



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE
FUNDING METHODOLOGY SUBCOMMITTEE

MINUTES OF OPEN MEETING

August 8, 2017

10:00 a.m. – 6:30 p.m.

JCC Veranda Room, 2860 Gateway Oaks Drive, Sacramento, CA, 95833

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Co-Chair), Hon. Mark Ashton Cope, Hon. Joyce D. Hinrichs, and Hon. Paul M. Marigonda.

Executive Officers: Ms. Rebecca Fleming (Co-Chair), Ms. Sherri R. Carter, Mr. Jake Chatters, Mr. W. Samuel Hamrick Jr., Mr. Jeffrey E. Lewis, Mr. Michael D. Planet, Mr. Michael M. Roddy, and Ms. Tania Ugrin-Capobianco.

Advisory Body Members Absent: None

Others Present: Hon. Laurie M. Earl, Hon. Wynne S. Carvill, Ms. Kimberly Flener, Mr. John Wordlaw, Mr. Zlatko Theodorovic, Ms. Lucy Fogarty, Ms. Brandy Sanborn, Ms. Leah Rose-Goodwin, Mr. Peter James, Ms. Rose Livingston, and Mr. Chad Finke.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:02 a.m. and roll was called.

Approval of Minutes

The advisory body reviewed and approved the minutes of the May 25, 2017 Funding Methodology Committee Meeting.

ACTION ITEMS (ITEMS 1-3)

Item 1 – Workload-based Allocation and Funding Methodology (WAFM) Funding Overview (No Action Required)

The chairs provided an overview of the two-day meeting, including evaluating the current WAFM model, defining objectives for a funding model going forward, and organizing the work plan.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Co-Chair, Funding Methodology Subcommittee; Ms. Rebecca Fleming, Co-Chair, Funding Methodology Subcommittee; and Mr. Peter James, Senior Budget Analyst, Judicial Council Budget Services

Action: No action taken.

Item 2 – Evaluation of WAFM (No Action Required)

Evaluation and discussion of WAFM. Hon. Laurie Earl, Superior Court of the County of Sacramento, and Mr. Jake Chatters, Court Executive Office of the Superior Court of Placer County, provided a historical overview of WAFM and the context in which the WAFM model was developed. Committee members discussed what they believed to be the objectives of WAFM and the principles. Members then reviewed a series of graphs showing equity trends and funding trends of the model. Members discussed public comment received to date on WAFM, particularly related to small courts.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Co-Chair, Funding Methodology Subcommittee; Ms. Rebecca Fleming, Co-Chair, Funding Methodology Subcommittee; and Mr. Peter James, Senior Budget Analyst, Judicial Council Budget Services

Action: No action taken

Item 3 – Learning for Future Funding Model (No Action Required)

Members were asked to identify what they viewed as the benefits and concerns with the current funding model. Those items were written on the whiteboard and are transcribed as part of the minutes from this meeting in Attachment A.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Co-Chair, Funding Methodology Subcommittee; Ms. Rebecca Fleming, Co-Chair, Funding Methodology Subcommittee; and Mr. Peter James, Senior Budget Analyst, Judicial Council Budget Services

Action: No action taken

Item 4 – Introduction to Defining Objectives for Future Funding Model (No Action Required)

The members decided it was timely to discuss the 2017-18 WAFM Work Plan, including proposing to defer items 6, 7, 9, and 10 to 2018-19, and revising the language on items 2 and 9 and are included as part of the minutes from this meeting in Attachment B. Discussion to begin defining objectives.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Co-Chair, Funding Methodology Subcommittee; Ms. Rebecca Fleming, Co-Chair, Funding Methodology Subcommittee; and Mr. Peter James, Senior Budget Analyst, Judicial Council Budget Services

Action: No action taken

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:00 p.m.

Approved by the advisory body on October 2, 2017.

Funding Methodology Subcommittee (FMS)
Workload-based Allocation and Funding Methodology (WAFM)
Whiteboard Notes
August 8-9, 2017

A. Benefits and Concerns for Existing WAFM Model

Benefits

1. Equitable allocation of available funding based on workload.
2. Calculates the workload driven need for trial courts.
3. Predictability.
4. Considers local costs.
5. Courts agreed on an underlying model that was in the best interests of the branch (not local court).
6. Removes subjectivity.
7. Transparency.

Concerns

1. Volatility/Predictability.
2. Lack of uniformity in reporting through JBSIS.
3. No mechanism for ensuring courts are following uniform process (JBSIS).
4. Math difficult to follow (transitional).
5. Relies on base \$ from historical date.
6. Allocation relies on taking from one court to fund another court.
7. Difference of opinion; lack of uniformity of message from courts.
8. Lack of understanding of WAFM.
9. WAFM is missing pieces (all revenue/expenses) i.e. civil assessment.
10. Health benefits calculation.
11. No inflation calculator (affects funding floor).
12. Lack of tools.
13. BLS

Funding Methodology Subcommittee (FMS)
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B. Objectives, Principles, and Measures for Future WAFM Model

Objectives

1. Reach equity of available funding based on workload.
2. Develop process to identify trial court funding needs based on workload and related factors.

Principles

1. Minimize volatility, maximize stability and predictability to extent possible.
2. Committed to evaluating all submissions as submitted via the process (WAFM Adjustment Request Process).
3. Time for adjustment and adaptation.
4. Responsiveness to local circumstances.
5. Transparency and accountability.
6. Independent authority of the trial courts.
7. Simplification of reporting while maintaining transparency.

Measures

1. Parity of funding.
2. New money (General Fund) coming in.
3. Overall increase % of need funded.

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C. Actions Requested from Judicial Council Staff and for Discussion

Actions – Information from Staff

1. Leveling to 75% - estimate.
2. Evaluate ARP submission.
3. What does WAFM-related funding look like with civil assessments and what would it look like if civil assessments were pooled and allocated based on WAFM %.
4. Look at adding an inflation factor/adjustment to funding floor calculation.
5. 0.90 BLS calculation (bring all up to) vs. analyze regional comparison of BLS or ?
6. Ask Lake for information on BLS issue.
7. Dollars reverted above one 1% cap.
8. Bands – 5%, 3%, 2% above/below average, and 1%, 2%, 3% max increase/decrease.

Use new RAS #'s moving forward. Looking backward use old #'s.

Actions to Discuss

1. Education of CEO's/PJ – WAFM Comm.
2. Maintain collaboration with CEAC (JBSIS) to support current efforts of standardization.
3. Chair (FMS) will contact WAAC chair.

FUNDING METHODOLOGY SUBCOMMITTEE (FMS) WORK PLAN

Updated on May 25, 2017

(Reflects recommended changes made at August 8, 2017 FMS meeting)

FY 2017–2018

1. Plans for FY 2018–2019 and year 6 and beyond
 - a. Simplify display of worksheets for after year 5
2. Address nNew judgeships staffing complement funding when necessary
(Recommendation made to re-word)
3. Track technology funding streams (quarterly updates from JCTC and CITMF)
(FMS views as an update that can come back to FMS)
4. Track joint working group with Family and Juvenile Law Advisory Committee to evaluate the allocation methodology for Child Support Commissioner and Family Law Facilitator Program funding including. Subsequent to receiving information from working group, FMS will start to review AB 1058 revenue as an offset to WAFM funding need.
(FMS views as an update that can come back to FMS)
5. Evaluate the impact of civil assessments as it relates to the Workload-based Allocation and Funding Methodology (WAFM)
(JC staff to provide information at next FMS meeting)
6. Review TCTF and IMF self-help funding allocation
(Recommendation to defer to FY 2018-19 work plan)
7. Identify all funding sources and determine allocation models
(Recommendation to defer to FY 2018-19 work plan)
8. Review funding floor calculation to determine handling of inflation and refresh cycle
(JC staff to provide information at next FMS meeting)
9. Evaluate Sspecial circumstances cases funding
(Recommendation made to re-word and defer to the FY 2018-19 work plan)
10. Evaluate impact of JCC and other provided services
(Recommendation to defer to FY 2018-19 work plan)
11. Evaluate how to include unfunded costs – courthouse construction
12. Address impact of BLS in the model
(JC staff to provide information at next FMS meeting)