



## Judicial Council of California · Administrative Office of the Courts

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on April 26, 2013

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Title	Agenda Item Type
Report of the Trial Court Funding Workgroup	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	April 26, 2013
Recommended by	Date of Report
Trial Court Funding Workgroup	April 11, 2013
Hon. Harry E. Hull, Jr., Cochair	
Hon. Phillip L. Isenberg, Cochair	Contact
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### Executive Summary

In a joint letter dated September 19, 2012, the Governor and the Chief Justice announced the creation of a new working group to “evaluate the state’s progress in achieving the goals of the Lockyer-Isenberg Trial Court Funding Act of 1997.” The charge of the workgroup was “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 Trial Court Funding Workgroup recommends that the Judicial Council accept the workgroup’s report to the council and the Governor and begin the process of examining and implementing its recommendations.

### Recommendation

The Trial Court Funding Workgroup recommends that the Judicial Council accept the workgroup’s report to the council and the Governor and begin the process of examining and implementing its recommendations.

## **Previous Council Action**

This is the first work product of the Trial Court Funding Workgroup. No previous reports of this workgroup have been presented to the council.

## **Rationale for Recommendation**

On September 19, 2012, Governor Edmund G. Brown, Jr. and Chief Justice Tani G. Cantil-Sakauye announced in a joint letter the creation of a new working group to “evaluate the state’s progress in achieving the goals of the Lockyer-Isenberg Trial Court Funding Act of 1997.” Later named the Trial Court Funding Workgroup, the workgroup was to be a collaborative effort between the judicial and executive branches, with four members appointed by the Governor and six by the Chief Justice of California.

The concept for the joint workgroup was first made public by the Governor in his May Revision of the Budget Act of 2012–2013. The summary of the May Revision included the following discussion:

During the mid-1990’s there were significant reforms in the Judicial Branch—court unification and the state assumption of funding responsibility for trial courts. Prior to state funding, many small courts were in financial crisis and needed emergency state funding to keep their doors open. One of the goals of state funding was to promote equal access to justice so that a citizen’s access to court services was not dependent on the financial health of an individual county. . . .

Fifteen years after the implementation of the Trial Court Funding Act, a comprehensive evaluation of the state’s progress in achieving the goals outlined in the reform legislation, including the ability of trial courts to provide equal access to justice, is appropriate. The Administration proposes to establish a working group to conduct the evaluation. The working group will conduct a statewide analysis of workload metrics, staffing standards, and other relevant data necessary to support a more uniform and efficient administrative system for the judiciary.

Accompanying the joint letter from the Chief Justice and the Governor was a document further explaining the charge, composition, and expectations for the workgroup. “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 Governor and the Chief Justice directed the workgroup to issue to the Judicial Council and the Governor by April 2013 a report that may include, but is not limited to, the following:

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.

The workgroup held five meetings from November 2012 through March 2013, convening every five weeks.

The report produced by the workgroup examines the goals and requirements of the Lockyer-Isenberg Trial Court Funding Act of 1997 (Assem. Bill 233; Stats. 1997, ch. 850) and the progress toward meeting them. The report states the findings of the workgroup and the recommendations for continuing the progress made over the past 16 years since Assembly Bill 233 was enacted and for moving further toward a state-funded system that ensures equal access to justice for all Californians.

### **Comments, Alternatives Considered, and Policy Implications**

This report was not circulated for comment. It is the work product of the workgroup appointed as a joint effort of the executive and judicial branches.

### **Implementation Requirements, Costs, and Operational Impacts**

Accepting the report itself will not result in any costs or have operational impacts. The recommendations in the report, if acted on by the Judicial Council, may result in requirements and costs for the Administrative Office of the Courts and the trial courts.

### **Attachment**

1. *Report of the Trial Court Funding Workgroup to the Judicial Council and the Governor*