

Trial Court Budget Advisory Committee

Annual Agenda¹—2023

Approved by Judicial Branch Budget Committee: January 18, 2023

I. COMMITTEE INFORMATION

Chair:	Hon. Jonathan B. Conklin, Judge, Superior Court of Fresno County
Lead Staff:	Ms. Brandy Olivera, Manager, Judicial Council Budget Services
Committee's Charge/Membership: Rule 10.64(a) of the California Rules of Court states the charge of the Trial Court Budget Advisory Committee, which is to make recommendations to the council on the preparation, development, and implementation of the budget for trial courts and provides input to the council on policy issues affecting trial court funding. Rule 10.64(b) sets forth additional duties of the committee. Rule 10.64(c) sets forth the membership position of the committee. The Trial Court Budget Advisory Committee currently has 24 members. The current committee roster is available on the committee's web page.	
Subcommittees/Working Groups²: <i>List the names of each subcommittee or working group, including groups made up exclusively of committee/task force members and joint groups with other advisory committees/task forces. To request approval for the creation of a new subgroup, include "new" after the name of the proposed subgroup and describe its purpose.</i> <ol style="list-style-type: none">1. Fiscal Planning Subcommittee (FPS) – Review recommendations regarding trial court requests to set aside funds on their behalf that have reverted to the Trial Court Trust Fund (TCTF) pursuant to Government Code section 77203. This group also reviews requests from trial courts that relate to Children's Waiting Room funding.2. Funding Methodology Subcommittee (FMS) – Ongoing review and refinement of the Workload Formula, develop a methodology for allocations from the TCTF Court Interpreters Program (CIP) (0150037) in the event of a funding shortfall, and consider funding allocation methodologies for other non-discretionary dollars as necessary.3. Revenue and Expenditure (R&E) Subcommittee – Ongoing review of TCTF and State Trial Court Improvement and Modernization Fund (IMF) allocations supporting trial court projects and programs as well as any systematic cash flow issues affecting the trial courts.4. Ad Hoc Interpreter Subcommittee – Develop a methodology for allocations from the TCTF CIP in the event of a funding shortfall and review existing methodologies.	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

Meetings Planned for 2023³ (Advisory body and all subcommittees and working groups)

Date/Time/Location or Teleconference:

The Trial Court Budget Advisory Committee usually holds six meetings annually, four of which are in-person meetings. The Funding Methodology Subcommittee holds two in-person meetings. A budget allocation is provided to the committee to cover the costs of travel and per diem to allow these budget discussions to occur in-person. Beginning with the COVID-19 pandemic and in recognition of ongoing public health guidance and safety protocols, the committee is holding videoconferences in lieu of in-person meetings. Additional meetings to address budget issues will be scheduled as needed.

Trial Court Budget Advisory Committee

January 2023/Videoconference; March 2023/Videoconference; April 2023/Videoconference; May 2023/ Videoconference; July 2023/Videoconference; November 2023/Videoconference

Funding Methodology Subcommittee

April 2023/Videoconference; October 2023/Videoconference

Fiscal Planning Subcommittee

April 2023/Videoconference; August 2023/Videoconference; October 2023/Videoconference

Revenue and Expenditure Subcommittee

April 2023/Teleconference

Check here if exception to policy is granted by Executive Office or rule of court.

³ Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
1.	Project Title: Court Interpreter Employee Incentive Grant Funding	Priority 1⁵ Strategic Plan Goal⁶ VII
<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated as a result of new, one-time \$30 million included in the 2021 Budget Act to establish a Court Interpreter Employee Incentive Grant program intended to increase the number of new interpreters in trial courts, and to increase language access services to court users inside courthouses. Judicial Council Center for Families, Children & the Courts (CFCC) completed one phase of the application process for trial courts consistent with the requirements of the Budget Act resulting in \$2.5 million in grants to nine courts awarded by the Judicial Council in May 2022. A second round of grant applications will be reviewed in the spring of 2023 by CFCC staff with recommendations to be presented to the Trial Court Budget Advisory Committee, the Judicial Branch Budget Committee, and the Judicial Council for approval. The expected outcome is to assist the courts with funding for staff interpreters based on approved grant applications.</p> <p>Status/Timeline: One-time; targeted completion date is spring of 2023 for allocating funds to approved trial courts in 2022-23.</p> <p>Fiscal Impact/Resources: CFCC and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Judicial Branch Budget Committee.</p>		
2.	Project Title: Court Cluster System	Priority 2⁵

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁶ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

⁷ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	New or One-Time Projects⁴	
		Strategic Plan Goal⁶ VII
	<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated from a Funding Methodology Subcommittee recommendation made on February 20, 2020 to initiate an ad hoc subcommittee to reevaluate the cluster system to identify any opportunities for refinement or change. The expected outcome could impact the statewide four-cluster system and/or its criteria.</p> <p>Status/Timeline: One-time.</p> <p>Fiscal Impact/Resources: Business Management Services and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Data Analytics Advisory Committee; Judicial Branch Budget Committee.</p>	
3.	Project Title: Judicial Council-Provided Services Review	Priority 2⁵
	<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated from the Funding Methodology Subcommittee work plan to identify and evaluate the impact of Judicial Council-provided services versus those that are funded by local trial court operations funds. The expected outcome is to determine if any services should be shifted or combined along with any associated funding.</p> <p>Status/Timeline: One-time.</p> <p>Fiscal Impact/Resources: Various Judicial Council offices that provide services to trial courts.</p> <p><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Various advisory bodies that have programs that provide an array of court services; Judicial Branch Budget Committee.</p>	
4.	Project Title: Civil Assessment Allocation Methodology	Priority 2⁵
	Strategic Plan Goal⁶ VII	

#	New or One-Time Projects ⁴
	<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated as a result of new, ongoing funding included in the 2022 Budget Act to backfill civil assessment fee revenue loss due to the reduction in the amount of the civil assessment from \$300 to \$100 and elimination of prior debt. Civil assessment revenues are now deposited into the General Fund rather than the TCTF. A methodology for the \$110 million provided in the 2022 Budget Act was approved by the Judicial Council in July 2022. Beginning in 2023-24, the amount is \$100 million ongoing. The expected outcome is an ongoing methodology recommendation for the \$100 million beginning in 2023-24.</p> <p>Status/Timeline: One-time.</p> <p>Fiscal Impact/Resources: Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Judicial Branch Budget Committee.</p>

#	Ongoing Projects and Activities ⁴	
1.	Project Title: Workload Formula Adjustment Request Process (ARP)	<p>Priority 1⁵</p> <p>Strategic Plan Goal⁶ VII</p>
	<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. At its August 22, 2013 meeting, the Judicial Council approved a recommendation made by the Trial Court Budget Advisory Committee to approve the Workload Formula Adjustment Request Process to allow courts an annual opportunity to submit recommendations for changes to the Workload Formula. The expected outcome is to assist the courts and the council with ongoing review and refinements to the Workload Formula to support trial court operations.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Business Management Services and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p>	

#	Ongoing Projects and Activities⁴	
	<p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: The Data Analytics Advisory Committee oversees the Resource Assessment Study model, which informs the Workload Formula and is often the area for recommendation submissions by trial courts.</p>	
2.	Project Title: Court Interpreter Funding Methodology	Priority 2⁵
	<p>Strategic Plan Goal⁶ VII</p> <p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated due to the declining fund balance in the TCTF CIP (0150037). The Ad Hoc Interpreter Subcommittee was established to develop a methodology for allocations from the CIP in the event of a funding shortfall and to review existing methodologies. The Ad Hoc Interpreter Subcommittee made a recommendation to the Trial Court Budget Advisory Committee that was approved by the Judicial Council on July 24, 2020, to allocate the 2020 Budget Act appropriation to the trial courts, replacing the prior reimbursement process. This same methodology will continue for 2022-23. Effective July 1, 2022, the Judicial Council approved an update to the methodology that incorporates the prior three years' interpreter expenditures and allocates funds up to the appropriation amount. Unspent funds will reimburse courts with a shortfall. On January 20, 2023, the Judicial Council will consider additional recommendations to the methodology to exclude the 2020-21 pandemic year in the three-year average expenditure data indefinitely, utilize CIP fund balance to make courts whole in the event court savings are insufficient up to the appropriation amount, and approve a cross-assignment reimbursement process. The Ad Hoc Interpreter Subcommittee will continue its work to refine the allocation methodology for Trial Court Budget Advisory Committee and Judicial Branch Budget Committee consideration for the 2023-24 fiscal year. The Subcommittee will also consider what other data can be utilized from current case management systems, reporting capabilities, and if data on video remote interpreting can be utilized in the methodology. The expected outcome is to continue to allocate funds that do not exceed the CIP appropriation via a workload-based methodology using the most reliable data available.</p> <p>Status/Timeline: The latest refinements to this project are scheduled to be considered by the Judicial Council at its January 20, 2023 business meeting.</p> <p>Fiscal Impact/Resources: CFCC and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Judicial Branch Budget Committee.</p>	
3.	Project Title: Increased Transcript Rates	Priority 1⁵

#	Ongoing Projects and Activities ⁴	
		<i>Strategic Plan Goal⁶ VII</i>
	<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated as a result of new, ongoing funding included in the 2021 Budget Act; \$7 million to address the costs associated with increased transcript rates, which cannot be used to supplant existing expenditures. The Ad Hoc Court Reporter Funding Subcommittee was established to develop a methodology for allocating these funds to all trial courts. A recommendation by the Trial Court Budget Advisory Committee to the Judicial Branch Budget Committee on December 7, 2021 was approved to allocate the \$7 million proportionally in one lump sum using an average of the prior three-year transcript expenditures. The recommendation also established a baseline for identifying cost increases based on the most-recently published Assessed Judicial Need after a funding floor is provided, beginning in 2021-22. The expected outcome is to assist the courts with covering increased costs for transcript rates.</p> <p>Status/Timeline: Ongoing; this item was considered and approved by the Judicial Council at its September 20, 2022 business meeting.</p> <p>Fiscal Impact/Resources: Business Management Services and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Judicial Branch Budget Committee.</p>	
4.	Project Title: Court Reporter Funding	Priority 1⁵
	<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated as a result of new, ongoing funding included in the 2021 Budget Act; \$30 million to increase the number of court reporters in family law and civil law case types, which cannot be used to supplant existing expenditures. The Ad Hoc Court Reporter Funding Subcommittee was established to develop a methodology for allocating these funds to all trial courts. A recommendation by the Trial Court Budget Advisory Committee to the Judicial Branch Budget Committee was approved on December 7, 2022 to allocate the \$30 million proportionally based on the most-recently published Assessed Judicial Need, after a funding floor is provided, beginning in 2021-22. The expected outcome is to assist the courts with costs for increasing the number of court reporters in family and civil law case types.</p> <p>Status/Timeline: Ongoing; this item was considered and approved by the Judicial Council at its September 20, 2022 business meeting.</p> <p>Fiscal Impact/Resources: Business Management Services and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p>	

#	Ongoing Projects and Activities⁴	
	<p><i>Internal/External Stakeholders:</i> External stakeholders include the trial courts.</p> <p><i>AC Collaboration:</i> Judicial Branch Budget Committee.</p>	
5.	Project Title: Base Funding Floor Adjustments	Priority 2⁵
	<p>Strategic Plan Goal⁶ VII</p> <p><i>Project Summary⁷:</i> Part of the charge of the committee pursuant to rule 10.64. The project originated from the Funding Methodology Subcommittee work plan to review the trial court base funding floor amounts annually, if requested by the applicable courts. These requests are presented to the Trial Court Budget Advisory Committee no later than December, to determine whether an inflationary adjustment is needed. Two requests were received from Alpine and Sierra Superior Courts for an ongoing increase effective July 1, 2023 and were approved by the Judicial Council in July 2023. Additional consideration continues in an effort to provide automatic inflationary adjustments to the base funding floor courts. The expected outcome is to provide these two courts with adequate funding to maintain core operations and provide access to justice.</p> <p><i>Status/Timeline:</i> This item is scheduled to be considered by the Judicial Council at its March 24, 2023 business meeting.</p> <p><i>Fiscal Impact/Resources:</i> Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p><i>Internal/External Stakeholders:</i> External stakeholders include the two smallest trial courts, Alpine and Sierra.</p> <p><i>AC Collaboration:</i> Judicial Branch Budget Committee.</p>	
6.	Project Title: Community Assistance, Recovery, and Empowerment (CARE) Act	Priority 1⁵
	<p>Strategic Plan Goal⁶ VII</p> <p><i>Project Summary⁷:</i> Part of the charge of the committee pursuant to rule 10.64. The project originated as a result of a new court-based mental health services engagement and oversight program. The 2022 Budget Act includes \$2.8 million for staff or other administrative costs for seven trial courts; Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne, for implementation no later than October 1, 2023. A new funding methodology for 2022-23 CARE Act allocations was recommended by the Trial Court Budget Advisory Committee to the Judicial Branch Budget Committee and approved on November 16, 2022.</p>	

#	Ongoing Projects and Activities⁴	
	<p>Status/Timeline: This item is scheduled to be considered by the Judicial Council at its January 20, 2023 business meeting.</p> <p>Fiscal Impact/Resources: CFCC and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Judicial Branch Budget Committee.</p>	
7.	Project Title: Firearms Relinquishment Grant Program	Priority 1⁵
Strategic Plan Goal⁶ VII		
<p>Project Summary⁷: Part of the charge of the committee pursuant to rule 10.64. The project originated as a result of \$40 million in one-time funding to the Judicial Council in the 2022 Budget Act, of which \$36 million must be distributed to trial courts to support court-based firearm relinquishment programs. The Family and Juvenile Law Advisory Committee and the Trial Court Budget Advisory Committee recommended that the Judicial Council approve the allocation and distribution of \$18.5 million to seven trial courts for Firearm Relinquishment Grant awards for 2022-23 through 2024-25. The allocations for funding were recommended by the Trial Court Budget Advisory Committee to the Judicial Branch Budget Committee on November 16, 2022.</p> <p>Status/Timeline: This item is scheduled to be considered by the Judicial Council at its January 20, 2023 business meeting.</p> <p>Fiscal Impact/Resources: CFCC and Budget Services staff.</p> <p><input checked="" type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p>Internal/External Stakeholders: External stakeholders include the trial courts.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee; Judicial Branch Budget Committee.</p>		

LIST OF 2022 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p>Workload Formula, IMF, and TCTF Allocations</p> <p>The Judicial Branch Budget Committee and the Trial Court Budget Advisory Committee made 2022-23 recommendations to the Judicial Council that included IMF and TCTF allocations to the trial courts. The recommendations included a \$45.4 million allocation from the IMF and a \$2.8 billion allocation from the TCTF, which included new funding of \$84.2 million for inflationary costs, \$100 million to promote funding equity, \$31.2 million for new judgeships, \$110 million civil assessment backfill, \$137.8 million General Fund for employee benefits and pretrial funding, and \$50 million in State Court Facilities Construction Fund for support of trial court operations.</p>
2.	<p>Court Interpreter Funding Methodology</p> <p>The Trial Court Budget Advisory Committee made a recommendation to the Judicial Council that was approved on May 21, 2021 for a one-time return of unspent CIP funding for 2020-21, as well as a one-time allocation methodology for 2021-22 while the Ad Hoc Interpreter Subcommittee continued development of a workload-based methodology recommendation effective July 1, 2022.</p>
3.	<p>Pretrial Release Funding and Allocation Methodology</p> <p>The Trial Court Budget Advisory Committee made a recommendation to the Judicial Branch Budget Committee that was approved on August 13, 2021 to allocate 2021-22 one-time and ongoing Pretrial Release funding of \$140 million according to the methodologies outlined in SB 129, which included minimum funding floors for trial courts to contract with probation departments or other county departments for the provision of pretrial monitoring and services. The recommendation was approved by the Judicial Council on October 1, 2021.</p>
4.	<p>Federally Funded Dependency Representation Program Allocation Methodology</p> <p>The project originated as a result of \$30 million General Fund included in the 2021 Budget Act for court-appointed counsel in dependency cases to address a shortfall between the amount estimated to be claimed from Federal Title IV-E funding and the amount that was actually claimed once federal guidance on eligible activities for Title IV-E reimbursement was provided. The Trial Court Budget Advisory Committee made a recommendation to the Judicial Branch Budget Committee that was approved on November 4, 2021 to proportionally allocate and distribute funds in 2021-22 to Federally Funded Dependency Representation Program providers based on Judicial Council CFCC invoicing and monitoring criteria. The expected outcome is to address funding shortfalls timely and accurately so that dependency counsel providers can provide critical services. The recommendation was approved by the Judicial Council on May 10, 2022.</p>

#	Project Highlights and Achievements
5.	<p data-bbox="201 175 856 212">Delegation of Trial Court Trust Fund Authority</p> <p data-bbox="201 250 1948 472">The project originated from an identified opportunity to increase efficiencies to meet the critical funding needs of trial courts and enable council staff to commit funding on a timely basis by delegating authority to the Judicial Council Administrative Director to transfer TCTF funding allocations approved by the Judicial Council between programs or projects. This approach is consistent with the council’s past practice in delegating limited authority to the Administrative Director to transfer allocations funded from the IMF. A recommendation by the Trial Court Budget Advisory Committee for the TCTF delegated authority was approved by the Judicial Branch Budget Committee on December 7, 2021 and by the Judicial Council on January 21, 2022.</p>
6.	<p data-bbox="201 492 1304 529">State Trial Court Improvement and Modernization Fund Allocation Adjustment</p> <p data-bbox="201 566 1927 743">Part of the charge of the committee pursuant to rule 10.64. The project originated from a request from Judicial Council Information Technology to transfer approved IMF funds from Local Assistance to State Operations, which the office utilized for staff employees in lieu of contractors for telecommunications, statewide planning, and development support programs. The Trial Court Budget Advisory Committee approved the recommendation for consideration by the Judicial Branch Budget Committee and the Judicial Council. The recommendation was approved by the Judicial Council on March 11, 2022.</p>
7.	<p data-bbox="201 768 638 805">AB 177 Allocation Methodology</p> <p data-bbox="201 842 1948 1019">The Funding Methodology Subcommittee recommended an allocation methodology for trial court backfill funding developed in consultation with the Department of Finance related to the repeal of fees authorized by AB 177. The Trial Court Budget Advisory approved the recommendation for a two-year average revenue collection methodology to allocate the \$10.3 million included in the 2022 Budget Act for consideration by the Judicial Branch Budget Committee and Judicial Council. The recommendation was approved by the Judicial Council on September 20, 2022.</p>