



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 16, 2016

Title	Agenda Item Type
Judicial Council Report to the Legislature: Fee Revenue and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2015–2016	Action Required
	Effective Date
	December 16, 2016
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	December 1, 2016
Recommended by	Contact
Zlatko Theodorovic, Director Judicial Council Budget Services	Colin Simpson, 415-865-4566 colin.simpson@jud.ca.gov

Executive Summary

Judicial Council staff recommend approving the *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2015–2016*. Government Code section 68086(f) requires that the Judicial Council report to the Joint Legislative Budget Committee annually, by February 1, information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide.

Recommendation

Judicial Council staff recommend that the Judicial Council:

1. Approve the attached report; and
2. Direct Judicial Council staff to submit the report to the Legislature.

Previous Council Action

The report on trial court reporter fees collected and expenditures for court reporter services in superior court civil proceedings has been required and submitted under Government Code section 68086(f) since fiscal year 2003–2004. The council has approved previous fiscal year reports. These reports are posted on the California Courts website on the “Legislative Reports” webpage: <http://www.courts.ca.gov/7466.htm>.

Rationale for Recommendation

This report to the Legislature is required to be submitted by the Judicial Council by February 1 after the end of the fiscal year under Government Code section 68086(f), which requires that the report include information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide.

Comments, Alternatives Considered, and Policy Implications

Because this report is required by the above-referenced section of the Government Code, no alternatives were considered. This report is not required to circulate for public comment.

Implementation Requirements, Costs, and Operational Impacts

Submission of this mandated report to the Legislature imposes no implementation requirements, costs, or operational impacts on the trial courts.

Attachments and Links

1. *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2015–2016*



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Chief Justice of California
Chair of the Judicial Council

HON. DOUGLAS P. MILLER
Chair, Executive and Planning Committee

HON. DAVID M. RUBIN
Chair, Litigation Management Committee

HON. KENNETH K. SO
*Chair, Policy Coordination and
Liaison Committee*

HON. HARRY E. HULL, JR.
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MR. MARTIN HOSHINO
*Administrative Director,
Judicial Council*

December 22, 2016

Hon. Mark Leno, Chair
Joint Legislative Budget Committee
California State Senate
Attn: Ms. Peggy Collins 1020 N Street, Room 553
Sacramento, California 95814

Re: Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2015–2016, as required by Government Code section 68086(f)

Dear Senator Leno:

The Judicial Council respectfully submits this report, as required by Government Code section 68086(f), concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year (FY) 2015–2016.

In FY 2015–2016, \$23,037,564 was remitted to the Trial Court Trust Fund as required by Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1. The breakdown of the remitted funds is as follows:

- Under Government Code section 68086(a)(1), \$4,644,543 came from fees paid by parties to civil proceedings for the services of an official court reporter in each proceeding lasting one hour or less.
- Under Government Code section 68086(a)(2), \$3,786,656 came from fees paid by parties to civil proceedings for the services of an official court reporter in proceedings lasting more than one hour on the first day and each succeeding judicial day the services were provided.

- The amount of \$14,606,365 is attributable to the fee required to be deposited in the Trial Court Trust Fund by Government Code section 68086.1 from the following: first paper filings and responses for civil proceedings, other than proceedings under the Probate Code, in the superior court where the amount demanded is more than \$10,000; family law filings and responses; and marriage dissolution filings and responses. This amount reflects the distribution to the Trial Court Trust Fund from total revenues collected for first paper, family law, and marriage dissolution filings and responses from July 1, 2015, to June 30, 2016.¹

In FY 2015–2016, the estimated amount spent for the services of court reporters in superior court civil proceedings was \$68,660,509. The expenditure amount is an estimate because most courts do not track the time court reporters spend in proceedings by case categories. The estimate of \$68,660,509 was made by taking the sum of total FY 2015–2016 budgeted salaries and benefits for all filled court reporter employee positions as of July 1, 2015 (\$192,946,633), and total FY 2015–2016 expenditures on contract court reporters (\$6,069,336), and multiplying by the estimated proportion of time court reporters spend on civil cases (civil, probate, mental health, guardianship, and family) versus all cases, 34.5 percent. The time percentage estimate is based on the most recent time study survey, which was conducted by the National Center for State Courts in September 2003 and involved the superior courts in nine California counties—Amador, Calaveras, Los Angeles, Sacramento, San Bernardino, San Joaquin, San Mateo, Shasta, and Stanislaus—representing about 47.7 percent of statewide authorized court reporter positions.²

If you have any questions related to this report, please contact Mr. Zlatko Theodorovic, Director, Judicial Council Budget Services, at 916-263-1397.

Sincerely,

Martin Hoshino
Administrative Director
Judicial Council of California

¹ Of the amount collected, \$8,106,365 was available to be used for services of an official court reporter in civil proceedings, because a \$6.5 million ongoing redirection of this revenue to offset trial court funding reductions was approved by the Judicial Council at its July 22, 2011, business meeting as authorized by Government Code section 68086.1(c).

² Per FY 2015–2016 Schedule 7A, as submitted by the courts, 642.7 of 1,346 authorized court reporter full-time equivalent positions as of July 1, 2015.

MH/CS

Attachment

cc: Members, Joint Legislative Budget Committee
Diane F. Boyer-Vine, Legislative Counsel
Daniel Alvarez, Secretary of the Senate
E. Dotson Wilson, Chief Clerk of the Assembly
Shaun Naidu, Policy Consultant, Office of Senate President pro Tempore Kevin de León
Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon
Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office
Tina McGee, Executive Secretary, Legislative Analyst's Office
Emma Jungwirth, Program Budget Analyst, Department of Finance
Peggy Collins, Principal Consultant, Joint Legislative Budget Committee
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Julie Salley-Gray, Consultant, Senate Budget and Fiscal Review Committee
Jolie Onodera, Consultant, Senate Appropriations Committee
Matt Osterli, Consultant, Senate Republican Fiscal Office
Mike Petersen, Consultant, Senate Republican Policy Office
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Chuck Nicol, Principal Consultant, Assembly Appropriations Committee
Christian Griffith, Chief Consultant, Assembly Budget Committee
Allan Cooper, Consultant, Assembly Republican Office of Policy & Budget
Paul Dress, Consultant, Assembly Republican Office of Policy & Budget
Zlatko Theodorovic, Director, Budget Services, Judicial Council
Cory T. Jaspersen, Director, Governmental Affairs, Judicial Council
Peter Allen, Director, Public Affairs, Judicial Council
Laura Speed, Principal Manager, Governmental Affairs, Judicial Council
Yvette Casillas-Sarcos, Administrative Coordinator, Governmental Affairs, Judicial Council



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Administrative Director,
Judicial Council

Report Title: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2015–2016*

Statutory Citation: Assembly Bill 1759 (Stats. 2003, ch. 159)

Code Section: Gov. Code, § 68086(f)

Date of Report: December 22, 2016

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 68086(f), which requires the council to report concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in each fiscal year. The following summary of the report is provided per the requirements of Government Code section 9795.

This report provides information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year (FY) 2015–2016. Trial courts reported collecting \$23,037,564 for the period July 1, 2015, to June 30, 2016. Because most courts do not track the amount of time court reporters spend in proceedings by case categories, statewide expenditures related to civil proceedings must be estimated. Expenditures on court reporter services in civil proceedings in FY 2015–2016 are estimated to have been \$68,660,509.

The full report is available at <http://www.courts.ca.gov/7466.htm>. A printed copy of the report may be obtained by calling 415-865-7966.