

TRIAL COURT FUNDING WORKGROUP – CHARGE, COMPOSITION AND ACTIVITIES

With the issuance of the May Revision for 2012-13, the Administration proposed the establishment of a working group to conduct a comprehensive evaluation of the state's progress in achieving the goals outlined in the Lockyer-Isenberg Trial Court Funding Act of 1997. The Chief Justice concurs with the establishment of a working group as the findings will assist the judicial branch in determining that there is efficient, timely, and equitable access to justice for all Californians. The Trial Court Funding Act provided that the state assume full responsibility for funding trial court operations, above a county Maintenance of Effort payment, with the goal of resolving the bifurcated funding structure to allow adequate financial planning for the courts, uniform standards and procedures, and economies of scale for trial courts, and enhance equal access to justice. Some key components of the Act included:

- Requirements for the Judicial Council to submit an annual trial court budget to the Governor for inclusion in the state budget that meets the needs of all trial courts in a manner that promotes equal access to the courts statewide while efficiently and effectively managing resources.
- Continue the development and implementation of comprehensive budget procedures and performance standards.
- Provide for the evaluation of trial courts against performance criteria so that performance, level of coordination, and efficiency can be measured.
- A requirement for the Judicial Council to create a reserve fund of no less than 1 percent to be used to assist financially stressed courts, courts affected by natural disaster, or courts with heavily congested calendars. The fund is also to be used to encourage efforts toward efficiency and coordination.

COMPOSITION AND ACTIVITIES OF THE WORKGROUP

The Trial Court Funding Workgroup will consist of 10 members, six selected by the Chief Justice and four selected by the Governor. The Workgroup may elect to seek input and data, as necessary, from other stakeholders to assist them in its analysis.

The Workgroup is established to determine how the state has progressed since the Trial Court Funding Act, to ascertain whether the goals of the Trial Court Funding Act have been met and to propose options to the Judicial Council to effectively meet and maintain the goals of having a state-funded trial court system and enhance transparency and accountability. The Workgroup should be established and conduct its first meeting by October 2012 and provide a final report to the Judicial Council and the Governor by April 2013. In its report the Workgroup may address (not an all-inclusive listing) the following areas:

1. A statewide analysis of trial court workload metrics, staffing standards, efficiencies, and other relevant data to evaluate trial courts and the state's progress in achieving a statewide court system.
2. An evaluation of the cost drivers and other factors that affect a local trial court's ability to provide equal access to justice.
3. An assessment of methods to enhance savings in trial court operations through the use of administrative efficiencies and coordinated efforts between trial courts.
4. Identification of steps needed to increase funding transparency.