



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688
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CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-25-04

Title

Allocations and Reimbursements to Trial
Courts: Pretrial Release Funding and
Allocation Methodology

Rules, Forms, Standards, or Statutes Affected

None

Recommended by

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

Action Requested

VOTING MEMBERS ONLY: Submit votes
by responding to the transmittal email.

Please Respond By

September 2, 2025

Date of Report

August 25, 2025

Contact

Deirdre Benedict, 415-865-7543
deirdre.benedict@jud.ca.gov

Public Comment

Written comments for this Judicial Council
action are accepted by 3:00 p.m. on
August 26, 2025.

California Rules of Court, rules 10.5(h) and 10.13(d), allow the Judicial Council to act on business between meetings, including urgent matters, by circulating order. This memorandum is not a Judicial Council meeting; circulating orders are conducted via electronic communications. Public notice for circulating orders may be provided and public comments may be accepted in writing according to an established time frame at judicialcouncil@jud.ca.gov. Only written comments received by the deadline will be forwarded to Judicial Council members.

Executive Summary

The Trial Court Budget Advisory Committee recommends approving the fiscal year 2025–26 pretrial release funding of \$63.95 million General Fund for the trial courts and directing Judicial Council staff to conduct a midyear survey and recommend a methodology for reallocating funding to trial courts based on demonstrated need. Funding through the pretrial release program

provides for the operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.

Recommendation

The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council, effective September 2, 2025, approve fiscal year (FY) 2025–26 pretrial release allocations of \$63.95 million General Fund for the trial courts in accordance with methodologies outlined in the Budget Act of 2025, as amended by Assembly Bill 102, including minimum funding floors. TCBAC also recommends that the council direct staff to conduct a midyear survey and recommend a methodology for reallocating funding to trial courts based on demonstrated need.

Recommendations were presented to the Judicial Branch Budget Committee on August 18, 2025, and approved for consideration by the Judicial Council.

Relevant Previous Council Action

Beginning in 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 with the most recent approval on July 12, 2024, for funds distributed in FY 2024–25.

Analysis/Rationale

The Budget Act of 2025 reduced the overall allocation to the program from \$68.95 million to \$63.95 million in FY 2025–26. This funding is intended to be distributed to the courts for the operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.¹

Each court may retain up to 30 percent of the funding for costs associated with pretrial programs and practices. Courts are required to contract for pretrial services with their county’s probation department or any county department or agency other than those that have primary responsibility for making arrests or prosecuting criminal offenses and provide those departments with the remainder of the funds.²

¹ The Budget Act of 2025 allocated \$1.05 million to the Judicial Council for administrative costs. This cost is separated from the overall allocation of \$65 million, reducing the available allocation for local operations to \$63.95 million.

² The Budget Act of 2025 specifically provides that the Superior Court of Santa Clara County may contract with the Office of Pretrial Services in that county, and that the Superior Court of San Francisco County may contract with the

The Judicial Council is required to distribute funds annually to all courts based on each county's relative proportion of the state population that is 18 to 25 years of age. The entire allocation of \$63.95 million will be distributed to the courts in accordance with this methodology. Of the \$63.95 million, \$48.95 million, known as the base funding, must be expended or encumbered by June 30, 2026. The remaining \$15 million, or rollover funding, will be available for expenditure or encumbrance through June 30, 2028. The breakdown of these allocation recommendations is reflected in Attachment A.

Funding floor

In prior years, the pretrial release allocations approval requests to the TCBAC included a recommendation to provide small and small-medium courts with a \$200,000³ funding floor with a commitment from Judicial Council staff to monitor and evaluate the impact of and necessity for the floor and return to the committee with a recommendation to either rescind or adjust the floor.

The funding floor allocation has allowed small and small-medium courts to implement and operate robust pretrial programs that promote court appearance and public safety. If small and small-medium courts are limited to their unadjusted allocations, all of them will likely overspend their allocations, with many spending more than twice their unadjusted allocations. The funding floor allows the courts to hire necessary staff, provide basic equipment and supplies, and contract with providers for services that are essential for program operation such as court management system hosting and internet services.

For FY 2025–26, Judicial Council staff recommend the following allocations:

- 20 courts to receive the full funding floor of \$185,500;
- 1 court to receive a floor of \$139,125;
- 1 court to receive a floor of \$115,938; and
- 1 court to receive a floor of \$23,188.

The recommended allocations reflect a 7.25 percent reduction from the allocations that were originally proposed to the TCBAC at its meeting on May 7, 2025.⁴ This reduction has been

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.

³ The original funding floor allocation of \$200,000 is equivalent to the funding floor used in the funding methodology in the California Community Corrections Performance Incentives Act of 2009. (Sen. Bill 678; Stats. 2009, ch. 608, courts.ca.gov/sites/default/files/courts/default/2024-12/sb678.pdf.) In FY 2023–24, after an annual spending survey of the funding floor courts, staff implemented a sliding-scale model to more effectively allocate the funding based on individual court needs.

⁴ Trial Court Budget Advisory Committee Meeting Notice and Agenda (May 7, 2025), courts.ca.gov/system/files/file/tcbac-20250507-noticeandagenda.pdf; Trial Court Budget Advisory Committee Meeting Materials (May 7, 2025), courts.ca.gov/system/files/file/tcbac-20250507-materials.pdf.

applied to ensure the aforementioned 23 courts receive a proportional adjustment consistent with the reductions made to all other courts.

Reallocation authority

The Budget Act of 2025 added language authorizing the Judicial Council to “reallocate unspent funds from counties to other counties with demonstrated needs.”⁵ In prior fiscal years, during the early years of program implementation, some courts underspent their allocation and returned sizeable amounts of funding to the state’s General Fund. The reallocation authority will provide a mechanism to ensure funding to support pretrial services is utilized fully and appropriately.

Historically, courts receive their annual pretrial allocations in their August distribution. Following approval by the Judicial Council, trial courts can expect to receive their annual allocations in the September 2025 distribution. Funds identified to be redistributed will need to be returned and reallocated in early 2026.

Due to the tight timeline between the courts receiving their allocations and the midyear survey, staff recommend a voluntary process to encourage courts to closely review their spending patterns and see where adjustments can be made to ensure their allocations are fully expended according to program guidelines.

Staff recommend conducting a survey of the courts in early November to determine which jurisdictions anticipate having unspent funding and which jurisdictions anticipate a demonstrated need for additional funding.

Courts requesting additional funds will need to clearly outline the need, the budget for use of the funds within the fiscal year to address the need, and the potential outcome of not receiving additional funding. Courts will have approximately three weeks to respond to the survey. Staff will follow up with courts with projected unspent funding to confirm potential funding that could be used by other courts. Concurrently, staff will follow up with courts seeking additional funding to finalize their requested amounts.

Once all courts have been surveyed about potential unspent funds and potential additional funding needs, staff will recommend a reallocation methodology to maximize use of the available funding and in accordance with the budget language.

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.

⁵ Assem. Bill 102, § 4, item 0250-101-0001, provision 12.5.

Alternatives considered

Staff considered eliminating the funding floor recommendations, but this alternative is not feasible. In FY 2024–25 more than half the courts that received a funding floor expended over 100 percent of their unadjusted allocation. These courts would not have enough funding to continue operating their pretrial programs without the funding floor adjustments.

Fiscal and Operational Impacts

The Budget Act of 2025 allocates \$1.05 million to the Judicial Council for costs associated with implementing, supporting, and evaluating pretrial programs in courts. Council staff continue to assist courts with legal, educational, and technical support to help courts operate their pretrial programs and meet the legislative requirements.

Attachments and Links

1. Attachment A: Recommended FY 2025–26 Pretrial Release Program Total Allocations
2. Attachment B: Recommended FY 2025–26 Pretrial Release Program Base Allocations
3. Attachment C: Recommended FY 2025–26 Pretrial Release Program Rollover Allocations
4. Voting instructions, at page 12
5. Vote and signature pages, at pages 13–14

Author

Deirdre Benedict

Supervising Analyst, Criminal Justice Services

Recommended FY 2025–26 Pretrial Release Program Total Allocations

Court	Allocation of \$48.95 million based on percentage of 18-to-24-yr.-olds (\$)	Allocation of \$15 million based on percentage of 18-to-24-yr.-olds (\$)	Total allocation
Alameda	1,715,812	525,785	2,241,597
Alpine	141,989	43,511	185,500
Amador	106,492	32,633	139,125
Butte	396,683	121,558	518,241
Calaveras	141,989	43,511	185,500
Colusa	141,989	43,511	185,500
Contra Costa	1,209,838	370,737	1,580,575
Del Norte	141,989	43,511	185,500
El Dorado	164,362	50,366	214,729
Fresno	1,272,256	389,864	1,662,120
Glenn	141,989	43,511	185,500
Humboldt	212,663	65,167	277,830
Imperial	230,775	70,718	301,493
Inyo	141,989	43,511	185,500
Kern	1,166,554	357,473	1,524,027
Kings	208,380	63,855	272,235
Lake	141,989	43,511	185,500
Lassen	141,989	43,511	185,500
Los Angeles	11,510,617	3,527,258	15,037,875
Madera	197,025	60,375	257,401
Marin	233,120	71,436	304,556
Mariposa	141,989	43,511	185,500
Mendocino	141,989	43,511	185,500
Merced	404,279	123,885	528,164
Modoc	141,989	43,511	185,500
Mono	141,989	43,511	185,500
Monterey	567,856	174,011	741,866
Napa	146,813	44,989	191,802
Nevada	141,989	43,511	185,500
Orange	3,720,784	1,140,179	4,860,963
Placer	389,283	119,290	508,574
Plumas	88,743	27,194	115,938
Riverside	2,994,708	917,684	3,912,392
Sacramento	1,719,401	526,885	2,246,285
San Benito	141,989	43,511	185,500

Court	Allocation of \$48.95 million based on percentage of 18-to-24-yr.-olds (\$)	Allocation of \$15 million based on percentage of 18-to-24-yr.-olds (\$)	Total allocation
San Bernardino	2,836,698	869,264	3,705,962
San Diego	4,184,076	1,282,148	5,466,224
San Francisco	685,673	210,114	895,787
San Joaquin	964,447	295,540	1,259,987
San Luis Obispo	545,984	167,309	713,293
San Mateo	705,684	216,246	921,931
Santa Barbara	863,210	264,518	1,127,728
Santa Clara	2,178,725	667,638	2,846,362
Santa Cruz	477,135	146,211	623,346
Shasta	172,391	52,827	225,217
Sierra	141,989	43,511	185,500
Siskiyou	141,989	43,511	185,500
Solano	490,206	150,216	640,422
Sonoma	497,710	152,516	650,226
Stanislaus	672,511	206,081	878,591
Sutter	141,989	43,511	185,500
Tehama	141,989	43,511	185,500
Trinity	17,749	5,439	23,188
Tulare	627,524	192,295	819,819
Tuolumne	141,989	43,511	185,500
Ventura	972,658	298,057	1,270,715
Yolo	561,386	172,028	733,414
Yuba	141,989	43,511	185,500
Total	\$ 48,950,000	\$ 15,000,000	\$ 63,950,000

Notes: Funding is allocated based on Assembly Bill 102, section 4, item 0250-101-0001, provision 7.

For allocation purposes, the 18-to-24 age category in population data defined and published by the U.S. Census Bureau is used as a proxy for the 18-to-25 age group. U.S. Census Bureau, U.S. Department of Commerce. "Age and Sex." American Community Survey, ACS 5-Year Estimates Subject Tables, Table S0101, [https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06\\$0500000](https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06$0500000).

Recommended FY 2025–26 Pretrial Release Program Base Allocations

Court	Total 18-to-24-yr.-olds*	Percentage of total population of all CA 18-to-24-yr.-olds	Allocation of \$48.95 million
Alameda	131,012	3.74	1,715,812
Alpine	N/A	N/A	141,989
Amador	N/A	N/A	106,492
Butte	30,289	0.86	396,683
Calaveras	N/A	N/A	141,989
Colusa	N/A	N/A	141,989
Contra Costa	92,378	2.64	1,209,838
Del Norte	N/A	N/A	141,989
El Dorado	12,550	0.36	164,362
Fresno	97,144	2.77	1,272,256
Glenn	N/A	N/A	141,989
Humboldt	16,238	0.46	212,663
Imperial	17,621	0.50	230,775
Inyo	N/A	N/A	141,989
Kern	89,073	2.54	1,166,554
Kings	15,911	0.45	208,380
Lake	N/A	N/A	141,989
Lassen	N/A	N/A	141,989
Los Angeles	878,901	25.08	11,510,617
Madera	15,044	0.43	197,025
Marin	17,800	0.51	233,120
Mariposa	N/A	N/A	141,989
Mendocino	N/A	N/A	141,989
Merced	30,869	0.88	404,279
Modoc	N/A	N/A	141,989
Mono	N/A	N/A	141,989
Monterey	43,359	1.24	567,856
Napa	11,210	0.32	146,813
Nevada	N/A	N/A	141,989
Orange	284,103	8.11	3,720,784
Placer	29,724	0.85	389,283
Plumas	N/A	N/A	88,743
Riverside	228,663	6.52	2,994,708
Sacramento	131,286	3.75	1,719,401
San Benito	N/A	N/A	141,989

Court	Total 18-to-24-yr.-olds*	Percentage of total population of all CA 18-to-24-yr.-olds	Allocation of \$48.95 million
San Bernardino	216,598	6.18	2,836,698
San Diego	319,478	9.12	4,184,076
San Francisco	52,355	1.49	685,673
San Joaquin	73,641	2.10	964,447
San Luis Obispo	41,689	1.19	545,984
San Mateo	53,883	1.54	705,684
Santa Barbara	65,911	1.88	863,210
Santa Clara	166,358	4.75	2,178,725
Santa Cruz	36,432	1.04	477,135
Shasta	13,163	0.38	172,391
Sierra	N/A	N/A	141,989
Siskiyou	N/A	N/A	141,989
Solano	37,430	1.07	490,206
Sonoma	38,003	1.08	497,710
Stanislaus	51,350	1.47	672,511
Sutter	N/A	N/A	141,989
Tehama	N/A	N/A	141,989
Trinity	N/A	N/A	17,749
Tulare	47,915	1.37	627,524
Tuolumne	N/A	N/A	141,989
Ventura	74,268	2.12	972,658
Yolo	42,865	1.22	561,386
Yuba	N/A	N/A	141,989
Total	3,504,514	100	\$48,950,000

Notes: Funding is allocated based on Assembly Bill 102, section 4, item 0250-101-0001, provision 7. Funding must be spent or encumbered by June 30, 2026.

For allocation purposes, the 18-to-24 age category in population data defined and published by the U.S. Census Bureau is used as a proxy for the 18-to-25 age group. U.S. Census Bureau, U.S. Department of Commerce. "Age and Sex." American Community Survey, ACS 5-Year Estimates Subject Tables, Table S0101, [https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06\\$0500000](https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06$0500000).

* "N/A" designates courts that have been provided with a funding floor allocation to ensure adequate funding is provided to meet the legislative mandate.

Recommended FY 2025–26 Pretrial Release Program Rollover Allocations

Court	Total 18-to-24-yr.-olds*	Percentage of total population of all CA 18-to-24-yr.-olds	Allocation of \$15 million
Alameda	131,012	3.74	525,785
Alpine	N/A	N/A	43,511
Amador	N/A	N/A	32,633
Butte	30,289	0.86	121,558
Calaveras	N/A	N/A	43,511
Colusa	N/A	N/A	43,511
Contra Costa	92,378	2.64	370,737
Del Norte	N/A	N/A	43,511
El Dorado	12,550	0.36	50,366
Fresno	97,144	2.77	389,864
Glenn	N/A	N/A	43,511
Humboldt	16,238	0.46	65,167
Imperial	17,621	0.50	70,718
Inyo	N/A	N/A	43,511
Kern	89,073	2.54	357,473
Kings	15,911	0.45	63,855
Lake	N/A	N/A	43,511
Lassen	N/A	N/A	43,511
Los Angeles	878,901	25.08	3,527,258
Madera	15,044	0.43	60,375
Marin	17,800	0.51	71,436
Mariposa	N/A	N/A	43,511
Mendocino	N/A	N/A	43,511
Merced	30,869	0.88	123,885
Modoc	N/A	N/A	43,511
Mono	N/A	N/A	43,511
Monterey	43,359	1.24	174,011
Napa	11,210	0.32	44,989
Nevada	N/A	N/A	43,511
Orange	284,103	8.11	1,140,179
Placer	29,724	0.85	119,290
Plumas	N/A	N/A	27,194
Riverside	228,663	6.52	917,684
Sacramento	131,286	3.75	526,885
San Benito	N/A	N/A	43,511

Court	Total 18-to-24-yr.-olds*	Percentage of total population of all CA 18-to-24-yr.-olds	Allocation of \$15 million
San Bernardino	216,598	6.18	869,264
San Diego	319,478	9.12	1,282,148
San Francisco	52,355	1.49	210,114
San Joaquin	73,641	2.10	295,540
San Luis Obispo	41,689	1.19	167,309
San Mateo	53,883	1.54	216,246
Santa Barbara	65,911	1.88	264,518
Santa Clara	166,358	4.75	667,638
Santa Cruz	36,432	1.04	146,211
Shasta	13,163	0.38	52,827
Sierra	N/A	N/A	43,511
Siskiyou	N/A	N/A	43,511
Solano	37,430	1.07	150,216
Sonoma	38,003	1.08	152,516
Stanislaus	51,350	1.47	206,081
Sutter	N/A	N/A	43,511
Tehama	N/A	N/A	43,511
Trinity	N/A	N/A	5,439
Tulare	47,915	1.37	192,295
Tuolumne	N/A	N/A	43,511
Ventura	74,268	2.12	298,057
Yolo	42,865	1.22	172,028
Yuba	N/A	N/A	43,511
Total	3,504,514	100	\$15,000,000

Notes: Funding is allocated based on Assembly Bill 102, section 4, item 0250-101-0001, provisions 7 and 7.1. Funding must be spent or encumbered by June 30, 2028.

For allocation purposes, the 18-to-24 age category in population data defined and published by the U.S. Census Bureau is used as a proxy for the 18-to-25 age group. U.S. Census Bureau, U.S. Department of Commerce. "Age and Sex." American Community Survey, ACS 5-Year Estimates Subject Tables, Table S0101, [https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06\\$0500000](https://data.census.gov/table/ACSST5Y2023.S0101?g=040XX00US06$0500000).

* "N/A" designates courts that have been provided with a funding floor allocation to ensure adequate funding is provided to meet the legislative mandate.

Instructions for Review and Action by Circulating Order

Voting members

- Please reply to the email message with “I approve,” “I disapprove,” or “I abstain,” by 3:00 p.m. on **September 2, 2025**.
- If you are unable to reply by 3:00 p.m. on **September 2, 2025**, please do so as soon as possible thereafter.

Advisory members

The circulating order is being emailed to you for your information only. There is no need to sign or return any documents.

CIRCULATING ORDER
Judicial Council of California
Voting and Signature Pages

Effective immediately, the Judicial Council approves the Trial Court Budget Advisory Committee recommendations that the Judicial Council approve fiscal year 2025–26 pretrial release allocations of \$63.95 million General Fund for the trial courts in accordance with the methodologies outlined in the Budget Act of 2025, as amended by Assembly Bill 102, including minimum funding floors and direct staff to conduct a midyear survey and recommend a methodology for reallocating funding to trial courts based on demonstrated need.

My vote is as follows:

☐ Approve

☐ Disapprove

☐ Abstain

 Patricia Guerrero, Chair

 Maria Lucy Armendariz

 Bunmi O. Awoniyi

 C. Todd Bottke

 Stacy Boulware Eurie

 Carol A. Corrigan

 Charles S. Crompton

 Judith K. Dulcich

 Carin T. Fujisaki

 Maureen F. Hallahan

 Maria D. Hernandez

 Brad R. Hill

My vote is as follows:

☐ Approve

☐ Disapprove

☐ Abstain

Rachel W. Hill

Ash Kalra

Ann C. Moorman

Gretchen Nelson

Ricardo R. Ocampo

Craig M. Peters

Maxwell V. Pritt

Thomas J. Umberg

Tamara L. Wood

Date: _____

Attest:

Administrative Director and
Secretary of the Judicial Council