



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

December 9, 2014

12:00 p.m. to 1:30 p.m.

Conference Call

Advisory Body Members Present: Judges: Laurie M. Earl (Chair), Loretta M. Begen, Thomas J. Borris, Rene A. Chouteau, C. Don Clay, Mark A. Cope, Thomas DeSantos, Barry P. Goode, Lloyd L. Hicks, Elizabeth W. Johnson, Laura J. Masunaga, Marsha Slough, Robert J. Trentacosta, Brian Walsh; and David S. Wesley; Executive Officers: Sherri R. Carter, Jake Chatters, Richard D. Feldstein, John Fitton, Rebecca Fleming, Kimberly Flener, Shawn C. Landry, Deborah Norrie, Michael D. Planet, Michael M. Roddy, Brian Taylor, Mary Beth Todd, Tania Ugrin-Capobianco, Christina M. Volkers, and David Yamasaki; Judicial Council staff advisory members: Curtis L. Child, Curt Soderlund, and Zlatko Theodorovic.

Advisory Body Members Absent: Judges and CEOs: None; Judicial Council staff advisory members: Jody Patel.

Others Present: Patrick Ballard, Steven Chang, Shelley Curran, Donna Hershkowitz, Vicki Muzny, and Don Will.

OPEN MEETING

Call to Order and Roll Call

The meeting was called to order at 12:01 p.m. and roll was taken.

Approval of Minutes

The advisory body reviewed and approved the minutes of the November 5, 2014, Trial Court Budget Advisory Committee (TCBAC) meeting as revised to correct misspelling of the last names of Judge Goode and Zlatko Theodorovic.

Public Comment

None received.

DISCUSSION AND ACTION ITEMS (ITEMS 1–7)

Item 1

Court Appointed Juvenile Dependency Counsel Funding Reallocation

Action: The advisory committee made and approved unanimously the following motions based on recommendations of the Court Appointed Dependency Counsel Funding Allocation Work Group to be presented to the Judicial Council at its January 22, 2015 business meeting:

- 1. The Judicial Council consider approving a process to reallocate the dependency court appointed counsel funds that are estimated to remain unspent in 2014–2015.***
- 2. The courts eligible to receive any reallocation of the unspent Court Appointed Dependency Counsel funds in 2014 are those that are receiving less than 90 percent of the need as calculated by the dependency counsel caseload funding model.***
- 3. The formula used to reallocate funding to the eligible courts be based on the actual dollars of need represented by the eligible courts. Actual dollars of need is calculated by subtracting funding need from base funding.***
- 4. A reallocation be made in January 2015 that will consist of 50 percent of the unencumbered funding in the DRAFT budget (or approximately \$550,000) and that staff project estimated year-end expenditures for all courts in April and, if necessary, in June to determine if there are any anticipated unspent funds. These reallocations would be based on the methods in the previous recommendations.***
- 5. The four previous recommendations will apply only to 2014–2015 and the Court Appointed Dependency Counsel Funding Allocation Work Group will continue to review the overall allocation methodology for dependency counsel funding in its upcoming meetings.***

Item 2

2013–2014 1% Cap Allocation Reductions

Action: A motion was made and passed unanimously to be presented to the Judicial Council at its January 2015 meeting to approve the one-time five member review committee's recommendations that the preliminary reduction allocations be adjusted to match courts' final 1% calculations and the Judicial Council staff provide technical assistance to courts, individually, where warranted, and as a whole, on identified issues of concern in order to improve the process going forward.

Item 6

AB 1657 – Court Interpreters

Action: This was a discussion item with no action taken at this time. Donna Hershkowitz provided an update to the members on the status of the issue and indicated that a report would be presented to the Judicial Council at its December 12, 2014 meeting to ensure that the council's actions are consistent with law based on AB 1657.

Item 3

Budget Change Proposal for Funding Trial Court Security Costs

Action: A motion was made and passed unanimously to approve Option 3 presented by the Trial Court Security Working Group that a Budget Change Proposal be submitted in Spring 2015 that will provide for the maintenance of funding at 2010–2011 security levels and also include a request for a growth percentage increase starting in 2016–2017. The recommendation will be presented to the Judicial Council for consideration at its January 2015 meeting.

Item 4

Childrens Waiting Room

Action: No action taken. This item was pulled from the agenda and will be presented at a later meeting.

Item 5

Funding for New Workload Due to Proposition 47

Action: This was a discussion item with no action taken. Shelley Curran provided an update on this item including discussions held with the Department of Finance in an effort to obtain additional funding for courts for new workload created by passage of the legislation. At Judge Earl's suggestion, Ms. Curran will use the Criminal Realignment Subcommittee to review the survey that has been prepared and to provide input. She will contact the co-chairs of the subcommittee – Judge Wesley and David Yamasaki – this week.

Item 7

Update on the Judicial Council's Action to Amend CRC 10.64 Regarding TCBAC Membership

Action: This was a discussion item with no action taken. Judge Earl advised the members that the Judicial Council had amended the rule of court to redefine "presiding judge" to include an immediate past presiding judge and to eliminate the use of co-chairs.

Other Items

Judge Earl provided an update on the efforts being undertaken with Court Information Advisory Committee members to reduce the amount of funding being drawn from the State Trial Court Improvement and Modernization Fund (IMF) in 2014–2015. She anticipates that this group will bring recommendations to the TCBAC at its January 2015 meeting. She expects that the amount

included in these recommendations will be insufficient to address the projected fund shortfall, and that the Revenue and Expenditures Subcommittee will need to meet to make additional recommendations on reductions in funding of programs in the IMF.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:18 p.m.

Approved by the advisory body on January 15, 2015.