



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-196

For business meeting on November 17, 2023

Title

Sargent Shriver Civil Counsel Act:
2023–24 Trial Court Trust Fund
Allocation Adjustment

Agenda Item Type

Action Required

Effective Date

November 17, 2023

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

September 30, 2023

Recommended by

Trial Court Budget Advisory Committee
Hon. Jonathan B. Conklin, Chair
Ms. Rebecca Fleming, Vice-Chair

Contact

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Executive Summary

The Trial Court Budget Advisory Committee recommends approving an increase to the approved fiscal year (FY) 2023–24 Trial Court Trust Fund allocation of \$12.265 million for local assistance of \$3.567 million from existing Shriver program reserves. This increase will fully fund the approved Sargent Shriver Civil Counsel Pilot Program grants to qualified legal services providers and court partners to operate pilot projects that provide legal representation and improved court services to low-income, unrepresented parties at a total of \$15.832 million in FY 2023–24.

Recommendation

The Trial Court Budget Advisory Committee recommends the Judicial Council, effective November 17, 2023, approve an increase to the approved FY 2023–24 Trial Court Trust Fund allocation of \$12.265 for local assistance for the Sargent Shriver Civil Counsel Pilot Program of \$3.567 million from existing Shriver program reserves for a total of \$15.832 million in FY 2023–24.

Relevant Previous Council Action

On July 21, 2023, the Judicial Council approved the Shriver Civil Counsel Act Implementation Committee’s recommendation of 14 three-year grants to qualified legal services providers and their court partners for the administration of pilot projects (Link A). The approved grants totaled \$15.832 million for FY 2023–24.¹ Grant funding would include \$12.265 million for local assistance from the Trial Court Trust Fund (TCTF) and \$3.567 million from existing Shriver program reserves.

Also on July 21, 2023, the Judicial Council approved the 2023–24 TCTF allocation of \$12.265 million for local assistance for the Sargent Shriver Civil Counsel Pilot Program (Link B). However, the 2023–24 TCTF allocation, submitted by the Trial Court Budget Advisory Committee, did not include the \$3.567 million allocation from the program reserves.

This recommendation to approve an increase of \$3.567 million was presented to the Judicial Branch Budget Committee on September 18, 2023, and approved for consideration by the Judicial Council.

Analysis/Rationale

The 2023–24 TCTF local assistance allocation of \$12.265 million to the program has been approved by the council. The recommended allocation of \$3.567 million from the program reserves must also be approved by the council to ensure the approved grants are funded for a total of \$15.832 million for 2023–24. The existing program reserves after the \$3.567 million is deducted are approximately \$20 million and, consistent with the Sargent Shriver Civil Counsel Act (as amended by Assem. Bill 2193; Stats. 2022, ch. 486),² are to be used to administer the program.

The recommended allocation was approved by the Revenue and Expenditures Subcommittee of the Trial Court Budget Advisory Committee on August 22, 2023,³ the Trial Court Budget Advisory Committee on September 7, 2023,⁴ and the Judicial Branch Budget Committee on September 18, 2023.⁵

¹ All further year spans represent fiscal years.

² AB 2193 is available at https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2193.

³ Revenue and Expenditures Subcommittee meeting report (Aug. 22, 2023), www.courts.ca.gov/documents/tcbac-20230822-rande-materials.pdf; audio, <http://wpc.1a57.edgecastcdn.net/001A57//itso/jc-advisory-groups/tcbac/2023-08-22/tcbac-20230822-rande-audio.mp3>.

⁴ Trial Court Budget Advisory Committee meeting report (Sept. 7, 2023), www.courts.ca.gov/documents/tcbac-20230907-materials.pdf.

⁵ Judicial Branch Budget Committee meeting report (Sept. 18, 2023), <https://www.courts.ca.gov/documents/jbbc-20230918-materials.pdf>.

Policy implications

The recommendation supports Goal I of *The Strategic Plan for California’s Judicial Branch—Access, Fairness, Diversity, and Inclusion*⁶—by increasing representation and court services for low-income persons, regardless of immigration status, in diverse geographic areas of California.

Comments

Circulation for public comment was not required for this report.

Alternatives considered

The program is funded by revenues that are to be used solely by the program; therefore, no other alternative funding recommendations were considered.

Fiscal and Operational Impacts

This recommendation is for the allocation of funds designated for the program. No additional costs or impacts are anticipated.

Attachments and Links

1. Link A: Judicial Council of Cal., Advisory Com. Rep., *Sargent Shriver Civil Counsel Act: Selection of Pilot Projects* (June 2, 2023),
<https://jcc.legistar.com/View.ashx?M=F&ID=12124930&GUID=FB567EA4-D0EA-4B2E-A554-6352E555984D>
2. Link B: Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2023–24* (June 23, 2023),
<https://jcc.legistar.com/View.ashx?M=F&ID=12124713&GUID=2A166CFF-E318-4E77-AA91-C06AE38FDFC2>

⁶ California Courts, *The Strategic Plan for California’s Judicial Branch* (July 2019), p. 5, www.courts.ca.gov/documents/Strategic_Plan_Companion_2022.pdf.