

**REPORT OF THE TRIAL COURT FUNDING WORKGROUP
TO THE JUDICIAL COUNCIL AND THE GOVERNOR
DRAFT TABLE OF CONTENTS**

I. Introduction

- A. Explains the formation of the workgroup; its charge, etc

- B. Sets out the key items workgroup is tasked to address:
 - 1. Have the goals of trial court funding been met
 - 2. Options to:
 - a. Effectively meet and maintain the goals of having a state funded trial court system; and
 - b. Enhance transparency and accountability

II. Background

- A. Provides a very short history of pre-trial court funding (transition from county to state funding, earlier attempts at trial court funding (e.g., Brown-Presley Act, AB 2533, etc). Include in text side-by-side chart from Sipes book (hand out for 1/15 TCFWG meeting) comparing discrete facts about the California courts in different time periods

- B. Briefly discusses enactment of AB 233, primarily from a procedural perspective, as substance will be discussed in rest of report

III. Meeting the Goals of Trial Court Funding Act

- A. Describes the goals of the Trial Court Funding Act.
[Attachments: 1) goals/principles/expectation/intent – handout for 11/6 meeting of TCFWG; 2) notations of equal access in AB 233 – handout 1/15 TCFWG meeting, as revised to eliminate references to filing fees)]

- B. Discusses progress made toward achieving the goals
 - 1. Includes a look at the ties between funding of California’s trial courts as a statewide system and progress toward meeting the goals of AB 233 [Attachments: 1) funding charts on trial court operations allocations and expenditures, population v. case filings; trial court operations allocations (hand out for 1/15 TCFWG meeting), supplemented or replaced by fiscal data hand outs for 2/19 meeting; 2) accomplishments document (hand out for 2/19 TCFWG meeting); 3) 125-page side-by-side indicating extent of completion (hand out for 2/19 TCFWG meeting) ; 4) summary of side-by-side (hand out for 2/19 TCFWG meeting)

2. Examines services provided to courts to support their ability to provide access (e.g., accounting, treasury, HR services, legal services)
3. Addresses changes in funding by court since the base year of trial court funding (accounting for observed differences, if appropriate)
4. Compares funding by court by case filings (by types), dispositions, etc (hand out for 2/19 TCFWG meeting)
5. Discusses California's Resource Assessment Study (RAS) and Judicial Needs Assessment, including the history, how the models have been used. Includes a detailed discussion of the current RAS model (on JC meeting agenda for 2/26)

IV. Continuing the Progress

A. Getting to a recommendation

1. Includes a discussion of efforts in other states (drawing on reference materials provided, including JMI report on adequate, stable, equitable and responsible trial court funding); nationwide analyses (NCSC Principles of Judicial Administration – hand out for 1/15 TCFWG meeting); and an analysis of cost drivers in California trial courts (trial court expenditures in total and by court) Examines how the RAS model can be used to further the goal of achieving equal access through equity of funding
2. Reviews the recommendation of the Funding Methodology Subcommittee of the Judicial Council's Trial Court Budget Working Group, proposing a new allocation methodology

B. Recommendations [to be developed by the TCFWG at the 2/19 and 3/26-27 meetings]

1. Proposal on how to allocate funding amongst the courts to effectively meet and maintain the goals of having a state funded trial court system and to enhance transparency and accountability
2. Proposals to enhance savings in trial court operations through the use of administrative efficiencies and coordinated efforts between trial courts
3. Any other proposals to assist the courts in making more strides in furthering the goals of AB 233