



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

February 28, 2019
10:00 a.m. - 5:00 p.m.
Catalina Room, 455 Golden Gate Avenue, San Francisco, CA 94102

Advisory Body Members Present: Judges: Hon. Daniel J. Buckley (Cochair), Hon. Mark Ashton Cope, and Hon. B. Scott Thomsen

Executive Officers: Ms. Rebecca Fleming (Cochair), Ms. Sherri R. Carter, Mr. Michael D. Planet, Mr. Michael M. Roddy, Ms. Tania Ugrin-Capobianco (phone), and Mr. David Yamasaki.

Advisory Body Members Absent: Hon. Andrew S. Blum

Others Present: Mr. Zlatko Theodorovic, Ms. Lucy Fogarty, Ms. Brandy Sanborn, Ms. Leah Rose-Goodwin, Ms. Michele Allan, and Mr. Catrayel Wood.

OPEN MEETING

Call to Order and Roll Call

The cochairs called the meeting to order at 10:08 a.m. and took roll call.

Approval of Minutes

The subcommittee reviewed and approved the minutes of the October 18, 2018 Funding Methodology Subcommittee (FMS) meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-8)

Item 1 – Civil Assessments and Maintenance of Effort (MOE) Obligation (Action Required)

Discuss the impacts of civil assessments and the MOE obligation on WAFM.

Presenter(s)/Facilitator(s): Hon. Daniel J. Buckley, Cochair, Funding Methodology Subcommittee; Ms. Rebecca Fleming, Cochair, Funding Methodology Subcommittee

Action: The FMS voted unanimously to approve the following recommendations:

1. Adjust each court's workload allocation to include net civil assessments based on the most current fiscal year data (civil assessments less maintenance of effort (MOE) and obligations and expenditures funded by civil assessments) identified in Item 3

2. Table for later consideration the remaining issues contained in the recommendations.

Item 2 - All Funding Sources and Operating Expenses & Equipment (OE&E) Inflationary Factor (Action Required)

Discuss how all funding sources should be factored into WAFM and incorporating an inflationary factor for OE&E into the model.

Presenter(s)/Facilitator(s): Ms. Sherri Carter, Court Executive Officer, Los Angeles Superior Court; Ms. Leah Rose-Goodwin, Manager, Budget Services

Action: The FMS voted unanimously to approve the following recommendations:

1. Adopt the recommendations of the ad hoc group to include or exclude the general ledger (GL) accounts that were reviewed as detailed in Attachment B, effective with 2019-20 allocations;
2. Starting in 2019-20 with the goal of being effective in 2020-21, TCBAC should lead a statewide effort in partnership with CEAC to standardize the usage of GLs so that courts are using the account codes in a uniform and consistent manner;
3. Approve use of a statewide CPI factor to be applied to the Operating Expenses and Equipment calculation starting for 2019-20 allocations; and
4. Add to the FMS work plan a review of all accounts that are used in the computation of the Operating Expenses and Equipment factor.

Item 3 - Unfunded Costs for Facilities (Action Required)

Discuss how unfunded costs for facilities should be factored into WAFM.

Presenter(s)/Facilitator(s): Ms. Angela Guzman, Manager, Budget Services

Action: The FMS voted unanimously to approve the following recommendations:

1. Adjust each court's workload allocation to include net civil assessments based on the most current fiscal year data (civil assessments less maintenance of effort (MOE) and obligations and expenditures funded by civil assessments) identified in Item 3. Table for later consideration the remaining issues contained in the recommendations.

Item 4 - Workload Funding at 100 Percent (Action Required)

Discuss policy parameters regarding an allocation methodology for trial courts that exceed 100 percent of their Workload-Based Allocation and Funding Methodology (WAFM) need.

Presenter(s)/Facilitator(s): Hon. Daniel J. Buckley, Cochair; Ms. Rebecca Fleming, Cochair

Action: The FMS voted unanimously to approve the recommendation that the FMS develop an allocation methodology, that is consistent with the principles of WAFM, for trial courts that exceed 100 percent of their WAFM need. A new ad hoc subcommittee to work on an allocation methodology will be led by David

Yamasaki, joined by Sherri Carter, Tania Ugrin-Capobianco, and Michael Roddy, to report back to FMS by July 1, 2019.

Item 5 - Outcomes for New Funding Provided in the Budget Act of 2018 (Action Required)

Discuss the reporting requirement for the outcomes for the new funding provided in the Budget Act of 2018.

Presenter(s)/Facilitator(s): Hon. Daniel J. Buckley, Cochair; Ms. Leah Rose-Goodwin, Manager, Budget Services

Action: The FMS voted unanimously to approve the recommendation that the edited report be forwarded to the Trial Court Budget Advisory Committee to report back to the Judicial Council. Edits included:

- Removing the word “some” when referencing “some courts” under Funding Needs Yet Unmet;
- Adding “maintain” access “to justice” and “avoid reductions” under Funding Needs Yet Unmet;
- Adding a bullet about not yet at 100% of staffing for court reporters in family law; and
- Expanding the report overall and adding more examples.

Item 6 - Interpreter Shortfall Methodology (Action Required)

Discuss a methodology for reimbursement of interpreter funds in the event of a shortfall.

Presenter(s)/Facilitator(s): Mr. Catrayel Wood, Senior Analyst, Budget Services

Action: The FMS voted unanimously to approve the following recommendations:

1. Provide the Trial Court Budget Advisory Committee with a recommendation to the Judicial Council to provide two options for consideration without a specific recommendation:
 - a. Allocate \$13.5 million of fund balance from the Trial Court Trust Fund to address the projected 2019-20 shortfall in the Court Interpreter Program (CIP).
 - b. Reduce interpreter reimbursements for each court pro-rate based on 2017-18 expenditures to address the projected 2019-20 shortfall in the CIP.
2. Charge the Interpreter Ad Hoc Subcommittee to continue its development of a methodology that addresses anticipated, ongoing funding shortfalls and review existing methodologies.

Item 7 - Updates to WAFM Adjustment Request Procedures (Action Required)

Discuss updates to the existing process to request adjustments to WAFM.

Presenter(s)/Facilitator(s): Hon. Daniel J. Buckley, Cochair; Ms. Rebecca Fleming, Cochair; Ms. Kristin Greenaway, Supervisor, Budget Services

Action: The FMS voted unanimously to approve the edits to the procedures as presented.

Item 8 - Funding Methodology Subcommittee Work Plan (Action Required)

Discuss updates to the Funding Methodology Subcommittee Work Plan.

Presenter(s)/Facilitator(s): Ms. Lucy Fogarty, Deputy Director, Budget Services

Action: The FMS voted unanimously to approve the updates to the work plan as presented with the following changes:

1. Move item 7 regarding the Court Interpreter Program to 2019-20.
2. Incorporate the additional work plan item regarding a review of all accounts that are used in the computation of the Operating Expenses and Equipment factor as recommended in agenda item 2.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1 – Cluster 2 Review

An update on the Cluster 2 review.

Presenter(s)/Facilitator(s): Ms. Kristin Greenaway, Supervisor, Budget Services

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 3:01 p.m.

Approved by the advisory body on June 17, 2019