

JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET ADVISORY COMMITTEE

TRIAL COURT BUDGET ADVISORY COMMITTEE

REVENUE AND EXPENDITURE SUBCOMMITTEE

MATERIALS FOR AUGUST 22, 2023 VIDEO CONFERENCE MEETING

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Judicial Council of California

Trial Court Budget Advisory Committee

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TRIAL COURT BUDGET ADVISORY COMMITTEE

REVENUE AND EXPENDITURE SUBCOMMITTEE

NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1)) THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS THIS MEETING IS BEING RECORDED

Date:	Tuesday, August 22, 2023
Time:	12:00 p.m 1:00 p.m.
Public Call-in Number:	https://jcc.granicus.com/player/event/2927

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

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to <u>tcbac@jud.ca.gov</u>.

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 April 13, 2023 Revenue and Expenditure (R&E) Subcommittee meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. 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. Only written comments received by 12:00 p.m. on August 21, 2023 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-3)

ltem 1

2023-24 State Trial Court Improvement and Modernization Fund (IMF) Allocation Adjustment for the Judicial Council Center for Judicial Education and Research (Action Required) Consideration of a recommendation to increase the 2023-24 IMF allocation for Center for Judicial Education and Research related to conducting additional new judge orientation sessions to address an increased number of judicial officer appointments.

Presenter(s)/Facilitator(s): Ms. Karene Alvarado, Director, Judicial Council Center for Judicial Education and Research

Item 2

2023-24 State Trial Court Improvement and Modernization Fund (IMF) Allocation Adjustment for the Judicial Council Information Technology Office (Action Required)

Consideration of a recommendation to increase the 2023-24 IMF allocation for Information Technology Office to renew an Interbranch Agreement with the Madera Court to complete a digitization project.

Presenter(s)/Facilitator(s): Ms. Heather Pettit, Director, Judicial Council Information Technology

Item 3

2023-24 Trial Court Trust Fund Allocation Adjustment for Center for Families, Children and the Courts, Sargent Shriver Civil Counsel Pilot Program Grant Allocations (Action Required) Consideration of a recommendation to increase the 2023-24 TCTF allocation for Center for Families, Children and the Courts Sargent Shriver Civil Council Program to fund additional grant allocations from existing program fund reserves, approved by the Shriver Civil Counsel Act Implementation Committee.

Presenter(s)/Facilitator(s): Ms. Laura Brown, Senior Analyst, Judicial Council Center for Families, Children and the Courts

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

None

V. ADJOURNMENT

Adjourn

Judicial Council of California



Trial Court Budget Advisory Committee

TRIAL COURT BUDGET ADVISORY COMMITTEE

REVENUE AND EXPENDITURE SUBCOMMITTEE

MINUTES OF OPEN MEETING

April 13, 2023

10:00 a.m. – 12:00 p.m. https://jcc.granicus.com/player/event/2681

nups.//jee.granicus.com/player/event/2001

Advisory Body	Judges: Hon. Patricia L. Kelly (Cochair)
Members Present:	Executive Officers: Mr. David H. Yamasaki (Cochair), Ms. Stephanie Cameron, Ms. Rebecca Fleming, and Mr. Neal Taniguchi.
Advisory Body Members Absent:	 ent: Executive Officers: Mr. David H. Yamasaki (Cochair), Ms. Stephanie Came Ms. Rebecca Fleming, and Mr. Neal Taniguchi. ody Hon. Jill C. Fannin, Hon. Michael A. Sachs, Ms. Kim Bartleson, and Mr. Sh ent: Landry.
Others Present:	Mr. Zlatko Theodorovic, Ms. Brandy Olivera, Mr. Jessie Romine, Mr. Mike Sun, and Ms. Oksana Tuk.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:00 a.m. and roll was called.

Approval of Minutes

The advisory body reviewed and approved the minutes of the March 23, 2023 Revenue and Expenditure (R&E) Subcommittee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

Item 1 – Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2023-24 (Action Required)

Deliberation regarding allocations from the IMF for 2023-24.

Presenter(s)/Facilitator(s): Mr. Mike Sun, Senior Analyst, Judicial Council Budget Services

Action: The R&E Subcommittee voted unanimously to approve a recommendation to allocate \$44.6 million in preliminary allocations for 2023-24 from the IMF.

Item 2 – Allocations from the Trial Court Trust Fund (TCTF) for 2023-24 (Action Required)

Deliberation regarding allocations from the TCTF for 2023-24.

Presenter(s)/Facilitator(s): Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

Action: The R&E Subcommittee voted unanimously to approve a recommendation to allocate \$254.2 million in preliminary allocations for 2023–24 from the TCTF.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:40 a.m.

Approved by the advisory body on enter date.

Title:2023-24 State Trial Court Improvement and Modernization Fund (IMF)
Allocation Increase for the Judicial Council Center for Judicial Education
and Research (CJER)Date:8/10/2023

Contact: Oscar Aguirre, Sr. Analyst, Center for Judicial Education and Research 916-263-1732 | <u>Oscar.Aguirre@jud.ca.gov</u>

Issue

Consider adopting a recommendation to increase the Judicial Council CJER 2023-24 IMF allocation by \$150,000 to provide additional judicial officer orientation required per California Rule of Court 10.462 to newly appointed judges, for consideration by the Trial Court Budget Advisory Committee (TCBAC), the Judicial Branch Budget Committee (Budget Committee), and then the Judicial Council at its November 16-17, 2023 business meeting.

Background

The Judicial Council CJER provides education courses, products, and resources for the state's approximately 2,500 justices, judges, and subordinate judicial officers and nearly 20,000 court staff as required by California Rules of Court rules 10.451–10.491. California's judicial officers and court personnel participate in mandatory and elective in-person and distance education to perform their responsibilities competently, impartially, and efficiently. Judicial Branch education supports standardizing court practices and procedures to ensure that all Californians have equal access to participate in court proceedings and are treated fairly.

The CJER Advisory Committee consists of judicial officers and court executives who direct 9 curriculum committees to identify educational needs and develop content priorities. Each curriculum committee includes judicial officers and court staff who are subject matter experts. CJER staff apply current principles of adult education to design high-quality products that meet long-term Judicial Branch goals, use public funds responsibly, and incorporate recent changes in the law.

The CJER Advisory Committee designs and delivers its offerings on a two-year planning cycle to meet the Judicial Branch's shifting educational needs. Implicit bias and cultural awareness content are integrated into products across all subjects. CJER's education offerings for both judicial officers and court staff include in-person and live remote courses as well as videos, webinars, podcasts, publications, job aids, program materials, and online courses.

The two-year education plan is developed based on historical needs and current information available at the time of development. The current two-year education plan was developed in 2021 and at that time it was not anticipated that judicial appointments would increase by such a significant amount. For the past several years, CJER has planned for 10 NJO programs per year to meet the requirement of California Rule of Court 10.462 of job training for new judges within six months of appointment. However, due to the significant increase in judges appointed by the governor over the past year, 10 programs will not be sufficient in 2023-24. Based on the current estimate, CJER will need to offer at least six additional NJO programs and expand PAOs to allow for the increased number of new judges who will need to take courses to orient them to their new assignment.

Without additional funding, many newly appointed judges will not be able to meet the education requirements for new judges per California Rule of Court 10.462.

This request for \$150,000 is reflected in the IMF Fund Condition Statement. Based on current revenue estimates, the fund is estimated to have a sufficient balance for the requested allocation increase.

Recommendation

The following recommendation is presented to the Revenue and Expenditure Subcommittee for consideration:

Adopt a recommendation to increase the approved 2023-24 IMF allocation for the Judicial Education Program by \$150,000 to provide the Judicial Council CJER with the resources to offer six additional NJO training programs and to increase the capacity for each of the PAOs being held in 2023-24. This will ensure that newly appointed judicial officers can meet the education requirements for new judges as required by California Rule of Court 10.462.

Attachments

- 1. Attachment 1A: Judicial Council of California Approved 2023-24 Allocations from the IMF– State Operations and Local Assistance Appropriations
- 2. Attachment 1B: IMF Fund Condition Statement

Judicial Council of California Approved 2023-24 Allocations State Trial Court Improvement and Modernization Fund State Operations and Local Assistance Appropriations

			Approved 2023-24 Allocations				
#	Program Name	Office	State Operations	Local Assistance	Total		
Α	В	С	D	Е	$\mathbf{F} = (\mathbf{D} + \mathbf{E})$		
1	Audit Services	AS	\$ 372,000	\$-	\$ 372,000		
2	Trial Court Master Agreements	BAP	182,000	-	182,000		
3	Treasury Services - Cash Management	BAP	110,000		110,000		
4	Data Analytics Advisory Committee	BMS		9,000	9,000		
5	Budget Focused Training and Meetings	BS		25,000	25,000		
6	Revenue Distribution Training	BS		10,000	10,000		
7	Treasury Services - Cash Management	BS	-		-		
	Domestic Violence Forms Translation	CFCC		17,000	17,000		
	Interactive Software - Self-Rep Electronic Forms	CFCC		60,000	60,000		
	Self-Help Center	CFCC		5,000,000	5,000,000		
11	Statewide Multidisciplinary Education	CFCC		67,000	67,000		
12	Shriver Civil Counsel - cy près Funding	CFCC		893,000	893,000		
13	Statewide Support for Self-Help Programs	CFCC		100,000	100,000		
14	Court Interpreter Testing etc.	CFCC		143,000	143,000		
	CJER Faculty	CJER	10.000	48,000	48,000		
	Essential Court Management Education	CJER	40,000	120.000	40,000		
17	Essential Court Personnel Education	CJER		130,000	130,000		
	Judicial Education	CJER		984,000	984,000		
19	Jury System Improvement Projects	CJS		9,000	9,000		
20	Trial Court Labor Relations Academies and Forums	HR		23,000	23,000		
21	Data Center and Cloud Service	IT	2,215,000	4,471,000	6,686,000		
	Uniform Civil Filing Services	IT	399,000	3,000	402,000		
23	California Courts Protective Order Registry (CCPOR)	IT	418,000	537,000	955,000		
24	Telecommunications	IT	-	14,500,000	14,500,000		
25	Enterprise Policy & Planning (Statewide Planning and Dev Support)	IT	1,044,000	2,500,000	3,544,000		
	Data Integration	IT	703,000	993,000	1,696,000		
27	Jury Management System	IT	-	665,000	665,000		
28	Case Management System Replacement	IT	-	-	-		
29	Telecom	IT	1,297,000	4,384,000	5,681,000		
30	Jury System Improvement Projects	LS		10,000	10,000		
31	Regional Office Assistance Group	LS	861,000	-	861,000		
32	Judicial Performance Defense Insurance	LSS		1,931,000	1,931,000		
33	Total		\$ 7,641,000	\$ 37,512,000	\$ 45,153,000		

	Totals by Office	Office	State Operations	Local Assistance	Total
	Legend	С	D	E	$\mathbf{F} = (\mathbf{D} + \mathbf{E})$
34	Audit Services	AS	\$ 372,000	\$ -	\$ 372,000
35	Branch Accounting and Procurement	BAP	292,000	-	292,000
36	Business Management Services	BMS	-	9,000	9,000
37	Budget Services	BS	-	35,000	35,000
38	Center for Families, Children and the Courts	CFCC	-	6,280,000	6,280,000
39	Center for Judicial Education and Research	CJER	40,000	1,162,000	1,202,000
40	Criminal Justice Services	CJS	-	9,000	9,000
41	Human Resources	HR	-	23,000	23,000
42	Information Technology	IT	6,076,000	28,053,000	34,129,000
43	Legal Services	LS	861,000	10,000	871,000
44	Leadership Services	LSS	-	1,931,000	1,931,000
	Tota	Allocations	\$ 7,641,000	\$ 37,512,000	\$ 45,153,000

State Trial Court Improvement and Modernization Fund Fund Condition Statement August 2023

Updated: August 14, 2023					Estimated	
#	Description	2020-21 (Year-end Financial Statement)	2021-22 (Year-end Financial Statement)	2022-23	2023-24	2024-25
		Α	В	С	D	Ε
	Beginning Balance	21,152,288		23,242,054	28,612,000	30,859,510
	Prior-Year Adjustments	2,422,000	8,176,338	5,197,946	0	
3	Adjusted Beginning Balance	23,574,288	25,062,626	28,440,000	28,612,000	30,859,510
4	REVENUES ¹ :					
12	Subtotal Revenues	17,264,000	15,428,439	15,369,000	18,162,000	17,389,000
13	Transfers and Other Adjustments					
14	To Trial Court Trust Fund (Gov. Code, § 77209(j))	-13,397,000	-13,397,000	-13,397,000	-13,397,000	-13,397,000
15	To Trial Court Trust Fund (Budget Act)	-594,000	-594,000	-594,000	-594,000	-594,000
16	General Fund Transfer (Gov. Code § 20825.1)		-270,000	0	0	0
17	Total Revenues, Transfers, and Other Adjustments	3,273,000	1,167,439	1,378,000	4,171,000	3,398,000
18	Total Resources	26,847,288	26,230,065	29,818,000	32,783,000	34,257,510
19	EXPENDITURES ² :					
20	Judicial Branch Total State Operations	4,635,000	5,217,956	7,452,000	7,641,000	7,860,000
21	Judicial Branch Total Local Assistance	47,825,000	44,734,883	37,857,000	38,383,490	38,254,000
22	Pro Rata and Other Adjustments	289,000	307,171	181,000	117,000	117,000
23	Less funding provided by General Fund (Local Assistance)	-42,788,000	-47,272,000	-44,284,000	-44,218,000	-44,218,000
24	Total Expenditures and Adjustments	9,961,000	2,988,011	1,206,000	1,923,490	2,013,000
25	Fund Balance	16,886,288	23,242,054	28,612,000	30,859,510	32,244,510
26	Fund Balance - less restricted funds	12,775,459		26,202,694	28,683,204	30,178,203
27	Structural Balance	-6,688,000	-1,820,572	172,000	2,247,510	1,385,000

¹ Revenue estimates are as of 2023-24 May Revision

² The 2022-23 expenditures reflect anticipated savings as recognized by programs in relation to the 2022-23 Judicial Council-approved allocations.

Title:2023-24 State Trial Court Improvement and Modernization Fund (IMF)
Allocation Increase for the Judicial Council Information Technology (IT)
OfficeDate:08/11/2023Contact:Ms. Heather Pettit, Director, Judicial Council Information Technology
916-263-2708 | Heather.Pettit@jud.ca.gov

Issue

Consider adopting a recommendation to increase the Judicial Council IT office's 2023-24 IMF allocation by \$721,490 to provide the Superior Court of California, County of Madera (Madera Court) the funding to continue efforts to digitize existing court records which began in 2019-20 for consideration by the Trial Court Budget Advisory Committee (TCBAC), the Judicial Branch Budget Committee (Budget Committee), and then the Judicial Council at its November 16-17, 2023 business meeting.

Background

In 2019 Budget Act, the Judicial Council received \$5.6 million General Fund (transferred into the IMF) from the Digitizing Court Records Budget Change Proposal (BCP) (0250-109-BCP-2019-GB) to conduct phase one of a multi-phase program for digitizing mandatory court records for the Superior and Appellate Courts. Of the total BCP amount, \$4.9 million was allocated to Superior Courts participating in phase one. The funding allowed the courts to secure vendor services to prepare the physical documents for conversion, scan them into electronic digital format, and provide quality assurance that the documents were being converted accurately.

Some of the major accomplishments the courts experienced during the first phase of the project include:

- 64,630,000 court case images digitized.
- An estimated 39,934 linear feet of storage space saved.

Madera Court had roughly 7,479 linear feet of active case files, equivalent to 13.4 million pieces of paper, that needed to be digitized. An Intra-branch Agreement (IBA) was issued to distribute \$938,229 to the court. After the IBA was fully executed in March 2020, the court experienced delays in executing a contract for the digitization work due to concerns with vendor contract language, scope, cost, and level of indexing of records. These initial delays prolonged the start of the contract and eventually led to extensions of the IBA in November 2021. During the same

period, the state faced a global pandemic impacting the courts workforce and further delaying the courts efforts on this project. Meanwhile, the existing vendor closed its operations, halting the project, and leaving the court without a service provider.

The combined set of circumstances resulted in the expiration of the existing IBA on June 30, 2023, before the work could be completed. The court expended a total of \$216,739 to the vendor, Stria/Bitwise, leaving a balance of \$721,490 which reverted to the IMF from the court. The Madera Court was unable to complete their goal of digitizing an estimated 13.4 million pages of court case documents prior to the expiration of the IBA.

This request for \$721,490 is reflected in the IMF Fund Condition Statement, as the funds were returned to the fund from the court.

Recommendation

The following recommendation is presented to the Revenue and Expenditure Subcommittee for consideration:

Adopt a recommendation to increase the approved 2023-24 IMF allocation for the Judicial Council IT office by \$721,490 to provide the Madera Court with funding to complete their goal of digitizing over 13.4 million pages of court records and transform the court that relies on paper files into a digital court.

Attachments

- 1. Attachment 2A: Judicial Council of California Approved 2023-24 Allocations from the IMF– State Operations and Local Assistance Appropriations.
- 2. Attachment 2B: IMF Fund Condition Statement

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6	Revenue Distribution Training	BS		10,000	10,000		
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	Telecom	IT	1,297,000	4,384,000	5,681,000		
-	Jury System Improvement Projects	LS		10,000	10,000		
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37	Budget Services	BS	-	35,000	35,000
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43	Legal Services	LS	861,000	10,000	871,000
44	Leadership Services	LSS	-	1,931,000	1,931,000
	Total	Allocations	\$ 7,641,000	\$ 37,512,000	\$ 45,153,000

State Trial Court Improvement and Modernization Fund Fund Condition Statement August 2023

Updated: August 14, 2023					Estimated	
#	Description	2020-21 (Year-end Financial Statement)	2021-22 (Year-end Financial Statement)	2022-23	2023-24	2024-25
		Α	В	С	D	Е
	Beginning Balance	21,152,288	16,886,288	23,242,054	28,612,000	30,859,510
2	Prior-Year Adjustments	2,422,000	8,176,338	5,197,946	0	
3	Adjusted Beginning Balance	23,574,288	25,062,626	28,440,000	28,612,000	30,859,510
4	REVENUES ¹ :					
12	Subtotal Revenues	17,264,000	15,428,439	15,369,000	18,162,000	17,389,000
13	Transfers and Other Adjustments					
14	To Trial Court Trust Fund (Gov. Code, § 77209(j))	-13,397,000	-13,397,000	-13,397,000	-13,397,000	-13,397,000
15	To Trial Court Trust Fund (Budget Act)	-594,000	-594,000	-594,000	-594,000	-594,000
16	General Fund Transfer (Gov. Code § 20825.1)		-270,000	0	0	0
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19	EXPENDITURES ² :					
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23	Less funding provided by General Fund (Local Assistance)	-42,788,000	-47,272,000	-44,284,000	-44,218,000	-44,218,000
	Total Expenditures and Adjustments	9,961,000	2,988,011	1,206,000	1,923,490	2,013,000
25	Fund Balance	16,886,288	23,242,054	28,612,000	30,859,510	32,244,510
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27	Structural Balance	-6,688,000	-1,820,572	172,000	2,247,510	1,385,000

¹ Revenue estimates are as of 2023-24 May Revision

² The 2022-23 expenditures reflect anticipated savings as recognized by programs in relation to the 2022-23 Judicial Council-approved allocations.

Title:2023-24 Trial Court Trust Fund Allocation Adjustment for Center for
Families, Children and the Courts, Sargent Shriver Civil Counsel Pilot
Program Grant AllocationsDate:8/15/2023Contact:Laura Brown, Senior Analyst, Judicial Council Center for Families, Children &
the Courts
916-643-8052 | Laura.Brown@jud.ca.gov

Issue

Consider adopting a recommendation to increase the 2023-24 Trial Court Trust Fund (TCTF) allocation for the Center for Families, Children and the Courts (CFCC) Sargent Shriver Civil Council Program to fund additional grant allocations from existing program fund reserves, for consideration by the Trial Court Budget Advisory Committee (TCBAC), the Judicial Branch Budget Committee (Budget Committee) and the Judicial Council at its November 16-17, 2023 business meeting. Please note that the Shriver Civil Counsel Act Implementation Committee has already approved this recommendation.

Background

On March 30, 2023, the Shriver Civil Counsel Act Implementation Committee met and approved allocating \$15.832 million in grants to qualified legal service providers to operate pilot projects that provide legal representation to low-income Californians in housing, domestic violence prevention, civil harassment restraining orders, probate conservatorships, guardianships of the person, elder abuse, or child custody matters. This was approved with the intention of utilizing a requested TCTF allocation of \$12.265 million and an additional allocation \$3.567 million funded from the existing program fund reserves. The existing program reserves for Shriver are currently \$20 million, and according to statute¹ shall be used to administer the Sargent Shriver Civil Counsel Pilot Program.

On April 13, 2023, the Revenue and Expenditure Subcommittee approved a recommendation to allocate and distribute \$12.265 million to the Sargent Shriver Civil Counsel Pilot Program in

¹ Sargent Shriver Civil Counsel Act, as amended by Assem. Bill 2193, https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2193

2023-24.² The subcommittee's recommendation was approved by the Trial Court Budget Committee on May 4, 2023.³

On July 21, 2023, the Judicial Council approved the recommendation of the Shriver Civil Counsel Act Implementation Committee for \$15.832 million in grant funds for 2023-24 (Link A). The committee's recommendation included \$12.265 million presently allocated through the TCTF and available for expenditure, and \$3.567 million available from the existing Shriver program reserves. However, the 2023-24 TCTF allocations, submitted by the TCBAC and approved by the Judicial Council, did not include the \$3.567 million in additional allocations.

Recommendations

The following recommendation is presented to the Revenue and Expenditure Subcommittee for consideration:

Adopt a recommendation to increase the approved 2023-24 TCTF allocation for the CFCC by \$3.567 million from existing Shriver program reserves to fund the Shriver Civil Counsel Act Implementation Committee approved grants totaling \$15.832 million in 2023-24.

Attachments and Links

Link A: Judicial Council Report, July 21, 2023, Item 23-066, Sargent Shriver Civil Counsel Act: Selection of Pilot Projects, https://jcc.legistar.com/View.ashx?M=F&ID=12124930&GUID=FB567EA4-D0EA-4B2E-

A554-6352E555984D.

https://www.courts.ca.gov/documents/tcbac-20230413-rande-materials.pdf and audio, http://wpc.1a57.edgecastcdn.net/001A57//itso/jc-advisory-groups/tcbac/2023-04-13/tcbac-20230413-randeaudio.mp3.

² Revenue and Expenditure Subcommittee meeting report (April 13, 2023),

³ TCBAC meeting report (May 4, 2023), <u>https://www.courts.ca.gov/documents/tcbac-20230504-materials.pdf</u>, and minutes, <u>https://www.courts.ca.gov/documents/tcbac-20230504-minutes.pdf</u>.