



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

October 15, 2020

12:00 p.m. – 1:00 p.m.

<http://jcc.granicus.com/player/event/1068?>

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Daniel J. Buckley, Hon. Mark A. Cope, Hon. Jill C. Fannin, Hon. Kimberly Gaab, Hon. Joyce D. Hinrichs, Hon. Patricia L. Kelly, Hon. Charles Margines, and Hon. Deborah A. Ryan.

Executive Officers: Ms. Rebecca Fleming (Vice Chair), Ms. Kim Bartleson, Ms. Sherri Carter, Ms. Nancy Eberhardt, Mr. Michael D. Planet, Mr. Chris Ruhl, Mr. Neal Taniguchi, Mr. Brian Taylor, Ms. Kim Turner, and Mr. David Yamasaki.

Advisory Body Members Absent: Hon. B. Scott Thomsen and Mr. Chad Finke.

Others Present: Mr. John Wordlaw, Ms. Fran Mueller, Mr. Zlatko Theodorovic, Ms. Leah Rose-Goodwin, and Ms. Brandy Olivera.

OPEN MEETING

Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 12:01 p.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved minutes of the October 5, 2020 Trial Court Budget Advisory Committee (TCBAC) video conference meeting.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1 - COVID-19 Backlog Funding (Action Required)

Consideration of an Ad Hoc COVID-19 Backlog Subcommittee recommendation on a definition, reporting requirements, and methodology as it relates to the second half of the \$50 million one-time COVID-19 backlog funding received in the 2020 Budget Act, and in response to a Judicial Council-motion from July 24, 2020.

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

Ms. Rebecca Fleming, Vice Chair, Trial Court Budget Advisory Committee

Action: *TCBAC unanimously voted for the following recommendations to be presented to the Judicial Branch Budget Committee and then presented to the Judicial Council for consideration at its November 12-13, 2020 business meeting:*

A. COVID-19 backlog is defined as workload that was not disposed of during the pandemic period, March 1, 2020 through August 31, 2020. Half of March 2020 was not under shelter-in-place orders, but the monthly approach is how reporting is done.

B1. The methodology of establishing COVID-19 backlog is to determine the net difference between the average of each court's COVID-19 backlog from March 1, 2019 to August 31, 2019 weighted dispositions (see B2 below), compared to average March 1, 2020 to August 31, 2020 weighted dispositions (see B2 below), allocated proportionally based on each court's share of the backlog. The results for all courts will be applied to the available \$25 million in remaining funding and allocated accordingly.

B2. RAS caseweights will be applied to the disposition data defined in B1.

B3. In the event there are courts that are unable to enter the disposition data by case type for the time periods noted in B1, proxies based on statewide averages will be applied to those courts for each time period to establish those courts' COVID-19 backlog and proportional allocation of the remaining \$25 million.

C1. Eligible expenditures for the first \$25 million include, but are not limited to, equipment, personal protective equipment, remote technologies, and personnel costs directly related to COVID-19, effective July 1, 2020.

C2. Eligible expenditures for the second \$25 million are for expenses that endeavor to address and reduce the COVID-19 backlog as defined and calculated from a comparison of court-specific disposition information from the established pre and current pandemic periods.

D. Reporting on progress will occur no less than quarterly, with a redistribution of the second \$25 million to take place in March 2021 in the event courts are unable to project the expenditure of their full allocation.

E. Specifics on JBSIS data elements required and expenditure tracking directions using established WBS elements are forthcoming.

F. Request that Judicial Branch staff create and distribute a template to all 58 courts to report non-dispositional information on how courts have addressed COVID-19 related challenges.

G. Based on efforts on initial approach to report COVID-19 disposition data for the purpose of allocating the remaining \$25 million, and in anticipation of additional work in this area, courts should be prepared to submit disposition data regularly to be eligible for potential future funding.

H. The Ad Hoc COVID-19 Backlog Subcommittee will remain active. The recommendations above are to address the one-time allocation of the \$50 million received this fiscal year and are intended to address the courts most impacted at this point in time. The subcommittee will continue to review and refine this methodology and make additional recommendations as necessary.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:42 p.m.

Approved by the advisory body on November 19, 2020.