



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-069

For business meeting on: March 24, 2023

Title

Judicial Branch Technology: Allocation of Funds for AB 716 Legislative Mandate, Fiscal Years 2022–23 and 2023–24

Agenda Item Type

Action Required

Effective Date

March 24, 2023

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

March 2, 2023

Recommended by

Judicial Council Technology Committee
Hon. Kyle S. Brodie, Chair

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Executive Summary

The Budget Act of 2022 appropriated funding to upgrade the audio equipment needs of courtrooms in support of Assembly Bill 716, which requires courts, at a minimum, to provide a public audio stream or telephonic means with which to listen to the courtroom proceedings when the courthouse is physically closed. The Technology Committee recommends the Judicial Council allocate approximately \$32 million among trial courts for fiscal year 2022–23, as itemized in the attached summary. The recommended allocations provide funding for needed audio upgrades to courts eligible for funding that submitted requests.

Recommendation

The Technology Committee recommends, effective March 24, 2023, the Judicial Council approve the proposed allocations as itemized in the attached *Courtroom Audio Modernization: Proposed Allocations for FY 2022–23*.

The proposed allocations are included as Attachment A to this report.

Relevant Previous Council Action

The courtroom modernization appropriation is to provide courtroom audio upgrades, as required of courts through Assembly Bill 716 (see Link A). The council has not previously taken action because this is the first time money has been appropriated for this particular purpose (i.e., AB 716).

Analysis/Rationale

To support the courtroom modernization program, AB 716 requires courts to provide, at a minimum, a public audio stream or telephonic means by which to listen to the courtroom proceedings when the courthouse is physically closed. To achieve this, the Budget Act of 2022 (see Link B) appropriated \$33.2 million General Fund in fiscal year (FY) 2022–23 and FY 2023–24, and a total of four positions and \$1,632,000 in ongoing funding to implement, support, and maintain remote access to courtroom proceedings as required by AB 716 (Stats. 2021, ch. 526). Of this funding, approximately \$32 million is to be distributed to courts directly to upgrade the audio equipment needs of courtrooms built before the year 2000.

To determine allocation, Judicial Council staff requested courts provide an inventory of their courtroom audio and video equipment upgrade needs. For the 49 courts that returned the survey, the results were analyzed and prioritized to fund courtrooms aged 20 years or older needing audio upgrades with a focus on civil case types. The average courtroom upgrade for audio equipment is estimated to cost \$50,000 per courtroom. Courts that began but could not complete upgrades using previous Information Technology Modernization Funding could receive additional funding. All courtroom audio equipment upgrades will follow the technical requirements currently under development by the Information Technology Advisory Committee’s Hybrid Courtroom Workstream.

As the allocations are proposed, 28 courts would receive funding for upgrades to courthouses built before the year 2000, totaling approximately 1,775 (or 85%) of courtrooms in the state would be compliant with AB 716 by the end of FY 2024–25. All courts with eligible courthouses that submitted funding requests would receive substantial or full funding to meet their requested need. Courts that would not be fully funded or that did not request funding for this fiscal year will have an opportunity to submit funding requests in the second-year funding cycle.

Policy implications

By allocating funding for courtroom audio infrastructure modernization directly to trial courts, the Judicial Council will improve how the public is served, continue the courtroom upgrade progress made during the pandemic, and further the collaborative relationship that has been central to advancing the judicial branch’s technology goals and expanding access to justice. Allocating money directly to individual courts for their audio upgrades that meet the key criteria described above allows them to best serve the needs of their communities, while meeting the mandate in AB 716.

Comments

The recommended allocation was presented and approved by the Judicial Council Technology Committee at its February 6, 2023 open meeting. No public comments were received.

Alternatives considered

Since AB 716 minimally mandates providing audio solutions for remote access to proceedings and the costs to upgrade eligible courtrooms with audio alone will exhaust the current funding appropriation, the committee concluded that including video equipment as part of the upgrades had to be deferred. If additional funding becomes available, video infrastructure upgrades will be reconsidered.

Fiscal and Operational Impacts

All allocations are from the current Budget Act appropriation and will allow courts to provide access to courtroom proceedings.

Attachments and Links

- A. Attachment A: *Courtroom Audio Modernization: Proposed Allocations for FY 2022–23*
- B. Link A: Assembly Bill 716,
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB716
- C. Link B: Budget Change Proposal: Remote Access to Court Proceedings (AB 716),
https://esd.dof.ca.gov/Documents/bcp/2223/FY2223_ORG0250_BCP5003.pdf

Attachment A

Courtroom Audio Modernization: Proposed Allocations for FY 2022–23

Court	Number of Locations to be upgraded	Number of courtrooms to be upgraded	Distribution
Alameda	8	61	\$561,500
Butte	1	8	\$800,000
Contra Costa	1	5	\$13,886
El Dorado	1	1	\$30,000
Humboldt	1	8	\$100,000
Inyo	2	2	\$50,000
Kern	10	37	\$83,000
Los Angeles	15	274	\$13,700,000
Mariposa	1	1	\$20,000
Merced	1	1	\$67,000
Modoc	1	1	\$12,000
Mono	1	1	\$40,000
Monterey	3	8	\$124,831
Orange	6	128	\$6,400,000
Placer	3	7	\$285,000
Sacramento	1	1	\$4,000
San Bernardino	3	12	\$300,000
San Diego	5	90	\$4,500,000
San Francisco	2	66	\$1,360,000
San Joaquin	2	4	\$300,000
San Luis Obispo	4	15	\$600,000
Santa Barbara	1	1	\$20,000
Santa Clara	4	30	\$1,500,000
Santa Cruz	4	10	\$440,000
Solano	2	2	\$40,000
Stanislaus	2	16	\$80,000
Tulare	2	17	\$145,000
Ventura	1	6	\$77,600
Grand Total	88	813	\$31,653,817