



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on June 28, 2013

Title	Agenda Item Type
Judicial Council: Implementation of Judicial Council Directives on AOC Restructuring	Information Only
Submitted by	Date of Report
Executive and Planning Committee Hon. Douglas P. Miller, Chair	June 14, 2013
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Executive Summary

The chair of the Executive and Planning Committee (E&P) presents this informational report on the implementation of the Judicial Council Administrative Office of the Courts (AOC) Restructuring Directives, as approved by the Judicial Council on August 31, 2012. The AOC Restructuring Directives specifically direct the Administrative Director of the Courts to report to E&P before each council meeting on every directive. This informational report provides an update on the progress of implementation efforts.

Previous Council Action

The Judicial Council approved directives presented by E&P on August 31, 2012. These directives reaffirmed Judicial Council authority over the AOC, restructured the AOC, and endorsed a plan for monthly monitoring of the implementation of the directives by E&P. The last report to the Judicial Council on implementation efforts was provided by E&P at the April 26, 2013, Judicial Council meeting.

Implementation Progress

AOC offices continue to progress in implementing the AOC Restructuring Directives in accordance with the timelines for implementation approved by the Judicial Council.

For this reporting period, on today's discussion agenda there are two Judicial Council reports relating to the following AOC restructuring directives:

- Directive 19: results of AOC Human Resources Services Office request for proposal for AOC organization-wide classification and compensation study.
- Directive 80: review and findings of education for new judges by the CJER Governing Committee's New Judge Education Workgroup.

The following directives were reported as complete for this reporting period:

- Directive 25—provides information on the AOC's development of a new performance management policy, effective July 1, 2013, which addresses the mandatory performance review of all employees on an annual basis.
- Directives 28 and 29—provides information on the AOC's revised performance management program for all AOC employees effective July 1, 2013, indicating that beginning in July 2013 to December 2013, the AOC will be holding a series of management courses designed to educate managers and supervisors on the performance review process with full implementation of the performance review process by January 2014.
- Directive 35—provides information about budget expenditure information that is available via the Oracle financial system to AOC Management Council members and division/office budget liaisons and about the Fiscal Services Office's efforts to develop enhanced budget training to ensure liaisons are familiar with available budget tools.
- Directive 36—provides information from the Fiscal Services Office about the posting of information on the California Courts website regarding branch revenues, expenditures, and position information that is submitted to the Department of Finance. Also explains the internal AOC financial reports that are posted internally each month for AOC management review.
- Directive 39—provides information on the AOC's compliance with timelines associated with the state budget development process, budget administration, and fiscal reporting.
- Directives 47 and 140—provides information on the AOC's guidelines to further restrict the use of agency temporary workers across the organization that include specific requirements for when agency temporary staff can be utilized effective July 1, 2013.
- Directive 62—provides information on the Center for Families, Children & the Courts (CFCC) restructuring and operational changes with the Judicial Review and Technical Assistance project (JRTA).
- Directive 80—provides information on the review of the CJER Governing Committee New Judge Education Workgroup of new judicial officer education as referenced above.
- Directive 93—provides information on the AOC Contracts Advisory Team that was convened to review and make improvements to the contracting process, including monitoring contract inventories and tracking contracts currently being processed.
- Directive 94—provides information on the Fiscal Services Office Budget Unit staffing.
- Directive 110—provides information on Legal Services Office transactional attorneys and their efforts to assist with improving and streamlining the contracting process for the AOC.

Attachments

1. *Status Report: Judicial Council Directives—AOC Restructuring*
2. *Activity Reporting and Proposal Forms*

STATUS REPORT
 JUDICIAL COUNCIL DIRECTIVES
 AOC RESTRUCTURING

June 28, 2013

#	Directive *	Timeline	Status	Status Updates
1	<p>The Administrative Director of the Courts operates subject to the oversight of the Judicial Council. E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to E&P before each Judicial Council meeting on each item on this chart approved by the Judicial Council.</p> <p><u>SEC Recommendation</u> The Administrative Director must operate subject to the oversight of the Judicial Council and will be charged with implementing the recommendations in this report if so directed.</p>	For immediate implementation (Ongoing)	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
2	<p>E&P recommends that the Judicial Council take an active role in overseeing and monitoring the AOC to ensure transparency, accountability, and efficiency in the AOC's operations and practices.</p> <p><u>SEC Recommendation</u> The Judicial Council must take an active role in overseeing and monitoring the AOC and demanding transparency, accountability, and efficiency in the AOC's operations and practices.</p>	For immediate implementation (Ongoing)	Ongoing	

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#	Directive *	Timeline	Status	Status Updates
3	<p>E&P recommends that the Judicial Council promote the primary role and orientation of the AOC as a service provider to the Judicial Council and the courts for the benefit of the public.</p> <p>SEC Recommendation The primary role and orientation of the AOC must be as a service provider to the Judicial Council and the courts.</p>	For immediate implementation (Ongoing)	Ongoing	
4	<p>E&P recommends that the Judicial Council, in exercising its independent and ultimate governance authority over the operations and practices of the AOC, must ensure that the AOC provide it with a comprehensive analysis, including a business case analysis, a full range of options and impacts and pros and cons, before undertaking any branch-wide project or initiative. In exercising its authority over committees, rules, grants, programs and projects, the Judicial Council must ensure that the AOC provide it with a full range of options and impacts, including fiscal, operational, and other impacts on the courts.</p> <p>SEC Recommendation In exercising its independent and ultimate governance authority over the operations and practices of the AOC, the Judicial Council must demand that the AOC provide it with a business case analysis, including a full range of options and impacts, before undertaking any branch-wide project or initiative. In exercising its authority over committees, rules, grants, programs, and projects, the Judicial Council must demand that the AOC provide it with a full range of options and impacts, including fiscal, operational, and other impacts on the courts.</p>	For immediate implementation (Ongoing)	Ongoing	

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#	Directive *	Timeline	Status	Status Updates
5	<p>E&P recommends that the Judicial Council conduct an annual review of the performance of the Administrative Director of the Courts (ADOC). The review must take into consideration input submitted by persons inside and outside the judicial branch.</p> <p>SEC Recommendation</p> <p>The Judicial Council must conduct periodic reviews of the performance of the Administrative Director of the Courts. These reviews must take into consideration input submitted by persons inside and outside the judicial branch.</p>	For initiation October 2013	Ongoing	
6	<p>E&P recommends that the Judicial Council direct the Rules and Projects Committee, consistent with its responsibility under rule 10.13 of the California Rules of Court, to establish and maintain a rule-making process that is understandable and accessible to justice system partners and the public, to consider SEC Recommendation 6-8 and report on any changes to the rule-making process to the Judicial Council.</p> <p>SEC Recommendation</p> <p>The AOC must develop a process to better assess the fiscal and operational impacts of proposed rules on the courts, including seeking earlier input from the courts before proposed rules are submitted for formal review. The AOC should establish a process to survey judges and court executive officers about the fiscal and operational impacts of rules that are adopted, and recommend revisions to the rules where appropriate. The AOC should recommend changes in the rules process, for consideration by the Judicial Council, to limit the number of proposals for new rules, including by focusing on rule changes that are required by statutory changes.</p>	RUPRO to propose a timeline to return to the council to present its recommendations.	In Progress	<p>RUPRO has begun discussions about this directive and will continue to discuss further possible actions. Since January 2013, actions by RUPRO related to this directive include directing two advisory groups to submit proposals to the Presiding Judges and Court Executive Officers for early input on the proposals, including requesting information about fiscal and operational impacts of the proposals.</p>

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#	Directive *	Timeline	Status	Status Updates
7	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose a procedure to seek the fully informed input and collaboration of the courts before undertaking significant projects or branchwide initiatives that affect the courts. The AOC should also seek the input of all stakeholder groups, including the State Bar.</p> <p>SEC Recommendation The AOC must seek the fully informed input and collaboration of the courts before undertaking significant projects or branch-wide initiatives that affect the courts.</p>	<p>ADOC to propose a procedure for Judicial Council approval at the June 2013 council meeting.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
8	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to first employ a comprehensive analysis, including an appropriate business case analysis of the scope and direction of significant projects or initiatives, taking into account the range of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>SEC Recommendation The AOC must first employ an appropriate business case analysis of the scope and direction of significant projects or initiatives, taking into account the range of fiscal, operational, and other impacts to the courts.</p>	<p>ADOC to propose a procedure for Judicial Council approval at the June 2013 council meeting.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
9	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure for developing and communicating accurate cost estimates for projects, programs, and initiatives.</p> <p>SEC Recommendation The AOC must develop and communicate accurate cost estimates for projects, programs, and initiatives.</p>	<p>ADOC to propose a procedure for Judicial Council approval at the June 2013 council meeting.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
10	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to apply proper cost and contract controls and monitoring, including independent assessment and verification, for significant projects and programs.	ADOC to propose a procedure for Judicial Council approval at the June 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	SEC Recommendation The AOC must apply proper cost and contract controls and monitoring, including independent assessment and verification, for significant projects and programs.			
11	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to maintain proper documentation and records of its decision making process for significant projects and programs.	ADOC to propose a procedure for Judicial Council approval at the June 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	SEC Recommendation The AOC must maintain proper documentation and records of its decision making process for significant projects and programs.			
12	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to identify and secure sufficient funding and revenue streams necessary to support projects and programs, before undertaking them.	ADOC to propose a procedure for Judicial Council approval at the June 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	SEC Recommendation The AOC must identify and secure sufficient funding and revenue streams necessary to support projects and programs, before undertaking them.			

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#	Directive *	Timeline	Status	Status Updates
13	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to accurately report and make available information on potential costs of projects and impacts on the courts.</p> <p>SEC Recommendation The AOC must accurately report and make available information on potential costs of projects and impacts on the courts.</p>	<p>ADOC to propose a procedure for Judicial Council approval at the June 2013 council meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
14	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to conduct a comprehensive review of the AOC position classification system as soon as possible. The focus of the review must be on identifying and correcting misallocated positions, particularly in managerial classes, and on achieving efficiencies by consolidating and reducing the number of classifications.</p> <p>SEC Recommendation The Executive Leadership Team must direct that a comprehensive review of the AOC position classification system begin as soon as possible. The focus of the review should be on identifying and correcting misallocated positions, particularly in managerial classes, and on achieving efficiencies by consolidating and reducing the number of classifications. The Chief Administrative Officer should be given lead responsibility for implementing this recommendation.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
15	The Administrative Office of the Courts must also undertake a comprehensive review of the AOC compensation system as soon as possible. The AOC must review all compensation-related policies and procedures, including those contained in the AOC Personnel Policies and Procedures Manual.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
		Final report timeline unknown. Pending council decisions on Classification and Compensation Study.		

SEC Recommendation

The Executive Leadership Team must direct that a comprehensive review of the AOC compensation system be undertaken as soon as possible. All compensation-related policies and procedures must be reviewed, including those contained in the AOC personnel manual. AOC staff should be used to conduct this review to the extent possible. If outside consultants are required, such work could be combined with the classification review that is recommended above. The Chief Administrative Officer should be given lead responsibility for implementing this recommendation.

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#	Directive *	Timeline	Status	Status Updates
16	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(a) A comprehensive review of the classification and compensation systems should be undertaken as soon as possible, with the goal of consolidating and streamlining the classification system.</p> <p>SEC Recommendation</p> <p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(a) A comprehensive review of the classification and compensation systems should be undertaken as soon as possible, with the goal of consolidating and streamlining the classification system.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
17	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(b) Priority should be placed on reviewing all positions classified as supervisors or managers, as well as all attorney positions, to identify misclassified positions and take appropriate corrective actions.</p> <p>SEC Recommendation</p> <p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(b) Priority should be placed on reviewing all positions classified as supervisors or managers, as well as all attorney positions, to identify misclassified positions and take appropriate corrective actions.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
18	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(c) The manner in which the AOC applies its geographic salary differential policy (section 4.2 of the AOC Personnel Policies and Procedures Manual) should be reviewed and, if maintained, applied consistently.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
	<p><u>SEC Recommendation</u></p> <p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(c) The manner in which the AOC applies its geographic salary differential policy (section 4.2 of the AOC personnel manual) should be reviewed and, if maintained, applied consistently.</p>			

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#	Directive *	Timeline	Status	Status Updates
19	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(d) Given current HR staffing and expertise levels, the Administrative Director of the Courts is directed to consider whether an outside entity should conduct these reviews and return to the Judicial Council with an analysis and a recommendation.</p> <p>SEC Recommendation</p> <p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(d) Given current HR staffing and expertise levels, an outside entity should be considered to conduct these reviews.</p> <hr/>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	Judicial Council report presented to the Judicial Council for consideration at the June 28, 2013 Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
20	E&P also recommends that the Judicial Council direct the Administrative Director of the Courts to assess the results of the compensation and classification studies to be completed and propose organizational changes that take into account the SEC recommendation 7-75 and the analysis of the classification and compensation studies.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	SEC Recommendation The Administrative Director should make an AOC-wide assessment to determine whether attorneys employed across the various AOC divisions are being best leveraged to serve the priority legal needs of the organization and court users.			

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#	Directive *	Timeline	Status	Status Updates
21	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to implement a formalized system of program and project planning and monitoring that includes, at minimum, a collaborative planning process that requires an analysis of impacts on the judicial branch at the outset of all projects; use of workload analyses where appropriate; and development of general performance metrics for key AOC programs that allow expected performance levels to be set and evaluated.</p> <p>SEC Recommendation</p> <p>The AOC Executive Leadership Team must begin to implement a formalized system of program and project planning and monitoring that includes, at minimum, a collaborative planning process that requires an analysis of impacts on the judicial branch at the outset of all projects; use of workload analyses where appropriate; and development of general performance metrics for key AOC programs that allow expected performance levels to be set and evaluated.</p> <hr/>	Completion by December 2013.	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
22	<p>E&P recommends that the Judicial Council direct the AOC to renegotiate or terminate, if possible, its lease in Burbank. The lease for the Sacramento North spaces should be reviewed and, if possible, renegotiated to reflect actual usage of the office space. The AOC should explore lower cost lease options in San Francisco, recognizing that the State Department of General Services would have to find replacement tenants for its space.</p> <p>SEC Recommendation</p> <p>The AOC should renegotiate or terminate its lease in Burbank. The lease for the Sacramento North spaces should be reviewed and renegotiated to reflect actual usage of the office space. The AOC should explore lower cost lease options in San Francisco, recognizing that DGS would have to find replacement tenants for its space.</p>	<p>ADOC recommendations to the council at the 10/26/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
23	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to identify legislative requirements that impose unnecessary reporting or other mandates on the courts and the AOC. Appropriate efforts should be made to revise or repeal such requirements.</p> <p>SEC Recommendation</p> <p>The Office of Governmental Affairs should be directed to identify legislative requirements that impose unnecessary reporting or other mandates on the AOC. Appropriate efforts should be made to revise or repeal such requirements.</p>	<p>ADOC report to E&P identifying legislative requirements by December 2013.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
24	On August 9, 2012, E&P directed the interim Administrative Director of the Courts and incoming Administrative Director of the Courts to consider the SEC recommendations on AOC organizational structure (recommendations 5-1–5-6, 6-1) and present their proposal for an organizational structure for the consideration of the full Judicial Council at the August 31, 2012, council meeting.	Interim and incoming ADOC to present proposed organizational chart and implementation proposal to the council for consideration at the 8/31/12, council meeting. With council approval, an organizational design will be implemented by October 2012.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

SEC Recommendation

5-1. The AOC should be reorganized. The organizational structure should consolidate programs and functions that primarily provide operational services within the Judicial and Court Operations Services Division. Those programs and functions that primarily provide administrative services should be consolidated within the Judicial and Court Administrative Services Division. Other programs and functions should be grouped within an Executive Office organizational unit. The Legal Services Office also should report directly to the Executive Office but no longer should be accorded divisional status.

5-2. The Chief Operating Officer should manage and direct the Judicial and Court Operations Services Division, consisting of functions located in the Court Operations Special Services Office; the Center for Families, Children and the Courts; the Education Office/Center for Judicial Education and Research; and the Office of Court Construction and Facilities Management.

5-3. The Chief Administrative Officer should manage and direct the Judicial and Court Administrative Services Division, consisting of functions located in the Fiscal Services Office, the Human Resources Services Office, the Trial Court Administrative Services Office, and the Information and Technology Services Office.

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#	Directive *	Timeline	Status	Status Updates
	<p>5-4. Other important programs and functions should be consolidated within an Executive Office organizational unit under the direction of a Chief of Staff. Those functions and units include such functions as the coordination of AOC support of the Judicial Council, Trial Court Support and Liaison Services, the Office of Governmental Affairs, the Office of Communications, and a Special Programs and Projects Office.</p>			
	<p>5-5. The Chief Counsel, manager of the Legal Services Office (formerly the Office of the General Counsel) should report directly to the Administrative Director depending on the specific issue under consideration and depending on the preferences of the Administrative Director.</p>			
	<p>5-6. The Chief Deputy Administrative Director position must be eliminated. If the absence of the Administrative Director necessitates the designation of an Acting Administrative Director, the Chief Operating Officer should be so designated.</p>			
	<p>6-1. The Administrative Director, the Chief Operations Officer, the Chief Administrative Officer, and the Chief of Staff should be designated as the AOC Executive Leadership Team, the primary decision making group in the organization.</p>			

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#	Directive *	Timeline	Status	Status Updates
25	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require immediate compliance with the requirements and policies in the AOC Personnel Policies and Procedures Manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.</p> <p>SEC Recommendation</p> <p>The AOC Executive Leadership Team must order immediate compliance with the requirements and policies in the AOC personnel manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.</p> <p>.....</p>	<p>Administrative Director of the Courts to provide final report to the council at the June 2013 Judicial Council meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
26	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the AOC adheres to its telecommuting policy consistently and identifies and corrects all existing deviations and violations of the existing policy. The Administrative Director of the Courts must review the AOC telecommuting policy and provide the council with a report proposing any recommendations on amendments to the policy, by the December 13-14, 2012, council meeting. Based on a recommendation from the Executive and Planning Committee, the Judicial Council added an additional directive to the existing telecommute directives at the December 14, 2012, meeting to consider and report on alternatives for the telecommute policy, including whether this policy should remain in force and directed the ADOC to return to the council with a report and recommendations for the council's February 2013 meeting.</p> <p><u>SEC Recommendation</u></p> <p>The AOC must adhere to its telecommuting policy (Section 8.9 of the AOC personnel manual). It must apply the policy consistently and must identify and correct all existing deviations and violations of the existing policy.</p> <p>.....</p>	<p>Administrative Director of the Courts to report to council on use of telecommute policy for the period of June 2013-August 2013 at the August 2013 council meeting. Administrative Director of the Courts to provide year-end report/evaluation March 2014.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
27	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that, with an appropriate individual employee performance planning and appraisal system in place, the AOC utilizes the flexibility provided by its at-will employment policy to address employee performance issues. The AOC's at-will employment policy provides management with maximum hiring and firing flexibility, and should be exercised when appropriate.</p> <p>SEC Recommendation</p> <p>6-4. With an appropriate individual employee performance planning and appraisal system in place, the AOC must utilize the flexibility provided by its at-will employment policy to address serious employee performance issues.</p> <p>7-36. The AOC's at-will employment policy provides management with maximum hiring and firing flexibility, and should be exercised when appropriate.</p>	<p>ADOC report to the council at the April 2013 meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
28	<p>E&P recommends that the Judicial Council direct that the Administrative Director of the Courts require compliance with the AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC Personnel Policies and Procedures Manual, section 3.9) and that performance appraisals are uniformly implemented throughout the AOC as soon as possible.</p> <p>SEC Recommendation</p> <p>The AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC personnel manual, section 3.9) must be implemented uniformly throughout the AOC as soon as possible.</p>	<p>Administrative Director of the Courts to provide final report to the council at the June 2013 Judicial Council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
29	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop an employment discipline policy to be implemented consistently across the entire AOC that provides for performance improvement plans.</p> <p>SEC Recommendation</p> <p>A consistent employment discipline policy must accompany the employee performance appraisal system. Section 8.1B of the AOC personnel manual discusses disciplinary action, but is inadequate. A policy that provides for performance improvement plans and for the actual utilization of progressive discipline should be developed and implemented consistently across the entire AOC.</p>	<p>Administrative Director of the Courts to provide final report to the council at the June 2013 Judicial Council meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
30	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to utilize the AOC's layoff process to provide management with a proactive way to deal with significant reductions in resources.</p> <p>SEC Recommendation</p> <p>The AOC must utilize its layoff process to provide management with a proactive way to deal with significant reductions in resources.</p>	<p>Revised policy adopted May 18, 2012.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
31	<p>E&P recommends that the Judicial Council direct that the Administrative Director of the Courts require the AOC leadership to develop, maintain, and support implementation of effective and efficient human resources policies and practices uniformly throughout the AOC.</p> <p>SEC Recommendation</p> <p>The AOC leadership must recommit itself to developing and maintaining effective and efficient HR policies and practices. The new Administrative Director, among other priority actions, must reestablish the AOC's commitment to implement sound HR policies and practices.</p>	Annual status report to be included in the ADOC's annual performance review.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
32	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that a gradual, prioritized review of all HR policies and practices, including all those incorporated in the AOC Personnel Policies and Procedures Manual, should be undertaken to ensure they are appropriate and are being applied effectively and consistently throughout the AOC.</p> <p>SEC Recommendation</p> <p>A gradual, prioritized review of all HR policies and practices, including all those incorporated in the AOC personnel manual should be undertaken to ensure they are appropriate and are being applied effectively and consistently throughout the AOC.</p>	Annual status report to be included in the ADOC's annual performance review.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
33	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the budget and fiscal management measures implemented by the AOC to ensure that the AOC's fiscal and budget processes are transparent.</p> <p>The Administrative Director of the Courts should develop and make public a description of the AOC fiscal and budget process, including a calendar clearly describing how and when fiscal and budget decisions are made. The AOC should produce a comprehensive, publicly available midyear budget report, including budget projections for the remainder of the fiscal year and anticipated resource issues for the coming year.</p> <p><u>SEC Recommendation</u></p> <p>The AOC's fiscal and budget processes must be transparent. The Executive Leadership Team should require the Fiscal Services Office to immediately develop and make public a description of the fiscal and budget process, including a calendar clearly describing how and when fiscal and budget decisions are made. The Fiscal Services Office should be required to produce a comprehensive, publicly available midyear budget report, including budget projections for the remainder of the fiscal year and anticipated resource issues for the coming year. The Chief Administrative Officer should be given lead responsibility for developing and implementing an entirely new approach to fiscal processes and fiscal information for the AOC.</p>	<p>Interim report to the council on the changes in progress by the February 2013 council meeting.</p> <p>Final report on measures taken to implement a new approach to the budget process by June 2013.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
34	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that all fiscal information must come from one source within the AOC, and that single source should be what is currently known as the Finance Division.</p> <p>SEC Recommendation All fiscal information must come from one source within the AOC, and that single source should be what is currently known as the Finance Division (to become the Fiscal Services Office under the recommendations in this report).</p>	Immediate implementation with ADOC report to the council at the 10/26/2012, meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
35	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that budget and fiscal tracking systems be in place so that timely and accurate information on resources available and expenditures to date are readily available.</p> <p>SEC Recommendation Tracking systems need to be in place so that timely and accurate information on resources available and expenditures to date are readily available. Managers need this information so they do not spend beyond their allotments.</p>	ADOC interim report to the council at the February 2013 meeting and final report at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
36	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that budget and fiscal information displays be streamlined and simplified so they are clearly understandable.</p> <p>SEC Recommendation Information displays need to be streamlined and simplified so they are clearly understandable.</p>	ADOC interim report to the council at the February 2013 meeting and final report at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
37	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the Finance Division track appropriations and expenditures by fund, and keep a historical record of both so that easy year-to-year comparisons can be made. This can be done by unit, division, or by program, whichever provides the most informed and accurate picture of the budget.</p> <p>SEC Recommendation</p> <p>The Finance Division (Fiscal Services Office) should track appropriations and expenditures by fund, and keep a historical record of both so that easy year-to-year comparisons can be made. This can be done by unit, division or by program — whichever provides the audience with the most informed and accurate picture of the budget.</p>	<p>ADOC interim report to the council at the February 2013 meeting and final report at the June 2013 meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
38	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that expenditures be split into those for state operations and local assistance (funds that go to the trial courts) so it is clear which entity benefits from the resources. State operations figures must be further broken down as support for the Supreme Court and Appellate Courts. The AOC should adopt the methodology of distributing the administrative costs among programs.</p> <p>SEC Recommendation</p> <p>Expenditures should be split into those for state operations and local assistance (funds that go to the trial courts) so it is clear which entity benefits from the resources. State operations figures should be further broken down as support for the Supreme Court and Appellate Courts. In most state departments, administrative costs are distributed among programs. The AOC should adopt this methodology.</p>	<p>ADOC interim report to the council at the February 2013 meeting and final report at the June 2013 meeting</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
39	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the AOC schedule its budget development and budget administration around the time frames used by all state entities.</p> <p>SEC Recommendation</p> <p>The AOC should schedule its budget development and budget administration around the time frames used by all state entities. Assuming the budget for any fiscal year is enacted by July 1, the AOC should immediately allocate its budgeted resources by fund among programs, divisions, units.</p>	<p>Administrative Director of the Courts to provide update to Judicial Council at the August 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
40	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that requests for additional resources be presented to the Judicial Council at its August meeting, identify the increased resources requested, and be accompanied by clear statements of the need and use of the resources and the impact on the AOC, as well as the impact on the judicial branch, if any. A cost-benefit analysis should be part of any request and there should be a system to prioritize requests.</p> <p>SEC Recommendation</p> <p>Requests for additional resources are presented to the Judicial Council at its August meeting. These requests identify increased resources requested and should be accompanied by clear statements of need and use of the resources and the impact on the AOC, as well as the impact on the judicial branch, if any. A cost-benefit analysis should be part of any request, and there should be a system to prioritize requests.</p>	<p>Immediate implementation</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
41	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that, after the Governor's Budget is released in January, the AOC should present a midyear update of the judicial branch budget at the next scheduled Judicial Council meeting. All figures provided by the AOC should tie back to the Governor's Budget or be explained in footnotes.</p> <p>SEC Recommendation</p> <p>After the Governor's Budget is released in January, the AOC should present a midyear update of the judicial branch budget at the next scheduled Judicial Council meeting. This presentation should tie to the figures in the Governor's Budget so that everyone has the same understanding of the budget.</p>	<p>Immediate implementation. ADOC report to the council at the February 2013 council meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
42	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that, except for budget changes that must be made to comply with time requirements in the state budget process, the AOC not change the numbers in the budget statements it presents. All figures provided by the AOC must tie back to the Governor's budget or be explained in footnotes.</p> <p>SEC Recommendation</p> <p>Except for changes that must be made to comply with time requirements in the state budget process, the AOC should not change the numbers it presents – continual changes in the numbers, or new displays, add to confusion about the budget.</p>	<p>Immediate implementation (Ongoing)</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the December 14, 2012, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
43	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to perform internal audits upon completion of the restructuring of the AOC.	Administrative Director of the Courts report to the council with an implementation proposal at the October 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	<u>SEC Recommendation</u>			
	The AOC must perform internal audits. This will allow the leadership team and the Judicial Council to know how a particular unit or program is performing. An audit can be both fiscal and programmatic so that resources are tied to performance in meeting program goals and objectives.			
44	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the leadership team must develop and employ budget review techniques so that the budget of an individual unit is aligned with its program responsibilities.	Administrative Director of the Courts to report to council at October 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	<u>SEC Recommendation</u>			
	As part of the reorganization and downsizing of the AOC, the leadership team should employ budget review techniques (such as zero-based budgeting) so that the budget of an individual unit is aligned with its program responsibilities. In the future, there should be periodic reviews of units and or programs to make sure funding is consistent with mandated requirements.			

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#	Directive *	Timeline	Status	Status Updates
45	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the total staff size of the AOC must be reduced significantly and must not exceed the total number of authorized positions. The consolidation of divisions, elimination of unnecessary and overlapping positions, and other organizational changes should reduce the number of positions.</p> <p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that staffing levels of the AOC be made more transparent and understandable. Information on staffing levels must be made readily available, including posting the information online. All categories of staffing — including, but not limited to, authorized positions, “909” staff, employment agency temporary employees and contract staff — must be accounted for in a manner understandable to the public.</p> <p><u>SEC Recommendation</u></p> <p>9-1. The total staff size of the AOC should be reduced significantly.</p> <p>9-2. The total staff size of the AOC must be reduced significantly and should not exceed the total number of authorized positions. The current number of authorized positions is 880. The consolidation of divisions, elimination of unnecessary and overlapping positions and other organizational changes recommended in this report should reduce the number of positions by an additional 100 to 200, bringing the staff level to approximately 680 to 780.</p> <p>9-5. The staffing levels of the AOC must be made more transparent and understandable. Information on staffing levels must be made readily available, including posting the information online. All categories of staffing—including, but not limited to, authorized positions, “909” staff, employment agency temporary</p>	<p>Immediate implementation (Ongoing)</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
	employees and contract staff—must be accounted for in a manner understandable to the public.			
46	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to the Judicial Council vacant authorized positions if they have remained unfilled for six months. SEC Recommendation Vacant authorized positions should be eliminated if they have remained unfilled for six months.	(Ongoing) ADOC to provide updates to the council for each council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
47	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the employment of temporary or other staff to circumvent a hiring freeze is not permitted. The Administrative Director must review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such as in the case of an emergency or to provide a critical skill set not available through the use of authorized employees. SEC Recommendation Employment of temporary or other staff to circumvent a hiring freeze should not be permitted. The Executive Leadership Team should immediately review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such in the case of an emergency or to provide a critical skill set not available through the use of authorized employees.	Completion by June 2013	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
48	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, as part of the council's long-term strategic planning, to evaluate the location of the AOC main offices based on a cost-benefit analysis and other considerations. SEC Recommendation As part of its long-term planning, the AOC should consider relocation of its main offices, based on a cost-benefit analysis of doing so.	For long term consideration	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
49	E&P recommends that the Judicial Council support SEC Recommendation 7-2 with no further action. The AOC has terminated special consultants hired on a continuous basis. SEC Recommendation The practice of employing a special consultant on a continuous basis should be reevaluated and considered for termination taking into account the relative costs, benefits, and other available resources.	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
50	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-3 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The Center for Families, Children and the Courts should be an office reporting to the Chief Operating Officer in the AOC's Judicial and Court Operations Services Division, rather than a stand-alone division. The CFCC manager position should be compensated at its current level.</p> <hr/>			

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#	Directive *	Timeline	Status	Status Updates
51	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(a) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
		Final report timeline unknown. Pending council decisions on Classification and Compensation Study.		
	<p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(a) CFCC has a one-over-one management structure with a Division Director and an Assistant Division Director position. The Assistant Division Director position should be eliminated.</p> <p>.....</p>			

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#	Directive *	Timeline	Status	Status Updates
52	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(b) and (c) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to make a proposal based on the Classification and Compensation Study. In the interim, the Administrative Office of the Courts will conduct a survey on the use of attorneys in private and public institutions.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(b) There are nearly 30 attorney positions in CFCC, including 7 attorneys who act as Judicial Court Assistance Team Liaisons. All attorney position allocations should be reviewed with a goal of reducing their numbers and/or reallocating them to nonattorney classifications.</p> <p>.....</p>			

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#	Directive *	Timeline	Status	Status Updates
52.1	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(b) and (c) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(c) The CFCC has numerous grant-funded positions, including five in its Rules and Forms Unit. Implementation of our recommendations for the AOC's Grants and Rule-making Processes could result in some reductions in these positions.</p>	<p>Administrative Director of the Courts to provide an Interim Report to the council at the June 2013 Judicial Council meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
53	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(d) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(d) The CFCC has a number of positions devoted to research programs, as do other offices to be placed within the Judicial and Court Operations Services Division, presenting opportunities for efficiencies by consolidating divisional research efforts.</p>	<p>Administrative Director of the Courts to present a report of available options regarding the study's implementation to the Judicial Council for their consideration at the June 2013 Judicial Council meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
54	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:				
(e) CFCC staff members provide support to a number of Judicial Council committees and task forces. The recommended consolidation of this support function under the direction of the Chief of Staff will present opportunities for efficiencies and resource reduction.				

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#	Directive *	Timeline	Status	Status Updates
55	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-4(f) with no further action, as these administrative and grant support functions have been consolidated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(f) The CFCC maintains a Core Operations Unit, which is essentially an administrative and grant support unit. The consolidation of administrative functions and resources within the Judicial and Court Administrative Services Division should lead to the downsizing of this unit.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
56	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider reducing or eliminating various publications produced by the Center for Families, Children, & the Courts.</p> <p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(g) CFCC staff members produce various publications. They should be considered for reduction or elimination</p>	ADOC to report to the council at the February 2013 council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
57	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-4(h) with no further action. The Judge-in Residence is now volunteering time to fulfill this responsibility.</p> <p>SEC Recommendation CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(h) The Judge-in-Residence position in this division should be eliminated.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
58	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-4(i) with no further action, as the positions related to CCMS have been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(i) Positions related to CCMS should be eliminated.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
59	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose an organizational plan for the Center for Families, Children, & the Courts that allows for reasonable servicing of the diverse programs mandated by statute and assigned to this division.</p> <p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(j) Although staffing reductions in this division are feasible, any reorganization or downsizing of this division must continue to allow for reasonable servicing of the diverse programs mandated by statute and assigned to this division, including such programs as the Tribal Project program.</p>	<p>ADOC to report to the council at the February 2013 council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>
60	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider maximizing and combining self-help resources with resources from similar subject programs, including resources provided through the Justice Corps and the Sargent Shriver Civil Counsel program, and return to the council with an assessment and proposal.</p> <p>SEC Recommendation</p> <p>Self-represented litigants in small claims, collection matters, foreclosures, and landlord-tenant matters are frequent users of court self-help centers. A majority of self-help clients seek assistance in family law matters. Consideration should be given to maximizing and combining self-help resources with resources from similar subject programs, including resources provided through the Justice Corps and the Sargent Shriver Civil Counsel program.</p>	<p>ADOC to propose a plan for implementation to the council at the February 2013 meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
61	<p>E&P recommends to the Judicial Council that any legislative proposals generated by the AOC must follow the process established by the Policy Coordination and Liaison Committee.</p> <p>SEC Recommendation Consistent with recommendations in this report calling for a review of AOC's rule-making process, legislative proposals generated through this division should be limited to those required by court decisions and statutory mandates and approved by the Judicial Council Advisory Committees.</p>	Immediate implementation (Ongoing)	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
62	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that a systems review of the manner in which AOC staff review trial court records should be conducted to streamline Judicial Review and Technical Assistance audits, if possible, and to lessen the impact on court resources.</p> <p>SEC Recommendation A systems review of the manner in which trial court records are reviewed should be conducted to streamline audits, if possible, and to lessen the impact on court resources.</p>	ADOC to report to the council on the audit process at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
63	<p>With the exception of assigned judges, AOC staff must not investigate complaints from litigants about judicial officers.</p> <p>SEC Recommendation The CFCC should discontinue investigating and responding to complaints from litigants about judicial officers who handle family law matters, as such matters are handled by other entities.</p>	Ongoing	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
64	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-10 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The Court Operations Special Services Office (COSSO), formerly CPAS, should be an office reporting to the Chief Operating Officer within the AOC's Judicial and Court Operations Services Division, rather than a stand-alone division. The COSSO manager position should be at the Senior Manager level.				
65	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-12 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.	Interim and incoming ADOC organizational proposal to be presented for council consideration at the 8/31/12, council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings.				

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#	Directive *	Timeline	Status	Status Updates
65.1	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-12(a) with no further action, due to the temporary suspension of the Kleps Program initiated to reduce branch costs.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(a) To save resources, the Kleps Award Program should be suspended temporarily.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
66	<p>E&P recommends that the Judicial Council defer a decision on SEC Recommendation 7-12(b), pending a recommendation from the Trial Court Budget Working Group.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(b) The Justice Corps Program should be maintained, with AOC's involvement limited to procuring and distributing funding to the courts.</p>		Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
67	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-12(c) with no further action as the Procedural Fairness/Public Trust and Confidence program has been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(c) Since funding for the Procedural Fairness/Public Trust and Confidence program has ceased, it should be eliminated.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
68	<p>E&P recommends that the Judicial Council consider whether to continue support for the Civics Education Program after the conclusion of the 2013 summit. The California On My Honor Program has been suspended for 2 years due to the lack of funding.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(d) Once the 2013 summit has concluded, the Administrative Director and Judicial Council should evaluate continuing support for the Civics Education Program/California On My Honor program.</p>	ADOC to report to the council at the April 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
69	<p>E&P recommends that the Judicial Council direct the ADOC to evaluate the extent to which financial and personnel support for the Jury Improvement Project should be maintained, recognizing the high value of the project to the judicial branch, especially because jury service represents the single largest point of contact between citizens and the courts.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(e) The Jury Improvement Project is of high value to the judicial branch, especially as jury service represents the single largest point of contact between citizens and the courts. The Judicial Council should evaluate the extent to which financial and personnel support for the project should be maintained.</p> <hr/>	ADOC to report to the council at the 10/26/12, council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
70	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to study the budget and operational components of the Court Interpreters Program to determine whether greater efficiencies can be implemented to deliver interpreter services to the courts. The Finance Division should not act as an impediment in the delivery of interpreter services to the courts.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(g) The Administrative Director and Judicial Council should study the budget and operational components of Court Interpreters Program to determine whether greater efficiencies can be implemented to deliver interpreter services to the courts. Internally, the Finance Division should not act as an impediment in the delivery of interpreter services to the courts.</p>	ADOC to report to the council at the April 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.
71	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-16 with no further action as the Judicial Administration Library has been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>The Judicial Administration Library should be consolidated with the Supreme Court Library.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
72	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation 7-11. COSSO's current level of approximately 74 positions (including those reassigned from the former regional offices as recommended in this report) should be reduced. To achieve the reduction the areas listed below should be reviewed and considered, and appropriate actions taken.</p> <p>(a) COSSO should have a management structure that includes a Unit Manager, but the Assistant Division Director position should be eliminated</p> <hr/>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
72.1	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>7-11. COSSO's current level of approximately 74 positions (including those reassigned from the former regional offices as recommended in this report) should be reduced. To achieve the reduction the areas listed below should be reviewed and considered, and appropriate actions taken.</p> <p>(b) The research functions and units of COSSO should be reviewed for possible consolidation with other research programs in the Judicial and Court Operations Services Division, presenting opportunities for efficiencies and position reductions.</p> <p>.....</p>	<p>Administrative Director of the Courts to present a report of available options regarding the study's implementation to the Judicial Council for their consideration at the June 2013 Judicial Council meeting.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
72.2	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>7-14. A significant number of COSSO staff members, such as those in the Administration and Planning unit, are assigned to various functions in support of the Judicial Council. The recommended consolidation of Judicial Council support activities under the direction of the Chief of Staff will present opportunities for efficiencies and resource reductions.</p>	<p>Incoming ADOC's organizational proposal to be presented for council consideration at the 8/31/12, council meeting.**</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>
73	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-13 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation</p> <p>The Editing and Graphics Group, with half of its eight positions currently vacant, should be considered for elimination.</p>	<p>Interim and incoming ADOC organizational proposal to be presented for council consideration at the 8/31/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
74	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that activities related to the education and training of Appellate Court Justices in the COSSO should be consolidated with the Education Division/CJER.	Completion by June 2013.	Closed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013 Judicial Council Meeting.</p> <p>At the April 26, 2013 Judicial Council Meeting, the Administrative Presiding Justices of the California Courts of Appeal requested that the council reconsider and rescind this directive. E&P approved this request and this directive is considered closed as of April 26, 2013.</p>
<u>SEC Recommendation</u>				
Some COSSO staff are engaged in activities relating to the education and training of Appellate Court Justices. These functions should be consolidated with the Education Division/CJER.				
.....				
75	E&P recommends that the Judicial Council support SEC Recommendation 7-17(a) with no further action as the Assigned Judges Program and Assigned Judges Program Regional Assignment Units have merged through the AOC's initiatives to reduce costs and downsize its workforce and operations.	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
<u>SEC Recommendation</u>				
Modifications to the Assigned Judges Program should be considered, including the following:				
(a) The Assigned Judges Program and Assigned Judges Program Regional Assignments units should be merged, resulting in the elimination of a unit supervisor position.				
.....				

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#	Directive *	Timeline	Status	Status Updates
76	<p>E&P recommends that SEC Recommendations 7-17(b), (c), and (d) be referred to the Chief Justice for consideration. The AOC's Assigned Judges Program provides support to the Chief Justice in the assignment of judges under California Constitution Article VI, Section 6(e).</p> <p>SEC Recommendation</p> <p>Modifications to the Assigned Judges Program should be considered, including the following:</p> <p>(b) The program's travel and expense policies should be reviewed to mitigate adverse impacts on the availability of assigned judges to smaller and rural courts.</p> <p>(c) Consideration should be given to a pilot program to allow half-day assignments of judges, taking into account the probable inability of small, rural courts to attract judges on this basis.</p> <p>(d) Consideration should be given to development of an Assigned Commissioner Program to assist courts with such matters as AB1058 child support cases.</p>		Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
77	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-18 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation</p> <p>The functions of the Trial Court Leadership Service unit should be moved under the auspices of the new Executive Office, as matters of policy emanating from the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee often relate to branch-wide policies.</p>	Interim and incoming ADOC organizational proposal to be presented for council consideration at the 8/31/12, meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
78	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-19 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	SEC Recommendation The Education Division should be an office within the Judicial and Court Operations Services Division, under the direction of the Chief Operating Officer, rather than a stand-alone division. The Education Division/CJER manager position should be compensated at its current level.			

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#	Directive *	Timeline	Status	Status Updates
79	E&P recommends that the Judicial Council direct the Rules and Projects Committee to evaluate relaxation of mandatory education requirements to allow the Administrative Director of the Courts and Court Executive Officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.	RUPRO to propose a timeline to return to the council to present its recommendations.	In Progress	<p>RUPRO has considered relaxation of mandatory education requirements for AOC and trial court staff. RUPRO will recommend to the council, at its June 28 meeting, that rule 10.491 on education for AOC staff be amended to provide the Administrative Director with discretion to grant a one-year, rather than six-month, extension of time to complete required education and, if granted, to determine whether to extend the next education compliance period. The rule amendment would also give the Administrative Director the discretion to determine the number of hours, if any, of traditional (live, face-to-face) education required to meet the continuing education requirement. On behalf of RUPRO, Justice Hull has contacted presiding judges and court executive officers seeking their input on what changes to the education rules are needed in the trial courts to provide discretion and flexibility.</p> <p>Because appellate court staff also have mandatory education requirements, and because the compliance period for their education ends December 31, 2013, RUPRO also considered whether changes are needed to the rules applicable to appellate court staff education. Administrative presiding justices informed Justice Hull that they saw no need to amend the rules to provide an extension of time for appellate court staff or to relax the requirement for face-to-face education.</p>
	<p>SEC Recommendation</p> <p>As to training currently required of AOC staff and court personnel, the Judicial Council should examine and consider a relaxation of current mandatory requirements to allow the Administrative Director of the AOC and/or court executive officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.</p>			

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#	Directive *	Timeline	Status	Status Updates
80	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the efficiencies identified by the working group reviewing all education for new judges to ensure that education is provided in the most effective and efficient way possible.	Administrative Director of the Courts to provide report that evaluates education for new judges at the June 2013 council meeting.	Completed	Judicial Council report presented to the Judicial Council for consideration at the June 28, 2013 Judicial Council Meeting.
	<u>SEC Recommendation</u>			
	The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:			
	(a) A workgroup has been formed to review all education for new judges to ensure that it is being provided in the most effective and efficient way possible. The efficiencies identified by this working group may present opportunities for reductions.			

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#	Directive *	Timeline	Status	Status Updates
81	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-20(b), taking into account the results of the classification and compensation studies to be completed.	<p>Administrative Director of the Courts to make a proposal based on the Classification and Compensation Study.</p> <p>In the interim, the Administrative Office of the Courts will conduct a survey on the use of attorneys in private and public institutions.</p>	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<p><u>SEC Recommendation</u></p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(b) There are in excess of a dozen attorney positions in the Education Division in units such as Design and Consulting, and Publications and Resources, in addition to the Judicial Education unit. All attorney position allocations should be reviewed with a goal of reducing their numbers and/or reallocating them to nonattorney classifications. In particular, education specialist positions are staffed by attorneys, a staffing practice that appears unnecessary.</p> <hr/>				

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#	Directive *	Timeline	Status	Status Updates
82	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-20(c) with no further action, as the positions and activities related to the Court Case Management System in the Education Division have been eliminated, through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(c) The Court Case Management System training unit and any other positions engaged in CCMS-related activities should be eliminated in light of the Judicial Council's decision to cancel the full deployment of the CCMS system.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
83	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the impacts of a reduction in the size of the Production, Delivery, and Educational Technologies Unit and the reduction in services that would result, and provide the findings and recommendations to the Judicial Council.</p> <p>SEC Recommendation</p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(d) The Production, Delivery and Educational Technologies unit has grown to more than 25 positions plus several temporary staff. The number of staff in this unit should be reduced in light of the difficult fiscal environment.</p>	ADOC to report to council with recommendations at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
84	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate and consider reducing the positions assigned to develop training for AOC Staff in the Curriculum and Course Development Unit, especially if training requirements are relaxed</p> <p>SEC Recommendation</p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(e) The Curriculum and Course Development unit includes several positions assigned to develop training for AOC staff. This activity should be evaluated and reduced, especially if training requirements are relaxed.</p> <hr/>	<p>ADOC to report to council with recommendations following recommendations from RUPRO on training requirements.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
85	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the impacts of a reduction in the size of the Administrative Services Unit and the reduction in services that would result, and provide the findings and recommendations to the Judicial Council.</p> <p>SEC Recommendation</p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(f) The Administrative Services unit contains more than 20 staff engaged in support activities such as records management, printing and copying, scheduling and planning training delivery, and coordinating logistics for all AOC events. The number of staff in this unit should be evaluated and reduced commensurate with the reduction in the number of live programs and events, and reflecting a reduction in the number of employees AOC-wide.</p> <hr/>	<p>ADOC to report to council with recommendations at the June 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
86	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Education Division should conduct true cost benefit analyses in determining the types of training and education it provides for new judicial officers and others, and to report to the council on the results. Analyses should include types, lengths, locations of programs, delivery methods, and the costs to courts.</p> <p>SEC Recommendation</p> <p>The Education Division should conduct true cost-benefit analyses — and not rely only on its own preferences — in determining the types of training and education it provides, including types, lengths, and locations of programs, delivery methods, and the costs to courts. This type of analysis should apply to training and education programs for new judicial officers.</p>	<p>ADOC to provide recommendations on the process at 12/14/12, council meeting with a final report at the April 2013 meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
87	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the AOC should support and provide requested assistance to those courts that collaborate with other regional courts in providing judicial education and staff training or that request support in providing their own programs.</p> <p>SEC Recommendation</p> <p>The Education Division should support and provide requested assistance to those courts that collaborate with other regional courts in providing judicial education and staff training or that request support in providing their own programs.</p>	Ongoing	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
88	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to the council on a review of the content of training courses offered to AOC managers, supervisors, and employees, the number and location of courses offered, and the means by which courses and training are delivered. Training opportunities should include greater orientation and development of understanding of court functions.</p> <p><u>SEC Recommendation</u></p> <p>As to training currently required of AOC managers, supervisors, and employees, the Administrative Director should order a review of the content of training courses offered, the number and location of courses offered, and the means by which courses and training are delivered. Training opportunities should include greater orientation and development of understanding of court functions.</p>	<p>ADOC report to the council at the 12/14/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the December 14, 2012, Judicial Council Meeting.</p>
89	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-25 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p><u>SEC Recommendation</u></p> <p>The functions performed by the Finance Division should be placed in the Judicial and Court Administrative Services Division. The Finance Division should be renamed the Fiscal Services Office, reporting to the Chief Administrative Officer. The Fiscal Services Office Manager position should be at the Senior Manager level.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
90	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-26 and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The number of managers and supervisors should be reduced.				
91	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure through the budget and fiscal management measures implemented by the AOC that the AOC's Finance Division is involved in all phases of fiscal planning and budgeting, especially with regard to large-scale or branch-wide projects or initiatives.	ADOC interim report to the council at the February 2013 council meeting and final report at the meeting in June 2013.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The AOC must improve its fiscal decision making processes. The AOC must make a commitment to involve the Fiscal Services Office in all phases of fiscal planning and budgeting, especially with regard to large-scale or branch-wide projects or initiatives.				

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#	Directive *	Timeline	Status	Status Updates
92	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the budget and fiscal management measures implemented by the AOC to ensure that the AOC's fiscal and budget processes are more transparent.</p> <p>SEC Recommendation</p> <p>The budgeting process must become more transparent. Budget information must be readily available to the public, including online. Budget documents must provide understandable explanations and detail concerning revenue sources, fund transfers, and expenditures.</p>	<p>ADOC interim report to the council at the February 2013 meeting and final report at the June 2013 meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
93	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the budget and fiscal management measures implemented by the AOC enable the Finance Division to improve the timeliness of processing contracts to better serve courts, contractors, vendors, and others.</p> <p>SEC Recommendation</p> <p>This division must make a commitment to processing contracts in more timely fashion, with an eye toward better serving courts, contractors, vendors, and others.</p>	<p>Interim report to the council on the changes in progress by the February 2013 council meeting.</p> <p>Final report on measures taken to implement a new approach to the budget process, by June 2013 council meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
94	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Finance Division must assess its workload needs, especially in light of legislation on court security and auditing functions being assumed by the State Controller's Office, so that any necessary adjustments in staffing positions can be made.</p> <p>SEC Recommendation The Finance Division must assess its workload needs, especially in light of legislation on court security and auditing functions being assumed by the State Controller's Office, so that any necessary adjustments in staffing positions can be made.</p>	ADOC to report to the council at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
95	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-31 with no further action as the unit has been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation The need for a Strategic Policy, Communication, and Administration Unit should be reevaluated by the Chief Administrative Officer and, most likely, be eliminated.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
96	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-32 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation</p> <p>Consistent with recent consolidation of this division, the HR function should no longer be assigned stand-alone division status in the AOC organizational structure and should be combined with other administrative functions, reporting to the Chief Administrative Officer in the AOC's Administrative Services Division.</p>	<p>Interim and incoming ADOC to present organizational proposal the council at the 8/31/12, meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
97	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-34 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(a) The Division Director position should be permanently eliminated as the HR function should no longer be a stand-alone division.</p>	Completed	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
97.1	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-34 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(b) The number of manager positions should be reduced from five to three, with some of the resulting resources allocated to line HR functions.</p>	<p>ADOC to make a proposal based on the classification and compensation study.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
97.2	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-34 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(c) One of the three Senior Manager positions is vacant, a vacancy that should be made permanent by reallocating managerial responsibilities to the two filled Senior Manager positions.</p>	<p>Completed. This Division has 2 senior manager positions.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
98	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the progress and results of staffing changes being implemented in the Human Resources unit as part of the AOC's internal restructuring process.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(d) With the elimination of the positions discussed above, consideration should be given to redirecting the resources from those positions to support vacant HR analyst positions that can be assigned work needed to help reestablish effective HR policies and practices in the AOC.</p>	<p>ADOC to report to the council on the results and status of AOC restructuring at the February 2013 council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
99	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-42 with no further action, as the issues have been resolved.</p> <p>SEC Recommendation</p> <p>The Administrative Director should resolve any remaining issues that have existed between the HR Division and Office of General Counsel, including by redefining respective roles relating to employee discipline or other HR functions.</p>	Completed	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
100	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-43 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The committee recommends that the functions of this division be placed under a unit titled Information and Technology Services Office, combined with any remaining functions of CCMS. The office should report to the Chief Administrative Officer of the Judicial and Court Administrative Services Division. The IS Manager position should be compensated at its current level.				
101	E&P recommends that the Judicial Council support SEC Recommendation 7-44 and direct the council's Technology Committee to reexamine technology policies in the judicial branch to formulate any new branch-wide technology policies or standards, based on the input, needs, and experiences of the courts and court users, and including cost-benefit analysis.	The Technology Committee to propose a timeline to return to the council to present its recommendations.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
A reexamination of technology policies in the judicial branch must occur now that CCMS does not represent the technology vision for all courts. Formulation of any new branch-wide technology policies or standards must be based on the input, needs, and experiences of the courts, and including cost-benefit analysis.				

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#	Directive *	Timeline	Status	Status Updates
102	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-45(a) with no further action, as the recommended staff reductions have occurred through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>Especially with CCMS not being fully deployed, staff reductions in this division are in order, including:</p> <p>(a) Unnecessary CCMS positions should be eliminated.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
103	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-45(b) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>Especially with CCMS not being fully deployed, staff reductions in this division are in order, including:</p> <p>(b) The total number of senior managers should be reduced.</p>	ADOC to make a proposal based on the classification and compensation study.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
104	<p>E&P recommends that the Judicial Council direct that the Administrative Director of the Courts should review and reduce accordingly the use of temporary employees, consultants, and contractors.</p> <p>SEC Recommendation</p> <p>Especially with CCMS not being fully deployed, staff reductions in this division are in order, including:</p> <p>(c) The use of temporary employees, consultants, and contractors should be reviewed and reductions made accordingly.</p>	ADOC to report to the council at the June 2013 council mtg.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
105	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-46 and direct the Administrative Director of the Courts, as part of AOC long-term planning, to conduct a review and audit of all technology currently used at the AOC and to return to the Judicial Council with a progress report on the findings, including efficiencies and potential cost savings.</p> <p>SEC Recommendation</p> <p>Different divisions in AOC operate from different technology platforms, including SAP used for the Phoenix system, Oracle, and CCMS. As part of a long range plan for the use of technology in AOC operations, the AOC should conduct a review and audit of all technology currently used in the AOC.</p> <p>Efficiencies and cost savings could result from the use of a single platform.</p>	ADOC interim report to the council by the December 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
106	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-71 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
		Final report timeline unknown. Pending council decisions on Classification and Compensation Study.		
	<p><u>SEC Recommendation</u></p> <p>The Office of General Counsel should be renamed Legal Services Office, consistent with its past designation, and should be a stand-alone office reporting to the Administrative Director of the Courts. The Legal Services Office manager position should be compensated at its current level. The Legal Services Office should not be at the same divisional level as the Judicial and Court Operations Services Division or the Judicial and Court Administrative Services Division. The Chief Counsel, manager of the Legal Services Office, should not be a member of the Executive Leadership Team.</p> <p>.....</p>			

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#	Directive *	Timeline	Status	Status Updates
107	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(a) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
	<p><u>SEC Recommendation</u></p>			
	<p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p>			
	<p>(a) In addition to the General Counsel, there are nine management level attorney positions in the Legal Services Office, including the Assistant General Counsel, three Managing Attorneys, and five Supervising Attorneys. This is an excessive number of management positions, which should be reduced. The position of Assistant General Counsel position could be eliminated. One managing attorney could be assigned to manage each of the two major functional components of the division, house counsel, and Judicial Council services, with each managing attorney reporting directly to the Chief Counsel.</p>			

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#	Directive *	Timeline	Status	Status Updates
108	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-72(b) and direct the Administrative Director of the Courts to direct implementation of fundamental management practices to address underperformance of staff members and provide better supervision and allocation of work.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(b) Despite the large number of management positions, management systems and processes are particularly lacking in the Legal Services Office. Implementing fundamental management practices to address the underperformance of staff members and provide better supervision and allocation of work should produce efficiencies that can result in reductions.</p> <hr/>	<p>ADOC interim report to the council on the changes in progress by the February 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
109	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(c) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(c) A large number of Legal Services Office positions are dedicated to supporting the Judicial Council and its various committees and task forces. Assigning responsibility for coordinating the AOC's Judicial Council support activities to the Executive Office under the direction of the Chief of Staff will lead to efficiencies that should result in reductions of Legal Services Office positions dedicated to these activities.</p> <p>.....</p>	Interim and incoming ADOC organizational proposal to be presented to the council at the 8/31/12, meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
110	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-72(d) and direct the Administrative Director of the Courts to report to the council on measures to streamline and improve the AOC's contracting processes and reduce contract-related work performed by this office.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(d) Implementation of the recommendations designed to streamline and improve the AOC's contracting processes should reduce contract-related work performed by the Legal Services Office.</p>	Final report to the council at June 2013 meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
111	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72 (e) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
	<p><u>SEC Recommendation</u></p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(e) The Legal Services Office has promoted and contributed to the "lawyerizing" of numerous activities and functions in the AOC. There are opportunities for work currently performed by attorneys in the Rules and Projects, Transactions and Business Operations, Real Estate, and Labor and Employment units to be performed by nonattorneys, resulting in efficiencies and possible staff reductions.</p> <hr/>			

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#	Directive *	Timeline	Status	Status Updates
112	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(f) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
<p><u>SEC Recommendation</u></p>				
<p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p>				
<p>(f) Development and use of paralegal classifications, as found elsewhere in legal services throughout both the public and private sectors, could lead to the reduction of attorney positions in the Legal Services Office.</p>				
113	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-73 with no further action. The telecommuting status of one position has ended and, as of September 7, 2012, the telecommuting status of the second position will end.</p>	<p>ADOC to report to the council with proposal for a revised policy at the 12/14/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
<p><u>SEC Recommendation</u></p>				
<p>There currently are at least two positions in the Legal Services Office that violate the AOC's telecommuting policy. These should be terminated immediately, resulting in reductions. Nor should telecommuting be permitted for supervising attorneys in this division.</p>				

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#	Directive *	Timeline	Status	Status Updates
114	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the costs and benefits of allocating staff attorneys and resources to various advisory committees, task forces, and working groups.	Administrative Director of the Courts to make a proposal based on the Classification and Compensation Study. In the interim, the Administrative Office of the Courts will conduct a survey on the use of attorneys in private and public institutions.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
As recommended elsewhere, the Judicial Council should assess the costs and benefits of allocating staff attorneys and resources to various advisory committees, task forces, and working groups.				
115	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, as part of the review of the AOC organizational structure, to review current responsibilities and clearly define the role of the Chief Counsel.	ADOC to make recommendations to the council at the February 2013 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The role of the Chief Counsel should be redefined to reflect the primary role of providing legal advice and services, as opposed to developing policy for the judicial branch.				

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#	Directive *	Timeline	Status	Status Updates
116	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-77(a) and (d), and direct the Administrative Director of the Courts that the Office of the General Counsel should employ and emphasize a customer service model of operation, recognizing a primary goal of providing timely service and advice to its clients, including to internal clients in the AOC and to those courts that request legal advice or services from this office.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(a) Most fundamentally, this division should employ and emphasize a customer service model of operation — recognizing a primary goal of providing timely service and advice to its clients, including to internal clients in the AOC and to those courts that request legal advice or services from this office.</p> <p>.....</p>	<p>ADOC to report back to the council at the February 2013 council meeting</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
117	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to adopt an operations model whereby attorneys generally are housed at one location with flexibility to adjust as necessary to meet court needs regionally, including regional demand for additional attorney support and smaller courts that have fewer staff for research and other legal services. The location where attorneys report to work should ensure proper supervision.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(b) This office should adopt an operations model whereby its attorneys generally are housed at one location. This would eliminate nonsupervision of some attorneys, promote better and more regular supervision of staff attorneys, and promote better utilization of available skills.</p> <hr/>	<p>Administrative Director of the Courts to provide an interim report at the July 2013 council meeting with a final report at a later date.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
118	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Office of the General Counsel service model should emphasize that time is of the essence when it comes to delivering advice and opinions to the courts; that recommendations and advice to courts should include a full range of options available to the courts; and that there must be a greater recognition that the AOC's interests may conflict with the specific interests of the courts. Clearer procedures should be put in place to safeguard the interests of individual courts in those instances when legitimate conflicts arise.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(c) The service model should emphasize that time is of the essence when it comes to delivering advice and opinions to the courts; that recommendations and advice to courts should include a full range of options available to the courts; and that there must be a greater recognition that the AOC's interests may conflict with the specific interests of the courts. Clearer procedures should be put in place to safeguard the interests of individual courts in those instances when legitimate conflicts arise.</p>	<p>ADOC to report back to the council at the February 2013 council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
119	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to place emphasis on reducing bottlenecks for advice, contracts, and other projects. More effective tickler and tracking systems for opinions, contracts, and other documents should be put in place.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(d) Emphasis must be placed on reducing bottlenecks for advice, contracts, and other projects. More effective tickler and tracking systems for opinions, contracts, and other documents should be put in place.</p>	<p>ADOC to report back to the council at the June 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
120	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that court users of legal services should be surveyed periodically to determine if such services are performed in a timely and satisfactory manner.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(e) Court users of legal services should be surveyed periodically to determine if such services are performed in a timely and satisfactory manner.</p>	<p>ADOC to report back to the council at the June 2013 council meeting.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
121	E&P recommends that the Judicial Council support SEC Recommendation 7-78 with no further action, as the issues have been resolved.	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The Administrative Director should resolve issues that have existed between the HR Division and OGC, including by redefining respective roles relating to employee discipline or other HR functions.</p>			
122	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to order an independent review of the Office of General Counsel's use, selection, and management of outside legal counsel to determine whether outside counsel is being utilized in a cost effective manner. Before initiating the independent review, the Administrative Director of the Courts must provide a proposal with options for conducting the review, including the associated costs.	ADOC to present a proposal with options to the council by the February 2013 council meeting, with a final report at the December 2013 meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The Judicial Council and/or Administrative Director should order an independent review of this office's use, selection, and management of outside legal counsel to determine whether outside counsel is being utilized in a cost-effective manner.</p>			

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#	Directive *	Timeline	Status	Status Updates
123	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-52 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The Office of Communications should remain in the Executive Office and under the direction of a Chief of Staff. The Office of Communications manager position should be placed at the Senior Manager level.				
124	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, to the extent that resources are available, that Office of Communication resources, including the Public Information Officer, should be made more available to furnish increased media relations services to courts requesting such assistance	ADOC to report to the council on the restructuring changes to this office at the February 2013 council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The resources of this office, including the Public Information Officer, should be made more available to furnish increased media relations services to courts requesting such assistance.				

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#	Directive *	Timeline	Status	Status Updates
125	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to return to the Judicial Council with an analysis, defining the necessary emergency response and security functions for the branch and a recommendation on the organizational plan for council approval.	Administrative Director of the Courts to provide an interim report to the council at the July 2013 council meeting with a final report at the March 2014 council meeting.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
7-54. There is no need for a stand-alone Office of Emergency Response and Security. Most necessary functions performed by the office can be reassigned and absorbed by existing units in the Judicial and Court Operations Services Division.				
7-55. The functions of this office should be refocused and limited to those reasonably required by statute or by the Rules of Court, primarily including review of security plans for new and existing facilities; review of court security equipment, if requested by the courts; and review of emergency plans.				
7-56. Reductions in this office are feasible. The office cannot effectively provide branch-wide judicial security and online protection for all judicial officers. Positions allocated for such functions should be eliminated. The Administrative Director should evaluate whether some activities undertaken by this office are cost effective, such as judicial security and online protection functions.				

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#	Directive *	Timeline	Status	Status Updates
126	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-84 with no further action, as the Bay Area, Northern Central, and Southern Regional Offices no longer have any direct regional office staff. The Northern Central Regional Office has been reorganized as the Trial Court Liaison Office reporting to the Executive Office.</p> <p>SEC Recommendation</p> <p>The regional offices should cease to exist as a separate division within AOC. The BANCRO and SRO offices should close. Advocacy and liaison services provided to the trial courts should be provided through the office of Trial Court Support and Liaison in the new Executive Office.</p>	<p>Completed. ADOC to report to the council on specific actions taken.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
127	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to renegotiate or terminate, if possible, the leases for space utilized by SRO and BANCRO. To the extent AOC staff from other divisions is assigned to work at leased space at the regional offices, the need for locating such staff in currently leased space should be reevaluated.</p> <p>SEC Recommendation</p> <p>Leases for space utilized by SRO and BANCRO should be renegotiated or terminated, if possible, as such lease costs cannot be justified. To the extent AOC staff from other divisions is assigned to work at leased space at the regional offices, the need for locating such staff in currently leased space should be reevaluated.</p>	<p>Completed. ADOC to update the council on the status of the leases at the 10/26/12, council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
128	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-86 and direct the Administrative Director of the Courts to provide the council with an update on organizational changes made with the elimination of the regional office staff.</p> <p>SEC Recommendation While responsibility for essential services currently provided to courts through regional offices should be consolidated and placed under the direction of Trial Court Support and Liaison Services in the Executive Office, a physical office should be maintained in the Northern California Region area to provide some services to courts in the region.</p>	<p>Completed. ADOC to update the council on the status of the leases at the 10/26/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
129	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider placing the significant special projects previously assigned to the regional offices under the direction of the Chief of Staff in the Executive Office, contingent upon council approval of the organizational structure for the AOC.</p> <p>SEC Recommendation The significant special projects previously assigned to the regional offices should be placed under the direction of the Chief of Staff in the Executive Office.</p>	<p>Interim and incoming ADOC to present organizational proposal to the council at the 8/31/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
130	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-47 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
TCAS should be made a unit under the Judicial and Court Administrative Services Division, reporting to the Chief Administrative Officer. The TCAS Manager position should be at the Senior Manager level.				
.....				
131	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that, subject to available resources, trial court use of the Phoenix HR/Payroll functionality should remain optional to individual trial courts.	Ongoing	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The Phoenix Financial System is in place in all 58 superior courts; however, trial court use of the Phoenix HR/Payroll functionality should remain optional to individual trial courts.				
.....				

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#	Directive *	Timeline	Status	Status Updates
132	<p>E&P recommends that the Judicial Council determine whether to continue with the charge-back model whereby courts reimburse the AOC from their Trial Court Trust Fund allocations for the courts' use of the Phoenix financial system; and whether the Los Angeles court will be required to reimburse the AOC for use of the Phoenix financial system.</p> <p>SEC Recommendation</p> <p>As policy matters, it is recommended that the Judicial Council determine whether to continue with the charge-back model whereby courts reimburse the AOC from their Trial Court Trust Fund allocations for the courts' use of the Phoenix financial system; and whether the Los Angeles court will be required to reimburse the AOC for use of the Phoenix financial system.</p>	<p>Trial Court Budget Working Group to propose a timeline to return to the council to present its recommendations.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>
133	<p>E&P recommends that the Judicial Council support SEC recommendations 7-46 and 7-50 and direct the Administrative Director of the Courts, as part of AOC long-term planning, to review the information technology systems currently implemented Branch wide to support enterprise resource planning: finance, human resources, and education functional areas; to identify costs, benefits, and potential long-term savings, and the challenges of migrating support to a single IT platform; and to return to the council with a progress report on the findings.</p> <p>SEC Recommendation</p> <p>As with the Information Services Division, the AOC should determine whether to continue use of multiple or overlapping technologies for similar functions, as using a single technology could result in efficiencies and savings, both operationally and in personnel cost.</p>	<p>ADOC interim report to the council at the December 2013 council meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
134	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Trial Court Administrative Services division should continue to provide clear service-level agreements with respect to services provided to the courts.</p> <p>SEC Recommendation TCAS should continue to provide clear service-level agreements with respect to services provided to the courts.</p>	<p>Immediate implementation (Ongoing)</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
135	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-64 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation The OCCM should be renamed Office of Court Construction and Facilities Management Services. The functions of this unit should be placed under the Judicial and Court Operations Services Division and reporting to the Chief Operating Officer. The manager of this unit should be compensated at the same level.</p>	<p>Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting.</p> <p>Final report timeline unknown. Pending council decisions on Classification and Compensation Study.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
136	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate and propose an approach to evaluate cost effectiveness for the entire scope of Office of Court Construction and Management operations.</p> <p>SEC Recommendation A cost-benefit analysis of the entire scope of OCCM operations is needed.</p>	<p>ADOC interim update to the council at the June 2013 council meeting and final report at the December 2013 meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
137	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-66 and, once organizational changes are made as approved by the Judicial Council, evaluate and make recommendations to the council on facilities maintenance program efficiencies, including broadening courts' responsibilities for maintenance of court facilities and for smaller scale projects.</p> <p>SEC Recommendation The current facilities maintenance program appears inefficient and unnecessarily costly. The consultant report is necessary and should be considered part of a necessary reevaluation of the program. Courts should be given the option to assume responsibility for maintenance of court facilities and for smaller-scale projects.</p>	<p>Administrative Director of the Courts interim update to the council at the October 2013 council meeting and final report at the December 2013 meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
138	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-67 and, once organizational changes are made as approved by the Judicial Council, evaluate and make recommendations to the Judicial Council regarding fiscal planning for facilities maintenance for new and existing facilities and revenue streams to fund increased costs for maintenance of court facilities.</p> <p>SEC Recommendation Fiscal planning for facilities maintenance for new and existing facilities needs to become an immediate priority, and revenue streams to fund increased costs for maintenance of court facilities must be identified and obtained.</p>	<p>Administrative Director of the Courts interim update to the council at the October 2013 council meeting and final report at the December 2013 meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
139	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts, once organizational changes are made as approved by the Judicial Council, to evaluate and make recommendations regarding staff reductions.</p> <p>SEC Recommendation Staff reductions appear feasible in light of the slowdown in new court construction and should be made accordingly. The Chief Operating Officer should be charged with implementing necessary reductions.</p>	<p>Administrative Director of the Courts to provide an interim report to the council at the August 2013 council meeting.</p>	In Progress	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
140	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the employment of temporary or other staff to circumvent a hiring freeze is not permitted. The Administrative Director must review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such as in the case of an emergency or to provide a critical skill set not available through the use of authorized employees.</p> <p>SEC Recommendation The use of temporary or other staff to circumvent the hiring freeze should cease.</p>	Completion by June 2013	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
141	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to review, as part of the AOC-wide review of its contracting processes, the contracting process utilized by the Office of Court Construction and Management.</p> <p>SEC Recommendation The contracting process utilized by OCCM needs to be improved. This process should be reviewed as part of the AOC-wide review of its contracting processes.</p>	Completion by June 2013	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
142	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-80 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Administrative Director of the Courts to provide Interim Report on outcome of the Classification and Compensation Request for Proposal at the June 2013 council meeting. Final report timeline unknown. Pending council decisions on Classification and Compensation Study.	In Progress	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The Office of Governmental Affairs should be placed in the Executive Office, under the direction of the Chief of Staff. The OGA Manager position should be at the Senior Manager level.				
.....				
143	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Office of Governmental Affairs (OGA) should represent the interests of the judicial branch on the clear direction of the Judicial Council and its Policy Coordination and Liaison Committee (PCLC), and take steps to ensure that the PCLC is apprised fully of varying viewpoints of the courts, court executive officers, and judges before determining legislation positions or proposals.	Ongoing	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The OGA should represent the interests of the judicial branch on the clear direction of the Judicial Council and its Policy Coordination and Liaison Committee. The Chief of Staff should take steps to ensure that the PCLC is apprised fully of varying viewpoints of the courts, court executive officers, and judges before determining legislation positions or proposals.				
.....				

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
144	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that attorney resources in the AOC be utilized to best leverage and draw on subject matter expertise, which may assist OGA as legislative demands may require.</p> <p>SEC Recommendation</p> <p>The Administrative Director should direct that attorney resources in the AOC be utilized to best leverage and draw on subject matter expertise, which may assist OGA as legislative demands may require.</p>	<p>Completed. ADOC will continue to monitor the deployment of expertise.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
145	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose to the council a process and policies for pursuing grants. The process should mandate a detailed impact analysis for every grant proposal, including consideration of all anticipated impacts on the workload and resources of the courts and the impacts to the AOC as a whole. Until a process of review and oversight is finalized, the Administrative Director of the Courts must approve the AOC's engagement in all grant proposals and agreements.</p> <p>SEC Recommendation</p> <p>6-9. The Executive Leadership Team must develop and make public a description of the AOC's process for determining which grants to pursue. The process should mandate a detailed impact analysis for every grant proposal, including consideration of all anticipated impacts on the workload and resources of the courts and the impacts to the AOC as a whole. Only after such analysis should the Executive Leadership Team make a determination whether the AOC should pursue grant funding.</p> <p>7-5. The Judicial Council should exercise oversight to assure that grant-funded programs are undertaken only when consistent with predetermined, branch-wide policy and plans. The fiscal and operational impacts of grant-funded programs on the courts should be considered as part of the fiscal planning process.</p> <p>7-12. The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following.</p> <p>Excerpt:</p> <p>(f) The Fund Development Group concerns itself with training to obtain grants, seeking grants, and grant</p>	<p>ADOC to recommend to the council a process and policies for pursuing appropriate grants by June 2013.</p>	<p>In Progress</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
	<p>reporting. As is the case with other divisions in the AOC, grants should be sought in accordance with well-articulated AOC-wide priorities, as established by the Judicial Council. The Administrative Director and the Judicial Council should develop written policies and guidelines that control the pursuit and acceptance of grants and other funding, including utilizing a cost-benefit analysis.</p> <hr/>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Curt Soderlund
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	7
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose a procedure to seek the fully informed input and collaboration of the courts before undertaking significant projects or branchwide initiatives that affect the courts. The AOC should also seek the input of all stakeholder groups, including the State Bar.
SEC RECOMMENDATION	The AOC must seek the fully informed input and collaboration of the courts before undertaking significant projects or branch-wide initiatives that affect the courts.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013</p> <p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date.</p> <p>Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: http://www.dof.ca.gov/fisa/bag/typesof.htm) and Analysis of Budget Items (see attached or access online here: http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the</p> </div>	

fiscal and programmatic analyses are completed when issues require them. Since the training material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

Fiscal - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?

Policy – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.

Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."



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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

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ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example— CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Curt Soderlund
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	8
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to first employ a comprehensive analysis, including an appropriate business case analysis of the scope and direction of significant projects or initiatives, taking into account the range of fiscal, operational, and other impacts to the courts and stakeholders.
SEC RECOMMENDATION	The AOC must first employ an appropriate business case analysis of the scope and direction of significant projects or initiatives, taking into account the range of fiscal, operational, and other impacts to the courts.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013</p> <p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date.</p> <p>Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: http://www.dof.ca.gov/fisa/bag/typesof.htm) and Analysis of Budget Items (see attached or access online here: http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the</p> </div>	

fiscal and programmatic analyses are completed when issues require them. Since the training material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

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Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."



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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

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ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example—CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators)
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	9
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure for developing and communicating accurate cost estimates for projects, programs, and initiatives.
SEC RECOMMENDATION	The AOC must develop and communicate accurate cost estimates for projects, programs, and initiatives.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">  File Attachment </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">  File Attachment </div> <div style="border: 1px solid black; padding: 2px;">  File Attachment </div> </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px;">  File Attachment </div> </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013</p> <p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date.</p> <p>Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access</p> </div>	

the full site here: <http://www.dof.ca.gov/fisa/bag/bagtoc.htm>) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/typesof.htm>) and Analysis of Budget Items (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm>) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.
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Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



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24.0 KB

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 PrinciplesPracticesAnalysis.pdf
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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	TBD

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>

	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example— CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators)
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

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B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academics identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	10
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to apply proper cost and contract controls and monitoring, including independent assessment and verification, for significant projects and programs.
SEC RECOMMENDATION	The AOC must apply proper cost and contract controls and monitoring, including independent assessment and verification, for significant projects and programs.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <input checked="" type="checkbox"/> Other: 	
<p>EXTENSION BEING REQUESTED TO OCTOBER 2013</p> <p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date.</p> <p>Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: http://www.dof.ca.gov/fisa/bag/typesof.htm) and Analysis of Budget Items (see attached or access online here: http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training</p>	

material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

Fiscal - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?

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In addition, reporting on Directive 93 provides related information:

"A group of division directors has been convened to review and make improvements to the contracting process (the Contracts Advisory Team or CAT). CAT meetings have resulted in the identification of business process improvements many of which have and are being implemented by the divisions and Business Services Unit (BSU). These improvements include regularly scheduled meetings between BSU and various divisions to improve the communication process and the timeliness of the contract documents. The CAT meetings also focus on monitoring upcoming contract inventories in the various divisions as well as tracking those that are currently being processed by the Business Services Unit. Monitoring and tracking contract inventories has resulted in more timely submittals to BSU, as well as quicker turnarounds to the requesting division."

The work of the Contract Advisory Team and related efforts of the AOC Re-engineering Unit have led to significant improvements in areas referenced in this directive.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.


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 PrinciplesPracticesAnalysis.pdf
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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	TBD

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> SAVINGS	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content; margin-top: 5px;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input style="width: 100px;" type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input style="width: 100px;" type="text" value="6/17/2013"/>

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example—CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Curt Soderlund
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	11
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to maintain proper documentation and records of its decision making process for significant projects and programs.
SEC RECOMMENDATION	The AOC must maintain proper documentation and records of its decision making process for significant projects and programs.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013</p> <p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date.</p> <p>Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: http://www.dof.ca.gov/fisa/bag/typesof.htm) and Analysis of Budget Items (see attached or access online here: http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training</p> </div>	

material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

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TypesOfAnalysis
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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

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ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example—CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

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(March 3, 2011) (Analytic/BOS/PBM/APBM)

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Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	12
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to identify and secure sufficient funding and revenue streams necessary to support projects and programs, before undertaking them.
SEC RECOMMENDATION	The AOC must identify and secure sufficient funding and revenue streams to support projects and programs before undertaking them.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <input type="checkbox"/> File Attachment	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <input type="checkbox"/> File Attachment	
<input checked="" type="checkbox"/> Other: EXTENSION BEING REQUESTED TO OCTOBER 2013 Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date. Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: http://www.dof.ca.gov/fisa/bag/typesof.htm) and Analysis of Budget Items (see attached or access online here: http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training	

material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

CS Added Narrative:

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

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Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."

In addition, the judicial branch (including the Administrative Office of the Courts) participates in the state budget development process--the primary method for seeking funding to augment the branch budget in support of operations, projects, and programs. This includes numerous steps, including:

- Establishment of budget priorities and development of budget concepts.
- Budget concepts are presented to the Judicial Council at its August meeting. Approved concepts are developed into budget proposals.
- Approved budget proposals are submitted to the Department of Finance in September.
- Branch budget proposals approved by the Administration are generally included in the Governor's proposed budget for the coming fiscal year released each January.
- The branch has a second opportunity to submit funding requests in February as a "Finance Letter" request, which is essentially a budget proposal based on an emergency or other unanticipated need.
- The Governor's revision to the forthcoming budget is released in May and could include approved Finance Letters and/or updates to January proposals.
- Funding for projects and programs included in the final budget is allocated after the Governor signs the budget bill into law (and according to standard or specified budget allocation schedules).

A key element of the budget development process is advocacy. The AOC supports the council in this endeavor through the leadership of the Executive Office, Office of Governmental Affairs and Fiscal

Services Office (FSO). In particular, FSO provides substantial support in the countless meetings held throughout the year in support of the branch budget as well as the extensive data requirements and requests from legislative members and staff, the Legislative Analyst's Office, Department of Finance, and others. The branch advocacy approach also includes coordination with a large cadre of stakeholders, who meet with representatives of our sister branches of government at critical junctures--all of whom require some level of preparation and detail provided, in part, by FSO. The Chief Justice led the outreach to many stakeholder groups this year, including the following recent engagements:

2/14 Consumer Attorneys of CA
 2/15 CA District Attorneys Association
 2/15 CA Defense Counsel (civil defense)
 2/22 CA Attorneys for Criminal Justice and CA Public Defenders Association (criminal defense)
 4/18 CA State Sheriffs Association
 4/29 State Bar of California
 4/30 CA State Association of Counties

For those projects and programs supported by special funds, such as technology initiatives funded by the Trial Court Trust Fund and State Trial Court Improvement & Modernization Fund, the Trial Court Budget Working Group (which will transition to the Trial Court Budget Advisory Committee effective July 1, 2013) conducts a line item review on an annual basis to evaluate funding priorities and needs. Funding recommendations are then submitted to the Judicial Council, typically in August each year, for consideration.

With regards to technology projects, the council's Court Technology Advisory Committee now plays an active role in any technology funding request. In addition, the recently created Technology Planning Task Force will play a significant role in laying the groundwork for future efforts. Specifically, the task force is to work collaboratively to define judicial branch technology governance in terms of statewide versus local decision-making, to develop a strategic plan for technology across all court levels that provides a vision and direction for technology within the branch, and to develop recommendations for a stable, long-term funding source for supporting branch technology, as well as a delineation of technology funding sources.

Only a related note pertaining to the trial courts, other substantial support was provided to the Trial Court Budget Working Group subcommittee that developed the new funding methodology for trial courts. This effort, which aims to provide a more equitable means of allocating funding to support trial court operations, required intensive months-long support from the Budget Office. These AOC staff will serve as the primary contact, along with Office of Court Research Staff, on future allocations tied to the methodology.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



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PrinciplesPracticesAnalysis.pdf
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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	TBD <input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example—CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators)
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	13
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to accurately report and make available information on potential costs of projects and impacts to the courts.
SEC RECOMMENDATION	The AOC must accurately report and make available information on potential costs of projects and impacts to the courts.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <input type="checkbox"/> File Attachment	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <input type="checkbox"/> File Attachment	
<input checked="" type="checkbox"/> Other: EXTENSION BEING REQUESTED TO OCTOBER 2013 Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date. Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: http://www.dof.ca.gov/fisa/bag/typesof.htm) and Analysis of Budget Items (see attached or access online here: http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training	

material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

CS Added Narrative:

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

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Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."

In addition, the Fiscal Services Office will confer with other state entities on their respective reporting procedures in an effort to develop the most effective method for the AOC and the branch.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



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24.0 KB

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 PrinciplesPracticesAnalysis.pdf
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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	TBD

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>

	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example—CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators)
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
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 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	14
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to conduct a comprehensive review of the AOC position classification system as soon as possible. The focus of the review must be on identifying and correcting misallocated positions, particularly in managerial classes, and on achieving efficiencies by consolidating and reducing the number of classifications.
SEC RECOMMENDATION	The Executive Leadership Team must direct that a comprehensive review of the AOC position classification system begin as soon as possible. The focus of the review should be on identifying and correcting misallocated positions, particularly in managerial classes, and on achieving efficiencies by consolidating and reducing the number of classifications. The Chief Administrative Officer should be given lead responsibility for implementing this recommendation.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 150px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 150px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <p>Before implementation of Directive 14 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.</p> <p>The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan</p>	

through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

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ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	Human Resources Services Office
JUDICIAL COUNCIL DIRECTIVE NUMBER	15
JUDICIAL COUNCIL DIRECTIVE	The Administrative Office of the Courts must also undertake a comprehensive review of the AOC compensation system as soon as possible. The AOC must review all compensation-related policies and procedures, including those contained in the AOC Personnel Policies and Procedures Manual.
SEC RECOMMENDATION	The Executive Leadership Team must direct that a comprehensive review of the AOC compensation system be undertaken as soon as possible. All compensation-related policies and procedures must be reviewed, including those contained in the AOC personnel manual. AOC staff should be used to conduct this review to the extent possible. If outside consultants are required, such work could be combined with the classification review that is recommended above. The Chief Administrative Officer should be given lead responsibility for implementing this recommendation.
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<input checked="" type="checkbox"/> Other: Before implementation of Directive 15 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review. The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's	

classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session.

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ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

ADOC REVIEW	Administrative Director of the Courts Review Date: <input data-bbox="1084 201 1328 233" type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input data-bbox="938 344 1182 375" type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	16
JUDICIAL COUNCIL DIRECTIVE	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(a) A comprehensive review of the classification and compensation systems should be undertaken as soon as possible, with the goal of consolidating and streamlining the classification system.</p>
SEC RECOMMENDATION	<p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(a) A comprehensive review of the classification and compensation systems should be undertaken as soon as possible, with the goal of consolidating and streamlining the classification system.</p>
RESPONSE (check applicable boxes)	
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<p>Before implementation of Directive 16 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.</p> <p>The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request</p>	

for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session.

 File Attachment

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EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	17
JUDICIAL COUNCIL DIRECTIVE	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(b) Priority should be placed on reviewing all positions classified as supervisors or managers, as well as all attorney positions, to identify misclassified positions and take appropriate corrective actions.</p>
SEC RECOMMENDATION	<p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(b) Priority should be placed on reviewing all positions classified as supervisors or managers, as well as all attorney positions, to identify misclassified positions and take appropriate corrective actions.</p>
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Before implementation of Directive 17 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.</p> <p>The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request</p> </div>	

for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session.

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E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	18
JUDICIAL COUNCIL DIRECTIVE	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(c) The manner in which the AOC applies its geographic salary differential policy (section 4.2 of the AOC Personnel Policies and Procedures Manual) should be reviewed and, if maintained, applied consistently.</p>
SEC RECOMMENDATION	<p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(c) The manner in which the AOC applies its geographic salary differential policy (section 4.2 of the AOC personnel manual) should be reviewed and, if maintained, applied consistently.</p>
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Before implementation of Directive 18 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.</p> <p>The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request</p> </div>	

for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

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ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
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E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	20
JUDICIAL COUNCIL DIRECTIVE	E&P also recommends that the Judicial Council direct the Administrative Director of the Courts to assess the results of the compensation and classification studies to be completed and propose organizational changes that take into account the SEC recommendation 7-75 and the analysis of the classification and compensation studies.
SEC RECOMMENDATION	The Administrative Director should make an AOC-wide assessment to determine whether attorneys employed across the various AOC divisions are being best leveraged to serve the priority legal needs of the organization and court users.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	
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<input checked="" type="checkbox"/> Other: <p>Before implementation of Directive 20 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.</p> <p>The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.</p> <p>The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.</p>	

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

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RESOURCES REQUIRED FOR IMPLEMENTATION	

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ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
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EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW**E&P REVIEW**Executive and Planning Review Date: 6/17/2013

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Chad Finke
OFFICE NAME	<u>Court Operations Special Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	21
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to implement a formalized system of program and project planning and monitoring that includes, at minimum, a collaborative planning process that requires an analysis of impacts on the judicial branch at the outset of all projects; use of workload analyses where appropriate; and development of general performance metrics for key AOC programs that allow expected performance levels to be set and evaluated.
SEC RECOMMENDATION	The AOC Executive Leadership Team must begin to implement a formalized system of program and project planning and monitoring that includes, at minimum, a collaborative planning process that requires an analysis of impacts on the judicial branch at the outset of all projects; use of workload analyses where appropriate; and development of general performance metrics for key AOC programs that allow expected performance levels to be set and evaluated.
RESPONSE (check applicable boxes)	
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> EXTENSION BEING REQUESTED TO OCTOBER 2013 Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date. Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access </div>	

the full site here: <http://www.dof.ca.gov/fisa/bag/bagtoc.htm>) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/typesof.htm>) and Analysis of Budget Items (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm>) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.
Fiscal - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?"

Policy – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.

Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."



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TypesOfAnalysis
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TIMELINE AND RESOURCES FOR IMPLEMENTATION

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ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

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ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example— CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/7/2013
PREPARED BY	Cory Jasperson
OFFICE NAME	<u>Office of Governmental Affairs</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	23
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to identify legislative requirements that impose unnecessary reporting or other mandates on the courts and the AOC. Appropriate efforts should be made to revise or repeal such requirements.
SEC RECOMMENDATION	The Office of Governmental Affairs should be directed to identify legislative requirements that impose unnecessary reporting or other mandates on the AOC. Appropriate efforts should be made to revise or repeal such requirements.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px;"> <p>In Progress</p> <p>The Office of Governmental Affairs (OGA), on behalf of and at the direction of the Judicial Council, continues to advocate for the passage of the 17 proposals for efficiency, cost recovery, and new revenue voted for sponsorship as legislation by the Judicial Council in December 2012 for the 2013-2014 legislative session. Eleven of these efficiencies remain part of the Governor's Proposed Budget for fiscal year 2013-14 in budget trailer bill language. Of those 11, the Assembly Budget Committee recommended the passage of three, and the Senate Budget Committee recommended the passage of eight. Of the remaining six not in trailer bill language, two are the subject of active legislation, and the others are, for the moment, not moving ahead. In April, the Judicial Council voted to sponsor six additional proposals for efficiency, cost recovery, and new revenue as legislation during the current legislative session. Two of those proposals are the subject of active legislation, and the remaining four have been presented to the Department of Finance for possible inclusion in budget trailer bill</p> </div>	

language.

OGA continues to work with Judicial Council staff to identify legislatively mandated reporting requirements for the Judicial Council, AOC, and the courts that are unnecessary, outdated, or overly burdensome. In 2012, OGA worked with AOC divisions to identify several such reporting requirements. OGA then recommended to the legislature that these requirements be repealed. One such reporting requirement was eliminated. OGA has once again asked AOC divisions to identify additional unnecessary, outdated, or overly burdensome reporting requirements. OGA will continue to take ideas for eliminating unnecessary reporting requirements to the PCLC to seek legislative action to eliminate these requirements.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	December 2013
RESOURCES REQUIRED FOR IMPLEMENTATION	

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> SAVINGS	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>

	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/5/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	25
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require immediate compliance with the requirements and policies in the AOC Personnel Policies and Procedures Manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.
SEC RECOMMENDATION	The AOC Executive Leadership Team must order immediate compliance with the requirements and policies in the AOC personnel manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>All aspects of this directive have been completed. The AOC has drafted a new performance management policy, effective July 1, 2013, which addresses the mandatory performance review of all employees on an annual basis. Details concerning its implementation can be found in the AOC's response to Judicial Council Directive 28.</p> <p>In April 26, 2013, the Judicial Council approved an amendment to Judicial Council Directive 29 to remove the reference to a progressive discipline system in the Directive's language. The AOC Human Resources Services Office has clarified that, as an at-will employer, the AOC is not required to, nor does it routinely, practice progressive discipline like in unionized environments.</p> <p>The AOC realizes that a method to rectify performance issues is still necessary. As such, the amended performance management policy will include reference to the use of a Performance Improvement Plan (PIP) to provide supervisors with a mechanism for remediating issues that they believe can be remedied.</p> <p>Compliance with the rules limiting telecommuting are currently underway within the AOC per Judicial Council Directive 26. The AOC has been monitoring ad hoc telecommute instances since its implementation in March 2013. Beginning in June 2013, AOC employees whose applications to the pilot telecommuting program were approved will be submitting Remote Work Logs to their supervisors on a weekly basis.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p>	

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<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div>
<div style="border: 1px solid black; padding: 2px; width: fit-content;"> File Attachment </div>
<input type="checkbox"/> Other: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div>
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TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<div style="border: 1px solid black; padding: 2px;"> July 1, 2013 </div>
RESOURCES REQUIRED FOR IMPLEMENTATION	<p>The performance management program will ultimately be incorporated in the AOC's HREMS database, which will allow for automated reminders and online forms and documentation. The AOC already possesses the necessary PeopleSoft module for performance management; an external Contractor has been assigned to incorporate the module into the existing database.</p> <p>In the interim, tracking and administration of Performance Management will be assigned to existing HRSO staff for a period of at least one complete performance cycle. This will allow time for the AOC to evaluate the program's effectiveness and address any challenges faced before full implementation into HREMS.</p> <p>The AOC has assigned HRSO staff to receive applications to the pilot telecommuting program and track compliance with the policy through the use of monthly ad hoc telecommuting reports and employee remote work logs. The reports will be distributed, in aggregate, to the Administrative Director on a quarterly basis.</p>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input checked="" type="checkbox"/> PROCEDURES/ POLICIES UPDATED	<p>The AOC has updated and expanded policy 3.9 - Performance Management Program to reflect the changes to the program.</p> <p>The amended policy outlines: (1) the purpose of the program, (2) the three phases of the performance management cycle, and (3) the inclusion of a Performance Improvement Plan for employees who experience performance challenges. Additional details concerning this policy can be referenced in Directive 28.</p> <p>For employees who are experiencing rectifiable performance issues, the Performance Improvement Plan (PIP) will provide supervisors with a mechanism for remediating issues that they believe can be remedied.</p> <p>On February 26, 2013, the Judicial Council approved a twelve-month pilot</p>
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<p>OR DEVELOPED</p>	<p>of the proposed amended policy 8.9, authorizing employees to work from home only when doing so is consistent with business needs and the employee's job functions, as authorized by the Administrative Director.</p> <div data-bbox="500 304 818 558" style="border: 1px solid gray; padding: 5px;">  <p>Policy 3 9 Performance Management Program.docx Microsoft Office Word Document 28.2 KB</p> </div>
<p><input checked="" type="checkbox"/> TRAINING UPDATED OR DEVELOPED</p>	<p>The AOC will be holding a series of management courses designed to educate managers and supervisors on the performance review process. There will be three courses offered: Setting Expectations and Documenting Performance, Performance Management: Identifying and Addressing Performance Gaps, and AOC Performance Evaluation Process.</p> <div data-bbox="500 732 818 798" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> SAVINGS</p>	<div data-bbox="500 869 818 934" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input checked="" type="checkbox"/> COST</p>	<p>To implement the performance management program into HREMS, a one-time cost for services provided by a Contractor is included as part of the overall costs of the program. The project is currently budgeted at an amount not to exceed \$225,343. Depending on the implementation efforts required, the final cost of the project may be lower than anticipated.</p> <p>Otherwise, no additional costs shall be incurred in this program's implementation.</p> <div data-bbox="500 1188 818 1253" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input checked="" type="checkbox"/> EFFICIENCIES</p>	<p>The Performance Management program does not inhibit the at-will employment status of the AOC, nor does the existence of a PIP inhibit the ability of the AOC to discipline or terminate employees who are not meeting performance expectations. These tools are meant to create effective communications that will promote high levels of competency and encourage personal and professional growth opportunities for all AOC employees.</p> <div data-bbox="500 1480 818 1545" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> SERVICE LEVEL IMPACT</p>	<div data-bbox="500 1614 818 1680" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> OTHER</p>	<div data-bbox="500 1751 818 1816" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p>ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL</p>	

ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

Policy Number: 3.9

Title: Performance Management Program

Contact: Human Resources Services Office, Labor and Employee Relations Unit

Policy Statement: The Administrative Office of the Courts (AOC) requires periodic feedback to employees regarding their job performance in an effort to best serve the judicial branch while recognizing employee achievements and contributions to the AOC.

Contents: (A) Employee Performance Management Program
(B) Employee Performance Management Cycle
(C) Performance Improvement Plan

(A) Employee Performance Management Program

The performance management program functions as a method to advance AOC operational objectives while recognizing employee achievements and contributions to the AOC. Managing employee performance is an ongoing communication process between a supervisor and an employee. The communication process is a cycle that includes clarifying expectations, identifying and setting goals, providing feedback, and evaluating performance. Overseeing employee performance and providing feedback is not an isolated event, rather it is an ongoing cycle that occurs throughout the year.

(B) Employee Performance Management Cycle

The employee performance management cycle consists of three phases: planning, feedback, and assessment.

Planning

Supervisors will develop an annual performance plan, using the Annual Performance Plan and Review Form [[hyperlink](#)], to direct employees toward achieving specific goals that support the AOC's operational objectives and the employees' professional success. At a minimum, every employee at the AOC will be evaluated on an annual basis, using the Annual Performance Plan and Review Form.

Supervisors must communicate with employees regarding their performance expectations throughout the year. Supervisors and employees should collaborate on developing performance goals and expectations. Early planning to achieve goals, together with mutual communication, pave the path to a successful working relationship.

Guidelines for Determination of the Annual Performance Plan and Setting an Assessment Meeting:

1. The date of the employee's last step increase will be the designated date for the annual assessment meeting.
2. If the employee's step increase date changes, the new step increase date will become the new evaluation and planning date.
3. If the employee's job classification changes and more than 180 days have passed since the last performance review date, the annual performance plan from the past job classification will be completed by the past supervisor and a new performance plan will be initiated by the new supervisor.
4. If the employee's job classification changes and less than 180 days have passed since the last performance review date, a new performance plan will be initiated by the new supervisor utilizing appropriate information from the past performance review plan.
5. If the employee's supervisor changes during the annual review period, but the job classification has not changed, the new supervisor will be responsible for completing the annual performance review and may consider feedback from the prior supervisor. The new supervisor shall meet with the employee to clarify expectations and may revise the performance plan to meet the needs of the employee's new assignment.

Feedback

Once the performance plan is in place, supervisors are responsible for initiating and providing periodic feedback to employees regarding their job performance. Employees may also request feedback on their performance from their supervisors at any time.

While AOC policy states that employee performance should be formally assessed once a year, it is strongly recommended that employees receive a verbal or written performance assessment and feedback on a more frequent basis. Supervisors should acknowledge employee accomplishments or address needs for improved performance as often as necessary. Feedback should be specific to reinforce positive results or provide guidance in areas that need improvement. Supervisors should utilize collaboration, coaching and feedback to ensure that employees achieve positive outcomes.

Assessment

At the end of the annual performance period, the employee's performance is measured against goals established through the Annual Performance Plan and Review Form in the prior year. This annual assessment meeting is an opportunity for supervisors to communicate with employees regarding their performance over the past year, evaluate employees' job satisfaction, and make plans for employees' performance goals.

At the conclusion of the assessment meeting, the supervisor will ask the employee to sign and date the form that summarizes the employee's performance over the prior year. The supervisor will explain to the employee that the signature acknowledges the contents of their discussion, but is not necessarily an agreement with the supervisor's assessment. Afterwards, the supervisor routes the document to office leadership for final signatures, provides a copy of the signed form to the employee, and sends a copy to the assigned Pay and Benefits Specialist for placement in the employee's personnel file.

(C) Performance Improvement Plan

An employee who is experiencing performance challenges may be placed on a Performance Improvement Plan ("PIP") [[hyperlink](#)] with the goal of identifying areas of improvement as well as guiding the employee to improved performance.

The PIP contents will communicate to the employee: (1) specific areas of work performance that are below expected standards, (2) a plan for improving the employee's work performance, (3) a time frame within which the employee is expected to make improvements, and (4) possible consequences should the employee fail to raise his/her performance to meet the expected standards.

The purpose of the PIP is to inform the employee that certain deficiencies have been detected and to give the employee an opportunity to correct or improve their work performance before further action is taken.

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	26
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the AOC adheres to its telecommuting policy consistently and identifies and corrects all existing deviations and violations of the existing policy. The Administrative Director of the Courts must review the AOC telecommuting policy and provide the council with a report proposing any recommendations on amendments to the policy, by the December 13-14, 2012, council meeting. Based on a recommendation from the Executive and Planning Committee, the Judicial Council added an additional directive to the existing telecommute directives at the December 14, 2012, meeting to consider and report on alternatives for the telecommute policy, including whether this policy should remain in force and directed the ADOC to return to the council with a report and recommendations for the council's February 2013 meeting.
SEC RECOMMENDATION	The AOC must adhere to its telecommuting policy (Section 8.9 of the AOC personnel manual). It must apply the policy consistently and must identify and correct all existing deviations and violations of the existing policy.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: The Judicial Council approved a twelve-month pilot of the proposed amended policy 8.9, authorizing employees to work from home only when doing so is consistent with business needs and the employee's job functions, as authorized by the Administrative Director. The Human Resources Services Office will prepare program reports for the Administrative Director's presentation to the Executive and Planning Committee in six months and final presentation to the full council in twelve	

months.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
<input type="checkbox"/> OTHER	<input type="text"/>  File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

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ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input type="text"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/5/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	28
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct that the Administrative Director of the Courts require compliance with the AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC Personnel Policies and Procedures Manual, section 3.9) and that performance appraisals are uniformly implemented throughout the AOC as soon as possible.
SEC RECOMMENDATION	The AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC personnel manual, section 3.9) must be implemented uniformly throughout the AOC as soon as possible.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>Effective July 1, 2013, the AOC will introduce its revised performance management program for all AOC employees.</p> <p>The AOC Human Resources Services Office will outline the performance review process in July 2013, in conjunction with the AOC management training courses. Beginning in July 2013 to December 2013, the AOC will be holding a series of management courses designed to educate managers and supervisors on the performance review process. There will be three courses offered: Setting Expectations and Documenting Performance, Performance Management: Identifying and Addressing Performance Gaps, and AOC Performance Evaluation Process. Once managers and supervisors have had the opportunity to take these courses, the AOC will fully implement the performance review process by January 2014.</p> <p>The implementation of a performance management program throughout the AOC has been developed with the goal of ensuring that employees have the adequate resources and support to succeed in performing their jobs which are essential to the daily functions of the AOC as a support structure for the judicial branch. Effective communication and feedback are essential to both employee performance and customer service. The performance management program provides a mechanism for consistent feedback with formal documentation each year memorializing professional skills competencies as well as project and assignment accomplishments.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p>	



Performance Management Guide.docx
Microsoft Office Word Document
22.0 KB

This directive is forwarded to the Judicial Council with options for consideration:

File Attachment

Other:

File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE

July 1, 2013

RESOURCES REQUIRED FOR IMPLEMENTATION

The program will ultimately be incorporated in the AOC's HREMS database, which will allow for automated reminders and online forms and documentation. The AOC already possesses the necessary PeopleSoft module for performance management; an external Contractor has been assigned to incorporate the module into the existing database.

The timing of the performance evaluation will be conducted a year after the last step increase. Staggered evaluations and review of the Performance Plan will be done throughout the year afterwards.

In the interim, tracking and administration of Performance Management will be assigned to existing HRSO staff for a period of at least one complete performance cycle. This will allow time for the AOC to evaluate the program's effectiveness and address any challenges faced before full implementation into HREMS.

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

PROCEDURES/

The AOC has updated and expanded Policy 3.9 - Performance Management Program to reflect the changes to the program.

The amended policy outlines: (1) the purpose of the program, (2) the three phases of the performance management cycle, and (3) the inclusion of a Performance Improvement Plan for employees who experience performance challenges.

For employees who are experiencing rectifiable performance issues, the Performance Improvement Plan (PIP) will provide supervisors with a

POLICIES UPDATED OR DEVELOPED	<p>mechanism for remediating issues that they believe can be remedied.</p> <div data-bbox="516 262 613 361">  </div> <p data-bbox="527 363 776 493">Policy 3 9 Performance Management Program.docx Microsoft Office Word Document 28.2 KB</p>
<input checked="" type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<p>As noted earlier, the AOC will be holding a series of management courses designed to educate managers and supervisors on the performance review process. There will be three courses offered: Setting Expectations and Documenting Performance, Performance Management: Identifying and Addressing Performance Gaps, and AOC Performance Evaluation Process.</p> <p>Performance management tools are most effective when the individuals providing the feedback are familiar with the process and understand the value of providing consistent and quality feedback to employees. Over the past five months all members of AOC management have been participating in monthly courses designed to enhance the skills of all supervisors and managers. This training program will focus on performance management best practices and culminate in the introduction of the new performance management tools.</p> <div data-bbox="516 924 820 982">  File Attachment </div>
<input type="checkbox"/> SAVINGS	<div data-bbox="516 1060 820 1119">  File Attachment </div>
<input checked="" type="checkbox"/> COST	<p>To implement the program into HREMS, a one-time cost for services provided by a Contractor is included as part of the overall costs of the program. The project is currently budgeted at an amount not to exceed \$225,343. Depending on the implementation efforts required, the final cost of the project may be lower than anticipated.</p> <p>Otherwise, no additional costs shall be incurred in this program's implementation.</p> <div data-bbox="516 1375 820 1434">  File Attachment </div>
<input checked="" type="checkbox"/> EFFICIENCIES	<p>The Performance Management program does not inhibit the at-will employment status of the AOC, nor does the existence of a PIP inhibit the ability of the AOC to discipline or terminate employees who are not meeting performance expectations. These tools are meant to create effective communications that will promote high levels of competency and encourage personal and professional growth opportunities for all AOC employees.</p> <p>Technical improvements to the program will also allow for more efficient tracking and processing for employees and their supervisors.</p> <div data-bbox="516 1753 820 1812">  File Attachment </div>
<input type="checkbox"/> SERVICE LEVEL	

IMPACT	<input type="text" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="text" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

JUDICIAL COUNCIL OF CALIFORNIA*Administrative Office of the Courts***PERFORMANCE MANAGEMENT PROCESS
GUIDELINES**

The purpose of the Performance Management Process is to support and enhance the long-term success of the organization and its employees. The process focuses on involving supervisors and employees in identifying meaningful performance expectations that support the organization's goals, recognize individuals' contributions, and foster continuous development of employees. The planning and review process is designed to facilitate communication between supervisors and employees. A sample Performance Plan and Review Form is attached to these guidelines for reference.

OVERVIEW OF THE PROCESS

The process begins by planning and defining performance expectations for the upcoming plan period. The supervisor and employee meet to develop an annual performance plan by reviewing the performance factors and expectations necessary to successfully perform the employee's job duties as stated in the job description. As further defined below, performance factors reflect the skills necessary in order to successfully perform the job. Performance factors and specific tasks should be modified to reflect the employee's particular responsibilities. Key objectives, major goals or special assignments should be identified for each performance factor.

The supervisor and employee also create a development plan by identifying action steps that the employee will take to develop and/or enhance his/her job-related knowledge, skills, and abilities. The Annual Performance Plan and Review Form shall be utilized to record the planning and performance review process.

Throughout the planning and development cycle, the supervisor and employee should meet periodically to review progress and update expectations as needed. The planning cycle ends with an overall review of results accomplished during the previous year. Each cycle should last for one year from the date of initiation. However, plans may be adjusted throughout the year to reflect accomplishments, completed projects or areas needing improvement. A Performance Improvement Plan (PIP) may be initiated at any time to identify critical areas needing immediate improvement.

It is the responsibility of the employee's supervisor, manager and office leadership to ensure that all plans and reviews are completed and submitted to the Human Resources Services Office on a timely basis.

ANNUAL PERFORMANCE PLAN AND REVIEW

Development of Initial Plan

The process begins with the development of an initial performance review plan. Plan development can occur when a new employee is hired, when a job classification changes or when an individual transfers to a new unit. The initial plan should consist of a discussion, expectation setting and the development of anticipated duties, projects or goals.

Feedback Periods

It is expected that supervisors will provide feedback to the employee during each review period. The supervisor should reinforce the positive work habits and provide constructive feedback on improving areas where further development is necessary.

Prior to Annual Review

In the month before the formal annual review, the supervisor should provide the employee with an Employee Self-Assessment form [hyperlink]. This form will allow employees to provide comments on their own performance during the past year. This is an informal document that the supervisor will consider when completing the annual review.

Annual Assessment Meeting

Within a month of each employee's annual review date, it is expected that every supervisor will meet with the employee and conduct an interactive meeting where the supervisor will conduct the Annual Review. At the conclusion of the meeting the employee will be asked to sign the review to verify that the review took place. By signing, the employee is not agreeing to the contents of the review, but that the review was conducted.

During the review meeting, if the employee provides new information that may result in modifications to the review; the supervisor may make any desired changes and schedule a follow-up meeting with the employee prior to finalizing the annual review. The follow-up meeting would then take place and the employee would be asked to sign the revised review.

Rebuttal Period

If an employee disagrees with the supervisor's review, he or she may prepare a rebuttal. This rebuttal should be submitted to the supervisor no later than ten business days from the date the employee received the performance review. The employee's rebuttal should be attached to the review and both documents will be placed in the employee's personnel file.

Completing the Annual Performance and Plan Review

1. Performance Factors

To complete the Annual Performance Plan and Review Form, the supervisor and employee should first review and discuss the performance factors described on the plan. Performance factors should reflect the most significant work responsibilities for the employee during the planning period under consideration.

In preparing the plan, supervisors and employees should review the Professional Skills section. Each area is available for selection through the drop-down menu - when a skill is selected, a descriptor for that skill will appear in the selected area. Supervisors will then determine if the individual “exceeds expectations,” “meets expectations,” or “needs improvement” in each of the selected areas. Please note that, for areas such as punctuality, an “exceeds expectations” is not appropriate since it is a basic job expectation arrive to work as assigned. Any performance factors or specific tasks listed in the drop down menu that are not currently performed and will not be performed during the review period should not be identified.

Each area listed below is available for review. An employee review may include all these areas, but should contain no less than five of the areas listed:

- Technical and Professional Expertise
- Problem Solving
- Computer Skills
- Time Management
- Written Communications
- Verbal Communication
- Initiative
- Setting High Standards
- Relationship Building
- Customer Services
- Organizational Skills
- Punctuality

Additional performance factors and tasks should be added to the employee’s plan if the listed factors do not adequately represent the employee’s responsibilities.

2. Employee Development: Duties, Projects or Goals

The second, more specific area of the review process is the Duties, Projects or Goals section. In this section the supervisor and employee should identify duties, projects or

goals anticipated to be developed or completed during the next year. When considering an appropriate area to identify, supervisors may consider the following areas:

- Base load/ongoing work
- Time-limited assignments
- Multi-year projects with current milestones
- Special projects and assignments
- Job skills and development expectations
- Organizational skills, communication skills, and working relations
- Supervision, leadership and direction
- Reliability/punctuality (included for non-exempt classifications)

When identifying a duty, project or goal, try to be as specific as possible in the description of the item in the descriptor box. During the initial discussion regarding the performance and development plan, the employee and supervisor should discuss how the factors will be evaluated and weighted.

3. *Measuring Performance*

Each performance factor should be an accurate reflection of the employee's performance during the past year. If there is an area where the employee has generally performed well, but has worked through a few rough patches during the year, the rating of "meets expectations" may be appropriate. However, in the comments section, any issues that occurred during the review period should be noted.

Performance on duties, projects or goals should be rated based on the individual performance of that individual during the review period. Key indicators could be:

- *Work Performed:* Quantity, quality, and effectiveness of work, including accuracy, thoroughness, and consistency; time management, meeting deadlines, and compliance with policies and rules.
- *Job Knowledge and Ability:* Job-specific knowledge, skills and abilities; problem identification, analysis, and resolution; decision making; the ability to learn, retain, and apply instructions, policies, and other information.
- *Adherence to timelines:* Were projects or other measurable items delivered in a reasonable timeframe at an acceptable level of quality?
- *Working Relationships:* When completing the project, duty or goal, did the individual work cooperatively with other members of the team or with other stakeholders?

The comment section of the review plan is extremely important for the duties, projects or goals section of the review. Comments should be made in any section where a rating has been reflected. However, managers and supervisors should place special emphasis on areas which received an "exceeds expectations" or "needs improvement" rating. If an

individual has been rated as “exceeds expectations,” list a reason why that rating was provided, cite an example that provides the employee, as well as future supervisors, with the skill or performance that led to this rating. If the employee was rated as “needs improvement,” cite reasons why this rating was provided and give clarifying guidelines on what is needed for improvement. Please keep in mind that this tool is utilized to provide feedback to an employee with the goal of ensuring that all individuals are successful in their job duties.

FEEDBACK DURING THE ANNUAL REVIEW PERIOD

Supervisors should give employees feedback about their performance on an ongoing basis. At a minimum, supervisors should discuss the performance and development plan with the employee after six months. The supervisor and employee should review the employee’s progress toward meeting his or her performance goals. This discussion also provides an opportunity for the supervisor to recognize the employee’s progress to date, as well as to offer direction where needed. Changing business conditions may warrant revising plans and objectives.

PERFORMANCE IMPROVEMENT PLANS

When an employee is experiencing difficulty in either a specific area or in overall performance, the development of a Performance Improvement Plan (PIP) may be implemented to provide the employee with guidance and clear expectations for performance improvement.

The PIP should identify areas of performance needing improvement and strategies on how that improvement could be achieved. The PIP should also identify a timeline of when performance improvement is expected to occur. Failure to demonstrate improvement either during the PIP or at the review date could result in disciplinary action up to and including the possibility of termination.

Issuance of a PIP does not in any way alter the at-will employment status, nor does the timeline for anticipated improvement imply an employment contract.

Policy Number: 3.9

Title: Performance Management Program

Contact: Human Resources Services Office, Labor and Employee Relations Unit

Policy Statement: The Administrative Office of the Courts (AOC) requires periodic feedback to employees regarding their job performance in an effort to best serve the judicial branch while recognizing employee achievements and contributions to the AOC.

Contents: (A) Employee Performance Management Program
(B) Employee Performance Management Cycle
(C) Performance Improvement Plan

(A) Employee Performance Management Program

The performance management program functions as a method to advance AOC operational objectives while recognizing employee achievements and contributions to the AOC. Managing employee performance is an ongoing communication process between a supervisor and an employee. The communication process is a cycle that includes clarifying expectations, identifying and setting goals, providing feedback, and evaluating performance. Overseeing employee performance and providing feedback is not an isolated event, rather it is an ongoing cycle that occurs throughout the year.

(B) Employee Performance Management Cycle

The employee performance management cycle consists of three phases: planning, feedback, and assessment.

Planning

Supervisors will develop an annual performance plan, using the Annual Performance Plan and Review Form [[hyperlink](#)], to direct employees toward achieving specific goals that support the AOC's operational objectives and the employees' professional success. At a minimum, every employee at the AOC will be evaluated on an annual basis, using the Annual Performance Plan and Review Form.

Supervisors must communicate with employees regarding their performance expectations throughout the year. Supervisors and employees should collaborate on developing performance goals and expectations. Early planning to achieve goals, together with mutual communication, pave the path to a successful working relationship.

Guidelines for Determination of the Annual Performance Plan and Setting an Assessment Meeting:

1. The date of the employee's last step increase will be the designated date for the annual assessment meeting.
2. If the employee's step increase date changes, the new step increase date will become the new evaluation and planning date.
3. If the employee's job classification changes and more than 180 days have passed since the last performance review date, the annual performance plan from the past job classification will be completed by the past supervisor and a new performance plan will be initiated by the new supervisor.
4. If the employee's job classification changes and less than 180 days have passed since the last performance review date, a new performance plan will be initiated by the new supervisor utilizing appropriate information from the past performance review plan.
5. If the employee's supervisor changes during the annual review period, but the job classification has not changed, the new supervisor will be responsible for completing the annual performance review and may consider feedback from the prior supervisor. The new supervisor shall meet with the employee to clarify expectations and may revise the performance plan to meet the needs of the employee's new assignment.

Feedback

Once the performance plan is in place, supervisors are responsible for initiating and providing periodic feedback to employees regarding their job performance. Employees may also request feedback on their performance from their supervisors at any time.

While AOC policy states that employee performance should be formally assessed once a year, it is strongly recommended that employees receive a verbal or written performance assessment and feedback on a more frequent basis. Supervisors should acknowledge employee accomplishments or address needs for improved performance as often as necessary. Feedback should be specific to reinforce positive results or provide guidance in areas that need improvement. Supervisors should utilize collaboration, coaching and feedback to ensure that employees achieve positive outcomes.

Assessment

At the end of the annual performance period, the employee's performance is measured against goals established through the Annual Performance Plan and Review Form in the prior year. This annual assessment meeting is an opportunity for supervisors to communicate with employees regarding their performance over the past year, evaluate employees' job satisfaction, and make plans for employees' performance goals.

At the conclusion of the assessment meeting, the supervisor will ask the employee to sign and date the form that summarizes the employee's performance over the prior year. The supervisor will explain to the employee that the signature acknowledges the contents of their discussion, but is not necessarily an agreement with the supervisor's assessment. Afterwards, the supervisor routes the document to office leadership for final signatures, provides a copy of the signed form to the employee, and sends a copy to the assigned Pay and Benefits Specialist for placement in the employee's personnel file.

(C) Performance Improvement Plan

An employee who is experiencing performance challenges may be placed on a Performance Improvement Plan ("PIP") [[hyperlink](#)] with the goal of identifying areas of improvement as well as guiding the employee to improved performance.

The PIP contents will communicate to the employee: (1) specific areas of work performance that are below expected standards, (2) a plan for improving the employee's work performance, (3) a time frame within which the employee is expected to make improvements, and (4) possible consequences should the employee fail to raise his/her performance to meet the expected standards.

The purpose of the PIP is to inform the employee that certain deficiencies have been detected and to give the employee an opportunity to correct or improve their work performance before further action is taken.

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/5/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	29
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop an employment discipline policy to be implemented consistently across the entire AOC that provides for performance improvement plans.
SEC RECOMMENDATION	A consistent employment discipline policy must accompany the employee performance appraisal system. Section 8.1B of the AOC personnel manual discusses disciplinary action, but is inadequate. A policy that provides for performance improvement plans and for the actual utilization of progressive discipline should be developed and implemented consistently across the entire AOC.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>The AOC has drafted a new performance management policy, effective July 1, 2013, which addresses the mandatory performance review of all employees on an annual basis. Details concerning its implementation can be found in the AOC's response to Judicial Council Directive 28.</p> <p>In April 26, 2013, the Judicial Council approved an amendment to Judicial Council Directive 29 to remove the reference to a progressive discipline system in the Directive's language. The AOC Human Resources Services Office has clarified that, as an at-will employer, the AOC is not required to, nor does it routinely, practice progressive discipline like in unionized environments.</p> <p>The AOC realizes that a method to rectify performance issues is still necessary. As such, the amended performance management policy will include reference to the use of a Performance Improvement Plan (PIP) to provide supervisors with a mechanism for remediating issues that they believe can be remedied.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p>	
<div style="border: 1px solid black; padding: 5px; width: fit-content;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration:	
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	

<input type="checkbox"/> File Attachment
<input type="checkbox"/> Other:
<input type="checkbox"/> File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input style="width: 100%;" type="text" value="July 1, 2013"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<p>The performance management program will ultimately be incorporated in the AOC's HREMS database, which will allow for automated reminders and online forms and documentation. The AOC already possesses the necessary PeopleSoft module for performance management; an external Contractor has been assigned to incorporate the module into the existing database.</p> <p>In the interim, tracking and administration of Performance Management will be assigned to existing HRSO staff for a period of at least one complete performance cycle. This will allow time for the AOC to evaluate the program's effectiveness and address any challenges faced before full implementation into HREMS.</p>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input checked="" type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<p>The AOC has updated and expanded policy 3.9 - Performance Management Program to reflect the changes to the program.</p> <p>The amended policy outlines: (1) the purpose of the program, (2) the three phases of the performance management cycle, and (3) the inclusion of a Performance Improvement Plan for employees who experience performance challenges. Additional details concerning this policy can be referenced in Directive 28.</p> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;">  <p>Policy 3 9 Performance Management Program.docx Microsoft Office Word Document 28.2 KB</p> </div>
<input checked="" type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<p>The AOC will be holding a series of management courses designed to educate managers and supervisors on the performance review process. There will be three courses offered: Setting Expectations and Documenting Performance, Performance Management: Identifying and Addressing Performance Gaps, and AOC Performance Evaluation Process.</p> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <input type="checkbox"/> File Attachment </div>

<input type="checkbox"/> SAVINGS	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input checked="" type="checkbox"/> COST	<p>To implement the performance management program into HREMS, a one-time cost for services provided by a Contractor is included as part of the overall costs of the program. The project is currently budgeted at an amount not to exceed \$225,343. Depending on the implementation efforts required, the final cost of the project may be lower than anticipated.</p> <p>Otherwise, no additional costs shall be incurred in this program's implementation.</p> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input style="width: 50px;" type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input style="width: 50px;" type="text"/>

Policy Number: 3.9

Title: Performance Management Program

Contact: Human Resources Services Office, Labor and Employee Relations Unit

Policy Statement: The Administrative Office of the Courts (AOC) requires periodic feedback to employees regarding their job performance in an effort to best serve the judicial branch while recognizing employee achievements and contributions to the AOC.

Contents: (A) Employee Performance Management Program
(B) Employee Performance Management Cycle
(C) Performance Improvement Plan

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ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	Human Resources Services Office
JUDICIAL COUNCIL DIRECTIVE NUMBER	31
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct that the Administrative Director of the Courts require the AOC leadership to develop, maintain, and support implementation of effective and efficient human resources policies and practices uniformly throughout the AOC.
SEC RECOMMENDATION	The AOC leadership must recommit itself to developing and maintaining effective and efficient HR policies and practices. The new Administrative Director, among other priority actions, must reestablish the AOC's commitment to implement sound HR policies and practices.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The AOC adopted a new AOC Personnel Policies and Procedures Manual in July 2011.</p> <p>The AOC will prepare a report on the Policies and Procedures Manual for submission to the Judicial Council in October 2013. The report will include a review of all policies referenced within the Manual, and provide updates on recently amended policies. By June 2013, the AOC has reviewed, amended or will amend policies related to the following Judicial Council Directives:</p> <p>Directive 26 - Policy 8.9 Working Remotely (Telecommuting) Pilot Program Directive 27 - Policy 2.1 Employment at Will Directive 29 - Policy 8.1 B Disciplinary Action Directives 25, 27, and 28 - Policy 3.9 Performance Management Program Directives 47 and 140 - Policy 3.3 E Other Temporary Workers</p> </div>	

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> SAVINGS	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
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EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	32
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that a gradual, prioritized review of all HR policies and practices, including all those incorporated in the AOC Personnel Policies and Procedures Manual, should be undertaken to ensure they are appropriate and are being applied effectively and consistently throughout the AOC.
SEC RECOMMENDATION	A gradual, prioritized review of all HR policies and practices, including all those incorporated in the AOC personnel manual should be undertaken to ensure they are appropriate and are being applied effectively and consistently throughout the AOC.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; width: 100%; height: 20px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-top: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-top: 5px; display: flex; align-items: center;"> 📎 File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; width: 100%; height: 20px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-top: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-top: 5px; display: flex; align-items: center;"> 📎 File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px;"> <p>The AOC adopted a new AOC Personnel Policies and Procedures Manual in July 2011.</p> <p>The AOC will prepare a report on the Policies and Procedures Manual for submission to the Judicial Council in October 2013. The report will include a review of all policies referenced within the Manual, and provide updates on recently amended policies. By June 2013, the AOC has reviewed, amended or will amend policies related to the following Judicial Council Directives:</p> <p>Directive 26 - Policy 8.9 Working Remotely (Telecommuting) Pilot Program Directive 27 - Policy 2.1 Employment at Will Directive 29 - Policy 8.1 B Disciplinary Action Directives 25, 27, and 28 - Policy 3.9 Performance Management Program</p> </div>	

Directives 47 and 140 - Policy 3.3 E Other Temporary Workers

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
<input type="checkbox"/> OTHER	<input type="text"/>  File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

--	--

ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input type="text"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	33
JUDICIAL COUNCIL DIRECTIVE	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the budget and fiscal management measures implemented by the AOC to ensure that the AOC's fiscal and budget processes are transparent.</p> <p>The Administrative Director of the Courts should develop and make public a description of the AOC fiscal and budget process, including a calendar clearly describing how and when fiscal and budget decisions are made. The AOC should produce a comprehensive, publicly available midyear budget report, including budget projections for the remainder of the fiscal year and anticipated resource issues for the coming year.</p>
SEC RECOMMENDATION	<p>The AOC's fiscal and budget processes must be transparent. The Executive Leadership Team should require the Fiscal Services Office to immediately develop and make public a description of the fiscal and budget process, including a calendar clearly describing how and when fiscal and budget decisions are made. The Fiscal Services Office should be required to produce a comprehensive, publicly available midyear budget report, including budget projections for the remainder of the fiscal year and anticipated resource issues for the coming year. The Chief Administrative Officer should be given lead responsibility for developing and implementing an entirely new approach to fiscal processes and fiscal information for the AOC.</p>
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	

EXTENSION BEING REQUESTED TO OCTOBER 2013

AOC staff will develop and post on the public website a midyear budget report following the release of the Governor's proposed budget in January. This report will include projections for the remainder of the current fiscal year and any anticipated resource issues for the budget year.

Examples of new fiscal and budget processes being developed: Improving budget and allocation reports, such as adding local assistance funds so divisions/offices have a full picture of the budget they are accountable for; providing increased access to reports and financial systems so divisions/offices can more easily access fiscal data; and working to develop enhanced training options for AOC staff to ensure they are equipped with the knowledge and skills to appropriately manage their budgets. These processes will augment the existing practice of meetings between AOC budget staff and division/office budget liaisons that occur when initial allocations are released at the beginning of each fiscal year as well as the regular communication between these groups.

Targeted improvements include actions such as:

- *Budget staff will no longer "zero out" the remaining budget when preparing the monthly PSR.
- *Budget staff will not automatically move salary savings for vacant positions to the unallocated line item in the office's budget; the funding will remain in the PSR and may be moved at the request of the office.
- *Vacant positions are budgeted at mid-step salary (the prior process did not budget for vacant positions until filled).

The AOC will build upon the DOF annual budget development calendar to document the AOC fiscal and budget processes. Additionally, the Fiscal Services Office will confer with state departments to obtain feedback regarding their internal fiscal and budget processes. Staff will confer with other state-funded entities regarding their respective internal budget development and administration processes, schedules and procedures including interaction with the State Controller's Office. While many state funded entities utilize the DOF CalSTARS system for accounting and therefore rely on that system to manage data from the SCO, others have their own systems to manage data received from the SCO and accounting functions. These entities include the following:

- Department Of Justice
- State Controllers' Office
- Board of Equalization
- Department of General Services
- Public Employees' Retirement System
- Caltrans
- Department of Motor Vehicles
- California State University
- Employment Development Department

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	TBD

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> SAVINGS	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input style="width: 100px;" type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input style="width: 100px;" type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

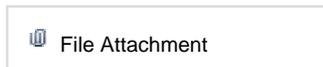
DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	35
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that budget and fiscal tracking systems be in place so that timely and accurate information on resources available and expenditures to date are readily available.
SEC RECOMMENDATION	Tracking systems need to be in place so that timely and accurate information on resources available and expenditures to date are readily available. Managers need this information so they do not spend beyond their allotments.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>Budget expenditure information is readily available via the Oracle financial system to management team members and division/office budget liaisons. FSO staff will work to develop enhanced budget training to ensure liaisons are familiar with available budget tools.</p> <p>Targeted improvements to budget and fiscal tracking systems include actions such as: *Budget staff will no longer "zero out" the remaining budget when preparing the monthly PSR. *Budget staff will not automatically move salary savings for vacant positions to the unallocated line item in the office's budget; the funding will remain in the PSR and may be moved at the request of the office. *Vacant positions are budgeted at mid-step salary (the prior process did not budget for vacant positions until filled).</p> <p>The FSO has standard fiscal reports available online for each division and office of the AOC by the 4th workday of each month. Standard reports (see attached) include:</p> <ul style="list-style-type: none"> *Budget By Account Summary *Unliquidated Encumbrances *Expenditures by Line Item. <p>These reports have been available on this timeline since 1996-97. Report access is granted to the employee/s in the division/office/unit designated by management for dissemination within the division/office/unit. These reports are also available online for the Supreme Court and Courts of Appeal on the same timeline.</p> <p>In addition to existing and enhanced tools, the Fiscal Services Office will confer with state departments to obtain feedback regarding the budget and fiscal tracking systems they have in place to determine what, if any, would provide value if incorporated into current practices.</p> <p>An update was provided to the Judicial Council at the February 2013 meeting and will be provided</p>	

annually thereafter upon release of the Governor's proposed budget.

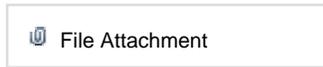
It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



This directive is forwarded to the Judicial Council with options for consideration:



Other:



TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	June 2013
RESOURCES REQUIRED FOR IMPLEMENTATION	

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>
<input type="checkbox"/> SAVINGS	<input type="text"/>
	<input type="text"/>

<input type="checkbox"/> COST	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

		Current Exp	Budget	YTD Expenditure	YTD PO/Contract Encumbrance	Balance
0250	Judiciary					
9011	Personal Services					
C101	0065 Authorized Positions	.00	1,631,451.00	1,618,187.10	.00	13,263.90
	0084 Lump Sum Vacation	12,155.32	.00	67,381.97	.00	67,381.97-
	0085 Regular Temporary Help	.00	35,942.00	19,037.29	.00	16,904.71
	Salaries & Wages Subtotal:	12,155.32	1,667,393.00	1,704,606.36	.00	37,213.36-
C103	0103 O A S D I	.00	.00	100,141.64	.00	100,141.64-
	0104 Dental Insurance	.00	.00	18,488.32	.00	18,488.32-
	0105 Health and Welfare Insurance	.00	.00	171,269.79	.00	171,269.79-
	0107 Public Employees	.00	.00	293,717.42	.00	293,717.42-
	0134 Other	.00	.00	3,597.32	.00	3,597.32-
	0135 Life Insurance	.00	.00	1,876.25	.00	1,876.25-
	0136 Vision Care	.00	.00	1,969.92	.00	1,969.92-
	0137 Medicare Taxation-ER Share	929.88	.00	24,543.40	.00	24,543.40-
	0138 Employee Transit Pass Program	.00	.00	600.00	.00	600.00-
	B103 Staff Benefits	.00	615,590.00	.00	.00	615,590.00
	Staff Benefits Subtotal:	929.88	615,590.00	616,204.06	.00	614.06-
	Account Subtotal:	13,085.20	2,282,983.00	2,320,810.42	.00	37,827.42-
9012	Operating Expenses and Equipment					
C311	0206 Office Supplies	763.19	.00	1,375.75	4,762.55	6,138.30-
	0207 Freight and Drayage	.00	.00	536.28	.00	536.28-
	0217 Meetings, Conferences, Exhibits and Shows	.00	.00	229.50	.00	229.50-
	0226 Minor Equipment-Non-II	.00	.00	112.00	.00	112.00-
	B311 General Expense	.00	8,070.00	.00	.00	8,070.00
	General Expense Subtotal:	763.19	8,070.00	2,253.53	4,762.55	1,053.92
C312	0242 All Printed Items (Forms, Stationery, Report	.00	.00	316.24	.00	316.24-
	0243 Photocopy Paper	.00	.00	2,849.13	.00	2,849.13-
	0244 Office Copier Expense (Rental, Maintenance,	.00	.00	554.02	2,477.79	3,031.81-
	B312 Printing	.00	6,405.00	.00	.00	6,405.00
	Printing Subtotal:	.00	6,405.00	3,719.39	2,477.79	207.82
C313	0257 Telephone	212.45	.00	3,020.51	.00	3,020.51-
	B313 Communications	.00	3,127.00	.00	.00	3,127.00
	Communications Subtotal:	212.45	3,127.00	3,020.51	.00	106.49

Report Date: 03-JUN-2013
 Last Post Date:

Budget by Account Summary Report
 General Fund

Period : 13, Ending 30-JUN-2012
 Fiscal Year 11

		Current Exp	Budget	YTD Expenditure	YTD PO/Contract Encumbrance	Balance
0250	Judiciary					
9012	Operating Expenses and Equipment					
C314	B314 Postage	.00	89.00	.00	.00	89.00
	Postage Subtotal:	.00	89.00	.00	.00	89.00
C317	0298 All Travel Expenditures--In State	1,282.40	.00	17,498.89	.00	17,498.89-
	B317 Travel: In-State	.00	17,916.00	.00	.00	17,916.00
	Travel: In-State Subtotal:	1,282.40	17,916.00	17,498.89	.00	417.11
C321	0332 Tuition and Registration Fees	.00	.00	500.00	.00	500.00-
	B321 Training	.00	500.00	.00	.00	500.00
	Training Subtotal:	.00	500.00	500.00	.00	.00
C323	0342 Rent--Buildings and Grounds (State-Owned)	.00	155,179.00	154,975.29	.00	203.71
	0343 Rent--Buildings and Grounds (Non-State-Owned)	.00	98,468.00	98,470.95	.00	2.95-
	0347 Facility Planning--General Services (Space M	.00	488.32	688.32	.00	205.32-
	0352 Routine Minor Maintenance and Repair--Less Th	.00	.00	1,278.15	.00	1,278.15-
	0358 Facility Relocation	.00	.00	1,550.00	.00	1,550.00-
	Facilities Operatio Subtotal:	.00	254,130.00	256,962.71	.00	2,832.71-
C324	B324 Utilities	.00	244.00	.00	.00	244.00
	Utilities Subtotal:	.00	244.00	.00	.00	244.00
C326	0417 Consultants--Other	.00	.00	237,384.00	.00	237,384.00-
	B326 Consultant and Professional Services--Externa	.00	237,384.00	.00	.00	237,384.00
	Consultant and Prof Subtotal:	.00	237,384.00	237,384.00	.00	.00
C333	0533 Vehicle Maintenance and Repair Services	.00	.00	225.53	.00	225.53-
	B333 Other Items of Expense	.00	500.00	.00	.00	500.00
	Other Items of Expe Subtotal:	.00	500.00	225.53	.00	274.47
C337	B337 Funds Unallocated	.00	171,366.00	.00	.00	171,366.00
	Funds Unallocated Subtotal:	.00	171,366.00	.00	.00	171,366.00
	Account Subtotal:	**	2,258.04	521,564.56	7,240.34	170,926.10
	Subtotal:	***	15,343.24	2,842,374.98	7,240.34	133,098.68
	Fiscal Year 2011 - 2012		15,343.24	2,842,374.98	7,240.34	133,098.68

Expenditure By Line Item Report

Fiscal Year 11

Last Post Date

Period From Sep-12
Period To Dec-12

1000000 FISCAL SERVICES OFFICE

10031000 Budget Mgt Operating Unit

Sub-division: 10030000 Budget Management Services

Obj	Object Description	Journal Name	Vendor Name	Invoice Number	CS No	Inv Date	PO Number	Period	Expenditure	Proj	CC	Other
0244	Office Copier Expense (Rental, Maintenance, etc.)	6363043 Purchase Invoices USD 6416535 Purchase Invoices USD	KONICA MINOLTA BUSINESS SOLUTIONS USA, INC. KONICA MINOLTA BUSINESS SOLUTIONS USA, INC.	222139518 222139256	2569539 2570552	09/01/12 09/01/12	1024753 1024945	Sep-12 Nov-12	270.93 416.25	10031001 10031001	00 00	0000 0000
LINE ITEM Sub-Total									687.18			
UNIT Totals									687.18			
DIVISION Totals									687.18			
FISCAL YEAR/REPORT Totals									687.18			

Last Post Date:

Judiciary

Period: 6, Ending 31-DEC-11

Fiscal Year 11

Unit	Acct Obj	Proj	Other	PO No	PO Date	TP	Vendor Name	PG	CC	Vendor No	Vend Site	Encumbrance	Changes	Expenditure	Balance
10031	9012	0206	10031001	0000	1023616	B	STAPLES ADVANTAGE	30	00	142562	BOSTON	1,085.00	0.00	23.36	1,061.64
			10031001	0000	1023617	B	STAPLES ADVANTAGE	30	00	142562	BOSTON	4,310.00	0.00	100.28	4,209.72
							ACCOUNT Totals					5,395.00	0.00	123.64	5,271.36 *
							Budget Mgt Operating Unit					5,395.00	0.00	123.64	5,271.36 **
							FISCAL YEAR Totals					5,395.00	0.00	123.64	5,271.36
							AGENCY Totals					5,395.00	0.00	123.64	5,271.36***
							REPORT Total					5,395.00	0.00	123.64	5,271.36

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	36
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that budget and fiscal information displays be streamlined and simplified so they are clearly understandable.
SEC RECOMMENDATION	Information displays need to be streamlined and simplified so they are clearly understandable.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>The AOC is subject to the same informational requirements and timeline dictated by the Department of Finance relative to the state budget development process and related fiscal reporting process. Information about branch revenues, expenditures, and position information submitted to the Department of Finance in conjunction with these processes is posted on the California Courts website for easy reference. More technically complex documents, such as fund condition statements, are published in conjunction with the release of the Governor's proposed budget each January--this also available online.</p> <p>AOC is currently working to re-engineer the budget process to include the display of fiscal information and ensure that the information is clearly understandable. The following standardized Oracle financial reports (see attached) are available online each month by the 4th workday:</p> <ul style="list-style-type: none"> *Budget By Account Summary *Unliquidated Encumbrances *Expenditures by Line Item <p>These reports are simple and easy to read and have been provided monthly since 1996-97.</p> <p>The AOC has been working with the Department of Finance and others to affect meaningful change to the budget process. Examples include:</p> <ul style="list-style-type: none"> *Worked with the state Department of Finance to more clearly display trial court appropriation, allocations, and expenditure budgets. *Eliminated unnecessary or redundant AOC fiscal reports. <p>It is worthy to note that the branch's budget, to include the AOC's, is extremely complex and is comprised of numerous funds supported by state funds, federal funds, and local revenues. Many programs and projects administered by the AOC are supported by multiple fund sources, some of which aren't provided or otherwise available in conjunction with the annual state budget. As a result, branch fiscal information is inherently convoluted and oftentimes presents significant challenges to communicate or display in a simplified manner so that it's "clearly understandable".</p>	

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



FiscalReports.pdf
 Adobe Acrobat Document
 213 KB

This directive is forwarded to the Judicial Council with options for consideration:

 File Attachment

Other:

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	June 2013
RESOURCES REQUIRED FOR IMPLEMENTATION	

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>

	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

		Current Exp	Budget	YTD Expenditure	YTD PO/Contract Encumbrance	Balance
0250	Judiciary					
9011	Personal Services					
C101	0065 Authorized Positions	.00	1,631,451.00	1,618,187.10	.00	13,263.90
	0084 Lump Sum Vacation	12,155.32	.00	67,381.97	.00	67,381.97-
	0085 Regular Temporary Help	.00	35,942.00	19,037.29	.00	16,904.71
	Salaries & Wages Subtotal:	12,155.32	1,667,393.00	1,704,606.36	.00	37,213.36-
C103	0103 O A S D I	.00	.00	100,141.64	.00	100,141.64-
	0104 Dental Insurance	.00	.00	18,488.32	.00	18,488.32-
	0105 Health and Welfare Insurance	.00	.00	171,269.79	.00	171,269.79-
	0107 Public Employees	.00	.00	293,717.42	.00	293,717.42-
	0134 Other	.00	.00	3,597.32	.00	3,597.32-
	0135 Life Insurance	.00	.00	1,876.25	.00	1,876.25-
	0136 Vision Care	.00	.00	1,969.92	.00	1,969.92-
	0137 Medicare Taxation-ER Share	929.88	.00	24,543.40	.00	24,543.40-
	0138 Employee Transit Pass Program	.00	.00	600.00	.00	600.00-
	B103 Staff Benefits	.00	615,590.00	.00	.00	615,590.00
	Staff Benefits Subtotal:	929.88	615,590.00	616,204.06	.00	614.06-
	Account Subtotal:	13,085.20	2,282,983.00	2,320,810.42	.00	37,827.42-
9012	Operating Expenses and Equipment					
C311	0206 Office Supplies	763.19	.00	1,375.75	4,762.55	6,138.30-
	0207 Freight and Drayage	.00	.00	536.28	.00	536.28-
	0217 Meetings, Conferences, Exhibits and Shows	.00	.00	229.50	.00	229.50-
	0226 Minor Equipment-Non-II	.00	.00	112.00	.00	112.00-
	B311 General Expense	.00	8,070.00	.00	.00	8,070.00
	General Expense Subtotal:	763.19	8,070.00	2,253.53	4,762.55	1,053.92
C312	0242 All Printed Items (Forms, Stationery, Report	.00	.00	316.24	.00	316.24-
	0243 Photocopy Paper	.00	.00	2,849.13	.00	2,849.13-
	0244 Office Copier Expense (Rental, Maintenance,	.00	.00	554.02	2,477.79	3,031.81-
	B312 Printing	.00	6,405.00	.00	.00	6,405.00
	Printing Subtotal:	.00	6,405.00	3,719.39	2,477.79	207.82
C313	0257 Telephone	212.45	.00	3,020.51	.00	3,020.51-
	B313 Communications	.00	3,127.00	.00	.00	3,127.00
	Communications Subtotal:	212.45	3,127.00	3,020.51	.00	106.49

Report Date: 03-JUN-2013
 Last Post Date:

Budget by Account Summary Report
 General Fund

Period : 13, Ending 30-JUN-2012
 Fiscal Year 11

		Current Exp	Budget	YTD Expenditure	YTD PO/Contract Encumbrance	Balance
0250	Judiciary					
9012	Operating Expenses and Equipment					
C314	B314 Postage	.00	89.00	.00	.00	89.00
	Postage Subtotal:	.00	89.00	.00	.00	89.00
C317	0298 All Travel Expenditures--In State	1,282.40	.00	17,498.89	.00	17,498.89-
	B317 Travel: In-State	.00	17,916.00	.00	.00	17,916.00
	Travel: In-State Subtotal:	1,282.40	17,916.00	17,498.89	.00	417.11
C321	0332 Tuition and Registration Fees	.00	.00	500.00	.00	500.00-
	B321 Training	.00	500.00	.00	.00	500.00
	Training Subtotal:	.00	500.00	500.00	.00	.00
C323	0342 Rent--Buildings and Grounds (State-Owned)	.00	155,179.00	154,975.29	.00	203.71
	0343 Rent--Buildings and Grounds (Non-State-Owned)	.00	98,468.00	98,470.95	.00	2.95-
	0347 Facility Planning--General Services (Space M	.00	488.32	688.32	.00	205.32-
	0352 Routine Minor Maintenance and Repair--Less Th	.00	.00	1,278.15	.00	1,278.15-
	0358 Facility Relocation	.00	.00	1,550.00	.00	1,550.00-
	Facilities Operatio Subtotal:	.00	254,130.00	256,962.71	.00	2,832.71-
C324	B324 Utilities	.00	244.00	.00	.00	244.00
	Utilities Subtotal:	.00	244.00	.00	.00	244.00
C326	0417 Consultants--Other	.00	.00	237,384.00	.00	237,384.00-
	B326 Consultant and Professional Services--Externa	.00	237,384.00	.00	.00	237,384.00
	Consultant and Prof Subtotal:	.00	237,384.00	237,384.00	.00	.00
C333	0533 Vehicle Maintenance and Repair Services	.00	.00	225.53	.00	225.53-
	B333 Other Items of Expense	.00	500.00	.00	.00	500.00
	Other Items of Expe Subtotal:	.00	500.00	225.53	.00	274.47
C337	B337 Funds Unallocated	.00	171,366.00	.00	.00	171,366.00
	Funds Unallocated Subtotal:	.00	171,366.00	.00	.00	171,366.00
	Account Subtotal:	**	2,258.04	521,564.56	7,240.34	170,926.10
	Subtotal:	***	15,343.24	2,842,374.98	7,240.34	133,098.68
	Fiscal Year 2011 - 2012		15,343.24	2,842,374.98	7,240.34	133,098.68

Expenditure By Line Item Report

Fiscal Year 11

Last Post Date

Period From Sep-12
Period To Dec-12

1000000 FISCAL SERVICES OFFICE

10031000 Budget Mgt Operating Unit

Sub-division: 10030000 Budget Management Services

Obj	Object Description	Journal Name	Vendor Name	Invoice Number	CS No	Inv Date	PO Number	Period	Expenditure	Proj	CC	Other
0244	Office Copier Expense (Rental, Maintenance, etc.)	6363043 Purchase Invoices USD 6416535 Purchase Invoices USD	KONICA MINOLTA BUSINESS SOLUTIONS USA, INC. KONICA MINOLTA BUSINESS SOLUTIONS USA, INC.	222139518 222139256	2569539 2570552	09/01/12 09/01/12	1024753 1024945	Sep-12 Nov-12	270.93 416.25	10031001 10031001	00 00	0000 0000
LINE ITEM Sub-Total									687.18			
UNIT Totals									687.18			
DIVISION Totals									687.18			
FISCAL YEAR/REPORT Totals									687.18			

Last Post Date:

Judiciary

Period: 6, Ending 31-DEC-11

Fiscal Year 11

Unit	Acct Obj	Proj	Other	PO No	PO Date	TP	Vendor Name	PG	CC	Vendor No	Vend Site	Encumbrance	Changes	Expenditure	Balance
10031	9012	0206	10031001	0000	1023616	16-AUG-11	B STAPLES ADVANTAGE	30	00	142562	BOSTON	1,085.00	0.00	23.36	1,061.64
			10031001	0000	1023617	16-AUG-11	B STAPLES ADVANTAGE	30	00	142562	BOSTON	4,310.00	0.00	100.28	4,209.72
							ACCOUNT Totals					5,395.00	0.00	123.64	5,271.36 *
							Budget Mgt Operating Unit				UNIT Totals	5,395.00	0.00	123.64	5,271.36 **
							FISCAL YEAR Totals					5,395.00	0.00	123.64	5,271.36
							AGENCY Totals					5,395.00	0.00	123.64	5,271.36***
							REPORT Total					5,395.00	0.00	123.64	5,271.36

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	37
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the Finance Division track appropriations and expenditures by fund, and keep a historical record of both so that easy year-to-year comparisons can be made. This can be done by unit, division, or by program, whichever provides the most informed and accurate picture of the budget.
SEC RECOMMENDATION	The Finance Division (Fiscal Services Office) should track appropriations and expenditures by fund, and keep a historical record of both so that easy year-to-year comparisons can be made. This can be done by unit, division or by program — whichever provides the audience with the most informed and accurate picture of the budget.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: EXTENSION BEING REQUESTED TO OCTOBER 2013 The AOC FSO tracks appropriations and expenditures by fund. The information has been tracked this way since the inception of the AOC as required by Department of Finance and to comply with State of California Legal Basis Accounting. The Oracle financial system has maintains all of this information dating back to 1996-97. Additionally, the Judicial Branch display in the annual Governor's Budget and supporting schedules provide appropriations and expenditures by fund. Year to year comparisons for units or divisions are generally more accurate within a short period of time given the organizational re-structure of the AOC that has occurred over time.	

Also, the AOC Fiscal Services Office conduct regular reviews of budget and expenditure information to ensure divisions/offices are functioning within available resources. This includes monthly budget forecasting for the remainder of the fiscal year as well as year-end planning activities. AOC staff also provides these budget support services to the Supreme Court, Courts of Appeal, and the Habeas Corpus Resource Center.

After the end of this fiscal year, FSO will review existing reports and develop a standard year-end summary to facilitate comparative year-to-year funding changes.

AOC staff will continue to review existing processes and procedures to determine what improvements can be implemented on an ongoing basis.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL	<input type="text"/>

IMPACT	<input type="text" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text" value=""/> <input type="text" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	38
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that expenditures be split into those for state operations and local assistance (funds that go to the trial courts) so it is clear which entity benefits from the resources. State operations figures must be further broken down as support for the Supreme Court and Appellate Courts. The AOC should adopt the methodology of distributing the administrative costs among programs.
SEC RECOMMENDATION	Expenditures should be split into those for state operations and local assistance (funds that go to the trial courts) so it is clear which entity benefits from the resources. State operations figures should be further broken down as support for the Supreme Court and Appellate Courts. In most state departments, administrative costs are distributed among programs. The AOC should adopt this methodology.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> EXTENSION BEING REQUESTED TO OCTOBER 2013 The FSO does track expenditures split into those for state operations and local assistance. Local assistance expenditures are tracked by trial court (if an individual trial court directly benefited) and state-wide (for expenditures that benefits more than one trial court). State operations expenditure tracking is further broken down by the program and entity specified in each year's Budget Act, including the Judicial Council, Supreme Court, Courts of Appeal (by court of appeal), and Habeas Corpus Resource Center, etc. Also, the AOC's Oracle financial system has maintains all of this </div>	

information dating back to 1996-97. To view how this information is displayed in the Governor's budget, please refer to the attached document detailing the Executive, Legislative, and Judicial budget category section of the state budget (refer to pages 12-37 for information on the branch budget).

With respect to the distribution of administrative costs, FSO will be evaluating methodologies employed by other state-funded entities to determine which method should be applied at the AOC. Some large administrative costs have been distributed to each office/division for many years. Distributing administrative costs are important particularly in the area of grant funding. The administrative costs or overhead for grant funding is currently calculated yearly but is not distributed across all grants due to the inability of some grants being able to absorb the full-burden of overhead.

AOC staff are currently reviewing existing processes and procedures to determine what improvements can be implemented to meet the requirements of this directive. FSO will work with the state Department of Finance to further stratify expenditures to ensure clarity of how the funds were expended.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/>

	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

0160 Legislative Counsel Bureau - Continued

1 STATE OPERATIONS	2011-12*	2012-13*	2013-14*
Adjustment per Section 3.60	67	180	-
Adjustment per Section 3.90	-143	-	-
Adjustment per Section 4.05	-	-449	-
TOTALS, EXPENDITURES	\$14,304	\$15,527	\$15,982
TOTALS, EXPENDITURES, ALL FUNDS (State Operations)	\$89,156	\$88,722	\$91,416

0250 Judicial Branch

Article VI of the Constitution creates the Supreme Court of California and the Courts of Appeal to exercise the judicial power of the state at the appellate level. Article VI also creates the Judicial Council of California to administer the state's judicial system. Chapter 869, Statutes of 1997, created the California Habeas Corpus Resource Center to represent any person financially unable to employ appellate counsel in capital cases.

The Lockyer-Isenberg Trial Court Funding Act of 1997 (Chapter 850, Statutes of 1997) provided a stable and consistent funding source for the trial courts. Beginning with fiscal year 1997-98, consolidation of the costs of operation of the trial courts was implemented at the state level, with the exception of facility, revenue collection, and local judicial benefit costs. This implementation capped the counties' general purpose revenue contributions to trial court costs at a revised 1994-95 level. The county contributions become part of the Trial Court Trust Fund, which supports all trial court operations. Fine and penalty revenue collected by each county is retained or distributed in accordance with statute. Each county makes quarterly payments to the Trial Court Trust Fund equal to the fine and penalty revenue received by the state General Fund in 1994-95, as adjusted by amounts equivalent to specified fine and fee revenues that counties benefited from in 2003-04. The Trial Court Facilities Act of 2002 (Chapter 1082, Statutes of 2002) provided a process for the responsibility for court facilities to be transferred from the counties to the state by July 1, 2007. The Trial Court Facilities Act of 2002 also established several new revenue sources, which went into effect on January 1, 2003. These revenues are deposited into the State Court Facilities Construction Fund for the purpose of funding the construction and maintenance of court facilities throughout the state. Counties contribute revenues for the ongoing operation and maintenance of court facilities based upon historical expenditures for facilities transferred to the state.

The mission of the Judicial Branch is to resolve disputes arising under the law and to interpret and apply the law consistently, impartially, and independently to protect the rights and liberties guaranteed by the Constitutions of California and the United States, in a fair, accessible, effective, and efficient manner.

Since department programs drive the need for infrastructure investment, each department has a related capital outlay program to support this need. For the specifics on the Judicial Branch's Capital Outlay Program see "Infrastructure Overview."

3-YR EXPENDITURES AND POSITIONS

	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
10 Supreme Court	154.9	175.0	175.0	\$40,706	\$43,773	\$43,500
20 Courts of Appeal	794.4	866.5	866.5	199,112	202,492	204,886
30 Judicial Council	695.7	698.7	698.4	120,601	148,862	150,795
35 Judicial Branch Facility Program	104.0	146.0	146.0	173,796	224,312	263,083
45 State Trial Court Funding	-	-	-	2,680,140	2,267,631	2,430,566
50 Habeas Corpus Resource Center	83.0	94.0	94.0	12,425	13,576	13,576
96 Offset From Local Property Tax Revenue	-	-	-	-126,681	-	-
TOTALS, POSITIONS AND EXPENDITURES (All Programs)	1,832.0	1,980.2	1,979.9	\$3,100,099	\$2,900,646	\$3,106,406

	2011-12*	2012-13*	2013-14*
FUNDING			
0001 General Fund	\$1,214,932	\$754,927	\$1,155,019
0044 Motor Vehicle Account, State Transportation Fund	160	195	197
0159 State Trial Court Improvement and Modernization Fund	39,222	24,501	41,745
0327 Court Interpreters' Fund	160	164	166
0556 Judicial Administration Efficiency and Modernization Fund	-23,356	-	-
0587 Family Law Trust Fund	1,732	2,650	2,650
0890 Federal Trust Fund	4,464	6,812	6,812
0932 Trial Court Trust Fund	1,625,066	1,570,815	1,511,814

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

FUNDING	2011-12*	2012-13*	2013-14*
0995 Reimbursements	72,503	98,631	97,810
3037 State Court Facilities Construction Fund	50,861	63,753	68,728
3060 Appellate Court Trust Fund	4,390	6,952	6,597
3066 Court Facilities Trust Fund	95,884	101,756	101,756
3085 Mental Health Services Fund	1,054	1,061	1,049
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund	15,836	267,393	111,061
8059 State Community Corrections Performance Incentive Fund	196	1,034	1,000
9728 Judicial Branch Workers' Compensation Fund	-3,005	2	2
TOTALS, EXPENDITURES, ALL FUNDS	\$3,100,099	\$2,900,646	\$3,106,406

LEGAL CITATIONS AND AUTHORITY

DEPARTMENT AUTHORITY

California Constitution, Article VI.

PROGRAM AUTHORITY

45-State Trial Court Funding:

California Constitution, Article VI, Section 4.

45.45 Court Interpreters:

Trial Court Interpreter Employment and Labor Relations Act, Government Code Sections 71800-71829.

50-Habeas Corpus Resource Center:

Government Code Sections 68660-68666.

MAJOR PROGRAM CHANGES

- Trial Court Operations Funding-The 2012 Budget Act limited trial court reserves to 1 percent beginning on July 1, 2014. The spending down of court reserves offsets General Fund spending on a dollar-for-dollar basis. The Budget uses a \$200 million transfer from the Immediate and Critical Needs Account to support trial court operations as the courts adapt to the new reserve policy.
- Long Beach Courthouse-The Budget includes \$34.8 million Immediate and Critical Needs Account for the new Long Beach Courthouse service fee payment, which is expected to be occupied in September 2013.
- Trial Court Efficiencies-The Budget includes a range of statutory changes that will assist the Judicial Branch in effectively managing monthly trial court cash flow issues, reduce workload through administrative efficiencies, and increase user fees to support ongoing workload at the trial courts.
- Organizational Restructuring-The Budget includes the restructuring of the Judicial Council and the Judicial Council Facility Program as a result of recommendations included in the Strategic Evaluation Committee "Report on the Administrative Office of the Courts."

DETAILED BUDGET ADJUSTMENTS

	2012-13*			2013-14*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
Workload Budget Adjustments						
Workload Budget Change Proposals						
• Long Beach Courthouse Service Fee Payment	\$-	\$-	-	\$-	\$34,832	-
• Trial Court Employees Benefit Cost Adjustment	21,532	-	-	-	-	-
• Third District Court of Appeal Rental Rate Increase	-	-	-	4,637	-	-
• Appellate Court Trust Fund Expenditure Authority	-	2,163	-	-	1,968	-
• Supreme Court Expenditure Authority	-	514	-	-	212	-
• Community Corrections Performance Incentive Grant	-	-	-	-	1,000	-
Workload						

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	2012-13*			2013-14*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
Totals, Workload Budget Change Proposals	\$21,532	\$2,677	-	\$4,637	\$38,012	-
Other Workload Budget Adjustments						
• Trial Court Operations Funding	\$-	\$-	-	\$418,000	\$-	-
• Retirement Rate Adjustment	3,207	774	-	3,207	774	-
• One Time Cost Reductions	-	419	-	-1,061	-243,615	-
• Miscellaneous Adjustments	-1	-74,841	-61.9	-1	-62,169	-62.2
• Lease Revenue Debt Service Adjustment	45	32	-	93	1,727	-
Totals, Other Workload Budget Adjustments	\$3,251	-\$73,616	-61.9	\$420,236	-\$303,283	-62.2
Totals, Workload Budget Adjustments	\$24,783	-\$70,939	-61.9	\$424,875	-\$265,271	-62.2
Totals, Budget Adjustments	\$24,783	-\$70,939	-61.9	\$424,875	-\$265,271	-62.2

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

Trial Court- Related Appropriations, Allocations, and Expenditure Budgets

Table 1: Trial Court-Related Appropriations, Allocations, and Expenditure Budgets

Appropriation/Allocation/Expenditure Budget Description	FY 2012-13	Estimated FY 2013-14
A. Budget Act or Adjusted Appropriation¹		
45.10 - Extraordinary Homicide Trials (General Fund)	272,000	272,000
45.10 - Prisoner Hearings (General Fund)	2,728,000	2,728,000
45.10 - Service of Process for Protective Orders (General Fund)	3,201,000	3,201,000
45.25 - Compensation of Superior Court Judges (Trial Court Trust Fund (TCTF))	308,375,000	308,375,000
45.35 - Assigned Judges (TCTF)	26,047,000	26,047,000
45.45 - Court Interpreters (TCTF)	92,794,000	92,794,000
45.55.020 - California Collaborative and Drug Court Projects (General Fund)	1,160,000	1,160,000
45.55.060 - Court-Appointed Special Advocate Program (TCTF)	2,213,000	2,213,000
45.55.065 - Model Self-Help Program (TCTF)	957,000	957,000
45.55.090 - Equal Access Fund (General Fund and TCTF)	16,804,743	16,374,000
45.55.095 - Family Law Information Centers (TCTF)	345,000	345,000
45.55.100 - Civil Case Coordination (TCTF)	832,000	832,000
B. Judicial Council Allocation		
Criminal & Traffic (V2) and Civil, Small Claims, Probate & Mental Health Case Management System (V3) Case Management Systems (30 and 30.15 TCTF)	11,760,000	11,760,000
Statewide Administrative and Technology Infrastructure (excluding V2 and V3) (30 and 30.15 TCTF, General Fund, State Trial Court Improvement and Modernization Fund (STCIMF))	60,935,378	60,925,378
Court-Appointed Counsel in Juvenile Dependency Cases (45.10 TCTF)	103,725,445	103,725,445
Jury Services (45.10 TCTF)	16,000,000	16,000,000
Processing of Elder Abuse Protective Orders (45.10 TCTF)	332,340	332,340
Self-Help Centers (45.10 TCTF and STCIMF)	11,200,000	11,200,000
C. Trial Court Expenditure Budget²		
Court Employee Health Benefits	200,575,827	200,575,827
Court Employee Retirement	300,638,693	300,638,693
Court Employee Workers' Compensation	25,261,711	25,261,711
Court Security	46,420,217	46,420,217
Retired Court Employee Health Benefits	27,467,450	27,467,450

¹ 45.25 - Compensation of Superior Court Judges includes a planned ongoing \$1.546 million adjustment as part of the subordinate judicial officer conversion process and 45.55.090 - Equal Access Fund includes Provision 8 adjustment of \$430,743 based on prior year civil fee revenues.

² Based on Schedule 7A and Schedule 1 budget information submitted by the courts for FY 2012-13.

0250 Judicial Branch - Continued

Expenditures of Superior Courts

Table 2: Expenditures of Superior Courts¹

Superior Court	FY 2011-12 Actual	FY 2012-13 Estimated ^{2,3}	Superior Court	FY 2011-12 Actual	FY 2012-13 Estimated ^{2,3}
Alameda	103,054,846	98,495,840	Orange	207,526,187	202,987,928
Alpine	598,181	pending	Placer	17,467,603	16,752,116
Amador	2,983,758	3,013,442	Plumas	1,845,351	pending
Butte	12,922,111	12,633,720	Riverside	137,417,730	135,139,432
Calaveras	3,081,686	3,414,461	Sacramento	94,293,531	91,903,931
Colusa	2,179,686	2,466,472	San Benito	3,514,071	3,678,071
Contra Costa	57,382,417	62,951,521	San Bernardino	107,803,559	105,194,436
Del Norte	3,464,624	3,919,150	San Diego	192,967,530	pending
El Dorado	10,666,516	9,482,285	San Francisco	74,216,118	75,129,240
Fresno	62,452,532	55,374,387	San Joaquin	35,461,399	pending
Glenn	3,009,399	2,858,354	San Luis Obispo	17,167,170	16,590,092
Humboldt	7,764,987	8,195,163	San Mateo	42,929,913	41,059,909
Imperial	12,995,444	12,606,456	Santa Barbara	31,648,518	31,361,620
Inyo	3,034,668	3,132,382	Santa Clara	109,390,876	114,392,455
Kern	63,478,700	59,339,285	Santa Cruz	16,166,100	13,652,383
Kings	9,186,004	pending	Shasta	16,177,777	15,256,939
Lake	4,405,711	4,100,374	Sierra	636,642	612,106
Lassen	3,740,681	3,569,047	Siskiyou	5,550,251	5,419,362
Los Angeles	687,243,000	706,746,761	Solano	25,549,794	22,626,045
Madera	9,824,623	10,003,547	Sonoma	28,852,791	27,219,104
Marin	18,526,584	16,259,377	Stanislaus	24,428,276	pending
Mariposa	1,543,651	1,444,165	Sutter	6,464,386	6,130,752
Mendocino	6,336,979	5,919,679	Tehama	4,018,048	4,030,819
Merced	13,900,262	14,002,900	Trinity	1,703,525	pending
Modoc	1,306,493	1,225,983	Tulare	25,568,221	21,859,248
Mono	2,509,423	2,112,199	Tuolumne	4,593,615	4,182,118
Monterey	22,939,117	22,273,994	Ventura	45,681,942	44,742,189
Napa	9,925,494	10,048,276	Yolo	13,322,785	11,609,852
Nevada	8,227,406	6,762,788	Yuba	5,857,861	5,689,563
			Total	2,446,906,553	2,159,571,718

¹ Superior court operational expenditure amounts and expenditures for supporting trial court operations from state funds reported in the Governor's budget typically are not equal to one another due to the following factors: a) portions of state funding, such as judges' compensation, are not distributed directly to the courts; b) court operations are also supported by grant funding, local and other non-state financing sources, as well as use of courts' fund balances; and c) courts may not expend all monies distributed from state funds.

² Reflects the budgets of 51 of 58 superior courts based on courts' FY 2012-13 Schedule 1 submissions as of December 10, 2012.

³ Expenditures include, partially or wholly, all items from Table 1 with the exception of: criminal and traffic case management system (V2); civil, small claims, probate and mental health case management system (V3); statewide administrative and technology infrastructure (non-V2 and V3); assigned judges; California collaborative and drug court projects; court-appointed special advocate program; and Equal Access Fund.

0250 Judicial Branch - Continued

PROGRAM DESCRIPTIONS

10 - SUPREME COURT

The Supreme Court is the highest court in the California judicial system. Its decisions are binding on all other California state courts. The Chief Justice of California and the six Associate Justices entertain petitions seeking review of decisions from the Courts of Appeal, original petitions for extraordinary relief (such as writs of mandate or habeas corpus), and recommendations for discipline of judicial officers and attorneys. The Court grants review and issues opinions in order to settle legal questions of statewide importance. In addition, under the California Constitution, all death penalty judgments are appealed directly to the Supreme Court.

20 - COURTS OF APPEAL

Established by a constitutional amendment in 1904, the Courts of Appeal are California's intermediate courts of review. The six District Courts of Appeal hear appeals and original proceedings at nine different locations around the state. Cases before the Courts of Appeal involve every area of civil and criminal law.

30 - JUDICIAL COUNCIL

The Judicial Council of California is the constitutional policy-making body for the state judiciary. The Council consists of 21 voting members and 6 advisory members; the Chief Justice of California serves as chair. The Administrative Office of the Courts is the administrative arm of the Council. This office provides policy support to the Council, administrative accountability in the operation of the courts as specified by law, and administrative support for courts in areas such as budget, fiscal services, coordination of the assignment of retired judges, technology, education, legal advice and services, human resources, legislative advocacy, and research.

Consistent with the judiciary's mission, the Judicial Council is guided by the following principles:

- To make decisions in the best interests of the public and the court system as a whole.
- To conduct the Council's business based on an underlying commitment to equal and timely justice and public access to an independent forum for the resolution of disputes.
- To provide leadership in the administration of justice by planning and advocating for policies and resources that are necessary for courts to fulfill their mission.
- To ensure the continued development of an accessible, independent court system through planning, research, and evaluation programs, and through the use of modern management approaches and technological developments.
- To provide leadership in the administration of justice by establishing broad and consistent policies for the operation of the courts and appropriate uniform statewide rules and forms.
- To promote a competent, responsive, and ethical judiciary and staff through a comprehensive program of judicial education and training for court employees.
- To contribute to the public's understanding of the judicial process through a continuing program of public education.
- To provide assistance to the courts in developing action plans that are consistent with the Council's Strategic Plan and that address local needs and priorities.

35 - JUDICIAL BRANCH FACILITY PROGRAM

The Judicial Branch Facility Program administers the acquisition, planning, construction, operations, and maintenance of judicial branch facilities. This program is responsible for the development of long-term facilities master plans, facility and real estate management, and new courthouse planning, design, and construction.

45 - STATE TRIAL COURT FUNDING

45.10 - SUPPORT FOR THE OPERATION OF THE TRIAL COURTS

This program's objective is to provide the resources necessary for the statewide trial court system to adjudicate civil and criminal cases. This program includes all allowable trial court administrative costs under Chapter 850, Statutes of 1997, except salaries and benefits of Superior Court judges, compensation for assigned judges, and support for language interpreters.

45.25 - COMPENSATION OF SUPERIOR COURT JUDGES

This program provides funding for the salaries and state benefits for Superior Court judges.

45.35 - ASSIGNED JUDGES

This program provides support for the salaries and related costs of retired as well as active judges who are assigned by the Chief Justice to positions in courts which require assistance due to caseload backlogs or other factors impacting the ability of a court to avoid case delay.

45.45 - COURT INTERPRETERS

This program supports the provision of qualified language interpreters in criminal or juvenile proceedings as required by statute.

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

50 - HABEAS CORPUS RESOURCE CENTER

The Habeas Corpus Resource Center provides legal representation for indigent petitioners in death penalty habeas corpus proceedings before the Supreme Court of California and the federal courts. The Center also recruits and trains attorneys to expand the pool of private counsel qualified to accept appointments in death penalty habeas corpus proceedings, serves as a resource to them, and thereby helps to reduce the number of unrepresented indigents on California's death row.

DETAILED EXPENDITURES BY PROGRAM

		2011-12*	2012-13*	2013-14*
PROGRAM REQUIREMENTS				
10	SUPREME COURT			
	State Operations:			
0001	General Fund	\$39,766	\$42,368	\$42,366
0890	Federal Trust Fund	6	-	1
0995	Reimbursements	-	-	1
3060	Appellate Court Trust Fund	991	1,405	1,132
9728	Judicial Branch Workers' Compensation Fund	-57	-	-
	Totals, State Operations	\$40,706	\$43,773	\$43,500
PROGRAM REQUIREMENTS				
20	COURTS OF APPEAL			
	State Operations:			
0001	General Fund	\$193,736	\$196,796	\$199,418
0890	Federal Trust Fund	-	-	1
0995	Reimbursements	2,119	149	2
3060	Appellate Court Trust Fund	3,399	5,547	5,465
9728	Judicial Branch Workers' Compensation Fund	-142	-	-
	Totals, State Operations	\$199,112	\$202,492	\$204,886
PROGRAM REQUIREMENTS				
30	JUDICIAL COUNCIL			
	State Operations:			
0001	General Fund	\$79,986	\$81,013	\$82,017
0044	Motor Vehicle Account, State Transportation Fund	160	195	197
0159	State Trial Court Improvement and Modernization Fund	7,207	8,191	9,145
0327	Court Interpreters' Fund	160	164	166
0587	Family Law Trust Fund	1,732	2,650	2,650
0890	Federal Trust Fund	3,477	3,511	3,509
0932	Trial Court Trust Fund	14,605	35,443	35,444
0995	Reimbursements	4,763	7,513	7,659
3037	State Court Facilities Construction Fund	7,756	8,085	7,957
3085	Mental Health Services Fund	1,054	1,061	1,049
8059	State Community Corrections Performance Incentive Fund	196	1,034	1,000
9728	Judicial Branch Workers' Compensation Fund	-495	2	2
	Totals, State Operations	\$120,601	\$148,862	\$150,795
PROGRAM REQUIREMENTS				
35	JUDICIAL BRANCH FACILITY PROGRAM			
	State Operations:			
0001	General Fund	\$8,929	\$9,013	\$9,013
0995	Reimbursements	10,042	30,482	30,482
3037	State Court Facilities Construction Fund	43,105	55,668	60,771

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	<u>2011-12*</u>	<u>2012-13*</u>	<u>2013-14*</u>
3066 Court Facilities Trust Fund	95,884	101,756	101,756
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund	15,836	27,393	61,061
Totals, State Operations	\$173,796	\$224,312	\$263,083
PROGRAM REQUIREMENTS			
45 STATE TRIAL COURT FUNDING			
Local Assistance:			
0001 General Fund	\$1,006,781	\$413,187	\$809,655
0159 State Trial Court Improvement and Modernization Fund	32,015	16,310	32,600
0556 Judicial Administration Efficiency and Modernization Fund	-23,356	-	-
0890 Federal Trust Fund	898	2,275	2,275
0932 Trial Court Trust Fund	1,610,461	1,535,372	1,476,370
0995 Reimbursements	55,579	60,487	59,666
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund	-	240,000	50,000
9728 Judicial Branch Workers' Compensation Fund	-2,238	-	-
Totals, Local Assistance	\$2,680,140	\$2,267,631	\$2,430,566
ELEMENT REQUIREMENTS			
45.10 Support for Operation of Trial Courts	\$2,099,308	\$1,757,819	\$1,921,574
Local Assistance:			
0001 General Fund	574,218	137,944	362,603
0159 State Trial Court Improvement and Modernization Fund	32,015	16,310	32,600
0556 Judicial Administration Efficiency and Modernization Fund	-23,356	-	-
0932 Trial Court Trust Fund	1,518,474	1,363,564	1,476,370
0995 Reimbursements	179	1	1
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund	-	240,000	50,000
9728 Judicial Branch Workers' Compensation Fund	-2,222	-	-
45.15 Trial Court Security	\$82,546	\$-	\$-
Local Assistance:			
0932 Trial Court Trust Fund	82,546	-	-
45.25 Compensation of Superior Court Judges	\$306,267	\$306,829	\$306,829
Local Assistance:			
0001 General Fund	306,283	135,021	306,829
0932 Trial Court Trust Fund	-	171,808	-
9728 Judicial Branch Workers' Compensation Fund	-16	-	-
45.35 Assigned Judges	\$25,413	\$26,047	\$26,047
Local Assistance:			
0001 General Fund	25,413	26,047	26,047
45.45 Court Interpreters	\$90,117	\$92,794	\$92,795
Local Assistance:			
0001 General Fund	90,117	92,794	92,795
45.55 Grants	\$76,489	\$84,142	\$83,321
Local Assistance:			
0001 General Fund	10,750	21,381	21,381

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	2011-12*	2012-13*	2013-14*
0890 Federal Trust Fund	898	2,275	2,275
0932 Trial Court Trust Fund	9,441	-	-
0995 Reimbursements	55,400	60,486	59,665
PROGRAM REQUIREMENTS			
50 HABEAS CORPUS RESOURCE CENTER			
State Operations:			
0001 General Fund	\$12,415	\$12,550	\$12,550
0890 Federal Trust Fund	83	1,026	1,026
9728 Judicial Branch Workers' Compensation Fund	-73	-	-
Totals, State Operations	\$12,425	\$13,576	\$13,576
PROGRAM REQUIREMENTS			
96 Offset From Local Property Tax Revenue			
Local Assistance:			
0001 General Fund	-\$126,681	\$-	\$-
Totals, Local Assistance	-\$126,681	\$-	\$-
TOTALS, EXPENDITURES			
State Operations	546,640	633,015	675,840
Local Assistance	2,553,459	2,267,631	2,430,566
Totals, Expenditures	\$3,100,099	\$2,900,646	\$3,106,406

EXPENDITURES BY CATEGORY

1 State Operations	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
10 Supreme Court						
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	154.9	175.0	175.0	\$17,178	\$18,517	\$18,674
Net Totals, Salaries and Wages	154.9	175.0	175.0	\$17,178	\$18,517	\$18,674
Staff Benefits	-	-	-	5,608	6,316	6,377
Totals, Personal Services	154.9	175.0	175.0	\$22,786	\$24,833	\$25,051
OPERATING EXPENSES AND EQUIPMENT						
SPECIAL ITEMS OF EXPENSE						
Court Appointed Counsel				\$12,508	\$15,823	\$14,573
Totals, Special Items of Expense				\$12,508	\$15,823	\$14,573
TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS				\$40,706	\$43,773	\$43,500
(State Operations)						
20 Courts of Appeal						
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	794.4	866.5	866.5	\$86,840	\$93,183	\$94,080
Net Totals, Salaries and Wages	794.4	866.5	866.5	\$86,840	\$93,183	\$94,080
Staff Benefits	-	-	-	25,480	29,238	29,604
Totals, Personal Services	794.4	866.5	866.5	\$112,320	\$122,421	\$123,684
OPERATING EXPENSES AND EQUIPMENT						
SPECIAL ITEMS OF EXPENSE						
Court Appointed Counsel				\$63,142	\$63,557	\$63,557
Totals, Special Items of Expense				\$63,142	\$63,557	\$63,557
TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS				\$199,112	\$202,492	\$204,886
(State Operations)						
30 Judicial Council						

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

1 State Operations	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	695.7	698.3	697.4	\$64,915	\$63,191	\$64,199
Total Adjustments	-	0.4	1.0	-	60	199
Net Totals, Salaries and Wages	695.7	698.7	698.4	\$64,915	\$63,251	\$64,398
Staff Benefits	-	-	-	24,092	23,496	23,935
Totals, Personal Services	695.7	698.7	698.4	\$89,007	\$86,747	\$88,333
OPERATING EXPENSES AND EQUIPMENT				\$31,594	\$62,115	\$62,462
TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS (State Operations)				\$120,601	\$148,862	\$150,795
35 Judicial Branch Facility Program						
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	104.0	146.0	146.0	\$9,471	\$13,068	\$13,431
Net Totals, Salaries and Wages	104.0	146.0	146.0	\$9,471	\$13,068	\$13,431
Staff Benefits	-	-	-	3,578	5,073	5,217
Totals, Personal Services	104.0	146.0	146.0	\$13,049	\$18,141	\$18,648
OPERATING EXPENSES AND EQUIPMENT				\$160,747	\$206,171	\$244,435
TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS (State Operations)				\$173,796	\$224,312	\$263,083
50 Habeas Corpus Resource Center						
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	83.0	94.0	94.0	\$6,241	\$7,265	\$7,434
Net Totals, Salaries and Wages	83.0	94.0	94.0	\$6,241	\$7,265	\$7,434
Staff Benefits	-	-	-	2,351	2,640	2,707
Totals, Personal Services	83.0	94.0	94.0	\$8,592	\$9,905	\$10,141
OPERATING EXPENSES AND EQUIPMENT				\$3,833	\$3,671	\$3,435
TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS (State Operations)				\$12,425	\$13,576	\$13,576
TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS (State Operations)				\$546,640	\$633,015	\$675,840

DETAIL OF APPROPRIATIONS AND ADJUSTMENTS

1 STATE OPERATIONS	2011-12*	2012-13*	2013-14*
0001 General Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$341,292	\$325,378	\$332,160
Allocation for contingencies or emergencies	2,548	-	-
Adjustment per Section 3.60	-2,505	3,207	-
Adjustment per Section 15.25	-	-1	-
Adjustments per Section 3.91(b) (Technology Rate Reductions)	-3	-	-
Revised expenditure authority per Provision 19 of Item 0250-101-0932	-8,616	-	-
Transfer from Item 0250-001-0001, per Provision 1 of Item 9655-001-0001	500	-	-
Revised expenditure authority per Provision 3	-1,171	-	-
003 Budget Act appropriation	5,062	5,057	5,150
Adjustment per Section 4.30	-2,020	45	-
011 Budget Act appropriation (transfer to the Judicial Branch Workers' Compensation Fund)	1	1	1
Revised expenditure authority per Provision 3	1,171	-	-
012 Budget Act appropriation (transfer to Court Facilities Trust Fund)	8,053	8,053	8,053

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

1 STATE OPERATIONS	2011-12*	2012-13*	2013-14*
Totals Available	\$344,312	\$341,740	\$345,364
Unexpended balance, estimated savings	-9,480	-	-
TOTALS, EXPENDITURES	\$334,832	\$341,740	\$345,364
0044 Motor Vehicle Account, State Transportation Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$194	\$193	\$197
Adjustment per Section 3.60	-3	2	-
Totals Available	\$191	\$195	\$197
Unexpended balance, estimated savings	-31	-	-
TOTALS, EXPENDITURES	\$160	\$195	\$197
0159 State Trial Court Improvement and Modernization Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$9,601	\$9,007	\$9,145
Adjustment per Section 3.60	-	138	-
Totals Available	\$9,601	\$9,145	\$9,145
Unexpended balance, estimated savings	-2,394	-954	-
TOTALS, EXPENDITURES	\$7,207	\$8,191	\$9,145
0327 Court interpreters' Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$163	\$164	\$166
Totals Available	\$163	\$164	\$166
Unexpended balance, estimated savings	-3	-	-
TOTALS, EXPENDITURES	\$160	\$164	\$166
0587 Family Law Trust Fund			
APPROPRIATIONS			
Family Code Section 1852	\$1,732	\$2,650	\$2,650
TOTALS, EXPENDITURES	\$1,732	\$2,650	\$2,650
0890 Federal Trust Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$4,501	\$4,503	\$4,537
Adjustment per Section 3.60	-35	34	-
Budget Adjustment	-900	-	-
TOTALS, EXPENDITURES	\$3,566	\$4,537	\$4,537
0932 Trial Court Trust Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$7,076	\$-	\$-
Revised expenditure authority per Provision 14 of Item 0250-101-0932	500	-	-
Revised expenditure authority per Provision 7 of Item 0250-101-0932	6,675	-	-
Revised expenditure authority per Provisions 8 & 9 of Item 0250-101-0932	292	-	-
Revised expenditure authority per Provision 12 of Item 0250-101-0932	178	-	-
001 Budget Act appropriation as amended by Chapter 29, Statutes of 2012	-	35,290	-
Adjustment per Section 3.60	-	153	-
001 Budget Act appropriation	-	-	35,444
Totals Available	\$14,721	\$35,443	\$35,444
Unexpended balance, estimated savings	-116	-	-
TOTALS, EXPENDITURES	\$14,605	\$35,443	\$35,444
0995 Reimbursements			
APPROPRIATIONS			
Reimbursements	\$16,924	\$38,144	\$38,144

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

1 STATE OPERATIONS	2011-12*	2012-13*	2013-14*
3037 State Court Facilities Construction Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$60,068	\$60,335	\$63,983
Adjustment per Section 3.60	-290	368	-
003 Budget Act appropriation	29	3,018	4,745
Adjustment per Section 4.30	-7	32	-
012 Budget Act appropriation (loan to the General Fund)	<u>(350,000)</u>	<u>-</u>	<u>-</u>
Totals Available	\$59,800	\$63,753	\$68,728
Unexpended balance, estimated savings	<u>-8,939</u>	<u>-</u>	<u>-</u>
TOTALS, EXPENDITURES	\$50,861	\$63,753	\$68,728
3060 Appellate Court Trust Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$4,321	\$4,265	\$6,597
Adjustment per Section 3.60	-8	10	-
Revised expenditure authority per Provision 1	<u>953</u>	<u>2,677</u>	<u>-</u>
Totals Available	\$5,266	\$6,952	\$6,597
Unexpended balance, estimated savings	<u>-876</u>	<u>-</u>	<u>-</u>
TOTALS, EXPENDITURES	\$4,390	\$6,952	\$6,597
3066 Court Facilities Trust Fund			
APPROPRIATIONS			
001 Budget Act appropriation	<u>\$109,809</u>	<u>\$109,809</u>	<u>\$109,809</u>
Totals Available	\$109,809	\$109,809	\$109,809
Unexpended balance, estimated savings	<u>-5,872</u>	<u>-</u>	<u>-</u>
TOTALS, EXPENDITURES	\$103,937	\$109,809	\$109,809
Less funding provided by General Fund	<u>-8,053</u>	<u>-8,053</u>	<u>-8,053</u>
NET TOTALS, EXPENDITURES	\$95,884	\$101,756	\$101,756
3085 Mental Health Services Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$1,063	\$1,048	\$1,049
Adjustment per Section 3.60	<u>-9</u>	<u>13</u>	<u>-</u>
TOTALS, EXPENDITURES	\$1,054	\$1,061	\$1,049
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$15,836	\$27,393	\$26,229
002 Budget Act appropriation	-	-	34,832
011 Budget Act appropriation (loan to the General Fund)	(90,000)	-	-
012 Budget Act appropriation (transfer to the General Fund)	<u>(310,275)</u>	<u>-</u>	<u>-</u>
TOTALS, EXPENDITURES	\$15,836	\$27,393	\$61,061
8059 State Community Corrections Performance Incentive Fund			
APPROPRIATIONS			
Penal Code Section 1233.6	<u>\$196</u>	<u>\$1,034</u>	<u>\$1,000</u>
TOTALS, EXPENDITURES	\$196	\$1,034	\$1,000
9728 Judicial Branch Workers' Compensation Fund			
APPROPRIATIONS			
Government Code Section 68114.10	<u>\$404</u>	<u>\$3</u>	<u>\$3</u>
TOTALS, EXPENDITURES	\$404	\$3	\$3
Less funding provided by General Fund	<u>-1,171</u>	<u>-1</u>	<u>-1</u>
NET TOTALS, EXPENDITURES	\$-767	\$2	\$2
TOTALS, EXPENDITURES, ALL FUNDS (State Operations)	\$546,640	\$633,015	\$675,840

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

2 LOCAL ASSISTANCE	2011-12*	2012-13*	2013-14*
0001 General Fund			
APPROPRIATIONS			
101 Budget Act appropriation	\$16,542	\$17,753	\$17,753
102 Budget Act appropriation	52,533	71,502	71,502
Revised expenditure authority per Provision 1	12,001	21,532	-
111 Budget Act appropriation (transfer to Trial Court Trust Fund)	1,294,125	263,691	681,691
Reduction per Section 3.97 as added by Chapter 41, Statutes of 2011	-413,883	-	-
Revised expenditure authority per Provision 3	8,616	-	-
112 Budget Act appropriation (transfer to Judicial Administration Efficiency and Modernization Fund)	38,709	-	-
112 Budget Act appropriation (transfer to State Trial Court Improvement and Modernization Fund)	-	38,709	38,709
Totals Available	\$1,008,643	\$413,187	\$809,655
Unexpended balance, estimated savings	-1,862	-	-
TOTALS, EXPENDITURES	\$1,006,781	\$413,187	\$809,655
Less funding provided by the Local Revenue Fund 2011 per Government Code Section 30025(e)	-82,546	-	-
Offset from Local Property Tax Revenue per Control Section 15.45	-1,604	-	-
Offset from Local Property Tax Revenue per Control Section 15.45	-42,531	-	-
NET TOTALS, EXPENDITURES	\$880,100	\$413,187	\$809,655
0159 State Trial Court Improvement and Modernization Fund			
APPROPRIATIONS			
102 Budget Act appropriation	\$-	\$71,309	\$71,309
111 Budget Act appropriation (transfer to Trial Court Trust Fund)	(1)	(27,223)	(20,594)
Government Code Section 77209 (g)	32,015	1	-
Totals Available	\$32,015	\$71,310	\$71,309
Unexpended balance, estimated savings	-	-16,291	-
TOTALS, EXPENDITURES	\$32,015	\$55,019	\$71,309
Less funding provided by the General Fund	-	-38,709	-38,709
NET TOTALS, EXPENDITURES	\$32,015	\$16,310	\$32,600
0556 Judicial Administration Efficiency and Modernization Fund			
APPROPRIATIONS			
102 Budget Act appropriation	\$18,709	\$-	\$-
111 Budget Act appropriation (transfer to Trial Court Trust Fund)	(20,000)	-	-
Totals Available	\$18,709	\$-	\$-
Unexpended balance, estimated savings	-3,356	-	-
TOTALS, EXPENDITURES	\$15,353	\$-	\$-
Less funding provided by the General Fund	-38,709	-	-
NET TOTALS, EXPENDITURES	\$-23,356	\$-	\$-
0890 Federal Trust Fund			
APPROPRIATIONS			
101 Budget Act appropriation	\$2,275	\$2,275	\$2,275
Budget Adjustment	-1,377	-	-
TOTALS, EXPENDITURES	\$898	\$2,275	\$2,275
0932 Trial Court Trust Fund			
APPROPRIATIONS			
101 Budget Act appropriation	\$2,892,629	\$-	\$-
Adjustments per Section 3.91(b) (Technology Rate Reductions)	-1	-	-

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

2 LOCAL ASSISTANCE	2011-12*	2012-13*	2013-14*
Reduction per Section 3.97 as added by Chapter 41, Statutes of 2011	-413,883	-	-
Revised expenditure authority per Provision 9	730	-	-
Revised expenditure authority per Provision 19 of Item 0250-101-0932	71,616	-	-
Revised expenditure authority per Provision 3	-17,942	-	-
Revised expenditure authority per Government Code Section 77209 (transfer to Trial Court Improvement Fund)	-19,697	-	-
Revised expenditure authority per Provision 14 of Item 0250-101-0932	-500	-	-
Revised expenditure authority per Provision 7 of Item 0250-101-0932	-6,675	-	-
Revised expenditure authority per Provisions 8 & 9 of Item 0250-101-0932	-292	-	-
Revised expenditure authority per Provision 12 of Item 0250-101-0932	-178	-	-
101 Budget Act appropriation as amended by Chapter 29, Statutes of 2012	-	1,826,195	-
Adjustment per Section 15.25	-	-1	-
Chapter 26, Statutes of 2012	-	2,000	-
Amended by Chapter 630, Statutes of 2012	-	-29,134	-
101 Budget Act appropriation	-	-	2,158,060
115 Budget Act appropriation (transfer to Judicial Branch Workers Compensation Fund)	1	1	1
Revised expenditure authority per Provision 3	17,942	-	-
Chapter 36, Statutes of 2011	1	-	-
Chapter 193, Statutes of 2011	1	-	-
Prior year balances available:			
Chapter 36, Statutes of 2011	-	1	-
Chapter 193, Statutes of 2011	-	1	-
Totals Available	\$2,523,752	\$1,799,063	\$2,158,061
Unexpended balance, estimated savings	-24,431	-	-
Balance available in subsequent years	-2	-	-
TOTALS, EXPENDITURES	\$2,499,319	\$1,799,063	\$2,158,061
Less funding provided by the General Fund	-888,858	-263,691	-681,691
NET TOTALS, EXPENDITURES	\$1,610,461	\$1,535,372	\$1,476,370
0995 Reimbursements			
APPROPRIATIONS			
Reimbursements	\$55,579	\$60,487	\$59,666
3037 State Court Facilities Construction Fund			
APPROPRIATIONS			
111 Budget Act appropriation (transfer to Trial Court Trust Fund)	(\$10,000)	(\$59,486)	(\$5,486)
Revised expenditure authority per Provision 3	(60,000)	(-)	-
TOTALS, EXPENDITURES	\$-	\$-	\$-
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund			
APPROPRIATIONS			
101 Budget Act appropriation	\$-	\$240,000	\$50,000
111 Budget Act appropriation (transfer to Trial Court Trust Fund)	(10,000)	-	-
Revised expenditure authority per Provision 3	(133,000)	(-)	-
111 Budget Act appropriation (transfer to the General Fund)	-	-	(200,000)
TOTALS, EXPENDITURES	\$-	\$240,000	\$50,000
9728 Judicial Branch Workers' Compensation Fund			
APPROPRIATIONS			
Government Code Section 68114.10	\$15,704	\$1	\$1
TOTALS, EXPENDITURES	\$15,704	\$1	\$1
Less funding provided by the Trial Court Trust Fund	-17,942	-1	-1
NET TOTALS, EXPENDITURES	\$-2,238	\$-	\$-

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

2 LOCAL ASSISTANCE	2011-12*	2012-13*	2013-14*
TOTALS, EXPENDITURES, ALL FUNDS (Local Assistance)	\$2,553,459	\$2,267,631	\$2,430,566
TOTALS, EXPENDITURES, ALL FUNDS (State Operations and Local Assistance)	\$3,100,099	\$2,900,646	\$3,106,406
FUND CONDITION STATEMENTS			
	2011-12*	2012-13*	2013-14*
0159 State Trial Court Improvement and Modernization Fund ⁵			
BEGINNING BALANCE	\$38,534	\$40,247	\$29,622
Prior year adjustments	410	-	-
Adjusted Beginning Balance	\$38,944	\$40,247	\$29,622
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
141200 Sales of Documents	526	493	493
142000 General Fees--Secretary of State	51	-	-
150300 Income From Surplus Money Investments	102	162	162
161400 Miscellaneous Revenue	3	-	-
164600 Fines and Forfeitures	52,192	46,139	46,139
Transfers and Other Adjustments:			
FO0556 From Judicial Administration Efficiency and Modernization Fund per Chapter 41, Statutes of 2012 section 60	-	7,881	-
FO0932 From Trial Court Trust Fund per Government Code Section 77209 (b)	19,697	-	-
TO0932 To Trial Court Trust Fund Per Item 0250-111-0159, Budget Acts of 2012 & 2013	-	-27,223	-20,594
TO0932 To Trial Court Trust Fund per Government Code Section 77209 (k)	-31,563	-	-
TO0932 To Trial Court Trust Fund per Government Code Section 77209 (j)	-	-13,397	-13,397
Total Revenues, Transfers, and Other Adjustments	\$41,008	\$14,055	\$12,803
Total Resources	\$79,952	\$54,302	\$42,425
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch			
State Operations	7,207	8,191	9,145
Local Assistance	32,015	55,019	71,309
0840 State Controller (State Operations)	12	16	-
8880 Financial Information System for California (State Operations)	25	-	-
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	446	163	581
Expenditure Adjustments:			
0250 Judicial Branch			
Less funding provided by the General Fund (Local Assistance)	-	-38,709	-38,709
Total Expenditures and Expenditure Adjustments	\$39,705	\$24,680	\$42,326
FUND BALANCE	\$40,247	\$29,622	\$99
Reserve for economic uncertainties	40,247	29,622	99
0327 Court Interpreters' Fund ⁵			
BEGINNING BALANCE	\$216	\$265	\$295
Prior year adjustments	-3	-	-
Adjusted Beginning Balance	\$213	\$265	\$295
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
125700 Other Regulatory Licenses and Permits	212	194	194
Total Revenues, Transfers, and Other Adjustments	\$212	\$194	\$194
Total Resources	\$425	\$459	\$489
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	2011-12*	2012-13*	2013-14*
Expenditures:			
0250 Judicial Branch (State Operations)	160	164	166
8880 Financial Information System for California (State Operations)	-	-	1
Total Expenditures and Expenditure Adjustments	\$160	\$164	\$167
FUND BALANCE	\$265	\$295	\$322
Reserve for economic uncertainties	265	295	322
0556 Judicial Administration Efficiency and Modernization Fund^s			
BEGINNING BALANCE	\$2,764	\$7,881	-
Prior year adjustments	1,618	-	-
Adjusted Beginning Balance	\$4,382	\$7,881	-
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
150300 Income From Surplus Money Investments	142	-	-
161000 Escheat of Unclaimed Checks & Warrants	1	-	-
Transfers and Other Adjustments:			
TO0159 To State Trial Court Improvement and Modernization Fund per Chapter 41, Statutes of 2012 section 60	-	-7,881	-
TO0932 To Trial Court Trust Fund per Item 0250-111-0556, Budget Act of 2011	-20,000	-	-
Total Revenues, Transfers, and Other Adjustments	-\$19,857	-\$7,881	-
Total Resources	-\$15,475	-	-
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch (Local Assistance)	15,353	-	-
Expenditure Adjustments:			
0250 Judicial Branch			
Less funding provided by the General Fund (Local Assistance)	-38,709	-	-
Total Expenditures and Expenditure Adjustments	-\$23,356	-	-
FUND BALANCE	\$7,881	-	-
Reserve for economic uncertainties	7,881	-	-
0587 Family Law Trust Fund^s			
BEGINNING BALANCE	\$1,760	\$1,836	\$969
Prior year adjustments	-6	-	-
Adjusted Beginning Balance	\$1,754	\$1,836	\$969
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
150300 Income From Surplus Money Investments	7	5	5
161400 Miscellaneous Revenue	1,917	1,914	1,914
Total Revenues, Transfers, and Other Adjustments	\$1,924	\$1,919	\$1,919
Total Resources	\$3,678	\$3,755	\$2,888
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch (State Operations)	1,732	2,650	2,650
0840 State Controller (State Operations)	3	5	-
8880 Financial Information System for California (State Operations)	7	-	-
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	100	131	162
Total Expenditures and Expenditure Adjustments	\$1,842	\$2,786	\$2,812
FUND BALANCE	\$1,836	\$969	\$76
Reserve for economic uncertainties	1,836	969	76

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	2011-12*	2012-13*	2013-14*
0932 Trial Court Trust Fund ⁵			
BEGINNING BALANCE	\$72,919	\$105,535	\$58,718
Prior year adjustments	42,091	-	-
Adjusted Beginning Balance	\$115,010	\$105,535	\$58,718
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
131700 Misc Revenue From Local Agencies	498,600	498,600	498,600
150300 Income From Surplus Money Investments	160	177	177
161000 Escheat of Unclaimed Checks & Warrants	11	-	-
161400 Miscellaneous Revenue	500	44	44
164300 Penalty Assessments	24,761	25,136	25,136
164400 Civil & Criminal Violation Assessment	143,928	142,119	142,119
164600 Fines and Forfeitures	161,817	162,025	162,025
164700 Court Filing Fees and Surcharges	541,469	594,188	594,188
Transfers and Other Adjustments:			
FO0159 From State Trial Court Improvement and Modernization Fund per Government Code Section 77209 (k)	31,563	-	-
FO0159 From State Trial Court Improvement and Modernization Fund per Government Code Section 77209 (j)	-	13,397	13,397
FO0159 From State Trial Court Improvement and Modernization Fund Per Item 0250-111-0159, Budget Acts of 2012 & 2013	-	27,223	20,594
FO0556 From Judicial Administration Efficiency and Modernization Fund per Item 0250-111-0556, Budget Act of 2011	20,000	-	-
FO3037 From State Court Facilities Construction Fund per Item 0250-111-3037, Budget Act of 2011	70,000	59,486	5,486
FO3138 From Immediate and Critical Needs Account, State Court Facilities Construction Fund per Item 0250-111-3138, Budget Act of 2011	143,000	-	-
TO0159 To State Trial Court Improvement and Modernization Fund per Government Code Section 77209 (b)	-19,697	-	-
Total Revenues, Transfers, and Other Adjustments	\$1,616,112	\$1,522,395	\$1,461,766
Total Resources	\$1,731,122	\$1,627,930	\$1,520,484
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch			
State Operations	14,605	35,443	35,444
Local Assistance	2,499,319	1,799,063	2,158,061
0840 State Controller (State Operations)	174	185	174
8880 Financial Information System for California (State Operations)	19	-	-
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	328	212	415
Expenditure Adjustments:			
0250 Judicial Branch			
Less funding provided by the General Fund (Local Assistance)	-888,858	-263,691	-681,691
8860 Department of Finance	-	-2,000	-
Total Expenditures and Expenditure Adjustments	\$1,625,587	\$1,569,212	\$1,512,403
FUND BALANCE	\$105,535	\$58,718	\$8,081
Reserve for economic uncertainties	105,535	58,718	8,081
3037 State Court Facilities Construction Fund ⁵			
BEGINNING BALANCE	\$377,054	\$70,229	\$78,112
Prior year adjustments	43,225	-	-

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	2011-12*	2012-13*	2013-14*
Adjusted Beginning Balance	\$420,279	\$70,229	\$78,112
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
131700 Misc Revenue From Local Agencies	7,124	4,918	18
150300 Income From Surplus Money Investments	778	1,579	1,579
161400 Miscellaneous Revenue	4,029	465	465
164300 Penalty Assessments	13,009	12,702	13,068
164700 Court Filing Fees and Surcharges	27,801	28,389	28,065
164800 Penalty Assessments on Criminal Fines	81,551	83,168	81,847
Transfers and Other Adjustments:			
TO0001 To General Fund Loan per Item 0250-012-3037, Budget Act of 2011	-350,000	-	-
TO0932 To Trial Court Trust Fund per Item 0250-111-3037, Budget Act of 2011	-70,000	-59,486	-5,486
Total Revenues, Transfers, and Other Adjustments	<u>-\$285,708</u>	<u>\$71,735</u>	<u>\$119,556</u>
Total Resources	\$134,571	\$141,964	\$197,668
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch			
State Operations	50,861	63,753	68,728
Capital Outlay	13,186	-	-
0840 State Controller (State Operations)	86	99	-
8880 Financial Information System for California (State Operations)	209	-	-
Total Expenditures and Expenditure Adjustments	<u>\$64,342</u>	<u>\$63,852</u>	<u>\$68,728</u>
FUND BALANCE	\$70,229	\$78,112	\$128,940
Reserve for economic uncertainties	70,229	78,112	128,940
3060 Appellate Court Trust Fund ⁸			
BEGINNING BALANCE	\$3,925	\$4,739	\$4,134
Prior year adjustments	52	-	-
Adjusted Beginning Balance	<u>\$3,977</u>	<u>\$4,739</u>	<u>\$4,134</u>
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
150300 Income From Surplus Money Investments	19	19	19
164700 Court Filing Fees and Surcharges	5,148	6,336	6,336
Total Revenues, Transfers, and Other Adjustments	<u>\$5,167</u>	<u>\$6,355</u>	<u>\$6,355</u>
Total Resources	\$9,144	\$11,094	\$10,489
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch (State Operations)	4,390	6,952	6,597
0840 State Controller (State Operations)	5	8	-
8880 Financial Information System for California (State Operations)	10	-	-
Total Expenditures and Expenditure Adjustments	<u>\$4,405</u>	<u>\$6,960</u>	<u>\$6,597</u>
FUND BALANCE	\$4,739	\$4,134	\$3,892
Reserve for economic uncertainties	4,739	4,134	3,892
3066 Court Facilities Trust Fund ⁸			
BEGINNING BALANCE	\$2,569	\$2,907	\$898
Prior year adjustments	-3,646	-	-
Adjusted Beginning Balance	<u>-\$1,077</u>	<u>\$2,907</u>	<u>\$898</u>
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
131700 Misc Revenue From Local Agencies	92,422	95,299	97,652

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	2011-12*	2012-13*	2013-14*
150300 Income From Surplus Money Investments	79	76	76
152200 Rentals of State Property	5,105	4,366	4,366
161400 Miscellaneous Revenue	2,262	6	6
Total Revenues, Transfers, and Other Adjustments	\$99,868	\$99,747	\$102,100
Total Resources	\$98,791	\$102,654	\$102,998
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch (State Operations)	103,937	109,809	109,809
Expenditure Adjustments:			
0250 Judicial Branch			
Less funding provided by General Fund (State Operations)	-8,053	-8,053	-8,053
Total Expenditures and Expenditure Adjustments	\$95,884	\$101,756	\$101,756
FUND BALANCE	\$2,907	\$898	\$1,242
Reserve for economic uncertainties	2,907	898	1,242
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund⁶			
BEGINNING BALANCE	\$369,617	\$61,061	\$73,379
Prior year adjustments	35,907	-	-
Adjusted Beginning Balance	\$405,524	\$61,061	\$73,379
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
150300 Income From Surplus Money Investments	741	925	741
161400 Miscellaneous Revenue	27,120	24,543	23,441
164100 Traffic Violations	30,712	31,229	30,412
164300 Penalty Assessments	27,031	26,124	27,231
164700 Court Filing Fees and Surcharges	32,013	33,384	32,170
164800 Penalty Assessments on Criminal Fines	186,999	184,916	186,286
Transfers and Other Adjustments:			
TO0001 To General Fund per Item 0250-111-3138, Budget Act of 2013	-	-	-200,000
TO0001 To General Fund Loan per Item 0250-011-3138, Budget Act of 2011	-90,000	-	-
TO0001 To General Fund Immediate and Critical Needs Account, SCFCF per Item 0250-012-3138 BA of 2011	-310,275	-	-
TO0932 To Trial Court Trust Fund per Item 0250-111-3138, Budget Act of 2011	-143,000	-	-
Total Revenues, Transfers, and Other Adjustments	-\$238,659	\$301,121	\$100,281
Total Resources	\$166,865	\$362,182	\$173,660
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0250 Judicial Branch			
State Operations	15,836	27,393	61,061
Local Assistance	-	240,000	50,000
Capital Outlay	89,968	21,410	48,339
8880 Financial Information System for California (State Operations)	-	-	126
Total Expenditures and Expenditure Adjustments	\$105,804	\$288,803	\$159,526
FUND BALANCE	\$61,061	\$73,379	\$14,134
Reserve for economic uncertainties	61,061	73,379	14,134

CHANGES IN AUTHORIZED POSITIONS

	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
Totals, Authorized Positions	1,832.0	1,979.8	1,978.9	\$184,645	\$195,224	\$197,818
Workload and Administrative Adjustments:				Salary Range		

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
Judicial Council						
Executive Division						
Director's Office						
Chief Deputy Administrative Director	-	-1.0	-1.0	15,216-18,496	-212	-212
Emergency Response & Planning (Facilities):						
Senior Emergency Response & Planning Manager	-	-1.0	-1.0	10,367-13,528	-146	-152
Senior Security Coordinator	-	-4.0	-4.0	5,944-7,616	-328	-335
Court Services Analyst	-	-2.0	-2.0	5,406-6,925	-150	-152
Emergency Response & Planning (GF):						
Manager	-	-1.0	-1.0	8,164-12,744	-122	-126
Security Coordinator	-	-1.0	-1.0	5,406-6,925	-72	-75
Administrative Secretary	-	-1.0	-1.0	3,827-4,902	-55	-56
Emergency Response Services:						
Senior Manager	-	-1.0	-1.0	10,367-13,528	-136	-141
Public Information Officer	-	-1.0	-1.0	8,164-11,395	-120	-124
Supervising Communications Specialist	-	-1.0	-1.0	6,844-10,146	-100	-104
Lead Program and Management Analyst	-	-1.0	-1.0	6,234-7,988	-89	-91
Senior Communications Specialist	-	-2.0	-2.0	5,938-7,608	-170	-170
Communications Specialist II	-	-2.0	-2.0	5,406-6,925	-153	-156
Administrative Coordinator I	-	-1.0	-1.0	4,069-5,217	-60	-60
Criminal Justice Court Services Office:						
Court Services Analyst	-	-1.0	-1.0	5,406-6,925	-79	-79
Executive Secretary	-	-1.0	-1.0	4,810-6,166	-71	-71
California Risk Assessment Pilot Project:						
Manager	-	-1.0	-1.0	8,164-12,744	-144	-146
Office of the General Council						
Office of the General Council Operating Unit:						
Senior Attorney	-	-1.0	-1.0	8,508-11,970	-121	-125
Secretariat:						
Senior Attorney	-	-1.0	-1.0	8,508-11,970	-137	-137
Court Services Analyst	-	-2.0	-2.0	5,406-6,925	-153	-156
Administrative Coordinator II	-	-2.0	-2.0	4,477-5,738	-117	-122
Court Programs and Service Administration						
Editing and Graphics Group:						
Supervising Editor	-	-1.0	-1.0	6,150-7,885	-82	-85
Senior Editor	-	-1.8	-1.8	4,925-6,311	-124	-128
Editor II	-	-2.0	-2.0	4,477-5,738	-120	-124
Senior Production Artist	-	-1.0	-1.0	4,477-5,738	-66	-66
Production Artist II	-	-1.0	-1.0	4,069-5,217	-55	-57
Trial Court Leadership/CPS:						
Supervising Court Services Analyst	-	-1.0	-1.0	6,844-10,146	-115	-116
Senior Court Services Analyst	-	-2.0	-2.0	5,938-7,608	-171	-173
Court Services Analyst	-	-2.0	-2.0	5,406-6,925	-147	-152
Regional Offices						
Northern/Central Regional Office						
Northern/Central Regional Office:						
Regional Administrative Director	-	-1.0	-1.0	11,557-15,122	-167	-173
Manager	-	-1.0	-1.0	8,164-12,744	-99	-103

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
Senior Court Services Analyst	-	-1.0	-1.0	5,938-7,608	-72	-74
Executive Secretary	-	-1.0	-1.0	4,810-6,166	-67	-67
Administrative Coordinator I	-	-1.0	-1.0	4,069-5,217	-52	-53
Administrative Coordinator I	-	-1.0	-1.0	4,069-5,217	-53	-55
Trial Court Process-Re-engineering (Support):						
Manager	-	-1.0	-1.0	8,164-12,744	-125	-129
Senior Court Services Analyst	-	-1.0	-1.0	5,938-7,608	-77	-80
Judicial Branch Facility Program						
Executive Management:						
Division Director	-	-1.0	-1.0	11,007-14,950	-164	-170
Assistant Division Director	-	-1.0	-1.0	10,367-13,778	-146	-151
Senior Court Services Analyst	-	-1.0	-1.0	5,924-7,969	-85	-87
Executive Secretary	-	-1.0	-1.0	4,810-6,166	-62	-64
Business and Finance:						
Manager	-	-1.0	-1.0	8,164-12,744	-128	-132
Utility Engineer/Analyst	-	-2.0	-2.0	7,281-9,327	-193	-196
Supervising Budget Analyst	-	-1.0	-1.0	6,844-10,146	-84	-87
Senior Budget Analyst	-	-2.0	-2.0	5,938-7,608	-155	-159
Budget Analyst	-	-4.0	-4.0	5,406-6,925	-298	-303
Staff Analyst II	-	-2.0	-2.0	4,477-5,738	-108	-112
Administrative Coordinator I	-	-1.0	-1.0	4,069-5,217	-52	-53
Planning and Policy:						
Senior Manager	-	-1.0	-1.0	10,367-13,528	-141	-146
Supervising Facilities Planner	-	-1.0	-1.0	7,421-9,510	-103	-103
Senior Facilities Planner	-	-2.0	-2.0	6,532-8,368	-181	-184
Staff Analyst II	-	-1.0	-1.0	4,477-5,738	-63	-64
Administrative Coordinator I	-	-2.0	-2.0	4,069-5,217	-103	-107
Design and Construction:						
Senior Manager	-	-1.0	-1.0	10,367-13,528	-140	-145
Principal Architect	-	-1.0	-1.0	8,686-11,128	-127	-127
Senior Design & Construction Project Manager	-	-3.0	-3.0	8,686-11,128	-353	-361
Manager	-	-4.0	-4.0	8,164-12,744	-504	-517
Design & Construction-Project Manager III	-	-11.0	-11.0	7,281-9,327	-1,043	-1,079
Senior Construction Inspector	-	-5.0	-5.0	6,949-8,902	-459	-472
Senior Administrative Coordinator	-	-1.0	-1.0	4,925-6,311	-70	-72
Administrative Coordinator II	-	-1.0	-1.0	4,477-5,538	-55	-57
Staff Analyst II	-	-1.0	-1.0	4,477-5,538	-62	-62
Administrative Coordinator I	-	-1.0	-1.0	4,069-5,217	-52	-53
Appellate and Administrative Office of the Courts Facilities:						
Assistant Division Director	-	-1.0	-1.0	10,367-13,778	-147	-152
Senior Design & Construction Project Manager	-	-1.0	-1.0	8,686-11,128	-120	-121
Senior Facilities Planner	-	-2.0	-2.0	6,532-8,368	-189	-191
Health and Safety Analyst	-	-1.0	-1.0	6,317-8,094	-93	-93
Risk Management:						
Senior Facilities Risk Manager	-	-1.0	-1.0	10,367-13,528	-147	-152
Health and Safety Analyst	-	-3.0	-3.0	6,317-8,094	-264	-268
Court Services Analyst	-	-1.0	-1.0	5,406-6,925	-70	-73

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
Secretary II	-	-1.0	-1.0	3,477-4,457	-44	-46
Executive Division						
Director's Office:						
Chief of Staff	-	0.8	1.0	16,334-18,000	155	206
Chief Operating Officer	-	0.8	1.0	14,384-16,514	142	189
Chief Administrative Officer	-	0.8	1.0	14,384-16,514	142	189
Office of Security						
Emergency Response & Planning (Facilities):						
Senior Emergency Response & Planning Manager	-	1.0	1.0	10,367-13,528	146	152
Senior Security Coordinator	-	4.0	4.0	5,944-7,616	328	335
Court Services Analyst	-	2.0	2.0	5,406-6,925	150	152
Emergency Response & Planning (GF):						
Manager	-	1.0	1.0	8,164-12,744	122	126
Security Coordinator	-	1.0	1.0	5,406-6,925	72	75
Administrative Secretary	-	1.0	1.0	3,827-4,902	55	56
Office of Communications						
Emergency Response Services:						
Senior Manager	-	1.0	1.0	10,367-13,528	136	141
Public Information Officer	-	1.0	1.0	8,164-11,395	120	124
Supervising Communications Specialist	-	1.0	1.0	6,844-10,146	100	104
Lead Program and Management Analyst	-	1.0	1.0	6,234-7,988	89	91
Senior Communications Specialist	-	2.0	2.0	5,938-7,608	170	170
Communications Specialist II	-	2.0	2.0	5,406-6,925	153	156
Administrative Coordinator I	-	1.0	1.0	4,477-5,738	60	60
Criminal Justice Court Services Office						
Criminal Justice Court Services Administration:						
Senior Attorney	-	1.0	1.0	8,508-11,970	121	125
Court Services Analyst	-	1.0	1.0	5,406-6,925	79	79
Executive Secretary	-	1.0	1.0	4,810-6,166	71	71
California Risk Assessment Pilot Project:						
Manager	-	1.0	1.0	8,164-12,744	144	146
Special Projects Office:						
Manager	-	1.0	1.0	8,164-12,744	125	129
Senior Court Services Analyst	-	1.0	1.0	5,938-7,608	77	80
Judicial Council Support Services						
Editing and Graphics Group:						
Supervising Editor	-	1.0	1.0	6,150-7,885	82	85
Senior Editor	-	1.8	1.8	4,925-6,311	124	128
Editor II	-	2.0	2.0	4,477-5,738	120	124
Senior Production Artist	-	1.0	1.0	4,477-5,738	66	66
Production Artist II	-	1.0	1.0	4,069-5,217	55	57
Secretariat:						
Senior Attorney	-	1.0	1.0	8,508-11,970	137	137
Court Services Analyst	-	2.0	2.0	5,406-6,925	153	156
Administrative Coordinator II	-	2.0	2.0	4,477-5,738	117	122
Administrative Coordinator I	-	1.0	1.0	4,069-5,217	53	55
Trial Court Liaison Office						
Manager	-	1.0	1.0	8,164-12,744	99	103

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
Senior Court Services Analyst	-	1.0	1.0	5,938-7,608	72	74
Executive Secretary	-	1.0	1.0	4,810-6,166	67	67
Administrative Coordinator I	-	1.0	1.0	4,069-5,217	52	53
Trial Court Leadership/CPS:						
Supervising Court Services Analyst	-	1.0	1.0	6,844-10,146	115	116
Senior Court Services Analyst	-	2.0	2.0	5,938-7,608	171	173
Court Services Analyst	-	2.0	2.0	5,406-6,925	147	152
Judicial Branch Capital Program Office						
Executive Management:						
Division Director	-	1.0	1.0	11,007-14,950	164	170
Assistant Division Director	-	1.0	1.0	10,367-13,778	146	151
Senior Court Services Analyst	-	1.0	1.0	5,924-7,969	85	87
Executive Secretary	-	1.0	1.0	4,810-6,166	62	64
Business and Finance:						
Manager	-	1.0	1.0	8,164-12,744	128	132
Utility Engineer/Analyst	-	2.0	2.0	7,281-9,327	193	196
Supervising Budget Analyst	-	1.0	1.0	6,844-10,146	84	87
Senior Budget Analyst	-	2.0	2.0	5,938-7,608	155	159
Budget Analyst	-	4.0	4.0	5,406-6,925	298	303
Staff Analyst II	-	2.0	2.0	4,477-5,738	108	112
Administrative Coordinator I	-	1.0	1.0	4,069-5,217	52	53
Planning and Policy:						
Senior Manager	-	1.0	1.0	10,367-13,528	141	146
Supervising Facilities Planner	-	1.0	1.0	7,421-9,510	103	103
Senior Facilities Planner	-	2.0	2.0	6,532-8,368	181	184
Staff Analyst II	-	1.0	1.0	4,477-5,738	63	64
Administrative Coordinator I	-	2.0	2.0	4,069-5,217	103	107
Design and Construction:						
Senior Manager	-	1.0	1.0	10,367-13,528	140	145
Principal Architect	-	1.0	1.0	8,686-11,128	127	127
Senior Design & Construction Project Manager	-	3.0	3.0	8,686-11,128	353	361
Manager	-	4.0	4.0	8,164-12,744	504	517
Design & Construction-Project Manager III	-	11.0	11.0	7,281-9,327	1,043	1,079
Senior Construction Inspector	-	5.0	5.0	6,949-8,902	459	472
Senior Administrative Coordinator	-	1.0	1.0	4,925-6,311	70	72
Administrative Coordinator II	-	1.0	1.0	4,477-5,538	55	57
Staff Analyst II	-	1.0	1.0	4,477-5,538	62	62
Administrative Coordinator I	-	1.0	1.0	4,069-5,217	52	53
Appellate and Administrative Office of the Courts Facilities:						
Assistant Division Director	-	1.0	1.0	10,367-13,778	147	152
Senior Design & Construction Project Manager	-	1.0	1.0	8,686-11,128	120	121
Senior Facilities Planner	-	2.0	2.0	6,532-8,368	189	191
Health and Safety Analyst	-	1.0	1.0	6,317-8,094	93	93
Risk Management:						
Senior Facilities Risk Manager	-	1.0	1.0	10,367-13,528	147	152
Health and Safety Analyst	-	3.0	3.0	6,317-8,094	264	268
Court Services Analyst	-	1.0	1.0	5,406-6,925	70	73

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

	Positions			Expenditures		
	2011-12	2012-13	2013-14	2011-12*	2012-13*	2013-14*
Secretary II	-	1.0	1.0	3,477-4,457	44	46
Totals, Workload & Admin Adjustments	-	0.4	1.0	\$-	\$60	\$199
Total Adjustments	-	0.4	1.0	\$-	\$60	\$199
TOTALS, SALARIES AND WAGES	1,832.0	1,980.2	1,979.9	\$184,645	\$195,284	\$198,017

INFRASTRUCTURE OVERVIEW

The Judicial Council facilities consist of the Supreme Court, Appellate Courts, Trial Courts, and the Administrative Office of the Courts. The Supreme Court is located within the San Francisco Civic Center Plaza (98,155 square feet (sf)), the Library and Courts Building in Sacramento (2,480 sf), currently vacant due to renovation, and the Ronald Reagan State Office Building in Los Angeles (7,598 sf). The Courts of Appeal are organized into six districts, operate in 10 different locations, and consist of 505,337 sf. The Trial Courts are located in 58 counties statewide consisting of more than 500 buildings, 2,100 courtrooms, and over 13 million sf of usable area. The space includes public courtrooms, judges' chambers, staff workspace, storage space, training rooms, and conference rooms. The Administrative Office of the Courts facilities are primarily located in San Francisco (Headquarters), Burbank, and Sacramento and occupy 343,423 sf.

As part of the budget solutions, the 2012 Budget Act redirected funds for trial court operations from the Immediate and Critical Needs Account, which funds all Senate Bill 1407 (Chapter 311, Statutes of 2008) trial court capital projects. In response to these budget solutions, the Judicial Council adopted a revised spending plan for all SB 1407 projects, based on recommendations made by the Trial Court Facilities Working Group, a group appointed by the Chief Justice of the Supreme Court. Because this revised spending plan was not finalized in time for inclusion in the Governor's Budget, project funding changes approved by the Judicial Council will be presented to the Governor and the Legislature in the spring of 2013.

SUMMARY OF PROJECTS

		State Building Program Expenditures	2011-12*	2012-13*	2013-14*
91	CAPITAL OUTLAY				
	Major Projects				
91.04	BUTTE COUNTY		\$4,358	\$54,016	\$-
91.04.001	Butte County-New North County Courthouse		4,358 ^{Ws}	54,016 ^{Cn}	-
91.05	CALAVERAS COUNTY		\$30,815	\$-	\$-
91.05.001	Calaveras County-New San Andreas Courthouse		30,815 ^{Cn}	-	-
91.09	EL DORADO COUNTY		\$-	\$1,084	\$-
91.09.001	El Dorado County-New Placerville Courthouse		-	1,084 ^{As}	-
91.11	GLENN COUNTY		\$2,206	\$-	\$-
91.11.001	Glenn County-Renovation and Addition to Willows Courthouse		2,206 ^{APs}	-	-
91.13	IMPERIAL COUNTY		\$3,607	\$-	\$-
91.13.001	Imperial County-New El Centro Family Courthouse		3,607 ^{APs}	-	-
91.14	INYO COUNTY		\$-	\$-	\$696
91.14.001	Inyo County-New Inyo Courthouse		-	-	696 ^{As}
91.16	KINGS COUNTY		\$8,342	\$109,055	\$-
91.16.001	Kings County-New Hanford Courthouse		8,342 ^{Ws}	109,055 ^{Cn}	-
91.19	LOS ANGELES COUNTY		\$-	\$-	\$47,229
91.19.006	Los Angeles County-New Los Angeles Mental Health Courthouse		-	-	33,457 ^{As}
91.19.007	Los Angeles County-New Eastlake Juvenile Courthouse		-	-	13,772 ^{As}
91.20	MADERA COUNTY		\$-	\$90,811	\$-
91.20.001	Madera County-New Madera Courthouse		-	90,811 ^{Cn}	-
91.23	MENDOCINO COUNTY		\$-	\$3,466	\$-
91.23.001	Mendocino County-New Ukiah Courthouse		-	3,466 ^{As}	-
91.24	MERCED COUNTY		\$2,137	\$-	\$-
91.24.001	Merced County-New Los Banos Courthouse		2,137 ^{APs}	-	-
91.33	RIVERSIDE COUNTY		\$52,476	\$-	\$414
91.33.001	Riverside County-New Riverside Mid-County Courthouse		52,476 ^{Cn}	-	-
91.33.003	Riverside County-New Hemet Courthouse		-	-	414 ^{As}

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

State Building Program Expenditures		2011-12*	2012-13*	2013-14*
91.34	SACRAMENTO COUNTY	\$-	\$10,000	\$-
91.34.001	Sacramento County-New Sacramento Criminal Courthouse	-	10,000 ^{As}	-
91.35	SAN BENITO COUNTY	\$32,286	\$-	\$-
91.35.001	San Benito County-New Hollister Courthouse	32,286 ^{Cn}	-	-
91.36	SAN BERNARDINO COUNTY	\$304,682	\$-	\$-
91.36.001	San Bernardino County-New San Bernardino Courthouse	304,682 ^{Cn}	-	-
91.37	SAN DIEGO COUNTY	\$32,367	\$-	\$-
91.37.001	San Diego County-New San Diego Courthouse	32,367 ^{Ws}	-	-
91.39	SAN JOAQUIN COUNTY	\$13,511	\$-	\$-
91.39.001	San Joaquin County-New Stockton Courthouse	13,186 ^{Ws}	-	-
91.39.002	San Joaquin County-Renovate and Expand Juvenile Justice Center	325 ^{PWs}	-	-
91.42	SANTA BARBARA COUNTY	\$129	\$-	\$-
91.42.001	Santa Barbara County-New Santa Barbara Criminal Courthouse	129 ^{As}	-	-
91.43	SANTA CLARA COUNTY	\$10,005	\$208,144	\$-
91.43.001	Santa Clara County-New Family Justice Center	10,005 ^{Ws}	208,144 ^{Cn}	-
91.45	SHASTA COUNTY	\$2,985	\$-	\$-
91.45.001	Shasta County-New Redding Courthouse	2,985 ^{As}	-	-
91.48	SOLANO COUNTY	\$1,393	\$23,045	\$-
91.48.001	Solano County-Renovation to Fairfield Old Solano Courthouse	1,393 ^{Ws}	23,045 ^{Cn}	-
91.49	SONOMA COUNTY	\$3,853	\$-	\$-
91.49.001	Sonoma County-New Santa Rosa Criminal Courthouse	3,853 ^{As}	-	-
91.50	STANISLAUS COUNTY	\$-	\$6,860	\$-
91.50.001	Stanislaus County-New Modesto Courthouse	-	6,860 ^{As}	-
91.51	SUTTER COUNTY	\$4,693	\$62,687	\$-
91.51.001	Sutter County-New Yuba City Courthouse	4,693 ^{Ws}	62,687 ^{Cn}	-
91.52	TEHAMA COUNTY	\$3,106	\$-	\$-
91.52.001	Tehama County-New Red Bluff Courthouse	3,106 ^{Ps}	-	-
91.54	TULARE COUNTY	\$77,403	\$-	\$-
91.54.001	Tulare County-New Porterville Courthouse	77,403 ^{Cn}	-	-
91.55	TUOLUMNE COUNTY	\$823	\$-	\$-
91.55.001	Tuolumne County-New Sonora Courthouse	823 ^{As}	-	-
91.57	YOLO COUNTY	\$9,639	\$139,031	\$-
91.57.001	Yolo County-New Woodland Courthouse	9,639 ^{Ws}	139,031 ^{Cn}	-
	Totals, Major Projects	\$600,816	\$708,199	\$48,339
	TOTALS, EXPENDITURES, ALL PROJECTS	\$600,816	\$708,199	\$48,339

FUNDING		2011-12*	2012-13*	2013-14*
0660	Public Buildings Construction Fund	\$497,662	\$113,856	\$-
0668	Public Buildings Construction Fund Subaccount	-	572,933	-
3037	State Court Facilities Construction Fund	13,186	-	-
3138	Immediate and Critical Needs Account, State Court Facilities Construction Fund	89,968	21,410	48,339
	TOTALS, EXPENDITURES, ALL FUNDS	\$600,816	\$708,199	\$48,339

DETAIL OF APPROPRIATIONS AND ADJUSTMENTS

3 CAPITAL OUTLAY	2011-12*	2012-13*	2013-14*
0660 Public Buildings Construction Fund			
APPROPRIATIONS			

* Dollars in thousands, except in Salary Range.

0250 Judicial Branch - Continued

3 CAPITAL OUTLAY	2011-12*	2012-13*	2013-14*
Prior year balances available:			
Item 0250-301-0660, Budget Act of 2010, as reappropriated by Item 0250-490 and Item 0250-491, Budget Act of 2011	\$868,020	\$371,117	\$-
Reversion per Government Code Sections 16351, 16351.5 and 16408	-	-16,558	-
Augmentation per Government Code Sections 16352, 16409 and 16354	759	2,563	-
Totals Available	\$868,779	\$357,122	\$-
Unexpended balance, estimated savings	-	-243,266	-
Balance available in subsequent years	-371,117	-	-
TOTALS, EXPENDITURES	\$497,662	\$113,856	\$-
0668 Public Buildings Construction Fund Subaccount			
APPROPRIATIONS			
301 Budget Act appropriation	\$-	\$364,789	\$-
301 Budget Act appropriation as added by Chapter 29, Statutes of 2012	-	208,144	-
TOTALS, EXPENDITURES	\$-	\$572,933	\$-
3037 State Court Facilities Construction Fund			
APPROPRIATIONS			
Prior year balances available:			
Item 0250-301-3037, Budget Act of 2008, as reappropriated by Item 0250-490, Budget Act of 2009	\$580	\$-	\$-
Item 0250-301-3037, Budget Act of 2009, as reappropriated by Item 0250-490, Budget Acts of 2010 and 2011	13,186	-	-
Totals Available	\$13,766	\$-	\$-
Unexpended balance, estimated savings	-580	-	-
TOTALS, EXPENDITURES	\$13,186	\$-	\$-
3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund			
APPROPRIATIONS			
301 Budget Act appropriation	\$148,324	\$116,306	\$-
Augmentation per Government Code Sections 16352, 16409 and 16354	27	-	-
Government Code Section 70371.5 (c)	11,132	-	-
Prior year balances available:			
Item 0250-301-3138, Budget Act of 2009, as partially reverted by Item 0250-495, BA of 2010, and as reappropriated by Item 0250-490, BA of 2012	63,783	22,728	21,139
Item 0250-301-3138, Budget Act of 2010, as reappropriated by Items 0250-490, Budget Act of 2011	1,393	-	-
Item 0250-301-3138, Budget Act of 2012	-	-	66,014
Totals Available	\$224,659	\$139,034	\$87,153
Unexpended balance, estimated savings	-111,963	-30,471	-
Balance available in subsequent years	-22,728	-87,153	-38,814
TOTALS, EXPENDITURES	\$89,968	\$21,410	\$48,339
TOTALS, EXPENDITURES, ALL FUNDS (Capital Outlay)	\$600,816	\$708,199	\$48,339

0280 Commission on Judicial Performance

The California Commission on Judicial Performance is the independent state agency responsible for investigating complaints of judicial misconduct and judicial incapacity, and for disciplining judges pursuant to Article VI, Section 18 of the California Constitution. It is the only body with such authority in the state. Its jurisdiction includes all active judges and justices of California's superior courts, Courts of Appeal and Supreme Court, and former judges for conduct prior to retirement or resignation. The Commission also shares authority with the local courts for the oversight of court commissioners and referees. In addition to its disciplinary functions, the Commission is responsible for handling judges' applications for disability retirement.

The Commission's authority is limited to investigating alleged judicial misconduct and, if warranted, imposing discipline. Judicial misconduct usually involves conduct in conflict with the standards set forth in the Code of Judicial Ethics. After investigation and, in some cases a public hearing, the Commission may impose sanctions ranging from confidential discipline to removal from office.

* Dollars in thousands, except in Salary Range.

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	39
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the AOC schedule its budget development and budget administration around the time frames used by all state entities.
SEC RECOMMENDATION	The AOC should schedule its budget development and budget administration around the time frames used by all state entities. Assuming the budget for any fiscal year is enacted by July 1, the AOC should immediately allocate its budgeted resources by fund among programs, divisions, units.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>The AOC has been, and will continue to be, in compliance with timelines associated with the state budget development process, budget administration, and fiscal reporting. Despite the conformance to the state budget development and reporting processes, the judicial branch budget is far more complex than most state-funded entities and has additional timelines that differ from how many Executive Branch department/agency/unit budgets are managed. As one example, the trial court funding isn't allocated immediately following enactment of the state budget. Instead, the council receives funding allocation and policy recommendations from a budget advisory group--since trial court funding was enacted, this has included the Trial Court Budget Commission, Judicial Branch Budget Advisory Committee, and the Trial Court Budget Working Group--for consideration. In one particularly late budget year, the council wasn't able to act on funding allocations until October--months after the state of the fiscal year. In a typical year given requirements for the legislature to submit an approved, on-time budget to the Governor, the council isn't able to generally act on funding recommendations until late July, pushing initial current fiscal year allocations to mid-August (for July, courts still receive allocations, but are based on estimates).</p> <p>As part of the AOC's response to this directive, staff will confer with other state-funded entities regarding their respective internal budget development and administration processes, schedules and procedures including interaction with the State Controller's Office. While many state funded entities utilize the DOF CalSTARS system for accounting and therefore rely on that system to manage data from the SCO, others have their own systems to manage data received from the SCO and accounting functions. These entities include the following:</p> <p>Department Of Justice State Controllers' Office Board of Equalization Department of General Services Public Employees' Retirement System Caltrans</p>	

Department of Motor Vehicles
 California State University
 Employment Development Department

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.

 File Attachment

This directive is forwarded to the Judicial Council with options for consideration:

 File Attachment

Other:

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment

<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input style="width: 100px;" type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input style="width: 100px;" type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	40
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that requests for additional resources be presented to the Judicial Council at it's August meeting, identify the increased resources requested, and be accompanied by clear statements of the need and use of the resources and the impact on the AOC, as well as the impact on the judicial branch, if any. A cost-benefit analysis should be part of any request and there should be a system to prioritize requests.
SEC RECOMMENDATION	Requests for additional resources are presented to the Judicial Council at its August meeting. These requests identify increased resources requested and should be accompanied by clear statements of the need and use of the resources and the impact on the AOC, as well as the impact on the judicial branch, if any. A cost-benefit analysis should be part of any request, and there should be a system to prioritize requests.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013</p> <p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date.</p> <p>Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing</p> </div>	

related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/typesof.htm>) and Analysis of Budget Items (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm>) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

Fiscal - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?

Policy – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.

Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."

With regards to the procedure and timeline referenced in the directive, any proposed augmentation to the AOC budget is already part of the state budget development (budget change proposal: BCP) process in which the council must approve BCPs for submission to the Department of Finance. In addition, any activities supported by special funds, such as the Trial Court Trust Fund or State Trial Court Improvement and Modernization, are also approved by the Judicial Council as part of the annual allocation process. Both of these typically occur in August of each year.

As previously reported to the council, the AOC has been reviewing service functions and resources needed to better align function and service delivery with available staffing resources. This has included a temporary employee/contractor conversation process that occurred in December 2012, which resulted in valuable staff being converted to regular employees, resulting in the retention of critical expertise and needed savings for the agency. In a related effort, the AOC is currently conducting a review of each division/office/unit to determine essential services and the most critically needed positions to support the delivery of those services to the courts. The Fiscal Services Office has a critical need for staffing with expertise in contract development and support as well as

accounting services--both of these functional areas have been neglected in terms of General Fund support in the state budget despite an exponential increase in workload over the last decade.

The AOC has been, and will continue to be, in compliance with timelines associated with the state budget development process, budget administration, and fiscal reporting. Despite the conformance to the state budget development and reporting processes, the judicial branch budget is far more complex than most state-funded entities and has additional timelines that differ from how many Executive Branch department/agency/unit budgets are managed. As one example, the trial court funding isn't allocated immediately following enactment of the state budget. Instead, the council receives funding allocation and policy recommendations from a budget advisory group--since trial court funding was enacted, this has included the Trial Court Budget Commission, Judicial Branch Budget Advisory Committee, and the Trial Court Budget Working Group--for consideration. In one particularly late budget year, the council wasn't able to act on funding allocations until October--months after the state of the fiscal year. In a typical year given requirements for the legislature to submit an approved, on-time budget to the Governor, the council isn't able to generally act on funding recommendations until late July, pushing initial current fiscal year allocations to mid-August (for July, courts still receive allocations, but are based on estimates).

As part of the AOC's response to this directive, staff will confer with other state-funded entities regarding their respective internal budget development and administration processes, schedules and procedures including interaction with the State Controller's Office. While many state funded entities utilize the DOF CalSTARS system for accounting and therefore rely on that system to manage data from the SCO, others have their own systems to manage data received from the SCO and accounting functions. These entities include the following:

Department Of Justice
 State Controllers' Office
 Board of Equalization
 Department of General Services
 Public Employees' Retirement System
 Caltrans
 Department of Motor Vehicles
 California State University
 Employment Development Department

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



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TypesOfAnalysis.pdf
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 19.9 KB



PrinciplesPracticesAnalysis.
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IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	TBD <input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example—CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academics identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/5/2013
PREPARED BY	John Judnick
OFFICE NAME	<u>Internal Audit Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	43
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to perform internal audits upon completion of the restructuring of the AOC.
SEC RECOMMENDATION	The AOC must perform internal audits. This will allow the leadership team and the Judicial Council to know how a particular unit or program is performing. An audit can be both fiscal and programmatic so that resources are tied to performance in meeting program goals and objectives.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <input type="checkbox"/> File Attachment	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <input type="checkbox"/> File Attachment	
<input checked="" type="checkbox"/> Other: <p>As the AOC continues to restructure, Internal Audit Services (IAS) was moved effective March 1, 2013, into the Judicial Council and Trial Court Leadership Services Division under the leadership of the Chief of Staff. This new organizational structure provides the appropriate separation of direct oversight of the audit function from the other two divisions whose activities typically involve areas that may be subject to future audits (i.e., Fiscal Services Office activities). This specifically allows compliance with the independence requirement of Government Auditing Standards (Chapter 3, paragraph 3.31) issued by the United States Government Accountability Office.</p> <p>As a result of this recent restructuring and in light of other IAS workload, at the April 2013 council meeting, the Chief of Staff requested an extension to October 2013 for responding to this directive to allow time for the Chief of Staff to work with the IAS Senior Manager on an overall audit plan for the branch that evaluates existing internal audit resources and their possible reallocation based on a risk assessment and statutory requirements for audits of the branch. This audit plan will provide for an implementation proposal for conducting internal audits of the AOC.</p>	

In the interim, internal audit continues to audit and review AOC functions within the Office of Real Estate and Facilities Management and provide significant support to the external audit of AOC contracts by the California State Auditor. This will be part of the prepared audit plan of the branch.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
<input type="checkbox"/> OTHER	<input type="text"/>  File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

Administrative Director of the Courts Review Date:

ADOC REVIEW	
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	44
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the leadership team must develop and employ budget review techniques so that the budget of an individual unit is aligned with its program responsibilities.
SEC RECOMMENDATION	As part of the reorganization and downsizing of the AOC, the leadership team should employ budget review techniques (such as zero-based budgeting) so that the budget of an individual unit is aligned with its program responsibilities. In the future, there should be periodic reviews of units and or programs to make sure funding is consistent with mandated requirements.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <p>This directive is being addressed through ongoing AOC restructuring efforts and it is expected that this directive will be completed once core functions have been determined and agency activities prioritized have been determined by the AOC Management Council.</p> <p>In June 2013, the AOC initiated a review of the organization's activities, projects, and programs to ensure that our existing resources are focusing on AOC's core functions/essential activities in our service to the branch and the citizens of California.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p>	

<input type="button" value="File Attachment"/>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text" value="October 2013"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
<input type="text"/>	

E&P REVIEW

Executive and Planning Review Date:

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/3/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	47
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the employment of temporary or other staff to circumvent a hiring freeze is not permitted. The Administrative Director must review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such as in the case of an emergency or to provide a critical skill set not available through the use of authorized employees.
SEC RECOMMENDATION	Employment of temporary or other staff to circumvent a hiring freeze should not be permitted. The Executive Leadership Team should immediately review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such in the case of an emergency or to provide a critical skill set not available through the use of authorized employees.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>The AOC has established guidelines to further restrict the use of agency temporary workers across the organization. Effective July 1, 2013, agency temporary staff can only be utilized under three circumstances:</p> <ol style="list-style-type: none"> 1) The temporary assignment must be identified as a short-term (less than six months), critical, project- based assignment, not backfilling a vacant position. 2) The temporary assignment is backfilling an approved extended leave of absence and the position is supporting a critical core function. 3) The agency temporary worker is backfilling a position supporting a critical core function while the approval to conduct recruitment for the position is going through the AOC exemption process. The maximum duration for these assignments is three months. <p>Agency temporary worker assignments have a maximum duration of no more than six months and shall not continue past June 30 of each fiscal year, regardless of the assignment start date, without granting a request to extend.</p> <p>If the assignment begins less than six months before June 30, the requesting office may formally request to extend the assignment beginning on July 1. The total timeframe the agency temporary</p>	

worker may be on assignment with the AOC shall not exceed six months.

The AOC must make preparations to transition workload to other staff if an agency temporary worker's assignment is close to reaching the six month limit. The six month period shall be effective based upon the temporary worker's initial assignment date.

The six month limitation also reduces benefits liability. In addition to addressing concerns raised by Judicial Council Directive 47, the six-month timeframe was implemented to avoid a temporary agency worker potentially applying for California Public Employees Retirement System (CalPERS) membership under the common law employment factors.

As of April 30, 2013, the AOC currently has 30.5 agency temporary workers, compared to a peak of 141 in fiscal year 2010-2011.

The AOC recently completed the solicitation of a new vendor to manage the agency temporary program. Effective, July 1, 2013, the AOC will initiate a master contract for use by the state judicial branch. In prior years, the master contract was limited to only the AOC. Under the new master contract, the Supreme Court, the Courts of Appeal, AOC, Habeas Corpus Resource Center, and the Commission on Judicial Performance will now be able to utilize agency temporary workers under a single contract.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



AOC Agency Temp Background.docx
Microsoft Office Word Document
19.2 KB

This directive is forwarded to the Judicial Council with options for consideration:



File Attachment

Other:



File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	July 1, 2013
RESOURCES	<p>The AOC, through the HRSO, will be utilizing 2.0 FTE to manage and track the agency temporary worker program.</p> <p>A Staff Analyst (1.0) has been assigned to monitor and track usage and will be asked to serve as the first line of contact for inquiries and concerns.</p>

REQUIRED FOR IMPLEMENTATION	A Supervising Business Applications Analyst (1.0) will be managing the program and will be responsible for agency-wide program modifications and continuing process improvements. This position will also be the primary contact with the vendor on all agency temporary-related issues.
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input checked="" type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<p>The AOC will post its updated guidelines on the AOC Intranet, and develop communications addressing the organization-wide program change.</p> <div data-bbox="500 520 818 772" style="border: 1px solid gray; padding: 5px;">  <p>Temp Employees_Policies and Procedures.docx Microsoft Office Word Document 23.7 KB</p> </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div data-bbox="500 789 1386 831" style="border: 1px solid gray; height: 20px;"></div> <div data-bbox="500 842 818 905" style="border: 1px solid gray; padding: 2px;">  File Attachment </div>
<input checked="" type="checkbox"/> SAVINGS	<p>\$102,644 is the projected savings when comparing FY12-13 costs to projected FY13-14 costs. This figure represents approximately ten percent savings for agency temporary workers funded out of the master contract. This does not include cost of temporary workers paid from special or grant funds.</p> <div data-bbox="500 1083 818 1146" style="border: 1px solid gray; padding: 2px;">  File Attachment </div>
<input checked="" type="checkbox"/> COST	<p>\$1,306,332 for FY 13-14 for 16 temporary workers funded out of the master contract. This does not include cost of temporary workers paid from special or grant funds.</p> <div data-bbox="500 1272 818 1335" style="border: 1px solid gray; padding: 2px;">  File Attachment </div>
<input checked="" type="checkbox"/> EFFICIENCIES	<p>In bringing on temporary staff to aid in projects, this is will free-up the time of the employee who would have otherwise been tasked with the project. It would also address staffing shortages for a short period of time.</p> <div data-bbox="500 1461 818 1524" style="border: 1px solid gray; padding: 2px;">  File Attachment </div>
<input checked="" type="checkbox"/> SERVICE LEVEL IMPACT	<p>There would be none due to the fact that temporary workers are used on a short-term, special project basis and short-term projects should not exceed the six month period.</p> <div data-bbox="500 1650 818 1713" style="border: 1px solid gray; padding: 2px;">  File Attachment </div>
<input checked="" type="checkbox"/> OTHER	<p>AOC will distribute communications to all its offices, effective July 1, 2013, to communicate the new agency temporary worker guidelines, which includes limits on the duration of all agency temporary worker assignments.</p> <div data-bbox="500 1839 818 1894" style="border: 1px solid gray; padding: 2px;">  File Attachment </div>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

AOC Utilization of Agency Temporary Employees

Historical Information

The Administrative Office of the Courts (AOC) currently utilizes a single-vendor master contract, with low negotiated rates, to provide agency temporary staffing services. The AOC's practice of using a primary, contracted vendor has been in place since 1999. The Human Resources Services Office (HRSO), through its master contract, monitors agency temporary usage, controls costs and oversees the temporary staffing process.

In February 2008, when a limited number of recruitments were permitted, hiring managers began to employ an increased number of agency temporary staff to offset increasing workloads brought about by a lack of staffing resources. Agency temporary usage at the AOC hit its peak at 141 temporary assignments during fiscal year 2010-2011. During this time, the approval to employ an agency temporary worker was at the discretion of the Division Director and Executive Office.

Recent Use of Agency Temporary Employees

Beginning in late 2012, the AOC began to reduce its reliance on agency temporary staff and took the first steps by converting 32 temporary staff to regular employee positions.

MONTH	COUNT
12-Apr	82.0
12-May	71.0
12-Jun	56.0
12-Jul	55.0
12-Aug	54.0
12-Sep	51.0
12-Oct	51.2
12-Nov	47.1
12-Dec	17.5
13-Jan	20.5
13-Feb	24.5
13-Mar	26.5
13-Apr	30.5

In January 2013, HRSO, in conjunction with the Chief Administrative Officer, further restricted the process by implementing new parameters for securing agency temporary workers funded through the master contract. These parameters include:

- The temporary assignment must be less than six months in length, critical, and established on a project-only basis; or

The temporary assignment is backfilling a position in which the incumbent is on an approved extended leave of absence and only if the position is supporting a critical core function.

Before the agency temporary worker is funded through the master contract, the request must be reviewed by HRSO to determine if one of the above criteria is met.

Next Steps

While the need for agency temporary staffing exists, it is the goal of the AOC to implement stringent guidelines to decrease its dependence on agency temporary workers for long-term assignments.

These guidelines have been outlined in the attached document. The guidelines contain three requirements to determine whether an agency temporary worker may be brought on an assignment. It also includes up to a six-month maximum timeframe that agency temporary workers may remain on assignment.

In addition to addressing concerns raised by Judicial Council Directives 47 and 140, the maximum six-month timeframe was implemented to avoid a temporary agency worker potentially applying for California Public Employees Retirement System (CalPERS) membership under the common law employment factors. One of the requirements for CalPERS membership eligibility is that an individual must work more than 1000 hours, or equivalent to six months, for a state agency or state contracting agency.

The AOC will inform staff and apply these standards beginning July 1, 2013. The AOC will continue to assign HRSO oversight and enforcement responsibilities.

The AOC recently completed the solicitation of a new vendor to manage the agency temporary program. Effective, July 1, 2013, the AOC will initiate a master contract for use by the state judicial branch. In prior years, the master contract was limited to only the AOC. Under the new master contract, the Supreme Court, the Courts of Appeal, AOC, Habeas Corpus Resource Center, and the Commission on Judicial Performance will now be able to utilize agency temporary workers under a single contract.

Agency Temporary Worker Guidelines and Procedures

These guidelines and procedures outline criteria for the use of agency temporary workers as a reasonable resource to address staffing needs, provide guidance on how to complete the exemption request form, and provide assistance for the supervision of the agency temporary workers if the agency temporary worker request is granted.

I. DEFINITION

Agency temporary workers are not employees of the Administrative Office of the Courts (AOC). An agency temporary worker is an employee of an external employment agency; agency temporary workers receive compensation directly from the employment agency and carry out specific assignments. They are not eligible for any AOC benefits (sick leave, vacation, paid holidays, retirement, training, service credit, compensatory time, and transit passes, etc.), salary increases, reclassification or shift differential pay.

Agency temporary workers are hourly employees and must be paid for all hours worked, including overtime pay pursuant to applicable state and federal laws.

Agency temporary workers are not granted preferential treatment based on their temporary assignment with the AOC if they apply for an AOC employee position.

An agency temporary worker may be considered for employment as an AOC employee after working the minimum hours as governed by the current AOC Master Temporary Staffing Services Contract. All agency temporary workers must meet the minimum qualifications of the AOC classification in order to be considered for employment.

II. DURATION OF AGENCY TEMPORARY WORKER ASSIGNMENTS

Agency temporary worker assignments have a maximum duration of no more than six months **and** shall not continue past June 30 of each fiscal year, regardless of the assignment start date, without granting a request to extend.

If the assignment begins less than six months before June 30, the requesting office may formally request to extend the assignment beginning on July 1. The total timeframe the agency temporary worker may be on assignment with the AOC shall not exceed six months.

III. TYPES OF AGENCY TEMPORARY WORKER ASSIGNMENTS

1. Short-Term, Project-Based Assignments typically involve assistance on a special project (i.e., not for regularly assigned work).

Under short-term, project-based assignments:

- The agency temporary worker is not backfilling a position vacancy due to a planned separation or retirement;
 - The agency temporary worker receives compensation based on contracted rates in the Temporary Worker Salary Classification Schedule, as defined in the AOC Master Temporary Staffing Services Contract;
 - A former agency temporary worker may begin work on a new assignment with the AOC after a six-month break; and
 - No individual who retired under the California Public Employees' Retirement System (CalPERS) may work for the AOC as an agency temporary worker within 180 days of retirement.
2. Backfilling an approved Extended Leave of Absence is allowable when the incumbent is on an approved extended leave of absence and the incumbent supports an AOC critical core function.

Under backfilling of approved extended leave of absence assignments:

- The agency temporary worker is not backfilling a position vacancy due to a planned separation or retirement;
 - The agency temporary worker receives compensation based on contracted rates in the Temporary Worker Salary Classification Schedule, as defined in the master agreement;
 - A former agency temporary worker may begin work on a new assignment with the AOC after a six-month break; and
 - No individual who retired under CalPERS may work for the AOC as an agency temporary worker within 180 days of retirement.
3. Backfilling a Position Vacancy involves the use of an agency temporary worker to backfill a position that has been identified as supporting an AOC critical core function. Under backfilling a position vacancy assignments:
 - The agency temporary worker is backfilling the position while the approval to recruit for the position is being determined.

- The agency temporary worker receives compensation based on contracted rates in the Temporary Worker Salary Classification Schedule as defined in the master agreement;
- The agency temporary worker's assignment for back filling a vacancy has a maximum duration of no more than three months.
- A former agency temporary worker may begin work on a new assignment with the AOC after a six-month break; and
- No individual who retired CalPERS may work for the AOC as an agency temporary worker within 180 days of retirement.

IV. CRITERIA FOR REQUESTING AN AGENCY TEMPORARY WORKER

Before an agency temporary worker request is considered for approval, the requesting office should clearly demonstrate that:

- a. The agency temporary worker is an essential staffing need for a project-based assignment, with a duration of no more than six months, **and** the specific work assignment cannot be performed by regular employees;

OR

- b. The agency temporary worker is backfilling a position supporting a critical core function when the incumbent is on an approved extended leave of absence. The maximum duration of six months is still applicable, regardless of the incumbent's time on leave.

OR

- c. The agency temporary worker is backfilling a position supporting a critical core function while the approval to conduct recruitment for the position is going through the AOC exemption process. The maximum duration for these assignments is three months.

V. PROCEDURE FOR REQUESTING AN AGENCY TEMPORARY WORKER

Offices must submit an exemption form to request an agency temporary worker. The Chief Administrative Officer ultimately has approval authority over all requests for agency temporary workers.

To submit a request for an agency temporary assignment, the requesting office must complete the following two forms and provide them to the Human Resources Services Office (HRSO):

1. *Request for Exemption - Temporary Help (link)*
2. *Temporary Agency Work Order (link)*

HRSO reviews the forms to ensure that the criteria for an agency temporary worker assignment have been met and that all sections of the exemption and work order forms have been accurately completed.

If the request successfully meets the criteria, HRSO forwards the forms to the Chief Administrative Officer for final approval. HRSO then informs the requesting office of the Chief Administrative Officer's decision. **Under all circumstances**, HRSO initiates contact with the agency; requesting offices may not directly contact the agency or prospective agency temporary workers.

VI. PROCEDURE FOR TERMINATION OF ASSIGNMENT OF AN AGENCY TEMPORARY WORKER

Hiring managers should contact HRSO before communicating assignment terminations with an agency temporary worker. HRSO will contact the agency temporary worker's employment agency and then provide guidance to the hiring manager on next steps.

VII. OFFICE PROCEDURES FOR AGENCY TEMPORARY WORKERS

The office requesting an agency temporary worker is responsible for determining cubicle space, securing a phone with Business Services, and computer and network setup with the Information Technology Services Office HelpDesk.

VIII. AOC SUPERVISOR RESPONSIBILITY

Only AOC employees in classifications designated as supervisor or above may serve as the "supervisor" of the agency temporary worker, with tasks such as:

- Approving weekly timecards;
- Approving any needed travel and lodging expenses and/or following AOC policies and procedures;
- Establishing guidelines regarding worker expectations and conduct (as long as they are reasonable and do not conflict with the AOC agency temporary guidelines); and
- Communicating and enforcing AOC safety practices.

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

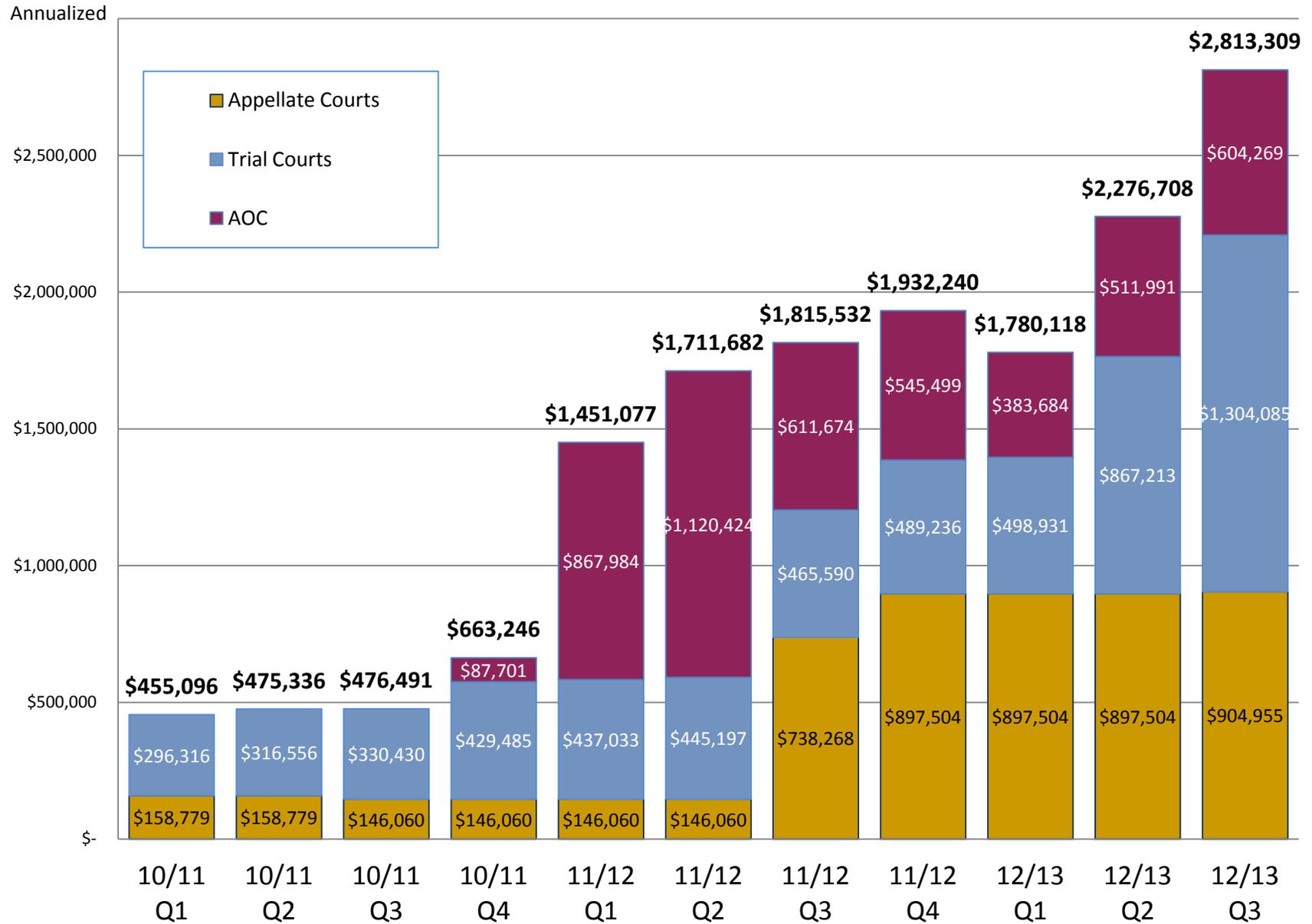
DATE	5/29/2013
PREPARED BY	Burt Hirschfeld
OFFICE NAME	<u>Office of Real Estate and Facilities Management</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	48
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, as part of the council's long-term strategic planning, to evaluate the location of the AOC main offices based on a cost-benefit analysis and other considerations.
SEC RECOMMENDATION	As part of its long-term planning, the AOC should consider relocation of its main offices, based on a cost-benefit analysis of doing so.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> This directive's implementation timeline is for AOC's long-term consideration. Under business processes established by the Office of Real Estate and Facilities Management, due diligence and cost-benefit analyses were used to guide development and implementation of a strategic real estate plan for AOC office facilities. Implementing the initial 5-7 year segment of the plan has involved the negotiation and renegotiation of leases, subleases, MOUs; and exercising options to contract and cancel lease terms. Cost-benefit analyses will continue to be conducted on a recurring basis to confirm or reject the relevance of rationale used to support current decisions. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	All contractual commitments required to implement this directive have been executed.
RESOURCES REQUIRED FOR IMPLEMENTATION	The Office of Real Estate and Facilities Management (REFM), with support from the Judicial Branch Capital Program Office (JBCPO), has been the primary implementation resource to date. JBCPO is now managing the construction of tenant improvements in the Burbank Office, allowing for re-occupancy by June 30, 2013.
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	N/A (previously established).  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	  File Attachment
<input checked="" type="checkbox"/> SAVINGS	Since FY 2010-2011, REFM has been taking advantage of softer real estate market conditions in the State to renegotiate leases for the appellate courts, superior court and AOC. By the third quarter of FY 2012-13, the annualized reduction totaled \$2.8 million, \$2.2 million of which came out of leases for court operations.  Branch Rent Reduction 10.11 - 12.13.pdf Adobe Acrobat Document 503 KB
<input checked="" type="checkbox"/> COST	Approximately \$175,000 in sublease brokerage commissions and over-allowance tenant improvement costs for AOC space(subject to verification).  File Attachment
<input checked="" type="checkbox"/> EFFICIENCIES	Total office space reduction from implementation = 25.3%. Total rent reduction = 30.3%.  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	N/A  File Attachment
<input checked="" type="checkbox"/> OTHER	Note: This directive incorporates directly-related elements of Judicial Council Approved Recommendation No. 127.  File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	

ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input type="text"/>



Rent Reductions FY 2010/11 - Q3 FY 2012/13



ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	50
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-3 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	The Center for Families, Children and the Courts should be an office reporting to the Chief Operating Officer in the AOC's Judicial and Court Operations Services Division, rather than a stand-alone division. The CFCC manager position should be compensated at its current level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION	

DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/5/2013
PREPARED BY	Diane Nunn
OFFICE NAME	<u>Center for Families, Children & the Courts</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	51
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(a) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken: CFCC has a one-over-one management structure with a Division Director and an Assistant Division Director position. The Assistant Division Director position should be eliminated.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Between March 31, 2011 and March 31, 2012, CFCC staffing has been reduced from 100 positions to 72 positions.</p> <p>This directive is tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result this directive is in a pending status until the Classification and Compensation Study can be completed.</p> </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	

TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	Human Resources Services Office
JUDICIAL COUNCIL DIRECTIVE NUMBER	52
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(b) and (c) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken: (b) There are nearly 30 attorney positions in CFCC, including 7 attorneys who act as Judicial Court Assistance Team Liaisons. All attorney position allocations should be reviewed with a goal of reducing their numbers and/or reallocating them to non-attorney classifications.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: Between March 31, 2011 and March 31, 2012, CFCC staffing has been reduced from 100 positions to 72 positions. Before implementation of Directive 52 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review. The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request	

for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session. In the interim, the AOC will conduct a review on the use of attorney positions in private and public sector organizations. Ultimately, data from both studies will guide the AOC in determining the appropriate use and number of attorneys within the organization.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
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<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
	<input type="text"/>

<input type="checkbox"/> OTHER	<div data-bbox="500 254 820 321" style="border: 1px solid black; padding: 2px;"> File Attachment</div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input data-bbox="1084 401 1328 432" type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input data-bbox="938 554 1182 585" type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Diane Nunn
OFFICE NAME	<u>Center for Families, Children & the Courts</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	52.1
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(b) and (c) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken: The CFCC has numerous grant-funded positions, including five in its Rules and Forms Unit. Implementation of our recommendations for the AOC's Grants and Rule-making Processes could result in some reductions in these positions.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Program restructuring and operational changes have resulted in workforce reductions and elimination of the CFCC Rules and Forms Unit. The production of new or revised rules and forms follows new guidance from the Judicial Council's Rules and Projects Committee. Work on individual proposals is decentralized, with proposals assigned across CFCC to appropriate subject matter experts.</p> <p>Between March 31, 2011 and March 31, 2012, CFCC staffing has been reduced from 100 positions to 72 positions. Workforce reductions were nearly equivalent in positions funded by CFCC's general</p> </div>	

fund allocation (33%) and other funding sources (27%). Within this period, CFCC also released 5 agency temporary employees.

Current staff are supported by CFCC's general fund allocation as well as by longstanding state and federal allocations for specified services to California Courts:

- AB131 reimbursement from Court Appointed Counsel Cost Recovery (funds approved annually by the Trial Court Budget Advisory Committee);
- California Comprehensive Drug Court Implementation Act, funding education, technical assistance and Substance Abuse Focus Grants (funded since 2000);
- California Equal Access Fund, supporting legal services and partnership grants (funded since 1999);
- Allocations from federal programs supporting Juvenile Court Improvement (funded since 1995) and Access to Visitation programs (funded since 1998);
- Funding from Proposition 63, the California Mental Health Services Act (funded since its inception in 2008);
- Family Law Trust Fund, created by AB233, supported by fees for certified copies of marriage certificates and dissolutions, to provide support services to family courts (funded since 1998);
- California Department of Child Support Services, to support services to AB1058 child support commissioners and family law facilitators (funded since 1997);
- California Department of Social Services for Judicial Resources and Technical Assistance supporting compliance with Title I-E requirements (funded since 1995);
- California Department of Social Services for training and technical assistance to support compliance with the Indian Child Welfare Act (funded since 2003);
- Federal Violence Against Women Act funding for judicial education in domestic violence, sexual assault, stalking, teen dating violence, human trafficking, and elder abuse (funded since 2001).

Further details are provided in the attached report.



13 June Directive 52 1
Report.docx
Microsoft Office Word
Document
22.5 KB

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input style="width: 100%; height: 20px;" type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input style="width: 100%; height: 20px;" type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input style="width: 100%; height: 20px;" type="text"/> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input style="width: 100%; height: 20px;" type="text"/> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
	<input style="width: 100%; height: 20px;" type="text" value="Workforce reductions in the Rules and Forms: \$171,137"/>

<input checked="" type="checkbox"/> SAVINGS	 File Attachment
<input type="checkbox"/> COST	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013

Implementation of Judicial Council Directive #52.1

Judicial Council Directive #52.1

E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(b) and (c) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.

Corresponding SEC Recommendation

CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:

(c) The CFCC has numerous grant-funded positions, including five in its Rules and Forms Unit. Implementation of our recommendations for the AOC's Grants and Rulemaking Processes could result in some reductions in these positions.

Directive #52.1 Assessment and Proposal

Judicial Council Directive 52.1 requires the Administrative Director of the Courts to report to the council on the results and status of AOC restructuring at the February 2013 council meeting.

Rules and Forms Unit: Restructuring and Operational Changes

The "Rules and Forms" unit was eliminated in CFCC's program restructuring and operational changes have eliminated CFCC's "Rules and Forms & Online Resources" Unit. Two positions were eliminated and remaining staff consolidated in a Juvenile Court Assistance unit. Staffing for mandated rules and forms items has been decentralized, with work distributed to staff across CFCC, based on subject-matter expertise.

CFCC follows the new guidance from the Judicial Council's Rules and Projects Committee (RUPRO) and only works with advisory committees and task forces to propose items that meet the criteria set forth by RUPRO and as approved in annual agenda. Specifically, criteria for any proposal for a new or revised form or rule must be: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

CFCC Workforce Reductions and Current Funding

Currently, CFCC's general fund allocation supports 14 positions. The remaining 58 positions are longstanding state and federal allocations for specified services to California Courts:

- AB131 reimbursement from Court Appointed Counsel Cost Recovery (funds approved annually by the Trial Court Budget Advisory Committee);
- California Comprehensive Drug Court Implementation Act, funding education, technical assistance and Substance Abuse Focus Grants (funded since 2000);
- California Equal Access Fund, supporting legal services and partnership grants (funded since 1999);
- Allocations from federal programs supporting Juvenile Court Improvement (funded since 1995) and Access to Visitation programs (funded since 1998) ;
- Funding from Proposition 63, the California Mental Health Services Act (funded since its inception in 2008);
- Family Law Trust Fund, created by AB233, supported by fees for certified copies of marriage certificates and dissolutions, to provide services to family courts (funded since 1998);
- California Department of Child Support Services, to support services to AB1058 child support commissioners and family law facilitators (funded since 1997);
- California Department of Social Services for Judicial Resources and Technical Assistance supporting compliance with Title IV-E requirements (funded since 1995);
- California Department of Social Services for training and technical assistance to support compliance with the Indian Child Welfare Act (funded since 2003);
- Federal Violence Against Women Act funding for judicial education in domestic violence, sexual assault, stalking, teen dating violence, human trafficking, and elder abuse (funded since 2001).

Table 1 below compares the number of reductions in CFCC positions between March 31, 2011 and March 31, 2013. Within that period, the number of CFCC authorized positions has been reduced from 100 to 72. In addition, five agency temp positions have been eliminated.

Reductions in positions funded by CFCC's general fund allocation are just slightly higher than reductions in CFCC positions funded by other sources. The overall reduction in CFCC positions for this period is 28%. The reduction in CFCC's positions funded by its general fund allocation is 7 (33%); the reduction in positions funded by other sources is 21 (27%).

Table 1:¹ Funding for CFCC Positions: 2011 and 2013 Comparison²

General Fund	Funding Established	Positions 3/31/11	Positions 3/31/13
CFCC Operating Unit	N/A	21	14
AB 131 Court Appointed Counsel Cost Recovery	2011	2	2 ³
Comprehensive Drug Court Implementation	2000	6	6
Equal Access Grant	1999	3	3
Federal Trust Fund			
Juvenile Court Improvement Appropriation	1995	20	16
Access to Visitation Fund	1998	2	1
Mental Health Services Fund	2008	7	6
Family Law Trust Fund	1998	17	9
General Fund Reimbursements			
CA Dept. of Child Support Services: AB1058 Child Support Allocation	1997	9	8
CA Dept. of Social Services: Judicial Resources and Technical Assistance	1995	4	2
CA Dept. of Social Services: Indian Child Welfare Act	2003	2	2
CalEMA: Violence Against Women Act (VAWA)	2001	3	3
CalEMA: VAWA Recovery Funds	2008	1	0
AOC General Fund			
Blue Ribbon Commission	2006	2	0
Judge in Residence	2006	1	0
TOTAL POSITIONS (Filled and Vacant)		100	72

¹ This table is based on data from the March 31, 2011 HR Position Status Report and The Administrative Office of the Courts Staffing Report as of March 31, 2013.

² Employees can charge project time to sources other than the CFCC Operating Unit when appropriate.

³ These two positions are reimbursed by Court Appointed Counsel Cost Recovery

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Diane Nunn
OFFICE NAME	<u>Center for Families, Children & the Courts</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	53
JUDICIAL COUNCIL DIRECTIVE	53. E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(d) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC. This directive is coordinated with: JCD#53 is coordinated with JCR# 72.1
SEC RECOMMENDATION	7-4(d) CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken: (d) The CFCC has a number of positions devoted to research programs, as do other offices to be placed within the Judicial and Court Operations Services Division, presenting opportunities for efficiencies by consolidating divisional research efforts.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
<input type="checkbox"/> File Attachment	
<input checked="" type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; padding: 5px;"> <p>EXTENSION BEING REQUESTED TO JULY 2013</p> <p>Since the end of FY 10-11, the number of AOC employees in research classifications has declined by approximately 45%. To improve the efficiency and effectiveness of research in support of the Judicial Council and the courts, and consistent with Judicial Council Directives 53 and 72.1, all research analysts currently at the AOC have been consolidated into offices within the Judicial and Court Operations Division. Managers overseeing research in those offices began discussions in October 2012 and have implemented a protocol to manage workforce reduction and address staffing current and future projects.</p> <p>It is requested that the Judicial Council amend the timeline to read as follows: ADOC to present a report of available options regarding the directive's implementation to the Judicial Council for their consideration at the July 2013 Judicial Council meeting.</p> </div>	
<input type="checkbox"/> File Attachment	

Other:

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input checked="" type="checkbox"/> SAVINGS	Workforce reduction: Will need service <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input checked="" type="checkbox"/> SERVICE LEVEL IMPACT	While changes in staffing and organization have led to improved coordination of research activities across the offices in the Judicial Court Operations Services Division, it must be noted that substantial reductions in the number of research analysts employed in the offices in that division over the last two years will limit the ability of the remaining analysts to meet the needs of courts, external branch stakeholders, and leaders. <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/>

	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	54
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken: CFCC staff members provide support to a number of Judicial Council committees and task forces. The recommended consolidation of this support function under the direction of the Chief of Staff will present opportunities for efficiencies and resource reduction.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 150px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 150px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: Between March 31, 2011 and March 31, 2012, CFCC staffing has been reduced from 100 positions to 72 positions. At the April 26, 2013, council meeting, Executive and Planning Committee (E&P), Rules and Projects Committee (RUPRO), and Technology Committee recommended that the council approve recommendations to improve the governance, structure, and organization of the council's advisory groups. The council approved the several governance provisions for the oversight of advisory groups and also approved the forty-nine "Recommendations for Improved Governance, Structure, and	

Organization for Judicial Council Advisory Groups.” Finally, the council directed the council’s Rules and Projects Committee to oversee development of the necessary rules of court and E&P, the nominations for the groups converted to standing advisory committees, to implement these advisory group changes.

In tandem with the council establishing and finalizing the committee governance, the AOC is working on developing a tracking tool for use by AOC staff that support committees to track time spent in support of Judicial Council committees, task forces, and working groups. This resource information will: 1) enable E&P to determine the level of effort that is required to support the various committees, task forces and working groups; and 2) be folded into the AOC Classification and Compensation Study to be used by the organization to identify appropriate resources and staffing for committees, task forces, and working groups.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
	<input type="text"/>

<input type="checkbox"/> OTHER	<div data-bbox="500 254 818 317" style="border: 1px solid gray; padding: 2px;"> File Attachment</div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input data-bbox="1084 401 1328 432" type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input data-bbox="938 554 1182 585" type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Diane Nunn
OFFICE NAME	<u>Center for Families, Children & the Courts</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	62
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that a systems review of the manner in which AOC staff review trial court records should be conducted to streamline Judicial Review and Technical Assistance audits, if possible, and to lessen the impact on court resources.
SEC RECOMMENDATION	A systems review of the manner in which trial court records are reviewed should be conducted to streamline audits, if possible, and to lessen the impact on court resources.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>Program restructuring and operational changes in the Judicial Review and Technical Assistance project (JRТА) resulted in consolidation of the program with other juvenile court assistance projects. Two positions have been eliminated. The program has been renamed as Judicial Resources and Technical Assistance to emphasize that it is a service and resources program. The California Department of Social Services provides funding for the four FTEs for the JRТА project Two of the four FTEs are dedicated attorney positions, with the remaining JRТА work covered on a short term project basis by a variety of attorneys in CFCC.</p> <p>The Systems Review of the Judicial Resources and Technical Assistance project is attached. The review describes the work of the project, steps achieved in streamling the project (described in the "Efficiencies" section below) and procedures put in place to reduce the impact on the courts (described in the Cost Savings section below).</p>	
<div style="border: 1px solid black; padding: 5px;">  <p>JCD 62 JRТА Systems Review.docx Microsoft Office Word Document 36.6 KB</p> </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration:	

<input type="checkbox"/> File Attachment
<input type="checkbox"/> Other:
<input type="checkbox"/> File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input style="width: 100%;" type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input style="width: 100%;" type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment

<input checked="" type="checkbox"/> SAVINGS	<p>Chief Justice Malcolm M. Lucas launched the JRTA project when the 1995 U.S. Department of Health and Human Services' Office of the Inspector General's eligibility review found that 39 percent of the cases reviewed were not eligible for title IV-E funding. Consequently, California's programs faced a potential loss of \$51.7 million. The JRTA project assistance to courts was recognized as key in successful IV-E reviews, avoiding the loss of \$100 million for children in foster care.</p> <p>The JRTA System Review recommendations implemented to reduce program burdens on the court:</p> <ol style="list-style-type: none"> 1. Ensure that judicial officers, court staff, and stakeholders understand that JRTA liaisons conduct a courtesy file review and do not audit court files. 2. Give courts up to 9 months to schedule site visits. 3. Reduce the frequency of reviews for courts when prior reviews find no need for technical assistance. 4. Conduct interviews at the convenience of the judicial officer. 5. Offer the services of the liaison to pull and reshelve files. 6. Reduce the volume of material that judicial officers are asked to review; develop fact sheets, bench cards and other tools whenever possible. 7. Focus the file review on mandated state and federal eligibility determinations and any issues raised by the presiding juvenile court judge. 8. Provide county agencies with recommendations and training to improve the information provided to the court, thereby reducing hearing delays and unnecessary workload for courts. 9. Respond to court requests for caseload management consultation.
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	<p>10. Provide follow up technical assistance requested by the court whenever possible through email, conference call or web ex, and reduce follow up visits.</p> <p>This has resulted in staff reductions of a Sr. Attorney and Supervisor/Special Consultant.</p> <p> File Attachment</p>
<input type="checkbox"/> COST	<p> File Attachment</p>
<input checked="" type="checkbox"/> EFFICIENCIES	<p>In addition to restructuring and operational changes described above, the following recommendations from the System Review have been implemented to streamline the program:</p> <ol style="list-style-type: none"> 1. Replace in-person and telephone communications with less time-consuming communications, such as email, whenever possible. 2. Administrative staff are responsible for visit logistics and report and material production; and an education specialist develops tools and educational materials. 3. Pilot remote review of digitized case files. 4. Measure impact of JRTA services on court workload. <p> File Attachment</p>
<input checked="" type="checkbox"/> SERVICE LEVEL IMPACT	<p>courts have wider options to select the services they need, some courts moved to a 3 year cycle, based on their needs.</p> <p> File Attachment</p>
<input type="checkbox"/> OTHER	<p> File Attachment</p>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input type="text"/>

Judicial Resources and Technical Assistance (JRTA) Project Systems Review Report

Judicial Council Directive #62 calls for a systems review of the manner in which AOC staff review trial court records to streamline the Judicial Resources and Technical Assistance (JRTA) audits, if possible, and to lessen the impact on court resources. The review included interviews with judicial officers, probation officers, social workers and attorneys; program data; and an assessment of the written reports provided to the courts. Attachment 1 is a thumbnail summary of all findings of the review.

1. Project Description

The JRTA project responds directly to questions from judicial officers and juvenile court professionals related to dependency and delinquency law and case management. JRTA attorneys visit local courts to conduct courtesy reviews of court files, providing judges with an overview of the findings and orders necessary to maintain compliance with federal and state statute. Most problems found are related to the presentation of information to the court by dependency and delinquency professionals such as social workers, county counsel, probation, and attorneys for parents and children. After consultation with the bench, the JRTA attorney provides the appropriate county agencies with recommendations and training to improve the information provided to the court. In the course of the year, JRTA attorneys respond to court requests for additional targeted visits and special training sessions for juvenile court professionals in the countyⁱ.

2. JRTA Objectives

- a. Identify and educate juvenile court partners about problems related to notice and completeness, timeliness, and quality of reports to the court that lead to delayed hearings;
- b. Reduce length of time cases spend in system;
- c. Reduce judicial officer and clerk time spent managing incomplete and inadequate filings, case backlogs and courtroom delays;
- d. Reduce judicial officer and clerk time spent adapting courtroom procedure to new legislation and case law;
- e. Avoid federal penalties and denial of funds for children in foster care; and
- f. Improve outcomes for children in dependency including the length of time spent in foster care before reunification with families or adoption.

3. Juvenile Dependency Caseflow Management Issues Addressed by JRTA

Dependency caseflow management is a focal area of JRTA service to the courts. Providing judicial officers with the resources to manage dependency cases effectively reduces court costs, the ineffective use of judicial officer and clerk time, and the time children spend in foster care.

Juvenile dependency cases are among the most complex addressed by the court. In the Judicial Council's 2011 Judicial Workload Assessment ("Assessment")ⁱⁱ, juvenile dependency ranked second, behind asbestos, in adjusted minutes required per case (269 minutes). The workload of judicial officers in dependency is very high. A legislative report based on the 2011 Assessment, *Assessing the Need for New Judgeships in Family and Juvenile Law Assignments*, notes that current judicial resources meet only 65 percent of the assessed need in dependencyⁱⁱⁱ.

Courts face characteristic challenges in managing juvenile dependency caseloads: a complex statutory scheme which specifies numerous timelines, actions, findings and orders unique to each hearing; a variety of parties to the case with multiple cases within sibling groups; complex noticing requirements and frequently inexperienced attorneys representing the county child welfare agency, children, and parents.

Dependency cases require effective caseload management to avoid cases that are delayed and out of compliance with federal and state statutes, wasted judicial officer and clerk time dealing with notice problems, calendar backlogs, and requests for continuances; the court and county spending more dollars per case when cases stay in the system through unnecessary delays; children spending unneeded weeks and months in foster homes or group homes; and the loss of federal dollars to the child welfare system for foster children when cases are not in statutory compliance.

In 2008-2010 the AOC conducted a detailed study of dependency caseload in 2 pilot courts. The findings document the potential for delay and wasted court resources in the system: an extremely complex caseload, cases that averaged 1.2 years in length with 11 separate hearings per case, and one-half of cases out of compliance with statutory timelines^{iv}. Statewide there are 70,400 juvenile dependency cases^v, leading to considerable court costs statewide when hearings are routinely delayed or extended.

Judicial officers hearing dependency cases reported to the AOC that the most common reasons for case delays include late social worker reports (61 percent), lack of notice or late notice (44 percent), attorney not available (38 percent), and not enough time to hear the court case (19 percent)^{vi}. These are all problems that the JRTA project's resources, consultation with judicial officers and education of dependency system partners are designed to alleviate.

During the Assessment, judicial officers in juvenile court indicated their need for more time to spend on cases:

- Reviewing files and preparing for hearings;
- Conducting both short and long cause hearings;
- Preparing findings and orders;
- Ensuring that parties feel their concerns have been addressed;
- Conducting settlement conferences; and
- Encouraging all interested parties to participate in the proceedings^{vii}.

The goal of the JRTA project is to make some of this needed time available to judicial officers by improving the flow of information to the court.

4. Analysis of JRTA Impact on the Courts

Approximately 30 court visits are made each year by attorneys from the JRTA team. The ten largest courts in the state are visited every year, and smaller courts every other year. Each visit begins with a contact with the court executive or designee to discuss the timing of the visit. The court chooses which week the liaison will come to conduct the file review. This is followed by emails to the presiding court judge, juvenile presiding court judge and court executive describing the purpose of the visit. At this time judges may ask the liaison to expand the courtesy file review to include an optional topic, such as findings and orders regarding non-minor dependents.

In the initial contact the liaison will offer to pull and reshelve the files being reviewed. If this is not acceptable to the court the liaison will provide a list of 10 dependency and 10 delinquency files to review.

During the week of the court visit, the liaison requires a small work space. Liaisons bring their own computers and do not ask for photocopies of materials. If the judge permits, the liaison will observe court hearings to gain an understanding of the court's process. At the end of the week the liaison generally meets with the juvenile court presiding judge and other dependency judges. Judges generally want to review and discuss any cases where the findings and orders related to IVE eligibility do not comply with federal statutes.

After the review the liaison provides updates of any resource materials related to the review, and a written report on the findings of the review. Courts frequently request a follow up visit or technical assistance.

A JRTA site visit involves approximately 8 hours of work for a court or court site, including: participation of court executive (1 hour), participation of judges (2 hours), and assistance from clerks locating a work space for the liaison, pulling and reshelving 20 files (up to 4 hours).

An encouraging development is the possibility of JRTA staff conducting the file review remotely, for those courts with digitized juvenile dependency case files. This approach is being piloted.

Linkage of JRTA Deliverables to Outcomes for the Court

JRTA Activity	Outcome	Benefit to the Court	Measured by
<p>JRTA attorney conducts courtesy review of dependency case files, focusing on foster care eligibility findings and timeliness of cases</p>	<p>Identifies system problems leading to unnecessary case delays: late or incomplete social worker reports, problems with documentation of reasonable efforts, or inadequate notice. With judicial officers, creates education plan for county counsel, social workers, probation officers and parents and children's attorneys</p>	<p>Reduced need for court to reschedule delayed hearings. Reduced need for court to accommodate multiple unnecessary appearances by incarcerated parents, children, CASA volunteers. Judicial officer receives complete information in case reports in advance of hearing, Timely hearings leading to a larger number of cases dismissed earlier in the process, and savings in judicial officer and court time</p>	<p>Analysis of hearing delays Cases meeting federal and state timeliness standards Length of stay for children in foster care</p>
<p>JRTA attorney meets with county counsel, social workers; and probation officers to discuss findings of file review and provide training on improving procedures</p>	<p>Provides system partners with training on notice provision, adequate documentation of recommended findings in reports to the court, timely provision of reports to the court</p>	<p>Reduced need for court to reschedule delayed hearings Reduced need for court to accommodate multiple unnecessary appearances by incarcerated parents, children, CASA volunteers Judicial officer receives complete information in case reports in advance of hearing Timely hearings cause a larger number of cases to be dismissed earlier in the process,</p>	<p>Analysis of hearing delays Cases meeting federal and state timeliness standards Length of stay for children in foster care</p>

		leading to savings in judicial officer and court time	
Analysis report on foster care eligibility judicial determinations	Identifies for the court the changes in federal and state statute that require modification to judicial findings and orders related to foster care eligibility	Reduced need for judicial officers to conduct research on changing requirements Can provide to court a range of suggestions for procedures include standardized minute orders adapted to small, medium and large courts Reduces denial of federal foster care funding to counties Eliminates penalties to state from federal audits	Multi year court file review results Periodic federal audit of judicial determinations
Distribute bench cards on key hearings to judicial officers and stakeholders	Judicial officer has succinct, updated and legally accurate summary of the key events and decisions required at each type of dependency hearing	Reduced need for judicial officers to conduct research on changing requirements Can provide to court a range of suggestions for procedures adapted to small, medium and large courts Reduces denial of federal foster care funding to counties Eliminates penalties to state from federal audits	Multi year court file review results Periodic federal audit of judicial determinations

5. Direct Costs of Project

JRTA is funded by an inter-agency agreement with the California Department of Social Services. The contracted work includes:

- Approximately 30 annual site visits to courts including courtesy file review, meetings with the court and stakeholders and education for stakeholders
- Written analysis of courtesy file reviews
- Approximately 20 annual follow up visits at the request of the court for consultation and education
- Telephone consultation with judicial officers and legal research
- Creating new bench cards and supporting materials
- Updating current bench cards and supporting materials

JRTA requires 4.0 full time equivalent attorneys. The interagency agreement provides \$842,000 per year for personnel and travel. Any overage, including supervision, rent and grants management costs, is covered by funding from the federal Court Improvement Program – Training.

6. Benefits to the Courts

In estimating benefits to the courts, staff reviewed foster care data from U.C. Berkeley and the results of an AOC study of dependency case flow in two pilot courts. Through file review, consultation, and training on hearing preparation and hearing timeliness, JRTA has been one of the major drivers in a statewide effort to reduce the time children spend in foster care. Between 2005 and 2010 the median time spent in care dropped from 457 days to 426 days, a reduction of one month. Courts and counties that focused on programs to reduce the time in care, including the JRTA project, demonstrated that reductions of 3 months are achievable.

We estimate that a reduction statewide of three months median time spent in foster care leads to a reduction in hearings of 120,000 statewide.

7. JRTA Systems Review Improvements

In response to the Judicial Council Directive #62, the JRTA project is implementing the following steps to reduce the impact of the project on the courts and improve the overall benefits of the project to the courts:

A. Lessening the Impact on Court Resources

- **Continue to give courts wide latitude in scheduling site visits.** (Implemented.) In a year that JRTA hopes to visit a court, the court generally has a window of about nine months in which to schedule the visit. Courts can also defer the visit to the following year if necessary.

- **Offer the services of the liaison to pull and reshelve files.** (Implemented.) Attorney liaisons are experienced in court processes, and many courts allow the liaison to pull and reshelve files. When the court prefers to pull the files, the liaison offers alternatives including taking a “snapshot” by using the unfiled cases heard that day or week.
- **Minimize communications with the judicial officers and court staff.** (Implemented.) JRTA staff now schedule visits through brief emails. Interviews are conducted at the convenience of the judicial officer, frequently in chambers after a calendar is heard.
- **Reduce the volume of material that judicial officers are asked to review.** (Implemented.) At the request of courts, JRTA has developed numerous fact sheets and tools to assist with judicial determinations related to reasonable efforts and title IV E eligibility. It is now the practice of liaisons to review this packet after the court visit, in light of the results of the file review and the interview with the presiding juvenile court judge, and send electronically only those materials immediately relevant to the court.
- **Focus the file review on mandated state and federal eligibility determinations and any issues raised by the presiding juvenile court judge.** (Implemented.) Restricting the scope of the file review saves the time of the judicial officer by ensuring that discussion of the findings, in person and in the report, will be limited to eligibility findings and any topics the judicial officer wanted raised in the review.
- **Reduce the frequency of reviews for courts when prior reviews find no need for technical assistance.** (Implemented.)
- **Provide follow up technical assistance requested by the court whenever possible through email, conference call or web ex, and reduce follow up visits.** (Implemented.)

B. Additional Recommendations

- **Ensure that judicial officers, court staff, and stakeholders understand that JRTA liaisons conduct a courtesy file review and do not audit court files.** (Implemented.) This explanation has been incorporated into all JRTA project communications. In addition, the project name has been changed to Judicial Resources and Technical Assistance.
- **Ensure that attorney roles and responsibilities on the JRTA project reflect their area of expertise.** (Implemented.) Attorney liaisons conduct the courtesy file review, analyze the findings and write the report, communicate with judicial officers, and design and provide any requested technical assistance. Tasks such as the logistics of the visit, report and materials production are carried out by administrative support staff, and the role of translating findings into statewide educational materials is carried out by an educational specialist. Communication with the California Department of Social Services and contract management is carried out by a manager.

C. Increase project focus on caseflow improvement

Develop tools and training curricula for county counsel, social workers, probation officers, and parents and children's attorneys that will lead to a greater focus on the flow of information to the court, preparation for court and timely hearings.

D. Collect court workload data to measure impact of JRTA on workload.

Pilot data suggests that outcomes of the JRTA project play a large part in reducing hearing delays and the workload for the courts. JRTA has begun to collect data on timeliness and will analyze this in conjunction with court case management data, in selected courts, to quantify the impact of the program on court workload.

Attachment 1
Judicial Resources and Technical Assistance (JRTA) Project
Systems Review Report – Summary

Project	The Judicial Resources and Technical Assistance (JRTA) project provides tools and assistance to juvenile court judges in managing complex juvenile dependency cases.
Impact	Provides judicial officers with the resources to effectively manage dependency cases, thereby reducing court costs, the ineffective use of judicial officer and clerk time, and the time children spend in foster care.
Outcomes	<ul style="list-style-type: none"> • Reduce unnecessary hearing delays • Reduce judicial officer and clerk time spent managing incomplete and inadequate filings, case backlogs and courtroom delays • Improve permanency for children and reduce time spent in foster care • Avoid federal penalties and denial of funds for children in foster care
Annual Deliverables	<ul style="list-style-type: none"> • Updated bench cards and guides to dependency hearings distributed to all juvenile court judges • Courtesy file review in 25-30 courts annually to assist the presiding judge and presiding juvenile judge assess dependency case management • Written analysis of the file review for the judge • Training and resources for social workers, probation officers, county counsel and others to ensure the quality and timeliness of the information they provide to the court • Document outcomes through on-going data collection
Cost/benefit	<ul style="list-style-type: none"> • Five full-time-equivalent attorney liaisons make site visits to all courts on a 2 year rotating cycle. Personnel and travel costs are paid for by the state Department of Social Services. • Estimate that JRTA can help the courts shorten total length of cases by up to 3 months and improve preparedness of court partners, which translates into approximately 120,000 unnecessary hearings annually avoided for the courts. • More than \$100 million in federal penalties avoided for the state since the beginning of JRTA
Recommendations for improvement	Enhance value of project by modifying tools to make caseflow management resources more easily available; streamline the file review process to lessen impact on the courts (SEC recommendation); conduct quantitative cost benefit study of program costs compared to savings achieved for the courts.

ⁱ The JRTA project was created by the Administrative Office of the Courts (AOC) in 1995 in response to an eligibility audit of foster care cases by the U.S. Department of Health and Human Services' Office of the Inspector General. Federal auditors determined that 39 percent of the cases reviewed were not eligible for title IV-E funding, and California's programs consequently faced a potential loss of \$51.7 million. Chief Justice Malcolm M. Lucas launched the JRTA project in a letter to the judiciary in 1995, stressing the importance of the state not losing funds and of the courts working collaboratively with social service agencies and probation departments on this effort. More than 10 years later, in June 2003, California passed the title IV-E foster-care eligibility review. The report cited the work of the JRTA project as a strength contributing to the state's compliance. The most recent federal eligibility review, in 2012, made a point of recognizing the success of the partnership between the judiciary and the JRTA project, and noted that California passed the review with no judicial determination errors.

ⁱⁱ Judicial Workload Assessment: 2012 Update of the Need for New Judgeships in the Superior Courts. Report to the Judicial Council, October 25, 2012

<http://www.courts.ca.gov/documents/jc-20121026-item2.pdf>

ⁱⁱⁱ Administrative Office of the Courts, December 2011. *Assessing the Need for New Judgeships in Family and Juvenile Law Assignments*. <http://www.courts.ca.gov/7466.htm>

^{iv} Administrative Office of the Courts, November 2010. County A Juvenile Dependency Court Performance Measures Pilot Project Final Report (unpublished).

^v Center for Social Services Research, University of California Berkeley. Caseload by Service Component Type, January 2013. Extracted May 24, 2013 from

http://cssr.berkeley.edu/ucb_childwelfare/CaseServiceComponents.aspx.

^{vi} Administrative Office of the Courts, November 2005. California Juvenile Dependency Court Improvement Program Reassessment. <http://www.courts.ca.gov/documents/CIPReassessmentRpt.pdf>

^{vii} *Assessing the Need for New Judgeships in Family and Juvenile Law Assignments*

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	64
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-10 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	The Court Operations Special Services Office (COSSO), formerly CPAS, should be an office reporting to the Chief Operating Officer within the AOC's Judicial and Court Operations Services Division, rather than a stand-alone division. The COSSO manager position should be at the Senior Manager level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	72
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	<p>COSSO's current level of approximately 74 positions (including those reassigned from the former regional offices as recommended in this report) should be reduced. To achieve the reduction the areas listed below should be reviewed and considered, and appropriate actions taken.</p> <p>COSSO should have a management structure that includes a Unit Manager, but the Assistant Division Director position should be eliminated.</p>
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Since the release of the SEC Report in May 2012, COSSO staffing levels have been reduced from 74 positions to 37.70 positions. Please note, this reduction also includes movement of staff in the Trial Court Leadership Services to Trial Court Liaison Office and the Editing and Graphics Group to Judicial Council Support Services.</p> <p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final</p> </div>	

report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
<input type="checkbox"/> OTHER	<input type="text"/>  File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
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EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW**E&P REVIEW**Executive and Planning Review Date: 6/17/2013

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/3/2013
PREPARED BY	Chad Finke
OFFICE NAME	<u>Court Operations Special Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	72.1
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	7-11. COSSO's current level of approximately 74 positions (including those reassigned from the former regional offices as recommended in this report) should be reduced. To achieve the reduction the areas listed below should be reviewed and considered, and appropriate actions taken. (b) The research functions and units of COSSO should be reviewed for possible consolidation with other research programs in the Judicial and Court Operations Services Division, presenting opportunities for efficiencies and position reductions.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: 	
<input type="checkbox"/> File Attachment	
<input checked="" type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: 	
<p>EXTENSION BEING REQUESTED TO JULY 2013</p> <p>Since the end of FY 10-11, the number of AOC employees in formal research classifications has declined by approximately 45%. To improve the efficiency and effectiveness of research in support of the Judicial Council and the courts, and consistent with Judicial Council Directives 53 and 72.1, all research analysts currently at the AOC have been consolidated into offices within the Judicial and Court Services Operations Division. Managers overseeing research in those offices began discussions in October 2012 have implemented a protocol to manage the workforce reduction and address staffing current and future research projects.</p> <p>It is requested that the Judicial Council amend the timeline to read as follows: ADOC to present a report of available options regarding the directive's implementation to the Judicial Council for their consideration at the July 2013 Judicial Council meeting.</p>	

<input type="checkbox"/> File Attachment	
<input type="checkbox"/> Other:	
<input type="checkbox"/> File Attachment	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input style="width: 100%;" type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input style="width: 100%;" type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> SAVINGS	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment
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<input type="checkbox"/> EFFICIENCIES	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> OTHER	<input style="width: 100%;" type="text"/> <input type="checkbox"/> File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	78
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-19 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	The Education Division should be an office within the Judicial and Court Operations Services Division, under the direction of the Chief Operating Officer, rather than a stand-alone division. The Education Division/CJER manager position should be compensated at its current level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR	

PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	81
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-20(b), taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	<p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(b) There are in excess of a dozen attorney positions in the Education Division in units such as Design and Consulting, and Publications and Resources, in addition to the Judicial Education unit. All attorney position allocations should be reviewed with a goal of reducing their numbers and/or reallocating them to non-attorney classifications. In particular, education specialist positions are staffed by attorneys, a staffing practice that appears unnecessary.</p>
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <p>On May 31, 2011, a total of 104 individuals worked in the Education Division/CJER (regular, 909, and Apple One temporary employees). At the end of April 2013, a total of 70 individuals work in CJER.</p> <p>Before implementation of Directive 81 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.</p>	

The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session. In the interim, the AOC will conduct a review on the use of attorney positions in private and public sector organizations. Ultimately, data from both studies will guide the AOC in determining the appropriate use and number of attorneys within the organization.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>

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<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/28/2013
PREPARED BY	Dr. Diane Cowdrey
OFFICE NAME	<u>Center for Judiciary Education and Research</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	84
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate and consider reducing the positions assigned to develop training for AOC Staff in the Curriculum and Course Development Unit, especially if training requirements are relaxed
SEC RECOMMENDATION	The Curriculum and Course Development unit includes several positions assigned to develop training for AOC staff. This activity should be evaluated and reduced, especially if training requirements are relaxed.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px; display: flex; align-items: center;"> File Attachment </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px; display: flex; align-items: center;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px; display: flex; align-items: center;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>On May 31, 2011, a total of 104 individuals worked in the Education Division/CJER (regular, 909, and Apple One temporary employees). At the end of April 2013, a total of 70 individuals work in CJER. The reduction is due to (a) natural attrition, (b) the Voluntary Separation Incentive Program, (c) layoffs, and (d) employees moving to other parts of the AOC, as a result of restructuring. Of the total number of reductions, two were in the Administrative Branch Education department in the Curriculum and Course Development Unit. A third position in the Curriculum and Course Development Unit also became vacant and the court related responsibilities of this position were picked up by other staff in the Administrative Branch Education department, thereby further reducing resources devoted to AOC education. Some staff in CJER work on AOC education on a part-time basis, along with other programmatic responsibilities. The current org chart for CJER is attached.</p> </div>	

The overall cost savings (comprised of salary and benefits) realized by the AOC for two of the positions which have been eliminated is \$193,548. CJER is realizing cost savings of \$195,557 in salary and benefits for the third position which is currently vacant. The cost savings realized were all to the General Fund. Outside of staffing, the budget for AOC education is less than \$15,000.

Based on the reductions in staffing and reductions in funding to support AOC education, CJER has made significant changes to the Administrative Branch Education Department. Additionally, as noted below, the Strategic Evaluation Committee recommended that AOC staff should be provided more education that increases their understanding of the courts. As a result of these two factors, CJER restructured its staffing and workflow to leverage court staff education resources for AOC staff. In other words, current resources that had been originally developed and produced for court personnel were made available to AOC staff. Moving forward, CJER can devote the majority of its staffing resources in the Administrative Branch Education Department to developing education for the trial and appellate courts, and then leverage that for AOC employees. It allows CJER to be more cost effective by doing "double duty" in its program and resource development.

Additionally, CJER conducted a comprehensive review of AOC education and made extensive revisions in an effort to streamline this education by reducing classes that were not well attended, and increasing the education which is court focused. This was done to implement Judicial Council directive #88 and was completed. Directive #88 states that: E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to the council on a review of the content of training courses offered to AOC managers, supervisors, and employees, the number and location of courses offered, and the means by which courses and training are delivered. Training opportunities should include greater orientation and development of understanding of court functions.

As a result of this evaluation, analysis, and restructuring, the following changes were made to AOC education:

1. Elimination of several courses determined not to be core to the mission of the AOC
2. An increase in online classes related to safety (116% increase)
3. Reduction of live computer training (46% reduction), while opening up some classes to both AOC and court staff, achieving efficiencies
4. An increase in the number of courses related to court operations (162% increase)
5. An increase in training for AOC managers and supervisors

Regarding the last bullet, this past year, the Executive Office requested that CJER develop and provide a series of management training programs, and the Administrative Director of the Courts made these mandatory for all AOC supervisors and managers. This series has six different courses, and some of the content was drawn from the Core 40 program, a management training program for court staff. Again, while this does represent additional work for CJER, it demonstrates efficiencies and the advantages of having court staff and AOC staff development integrated in one department. It was also a proactive approach by the Executive Office to ensure greater compliance by management to AOC human resources policies, and will include the new performance management process, when completed.

At this time, Judicial Council directive #79 is being examined and evaluated by a subcommittee in RUPRO. This directive directs the Rules and Projects Committee to evaluate relaxation of mandatory education requirements to allow the Administrative Director of the Courts and Court Executive Officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.

The RUPRO subcommittee recommended and RUPRO adopted a modification of the rule that governs education for AOC staff (CRC 10.491) which will allow the Administrative Director of the Courts to extend the time frame for completing education requirements by one year and allow the discretion in determining how much of that education needs to be live face to face or distance. This recommendation will be before the Judicial Council at its June meeting. With the reductions already made in AOC education, as noted above, it is anticipated that no additional staffing reductions can be made regardless of whether an extension is approved.

 CJER Org Chart 06-10-2013.pdf Adobe Acrobat Document 74.2 KB
 Judicial Council Report EP Rec 88.docx Microsoft Office Word Document 33.6 KB

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input checked="" type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<p>Under direction from the Executive Office, the AOC has developed a series of AOC management training courses, as a collaborative project between CJER, the Office of Legal Services, and the Human Resources Services Office. These courses provide a framework for AOC management teams, especially in developing consistent practices across the organization, supporting supervisors and managers in dealing with conflict and performance issues, and providing tools to support our staff during these challenging times. The curriculum has been adapted from existing programs on court leadership which CJER has offered to the trial courts for many years.</p> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;">  AOC Mgt Series 2013 Calendar.docx Microsoft Office Word Document 29.2 KB </div>
<input type="checkbox"/> SAVINGS	<input type="text"/> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
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<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input checked="" type="checkbox"/> EFFICIENCIES	<p>The interplay of Directives 79, 88, and 84 have resulted in a much more court focused curricula for AOC staff which will result in an increase in the level and quality of service the AOC provides to the trial and appellate courts.</p> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input checked="" type="checkbox"/> SERVICE LEVEL IMPACT	<p>The recent revisions to AOC education will result in providing AOC staff with more court focused education which will enhance the level of service AOC staff provide to the courts.</p> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>



ADMINISTRATIVE OFFICE OF THE COURTS

JUDICIAL AND COURT OPERATIONS
SERVICES DIVISION

CENTER FOR JUDICIARY EDUCATION AND RESEARCH

DIVISION DIRECTOR
Diane E. Cowdrey

Suzette LaCivita
Exec. Secretary

Production, Delivery, and Educational Technologies
Gavin Lane
Senior Manager

Illistine Banks
Sr. Fiscal Coordinator

Course Content and Publications
Bob Lowney
Senior Manager

Education Design and Development
Maggie Cimino
Manager

Faculty and Conference Services
Sue Olikier
Manager

Distance Education
Ralph McMullan
Supervisor

AV/Video Technical Support
Peter Shervanick
Supervisor

Judicial Education
Karene Alvarado
Managing Attorney

Administrative Branch Education
Kathryn Brooks
Manager

Judicial Publications
Vacancy
Managing Attorney

Linda McCulloh
Sr. Attorney
Eddie Davis
Sr. Ed. Specialist
Tim Hallahan (50%)
Attorney
Vacancy
Sr. Editor
Vacancy
Sr. Editor

Course & Faculty Services
Lisa Graves
Supervisor

Conference & Registration Services
Alla Urisman
Supervisor

Dexter Craig
Sr. Med. Prod. Spec.
David Knight
Sr. Med. Prod. Spec.
Mandy Covey
Med. Prod. Spec.
Christopher Noice
Med. Prod. Spec.
Mary Durbin
Staff Analyst II
Catherine Lam (80%)*
Sr. AV/Video Tech.

Cyrus Ip
Sr. AV/Video Tech.
John Moynihan**
Sr. AV/Video Tech.
Mark Scardello
Sr. AV/Video Tech.
Ralph Brooks**
AV/Video Tech. II
Dorothy Wang**
AV/Video Tech. II
Mandy Brown (80%)*
AV/Video Tech. I

Roderic Cathcart
Sr. Attorney
Rhoda Chang
Attorney
Eugene Kim
Attorney
Andrea McCann+
Attorney
Nanette Zavala
Attorney
Robert Lussier
Admin. Secretary

Claudia Fernandes
Sr. Ed. Specialist
Rhonda Sharbono
Sr. Ed. Specialist
Mike Walsh
Sr. Ed. Specialist
Walter Brown
Ed. Specialist II
Russell Mathieson
Ed. Specialist II
Mary Nelson
Ed. Specialist II
Carole Simmons
Ed. Specialist II

Barry Harding
Sr. Attorney
Jeffrey Shea
Sr. Attorney
Kimberly DaSilva
Attorney

Vacancy
Manager

AV/Video Systems Development & Integration
Jennifer Willard
Supervisor

Mike Safer@
Sr. AV/Video Sys. Tech. Analyst
Rodrigo Zamudio
AV/Video Sys. Tech. Analyst
James Hill
Sr. AV/Video Tech.

Conference Center Support
David Glass
Supervisor

Joe Glavin
Adm. Coordinator II
Benjamin Talavera
Adm. Coordinator II
Irene Vozaites
Receptionist II
Paul Bibo**
Office Technician I

Susan Carroll
Sr. Adm. Coordinator
Suzanne Renner
Sr. Adm. Coordinator
Jane Doherty
Adm. Coordinator II
Stephanie Hampton
Adm. Coordinator II
Lina Kravetskiy
Adm. Coordinator II
Gricelda Luna
Adm. Coordinator II
Lynn Muscat (90%)
Adm. Coordinator II
Vacancy
Adm. Coordinator II
Vacancy
Adm. Coordinator I
Kelly Cameron
Secretary II
Diane Parks
Secretary II

Evelyn Gonzalez
Adm. Coordinator II
Susan Paul
Adm. Coordinator II
Brandie Pilapil
Adm. Coordinator II
Christopher Rey
Adm. Coordinator II
Brenda Chiles
Admin. Secretary

* Temporary employee (909)
** Temporary intermittent employee (909)
@Apple One Temporary Agency Employee
+ Located at regional office

Report for Judicial Council Recommendation #88

Judicial Council Recommendation 88

E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to the council on a review of the content of training courses offered to AOC managers, supervisors, and employees, the number and location of courses offered, and the means by which courses and training are delivered. Training opportunities should include greater orientation and development of understanding of court functions.

Summary

In 2012, the Office of Education/Center for Judicial Education and Research (CJER) re-evaluated existing AOC Education courses and reduced them in order to match reduced resources and changed priorities. The review resulted in the elimination of courses that are not core to the mission of the Administrative Office of the Courts. In tandem, CJER increased the amount of education offerings for AOC staff that are more court focused, with the vision that this will increase the AOC's overall effectiveness in providing service to the courts. Court-related class offerings in 2012 were *increased by 162%*. CJER has accomplished this, in part, by making available to AOC staff broadcast programs and online classes originally developed and produced for court personnel. This leveraging of court related education enables CJER to devote the majority of its resources to developing education for the trial and appellate courts while still providing relevant education to AOC employees. In addition, some AOC Education courses are offered jointly to both AOC and trial and appellate court personnel.

Review of the Content of Current Training Offered to AOC Employees

At the end of 2011, CJER led a review of the current compliance requirements for AOC employees. As part of this review, CJER held meetings with representatives from the Human Resources Services Office, Legal Services Office, Risk Management Unit, Office of Emergency Response and Security, and the Injury and Illness Prevention Plan (IIPP) Working Group. The IIPP Working Group is responsible for identifying specific training for each job classification category of AOC staff, based upon a safety assessment conducted for each employee. The resultant changes primarily affected safety-related requirements. In 2012, the number of non-safety compliance classes offered was *reduced by 12%* in response to a decreased need for new employee education.

Safety Training. As part of the AOC compliance requirement changes, job specific safety-training is now identified as part of the IIPP, the majority of which is provided via online education. As a result of these changes, the number of *live safety-related class offerings was reduced by 69%*. Seven new safety-related online courses provided by the AOC online vendor Syntrio were added in January 2012; this represents a *116% increase in the number of online safety-related*

Report for Judicial Council Recommendation #88

training options. The Office of Education/CJER will continue to provide compliance classes and to partner with the IIPP Working Group to provide safety-related education.

Computer Training. In addition to changes in compliance education, CJER also *reduced computer class offerings by 46%* from 2011. At the end of this calendar year, CJER will review computer class attendance to determine the number of computer classes to be offered to AOC employees next year. Of those classes that were offered in 2012, seven sessions were offered to a combined audience of AOC and trial and appellate court employees. Combined audience classes offer a meaningful way for AOC and court employees to interact together. Further, offering classes to a combined audience allows the Office of Education/CJER to focus more of its resources on developing education for the courts.

Court-Related Education: ICM Classes. Utilizing curriculum provided by the Institute for Court Management (ICM), CJER is able to efficiently develop education for AOC employees which focuses on the work of the courts. This national curriculum is owned by CJER, which enables CJER to create multiple separate courses, using the curriculum from each of the 2.5 day classes. These separate courses are developed with AOC staff in mind as the intended audience. Another advantage of these courses is that for some classes, court staff serves as faculty. The use of the ICM curriculum for this purpose began in 2010 and resulted in several classes for AOC employees. This effort has been accelerated this year. Courses now available for AOC staff and managers include the following:

- Court Community Communications: Purpose and Communication Fundamentals (new)
- Court Community Communications: Understandable Courts (new)
- Court Community Communications: The Media and Media Relations (new)
- Leadership: Be Credible in Action (new)
- Leadership: Create Focus through Vision (new)
- Leadership: Purposeful Planning; and Manage Interdependencies - Work Beyond Boundaries (new)
- Courts-Introduction to CourTools
- Courts-Purposes and Responsibilities
- Introduction to Project Management
- Visioning and Strategic Planning: Strategic Thinking
- Visioning and Strategic Planning: Organizational Foundations
- Visioning and Strategic Planning: Change & Alignment

Court-Related Education: Online Course. In addition, working with subject matter experts from the AOC and the courts, CJER developed an online course for AOC employees called "The Work

Report for Judicial Council Recommendation #88

of the Courts.” This class provides a general overview of court work and processes and is currently under final review by trial court employee subject matter experts. *Court-related classes for AOC employees increased by 162% in 2012.*

Training Offered to AOC Managers and Supervisors

CJER continues to leverage existing resources to support and develop manager and supervisor education at the AOC. In addition to the training and resources already available to managers and supervisors at the Administrative Office of the Courts, there were several new initiatives during the past year.

Management Training: Achieve Global Courses. During the 2012 – 2013 education period, CJER will provide courses for managers and supervisors using curriculum purchased from Achieve Global (a world-renowned international provider of leadership training programs) in 2004. AOC Office of Education/CJER employee, Rhonda Sharbono, completed the Achieve Global faculty training and certified to enable the AOC to utilize this previously purchased curriculum. Utilizing the Achieve Global courses will allow the AOC to provide education for up to 80 managers and supervisors with no additional financial investment, in four areas:

- Successful Delegation
- Strategies to Help You Build a Unified Team
- Tools to Lead Your Team through Change
- The Principles and Qualities of Genuine Leadership

Management Training: Leveraging Court Programs. A key area of focus for AOC management training is the development of courses that address knowledge, skills, and abilities to effectively manage staff performance through increased communication, clear performance expectations, and achievement of goals. CJER, Legal Services Office, and Human Resources Services Office began the process of identifying broad objectives and desired results for AOC management training. This involved leveraging content and objectives already developed as part of CORE 40 Supervisor Training for trial and appellate court supervisors and managers. Additionally, content from other programs including court management programs will be reviewed for inclusion in the overall course offerings. Multiple separate courses will be provided starting in January 2013 with subsequent courses being offered every other month. The initial proposal is to offer these courses in a live, face-to-face environment, with videoconference capabilities for AOC staff in regional offices.

Management Training: Online Training. An online orientation series for new supervisors, highlighting essential AOC policies, is being discussed as part of the training described in the previous section. Workgroups comprising AOC subject matter experts will begin the design and

Report for Judicial Council Recommendation #88

development of the new courses under the combined direction of CJER, HR, and the Legal Services Office, with some subject matter experts also serving as faculty.

The Means by Which Training is Delivered

CJER strives to hold AOC Education classes in the most cost-effective way. For some classes, such as “Preventing and Responding to Sexual Harassment” for supervisors and managers, the AOC has subject matter experts in San Francisco, Sacramento and Burbank who are able to serve as faculty which minimizes travel. Videoconference technology is utilized at both the Sacramento and Burbank locations, with an emphasis on the Burbank location. This allows the relatively small number of AOC employees in Burbank to participate in classes without traveling; this also allows CJER to maximize the number of class attendees while efficiently utilizing faculty time.

Computer classes are currently offered only in San Francisco and Sacramento; however, this year CJER piloted computer training via WebEx to the trial courts. On July 23, a webinar was provided for trial court employees in Contra Costa on the topic of “Word Report Features.” Employees in Alpine County have also requested computer training, and a pilot webinar training for “Microsoft Excel” is currently being planned for early 2013.

Online education is also a significant resource for AOC employees. CJER provides online education for AOC employees through a variety of sources, including utilization of an online course vendor (Syntrio), development of online classes specifically for AOC employees (“The Work of the Courts”), and utilizing online classes developed by CJER for trial and appellate court employees.

Training Related to Increased Understanding of Court Functions

In addition to increased classes available to AOC staff resulting from the use of the ICM curriculum as previously described in this report, CJER began other ways to implement the recommendation that AOC staff receive greater orientation and development of understanding of court functions. Without the advantage of increased staff or resources, AOC Education staff was best able to accomplish this by leveraging existing education developed for court staff.

Court-Related Education: Leveraging Court Staff Education. In addition to live classes, this year CJER began to provide select broadcasts and online classes designed for the trial and appellate courts to AOC employees. These broadcasts and classes provide AOC employees with additional orientation to the courts. By utilizing existing education designed for court employees, CJER can devote the majority of its resources to developing education for the trial and appellate courts while still providing relevant education to AOC employees. The following broadcasts and online

Report for Judicial Council Recommendation #88

classes are available to AOC employees via the AOC's Human Resources Employee Management System (HREMS):

- Appeals 101
- Appellate Court Records and Files
- Domestic Violence
- Everyday Court Practices: Exhibits
- Everyday Court Practices: Felony Minute Orders
- Everyday Court Practices: File Stamping
- Exploring the Code of Ethics
- Family Adoption of Minors
- How is a California Rule of Court Created?
- ICWA 101: Fundamentals of the Indian Child Welfare Act
- Juvenile Procedures: Confidentiality and Sealed Records
- A Practical Look at Probate Court Investigator Responsibilities
- New Court Investigator Responsibilities for Conservatorships
- Probate, Conservatorship, and Guardianship Video—A Look at Elder Abuse from the Perspective of Law Enforcement
- Probate Fundamentals
- Protective Orders: The Basics
- Traffic Counter Fundamentals
- Unlawful Detainers—the Basics

In addition to broadcast programs, several online courses designed for trial court employees are also available to AOC employees:

- The Courtroom Clerk in the Felony Courtroom (2 hrs)
- Handling Fee Waiver Applications (1.5 hrs)
- Introduction to Family Procedure (4 hrs)
- Requests for Domestic Violence Restraining Orders (2.5 hrs)

This cost-effective approach allows the Education Division to significantly increase the amount of court-related education provided to AOC employees while continuing to focus resources on developing and delivering education for the trial and appellate courts.

Over the past few years, partly due to staffing reductions and department reorganizations, responsibility for AOC Education is dispersed among several staff who now have a portion of their work assigned to AOC Education but with an emphasis on education that is more court focused. This model enables CJER to more easily shift resources to education areas as needed.

Report for Judicial Council Recommendation #88

For example, the request to increase AOC management training can be met by engaging staff who are already working on court manager education. That is, the overlap in content for these two audiences can be leveraged. In making these changes, CJER has shifted how staff is used for AOC Education. With the added focus on developing and teaching management training classes for AOC managers and supervisors, some staff members are spending additional time on AOC Education, while others have moved their focus and time to court staff education, as it now has the added benefit of being used for both court staff and AOC Education.

1

**ADMINISTRATIVE OFFICE OF THE COURTS
2013 AOC MANAGEMENT EDUCATION SERIES**

**Burbank participation will be by video conference*

LEADERSHIP, CHANGE, AND GROUP DYNAMICS

Day and Date	Time	Office	Room
Thursday, Jan. 24, 2013	8:30 a.m. - 12:00 p.m.	1-San Francisco	Redwood A/B
Thursday, Jan. 24, 2013	12:30 p.m. - 4:00 p.m.	2-San Francisco	Redwood A/B
Tuesday, Jan. 29, 2013	12:30 p.m. - 4:00 p.m.	1-Sacramento	Veranda A
Wednesday, Jan. 30, 2013	8:30 a.m. - 12:00 p.m.	2-Sacramento	Veranda A
Wednesday, Feb. 6, 2013	8:30 a.m. - 12:00 p.m.	3-San Francisco	Catalina A/B
Thursday, Feb. 7, 2013	12:30 p.m. - 4:00 p.m.	4-San Francisco Burbank*	Catalina A/B Sunset Blvd
Wednesday, Feb. 20, 2013	12:30 p.m. - 4:00 p.m.	5-San Francisco	Catalina A/B
Thursday, Feb. 21, 2013	8:30 a.m. - 12:00 p.m.	6-San Francisco Burbank*	Catalina A/B Sunset Blvd

MANAGING CONFLICT

Day and Date	Time	Office	Room
Monday, March 4, 2013	12:30 p.m. - 4:00 p.m.	1-San Francisco	Catalina A/B
Thursday, March 7, 2013	8:30 a.m. - 12:00 p.m.	2-San Francisco	Catalina A/B
Tuesday, March 19, 2013	8:30 a.m. - 12:00 p.m.	Sacramento	Veranda A
Wednesday, March 27, 2013	12:30 p.m. - 4:00 p.m.	3-San Francisco	Catalina A/B
Wednesday, April 3, 2013	8:30 a.m. - 12:00 p.m.	4-San Francisco Burbank*	Catalina A/B Sunset Blvd
Wednesday, April 17, 2013	12:30 p.m. - 4:00 p.m.	5-San Francisco Burbank*	Catalina A/B Sunset Blvd
Thursday, April 18, 2013	8:30 a.m. - 12:00 p.m.	6-San Francisco	Catalina A/B
Wednesday, April 24, 2013	12:30 p.m. - 4:00 p.m.	2-Sacramento	Veranda A

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**ADMINISTRATIVE OFFICE OF THE COURTS
2013 AOC MANAGEMENT EDUCATION SERIES**

**Burbank participation will be by video conference*

THE AT WILL ENVIRONMENT AND OTHER LEGAL ISSUES

Day and Date	Time	Office	Room
Wednesday, May 1, 2013	8:30 a.m. - 12:00 p.m.	1-San Francisco Burbank*	Catalina A/B Sunset Blvd
Tuesday, May 14, 2013	8:30 a.m. - 12:00 p.m.	1-Sacramento	Veranda A
Thursday, May 16, 2013	12:30 p.m. - 4:00 p.m.	2-San Francisco Burbank*	Catalina A/B Sunset Blvd
Wednesday, May 22, 2013	12:30 p.m. - 4:00 p.m.	3-San Francisco	Catalina A/B
Thursday, May 30, 2013	8:30 a.m. - 12:00 p.m.	4-San Francisco	Catalina A/B
Wednesday, June 5, 2013	8:30 a.m. - 12:00 p.m.	5-San Francisco	Catalina A/B
Thursday, June 13, 2013	12:30 p.m. - 4:00 p.m.	2-Sacramento	Veranda A
Thursday, June 20, 2013	12:30 p.m. - 4:00 p.m.	6-San Francisco	Catalina A/B

SETTING EXPECTATIONS AND DOCUMENTING PERFORMANCE

Day and Date	Time	Office	Room
Wednesday, July 10, 2013	8:30 a.m. - 12:00 p.m.	1-San Francisco	Catalina A/B
Wednesday, July 17, 2013	12:30 p.m. - 4:00 p.m.	2-San Francisco Burbank*	Catalina A/B Sunset Blvd
Tuesday, July 23, 2013	8:30 a.m. - 12:00 p.m.	1-Sacramento	Veranda A
Wednesday, July 24, 2013	8:30 a.m. - 12:00 p.m.	3-San Francisco	Catalina A/B
Tuesday, Aug. 6, 2013	12:30 p.m. - 4:00 p.m.	2-Sacramento	Veranda A
Thursday, Aug. 8, 2013	12:30 p.m. - 4:00 p.m.	4-San Francisco	Catalina A/B
Thursday, Aug. 15, 2013	8:30 a.m. - 12:00 p.m.	5-San Francisco Burbank*	Catalina A/B Sunset Blvd
Thursday, Aug. 29, 2013	12:30 p.m. - 4:00 p.m.	6-San Francisco	Catalina A/B

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**ADMINISTRATIVE OFFICE OF THE COURTS
2013 AOC MANAGEMENT EDUCATION SERIES**

**Burbank participation will be by video conference*

PERFORMANCE MANAGEMENT : IDENTIFYING AND ADDRESSING PERFORMANCE GAPS

Day and Date	Time	Office	Room
Thursday, Sept. 5, 2013	8:30 a.m. – 12:00 p.m.	1-San Francisco	Catalina A/B
Thursday, Sept. 12, 2013	12:30 p.m. – 4:00 p.m.	2-San Francisco Burbank*	Catalina A/B Sunset Blvd
Tuesday, Sept. 17, 2013	8:30 a.m. - 12:00 p.m.	1-Sacramento	Veranda A
Wednesday, Sept. 25, 2013	8:30 a.m. – 12:00 p.m.	3-San Francisco	Catalina A/B
Wednesday, Oct. 2, 2013	12:30 p.m. – 4:00 p.m.	4-San Francisco	Catalina A/B
Thursday, Oct. 3, 2013	12:30 p.m. - 4:00 p.m.	2-Sacramento	Veranda A
Wednesday, Oct. 16, 2013	8:30 a.m. - 12:00 p.m.	5-San Francisco Burbank*	Catalina A/B Sunset Blvd
Wednesday, Oct. 23, 2013	12:30 p.m. - 4:00 p.m.	6-San Francisco	Catalina A/B

AOC PERFORMANCE EVALUATION PROCESS

Day and Date	Time	Office	Room
Wednesday, Nov. 6, 2013	8:30 a.m. - 12:00 p.m.	1-San Francisco	Catalina A/B
Wednesday, Nov. 13, 2013	12:30 p.m. – 4:00 p.m.	2-San Francisco Burbank*	Catalina A/B Sunset Blvd
Thursday, Nov. 14, 2013	8:30 a.m. – 12:00 p.m.	3-San Francisco	Catalina A/B
Tuesday, Nov. 19, 2013	8:30 a.m. – 12:00 p.m.	1-Sacramento	Veranda A
Tuesday, Dec. 3, 2013	12:30 p.m. – 4:00 p.m.	2-Sacramento	Veranda A
Thursday, Dec. 5, 2013	12:30 p.m. – 4:00 p.m.	4-San Francisco	Catalina A/B
Wednesday, Dec. 11, 2013	8:30 a.m. – 12:00 p.m.	5-San Francisco Burbank*	Catalina A/B Sunset Blvd
Thursday, Dec. 19, 2013	12:30 p.m. – 4:00 p.m.	6-San Francisco	Catalina A/B

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	89
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-25 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	The functions performed by the Finance Division should be placed in the Judicial and Court Administrative Services Division. The Finance Division should be renamed the Fiscal Services Office, reporting to the Chief Administrative Officer. The Fiscal Services Office Manager position should be at the Senior Manager level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <input type="checkbox"/> File Attachment	
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <input type="checkbox"/> File Attachment	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION	

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<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
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E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	90
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-26 and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	The number of managers and supervisors should be reduced.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Before implementation of Directive 90 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.</p> <p>The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.</p> <p>The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.</p> <p>Final report timeline is currently unknown, pending the Council's decision at the June 2013 session.</p> </div>	

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E&P REVIEW

Executive and Planning Review Date:

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	91
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure through the budget and fiscal management measures implemented by the AOC that the AOC's Finance Division is involved in all phases of fiscal planning and budgeting, especially with regard to large-scale or branch-wide projects or initiatives.
SEC RECOMMENDATION	The AOC must improve its fiscal decision making processes. The AOC must make a commitment to involve the Fiscal Services Office in all phase of fiscal planning and budgeting, especially with regard to large-scale or branch-wide projects or initiatives.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: EXTENSION BEING REQUESTED TO OCTOBER 2013 Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date. Staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: http://www.dof.ca.gov/fisa/bag/bagtoc.htm) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: http://www.dof.ca.gov/fisa/bag/typesof.htm) and Analysis of Budget Items (see attached or access online here: http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm) will	

serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

The following narrative represents excerpts from the budget guide referenced above:

"Types of Analysis: The Key Element in a BCP (or other Proposal) is Data to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis. For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in."

"Analysis of Budget Items: Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

Fiscal - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?

Policy – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.

Policy combined with fiscal—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level."

By definition, and in coordination with the AOC Executive Office, the Fiscal Services Office is involved in all phases of fiscal planning and budgeting, as a result of recent restructuring efforts and observations noted in the SEC report.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



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24.0 KB


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19.9 KB


PrinciplesPracticesAnalysis.pdf
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Budget Analyst Guide (BAG)

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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example—CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academicians identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

Rev.9/02 TRO

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/3/2013
PREPARED BY	Bob Fleshman
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	92
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the budget and fiscal management measures implemented by the AOC to ensure that the AOC's fiscal and budget processes are more transparent.
SEC RECOMMENDATION	The budgeting process must become more transparent. Budget information must be readily available to the public, including online. Budget documents must provide understandable explanations and detail concerning revenue sources, fund transfers, and expenditures.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013.</p> <p>AOC staff are currently working to re-engineer the budget process to include the display of fiscal information and to ensure that the information is clearly understandable. Budget information is readily available to the public via the court website which includes the link to the DOF ebudget website (http://www.ebudget.ca.gov/). The branch's fiscal information is displayed here as part of the Governor's budget package, including three year expenditures and position detail, fund condition statements, and fund transfer information. The AOC mid-year forecast as well as fiscal and budget processes calendar are planned future additions to the court website. Other detailed fiscal reports, such as reports to the legislative on branch expenditures, can be accessed on the public website as well (see attached example on special fund expenditures for 2011-12).</p> <p>The AOC will build upon the DOF annual budget development calendar to document the AOC fiscal</p> </div>	

and budget processes. Additionally, the Fiscal Services Office will confer with other state departments to obtain feedback regarding their internal fiscal and budget processes.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	TBD <input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="text" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="text" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="text" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="text" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="text" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="text" value="File Attachment"/>
	<input type="text"/>

<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>



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 ADMINISTRATIVE OFFICE OF THE COURTS
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 Chief Justice of California
 Chair of the Judicial Council

STEVEN JAHR
 Administrative Director of the Courts

CURT SODERLUND
 Chief Administrative Officer

ZLATKO THEODOROVIC
 Director, Fiscal Services Office

December 18, 2012

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

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

Hon. Bill Emmerson, Vice-Chair
 Committee on Budget and Fiscal Review
 California State Senate
 State Capitol, Room 4082
 Sacramento, California 95814

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

Re: Report of Special Funds Expenditures for Fiscal Year 2011–2012, as required under
 Government Code section 77209(j)¹

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

The Judicial Council respectfully submits the attached *Annual Report of Special Funds Expenditures for Fiscal Year 2011–2012* under the reporting requirements stated in Government Code section 77209(j) regarding the use of the Trial Court Improvement Fund. Also, though not

¹ Government Code section 77209 was amended by Senate Bill 1021 (Stats. 2012, ch. 41), which established a successor fund, the State Trial Court Improvement and Modernization Fund, to the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund. Future fiscal year reports of expenditures will be required by Government Code section 77209(i).

December 18, 2012

Page 2

required by statute, expenditures pertaining to the Judicial Administration Efficiency and Modernization Fund and Trial Court Trust Fund (TCTF) are included in the report, as well. In addition, though not required by statute, the report contains an addendum identifying funding from the Trial Court Trust Fund and the Trial Court Improvement Fund allocated to the courts through the supplemental funding process for statewide administrative and technology infrastructure services, as well as expenditures from the Trial Court Trust Fund in fiscal year 2011–2012 for statewide administrative and technology infrastructure projects and programs.

Funding provided by the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund represents an important component of the judicial branch budget. These funds support statewide services for the trial courts, ongoing technology programs and infrastructure initiatives, and educational and development programs, as well as innovative and model programs, pilot projects, and other special projects. The programs and initiatives detailed in this report highlight many of the judicial branch's efforts to ensure that all Californians are treated in a fair and just manner and have equal access to the courts.

If you have any questions related to this report, please contact Zlatko Theodorovic, Director, Administrative Office of the Courts (AOC) Fiscal Services Office, at 916-263-1397.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Steven Jahr', with a long horizontal flourish extending to the right.

Steven Jahr
Administrative Director of the Courts

SJ/CS

Enclosures

December 18, 2012

Page 3

cc: Members of the Judicial Council
Diane F. Boyer-Vine, Legislative Counsel
Gregory P. Schmidt, Secretary of the Senate
E. Dotson Wilson, Chief Clerk of the Assembly
Margie Estrada, Policy Consultant, Office of Senate President pro Tempore Darrell Steinberg
Fredericka McGee, General Counsel, Office of Assembly Speaker John A. Pérez
Peggy Collins, Principal Consultant, Joint Legislative Budget Committee
Joe Stephenshaw, Consultant, Senate Committee on Budget and Fiscal Review
Matt Osterli, Consultant, Senate Republican Fiscal Office
Marvin Deon II, Consultant, Assembly Budget Committee
Allan Cooper, Consultant, Assembly Republican Fiscal Office
Mike Petersen, Consultant, Senate Republican Office of Policy
Mark Redmond, Consultant, Assembly Republican Office of Policy
Anita Lee, Fiscal and Policy Analyst, Legislative Analyst's Office
Jay Sturges, Principal Program Budget Analyst, Department of Finance
Jody Patel, Administrative Office of the Courts (AOC) Chief of Staff
Curt Soderlund, AOC Chief Administrative Officer
Curtis L. Child, AOC Chief Operating Officer
Cory Jasperson, Director, AOC Office of Governmental Affairs
Zlatko Theodorovic, Director, AOC Fiscal Services Office
Peter Allen, Senior Manager, AOC Office of Communications
Steven Chang, Manager, AOC Fiscal Services Office
Colin Simpson, Supervising Budget Analyst, AOC Fiscal Services Office
Bernadine Gonzalez, AOC Court Operations Special Services Office



Judicial Council of California

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Director, Fiscal Services Office

Report Title: *Annual Report of Special Funds Expenditures for Fiscal Year 2011–2012*

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

Date of Report: December 2012

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 77209(j) regarding the use of the Trial Court Improvement Fund.

The following summary of the report is provided per the requirements of Government Code section 9795.

Funding provided by the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund support statewide services for the trial courts, as well as innovative and model programs, pilot projects, and other special projects. The programs and initiatives detailed in this report highlight many judicial branch efforts to ensure that all Californians are treated in a fair and just manner and have equal access to the courts.

In fiscal year 2011–2012, \$43,987,551 was expended or encumbered from the Trial Court Improvement Fund. Of that amount, \$37,815,184 went toward “Ongoing Statewide Programs”, including statewide technology infrastructure and ongoing services to the trial courts; \$1,672,366 to “Trial Court Projects and Model Programs”; and \$4,500,000 for “Urgent Needs” of the courts. From the Judicial Administration Efficiency and Modernization Fund, \$15,353,426 was expended or encumbered. Of that amount, \$9,662,650 went toward “Statewide Technology Infrastructure and Ongoing Services to the Trial Courts”; \$1,208,628 to “Educational and Development Programs”; and \$4,482,149 to “Pilot Projects, Special Initiatives, and Ongoing Programs.”

The full report is available at www.courts.ca.gov/7466.htm.

A printed copy of the report may be obtained by calling 415-865-7966.

Judicial Council Members

As of December 5, 2012

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Hon. Steven Jahr

*Administrative Director of the Courts
and Secretary of the Judicial Council*

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FISCAL SERVICES OFFICE
Zlatko Theodorovic
Director

Steven Chang
Manager

Colin Simpson
Supervising Budget Analyst / Primary Author of Report

Annual Report of Special Funds Expenditures for Fiscal Year 2011–2012

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

DECEMBER 2012



ADMINISTRATIVE OFFICE
OF THE COURTS

Introduction

Government Code section 77209(j)¹ requires the Judicial Council to report to the Legislature annually on expenditures from the Trial Court Improvement Fund (TCIF). In accordance with the statutory requirement, the council submits this report to the Legislature. Though not required by statute, expenditures pertaining to the Judicial Administration Efficiency and Modernization Fund (Modernization Fund) are included in the report. In addition, though not required by statute, the report contains an addendum identifying funding from the Trial Court Trust Fund (TCTF) and the TCIF allocated to the courts through the supplemental funding process for statewide administrative and technology infrastructure services, as well as expenditures from the TCTF in fiscal year (FY) 2011–2012 for statewide administrative and technology infrastructure projects and programs.

¹ Government Code section 77209 was amended by Senate Bill 1021 (Stats. 2012, ch. 41), which established a successor fund, the State Trial Court Improvement and Modernization Fund, to the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund. Future fiscal year reports of expenditures will be required by Government Code section 77209(i). Unless otherwise indicated, all citations are to the California Government Code.

Resources, Expenditures, and Fund Balance Overview

In FY 2011–2012, the TCIF was supported by a variety of funding sources, including annual deposits from the 50/50 excess fees, fines, and forfeitures split revenue under Government Code (GC) section 77205(a); the 2 percent automation fund under GC section 68090.8(b); interest from the Surplus Money Investment Fund; royalties from publication of jury instructions; other miscellaneous revenues; and a transfer from the Trial Court Trust Fund (see Attachment A-1). GC section 77209(b) placed specific restrictions on the use of the transferred funds from the TCTF: at least one-half of these monies had to be set aside as a reserve that could not be allocated before March 15 of each fiscal year for purposes other than for “urgent needs” of courts.² GC section 77209(i), now GC section 77209(h), specified that royalties from jury instructions publication can be used only for the improvement of the jury system.

The Modernization Fund (see Attachment B-1) receives an appropriation annually in the state Budget Act. Additional interest revenue is received from the Surplus Money Investment Fund.

For FY 2011–2012, expenditures and encumbrances from the two special funds were made in the following council-approved categories, described in greater detail below:³

TCIF

Category 1: Ongoing Statewide Programs	\$37,815,184
Category 2: Trial Court Projects and Model Programs	1,672,366
Category 3: Urgent Needs	4,500,000
Total Expenditures and Encumbrances:	\$43,987,551

Modernization Fund

Category 1: Statewide Technology Infrastructure	\$9,662,650
Category 2: Educational and Development Programs	1,208,628
Category 3: Pilot Projects, Special Initiatives, and Ongoing Programs	4,482,149
Total Expenditures and Encumbrances:	\$15,353,426

The resulting year-end fund balance in FY 2011–2012 was \$40.247 million for the TCIF and \$7.881 million for the Modernization Fund (see Attachments A-2 and B-2).

² Amended section 77209 has eliminated the 1 percent transfer from the TCTF as well as the related “urgent needs” reserve requirement beginning in 2012–2013 and going forward.

³ Amounts displayed are rounded to nearest dollar. Subtotals and totals reflect the sum of amounts itemized to the penny and then rounded to the nearest dollar.

Trial Court Improvement Fund FY 2011–2012 Expenditures and Encumbrances

The Judicial Council allocates funds from the TCIF to assist courts in improving court management and efficiency, case processing, and timeliness of trials. GC section 77209(g)—changed to GC section 77209(f) for FY 2012–2013 by Senate Bill 1021 (Stats. 2012, ch. 41)—authorizes the council to administer monies deposited in the TCIF and allows the council, with appropriate guidelines, to delegate administration of the fund to the Administrative Director of the Courts.

In FY 2011–2012, \$43.987 million was expended from the TCIF, mostly for ongoing statewide programs for the benefit of the trial courts. Since the passage of the Trial Court Funding Act of 1997, the state has been responsible for the funding of trial courts. Consistent with this change, the Administrative Office of the Courts (AOC) has been developing and implementing statewide administrative and technology infrastructure initiatives to provide services that previously were provided by the counties. The projects and programs funded in Categories (1) and (2) are projects of statewide importance and directly support the trial courts. Category (3) reflects allocations to courts of the funds set aside to address “urgent needs”.

Category 1: Ongoing Statewide Programs

(See Attachment A-3 for the amounts allocated for each of these programs.)

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

Domestic Violence—Family Law Interpreter Program

In FY 2011–2012, of the \$1,750,000 allocated to this program, \$1,730,000 was distributed directly to the courts. Court funding is used entirely for court staffing and the travel costs of interpreters where needed, to ensure access to justice in areas without substantial full time interpreter services. The remaining \$20,000 of the allocation was used to pay for the translation of domestic violence forms and instructions into Spanish, Chinese, Korean and Vietnamese and to make them available to all courts. It is critical to keep these forms updated to reflect legislative changes.

Interpreter shortages adversely affect court proceedings. Attorneys report that when interpreters are unavailable, court proceedings, particularly those involving self-represented litigants, often result in continuances or very difficult, protracted hearings. Interpreter shortages also result 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, thus compromising public safety.

Demand for this funding is strong. Even at the current level, funding falls far short of court needs. Court requests typically total \$3.0 million to \$3.5 million in each fiscal year—about twice the amount available from this allocation.

Employee Assistance Program for Bench Officers

FY 2011–2012 funds were used to provide assistance and support to approximately 1,500 judicial officers and their families dealing with a wide range of personal, family, and financial matters. These functions were outsourced to a vendor, and the vendor was tasked with providing the following services:

- Maintaining a toll-free telephone access line 24 hours per day for participant access to Judicial Officers' Assistance Program services (specialists were available through the telephone access line to assess the caller's problem and arrange for appropriate assistance);
- Linking each participant who requests in-person counseling services to a counselor;
- Monitoring the participant's compliance with a substance abuse treatment program, as needed; and
- Providing critical incident stress management services to counter emotional distress caused by catastrophic or traumatic events, and to foster appropriate coping strategies including peer and community-based solutions.

In FY 2011–2012, the AOC Human Resources Office secured a contract with Managed Health Network to provide this benefit.

Human Resources (HR) Legal Counsel for Trial Court Benefits

In FY 2011–2012, the AOC Human Resources Office contracted with one law firm to support all trial courts on matters pertaining to benefits questions arising in the courts.

The firm worked directly with the AOC Human Resources Office and in consultation with the AOC Legal Services Office (LSO), to provide 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 regarding highly compensated employees; and HIPPA issues regarding propriety of business associate agreements between the courts and insurance brokers. Outside legal assistance was needed because of the specialized nature of the subject matter.

Judicial Performance Defense Insurance Program

The Commission on Judicial Performance (CJP) Defense Insurance program was approved by the council as a comprehensive loss-prevention program in 1999. The program (1) covers defense costs in CJP proceedings related to CJP complaints, (2) protects judicial officers from exposure to excessive financial risk for acts committed within the scope of their judicial duties, and (3) lowers the risk of conduct that could lead to complaints through required ethics training for judicial officers. In FY 2011–2012, allocated funds were used to pay for the CJP defense master insurance policy, which covers portion related to the defense costs of a judge or subordinate judicial officer under investigation by the CJP.

Jury System Improvement Projects

The Jury System Improvement Projects are supported by royalty revenue from the publication of the Judicial Council’s civil (CACI) and criminal (CALCRIM) jury instructions. The Judicial Council’s Advisory Committees on Civil and Criminal Jury Instructions prepare new and revised instructions and propose their adoption to the council. On approval, the instructions are then copyrighted and licensed to commercial publishers. The publishers pay royalties to the council based on sales of the instructions. In FY 2011–2012, funds were used to (1) support the meeting expenses of the Judicial Council’s Advisory Committees on Civil and Criminal Jury Instructions, and (2) cover the expense of obtaining copyright protection for the official CACI and CALCRIM publications.

Litigation Management Program

GC section 811.9 requires the Judicial Council to provide for the representation, defense, and indemnification of the state’s trial courts, trial court judicial officers, and court employees. In FY 2011–2012, allocated funds were expended to pay the costs of defense—including fees for attorneys from the Office of the Attorney General and private counsel—and to pay settlements of civil claims and actions brought against covered entities and individuals.

Self-Help Centers

In FY 2011–2012, \$5 million in TCIF funds were distributed directly to the courts for public self-help center programs and operations. All 58 trial courts receive funding for their self-help centers. The minimum allocation is \$34,000; the remainder is 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.

Reducing self-help services increases court’s other costs. When self-help staff decrease, the number of questions and issues at the public counters increase substantially, therefore increasing line lengths and wait times. Similarly, self-help services improve the quality of documents filed, thereby reducing follow-up and cleanup work in the clerks’ offices.

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 in addition to providing operational efficiencies by helping self-represented litigants more accurately pursue their legal issues. One study found that self-help center workshops save \$1.00 for every \$0.23 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 \$0.36 to \$0.55. 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 \$0.45 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 for \$44 million in additional funds to fully support their self-help efforts. The judicial branch has been able to allocate only a quarter of the amount needed in 2007, \$11.2 million annually from the TCTF and TCIF combined.

Self-Represented Litigants—Statewide Support

In FY 2011–2012, funds supported statewide services available to court self-help centers in all of California’s 58 trial courts. These funds were used to provide translations for the self-help website, instructional materials, and forms, and to review Spanish-language translations for accuracy. They were also used to update the judicial branch self-help website with materials for self-help centers and the public.

The self-help 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. The site has more than 4,000 pages of content in English and Spanish, and links to hundreds of free, accurate legal resources. More than 4 million users view the self-help website annually.

Funds were also used to assist in providing education for self-help center staff on legal updates. They also supported the maintenance of an extensive bank of resources for self-help and legal services programs to share sample instructions, translations, and other materials.

Finally, these funds are being used to adapt websites created by the Justice Education Society in British Columbia, which provide extensive information to parents, teenagers, and children about family issues after separation. These websites will be linked closely to the self-help website and have extensive video and interactive content.

Subscription Costs—*Judicial Conduct Reporter*

The *Judicial Conduct Reporter* is a quarterly newsletter published by the American Judicature Society. It reports on recent opinions and other issues involving judicial ethics and discipline. It is provided to all judicial officers as part of the AOC ethics education program, which was implemented as a means of risk management when the council initiated the Commission on

Judicial Performance Defense Insurance program. In FY 2011–2012, budgeted funds were expended to cover the annual subscription cost for this publication.

Trial Court Security Grants

In FY 2011–2012, the Office of Security used existing statewide master agreements for the purchase, installation, and maintenance of duress alarms, video surveillance, and access systems in the courts. Other security enhancement projects included the reconfiguration of a clerk's counter, tinting windows to ensure court personnel safety, and upgrading a judicial officer parking lot. Narrow-banding radios were purchased for two small courts whose security is provided by their own marshals. These radios were necessary to be compliant with federal narrow-banding frequency requirements. In addition, funds were used to provide training to trial courts on the preparation and maintenance of their continuity-of-operations plans.

The program budget was reduced this fiscal year to \$1.2 million. Based on a recommendation from the Trial Court Budget Working Group, the Judicial Council approved the rollover of \$248,550 in unspent funds from FY 2010–2011, bringing the adjusted budget to \$1,448,550. The additional funds were used specifically to retrofit 63 duress alarm systems in 25 courts statewide. The total cost of the retrofit project was estimated at \$445,500, which was addressed with the combination of the rolled-over funds and funds from the current-year budget. As of June 30, 2012, all funds allocated to the retrofit project were expended, and the project was completed.

Trial Court Transactional Assistance Program

The council established the Trial Court Transactional Assistance Program in July 2001 as a means by which the Office of the General Counsel (now the Legal Services Office) could provide transactional legal assistance to the trial courts through outside counsel selected and managed by the LSO. In FY 2011–2012, the allocated funds were expended to pay attorney fees and related expenses to assist trial courts in numerous areas, including business transactions, labor and employment, finance and taxation, and real estate; the additional areas in which legal assistance is provided reflect council actions to expand the scope of the program.

Ongoing Services to the Trial Courts

TCIF-funded ongoing services to the trial courts consist of the following programs—including AOC staff support—which provide administrative services to the trial courts (see Attachment A-4).

Phoenix Financial and Human Resources Services

FY 2011–2012 monies were used for staff and related expenses specific to the Information Technology Services Office Enterprise Resource Planning (ERP) team, contracted services, and the purchase of hardware and system software related to the ongoing maintenance and operations of the Phoenix System. The ERP team provides technical support to the Phoenix

System, including application support for programming, troubleshooting, system enhancements, system upgrades, and deployment. These monies also funded the contract for EPI-USE America, Inc., the project's system integrator, providing statewide deployment, and system maintenance support. Also funded were the contracts for SAP software and licenses for court and AOC system users, the costs of the technology center, system maintenance agreements, and consultants.

California Law Enforcement Telecommunications System (CLETS)

In FY 2011–2012, allocated funds were expended to maintain staffing for the program. Seven superior courts used the AOC-sponsored CLETS access program, with two additional courts in the process for approval and deployment. CLETS access, as provided by the California Department of Justice, was enabled during FY 2006–2007 through the California Courts Technology Center with implementation of hardware, software, and telecommunications services.

Enhanced Collections

The AOC Enhanced Collections Unit (ECU) provides professional support and assistance to court and county collections programs to improve collections of court-ordered debt statewide. The ECU assists programs with the development and modification of operations to help meet the performance measures, benchmarks, and best practices established and adopted by the Judicial Council. In collaboration with the California State Association of Counties and court and county subject-matter experts, the ECU identifies statutory changes needed to improve the collection of delinquent fines, fees, forfeitures, penalties, and assessments.

In addition, the ECU provides ongoing professional and technical support to justice partners to improve the effectiveness of the statewide collection of delinquent court-ordered debt. Enhancement activities include participation in the Franchise Tax Board's Court-Ordered Debt program, implementation of memoranda of understanding between the collaborative court and county collection programs, and statewide master agreements with collections vendors.

Internal Audits

The allocated funds were expended to supplement an internal audit program that was established by the council in FY 2001–2002. The Internal Audit Services unit of the AOC Fiscal Services Office primarily conducts comprehensive audits (financial, operational, and compliance) of court administration, cash control, court revenues and expenditures, and general operations of the trial courts. Allocated funds were expended to provide continued support for five staff positions.

Regional Office Assistance Group

In FY 2011–2012, allocated funds were expended for attorneys and staff working primarily in three AOC office locations. Their mission is to establish and maintain effective working relationships with the trial courts and serve as liaisons, clearinghouses, advocates, consultants, and direct legal services providers to the trial courts in the areas of transactions, legal opinions, and labor and employment.

Treasury Cash Management

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

Trial Court Procurement

In FY 2011–2012, allocated funding supported two positions, a senior procurement specialist and a contract specialist, who performed solicitations and entered into master agreements on behalf of the trial courts. By providing these services at a statewide level, trial courts save resources by not having to perform these solicitations themselves, with the majority benefiting from the discounted prices that result from consolidating purchases.

Trial Court Process Reengineering

In FY 2011–2012, allocated funds were expended to continue the Reengineering Program. During FY 2011–2012, the Reengineering Unit, comprising a manager and a senior court services analyst, focused on reengineering the business processes and systems of trial courts to achieve improvement in business performance. Specifically, upon request from a trial court, the unit observed the court's workflow and business processes and met and collaborated with the court's judicial officers, executive management, management team, and line staff to identify and recommend efficiencies and streamlined processes. The unit has been assisting courts throughout the state, with primary emphasis on courts in the northern central region. In FY 2011–2012, reengineering efforts included analysis and recommendations for traffic and family law business process activities in the Superior Court of Merced County, and courtroom support activities in the Superior Court of Madera County.

In addition, the Reengineering Unit participated in providing subject-matter expertise and input into the development of the charge for the Trial Court Presiding Judges and the Court Executives Advisory Committees' combined Trial Court Business Process Reengineering (TCBPR) Working Group. The charge was approved by the Judicial Council in February

2012 and includes the development of TCBPR educational events and information sharing that will begin in FY 2012–2013.

Finally, during FY 2011–2012, the Reengineering Unit was actively involved in coordinating activities and developing the findings of the Court Assistance Review Team (CART) of the Superior Court of San Joaquin County. The unit helped CART in developing recommendations regarding operational and administrative activities where the court might achieve additional cost savings and increase revenues. These recommendations, and the court's responses to them, were presented to the Judicial Council in June 2012.

Statewide Technology Infrastructure Ongoing Programs

Trial Court Improvement Fund-funded statewide technology infrastructure ongoing programs consist of the following maintenance and operations activities of large, branchwide initiatives; ongoing operations that are necessary for system maintenance; and AOC staff support for statewide technology infrastructure (see Attachment A-5).

California Courts Technology Center—Operations

In FY 2011–2012, allocated funds were expended to provide ongoing technology center / shared services to the courts, as well as a full disaster recovery program.

Applications include Microsoft Exchange, Microsoft Active Directory, Computer-Aided Facilities Management, Integration Services Backbone, and local court desktop/remote server support. The California Court Technology Center (CCTC) hosts the Phoenix Financial System (serving all 58 courts) and the Phoenix Human Resources System (serving seven courts). Three case management systems (CMSs) operate out of CCTC: Sustain; the criminal and traffic CMS (V2); and civil, small claims, mental health and probate CMS (V3). The CCTC program had a one-time reduction for FY 2011–2012 of 37 percent by the Judicial Council. As a result, three projects (hardware refresh, Oracle EIdM, and the Federated Security Model) were deferred. The case management systems supported by CCTC and listed here are not related to the Court Case Management system project that was halted by the Judicial Council earlier this year.

California Courts Protective Order Registry (CCPOR)

In FY 2011–2012, allocated funds were expended to provide a statewide protective order repository that provides complete, accessible information on restraining and protective orders to the 21 counties that are currently onboard. Access to protective orders through CCPOR will ultimately be available 24 hours a day, seven days a week, in all court jurisdictions and venues. The allocated funds were expended to cover the hosting costs of the CCPOR application at the California Courts Technology Center, maintain the application code, and provide user support to the court and local law enforcement agency users of the system. Support was also provided to roll out read-only access to five tribal courts as a pilot project.

Enterprise Policy and Planning—Operation

In FY 2011–2012, allocated funds were expended to support AOC delivery of a number of technology initiatives. The program ensures that the comprehensive technological needs of the branch will be met efficiently. These initiatives include the Judicial Branch Enterprise Licensing and Policy budget, which funds the Oracle Branchwide License Agreement (BWLA), Enterprise Architecture (EA) program and Enterprise Methodology and Process (EMP) program. The Oracle BWLA frees up local courts from having to manage complex software asset management and costly annual maintenance renewals. Local courts may access and install these Oracle products at no charge in any environment. The EA program identifies interdependencies between branchwide data and systems to improve investments in technology. Enterprise architects provide support to guide the development and implementation of statewide applications and ensure compatibility with California Court Technology Center infrastructure, communications, and security protocols. The EMP program develops and promotes standardized, repeatable processes to reduce complexity and increase efficiencies throughout the Solution Development Lifecycle.

Enterprise Test Management Suite (ETMS)

In FY 2011–2012, allocated funds were expended to support deployment of ETMS to additional applications, including maintenance for the civil, small claims, mental health, and probate CMS (V3). The ETMS provides application enhancement for the software testing process and improves quality management of those applications. These tools help ensure that mission-critical applications are delivered with a consistently high quality, maximizing function and minimizing defects.

Interim Case Management System (ICMS)

In FY 2011–2012, allocated funds were expended to provide program management support to 16 courts using the Sustain Justice Edition (SJE) case management system. 11 of the 16 SJE courts are hosted at and supported from the CCTC which includes maintenance and operations, such as implementation of legislative updates, application upgrades, production support, disaster recovery services, CCTC infrastructure upgrades, and patch management. Five locally hosted SJE courts use ICMS program resources for legislative updates and SJE support as needed. The program supports SJE interfaces to the Department of Motor Vehicles, Department of Justice, and Judicial Branch Statistical Information System, as well as custom interfaces with Franchise Tax Board Court-Ordered Debt Collections program, interactive voice / interactive web response processing, issuance of warrants, traffic collections, failure-to-appear / failure-to-pay collections, and web portal interfaces.

Uniform Civil Fees System (UCFS)

In FY 2011–2012, allocated funds were expended to support the UCFS that automates centralized reporting and distribution of UCF cash collections. Funding supported two contractors to provide the ongoing maintenance and support of UCFS. Work in FY 2011–2012 included updates reflecting statutory changes in fees and distribution rules. Support

allowed processing of prior period reporting of collected fees in response to trial court audits. Major enhancements included developing additional utilities and reporting which were used to analyze and verify the integrity of the distribution rules.

Data Integration (DI)

In FY 2011–2012, allocated funds were expended to continue work with trial courts to develop a statewide approach to data exchange standards and the integrated service backbone—a leveraged, enterprise-class platform for exchanging information within the judicial branch and between the judicial branch and its integration partners. The DI program worked with the California Highway Patrol (CHP) and three pilot courts on the grant-funded eCitations project to exchange data with law enforcement and trial courts. The program provided critical support for the California Court Case Management System (CCMS) V4 project, servicing all case types to facilitate integration between CCMS courts and justice partners. The Judicial Council cancelled deployment of CCMS V4 in March 2012.

Statewide Electronic Business Services (SEBS)

In FY 2011–2012, allocated funds were expended to maintain staffing for the program. All other funding for projects was eliminated from the FY 2011–2012 budget. SEBS (now Justice Partner Outreach & E-Services (JPO&E)) promotes 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. This program also provides representation for the judicial branch at key partner justice forums.

Statewide Technology Infrastructure Projects

TCIF-funded statewide technology infrastructure projects consist of development and deployment of technology projects, including those that are part of large branchwide initiatives, smaller projects of interest to specific trial courts and the Judicial Council, and projects to improve the information technology (IT) infrastructure related to the trial courts, including support provided by AOC staff, temporary staff, and outside private consultants (see Attachment A-6).

California Court Case Management System Development:

In FY 2011–2012, allocated funds were expended for infrastructure hosting, hardware, software, and support; professional services for development, testing, data integration, and deployment assessment; and project governance. On March 27, 2012 the Judicial Council stopped the deployment of CCMS V4.

Category 2: Trial Court Projects and Model Programs

(Refer to Attachment A-7 for the amounts allocated for each of these programs.)

Funding was provided for various ongoing programs and limited-term projects that support trial court operations and improve court management and efficiency, case processing, and timeliness of trials.

Domestic Violence—Order After Hearing

This program is designed to assist courts in preparing orders after hearings in domestic violence cases and submission of those orders to a central registry. This is an area of special concern for the Judicial Council because of significant policy concerns regarding domestic violence and the large numbers of self-represented litigants in these cases who are generally unable to prepare their own orders. The specially designed Family Court Case Tracking System (FACCTS) program allows clerks to generate minute orders and orders after hearing in domestic violence cases in a very streamlined manner.

A number of the courts that have implemented the FACCTS program also intend to participate in CCPOR. CCPOR is designed to be a repository of all domestic violence restraining orders in the state. These funds are being used to modify the software to allow the information entered by the court to generate the order after hearing and send it directly into CCPOR, rather than requiring clerks to scan the information and reenter all the data. This will be an extremely efficient solution for courts and minimizing time and reducing the potential for error that results from multiple requirements for data entry.

Human Resources—Court Investigation

The Trial Court Investigations Program provides investigative services by a contracted licensed attorney. Each request for assistance is evaluated by the AOC Human Resources Office's Labor and Employee Relations Services Unit team in cooperation with the Labor and Employment Unit of the LSO.

In FY 2011–2012, AOC HR contracted with two firms to provide investigative services for the following courts: San Mateo, Santa Clara, Amador, and El Dorado Counties.

Other Post–Employment Benefits (OPEB) Valuation Report

The allocated funds were expended for licensed actuarial services to produce OPEB valuation reports, assess existing valuation reports or testify that qualified benefits do not exist for each of the 58 trial courts. All documentation was forwarded to the State Controller's Office so that it could include the appropriate information in the State's Comprehensive Annual Financial Report as required by the Governmental Accounting Standards Board Statements numbers 43 and 45.

Reimbursement to Trial Courts for Public Access

The allocated funds were expended to partially reimburse the superior courts for the costs of providing public access to nondeliberative or nonadjudicative court records relating to the administration of the courts. During this reporting period, the Superior Courts of Butte, Inyo, Kern, Marin, San Francisco, San Joaquin, San Mateo, and Sonoma Counties received reimbursement from this funding. The council approved a one-time allocation to reimburse trial courts for specified expenses incurred between January 1, 2010, and December 31, 2011, in response to requests for public access to judicial administrative records under rule 10.500 of the California Rules of Court.

Workers' Compensation Program Reserve

As a result of the establishment of the Judicial Branch Workers' Compensation Program (JBWCP), 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.

In FY 2011–2012, the AOC Human Resources Office arrived at a settlement with Orange County in the amount of \$865,379. Additional charges in the amount of \$115,905 were tied to services performed by the risk consultant, Marsh Risk & Insurance Services, in researching and facilitating payment of this settlement, and for services tied to other pending claims.

Category 3: Urgent Needs

(Refer to Attachment A-8 for this category.)

These funds were allocated to provide one-time urgent needs funding of \$1.084 million as well as a loan of \$916,000 to the Superior Court of San Joaquin County to keep a sufficient number of courtrooms open and provide other necessary services to meet the court's obligation to adjudicate all matters, both civil and criminal. Funds were also allocated to provide an urgent needs loan of \$2.5 million to the Superior Court of San Francisco County, enabling the court to keep 11 courtrooms open and better structure any necessary staff layoffs.

Modernization Fund: FY 2011–2012 Expenditures and Encumbrances

(Refer to Attachment B-2)

The Judicial Council allocated funds from the Modernization Fund in support of statewide projects and programs to ensure the highest quality of justice in all of California’s trial courts. GC section 77213(b) authorized expenditures from this fund to promote improved access to, and efficiency and effectiveness of, the trial courts. GC section 77209(g) authorizes the council to administer monies deposited in the Modernization Fund, and allows the council, with appropriate guidelines, to delegate administration of the fund to the Administrative Director of the Courts.

In FY 2011–2012, \$15.353 million was expended from the Modernization Fund. The Modernization Fund provides funding for technology infrastructure and ongoing services to the trial courts, mandated and nonmandated education for judicial officers, education for court administration and staff, and key local assistance initiatives.

Category 1: Statewide Technology Infrastructure and Ongoing Services to the Trial Courts

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

Ongoing Services to the Trial Courts

Ongoing services to the trial courts, funded by the Modernization Fund, consist of programs that provide administrative services to the trial courts. Only one program was funded by the Modernization Fund in FY 2011–2012.

Phoenix Financial and Human Resources Services

In FY 2011–2012, TCTF, TCIF, and Modernization Fund resources supported Phoenix Financial and Human Resources services. (For details, refer to the Phoenix Financial and Human Resources Services item in the TCIF section of this report on page 7-8.)

Statewide Technology Infrastructure Ongoing Programs

Statewide technology infrastructure ongoing programs, funded by the Modernization Fund, consist of the following maintenance and operations activities of large, branchwide initiatives and ongoing operations that are necessary for system maintenance.

California Law Enforcement Telecommunication System

In FY 2011–2012, both TCIF and Modernization Fund resources supported CLETS. (For details, refer to the California Law Enforcement Telecommunication System item in the TCIF section of this report on page 8.)

Data Integration

In FY 2011–2012, both TCIF and Modernization Fund resources supported data integration. (For details, refer to the Data Integration item in the TCIF section of this report on page 12.)

Telecommunications Support

In FY 2011–2012, allocated funds were expended to provide a program for the trial courts to develop and support a standardized level of network infrastructure for the California superior courts. This infrastructure provides a foundation for local court systems and enterprise applications such as Phoenix and hosted case management systems via shared services at the CCTC, which eases deployment, and provides operational efficiencies, and secures valuable court information resources. The program took a one-time budget cut of \$6,600,000 during FY 2011–2012, eliminating funding for the network technology refresh and ad-hoc network consulting to the superior courts. Funded activities included network maintenance, which provides the trial courts with critical vendor support coverage for all network and security infrastructure; and network security services, which maintain 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 and network technology training for court IT staff.

Category 2: Educational and Development Programs

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

The Judicial Council's strategic plan identifies education of judges, subordinate judicial officers, and court staff as a significant means to advance the mission and goals of the judicial branch in the areas of access, fairness, diversity, ethics, and general excellence in judging and court administration. With the increasing complexity of the law, court procedures, and court administration, the provision and administration of justice for the people of California requires judges and court personnel to be equipped with the knowledge, skills, and abilities that enable them to discharge their duties in fair, effective, and efficient ways that foster the trust and confidence of the public.

The content of educational programs and products is developed through rigorous needs analyses, prioritization, and instructional design strategies and provided using a wide variety of delivery methods, including technology-assisted distance education.

Allocated funds were expended to cover the costs of trial court judicial and non-judicial participants, for lodging and group meals, for mandated and other essential education programs. The allocated funds were also expended to cover lodging, meal, travel, and other incidental costs related to faculty development, the design of courses to be delivered by the trial courts, infrastructure maintenance and improvement, and transmission of satellite broadcast programs.

The following education programs and resources were delivered in FY 2011–2012 from this funding:

Mandated, Essential and Other Education for Judicial Officers

New Judge Education and Judicial Primary Assignment Orientation Courses

1. Description of Program Activities/Expenditures
 - a. New Judge Orientation (NJO) Program: Two programs were provided this fiscal year to 25 participants—a small group resulting from an unusually low number of appointments by Governor Jerry Brown.
 - b. B. E. Witkin Judicial College: 150 participants.
 - c. Judicial Primary Assignment Orientation (PAO) and Overview Courses: Five events comprising more than 20 different courses were provided to 360 participants.

2. Program Purpose

All newly elected or appointed judges and subordinate judicial officers are required by California Rules of Court, rule 10.462(c)(1) to complete new judge education offered by the AOC Office of Education/Center for Judicial Education and Research (CJER) by attending the New Judge Orientation within six 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 Office of Education/CJER is the sole provider for these audiences.

These programs which provide 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 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, according to 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 new judges 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. There are four highly experienced faculty members that

participate for the entire week of orientation, with the number of programs required depending on the number of judicial appointments in a given year.

- b. The two-week long 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 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. It also allows participants to present sensitive issues that 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. Similar to the NJO, the number of participants varies based on the number of judicial appointments. In the past, participation has ranged from 55 to 140 judges and subordinate judicial officers.
- c. The Primary Assignment Orientation courses provide new judges and subordinate judicial officers with an intense immersion in their primary assignment (civil, criminal, probate, family, juvenile, and traffic), with a heavy emphasis on the nuts and bolts of the assignment, detailed procedures and protocols, and 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 Office of Education/CJER offers advanced courses for experienced judges who are moving into new assignments that are substantively more complex than those covered by the PAOs above (e.g., felony sentencing, homicide trials, and 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.

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 that these retired judges may never have had during their active careers.

These are statewide programs and provide judges and subordinate judicial officers from all over the state with the opportunity to network with their colleagues and learn the different ways various courts do the work of judging. This interaction 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 and the College provides two opportunities for new judges to develop relationships that last throughout a judicial officer's career. Many of the NJO exercises encourage new judges to open up in a very personal way. Bringing the newly assigned judges together also allows them to ask the faculty questions and discuss issues with them and 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 (presiding judges [PJs], assistant presiding judges [APJs], court executive officers [CEOs], and clerk administrators) were surveyed at the end of the first education cycle regarding the effectiveness of judicial education in California. Four hundred and fifteen responses (24.2 percent response rate) were received. Question 1 of the survey asked whether requiring specific education for new justices or judges is reasonable and appropriate: 80 percent of justices agreed, 86 percent of judges agreed, and 96 percent 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 percent of justices agreed, 77 percent of judges agreed, and 85 percent of trial court leadership agreed. Based on this feedback, the CJER Governing Committee concluded that these programs are highly valued by the courts.

Continuing Judicial Education – Statewide Judicial Institutes

1. Description of Program Activities/Expenditures

Because of special fund budget reductions, judicial institutes are not offered annually; therefore, the number and size of institutes offered in a given year varies. As a result, the specific funding requirements differ from year to year. In FY 2011–2012, special funds supported delivery of the following judicial institutes:

- a. Criminal Law Institute: 77 participants
- b. Domestic Violence Institute: 48 participants

c. Cow County Institute: 58 participants

2. Program Purpose

The Office of Education/CJER offers educational programs and institutes in all of the major trial court bench assignments (civil, criminal, family, juvenile, and probate) as well as specific programs for appellate justices, rural court (aka “cow county”) judges, appellate court attorneys (not funded with special funds), 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 target those audiences. These two-day programs typically offer between 12 and 20 separate courses covering topics of current interest, legal updates, and so forth. Participants frequently comment that their learning is greatly enhanced by meeting statewide with their colleagues because they can 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 toward the continuing education expectations and requirements of the California Rules of Court. These programs have had attendance ranging from 70 to 140.

Essential content is identified by curriculum committees appointed by the CJER Governing Committee and developed by workgroups. This content can include in-depth coverage of common, yet complex, issues that 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, substantive judicial education, and the opportunity for judges to network with other experienced judges. Additionally, as appropriate, sessions at institutes are videotaped by staff and posted online, where they are available to all judges.

a. The Criminal Law Institute

The Criminal Law Institute was formerly an annual program attended by approximately 100 to 120 judicial officers with criminal assignments. Previous cuts reduced the frequency of the offering of this institute from every year to every other year. By attending this program, judges and subordinate judicial officers acquire education hours toward the continuing education expectations and requirements of rules 10.462(d), 10.463, and 10.464 of the California Rules of Court.

This institute is CJER’s primary forum for advanced education in criminal law. Program content focuses on issues that are particularly challenging, including essential issues identified by the Criminal Law Curriculum Committee requiring in-depth coverage that, because of their complexity, cannot be covered in sufficient detail at the Criminal Law

Primary Assignment Orientation. The institute courses include new developments in the law and content identified as critical by various statutory provisions and Rules of Court including sentencing, domestic violence, voir dire, and the treatment of jurors. (Pen. Code § 1170.5; Gov. Code §§ 68551, 68555; Cal. Rules of Court, rule 10.469). The primary benefit to the courts, and the branch as a whole, is that statewide programming for experienced judges promotes uniformity in the administration of justice by providing the opportunity for judges to share innovative practices across county lines. (Gov. Code, § 68551)

b. The Domestic Violence Institute

The Domestic Violence Institute was formerly an annual program attended by approximately 50 family law judges and subordinate judicial officers. Previous cuts reduced the frequency of the offering of this institute from every year to every other year. By attending this program, judges and subordinate judicial officers achieve education hours toward the continuing education expectations and requirements of rules 10.462(d) and 10.463 of the California Rules of Court, as well as meeting the provisions of rule 10.464(a), which states the education requirements and expectations for judges and subordinate judicial officers on domestic violence issues.

c. The Cow County Institute

The Cow County Institute, as with all other CJER institutes, has received previous funding cuts. Before the first Modernization Fund cut, the Cow County Institute, a two and a half 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. Roughly 50 percent of California's superior courts have 10 or fewer authorized judgeships serving counties with smaller populations. This institute is designed specifically for these courts and the CJER Governing Committee now recommends offering it each year.

The challenges faced by judges and commissioners in small counties—challenges that are not commonly found in larger courts—include multidisciplinary 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 determines the course topics and works with CJER staff and faculty to create

court lesson plans that not only address each area of substantive law and court administration, but are also tailored to address issues unique to rural courts.

Content covered in other courses and institutes often focus on the large courts, as most of the judges attending these programs come from medium to large courts. Therefore, the specific specialized needs of judges in rural courts are not always addressed well 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 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.

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, most courses are often taught in roundtable discussion formats. This approach 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, enhancing the benefit to participants, who are often isolated in small courthouses, often in remote locations.

Continuing Judicial Education—Advanced Education for Experienced Judges

1. Description of Program Activities/Expenditures

The expenditures under this category were combined in FY 2011–2012 with Primary Assignment Orientation Overview Course activities and are reflected in the Primary Assignment Orientation Program information stated above. These courses are now being categorized separately to better reflect the difference between these types of education program.

2. Program Purpose

In addition to Primary Assignment Orientation Courses, the Education Division/CJER offers advanced courses for experienced judges—continuing education courses designed to address

issues of advanced judging. They include such subject areas as capital cases, complex civil litigation, and domestic violence.

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 experience 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
 - a. Regional Judicial Education: 248 participants. 36 courses
 - b. Local Judicial Education: 789 participants, 22 courses

2. Program Purpose

Regional and Local Judicial Education courses allow the Office of Education/CJER to provide high-quality judicial education to the trial courts. Statewide budget reductions over the past few years have necessitated that the Office of Education/CJER develop and expand both of these programs because they offer a much less expensive alternative to statewide programming while preserving the quality of 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 faculty. Regional and local programs provide invaluable educational experiences and opportunities for interaction and discussions with judges and court staff across California.

- a. Regional Judicial Education

Providing regional courses enables judges and commissioners to attend education events that are closer to their courts. They are also still able to connect with their colleagues from surrounding courts. Delivery of these courses is inexpensive relative to traditional multiday statewide events such as institutes. Faculty members are 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 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 Center for Children,

Families & the Courts (CFCC) grant funding. Typically between 15 and 30 people attend each course.

b. Local Court Judicial Education

Local education is provided only to judges. 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 Office of Education/CJER with a proposed date. The Office of Education/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, faculty travel expenses and course materials costs are covered and AOC staff provide audiovisual support as requested. In addition, many of the classes offered locally come from classes offered in our statewide programs as well as from some trial court programs, and are appropriate for local delivery.

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

Courses are designed for approximately 20 participants. The number of local courses offered, and the resulting number of participants, depends on how many courts request these courses in any given year.

Continuing Judicial Education—Leadership Training (Reflected in the “Leadership Training Non-Judicial” line-item of Attachment B-4)

Approximately \$28,500 in expenditures under this category was combined in FY 2011–2012 with activities for CEOs, managers, and supervisors. These expenditures are reflected in the “Leadership Training Non-Judicial” line-item of Attachment B-4. These courses are now being categorized under this new Judicial Education category.

1. Description of Program Activities/Expenditures

- a. PJ/CEO Court Management Program: 73 participants
- b. Supervising Judges Program: 40 participants

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 specifically for the unique environment of 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) of the California Rules of Court.

- a. The PJ/CEO Court Management Program brings together the top leadership in the trial courts for a multiday education event that focuses on the challenges of managing trial courts including changing budgets and pressures on operations as well as focusing on the benefits of creating and building an effective partnership between the presiding judge and the court executive officer. This program is especially beneficial to new presiding judges to begin building that partnership with their CEOs. The program contains segments that break out the trial courts by size, appreciating that courts of different sizes have unique issues and challenges. Finally, this program is intended to instill a sense of community among trial court leadership throughout the state that allows them to learn from one another and share best practices. Courses on finance, human resources, and strategic planning are frequently offered.
- b. The Supervising Judges Program is the one education program that focuses on this very challenging and politically sensitive 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. Courses can include basic management, how to lead teams, and effective communication skills.

Essential & Other Education for CEOs, Managers, and Supervisor

Leadership Training - Non Judicial

1. Description of Program Activities/Expenditures

Nine regional manager/supervisor courses and courses for HR professionals were provided for approximately 183 participants.

2. Program Purpose

Regional education for court managers/supervisors and human resources personnel allows the Office of Education/CJER to provide high-quality education to court management and human resources personnel at a greatly reduced cost and in a manner that minimizes the impact on the work of the courts, in both reduced travel expenses and limited court management time away from the courts. Regional education generally consists of single, full-day classes offered in several locations around the state. Courses are structured and located to enable court management to travel to and from the class location on a single day. This

arrangement allows these crucial court employees to receive a full day of education without missing additional work time to travel. It also allows participants to learn alongside other court managers from nearby courts.

Manager and Supervisor Training

1. Description of Program Activities/Expenditures
 - a. Institute for Court Management (ICM) Courses: Ten courses were provided for 171 participants
 - b. Core 40 Courses: Three courses were provided for approximately 66 participants.

2. Program Purpose
 - a. ICM courses offer a national curriculum that leads to certification by the National Center for State Courts (NCSC). The courses serve a dual purpose: (1) to provide relevant education for court leaders based on the core competencies identified by the National Association for Court Management, and (2) to provide this education locally at a cost to courts and participants significantly lower than that of the national programs. The series of courses—the primary education offered by CJER—address essential functions of court managers. This program grew out of a multistate consortium formed in 2008 between the AOC, ICM, and six other states to enhance the existing ICM certification program and provide court leaders with the skills and knowledge they need to effectively manage courts in the future. This effort has resulted in 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 constitute the certification program: “Fundamental Issues of Caseflow Management,” “Court Performance Standards: 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, more than 90 court leaders have achieved Certified Court Manager or Certified Court Executive certification from ICM, and 846 course participants 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 promotes professional development for court leaders.

- 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 leadership skills as well as enhance the overall performance of staff. Classes are limited to 28 participants, who are selected from applications received online. Topics include group development, employment law, and performance management.

Essential and Other Education for Court Personnel

Court Personnel Institutes

1. Description of Program Activities/Expenditures
 - a. Court Clerk Training Institute: 171 participants in one two-week program with multiple courses
 - b. Trial Judicial Attorney Institute: 172 participants

2. Program Purpose

- a. Court Clerk Training Institute

This program, offered over two weeks, provides courtroom- and legal process-counter clerks' education in each area of the court (civil, traffic, criminal, probate, family, and juvenile). Each separate course is five days long, and participants typically attend only one of the two weeks. Courts must have personnel who are well trained and who are prepared to provide excellent customer service along with accurate information. They must also be knowledgeable, familiar with the Rules of Court, and familiar with changes to the laws that affect their responsibilities and their customers' access to justice. Classes taught by experienced court personnel include "Criminal Procedures," "Civil Procedures," "Traffic Procedures," "Probate Procedures," "Juvenile Procedures," and "Family Procedures." CCTI was started by the Superior Court of Orange County and was subsequently transferred to the AOC as a statewide program.

Although courts from all 58 counties have accessed this education for their employees, many courts do not have training departments and rely on CJER to provide a statewide perspective on the duties and responsibilities of courtroom and counter staff. CCTI has been an essential education program for courts for more than 25 years and continues to prepare court personnel for the essential functions of their jobs consistent with the law and statewide practices. Although allowing personnel to attend a week of education can be a staffing challenge for the courts, there is tremendous value in the training,

compounded by the benefit that courts do not incur the cost of hotel lodging. 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.

b. Trial Judicial Attorney Institute

The Trial Judicial Attorney Institute was formerly an annual program attended by approximately 180 trial court judicial attorneys. Previous cuts reduced the frequency of the offering of this institute from every year to every other year. By attending this program, trial judicial attorneys acquire education hours toward the continuing education expectations and requirements of California Rules of Court, rule 10.474.

Participants frequently comment that their learning is greatly enhanced by meeting statewide with their colleagues because they can learn about different strategies for dealing with the daily work of trial judicial attorneys.

The Trial Judicial Attorney Institute offers content identified by the Trial Judicial Attorney Institute Workgroup and includes courses on advanced topics and courses on recent developments in the law.

This institute is CJER's only forum designed exclusively for trial court judicial attorneys, and program content focuses on issues that are particular to that audience. Trial judicial attorneys have a very specialized role, different from that of both judicial officers and attorneys who are in private or government practice. The primary benefit to the courts, and the branch as a whole, is that statewide programming for trial judicial attorneys provides relevant, specialized education for this court audience that cannot be found anywhere else, and ensures uniformity in the administration of justice and the opportunity for trial judicial attorneys to share best practices with other trial judicial attorneys.

Regional and Local Court Staff Courses (Reflected in the "Court Personnel Institutes" line-item of Attachment B-4)

These expenditures are reflected in the "Court Personnel Institutes" line-item of Attachment B-4.

1. Description of Program Activities/Expenditures

- a. Court Staff Regional and Local Training: 21 courses, 474 participants
- b. Core Leadership and Training Skills: 2 courses, 40 participants

2. Program Purpose

- a. **Court Staff Regional and Local Training:** As with Regional and Local Court Judicial Education, Regional and Local Court Staff education allows the Office of Education/CJER to provide high-quality education to trial court personnel at a greatly reduced cost and with 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, multiday education events. In addition, 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 are identified by the Governing Committee's curriculum committees, which are devoted to court staff education and are taught by experienced faculty. Courses cover a wide array of topics, including case processing in the major court assignments of civil, criminal, probate, family, juvenile, and traffic, as well as broad topics relevant to all court personnel, such as preventing sexual harassment.
- b. **"Core Leadership and Training Skills":** This course is designed for lead/senior clerks and assistant supervisors. Among other things, this three-day course teaches participants skills 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.

Faculty and Curriculum Development

Statewide Education Programs—Trial Court Faculty

1. Description of Program Activities/Expenditures

Approximately 417 pro-bono faculty supported CJER programs in FY 2011–2012.

2. Program Purpose

Faculty who are asked to serve as volunteers are unlikely to be able to offer their services if their expenses are not paid for by the Office of Education/CJER. 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 taught by faculty. Local courts would be hard-pressed to support a judge's or court staff'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

Thirteen faculty development courses were provided to a total of 192 faculty members.

2. Program Purpose

Faculty development is a critical component of the effectiveness of the judicial branch education system, which is almost completely dependent on volunteer judges and court staff to teach their peers. Serving as faculty is a leadership function that requires subject-matter expertise, knowledge, experience, and confidence in one's education plan 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.

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, programming in this area is reduced because of budget reductions and prioritization of programming.

Current CJER faculty development programs include (1) critical course- and/or program-specific faculty development (e.g., NJO, the College, ICM); (2) design workshops for new or updated courses in development (e.g., regional one-day and orientation/institute courses); (3) advanced faculty development courses (offered this year as webinars), which allow faculty to work on more complex faculty skills; and (4) short lunchtime webinars for experienced 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.

Distance Education

Distance Education—Satellite Broadcast

1. Description of Program Activities/Expenditures

Funds were 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. They were also used to pay for lodging, business meals and travel costs associated with faculty who teach at trial court satellite broadcast education programs.

- a) Two hundred thirty-seven satellite downlink sites exist and must be maintained.
- b) Four new sites were provided last year.
- c) Twenty staff broadcasts were provided.
- d) Twenty-three manager/supervisor broadcasts were provided.
- e) Nine judicial education broadcasts were provided.
- f) Two leadership broadcasts were provided for presiding judges and court executive officers.
- g) Eight *Continuing the Dialogue* broadcasts were provided, appropriate for all audiences.
- h) Satellite programming is available in all 58 trial court and 8 appellate court facilities statewide. Satellite is installed in various spaces in courthouses, including conference rooms, training rooms, jury assembly rooms, and some courtrooms, depending on the available space within the courthouse. After satellite broadcasts are aired, recordings of the broadcasts are placed on the Serranus website for individual viewing. DVDs of the broadcasts are also added to the court training libraries, where they are accessed for use in group trainings in the courts.

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 of judges, managers, and staff for education 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 Office of Education/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 Senate Bill 1407 and rule 10.500 of the California Rules of Court. Broadcast education is also provided specifically for judges, presiding judges, and CEOs.

Education delivered via satellite includes the following such topics:

To court staff:

- Updates to the Americans with Disabilities Act (ADA)
- The jury process
- Felony and misdemeanor appeals
- Certifying copies
- Customer service

To court managers and supervisors:

- Handling disasters
- Coaching and communication
- Technology management
- Change management
- Stress management
- Preventing and Responding to Sexual and other Workplace Harassment

To PJs and CEOs:

- ADA issues for court leaders
- Court security
- Ethical excellence

To justices and judges:

- Assembly Bill 939 overview
- Judicial canons updates
- How a child enters the juvenile dependency system

Distance Education—Online Video, Webinars, & Videoconferences (Reflected in the “Distance Education – Satellite Broadcast” line-item of Attachment B-4)

These expenditures, approximately \$7,000, are reflected in the “Distance Education—Satellite Broadcast” line-item of Attachment B-4. They are now being categorized under this new category to better distinguish between costs for different distance education delivery methods.

1. Description of Program Activities/Expenditures

Funds were used to pay for storage, encoding, and transmission of trial court statewide educational video products delivered online. Products delivered include 53 online courses devoted to judicial and court staff, 261 videos, and 51 interactive articles.

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 education technologies that the AOC has acquired over the past 10 years and enable the Office of Education/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 to develop and transmit broadcasts, is now used frequently to create instructional videos, which are immediately uploaded to either the Serranus (judicial) or the COMET (administrative) website. Further, many online courses for trial court education include video segments, which are produced cost-efficiently in-house, to illustrate issues and support the educational objectives of the online courses.

Other Educational and Development Programs

Budget Focused Training and Meetings

The allocated funds were expended to support meetings of the Trial Court Budget Working Group and its associated subcommittees—such as the Expenditure Subcommittee—which deal with trial court funding issues.

CFCC Educational Programs

In FY 2011–2012, these funds supported local and statewide educational programs for professionals in court-based Family Dispute Resolution offices, Fostering Connections training and assistance for local courts, and the Youth Court Summit.

Funds supplied technical support to court-based family court services programs, as well as education to fulfill mandates for mediators, child custody recommending counselors, evaluators, and management staff to fulfill Family Code 1850 and California Rules of Court mandates. Funds were also used to produce an orientation video designed for local court use to meet rule 5.210 mandates. The video provides an orientation to court-based mediation for parents with child custody disputes.

These funds were also used to create curricula and webinars on the Fostering Connections Act (Assem. Bill 12 and Assem. Bill 212) to educate judges and attorneys on the complexities of the new legal framework for supporting older youth in foster care. This curricula and materials were made available through the California Dependency Online Guide.

The Youth Court Summit provided a statewide training program for approximately 150 youth court participants, judges, and staff at Sonoma State University. Funds were used for youth scholarships, lodging and meal costs, and speakers. This event was also partially funded by other outside sources and was a collaborative effort between the California Association of Youth Courts and the Judicial Council's Collaborative Justice Courts Advisory Committee, in partial fulfillment of its charge by the Judicial Council.

CFCC Publications

In FY 2011–2012, these funds supported the California Dependency Online Guide. The website currently has 3,096 subscribers, an increase of almost 200 people compared to the number of subscribers this time last year. Subscribers encompass most of the judicial branch dependency stakeholders, including 208 judges and other judicial officers, 1,769 attorneys, 532 child welfare agency social workers, and 659 other child welfare professionals, including educators, probation officers, tribal representatives, psychologists, and others. Resources on the website include a comprehensive case law page with summaries and case text for California dependency and related state and federal cases; distance-learning courses, including for-credit online courses that meet the eight-hour training requirement for new dependency attorneys; educational content, such as the curriculum and materials for AB 12/212 training; handouts from the Beyond the Bench conference and other conferences; and articles, brochures, videos, reference charts, and publications.

Labor Relations Academy

The AOC held labor relations forums in Burbank and Sacramento in December 2011, with 22 participants representing 9 courts in attendance at the Burbank event, and 45 participants representing 25 courts in attendance at the Sacramento event.

The AOC Human Resources Office’s Labor and Employee Relations Unit hosted “Introduction to Labor Relations Academy” in Sacramento and “Advanced Labor Relations Academy” in both Sacramento and Burbank in March 2012. Attending these three sessions were 122 participants representing 34 of the 58 trial courts.

Category 3: Pilot Projects, Special Initiatives, and Ongoing Programs

(Refer to Attachment B-5 for the amounts allocated for each of these programs.)

In FY 2011–2012, the Judicial Council allocated funding from the Modernization Fund to support various projects and programs with the objective of enhancing the delivery of justice.

Alternative Dispute Resolution

The Alternative Dispute Resolution (ADR) project is designed to promote the availability, use, and quality of mediation and settlement programs for civil cases in the trial courts. This project helps courts meet the goal of standard 10.70(a) of the California Standards of Judicial Administration, which provides that all trial courts should implement mediation programs for civil cases as part of their core operations. The ADR project also implements the council’s February 2004 directive that AOC staff work with the trial courts to (1) assess their needs and available resources for developing, implementing, maintaining, and improving mediation and other settlement programs for civil cases; and (2) where existing resources are insufficient, develop plans for obtaining the necessary resources. During this reporting period, the funds were

used to contract for the development of three products suitable for statewide use by courts: (1) updates to an existing video, to reflect the increased jurisdiction of the small claims court; (2) a new video to promote and facilitate the use of court-connected mediation programs for debt collection cases; and (3) an electronic-learning course about the rules of conduct that mediators in court-connected mediation programs for civil cases are required to observe (Cal. Rules of Court, rule 3.850 et seq.).

Complex Civil Litigation Program

Allocated funds were expended to provide support for the Complex Civil Litigation Program, which began as a pilot program in January 2000 to improve the management of complex civil cases. In August 2003, the council made the program permanent. The National Center for State Courts reported on the program in its *Evaluation of the Centers for Complex Civil Litigation Pilot Program: Final Report* (June 30, 2003). The lengthy report included information on the number of complex cases filed; the impact of the complex litigation departments on case and calendar management; the impacts on trial courts, attorneys, and parties; and recommendations to the Legislature and the Governor concerning complex litigation departments. During this reporting period, all funds went directly to courts to support the operation of 17 courtrooms/departments exclusively handling complex cases in the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco, and Santa Clara Counties..

Court Interpreter Testing, Recruitment, and Education

At the current level of funding, the Court Interpreters Program was 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 in use throughout the courts statewide.

Expenditures of Funds:

- Contractual administration of court interpreter certification and registration exams (written and oral exams administered to approximately 2,100 candidates per year). Expenditures included the contractual cost for test administration provided by Prometric (educational test administrator).
- Outreach and recruitment of potential qualified candidates, both in spoken languages and American Sign Language (ASL) (to assist interpreter growth). Expenditures included registration cost and sponsorship fees associated with the conferences of the following organizations: Interpreter America, Monterey Institute for International Studies, California Healthcare Interpreters Association, National Association of Judiciary Interpreters and Translators, and American Translators Association.
- Seven ethics and orientation-to-the-profession workshops, under GC sections 68561 and 68562, for all newly certified and registered interpreters to meet their educational

requirements established by council. Expenditures included the contractual cost of the educators/trainers.

- Expansion of the use of video remote technology resources to leverage interpreter resources throughout the state. Expenditures included the cost of purchasing video remote equipment and service/maintenance support for direct use by nine courts.
- Membership with the NCSC Consortium for Language Access in the Courts, which provides access to certification exams, rater training, test development, and test maintenance. Expenditures included the cost of annual dues.
- One test preparation workshop (delivery to approximately 50 interpreters). Expenditures included the contractual cost of the educators/trainers.
- Production of court interpreter badges (for approximately 250 interpreters per year). Expenditures included the contractual production cost for the badges.

Interactive Software—Self-Represented Litigant Electronic Forms

In FY 2011–2012, funds had been allocated to contract with ICAN!—a document assembly software program developed by the Legal Aid Society of Orange County, which was a free resource used by many courts. Document assembly programs prepare Judicial Council forms and other pleadings by asking litigants questions whose answers then populate the forms. We anticipated that we would be able to replace the discontinued EZLegalFile with ICAN! Funds were to be used to update ICAN! and integrate it more effectively with the self-help website to enable more litigants to prepare sufficiently informed, understandable, and legible pleadings.

Unfortunately, the Legal Aid Society of Orange County has determined that, due to its budget constraints, it will no longer be able to offer ICAN! at no charge to anyone other than its clients. Although the fee structure has not been determined, the society was unable to sign an agreement allowing court customers to use the programs at no charge. We were informed of this change in direction in the last two weeks of the fiscal year, so we could not go back to the Judicial Council for authority to reallocate the funds. The minimal funds that were used supported a software program and videos for the self-help website.

Public Outreach and Education (formerly Developing Promising Practices)

The allocated funds were expended to support the California JusticeCorps program, an AmeriCorps program, which operated during FY 2011–2012 in nine superior courts throughout the state. JusticeCorps is funded with a \$1 million AmeriCorps grant, with matching funds provided by the participating courts and the AOC.

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 litigants complete and file the forms properly, and providing information and referrals to related services. In 2011–2012 the program recruited, trained, and placed 277 undergraduate university

students in court-based legal access self-help centers, with the majority completing 300 hours of service during an academic year.

Funding for FY 2011–2012 supported the eighth year of JusticeCorps program operations at a total of nine partnering courts (Alameda, Los Angeles, Placer, Sacramento, San Diego, San Francisco, San Mateo, Santa Clara, and Yolo Counties). Funding was distributed directly via intrabranch agreements to the designated lead courts—Los Angeles, Alameda, San Diego, and Sacramento Counties—to continue their efforts, as follows:

- Los Angeles Superior Court: \$140,000
- Alameda Superior Court: \$110,000
- San Diego Superior Court: \$18,000
- Sacramento Superior Court: \$9,000

The funds were largely used by these courts to support program expenses—including staff salaries, training expenses, and other member support costs—all of which count toward the grant “match” required to fully leverage the \$1 million AmeriCorps grant.

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, JusticeCorps’ 277 members provided assistance to more than 90,000 litigants.

Ralph N. Kleps Award Program

Allocated funds were expended to support the work of the Kleps Awards Committee, which met once in FY 2011–2012. The 19-member panel of justices, judges, and court administrators is charged with soliciting and evaluating nominations and recommending honorees to receive the Judicial Council’s biennial Kleps Award, honoring innovative contributions to the administration of justice by individual courts in California. The committee met in February 2012 to plan for the award criteria for the 2012–2013 awards cycle, before the program’s suspension later in the fiscal year. Allocated funds were also used to support committee travel and attendance at local court award ceremonies in summer 2011 for the seven programs honored in the previous award cycle. In addition, allocated funds were also used for the reproduction of *Innovations in the California Courts*, a book that profiles replicable court innovations in California—including Kleps Award recipients’ programs—with an emphasis on statewide initiatives designed to promote advances in infrastructure, management, communications, and other aspects of the day-to-day business of the California courts. Although primarily an online publication, print versions were produced in-house to disseminate information on innovative court programs to state and national court leaders. Finally, funds were used to produce materials in-house to promote collaboration with public libraries and law libraries to recognize Law Day in May 2012 with a series of court and justice-based programs at the libraries. This was a continuation of an event

based on a previous Kleps Award recipient program. After the suspension of the Kleps Award Program in May 2012, the balance of the allocated funds was unexpended.

Trial Court Performance and Accountability

Allocated funds were expended to reimburse trial court administrators' and judges' travel to the AOC offices in San Francisco to participate in meetings on September 8 and 9, 2011, and on May 1, 2012. Court administrators and judges who traveled to the meetings are members of the SB 56 Working Group or belong to courts that participated in the time studies of staff and judicial officers. At the September 2011 meetings, representatives of the SB 56 Working Group and time-study courts met to review data from the time study and provide input on the workload estimates for judicial officers. At the May 1, 2012 meeting, representatives of the SB 56 Working Group and the time study courts met to review staff workload estimates and the caseweights derived from a time study and Delphi adjustments. In addition, Judge Nancy Wieben Stock, Superior Court of Orange County, was flown to the AOC offices in San Francisco to present the final report on the judicial workload assessment to the Judicial Council in December 2011.

Addendum: Supplemental Information on FY 2011–2012 Statewide Technology Infrastructure and Ongoing Services to the Trial Court Funding and Expenditures

TCTF Funding for Statewide Technology Infrastructure and Ongoing Services to the Trial Courts

A total of \$37.116 million from the TCTF was expended or encumbered in support of statewide administrative and technology initiatives that support the objectives stated by the council in its strategic and operational plans and as approved by the council's Court Technology Advisory Committee.

The chart below displays the expenditures and encumbrances from the TCTF in FY 2011–2012 for statewide technology infrastructure and ongoing services to the trial courts by program or project and by local assistance or support.

Description	Amount ⁴
California Court Case Management System (CCMS) V4 Deployment	\$ 2,357,507
CCMS V4 Development	1,160,634
CCMS Maintenance and Operations	10,980,401
Interim Civil, Small Claims, Probate, and Mental Health Case Management System (V3)	7,913,888
Interim Criminal and Traffic Case Management System (V2)	4,256,739
California Courts Technology Center (CCTC)—Operations	1,689,325
Interim Case Management System (Sustain)	1,270,596
Phoenix Financial and Human Resources Services	7,446,660
Trial Court Procurement	39,846
Subtotal, Statewide Technology Infrastructure and Ongoing Services to the Trial Courts—Local Assistance	23,373,944
Subtotal, Statewide Technology Infrastructure and Ongoing Services to the Trial Courts—Support	13,741,651
Total, Statewide Technology Infrastructure and Ongoing Services to the Trial Courts	\$ 37,115,595

⁴ Amounts displayed are rounded to nearest dollar. Subtotals and totals reflect the sum of amounts itemized to the penny and then rounded to the nearest dollar.

Ongoing Services to the Trial Courts

The ongoing services to the trial courts, funded by the TCTF, consists of the following programs that provide administrative services to the trial courts, including AOC staff support.

Phoenix Financial and Human Resources Services: In FY 2011–2012, TCTF, TCIF, and Modernization Fund resources supported Phoenix Financial and Human Resources services. (For details, refer to the Phoenix Financial and Human Resources Services item in the TCIF section of this report on pages 7-8.)

Trial Court Procurement: In FY 2011–2012, both TCTF and TCIF resources supported Trial Court Procurement. (For details, refer to the Trial Court Procurement item in the TCIF section of this report on page 9.)

Statewide Technology Infrastructure Ongoing Programs

Statewide technology infrastructure ongoing programs, funded by the TCTF, consists of the following maintenance and operations activities of large, branchwide initiatives, ongoing operations that are necessary for system maintenance, and AOC staff support for statewide technology infrastructure.

CCMS Maintenance and Operations: During FY 2011–2012, funding supported staffing and consultant costs, infrastructure support and hosting services at the vendor’s data center, and hosting of support and production environments at the CCTC.

Interim Civil, Small Claims, Probate, and Mental Health Case Management System (V3): In FY 2011–2012, funding supported the maintenance and operations support provided by the AOC for the civil, small claims, mental health and probate CMS (V3), currently deployed in five superior courts: Orange, Sacramento, San Diego, San Joaquin, and Ventura Counties. The civil, small claims, mental health and probate CMS was deployed in six superior courts (Los Angeles, Orange, Sacramento, San Diego, San Joaquin, and Ventura Counties). Five of the six courts rely on this production application for daily case management processing, with a total of 2,705 users statewide. Los Angeles Superior Court of Los Angeles previously used the civil, small claims, mental health and probate CMS for processing a limited number of small claims, but as of June 2012 the court no longer processes small claims using the civil, small claims, mental health and probate CMS, using it only for inquiries. All V3 courts are now using the latest version of the V3 application.

V3 processes 25 percent of all civil cases statewide, and the system’s functionality enables the courts to process and administer their civil caseloads, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, work queue, payment and financial processing. This model allows for a single deployment and common version of the software, avoiding the cost of three separate installations. E-filing has been successfully deployed at the Orange Superior Court, saving time and resources. Sacramento Superior

Court has also deployed e-filing for their Employment Development Department cases. San Diego Superior Court is targeting deployment of e-filing in 2012–13. Sacramento and Ventura Superior Courts integrate V3 with public kiosks. E-filing and public kiosks are recognized as providing public and justice partners with increased ease of use and efficiencies.

During FY 2011–2012, funding supported:

- Hardware and software maintenance;
- Infrastructure support and hosting services for all environments: development, test, training, staging and production;
- Software product support including ongoing technical support to the CCTC and locally hosted courts;
- User support; and
- Product releases including court enhancement requests, judicial branch requirements, and bi-annual legislative changes.

Interim Criminal and Traffic Case Management System (V2): In FY 2011–2012, funding supported the maintenance and operations support provided by the AOC for the interim Criminal and Traffic Case Management System (V2) deployed in the Superior Court of Fresno County in 2006. The criminal and traffic case management system (V2) currently operates in Fresno Superior Court, and supports 650 court users and 2,800 justice partner users.

V2 enables the Fresno Superior Court to process and administer its criminal and traffic caseload, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, payment, and financial processing. The daily fund distribution report generated by V2 calculates distributions for monies collected from fees and fines, an operation that was previously done manually. Fresno Superior Court has caught up on a backlog of case data entry, while reducing traffic counter queues from 30 or 40 customers to three or four. With the courtroom functionality, a defendant is able to walk out of a hearing and immediately receive a transcript of the hearing, including any actions or instructions delivered at the hearing. Justice Partners such as the District Attorney's office have inquiry access from their offices to authorized case information. Automated interfaces to justice partner systems include: 1) Department of Motor Vehicles for updates and inquiries on traffic violations; 2) Web Pay for online payment of bail, fines, and fees; and 3) the Fresno County Sheriff's Office for warrants issued or revoked. Collection of information for the Judicial Branch Statistical Information System is automated. The public is able to view authorized case information on V2 at kiosks. For example, a case participant is able to view the location and time of their hearing using a kiosk.

During FY 2011–2012, funding supported:

- Hardware and software maintenance;
- Infrastructure support and hosting services at the CCTC;
- Help desk support for end users;
- Day to day operational application support and service requests; and
- Ongoing product releases to address court requests and judicial branch requirements, including bi-annual legislative changes.

California Courts Technology Center (CCTC) Operations: In FY 2011–2012, TCTF and TCIF resources supported CCTC. (For details, refer to the California Courts Technology Center item in the TCIF section of this report on page 10.)

Interim Case Management System (ICMS): In FY 2011–2012, TCTF and TCIF resources supported ICMS. (For details, refer to the Interim Case Management System item in the TCIF section of this report on page 11.)

Statewide Technology Infrastructure Projects

Statewide technology infrastructure projects, funded by the TCTF, have resulted in the development and deployment of the technology projects listed below, including those that are part of large branchwide initiatives, smaller projects of interest to specific trial courts and the Judicial Council, and projects to improve the IT infrastructure related to the trial courts, with support provided by AOC staff, temporary staff, and outside private consultants.

CCMS Development: In FY 2011–2012, allocated funding supported AOC staffing and consultant costs as well as reimbursement of trial court costs related to subject matter expert resources for the completion of the development of CCMS-V4, which began in June 2007. Funds were encumbered to complete the development vendor contract in previous fiscal years.

CCMS Deployment: In FY 2011–2012, the CCMS team began focusing on the development of configurations for early adopter courts. At their March 27, 2012 business meeting, the Judicial Council voted to stop the deployment of CCMS V4 while continuing the maintenance and support for the V2 and V3 interim case management systems.

In FY 2011–2012, allocated funding supported:

- AOC staffing and contracted services related to pre-deployment activities; and
- Hosting of deployment specific environments at the CCTC.

Supplemental Funding Process Allocations

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

The council delegated authority to the Administrative Director of the Courts to allocate one-time and ongoing monies from unallocated funds of the TCTF and TCIF to the trial courts in accordance with the supplemental funding request process. Beginning in FY 2006–2007, courts have received supplemental funding allocations related to statewide administrative and technology infrastructure needs. In FY 2011–2012, an additional \$76 in ongoing funding was allocated to one court and a total of \$3.548 million was distributed. The entire \$3.548 million distributed to courts is ongoing and is part of courts' base allocations for trial court operations. The table below shows the distribution of these allocated funds to courts in FY 2011–2012.

Statewide Administrative and Technology Infrastructure Program	Funding Distributed
Phoenix Financial and Human Resources Services	\$ 1,475,868
Interim Case Management System (Sustain)	1,003,027
California Courts Technology Center (CCTC)	776,626
California Court Case Management System (CCMS) V2 and V3	292,380
Total, Supplemental Funding Distributed	\$ 3,547,901

Trial Court Improvement Fund
FY 2011-2012
Resources

Description	Amount
Beginning Fund Balance	\$ 38,534,160
Prior Year Adjustments	3,010,803
Adjusted Beginning Fund Balance	41,544,963
Revenues and Transfers	
50/50 Excess Fees, Fines, and Forfeitures Split	35,443,013
2% Automation Fund	16,748,471
Interest from Surplus Money Investment Fund	102,377
Royalties from Publications of Jury Instructions	526,189
Miscellaneous Revenue and Adjustments ¹	2,182,320
One Percent (1%) Transfer from the Trial Court Trust Fund	19,696,630
Transfer to Trial Court Trust Fund (Gov. Code, § 77209 (k))	(31,563,000)
Subtotal, Revenues and Transfers	43,136,000
Total Resources	\$ 84,680,963

¹ Items include a \$2.167 million wire transfer from Bank of America due to the closure of the Trial Court Medical Insurance and Flexible Spending Accounts, and \$14,929 from escheat and other general fees.

**Trial Court Improvement Fund
FY 2011-2012
Fund Balance Summary**

Description	Amount
Total Resources	\$ 84,680,963
Expenditures and Encumbrances	
Ongoing Statewide Programs	37,815,184
Trial Court Projects and Model Programs	1,672,366
Urgent Needs	4,500,000
Subtotal, Expenditures and Encumbrances	43,987,551
Pro-rata, Statewide General Administrative Services	446,039
Total Expenditures, Encumbrances, and Pro-Rata	44,433,590
Total Fund Balance	\$ 40,247,374

**Trial Court Improvement Fund
FY 2011-2012 Expenditures and Encumbrances
Category 1 - Ongoing Statewide Programs**

Description	Amount
Domestic Violence - Family Law Interpreter Program	\$ 1,750,000
Employee Assistance Program for Bench Officers	85,000
Human Resources Legal Counsel for Trial Court Benefits	40,000
Judicial Performance Defense Insurance	794,247
Jury System Improvement Projects	14,614
Litigation Management Program	3,974,030
Self-Help Centers	4,999,992
Self-Represented Litigants - Statewide Support	169,519
Subscription Costs - Judicial Conduct Reporter	17,080
Trial Court Security Grants	1,445,438
Trial Court Transactional Assistance Program	603,239
Ongoing Services to the Trial Courts - Local Assistance and Support ¹	9,429,117
Statewide Technology Infrastructure - Ongoing Programs - Local Assistance and Support ²	14,491,472
Statewide Technology Infrastructure - Projects - Local Assistance and Support ³	1,437
Total, Ongoing Statewide Programs	\$ 37,815,184

¹ See Attachment A, page 4, for the listing of project and program expenditures for "Ongoing Services to the Trial Courts".

² See Attachment A, page 5, for the listing of project and program expenditures for "Statewide Technology Infrastructure - Ongoing Programs".

³ See Attachment A, page 6, for the listing of project and program expenditures for "Statewide Technology Infrastructure - Projects".

Trial Court Improvement Fund
FY 2011-2012 Expenditures and Encumbrances
Ongoing Services to the Trial Courts

Description	Amount
Local Assistance	
Phoenix Financial and Human Resources Services	\$ 4,500,081
Subtotal, Local Assistance	4,500,081
Support	
California Law Enforcement Telecommunications System	124,188
Enhanced Collections	584,118
Internal Audits	602,697
Phoenix Financial and Human Resources Services	1,171,076
Regional Office Assistance Group	1,781,758
Treasury Cash Management	224,449
Trial Court Procurement	153,468
Trial Court Process Reengineering	287,279
Subtotal, Support¹	4,929,035
Total, Ongoing Services to the Trial Courts	\$ 9,429,117

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

Trial Court Improvement Fund
FY 2011-2012 Expenditures and Encumbrances
Statewide Technology Infrastructure - Ongoing Programs

Description	Amount
Local Assistance	
California Courts Technology Center (CCTC) - Operations	\$ 2,594,331
California Courts Protective Order Registry (CCPOR)	661,259
Data Integration	-
Enterprise Policy and Planning - Operation	5,665,615
Enterprise Test Management Suite (Testing Tools)	488,968
Interim Case Management Systems (ICMS)	2,418,607
Statewide Electronic Business Services (SEBS)	-
Uniform Civil Fees	384,968
Subtotal, Local Assistance	12,213,747
Support	
Case Management System – Criminal and Traffic (V2)	-
California Courts Technology Center (CCTC) - Operations	1,716,654
Data Integration	274,294
Statewide Electronic Business Services (SEBS)	286,776
Subtotal, Support¹	2,277,725
Total, Statewide Technology Infrastructure - Ongoing Programs	\$ 14,491,472

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

**Trial Court Improvement Fund
FY 2011-2012 Expenditures and Encumbrances
Statewide Technology Infrastructure - Projects**

Description	Amount
Local Assistance	
California Court Case Management System (CCMS) V4 Development	\$ 855
Judicial Branch Enterprise Licensing and Policy	-
Subtotal, Local Assistance	855
Support	
CCMS V4 Development	582
CCMS DMS Development and Deployment	-
Subtotal, Support¹	582
Total, Statewide Technology Infrastructure - Projects	\$ 1,437

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

Trial Court Improvement Fund
FY 2011-2012 Expenditures and Encumbrances
Category 2 - Trial Court Projects and Model Programs

Description	Amount
Audit Contract	\$ -
Domestic Violence - Order After Hearing	81,420
GC 77205(a) 20% for Administrative Cost (SB 940)	-
Human Resources - Court Investigation	50,000
Other Post-Employment Benefits (OPEB) Valuation Report	554,362
Reimbursement to Trial Courts for Public Access	5,300
Workers' Compensation Program Reserve	981,284
Total, Trial Court Projects and Model Programs	\$ 1,672,366

¹ As of 6/30/2011, \$19,875.99 was reimbursed to 19 trial courts (Butte, Humboldt, Los Angeles, Madera, Marin, Merced, Monterey, Nevada, Placer, San Diego, San Francisco, San Joaquin, Shasta, Solano, Tulare, Tuolumne, Ventura, Yolo, and Yuba); and four trial courts (Butte, Imperial, Kern, and Monterey) submitted requests in July 2011 and were reimbursed total of \$2,897.14 in early September 2011.

Trial Court Improvement Fund
FY 2011-2012 Expenditures and Encumbrances
Category 3 - Urgent Needs

Description	Amount
Superior Court of California, San Francisco County	\$ 2,500,000
Superior Court of California, San Joaquin County	2,000,000
Total, Urgent Needs	\$ 4,500,000

Judicial Administration Efficiency and Modernization Fund

FY 2011-2012

Resources

Description	Amount
Beginning Fund Balance	\$ 2,763,902
Prior Year Adjustments	1,612,049
Adjusted Beginning Fund Balance	4,375,951
Revenues and Transfers	
Interest from Surplus Money Investment Fund	141,602
Miscellaneous Revenue and Adjustments	8,074
State General Fund Transfer	38,709,000
Transfer to Trial Court Trust Fund (Per Item 0250-111-0556, Budget Act 2011)	(20,000,000)
Subtotal, Revenues and Transfers	18,858,676
Total Resources	\$ 23,234,627

Judicial Administration Efficiency and Modernization Fund
FY 2011-2012
Fund Balance Summary

Description	Amount
Total Resources	\$ 23,234,627
Expenditures and Encumbrances	
Statewide Technology Infrastructure and Ongoing Services to the Trial Courts	9,662,650
Education and Developmental Programs	1,208,628
Pilot Projects, Special Initiatives, and Ongoing Programs	4,482,149
Total Expenditures and Encumbrances	15,353,426
Total Fund Balance	\$ 7,881,201

Judicial Administration Efficiency and Modernization Fund
FY 2011-2012 Expenditures and Encumbrances
Category 1 - Statewide Technology Infrastructure and
Ongoing Services to the Trial Courts

Description	Amount
Ongoing Services to the Trial Courts	
Phoenix Financial and Human Resources Services	\$ 755,540
Statewide Technology Infrastructure Ongoing Programs	
California Law Enforcement Telecommunication System	147,389
Data Integration	2,647,111
Telecommunications Support	6,112,610
Total, Statewide Technology Infrastructure and Ongoing Services to the Trial Courts	\$ 9,662,650

Judicial Administration Efficiency and Modernization Fund

FY 2011-2012 Expenditures and Encumbrances

Category 2 - Educational and Development Programs

Description	Amount
New Judge Education and Judicial Primary Assignment Orientation Courses	\$ 411,769
Continuing Judicial Education - Statewide Judicial Institutes	91,365
Continuing Judicial Education - Advanced Education for Experienced Judges	1,602
Continuing Judicial Education - Regional and Local Judicial Education Courses	8,970
<i>Subtotal, Mandated, Essential and Other Education for Judicial Officers</i>	<i>513,705.72</i>
Leadership Training - Non-Judicial / Leadership Training - Judicial	10,959
Manager and Supervisor Training	40,049
<i>Subtotal, Essential and Other Education for CEOs, Managers, and Supervisors</i>	<i>51,007.46</i>
Court Personnel Institutes / Regional and Local Court Staff Courses	111,574
<i>Subtotal, Essential and Other Education for Court Personnel</i>	<i>111,574</i>
Statewide Education Programs - Trial Court Faculty	191,203
Faculty Development	26,669
<i>Subtotal, Faculty and Curriculum Development</i>	<i>217,872</i>
Distance Education - Satellite Broadcast / Distance Education - Online Video, Webinars, & Videoconferences	166,854
<i>Subtotal, Distance Education</i>	<i>166,854</i>
Budget Focused Training and Meetings	13,938
CFCC Educational Programs	90,400
CFCC Publications	20,013
Labor Relations Academy	23,265
<i>Subtotal, Other Educational and Development Programs</i>	<i>147,615</i>
Total, Educational and Development Programs	\$ 1,208,628

Judicial Administration Efficiency and Modernization Fund

FY 2011-2012 Expenditures and Encumbrances

Category 3 - Pilot Projects, Special Initiatives, and Ongoing Programs

Description	Amount
Alternative Dispute Resolution	\$ 60,765
Complex Civil Litigation Program	4,001,010
Court Interpreter Testing, Recruitment and Education	124,973
Interactive Software - Self-represented Litigant Electronic Forms	700
Public Outreach and Education	277,000
Ralph N. Kleps Award Program	4,671
Trial Court Performance and Accountability	13,029
Total, Pilot Projects, Special Initiatives, and Ongoing Projects	\$ 4,482,149

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	93
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the budget and fiscal management measures implemented by the AOC enable the Finance Division to improve the timeliness of processing contracts to better serve courts, contractors, vendors, and others.
SEC RECOMMENDATION	This division must make a commitment to processing contracts in more timely fashion, with an eye toward better serving courts, contractors, vendors, and others.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>A group of division directors has been convened to review and make improvements to the contracting process (the Contracts Advisory Team or CAT). CAT meetings have resulted in the identification of business process improvements many of which have and are being implemented by the divisions and Business Services Unit (BSU). These improvements include regularly scheduled meetings between BSU and various divisions to improve the communication process and the timeliness of the contract documents. The CAT meetings also focus on monitoring upcoming contract inventories in the various divisions as well as tracking those that are currently being processed by the Business Services Unit. Monitoring and tracking contract inventories has resulted in more timely submittals to BSU, as well as quicker turnarounds to the requesting division.</p> <p>The Fiscal Services Office will continue to evaluate and monitor its contracting processes on an ongoing basis to ensure the timeliness of processing contracts in service to the courts, contractors, vendors and others.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration:	
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration:	
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	

<input type="checkbox"/> Other:	
<input type="text"/>	
<input type="button" value="File Attachment"/>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text" value="June 2013"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input checked="" type="checkbox"/> SAVINGS	<input type="text" value="Additional deployment of electronic requisitions is being accomplished with AOC staff without the assistance of contracted consultants."/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input checked="" type="checkbox"/> EFFICIENCIES	<input type="text" value="Various improvements have streamlined the contracting process: sending contractors their original of a contract or amendment immediately after execution rather than during distribution of the AOC copy (which requires time to certify funding); distributing electronic copies rather than hard copies of contracts and amendments; additional internal deployment of electronic requisitions (e.g., iProcurement); and meeting with key division and Office personnel to determine upcoming contract needs and associated timing."/> <input type="button" value="File Attachment"/>
<input checked="" type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text" value="Average turnaround time has been improved. The number of contracts and amendments processed this fiscal year compared to last fiscal year (e.g., fiscal year-to-date), has increased."/> <input type="button" value="File Attachment"/>

<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	94
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Finance Division must assess its workload needs especially in light of legislation on court security and auditing functions being assumed by the State Controller's Office, so that necessary adjustments in staffing positions can be made.
SEC RECOMMENDATION	The Finance Division must assess its workload needs, especially in light of legislation on court security and auditing functions being assumed by the State Controller's Office, so that any necessary adjustments in staffing positions can be made.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>As part of AOC downsizing efforts over the past 18 months, the Fiscal Services Office reviewed staffing needs in its Budget unit and made adjustments to better align resources with workload. This was especially necessary in light of the retirement of an Assistant Director with critical expertise and responsibility over budget activities and the loss of four budget positions through mandatory layoffs in 2012. Staffing assessments will be revisited on an ongoing basis.</p> <p>Since issuance of the SEC report, support required by the Budget Office has increased significantly--particularly with relation to the development of the new trial court funding methodology (and anticipated ongoing support of that effort) as well as the extensive budget realignment occurring due to AOC restructuring. These efforts, along with countless complex informational/data requests from the Governor's finance staff and legislative members and staff, have resulted in considerable workload pressure among our limited staff. In addition, the current review of essential services and critical positions will reflect an ongoing staffing crisis in our Accounting and Business Services (contract development and support) units. These functional areas have received little, if any, General Fund support in the state budget despite an exponential increase in workload over the past decade.</p> <p>The workload needs of Internal Audit Services (IAS) has increased since the office was established in 2001 focused primarily on audits of the trial courts. IAS staff performs comprehensive work at the superior courts that includes: compliance with rules of courts (submitted cases) and the Trial Court Financial Policies and Procedures Manual, financial work on the trial court financial statements under GAAP and GASB, and operational work on cashiering, information systems (including revenue distribution), exhibit rooms, security, and other operational areas. During the last 12 years, IAS has utilized external audit firms under audit contracts to assist in these audits and special projects. Unfortunately, the external audit contract and funding expired in 2012.</p> <p>In addition IAS is responsible for the Whistleblower hotline and investigative work and reporting associated with it, and consultative work on revenue distribution, data integrity, information systems, and accounting and operation questions. This work has been absorbed into responsibilities without</p>	

additional staffing. In fact, in the last three years staffing in IAS has decreased from 14 positions as of December 31, 2010, to 12 positions currently.

Although the workload associated with trial court audits may be impacted based on the existing statutes regarding contracts (Bureau of State Audit under Public Contracts Code Section 12210) and financial statements (State Controller's Office, Bureau of State Audits, or Department of Finance under Government Code Section 77206), state assumption of audit activities will not reduce the need for staffing in IAS.

In fact, because of IAS staffing reductions and the uncertainty involved with the external state audits, IAS's four-year cycle of auditing the trial courts has now regressed to a five/six year cycle. Resource constraints in IAS have also resulted in audit activities that have been delayed, deferred or declined including assisting court executive officers (CEO's) with high level reviews, data integrity review as continually requested by CEOs, and revenue distribution testing between SCO audits. Finally, the IAS is tasked with a new workload relating to the Judicial Council directive to implement internal audits of the AOC.

For all of these reasons, the IAS staffing levels will not be reduced because of the potential for audit functions being assumed by the state and IAS has in fact have demonstrated a need for additional resources.

 File Attachment

This directive is forwarded to the Judicial Council with options for consideration:

 File Attachment

Other:

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	June 2013
RESOURCES REQUIRED FOR IMPLEMENTATION	

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR	<input type="text"/>

DEVELOPED	 File Attachment
<input type="checkbox"/> SAVINGS	 File Attachment
<input type="checkbox"/> COST	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	100
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-43 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	The committee recommends that the functions of this division be placed under a unit titled Information and Technology Services Office, combined with any remaining functions of CCMS. The office should report to the Chief Administrative Officer of the Judicial and Court Administrative Services Division. The IS Manager position should be compensated at its current level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> SAVINGS	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Mark Dusman
OFFICE NAME	<u>Information & Technology Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	101
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council support SEC Recommendation 7 -44 and direct the council's Technology Committee to reexamine technology policies in the judicial branch to formulate any new branch-wide technology policies or standards, based on the input, needs, and experiences of the courts and court users, and including cost-benefit analysis.
SEC RECOMMENDATION	A reexamination of technology policies in the judicial branch must occur now that CCMS does not represent the technology vision for all courts. Formulation of any new branch-wide technology policies or standards must be based on the input, needs, and experiences of the courts, and including cost-benefit analysis.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <p>The Technology Committee continues work to develop a unified, long-term plan to achieve funding stability for court technology. The Technology Planning Task Force has been tasked with this plan. The charge of the task force is to 1) define judicial branch technology governance, 2) develop a strategic plan for technology at the Trial Court, Appellate Court, and Supreme Court level, and 3) develop recommendations for funding judicial branch technology. Membership of the task force includes Judicial Officers, Court Executive Officers, Court Information Technology Officers, and other stakeholders representing the trial and appellate courts, the State Bar, and the public.</p> <p>To accomplish all of this in the one year time frame, three individual tracks were launched. These include Governance, led by Jake Chatters, Court Executive Officer, Superior Court of California,</p>	

County of Placer; Strategic Plan, led by Brian Cotta, Chief Information Officer, Superior Court of California, County of Fresno; and Funding, led by Judge Marsha Slough, Presiding Judge, Superior Court of California, County of San Bernardino. The task force meets monthly. The three individual tracks (Governance, Strategic Plan, and Funding) meet regularly. The task force has approved a charter and vision statement. The projected implementation date is June 30, 2014.

The task force charge and roster is available on the public website and can be found at <http://www.courts.ca.gov/3046.htm>.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
<input type="checkbox"/> OTHER	<input type="text"/>  File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input type="text"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Mark Dusman
OFFICE NAME	<u>Information & Technology Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	104
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct that the Administrative Director of the Courts should review and reduce accordingly the use of temporary employees, consultants, and contractors.
SEC RECOMMENDATION	Especially with CCMS not being fully deployed, staff reductions in this division are in order, including: (c) The use of temporary employees, consultants, and contractors should be reviewed and reductions made accordingly.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013</p> <p>For the months of March, April, and May 2013, ITSO has reduced 0 contractor staff. As of June 1, 2013, ITSO has 53.1 contractor staff and continues to look for opportunities to reduce contractor staffing where possible.</p> <p>Information Technology Services Office utilizes a number of contractors in hard to fill, critical support positions. At this time, ITSO is taking direct action to fill some of these critical support positions held by contractors with full time employees. At the end of April, ITSO began recruiting for 18 critical support FTEs. ITSO is using a phased approach, posting approximately 1/3 of the contractor positions at this time. Hiring permanent FTEs is expected to bring cost savings and longer term stability and support.</p> <p>The high-level project plan for this program to hire FTEs into critical positions is attached.</p> </div>	



053013 Attachment to Directive #104.docx
Microsoft Office Word Document
13.9 KB

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>

	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

Project Plan: ITSO Hiring Critical FTE Positions - Attachment to Directive #104 -

	Major Tasks	Owner	Timeline	Status
1	Identify Positions to post by Phase; Phase I includes 18 positions	ITSO Mgmt	Dec. 2012	Completed
2	Coordinate with Finance (PCCs, PSN)	ITSO	Feb. 2013	Phase I completed
3	Coordinate with HR (Job Announcements, Posting, Recruitment)	ITSO	March - April 2013	Completed
4	Create and implement Communication Plan	ITSO	April 2013	Completed
5	Post positions on California courts web site and external jobs sites; open recruitment process	HR	April 2013	Completed
6	Receive applications; Review and evaluate applicants; schedule interviews	ITSO Mgmt	May 2013 – until filled	In Process
7	Hire staff	ITSO Mgmt	October 2013	Not Started
8	Proceed to Phase II - second round of recruitment	ITSO Mgmt	TBD	Not Started

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Mark Dusman
OFFICE NAME	<u>Information & Technology Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	105
JUDICIAL COUNCIL DIRECTIVE	As of April 2013, JC Directive 105 will now state: "E&P recommends that the Judicial Council support SEC Recommendation 7-46 and direct the Administrative Director of the Courts, as part of AOC long-term planning, to conduct a review and audit of all technology currently used at the AOC and to return to the Judicial Council with a progress report on the findings, including efficiencies and potential cost savings."
SEC RECOMMENDATION	Different divisions in AOC operate from different technology platforms, including SAP used for the Phoenix system, Oracle, and CCMS. As part of a long range plan for the use of technology in AOC operations, the AOC should conduct a review and audit of all technology currently used in the AOC. Efficiencies and cost savings could result from the use of a single platform.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <p>The request for modification of directive #105 wording was accepted at the April 26, 2013 Judicial Council Meeting. The following language will appear on all future reports:</p> <p>"E&P recommends that the Judicial Council support SEC Recommendation 7-46 and direct the Administrative Director of the Courts, as part of AOC long-term planning, to conduct a review and audit of all technology currently used at the AOC and to return to the Judicial Council with a progress report on the findings, including efficiencies and potential cost savings."</p> <p>The enterprise architecture team began its semi-annual review of the approved technology standards</p>	

for AOC-hosted applications. These standards define the technologies that should be leveraged and those that should be phased out in order to maximize efficiencies and cost savings. The standards are reviewed with the application and infrastructure teams during their monthly reviews to identify strategies for ensuring compliance with the directive.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	ADOC interim report to the council by the December 2013 council meeting.
RESOURCES REQUIRED FOR IMPLEMENTATION	The team for directives #105 and #133 will continue to work on gathering the background information required for the review.

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	 File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	 File Attachment
<input type="checkbox"/> SAVINGS	 File Attachment
<input type="checkbox"/> COST	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

Administrative Director of the Courts Review Date: 6/13/2013

ADOC REVIEW	
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	106
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-71 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	The Office of General Counsel should be renamed Legal Services Office, consistent with its past designation, and should be a stand-alone office reporting to the Administrative Director of the Courts. The Legal Services Office manager position should be compensated at its current level. The Legal Services Office should not be at the same divisional level as the Judicial and Court Operations Services Division or the Judicial and Court Administrative Services Division. The Chief Counsel, manager of the Legal Services Office, should not be a member of the Executive Leadership Team.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
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TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	107
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(a) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	<p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(a) In addition to the General Counsel, there are nine management level attorney positions in the Legal Services Office, including the Assistant General Counsel, three Managing Attorneys, and five Supervising Attorneys. This is an excessive number of management positions, which should be reduced. The position of Assistant General Counsel position could be eliminated. One managing attorney could be assigned to manage each of the two major functional components of the division, house counsel, and Judicial Council services, with each managing attorney reporting directly to the Chief Counsel.</p>
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: Since the release of the SEC report in May 2012, Legal Services Office staffing has been reduced	

from a workforce of 75 to 50.10 as of May 31, 2013. Also, attorney staffing has been reduced from 50 attorneys to 37 attorneys (exclusive of the Chief Counsel).

This directive is being addressed with recommendations from the Judicial Council Legal Services Office liaisons in a report to the council at the June 2013 council meeting.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/>  File Attachment
<input type="checkbox"/> OTHER	<input type="text"/>  File Attachment

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input type="text"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	110
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council support SEC Recommendation 7-72(d) and direct the Administrative Director of the Courts to report to the council on measures to streamline and improve the AOC's contracting processes and reduce contract-related work performed by this office.
SEC RECOMMENDATION	<p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve this reduction, the following areas should be considered, and appropriate actions taken:</p> <p>(d) Implementation of the recommendations designed to streamline and improve the AOC's contracting processes should reduce contract-related work performed by the Legal Services Office.</p>
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>While assigned to the Fiscal Services Office, this recommendation relates to the Legal Services Office (LSO) and the following staffing information was provided by that office.</p> <p>The recommendation to reduce LSO staff has been accomplished as LSO staff is now 50.10 from 75 referenced in the SEC report, including total attorney staffing at 37 (exclusive of the Chief Counsel). Staffing in Transactions and Business Operations is down to 5 staff attorneys—while work relating to ongoing implementation of California Judicial Branch Contract Law (JBCL) continues to increase and while the Bureau of State Audits is conducting JBCL implementation audits.</p> <p>LSO's transactional attorneys have created a number of documents and templates for not only the AOC but for all of the Judicial Branch entities which need to comply with the Judicial Branch Contracting Manual. LSO continues to review legislative changes that may impact Part 2.5 of the Public Contract Code (i.e., the Judicial Branch Contracting Law) and to also review changes to the State Contracting Manual to determine whether the Judicial Branch Contracting Manual needs to be modified. These reviews, documents and templates have already improved and streamlined the contracting process for the AOC.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p> <p>Additional organizational and staffing changes may occur in the Legal Services Office following the current review by Judicial Council liaisons and feedback received through the pending classification and compensation review.</p>	

Additional efforts to streamline and improve the AOC's contracting processes will be further reported on in Directives 93 and 141.

 File Attachment

This directive is forwarded to the Judicial Council with options for consideration:

 File Attachment

Other:

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE

June 2013

RESOURCES REQUIRED FOR IMPLEMENTATION

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

PROCEDURES/ POLICIES UPDATED OR DEVELOPED

 File Attachment

TRAINING UPDATED OR DEVELOPED

 File Attachment

SAVINGS

 File Attachment

COST

 File Attachment

EFFICIENCIES

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<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid gray; height: 20px; width: 100%;"></div> <div style="border: 1px solid gray; padding: 2px; margin-top: 5px;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013 <input style="width: 50px;" type="text"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input style="width: 50px;" type="text"/>

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	5/22/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	111
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72 (e) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken: (e) The Legal Services Office has promoted and contributed to the "lawyerizing" of numerous activities and functions in the AOC. There are opportunities for work currently performed by attorneys in the Rules and Projects, Transactions and Business Operations, Real Estate, and Labor and Employment units to be performed by non-attorneys, resulting in efficiencies and possible staff reductions.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: Since the release of the SEC report in May 2012, Legal Services Office staffing has been reduced from a workforce of 75 to 50.10 as of May 31, 2013. Also, attorney staffing has been reduced from 50 attorneys to 37 attorneys (exclusive of the Chief Counsel).	

Before implementation of Directive 111 can occur, the Judicial Council must determine, under Directive 19, whether an outside entity will be used to conduct the organization-wide classification/compensation review.

The Judicial Council deferred a decision on Directive 19 pending the results of the AOC's Request for Proposals (RFPs). The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC's classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC's classification structure and compensation plan using a hybrid approach.

The Administrative Director will provide an interim report on the outcome of the classification/compensation study Request for Proposal (RFP) at the June 2013 council meeting.

Final report timeline is currently unknown, pending the Council's decision at the June 2013 session. In the interim, the AOC will conduct a review on the use of attorney positions in private and public sector organizations. Ultimately, data from both studies will guide the AOC in determining the appropriate use and number of attorneys within the organization.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/>  File Attachment
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<input type="checkbox"/> SAVINGS	<input type="text"/>  File Attachment
<input type="checkbox"/> COST	<input type="text"/>  File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/>  File Attachment
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text" value="File Attachment"/>
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ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	112
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(f) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.
SEC RECOMMENDATION	The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken: (f) Development and use of paralegal classifications, as found elsewhere in legal services throughout both the public and private sectors, could lead to the reduction of attorney positions in the Legal Services Office.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: Since the release of the SEC report in May 2012, Legal Services Office staffing has been reduced from a workforce of 75 to 50.10 as of May 31, 2013. Also, attorney staffing has been reduced from 50 attorneys to 37 attorneys (exclusive of the Chief Counsel). This directive is being addressed with recommendations from the Judicial Council Legal Services Office liaisons in a report to the council at the June 2013 council meeting.	

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TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	

E&P REVIEW

Executive and Planning Review Date:

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	114
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the costs and benefits of allocating staff attorneys and resources to various advisory committees, task forces, and working groups.
SEC RECOMMENDATION	As recommended elsewhere, the Judicial Council should assess the costs and benefits of allocating staff attorneys and resources to various advisory committees, task forces, and working groups.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px; display: flex; align-items: center;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px; display: flex; align-items: center;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>At the April 26, 2013, council meeting, Executive and Planning Committee (E&P), Rules and Projects Committee (RUPRO), and Technology Committee recommended that the council approve recommendations to improve the governance, structure, and organization of the council's advisory groups. The council approved the several governance provisions for the oversight of advisory groups and also approved the forty-nine "Recommendations for Improved Governance, Structure, and Organization for Judicial Council Advisory Groups." Finally, the council directed the council's Rules and Projects Committee to oversee development of the necessary rules of court and E&P, the nominations for the groups converted to standing advisory committees, to implement these advisory group changes.</p> <p>In tandem with the council establishing and finalizing the committee governance, the AOC is working on developing a tracking tool for use by AOC staff that support committees to track time spent in support of Judicial Council committees, task forces, and working groups. This resource information will: 1) enable E&P to determine the level of effort that is required to support the various committees,</p> </div>	

task forces and working groups; and 2) be folded into the AOC Classification and Compensation Study to be used by the organization to identify appropriate resources and staffing for committees, task forces, and working groups.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> SAVINGS	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL

ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
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EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	115
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, as part of the review of the AOC organizational structure, to review current responsibilities and clearly define the role of the Chief Counsel.
SEC RECOMMENDATION	The role of the Chief Counsel should be redefined to reflect the primary role of providing legal advice and services, as opposed to developing policy for the judicial branch.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> This directive is being addressed with recommendations from the Judicial Council Legal Services Office liaisons in a report to the council at the June 2013 council meeting. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	

RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
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<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
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ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	117
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to adopt an operations model whereby attorneys generally are housed at one location with flexibility to adjust as necessary to meet court needs regionally, including regional demand for additional attorney support and smaller courts that have fewer staff for research and other legal services. The location where attorneys report to work should ensure proper supervision.
SEC RECOMMENDATION	<p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(b) This office should adopt an operations model whereby its attorneys generally are housed at one location. This would eliminate non-supervision of some attorneys, promote better and more regular supervision of staff attorneys, and promote better utilization of available skills.</p>
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> This directive is being addressed with recommendations from the Judicial Council Legal Services Office liaisons in a report to the council at the June 2013 council meeting. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	120
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that court users of legal services should be surveyed periodically to determine if such services are performed in a timely and satisfactory manner.
SEC RECOMMENDATION	This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows: Court users of legal services should be surveyed periodically to determine if such services are performed in a timely and satisfactory manner.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
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TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>

DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	6/6/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	122
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to order an independent review of the Office of General Counsel's use, selection, and management of outside legal counsel to determine whether outside counsel is being utilized in a cost effective manner. Before initiating the independent review, the Administrative Director of the Courts must provide a proposal with options for conducting the review, including the associated costs.
SEC RECOMMENDATION	The Judicial Council and/or Administrative Director should order an independent review of this office's use, selection, and management of outside legal counsel to determine whether outside counsel is being utilized in a cost-effective manner.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <input type="button" value="File Attachment"/>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <input type="button" value="File Attachment"/>	
<input checked="" type="checkbox"/> Other: This directive is being addressed with recommendations from the Judicial Council Legal Services Office liaisons in a report to the council at the June 2013 council meeting. <input type="button" value="File Attachment"/>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR	

PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	123
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-52 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	The Office of Communications should remain in the Executive Office and under the direction of a Chief of Staff. The Office of Communications manager position should be placed at the Senior Manager level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; padding: 2px; width: fit-content; margin-top: 5px;">  File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR	

PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
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<input type="checkbox"/> SAVINGS	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Malcolm Franklin
OFFICE NAME	<u>Office of Security</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	125
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to return to the Judicial Council with an analysis, defining the necessary emergency response and security functions for the branch and a recommendation on the organizational plan for council approval.
SEC RECOMMENDATION	<p>There is no need for a stand-alone Office of Emergency Response and Security. Most necessary functions performed by the office can be reassigned and absorbed by existing units in the Judicial and Court Operations Services Division.</p> <p>The functions of this office should be refocused and limited to those reasonably required by statute or by the Rules of Court, primarily including review of security plans for new and existing facilities; review of court security equipment, if requested by the courts; and review of emergency plans.</p> <p>Reductions in this office are feasible. The office cannot effectively provide branch-wide judicial security and online protection for all judicial officers. Positions allocated for such functions should be eliminated. The Administrative Director should evaluate whether some activities undertaken by this office are cost effective, such as judicial security and online protection functions.</p>
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	

At its August 31, 2012, meeting, the JC directed the ADOC “to return to the Judicial Council with an analysis, defining the necessary emergency response and security functions for the branch and a recommendation on the organizational plan for council approval.”

At its December 14, 2012, meeting, the JC approved the ADOC’s recommendation to maintain the AOC Office of Security within the Judicial and Court Operations Services Division, with responsibility for performing the security and emergency response planning functions currently assigned to it and at the current staffing level. It deferred action on directing a proposed Court Security Advisory Committee to review the AOC Office of Security and make recommendations defining the necessary emergency response and security functions to be performed by the office.

On its April 25, 2013, meeting, the JC approved an E&P, RUPRO, and Technology Committee recommendation that included a recommendation to create a Court Security Advisory Committee with a rule of court and charge. E&P and RUPRO will ensure the proposed rule is circulated for public comment, and submit it to the JC for consideration at the October 25, 2013, meeting. Meantime, the AOC Office of Security will to perform the functions currently assigned to it, and will obtain advice and assistance on any issues, as needed, from branch experts and the E&P.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	July 2013 for interim report and March 2014 for final report.
RESOURCES REQUIRED FOR IMPLEMENTATION	(1) E&P to propose the council establish a Court Security Advisory Committee and make decisions on membership and charge; (2) AOC staff to assist with appointments, rosters, and meetings; (3) ADOC to provide reports to council.

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
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<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p> File Attachment</p>
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM**JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING**

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	130
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-47 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	TCAS should be made a unit under the Judicial and Court Administrative Services Division, reporting to the Chief Administrative Officer. The TCAS Manager position should be at the Senior Manager level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <input type="checkbox"/> File Attachment	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <input type="checkbox"/> File Attachment	
<input checked="" type="checkbox"/> Other: Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. <input type="checkbox"/> File Attachment	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR	

PROJECTED IMPLEMENTATION DATE	
RESOURCES REQUIRED FOR IMPLEMENTATION	
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> SAVINGS	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> COST	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> EFFICIENCIES	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
<input type="checkbox"/> OTHER	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: 100%;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Mark Dusman
OFFICE NAME	<u>Information & Technology Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	133
JUDICIAL COUNCIL DIRECTIVE	As of April 2013, JC Directive 133 will now state: "E&P recommends that the Judicial Council support SEC recommendations 7-46 and 7-50 and direct the Administrative Director of the Courts, as part of AOC long term planning, to review the information technology systems currently implemented Branch wide to support enterprise resource planning: finance, human resources, and education functional areas; to identify costs, benefits, and potential long-term savings, and the challenges of migrating support to a single IT platform; and to return to the council with a progress report on the findings."
SEC RECOMMENDATION	As with the Information Services Division, the AOC should determine whether to continue use of multiple or overlapping technologies for similar functions, as using a single technology could result in efficiencies and savings, both operationally and in personnel cost.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: The request for modification of directive #133 wording was accepted at the April 26, 2013 Judicial Council Meeting. The following language will appear on all future reports: "E&P recommends that the Judicial Council support SEC recommendations 7-46 and 7-50 and direct the Administrative Director of the Courts, as part of AOC long-term planning, to review the information technology systems currently implemented Branch wide to support enterprise resource planning: finance, human resources, and education functional areas; to identify costs, benefits, and	

potential long-term savings, and the challenges of migrating support to a single IT platform; and to return to the council with a progress report on the findings.”

To address the branchwide scope of the directive, the project team began updating the inventory of functions and processes that are implemented in the administrative technology systems at the AOC with information that is available about the systems in place at the superior courts. As this information is limited, the project team requested and received approval by the Judicial Council Technology Committee to survey the superior courts. Preparation of the survey and cover letter for distribution is in process.

The project team also submitted a request to the AOC Legal Services Office to review the administrative functionality in existing AOC administrative systems currently supported by the State Controller’s Office, State Treasury and State Treasurer’s Office. This information is necessary to determine which potential consolidation options are feasible.

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	ADOC interim report to the council by the December 2013 council meeting.
RESOURCES REQUIRED FOR IMPLEMENTATION	The team for directives #105 and #133 will continue to work on gathering the background information required for the review.

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	 File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	 File Attachment
<input type="checkbox"/> SAVINGS	 File Attachment
<input type="checkbox"/> COST	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	

	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	135
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-64 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	The OCCM should be renamed Office of Court Construction and Facilities Management Services. The functions of this unit should be placed under the Judicial and Court Operations Services Division and reporting to the Chief Operating Officer. The manager of this unit should be compensated at the same level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION	

DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	<input type="text"/>
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
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<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/5/2013
PREPARED BY	Lee Willoughby
OFFICE NAME	<u>Judicial Branch Capital Program Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	136
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate and propose an approach to evaluate cost effectiveness for the entire scope of the Office of Court Construction and Management operations.
SEC RECOMMENDATION	A cost-benefit analysis of the entire scope of OCCM operations is needed.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>With respect to an approach for the evaluation of the cost effectiveness for the entire scope of the Judicial Branch Capital Program Office this directive is considered complete. However, the evaluation of the cost effectiveness of the Office of Real Estate and Facilities Management is outstanding and a report will be provided at the December 2013 council meeting.</p> <p>Due to organizational changes and the bifurcation of the former Office of Court Construction and Management into two offices, this directive focuses only on the construction program managed by the Capital Program Office. The approach that will be used focuses on the cumulative cost effectiveness of each of the 45 capital outlay projects that together form the entire scope of the Judicial Branch Capital Program Office. The analysis recommended in this approach has been completed for the first six projects in the process of preparing the report mandated by Sen. Bill 78 (Committee on Budget and Fiscal Review), Stats. 2011, ch. 10. As projects are completed, an analysis using a methodology as the one employed for the SB 78 report of January 2013 will be completed using internal staff resources. Refer to attachment for description of approach, a schedule</p> </div>	

of all 45 capital projects showing estimated completion dates, and a copy of the SB 78 report.



136 - Outline of Approach
13 06 05.pdf
Adobe Acrobat Document
1.22 MB

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	See attachment - to be completed overtime as projects are completed.
RESOURCES REQUIRED FOR IMPLEMENTATION	See attachment - to be completed by existing staff using methodology employed to complete SB 78 report.

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>

ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

Below is an outline of a proposed approach to evaluate the cumulative cost effectiveness of each of the 45 capital outlay projects that together form the entire scope of the Judicial Branch Capital Program Office. This outline has been prepared for a June 2013 interim report to the Judicial Council (the council) on the status of AOC Restructuring Directive #136. The analysis recommended in this approach has been completed for the first six projects in the process of preparing the report mandated by Sen. Bill 78 (Committee on Budget and Fiscal Review), Stats. 2011, ch. 10. As projects are completed, an analysis using a methodology as the one employed for the SB 78 report will be completed using internal staff resources.

The proposed approach covers the following topics, which are outlined below:

1. The scope of the Judicial Branch Capital Program Office in relation to this directive.
2. Definition and measurement of “cost effectiveness.”
3. Timing and execution of an analysis of cost effectiveness.
4. Accepted industry methodologies and standards employed in assessments of cost effectiveness.

1. Judicial Branch Capital Program Office Scope

For the purpose of this directive, which focuses on cost effectiveness, the primary scope of the office is to deliver the \$5.0 billion capital program of 45 projects within budget. The proposed approach outlined below recognizes that the key performance indicator of the Capital Program Office should relate to the most significant cost to the state of the program itself, which is the cumulative total of the actual cost of the 45 capital projects.

2. Definition and Measurement of Cost Effectiveness

In the California Capital Construction Program Management Audit Report prepared by Pegasus-Global Holdings, Inc. (2012 Pegasus report), overall effectiveness of an organization is defined on page 29 of the final report as “the determination of how well predetermined goals and objectives for a particular activity or program are achieved.” In other words, what are the outcomes or results of the capital program compared to program goals. The 2012 Pegasus report also defines “efficiency” as “the use of minimal input of resources for the achievable output,” and “economy” as the “acquisition of resources of appropriate quality and quantity at the lowest reasonable cost.”

For the purpose of this directive, the most significant measure of cost of the capital program is the total of all costs of the 45 projects that together form the capital program. The cost effectiveness of the program is further defined as the extent to which collectively, overtime, the 45 projects are delivered within budget.

Whether the capital program is completed within budget is measured by comparing the sum total of the cost of all completed projects to the sum total of total project budgets as initially and finally authorized by the legislature.

Comparing the final total cost of a project to the final authorized project budget is a more robust measure of cost effectiveness for two reasons. First, the final authorized project budget reflects the final scope of work of the project as authorized by the legislature. Secondly, the final authorized budget for roughly sixty percent of the projects will incorporate the direction of the Court Facilities Working Group and its Courthouse Cost Reduction Subcommittee (the subcommittee).¹ A total of 17 of 45 projects in the capital program were designed prior to the involvement of the subcommittee, including the 10 projects completed to date². The subcommittee has and will continue to oversee a process to reduce project budgets that, along with Judicial Council mandated reductions to hard construction cost budgets for 28 of the 45 projects in the program, will significantly reduce the costs of the capital program as projects are completed over time. Over \$122 million in project budget reductions have been mandated for the first 14 projects reviewed by the subcommittee. Review by the subcommittee of the remaining 14 projects will occur when these projects are design.

3. Timing and Execution of Cost Effectiveness Analysis

The timing of an analysis for this directive is, by definition, determined by when groups of projects complete construction and their actual costs are known. As demonstrated by the report the Judicial Council was directed to prepare in accordance with Senate Bill 78³

¹ At its October 26, 2012 meeting, the Judicial Council approved a recommendation that clarified the authority and role of the subcommittee as follows: “The Courthouse Cost Reduction Subcommittee of the Court Facilities Working Group shall oversee and have direct implementation authority to mandate project cost reductions for all capital-outlay projects in design (preliminary plans and working drawings) managed by the Judicial Branch.” Full report can be found here: <http://www.courts.ca.gov/documents/jc-20121026-itemG.pdf>

² Of the 10 projects that have been completed for the benefit of the judicial branch, 8 were entirely state funded. The new courthouse in downtown Merced was county funded with a small state contribution. The Fresno- Juvenile Delinquency Courthouse project was county funded with the state leasing to purchase the courthouse portion of the building. Of the 8 projects entirely funded by the state, 2 were managed by the Executive DGS—the Court of Appeal, Fifth Appellate District in Fresno and the Renovation of the Mosk Courthouse for the Third Appellate District in Sacramento.

³ Sen. Bill 78 (Committee on Budget and Fiscal Review), Stats. 2011, ch. 10.

(SB 78) an analysis of whether one or more projects is completed within budget must be undertaken when the project is fully completed. To date, 10 of the 45 projects that compose the capital program have been completed, with one project in the warranty phase.⁴ Based on the estimated schedule for executing the remaining 36 projects⁵, there will be several sets of projects that complete construction in each year starting in 2013, with the last set currently scheduled to be completed in 2019. This is illustrated in Attachment 1, which is a schedule dated March 19, 2013 illustrating how groups of projects are scheduled to be completed through the conclusion of the warranty period as follows:

- 2013 (1)
- 2014 (4)
- 2015 (5)
- 2016 (6)
- 2017 (3)
- 2018 (5)
- 2019 (0)
- 2020 (12)

Final construction costs—and therefore total project costs—are typically fully identified about one year after a project is completed, when all outstanding punch-list and warranty items are closed out. Therefore, an analysis of the cost effectiveness of each set of projects, as measured by comparing the completed cost to the initial and final authorized budget, will be completed about 16 months after the last project in a set of projects is completed. An analysis of how the cost of completed projects compare to their budgets will be executed by staff using the methodology employed for the SB 78 report, which is provided as Attachment 2. As the program progresses and each set of projects is completed, an annual or periodic evaluation of the cumulative cost effectiveness of the program will be completed. A program level analysis will be completed after the costs of all projects have been closed out.

⁴ Note that a comparison of final costs to original and final appropriations (the budgets for each project) has been completed for the set of six completed projects that were managed by the Judicial Branch and documented as part of the SB 78 Report submitted to the legislature in January 2013 under council direction. The Lassen–New Susanville project is completed but still in the warranty phase.

⁵ Includes the Lassen project, which is in the warranty phase. The Sacramento – New Sacramento Criminal Courthouse project is another project currently in the site acquisition phase, but has been indefinitely delayed and is therefore excluded from this project count.

4. Accepted Industry Methodologies and Standards Related to Measuring Cost Effectiveness

The 2012 Pegasus report identifies accepted industry methods used to measure how organizations are performing in relation to goals. These methods are various forms of “benchmarking”. The 2012 Pegasus report outlines a series of recommendations related to benchmarking, including a recommendation to develop, adopt, and implement functional benchmarking, using both best practice benchmarks and “key performance indicator” benchmarks.

The proposed approach to evaluating cost effectiveness is based upon key performance indicator benchmarking, using the total cost of the program as the key performance indicator. The benchmark is an analysis of how collectively the budgets for the 45 capital outlay projects compare to the actual completed costs of the projects.

Attachments:

Attachment 1: Courthouse Capital Projects Program Schedule, March 19, 2013

Attachment 2: Judicial Branch Construction Procurement Practices: *Report to the Joint Legislative Budget Committee Regarding the Process, Transparency, Costs, and Timeliness of Judicial Branch Construction Procurement Practices, as Required by Senate Bill 78 (Statutes of 2011, Chapter 10)*, January 2013

Judicial Branch Construction Procurement Practices

REPORT TO THE JOINT LEGISLATIVE
BUDGET COMMITTEE REGARDING
THE PROCESS, TRANSPARENCY,
COSTS, AND TIMELINESS OF JUDICIAL
BRANCH CONSTRUCTION
PROCUREMENT PRACTICES, AS
REQUIRED BY SENATE BILL 78
(STATUTES OF 2011, CHAPTER 10)

JANUARY 2013

DRAFT DATE: 11/2/2012



JUDICIAL COUNCIL
OF CALIFORNIA

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Chapter 1

Executive Summary

Subject Projects

The six projects covered by this report are listed below. See Mandate section and Table 1.4 on pages 7 and 8 for more detail.

1. Court of Appeal, Fourth Appellate District, Division Three
2. Plumas/Sierra Regional Courthouse
3. B. F. Sisk Courthouse
4. Richard E. Arnason Justice Center
5. Mammoth Lakes Courthouse
6. Lassen Superior Court Hall of Justice

Key Findings Summary

Project Costs

The AOC has maintained a strong record of managing court construction project costs. Based on the final appropriation amounts for the six subject projects, the AOC delivered all projects under budget, saving the state nearly \$29 million. The AOC even delivered four of the six projects below their original appropriation amounts. Two projects required augmentations to the original appropriation amounts, primarily because of rapidly escalating construction costs during the period in which they were originally budgeted and then bid. Viewed as a group, the six projects came in a total of \$6.7 million under their original budgets. For individual savings for each project see the Appropriations and Project Costs table in the project-specific Chapters 2–7.

Table 1.1
Aggregate Project Costs for the Six Subject Projects

	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
1. Original Appropriation	\$12,051,000	\$7,575,000	\$12,038,000	\$176,461,000	\$208,125,000
2. Final Appropriation	\$10,545,000	\$7,935,000	\$11,089,000	\$200,770,200	\$230,339,200
3. Actual Expenditure¹	\$3,092,445	\$6,501,172	\$8,729,772	\$183,100,144	\$201,423,533
4. Increase or (Savings) from Original Appropriation (4 = 3 - 1)	(\$8,958,555)	(\$1,073,828)	(\$3,308,228)	\$6,639,144	(\$6,701,467)
5. Increase or (Savings) from Final Appropriation (5 = 3 - 2)	(\$7,452,555)	(\$1,433,828)	(\$2,359,228)	(\$17,670,056)	(\$28,915,667)
6. Percent of Final Appropriation Saved (6 = 5 ÷ 2)	70.7%	18.1%	21.3%	8.8%	12.6%

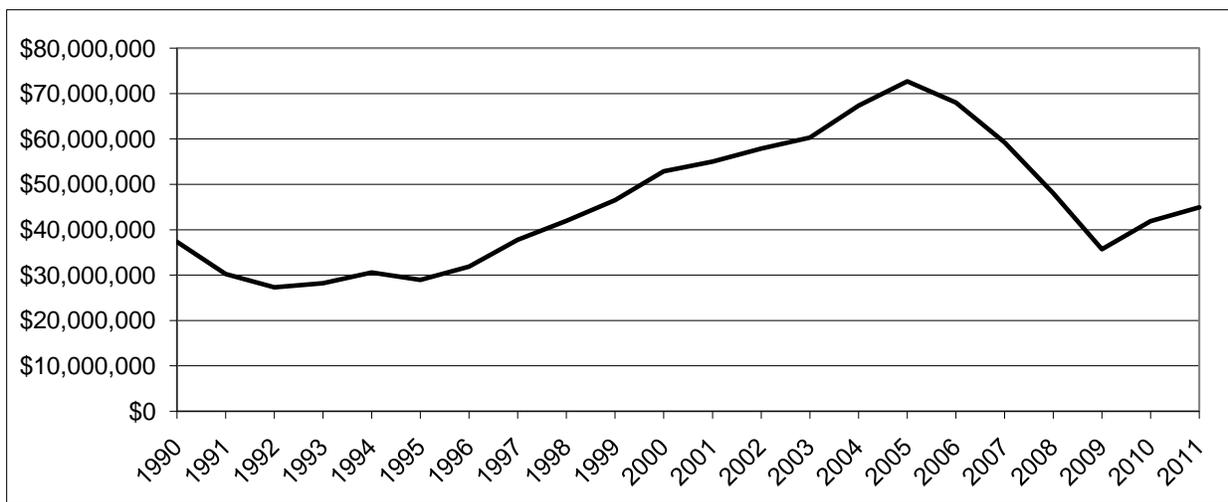
Notes for Table 1.1

¹ AOC employee costs are not billed directly to the projects and thus are not included in this table or in the Appropriations and Project Costs Table in the project-specific chapters 2–7. Costs for outside firms providing project management are taken from job cost accounting reports and are included in project costs throughout this report.

The 10-year expansion of construction activity in California from 1995 to 2005, illustrated in Figure 1.1 below, was a primary cause of the augmentations required for the Court of Appeal, Fourth Appellate District, Division Three and the B. F. Sisk Courthouse. Prices rose sharply in response to the increasing activity, causing current estimates to exceed those produced at the projects' inception. Total construction activity in California increased 248 percent, or almost 25 percent per year, from \$29 billion in 1995 to \$72 billion in 2005, with the sharpest increase between 2003 and 2005. When the industry is at peak levels of activity, competition declines and bid prices increase. Figure 1.2 below illustrates the ensuing high annual rate of construction cost escalation, which peaked at almost 10 percent in 2004–2005.

Figure 1.1

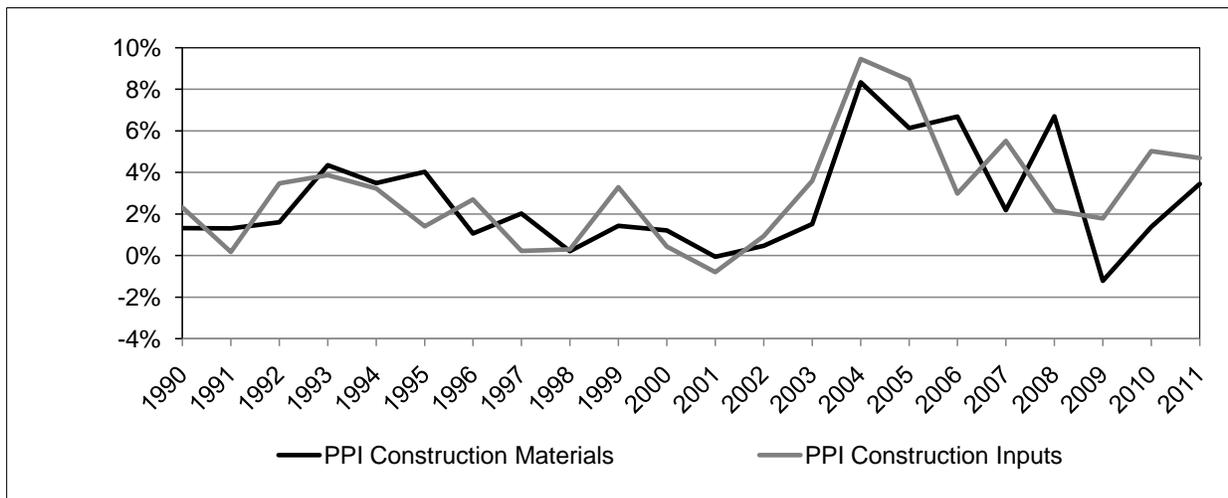
McGraw-Hill Construction/Dodge–California Construction Activity 1990–2011



Value in thousands

Figure 1.2

U.S. Dept. of Labor, Bureau of Labor Statistics–Construction Cost Escalation 1990–2011



PPI = Producer Price Index

Project Timelines

Compared to the final approved project timelines, two projects were completed early and two projects were completed 6 and 8 weeks after their approved completion dates. Delays for the other two projects were 25 and 28 weeks.

Compared to the original project timelines, one project was completed early. Delays for the other five projects ranged from 28 to 78 weeks. The longest schedule extensions were caused by complications in completing property acquisitions and changes to project scope driven by Judicial Council–approved new judgeship requirements. Reasons for delays are described in the project key findings sections below and in more detail in the project-specific Chapters 2 through 7.

Variations occur between the original scheduled completion date and the final approved completion date because a new schedule is submitted with each funding request or scope change that is approved by the Department of Finance (DOF). As these courthouse construction projects moved forward, the DOF and the Legislative Analyst’s Office (LAO) collaborated with the AOC to develop revised project scopes to provide the best long-term value for the state. This effort to align project scopes with the state’s long-term budget priorities or to take advantage of economic opportunities in the form of donated or below market sites caused delays, as occurred with the following five of the six projects covered by this report: Court of Appeal, Fourth Appellate District, Division Three; Plumas/Sierra Regional Courthouse; Richard E. Arnason Justice Center; B. F. Sisk Courthouse; and Mammoth Lakes Courthouse. See the Key Findings for Each Project section in this chapter and the Project Timelines section in each of the project-specific chapters 2–7 for more detail.

Approvals

All necessary approvals were obtained for each project. Approvals by the Judicial Council, the State Public Works Board (SPWB), the Governor through the annual budget act and authority delegated to the DOF, and the Legislature through the annual budget act, as well as review by the local court, are documented in the Review and Approval Dates table in each project-specific chapter. The jurisdiction for approval by each approving body varies. For example, the SPWB approves site selection, site acquisition, and preliminary plans, as set forth in the State Administrative Manual (SAM).

Procurement Methods

As authorized in SB 1732,¹ the Trial Court Facilities Act of 2002 (Gov. Code, §§ 70301–70404), and according to the *Court Facilities Contracting Policies and Procedures* adopted by the Judicial Council in 2007, the capital program is exempted from the branch contracting policies and procedures and is thus able to use a range of proven project delivery methods. These methods, including traditional design-bid-build (which is strictly quantitative), construction manager at risk (which employs both qualitative and quantitative evaluation criteria), and design-bid-build with prequalification of general contractors (which employs a qualitative evaluation

¹ Sen. Bill 1732 (Escutia), Stats. 2002, ch. 1082.

followed by quantitative low-bidding), all provide for a competitive, equitable, and diverse process to benefit the branch projects. The selection of any one method for a project may take into account numerous factors, including but not limited to: size of the project; location of the project; pool of eligible firms; timing; and market conditions. For the courthouse capital projects covered by this report, the AOC employed two processes for construction procurement: construction manager at risk (CMAR) and design-bid-build (DBB) with prequalification of general contractors. The AOC uses the CMAR process on many projects because it has the following advantages in delivering these complex, design intensive projects: early focus on design issues, construction advice and cost review during the design process, careful oversight of costs and schedule, early cost commitments, and opportunities to shorten the overall project schedule. This process was used for four of the six projects covered by this report: Court of Appeal, Fourth Appellate District, Division Three, Richard E. Arnason Justice Center, B. F. Sisk Courthouse, and Mammoth Lakes Courthouse. The design-bid-build process was used for the Plumas/Sierra Regional Courthouse and the Lassen Superior Court Hall of Justice. See Appendix B, Procurement Methods and Evaluation Criteria, for more detail. See the Key Findings for Each Project section below for the number of proposals or bids received for each procurement, which ranged from 2 to 7 and averaged 4.7 per procurement.

Construction Claims and Litigation

There are no unresolved construction claims and no pending construction litigation associated with the six subject projects. As shown in Appendix B, Figure B.2, one of the criteria the AOC uses to evaluate CMAR firms and general contractors involves financial strength, safety record, and claims avoidance.

Design Standards, Code Conformance, and Sustainable Measures

The AOC developed its *California Trial Court Facilities Standards*, which were adopted by the Judicial Council in April 2006 and amended in March 2010. As stated in the preface, “These Facilities Standards attempt to maximize value to the State of California by balancing the aesthetic, functional, and security requirements of courthouse design with the budget realities of initial construction cost and the long-term life cycle costs of owning and operating institutional buildings.” Use of the *Facilities Standards* by the design teams is defined in the Agreement for Services between the AOC and the consultants retained for specific projects. The *Facilities Standards*, used in conjunction with all applicable codes and ordinances, form the basis of design for all new court facilities in California. The *Facilities Standards* require that “All new courthouse projects shall be designed for sustainability and, at a minimum, to the standards of a LEED™ 2.1 “Certified” rating. Depending upon the project’s program needs and construction cost budget, projects may be required to meet the standards for a LEED™ 2.2 “Silver” rating.” The sustainability levels achieved for the six subject projects are shown in Table 1.2 below.

**Table 1.2
Sustainability Levels Achieved for the Six Subject Projects**

Project Name	Sustainability Level Achieved	Certified by U.S. Green Building Council?
Court of Appeal, Fourth Appellate District, Division Three	Designed to use 15 percent less energy than California Title 24	No
Plumas/Sierra Regional Courthouse	Designed to use 15 percent less energy than California Title 24	No
B. F. Sisk Courthouse (renovation)	Designed to meet California Title 24	No
Richard E. Arnason Justice Center	LEED™ Silver	Yes
Mammoth Lakes Courthouse	Designed to LEED™ Silver	No
Lassen Superior Court Hall of Justice	LEED™ Silver	Yes–In Process

LEED™ = Leadership in Energy and Environmental Design, a program of the U.S. Green Building Council

Innovative Project Management and Comprehensive Project Teams

As authorized by the *Court Facilities Contracting Policies and Procedures*, the AOC has utilized the following tools to enhance the effectiveness of its project management:

1. A highly visible and transparent selection process, which attracted top architecture and construction firms;
2. Management plans for each project;
3. Kick-off meetings for each project;
4. Project advisory groups comprising key representatives from the court, the local community, and the AOC Project Manager;
5. Monthly progress reports for use by AOC management and staff, judges, and court staff;
6. Prequalification of prospective construction management firms and general contractors;
7. Regular project review and active involvement by AOC management; and
8. Alternate delivery methods such as construction manager at risk.

Each AOC project team comprises the following major components: project manager, facilities planner, real estate analyst, environmental analyst, facilities management administrator, and security coordinator. The composition of the project teams helps ensure that: the projects as designed and built adhere to their authorizing documents and comply with the California Environmental Quality Act (CEQA); the real estate acquisition is completed and will accommodate the proposed project; the new facility will be efficient and economical to operate; and the new facility will be safe and secure for the public, court staff, and judicial officers.

Impact of the Ongoing State Budget Crisis

The legislatively mandated income stream, from increased court user fees and fines, put in place to fund the California Courthouse Facilities Program has been repeatedly borrowed from, transferred to the state General Fund, and redirected to trial court operations.² Even in this challenging environment, the AOC has completed initial authorization of all projects mandated under SB 1732 and SB 1407³ and continues to move projects forward while competing for funding with Caltrans, the California Department of Corrections and Rehabilitation (CDCR), and other state agencies.

Judicial Branch Project Management Costs

Project management for courthouse capital projects is provided by the AOC's Capital Program Office, primarily by AOC employees and sometimes with assistance from outside firms. For this report, judicial branch project management costs are calculated by estimating labor costs for project managers, associate project managers, planners, real estate analysts, and construction inspectors who worked on each project and by using a model to allocate costs for all other support units. See Appendix C for a detailed explanation of this methodology. For the six projects reviewed in this report, judicial branch project management costs accounted for 3.55 percent of the total aggregate project costs, or 4.21 percent of the construction costs. See Table 1.3 below and the Judicial Branch Project Management Costs table in the project-specific Chapters 2–7 for more detail.

Table 1.3
Judicial Branch Project Management Costs

Project Name / Delivery Method	Employee ¹ + Consultant ² Costs	Percent of Project Costs	Percent of Construction Costs	Total Project Costs	Construction Contract Amount
Court of Appeal, Fourth App. Dist., Div. Three / CMAR ³	\$1,342,122	4.99%	5.59%	\$26,899,100	\$24,003,610
Plumas/Sierra Regional Courthouse / DBB ⁴	\$457,085	7.54%	9.60%	\$6,060,531	\$4,761,362
B. F. Sisk Courthouse / CMAR	\$1,505,860	2.31%	2.61%	\$65,152,854	\$57,627,990
Richard E. Arnason Justice Center /CMAR	\$1,434,653	2.95%	3.39%	\$48,589,648	\$42,289,814
Mammoth Lakes Courthouse / CMAR	\$588,903	2.91%	3.93%	\$20,218,181	\$15,000,315
Lassen Superior Court Hall of Justice / DBB	\$1,825,288	5.29%	6.98%	\$34,503,219	\$26,137,994
Totals	\$7,153,913	3.55%	4.21%	\$201,423,533	\$169,821,085

Notes for Table 1.3

¹ Includes project manager, associate project manager, planner, real estate analyst, construction inspector, and all AOC employee positions that support capital project delivery

² Includes outside firms providing project management

³ Construction manager at risk

⁴ Design-bid-build

² Since FY 2009–2010, over \$1.4 billion of court user fees originally designated by the Legislature to be set aside for court construction has been borrowed (\$440 million), transferred to the General Fund (\$310 million), or redirected to trial court operations (\$675 million).

³ Sen. Bill 1407 (Perata), Stats. 2008, ch. 311.

Costs for Contractors

In this report, the costs for contractors are classified and calculated two ways as listed below.

Project contractors: all service providers and vendors including the construction contractor, with the following exceptions: land purchase price; document review and construction inspection fees charged by the State Fire Marshal, the Division of the State Architect, and the Board of State and Community Corrections; local or regional development fees; and utility connection fees.

Construction contractor: the general contractor responsible for constructing the project.

Project contractor costs accounted for 98.1 percent of the total aggregate project costs. The separate cost of the construction contractor accounted for 84.3 percent of the total aggregate project costs. See the Costs for Contractors table in the project-specific Chapters 2–7 for more detail.

Mandate

Senate Bill 78⁴ (SB 78) (Committee on Budget and Fiscal Review) was enacted on March 24, 2011. Section 22 of this bill requires the Judicial Council to “. . . report to the Joint Legislative Budget Committee by January 15, 2013, on the process, transparency, costs, and timeliness of its construction procurement practices. The information in this report shall include, but not be limited to, the following for each court construction project completed between January 1, 2008, and January 1, 2013:

- (1) The dates that each step of the procurement and construction process was completed, including steps involving the seeking or selection of bidders or contractors, completion of the different phases of project design and construction, and approvals by local courts, the Judicial Council, the State Public Works Board, the Governor, and the Legislature.
- (2) The criteria and factors used in evaluating contractors for prequalification as well as those used to evaluate bids, as well as the number of bids received for each procurement.
- (3) Identification of all project costs for each phase of design and construction, including any cost increases and reasons for those increases.
- (4) Identification of the original project timeline for each phase of design and construction, as well as all project delays and the reasons associated in causing the project delays.
- (5) The total project management costs incurred by the Judicial Branch, including for existing staff who worked on each project, distinguished by project activity
- (6) The total costs paid for contractors, distinguished by project activity.” (emphasis added).

The six projects that have been completed by the Judicial Council in this time frame are listed below in Table 1.4. The text of SB 78 section 22 is included in Appendix A, along with definitions of terms in the bill as they are applied in this report.

⁴ Sen. Bill 78 (Committee on Budget and Fiscal Review), Stats. 2011, ch. 10.

Table 1.4
Court Construction Projects Completed Between January 1, 2008, and January 1, 2013

County	Project Name Location Project Description	Completion Date	Authorized Budget
Orange	Court of Appeal, 4th Appellate District, Division 3 Santa Ana New Courthouse	July 27, 2009	\$27,719,000
Plumas	Plumas/Sierra Regional Courthouse Portola New Courthouse	October 31, 2009	\$6,534,200
Fresno	B. F. Sisk Courthouse Fresno Renovation of Federal Courthouse	July 30, 2010	\$70,898,000
Contra Costa	Richard E. Arnason Justice Center Pittsburg New Courthouse	November 10, 2010	\$64,729,000
Mono	Mammoth Lakes Courthouse Mammoth Lakes New Courthouse	July 25, 2011	\$21,522,000
Lassen	Lassen Superior Court Hall of Justice Susanville New Courthouse	April 10, 2012	\$38,937,000
		Total	\$230,339,200

Organization and Use of This Report

This report contains this executive summary, six project-specific chapters, and three appendices. The project-specific Chapters 2 through 7 provide key findings and the six mandated categories of information for each project. Appendix A contains the text of SB 78 section 22, definitions of terms in the bill as they are used in this report, and an overview of each of the six information categories. Appendix B contains the AOC's construction procurement methods and evaluation criteria for capital courthouse projects. Appendix C contains the methodology for estimating judicial branch project management costs.

Sources of Information

Information in this report was taken from the following documents: the annual state budget act, agendas and meeting minutes for the SPWB and the Judicial Council, written authorization from

DOF to proceed or encumber funds (form DF 14D), correspondence between the AOC's Judicial Branch Capital Program Office (Capital Program Office) and the DOF, Capital-Outlay Budget Change Proposals (COBCPs), monthly progress reports completed by the Capital Program Office project managers, correspondence between the Capital Program Office and the local courts, and interviews with the Capital Program Office project managers.

Key Findings for Each Project

Key findings for each project appear below, for each of the six categories requested in SB 78.

Court of Appeal, Fourth Appellate District, Division Three—Key Findings

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Two proposals were received.
3. Project costs and increases: The AOC delivered this project for \$819,000 less than the final appropriation amount and \$9.3 million more than the original appropriation amount. Several cost increases occurred that are listed and explained in Chapter 2, Table 2.3.1.
4. Original timeline and delays: This project was completed 8 weeks after the final approved completion date and 55 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 4.99 percent of total cost or 5.59 percent of construction cost for this project.
6. Contractor costs: Project contractor costs accounted for 98.0 percent of total cost of this project. The separate cost of the construction contractor accounted for 89.2 percent of the total aggregate project costs.

Plumas/Sierra Regional Courthouse—Key Findings

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The design-bid-build process was used for this project. Three bids were received.
3. Project costs and increases: The AOC delivered this project for \$473,669 less than the final appropriation amount and \$435,469 less than the original appropriation amount.
4. Original timeline and delays: This project was completed 3 weeks before the final approved completion date and 1 day before the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 7.54 percent of total cost or 9.60 percent of construction cost for this project.

6. Contractor costs: Project contractor costs accounted for 96.5 percent of total cost of this project. The separate cost of the construction contractor accounted for 78.6 percent of the total aggregate project costs.

B. F. Sisk Courthouse—Key Findings

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Five proposals were received.
3. Project costs and increases: The AOC delivered this project for \$5.7 million less than the final appropriation amount and \$3.8 million more than the original appropriation amount. There was a 17.9 percent augmentation of the construction phase due to unusually high escalation of construction costs and to accommodate a change from 8 to 15 courtrooms and more extensive remodeling of the existing building to provide for existing and approved new judgeships identified by the Judicial Council for the Superior Court of Fresno County.
4. Original timeline and delays: This project was completed 25 weeks after the final approved completion date and 78 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 2.31 percent of total cost or 2.61 percent of construction cost for this project.
6. Contractor costs: Project contractor costs accounted for 99.8 percent of total cost of this project. The separate cost of the construction contractor accounted for 88.5 percent of the total aggregate project costs.

Richard E. Arnason Justice Center—Key Findings

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Four proposals were received.
3. Project costs and increases: The AOC delivered this project for \$16.1 million less than the final appropriation amount and \$13.9 million less than the original appropriation amount.
4. Original timeline and delays: This project was completed 6 weeks after the final approved completion date and 58 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 2.95 percent of total cost or 3.39 percent of construction cost for this project.
6. Contractor costs: Project contractor costs accounted for 99.6 percent of total cost of this project. The separate cost of the construction contractor accounted for 87.0 percent of the total aggregate project costs.

Mammoth Lakes Courthouse—Key Findings

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Seven proposals were received.
3. Project costs and increases: The AOC delivered this project for \$1.3 million less than the final appropriation amount and \$1.1 million less than the original appropriation amount. There was a 30 percent augmentation of the working drawings phase to accommodate site complexities and issues connected with the mountainous location.
4. Original timeline and delays: The actual completion date was 1 week before the final approved completion date and 44 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 2.91 percent of total cost or 3.93 percent of construction cost for this project.
6. Contractor costs: Project contractor costs accounted for 92.0 percent of total cost of this project. The separate cost of the construction contractor accounted for 74.2 percent of the total aggregate project costs.

Lassen Superior Court Hall of Justice—Key Findings

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The design-bid-build process was used for this project. Seven bids were received.
3. Project costs and increases: The AOC delivered this project for \$4.4 million less than the final appropriation amount, which was the same as the original appropriation amount.
4. Original timeline and delays: This project was completed 28 weeks after the final approved completion date, which was the same as the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 5.29 percent of total cost or 6.98 percent of construction cost for this project.
6. Contractor costs: Project contractor costs accounted for 96.7 percent of total cost of this project. The separate cost of the construction contractor accounted for 75.8 percent of the total aggregate project costs.

Chapter 2

Court of Appeal, Fourth Appellate District, Division Three

Key Findings

This \$26.9 million project was delivered for 3.0 percent less than the final appropriation amount and 53.1 percent more than the original appropriation amount. The actual completion date was 8 weeks after the final approved completion date and 55 weeks after the originally scheduled completion date. Cost increases reflect the unusually high escalation in construction costs during the design and construction phases (August 2005–September 2009) after management responsibility was transferred from the Department of General Services (DGS) to the AOC in September 2003. The original appropriations for this project occurred in FY 2000–2001 (acquisition and preliminary plans phases) and in FY 2002–2003 (working drawings and construction phases) and were based on estimates created while the project was still being managed by the DGS. Delays occurred primarily due to a complex site acquisition process through which the AOC and the court pursued an infill site in the existing urban core of Santa Ana over a suburban site near UC Irvine. The AOC acquired the site from the city of Santa Ana for \$1, and the city also provided secure parking and street improvements for the project at no cost to the state. In addition to providing an economic opportunity, this site selection supports the state’s planning priority to promote infill development as set forth in California Government Code sections 65041–65041.1. See key findings below for each of the six mandated information categories. More information is provided in the body of this chapter.

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Two proposals were received.
3. Project costs and increases: The AOC delivered this project for \$819,000 less than the final appropriation amount and \$9.3 million more than the original appropriation amount. Several cost increases occurred that are listed and explained in Table 2.3.1.
4. Original timeline and delays: This project was completed 8 weeks after the final approved completion date and 55 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 4.99 percent of total cost or 5.59 percent of construction cost for this project.
6. Contractor costs: Project contractor (all service providers and vendors) costs accounted for 98.0 percent of total cost of this project. The separate cost of the construction contractor accounted for 89.2 percent of the total aggregate project costs.

Project Description

The new courthouse replaced two overcrowded and inadequate leased spaces with a modern, secure, adequately sized courthouse for the Fourth Appellate District of the Court of Appeal, Division Three, which handles appeals from Orange County.

The Fourth Appellate District, Division Three in Santa Ana occupied leased space for 20 years. When it outgrew its original court space, it had to lease additional space several miles away. For an appellate court, this split location was very inefficient, and the lease costs amounted to over \$1 million per year. The new courthouse remedies these inefficiencies, unifying all court staff in one location and creating a durable, functional, and expandable location for the Court of Appeal.

This courthouse won an Award of Merit in the government/public category of California Construction's Best of 2009. Featured in the semicircular lobby is a unique collection of student-created artworks that commemorate significant cases decided by this particular court as well as one landmark federal Orange County case, *Mendez v. Westminster*, which was the first in the nation to order an end to segregation in public schools.

Project Facts

Location:	601 West Santa Ana Boulevard, Santa Ana, California
Capacity:	One courtroom, office suites for nine justices, a settlement conference center, a law library, and work spaces for staff; designed to allow for future expansion.
Project cost:	\$26.9 million for all project costs, \$24.7 million for construction
Funded by:	General Fund
Architect:	Carrier Johnson + CULTURE
Construction:	Heery International
Timeline:	Received initial funding in FY 2003–2004 when management responsibility was transferred from the DGS to the AOC. Site acquisition was approved in 2005. Construction began in December 2007, but was delayed for two months due to state cash-flow issues in December 2008 and January 2009. Construction was completed in September 2009; the court took initial occupancy of the building in July 2009 due to expiring leases.
More information:	www.courts.ca.gov/facilities-4thdistrict-coa.htm

Completion Dates for Project Milestones and Approvals

All necessary approvals were secured as shown in Table 2.1 below.

Table 2.1
Court of Appeal, 4th Appellate District, Division 3—Review and Approval Dates

Description	Judicial Council	Governor (Dept. of Finance) Form DF 14D	Legislature (Annual Budget Act)	Review Dates for Local Courts	State Public Works Board
1. Site Selection	4/15/2005	search in progress	n/a	2/8/2002	Pre-dates documents on SPWB webpage
2. Site Acquisition (A)	6/24/2005	8/12/2005	9/xx/00	8/12/2005	08/2005
3. Preliminary Plans (P)	6/24/2005	11/17/06 6/29/07	9/xx/00	12/8/2006	11/2006
4. Working Drawings (W)	6/24/2005	6/29/2007	9/xx/02	6/29/2007	07/16/2007
5. Proceed to Bid	n/a	6/29/2007	n/a	6/29/2007	09/06/2007
6. Construction Contract Award (C)	6/24/2005	11/9/2007	9/xx/02	11/29/2007	10/24/2007
7. Augment P - \$198,000	n/a	8/12/2005	nba	n/a	08/12/2005
8. Revert A - \$2,178,000	n/a	n/a	8/26/2005	n/a	08/12/2005
9. Augment W - \$45,000	n/a	n/a	9/12/2006	n/a	n/a
10. Augment C - \$6,783,000	n/a	n/a	9/12/2006	n/a	n/a
11. Augment C - \$3,086,000	8/25/2006	1/12/2007	9/28/2007	n/a	12/08/06
12. Augment C - \$2,220,000	n/a	11/09/07 11/14/07 ft 11/20/07 ft 11/21/07 ft	nba	n/a	n/a
13. Scope Change - Redirect C to W \$280,000	n/a	search in progress	nba	n/a	n/a

Legend for Review and Approval Dates

n/a = not applicable to this item

nba = DOF or SPWB action, not in annual budget act

ft = fund transfer

xx = day of month not available on State website

Completion dates for the contractor selection process and the project phases are shown in Table 2.2 below.

Table 2.2
Court of Appeal, 4th Appellate District, Division 3—Completion Dates for Milestones

Contractor Selection Process	
1. Request for CMAR Qualifications / Proposals	3/30/2006
2. Due Date for Qualifications / Proposals	4/24/2006
3. CMAR Shortlist	6/1/2006
4. CMAR Interviews	6/20/2006
5. CMAR Intent to Award	6/26/2006
6. CMAR Contract Executed	7/20/2006
Completion of Project Phases	
1. Acquisition (A)	8/12/2005
2. Preliminary Plans (P)	12/8/2006
3. Working Drawings (W)	7/16/2007
4. Construction (C)	7/27/2009

Procurement Methods and Evaluation Criteria

The CMAR process was used for this project. Two proposals were received from construction management firms. See Appendix B for a description of how the AOC selects construction management firms.

Project Costs

The AOC delivered this project for \$819,000 less than the final appropriation amount and \$9.3 million more than the original appropriation amount. This project was originated under DGS management with funding for acquisition and preliminary plans appropriated in the Budget Act of 2000 (FY 2000–2001), almost 10 years before the building was completed. Responsibility for the project was transferred to the AOC in a memorandum of understanding (MOU) dated September 15, 2003. The AOC submitted a COBCP in FY 2005–2006 to reappropriate \$75,000 for the acquisition phase and to revert \$2.178 million of unused acquisition phase funds. Project costs are identified in Table 2.3 below.

Table 2.3

Court of Appeal, 4th Appellate District, Division 3—Appropriations and Project Costs

	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
1. Original Appropriation	\$2,783,000	\$432,000	\$792,000	\$13,558,000	\$17,565,000
2. Final Appropriation	\$605,000	\$630,000	\$1,117,000	\$25,367,000	\$27,719,000
3. Actual Expenditure	\$501,565	\$626,113	\$1,104,025	\$24,667,397	\$26,899,100
4. Increase or (Savings) from Original Appropriation (4 = 3 - 1)	(\$2,281,435)	\$194,113	\$312,025	\$11,109,397	\$9,334,100
5. Increase or (Savings) from Final Appropriation (5 = 3 - 2)	(\$103,435)	(\$3,887)	(\$12,975)	(\$699,603)	(\$819,900)

Cost increases shown and explained in Table 2.3.1 below reflect the unusually high escalation in construction costs during the design and construction phases (August 2005–September 2009) after management responsibility was transferred from the DGS to the AOC in September 2003. The original appropriations for this project occurred in FY 2000–2001 for acquisition and preliminary plans phases, and in FY 2002–2003 for working drawings and construction phases, and were based on estimates created while the project was under DGS management. By the time site acquisition was completed in August 2005, the project scope had been reduced by the AOC to align with the needs of the court and the terms of the property acquisition agreement: the program gross area was reduced by approximately 3,000 square feet and 110 structured parking

spaces were deleted as they were provided by the city of Santa Ana. Even though the scope was reduced, escalation in the market caused the current estimates to exceed the original estimates.

Table 2.3.1
Court of Appeal, 4th Appellate District, Division 3—Cost Increases

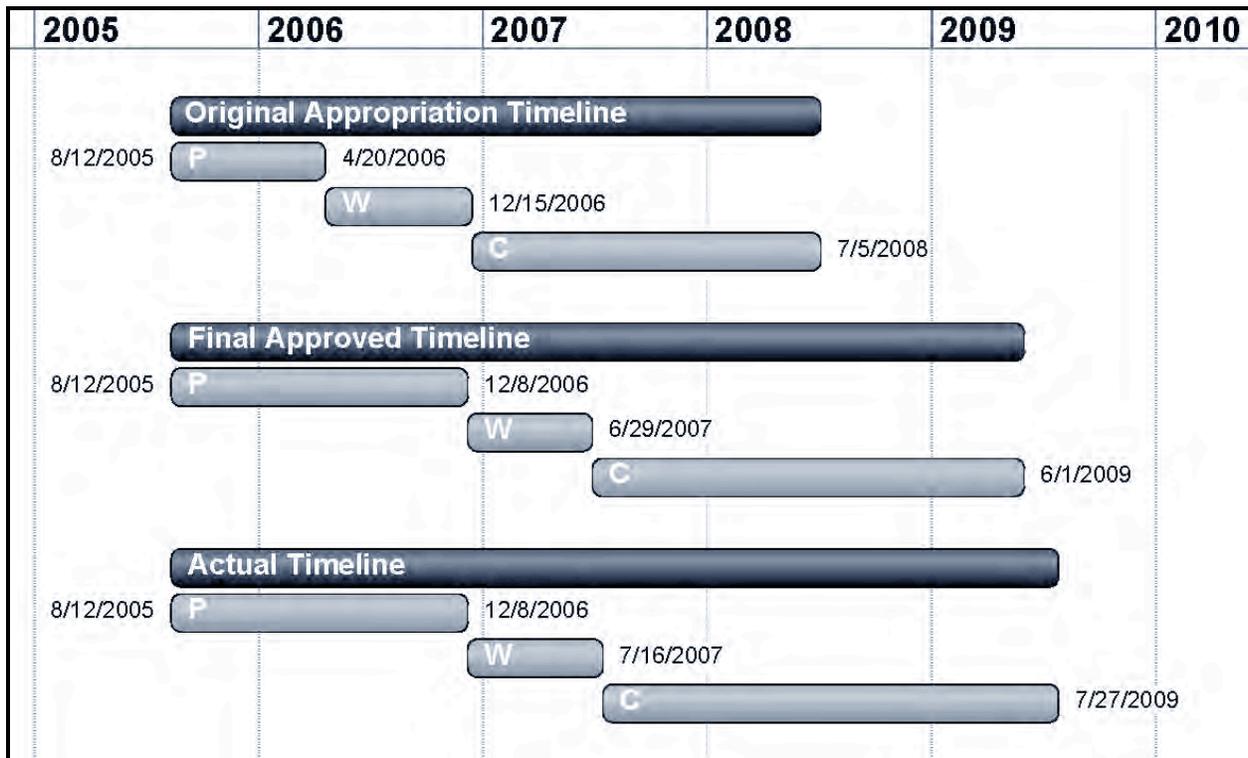
#	Fiscal Year	Description	Amount	Reason for Cost Increase
1.	2005–2006	Augment P	\$198,000	Replaces funds expended by DGS for schematic design work connected to a site that was rejected by the court.
2.	2006–2007	Augment W	\$45,000	Delays in site acquisition and preliminary plans increased cost in the working drawings phase.
3.	2006–2007	Augment C	\$6,783,000	Construction cost updated to match escalated underlying cost in marketplace after responsibility for this project was transferred from the DGS to the AOC (original estimates predate FY 2000–2001).
4.	2007–2008	Augment C	\$3,086,000	Unforeseen and excessive escalation in marketwide construction costs.
5.	2008–2009	Augment C	\$2,220,000	Bidding climate reflected a surplus of institutional construction in Southern California relative to qualified trade contractors and increased material costs so acceptable bids were higher than estimates.
6.	2008–2009	Redirect C to W	\$280,000	Transfer of unexpended funds from the construction phase to the working drawings phase due to increased design costs for final project scope.

Project Timelines

As shown in Figure 2.1 below, the project was completed 8 weeks after the final approved completion date and 55 weeks after the originally scheduled completion date. Delays in the preliminary plans phase were caused by the architect’s difficulty in producing an acceptable design that met the program and site constraints during a period of unusually high construction escalation requiring redesign to bring interim cost estimates in line with the project budget. Delays in the construction phase were caused by the difficulty in obtaining bids that were within project estimates due to an overabundance of institutional work in Southern California and the previously mentioned high escalation in construction costs. Due to state budget issues, the Pooled Money Investment Account (PMIA) ran short of funds and construction had to be shut down in December 2008, which caused an additional eight-week delay and additional costs for the contractor to de-mobilize and re-mobilize the job site.

Figure 2.1

Court of Appeal, 4th Appellate District, Division 3—Timeline Comparison



Final Approved Timeline: Construction phase augmentation 11/9/2007

Judicial Branch Project Management Costs

Judicial branch project management costs are presented in Table 2.4 below. See Appendix C for the methodology used to calculate judicial branch project management costs. See Table 1.3 on page 7 for a summary of judicial branch project management costs for the six subject projects. Judicial branch project management costs accounted for 4.99 percent of total cost or 5.59 percent of construction cost for this project.

Table 2.4

Court of Appeal, 4th App. Dist., Division 3—Judicial Branch Project Management Costs

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
AOC Employee Costs	\$256,235	\$300,468	\$76,895	\$708,524	\$1,342,122
Consultant / Contractor Costs	\$0	\$0	\$0	\$0	\$0
Totals	\$256,235	\$300,468	\$76,895	\$708,524	\$1,342,122

Costs for Contractors

In this report, the costs for contractors are classified and calculated two ways as listed below.

Project contractors: all service providers and vendors including the construction contractor, with the following exceptions: land purchase price; document review and construction inspection fees charged by the State Fire Marshal, the Division of the State Architect, and the Board of State and Community Corrections; local or regional development fees; and utility connection fees.

Construction contractor: the general contractor responsible for constructing the project.

Costs for contractors are shown in Table 2.5 below. Project contractor costs accounted for 98.0 percent of total cost of this project. The separate cost of the construction contractor accounted for 89.2 percent of the total aggregate project costs.

Table 2.5

Court of Appeal, 4th Appellate District, Division 3—Costs for Contractors

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
Costs for Project Contractors (all service providers and vendors)	\$186,664	\$626,113	\$964,385	\$24,582,825	\$26,359,987
Costs for Construction Contractor	\$0	\$0	\$0	\$24,003,610	\$24,003,610
Total Actual Costs	\$501,565	\$626,113	\$1,104,025	\$24,667,397	\$26,899,100
Project Contractor Costs as % of Actual Costs (all service providers and vendors)	37.2%	100.0%	87.4%	99.7%	98.0%
Construction Contractor Costs as % of Actual Costs	0.0%	0.0%	0.0%	97.3%	89.2%

Chapter 3

Plumas/Sierra Regional Courthouse

Key Findings

This \$6.1 million project—the first trial court project to be fully financed and managed from start to finish by the AOC—was delivered for 7.2 percent less than the final appropriation amount and 6.7 percent less than the original appropriation amount. The actual completion date was 3 weeks before the final approved completion date and 1 day before the originally scheduled completion date. See key findings below for each of the six mandated information categories. More detail is provided in the body of this chapter.

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The design-bid-build process was used for this project. Three bids were received.
3. Project costs and increases: The AOC delivered this project for \$473,669 less than the final appropriation amount and \$435,469 less than the original appropriation amount.
4. Original timeline and delays: This project was completed 3 weeks before the final approved completion date and 1 day before the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 7.54 percent of total cost or 9.60 percent of construction cost for this project.
6. Contractor costs: Project contractor (all service providers and vendors) costs accounted for 96.5 percent of total cost of this project. The separate cost of the construction contractor accounted for 78.6 percent of the total aggregate project costs.

Project Description

The Plumas/Sierra Regional Courthouse provides residents of isolated areas in Plumas and Sierra Counties with better access to court services through a multijurisdictional courthouse, jointly serving the Superior Courts of Plumas and Sierra Counties.

The Superior Courts of Plumas and Sierra Counties shared challenges in serving the remote Eastern Sierra Valley close to each county's border. The public's access to justice in this area was severely compromised due to the area's natural isolation and heavy snow in winter, which makes driving the mountain passes hazardous. The Sierra County portion of the Sierra Valley is the county population center and had access to a service center, but no judicial proceedings.

The new courthouse replaced the deficient one-courtroom Portola Branch court located in the Sierra Center Mall and a leased court service center in Loyalton. The new courthouse provides public access to justice and court services and improves court functionality, security, and physical operations

This project was the first trial court project to be fully financed and managed from start to finish by the AOC. The vacant and unimproved property for the courthouse was donated by a local developer for \$1 for the purpose of building a courthouse.

The courthouse was awarded a Best Project of 2010 by McGraw Hill's *California Construction* magazine and a 2010 Distinguished Project Award from the Western Council of Construction Consumers.

Project Facts

Location:	600 South Gulling Street, Portola
Capacity:	1 courtroom in 7,312 square feet with minimal staff support area, and a jury deliberation room. The courthouse does not have a dedicated jury assembly area or any in-custody holding capability.
Project Cost:	\$6.1 million for all project costs, \$5.5 million for construction. Land was donated to the state.
Funded by:	State Court Facilities Construction Fund (SCFCF), Trial Court Facilities Act of 2002 (SB 1732), which established a revenue source of court user fees for judicial branch courthouse projects.
Architect:	Nacht and Lewis Architects
Contractor:	SW Allen Construction Inc.
Timeline:	Received initial funding in FY 2006–2007. The construction phase began in August 2008 and was completed in October 2009. The building opened in December 2009.
More information:	www.courts.ca.gov/facilities-plumas-sierra.htm

Completion Dates for Project Milestones and Approvals

All necessary approvals were secured as shown in Table 3.1 below.

Table 3.1
Plumas/Sierra Regional Courthouse—Review and Approval Dates

Description	Judicial Council	Governor (Dept. of Finance) Form DF 14D	Legislature (Annual Budget Act)	Review Dates for Local Courts	State Public Works Board
1. Site Selection	6/24/2005	3/9/2007	n/a	5/15/2006	10/15/2007
2. Site Acquisition (A)	6/29/2007	8/10/2007	9/12/2006	n/a	10/15/2007
3. Preliminary Plans (P)	6/24/2005	5/19/2008	9/12/2006	2/14/2008	5/9/2008
4. Working Drawings (W)	8/25/2006	8/28/2008	9/28/2007	5/9/2008	n/a
5. Proceed to Bid	n/a	8/28/2008	n/a	n/a	n/a
6. Construction Contract Award (C)	4/27/2007	10/8/2008	10/23/2008	n/a	n/a
7. Augment C - \$38,200	n/a	11/6/2009	nba	n/a	n/a

Legend for Review and Approval Dates

n/a = not applicable to this item

nba = DOF or SPWB action, not in annual budget act

ft = fund transfer

xx = day of month not available on State website

Completion dates for the contractor selection process and the project phases are shown in Table 3.2 below.

Table 3.2
Plumas/Sierra Regional Courthouse—Completion Dates for Milestones

Contractor Selection Process	
1. Request for GC Qualifications / Proposals	7/17/2008
2. Due Date for Qualifications / Proposals	8/12/2008
3. Prequalified List and Invitation to Bid	8/20/2008
4. Bids Received from Prequalified GCs	9/24/2008
5. Notice of Intent to Award	10/8/2008
6. Contract Executed	10/10/2008
Completion of Project Phases	
1. Acquisition (A)	10/15/2007
2. Preliminary Plans (P)	3/17/2008
3. Working Drawings (W)	8/28/2008
4. Construction (C)	10/31/2009

Procurement Methods and Evaluation Criteria

The design-bid-build process was used for this project. The AOC prequalified contractors, received three bids, and awarded the contract to the lowest qualified bidder. See Appendix B for a description of how the AOC prequalifies contractors.

Project Costs

The AOC delivered this project for \$473,669 less than the final appropriation amount and \$435,469 less than the original appropriation amount. Significant savings in the acquisition phase resulted because the seller, a local developer, donated to the state the vacant and unimproved property for \$1. The only cost increase on this project was a DOF-approved FY 2009–2010 augmentation of the construction phase in the amount of \$38,200 for completion of a required access road.

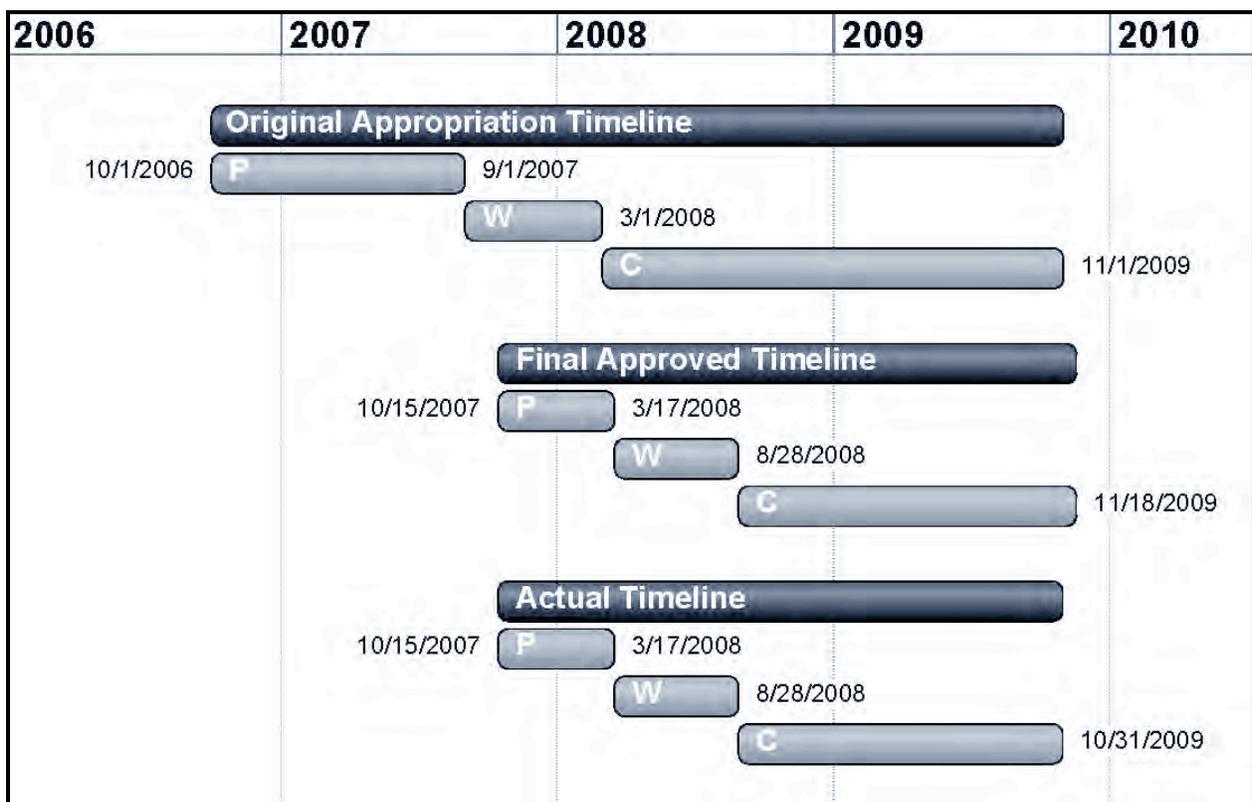
Table 3.3
Plumas/Sierra Regional Courthouse—Appropriations and Project Costs

	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
1. Original Appropriation	\$437,000	\$269,000	\$346,000	\$5,444,000	\$6,496,000
2. Final Appropriation	\$437,000	\$269,000	\$346,000	\$5,482,200	\$6,534,200
3. Actual Expenditure	\$64,923	\$228,925	\$291,831	\$5,474,852	\$6,060,531
4. Increase or (Savings) from Original Appropriation (4 = 3 - 1)	(\$372,077)	(\$40,075)	(\$54,169)	\$30,852	(\$435,469)
5. Increase or (Savings) from Final Appropriation (5 = 3 - 2)	(\$372,077)	(\$40,075)	(\$54,169)	(\$7,348)	(\$473,669)

Project Timelines

As shown in Figure 3.1 below, the project was completed 3 weeks before the final approved completion date and 1 day before the originally scheduled completion date even though acquisition was delayed by just over a year as the transaction details of the site donation were worked out. Durations of the design and construction phases were significantly reduced as compared to the original appropriation timeline. The construction procurement process was accelerated and accomplished in just under three months from RFQ to executed contract so the foundation work could be completed before the winter snow season.

**Figure 3.1
Plumas/Sierra Regional Courthouse—Timeline Comparison**



Final Approved Timeline: Construction phase increase within appropriation 9/24/2009

Judicial Branch Project Management Costs

Judicial branch project management costs are presented in Table 3.4 below. See Appendix C for the methodology used to calculate judicial branch project management costs. See Table 1.3 on page 7 for a summary of judicial branch project management costs for the six subject projects. Judicial branch project management costs accounted for 7.54 percent of total cost or 9.60 percent of construction cost for this project.

Table 3.4

Plumas/Sierra Regional Courthouse—Judicial Branch Project Management Costs

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
AOC Employee Costs	\$216,945	\$65,061	\$55,317	\$119,762	\$457,085
Consultant / Contractor Costs	\$0	\$0	\$0	\$0	\$0
Totals	\$216,945	\$65,061	\$55,317	\$119,762	\$457,085

Costs for Contractors

In this report, the costs for contractors are classified and calculated two ways as listed below.

Project contractors: all service providers and vendors including the construction contractor, with the following exceptions: land purchase price; document review and construction inspection fees charged by the State Fire Marshal, the Division of the State Architect, and the Board of State and Community Corrections; local or regional development fees; and utility connection fees.

Construction contractor: the general contractor responsible for constructing the project.

Costs for contractors are shown in Table 3.5 below. Project contractor costs accounted for 96.5 percent of total cost of this project. The separate cost of the construction contractor accounted for 78.6 percent of the total aggregate project costs.

Table 3.5

Plumas/Sierra Regional Courthouse—Costs for Contractors

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
Costs for Project Contractors (all service providers and vendors)	\$37,710	\$228,925	\$284,673	\$5,296,223	\$5,847,531
Costs for Construction Contractor	\$0	\$0	\$0	\$4,761,362	\$4,761,362
Total Actual Costs	\$64,923	\$228,925	\$291,831	\$5,474,852	\$6,060,531
Project Contractor Costs as % of Actual Costs (all service providers and vendors)	58.1%	100.0%	97.5%	96.7%	96.5%
Construction Contractor Costs as % of Actual Costs	0.0%	0.0%	0.0%	87.0%	78.6%

Chapter 4

B. F. Sisk Courthouse

Key Findings

This \$65.2 million project was completed for 8.1 percent less than the final appropriation amount and 6.2 percent more than the original appropriation amount. The actual completion date was 25 weeks after the final approved completion date and 78 weeks after the originally scheduled completion date. The delay was caused by discrepancies between federal and state legislation that complicated the transfer of the federal courthouse first to the County of Fresno and then to the State. See the Project Timelines section in this chapter for more detail on this topic. In addition, as the project planning moved forward, the AOC collaborated with the DOF and the LAO to develop a plan to renovate the building to maximize its use for up to 16 courtrooms for existing judges and new judgeships identified by the Judicial Council for the Superior Court of Fresno County. The original timeline assumed the property transfer would be complete by July 2006. Because of complications in the transfer process described above, the close of escrow was delayed over a year and the acquisition was finally approved by the SPWB at their September 2007 meeting, which accounts for 61 weeks of the overall project delay. See key findings below for each of the six mandated information categories. More detail is provided in the body of this chapter.

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Five proposals were received.
3. Project costs and increases: The AOC delivered this project for \$5.7 million less than the final appropriation amount and \$3.8 million more than the original appropriation amount. There was a 17.9 percent augmentation of the construction phase due to unusually high construction cost escalation and to accommodate a change from 8 to 15 courtrooms and more extensive remodeling of the existing building to provide for existing and approved new judgeships identified by the Judicial Council for the Superior Court of Fresno County.
4. Original timeline and delays: This project was completed 25 weeks after the final approved completion date and 78 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 2.31 percent of total cost or 2.61 percent of construction cost for this project.
6. Contractor costs: Project contractor (all service providers and vendors) costs accounted for 99.8 percent of total cost of this project. The separate cost of the construction contractor accounted for 88.5 percent of the total aggregate project costs.

Project Description

The B. F. Sisk Courthouse provides the Superior Court of Fresno County with appropriate and accessible court space for complex civil and family law proceedings and related support spaces for the public and court staff.

Originally constructed in 1967 as a federal courthouse, the building was vacated by the federal government after the Robert E. Coyle U.S. Courthouse was completed. The five-story building formerly housed eight federal courtrooms, chambers, and justice agencies. The building keeps its former name to honor the visionary public service of Bernice Frederic Sisk (December 14, 1910–October 25, 1995), member of the U.S. House of Representatives from California’s 12th Congressional District, 1955–1963.

The Superior Court of Fresno County serves court users in the downtown area through multiple facilities. Existing facilities poorly served the growing needs of the superior court, and the dispersal of court operations in multiple locations exacerbated the court’s operational challenges. The remodeled Sisk courthouse now houses the superior court’s civil and family law divisions, with 15 judicial officers, that formerly occupied space in the Fresno County Courthouse. The Family Law Facilitator and the Spanish Speaking Self-Help Center was also consolidated with other family court support functions in the Sisk Courthouse, enabling the court to terminate a lease and improve public service.

Project Facts

Location:	1130 O Street in downtown Fresno
Capacity:	15 courtrooms (with capacity for up to 16) in 192,000 square feet
Project cost:	\$65.9 million for all project costs, \$60.9 million for construction
Funded by:	State Court Facilities Construction Fund (SCFCF), Trial Court Facilities Act of 2002 (SB 1732), which established a revenue source of court user fees for judicial branch courthouse projects.
Architect:	SmithGroup of San Francisco, with Allen Lew & William Patnaude Architects of Fresno
Contractor:	Turner Construction Company
Timeline:	Received initial funding in FY 2006–2007. Construction began in July 2008 and was completed in September 2010. The building opened in November 2010.
More information:	www.courtinfo.ca.gov/programs/occm/projects_fresno_sisk.htm

Completion Dates for Project Milestones and Approvals

All necessary approvals were secured as shown in Table 4.1 below.

Table 4.1
B. F. Sisk Courthouse—Review and Approval Dates

Description	Judicial Council	Governor (Dept. of Finance) Form DF 14D	Legislature (Annual Budget Act)	Review Dates for Local Courts	State Public Works Board
1. Site Selection	4/27/2007	9/14/2007	n/a	4/26/2007	n/a
2. Site Acquisition (A)	4/27/2007	9/14/2007	n/a	n/a	2/6/2004
3. Preliminary Plans (P)	2/27/2004 6/24/2005	10/12/2007	9/12/2006	1/11/2005	10/15/2007
4. Working Drawings (W)	2/27/2004 6/24/2005	4/11/2008	9/12/2006	4/3/2008	n/a
5. Proceed to Bid	6/24/2005	4/11/2008	n/a	n/a	n/a
6. Construction Contract Award (C)	6/24/2005	7/16/2008	9/12/2006	n/a	n/a
7. Augment C - \$9,571,000	n/a	search in progress	nba	n/a	10/15/2007
8. Redirect P to C - \$1,398,000	n/a	search in progress	nba	n/a	n/a
9. Redirect W to C - \$1,493,000	n/a	search in progress	nba	n/a	n/a

Legend for Review and Approval Dates

n/a = not applicable to this item

nba = DOF or SPWB action, not in annual budget act

ft = fund transfer

xx = day of month not available on State website

Completion dates for the contractor selection process and the project phases are shown in Table 4.2 below.

Table 4.2
B. F. Sisk Courthouse—Completion Dates for Milestones

Contractor Selection Process	
1. Request for CMAR Qualifications / Proposals	3/23/2007
2. Due Date for Qualifications / Proposals	5/1/2007
3. CMAR Shortlist	5/14/2007
4. CMAR Interviews	5/22/2007
5. CMAR Intent to Award	search in progress
6. CMAR Contract Executed	6/25/2007
Completion of Project Phases	
1. Acquisition (A)	9/14/2007
2. Preliminary Plans (P) ⁵	10/15/2007
3. Working Drawings (W)	4/11/2008
4. Construction (C)	7/30/2010

⁵ The preliminary plans phase was actually started on June 18, 2007. See footnote 6 on page 29.

Procurement Methods and Evaluation Criteria

The CMAR process was used for this project. Five proposals were received from construction management firms. See Appendix B for a description of how the AOC selects construction management firms.

Project Costs

The AOC delivered this project for \$5.7 million less than the final appropriation amount and \$3.8 million more than the original appropriation amount. There are no acquisition phase costs because the federal courthouse was donated to the state. Project costs are identified in Table 4.3 below.

The original budget for this project included renovating the existing building to accommodate 8 courtrooms, which reflected the existing configuration. As the project planning moved forward, the AOC collaborated with the DOF and the LAO to develop a plan to renovate the building and maximize its use for up to 16 courtrooms for existing judges and new judgeships identified by the Judicial Council for the Superior Court of Fresno County. The only cost increase on this project was a FY 2007–2008 augmentation of the construction phase in the amount of \$9.571 million required to fund the change from 8 up to the capacity of 16 courtrooms and because construction cost escalation was unusually high at this time. The final design for the project included 15 courtrooms because the authorized new judgeship for which the 16th courtroom was intended was not funded and the court requested that it be built as a hearing room for greater functionality. The DOF approved this increase to provide for existing and new judgeships. Unspent appropriations from the preliminary plans phase (\$1.398 million) and the working drawings phase (\$1.493 million) were redirected in FY 2008–2009 to the construction phase.

Table 4.3

B. F. Sisk Courthouse—Appropriations and Project Costs

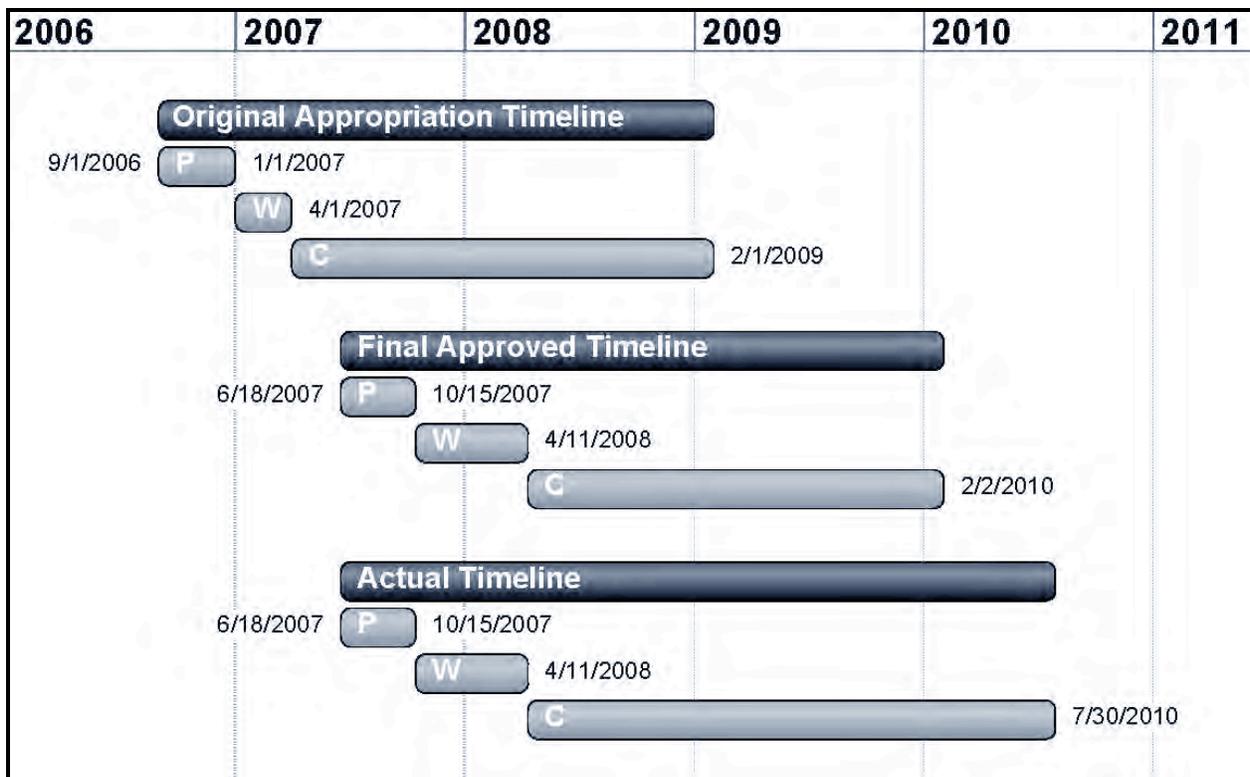
	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
1. Original Appropriation	\$0	\$3,470,000	\$4,468,000	\$53,389,000	\$61,327,000
2. Final Appropriation	\$0	\$2,072,000	\$2,975,000	\$65,851,000	\$70,898,000
3. Actual Expenditure	\$0	\$2,055,327	\$2,956,678	\$60,140,849	\$65,152,854
4. Increase or (Savings) from Original Appropriation (4 = 3 - 1)	\$0	(\$1,414,673)	(\$1,511,322)	\$6,751,849	\$3,825,854
5. Increase or (Savings) from Final Appropriation (5 = 3 - 2)	\$0	(\$16,673)	(\$18,322)	(\$5,710,151)	(\$5,745,146)

Project Timelines

As shown in Figure 4.1 below, this project was completed 25 weeks after the final approved completion date and 78 weeks after the originally scheduled completion date. The delay was caused by difficulty in completing the transfer of the federal courthouse first to the County of Fresno and then to the state. The federal legislation sponsored by Senator Boxer gave the property to the county, not the state, as subsequently mandated in Senate Bill 1732. The legal and real estate staffs at the federal, state, and county levels had to figure out how to accomplish the transfer to the state. In addition, after the transfer problem was solved, the AOC had to wait over a year longer than originally anticipated for the federal General Services Administration (GSA) to vacate the property before closing escrow. The original timeline called for the property transfer to be complete by July 2006. For the reasons stated above, the acquisition was not approved by the SPWB until their September 2007 meeting, which accounts for 61 weeks of the delay.

Figure 4.1

B. F. Sisk Courthouse—Timeline Comparison⁶



Final Approved Timeline: Augmentation of construction phase 7/15/2008

⁶ The funding for the preliminary plans phase (\$3,470,000) was transferred from the State Court Facilities Construction Fund to the Court Facilities Architectural Revolving Fund in November 2006.

Judicial Branch Project Management Costs

Judicial branch project management costs are presented in Table 4.4 below. See Appendix C for the methodology used to calculate judicial branch project management costs. See Table 1.3 on page 7 for a summary of Judicial Branch project management costs for the six subject projects. Judicial branch project management costs accounted for 2.31 percent of total cost or 2.61 percent of construction cost for this project.

Table 4.4

B. F. Sisk Courthouse—Judicial Branch Project Management Costs

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
AOC Employee Costs	\$72,619	\$180,594	\$237,156	\$1,015,491	\$1,505,860
Consultant / Contractor Costs	\$0	\$0	\$0	\$0	\$0
Totals	\$72,619	\$180,594	\$237,156	\$1,015,491	\$1,505,860

Costs for Contractors

In this report, the costs for contractors are classified and calculated two ways as listed below.

Project contractors: all service providers and vendors including the construction contractor, with the following exceptions: land purchase price; document review and construction inspection fees charged by the State Fire Marshal, the Division of the State Architect, and the Board of State and Community Corrections; local or regional development fees; and utility connection fees.

Construction contractor: the general contractor responsible for constructing the project.

Costs for contractors are shown in Table 4.5 below. Project contractor costs accounted for 99.8 percent of total cost of this project. The separate cost of the construction contractor accounted for 88.5 percent of the total aggregate project costs.

Table 4.5

B. F. Sisk Courthouse—Costs for Contractors

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
Costs for Project Contractors (all service providers and vendors)	\$0	\$2,026,093	\$2,949,000	\$60,078,035	\$65,053,128
Costs for Construction Contractor	\$0	\$0	\$0	\$57,627,990	\$57,627,990
Total Actual Costs	\$0	\$2,055,327	\$2,956,678	\$60,140,849	\$65,152,854
Project Contractor Costs as % of Actual Costs (all service providers and vendors)	N/A	98.6%	99.7%	99.9%	99.8%
Construction Contractor Costs as % of Actual Costs	N/A	0.0%	0.0%	95.8%	88.5%

Chapter 5

Richard E. Arnason Justice Center

Key Findings

This \$48.6 million project was delivered for 24.9 percent less than the final appropriation amount and 22.3 percent less than the original appropriation amount. The actual completion date was 6 weeks after the final approved completion date and 58 weeks after the originally scheduled completion date. The delays were caused by a scope change from four to seven courtrooms—based on a Judicial Council–adopted update to new judgeship requirements identifying additional new judgeships needed by the Superior Court of Contra Costa County. This scope change was included in the annual budget act for FY 2006–2007. See key findings below for each of the six mandated information categories. More detail is provided in the body of this chapter.

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Four proposals were received.
3. Project costs and increases: The AOC delivered this project for \$16.1 million less than the final appropriation amount and \$13.9 million less than the original appropriation amount.
4. Original timeline and delays: This project was completed 6 weeks after the final approved completion date and 58 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 2.95 percent of total cost or 3.39 percent of construction cost for this project.
6. Contractor costs: Project contractor (all service providers and vendors) costs accounted for 99.6 percent of total cost of this project. The separate cost of the construction contractor accounted for 87.0 percent of the total aggregate project costs.

Project Description

The Richard E. Arnason Justice Center replaced the outdated and undersized four-courtroom Pittsburg-Delta Courthouse, originally constructed in 1952 and demolished after the new courthouse was completed.

The eastern region of Contra Costa County includes the growing communities of Pittsburg, Antioch, Brentwood, and Oakley. Previously served by the outdated and undersized Pittsburg-Delta Courthouse, this region needed a larger, modern facility to meet growing demand for court services as well as a location for three new judicial officers. The previous building was so overcrowded that approximately 6,000 cases had to be reassigned to other courts throughout the county. The Arnason Justice Center has greatly improved access to justice for East County residents.

This courthouse has won numerous awards, and was the first judicial branch courthouse to receive LEED™ Silver certification from the U.S. Green Building Council. The building was named in honor of Richard E. Arnason, distinguished jurist and pioneering member of the bar in eastern Contra Costa County.

Project Facts

Location:	1000 Center Drive, Pittsburg, California
Capacity:	7 courtrooms in 73,500 square feet
Project cost:	\$48.6 million for all project costs, \$45.1 million for construction
Funded by:	State Court Facilities Construction Fund (SCFCF), Trial Court Facilities Act of 2002 (SB 1732), which established a revenue source of court user fees for judicial branch courthouse projects.
Architect:	HOK
Contractor:	Sundt Construction, Inc.
Timeline:	Originally funded in FY 2005–2006. To accommodate three new judgeships, funding was increased in the annual budget act for FY 2006–2007 to fund a scope change from four to seven courtrooms. Construction began in April 2009 and was completed in November 2010.
More information:	www.courts.ca.gov/facilities-contracosta.htm

Completion Dates for Project Milestones and Approvals

All necessary approvals were secured as shown in Table 5.1 below.

Table 5.1

Richard E. Arnason Justice Center—Review and Approval Dates

Description	Judicial Council	Governor (Dept. of Finance) Form DF 14D	Legislature (Annual Budget Act)	Review Dates for Local Courts	State Public Works Board
1. Site Selection	12/10/2004 2/27/2004 6/24/2005 2/23/2007	7/17/2006	n/a	5/31/2006	7/14/2006
2. Site Acquisition (A)	12/10/2004 2/27/2004 6/24/2005 2/23/2007	9/14/2007	8/26/2005	n/a	12/08/2006 9/14/2007
3. Preliminary Plans (P)	12/10/2004 6/24/2005	2/8/2008	8/26/2005	2/22/2007	2/8/2008
4. Working Drawings (W)	6/24/2005 8/25/2006	1/12/2009	9/28/2007	8/19/2008	n/a
5. Proceed to Bid	8/25/2006 4/27/2007	1/12/2009	n/a	n/a	n/a
6. Construction Contract Award (C)	8/25/2006 4/27/2007	3/30/2009	10/23/2008	n/a	n/a
7. Scope Change - 4 to 7 Courtrooms	6/24/2005	4/7/2006	9/12/2006	n/a	7/14/2006
8. Augment A - \$672,000	n/a	n/a	9/12/2006	n/a	n/a
9. Augment P - \$1,560,000	n/a	n/a	9/12/2006	n/a	n/a

Legend for Review and Approval Dates

n/a = not applicable to this item

nba = DOF or SPWB action, not in annual budget act

ft = fund transfer

xx = day of month not available on State website

Completion dates for the contractor selection process and the project phases are shown in Table 5.2 below.

Table 5.2

Richard E. Arnason Justice Center—Completion Dates for Milestones

Contractor Selection Process	
1. Request for CMAR Qualifications / Proposals	6/5/2007
2. Due Date for Qualifications / Proposals	6/19/2007
3. CMAR Shortlist	7/11/2007
4. CMAR Interviews	7/16/2007
5. CMAR Intent to Award	7/20/2007
6. CMAR Contract Executed	9/17/2007
Completion of Project Phases	
1. Acquisition (A)	9/14/2007
2. Preliminary Plans (P)	2/8/2008
3. Working Drawings (W)	1/12/2009
4. Construction (C)	11/10/2010

Procurement Methods and Evaluation Criteria

The CMAR process was used for this project. Four proposals were received from construction management firms. See Appendix B for a description of how the AOC selects construction management firms.

Project Costs

The AOC delivered this project for \$16.1 million less than the final appropriation amount and \$13.9 million less than the original appropriation amount. Project costs are identified in Table 5.3 below.

The cost increases in the acquisition (\$672,000) and preliminary plans (\$1.56 million) phases were included in the Budget Act of 2006 (FY 2006–2007) to fund a scope change from four to seven courtrooms.

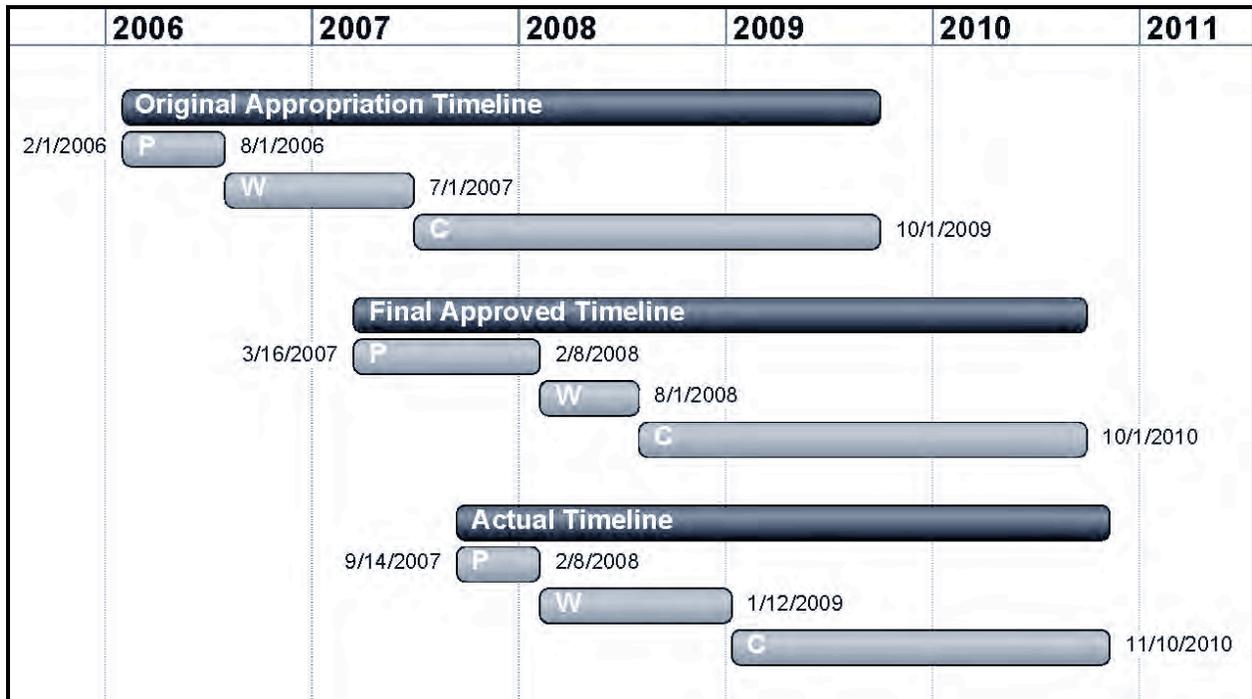
Table 5.3
Richard E. Arnason Justice Center—Appropriations and Project Costs

	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
1. Original Appropriation	\$6,000,000	\$1,237,000	\$3,632,000	\$51,628,000	\$62,497,000
2. Final Appropriation	\$6,672,000	\$2,797,000	\$3,632,000	\$51,628,000	\$64,729,000
3. Actual Expenditure	\$245,272	\$1,494,085	\$1,708,361	\$45,141,930	\$48,589,648
4. Increase or (Savings) from Original Appropriation (4 = 3 - 1)	(\$5,754,728)	\$257,085	(\$1,923,639)	(\$6,486,070)	(\$13,907,352)
5. Increase or (Savings) from Final Appropriation (5 = 3 - 2)	(\$6,426,728)	(\$1,302,915)	(\$1,923,639)	(\$6,486,070)	(\$16,139,352)

Project Timelines

As shown in Figure 5.1 below, this project was completed 6 weeks after the final approved completion date and 58 weeks after the originally scheduled completion date. The delay was caused by the change in building size from four to seven courtrooms.

Figure 5.1
Richard E. Arnason Justice Center—Timeline Comparison



Final Approved Timeline: Construction phase appropriation 7/1/2008

Judicial Branch Project Management Costs

Judicial branch project management costs are presented in Table 5.4 below. See Appendix C for the methodology used to calculate judicial branch project management costs. See Table 1.3 on page 7 for a summary of judicial branch project management costs for the six subject projects. Judicial branch project management costs accounted for 2.95 percent of total cost or 3.39 percent of construction cost for this project.

Table 5.4

Richard E. Arnason Justice Center—Judicial Branch Project Management Costs

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
AOC Employee Costs	\$353,626	\$202,036	\$112,928	\$766,063	\$1,434,653
Consultant / Contractor Costs	\$0	\$0	\$0	\$0	\$0
Totals	\$353,626	\$202,036	\$112,928	\$766,063	\$1,434,653

Costs for Contractors

In this report, the costs for contractors are classified and calculated two ways as listed below.

Project contractors: all service providers and vendors including the construction contractor, with the following exceptions: land purchase price; document review and construction inspection fees charged by the State Fire Marshal, the Division of the State Architect, and the Board of State and Community Corrections; local or regional development fees; and utility connection fees.

Construction contractor: the general contractor responsible for constructing the project.

Costs for contractors are shown in Table 5.5 below. Project contractor costs accounted for 99.6 percent of total cost of this project. The separate cost of the construction contractor accounted for 87.0 percent of the total aggregate project costs.

Table 5.5

Richard E. Arnason Justice Center—Costs for Contractors

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
Costs for Project Contractors (all service providers and vendors)	\$185,073	\$1,469,335	\$1,699,459	\$45,039,137	\$48,393,003
Costs for Construction Contractor	\$0	\$0	\$0	\$42,289,814	\$42,289,814
Total Actual Costs	\$245,272	\$1,494,085	\$1,708,361	\$45,141,930	\$48,589,648
Project Contractor Costs as % of Actual Costs (all service providers and vendors)	75.5%	98.3%	99.5%	99.8%	99.6%
Construction Contractor Costs as % of Actual Costs	0.0%	0.0%	0.0%	93.7%	87.0%

Chapter 6

Mammoth Lakes Courthouse

Key Findings

This \$20.2 million project was delivered for 6.1 percent less than the final appropriation amount and 5.1 percent less than the original appropriation amount. The actual completion date was 1 week before the final approved completion date and 44 weeks after the originally scheduled completion date. The delay was caused by the challenging site acquisition—a land exchange with the U.S. Forest Service—which delayed the start of the preliminary plans phase. See the Project Timelines section in this chapter for more detail on this topic. The original timeline assumed site acquisition would be complete by August 2006. The acquisition was actually approved by the SPWB at their February 2008 meeting, which was a delay of 78 weeks. The actual project duration was compressed by 30 weeks compared to the originally scheduled project duration primarily by accelerating the design phases—19 weeks in preliminary plans and 7 weeks in working drawings. See key findings below for each of the six mandated information categories. More detail is provided in the body of this chapter.

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The CMAR process was used for this project. Seven proposals were received.
3. Project costs and increases: The AOC delivered this project for \$1.3 million less than the final appropriation amount and \$1.1 million less than the original appropriation amount. There was a 30 percent augmentation of the working drawings phase to accommodate site complexities and issues connected with the mountainous location.
4. Original timeline and delays: The actual completion date was 1 week before the final approved completion date and 44 weeks after the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 2.91 percent of total cost or 3.93 percent of construction cost for this project.
6. Contractor costs: Project contractor (all service providers and vendors) costs accounted for 92.0 percent of total cost of this project. The separate cost of the construction contractor accounted for 74.2 percent of the total aggregate project costs.

Project Description

The Mammoth Lakes Courthouse replaced inadequate, overcrowded leased space and provides the Superior Court of Mono County with a modern, secure, adequately sized courthouse for all court services.

The site for the new courthouse was part of a land exchange between the U.S. Forest Service and the Town of Mammoth Lakes and the County of Mono. The town and county then conveyed, at a discount, a portion of the land to the state for the new courthouse. The courthouse is the first building in a location envisioned as the future government center for Mammoth Lakes.

The historic Mono County courthouse in Bridgeport, built in 1881, is the second oldest, still functioning courthouse in California. Because of its adjacency to the county jail, this historic building is used almost exclusively for arraignments. The court has operated a branch courthouse in Mammoth Lakes, 55 miles south, for many years. Findings in the 2003 facilities master plan showed that 90 percent of the court's civil and criminal workload was attributable to the Mammoth Lakes area, where the population can increase from approximately 7,000 to 40,000 during peak ski season. The previous South County Branch Courthouse was a leased space in a shopping mall that was undersized, in poor condition, and in need of replacement. The new Mammoth Lakes Courthouse provides improved security, expanded space for current and new court services, and improved access to justice for the majority of Mono County residents and visitors.

Project Facts

Location:	100 Thompsons Way, Mammoth Lakes
Capacity:	2 courtrooms and 1 small hearing/multipurpose room in 20,000 square feet
Project cost:	\$20.3 million for all project costs, \$17.5 million for construction
Funded by:	State Court Facilities Construction Fund (SCFCF), Trial Court Facilities Act of 2002 (SB 1732), which established a revenue source of court user fees for judicial branch courthouse projects.
Architect:	Mark Cavagnero Associates
Contractor:	Sundt Construction, Inc.
Timeline:	Received initial funding in FY 2006–2007. Construction began in May 2010 and was completed in August 2011. The building opened in September 2011.
More information:	www.courts.ca.gov/facilities-mono.htm

Completion Dates for Project Milestones and Approvals

All necessary approvals were secured as shown in Table 6.1 below.

Table 6.1
Mammoth Lakes Courthouse—Review and Approval Dates

Description	Judicial Council	Governor (Dept. of Finance) Form DF 14D	Legislature (Annual Budget Act)	Review Dates for Local Courts	State Public Works Board
1. Site Selection	6/30/2006	3/13/2007	n/a	1/8/2007	3/9/2007 8/10/2007
2. Site Acquisition (A)	2/27/2004 6/24/2005	3/13/2009	9/12/2006	1/11/2008	2/8/2008
3. Preliminary Plans (P)	2/27/2004 6/24/2005	4/10/2009	9/12/2006	02/11/2009 07/15/2009	4/10/2009
4. Working Drawings (W)	8/25/2006 4/27/2007	12/3/2009	9/28/2007	12/3/2009	n/a
5. Proceed to Bid	4/27/2007	12/3/2009	n/a	12/3/2009	n/a
6. Construction Contract Award (C)	4/27/2007	2/4/2010	10/23/2008	n/a	n/a
7. Augment W - \$219,000	n/a	4/14/09 ft	10/23/2008	n/a	n/a

Legend for Review and Approval Dates

n/a = not applicable to this item

nba = DOF or SPWB action, not in annual budget act

ft = fund transfer

xx = day of month not available on State website

Completion dates for the contractor selection process and the project phases are shown in Table 6.2 below.

Table 6.2
Mammoth Lakes Courthouse—Completion Dates for Milestones

Contractor Selection Process	
1. Request for CMAR Qualifications / Proposals	9/29/2008
2. Due Date for Qualifications / Proposals	10/21/2008
3. CMAR Shortlist	10/28/2008
4. CMAR Interviews	11/3/2008
5. CMAR Intent to Award	11/10/2008
6. CMAR Contract Executed	12/1/2008
Completion of Project Phases	
1. Acquisition (A)	2/8/2008
2. Preliminary Plans (P)	4/8/2009
3. Working Drawings (W)	12/1/2009
4. Construction (C)	7/25/2011

Procurement Methods and Evaluation Criteria

The CMAR process was used for this project. Seven proposals were received from construction management firms. See Appendix B for a description of how the AOC selects construction management firms.

Project Costs

The AOC delivered this project for \$1.3 million less than the final appropriation amount and \$1.1 million less than the original appropriation amount.

The only cost increase on this project, an augmentation of the working drawings phase in the amount of \$219,000 that was required to align the working drawings with the final construction scope, was included in the Budget Act of 2008 (FY 2008–2009). Some of the early planning for this project did not anticipate the full impact of the site development issues.

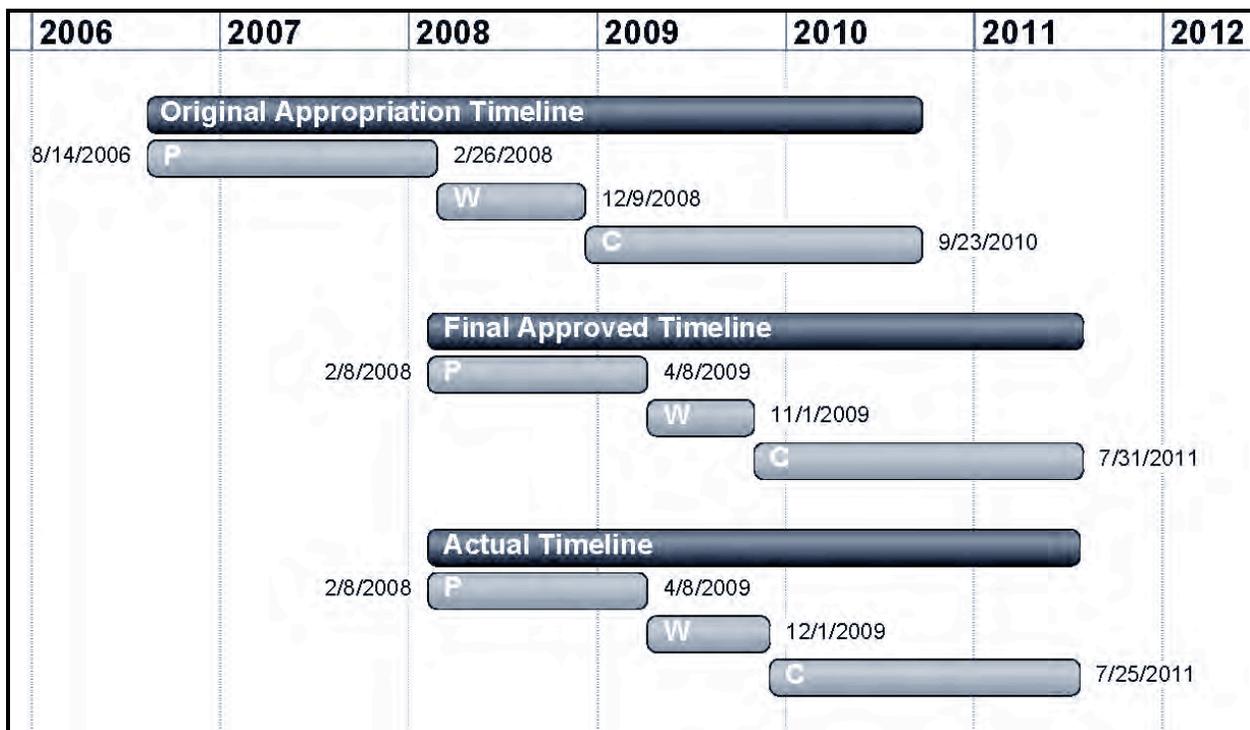
Table 6.3
Mammoth Lakes Courthouse—Appropriations and Project Costs

	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
1. Original Appropriation	\$1,353,000	\$702,000	\$725,000	\$18,523,000	\$21,303,000
2. Final Appropriation	\$1,353,000	\$702,000	\$944,000	\$18,523,000	\$21,522,000
3. Actual Expenditure	\$1,347,859	\$690,132	\$830,825	\$17,349,365	\$20,218,181
4. Increase or (Savings) from Original Appropriation (4 = 3 - 1)	(\$5,141)	(\$11,868)	\$105,825	(\$1,173,635)	(\$1,084,819)
5. Increase or (Savings) from Final Appropriation (5 = 3 - 2)	(\$5,141)	(\$11,868)	(\$113,175)	(\$1,173,635)	(\$1,303,819)

Project Timelines

As shown in Figure 6.1 below, this project was completed 1 week before the final approved completion date and 44 weeks after the originally scheduled completion date. The challenging site acquisition was accomplished under the provisions of section 206 of The Federal Land Policy Management Act of 1976 (43 U.S.C. § 1716), through a land exchange with the U.S. Forest Service (USFS) that originally involved the Town of Mammoth Lakes, the County of Mono, and the local hospital district. Ultimately, the hospital district dropped out of the transaction and the town and the county acquired land, which was exchanged for the courthouse site with the USFS and acquired at below market value by the AOC. The original timeline called for the site acquisition to be complete by August 2006. The acquisition was approved by the SPWB at their February 2008 meeting, which accounts for 78 weeks of delay. The actual project duration was compressed by 30 weeks compared to the originally scheduled project duration primarily by accelerating the design phases—19 weeks in preliminary plans and 7 weeks in working drawings.

**Figure 6.1
Mammoth Lakes Courthouse—Timeline Comparison**



Final Approved Timeline: Reappropriation of construction phase 7/1/2009

Judicial Branch Project Management Costs

Judicial branch project management costs are presented in Table 6.4 below. See Appendix C for the methodology used to calculate judicial branch project management costs. See Table 1.3 on page 7 for a summary of judicial branch project management costs for the six subject projects. Judicial branch project management costs accounted for 2.91 percent of total cost or 3.93 percent of construction cost for this project.

Table 6.4

Mammoth Lakes Courthouse—Judicial Branch Project Management Costs

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
AOC Employee Costs	\$149,409	\$94,066	\$60,263	\$239,327	\$543,065
Consultant / Contractor Costs	\$0	\$0	\$0	\$45,838	\$45,838
Totals	\$149,409	\$94,066	\$60,263	\$285,165	\$588,903

Costs for Contractors

In this report, the costs for contractors are classified and calculated two ways as listed below.

Project contractors: all service providers and vendors including the construction contractor, with the following exceptions: land purchase price; document review and construction inspection fees charged by the State Fire Marshal, the Division of the State Architect, and the Board of State and Community Corrections; local or regional development fees; and utility connection fees.

Construction contractor: the general contractor responsible for constructing the project.

Costs for contractors are shown in Table 6.5 below. Project contractor costs accounted for 92.0 percent of total cost of this project. The separate cost of the construction contractor accounted for 74.2 percent of the total aggregate project costs.

Table 6.5

Mammoth Lakes Courthouse—Costs for Contractors

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
Costs for Project Contractors (all service providers and vendors)	\$38,432	\$666,000	\$825,530	\$17,066,425	\$18,596,387
Costs for Construction Contractor	\$0	\$0	\$0	\$15,000,315	\$15,000,315
Total Actual Costs	\$1,347,859	\$690,132	\$830,825	\$17,349,365	\$20,218,181
Project Contractor Costs as % of Actual Costs (all service providers and vendors)	2.9%	96.5%	99.4%	98.4%	92.0%
Construction Contractor Costs as % of Actual Costs	0.0%	0.0%	0.0%	86.5%	74.2%

Chapter 7

Lassen Superior Court Hall of Justice

Key Findings

This \$34.5 million project was delivered for 11.4 percent less than the final appropriation amount, which was the same as the original appropriation amount. The actual completion date was 28 weeks after the final approved completion date, which was the same as the originally scheduled completion date. The delay was caused primarily by a transition from analog to digital technology by the manufacturer of the video and recording portions of the security system that required cost changes and redesign at a critical point in the construction schedule. See the Project Timelines section in this chapter for more detail on this topic. See key findings below for each of the six mandated information categories. More detail is provided in the body of this chapter.

1. Completion dates for project approvals and milestones: All necessary approvals were obtained.
2. Procurement methods and evaluation criteria: The design-bid-build process was used for this project. Seven bids were received.
3. Project costs and increases: The AOC delivered this project for \$4.4 million less than the final appropriation amount, which was the same as the original appropriation amount.
4. Original timeline and delays: This project was completed 28 weeks after the final approved completion date, which was the same as the originally scheduled completion date.
5. Judicial branch project management costs: Judicial branch project management costs accounted for 5.29 percent of total cost or 6.98 percent of construction cost for this project.
6. Contractor costs: Project contractor (all service providers and vendors) costs accounted for 96.7 percent of total cost of this project. The separate cost of the construction contractor accounted for 75.8 percent of the total aggregate project costs.

Project Description

The Lassen Superior Court Hall of Justice replaces the court's inadequate space in three buildings and provides the Superior Court of Lassen County with appropriate and accessible court space for all calendar types and related support services in the county seat.

Built in 1915, the Lassen County original one-courtroom courthouse, with its natural stone façade, is listed on the National Register of Historic Places. In 1991, the court expanded into the Court Annex, in a building originally intended for county offices and the public library. The court also leased space in a nearby building for the Access to Justice Self-Help Center.

The Historic Courthouse and Annex were functionally deficient, overcrowded, and among the worst in the state in terms of security and physical condition, hindering the public's access to court services. The new courthouse replaces the three existing court locations and consolidates all court services into one new courthouse. The 42,300-square-foot, two-story building includes space for court clerks, holding areas, and building support space.

Project Facts

Location:	2610 Riverside Drive in Susanville
Capacity:	3 courtrooms and 1 hearing room in 42,300 square feet
Project cost:	\$34.5 million for all project costs, \$30.3 million for construction
Funded by:	State Court Facilities Construction Fund (SCFCF), Trial Court Facilities Act of 2002 (SB 1732), which established a revenue source of court user fees for judicial branch courthouse projects.
Architect:	Lionakis
Contractor:	Clark and Sullivan
Timeline:	Received initial funding in FY 2007–2008. Construction began in August 2010 and was completed in April 2012. The building opened in May 2012.
More information:	<u>www.courts.ca.gov/facilities-lassen.htm</u>

Completion Dates for Project Milestones and Approvals

All necessary approvals were secured as shown in Table 7.1 below.

Table 7.1
Lassen Hall of Justice—Review and Approval Dates

Description	Judicial Council	Governor (Dept. of	Legislature (Annual	Review Dates for	State Public Works
		Finance)	Budget Act)	Local Courts	Board
		Form DF 14D			
1. Site Selection	2/27/2004 8/25/2006	3/14/2008	n/a	4/30/2008	6/13/2008
2. Site Acquisition (A)	2/27/2004 8/25/2006	10/10/2008	9/28/2007	n/a	10/10/2008
3. Preliminary Plans (P)	4/27/2007	8/14/2009	10/23/2008	7/28/2009	8/17/2009
4. Working Drawings (W)	4/27/2007	5/11/2010	10/23/2008	1/22/2010	n/a
5. Proceed to Bid	4/25/2008	5/11/2010	n/a	n/a	n/a
6. Construction Contract Award (C)	4/25/2008	7/13/2010	10/12/2009	n/a	n/a

Legend for Review and Approval Dates

n/a = not applicable to this item

nba = DOF or SPWB action, not in annual budget act

ft = fund transfer

xx = day of month not available on State website

Completion dates for the contractor selection process and the project phases are shown in Table 7.2 below.

Table 7.2
Lassen Hall of Justice—Completion Dates for Milestones

Contractor Selection Process	
1. Request for GC Qualifications / Proposals	3/30/2010
2. Due Date for Qualifications / Proposals	4/20/2010
3. Prequalified List and Invitation to Bid	4/28/2010
4. Bids Received from Prequalified GCs	6/24/2010
5. Notice of Intent to Award	6/30/2010
6. Contract Executed	7/22/2010
Completion of Project Phases	
1. Acquisition (A)	10/10/2008
2. Preliminary Plans (P)	8/14/2009
3. Working Drawings (W)	5/10/2010
4. Construction (C)	4/10/2012

Procurement Methods and Evaluation Criteria

The design-bid-build process was used for this project. The AOC prequalified contractors, received seven bids, and awarded the contract to the lowest qualified bidder. See Appendix B for a description of how the AOC prequalifies contractors.

Project Costs

The AOC delivered this project for \$4.4 million less than the final appropriation amount which was the same as the original appropriation amount.

There were no cost increases on this project.

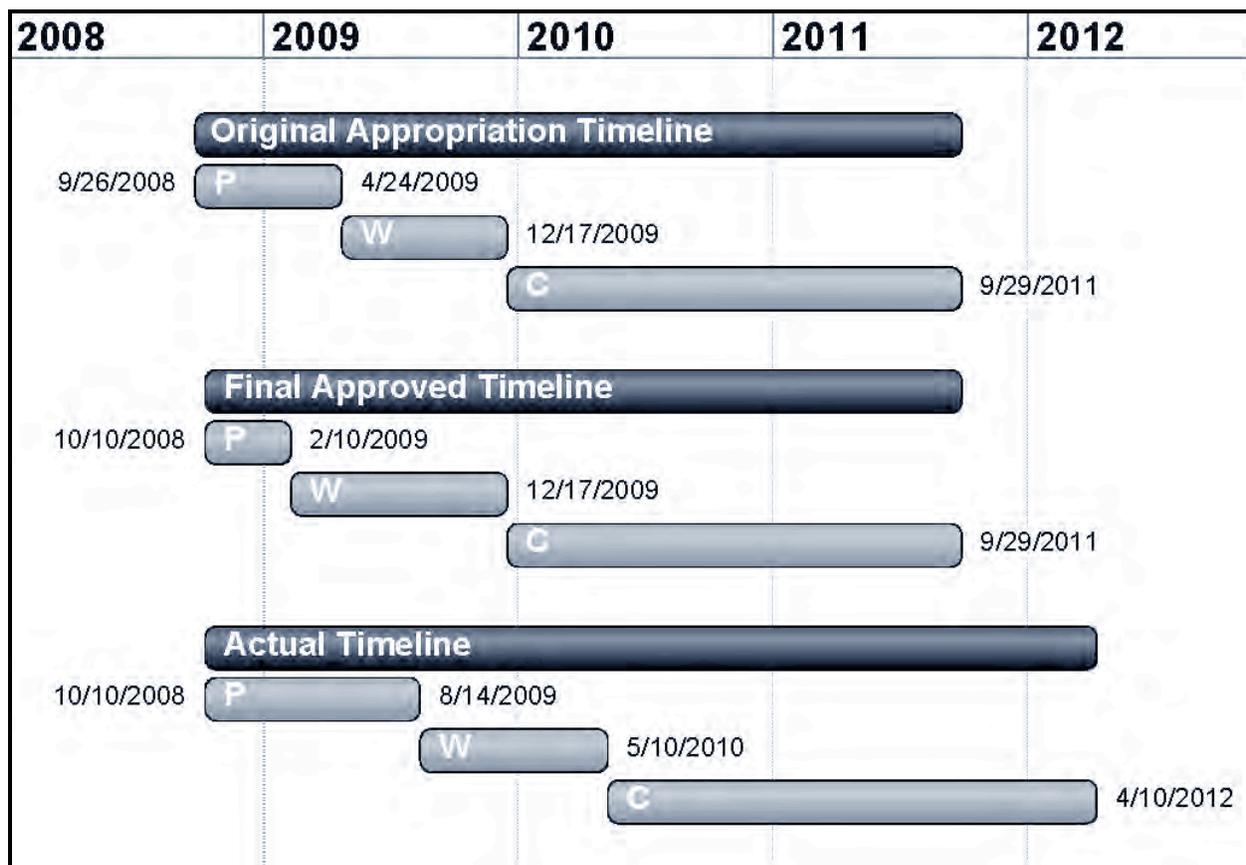
Table 7.3
Lassen Hall of Justice—Appropriations and Project Costs

	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
1. Original Appropriation	\$1,478,000	\$1,465,000	\$2,075,000	\$33,919,000	\$38,937,000
2. Final Appropriation	\$1,478,000	\$1,465,000	\$2,075,000	\$33,919,000	\$38,937,000
3. Actual Expenditure	\$932,826	\$1,406,590	\$1,838,052	\$30,325,751	\$34,503,219
4. Increase or (Savings) from Original Appropriation (4 = 3 - 1)	(\$545,174)	(\$58,410)	(\$236,948)	(\$3,593,249)	(\$4,433,781)
5. Increase or (Savings) from Final Appropriation (5 = 3 - 2)	(\$545,174)	(\$58,410)	(\$236,948)	(\$3,593,249)	(\$4,433,781)

Project Timelines

As shown in Figure 7.1 below, the project was completed 28 weeks after the final approved completion date, which was the same as the originally scheduled completion date. A primary cause for the delay was a transition from analog to digital technology by the manufacturer of the video and recording portions of the security system during the design/bid/construction period that created the need for review and approval of cost changes, redesign, new shop drawings, and manufacturer-required training for the installing subcontractor.

Figure 7.1
Lassen Hall of Justice—Timeline Comparison



Final Approved Timeline: Construction phase appropriation 7/1/2009

Judicial Branch Project Management Costs

Judicial branch project management costs are presented in Table 7.4 below. See Appendix C for the methodology used to calculate judicial branch project management costs. See Table 1.3 on page 7 for a summary of judicial branch project management costs for the six subject projects. Judicial branch project management costs accounted for 5.29 percent of total cost or 6.98 percent of construction cost for this project.

Table 7.4
Lassen Hall of Justice—Judicial Branch Project Management Costs

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
AOC Employee Costs	\$225,432	\$159,980	\$88,464	\$500,657	\$974,533
Consultant / Contractor Costs	\$0	\$96,070	\$125,580	\$629,105	\$850,755
Totals	\$225,432	\$256,050	\$214,044	\$1,129,762	\$1,825,288

Costs for Contractors

In this report, the costs for contractors are classified and calculated two ways as listed below.

Project Contractors: all service providers and vendors including the construction contractor, with the following exceptions: land purchase price; document review and construction inspection fees charged by the State Fire Marshal, the Division of the State Architect, and the Board of State and Community Corrections; local or regional development fees; and utility connection fees.

Construction contractor: the general contractor responsible for constructing the project.

Costs for contractors are shown in Table 7.5 below. Project contractor costs accounted for 96.7 percent of total cost of this project. The separate cost of the construction contractor accounted for 75.8 percent of the total aggregate project costs.

Table 7.5
Lassen Hall of Justice—Costs for Contractors

Description	Acquisition	Preliminary Plans	Working Drawings	Construction	Total
Costs for Project Contractors (all service providers and vendors)	\$111,596	\$1,406,590	\$1,836,862	\$30,008,550	\$33,363,598
Costs for Construction Contractor	\$0	\$0	\$0	\$26,137,994	\$26,137,994
Total Actual Costs	\$932,826	\$1,406,590	\$1,838,052	\$30,325,751	\$34,503,219
Project Contractor Costs as % of Actual Costs (all service providers and vendors)	12.0%	100.0%	99.9%	99.0%	96.7%
Construction Contractor Costs as % of Actual Costs	0.0%	0.0%	0.0%	86.2%	75.8%

Appendix A

Text of SB 78 Section 22, Definition of Terms, and Information Categories Requested in SB 78

SB 78 Section 22

The text of section 22 of the bill is shown in courier font below. Terms defined in the next section of this appendix are bolded.

SEC. 22. (a) The Judicial Council shall report to the Joint Legislative Budget Committee by January 15, 2013, on the process, transparency, costs, and timeliness of its construction procurement practices. The information in this report shall include, but not be limited to, the following for each court construction project completed between January 1, 2008, and January 1, 2013:

- (1) The dates that each step of the procurement and construction process was completed, including steps involving the seeking or selection of bidders or contractors, completion of the different phases of project design and construction, and **approvals** by local courts, the Judicial Council, the State Public Works Board, the Governor, and the Legislature.
- (2) The criteria and factors used in evaluating contractors for prequalification as well as those used to evaluate bids, as well as the number of bids received for each procurement.
- (3) Identification of all **project costs for each phase of design and construction**, including any **cost increases** and reasons for those increases.
- (4) Identification of the **original project timeline** for each phase of design and construction, as well as all project **delays** and the reasons associated in causing the project delays.
- (5) The total project management costs incurred by the Judicial Branch, including for existing staff who worked on each project, distinguished by **project activity**.
- (6) The total costs paid for **contractors**, distinguished by project activity.

(b) Within 75 days of receiving the report required under subdivision (a), the Legislative Analyst's Office shall conduct an analysis of the findings and, based on information which shall be provided by the Department of General Services, compare the costs and timeliness of methods of delivery used by the judiciary to projects of comparable size, scope, and geographic location procured under the Public Contract Code provisions applicable to state agencies. At the request of the Legislative Analyst's Office, the Department of General Services shall provide the comparable information as that required of the Judicial Council in subdivision (a) for those projects managed by the Department of General Services.

Definition of Terms

SB 78 includes several terms, shown in bold in the bill text above, that could be defined in several ways. Below is a description of how terms are defined for the purpose of presenting the information and findings requested in SB 78 and as they are used in this report.

Actual Completion Date

While this term does not occur in the bill, it is defined here to establish the precise end date of the actual project timeline. The completion of the construction phase in the Actual Timeline shown in the Timeline Comparison Figure in each of the project-specific chapters is the date when occupancy was granted by the State Fire Marshal (SFM) in the form of a Temporary Certificate of Occupancy followed by a Certificate of Occupancy.

Approval

In connection with approval dates described in section 22(a)(1), “approval” by the Department of Finance (DOF) shall constitute approval by the Governor, and approval by the Joint Legislative Budget Committee or inclusion in the annual budget act shall constitute approval by the Legislature.

Contractors

In connection with section 22(a)(6), “contractors” shall be defined as all service providers and vendors involved with the project. In the Costs for Contractors table in each of the project-specific chapters, the separate cost of the construction contractor is also provided.

Cost Increase/Project Costs/Each Phase of Design and Construction

In connection with section 22(a)(3), a “cost increase” shall be defined as costs exceeding the amount of the original appropriation request for each phase, at the time the subject phase was actually requested. “Project costs” presented in this report include site acquisition (A) phase costs as well as costs for “each phase of design and construction,” which are preliminary plans (P), working drawings (W), and construction (C).

Original Project Timeline and Delay

In connection with section 22(a)(4), the “original project timeline” is the timeline presented in the capital outlay budget change proposal (COBCP) that is the basis of the budget act appropriation and “delay” is measured against the original project timeline and is calculated by comparing the original completion date for each phase of design and construction (P, W, and C) with the actual completion dates. The final approved timeline is also represented, along with the original and actual timelines, in the Timeline Comparison figure in each of the project-specific Chapters 2 through 7. The final approved timeline is the timeline presented in the final project action or funding request approved by the DOF or the SPWB. The overall timelines represent the time period between the start of preliminary plans and the completion of construction. As set forth in the State Administrative Manual (SAM), Section 6853 – Award Construction Contract, and Section 6854 – Construction, the construction (C) phase begins with the approval of working drawings and proceed to bid, and thus includes bid and award activities.

Project Activity

In connection with section 22(a)(5) and (6), “project activity” shall mean the typical phases of a state capital project, which are site acquisition (A), preliminary plans (P), working drawings (W), and construction (C).

Information Categories Requested in SB 78

SB 78 requests six categories of information about the relevant projects as summarized below and reported in more detail in Chapters 2 through 7.

Section 22(a)(1) – Completion Dates for Project Approvals and Milestones

The following milestones in the approval, construction procurement, and phases of project delivery are documented.

Approvals for Capital Project Phases

1. Site Selection
2. Site Acquisition
3. Preliminary Plans
4. Working Drawings/Proceed to Bid
5. Construction Contract Award
6. Scope Changes, Augmentations, Reversions, and Redirections

Construction Procurement Contractor Selection Process

1. Request for qualifications and proposal (RFQ/P) for construction managers at risk (CMAR) or prequalified general contractors (GC)
2. Due date for qualifications/proposals
3. Shortlist for interviews
4. Interviews
5. Prequalified list and invitation to bid (DBB process omits steps 3 and 4)
6. Bids received from prequalified GCs
7. Notice of intent to award (CMAR process omits steps 5 and 6)
8. Contract executed

Phases of Project Delivery

1. Site Acquisition (A)
2. Preliminary Plans (P)
3. Working Drawings (W)
4. Construction (C)

Section 22(a)(2) – Procurement Methods and Evaluation Criteria

The following two construction procurement methods were used by OCCM to deliver the capital projects covered by this report.

1. Construction manager at risk with guaranteed maximum price
2. Design-bid-build with a select list of prequalified general contractors

Each method is described in Appendix B. The method used and the number of bids received are presented in each project-specific chapter.

Section 22(a)(3) – Project Costs/Increases

Project costs are taken directly from job cost accounting reports generated by OCCM Business and Finance Unit. The Appropriations and Project Costs table in each project-specific chapter shows the original appropriation amount, the final appropriation amount, and the actual expenditure for each as well as increases or savings from appropriation amounts. The original appropriation amount refers to the original amount appropriated in the annual budget act for each phase. The final appropriation amount refers to the sum of the original appropriation amount and all subsequent changes to that amount as contained in the annual budget act or as approved by the DOF or the SPWB. Changes to the original appropriation amount can be augmentations, reversions, or redirections (from one phase to another). Some changes to the original appropriation amount, within the guidelines set forth in the SAM, may be approved independently by the DOF or the SPWB and do not appear in the annual budget act. Cost increases are listed and reasons for cost increases are described.

Section 22(a)(4) – Original Timeline/Delays

The original project timeline, the final approved timeline, and the actual timeline are presented graphically including start and finish dates for each phase. The completion of the construction phase in the Actual Timeline shown in the Timeline Comparison figure in each of the project-specific chapters is the date when occupancy was granted by the State Fire Marshal (SFM) in the form of a Temporary Certificate of Occupancy followed by a Certificate of Occupancy.

Section 22(a)(5) – Judicial Branch Project Management Costs

Internal judicial branch project management costs are estimated through a combination of direct estimation for project managers, planners, real estate analysts, and construction inspectors, and a cost model for other AOC staff who contributed to the management of the capital projects. See Appendix C for the calculation methodology.

Section 22(a)(6) – Contractor Costs

Costs for contractors are taken directly from job cost accounting reports generated by the OCCM Business and Finance Unit.

Appendix B

Procurement Methods and Evaluation Criteria

Judicial Branch Procurement Methods and Evaluation Criteria

When procuring design and construction services, the AOC operates under two policy documents as described below.

Court Facilities Contracting Policies and Procedures

This document was adopted by the Judicial Council on December 7, 2007, and fulfills the mandate of the Trial Court Facilities Act of 2002 (Gov. Code, §§ 70301–70404) and the California Government Code concerning the adoption of independent contracting policies and procedures for acquisition and development of court facilities by the Judicial Council in consultation with the state Department of Finance. Its opening comprehensive policy statement is included below.

To provide Californians the best value initially and over the long-term operational life of court facilities the Administrative Office of the Courts (AOC) will follow competitive practices as set forth in these policies and procedures when contracting with qualified firms and individuals for products and services to be used in the planning, acquisition, design, construction, operation, and maintenance of trial and appellate court facilities.

These policies and procedures emphasize qualifications-based selection (QBS) processes and affirm that “contracts must provide for contemporary delivery methods and best practices related to facilities planning, acquisition, design, construction, operations, and maintenance of court facilities.”

AOC / OCCM Internal Procedure 3.40–Delivery Method and Contractor Selection

This document was implemented on July 28, 2009, with the intent “that a project delivery method be selected which results in the best value for the court, the Judicial Branch and all Californians.” As stated in its opening paragraph below, this procedure sets up a framework that allows flexibility in delivery methods and selection process and allows considerable discretion on the part of OCCM management.

Selecting a project delivery method is a strategic decision made by OCCM management. Once decided, a project manager determines the selection criteria and proceeds with the solicitation and selection process. The *Court Facilities Contracting Policies and Procedures* grants flexibility to OCCM in both delivery methods and the selection process.

Delivery Methods Utilized for SB 78 Report Subject Projects

Of the delivery methods made available in OCCM's Internal Procedure 3.40, the AOC employed two processes, as described below, for construction procurement on the courthouse capital projects covered by this report: construction manager at risk (CMAR) and design-bid-build (DBB) with a list of prequalified general contractors.

The CMAR process is employed because it has the following advantages in delivering these complex, design-intensive projects: early focus on design issues, construction advice and cost review during the design process, careful oversight of costs and schedule, early cost commitments, and opportunities to shorten the overall project schedule.

The design-bid-build process is used when the project conditions are present that make it expedient and advisable. In projects that are smaller in size (1- to 5-courtroom projects) with simpler design demands, less complexity, rural regional location, increased general contractor pool, or increased familiarity with the DBB process by the project team, the prequalified design-bid-build project delivery method may be elected as an alternative to the CMAR delivery method. The project manager must work together with OCCM management in the analysis of the project type, size, location, and competitive market conditions to determine if this project delivery type best serves the project and the pursuit of the best overall value. It should be noted that every project is unique and that **this is not a delivery method that** should be used exclusively on **all** small projects; however, this is a long-standing traditional method of project delivery that can be successful and cost effective if properly managed by experienced professionals. This process was used for the Plumas/Sierra Regional Courthouse and the Lassen Superior Court Hall of Justice.

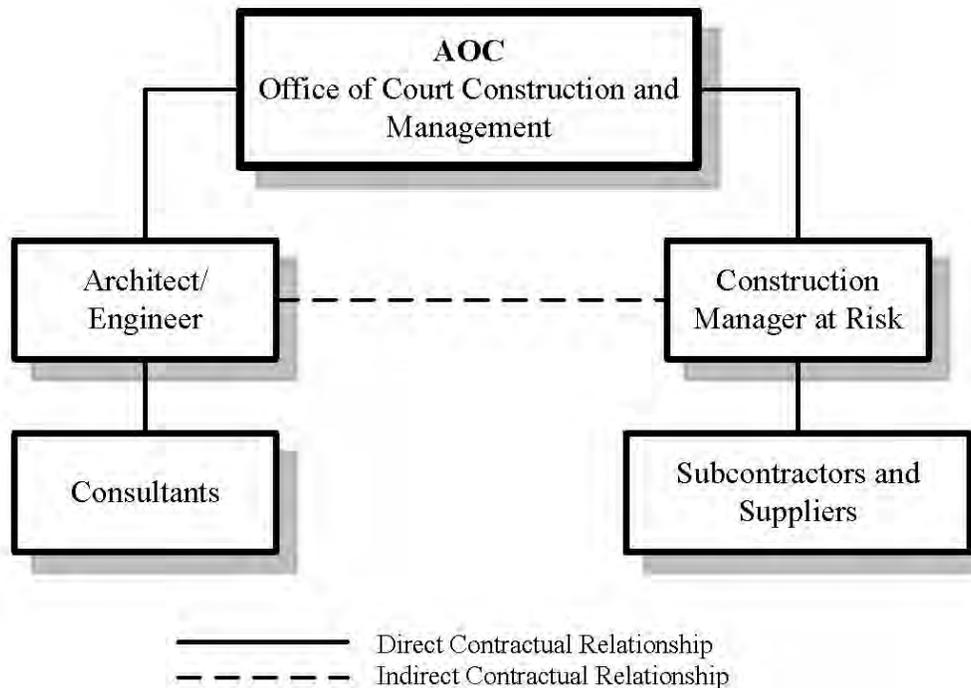
Construction Manager at Risk

Construction, by nature, is complicated to manage due to fluctuating material pricing, workloads and workforces, changing building regulations and variable inspection processes, all of which have significant budgetary implications. Construction management is a broad term covering a variety of project delivery scenarios in which a construction manager is added to the building team to oversee scheduling, cost control, constructability, project management, building technology, bidding or negotiating construction contracts, and construction.

When the construction manager serves as constructor, the role of general contractor is added to the CM's standard management tasks. The construction manager assumes all the liability and responsibility of the general contractor, which is why this method is also known as construction manager at risk. This method combines the qualities of several other approaches. It offers the direct contractual relationship between owner and architect of traditional methods, the advisory benefits of CM as advisor, and the early cost commitment characteristic of design-build. The CMAR is hired early in the design process to deliver an early cost commitment and to manage

issues of schedule, cost, construction, and building technology. The owner benefits from the simplicity of one contract with a single entity for the entire construction process. The contractual relationships are illustrated in Figure B.1 below.

Figure B.1
CMAR Relationship Diagram



AOC's CMAR Procurement Process

The AOC issues a request for qualifications and proposals (RFQ/P) via its website. Written qualifications and proposals are submitted to the AOC for review. A shortlist is established after review of the responsive written submissions. The short-listed firms are then interviewed by a team comprising AOC staff, court staff, and architectural firm staff. Only AOC staff and court staff contribute scores; the architectural firm staff serves in an advisory capacity. The criteria used to evaluate the written qualifications and the interview presentations are shown in Figure B.2 below.

Figure B.2
Judicial Branch Construction Procurement Evaluation Criteria

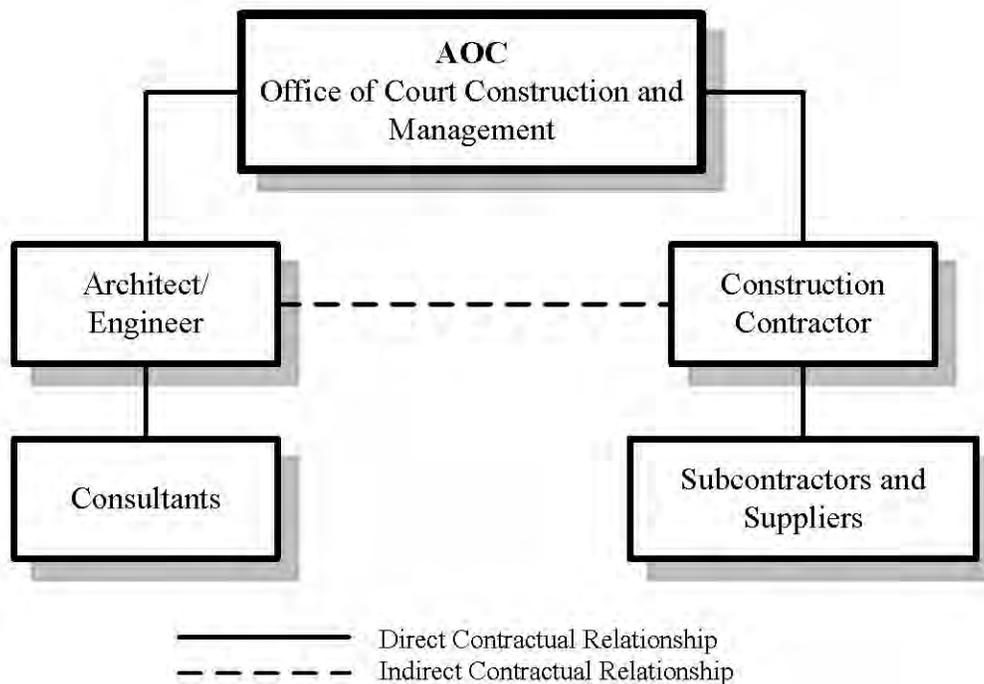
Financial Strength, Safety Record, and Claims Avoidance	Firm-Wide Qualifications and Experience	Project Personnel Qualifications and Experience	Project Plan (Including Local Trade Involvement)	Total
20%	30%	30%	20%	100%

The proposal portion of the written submission contains amounts for preconstruction services, construction services, and a mark-up percentage to be applied to the value of all construction subcontracts. The final selection is made by combining the qualitative evaluation of the written submissions and interview presentations with the quantitative proposal to arrive at a cost per unit of quality. This portion of the process closely follows paragraph IV(D)(3)(d) of the *Court Facilities Contracting Policies and Procedures*, which states: “The AOC may review the compensation or product cost portion of a proposal, if one exists, as the sole criterion (as in the traditional low-bid model) or as a weighted criterion, or it may request that the compensation portion of the proposal be placed in a separate envelope for consideration independently or at a later date.” The CMAR contract is offered to the firm with the lowest cost per unit of quality. The successful CMAR firm works with the architect and the AOC project manager to create bid packages best suited to the local trade market and administers a bid process involving multiple bids for each bid package (trade or combination of trades). The trade contractors responsible for delivering each bid package are represented by the subcontractors and suppliers in Figure B.1 above. Competitive pricing for the required construction work is achieved through this bid process.

Design-Bid-Build with a List of Prequalified General Contractors

The traditional and most common form of project delivery is design-bid-build. It is a familiar way of working for all parties in the building industry. This project delivery method is characterized by its three phases (captured in the name design-bid-build) by its two independent contracts with the owner, and by the linear phasing of the work. There are three prime players: owner, architect, and contractor as illustrated in Figure B.3 below.

Figure B.3
Traditional Design-Bid-Build Relationship Diagram



For decades, this traditional method was automatically assumed to be the best approach to project delivery. More recently, cost and scheduling pressures have pushed the owner's interests in other directions. In the DBB process, the phases are organized end-to-end. For example, the construction documents must be complete before the general contractors can submit bids. While many aspects of design and construction might be undertaken in a parallel fashion in the CMAR process, restrictions imposed by the DOF on procuring a critical scope of work before the guaranteed maximum price is agreed upon diminish this potential time advantage. The potential for disputes and change orders is exacerbated by the independence of architect and contractor. The AOC mitigates the potentially adversarial nature of this delivery option by prequalifying general contractors and by adding a CM as advisor to the team.

AOC's Design-Bid-Build Procurement Process

A process similar to that described above for the CMAR process is used to establish a shortlist of prequalified general contractors. The firms on this list are invited to submit sealed bids on the project. The construction contract is offered to the firm with the lowest responsive bid. The CM advisor is retained by the AOC early in the design process to help with cost estimating and constructability.

Appendix C

Judicial Branch Project Management Costs

Introduction

The purpose of this appendix is to explain how the judicial branch project management costs for its Capital Construction Program (Capital Program) were allocated to the six subject projects. These costs are displayed in Table 1.3 in the Executive Summary and in the Judicial Branch Project Management Costs table in each of the project-specific, Chapters 2–7.

The Capital Program is one of the responsibilities of the Administrative Office of the Courts (AOC), the staff agency of the Judicial Council. The AOC has one office dedicated to the Capital Program, the Judicial Branch Capital Program Office (Capital Program Office), some offices that support the capital program although this is not their primary mission (see note 2 under Table C.1), and some offices that have no connection to the Capital Program.

The fall 2012 reorganization of the AOC includes dividing the former Office of Court Construction and Management (OCCM) into the Judicial Branch Capital Program Office and the Office of Real Estate and Facilities Management. To accurately present the full project management costs of the six projects reviewed in this report, the analysis includes staff costs as attributed to OCCM.

Judicial branch project management costs comprise the sum of the four components displayed in Table C.1 below. The direct and indirect costs for AOC employees include salaries and wages, all employee benefits, and standard allocation of operating expenses and equipment.

Table C.1
Cost Components of Judicial Branch Project Management Costs

Cost Type	Judicial Branch Program	Allocation Basis	Description
1. Direct	OCCM	Actual Hours Worked	AOC OCCM employees: project managers, associate project managers, planners, real estate analysts, and construction inspectors
2. Direct	OCCM	Actual Cost	Outside firms providing project management services in support of the AOC OCCM project manager
3. Indirect	OCCM	Pro Rata Share	AOC OCCM units ¹ that provide support functions to the capital projects
4. Indirect	AOC (Non-OCCM)	Pro Rata Share	Non-OCCM AOC units ² that provide support functions for the capital projects

Notes for Table C.1

¹ AOC OCCM units that provide support functions to the capital projects:

1. Executive Management Team
2. Risk Management
3. Business and Finance
4. Environmental Analysis and Compliance
5. Appellate and AOC Facilities

² Non-OCCM AOC units that provide support functions for the capital projects:

1. Security and Emergency Response
2. Legal Services – Real Estate Unit
3. Governmental Affairs – Facilities
4. Education – Court Facilities
5. Fiscal – Accounting
6. Fiscal – Business Services
7. Fiscal – Budget
8. Information and Technology Services – Technical Support – OCCM
9. Information and Technology Services – Desktop Support – OCCM
10. Human Resources Services – Labor and Employee Relations
11. Human Resources Services – Recruitment, Classification, Strategy, and Policy Development

For the six subject projects, direct project management costs accounted for 74 percent, and indirect project management costs accounted for 26 percent, of the total judicial branch project management costs, as displayed in Table C.2 below.

Table C.2
Judicial Branch Project Management Costs—Proportion Direct / Indirect

Project Name / Delivery Method	Direct Costs	Indirect Costs	Total Project Management Costs
Court of Appeal, 4th Appellate District, Division 3 / CMAR	\$880,037	\$462,086	\$1,342,122
	66%	34%	100%
Plumas/Sierra Regional Courthouse / DBB	\$305,557	\$151,528	\$457,085
	67%	33%	100%
B. F. Sisk Courthouse / CMAR	\$1,030,100	\$475,760	\$1,505,860
	68%	32%	100%
Richard E. Arnason Justice Center /CMAR	\$1,042,304	\$392,349	\$1,434,653
	73%	27%	100%
Mammoth Lakes Courthouse / CMAR	\$441,302	\$147,601	\$588,903
	75%	25%	100%
Lassen Superior Court Hall of Justice / DBB	\$1,570,589	\$254,699	\$1,825,288
	86%	14%	100%
Totals	\$5,269,890	\$1,884,023	\$7,153,913
	74%	26%	100%

Definitions

Direct Costs

Costs that can easily be identified to a program. For this report direct costs are developed from actual hours worked by project managers, associate project managers, planners, real estate analysts, and construction inspectors and actual the cost of outside firms providing project management services in support of the AOC OCCM project managers.

Indirect Costs

Costs that by their nature cannot be readily associated with a specific organization unit or program. Like general administrative expenses, indirect costs are distributed, through the use of a formula, to the organizational units or programs that benefit from their incurrence. See notes for Table C.1 for functional units that contributed indirect costs to the Capital Program.

Calculation of Judicial Branch Project Management Costs

Judicial branch project management costs include direct and indirect components. The direct costs, such as those for project managers, associate project managers, planners, real estate analysts, construction inspectors, and outside firms providing project management services, are added to the indirect costs to yield the total project management costs. Below is a description of how the indirect costs are distributed to the projects.

Allocation Methodology for Indirect Costs

The indirect component of judicial branch project management costs were calculated by the process described below.

1. Obtain from accounting reports the cost of non-OCCM AOC units that provide support functions for the Capital Program.
2. Obtain from accounting reports the total cost of all OCCM units.
3. Calculate the cost of each OCCM unit as a percentage of OCCM's total cost as displayed in Table C.3. For example, as shown in Table C.3, in FY 2010–2011, the OCCM Executive Management Team accounted for 4.56 percent of OCCM's total cost. This percentage is used in the next step to calculate the pro rata share of the non–OCCM AOC support units' costs to be distributed to each OCCM unit.
4. To obtain the total indirect cost of each OCCM unit by fiscal year, distribute the pro rata share of the total cost of the non–OCCM AOC support units to each OCCM unit based on its percentage of OCCM's total cost (calculated in step 3 above). For example, as shown in Table C.3, in FY 2010–2011, the OCCM Executive Management Team accounted for 4.56 percent of OCCM's total cost, so 4.56 percent of the non–OCCM AOC support unit costs for FY 2010–2011 were distributed to the OCCM Executive Management Team. This calculation was repeated for each of the 10 OCCM units.
5. Add the total indirect costs (calculated in step 4 above) of the five OCCM units that support the Capital Program (see note 1 under Table C.1) to obtain the total indirect costs to be distributed to the project phases.
6. Calculate the direct project management cost of each project phase as a percentage of OCCM's total cost, as displayed in Table C.4. For example, in FY 2010–2011 the cost of the Construction (C) phase of the B. F. Sisk Courthouse accounted for 0.14 percent of OCCM's total cost.
7. To obtain the pro rata share of the total indirect costs for each project phase, multiply the total indirect cost calculated in step 5 by the percentage calculated in step 6. These indirect costs are displayed in Table C.2 above.

Table C.3**Proportional Cost of OCCM Functional Units by Fiscal Year**

OCCM Units	FY 2003-04	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11
1. Executive Management Team	18.50%	14.83%	8.35%	8.91%	8.38%	4.48%	5.19%	4.56%
2. Risk Management	0.00%	0.00%	0.00%	0.00%	2.13%	3.33%	4.38%	6.60%
3. Business Finance	1.76%	3.52%	4.40%	4.07%	4.80%	5.21%	5.23%	6.22%
4. Planning and Policy	0.22%	2.09%	2.10%	3.49%	1.76%	6.28%	5.07%	4.46%
5. Design and Construction	6.65%	27.47%	22.34%	24.96%	23.54%	19.95%	19.88%	18.88%
6. Real Estate	2.47%	10.82%	9.13%	10.83%	8.76%	7.06%	7.03%	5.78%
7. Facilities Management AOC Statewide Operating Unit	2.29%	8.90%	23.11%	22.47%	21.09%	27.14%	37.52%	35.30%
8. Environmental Analysis and Compliance	2.28%	5.45%	4.76%	5.02%	3.74%	1.80%	2.43%	2.40%
9. Portfolio Administration	0.00%	0.00%	1.48%	2.68%	11.90%	18.11%	7.49%	10.45%
10. Appellate and AOC Facilities	65.83%	26.94%	24.32%	17.58%	13.90%	6.65%	5.78%	5.36%
Totals	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

Table C.4**Proportional Cost of Direct Staff Time by Project and Phase**

Fiscal Year	Project Phase	Court of Appeal, 4th App. District, Division 3	Richard E. Arnason Justice Center	B. F. Sisk Courthouse	Mammoth Lakes Courthouse	Plumas Sierra Regional Courthouse	Lassen Superior Court Hall of Justice
2003-04	A	2.45%	0.00%	0.00%	0.00%	0.00%	0.00%
	P	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	W	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	C	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
2004-05	A	1.49%	0.00%	0.00%	0.00%	0.00%	0.00%
	P	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	W	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	C	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
2005-06	A	0.10%	1.05%	0.08%	0.01%	0.37%	0.00%
	P	1.49%	0.00%	0.00%	0.00%	0.00%	0.00%
	W	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	C	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
2006-07	A	0.00%	1.08%	0.33%	0.55%	0.81%	0.00%
	P	0.67%	0.00%	0.11%	0.00%	0.00%	0.00%
	W	0.45%	0.00%	0.00%	0.00%	0.00%	0.00%
	C	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
2007-08	A	0.00%	0.19%	0.05%	0.26%	0.17%	0.73%
	P	0.00%	0.81%	0.65%	0.15%	0.26%	0.00%
	W	0.03%	0.00%	0.95%	0.00%	0.13%	0.00%
	C	1.50%	0.00%	0.63%	0.00%	0.00%	0.00%
2008-09	A	0.00%	0.00%	0.00%	0.00%	0.00%	0.21%
	P	0.00%	0.00%	0.00%	0.27%	0.00%	0.66%
	W	0.00%	0.53%	0.00%	0.10%	0.11%	0.00%
	C	1.48%	0.76%	1.93%	0.08%	0.40%	0.00%
2009-10	A	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	P	0.00%	0.00%	0.00%	0.00%	0.00%	0.09%
	W	0.00%	0.00%	0.00%	0.17%	0.00%	0.40%
	C	0.09%	1.91%	1.83%	0.44%	0.15%	0.15%
2010-11	A	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	P	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	W	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	C	0.00%	0.69%	0.14%	0.45%	0.00%	1.05%
2011-12	A	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	P	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	W	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	C	0.00%	0.00%	0.00%	0.03%	0.00%	0.80%

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/12/2013
PREPARED BY	Burt Hirschfeld
OFFICE NAME	<u>Office of Real Estate and Facilities Management</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	137
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-66 and, once organizational changes are made as approved by the Judicial Council, evaluate and make recommendations to the council on facilities maintenance program efficiencies, including broadening courts' responsibilities for maintenance of court facilities and for smaller scale projects.
SEC RECOMMENDATION	The current facilities maintenance program appears inefficient and unnecessarily costly. The consultant report is necessary and should be considered part of a necessary reevaluation of the program. Courts should be given the option to assume responsibility for maintenance of court facilities and for smaller-scale projects.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> File Attachment</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> File Attachment</div> <div style="border: 1px solid black; padding: 2px;"> File Attachment</div> </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px;"> File Attachment</div> </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> A pilot program for the Delegation of Responsibility for Trial Court Facilities Maintenance and Repair is still underway since agreements were implemented as of October 2012 with Orange, San Luis </div>	

Obispo, Inyo and Riverside Superior Courts. An interim update on these efforts will be provided to the council at the October 2013 council with a final report at the December 2013 council meeting.

- File Attachment
- File Attachment
- File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	<input type="text"/>
RESOURCES REQUIRED FOR IMPLEMENTATION	Staff from: Superior Courts in Orange, Riverside, San Luis Obispo and Imperial; Office of Real Estate and Facilities Management; Judicial Branch Capital Program Office; Legal Services Office; Fiscal Services Office.

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input checked="" type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="checkbox"/> File Attachment <input type="checkbox"/> File Attachment <input type="checkbox"/> File Attachment
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> COST	<input type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="checkbox"/> File Attachment
<input type="checkbox"/> SERVICE LEVEL	<input type="text"/>

IMPACT	<input type="text" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="text" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	5/29/2013
PREPARED BY	Burt Hirschfeld
OFFICE NAME	<u>Office of Real Estate and Facilities Management</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	138
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-67 and, once organizational changes are made as approved by the Judicial Council, evaluate and make recommendations to the Judicial Council regarding fiscal planning for facilities maintenance for new and existing facilities and revenue streams to fund increased costs for maintenance of court facilities.
SEC RECOMMENDATION	Fiscal planning for facilities maintenance for new and existing facilities needs to become an immediate priority, and revenue streams to fund increased costs for maintenance of court facilities must be identified and obtained.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 10px; width: 100%;">  File Attachment </div> <div style="border: 1px solid black; padding: 2px; margin-top: 10px; width: 100%;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 10px; width: 100%;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: Responses to this Directive have involved development and implementation of several initiatives and measures designed to address facilities maintenance needs through fiscal planning and sourcing of potential revenue streams. In addition to those indicated above, these include: * Submission of a Budget Change Proposal (BCP) to increase the Trial Court Facilities Trust Fund (TCFTF) budget by \$1.6 million, starting in FY 2013-2014. This does not represent increased costs to operate and maintain the existing facilities portfolio since the end of transfers in 2009; it is intended to address the maintenance, utility and insurance expenses for space added by	

subsequently-constructed facilities.

- * Report of the internal audit performed by the AOC to identify potential efficiencies and recommendations on the administration of facility management services was accepted by the Judicial Council at its April 26 meeting.
- * Generation of revenues from leases and licenses from office space occupants, food service operators, telecommunications service providers and parking operations. Current annualized income is approximately \$6.3 million; cumulative revenues through March 31, 2013, have reached \$17.7 million (see attachment).
- * A proposed plan to implement the recommendations of the internal audit report which promote efficiencies in the administration of TCFTF funds.
- * Using the Computer Aided Facilities Management (CAFM) application to collect detailed cost data on firm-fixed price costs; undertaken to inform future contract bids by facilities service providers.



Cmltv and Ann Revenue +
Rent Reduction.pdf
Adobe Acrobat Document
177 KB



BranchRentReduction-
20130628.pdf
Adobe Acrobat Document
503 KB

TIMELINE AND RESOURCES FOR IMPLEMENTATION

IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	Multiple dates, the last of which may be based on decisions regarding implementation of the proposed audit plan.
RESOURCES REQUIRED FOR IMPLEMENTATION	Continued involvement by key staff from the following offices: Real Estate and Facilities Management; Judicial Branch Capital Programs; Fiscal Services.

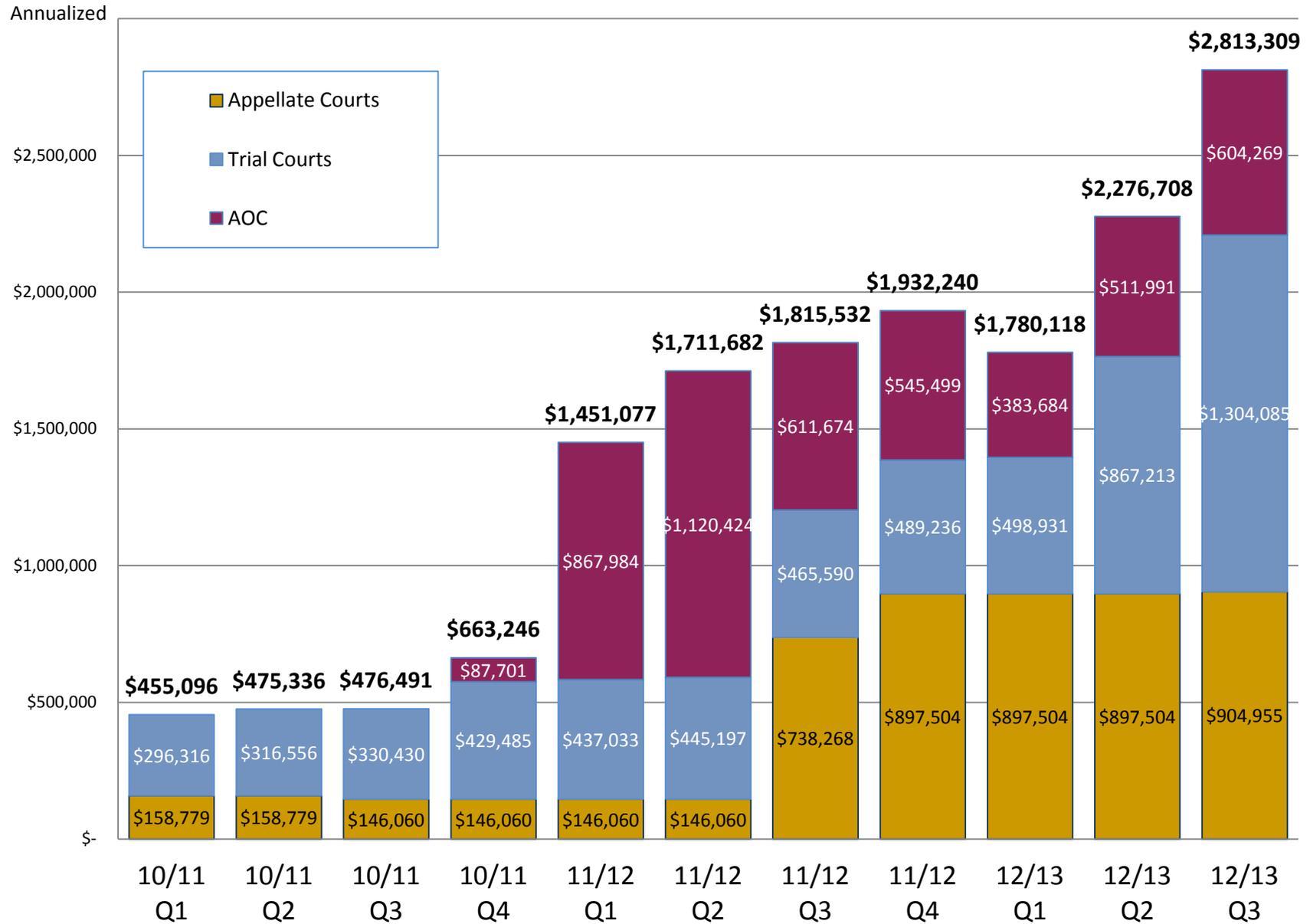
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<div style="border: 1px solid gray; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid gray; padding: 2px; margin-bottom: 5px;">  File Attachment </div> <div style="border: 1px solid gray; padding: 2px;">  File Attachment </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid gray; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid gray; padding: 2px;">  File Attachment </div>
	<div style="border: 1px solid gray; height: 20px;"></div>

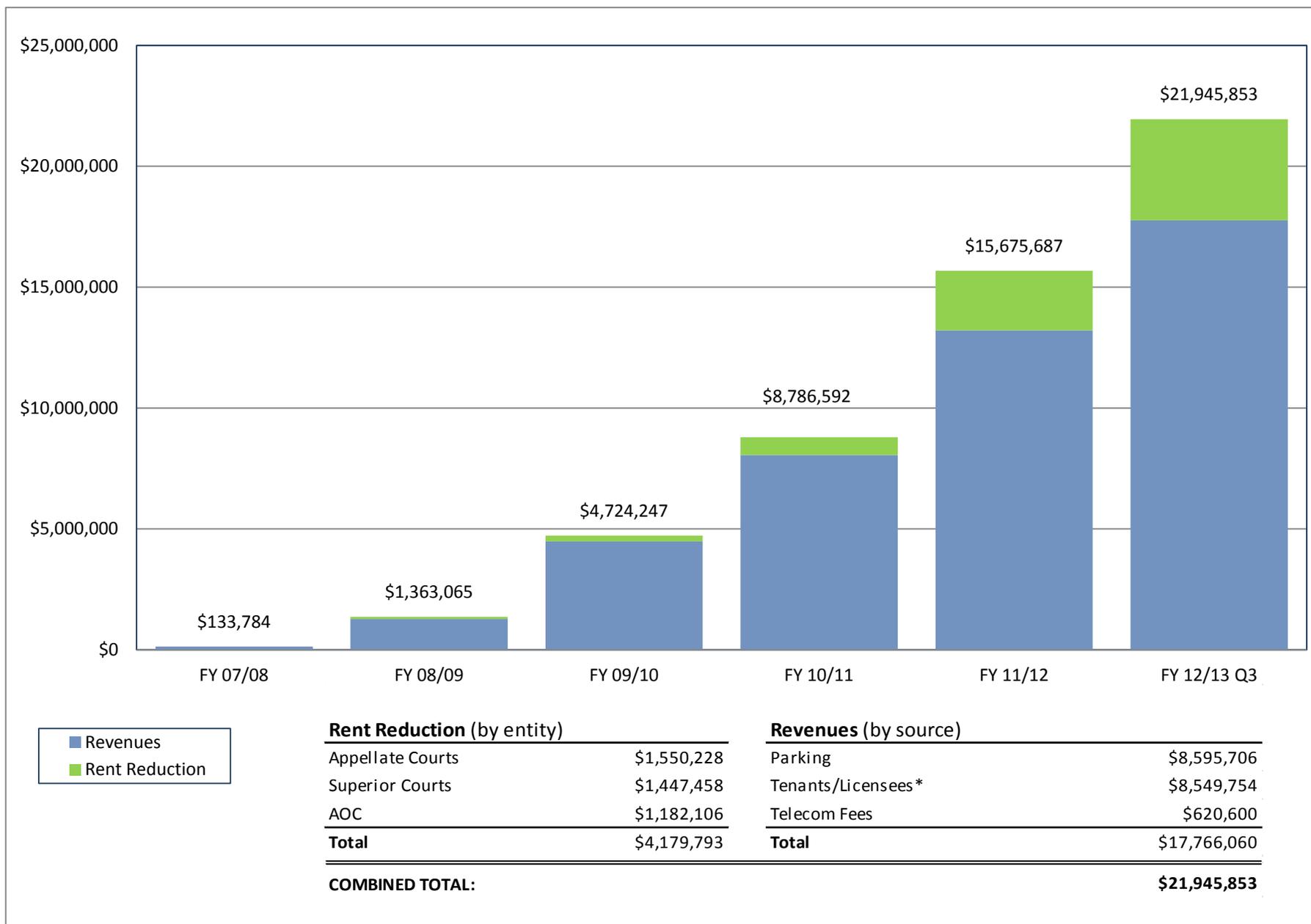
<input checked="" type="checkbox"/> SAVINGS	 File Attachment
<input type="checkbox"/> COST	 File Attachment
<input type="checkbox"/> EFFICIENCIES	 File Attachment
<input type="checkbox"/> SERVICE LEVEL IMPACT	 File Attachment
<input type="checkbox"/> OTHER	 File Attachment
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013



Rent Reductions FY 2010/11 - Q3 FY 2012/13

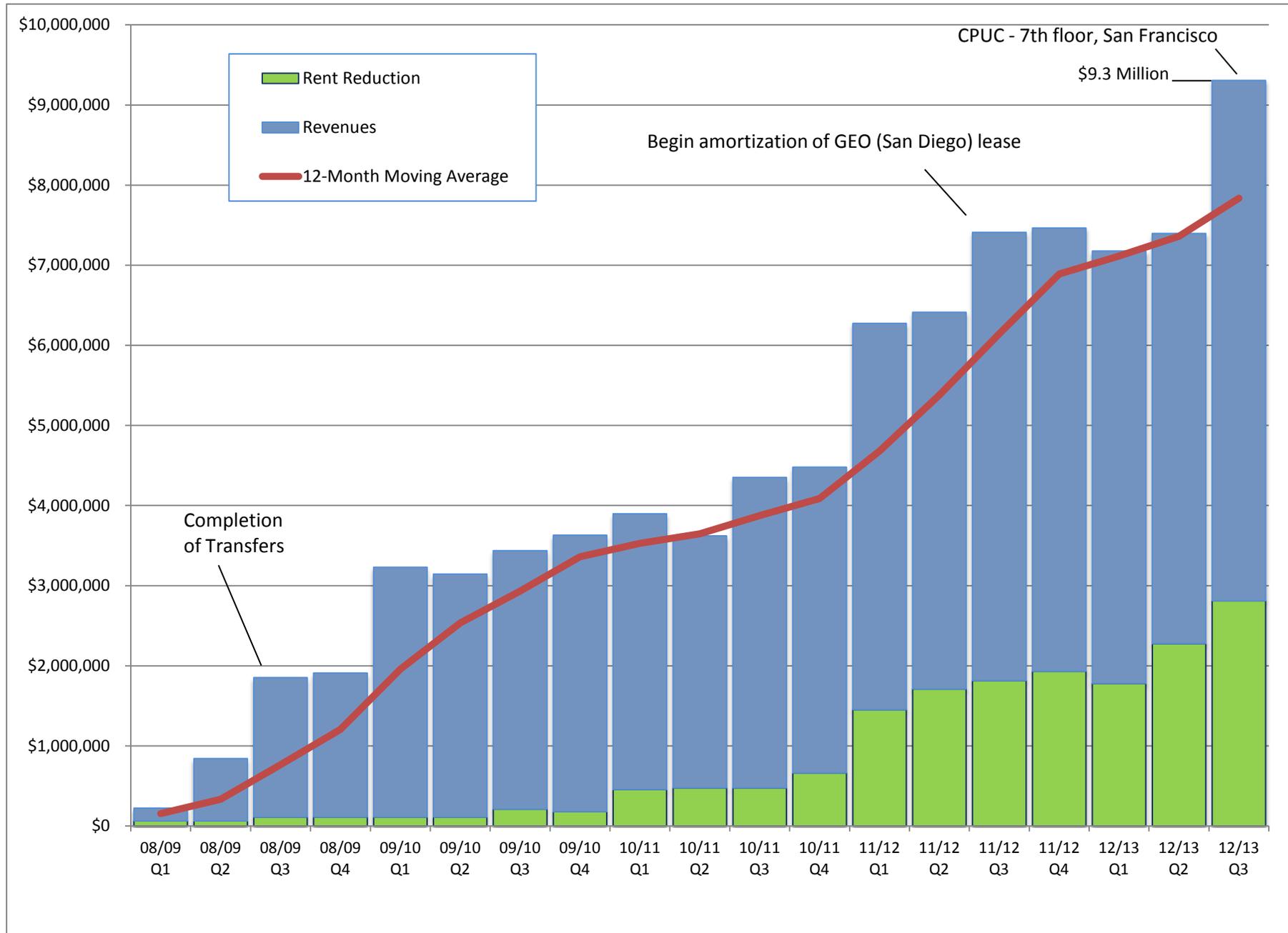


CUMULATIVE JUDICIAL BRANCH FACILITY REVENUES AND RENT REDUCTION FY 07/08 - Q3 FY 2012/13





ANNUALIZED FACILITY REVENUES * AND RENT REDUCTION FY 2008/09 - Q3 FY 2012/13



* From Parking Operations, Office Space Lease Agreements, Food Service Licenses and Telecom Licenses (see following pages)

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/10/2013
PREPARED BY	Lee Willoughby
OFFICE NAME	Judicial Branch Capital Program Office
JUDICIAL COUNCIL DIRECTIVE NUMBER	139
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, once organizational changes are made as approved by the Judicial Council, to evaluate and make recommendations regarding staff reductions.
SEC RECOMMENDATION	Staff reductions appear feasible in light of the slowdown in new court construction and should be made accordingly. The Chief Operating Officer should be charged with implementing necessary reductions.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; width: fit-content; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The construction program is in a state of flux due to the funding reductions proposed in the Governor's budget. In addition, senior management of the office is changing with the retirements of two assistant directors and the upcoming retirement of the director. While It is difficult to accurately assess staffing needs at this time without knowing what funding will be available in the enacted FY 2013-2014 budget, staff have begun to analyze staffing requirements under various scenarios. Proposed construction fund reductions include \$50 million on-going, proposed payment of the Long Beach service fee, and the \$200 million redirection proposed for FY 13/14. Efforts are in progress to restore some or all of the proposed \$200 million redirection and, if successful, will require adequate resources to implement. Staff resources are now managing the active projects, however additional construction inspectors are critically needed and budget staff is required to effectively manage the current program, which will include 15 projects in construction totaling about \$2 billion during 2013. Meeting was held in early June 2013 with the Judicial Council Liaisons assigned to the Capital Program Office to review staffing requirements for successful project execution.</p> </div>	

<input type="button" value="File Attachment"/>	
TIMELINE AND RESOURCES FOR IMPLEMENTATION	
IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE	Interim report due to the council August 2013.
RESOURCES REQUIRED FOR IMPLEMENTATION	
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SAVINGS	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> COST	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> EFFICIENCIES	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> SERVICE LEVEL IMPACT	<input type="text"/> <input type="button" value="File Attachment"/>
<input type="checkbox"/> OTHER	<input type="text"/> <input type="button" value="File Attachment"/>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
ADOC REVIEW	Administrative Director of the Courts Review Date: 6/13/2013
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	

E&P REVIEW

Executive and Planning Review Date:

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/3/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	140
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the employment of temporary or other staff to circumvent a hiring freeze is not permitted. The Administrative Director must review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such as in the case of an emergency or to provide a critical skill set not available through the use of authorized employees.
SEC RECOMMENDATION	The use of temporary or other staff to circumvent the hiring freeze should cease.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>The AOC has established guidelines to further restrict the use of agency temporary workers across the organization. Effective July 1, 2013, agency temporary staff can only be utilized under three circumstances:</p> <ol style="list-style-type: none"> 1) The temporary assignment must be identified as a short-term (less than six months), critical, project- based assignment, not backfilling a vacant position. 2) The temporary assignment is backfilling an approved extended leave of absence and the position is supporting a critical core function. 3) The agency temporary worker is backfilling a position supporting a critical core function while the approval to conduct recruitment for the position is going through the AOC exemption process. The maximum duration for these assignments is three months. <p>Agency temporary worker assignments have a maximum duration of no more than six months and shall not continue past June 30 of each fiscal year, regardless of the assignment start date, without granting a request to extend.</p> <p>If the assignment begins less than six months before June 30, the requesting office may formally request to extend the assignment beginning on July 1. The total timeframe the agency temporary worker may be on assignment with the AOC shall not exceed six months.</p> <p>The AOC must make preparations to transition workload to other staff if an agency temporary worker's assignment is close to reaching the six month limit. The six month period shall be effective</p>	

based upon the temporary worker's initial assignment date.

The six month limitation also reduces benefits liability. In addition to addressing concerns raised by Judicial Council Directive 47, the six-month timeframe was implemented to avoid a temporary agency worker potentially applying for California Public Employees Retirement System (CalPERS) membership under the common law employment factors.

As of April 30, 2013, the AOC currently has 30.5 agency temporary workers, compared to a peak of 141 in fiscal year 2010-2011.

The AOC recently completed the solicitation of a new vendor to manage the agency temporary program. Effective, July 1, 2013, the AOC will initiate a master contract for use by the state judicial branch. In prior years, the master contract was limited to only the AOC. Under the new master contract, the Supreme Court, the Courts of Appeal, AOC, Habeas Corpus Resource Center, and the Commission on Judicial Performance will now be able to utilize agency temporary workers under a single contract.

It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.



AOC Agency Temp Background.docx
Microsoft Office Word Document
19.2 KB

This directive is forwarded to the Judicial Council with options for consideration:



File Attachment

Other:



File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

<p>IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE</p>	<p>July 1, 2013</p>
<p>RESOURCES REQUIRED FOR IMPLEMENTATION</p>	<p>The AOC, through the HRSO, will be utilizing 2.0 FTE to manage and track the agency temporary worker program.</p> <p>A Staff Analyst (1.0) has been assigned to monitor and track usage and will be asked to serve as the first line of contact for inquiries and concerns.</p> <p>A Supervising Business Applications Analyst (1.0) will be managing the program and will be responsible for agency-wide program modifications and continuing process improvements. This position will also be the primary</p>

	contact with the vendor on all agency temporary-related issues.
ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)	
<input checked="" type="checkbox"/> PROCEDURES/ POLICIES UPDATED OR DEVELOPED	<p>The AOC will post its updated guidelines on the AOC Intranet, and develop communications addressing the organization-wide program change.</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content;">  <p>Temp Employees_Policies and Procedures.docx Microsoft Office Word Document 23.7 KB</p> </div>
<input type="checkbox"/> TRAINING UPDATED OR DEVELOPED	<div style="border: 1px solid gray; padding: 5px; width: fit-content;">  File Attachment </div>
<input checked="" type="checkbox"/> SAVINGS	<p>\$102,644 is the projected savings when comparing FY12-13 costs to projected FY13-14 costs. This figure represents approximately ten percent savings for agency temporary workers funded out of the master contract. This does not include cost of temporary workers paid from special or grant funds.</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content;">  File Attachment </div>
<input checked="" type="checkbox"/> COST	<p>\$1,306,332 for FY 13-14 for 16 temporary workers funded out of the master contract. This does not include cost of temporary workers paid from special or grant funds.</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content;">  File Attachment </div>
<input checked="" type="checkbox"/> EFFICIENCIES	<p>In bringing on temporary staff to aid in projects, this is will free-up the time of the employee who would have otherwise been tasked with the project. It would also address staffing shortages for a short period of time.</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content;">  File Attachment </div>
<input checked="" type="checkbox"/> SERVICE LEVEL IMPACT	<p>There would be none due to the fact that temporary workers are used on a short-term, special project basis and short-term projects should not exceed the six month period.</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content;">  File Attachment </div>
<input checked="" type="checkbox"/> OTHER	<p>AOC will distribute communications to all its offices, effective July 1, 2013, to communicate the new agency temporary worker guidelines, which includes limits on the duration of all agency temporary worker assignments.</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content;">  File Attachment </div>
ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL	
	Administrative Director of the Courts Review Date: 6/13/2013

ADOC REVIEW	
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: 6/17/2013 <input type="text"/>

AOC Utilization of Agency Temporary Employees

Historical Information

The Administrative Office of the Courts (AOC) currently utilizes a single-vendor master contract, with low negotiated rates, to provide agency temporary staffing services. The AOC's practice of using a primary, contracted vendor has been in place since 1999. The Human Resources Services Office (HRSO), through its master contract, monitors agency temporary usage, controls costs and oversees the temporary staffing process.

In February 2008, when a limited number of recruitments were permitted, hiring managers began to employ an increased number of agency temporary staff to offset increasing workloads brought about by a lack of staffing resources. Agency temporary usage at the AOC hit its peak at 141 temporary assignments during fiscal year 2010-2011. During this time, the approval to employ an agency temporary worker was at the discretion of the Division Director and Executive Office.

Recent Use of Agency Temporary Employees

Beginning in late 2012, the AOC began to reduce its reliance on agency temporary staff and took the first steps by converting 32 temporary staff to regular employee positions.

MONTH	COUNT
12-Apr	82.0
12-May	71.0
12-Jun	56.0
12-Jul	55.0
12-Aug	54.0
12-Sep	51.0
12-Oct	51.2
12-Nov	47.1
12-Dec	17.5
13-Jan	20.5
13-Feb	24.5
13-Mar	26.5
13-Apr	30.5

In January 2013, HRSO, in conjunction with the Chief Administrative Officer, further restricted the process by implementing new parameters for securing agency temporary workers funded through the master contract. These parameters include:

- The temporary assignment must be less than six months in length, critical, and established on a project-only basis; or

The temporary assignment is backfilling a position in which the incumbent is on an approved extended leave of absence and only if the position is supporting a critical core function.

Before the agency temporary worker is funded through the master contract, the request must be reviewed by HRSO to determine if one of the above criteria is met.

Next Steps

While the need for agency temporary staffing exists, it is the goal of the AOC to implement stringent guidelines to decrease its dependence on agency temporary workers for long-term assignments.

These guidelines have been outlined in the attached document. The guidelines contain three requirements to determine whether an agency temporary worker may be brought on an assignment. It also includes up to a six-month maximum timeframe that agency temporary workers may remain on assignment.

In addition to addressing concerns raised by Judicial Council Directives 47 and 140, the maximum six-month timeframe was implemented to avoid a temporary agency worker potentially applying for California Public Employees Retirement System (CalPERS) membership under the common law employment factors. One of the requirements for CalPERS membership eligibility is that an individual must work more than 1000 hours, or equivalent to six months, for a state agency or state contracting agency.

The AOC will inform staff and apply these standards beginning July 1, 2013. The AOC will continue to assign HRSO oversight and enforcement responsibilities.

The AOC recently completed the solicitation of a new vendor to manage the agency temporary program. Effective, July 1, 2013, the AOC will initiate a master contract for use by the state judicial branch. In prior years, the master contract was limited to only the AOC. Under the new master contract, the Supreme Court, the Courts of Appeal, AOC, Habeas Corpus Resource Center, and the Commission on Judicial Performance will now be able to utilize agency temporary workers under a single contract.

Agency Temporary Worker Guidelines and Procedures

These guidelines and procedures outline criteria for the use of agency temporary workers as a reasonable resource to address staffing needs, provide guidance on how to complete the exemption request form, and provide assistance for the supervision of the agency temporary workers if the agency temporary worker request is granted.

I. DEFINITION

Agency temporary workers are not employees of the Administrative Office of the Courts (AOC). An agency temporary worker is an employee of an external employment agency; agency temporary workers receive compensation directly from the employment agency and carry out specific assignments. They are not eligible for any AOC benefits (sick leave, vacation, paid holidays, retirement, training, service credit, compensatory time, and transit passes, etc.), salary increases, reclassification or shift differential pay.

Agency temporary workers are hourly employees and must be paid for all hours worked, including overtime pay pursuant to applicable state and federal laws.

Agency temporary workers are not granted preferential treatment based on their temporary assignment with the AOC if they apply for an AOC employee position.

An agency temporary worker may be considered for employment as an AOC employee after working the minimum hours as governed by the current AOC Master Temporary Staffing Services Contract. All agency temporary workers must meet the minimum qualifications of the AOC classification in order to be considered for employment.

II. DURATION OF AGENCY TEMPORARY WORKER ASSIGNMENTS

Agency temporary worker assignments have a maximum duration of no more than six months **and** shall not continue past June 30 of each fiscal year, regardless of the assignment start date, without granting a request to extend.

If the assignment begins less than six months before June 30, the requesting office may formally request to extend the assignment beginning on July 1. The total timeframe the agency temporary worker may be on assignment with the AOC shall not exceed six months.

III. TYPES OF AGENCY TEMPORARY WORKER ASSIGNMENTS

1. Short-Term, Project-Based Assignments typically involve assistance on a special project (i.e., not for regularly assigned work).

Under short-term, project-based assignments:

- The agency temporary worker is not backfilling a position vacancy due to a planned separation or retirement;
 - The agency temporary worker receives compensation based on contracted rates in the Temporary Worker Salary Classification Schedule, as defined in the AOC Master Temporary Staffing Services Contract;
 - A former agency temporary worker may begin work on a new assignment with the AOC after a six-month break; and
 - No individual who retired under the California Public Employees' Retirement System (CalPERS) may work for the AOC as an agency temporary worker within 180 days of retirement.
2. Backfilling an approved Extended Leave of Absence is allowable when the incumbent is on an approved extended leave of absence and the incumbent supports an AOC critical core function.

Under backfilling of approved extended leave of absence assignments:

- The agency temporary worker is not backfilling a position vacancy due to a planned separation or retirement;
 - The agency temporary worker receives compensation based on contracted rates in the Temporary Worker Salary Classification Schedule, as defined in the master agreement;
 - A former agency temporary worker may begin work on a new assignment with the AOC after a six-month break; and
 - No individual who retired under CalPERS may work for the AOC as an agency temporary worker within 180 days of retirement.
3. Backfilling a Position Vacancy involves the use of an agency temporary worker to backfill a position that has been identified as supporting an AOC critical core function. Under backfilling a position vacancy assignments:
 - The agency temporary worker is backfilling the position while the approval to recruit for the position is being determined.

- The agency temporary worker receives compensation based on contracted rates in the Temporary Worker Salary Classification Schedule as defined in the master agreement;
- The agency temporary worker's assignment for back filling a vacancy has a maximum duration of no more than three months.
- A former agency temporary worker may begin work on a new assignment with the AOC after a six-month break; and
- No individual who retired CalPERS may work for the AOC as an agency temporary worker within 180 days of retirement.

IV. CRITERIA FOR REQUESTING AN AGENCY TEMPORARY WORKER

Before an agency temporary worker request is considered for approval, the requesting office should clearly demonstrate that:

- a. The agency temporary worker is an essential staffing need for a project-based assignment, with a duration of no more than six months, **and** the specific work assignment cannot be performed by regular employees;

OR

- b. The agency temporary worker is backfilling a position supporting a critical core function when the incumbent is on an approved extended leave of absence. The maximum duration of six months is still applicable, regardless of the incumbent's time on leave.

OR

- c. The agency temporary worker is backfilling a position supporting a critical core function while the approval to conduct recruitment for the position is going through the AOC exemption process. The maximum duration for these assignments is three months.

V. PROCEDURE FOR REQUESTING AN AGENCY TEMPORARY WORKER

Offices must submit an exemption form to request an agency temporary worker. The Chief Administrative Officer ultimately has approval authority over all requests for agency temporary workers.

To submit a request for an agency temporary assignment, the requesting office must complete the following two forms and provide them to the Human Resources Services Office (HRSO):

1. *Request for Exemption - Temporary Help (link)*
2. *Temporary Agency Work Order (link)*

HRSO reviews the forms to ensure that the criteria for an agency temporary worker assignment have been met and that all sections of the exemption and work order forms have been accurately completed.

If the request successfully meets the criteria, HRSO forwards the forms to the Chief Administrative Officer for final approval. HRSO then informs the requesting office of the Chief Administrative Officer's decision. **Under all circumstances**, HRSO initiates contact with the agency; requesting offices may not directly contact the agency or prospective agency temporary workers.

VI. PROCEDURE FOR TERMINATION OF ASSIGNMENT OF AN AGENCY TEMPORARY WORKER

Hiring managers should contact HRSO before communicating assignment terminations with an agency temporary worker. HRSO will contact the agency temporary worker's employment agency and then provide guidance to the hiring manager on next steps.

VII. OFFICE PROCEDURES FOR AGENCY TEMPORARY WORKERS

The office requesting an agency temporary worker is responsible for determining cubicle space, securing a phone with Business Services, and computer and network setup with the Information Technology Services Office HelpDesk.

VIII. AOC SUPERVISOR RESPONSIBILITY

Only AOC employees in classifications designated as supervisor or above may serve as the "supervisor" of the agency temporary worker, with tasks such as:

- Approving weekly timecards;
- Approving any needed travel and lodging expenses and/or following AOC policies and procedures;
- Establishing guidelines regarding worker expectations and conduct (as long as they are reasonable and do not conflict with the AOC agency temporary guidelines); and
- Communicating and enforcing AOC safety practices.

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/11/2013
PREPARED BY	Zlatko Theodorovic
OFFICE NAME	<u>Fiscal Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	141
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to review, as part of the AOC-wide review of its contracting processes, the contracting process utilized by the Office of Court Construction and Management.
SEC RECOMMENDATION	The contracting process utilized by OCCM needs to be improved. This process should be reviewed as part of the AOC-wide review of its contracting processes.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input type="checkbox"/> This directive is forwarded to the Judicial Council with options for consideration: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">  File Attachment </div>	
<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>EXTENSION BEING REQUESTED TO OCTOBER 2013.</p> <p>This directive is being addressed as part of the AOC's ongoing contract process improvement efforts. In addition, the requirements of the relatively new Judicial Branch Contracting Manual has resulted in better standardization, less cost for contracted services, and better compliance with procurement practices for the non-capital projects divisions and offices. For the capital projects area, recommendations by a consultant (Pegasus) for procurement, contract administration and project management are being implemented.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p> </div>	

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E&P REVIEW

Executive and Planning Review Date:

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	5/28/2013
PREPARED BY	Maureen Dumas for Jody Patel
OFFICE NAME	<u>Executive Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	142
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-80 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.
SEC RECOMMENDATION	The Office of Governmental Affairs should be placed in the Executive Office, under the direction of the Chief of Staff. The OGA Manager position should be at the Senior Manager level.
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
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<input checked="" type="checkbox"/> Other: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. An update on the Classification and Compensation Study Request for Proposal is due at the June 2013 council meeting and the final report timeline is currently unknown. As a result these directives are in pending status until the Classification and Compensation Study can be completed. </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> File Attachment </div>	
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ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES

AOC RESTRUCTURING

DATE	6/4/2013
PREPARED BY	Chad Finke
OFFICE NAME	<u>Court Operations Special Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	145
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose to the council a process and policies for pursuing grants. The process should mandate a detailed impact analysis for every grant proposal, including consideration of all anticipated impacts on the workload and resources of the courts and the impacts to the AOC as a whole. Until a process of review and oversight is finalized, the Administrative Director of the Courts must approve the AOC's engagement in all grant proposals and agreements.
SEC RECOMMENDATION	<p>6-9. The Executive Leadership Team must develop and make public a description of the AOC's process for determining which grants to pursue. The process should mandate a detailed impact analysis for every grant proposal, including consideration of all anticipated impacts on the workload and resources of the courts and the impacts to the AOC as a whole. Only after such analysis should the Executive Leadership Team make a determination whether the AOC should pursue grant funding.</p> <p>7-5. The Judicial Council should exercise oversight to assure that grant-funded programs are undertaken only when consistent with predetermined, branch-wide policy and plans. The fiscal and operational impacts of grant-funded programs on the courts should be considered as part of the fiscal planning process.</p> <p>7-12. The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following.</p> <p>Excerpt: (f) The Fund Development Group concerns itself with training to obtain grants, seeking grants, and grant reporting. As is the case with other divisions in the AOC, grants should be sought in accordance with well-articulated AOC-wide priorities, as established by the Judicial Council. The Administrative Director and the Judicial Council should develop written policies and guidelines that control the pursuit and acceptance of grants and other funding, including utilizing a cost-benefit analysis.</p>
RESPONSE (check applicable boxes)	
<input type="checkbox"/> This directive has been completed and implemented:	

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This directive is forwarded to the Judicial Council with options for consideration:

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Other:

EXTENSION BEING REQUESTED TO JULY 2013 FOR GRANTS PROGRAM EVALUATION AND OCTOBER 2013 FOR COST BENEFIT ANALYSIS PROPOSAL.

Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC, which will be provided at a later date.

In terms of the cost-benefit analysis, staff will utilize the state Department of Finance's "Budget Analyst Guide" (see attached or access the full site here: <http://www.dof.ca.gov/fisa/bag/bagtoc.htm>) as an initial framework for developing related processes and procedures for the Administrative Office of the Courts. Specifically, the following sections Types of Analysis (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/typesof.htm>) and Analysis of Budget Items (see attached or access online here: <http://www.dof.ca.gov/fisa/bag/The%20analysis%20of%20Budget%20Issues.htm>) will serve as the basis of training for appropriate staff from the offices and divisions to ensure that the fiscal and programmatic analyses are completed when issues require them. Since the training material is general in nature, each office and division will be able to use these resources to meet the individual needs of the program, whether it be completing a grant request for federal funds or a budget change proposal, to name a few.

While the cost-benefit analysis proposal is being developed, staff in the Court Operations Special Services Office have begun work on options for implementing the more general directive regarding a process and policies for pursuing grants.



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PrinciplesPracticesAnalysis
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TYPES OF ANALYSIS

BCPs or other issues involving a proposed augmentation

1. Have the department or group proposing the augmentation clarify what the problem is. All too frequently problem statements are either missing, too brief or too general to be sufficiently clear and quantifiable, discuss symptoms rather than real problems, or are stated in terms of the solution (e.g., "the problem is we don't have the 14 additional staff we need"). The analyst's role is to find out if there is a **public** need which is not being addressed, i.e., what is the problem outside of building? Things like crime, pollution, and poverty are possibilities; the lack of staff, microcomputers, and travel funds are not. Moreover, the problem should be quantified as much as possible so that a quantifiable solution can be arrived at. This should address:
 - a. the extent of the problem
 - b. how this varies from a "normal" or acceptable situation
 - c. how many individuals are experiencing the problem
 - d. where this problem is located geographically
 - e. need statements should answer the question "why?"
2. **Consider Alternatives for Solving the Problem.** Most BCPs provide two: (1) do nothing and (2) accept our proposal. Do not be deterred by the apparent lack of creativity on the part of some. There is more than one way to solve a problem, especially in an era of constantly changing technology. You might consider:
 - a. automation
 - b. program restructuring
 - c. restructuring systems and procedures
 - d. consolidation of functions
3. **The Key Element in a BCP (or other Proposal) is Data** to justify the resource level being proposed. Most proposals request specific amounts of staff and funds. These requests should be supported by equally specific calculations. To the extent that specificity is lacking, the analyst may be required to fill in the gaps in order to develop a recommendation. Usually, this kind of analysis starts with a zero-augmentation assumption and builds in components as they are specifically justified on an individual basis.

For example, a particular solution may involve several different types of staff in field offices, headquarters management, and in the Administration Division, each developed on a different basis. In summary, in this type of situation we start with zero and add in resources as they are justified by specific calculations. As a general rule, if you cannot understand where the number comes from, do not add it in.

4. If they lowballed the bill analysis, they should live with it in the BCP.

Workload Issues

In past years, departments were usually funded for agreed to workload increases. More often than not, in recent years with severe budget restraints and no or insufficient funds available to meet mandatory requirements, workload often is not funded. Departments are required to redirect resources or find other alternatives. Despite that, workload analysis is an important Finance activity.

1. The key variables in workload issues are:
 - a. the volume of work to be accomplished, generally referred to as workload
 - b. the current staffing level
 - c. the workload completed with current staff
2. The ratio of workload being currently completed to current staff will usually provide a good estimate of the productivity rate. The ratio of the workload to be accomplished to the productivity rate is the number of staff required to complete that workload. Example— CAL/OSHA elevator inspectors will inspect about 27,500 elevators this year for safety requirements. Next year the number will increase to 28,500. Currently there are 40 inspectors. How many are needed for next year?

Answer	<u>27,500</u>	=	687.5	(Number of elevators
			40	(1 inspector can inspect)

$$\frac{28,500}{687.5} = 41.5 \quad \begin{array}{l} \text{(Number of} \\ \text{inspectors)} \\ \\ \text{(needed)} \end{array}$$

Therefore, 1.5 additional inspectors would be justified on a workload basis. Further, there is one clerical staff for every 4 inspectors in the program, so the addition of 1.5 inspectors would justify $1.5 \times .25$ or 0.4 of a clerical position, for a total of 1.9 PYs.

3. Sometimes it is necessary to pursue additional justification for the volume of workload projected, depending on historical patterns. Also there may be ways to increase current productivity rates without adding staff by changing procedures or by automating certain functions. The workload calculations should be performed only after the analyst is satisfied with the data that goes into those calculations.
4. **Never** accept a duty statement as workload justification. Anyone can fill up 40 hours per week with activities. This has no relationship to the external workload, how it is changing, and what staffing implications it has.
5. Workload may fluctuate throughout the year. Our policy is usually not to staff a unit for peak workload demands (with the possible exception of temporary help funds where warranted, such as the Franchise Tax Board), but rather to support staffing to process the average workload level.
6. Workload standards are useful if they have been validated and we have agreed to them. Departments should be encouraged to develop them. Even if this hasn't been done prior to writing the BCP, it may be possible to use time sheet and other activity data to put together some useful standards. But be careful, before proceeding, apply the workload standards to last year's work. Does the analysis show it would require 20 PYs to do the work that you know they did with 10 PYs?
7. Be careful of backlog statistics. There is a difference between backlog and a working inventory. A backlog measurement should exclude:
 - a. workload which is currently being processed

- b. workload which can be processed in a reasonable or statutorily required length of time
- c. workload which has been set aside because it is incomplete, waiting for additional information, or otherwise cannot be processed.

National Association of State Budget Officers (NASBO)

For other types of analyses, see the [NASBO training Series Program, Module 6: Analytical Methods for Budget Analysts.](#)

(March 3, 2011) (Analytic/BOS/PBM/APBM)

ANALYSIS: Principles and Practices for DOF Analysts

A. What is Analysis?

Analysis is the process by which issues are separated into their component parts and each part and the interaction among the parts are systematically investigated. Later the components of an issue are put back together in a logical way to support a conclusion and recommendation.

You can also think of analysis as the process by which we attempt to answer such questions as follows, regarding a proposal, activity, program or process.

- Who or what is affected?
- What is/are the effects?
- How and when does/will it operate?
- How much does/will it cost?
- Who is raising the issue or making the proposal, and why?
- How might the problem/issue be resolved?

And the final question upon completing an analysis should always be: "Does this make sense?"

B. Typical Types of Finance Analyses

Finance uses the analytic process to develop recommendations on budget proposals, legislation, and other initiatives and issues that may financially impact the State. Preparing solid recommendations is the foundation for our advisory role to the Governor's Office and our role in representing the Administration.

1. **Fiscal** - Finance's primary role is to provide analyses of fiscal issues or problems. To that end, we review budget change proposals, legislation, initiatives, regulations, and reports to analyze fiscal impacts. Fiscal analyses answer such questions as: How much will (or should) this proposal or program cost (or save) the State? How much revenue will it generate?
2. **Policy** – While not our main role, Finance staff may also perform policy analysis such as when reviewing legislative proposals. Policy analysis is intended to help decision-makers make choices about governmental programs and governmental regulation of individuals and organizations. Policy analysis focuses on such questions as: What is the likely impact of this policy on the public in general, and on specific groups or organizations? Policy analysis can be done from the perspective of known priorities and policies, or without such political preconditions.
3. **Policy combined with fiscal**—Most often Finance's analyses include a combination of fiscal and policy issues. For example, Finance analysts review a Budget Change Proposal to assess the reasonableness of the estimated fiscal impacts but also assess the proposed policy objective in relation to the Administration's priorities. The resulting recommendation thus may indicate that the proposed funding augmentation (or reduction) should be modified

depending on whether the policy objective is deemed to be of high or low priority by the Administration. The recommendation may also suggest an option that provides a lower (or higher) level of attainment of the policy objective, including arguments supporting that level.

Sometimes the deadline for an analysis is so short that the analysis must be “**quick and dirty**” and largely based on assumptions since time is not available to gather more information. In these cases it is helpful if the assumptions can be based on historical information or on data from a similar program or activities. In other cases (such as when asked to prepare “Issue Memos”), Finance may have time to prepare a more expansive analysis.

For more details on some of the specific types of items analyzed at Finance, see [Bill Analysis](#), and [BCPs, Writing Effective](#).

C. Steps in Analysis

Academics identify various analytical approaches, which can generally be summarized into six basic steps. (See [Analysis, Policy, and Problem Solving](#) for a detailed summary of various analytical approaches.)

1. Define the Problem

- Clearly identify the stated issue/problem. Is there really a problem? Sift through extraneous material to identify the real, underlying problem or need (which may not be the same as the stated issue or problem).
- How big is the problem? Quantify, if possible.
- How did the problem arise? When? What perpetuates it? Outline the history of the issue/problem.
- Who and/or what does the problem impact? When? What are the current laws, regulations and/or programs addressing the problem?

2. Gather Information

- Consider: What do you need to know to define and analyze the issue/problem, and to recommend a solution? How much time do you have?
- Ask questions (repeatedly if necessary) to get the information needed. Also be conscious of and respect others' time and workload constraints, however.
- Be skeptical. Challenge the sources; don't assume the information is correct. Try to verify it or test it against other information to determine its accuracy or reasonableness.
- Think through varied viewpoints on the issue (not just the Administration's current perspective). Talk to both proponents and opponents to gain additional political and programmatic insights.
- Ask follow up questions.
- If you cannot get the information you want in the time (or from the sources) available, can you make assumptions to work around it or develop rough estimates? Document the basis for your assumptions.
- Look at other previous analyses/studies of the issue.
- Note that if the time is late (after 5 p.m.) or short (“quick and dirty” analyses) you still may be able to contact the Legislative Analysts' staff, legislative committee staff, (or for bills, the author's or sponsor's office, too) for some information, even if the department staff are not available.

3. Consider Alternatives

- What are all the feasible options? Consider for example, taking no action; altering an

existing law, regulation, process, or program; creating a new law or program, etc.

- What can government do (e.g., mandate, regulate, subsidize, create incentives, tax, provide information, privatize), and what might be effective in this situation?
- What other programs (public or private) or laws (state or federal) address this problem?
- What have other states done to address this problem?
- What has Finance recommended on this type of issue in the past?
- Should the State be involved at all?

4. Determine Criteria for Evaluating Alternatives

Examples of criteria:

- Efficiency - Cost-benefit, cost effectiveness, productivity
- Equity - Is it fair? Who gains, who loses? By how much?
- Effectiveness - Will it solve the problem? How much will it solve?
- Feasibility - Legal, administrative, political (e.g., the current political environment)
- Uncertainty and risk - What could go wrong? How costly? How likely?
- Priority for funding given current state fiscal constraints and Administration policies
- Consistency with Administration goals and policies and expectations

5. Evaluate Alternatives

- Measure each alternative against the criteria.
- Weigh the trade-offs (e.g., better service vs. higher cost; lower cost vs. higher risk)

6. Make Recommendation

- Pull the information together to form conclusions, and then make recommendations.
- Be creative. Policy analysis affords opportunities to develop creative compromises and unique solutions to address problems. Although Finance is not a "think tank," we can occasionally be the source of new policy ideas.
- Anticipate the Administration. Try to recommend at least one option likely to be preferred by the Administration (based on what you know of the current policies and priorities).
- Recommend more than one feasible alternative for the decision-makers to consider (e.g., in times of limited funds recommend the preferred activity and funding level, and some feasible lower level).
- Review your analysis and ask if it all "makes sense." Can a reader follow the logic from the problem identification through the alternatives to the recommendation?
- Check to see how critical any information (both included and omitted) is to the recommendation.
- Critique and supplement (or pare down) the information as needed.

D. Communicating Your Analysis

To be effective, an analysis must be clearly communicated to the decision-makers and other interested parties.

1. Types of Presentations

- Oral presentations in meetings
- Budget change proposal (BCP) write-ups
- Bill analyses
- Legislative testimony

- Press packets or contacts
- Governor's Budget Summary ("A-pages") and other public reports
- Issue Memos
- One-on-one discussion/negotiation with LAO and departmental staff

2. Presentation Style

- Narrow focus. Finance does not typically produce lengthy study reports that thoroughly analyze all aspects of major policy issues. Finance's analyses tend to focus in on the fiscal impacts to state government and, in particular, to the General Fund.
- Related to specific decisions. Our analyses tend to focus on information needed to make a specific decision, and normally will recommend a specific action on an issue.
- Brief and clear. Finance does not get much time to speak its piece; often one or two lead sentences have to carry the presentation.
- Unbiased/nonpartisan, but politically informed. Although we work for the Governor and do analysis in the context of known Administration policy and perspective, Finance staff should be prepared to argue all sides of an issue (e.g., in Administration decision-making meetings). Recommendations on issues should reflect a balance between what might be acceptable to the Administration, and other considerations, including other viewpoints relevant to a decision. (Finance staff should not expect to promote personal political views, however.)
- Original and active. Use active (not passive) voice as much as possible, and state your thoughts without plagiarizing others' analyses (e.g., departments' analyses or documents).
- Professional. Both oral and written presentations should be made keeping in mind our professional staff role.

3. Traditional Biases of Finance

- Low cost/high benefit
- Proven effectiveness
- High priority
- Fundable by redirection of existing resources
- Consistent with Administration goals

4. Other Considerations

- Preparation. Finance staff are some of the main spokespersons for the Administration, and as such are expected to be able to explain and defend the Administration's position (e.g., on budget proposals) before the Legislature and in answering press calls. Be sure your analysis is adequate to support and defend the recommendations.
- Audience. Be aware of who reads and/or needs the information, and focus the presentation to address their level(s) of knowledge. Give adequate information to understand the issue and recommendation.
- Timing. Be sensitive to whether a decision maker can be receptive to a proposed policy and whether the issue's time has come. Often we are not the best organization to raise an issue; it may be better raised by agency/department staff or others with policy-making

authority.

- Respect for hierarchies. Finance staff should understand and respect the hierarchy of Finance and of other departments and agencies we work with. It is important to differentiate the positions that may be taken by various levels in a department and the degree to which top management has (or has not) approved a particular position.
- Flexibility. The Administration may decide on a different option that you recommend. Be ready and willing to revise your analysis to further detail the selected option, and/or reframe the issue, if necessary.
- Disassociation. Although it can be hard to do, Finance staff should not let themselves get too personally committed to policy recommendations they make or view nonacceptance as a "personal defeat."

E. Developing Policy Analysis Skills/Knowledge

The foundation for any analysis is a thorough working knowledge of your program/subject areas; the issues; and State processes, priorities, and fiscal constraints. The following are some tips on the sources and types of information you should gather (an ongoing process), and how to manage your time to complete analyses.

1. Sources of Information.

Following are some suggested sources and methods for developing your policy understanding and analytical skills. You will be engaged in many of these activities in the course of your work, but take advantage of slow moments for further research and discussion of policy issues in your area.

- Read texts, articles, books, and analyses done by others (e.g., scholars, advocates, the Legislative Analyst, Bureau of State Audits)
- Learn the history (e.g., talk to or review written work of your predecessors on the assignment)
- Listen to others who already know the programs and issues well (e.g., talk with department staff when reviewing various documents)
- Discuss issues with advocates and constituents
- Take field trips to visit program staff and projects in the field
- Learn by doing (jump into your assignment!)

2. Areas of Knowledge

- a. **Program Knowledge.** The foundation for any analysis is a thorough working knowledge of the program being addressed. No analytical technique can replace basic information about how the program works. Such knowledge typically includes: the program's purpose, who and how many it serves, what it provides, how services are delivered, the current costs, criteria for expending the funds, how the program evolved (e.g., what were key decision points in program's history), and the trends in terms of revenues, expenditures, staffing, and workload data.
- b. **Knowledge of the State's current fiscal situation and constitutional**

constraints. Less than ten percent of the budget is discretionary. Some of the key factors limiting State expenditures are: the State Appropriations Limit (SAL), Proposition 98, other Constitutional requirements, entitlement programs, statutory COLAs, and legal obligations. Other constraints not set in the Constitution or statute but which are as, or nearly as, restraining, include: General Fund revenues, General Fund reserves, federal budget actions directly affecting the State's budget, tax expenditures, public safety expenditures, revenue-producing activities, and budget agreements.

In analyzing budget issues, it is important to keep these factors in mind and know where we are relative to the major constraints. This will tell you whether we have some flexibility and can entertain discretionary proposals, or whether we're going to have to recommend reductions.

- c. **Knowledge of other Administration and Department of Finance Priorities.** Current State policies and priorities (such as those outlined in the *Governor's Budget Summary* or *Budget Highlights*, or the *State of the State Address*) need to be taken into account when analyzing an issue. Examples of recent State priorities include: (1) reducing personnel years (PYs); (2) reducing General Fund expenditures; (3) attempting to help the federal government reduce the federal deficit; (4) reforming welfare; and (5) making the State more competitive. Awareness of these policies helps analysts to frame questions and recommendations.
- d. **Knowledge of the Issue.** Besides general program knowledge, specific information about the issue being addressed is important to understanding proposed changes. For example, analysts may prepare by researching the history of issues in their program area, why the issues are (re)emerging, views of proponents and opponents, and what this and other states are doing to address the issues.

3. Managing Your Analytical Time and Effort

- Get started early. Size things up. Decide when you need to start each task in order to meet your deadline. Set a mental schedule (allowing for slippage).

Tell the department what information you need right away. Put requests in writing (e.g., by email) when possible to confirm conversations and avoid misunderstandings later. Set a deadline for receipt of this information which is early enough so that you can ask for clarification, or request other information if this raises additional questions.

- Follow up. Think about the information as it's being presented to you. Is it filling in the gaps? What gaps remain? Take the initiative to ask follow-up questions and probe when talking to department staff. It is relatively rare that your first set of questions will elicit all of the information necessary for an analysis. Keep thinking of what you need to resolve the issue.
- Stay on Course. Don't lose sight of your objective and deadline, or get sidetracked. Make sure you understand what's central to the issue, and that you're getting the information you need from department staff (i.e., what's relevant, not what's easy for them to give you). Periodically, review where you are relative to your objectives and schedule. Make mid-course corrections as necessary. Raise problems to a higher level in DOF or the line department, as appropriate.
- Stop when you have what you need or you have all you can get in the time available. In the latter case, qualify your analysis by indicating the conclusions are

based on the limited information available and noting any assumptions made.

- Get feedback. Brainstorm ideas with your supervisor and peers. Discuss your findings and conclusions with your managers and with the department. Run drafts of your analysis and recommendations by your managers in advance of the deadline to get their input early.
- Critique your own work. Check and double check your calculations. Review your analysis to see if there are further logical gaps that need to be filled in. See if your factual information is correct, and if your argument holds up to criticism. Revise your analysis if necessary.
- Keep records. Keep your notes, supporting data obtained, and calculations made in a file for reference. (You'd be surprised how quickly people forget how they arrived at certain numbers!)
- Be sensitive to other workload demands on staff with whom you are working. You will likely need their assistance and cooperation in the future. Nevertheless, if they won't give you the information for any of the following reasons:
 - Because they've been appointed by the Governor
 - They told the last analyst they had
 - The last analyst they had didn't ask for this type of information
 - It's not Finance's role
 - They wouldn't ask for funding if they didn't need it
 - They're stalling
 - The Governor wants this done
 - You don't have the professional qualifications
 - The Director already agreed to this

you'll have to recommend disapproval of their request for lack of justification. Tell your supervisor of the situation and discuss how to resolve it.

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