



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-122

For business meeting on July 12, 2024

Title

Trial Court Budget: Fiscal Year 2024–25
Allocation of Community Assistance,
Recovery, and Empowerment (CARE)
Act Funding

Agenda Item Type

Action Required

Effective Date

July 12, 2024

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

June 18, 2024

Recommended by

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

Contact

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Executive Summary

The Trial Court Budget Advisory Committee (TCBAC) recommends allocation to courts of the \$26.5 million for fiscal year 2024–25 included in the Budget Act of 2024 for implementation of the Community Assistance, Recovery, and Empowerment Act. The allocation may change based on final appropriations included in the signed Budget Act. The TCBAC presented this recommendation to the Judicial Branch Budget Committee (JBBC) on June 4, 2024, and the JBBC approved it for consideration by the Judicial Council.

Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 1, 2024:

1. Approve the continuation of all elements of the allocation methodology approved in fiscal year 2023–24, including employing the Workload Formula and the funding base already defined;

2. Approve, for Cohort One courts and Los Angeles, an allocation based on the amount required for a full year of Community Assistance, Recovery, and Empowerment (CARE) Act implementation; and
3. Approve, for Cohort Two courts, an allocation with base funding and pro rata distribution of remaining funds available for CARE Act implementation.

Relevant Previous Council Action

On January 20, 2023, the Judicial Council approved an allocation methodology to distribute \$2.8 million in planning funds to the seven courts making up the first cohort of courts implementing the CARE Act in fiscal year (FY) 2022–23.¹ On July 1, 2023, the Judicial Council approved an allocation methodology and allocations to the courts for the \$20 million for court costs that was included in the Budget Act of 2023.² On September 19, 2023, the Judicial Council approved an additional CARE Act allocation to the Superior Court of Los Angeles County that was included in the Budget Act of 2023.³

Analysis/Rationale

The Budget Act of 2024 includes a total of \$26.5 million to fund court operations related to the CARE Act in FY 2024–25. In this fiscal year, all courts are required to implement the CARE Act. The early implementation group of Cohort One includes the Superior Courts of Glenn, Los Angeles, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties. These courts will be implementing the CARE Act throughout the entire fiscal year. The remaining courts must implement the CARE Act by December 30, 2024.

The funding methodology that the Judicial Council established for allocation of the FY 2023–24 funding includes these elements:

- For Cohort One courts implementing the CARE Act, an allocation for court hearing costs that employs the Workload Formula with a base of 25 CARE Act cases calculated at \$93,225;
- For Cohort One courts implementing the CARE Act, an allocation for staff and other operational costs that employs the Workload Formula with a base of \$98,000, prorated to

¹ Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Community Assistance, Recovery, and Empowerment (CARE) Act Allocation Methodology* (Nov. 29, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11534097&GUID=9FC7F7C5-8C5F-4D79-970C-FC1A78752C5A>.

² Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Fiscal Year 2023–24 Allocation of Community Assistance, Recovery, and Empowerment (CARE) Act Funding* (June 7, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12125820&GUID=BB56211B-2F20-4BB8-8E94-B0909B17F695>.

³ Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Fiscal Year 2023–24 Allocation of CARE Act Funding* (Aug. 23, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12246630&GUID=64A38B92-D51B-4459-BF69-F16D534D0541>.

the amount that Cohort One courts are estimated to receive in 2024–25 when all courts are implementing the CARE Act;

- For Cohort Two courts, an allocation that employs the Workload Formula with a base of \$98,000, prorated to the amount that remains after the allocation described in the second recommendation and after reduction by 0.5 percent to hold as a reserve for Cohort One courts that require additional program funding, with any unspent funding from the court allocations and this reserve redistributed through the reallocation process via the approved methodology; and
- A method to reallocate unspent funds during the fiscal year.

In FY 2024–25, all courts are required to implement the CARE Act. Cohort One, including Los Angeles, will be in full implementation for all 12 months of the year. Cohort Two courts are required to implement the CARE Act by December 1, 2024, but may implement it sooner.

The CARE Act budget change proposal (Link A) included \$52.7 million for court operations in FY 2024–25 and \$66 million in 2025–26 and ongoing when all courts have fully implemented the CARE Act. This funding was based on an estimate of 14,300 CARE Act petitions in 2024–25 and 18,000 petitions in 2025–26.

The May Revision of the Budget Act of 2024 included an adjustment of the court operations budget to an allocation of \$26.5 million in FY 2024–25 and \$32.9 million in FY 2025–26. This adjustment was based on a revised estimate of 3,350 petitions in FY 2024–25 and 3,500 petitions in FY 2025–26. The Trial Court Budget Advisory Committee met on May 24, 2024,⁴ and the Judicial Branch Budget Committee met on June 4, 2024, specifically to address whether this budget adjustment required changes to the allocation methodology beyond updating it for the implementation of Cohort Two courts. The committees did not recommend changes to the methodology.

The allocation methodology proposed for consideration for FY 2024–25 (Attachment A, Allocation Tables 1 and 2) retains the base funding and Workload Formula elements of the 2023–24 methodology and is updated to reflect a full year of implementation funding for Cohort One and a partial year for Cohort Two. This is calculated as follows:

- Table 1 uses the Workload Formula and base amounts to calculate the allocations to all courts at the \$32.9 million in full funding (Table 1, columns F, H, and I).
- Table 2 sets the allocation of Cohort One and Los Angeles to the full year of implementation calculated in Table 1 (Table 2, columns F, H, and I).

⁴ Trial Court Budget Advisory Committee materials for May 24, 2024, meeting, www.courts.ca.gov/documents/tcbac-20240524-materials.pdf.

- Table 2 prorates the remaining funding to Cohort Two courts.
- Note that in FY 2025–26, the allocations of all courts will be those in Table 1.

Policy implications

The committee did not raise policy implications for the proposal.

Comments

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

Alternatives considered

The recommended action makes no change to the methodology. Under this method, 41 courts continue to receive the total base amounts of \$191,225 and there is no change to the proposed allocation. Larger courts receive an average reduction of 57 percent, compared to the overall 50 percent reduction in the May Revision.

The committee considered the alternative of lowering the hearings cost base by 50 percent to \$46,610 and keeping the operations base unchanged at \$98,000. In this case, 31 courts would receive the minimum total base allocation of \$144,610, a reduction of 24 percent. Larger courts would receive an average percent reduction of 55 percent, a marginally smaller reduction than in the recommended action.

While Alternative Two provides some additional funding to larger courts, it does not substantially mitigate the reduction, while small courts would receive a larger reduction of 24 percent.

Fiscal and Operational Impacts

This recommendation is for the allocation of funds that are included in the FY 2024–25 budget. No additional costs or impacts are anticipated.

Attachments and Links

1. Attachment A: Allocation Tables 1 and 2
2. Link A: Budget Request 0250-197-BCP-2023-MR, Community Assistance, Recovery, and Empowerment (CARE) Act,
https://esd.dof.ca.gov/Documents/bcp/2324/FY2324_ORG0250_BCP7012.pdf

Table 1. Allocation of Court Operations Budget When Fully Funded in FY 2025—2026

Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I
Court	Final Workload Allocation			Staff/Other		Court/Ops		Total
	Final Workload Allocation	Percentage	Distribution	Base	Final Staff/Other Costs	Base	Final Hearing Costs	Total Allocation
Alameda	89,736,650	3.56%	755,454	98,000	\$ 683,150	93,225	\$ 327,363	\$ 1,010,513
Alpine	978,500	0.04%	8,238	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Amador	4,508,080	0.18%	37,952	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Butte	13,971,923	0.55%	117,624	98,000	\$ 189,107	93,225	\$ 129,680	\$ 318,787
Calaveras	3,478,322	0.14%	29,282	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Colusa	2,506,641	0.10%	21,102	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Contra Costa	53,284,741	2.11%	448,581	98,000	\$ 445,456	93,225	\$ 232,254	\$ 677,710
Del Norte	3,867,969	0.15%	32,563	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
El Dorado	9,526,802	0.38%	80,202	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Fresno	63,747,461	2.53%	536,662	98,000	\$ 513,681	93,225	\$ 259,553	\$ 773,234
Glenn	2,997,045	0.12%	25,231	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Humboldt	8,921,029	0.35%	75,102	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Imperial	10,504,343	0.42%	88,431	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Inyo	2,549,184	0.10%	21,460	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Kern	64,062,338	2.54%	539,313	98,000	\$ 515,734	93,225	\$ 260,375	\$ 776,109
Kings	11,101,306	0.44%	93,457	98,000	\$ 98,000	93,225	\$ 122,190	\$ 220,190
Lake	5,096,756	0.20%	42,907	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Lassen	2,800,148	0.11%	23,573	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Los Angeles	732,713,543	29.06%	6,168,396	98,000	\$ 4,875,837	93,225	\$ 2,005,001	\$ 6,880,838
Madera	12,403,858	0.49%	104,423	98,000	\$ 178,882	93,225	\$ 125,589	\$ 304,471
Marin	14,327,907	0.57%	120,620	98,000	\$ 191,429	93,225	\$ 130,609	\$ 322,038
Mariposa	1,853,846	0.07%	15,607	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mendocino	7,646,197	0.30%	64,370	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Merced	17,012,600	0.67%	143,222	98,000	\$ 208,935	93,225	\$ 137,614	\$ 346,549
Modoc	1,406,022	0.06%	11,837	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mono	2,439,556	0.10%	20,538	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Monterey	26,329,671	1.04%	221,658	98,000	\$ 269,689	93,225	\$ 161,924	\$ 431,613
Napa	9,282,739	0.37%	78,147	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Nevada	6,639,488	0.26%	55,895	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Orange	188,291,022	7.47%	1,585,140	98,000	\$ 1,325,798	93,225	\$ 584,509	\$ 1,910,306
Placer	25,173,615	1.00%	211,926	98,000	\$ 262,151	93,225	\$ 158,907	\$ 421,058
Plumas	1,915,282	0.08%	16,124	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Riverside	137,769,526	5.46%	1,159,822	98,000	\$ 996,360	93,225	\$ 452,689	\$ 1,449,049
Sacramento	108,993,944	4.32%	917,573	98,000	\$ 808,722	93,225	\$ 377,609	\$ 1,186,331
San Benito	4,808,390	0.19%	40,480	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
San Bernardino	144,252,144	5.72%	1,214,396	98,000	\$ 1,038,631	93,225	\$ 469,604	\$ 1,508,235
San Diego	173,468,681	6.88%	1,460,357	98,000	\$ 1,229,145	93,225	\$ 545,835	\$ 1,774,979
San Francisco	63,222,900	2.51%	532,246	98,000	\$ 510,260	93,225	\$ 258,184	\$ 768,445
San Joaquin	51,550,851	2.04%	433,984	98,000	\$ 434,150	93,225	\$ 227,730	\$ 661,880
San Luis Obispo	18,799,273	0.75%	158,263	98,000	\$ 220,585	93,225	\$ 142,276	\$ 362,861
San Mateo	43,346,545	1.72%	364,916	98,000	\$ 380,652	93,225	\$ 206,324	\$ 586,975
Santa Barbara	27,473,608	1.09%	231,288	98,000	\$ 277,148	93,225	\$ 164,908	\$ 442,057
Santa Clara	96,100,018	3.81%	809,024	98,000	\$ 724,644	93,225	\$ 343,966	\$ 1,068,610
Santa Cruz	17,003,334	0.67%	143,144	98,000	\$ 208,874	93,225	\$ 137,590	\$ 346,464
Shasta	16,359,995	0.65%	137,728	98,000	\$ 204,679	93,225	\$ 135,911	\$ 340,590
Sierra	978,500	0.04%	8,238	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Siskiyou	4,337,464	0.17%	36,515	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Solano	29,080,663	1.15%	244,817	98,000	\$ 287,628	93,225	\$ 169,101	\$ 456,729
Sonoma	30,554,838	1.21%	257,228	98,000	\$ 297,240	93,225	\$ 172,948	\$ 470,188
Stanislaus	32,303,460	1.28%	271,949	98,000	\$ 308,643	93,225	\$ 177,510	\$ 486,153
Sutter	8,164,586	0.32%	68,734	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tehama	6,113,757	0.24%	51,469	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Trinity	2,142,278	0.08%	18,035	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tulare	32,165,439	1.28%	270,787	98,000	\$ 307,743	93,225	\$ 177,150	\$ 484,893
Tuolumne	4,989,596	0.20%	42,005	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Ventura	44,799,399	1.78%	377,147	98,000	\$ 390,125	93,225	\$ 210,114	\$ 600,240
Yolo	15,477,215	0.61%	130,296	98,000	\$ 198,923	93,225	\$ 133,608	\$ 332,531
Yuba	6,239,055	0.25%	52,524	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Total	2,521,570,045	100.00%	21,228,000	5,684,000	\$ 21,228,000	5,407,050	\$ 11,655,700	\$ 32,883,700

Table 2. Allocation of Court Operations Budget FY 2024—2025

Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I
Court	Final Workload Allocation			Staff/Other		Court Ops		Total
	Final Workload Allocation	Percentage	Distribution	Base	Final Staff/Other Costs	Base	Final Hearing Costs	Total Allocation
Alameda	89,736,650	3.56%	273,779	98,000	\$ 414,453	93,225	\$ 138,803	\$ 553,256
Alpine	978,500	0.04%	2,985	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Amador	4,508,080	0.18%	13,754	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Butte	13,971,923	0.55%	42,627	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Calaveras	3,478,322	0.14%	10,612	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Colusa	2,506,641	0.10%	7,648	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Contra Costa	53,284,741	2.11%	162,567	98,000	\$ 285,907	93,225	\$ 120,289	\$ 406,196
Del Norte	3,867,969	0.15%	11,801	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
El Dorado	9,526,802	0.38%	29,065	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Fresno	63,747,461	2.53%	194,488	98,000	\$ 322,803	93,225	\$ 125,603	\$ 448,406
Glenn	2,997,045	0	25,231	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Humboldt	8,921,029	0.35%	27,217	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Imperial	10,504,343	0.42%	32,048	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Inyo	2,549,184	0.10%	7,777	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Kern	64,062,338	2.54%	195,449	98,000	\$ 323,914	93,225	\$ 125,763	\$ 449,677
Kings	11,101,306	0.44%	33,869	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Lake	5,096,756	0.20%	15,550	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Lassen	2,800,148	0.11%	8,543	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Los Angeles	732,713,543	0	6,168,396	98,000	\$ 4,875,837	93,225	\$ 2,005,001	\$ 6,880,838
Madera	12,403,858	0.49%	37,843	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Marin	14,327,907	0.57%	43,713	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mariposa	1,853,846	0.07%	5,656	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mendocino	7,646,197	0.30%	23,328	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Merced	17,012,600	0.67%	51,904	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Modoc	1,406,022	0.06%	4,290	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Mono	2,439,556	0.10%	7,443	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Monterey	26,329,671	1.04%	80,330	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Napa	9,282,739	0.37%	28,321	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Nevada	6,639,488	0.26%	20,257	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Orange	188,291,022	0	1,585,140	98,000	\$ 1,325,798	93,225	\$ 584,509	\$ 1,910,306
Placer	25,173,615	1.00%	76,803	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Plumas	1,915,282	0.08%	5,843	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Riverside	137,769,526	0	1,159,822	98,000	\$ 996,360	93,225	\$ 452,689	\$ 1,449,049
Sacramento	108,993,944	4.32%	332,531	98,000	\$ 482,363	93,225	\$ 148,584	\$ 630,948
San Benito	4,808,390	0.19%	14,670	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
San Bernardino	144,252,144	5.72%	440,101	98,000	\$ 606,700	93,225	\$ 166,492	\$ 773,192
San Diego	173,468,681	0	1,460,357	98,000	\$ 1,229,145	93,225	\$ 545,835	\$ 1,774,979
San Francisco	63,222,900	0	532,246	98,000	\$ 510,260	93,225	\$ 258,184	\$ 768,445
San Joaquin	51,550,851	2.04%	157,277	98,000	\$ 279,792	93,225	\$ 119,408	\$ 399,200
San Luis Obispo	18,799,273	0.75%	57,355	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
San Mateo	43,346,545	1.72%	132,247	98,000	\$ 250,860	93,225	\$ 115,241	\$ 366,101
Santa Barbara	27,473,608	1.09%	83,820	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Santa Clara	96,100,018	3.81%	293,193	98,000	\$ 436,893	93,225	\$ 142,035	\$ 578,929
Santa Cruz	17,003,334	0.67%	51,876	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Shasta	16,359,995	0.65%	49,913	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Sierra	978,500	0.04%	2,985	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Siskiyou	4,337,464	0.17%	13,233	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Solano	29,080,663	1.15%	88,723	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Sonoma	30,554,838	1.21%	93,220	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Stanislaus	32,303,460	0	271,949	98,000	\$ 308,643	93,225	\$ 177,510	\$ 486,153
Sutter	8,164,586	0.32%	24,909	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tehama	6,113,757	0.24%	18,653	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Trinity	2,142,278	0.08%	6,536	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Tulare	32,165,439	1.28%	98,134	98,000	\$ 211,430	93,225	\$ 109,562	\$ 320,992
Tuolumne	4,989,596	0	42,005	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Ventura	44,799,399	1.78%	136,679	98,000	\$ 255,983	93,225	\$ 115,979	\$ 371,963
Yolo	15,477,215	0.61%	47,220	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Yuba	6,239,055	0.25%	19,035	98,000	\$ 98,000	93,225	\$ 93,225	\$ 191,225
Reserve					\$ 38,659		\$ 25,445	\$ 64,104
Total	2,521,570,045	100.00%	14,862,966	4,900,000	\$ 17,173,800	4,661,250	\$ 9,299,159	\$ 26,472,959