



**Superior Court of California**  
**County of Siskiyou**  
311 Fourth St., Rm. 206,  
Yreka, CA 96097

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May 23, 2017

Trial Court Budget Advisory Committee  
Funding Methodology Subcommittee  
May 25, 2017

Re: Items 1 & 2

I had previously submitted a written comment for the meeting on May 8, 2017, but apparently it did not reach the Sub-Committee for that meeting. Therefore, I am sending another written comment for this Funding Methodology Sub-Committee Meeting set for May 25, 2017.

First and foremost, Siskiyou appreciates the work efforts of this committee. It is pretty clear however, that there are further steps to go in refining WAFM, to avert what are cumulating unintended consequences which appear to be disparate to smaller courts. Unaddressed, some of these unintended consequences will create or have created regression for courts with less than a 1 BLS and will eventually compromise access to justice and put us on a course from which growth or recovery is unlikely.

The different scenarios provided to this committee for consideration at its' May 8, 2017 meeting were prompted by a letter that was sent to the Chief Justice, Martin Hoshino, and Jody Patel from the smaller/rural courts. The intention of that letter was to emphasize some of the parking lot issues that have been dormant since implementation of WAFM and for this committee as well as the full Trial Court Budget Advisory Committee to seriously consider refining WAFM going forward.

Sincerely,

*Reneé McCanna Crane*

Reneé McCanna Crane  
Court Executive Officer



Superior Court  
State of California  
County of Lake  
255 N. Forbes Street  
Lakeport, California 95453  
707-263-2374

ANDREW S. BLUM

\_\_\_\_\_  
PRESIDING JUDGE

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KRISTA D. LeVIER

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COURT EXECUTIVE/CLERK  
JURY COMMISSIONER

May 24, 2017

Funding Methodology SubCommittee  
Hon. Jonathan B. Conklin, Co-Chair  
Rebecca Fleming, Co-Chair

Re: Item 2 Bureau of Labor Statistics (BLS) on WAFM Calculations

Dear Co-Chairs and Committee Members:

It is unclear based on the posted materials why this topic is on the Funding Methodology Subcommittee(FMS) agenda again instead of on the full Trial Court Budget Advisory Committee Agenda(TCBAC). The only indication is found in the minutes from the May 8, 2017 FMS meeting, there is a staff note that reads action was taken "based on an understanding that such action was part of the 2016-2017 work plan." Perhaps there is some concern that the action was not within the scope of the 2016-2017 work plan? The idea to adjust the BLS factor was raised in discussions related to adjustments to the funding floor calculation, which is listed on the FMS 2016/2017 work plan. Additionally, the TCBAC 2017 Annual Agenda states that "review and refinement" of WAFM is the purpose of the Funding Methodology Sub-committee.

I urge the Funding Methodology Subcommittee to confirm the unanimous action taken by your committee on May 8, 2017 to implement a minimum BLS factor of .9 effective Fiscal Year 2017/18, with additional study as to the regional BLS impacts.

I will reiterate here in an effort to be thorough, that the impact of the current BLS factor for a small, rural court like Lake is extremely detrimental. Using the BLS factor assumes that the court is competing with the local public sector for employees. That is not accurate. In my 12+ years of employment with the court, I do not recall a single instance when the court has lost an employee to the County of Lake (the largest public employer in the County). We do, however; often lose employees to

neighboring courts such as Sonoma. Due to the extremely low BLS factor in Lake County (.75 in FY16/17), we are unable to compete with neighboring courts. Our employees can drive just over an hour to neighboring Sonoma (BLS of 1.13) or Napa (BLS of 1.22) and earn significantly more. We are a training ground for nearby courts who can offer more lucrative pay and benefits. The WAFM already recognizes that the labor pool can be something other than the local government, i.e. in counties where the competing labor pool is state government an adjustment is made accordingly.

The need for the model to recognize and account for a more broad comparable labor pool by comparing salaries to other trial courts in a region was recognized when the WAFM model was initially implemented in 2013 (see materials for JCC Meeting April 26, 2013 <http://www.courts.ca.gov/documents/jc-20130426-itemP-presentation.pdf>). However, the issue has not been addressed to date.

Your action is consistent with the Judicial Council's April 2013 direction, the Annual TCBAC Agenda, and the FMS work plan. These technical adjustments improve the accuracy/validity of the model, are exactly what was envisioned by the Judicial Council.

Sincerely,



Krista LeVier  
Court Executive Officer

Attachment: Previous public comment letter submitted to April 12<sup>th</sup> and May 8<sup>th</sup> meetings.



*Superior Court*  
State of California  
County of Lake  
255 N. Forbes Street  
Lakeport, California 95453  
707-263-2374

ANDREW S. BLUM

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PRESIDING JUDGE

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KRISTA D. LeVIER

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COURT EXECUTIVE/CLERK  
JURY COMMISSIONER

April 11, 2017

Trial Court Budget Advisory Committee  
Funding Methodology Subcommittee

Re: Item 4 Impact of Bureau of Labor Statistics (BLS) on Small Courts

Dear Committee Members:

First, thank you for taking the time to review the impact of the BLS factor on small courts. The impact for a small, rural court like Lake is extremely detrimental. Using the BLS factor assumes that the court is competing with local public sector employers for employees. That is not accurate. In my 12+ years of employment with the court, I do not recall a single instance when the court has lost an employee to the County of Lake (the largest public employer in the County). Although, we often lose employees to neighboring courts such as Sonoma. Due to the extremely low BLS factor in Lake County (.75 in FY16/17), we are unable to compete with neighboring courts. Our employees can drive just over an hour to neighboring Sonoma (BLS of 1.13) or Napa (BLS of 1.22) and earn significantly more. We are a training ground for nearby courts who can offer more lucrative pay and benefits. The WAFM already recognizes that the labor pool can be something other than the local government, i.e. in counties where the competing labor pool is state government an adjustment is made accordingly.

The need for the model to recognize and account for a more broad comparable labor pool by comparing salaries to other trial courts in a region was recognized when the WAFM model was initially implemented in 2013 (see materials for JCC Meeting April 26, 2013). However, the issue has not been addressed to date. I recognize the complexities of attempting to regionalize the BLS factor when appropriate; therefore, I ask that your committee recommend to the full Trial Court Budget Advisory Committee a **minimum BLS factor for all courts**. That minimum BLS factor could be .9, .95 or 1.0. I urge you to take the steps necessary to make this adjustment for the FY17/18 WAFM allocations.

One last note, the materials show an option of a minimum BLS factor for courts with less than 50 full-time equivalent positions. I have not seen any data to support this as a logical breaking point. All of the recruitment and retention challenges that are outlined above exist whether a court's FTE need is 49 or 51.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Krista LeVier', written in black ink.

Krista LeVier  
Court Executive Officer



# Superior Court of California, County of Glenn

Kevin Harrigan  
Court Executive Officer • Jury Commissioner

May 5, 2017

Trial Court Budget Advisory Committee  
Funding Methodology Subcommittee

Re: Item 3-Impact of Adjusting Bureau of Labor Statistic (BLS) on WAFM calculations

Dear Committee Members,

Thank you for your interest and time spent to review the impact of the BLS factor on small courts in California. With a BLS factor of .68, this topic is of particular interest to Glenn Superior Court in the pursuit of fair and adequate funding.

Similar to public comments made by Lake Superior Court in an April 11, 2017 letter, we too compete with neighboring courts to recruit and retain competent staff. In fact, over the course of several years now, our labor contract necessitates that consideration be given to wages paid to court employees in the seven surrounding counties of Butte, Colusa, Shasta, Sutter, Tehama, Yolo, and Yuba. The average BLS of these counties is .92. When just Colusa County with a BLS of .72 is removed from this calculation, the average BLS for these counties is .96.

Please accept this as both a letter of gratitude for your work on this topic as well as strong support for an increase in the minimum BLS factor applied to small courts when calculating WAFM need.

Thank you for the opportunity to comment and for your consideration.

Sincerely,

Kevin Harrigan