

RAS, WAFM, and the Trial Courts

Judicial Council Educational Session

August 25, 2016

WAFM

Background

- Allocation of trial court budgets is one of the principal responsibilities of the Judicial Council, and every funding decision taken by the council has an impact upon the equity of funding in the courts
- Uneven workload growth since the advent of state funding has in many cases overtaken the relatively modest attempts to improve the equity of trial court funding.
- In particular, funding adjustments have not matched workload growth in Inland Empire and Central Valley courts or the slower growth of workload in larger, urban, and coastal courts.



WAFM

Workload-Based Allocation & Funding Methodology

- Calculates an estimate of funding needed, by court, for non-judicial, filings-driven functions
- Compares the total estimated funding need for all courts to total equivalent available funding
- Establishes methodology for allocation if available funding is less than funding needed
- In FY 2015-16, the equivalent funding is only 72% of the need



WAFM

Major Components of Estimating Need:

- An estimation of workload via the Resource Assessment Study model – RAS – expressed in numbers of “full time equivalents” or FTE
- Converting FTE into dollars using an average salary cost, adjusting for cost-of-labor differentials using US Bureau of Labor Statistics data, and including actual retirement and health costs



RAS: Resource Assessment Study

Why RAS?

- Workload in the courts has changed over time
- The case mix and volume of cases is different across courts
- Agreement in principle that funding should be linked to workload



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RAS: Resource Assessment Study

Estimates the need for nonjudicial trial court staff based upon workload using:

- Three-year average of filings data for 20 different case types
- Caseweights based on a staff time study that measure the amount of time needed for case processing work
- Other factors outside of the time study that evaluate workload need for managers/supervisors and admin staff



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RAS: Resource Assessment Study

- Interim adjustments (e.g., update of manager/supervisor ratio)
- Current caseweights based on 2010 time study; update of time study underway, will provide new caseweights for FY 2017-18
- Similar model is used to measure workload-based need for judicial officers



BLS Factor

Bureau of Labor Statistics

Cost of Labor Adjustment:

- Identifies labor cost differences between courts. (e.g., San Francisco labor is more expensive than Sacramento labor)
- Applied to the estimated “salary” amount only
- Local government is used as the comparison for most, except in counties with high proportions of state employment
- Three-year average used to smooth any fluctuations



WAFM

Major Components of Estimating Need:

- An estimation of non-personnel costs (OE&E) needed for operations, this accounts for office supplies and equipment, IT equipment, software, and services, janitorial services, transcripts, etc.
- Higher amounts are provided for small court OE&E due to lack of economy of scale.



WAFM

Major Components of Estimating Need:

- A base funding floor to reflect the costs of the minimum level of court operations needed regardless of filings.
- Removing need associated with Title IV-D Child Support (AB 1058) grant-funded programs.
- As approved by the Judicial Council, all major components are updated annually except the caseweights which are roughly every five years and the base funding floor which is pending a recommendation to the council.



WAFM

What it doesn't include:

- Costs associated with programs or salaries funding through dedicated funding sources, for example Title IV-D Child Support, enhanced collections programs, court-appointed counsel, security, SJOs, and interpreters.
- Both the need (cost) and funding are excluded from the model.



WAFM

What it doesn't require/mandate:

- How courts structure positions.
- The number and make up of court staff.
- The actual salaries courts pay specific classifications.



How is WAFM Implemented

WAFM-based Reallocation of FY 2013-14 Historical Base Funding

Five year transition plan:

FY 2013-14 – 90% of the FY 2013-14 historical base funding allocated based on the FY 2013-14 historical funding allocation and 10% allocated based on WAFM

FY 2014-15 – 85% 2013-14 historical allocation basis, 15% WAFM basis

FY 2015-16 – 70% 2013-14 historical allocation basis, 30% WAFM basis

FY 2016-17 – 60% 2013-14 historical allocation basis, 40% WAFM basis

FY 2017-18 – 50% 2013-14 historical allocation basis, 50% WAFM basis



How is WAFM Implemented

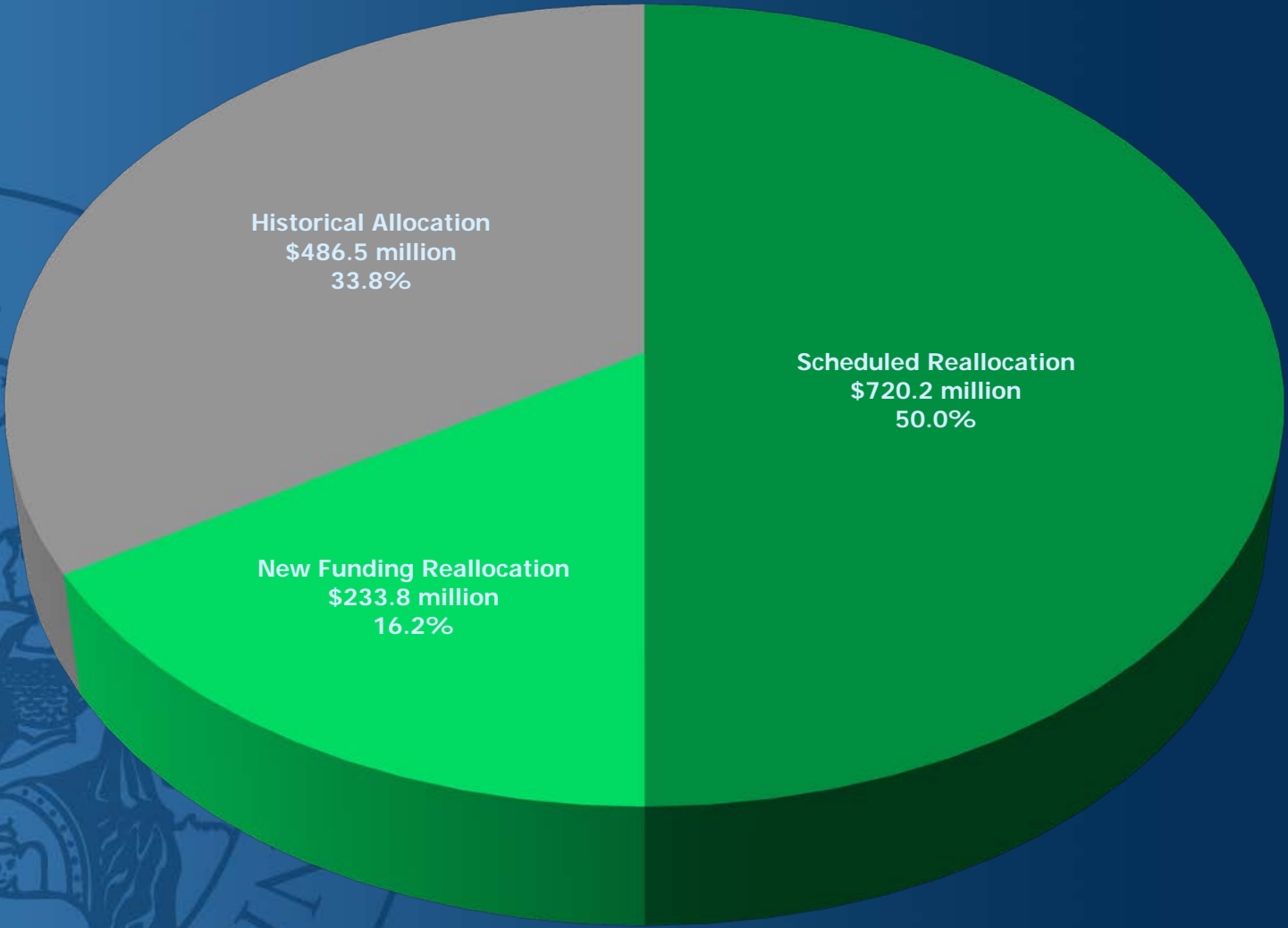
New Money – Funding Above State Provided Funding at beginning of FY 2013-14

- Any new money appropriated for general trial court operations, not specific court costs, is allocated using WAFM.
- An amount equal to the new money amount of FY 2013-14 historical base funding is then also reallocated using WAFM.



Estimated 2017-2018 WAFM Reallocation of 2013-2014 Historical Base Funding

(For Reference Purposes, Assumes No Additional Funding After 2016-2017)

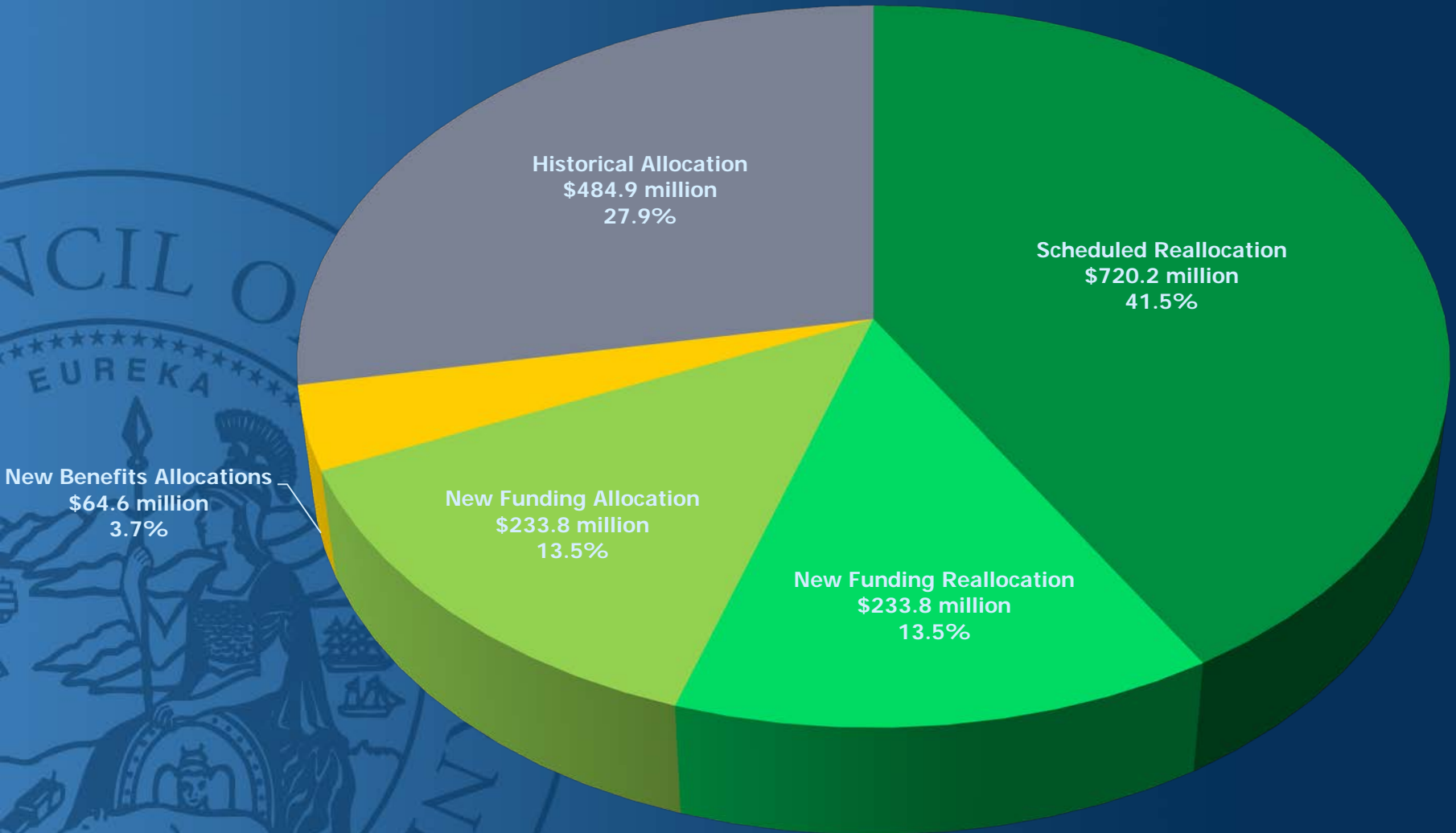


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2013-2014 HISTORICAL BASE FUNDING
(\$1,440.5 Million)

Estimated 2017-2018 WAFM Allocation Allocated or Reallocated Using WAFM

(For Reference Purposes, Assumes No Additional Funding After 2016-2017)



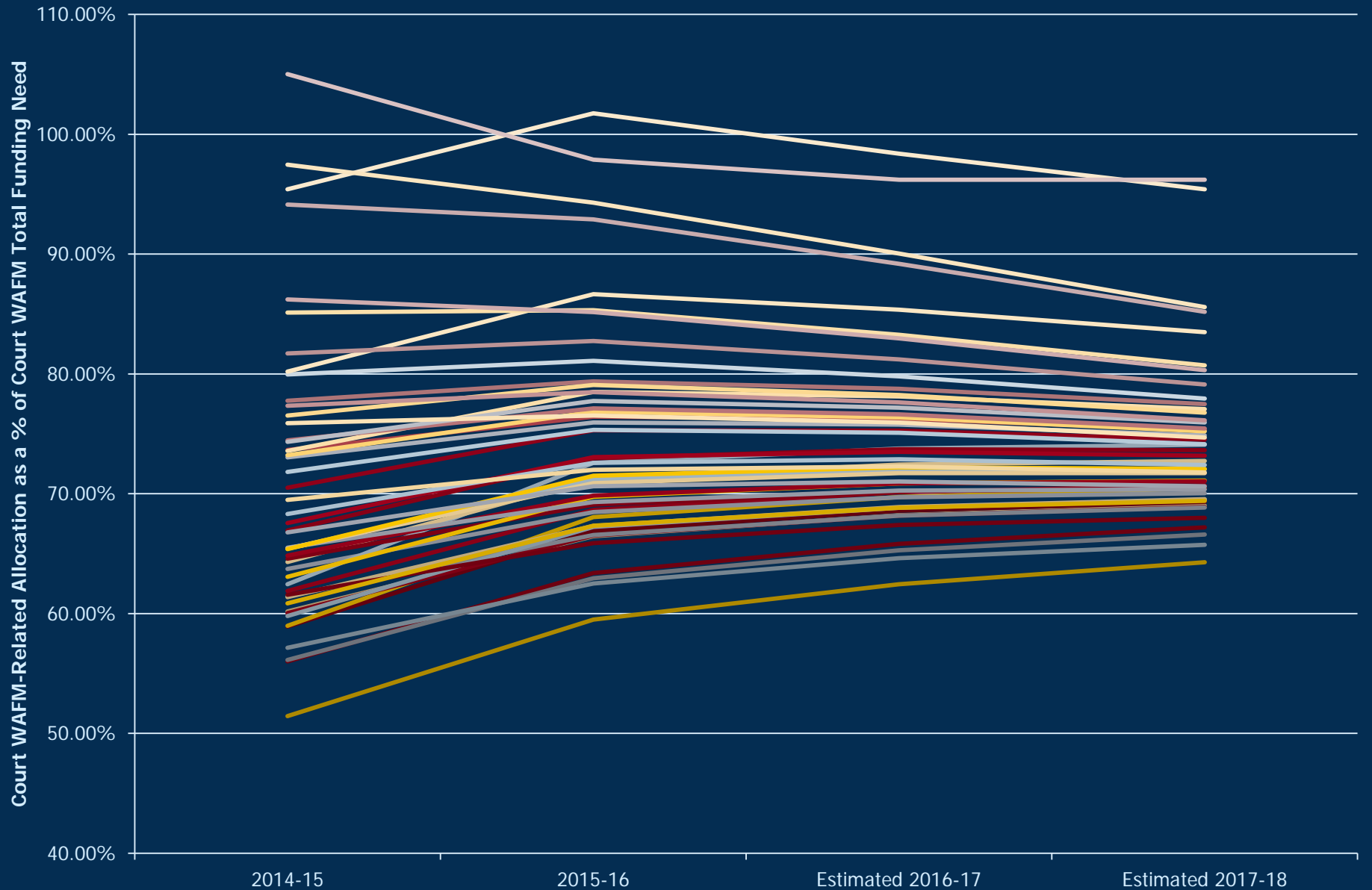
New Benefits Allocations
\$64.6 million
3.7%

**BASED ON 2016-2017 WAFM ALLOCATION
(\$1.737 Billion)**



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Chart 1 -- Court WAFM-Related Allocation as a % of Court WAFM Total Funding Need (excluding funding floor courts)



Workload Assessment Advisory Committee (WAAC)

Roles and Responsibilities



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WAAC Background

- Started as SB 56 Working Group in 2009, became a formal advisory committee in 2015
- Makes recommendations on “judicial administration standards and measures that provide for the equitable allocation of resources across courts to promote the fair and efficient administration of justice”



WAAC Background

- Rotating membership of eight judicial officers and eight court executive officers
- Staffed by the Office of Court Research



WAAC Charge

- Recommend improvements to performance measures and implementation plans and any modifications to the Judicial Workload Assessment and the Resource Assessment Study Model



WAAC Charge

- Recommend processes, study design, and methodologies that should be used to measure and report on court administration



WAAC Charge

- Recommend studies and analyses to update and amend case weights through time studies, focus groups, or other methods



WAAC Oversight of Workload Studies

- Staff and judicial time studies to be updated every five years
- RAS updated annually with new filings data for budget allocations
- Judicial needs updated every two years with new filings data pursuant to legislative mandate



Funding Methodology Subcommittee

Roles and Responsibilities



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Subcommittee

Background

- This subcommittee, formed in July 2013, includes 15 presiding judges and court executive officers and is staffed by JCC Finance with support from the Office of Court Research. This group will continue to focus on the ongoing review and refinement of the Workload-based Allocation and Funding Methodology approved by the council in April 2013.
- This subcommittee is expected to meet at least twice per year.



Subcommittee Work Plan

Background

- In order to effectively address all outstanding issues related to trial court funding, need, and allocation methodology, the subcommittee established a work plan which currently has 9 issues to be addressed in 2016-2017, and 2 issues not currently scheduled.



Subcommittee Work Plan

2016-2017

1. Identify technology funding streams (with JCTC and CITMF assistance)
2. AB 1058 Joint Subcommittee to evaluate the allocation methodology for Child Support Commissioner and Family Law Facilitator Program funding including review AB 1058 revenue as an offset to WAFM funding need.
3. Evaluate the impact of civil assessments as it relates to WAFM
4. Review TCTF and IMF self-help funding allocation



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Subcommittee Work Plan

2016-2017

5. Identify all funding sources and determine allocation models
6. Review funding floor calculation to determine handling of inflation and refresh cycle
7. Special circumstances cases funding
8. Allocation methodology for staffing complement funding of reallocated judgeships
9. Allocation methodology for undesignated reductions



Subcommittee Work Plan

Indefinite

1. Evaluate impact of JCC and other provided services
2. Evaluate how to include unfunded costs – courthouse construction



End of Presentation



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