



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF ACTION BY EMAIL BETWEEN MEETINGS June 9, 2016

Email Proposal

The Trial Court Budget Advisory Committee (TCBAC) considered two recommendations of the Court-Appointed Counsel Funding Allocation Methodology Joint Subcommittee to the Judicial Council for consideration by the council at its June 23–24, 2016 meeting.

Recommendation #1 – Approve all or any of the following alternative options related to the Dependency Counsel Workload and Funding Methodology in small courts:

- a. That base funding be established for small courts that ensures funding of a minimum required service of providing qualified attorneys in the small courts.
- b. That the attorney workload model be modified to reflect additional costs incurred in small courts: lack of access to qualified attorneys, attorneys travelling long distances from out of county, large numbers of conflicts, lack of economies of scale for attorneys in employing support staff or investigators, lack of access to expert witnesses.
- c. That the funding reallocation process be suspended for small courts until a more accurate model for calculating workload is developed.
- d. That a program be established for providing emergency funding to small courts experiencing unexpected short-term caseload increases.

Recommendation #2 – That small courts pursue pilot projects to decrease attorney costs, including: coordinating calendars in courts that share attorneys, developing conflict attorney panels that could serve several courts, developing expert witness panels that could serve several courts, expanding remote appearances by attorneys.

In order to provide recommendations to the council by June 23–24, 2016, as requested by the council at its April 2016 meeting, the Chair concluded that an action by email between meetings was necessary.

Notice

On May 27, 2016, a notice was posted advising that the TCBAC was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(A).

Public Comment

The public comment period ended at noon Monday, June 6, 2016. No comments were received.

Action Taken

TCBAC members were asked to vote between 12:40 p.m. June 6, 2016 and 5 p.m. June 9, 2016. The committee voted against submitting the alternative options in Recommendation #1 to the Judicial Council. Fourteen members voted “no” and nine “yes”. The committee voted in favor of submitting Recommendation #2 to the Judicial Council. Twenty-three members voted “yes.” To the extent that the council considers the options in Recommendation #1, the committee voted to recommend only option 1d. Twenty-three members recommended option 1d, four option 1a, five option 1b, and four option 1c.