



# Judicial Council of California

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

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 24-153*

For business meeting on September 20, 2024

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**Title**

Allocations and Reimbursements to Trial  
Courts: Funding for Court Reporters

**Agenda Item Type**

Action Required

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

None

**Effective Date**

September 20, 2024

**Recommended by**

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

**Date of Report**

August 15, 2024

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### Executive Summary

Senate Bill 170 (Stats. 2021, ch. 240), which amended the Budget Act of 2021, included \$30 million ongoing General Fund to the Judicial Council for establishing a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The budget language in the 2022 Budget Act and ongoing expanded the use of this funding but did not affect how these funds are allocated to the courts.

Because of the state's fiscal deficit, the May Revision for the fiscal year (FY) 2024–25 budget proposed reducing the funding from \$30 million to \$20 million; however, the final enacted budget for FY 2024–25 maintained the \$30 million ongoing. The Judicial Council approved the allocations for \$20 million at its July meeting. The Trial Court Budget Advisory Committee now recommends that the Judicial Council approve the court reporter allocations for the remaining \$10 million to the trial courts.

### Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council approve court reporter allocations of \$10 million to the trial courts, effective September 20, 2024, for a total of \$30 million, as outlined in Attachment A.

## **Relevant Previous Council Action**

The Judicial Council approved the allocation methodology for the first year of this new funding in FY 2021–22 at its January 21, 2022, meeting and directed Judicial Council staff to update the allocation methodology used for this ongoing funding based on the most recent data available each year thereafter. The council subsequently approved the allocations for FY 2023–24 at its July 21, 2023, meeting based on the same allocation methodology but with updated data. The council approved the FY 2024–25 allocations for \$20 million at its July 12, 2024, meeting.

## **Analysis/Rationale**

In the first year of funding in FY 2021–22, the Funding Methodology Subcommittee of the Trial Court Budget Advisory Committee (TCBAC) established the Ad Hoc Court Reporter Funding Subcommittee, consisting of members from the TCBAC, to develop an allocation methodology recommendation for FY 2021–22. Through deliberations, the ad hoc subcommittee developed a recommendation for an allocation methodology for the \$30 million and presented it to the TCBAC at its November 30, 2021, meeting and to the Judicial Branch Budget Committee on December 7, 2021. The Judicial Council approved the allocation methodology at its January 21, 2022, business meeting and directed Judicial Council staff to update the allocation methodology used for this ongoing funding based on the most recent data available.

The council-approved allocation methodology was developed based on the 2020 Judicial Needs Assessment, which was the most current study at the time. Judicial workload, as described by the assessment, is measured by a court's assessed judicial need (AJN) and was identified as the best metric for the allocation methodology because of the parallel workload drivers between judgeships and court reporters. In addition, the AJN data includes separate noncriminal and criminal judicial workload metrics by court. Focusing on noncriminal judicial need, consistent with the requirements in the budget language, the proposed methodology for allocating funds to the trial courts is as follows:

1. Identify the proportion of judicial workload, as measured by the AJN, for noncriminal need by court.
2. Apply a funding floor to all courts. The allocation of the \$20 million approved by the Judicial Council at its July 12, 2024, meeting included a proportional one-third reduction in the funding floor from the previous \$25,000 to \$16,667, consistent with the proposed reduction from \$30 million to \$20 million. With the \$30 million ongoing maintained in the Budget Act of 2024, the funding floor should be adjusted to the previous \$25,000. This adjustment will result in an additional funding floor increase of \$8,333 for the allocation of the remaining \$10 million for court reporters.
3. After applying the funding floor amount to the courts, allocate the remaining funding proportionally to all other courts based on their noncriminal judicial need.
4. Allocate the funding in one lump sum upon approval by the council.

The AJN data used in the allocation methodology for FY 2024–25 was updated based on the 2022 Judicial Needs Assessment, and the detail of the allocations by court for the remaining \$10 million in court reporter funding is included as Attachment A. The allocations for the \$20 million approved by the Judicial Council at its July 2024 meeting are included as Attachment B. The allocations for the total \$30 million in court reporter funding are included as Attachment C, for reference.

### **Annual reconciliation process**

Because this funding is intended solely to cover the costs associated with increasing the number of court reporters, any unspent funds are required to revert to the General Fund each fiscal year. Judicial Council staff have already developed a reconciliation process to pull back any remaining funds not used at the end of the year.

### **Policy implications**

No policy implications are associated with this report.

### **Comments**

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

### **Alternatives considered**

The recommended allocations are based on the methodology approved by the council in January 2022. The committee did not consider modifying the previously approved allocation methodology other than by updating the data used in the methodology.

### **Fiscal and Operational Impacts**

The recommended allocation methodology would provide courts with funding to increase the number of court reporters, as intended by the budget language.

### **Attachments and Links**

1. Attachment A: *Court Reporter Funding—Recommended 2024–25 Allocations of \$10 Million*
2. Attachment B: *Court Reporter Funding—2024–25 Allocations of \$20 Million*
3. Attachment C: *Court Reporter Funding—2024–25 Total Allocations of \$30 Million*

**Court Reporter Funding: FY 2024-25 Allocations of \$10 Million Restoration in Funding**

Cluster	Court	Initial Allocation of \$10M based on Noncriminal AJN			Allocation of \$10M with Funding Floor - restoring \$25,000 floor amount from the \$16,667 floor established in the \$20M funding allocation				
		Noncriminal AJN *	Statewide AJN	Proportion of \$10M	Funding Floor Court?	Floor Funding	Revised AJN	Allocation of	Final Allocation
							Proportion for Non- floor Courts	Non floor Funding	
Statewide	1,067	100%	\$10,000,000		\$91,663		\$9,908,337	\$10,000,000	
4	Alameda	36.8	3.45%	\$345,209			3.47%	\$343,680	\$343,680
1	Alpine	0.1	0.01%	\$591	X	\$8,333			\$8,333
1	Amador	1.1	0.11%	\$10,560			0.11%	\$10,514	\$10,514
2	Butte	6.1	0.57%	\$56,836			0.57%	\$56,585	\$56,585
1	Calaveras	1.3	0.12%	\$12,290			0.12%	\$12,236	\$12,236
1	Colusa	0.5	0.04%	\$4,411	X	\$8,333			\$8,333
3	Contra Costa	23.2	2.18%	\$217,693			2.19%	\$216,729	\$216,729
1	Del Norte	1.2	0.11%	\$11,369			0.11%	\$11,319	\$11,319
2	El Dorado	4.2	0.40%	\$39,599			0.40%	\$39,424	\$39,424
3	Fresno	28.4	2.67%	\$266,554			2.68%	\$265,374	\$265,374
1	Glenn	0.8	0.08%	\$7,555	X	\$8,333			\$8,333
2	Humboldt	4.5	0.42%	\$42,194			0.42%	\$42,007	\$42,007
2	Imperial	4.4	0.41%	\$41,427			0.42%	\$41,243	\$41,243
1	Inyo	0.5	0.05%	\$4,713	X	\$8,333			\$8,333
3	Kern	24.9	2.33%	\$233,026			2.34%	\$231,993	\$231,993
2	Kings	4.5	0.42%	\$41,711			0.42%	\$41,526	\$41,526
2	Lake	2.4	0.22%	\$22,230			0.22%	\$22,131	\$22,131
1	Lassen	0.8	0.07%	\$7,461	X	\$8,333			\$8,333
4	Los Angeles	341.3	31.99%	\$3,198,518			32.14%	\$3,184,349	\$3,184,349
2	Madera	6.0	0.56%	\$55,828			0.56%	\$55,581	\$55,581
2	Marin	5.1	0.48%	\$47,757			0.48%	\$47,545	\$47,545
1	Mariposa	0.4	0.03%	\$3,407	X	\$8,333			\$8,333
2	Mendocino	2.7	0.25%	\$24,987			0.25%	\$24,876	\$24,876
2	Merced	7.3	0.68%	\$68,145			0.68%	\$67,843	\$67,843
1	Modoc	0.4	0.04%	\$3,550	X	\$8,333			\$8,333
1	Mono	0.3	0.03%	\$2,703	X	\$8,333			\$8,333
3	Monterey	9.4	0.88%	\$88,053			0.88%	\$87,663	\$87,663
2	Napa	3.6	0.34%	\$33,794			0.34%	\$33,644	\$33,644
2	Nevada	2.6	0.24%	\$24,208			0.24%	\$24,101	\$24,101
4	Orange	77.0	7.22%	\$721,866			7.25%	\$718,668	\$718,668
2	Placer	9.3	0.88%	\$87,558			0.88%	\$87,170	\$87,170
1	Plumas	0.6	0.06%	\$6,010	X	\$8,333			\$8,333
4	Riverside	62.8	5.88%	\$588,174			5.91%	\$585,568	\$585,568
4	Sacramento	43.7	4.10%	\$409,521			4.11%	\$407,707	\$407,707
1	San Benito	1.4	0.14%	\$13,553			0.14%	\$13,493	\$13,493
4	San Bernardino	69.2	6.49%	\$648,753			6.52%	\$645,879	\$645,879
4	San Diego	77.9	7.30%	\$729,620			7.33%	\$726,388	\$726,388
3	San Francisco	25.1	2.35%	\$235,407			2.37%	\$234,364	\$234,364
3	San Joaquin	19.9	1.87%	\$186,711			1.88%	\$185,884	\$185,884
2	San Luis Obispo	6.0	0.56%	\$55,971			0.56%	\$55,723	\$55,723
3	San Mateo	13.5	1.26%	\$126,108			1.27%	\$125,549	\$125,549
3	Santa Barbara	9.2	0.86%	\$86,391			0.87%	\$86,009	\$86,009
4	Santa Clara	30.9	2.90%	\$289,961			2.91%	\$288,676	\$288,676
2	Santa Cruz	5.2	0.49%	\$48,903			0.49%	\$48,687	\$48,687
2	Shasta	6.2	0.58%	\$58,089			0.58%	\$57,832	\$57,832
1	Sierra	0.1	0.01%	\$955	X	\$8,333			\$8,333

**Court Reporter Funding: FY 2024-25 Allocations of \$10 Million Restoration in Funding**

Cluster	Court	Initial Allocation of \$10M based on Noncriminal AJN			Allocation of \$10M with Funding Floor - restoring \$25,000 floor amount from the \$16,667 floor established in the \$20M funding allocation				
		Noncriminal AJN *	Statewide AJN	Proportion of \$10M	Funding Floor Court?	Floor Funding	Revised AJN	Allocation of	Final Allocation
							Proportion for Non- floor Courts	Non floor Funding	
Statewide	1,067	100%	\$10,000,000		\$91,663		\$9,908,337	\$10,000,000	
2	Siskiyou	1.5	0.14%	\$14,323			0.14%	\$14,259	\$14,259
3	Solano	11.0	1.03%	\$102,708			1.03%	\$102,253	\$102,253
3	Sonoma	10.8	1.01%	\$101,405			1.02%	\$100,956	\$100,956
3	Stanislaus	14.1	1.32%	\$131,857			1.32%	\$131,272	\$131,272
2	Sutter	3.0	0.28%	\$27,926			0.28%	\$27,803	\$27,803
2	Tehama	2.3	0.22%	\$21,674			0.22%	\$21,578	\$21,578
1	Trinity	0.7	0.06%	\$6,223	X	\$8,333			\$8,333
3	Tulare	13.3	1.24%	\$124,420			1.25%	\$123,869	\$123,869
2	Tuolumne	1.9	0.18%	\$18,129			0.18%	\$18,049	\$18,049
3	Ventura	18.0	1.68%	\$168,463			1.69%	\$167,717	\$167,717
2	Yolo	5.3	0.50%	\$49,690			0.50%	\$49,470	\$49,470
2	Yuba	2.5	0.23%	\$23,254			0.23%	\$23,151	\$23,151

\* Assessed Judicial Need (AJN) based on the updated 2022 data.

**Noncriminal case types:** Civil, Family, Juvenile, Probate, Mental Health

**Criminal case types:** Felony, Misdemeanors, Infractions

**Court Reporter Funding: FY 2024-25 Allocations**

Cluster	Court	Initial Allocation of \$20M based on Noncriminal AJN			Allocation of \$20M with Funding Floor adjusted from \$25,000 to \$16,667 based on one-third reduction in statewide funding (i.e., from \$30M to \$20M)				
		Noncriminal AJN *	Statewide AJN	Proportion of \$20M	Funding Floor Court?	Floor Funding	Revised AJN Proportion for Non-floor Courts	Allocation of Non floor Funding	Final Allocation
4	Alameda	36.8	3.45%	\$690,419			3.47%	\$687,360	\$687,360
1	Alpine	0.1	0.01%	\$1,181	X	\$16,667			\$16,667
1	Amador	1.1	0.11%	\$21,121			0.11%	\$21,027	\$21,027
2	Butte	6.1	0.57%	\$113,673			0.57%	\$113,169	\$113,169
1	Calaveras	1.3	0.12%	\$24,580			0.12%	\$24,471	\$24,471
1	Colusa	0.5	0.04%	\$8,822	X	\$16,667			\$16,667
3	Contra Costa	23.2	2.18%	\$435,387			2.19%	\$433,458	\$433,458
1	Del Norte	1.2	0.11%	\$22,738			0.11%	\$22,638	\$22,638
2	El Dorado	4.2	0.40%	\$79,198			0.40%	\$78,847	\$78,847
3	Fresno	28.4	2.67%	\$533,109			2.68%	\$530,747	\$530,747
1	Glenn	0.8	0.08%	\$15,110	X	\$16,667			\$16,667
2	Humboldt	4.5	0.42%	\$84,388			0.42%	\$84,015	\$84,015
2	Imperial	4.4	0.41%	\$82,853			0.42%	\$82,486	\$82,486
1	Inyo	0.5	0.05%	\$9,427	X	\$16,667			\$16,667
3	Kern	24.9	2.33%	\$466,051			2.34%	\$463,987	\$463,987
2	Kings	4.5	0.42%	\$83,421			0.42%	\$83,052	\$83,052
2	Lake	2.4	0.22%	\$44,460			0.22%	\$44,263	\$44,263
1	Lassen	0.8	0.07%	\$14,922	X	\$16,667			\$16,667
4	Los Angeles	341.3	31.99%	\$6,397,035			32.14%	\$6,368,695	\$6,368,695
2	Madera	6.0	0.56%	\$111,656			0.56%	\$111,162	\$111,162
2	Marin	5.1	0.48%	\$95,514			0.48%	\$95,091	\$95,091
1	Mariposa	0.4	0.03%	\$6,814	X	\$16,667			\$16,667
2	Mendocino	2.7	0.25%	\$49,974			0.25%	\$49,753	\$49,753
2	Merced	7.3	0.68%	\$136,290			0.68%	\$135,686	\$135,686
1	Modoc	0.4	0.04%	\$7,099	X	\$16,667			\$16,667
1	Mono	0.3	0.03%	\$5,405	X	\$16,667			\$16,667
3	Monterey	9.4	0.88%	\$176,105			0.88%	\$175,325	\$175,325
2	Napa	3.6	0.34%	\$67,587			0.34%	\$67,288	\$67,288
2	Nevada	2.6	0.24%	\$48,417			0.24%	\$48,202	\$48,202
4	Orange	77.0	7.22%	\$1,443,731			7.25%	\$1,437,335	\$1,437,335
2	Placer	9.3	0.88%	\$175,115			0.88%	\$174,339	\$174,339
1	Plumas	0.6	0.06%	\$12,020	X	\$16,667			\$16,667
4	Riverside	62.8	5.88%	\$1,176,347			5.91%	\$1,171,136	\$1,171,136
4	Sacramento	43.7	4.10%	\$819,041			4.11%	\$815,413	\$815,413
1	San Benito	1.4	0.14%	\$27,105			0.14%	\$26,985	\$26,985
4	San Bernardino	69.2	6.49%	\$1,297,506			6.52%	\$1,291,758	\$1,291,758
4	San Diego	77.9	7.30%	\$1,459,240			7.33%	\$1,452,775	\$1,452,775
3	San Francisco	25.1	2.35%	\$470,814			2.37%	\$468,728	\$468,728
3	San Joaquin	19.9	1.87%	\$373,422			1.88%	\$371,768	\$371,768
2	San Luis Obispo	6.0	0.56%	\$111,942			0.56%	\$111,446	\$111,446
3	San Mateo	13.5	1.26%	\$252,215			1.27%	\$251,098	\$251,098
3	Santa Barbara	9.2	0.86%	\$172,783			0.87%	\$172,017	\$172,017
4	Santa Clara	30.9	2.90%	\$579,922			2.91%	\$577,353	\$577,353
2	Santa Cruz	5.2	0.49%	\$97,806			0.49%	\$97,373	\$97,373
2	Shasta	6.2	0.58%	\$116,178			0.58%	\$115,664	\$115,664
1	Sierra	0.1	0.01%	\$1,909	X	\$16,667			\$16,667

**Court Reporter Funding: FY 2024-25 Allocations**

Cluster	Court	Initial Allocation of \$20M based on Noncriminal AJN			Allocation of \$20M with Funding Floor adjusted from \$25,000 to \$16,667 based on one-third reduction in statewide funding (i.e., from \$30M to \$20M)				
		Noncriminal AJN *	Statewide AJN	Proportion of \$20M	Funding Floor Court?	Floor Funding	Revised AJN	Allocation of	
							Proportion for Non- floor Courts	Non floor Funding	Final Allocation
Statewide		1,067	100%	\$20,000,000		\$183,337		\$19,816,663	\$20,000,000
2	Siskiyou	1.5	0.14%	\$28,646			0.14%	\$28,519	\$28,519
3	Solano	11.0	1.03%	\$205,416			1.03%	\$204,506	\$204,506
3	Sonoma	10.8	1.01%	\$202,811			1.02%	\$201,912	\$201,912
3	Stanislaus	14.1	1.32%	\$263,713			1.32%	\$262,545	\$262,545
2	Sutter	3.0	0.28%	\$55,853			0.28%	\$55,605	\$55,605
2	Tehama	2.3	0.22%	\$43,348			0.22%	\$43,156	\$43,156
1	Trinity	0.7	0.06%	\$12,445	X	\$16,667			\$16,667
3	Tulare	13.3	1.24%	\$248,841			1.25%	\$247,738	\$247,738
2	Tuolumne	1.9	0.18%	\$36,258			0.18%	\$36,098	\$36,098
3	Ventura	18.0	1.68%	\$336,926			1.69%	\$335,433	\$335,433
2	Yolo	5.3	0.50%	\$99,381			0.50%	\$98,940	\$98,940
2	Yuba	2.5	0.23%	\$46,508			0.23%	\$46,302	\$46,302

\* Assessed Judicial Need (AJN) based on the updated 2022 data.

**Noncriminal case types:** Civil, Family, Juvenile, Probate, Mental Health

**Criminal case types:** Felony, Misdemeanors, Infractions

**Court Reporter Funding: FY 2024-25 Allocations of Total \$30 Million in Funding**

Cluster	Court	Total Allocation of \$30 Million
		Statewide \$30,000,000
4	Alameda	\$1,031,041
1	Alpine	\$25,000
1	Amador	\$31,541
2	Butte	\$169,753
1	Calaveras	\$36,707
1	Colusa	\$25,000
3	Contra Costa	\$650,187
1	Del Norte	\$33,956
2	El Dorado	\$118,271
3	Fresno	\$796,121
1	Glenn	\$25,000
2	Humboldt	\$126,022
2	Imperial	\$123,729
1	Inyo	\$25,000
3	Kern	\$695,980
2	Kings	\$124,578
2	Lake	\$66,394
1	Lassen	\$25,000
4	Los Angeles	\$9,553,044
2	Madera	\$166,742
2	Marin	\$142,636
1	Mariposa	\$25,000
2	Mendocino	\$74,629
2	Merced	\$203,529
1	Modoc	\$25,000
1	Mono	\$25,000
3	Monterey	\$262,987
2	Napa	\$100,932
2	Nevada	\$72,304
4	Orange	\$2,156,003
2	Placer	\$261,509
1	Plumas	\$25,000
4	Riverside	\$1,756,704
4	Sacramento	\$1,223,119
1	San Benito	\$40,478
4	San Bernardino	\$1,937,637
4	San Diego	\$2,179,163
3	San Francisco	\$703,092
3	San Joaquin	\$557,652
2	San Luis Obispo	\$167,170
3	San Mateo	\$376,647
3	Santa Barbara	\$258,026
4	Santa Clara	\$866,029
2	Santa Cruz	\$146,060
2	Shasta	\$173,496
1	Sierra	\$25,000

**Court Reporter Funding: FY 2024-25 Allocations of Total \$30 Million in Funding**

<b>Cluster</b>	<b>Court</b>	<b>Total Allocation of \$30 Million</b>
	<b>Statewide</b>	<b>\$30,000,000</b>
2	Siskiyou	\$42,778
3	Solano	\$306,758
3	Sonoma	\$302,868
3	Stanislaus	\$393,817
2	Sutter	\$83,408
2	Tehama	\$64,733
1	Trinity	\$25,000
3	Tulare	\$371,607
2	Tuolumne	\$54,146
3	Ventura	\$503,150
2	Yolo	\$148,410
2	Yuba	\$69,454