practice in dependency cases as well as efficient and effective use of valuable court time. The guide is not a public resource, but children and families benefit from the quality of practice it supports.

Interactive Software – Self-Rep Electronic Forms

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012-13 provides access to the National Legal Document Assembly Server, operated by ProBonoNet. This server makes it possible for all courts to develop software programs to assist self-help centers to complete forms quickly, as well as to provide programs on the California Court's On-Line Self-Help Center. The cost of the server and technical support for this project is \$40,000 per year.

The courts have a critical need to transition to ProBonoNet as an alternative to EZLegalFile and ICAN!, both of which will now be charging for usage. With the loss of those forms completion programs, free tools for litigants to complete their forms on line, programs designed by the AOC using the National Legal Document Assembly Server in self-help centers will be adapted for use by the public on-line and, whenever possible, without the need to go to self-help centers. This allocation is used to extend the ProBonoNet contract. None of these funds are used for AOC administrative costs. All 58 court systems have self help centers. Currently more than

60,000 litigants complete forms using this program in self-help centers. With expansion of web-based programs, this number is expected to rise significantly.

2. Program Purpose

Since Judicial Council forms are used statewide, it is much more cost-effective to develop the programs on a statewide basis and make any adjustments required by a local court to accommodate their practice and procedure. While the program is designed to be used by attorneys and paralegals without a technology background, experience has shown that it takes a significant amount of time to become proficient at the program, and few courts can dedicate staff time to creating these programs which ask questions of litigants that are then input into standard Judicial Council forms. The branching logic, similar to a Turbo-Tax model, requires legal understanding of the court processes, as well as technical ability with the program.

The Statewide Action Plan for Serving Self-Represented Litigants, which was approved by the Judicial Council in 2004, called on the AOC to develop computerized forms that can create case-specific documents as well as to continue to develop resources for local court self-help programs. A number of courts have developed self-help center services based on the programs developed by AOC staff and using the existing license. Courts can use the server and license paid for with this allocation to host their own HotDocs forms. In the current economy, demand for self-help services is increasing just as courts resources are dramatically reduced. The programs support a more efficient use of self-help center resources, supporting litigants to avoid unnecessary use of court self-help center resources. One court program reports that using this program saves at least one hour per litigant preparing restraining order forms. Another indicates that the program will save their self-help center 3 hours per litigant in preparing conservatorship pleadings.

The current programs enable litigants to complete many required documents without assistance or with the use of Justice Corps or other volunteers. They then complete the remainder of the pleadings in a workshop setting, saving significant time for self-help center staff.

The program will be expanded to provide more information to persons preparing the pleadings on the self-help web site. The program allows litigants to complete forms by answering questions which are input into a Judicial Council form, letter, or other necessary document. As many litigants are now used to shopping on-line, the style of answering questions is much easier for them than trying to fill out a Judicial Council form in a standard PDF. This program allows them to produce typewritten documents with more complete information. It provides more instructions and can ask questions in a way that more self-represented litigants can understand and answer appropriately.

Human Resources Services Office

Judicial Officer Assistance Program

1. Description of Program Activities/Expenditures in FY 2012–2013

FY 2012-13 funds will be used to provide various assistance and support to approximately 1500 judicial officers and their families in dealing with a wide range of personal, family, and financial matters. These functions are outsourced to a vendor, and the vendor is tasked with providing the following services:

- Maintain a toll-free telephone access line 24 hours per day for participant access to JOAP services. Specialists will be available through the telephone access line to assess the caller's problem and arrange for appropriate assistance;
- Link each participant who requests in-person counseling services to a counselor;
- Treatment compliance monitoring; will monitor the participant's compliance with a substance abuse treatment program, as needed; and
- Provide critical incident stress management services to employees to counter emotional distress caused by catastrophic or traumatic events and to foster sharing of reactions, normalizing of reactions, and education on appropriate coping strategies.

In FY2011–12 AOC HR secured a contract with Managed Health Network (MHN) to provide this benefit. MHN intake specialists take an initial assessment and depending on the bench officer's needs, MHN may refer the bench officer to a network psychologist, social worker, marriage and family counselor, financial advisor, lawyer, childcare or eldercare provider or other trusted professional.

2. Program Purpose

The JOAP is a program designed to help bench officers cope with emotional, health, family, and other personal problems. Due to economies of scale, the AOC is able to administer these services with a single vendor at a lower rate than what would be assumed by each individual court. The program benefits all judicial officers throughout the California court system. Courts with small and large populations of judges share the same level of support and have the same level of access to these services. The program is also part of a comprehensive benefit plan for judicial officers and provides them with resources to handle personal, sensitive issues in a confidential manner.

In addition, the critical incident stress management component of the program provides direct assistance to the public. JOAP counseling services were provided to jurors and members of the public when they witnessed a violent altercation between a judge and a defendant in 2009. The

services were instrumental in minimizing the traumatic impact of the event, and successfully provided the public with access to available counseling resources.

HR Legal Counsel for Trial Court Benefits

1. Description of Program Activities/Expenditures in FY 2012–2013

The AOC contracts with one law firm for the purpose of supporting all trial courts on matters pertaining to benefit questions arising in the courts.

2. Program Purpose

The contractor works directly with ASD/HR, and in consultation with OGC in providing legal advice and information to the trial courts on various benefits issues, including, but not limited to: Health Plan Reform legislation and its legal application in the trial courts such as the dependent coverage imputed taxation differences between state and federal law; COBRA temporary premium supplement payments and appropriate application to the employees of the trial courts; deferred compensation plan legal requirements and issues that have arisen regarding tax law requirements; cafeteria plan applications including discrimination testing as to highly compensated employees; HIPPA issues as to propriety of business associate agreements between the courts and insurance brokers. Outside legal assistance is needed due to the specialized nature of the subject matter.

Labor Relations Academy

1. Description of Program Activities/Expenditures in FY 2012–2013

FY 2012–2013 funds will be spent on a single statewide academy event, with monies covering trial court attendee costs related to travel expenses, hotels, meals, copying/mailing pamphlets, and supplies such as certificates, educational material, and other incidentals as needed.

In March 2012, the labor and employee relations unit hosted the annual Labor Relations Academies with 122 registered participants representing 34 trial courts. With the current fiscal crisis trial court agreements have been generally reduced to a one year term as opposed to the traditional two to three year terms. Based on the frequency of negotiations in the courts, the office expects the number of participants to dramatically increase in FY12-13.

2. Program Purpose

The Labor and Employee Relations Unit develops and hosts annual Labor Relations Academies to assist trial court professionals in understanding and effectively working in a labor environment. The academies provide varying levels of discussion, education, and training that is

based upon the needs of the trial courts each year and based upon their input. The forums provide a venue for courts to have an open dialogue between AOC staff and court staff on current events related to labor relations issues. During the academies and forums, labor relations experts from both the AOC and the courts share updates, best practices, and potential hazard areas with the participants. The academy provides court administrators and HR professionals with baseline, consistent strategies in managing expectations (and potentially costs) during negotiations, at no cost to each court.

The Labor Academies and Forums were developed to address two legal mandates:

- a) The Trial Court Employment Protection and Governance Act (TCEPGA), effective January 1, 2001, mandates that the trial courts become the employers for the approximately 19,000 trial court employees, most of whom are union-represented. Under this mandate, the trial courts must accomplish all of the attendant human resources responsibilities of an employer, including all labor and employee relations functions, by January 1, 2003.
- b) The Trial Court Interpreter Employment and Labor Relations Act ("TCIELRA" or "the Act") (Stats. 2002, Ch. 1047), effective January 1, 2003, created a new employment system for court interpreters under Government Code Section 71800 et seq. To more efficiently allocate scarce interpreter resources, the Act required trial courts to employ spoken language interpreters as court employees rather than as independent contractors on or after July 1, 2003 based upon specified criteria. Ultimately, this Act created new human resources responsibilities for the trial courts, adding four new regional labor agreements and approximately 800 union-represented employees.

Workers' Compensation Program Reserve

1. Description of Program Activities/Expenditures in FY 2012–2013

This allocation is for the purpose of paying workers' compensation tail claims costs associated with trial courts leaving a county-administered workers' compensation program.

2. Program Purpose

Effective January 1, 2001, the Trial Court Employment Protections and Governance Act transferred trial court employees from employment with the county to employment with the court. Government Code section 71623.5(b) requires the court to provide workers' compensation coverage for trial court employees except where the County continues to provide such coverage pursuant to Government Code section 71623.5(b).

As a result of the establishment of the Judicial Branch Workers' Compensation Program (JBWCP) and the requirements above, this allocation was established to resolve outstanding liabilities with counties for workers' compensation claims handled by the counties from January 1, 2001 until the claims transferred to the JBWCP. The AOC is currently negotiating with two additional counties with total demands in excess of \$1.89 million. The AOC believes it can resolve those claims for a total payout of approximately \$1.89 million. These negotiations should conclude during FY 2012-2013. In light of these ongoing negotiations, the balance should remain at the current level in order to allow the pending negotiations to continue and to provide funding for the settlements.

HR – Trial Court Investigation

1. Description of Program Activities/Expenditures in FY 2012–2013

The Trial Court Investigations Program provides investigative services by a contracted licensed attorney. Each request for assistance is evaluated by the labor and employment relations unit (LERU) team in cooperation with the Labor and Employment Unit (LEU) in the Office of the General Counsel (OGC). Generally investigative services are provided by AOC staff in LERU. However, in some situations LEU and LERU have determined that completion of the investigation would be best served by a third party investigator. This generally occurs when AOC staff is fully committed to other assignments or a particular situation requires objective review by an outside third party investigator.

2. Program Purpose

During the current fiscal crisis, there has been a consistent rise in employee relations issues that is expected to continue in the foreseeable future. Based on this trend, and on the anticipated attrition of AOC staff under the current hiring freeze, there will be a continued, if not increased, need to utilize the services of an outside investigative service to meet the needs of the trial courts.

Fiscal Services Office

Enhanced Collections

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012–2013 will be used for ongoing costs associated with staff supporting the AOC's Enhanced Collections Unit. The unit will work with the courts and counties to develop guidelines and standards for the discharge of uncollectable debt. In addition, the unit compiles

and produces the annual report to the Legislature about the statewide performance of the collection of court ordered debt. The annual report to the Legislature is required by Penal Code section 1463.010. As reported to the Legislature, in fiscal year 2010–2011 the collection of delinquent court-ordered debt increased from \$565 million to \$605 million from the prior fiscal year, representing a 7 percent increase of \$40 million dollars. Despite the increased collections, programs also reported an increase in the amount of outstanding delinquent court-ordered debt from \$5.5 billion at the end of FY 2008–2009 to \$7 billion at the end of FY 2009–2010.

2. Program Purpose

The Enhanced Collections Unit was established to provide program support to courts and counties in their efforts to develop or improve the collection of court-ordered delinquent debt.

Internal Audits

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012–2013 will be used for ongoing costs associated with staff supporting the branch’s ongoing internal audit program.

2. Program Purpose

The internal audit program was initially approved by the Judicial Council in FY 2000–2001. Internal Audit Services conducts comprehensive audits (financial, operational, and compliance) encompassing court administration, cash controls, court revenues and expenditures, and general operations at each of the 58 trial courts approximately once every four years. These activities improve accountability regarding the judicial branch’s use of public resources, assist the branch in identifying opportunities to improve operational efficiency, and evaluate the branch’s adherence to its statutory and constitutional mandates.

Treasury

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012–2013 will be used for ongoing costs associated with staff responsible for the accounting and distribution of civil fees collected by the trial courts. These two positions support the daily accounting and monthly distribution of Uniform Civil Fees (UCF) collected by the trial courts, enter the information into a financial system application which calculates the statutory distributions, executing the monthly cash distributions when due to the State and local agency recipients, and account for the function in the Phoenix financial and accounting system.

2. Program Purpose

With the centralized financial system application, all 58 trial courts need only to generate a monthly UCF collection report and provide to the AOC's Treasury Unit that significantly reduces the maintenance and reporting workloads from all trial courts. Some courts may need specific support from these two funded positions for other cash management and treasury functions.

Trial Court Procurement

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding in FY 2012–2013 will be used for ongoing costs associated with staff that support the statewide master agreement program being utilized by the trial courts.

2. Program Purpose

The program solicits agreements for goods and services commonly used by the courts, thus relieving the courts of the work involved in soliciting bids and proposals and negotiating and executing agreements on their own. It has been in place since 2005. The agreements have been widely used by the courts, and each year has seen increased participation by the trial courts. In addition, because of economies of scale associated with statewide agreements, these master agreements have resulted in pricing that is significantly below what most courts could receive on their own. Also, the master agreements provide for a consistent set of terms and conditions that better mitigate risk for the courts.

Budget Focused Training and Meetings

1. Description of Program Activities/Expenditures in FY 2012–2013

With the proposed budget, one in-person meeting and a limited number of conference calls will be held in each year.

2. Program Purpose

The allocation supports activities of the Trial Court Budget Working Group (TCBWG). Responsibilities of the working group include the following:

- Providing recommendations on trial court budget priorities to guide the development of the budget for the fiscal year presently being developed.
- Making recommendations on the allocation of trial court funding, including methodologies for allocating trial court budget augmentations and reductions.
- Making recommendations, as appropriate, on budget policies and procedures.

- Participating in the budget development process.

Audit Contract

1. Description of Program Activities/Expenditures in FY 2012–2013

The audit contract funding has provided funding for external consulting firms to perform comprehensive audits and special projects for the superior courts to ensure the superior courts are audited on a timely basis and with a regular audit cycle as approved by the Judicial Council.

Funding will be used in FY 2012-13 to continue to audit the trial courts in operational, program, and financial areas to complement the audits performed by external audit entities (Bureau of State Audit for the contract law implementation audits and possibly State Controllers for the financial component/statement audits). As this is a transition year concerning the external audits, the audit program approach is still be evaluated. The funding will also be used to audit areas not covered by the external audits of the trial courts. The contract audit monies used for the external resource will be utilized to support the costs that may be imposed by these external audits.

2. Program Purpose

The audit program performs reviews to ensure that an effective system of internal controls supports the judicial branch's efforts in meeting its objectives and is designed to inspire public confidence and trust in the court system by protecting the branch's assets and promoting properly managed operations. Those objectives are intertwined, are not easily separable, and include: operational, financial reporting and compliance objectives. The branch must maintain an effective internal control system as an integral part of its management practices. This internal control system must also be continuously monitored and evaluated for the purpose of strengthening existing operational, administrative, and financial controls for fundamental business and legal reasons. The program as a whole, primarily the consultation services, has assisted the superior courts in saving tens of millions of dollars since 2001 and continues to assist the branch in visibly demonstrating its commitment to accountability (Goal II of The Strategic Plan for California's Judicial Branch 2006–2012).

Office of Security

Trial Court Security Grants

1. Description of Program Activities/Expenditures in FY 2012–2013

In FY 2012–2013, the Office of Emergency Response and Security Unit (OERS) will utilize existing statewide master agreements for the purchase, installation and maintenance of duress

alarms, video surveillance, and access systems, as well as other security enhancement projects at Trial Court Facilities.

Trial Court Security Grants are determined in part as the result of security assessments conducted by OERS staff. There are fifteen courts currently scheduled for security enhancements as a result of assessments conducted in FY 2011-2012, but deferred to FY 2012-2013 due to a lack of funds.

The list below does not represent all projects to be completed in FY 2012-2013. The unallocated amount listed on the last line of the chart is held in reserve to address changes in the cost estimates and urgent court requests.

COUNTY	FACILITY	PROJECT	ESTIMATED COST
AOC	Bold Planning	maintenance	68,000.00
AOC	Bold Planning	training	25,000.00
AOC	CCTV/Access	time and materials	100,000.00
AOC	StopTech	service agreements	16,000.00
El Dorado	Placerville	cameras - asbestos	50,000.00
Humboldt	Eureka	cameras/DVR	35,000.00
Kings	Hanford	cameras-phase 1	150,000.00
Madera	Bass Lake	replace DVR	16,000.00
Madera	Madera	cameras	10,000.00
Mariposa	Mariposa	cameras	17,000.00
Merced	inmate interview room	camera	7,500.00
Napa	Old Sonoma Road	camera retrofit	65,515.00
Riverside	Hall of Justice	cameras	75,000.00
San Francisco	Polk Street	camera and DVR	10,000.00
San Francisco	YGC	camera	10,000.00
San Francisco	CCC	cameras	30,000.00
San Joaquin	Manteca	cameras	18,000.00
San Mateo	Main	cameras	10,000.00
Solano	Fairfield	cameras	50,000.00
Sonoma	Santa Rosa	replace DVRs	47,000.00
Sonoma	Empire Annex	cameras and head end	50,000.00
Stanislaus	Modesto	access	48,495.00
Stanislaus	Juvenile Dependency	security enhancements	46,000.00
Stanislaus	children's waiting room	cameras	15,000.00
Unallocated		emergency reserve	230,490.00
		Total	1,200,000.00

Project Details

Emergency Plans – The contract with Bold Planning Solutions includes an annual system maintenance fee of \$68k to maintain the web based tool used by the courts for their various

emergency plans. In each of the past two fiscal years, \$50k of the TCIF budget was used to provide training to court staff in the completion and maintenance of their plans. As a cost saving measure, a 50% reduction in training costs is planned for FY 2012-13 along with a change from training at individual court locations to a regional training model. This is now vital since the OERS staff person assigned to this project has been laid off due to budget cuts.

Duress Alarm Systems – A two year warranty is included in the cost of installation for new duress alarm systems. Historically, approximately \$30k has been expended annually for extended service agreements on the systems installed with Trial Court Security Grant funds. The retrofit of 63 systems in FY 2011-12 will result in a savings of a portion of the annual service costs. However, approximately \$16k in extended service agreements will still be necessary for those systems that were not part of the retrofit project.

Video Surveillance (CCTV) and Access Systems – A two year warranty is included in the cost of installation of new CCTV and access systems. In prior years, extended service agreements averaging between \$300 and \$400k annually were purchased. As a cost saving measure, service agreements were not purchased in FY 2011-12, and service calls were addressed on a time and materials basis. The cost of the time and materials service calls in FY 2011-12 was less than \$100k. This funding is critical to ensure that emergency repairs to this equipment can be made without cost to the courts.

El Dorado - Placerville Main Courthouse - Originally this project was approved to install nine cameras and a video recorder to replace an out of date system. The court applied for grant funds to add cameras to the public areas of the courthouse as well as replacing cameras that were malfunctioning. The current system did not adequately cover the public areas of the court, did not provide recording capability and was failing. After a review of the current system and the courts needs it was determined the best course of action was to replace the entire system with the addition of some key camera locations. Unfortunately it wasn't determined until the system was ready to be installed that there was an asbestos issue within the building. The project was put on hold until funds are available to do the necessary abatement. The purpose of this project is to do the necessary abatement and finish the installation of the system. The parts have been purchased and are ready to install. The risk of not doing this project is danger to the public. Additionally, staff cannot otherwise monitor/observe the areas that will be covered by the new system.

Humboldt – Eureka - The Eureka courthouse has several new clerk areas that have been added to the court since the original CCTV system was installed some years ago. Incidents have occurred in the courthouse that could not be seen on the existing video system. The court has requested an additional 6 cameras to be placed in the areas that currently lack coverage. The additional cameras will require replacing the existing DVR, as it does not have sufficient capacity for the additional cameras. Without the camera additions, the security and safety of the public and staff will be compromised.

Kings-Main Hanford Courthouse - This is a court requested project to upgrade the cameras within the main court building in Hanford. The cameras were installed by the county years ago and have since become outdated. The cameras have poor resolution making it impossible to identify people's faces and details on recorded footage. The cameras are susceptible to both glare and shadow, rendering much of the recording footage unusable. In the past few months there have been numerous assaults on court staff and law enforcement within the court and within view of the cameras, but due to the poor quality of the cameras and the footage they captured, little in the way of usable video evidence was recorded. In order for this situation to be remedied, both the antiquated cameras and the DVR need to be replaced with current technologies. Funding for this work will be kept to the minimum needed to maintain the system until the new courthouse is completed in 2015. Without these upgrades, the Kings County Court does not have a functioning or usable camera system.

Madera - Bass Lake - An additional DVR is required at the Bass Lake Courthouse. Currently, the number of cameras in use at the courthouse exceeds the capacity of the existing equipment to record and broadcast the images to the security station. Although the images are being recorded, they cannot be viewed by security staff. This addition is requested by the court, security personnel and OERS. Without a DVR upgrade, there will continue to be cameras that are not being viewed by security staff, an incident could occur in full view of a camera, but it would not be viewed by security staff.

Madera-Main Madera Courthouse - This is a court requested project to reposition one or more cameras on the facility's exterior. During extended periods of the day, the sun's glare on a camera facing a publically accessible courtyard makes it impossible for security staff to see the courtyard. This courtyard is used by sheriff's personnel to walk in-custody defendants to/from court, and it is essential the cameras function so security staff can ensure there is no threat to staff or inmates prior to them entering this space. Recently a member of the public was waiting in the courtyard and out of view due to the glare, awaiting the arrival of an in-custody inmate. Only because an alert security officer was on foot patrol of the area prior to the inmates passing by was this person removed from the space prior to him being able to contact the inmate.

Mariposa – Mariposa Courthouse - There are currently several "blind spots" on the exterior of the Mariposa courthouse. These blind spots can allow a potential attacker to hide out of view from security staff. This project was requested by the court and their security provider and has been reviewed and recommended by OERS staff. There have been several instances of incidents outside the courthouse that security personnel have not been able to monitor. Failure to complete this system may put court personnel and visitors at additional risk.

Merced – Old Courthouse Interview Room - There is an attorney/client interview room located adjacent to the arraignment courtroom in the jail facility. This room is routinely used by attorneys to interview in-custody defendants. Due to the location of the room, court security personnel are unable to view both the room and the court. There are often numerous in-custody defendants in this room with minimal supervision. A camera mounted in this room would assist the court security provider in monitoring the defendants and alert them to a violent incident. This project has been reviewed and recommended by OERS staff. Failure to complete this project, which enhances the CCTV system installed in recent years, will allow a high risk situation to continue for both attorneys and security staff.

Napa - Criminal Courthouse - The Napa criminal courthouse has a comprehensive camera system that is monitored full time. This system was installed through the grant program several years ago. The cameras cover much of the building, screening, exits, and judge's entry and in custody holding areas as well as operate doors, access systems and the holding areas security systems. The monitors used to view these cameras have been failing on a regular basis for the past year. The court has requested new monitors. The type of monitor being used is no longer manufactured. The monitoring station will need to be redesigned to accommodate new monitors. There are no spare monitors available from the manufacturer, so unless the current workstation is redesigned and new monitors purchased, the security staff will be unable to operate the entire facility system.

Riverside-Hall of Justice - In 2012, OERS reviewed the existing installed camera system in the HOJ. The system is approximately 20 years old, and was in poor repair. OERS through its master agreement had the vendor complete a preventative maintenance service (PM) on the system, however 20 cameras could not be tuned or serviced due to their age, and the picture is less than 50%, and monitoring staff cannot clearly see through many of those cameras. Another 35 plus cameras are salvageable and will be retained. The DVR's (2) are also outdated and need to be replaced at the same time as the cameras. Failure to maintain this system will greatly reduce security in the facility, putting staff and visitors at risk.

San Francisco - Youth Guidance Center - The Youth Guidance Center has a limited security camera system. A staff door at the rear of the facility does not have camera coverage. From the inside, the door is accessible to the public, since it is also an emergency exit. The court has requested the addition of a camera to monitor those entering and exiting through it. The camera would allow security staff to identify anyone being let in through the door in order to circumvent weapons screening. Not furnishing a camera for this door will continue to allow the possibility of unscreened individuals or weapons being introduced to the building, endangering the occupants.

San Francisco - Polk Street Annex - The Community Justice Center, or Polk St. Annex, has a single, non recorded, fixed camera used to monitor the area outside of an exterior door. The door is used by judicial staff, as well as deputies who bring custodies in and out of the facility through it. The camera, while showing the immediate area outside of the door (monitored from directly inside the door) does not provide adequate coverage to identify a person lying in wait for a judge, or to attempt to free a prisoner. The camera is not recorded. A homicide occurred in the alley where the door and camera are located, and if the camera had been recorded, it may have provided the means to identify the suspect. Failure to add an additional camera and recording will result in the continued risk to judicial staff, deputies and their custodies.

San Francisco – Civic Center Courthouse - The Civic Center Courthouse does not have exterior cameras covering the front of the building, where the public entrance is located. Prior to opening in the morning, long lines of people form waiting to enter the courthouse. Numerous altercations have taken place between those waiting for entrance to the court, and transients, aggressive pan handlers, intoxicated, and/or emotionally disturbed people who frequent the area. The court has requested the installation of exterior cameras covering the area of the public entrance. Adding exterior cameras would allow security staff to monitor activity outside the entrance and respond to incidents much more effectively. The video would also provide recorded evidence of incidents, including vandalism to the courthouse. This project would be an extension of the grant funded CCTV system installed through this program 4 years ago. This courthouse has had a shooting incident, where a shot was fired at the building and penetrated the window above the front doors.

San Joaquin – Manteca - This project has been designed in conjunction with a current FMU project to remodel/add-on to the existing Manteca courthouse. The project is adding three cameras to a new holding area that did not exist prior to the remodel/addition. The risk for not doing this project is officer safety issues for sheriff's staff who are monitoring the inmates. These additional cameras will give bailiff staff in the courtroom the ability to monitor the holding area and alert them to potential issues being encountered by correctional staff in holding.

San Mateo - Hall of Justice – There are two emergency exit/staff doors leading to the exterior of the Hall of Justice in Redwood City that present security concerns. Although the doors are alarmed, with employee access card override, the public often uses the emergency exits as normal egress, ignoring the alarm signage. The doors are a significant distance from a security response location, taking deputies minutes to respond to an alarm. The court has requested cameras be installed to monitor these doors, and to provide a video record of their use. It is quite conceivable that a person who has entered the building through screening could then open one of these doors and either obtain a weapon or allow an unscreened individual into the courthouse before a deputy could respond. These doors were also identified during an OERS assessment as being a security concern. Without cameras, the security vulnerability will continue to exist;

placing the public, staff and judicial officers at risk. If the exterior cameras are not installed, activities directly outside of the courthouse will go largely unnoticed by security staff, delaying any response to an emergency situation.

Solano – Fairfield - The Fairfield Law and Justice Center is in need of several camera replacements. Many of the cameras are old, black and white technology and fail on a regular basis. Currently, 8 of 46 cameras are non operational. A recent incident inside a courtroom was not recorded because the camera was not working. Having 20% of the security cameras not operating is unacceptable, and that number is only going to increase unless the cameras are replaced. New cameras will provide the court with modern, effective video technology that will improve the safety and security of visitors and staff. The head end recording equipment has been replaced, so only the cameras need replacement at this time. Not replacing the cameras will result in continued deterioration of security and limit the availability of recorded evidence and monitoring of incidents occurring in the courthouse.

Sonoma – Civil and Family Law Courthouse - At the Sonoma civil and family law courthouse the DVR hard drives have begun to fail. Hard drives have been replaced. There have been numerous failures, and during the repair period no camera recording can take place. A solution has been identified to replace the existing DVRs with newer technology recording equipment that is not susceptible to hard drive failure. Failure to replace this equipment will result in continuing failure of the video system and reduce the effectiveness of the overall security profile of the court.

Sonoma – Empire College Courthouse - The Empire college courthouse, consisting of two courtrooms is located in a facility shared with the Empire law school. There is currently no video surveillance system in place. The court has requested a camera system to be installed in order to provide additional security and a record of security incidents. According to the access control reports, several instances of persons attempting to gain access to the building after hours, using proximity cards have occurred. Although entry was not gained, there are no cameras on the entry/exit doors to record these incidents, and help determine if the access attempts were the result of a legitimate cardholder's errant use, or if a card was lost or stolen and a person was attempting to criminally enter the facility. Given the mixed use of the building, security cameras will provide much needed records of activities within the courtrooms, at the entrance screening area and for the other entrance/exit doors.

Stanislaus-Modesto - This is a court requested project to install a fully functioning access control system at the Modesto courthouse. Without a properly functioning access control system, secure access to areas secured for court staff and judicial officers, as well as areas designated as in-custody only, is jeopardized and can be accessed by unauthorized persons. This project has been reviewed and recommended by OERS staff. If this project is not approved,

judicial officers, court staff, security personnel and court users could potentially be put in direct harm's way.

Stanislaus-Juvenile Court - The juvenile court is antiquated and in need of extensive security enhancements. There is inadequate screening; the courtrooms are cramped and difficult to move in. Judges and members of the public mix with in-custody defendants, judges' vehicles are visible and accessible to the public, and there numerous additional security concerns. A security review was requested by both the court and a Judicial Council member and OERS is currently generating a report recommending extensive enhancements to security. If these issues are not addressed, the likelihood of a violent incident occurring in this facility is high.

Stanislaus-Children's Waiting Room - This is a court requested project to install cameras in the children's waiting area. Children are often the victims of abduction and violence when caught in the middle of a family dispute, and cameras are needed to ensure the children's waiting area of the courthouse is properly monitored to ensure the children in this room do not fall victim to crime. This project has been reviewed and recommended by OERS staff. If this project is not approved, the children waiting within the courthouse are at an increased risk of being victimized.

2. Program Purpose

The Office of Emergency Response and Security (OERS) budget is primarily used for the purchase, installation, staff training and maintenance of security equipment in the Trial Courts. OERS administers Statewide Master Agreements for video surveillance and access systems, duress alarm systems and entrance screening equipment. The installation of these security systems are the result of threat assessment surveys conducted in the courts. These surveys highlight the areas where inadequate security systems pose a potential risk to the safety and security of bench officers, court personnel and the general public.

Court Operations Special Services Office

Public Education and Outreach (JusticeCorps/Access to Justice)

1. Description of Program Activities/Expenditures in FY 2012–2013

JusticeCorps is funded with a \$1.2 million AmeriCorps grant, with matching funds provided by the participating courts and the AOC.

Funding for FY 2012-13 will support the 9th year of JusticeCorps program operations at a total of 6 partnering courts (Los Angeles, San Diego, Alameda, San Francisco, San Mateo, and Santa Clara). Funding will be distributed directly via Intrabranh Agreements (IBAs) to the designated lead courts—Los Angeles, Alameda, and San Diego—to continue their successful efforts. These

funds are largely used by these courts to support program expenses, including staff salaries, training expenses and other member support costs.

The JusticeCorps program trains and places college students in service at court-based self-help centers to assist self-represented litigants. Working under the supervision of attorneys or other court staff, JusticeCorps members help litigants by identifying appropriate forms, helping to complete and file the forms properly and also providing information and referrals to related services. The JusticeCorps program presents an innovative, cost effective approach to increasing access to justice for self-represented litigants. The program has shown measureable results since it began in 2004. In the 2011-2012 program year, 277 students provided assistance to over 90,000 litigants.

Access to Justice Internship

Funding will be distributed to the Placer court acting as the lead in a new effort designed to leverage the best practices and resources of the JusticeCorps program to operate a smaller scale, more flexible internship type program in the courts' self-help centers. The internship is designed to help the court's self-help center serve the public better, while providing a high quality learning opportunity for students. The best practices of the JusticeCorps program will be utilized (such as recruiting students in cohorts, training them as a group, de-briefing after each service day) as well as materials and resources including training curricula. The program will work with local universities and junior colleges to recruit 25 students for the internship. Each internship is adapted so that it accommodates each college's academic requirements.

2. Program Purpose

JusticeCorps and the Access to Justice Internship Program strongly embody *Justice in Focus: The Strategic Plan for California's Judicial Branch 2006-2012*, Goals I, III, IV, and V. In addition, the innovative nature of JusticeCorps for improving court administration has been recognized by the Judicial Council—the Superior Court of Los Angeles County's JusticeCorps program received a Ralph N. Kleps Award in 2007. JusticeCorps also represents a cost-saving solution to support mandated self-help centers that continue to be underresourced and are experiencing a high increase in volume and need due to the current economic crisis. We expect the Access to Justice internship program to provide the same benefit.

These funds make it possible for the participating courts to serve more self-represented litigants more thoroughly and effectively, allowing court staff to better triage litigants and workload. Several courts have structured their self-help services and physical layout around the use of JusticeCorps members. Losing the program would have a significant negative impact in the way the 25 participating centers operate and the numbers of people they can serve.

In 2012-2013, the programs will:

- a) Serve 7 counties, representing 48% of the state's citizens
- b) Provide assistance to approximately 90,000 Californians
- c) Support 25 self-help legal access centers throughout the state.

Court Interpreter Testing, Recruitment and Education

1. Description of Program Activities/Expenditures in FY 2012–2013

At the current level of funding, the *Court Interpreters Program* will be able to continue to grow the court interpreter pool and ensure quality interpretation in mandated cases by providing for the testing, orientation, and recruitment of new interpreters and interpreter candidates, as well as providing and monitoring necessary continuing education activities for the over 1,800 certified and registered California court interpreters used throughout the courts statewide.

Additional activities would support efforts to expand language access in other areas of the court, and support efficiencies to best utilize the current pool of interpreters through the use of remote technology. Specifically, at the current level of funding, the Court Interpreters Program would be able to provide all 58 courts with qualified court interpreters by continuing to provide the following:

- Administration of court interpreter certification and registration exams (written and oral exams administered to approximately 2,100 candidates per year);
- Outreach and recruitment of potential qualified candidates, both in spoken languages and ASL (to assist interpreter growth);
- Expansion of the use of video remote technology resources to leverage interpreter resources throughout the state;
- Provision of an adequate number of workshops and mandatory trainings to increase the skills of current court interpreters and provide orientation to those new to the profession (delivered to approximately 100 interpreters per year);
- Ability to support current registered interpreters in newly designated languages by providing test preparation workshops (delivery to approximately 50 interpreters).
- Provide for administrative needs for production of court interpreter badges (for approximately 250 interpreters per year), printing and shipping materials for outreach events and materials sent to courts, education partners and conferences.

Regional conferences will be held for court interpreter coordinators (58 representatives) from all courts to provide education and information so that all courts have consistent and updated information.

2. Program Purpose

California is mandated to provide certified and registered interpreters for litigants with limited English proficiency in all mandated cases. (Government Code §68560-68566) The Judicial Council is responsible for certifying and registering court interpreters and for developing a comprehensive program to ensure an available, competent pool of qualified interpreters. From 2004 -2008, the state's courts provided more than 1 million service days of spoken language interpretative services (*2010 Language Need and Interpreter Use in California Superior Courts*). Additionally, there is a growing national and state interest in providing broader language access services in all points of the courtroom process.

The current programs and projects, for which funding is requested, support the mandated Government Codes §68560-§68566, and directly benefit all trial courts by ensuring that certified and registered interpreters meet the standards set by the Judicial Council.

Benefits realized from the proposed programs:

- a) Maintaining statewide administration of testing by a Judicial Council- approved testing entity ensures consistency in the standards for test administration, test content, test scoring and reporting not only statewide, but nationally. It also supports the mandate under GC §68562(b). We currently partner with 43 National Center for State Courts' member states. Partnership allows us to utilize a national registry of language experts and provides the ability to share costs of new test development. Local administration of testing by individual courts is not a feasible option. We contract with an outside vendor to administer approximately 2,100 tests per year, handle over 7,400 calls per year, hire and oversee the training of test proctors, raters, and coordinate test development efforts.
- b) Targeted outreach and recruitment activities result in a growing number of qualified individuals entering the court interpreter profession. Recruitment efforts are mandated under GC §68562(d). Continuing these activities will result in maintaining a pool of newly qualified spoken language and ASL interpreters available to the courts.
- c) Many courts are supportive and have expressed interest in the use of Video Remote Interpreting (VRI). Recent piloted testing of VRI resulted in reduced costs due to the savings realized by reducing the need to pay for transportation costs as well as the costs associated with not having an onsite interpreter available. As the future budget situation within California and the judicial branch remains uncertain, it is vital that we continue to explore cost savings measures that will allow for access to justice for LEP populations.
- d) Ethics and Orientation workshops must also occur for interpreters to meet the requirements of the California Rules of Court, 2.890 and GC §68562(e). They also meet the continuing education and compliance requirements required of all new interpreters. These workshops directly benefit the courts in that new interpreters are aware of their

duties to the profession and the codes of conduct expected of them while interpreting in the courtroom.

- e) Registered interpreters in newly designated languages must pass certification exams in order to meet the requirements for maintaining interpreter status and supports GC §68560(d). CIP provides test preparation workshops, conducted by language experts, in order to support these interpreters to prepare for the examinations. A failure to provide test preparation workshops may result in fewer interpreters in the newly designated languages being available to the courts.
- f) Administrative support needs directly support all programs by providing educational and informational materials to the courts, community partners and outreach activities. We also provide approximately 250 court interpreter badges per year, both to new interpreters and those requesting replacements.
- g) Providing regional conferences for at least 58 court interpreter coordinators will provide a forum to review program developments and changes, allow for clarification of policies and procedures, and provide a communication bridge between the Court Interpreters Program and the courts.

Supporting the Court Interpreters Program at the current level of funding will provide, at a minimum, the ability to maintain the mandated requirements set forth in Government Codes §68560-68565. With the increasing need for the expansion of language access services in the courts, as well as the mandate to provide certified and registered interpreters in all criminal and some civil proceedings, the current allocation level will allow the Court Interpreters Program to continue to deliver and expand these vital services so that the courts will have a competent and available pool of qualified interpreters to serve the needs of those with limited English proficiency (LEP).

Trial Court Performance and Accountability

1. Description of Program Activities/Expenditures in FY 2012–2013

Funding for FY 2012-13 would allow for one in-person meeting of the SB 56 Working Group – 16 member courts with approximately 25 people travelling.

The SB 56 Working Group is charged with evaluating and revising the trial court judicial and staff case weights with two goals: 1) to take into account changes in workload over time and 2) to incorporate measures of performance into the case weights. In addition, Office of Court Research (OCR) staff to the SB 56 Working Group have taken on additional responsibilities related to the conversion of workload estimates into estimates of funding need. This work has involved additional coordination with members of the Trial Court Budget Working Group and will benefit from having at least one face-to-face meeting to finalize the new staff caseweights and the revised method for converting workload estimates into estimates of funding need.

\$9,000 of Trial Court Improvement and Modernization Fund money would be used to fund travel of between 20 and 30 people to one meeting in FY 2012-13.

2. Program Purpose

Government Code 69614 requires biennial updates to the Judicial Workload assessment which is overseen by the SB 56 Working Group. Government Code 77001.5 requires an annual report to the Legislature of “judicial administration standards and measures that promote the fair and efficient administration of justice” which the SB 56 Working Group is also charged with overseeing. Finally, the annual updates to the Resource Allocation Study (RAS) are critical to evaluating the equity in funding across courts. This work is being supplemented this year with new data on the cost of labor and a new method for evaluating the OE&E in trial courts’ budgets.

Trial Court Improvement Fund Internal Guidelines

1.0 Overview

The Trial Court Funding Act of 1997 (Chapter 850, Statutes of 1997) revised provisions governing the Trial Court Improvement Fund (Improvement Fund). Government Code section 68502.5 was amended to provide for the allocation of funds in the Improvement Fund to ensure open and equal public access to the trial courts, to improve trial court operations, and to address trial court emergencies. In addition, Government Code section 77209 was added to provide for an annual appropriation to the Improvement Fund consisting of one percent of the annual appropriation for the trial courts. The section states that the Improvement Fund shall be used as specified and expenditures may be made to vendors or individual trial courts that have the responsibility to implement approved projects. Any funds unencumbered at the end of that fiscal year are reappropriated to the Improvement Fund for the following fiscal year.

Government Code section 77209(g) allows the Judicial Council (Council), with appropriate guidelines, to delegate the administration of the Improvement Fund to the Administrative Director of the Courts (Administrative Director).

2.0 Purpose

In order to meet the critical needs of the courts and enable staff to commit funding on a timely basis, this policy establishes the guidelines by which the Council's Executive and Planning Committee (Executive Committee) is authorized to act on behalf of the Council with regard to the administration of the Improvement Fund, and the administration of the Improvement Fund is delegated by the Council to the Administrative Director, pursuant to Government Code section 77209(g) and the California Rules of Court (rule 10.11(d), effective January 1, 2007).

3.0 Guidelines and Procedures

In accordance with rule 10.11(d), the Executive Committee is hereby authorized to act on behalf of the Council regarding administration of the Improvement Fund, and the Council hereby delegates the administration of the Improvement Fund to the Administrative Director or his/her designee in accordance with the following guidelines:

3.1 General Allocation of the Improvement Fund

The Improvement Fund contains funding from the following sources: Funds required to be allocated to the Improvement Fund from the Trial Court Trust Fund by Government Code section 77209(b) (One Percent Transfer); funds representing the state's fifty percent

share of the increase in fee, fine, and forfeiture revenue required to be deposited in the Improvement Fund by Government Code section 77205; funds representing interest earned on money in the Surplus Money Investment Fund from the Improvement Fund; funds retained in the Improvement Fund from previous years; and funds representing two percent of the fines, penalties, and forfeitures in criminal cases that is required to be deposited in the Improvement Fund by Government Code section 68090.8 (Two Percent Automation Fund). Except as noted below, the funds in the Improvement Fund may be used as provided in these guidelines.

- A. The One Percent Transfer required to be allocated to the Improvement Fund from the Trial Court Trust Fund by Government Code section 77209(b) must be allocated from the Improvement Fund as provided by in that section.
- B. In accordance with the above code section, one-half of the One Percent Transfer is to remain unallocated prior to March 15 of each year unless allocated to a court or courts for urgent needs is subject to the following:
 1. A court seeking funding for urgent needs must submit a request in writing to the Administrative Director through the Director of the Administrative Office of the Courts (AOC) Finance Division as soon as the urgent need is determined.
 2. An urgent need is defined as an unanticipated critical financial obligation beyond the local court's prudent management of its resources that cannot be reasonably eliminated, deferred or funded from within the local court's budget and that requires a one-time allocation of funds within the fiscal year in which the urgent need arises; and
 3. Approval of requests for urgent needs must be made in conformance with these guidelines and *Finance Memo TC 2003-005 Emergency Funding Requests - TCIF* adopted by the AOC.
- C. In accordance with the above code section, up to one-quarter of the One Percent Transfer may be allocated for trial courts that meet any additional criteria established by the Council.
- D. In accordance with the above code section, up to one-quarter of the One Percent Transfer may be allocated for statewide projects or programs for the benefit of the trial courts.
- E. The Two Percent Automation Fund must only be used for automated record keeping purposes as provided by Government Code section 68090.8.
- F. Pursuant to Government Code section 77209(k), a required amount of \$31,563,000 shall be transferred from the Trial Court Improvement Fund to the

Trial Court Trust Fund for allocation to trial courts for court operations and administrative infrastructure needs on behalf of the trial court.

3.2 Approved Budget Categories and Projects; Guidelines for Changes

- A. The Administrative Director must seek input from the Council, at its annual planning meeting, on future direction and program priorities, and consider that input in preparing the proposed budget required by this section.
- B. As soon as practical after passage of the annual state budget act each fiscal year, the Administrative Director or his/her designee must present to the Executive Committee for review and approval a proposed budget of potential programs and projects to be paid for from the Improvement Fund. Consistent with statutory requirements, the proposed budget must be divided into three categories:
 1. Ongoing statewide programs (e.g., Litigation Management Program, Trial Court Transactional Assistance Program, the CJP insurance program, and technology programs);
 2. Trial court projects and model programs, such as the mentor unified family courts, ADR, and the complex litigation pilot programs; and
 3. The emergency funding reserve referred to in section 3.1.B above.
- C. After approving the proposed budget as presented or as modified by the Executive Committee, the Executive Committee may thereafter amend the budget, including, but not limited to, approving new projects and programs that create an ongoing obligation on the Improvement Fund.
- D. After the Executive Committee's approval of the proposed budget, the Administrative Director or his/her designee may:
 1. Approve new projects and programs during the fiscal year within the approved funding level of each of the three budget categories set forth in section 3.2.B;
 2. Approve changes to, defer, or eliminate programs or projects in the approved budget, including, but not limited to, changing the amount allocated to the program or project, if the changes, deferrals, or eliminations do not result in a transfer of money from any budget category to another in excess of that permitted by section 3.2.D.5 below provided that any change, deferral, or elimination of an item in category 3.2.B.1 may be made only upon approval by the Council;
 3. Approve one-time emergency funding requests from the reserve;
 4. Transfer up to 20 percent of the budget from categories one and two in section 3.2.B to any other category; and

5. Transfer any funding that is unexpended as of May 1 to any program or project that may be funded by the Improvement Fund except for unexpended money in emergency funding reserve. Money in the emergency-funding category that is unexpended as of March 31 may be transferred pursuant to this paragraph.
- E. The Administrative Director or his/her designee may approve new projects and programs or take the other actions provided for in section 3.2.D above only if:
1. The new project will benefit one or more courts by implementation, testing, promotion or replication of a program that is intended to improve the administration of the justice;
 2. The new project or other action will be implemented in the most efficient and cost-effective manner;
 3. The new project or other action is consistent with and is intended to further the Council's strategic plan, budget priorities, or operational plan; and
 4. The new project or other action is not prohibited by statute or California Rules of Court.

3.3 Reporting on Prior Year Allocations

As soon as practical after the end of each calendar year, the Administrative Director or his/her designee must prepare, and submit to the Executive Committee for review and approval, an annual report to the Council and the Legislature on prior fiscal year project expenditures paid for from the Improvement Fund. This report must include, by category, the amount allocated, a description of major projects, and the progress towards meeting the outcomes of the approved projects and programs.

3.4 Audits

The Administrative Director may request performance or financial audits of programs or projects paid for from the Improvement Fund.

3.5 Delegation Timeframe and Limitation

The delegation of authority in these guidelines to the Administrative Director will remain in effect unless revoked. The Council may revoke the delegation at any time. The categories in section 3.2.B may only be changed by the Council.

Judicial Administration Efficiency and Modernization Fund Internal Guidelines

1.0 Overview

The Judicial Administration Efficiency and Modernization Fund (Modernization Fund) established by Government Code section 77213 as part of the Trial Court Funding Act of 1997 (Stats. 1997, ch. 850), was created to support statewide initiatives for ensuring the highest quality of justice in all of California's trial courts. Monies in the Modernization Fund are to be used for projects that promote improved access, efficiency, and effectiveness in the trial courts.

Government Code section 77213(b) allows the Judicial Council (Council), with appropriate guidelines, to delegate the administration of the Modernization Fund to the Administrative Office of the Courts (AOC).

2.0 Purpose

In order to meet the critical needs of the courts and enable staff to commit funding on a timely basis, this policy establishes the guidelines by which the Council's Executive and Planning Committee (Executive Committee) is authorized to act on behalf of the Council with regard to the administration of the Modernization Fund, and the administration of the Modernization Fund is delegated by the Council to the AOC pursuant to Government Code section 77213(b) and the California Rules of Court (rule 10.11(d)), effective on January 1, 2007

3.0 Guidelines and Procedures

In accordance with rule 10.11(d), the Executive Committee is hereby authorized to act on behalf of the Council regarding administration of the Modernization Fund, and the Council hereby delegates the administration of the Modernization Fund to the Administrative Director of the Courts (Administrative Director), as director of the AOC, or his/her designee, in accordance with the following guidelines:

3.1 Approved Budget Categories and Projects; Guidelines for Changes

- A. The Administrative Director must seek input from the Council, at its annual planning meeting, on future direction and program priorities, and consider that input in preparing the proposed budget required by this section.
- B. As soon as practical after passage of the annual state budget act each fiscal year, the Administrative Director or his/her designee must present to the Executive

Committee for review and approval a proposed budget of potential programs and projects to be paid from the Modernization Fund. Consistent with statutory requirements, the proposed budget must be divided into three categories:

1. Statewide technology projects, such as case management, human resources, and fiscal management systems;
2. Education and developmental programs; and
3. Pilot projects, special initiatives and ongoing programs.

C. After approving the proposed budget as presented or as modified by the Executive Committee, the Executive Committee may thereafter amend the budget, including, but not limited to, approving new projects and programs that create an ongoing obligation on the Modernization Fund.

D. After the Executive Committee's approval of the proposed budget, the Administrative Director or his/her designee may:

1. Approve new projects and programs during the fiscal year within the approved funding level of each of the three budget categories set forth in section 3.1.B above;
2. Approve changes to, defer, or eliminate programs or projects in the approved budget, including, but not limited to, changing the amount allocated to the program or project, if the changes, deferrals, or eliminations do not result in a transfer of funding from any budget category to another in excess of that permitted by section 3.1.D.4 below;
3. Transfer up to 20 percent of the budget from any of the three budget categories in section 3.1.B to any other category; and
4. Transfer any funding that is unexpended or unencumbered as of June 1 to any program or project that may be funded by the Modernization Fund.

E. The Administrative Director or his/her designee may approve new projects and programs or take the other actions provided for in section 3.1.D above only if:

1. The new project will benefit one or more courts by implementation, testing, promotion or replication of a program that is intended to improve the administration of the justice;
2. The new project or other action will be implemented in the most efficient and cost-effective manner;
3. The new project or other action is consistent with and is intended to further the Council's strategic plan, budget priorities, or operational plan; and

4. The new project or other action is not prohibited by statute or California Rules of Court.

3.2 Reporting on Prior Year Expenditures

As soon as practical after the end of each calendar year, the Administrative Director or his/her designee must prepare, and submit to the Executive Committee for review and approval, an annual report to the Council and the Legislature on prior fiscal year project expenditures paid for from the Modernization Fund. This report must include, by category, the amount expended and encumbered, a description of major projects, and the progress towards meeting the outcomes of the approved programs and projects.

3.3 Audits

The Administrative Director may request performance or financial audits of programs or projects paid for from the Modernization Fund.

3.4 Delegation Timeframe and Limitation

The delegation of authority in these guidelines to the Administrative Director will remain in effect unless revoked. The Council may revoke the delegation at any time. The categories in section 3.1.B may only be changed by the Council.

