



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE

MATERIALS FOR DECEMBER 12, 2016

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JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

www.courts.ca.gov/tcbac.htm
tcbac@jud.ca.gov

TRIAL COURT BUDGET ADVISORY COMMITTEE

OPEN MEETING WITH CLOSED SESSION AGENDA

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.75(c)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

OPEN PORTION OF THIS MEETING IS BEING RECORDED

Date: December 12, 2016
Time: 8:30 a.m. to 10:00 a.m.
Public Call-In Number: 1-877-820-7831, Pass code: 3775936 (listen only)

Meeting materials for open portions of the meeting will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the November 10, 2016 Trial Court Budget Advisory Committee meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to tcbac@jud.ca.gov or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Ms. Brandy Sanborn. Only written comments received by 8:30 a.m. on December 9, 2016 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS

Item 1**Request for Funding for Information Technology Infrastructure for Humboldt and Madera Superior Courts (Action Required)**

Request for funding for two courts (Humboldt and Madera) designated for local hosting when the other six Sustain Justice Edition courts migrate to Placer Superior Court for hosting.

Presenter(s)/Facilitator(s): Ms. Kim M. Bartleson, Court Executive Officer, Superior Court of California, County of Humboldt; Ms. Bonnie Thomas, Court Executive Officer, Superior Court of California, County of Madera; Suzanne Blihovde, Senior Budget Analyst, Judicial Council Budget Services

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1**2017 Trial Court Budget Advisory Committee Annual Agenda**

Review of the proposed agenda that will be presented to the Executive and Planning Committee.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee

V. ADJOURNMENT

Adjourn to Closed Session

VI. CLOSED SESSION (CAL. RULES OF COURT, RULE 10.75(D))

Item 1**Pursuant to California Rules of Court, rule 10.75(d)(2).**

Claims, administrative claims, agency investigations, or pending or reasonably anticipated litigation naming, or reasonably anticipated to name, a judicial branch entity or a member, officer, or employee of such an entity.

Consideration of an augmentation of the 2016-2017 Litigation Management Program allocation in the State Trial Court Improvement and Modernization Fund.

Adjourn Closed Session



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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

November 10, 2016

10:00 a.m. - 11:30 a.m.

Veranda Room, 2860 Gateway Oaks Drive, Suite 400, Sacramento, CA 95833

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Jeffrey B. Barton, Hon. Andrew S. Blum, Hon. Mark Ashton Cope, Hon. Laurie M. Earl, Hon. James E. Herman, Hon. Joyce D. Hinrichs, Hon. Elizabeth W. Johnson, Hon. Ira Kaufman, Hon. Carolyn B. Kuhl, and Hon. Brian McCabe.

Executive Officers: Ms. Sherri R. Carter, Mr. Jake Chatters (telephone), Ms. Rebecca Fleming, Ms. Tammy L. Grimm, Mr. Samuel Hamrick, Jr., Mr. Kevin Harrigan, Mr. Jeffrey E. Lewis, Mr. Michael D. Planet, Mr. Michael M. Roddy, Ms. Linda Romero Soles, Mr. Brian Taylor, Ms. Tania Ugrin-Capobianco, and Mr. David Yamasaki.

Judicial Council staff advisory members: Ms. Jody Patel and Mr. Zlatko Theodorovic.

Advisory Body Members Absent: Judges: Hon. Paul M. Marigonda and Hon. Glenda Sanders.

Others Present: Hon. Dan Buckley, Hon. Harold W. Hopp, Ms. Lucy Fogarty, Ms. Brandy Sanborn, Mr. Colin Simpson, Ms. Suzanne Blihovde, Ms. Leah Rose-Goodwin, Ms. Savet Hong, Mr. Don Will (telephone), Ms. Anna Maves, and Mr. Bob Fleshman.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:06 a.m. Roll was called.

Approval of Minutes

The advisory body reviewed and approved the minutes of the July 7, 2016 Trial Court Budget Advisory Committee (TCBAC) meeting, and the August 8, 2016 and October 12, 2016 Action by E-mail Between Meetings.

DISCUSSION AND ACTION ITEMS (ITEMS 1 – 3)

Item 1 – Child Support Commissioner and Family Law Facilitator Program Funding Allocation Joint Subcommittee Interim Report (No Action Required)

Hon. Mark Ashton Cope and Ms. Anna Maves presented information to be provided to the Judicial Council at its December 2016 meeting.

Action: This was a discussion item with no action taken.

Item 2 – Minimum Operating and Emergency Reserve Policy (Action Required)

Mr. Zlatko Theodorovic presented information to be provided to the Judicial Council at its January 2017 meeting.

Action: The Trial Court Budget Advisory Committee unanimously voted to approve the following recommendation:

Extend the suspension of the minimum operating and emergency fund balance policy for two fiscal years until June 30, 2018, or earlier if Government Code section 77203 is repealed or amended, while in the interim continue seeking the repeal of Government Code section 77203.

Item 3 – Juvenile Dependency Counsel Collections Program Allocation (Action Required)

Mr. Don Will presented information to be provided to the Judicial Council at its December 2016 meeting.

Action: The Trial Court Budget Advisory Committee unanimously voted to approve the following recommendation:

The Trial Court Budget Advisory Committee recommends that the Judicial Council allocate \$629,077, the fiscal year 2015–2016 Juvenile Dependency Counsel Collections Program funds remitted in excess of dependency counsel program administrative costs, to the trial courts calculated according to the methodology adopted by the Judicial Council at its August 23, 2013, business meeting. The recommended allocation has been determined using the methodology approved by the council at its August 23, 2013, meeting.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 10:45 a.m.

Approved by the advisory body on enter date.

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee

(Action Item)

Title: Information Technology Infrastructure Funding Requests for Humboldt and Madera Superior Courts

Date: 12/12/2016

Contact: Suzanne Blihovde, Senior Budget Analyst, Budget Services
916-263-1754 | suzanne.blihovde@jud.ca.gov

Issue

Consider for recommendation to the Judicial Council requests to provide one-time funding for information technology infrastructure to Humboldt Superior Court in the amount of \$399,111 in 2016–2017 and Madera Superior Court in the amount of \$658,315 in 2017–2018 as recommended by the Judicial Council Technology Committee.

Background

Prior Judicial Council and Trial Court Budget Advisory Committee Actions

On its June 24, 2016 meeting, the Judicial Council unanimously voted to adopt the recommendation of the Trial Court Budget Advisory Committee, in alignment with the Judicial Council Technology Committee’s action taken on April 14, 2016, to:

- a. Endorse the position that all Sustain hosted courts move away from the current State Trial Court Improvement and Modernization Fund (IMF) subsidized funding structure to an IT administrative program that is funded in a manner consistent with other trial courts throughout the state.
- b. Endorse “scenario 3: Elimination of the Interim Case Management System and Managed Court Program use of the California Court Technology Center (CCTC), if any use remains at the start of FY 19/20, any such costs are paid by the participating courts.”
- c. Via the Judicial Council Technology Committee and the Trial Court Budget Advisory Committee, find one-time funding for the support of this effort, as early as the current year.
- d. Continue to support the Sustain hosted courts in their efforts to acquire a replacement of the outdated Interim Case Management System as a longer-term goal, which would further reduce the IMF expenditures.

These recommendations were part of a larger action item, approving allocations from the Trial Court Trust Fund and the IMF for 2016-2017. See the Judicial Council meeting agenda, Item 16-092, *Trial Court Allocations from the Trial Court Trust Fund and State Trial Court Improvement*

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and Modernization Fund (Action Required), which provides background for the actions taken and can be accessed at

<https://jcc.legistar.com/View.ashx?M=F&ID=4496693&GUID=FE6C1F1D-A68F-4CB8-B4E7-0596B5A59994>.

The approved allocation included an allocation of \$736,500 for a Placer Court Hosting Center that would allow a consortium of six Sustain hosted courts to migrate from the CCTC to the new hosting center, thus reducing IMF expenditures and helping meet the above approved objectives. Humboldt and Madera Superior Courts had been invited to be part of this consortium, but due to their size, are too large to be part of the Placer Court Hosting Center. Consequently, both courts are seeking one-time funding so that they can migrate services from the CCTC to their own independent IT infrastructure.

Analysis of Humboldt and Madera Superior Court Requests

Humboldt Superior Court is seeking funding of \$399,111 in the current fiscal year, 2016-2017, for their migration of CCTC hosted case management system (CMS) - Sustain application services to an independent IT infrastructure. This request includes:

- a ten percent (10%) contingency of \$36,283 for future price variations;
- estimated timeframe for transition from CCTC of October 2017;
- \$65,952 in funds already expended to improve network performance as their contribution to this request; and
- no available fund balance in their two percent (2%) automation account.

Humboldt estimates that recurring costs will be \$152,442, resulting in a potential net savings in service costs to the court of \$34,158 based on 2016-2017 Schedule of Court Charges (Schedule C) for CMS – Sustain application services of \$186,600.

Madera Superior Court is seeking funding of \$658,315 in 2017–2018 for the migration of CCTC hosted Managed Court services to an independent IT infrastructure. This request includes:

- an estimated total cost of migration of \$958,315, including a ten percent (10%) contingency of \$87,119 for unknown costs/price variations;
- \$300,000 of 2% automation funds identified for use of its \$367,143 available 2% automation funds to offset costs;
- bringing the total requested funds to \$658,315.

Due to an error in coding that is in the process of correction, an additional \$18,550 in 2% automation funds may also be available. If the remaining balance of \$67,143 is adjusted for this coding error, there is a potential \$85,693 in 2% automation funds that could be used to reduce the amount of funding Madera is requesting to \$572,622. The court estimates that recurring costs will be \$145,508 exclusive of additional on-going costs for in-house IT staff. Madera's request has not identified how much of its Schedule C costs will remain as savings after funding its on-going costs, nor has the court provided an estimated cost for in-house IT staff. It should be noted that Madera's request is for transition from the Managed Court services only and not for ICMS services. It is anticipated that Madera's case management needs will be addressed through

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the proposed CMS Budget Change Proposal (Attachment C). If the CMS BCP is not approved, Madera may need additional CMS Budget Change Proposal (Attachment C). funding for its ICMS needs. Madera has not provided an estimated timeframe for transitioning from CCTC.

Fiscal Status of the State Trial Court Improvement and Modernization Fund

In its June 24, 2016 action, the Judicial Council endorsed the elimination of the Interim Case Management System and Managed Court Program use of the CCTC by 2019–2020. Estimates included in that item expected increased expenditures of \$1.6 million or 25% in the IMF over the next five years for the transition, assuming no participation from Humboldt and Madera in covering one-time costs. On-going expenses in the IMF after the transition period were estimated to drop to \$670,000, a reduction of 46%. The IMF fund condition provided with the June 24th item indicated there was sufficient funding within the IMF to absorb the \$1.6 million in transition costs over the next five years.

Given current revenue projections and estimated savings from appropriations, the 2016–2017 allocations already approved under the appropriations for Programs 0140010 – Judicial Council (formerly 30) and 0150010 – Support for Operation of Trial Courts (formerly 45.10), the IMF will end the fiscal year 2016–2017 with a fund balance of \$5.2 million (see Attachment D, column C, row 23). Revenues through 2019–2020 are now projected to decline by \$5.6 million. A prior year adjustment for unspent encumbrances and additional prior year revenue helps offset the decline in revenues by \$3 million. Based on additional expenditure adjustments to three Information Technology office-managed programs – CCTC, V3 CMS, and ICMS – the IMF is estimated to maintain at its lowest, a \$3.7 million fund balance through 2019–2020. The TCBAC had previously approved the Revenue and Expenditure Subcommittee’s recommendation to maintain a \$2 million fund balance floor to address any unanticipated decreases in revenues.

Fiscal Status of the Trial Court Trust Fund

In the 2016 Budget Act, up to a \$75.0 million General Fund backfill for the continued decline in fee and assessment revenues that support courts’ base allocation is provided. Given current revenue projections and estimated savings from appropriations, the 2016–2017 allocations already approved by the Judicial Council, the TCTF will end the fiscal year 2016–2017 with a fund balance of \$44.5 million (see Attachment D, column C, row 35). Excluding about \$23.1 million in fund balance that is either statutorily restricted or restricted by the council (mainly the emergency needs reserve and savings related to the Program 45.45 court interpreter appropriation), the unrestricted fund balance is projected to be \$21.4 million (see column C, row 47). This reflects an increase of \$16.7 million from the unrestricted fund balance reported in the July 2016 meeting of \$4.7 million due to:

- a) \$9.5 million in year-end revenue and expenditure adjustments for FY 2015–2016;
- b) \$3.7 million in current year fund balance-based allocation reductions to the trial courts;
- c) \$1.9 million in prior year revenues above estimates; and
- d) \$1.6 million in planned prior year disencumbrances.

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Assuming \$3.2 million in judges' compensation savings in 2016–2017, the TCTF would have a revenue shortfall of \$7.8 million (see column C, row 49 – amount includes one-time \$10 million General Fund transfer to establish emergency needs reserve, a one-time \$4.6 million net reduction in trial court allocations, and \$2.2 million in court interpreter overallocation adjustments). There is estimated to be \$45.8 million in excess Program 0150010 expenditure authority based on the current approved and estimated allocation amounts. This is primarily due to estimated reduced FY 2016–2017 trial court distributions related to civil assessment revenue resulting from the amnesty program.

Options

1. Fund Humboldt Superior Court in the amount of \$399,111 in 2016–2017 and Madera Superior Court in the amount of \$658,315 in 2017–2018 as recommended by the Judicial Council Technology Committee, with a recommendation by the Trial Court Budget Advisory Committee that each court must perform a year-end review of their finances for one-time funding that can be used to help offset migration costs.
2. Fund only Humboldt Superior Court in the amount of \$399,111 in 2016–2017, which would require the court to perform a year-end review of its finances for one-time funding that can be used to help offset migration costs.
3. Fund only Madera Superior Court in the amount of \$658,315 in 2017–2018, which would require the court to perform a year-end review of its finances for one-time funding that can be used to help offset migration costs.
4. Defer consideration of one or both of these requests until a later date.
5. Do not fund either court's request.

Attachments and Links

1. Attachment A: *Funding request for Humboldt Superior Court migration from CCTC*
2. Attachment B: *Madera Superior Court Revised Funding Justification*
3. Attachment C: *Fiscal Year 2017-2018 Budget Proposals Judicial Council Report*
4. Attachment D: *State Trial Court Improvement and Modernization Fund – Fund Condition Statement*
5. Attachment E: *Trial Court Trust Fund – Fund Condition Statement*



SUPERIOR COURT OF CALIFORNIA COUNTY OF HUMBOLDT

Kim M. Bartleson
Court Executive Officer/
Jury Commissioner

Joyce D. Hinrichs
Presiding Judge

December 2, 2016

Trial Court Budget Advisory Committee

Re: Funding request for Humboldt Superior Court migration from CTCC

Dear Committee Members:

Humboldt County Superior Court requests one-time funding in the amount of \$399,111.00 for migration from the CTCC to a locally hosted solution. All of this funding is required for the current fiscal year ending June 30, 2017.

Pursuant to the directive of the Judicial Council for elimination of subsidies from the TCTF and IMF, Humboldt Superior Court has been actively participating in an eight court consortium that has recently gone through an RFP for the purpose of selecting a new CMS. The consortium is also collectively seeking funding for the new CMS in a joint BCP.

Independent of the collaborative work we have been doing for obtaining and funding a new CMS, Humboldt is now submitting its funding request for one time funding for migration from the CTCC to a locally hosted solution. A locally hosted solution is the only viable option as our court is too large to be hosted by Placer.

Attached with this narrative is our detailed funding request which delineates what funds will be needed for the migration from CTCC. Please note in the footnote on the funding request that the court has already expended funds for two servers, for a backup solution, for a fiber run to improve network performance with increased speed and bandwidth as well as a router upgrade for the new fiber in the amount of \$65,952.00.

Approximately a year ago, the court made a request for additional funding for increased costs associated with a 200% increase in homicide trials. The court was able to self fund the additional expenses associated with those trials and as such did not use any of the originally authorized funds. As of October 3, 2015 the court had 10 murder, 1 voluntary manslaughter and 5 vehicular manslaughter cases pending. While we have been working on getting the older cases out, new cases have been added and as of today we have 13 homicides, 8 vehicular homicides and 8 attempted vehicular homicide cases pending.

In addition to the technology expenses referenced above and the homicide related expenses the court was able to fund, the court must replace it's outdated jury management system in order to meet mission critical operational needs of the court as well as to mitigate possible public safety threats due to no availability of jurors for criminal cases, at a cost of \$83,271.00.

The court has exhausted its 2% automation and fund balance in order to fund daily operations inclusive of the acquisitions identified above. Without the one-time funds we are requesting we will have no ability to move out of CTCC nor will we have the ability to bear additional costs if we are the only entity left in the CTCC. Based on the present IMF costs of \$186,000, ongoing locally hosted application costs will be \$151,828.00, resulting in a first year savings of \$34,158.00.

Thank you for your consideration.

Kim M. Bartleson

Kim M. Bartleson
Court Executive Officer
Humboldt Superior Court

Sustain Local Installation Migration Costs
(estimated costs)

Base Configuration (year 1)				
	Description	Qty	Cost	Total
Software	HIS Server (Host Integration)*	2	\$6,000	\$12,000
	HIS Software	2	\$2,500	\$5,000
	OTECH License fees for DMV (50 users)	1	\$4,000	\$4,000
	DMVQUERY licenses (50 users)	1	\$5,340	\$5,340
	Sustain License Cost Increase	180	\$108	\$19,440
	Sustain License Increase Justice Partner Recovery	-72	\$108	-\$7,776
	Pervasive Database licenses (250 users)	2	\$13,970	\$27,940
	SQL Database License	1	\$7,500	\$7,500
	Operating system licenses (Server 2008) †	3	\$600	\$1,800
	Bluezone for TN3270 DMV Terminal Emulator	1	\$4,800	\$4,800
	Citrix Licensing (per month cost)	12	\$1,057	\$12,684
	Crystal Reports	4	\$450	\$1,800
Subtotal				\$94,528
Hardware	Virtual Host Server with Software Assurance (Hyperconverged)	5	\$20,000	\$100,000
	Load Balancer	1	\$5,000	\$5,000
	Database Server	3	\$7,600	\$22,800
	Storage arrays (300Gb+) - Production & Staging	2	\$10,000	\$20,000
	Cisco 10GBps Network Switches (48 port)	2	\$5,500	\$11,000
	Server Rack & Power Distribution	1	\$2,000	\$2,000
	Storage array (500Gb+) - Backup	1	\$15,000	\$15,000
	Microsoft Azure for DR storage (cloud)	1	\$3,000	\$3,000
Subtotal				\$178,800
Consulting Costs (year 1 estimate)				
	Donna Argo	100	\$175	\$17,500
	CCTC migration costs	1	\$4,000	\$4,000
	Data Migration Support (JTI)	240	\$200	\$48,000
	DMV/DOJ connection migration support	100	\$200	\$20,000
Subtotal				\$89,500
10% Cost Contingency (for future price variations)				\$36,283
Year 1 Estimated Funding Need:				\$399,111

Humboldt Contribution				
Court	Virtual Host Server with Software Assurance	2	\$20,000	\$0
	AT&T Internet Upgrade / Installation	1	\$8,341	\$0
	Copper installation and cabling	1	\$240	\$0
	Fiber Optics installation and cabling(onsite)	1	\$5,834	\$0
	Barracuda Backup Solution	1	\$31,537	\$0
				\$65,952

Recurring Costs (year 2+ estimate)				
	OTECH License fees for DMV (50 users)	1	\$4,000	\$4,000
	DMVQUERY licenses (50 users)	1	\$5,340	\$5,340
	Sustain License	180	\$1,006	\$181,080
	Sustain License Justice Partners	-72	\$1,006	-\$72,432
	Pervasive Database licenses (250 users)	1	\$13,970	\$13,970
	Bluezone for TN3270 DMV Terminal Emulator	1	\$4,800	\$4,800
	Citrix Licensing (per month cost)	12	\$1,057	\$12,684
	Microsoft Azure for DR storage	1	\$3,000	\$3,000
				\$152,442

Offsets				
	CCTC Hosting Cost	1	\$186,600	\$186,600
				\$186,600
Estimated Annual Savings (after year 1):				\$34,158

* HIS Server bridges between old database systems and SQL

† Server 2008 not certified by Sustain, but are compatible with SJE infrastructure

MADERA SUPERIOR COURT REVISED FUNDING JUSTIFICATION

Madera Superior Court is one of the “Managed Courts” currently being hosted at the CCTC and is not one of the six courts that will be moving from the CCTC to the Placer Hosted Model. Madera has been a Managed Court since the beginning of the CCMS Pilot Project in 2002. Being a Managed Court, the CCTC currently hosts our IT infrastructure, including but not limited to, our email, file storage, backup and recovery, and our critical business applications. Madera is provided with an IT support person once a week, which is available on-site for any IT issues.

Due to the funding shortfall in the IMF, the Judicial Council Technology Committee (JCTC) was directed to develop a plan to migrate the courts out of the CCTC which is subsidized by the IMF. Placer Superior Court is becoming a Hosting Solution for six (6) of the smaller courts currently at the CCTC. Madera will have to transition to a locally hosted solution for our IT infrastructure.

The cost of migrating out of CCTC to a locally hosted infrastructure is an expense the court cannot cover. We have been working diligently on obtaining quotes for such a transition, and as of today the estimated cost is \$872,750 (See attachment A); this includes equipment and professional services. There are a couple of quotes we are still lacking at this time and have estimated the costs of those items which are highlighted in yellow. The line item highlighted in red (CCTC associated labor or PS needed) are unknown potential expenses associated with any labor costs the JC IT department may charge Madera for assisting in the transition. All other quotes are actual figures based on today’s costs; we have included a 10% contingency expense for price increases due to lag time in funding and purchasing equipment. We request a contingency is between 10% - 15%. No equipment or services has been purchased to date.

At this time, the court has the ability to offset these costs by \$300,000. Below is a summary of our 2% automation account:

2% Automation Fund Balance		
Fund 180004		
IVR Upgrade	PO# 4500091549	-26,075.00
UPS Battery/Bass Lake	PO# 4500091551	-354.37
Printer for HR	PO# 4500091555	-992.61
IVR Upgrade	PO# 4500091697	-3,177.17
Fund Balance as of 10/4/16 (Includes above Encumbrances)		509,284.25
IVR Upgrade	PO# 4500091580	-19,870.00
Computer/Printer Refresh		-122,271.06
Balance Remaining :		367,143.19

Madera's FY 15-16 "Schedule C" costs total \$396,661; we have not yet received our "Schedule C" cost for FY 16-17. (See attachment B) Some of these costs will no longer be paid once we have transitioned our IT infrastructure to a locally hosted solution. Some of these cost savings will be used for on-going expenses associated with an in-house IT infrastructure which are listed in attachment A, column I. (Items highlighted in orange are estimates) Madera will also need to hire IT staffing to manage this infrastructure which will be an on-going expense we currently do not realize. As previously stated, Madera currently does not employ any IT staff positions.

Madera at this time is requesting funding in the amount of \$658,315 in FY 17-18. The cost savings will come from the IMF and TCTF subsidies which will no longer be expended on behalf of Madera in maintaining the court infrastructure at the CCTC.

Madera – ITEMS FOR QUOTE

ATTACHMENT A

HARDWARE		Quantity	--- CAPEX	--- OPEX / SUBSCRIPTION	Extended CAPEX	Extended OPEX / SUBSCRIPTION	Ongoing Court Expenses
Power							
APC Redundant UPS & PDU solution + APC DCE		1	\$ 24,006		\$ 24,006		\$ 9,500 est
Servers							
HP C7000 blade chassis - single phase		1	\$ -	\$ -	\$ -		
HP BL460c Gen9 blade server		1	\$ 122,457		\$ 122,457		\$ 11,976
HP SAN Switches		1	\$ 25,707		\$ 25,707		\$ 1,158
HP FC HBA		1	\$ 4,629		\$ 4,629		
Storage							
Nimble CS1000 (20TB) storage array		1	\$ 67,881		\$ 67,881		\$ 5,813
Fiber Optic Cables (MM – OM4)		12	\$ 30		\$ 360		
Backups							
Barracuda Backup 895s (Madera) w/ cloud		1	\$ 49,905		\$ 49,905		\$ 17,997
Barracuda Backup 895a (Bass Lake) – for DR plan – offsite backup replica w/o cloud		1	\$ 34,514		\$ 34,514		\$ 7,998
Network							
AT&T quoted Network Equipment & Install (6/30/2016)		1	\$ 42,832	\$ 7,500	\$ 42,832		\$ 4,100
Network Circuits		1					\$ 10,000 est
Misc							
Physical Tools & Toolbox		1	\$ 7,500		\$ 7,500		
SOFTWARE							
VMware host licensing (for 3 hosts) & vsphere		1	\$ 40,536		\$ 40,536		\$ 19,625
Microsoft Windows Server Datacenter on EA		1	\$ 12,169		\$ 12,169		\$ 24,000
Microsoft Office 365 w/ hosted email (E3 plan) on EA		1	\$ -	\$ 24,000	\$ -		
Microsoft SQL on EA		1	\$ -	\$ -	\$ -		
Microsoft Windows 10 upgrade		1	\$ 19,215		\$ 19,215		
LANDesk (helpdesk, imaging, deployment, monitoring & Solarwinds monitoring		1	\$ 77,931		\$ 77,931		\$ 8,000 est
Barracuda Essentials for Office 365 (Complete Protection and Compliance)		1	\$ 3,938		\$ 3,938		\$ 3,938
Barracuda Web Security Gateway Vx (V910)		2	\$ 1,400		\$ 2,800		\$ 2,800
Barracuda Load Balancer ADC Vx (V440)		2	\$ 2,714		\$ 5,428		\$ 5,428
Barracuda Web Application Firewall Vx (V660)		2	\$ 3,543		\$ 7,086		\$ 7,086
Barracuda SignNow Premium Vx (V355)		1	\$ 4,014		\$ 4,014		\$ 4,014
Antivirus		1	\$ 2,075		\$ 2,075		\$ 2,075 est
ELECTRICAL							
Pride Industries / FMU		1	\$ 8,500		\$ 8,500		
PROFESSIONAL SERVICES							
AT&T – network		1	\$ 19,000		\$ 19,000		
JSI/ATI – for Jury system(s) migration		1	\$ 40,000		\$ 40,000		
CDWG – Servers/Storage/Desktops/Other/etc.		1	\$ 115,270		\$ 115,270		
CDWG – Migrate email to Office-365		1	\$ 30,000		\$ 30,000		
Trend Micro – Antivirus installation/config/setup		1	\$ 1,656		\$ 1,656		
CCTC associated labor or PS needed		1	\$ 77,786		\$ 77,786		
SUBTOTALS			\$ 321,854	\$ 49,341	\$ 371,195		\$ 145,508
RECOMMENDED TO ADD 10%-15% FOR CONTINGENCY & UNKNOWN			\$ 82,185	\$ 4,934	\$ 87,119		
TOTALS			\$ 904,039	\$ 54,275	\$ 958,315		
GRAND TOTAL					\$ 958,315		

Service Description	FY 2015-2016 Preliminary Charges				Comments
	1x Costs	Per Month/Unit charge	Units	Months	Total FY 15-16 Court Charges
CCTC SERVICES					
Services Billed Date = 7/1/2015 - 6/30/2016					
Line #1: Court to CCTC Network Line Maintenance (Cisco Router Maintenance)		\$285	1	12	\$3,420
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Line #2: Court to CCTC Network Line Maintenance (Cisco Router Maintenance)					\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Line #3: Court to CCTC Network Line Maintenance (Cisco Router Maintenance)		\$2,892	1	12	\$30,780
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Local Network Monitoring and Management		\$24.11	87	12	\$25,171
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Help Desk		\$443.11	1	3	\$1,329
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Line #1: Dedicated connection to CCTC (T1, DS3)		\$1,612.11	1	9	\$14,509
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Line #2: Dedicated connection to CCTC (T1, DS3)		\$479.83	1	12	\$5,758
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Line #3: Dedicated connection to CCTC (T1, DS3)		\$168.58	1	0	\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
VPN Site-To-Site Service		\$10,830	1	12	\$129,957
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Other Services		\$2,700	1	12	\$32,400
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Desktop Services		\$1,212	1	12	\$14,544
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Server Monitoring		\$3,156	1	12	\$37,872
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Remote Site Backup		\$23,478	1		\$23,478
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Hosied Exchange Services	\$0				\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Subtotal					
\$295,741					
Services Billed Date = 7/1/2015 - 6/30/2016					
CMS - SUSTAIN APPLICATION SERVICES - WBS O-9907-3					
Staging Environment: HW, SW Installation and Support		\$1,819	1	12	\$21,828
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Production Environment: HW, SW Installation and Support		\$4,507	1	12	\$55,164
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Non-USB Interface Environments-Production & Staging HW, SW and Support		\$1,466	1	12	\$17,592
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Citrix Licenses		\$528	1	12	\$6,336
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Subtotal					
\$100,920					
Services Billed Date = 7/1/2015 - 6/30/2016					
CCMS V2 APPLICATION SERVICES - WBS O-9902-3					
Production, Staging, Training and Test environments: HW Installation & Support					\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
V2 Application Installation, Setup & Support in all environments					\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Non-USB Interface Environment HW & SW Installation & Support					\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
CLETS					\$0
Additional SAN Storage					
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Subtotal					
\$0					
Services Billed Date = 7/1/2015 - 6/30/2016					
CCMS V3 APPLICATION SERVICES - WBS O-9903-3					
Production, Staging, Training and Test environments: HW Installation & Support					\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Deployment Staff					\$0
Two rates based on class type. A startup/monthly charge of \$2,892/\$285 or \$4,179/\$785. A single monthly fee is imposed on each court, regardless of the number of applications being accessed					
Subtotal					
\$0					
Services Billed Date = 7/1/2015 - 6/30/2016					
INTEGRATION SERVICES					
CLETS					
Subtotal					
\$0					
Subtotal					
\$396,651 Total					



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 25–26, 2016

Title

Budget: Fiscal Year 2017–2018 Budget
Proposals for Supreme Court, Courts of
Appeal, Judicial Council, Judicial Branch
Facilities Program, Trial Courts, and Habeas
Corpus Resource Center

Agenda Item Type

Action Required

Effective Date

August 26, 2016

Date of Report

August 16, 2016

Rules, Forms, Standards, or Statutes Affected
None

Contact

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Recommended by

Martin Hoshino, Administrative Director
Mark Dusman, Interim Chief Administrative
Officer
Zlatko Theodorovic, Budget Director

Executive Summary

The delegated committees of the Judicial Council recommend submission of fiscal year 2017–2018 budget proposals for the Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facility Program, Trial Courts, and Habeas Corpus Resource Center. In addition, the Judicial Council staff recommends delegating authority to the Administrative Director to make technical changes to any budget proposals, as necessary. Submittal of budget change proposals is the standard process for proposing funding adjustments in the State Budget, which must be submitted to the state Department of Finance by September 2, 2016.

Recommendation

Effective August 26, 2016, the following Judicial Council advisory committees and boards recommend that the Judicial Council approve and prioritize the fiscal year (FY) 2017–2018 budget proposals for submission to the state Department of Finance:

1. The Administrative Presiding Justices Advisory Committee for the Supreme Court and Courts of Appeal.
2. The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch, the Judicial Council, and the Judicial Branch Facilities Program.
3. The Trial Court Budget Advisory Committee for the Trial Courts.
4. The Trial Court Facility Modification Advisory Committee for the Judicial Branch Facilities Program.
5. The Language Access Plan Implementation Task Force.
6. The Judicial Council Technology Committee.
7. The Habeas Corpus Resource Center board of directors for the Habeas Corpus Resource Center.

Further, the Administrative Director recommends that the Judicial Council:

8. Delegate authority to the Administrative Director to make technical changes to budget change proposals (BCPs), as necessary.
9. Prioritize all approved BCPs for submission to the state Department of Finance as follows:
 1. Support for Trial Court Operations.
 2. Sustain Justice Edition Case Management System Replacement.
 3. Court-Appointed Dependency Counsel.
 4. New Judgeships (AB 159).
 5. Supreme Court and Appellate Courts - California Court Appointed Counsel Projects, San Francisco.
 6. Appellate Court Document Management System.
 7. Sustainability of the Immediate and Critical Needs Account.
 8. Appellate Court Judicial Workload.
 9. General Fund Support of Statewide Programs and Services.
 10. Implementation of the Language Access Plan and Support for Court Interpreters.
 11. Increased Operations Costs for Existing and New/Renovated Courthouses.
 12. Statewide Electronic Filing Technology.
 13. Trial Court Facilities Operations Cost Adjustment.
 14. Appellate Court Facility Maintenance Program.
 15. Habeas Corpus Resource Center–Case Teams Staffing.
 16. Appellate Court Security.
 17. Technical BCP–Judicial Council Organizational Restructure.

18. Technical BCP–Santa Clara Capital Outlay Project Funding Plan.

10. Withhold approval and submission of the following BCPs to the Department of Finance:

1. Trial Court Facilities Modifications Cost Adjustment.
2. Self-Help Services.
3. Insurance–Risk Management.
4. Technology Improvements for Facilities.

Previous Council Action

The Judicial Council has statutory authority to submit budget proposals on behalf of the Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center to the Department of Finance. The recommendations in this report are consistent with the council’s past practice under this authority.

Rationale for Recommendation

Each year, the Judicial Council staff presents budget proposals for review by the council. Budget proposals approved by the council will be finalized into BCPs and require supporting documents.

Delegation of authority to make technical changes

If council staff receives additional information that requires technical changes to the funding requests identified in this report, BCPs being submitted to the Department of Finance may require modification. For some of the proposals included in this report, the actual amounts may change as updated information is received.

Delegating authority to the Administrative Director to make minor adjustments to these proposals in advance, rather than requesting that council staff return to the Judicial Council to seek authority to do so, will facilitate a dynamic budget process. In addition, each year during the course of developing the State Budget, issues arise that may need to be addressed on short notice. In those instances, it is advisable for the Administrative Director to have the ability to update and add funding proposals in an efficient and flexible manner. All completed BCPs will be submitted to the chair of the Executive and Planning Committee.

Judicial Council approval of budget proposals

Judicial Council approval is requested on the following 2017–2018 budget proposals to address baseline resources for the state judiciary (in proposed priority order). The current estimated budgetary need, where known, is summarized in the table below:

#	Budget Change Proposal	Amount
1.	Support for Trial Court Operations	\$206.8 million General Fund
2.	Sustain Justice Edition Case Management System Replacement	\$4.9 million General Fund
3.	Court-Appointed Dependency Counsel	\$22.0 million General Fund
4.	New Judgeships (AB 159)	\$8.3 million General Fund
5.	Supreme Court and Appellate Courts - California Court Appointed Counsel Projects	\$3.5 million General Fund
6.	Appellate Court Document Management System	\$3.0 million Appellate Court Trust Fund \$0.6 million General Fund
7.	Sustainability of the Immediate and Critical Needs Account (ICNA)	To be determined
8.	Appellate Court Judicial Workload	\$2.6 million General Fund
9.	General Fund Support of Statewide Programs and Services	\$13.3 million General Fund
10.	Implementation of the Language Access Plan and Support for Court Interpreters	\$8.6 million General Fund \$0.6 million Court Interpreters Fund
11.	Increased Operations Costs for Existing and New/Renovated Courthouses	\$8.5 million General Fund
12.	Statewide Electronic Filing Technology	To be determined
13.	Trial Court Facilities Operations Cost Adjustment	\$27.5 million General Fund
14.	Appellate Court Facility Maintenance Program	\$1.3 million General Fund
15.	Habeas Corpus Resource Center–Case Teams Staffing	\$3.3 million General Fund
16.	Appellate Court Security	\$1.2 million General Fund
17.	Technical BCP–Judicial Council Organizational Restructure	\$0
18.	Technical BCP–Santa Clara Capital Outlay Project Funding Plan	Transfer of existing funds

1. ***Support for Trial Court Operations.*** Proposed ongoing General Fund augmentation of \$206.8 million in support of trial court operations, which will allow the trial courts to hire additional staff, retain existing staff, and improve the public’s access to justice. The request consists of the following:
 - \$117.5 million, the equivalent of 5 percent of the amount of funding needed by the trial courts based on the 2016–2017 Workload-Based Allocation and Funding Methodology (WAFM) estimate, to reduce the gap between the funding needed to support trial court

operations and the funding available. If approved, these funds would be allocated per the WAFM methodology.

- \$41.0 million to fund the equivalent of a 2.5 percent cost of living increase for all trial court employees, consistent with increases previously provided to executive branch employees. This augmentation would be utilized to provide any of the following (or any combination thereof): the reduction or elimination of budget reduction–related concessions such as furloughs, reduced work weeks, previously enacted or planned future layoffs; a cost of living increase; enhanced employee benefits; or to address other personnel matters as deemed appropriate by each trial court in negotiations with their related employee representatives. If approved, these funds would be allocated per the WAFM methodology.
- \$48.3 million to backfill the reduced county payments to the Trial Court Trust Fund pursuant to Assembly Bill 227 (Stats. 2007, ch.383).

2. ***Sustain Justice Edition Case Management System Replacement.*** Proposed General Fund augmentation of \$4.9 million (\$4.0 million in 2017-18, \$0.8 million in 2018-19, and \$0.1 million in 2019-20) for transfer to the Trial Court Trust Fund to replace the legacy system, Sustain Justice Edition (SJE), with a vendor-supplied case management system in the following California superior courts: Humboldt, Lake, Madera, Modoc, Plumas, San Benito, Sierra, Trinity, and Tuolumne counties. SJE is an aging client/server application developed with older technology and does not have the capabilities of a modern case management system such as a document management system or e-filing capability. Journal Technologies, Inc. (JTI) is the software vendor and while JTI continues to provide support for the SJE product, at some point in the future it is likely that they will declare the product at “end of life.” Obtaining funding to replace SJE with a modern case management system is the next step towards the Digital Courts goal in the Court Technology Strategic Plan.
3. ***Court-Appointed Dependency Counsel.*** Proposed ongoing augmentation of \$22.0 million General Fund for transfer to the Trial Court Trust Fund to support court-appointed dependency counsel workload. The need based on the current workload model to achieve the Judicial Council’s statewide caseload standard of 141 clients per attorney is \$202.9 million. This request represents 25 percent of the current estimated shortfall of \$88.2 million required to fully fund the adequate and competent representation for parents and children at every stage of the dependency proceeding, from the initial detention hearing until the court terminates its jurisdiction. The 2015 Budget Act included an ongoing augmentation of \$11 million for court-appointed dependency counsel workload. The 2016–2017 base budget for court-appointed dependency counsel is \$114.7 million. Under this funding, the statewide average attorney caseload is sufficient to provide representation at a rate of only one attorney per 250 clients. This average caseload is 2.5 times greater than the dependency attorney caseload of 100 clients per attorney recommended by the American Bar Association, and almost two times greater than the Judicial Council’s target caseload of 141 clients per attorney. The council has taken measures to address the problem within existing resources including implementing a reallocation methodology that allocates all existing funding to

courts based upon their caseload needs and ensuring that all of the \$11 million augmentation is provided to courts with the highest caseload and funding needs, in proportion to each court's percentage of unmet need. Inadequate funding and subsequent high caseloads lead to high attorney turnover and lack of retention of qualified advocates for children. Effective counsel can ensure that the complex requirements in juvenile law for case planning, notice, and timeliness are adhered to, thereby reducing case delays, improving court case processing and the quality of information provided to the judge, and ultimately shortening the time children spend in foster care.

4. ***New Judgeships (AB 159).*** Proposed augmentation of \$8.3 million General Fund for 10 of the 50 trial court judgeships authorized by the Legislature in FY 2007–2008 (Assem. Bill 159; Stats. 2007, ch. 722). This includes \$8.2 million in ongoing funding and \$117,000 one-time for the 10 judgeships and accompanying support staff¹. While the latest Judicial Needs Assessment (2014) shows that the branch needs just over 269 judgeships based on workload metrics, efforts to secure funding for the 50 previously authorized judgeships have been unsuccessful. This request for a more modest amount of 10 judgeships begins to address the critical resource shortfalls in trial courts with the greatest need. The allocation of these judgeships would be based on the current judicial workload needs assessment. In the absence of funding, no judges can be appointed to those positions, even though they were authorized eight years ago based on a determination of the branch's critical need for these resources to serve the population of California. The Judicial Council requests that the Department of Finance grant the authority to adjust the appropriation as needed between fiscal years to accommodate the timing of the judicial appointments.
5. ***Supreme Court and Appellate Courts - California Court Appointed Counsel Projects.*** Proposed ongoing augmentation of \$3.5 million General Fund and a one-time augmentation of \$50,000 General Fund to support an increase in the contracts with the five Court of Appeal Court-Appointed Counsel Projects and the Supreme Court Court-Appointed Counsel Project, San Francisco (CAP-SF). These six projects provide assistance and oversight to the panel of private attorneys appointed in criminal court of appeal cases, capital appeals and habeas corpus and clemency proceedings for indigent defendants. California's Court-Appointed Counsel Program fulfills the constitutional mandate of providing adequate representation for indigent appellants in the Courts of Appeal on non-capital cases. The objectives of California's appellate court-appointed counsel system are to: (1) ensure the right of indigent clients to receive the effective assistance of appointed appellate counsel as guaranteed to them by the U.S. Constitution, and (2) provide the Courts of Appeal with useful briefings and arguments that allows the Courts to perform its function efficiently and effectively. CAP-SF is also responsible for assisting unrepresented death row inmates by collecting and preserving records and evidence for later post-conviction use, and by providing advocacy needed before counsel is appointed. The funding would support significant increases in the cost of rent and

¹ Because of the urgent need for new judicial officers, 3.0 FTE in courtroom support staff requested in this BCP is a subset of the full staff complement that is needed to support a new judgeship using the Resource Assessment Study model.

staff benefits, new staff, salary increases, training, and increased costs for record collection and preservation.

6. ***Appellate Court Document Management System.*** Proposed one-time augmentation of \$3.0 million Appellate Court Trust Fund and an ongoing \$0.6 million General Fund for the acquisition, deployment, and maintenance of an Appellate Court Document Management System (DMS). This system will capture, manage, store, share, and preserve essential case documents. This funding request is needed to complete the statewide initiative of moving all of the Appellate Courts to an e-filing system that meets the modernization and public access goals of the branch. This project is in alignment with the Court Technology Governance and Strategic Plan, and it supports the strategic plan's goals for promoting the digital court and the tactical plan's initiative for document management system expansion.
7. ***Sustainability of the Immediate and Critical Needs Account (ICNA).*** Proposed one-time augmentation of \$TBD General Fund for transfer to the ICNA. The requested funding restoration will support the solvency of the ICNA and will allow for the judicial branch to complete the Senate Bill 1407 capital outlay projects while retaining the current expenditure level of facility modification work, debt service, and other expenses.
8. ***Appellate Court Judicial Workload.*** Proposed augmentation of \$2.6 million General Fund in 2017–2018 and \$2.4 million beginning in 2018–2019, and ongoing for two additional appellate court justices and their necessary chambers staff for Division Two of the Fourth Appellate District to meet substantial and growing workload demands. Division Two has an annual average of 1,165 appeals becoming fully briefed, resulting in a case weight of 119 cases per justice—far exceeding all of the other divisions. Adding two justices would reduce the weighted workload to 93 weighted cases per justice—still above the optimal number of 89 cases per justice—and would prevent cases from being transferred from one division to another, which would pose a hardship for litigants who would bear the expense and burden of traveling to a distant division. It would also allow local issues to be decided in the geographic area where the dispute arose.
9. ***General Fund Support of Statewide Programs and Services.***
Programs supporting trial courts statewide. Proposed ongoing augmentation of \$6.9 million General Fund to shift costs supporting programs that provide services to trial courts statewide, currently funded from the State Trial Court Improvement and Modernization Fund (IMF) to the General Fund. Impacted Judicial Council programs include staffing for Treasury Services Cash Management; Trial Court Procurement; Audit Services; California Courts Protective Order Registry; Data Integration; California Courts Technology Center; Civil, Small Claims, Probate and Mental Health (V3) CMS staff; Uniform Civil Fees; and Regional Office Assistance Group units. This proposal will ensure that statewide operations costs of the judicial branch are funded from the General Fund rather than from the IMF, and would provide a stable funding source to serve the branch's needs

Judicial Branch Litigation Management Program. Proposed ongoing augmentation of \$5.6 million General Fund to support the legal defense of all judicial branch entities, including trial court operations. Increasing and consolidating litigation management expenditures within the General Fund will assist with the long-term solvency of the IMF as well as centralize the Litigation Management Program into a single pool of available funds. The Litigation Management Program is dedicated to the defense and indemnification of all judicial branch entities for claims and litigation alleging acts arising in the course and scope of judicial employment, as well as various risk reduction expenditures. Providing an augmentation to the General Fund, increasing total funding to address rising costs of litigation, broadening the use of the funds, and permitting the Judicial Council to encumber funds through June 30, 2019, will provide Legal Services the flexibility to better serve the branch's litigation needs.

Judicial Officer Orientation Programs. Proposed ongoing augmentation of \$0.8 million General Fund to support costs of faculty and trial court participants at required education courses. These courses are for newly appointed or elected judges, newly hired subordinate judicial officers, and judges and judicial officers assigned to adjudicate a substantive law assignment in which they have not worked before. Additionally, this request includes provisional language to provide additional augmentation authority during the fiscal year (upon approval of the Department of Finance) to the extent that existing authority is insufficient.

10. *Implementation of the Language Access Plan (LAP) and Support of Court Interpreters.*

Proposed augmentation of \$8.6 million General Fund in FY 2017–2018 and \$7.3 million in FY 2018–2019 and ongoing, and 7.0 positions for the implementation and support of the Strategic Plan for Language Access in the California Courts (adopted by the Judicial Council on January 22, 2015), and a one-time augmentation of \$0.6 million Court Interpreters Fund to support identifying and retaining qualified court interpreters, and expansion of language certification programs (Gov. Code, §§ 68561–68562). Implementation of the LAP benefits California's 7 million LEP individuals and the courts by providing them with additional resources and tools to help increase language access, such as the translation of Judicial Council forms and creation of multilingual videos to assist limited-English-proficient court users; standards and training for bilingual court staff and court staff interpreters; advancement of a pilot program for video remote interpreting; and to support the work of the task force to conduct both business and community meetings, including the provision of interpreters and translated materials for LEP individuals attending or participating in said meetings, and consultant services to create work products.

11. *Increased Operations Costs for New/Renovated Facilities.* Proposed ongoing augmentation of \$8.5 million General Fund for transfer to the Court Facilities Trust Fund to support unfunded facility operating costs associated with maintaining newly constructed trial court facilities. The requested funding will be used to maintain the new facilities at a level of care that will prevent deterioration and preserve state assets.

12. ***Statewide Electronic Filing Technologies.*** Proposed augmentation of \$TBD General Fund to develop and implement a statewide electronic filing solution. The majority of courts do not have any e-filing capability. Those courts that do have e-filing rely on either the Electronic Filing Service Provider or Electronic Filing Managers to provide identity management and financial gateway integration. This request will allow for the development, implementation, and maintenance of a statewide electronic filing system to assist the trial courts with e-filing.
13. ***Trial Court Facilities Operations Cost Adjustment.*** Proposed ongoing augmentation of \$22.5 million General Fund for transfer to the Court Facilities Trust Fund to fund unfunded inflationary costs associated with maintaining existing trial court facilities and \$5 million General Fund for transfer to the Court Facilities Trust Fund to refresh, maintain, and replace security equipment, including aging camera, access control, duress alarm, and intrusion alarm systems, and entrance screening equipment in state trial court facilities.
14. ***Appellate Court Facility Maintenance Program.*** Proposed one-time augmentation of \$24,000 General Fund to perform an in-depth building assessment of the two state-owned, court-managed appellate court facilities and an ongoing augmentation of \$1.2 million General Fund to establish and support an Appellate Court Facility Maintenance Program. The facility assessment will document the current condition of the two state-owned, court-managed buildings and create project and cost estimates for identified deficiencies. The \$1.2 million ongoing funding is comprised of \$4.12/sq. ft. for the two court-managed facilities, which is based on Building Owners and Managers Association standards and will include preventative and routine maintenance. \$2/sq. ft. for the remaining seven appellate court facilities will provide for minor facility modifications and demand maintenance not covered by the building owner. The appellate courts occupy a total of just over 500,000 square feet of space in nine facilities.
15. ***Habeas Corpus Resource Center–Case Teams Staffing.*** Proposed augmentation of \$3.3 million General Fund (\$2.1 million ongoing and \$1.2 million one-time in 2017-18 and \$1.6 million beginning in 2018-19 and ongoing) to create four additional legal case teams to accept additional appointments in death-penalty post-conviction cases. This proposal is necessary to reduce the increasing backlog of inmates on California’s death row who lack counsel for state habeas corpus proceedings, and will ultimately result in cost saving to the State of California. As of July 1, 2016, 350 inmates are without counsel necessary to pursue post-conviction relief. Nearly half of those inmates have waited for more than 10 years. Not only has this untoward delay in the appointment of counsel rendered California’s capital punishment system arbitrary and thus unconstitutional, but the delay in appointment of counsel costs the taxpayers hundreds of thousands of dollars in additional and unnecessary costs each year.
16. ***Appellate Court Security.*** Proposed ongoing augmentation of \$1.2 million General Fund and a one-time augmentation of \$21,000 General Fund in 2017–2018 to support security services

provided by the California Highway Patrol Judicial Protection Section at the Courts of Appeal.

17. **Technical BCP–Judicial Council Organizational Restructure.** Proposed technical change to merge the Judicial Council Facility Program within the Judicial Council for budgeting, accounting, and display purposes. Currently, these two programs are budgeted separately under different program structures Judicial Branch Facility Program–Program 0145, and Judicial Council–Program 0140. The consolidation of these two programs within the Judicial Council–Program 0140 would reflect the centralization of all judicial branch functions to support the Supreme Court, Courts of Appeal, and trial courts. Additionally, this restructure may assist the public with better understanding our budget by consolidating our display into one program, rather than splitting the Judicial Council from the Judicial Branch Facility Program.
18. **Technical BCP–Santa Clara Cap Outlay Project Funding Plan.** Proposed technical change to transfer an estimated \$3.2 million from the Court Facilities Trust Fund to the Immediate and Critical Needs Account to support the financial plan for the construction of the Santa Clara County–New Santa Clara Family Justice Center. This transfer would consist of the County Facility Payments for the six facilities being replaced by the new courthouse, less the amount required to offset ongoing facility operations of the new courthouse. The transfer would take place annually until the debt service from the bonds sold to finance the new courthouse is retired in 22 years, and would not begin until the termination of the existing leases for the six replaced facilities.

The Administrative Director recommends that the Judicial Council withhold approval of and submission to the Department of Finance of the following BCPs:

1. **Trial Court Facilities Modifications Cost Adjustment.** This request proposed an ongoing augmentation of \$12.7 million General Fund to assist in reducing the deferred maintenance on the state’s trial court facilities by addressing major repairs, system life-cycle replacements, and renovation projects in existing courthouses to provide safe and secure facilities for the benefit of all court users. This request is unnecessary as the 2017–2018 Budget Policy Letter issued on July 19, 2016, by the Department of Finance indicates that all deferred maintenance requests will be coordinated on a statewide basis. The 2016 Budget Act included \$45 million to support deferred maintenance projects in the judicial branch.
2. **Self Help Services.** This request proposed an ongoing augmentation of \$22 million General Fund to support self-help centers in trial court facilities. The 2016 Budget Act included \$25 million General Fund for a Court Innovations Grant Program to focus on high-priority innovations, modernizations, and efficiencies in the courts. Of the amount provided, \$8 million was specified for self-help services. This request is premature given funding is currently available to increase self-help programs and services.

3. ***Insurance Risk Management.*** This request proposed an ongoing augmentation of \$3.1 million General Fund to pay counties for shared property insurance costs, purchase facilities-related property and excess liability insurance, and to increase funding for the annual legal defense and loss cost of expected public liability claims and lawsuits. Given current state policy to self-insure facilities, except in cases where it is required—such as for bond funded facilities or if required by contract—this request would require the state to hold trial court facilities to a different standard than all other state-owned buildings. Additionally, the County Facility Payments required by statute provide a limited source of funds for transferred facilities with which to make payments required by contract.
4. ***Technology Improvements for Facilities.*** This request proposed an augmentation of \$8.4 million General Fund to advance efficiencies in the Capital Program and Real Estate and Facilities Management by implementing an Electronic Records Management and Document Control System and an Integrated Work Management System. This request is premature as the Judicial Council Technology Committee has not reviewed this proposal or approved the submission to the Judicial Council.

Comments, Alternatives Considered, and Policy Implications

An alternative to recommendation 8 is for the council staff to return to the Judicial Council before submission of the BCPs any time technical adjustments are necessary or unanticipated issues arise. This approach could cause delays in timely updating and submitting proposals, and for this reason, this alternative is not recommended. Council staff will report to the Judicial Council on changes made to the proposals in this report.

Implementation Requirements, Costs, and Operational Impacts

Not applicable.

Relevant Strategic Plan Goals and Operational Plan Objectives

The funding proposals requested for the Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center will address the strategic plan goals of Goal I, Access, Fairness, and Diversity; Goal III, Modernization of Management and Administration; and Goal IV, Quality of Justice and Service to the Public.

Attachments and Links

1. Attachment A: Department of Finance 2017–2018 Budget Policy Letter #16-15, issued July 19, 2016

BUDGET LETTER

SUBJECT: 2017-18 BUDGET POLICY	NUMBER: 16-15
REFERENCES: BL 16-01 AND BL 16-10	DATE ISSUED: July 19, 2016 SUPERSEDES: 15-09

TO: Agency Secretaries
Department Directors
Department Chief Counsels
Department Chief Information Officers
Department Budget and Accounting Officers
Department of Finance Budget and Accounting Staff

FROM: DEPARTMENT OF FINANCE

This Budget Letter sets forth the Governor's policy direction for his proposed 2017-18 Budget. As a reminder, BL16-10, issued May 27, 2016, outlines the technical and procedural requirements for preparation of the 2017-18 Governor's Budget.

Priorities

The Administration's primary budget focus continues to be maintaining a structurally balanced budget that preserves critical state services and pays down state debts and obligations. Departments should continue to control costs and implement efficiencies. With another recession inevitable, departments should refrain from creating new—or expanding existing—programs.

Budget Change Proposals (BCPs) and Enrollment/Caseload/Population (ECP) Policy

To maintain a structurally balanced budget, departments' ability to submit BCPs or ECP policy changes for the 2017-18 Budget remains limited.

Accordingly, departments (including those not under the Governor's direct authority) should limit BCPs or ECP policy changes for the 2017-18 Budget to the following circumstances:

- a. Statutory changes necessary for departments to manage within their budgets.
- b. Expected changes in programs' ECPs only as required under current law.
- c. Paying down state debts and liabilities.
- d. Existing or ongoing Information Technology (IT) projects.
- e. Existing or ongoing Capital Outlay projects.
- f. New Capital Outlay projects, if critical, such as fire, life, safety, or court-ordered projects.
- g. Cost-cutting measures or implementing efficiencies to offset unavoidable costs.
- h. Improved budgeting practices related to zero-base budgeting, performance measures, and other efforts as directed by Executive Order B-13-11.

Finance will again coordinate deferred maintenance requests on a statewide basis, and individual BCPs are not necessary. In the event there is a critical need that does not meet the criteria outlined above and the agency secretary believes a new BCP or ECP adjustment is needed to address problems a department will or is encountering, contact your Finance Program Budget Manager before the BCP or ECP due date. **I strongly encourage you to work collaboratively with your Finance Program Budget Manager, prior to submitting any proposals, on a plan for prioritizing your budget requests.**

Departments should assess whether statutory changes (including budget bill language) are necessary to effectuate any BCP or ECP change that is submitted. If statutory changes are necessary, the department's BCP or ECP proposal must include a copy of the proposed legislation. This requirement is necessary for Finance to comply with its obligations under Government Code §13308 to submit proposed statutory changes to the Legislature, through the Legislative Counsel. Consistent with timeframes reflected in BL 16-10, BCPs, including requests for Budget Bill language changes, must be submitted to Finance no later than **September 2, 2016**. Contact your Finance budget analyst for ECP due dates.

Departments using FI\$Cal/Hyperion should work closely with their Finance budget analysts to provide all necessary budget information by either keying data in the system directly or by uploading data into the system using BCP upload templates. Various enhancements to the system are underway and departments will be notified when updated templates are available. Departments must use the most current version of the BCP template on the Finance Website, as this will reflect the latest chart of account codes and several enhancements. **Submissions using older versions of the BCP template will be returned to the department.** Departments may obtain the updated forms on the Finance website: http://www.dof.ca.gov/budget/Resources_for_Departments/Budget_Forms/.

Budget Position Transparency

Pursuant to the 2015-16 Budget, Government Code section 12439 was repealed. Departmental positions remaining vacant for six or more consecutive months will no longer be abolished. To improve budget transparency, Finance implemented a new budget process and departmental budget display for the Governor's Budget that more accurately captures departments' expenditures for personal services, staff benefits, and operating expenses and equipment. This budgetary display occurs biennially and was previously included in the 2016-17 Governor's Budget. The exercise will be performed again as part of the 2018-19 Governor's Budget process.

Budget Confidentiality

Information contained in BCPs and ECP proposals are an integral part of the Governor's deliberation process. Accordingly, departments must treat proposals as privileged and confidential until and unless the proposal is released to the Legislature as part of the Governor's Budget, the April 1 Finance Letter process, or the May Revision. Disapproved, unapproved, and draft BCPs or ECP changes (i.e., proposals not released to the Legislature) remain confidential indefinitely, and may not be released. Final BCPs are those that contain a Finance supervisor's signature/approval attesting that the BCP has been submitted to the Legislature. BCPs and ECPs approved by the Administration will be posted on Finance's Website.

Questions about Public Records Act or litigation discovery requests for budget documents should be directed to department legal staff and, if necessary, to Finance legal staff.

If you have any questions about this Budget Letter, please contact your Finance budget analyst.

/s/Michael Cohen

MICHAEL COHEN
Director

Attachment D

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

#	Description	2014-2015 (Year-end Financial Statement)	2015-2016 (Year-end Financial Statement)	Estimated			
				2016-2017 1st Turn Revenue Estimates	2017-2018	2018-2019	2019-2020
		A	B	C	D	E	F
1	Beginning Balance	26,207,006	8,956,870	6,956,091	5,199,439	3,961,444	3,728,011
2	Prior-Year Adjustments	2,880,385	1,051,239	3,023,108	-	-	-
3	Adjusted Beginning Balance	29,087,391	10,008,109	9,979,199	5,199,439	3,961,444	3,728,011
4	Revenues						
5	50/50 Excess Fines Split Revenue	23,702,658	20,219,295	16,987,000	16,537,000	16,537,000	16,537,000
6	2% Automation Fund Revenue	14,730,023	12,463,280	9,605,000	13,379,000	12,752,000	12,752,000
7	Jury Instructions Royalties	532,783	552,000	542,000	532,000	532,000	532,000
8	Interest from SMIF	100,734	170,114	141,000	128,000	128,000	128,000
9	Other Revenues/SCO Adjustments	30,233	63,942	-	-	-	-
10	Transfers						
11	From State General Fund	38,709,000	44,218,000	56,618,000	53,418,000	44,218,000	44,218,000
12	To Trial Court Trust Fund (Budget Act)	(20,594,000)	(594,000)	(594,000)	(594,000)	(594,000)	(594,000)
13	To TCTF (GC 77209(k))	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)	(13,397,000)
14	Net Revenues and Transfers	43,814,431	63,695,632	69,902,000	70,003,000	60,176,000	60,176,000
15	Total Resources	72,901,822	73,703,741	79,881,199	75,202,439	64,137,444	63,904,011
16	Expenditures						
17	Allocation Less Telecommunications Program (LAN/WAN)	71,466,600	53,289,458	56,463,381	53,716,419	44,634,825	38,842,205
18	Telecommunications Program		16,159,000		16,762,144	15,160,055	15,835,226
19	Telecommunications Program (financing)			17,558,800	457,081	309,201	156,885
20	Less: Unused Allocation	(7,823,266)	(3,467,899)				
21	Pro Rata and Other Adjustments	301,618	767,091	659,579	305,352	305,352	305,352
22	Total Expenditures	63,944,952	66,747,650	74,681,760	71,240,995	60,409,433	55,139,669
23	Fund Balance	8,956,870	6,956,091	5,199,439	3,961,444	3,728,011	8,764,342
24	Option 1 Fund Balance:			4,800,328	2,904,018	2,670,585	7,706,916
25	Option 2 Fund Balance:			4,800,328	3,562,333	3,328,900	8,365,231
26	Option 3 Fund Balance:			5,199,439	3,303,129	3,069,696	8,106,027
27	Potential Liability			2,118,647			
28	Fund Balance with Liability			3,080,792	1,842,797	1,609,364	6,645,695
29	Option 1 Fund Balance:			2,681,681	785,371	551,938	5,588,269
30	Option 2 Fund Balance:			2,681,681	1,443,686	1,210,253	6,246,584
31	Option 3 Fund Balance:			3,080,792	1,184,482	951,049	5,987,380

Trial Court Trust Fund -- Fund Condition Statement

		FY 2014-15 (Year-End Financial Statement)	FY 2015-16 (Year-End Financial Statement)	FY 2016-17 (Estimated)	FY 2017-18 (Estimated)	FY 2018-19 (Estimated)	FY 2019-20 (Estimated)	FY 2020-21 (Estimated)
#	Description	Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G
1	Beginning Balance	21,218,232	6,614,017	34,829,875	44,515,289	33,962,269	26,416,442	18,496,169
2	Prior-Year Adjustments	5,624,798	7,208,461	653,287	-	-	-	-
3	Adjusted Beginning Fund Balance	26,843,030	13,822,478	35,483,161	44,515,289	33,962,269	26,416,442	18,496,169
4	Revenue	1,341,324,951	1,294,611,392	1,273,892,898	1,331,543,982	1,329,312,970	1,329,312,970	1,329,312,970
5	<i>Maintenance of Effort Obligation Revenue</i>	<i>659,050,502</i>	<i>659,050,502</i>	<i>659,050,502</i>	<i>659,050,502</i>	<i>659,050,502</i>	<i>659,050,502</i>	<i>659,050,502</i>
6	<i>Civil Fee Revenue</i>	<i>355,952,541</i>	<i>360,029,026</i>	<i>351,928,045</i>	<i>348,464,093</i>	<i>352,050,222</i>	<i>352,050,222</i>	<i>352,050,222</i>
7	<i>Court Operations Assessment Revenue</i>	<i>139,931,778</i>	<i>120,193,147</i>	<i>106,217,441</i>	<i>131,186,979</i>	<i>122,317,989</i>	<i>122,317,989</i>	<i>122,317,989</i>
8	<i>Civil Assessment Revenue</i>	<i>159,372,012</i>	<i>128,402,757</i>	<i>127,729,329</i>	<i>162,971,715</i>	<i>165,107,610</i>	<i>165,107,610</i>	<i>165,107,610</i>
9	<i>Parking Penalty Assessment Revenue</i>	<i>24,994,594</i>	<i>25,069,491</i>	<i>27,248,562</i>	<i>28,085,130</i>	<i>29,004,384</i>	<i>29,004,384</i>	<i>29,004,384</i>
10	<i>Interest from SMIF</i>	<i>151,376</i>	<i>335,260</i>	<i>613,938</i>	<i>613,938</i>	<i>613,938</i>	<i>613,938</i>	<i>613,938</i>
11	<i>Sanctions and Contempt Fines</i>	<i>1,586,715</i>	<i>981,144</i>	<i>978,231</i>	<i>978,231</i>	<i>978,231</i>	<i>978,231</i>	<i>978,231</i>
12	<i>Miscellaneous Revenue</i>	<i>285,431</i>	<i>550,065</i>	<i>126,851</i>	<i>193,394</i>	<i>190,095</i>	<i>190,095</i>	<i>190,095</i>
13	General Fund Transfer	922,648,255	943,724,000	1,021,832,000	972,498,000	972,498,000	972,498,000	972,498,000
14	General Fund Transfer - Court-Appointed Dependency Counsel	-	114,700,000	114,700,000	114,700,000	114,700,000	114,700,000	114,700,000
15	General Fund Transfer - Revenue Backfill	30,900,000	58,900,000	71,100,000	47,900,000	52,200,000	52,200,000	52,200,000
16	Reduction Offset Transfers	26,080,000	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000	6,080,000
17	Net Other Transfers/Charges/Reimbursements	12,678,778	13,217,422	11,857,803	12,998,023	12,998,023	12,998,023	12,998,023
18	Total Revenue and Transfers/Charges/Reimbursements	2,333,631,984	2,431,232,814	2,499,462,701	2,485,720,005	2,487,788,993	2,487,788,993	2,487,788,993
19	Total Resources	2,360,475,014	2,445,055,292	2,534,945,862	2,530,235,293	2,521,751,261	2,514,205,435	2,506,285,161
20	Expenditures/Encumbrances/Allocations							
21	Program 30 (0140) - Expenditures/Allocations	19,718,918	15,990,132	3,041,000	3,084,000	3,053,000	3,053,000	3,053,000
22	Program 30.05 (0140010) - Judicial Council (Staff)	4,095,938	3,620,851	3,041,000	3,084,000	3,053,000	3,053,000	3,053,000
23	Program 30.15 (0140019) - Trial Court Operations	15,622,980	12,369,281	-	-	-	-	-
24								
25	Program 45 (0150) - Expenditures/Allocations	2,333,437,799	2,393,944,116	2,487,281,206	2,493,189,025	2,492,281,819	2,492,656,266	2,492,331,266
26	Program 45.10 (0150010) - Support for Trial Court Operations	1,883,174,214	1,816,242,767	1,886,975,880	1,889,406,729	1,890,836,787	1,890,561,234	1,890,886,234
27	Program 0150011 - Court-Appointed Dependency Counsel	-	114,387,117	114,700,000	114,700,000	114,700,000	114,700,000	114,700,000
28	Program 45.25 (0150019) - Comp. of Superior Court Judges	319,803,869	330,369,783	338,431,000	338,431,000	338,431,000	338,431,000	338,431,000
29	Program 45.35 (0150028) - Assigned Judges	24,792,538	25,199,733	27,005,000	27,005,000	27,005,000	27,005,000	27,005,000
30	Program 45.45 (0150037) - Court Interpreters	96,802,928	99,598,715	101,266,326	103,677,000	103,677,000	103,677,000	103,677,000
31	Program 45.55 (0150046) - Grants	8,864,250	8,146,000	8,147,000	8,973,119	8,366,653	8,366,653	8,366,653
32	Program 0150095 - Expenses on Behalf of the Trial Courts	-	-	10,756,000	10,996,177	9,265,380	9,915,380	9,265,380
33	Item 601 - Redevelopment Agency Writ Case Reimbursements	704,280	291,169	108,368	-	-	-	-
34	Total, Expenditures/Encumbrances/Allocations	2,353,860,997	2,410,225,417	2,490,430,574	2,496,273,025	2,495,334,819	2,495,709,266	2,495,384,266
35	Ending Fund Balance	6,614,017	34,829,875	44,515,289	33,962,269	26,416,442	18,496,169	10,900,895
36								
37	Fund Balance Detail							
38	Restricted Fund Balance	16,294,708	13,769,783	23,080,120	20,396,556	20,446,003	20,446,003	20,446,003
39	<i>Emergency Needs Reserve</i>	<i>-</i>	<i>-</i>	<i>10,000,000</i>	<i>10,000,000</i>	<i>10,000,000</i>	<i>10,000,000</i>	<i>10,000,000</i>
40	<i>Funds Held on Behalf of the Trial Courts</i>	<i>-</i>	<i>-</i>	<i>1,097,992</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
41	<i>Court Interpreter Program</i>	<i>10,917,600</i>	<i>9,043,514</i>	<i>8,819,479</i>	<i>8,819,479</i>	<i>8,819,479</i>	<i>8,819,479</i>	<i>8,819,479</i>
42	<i>Court-Appointed Dependency Counsel Collections</i>	<i>1,574,692</i>	<i>2,186,060</i>	<i>1,195,032</i>	<i>1,048,776</i>	<i>1,098,224</i>	<i>1,098,224</i>	<i>1,098,224</i>
43	<i>Redevelopment Agency Writ Case Reimbursements</i>	<i>927,837</i>	<i>636,668</i>	<i>528,300</i>	<i>528,300</i>	<i>528,300</i>	<i>528,300</i>	<i>528,300</i>
44	<i>Refund to courts of overcharges for JCC services</i>	<i>380,151</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
45	<i>Equal Access Fund</i>	<i>-</i>	<i>454,039</i>	<i>698,494</i>	<i>-</i>	<i>0</i>	<i>0</i>	<i>0</i>
46	<i>Sargent Shriver Civil Counsel</i>	<i>2,494,429</i>	<i>1,449,503</i>	<i>740,823</i>	<i>-</i>	<i>0</i>	<i>0</i>	<i>0</i>
47	Unrestricted Fund Balance	(9,680,691)	21,060,092	21,435,168	13,565,713	5,970,439	(1,949,834)	(9,545,108)
48								
49	Revenue and Transfers Annual Surplus/(Deficit)	(20,229,013)	21,007,397	9,032,127	(10,553,020)	(7,545,826)	(7,920,274)	(7,595,274)

Trial Court Budget Advisory Committee
Annual Agenda—2017
Approved by E&P: TBD

I. ADVISORY BODY INFORMATION

Chair:	Hon. Jonathan B. Conklin, Superior Court of Fresno County
Staff:	Ms. Brandy Sanborn, Budget Manager, Judicial Council Budget Services
<p>Advisory Body's Charge: Rule 10.64. Trial Court Budget Advisory Committee</p> <p><u>Area of focus</u> The Trial Court Budget Advisory Committee makes recommendations to the council on the preparation, development, and implementation of the budget for the trial courts and provides input to the council on policy issues affecting trial court funding.</p> <p><u>Additional duties</u> In addition to the duties specified in rule 10.34, the committee may make recommendations to the council on:</p> <ol style="list-style-type: none">1) Trial court budget priorities to guide the development of the budget for the upcoming fiscal year;2) The allocation of trial court funding, including any changes to existing methodologies for allocating trial court budget augmentations and reductions; and3) Budget policies and procedures, as appropriate. <p>The advisory committee currently plans to meet in-person approximately five times in 2017 and several more times by teleconference, contingent on available funding.</p>	
<p>Advisory Body's Membership:</p> <ol style="list-style-type: none">1) The advisory committee consists of an equal number of trial court presiding judges and court executive officers reflecting diverse aspects of state trial courts, including urban, suburban, and rural locales; the size and adequacy of budgets; and the number of authorized judgeships. For purposes of this rule, "presiding judge" means a current presiding judge or an immediate past presiding judge.2) No more than two members may be from the same court.3) The chairs of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee serve as ex officio voting members.4) Notwithstanding rule 10.31(e), a presiding judge is qualified to complete his or her term on the advisory committee even if his or her term as presiding judge of a trial court ends.5) The Judicial Council's chief of staff, chief administrative officer, chief operating officer, and director of Finance serve as non-voting members.	

Subgroups/Working Groups:

- 1) AB 1058 Funding Allocation Subcommittee (Joint subcommittee with Family and Juvenile Law Advisory Committee)
- 2) Court-Appointed Dependency Counsel Funding Allocation Methodology Subcommittee (Joint subcommittee with Family and Juvenile Law Advisory Committee)
- 3) Criminal Justice Realignment Subcommittee
- 4) Fiscal Planning Subcommittee
- 5) Funding Methodology Subcommittee
- 6) Revenue and Expenditure Subcommittee
- 7) Interpreter Funding Working Group

Advisory Body's Key Objectives for 2017:

1. Develop, review, and refine allocation methodologies related to trial court funding.
2. Develop recommendations regarding expenditures from the State Trial Court Improvement and Modernization Fund and the Trial Court Trust Fund to address any structural shortfall in either fund.
3. Develop recommendations regarding trial court requests to set aside funds on their behalf that have reverted back to the Trial Court Trust Fund pursuant to GC 77203.
4. Develop recommendations for the Judicial Branch Budget Committee regarding trial court budget priorities.
5. Develop recommendations for the Judicial Council in response to items in the Governor's proposed budget and enacted budget that impact the trial courts.

II. ADVISORY BODY PROJECTS

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
1.	Workload-based Allocation and Funding Methodology (WAFM) The Funding Methodology Subcommittee will continue to review and refine the WAFM model.	2	Judicial Council Direction: Part of the charge of the committee pursuant to rule 10.64. In April 2013, the Judicial Council approved the WAFM for use in allocating the annual state trial court operations funds with the understanding that ongoing technical adjustments will continue to be evaluated and submitted to the Judicial Council for approval. Origin of Project: This phase of the project is part of the Funding Methodology Subcommittee's annual work plan approved on May 10, 2016. Resources: Budget Services and OCR staff Key Objective Supported: 1 and 5	Ongoing.	An improvement to the WAFM to more accurately capture the WAFM-related funding needs of the trial courts.
2.	Proposition 47 Funding The Criminal Justice Realignment Subcommittee	1	Judicial Council Direction: Part of the charge of the committee pursuant to rule 10.64.	Ongoing. The Subcommittee will continue to review and refine the allocation	Appropriately allocate funds based on workload.

¹ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

² For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 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.

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	will continue to review and refine the allocation methodology related to funds received for criminal justice realignment and the workload associated with Proposition 47.		<p>Origin of Project: Proposition 47 became effective on November 5, 2014. The Budget Act of 2015 included \$26.9 million from the General Fund to address increased trial court workload associated with Proposition 47. The Budget Act of 2016 included \$21.4 million.</p> <p>Resources: Budget Services and CJS staff</p> <p>Key Objective Supported: 1 and 5</p>	methodology based on updated statistical data and provision of additional funding in future fiscal years.	
3.	<p>Court-Appointed Dependency Counsel Funding</p> <p>In collaboration with the Family and Juvenile Law Advisory Committee, the Court-Appointed Dependency Counsel Funding Allocation Subcommittee will review the workload model for court-appointed dependency counsel. In addition, the Small Court Dependency Workload Working Group (SCDW) was established in October 2016 to consider changes to the court appointed counsel funding methodology as it relates to</p>	2	<p>Judicial Council Direction: Part of the charge of the committee pursuant to rule 10.64.</p> <p>Origin of Project: April 17, 2015 Judicial Council meeting (recommendation from the Family and Juvenile Law Advisory Committee).</p> <p>Resources: Budget Services, OCR, CFCC staff, and SCDW</p> <p>Key Objective Supported: 1</p>	Ongoing.	Appropriately allocate funds based on workload with consideration for smaller courts.

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	small courts. The working group will report to the Executive and Planning Committee and will present recommendations to TCBAC for input.				
4.	<p>Child Support Commissioner and Family Law Facilitator (AB 1058) Funding</p> <p>In collaboration with the Family and Juvenile Law Advisory Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services, the AB 1058 Funding Allocation Subcommittee will reconsider the AB 1058 allocation methodology developed in 1997.</p>	2	<p>Judicial Council Direction: Part of the charge of the committee pursuant to rule 10.64.</p> <p>Origin of Project: April 17, 2015 Judicial Council meeting (recommendation from the Family and Juvenile Law Advisory Committee).</p> <p>Resources: Budget Services, OCR, and CFCC staff</p> <p>Key Objective Supported: 1</p>	Ongoing.	Appropriately allocate funds based on workload.
5.	<p>State Trial Court Improvement and Modernization Fund (IMF) and Trial Court Trust Fund (TCTF) Allocations</p> <p>The Revenue and Expenditure Subcommittee will review FY 2017-2018 allocations from the</p>	1	<p>Judicial Council Direction: Part of the charge of the committee pursuant to rule 10.64.</p> <p>Origin of Project: Structural shortfalls in the IMF and TCTF.</p>	Ongoing. Allocations for FY 2017-2018 will be approved by June 30, 2017.	Assist the Judicial Council in ensuring the solvency of the IMF and TCTF.

#	Project ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	IMF and TCTF to ensure consistency with Judicial Council goals and objectives and propose solutions to address any structural shortfall in either fund.		Resources: Budget Services and multiple other office staff that have programs funded from the IMF and TCTF Key Objective Supported: 2		
6.	IMF Funding Phase Out for V3 Case Management System As a result of funds being appropriated in the 2016 Budget Act for V3 Case Management System replacement, branch subsidies for the system will be phased out by June 30, 2019. The Revenue and Expenditure Subcommittee will determine allocations each fiscal year pending the phase out.	1	Judicial Council Direction: Part of the charge of the committee pursuant to rule 10.64. Origin of Project: April 17, 2015 Judicial Council meeting. Resources: Budget Services and IT staff Key Objective Supported: 2	June 30, 2019	Appropriately allocate funds as branch subsidies are phased out.
7.	Interpreter Funding Methodology The Interpreter Funding Working Group will develop a methodology for allocations from the TCTF Court Interpreter Program (0150037) in the event of a funding shortfall, and review existing methodologies.	2	Judicial Council Direction: Part of the charge of the committee pursuant to rule 10.64. Origin of Project: Declining fund balance in the TCTF Court Interpreter Program (0150037). Resources: Budget Services staff Key Objective Supported: 1	June 30, 2017	Appropriately allocate funds in the event of a shortfall.

STATUS OF 2016 PROJECTS:

#	Project	Completion Date/Status
1.	Workload-based Allocation and Funding Methodology (WAFM) The Funding Methodology Subcommittee will continue to review and refine the WAFM model. The work plan includes evaluating the impact of civil assessments on WAFM.	Moving forward as planned; project continues into 2017 agenda.
2.	Proposition 47 Funding The Criminal Justice Realignment Subcommittee will continue to review and refine the allocation methodology related to funds received for criminal justice realignment and the workload associated with Proposition 47.	Moving forward as planned; project continues into 2017 agenda.
3.	Court-Appointed Dependency Counsel Funding In collaboration with the Family and Juvenile Law Advisory Committee, the Court-Appointed Dependency Counsel Funding Allocation Subcommittee will review the workload model for court-appointed dependency counsel.	Moving forward as planned; project continues into 2017 agenda.
4.	Child Support Commissioner and Family Law Facilitator (AB 1058) Funding In collaboration with the Family and Juvenile Law Advisory Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services, the AB 1058 Funding Allocation Subcommittee will reconsider the AB 1058 allocation methodology developed in 1997.	Moving forward as planned; project continues into 2017 agenda.
5.	State Trial Court Improvement and Modernization Fund (IMF) and Trial Court Trust Fund (TCTF) Allocations	Moving forward as planned; project continues into 2017 agenda.

#	Project	Completion Date/Status
	The Revenue and Expenditure Subcommittee will review FY 2016-2017 allocations from the IMF and TCTF to ensure consistency with Judicial Council goals and objectives and propose solutions to address any structural shortfall in either fund.	
6.	V3 Case Management System Funding In collaboration with the Judicial Council Technology Committee, develop a plan for phasing out branch subsidies for the V3 case management system by June 30, 2019. Determine allocations each fiscal year pending the phase out.	Moving forward as planned; project continues into 2017 agenda. The first phase was completed through a budget change proposal which resulted in the award of \$24.8 million to phase out branch subsidies for the V3 case management system over the 2016-2017, 2017-2018, and 2018-2019 fiscal years.
7.	State-Level Reserve Policy Develop a process for trial courts to apply for funding for emergencies from the \$10 million reserve held in the Trial Court Trust Fund.	Completed. This project was made part of the charge of the Judicial Branch Budget Committee.
8.	Fiscal Planning Proposal Develop a proposal to allow a trial court's funds that revert to the TCTF pursuant to GC 77203 be retained for the benefit of that court for specific one-time costs.	Completed. This effort was completed by the Fiscal Planning Working Group in which a process was approved by the Judicial Council in April 2016. Part of the policy included an ongoing, formal review and recommendation process by a body consisting of members from the TCBAC.
9.	Language Access Funding Develop a funding methodology for allocations of new Program 45.45 funds received as part of the Budget Act of 2016.	Completed.
10.	Reallocation of New Judgeships Assist in the development of a statutory framework that would authorize the Judicial Council to reallocate up to five existing vacant	Completed.

#	Project	Completion Date/Status
	judgeships to areas with the greatest need. In addition, develop a funding methodology for a shift of resources, if necessary.	

III. Subgroups/Working Groups – Detail

Subgroups/Working Groups:

#	Name and Purpose	Date Formed	Members	Meetings Per Year	Estimated Completion Date
1.	AB 1058 Funding Allocation Subcommittee	June 2015	5*		Ongoing
	<p>To enrich recommendations to the council and avoid duplication of effort, members of the Committee will collaborate with members of Family and Juvenile Law Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services to reconsider the AB 1058 funding allocation methodology developed in 1997 and to report back at the February 2016 Judicial Council meeting.</p> <p>*This is a joint subcommittee and has 10 members in addition to the five from the Trial Court Budget Advisory Committee. Those members are from the Family and Juvenile Law Advisory Committee, the Workload Assessment Advisory Committee, and the Department of Child Support Services.</p>				
2.	Court-Appointed Counsel Funding Allocation Methodology Subcommittee	June 2015	4*		Ongoing
	<p>To enrich recommendations to the council and avoid duplication of effort, members of the Committee will collaborate with members of the Family and Juvenile Law Advisory Committee to review the workload model for court-appointed dependency counsel and report back no later than the April 2016 Judicial Council meeting.</p> <p>*This is a joint subcommittee and has six members from the Family and Juvenile Law Advisory Committee in addition to the four members of the Trial Court Budget Advisory Committee.</p>				
3.	Criminal Justice Realignment Subcommittee	2013	10	2-4	Ongoing
	This group's focus will be funding methodology and allocations relating to criminal justice realignment, specifically Proposition 47 workload.				
4.	Fiscal Planning Subcommittee (New)	July 2015	8	As needed	Ongoing
	This group will review recommendations regarding trial court requests to set aside funds on their behalf that have reverted back to the Trial Court Trust Fund pursuant to GC 77203. This group will also review requests from trial courts that relate to Children's Waiting Room funding.				

#	Name and Purpose	Date Formed	Members	Meetings Per Year	Estimated Completion Date
5.	Funding Methodology Subcommittee	July 2013	13	2-4	Ongoing
	This group will continue to focus on the ongoing review and refinement of the Workload-based Allocation and Funding Methodology approved by the council in April 2013.				
6.	Revenue and Expenditure Subcommittee	July 2013	11	2-4	Ongoing
	The primary focus of this group is the ongoing review of TCTF and IMF allocations supporting trial court projects and programs as well as any systemic cash flow issues affecting the trial courts.				
7.	Interpreter Funding Working Group (New)	December 2016	5	As needed	June 30, 2017
	The primary focus will be develop a methodology for allocations from the TCTF Court Interpreter Program (0150037) in the event of a funding shortfall, and review existing methodologies.				