



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-109

For business meeting on July 12, 2024

Title	Agenda Item Type
Allocations and Reimbursements to Trial Courts: Funding for Court Reporters	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	July 12, 2024
Recommended by	Date of Report
Trial Court Budget Advisory Committee Hon. Jonathan B. Conklin, Chair Ms. Rebecca Fleming, Vice-Chair	June 12, 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. The May Revision for the fiscal year (FY) 2024–25 budget reduced the level of funding to \$20 million ongoing but has no impact on how these funds could be used. The Trial Court Budget Advisory Committee recommends approving a proportional allocation of the ongoing \$20 million to all trial courts for FY 2024–25.

Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 12, 2024, approve the following:

1. Allocate the \$20 million to the trial courts on a proportional basis using the council-approved methodology with updated Assessed Judicial Need data based on the 2022 Judicial Needs Assessment as outlined in Attachment A; and

2. Direct Judicial Council staff to survey the courts after allocations are distributed to the trial courts, no later than midyear of fiscal year 2024–25, for a one-time redistribution of unspent funds to ensure the full appropriation is maximized to increase the number of court reporters in family law and civil cases.

These recommendations were presented to the Judicial Branch Budget Committee on June 4, 2024, and approved for consideration by the Judicial Council.

Relevant Previous Council Action

The Judicial Council approved the allocation methodology for the first year of this new funding in fiscal year (FY) 2021–22 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 each year thereafter. The Judicial Council subsequently approved the allocations for FY 2023–24 at its July 21, 2023, business meeting based on the same allocation methodology but with updated data.

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 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 meeting on November 30, 2021, and to the 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 (JNA), which was the most current study at the time. Judicial workload, as described by the JNA, 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. Given the reduced level of funding this year from \$30 million to \$20 million, an adjustment was made to the previous funding floor from \$25,000 to \$16,667. This adjustment will reflect the one-third reduction in funding this year from \$30

million to \$20 million. This adjustment does not change the 11 courts that currently receive the funding floor;

3. After applying the funding floor amount to 11 courts, allocate the remaining funding proportionally to all other courts based on their noncriminal judicial need; and
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 JNA, and the detail of the allocations by court is included as Attachment A.

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 has 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 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*

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

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		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