



## Judicial Council of California

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 26-050*

For business meeting on April 24, 2026

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**Title**

Allocations and Reimbursements to Trial Courts: Midyear Reallocation of Pretrial Release Funding

**Report Type**

Action Required

**Effective Date**

April 24, 2026

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

April 2, 2026

**Recommended by**

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

**Contact**

Deirdre Benedict, 415-865-7543  
[deirdre.benedict@jud.ca.gov](mailto:deirdre.benedict@jud.ca.gov)

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## Executive Summary

The Trial Court Budget Advisory Committee recommends approving a one-time methodology as outlined in this report for the fiscal year 2025–26 reallocation of pretrial release funding to trial courts with a demonstrated need. This methodology reallocates \$194,000 in voluntarily returned, unspent funds and provides it to courts in which their additional funding need could be most fully supported based on the limited amount of funding available.

## Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective April 24, 2026, approve a one-time reallocation methodology for fiscal year 2025–26.

The proposed reallocations are listed in Attachment A.

## Relevant Previous Council Action

Beginning in fiscal year (FY) 2021–22, the Judicial Council has reviewed and approved annual allocations to the Pretrial Release Program. For FY 2021–22, allocations of \$137.9 million General Fund for the trial courts were approved by the council on October 1, 2021, in accordance with methodologies outlined in Senate Bill 129 (Stats. 2021, ch. 69) and included minimum

funding floors. As required in the legislation, half of the approved FY 2021–22 funding (\$68.95 million) was distributed to the 41 courts that did not receive Pretrial Pilot Program funding provided in the Budget Act of 2019. The remaining \$68.95 million was distributed to all courts. The council has since approved annual allocations to the Pretrial Release Program. In the most recent approval on September 2, 2025, the council directed staff to conduct a midyear survey and recommend a methodology for reallocating funding to trial courts based on demonstrated need.

This reallocation methodology was presented to the Judicial Branch Budget Committee on February 18, 2026, and approved for consideration by the Judicial Council. In order to ensure the most effective use of the limited funds available and provide the biggest impact, the Trial Court Budget Advisory Committee recommends reallocating the funding to the courts requesting amounts that can be fully funded with the limited resources available.

### **Analysis/Rationale**

The Budget Act of 2021 (amended by Sen. Bill 129) provided ongoing funding for “the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.” SB 129 appropriated \$140 million one-time General Fund in FY 2021–22 and \$70 million annually thereafter to the Judicial Council for distribution to the trial courts for these purposes.

In accordance with the Budget Act of 2025 (amended by Assem. Bill 102), item 0250-101-0001, provision 7, the Judicial Council is required to distribute the funding to all courts based on each county’s relative proportion of the state population that is 18 to 25 years of age.<sup>1</sup>

Each court may retain up to 30 percent of the funding for costs associated with pretrial programs and practices. Except as otherwise authorized,<sup>2</sup> courts must contract for pretrial services with their county’s probation department or other county department or agency and provide that department with the remainder of the funds.

The Budget Act of 2025 added language authorizing the Judicial Council to “reallocate unspent funds from counties to other counties with demonstrated needs.”<sup>3</sup> In prior fiscal years, some courts underspent their allocation and returned sizeable amounts of funding to the state’s General

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<sup>1</sup> U.S. Census Bureau five-year estimates based on each county’s relative proportion of the state population 18 to 25 years of age, American Community Survey, 2023: ACS 5-Year Estimates Subject Tables, Table S0101, [https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06\\$0500000&tp=true](https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06$0500000&tp=true). The California Department of Finance population data age categories do not match the age categories specified in the SB 129 language. The department broke down the 18-to-25 age category into two groups: 15 to 19 years of age and 20 to 24 years of age. SB 129 specified that the age group be between 18 and 25 years of age.

<sup>2</sup> SB 129 specifically provides that the Superior Court of Santa Clara County may contract with the Office of Pretrial Services in that county and the Superior Court of San Francisco County may contract with the sheriff’s office and the existing not-for-profit entity that is performing pretrial services in the city and county for pretrial assessment and supervision services.

<sup>3</sup> Assem. Bill 102, § 4, item 0250-101-0001, provision 12.5.

Fund. The reallocation authority provides a mechanism to ensure funding to support pretrial services are utilized fully and appropriately.

On September 2, 2025, the Judicial Council approved the FY 2025–26 allocations and directed council staff to conduct a midyear survey and recommend a methodology for reallocating funding between trial courts based on demonstrated need.

### **Survey results**

Council staff conducted the midyear survey in early November 2025. Thirty-two courts confirmed that they were not requesting additional funds and were not returning any of their allocated funding. One court responded to the survey returning funds in the amount of \$194,000. Twenty-four courts responded to the survey requesting additional funds totaling approximately \$12.2 million.<sup>4</sup>

Twenty-four courts submitted requests for additional funds. Of these, 11 courts sought amounts that exceeded the total funds available and were not considered due to the minimal amount available. The remaining 13 courts, each requesting less than the total funds available, were prioritized for consideration. These courts submitted a one-page narrative detailing their specific need for additional funds, how the funds would be used to address the need, and the outcome of receiving or not receiving the funds.

Staff reviewed the one-page narratives in addition to analyzing each court’s spending patterns from previous fiscal years. Staff focused on the spending patterns for FY 2022–23 through FY 2024–25, as many courts’ spending increased as they moved from implementation to operations. Staff also reviewed the submitted FY 2025–26 budgets for these courts.

Based on the narratives provided by the 13 courts, the majority of funding requests were intended to offset reductions in state pretrial funding and county reductions for probation departments. Primarily the requesting courts identified reduced services and support from the probation department for the court and the individuals released pretrial. This includes reducing the number of officers available to provide assessment reports in a timely manner to the court, the reduction of electronic and alcohol monitoring tools as well as support services to the individual released pretrial, and the reduction of court staff available to coordinate the pretrial release program.

To maximize the impact of the reallocation, the Trial Court Budget Advisory Committee recommends as a one-time methodology reallocating based on the smallest requests and fulfilling the most complete requests up to the \$194,000 that was returned. Under this methodology, the Superior Courts of Plumas, Lassen, El Dorado, Modoc, and Solano Counties would be funded at the full amount of their requests. The Superior Court of San Mateo County would be funded at

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<sup>4</sup> One court did not respond to the survey.

55 percent of its request—to utilize every dollar of the reallocated funding. (See Attachment C for a summary of the requests.)

### **Policy implications**

No policy implications are associated with this report.

### **Comments**

Public comments were not solicited for this proposal because the recommendations are within the Judicial Council’s purview to approve without circulation.

### **Alternatives considered**

The following reallocation alternatives were considered.

- Reallocate funding equally among all 24 courts that requested funding. Under this methodology, each court that requested funding would receive approximately \$8,000. (See Attachment B.) While this approach ensures that each court receives an amount, the level of funding provided would have very limited impact on larger courts and those that requested more than the \$194,000 available.
- Resurvey all the courts with the known amount of reallocated funding. The initial survey conducted in November 2025 asked courts to specify the amount of reallocated funding they needed, without knowing how much funding was available. After the initial survey identified a confirmed dollar amount, a follow-up survey with that information could be conducted. However, given the timeline to secure approval from the budget committees and ultimately the Judicial Council before the end of the fiscal year, resurveying all courts is not a practical option.

### **Fiscal and Operational Impacts**

The midyear reallocation of pretrial release funding allows for the funding to be used fully to best support courts and their pretrial service providers in meeting the mandate under the Budget Act of 2025.

### **Attachments and Links**

1. Attachment A: Recommended Reallocation Amounts
2. Attachment B: Alternative Reallocation Amounts
3. Attachment C: Summary of Requests
4. Attachment D: Narrative Responses from Courts Requesting \$194,000 or Less
5. Link A: Sen. Bill 129 (Stats. 2021, ch. 69),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB129](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB129)
6. Link B: Assem. Bill 102 (Stats. 2025, ch. 5),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB102](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB102)

**Recommended Reallocation Amounts**

Reallocate funding based on smallest requests and fulfill the most complete requests up to the \$194,000 that was returned.

<b>Court</b>	<b>Requested Amount</b>	<b>Funding Proposed</b>
Plumas	\$8,583	\$8,583
Lassen	14,500	14,500
El Dorado	24,780	24,780
Modoc	51,000	51,000
Solano	55,452	55,452
San Mateo	72,000	39,685
<b>Total</b>	<b>\$226,315</b>	<b>\$194,000</b>

### Alternative Reallocation Amounts

Reallocate funding equally among all 24 courts that requested funding.

<b>Court</b>	<b>Requested Amount</b>	<b>Funding Proposed</b>
Plumas	\$8,583	\$8,083
Lassen	14,500	8,083
El Dorado	24,780	8,083
Modoc	51,000	8,083
Solano	55,452	8,083
San Mateo	72,000	8,083
Merced	80,000	8,083
Yuba	85,000	8,083
San Joaquin	100,000	8,083
Yolo	117,885	8,083
Marin	120,000	8,083
Sutter	140,188	8,083
Mendocino	150,000	8,083
Sonoma	200,000	8,083
Butte	252,330	8,083
Placer	327,677	8,083
Sacramento	366,000	8,083
Kern	423,270	8,083
Nevada	492,000	8,083
Santa Cruz	500,000	8,083
Madera	1,171,048	8,083
Santa Clara	1,674,380	8,083
Alameda	2,500,000	8,083
Los Angeles	3,318,512	8,083
<b>Total</b>	<b>\$12,244,605</b>	<b>\$194,000</b>

## **Summary of Requests**

### **Plumas – \$8,583 request**

Restore a Deputy Probation Officer to a full-time position, restore electronic/alcohol monitoring to previous levels; make software updates, and provide support services needed.

FY 2024–25 Allocation      \$125,000

FY 2025–26 Allocation      \$115,938

In FY 2024–25, Plumas spent 92 percent of its entire pretrial allocation.

### **Lassen – \$14,500 request**

Maintain probation services through the end of this fiscal year.

FY 2024–25 Allocation      \$200,000

FY 2025–26 Allocation      \$185,500

In FY 2024–25, Lassen spent 97 percent of its entire pretrial allocation.

### **El Dorado – \$24,780 request**

Maintain probation services at current levels and offset the court's salary expenditures.

FY 2024–25 Allocation      \$234,237

FY 2025–26 Allocation      \$214,729

In FY 2024–25, El Dorado spent 102 percent<sup>1</sup> of its entire pretrial allocation.

### **Modoc – \$51,000 request**

Maintain probation service levels.

FY 2024–25 Allocation      \$200,000

FY 2025–26 Allocation      \$185,500

In FY 2024–25, Modoc spent 101 percent of its entire pretrial allocation.

### **Solano – \$55,452 request**

Make necessary technical updates to the court's pretrial case management system.

FY 2024–25 Allocation      \$695,875

FY 2025–26 Allocation      \$640,422

In FY 2024–25, Solano spent 99 percent of its entire pretrial allocation.

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<sup>1</sup> Over 100 percent spending reflects a court's earned interest on the pretrial program that utilized above the yearly allocation amount.

**San Mateo – \$72,000 request – Fund at 55 percent**

Partially funding this request would restore funding for probation staff and fund a transition to a new pretrial risk assessment tool.

FY 2024–25 Allocation      \$996,136

FY 2025–26 Allocation      \$921,931

In FY 2024–25, San Mateo spent 89 percent of its entire pretrial allocation.

**Narrative Responses from Courts Requesting \$194,000 or Less**

Date: December 5, 2025

Plumas Superior Court  
FY2526 Pretrial Release Program  
RE: Narrative in Support of Pretrial Reallocation Funding Need

Plumas Superior Court respectfully requests an additional \$8,583.47 for FY2526. The additional funds which were included in our original budget will be used for the following:

- Restore FTE Pretrial Deputy Probation Officer to 1.0 FTE
- Restore Electronic Monitoring / Soberlink Program to previous levels
- Noble Software Updates
- Provide Cell Phone Service to Clients
- Drug Testing
- Ensure the ability to provide housing, inpatient treatment, and emergency shelter

The outcome of receiving the funding verse not receiving the funding will result in the following:

- The additional funding will support the need for 1.0 FTE Pretrial Deputy Probation Officer. The result in additional funding to support this position will mean more time for the deputy to attend hearings and track outcomes, not only for pretrial supervision clients, but all release categories. If the funding is not approved, it is likely the Probation Department will not have the resources to maintain pretrial services at a level that is acceptable to the Court.
- The additional funding will support the cost for Soberlink Alcohol Detection program and drug testing program for the entire fiscal year. If the funding is not approved the current funds budgeted will most likely be exhausted prior to the end of the fiscal year. The Probation Department does not have other funding sources that can supplement these services, and the services will be discontinued once the funds are exhausted.
- The additional funding will ensure that the Noble Software is updated. If the funding is not approved the software will not be updated and Probation may not be able to comply with future reporting requirements.
- The additional funding will ensure Probation can provide clients with cell phone service to ensure they stay in contact with Probation and can get their hearing reminders. If the funding is not approved Probation will not be able to support this cost for clients making it more difficult to keep in contact with them.
- The additional funding will ensure there are funds support housing, inpatient treatment, and emergency shelter needs for clients. If the funding is not approved these services will be eliminated.

Thank you for your consideration.



## Superior Court of California, County of Lassen

Mark R. Nareau  
Presiding Judge

Robert M. Burns  
Assistant Presiding Judge

Megan Reed  
Court Executive Officer

Administrative Office  
2610 Riverside Drive, Susanville, CA 96130  
Telephone: 530-251-8102

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Date: December 5, 2025

To: Budget Committee

From: Samantha Ngotel, Administrative Services Manager

Re: Fiscal Year 2025-2026 Pretrial Reallocation Request Justification

Lassen County Superior Court received an allocation totaling \$185,500 for the Fiscal Year 2025-2026. The allocation was a decrease from the previous fiscal years' awards of \$200,000 per year, the floor allocation. Lassen Court partners with Lassen County Probation Department to facilitate and meet the goals of the Pretrial program. Allocation funds are split on a 70/30 basis between probation and the court. These funds support court and probation department staff in serving the public and achieving the mission of Pretrial as directed by the state. The decrease in allocation from past fiscal years to this current year's award did not dictate a decrease to program activity or needs. Lassen County is a generally underserved community with limited opportunities for employment and therefore great challenges exist in attracting viable candidates to the area. As a result of prior years Pretrial allocations, Probation was able to hire and dedicate staff directly supporting the program. The program continues to operate at the same level and the same cost as it did in prior years. As such, without the court's request to receive an additional \$14,500 reallocation for pretrial being granted, probation's portion of the existing allocation will be elapsed before the completion of the fiscal year. Pretrial costs for the Probation department average \$12,000 per month. The cost of the program for Probation alone is estimated to land around \$144,000 per fiscal year. As of the date of this memo, Probation has billed through October 2025 totaling \$47,804.43. A reallocation of \$14,500 will enable Probation to continue meeting service level requirements. Without the reallocation, Probation will be unable to maintain necessary staffing levels to meet service level needs required to facilitate the Pretrial program. The court and probation staff had dedicated many hours to establishing and developing our pretrial program since its installation and thank you for your consideration in awarding the requested reallocation amount of \$14,500. If awarded this amount, Lassen Court and Probation department will continue to foster and grow our Pretrial program in support of our county and constituents to the level they so deserve.

Sincerely,

*Samantha Ngotel*

Samantha Ngotel  
Administrative Services Manager



# SUPERIOR COURT OF CALIFORNIA COUNTY OF EL DORADO

2850 Fairlane Court, Suite 110  
Placerville, California 95667

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December 4, 2025

Judicial Council of California  
2850 Gateway Oaks Drive, Ste 490  
Sacramento, CA 95833

Re: Pretrial Reallocation

To Whom It May Concern:

Since Fiscal Year 21/22, the Courts have been receiving (and utilizing) an average of \$322,465.36 in Pretrial funding. With this funding, the El Dorado Superior Court (Court), in conjunction with the El Dorado County Department of Probation (EDC Probation), have offset salary expenditures for eight probation officers, where 100% of their regularly scheduled hours were exclusively assigned to pretrial activities. Probation uses these funds to enhance the EDC Probation's Pretrial Services Program, which includes providing information to the Court about a defendant's risk and establishing conditions for release if they are granted pretrial release. They utilize a weighted risk factor tool (Virginia Pretrial Risk Assessment Instrument - VPRAI) to help identify the party's level of risk by examining all charges and identifying the most serious charge category and its impact on the individual's overall risk. There are six levels of risk assessed and four levels of pretrial monitoring or supervision.

Along with this, the Court has offset salary expenditures for 13 Court employees, amounting to approximately \$75,543.42 in salaries allocated to staff's pretrial program hours (data from fiscal year (FY) 24/25). Program hours are dedicated to support staff who are committed to assisting judicial officers with determining pretrial release, assessing a defendant's risk of failing to appear in court or committing a new crime, and providing supervision or other release conditions.

The total allocation amount of \$214,728.76 for FY 25/26 limits the amount of funding provided to Probation necessary to sustain and expand the County's Pretrial Services Program, as well as support the Court in continuing to offset the salaries, benefits, and indirect costs of Court staff assigned to and actively working on the pretrial program.

The additional ask of \$24,780.49 for FY 25/26 will allow the Court to maintain its commitment to the EDC Probation as well as offset the Court's expenditures. This will put us in alignment with the exact amount that the Court received in funding for FY 24/25 (\$239,509.25).

Should the Court not receive the additional funding for FY 25/26, we would limit the level of support we have been able to maintain with EDC Probation since 2021, as well as restrict the full support of Court staff assigned to the pretrial program.

If you have any further questions or need further explanation of our requested additional funding amount, please contact us.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Shelby Wineinger".

Shelby Wineinger  
Court Executive Officer



## MODOC COUNTY PROBATION DEPARTMENT

326 South Main Street - Alturas, California 96101

(530) 233-6324 - FAX (530) 233-6363

Chief Probation Officer Stephen Svetich



### Response for Additional Pretrial Funding

For the past several fiscal years, Modoc County Probation has been entirely dependent on state funding for its budget; this has consisted primarily of realignment (AB109), SB678, and Pretrial funds. Our net General Fund monies make up an insignificant part of our annual revenues.

Historically, the costs of meeting the needs of our Pretrial client base have exceeded our Pretrial allocation of \$140,000 (decreasing to \$130,000 for the current FY), such that we have been forced to make use of our other two funding streams to pay for services rendered to our Pretrial client population.

Of those two funding sources, one, AB109, is a limited line-item which typically only covers Probation costs associated with GPS and alcohol monitoring. Therefore, the majority of our excess Pretrial funding is drawn from SB678. For the past three fiscal years, we have used the entirety of our SB678 grant and been forced to budget from our savings. This year, the state decreased our SB678 funding, a decrease which comes at the same time that we have budgeted the last of our savings.

In order to stay within our budget, we have already begun to limit the amount of alcohol and GPS tracking services recommended by the Court. As this has been one of our court's preferred options for Pretrial services, this has necessarily decreased our scope of Pretrial service. We have also decreased the number and length of housing services we have offered to clients, partly as a result of the changes in California's residency laws and partly due to funding concerns.

Our request for additional funding, therefore, is primarily intended to allow us to continue the same scope of services that we have previously been able to meet: GPS tracking, continuous alcohol monitoring, and the labor costs for same. The amount requested reflects not only the difference in allocation amounts between this fiscal year and the previous, but the historic shortfalls we have incurred in meeting our clients' needs. With these additional funds, we also hope to be able to expand our scope to include other services we have been financially unable to provide, such as transportation to court and clothing vouchers for clients.

Without this additional funding, we project that we may be unable to offer the equivalent scope of services as in previous years, or may be forced to request the county pay for services out of the general fund, thereby reducing services offered elsewhere.

A handwritten signature in blue ink, appearing to read "Stephen Svetich", is written over a horizontal line.

Stephen Svetich  
Chief Probation Officer  
Modoc County Probation



Superior Court of California  
County of Solano

Hall of Justice  
600 Union Avenue  
Fairfield, California 94533

Sara J. MacCaughey  
Assistant Court Executive Officer

December 1, 2025

Judicial Council of California  
Via Email: [pretrial@jud.ca.gov](mailto:pretrial@jud.ca.gov)

Re: Pretrial Reallocation

To Whom It May Concern,

The Court is requesting a reallocation of \$55,452 to support the ongoing need for IT troubleshooting and technical support associated with our pretrial system. Our Court IT staff have been working closely with our justice partners, and continued adjustments to the system configuration have been required. In addition, several requests have arisen that fall outside the original scope of the project, resulting in the need for additional staff time and technical resources. This funding will allow Court IT to continue implementing necessary enhancements to improve system performance and streamline processes for all users.

Without this reallocation, the Court would face delays in system updates, reduced capacity to respond to technical issues, and potential impacts on the efficiency and reliability of pretrial operations. Access to these funds ensures we can maintain a fully functional system that supports timely and accurate justice partner collaboration.

If any funds remain after covering Court IT staff time, the Court will use the balance to support county probation expenses, if necessary.

Sincerely,

Sara MacCaughey

Assistant Court Executive Officer  
Superior Court of California, County of Solano  
Email: [sjmaccaughey@solano.courts.ca.gov](mailto:sjmaccaughey@solano.courts.ca.gov)

Cc: Brian Taylor, CEO  
Agnes Shappy, CFO

San Mateo Superior Court  
FY 25-26 Pretrial Allocation  
Justification for Additional MYR Funding

Requested MYR Funding:  
\$72,000

Background:

All courts experienced a 7.25% statewide cut to Pretrial Services (PTS) funding, which amounted to an estimated \$72,000 locally for the San Mateo Superior Court. A majority of that funding cut was absorbed through our county probation department despite probation fully utilizing their allocated pretrial funds in prior fiscal years. Consequentially, probation had to make the difficult decision to absorb the cuts by reducing funding in a critical area—probation staffing.

Justification:

Our court has experienced significant delays in receiving timely notification of condition violations due to probation being understaffed in their PTS division. The delay between when the defendant failed to abide by their conditions of supervised release and when the court was notified by way of memo and warrant request was noted in nearly every case being reviewed between September-November 2025. Some of these cases posed a grave threat to public safety, involving serious alcohol-related offenses where the defendant failed to test or tested positive on the Continuous Alcohol Monitoring electronic device. If the court must release defendants on non-financial conditions then it must be insured that the conditions are being abided by. This may be accomplished with more adequate funding and/or restoration of funds for probation staff.

Alternatively, our court is interested in exploring new or improved pretrial risk assessment tools as our bench has identified gaps in information and risk assessment with our current tool. San Mateo current uses VPRAI-R and would like to explore other risk assessment systems that might better meet our needs. The \$72,000 also can be used to fund this targeted project aimed at finding the best pretrial risk assessment tool to meet our local needs.

Additional funding in either of these two areas would have a positive impact to public safety and improving PTS. Therefore, San Mateo requests restoration of funding for FY 25-26 up to the funding cut we experienced at the beginning of the fiscal year of \$72,000.