



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-155

For business meeting on September 19, 2023

Title

Trial Court Budget: Fiscal Year 2023–24
Allocation of CARE Act Funding

Rules, Forms, Standards, or Statutes Affected

None

Recommended by

Trial Court Budget Advisory Committee
Hon. Jonathan B. Conklin, Chair

Agenda Item Type

Action Required

Effective Date

September 19, 2023

Date of Report

August 23, 2023

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Executive Summary

The Trial Court Budget Advisory Committee (TCBAC) recommends allocating the funding included in the 2023 Budget Act to support the addition of the Superior Court of California, County of Los Angeles, to the courts implementing the Community Assistance, Recovery, and Empowerment (CARE) Act in fiscal year 2023–24.

Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective September 19, 2023, approve the allocation of \$9.4 million included in the 2023 Budget Act to the Superior Court of Los Angeles County for CARE Act implementation in fiscal year 2023–24.

This recommendation was presented to the Judicial Branch Budget Committee on August 10, 2023, via action by email, and approved for consideration by the Judicial Council.

Relevant Previous Council Action

On January 20, 2023, the Judicial Council approved an allocation methodology to distribute \$2.8 million in planning funds to the seven courts making up the first cohort of courts implementing the CARE Act in 2022–23.¹

On July 21, 2023, the Judicial Council approved an allocation methodology to distribute \$20.0 million for CARE Act implementation: \$12.3 million in operating funds to the seven courts in Cohort One implementing the CARE Act in 2023–24 and \$7.7 million to Cohort Two courts to support implementation in 2024–25.²

Analysis/Rationale

The 2023–24 May Revision of the Governor’s Budget included \$9.4 million in additional funding for the Superior Court of Los Angeles County to begin CARE Act implementation on December 1, 2023. This funding was included in the final Budget Act. The Los Angeles court had previously been part of the second cohort and scheduled to begin implementation in October 2024. With the shift of the Los Angeles court to Cohort One and the addition of this funding in the budget, Los Angeles will begin CARE Act implementation on December 1, 2023.

The addition of Los Angeles to Cohort One occurred late in the budget process, and the \$9.4 million for Los Angeles was determined using the Department of Finance’s cost model for CARE Act implementation. The \$9.4 million estimate was calculated as a supplementation augmentation to the budget. Therefore, Los Angeles’s share of the total \$29.5 million included in the budget represents a different allocation methodology than that of the other courts. Because the administration and the Legislature intend that the \$9.4 million augmentation is specifically to fund the Los Angeles court’s implementation, Judicial Council staff recommend that the total amount be provided to Los Angeles County. The TCBC’s recommended Workload Formula methodology, which was used to allocate funding to all other participating courts in 2023–24, will be used to allocate funding to all courts, including Los Angeles, in subsequent years.

In addition, the Los Angeles court will receive \$1.3 million under the current workload formula to fund planning for CARE Act implementation in 2023–24. Because Los Angeles will not be implementing until December 2023 but will be planning for implementation, staff also

¹ This and all subsequent year spans refer to fiscal years. Judicial Council of Cal., Advisory Com. rep., *Trial Court Budget: Community Assistance, Recovery, and Empowerment (CARE) Act Allocation Methodology* (Nov. 29, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11534097&GUID=9FC7F7C5-8C5F-4D79-970C-FC1A78752C5A>; Judicial Council of Cal., mins. (Jan. 20, 2023), <https://jcc.legistar.com/View.ashx?M=M&ID=989262&GUID=469D83CC-3971-47BE-B5FC-22D1052C8643>.

² Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Fiscal Year 2023–24 Allocation of Community Assistance, Recovery, and Empowerment (CARE) Act Funding* (June 7, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12125820&GUID=BB56211B-2F20-4BB8-8E94-B0909B17F695>.

recommend that this amount not change. The amount for Los Angeles was approved by the Judicial Council on July 21, 2023, as part of the CARE Act allocations for all courts in 2023–24. Under the approved methodology, all courts will be surveyed at midyear and can elect to reallocate any excess funding.

Policy implications

There are no policy implications to consider for the recommended allocation.

Comments

Circulation for public comment was not required for this report.

Alternatives considered

Because the intent of the Department of Finance in proposing and the Legislature in approving the \$9.4 million augmentation was that the money be used to fund Los Angeles County’s CARE Act implementation, no alternatives were discussed.

Fiscal and Operational Impacts

This recommendation is for the allocation of funds that are included in the 2023–24 budget. No additional costs or impacts are anticipated.

Attachments and Links

1. Link A: Budget Act of 2023 (Assem. Bill 102; Stats. 2023, ch. 38),
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB102