



## 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-15-05

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Title

Judicial Council Report to the Legislature:  
Fee Revenue and Expenditures for Court  
Reporter Services in Superior Court Civil  
Proceedings for Fiscal Year 2014–2015

Action Requested

**VOTING MEMBERS ONLY:** Vote and  
return by fax. Additionally, return original  
signature page.

Rules, Forms, Standards, or Statutes Affected  
None

Please Respond By

**January 19, 2016**

Recommended by

Martin Hoshino

Administrative Director

Judicial Council of California

Date of Report

**January 5, 2016**

Contact

Colin Simpson, 415-865-4566

[colin.simpson@jud.ca.gov](mailto:colin.simpson@jud.ca.gov)

Zlatko Theodorovic, Director  
Judicial Council Finance

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### Executive Summary

Judicial Council staff recommend approving the *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2014–2015*. Government Code section 68086(f) requires that the Judicial Council report to the Joint Legislative Budget Committee annually, by February 1, information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide.

## Recommendation

Judicial Council staff recommend that the Judicial Council:

1. Approve the *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2014–2015*; and
2. Direct Judicial Council staff to submit the report to the Joint Legislative Budget Committee.

The report is attached at page 3.

## Previous Council Action

The report on trial court reporter fees collected and expenditures for court reporter services in superior court civil proceedings has been required and submitted under Government Code section 68086(f) since fiscal year 2003–2004. The council has approved previous fiscal year reports. These reports are posted on the California Courts website on the “Legislative Reports” web page: [www.courts.ca.gov/7466.htm](http://www.courts.ca.gov/7466.htm).

## Rationale for Recommendation

This report to the Legislature is required to be submitted by the Judicial Council by February 1 after the end of the fiscal year under Government Code section 68086(f), which requires that the report include information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide.

## Comments, Alternatives Considered, and Policy Implications

Because this report is required by the above-referenced section of the Government Code, no alternatives were considered. This report is not required to circulate for public comment.

## Implementation Requirements, Costs, and Operational Impacts

Submission of this mandated report to the Legislature imposes no implementation requirements, costs, or operational impacts on the trial courts.

## Attachments

1. *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2014–2015*, at page 3



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HON. TANI G. CANTIL-SAKAUYE  
Chief Justice of California  
Chair of the Judicial Council

HON. DOUGLAS P. MILLER  
Chair, Executive and Planning Committee

HON. DAVID M. RUBIN  
Chair, Litigation Management Committee

HON. KENNETH K. SO  
Chair, Policy Coordination and  
Liaison Committee

HON. HARRY E. HULL, JR.  
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MR. MARTIN HOSHINO  
Administrative Director,  
Judicial Council

January 22, 2016

Hon. Mark Leno, Chair  
Joint Legislative Budget Committee  
Attn: Ms. Peggy Collins  
1020 N Street, Room 553  
Sacramento, California 95814

Re: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2014–2015*, as required by Government Code section 68086(f)

Dear Senator Leno:

The Judicial Council respectfully submits this report, as required by Government Code section 68086(f), concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year (FY) 2014–2015.

In FY 2014–2015, \$23,694,655 was remitted to the Trial Court Trust Fund as required by Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1. The breakdown of the remitted funds is as follows:

- Under Government Code section 68086(a)(1), \$4,892,621 came from fees paid by parties to civil proceedings for the services of an official court reporter in each proceeding lasting one hour or less.
- Under Government Code section 68086(a)(2), \$4,301,960 came from fees paid by parties to civil proceedings for the services of an official court reporter in proceedings lasting more than one hour on the first day and each succeeding judicial day the services were provided.

- The amount of \$14,500,074 is attributable to the fee required to be deposited in the Trial Court Trust Fund by Government Code section 68086.1 from the following: first paper filings and responses for civil proceedings, other than proceedings under the Probate Code, in the superior court where the amount demanded is more than \$10,000; family law filings and responses; and marriage dissolution filings and responses. This amount reflects the distribution to the Trial Court Trust Fund from total revenues collected for first paper, family law, and marriage dissolution filings and responses from July 1, 2014, to June 30, 2015.<sup>1</sup>

In FY 2014–2015, the estimated amount spent for the services of court reporters in superior court civil proceedings was \$67,320,659. The expenditure amount is an estimate because most courts do not track the time court reporters spend in proceedings by case categories. The estimate of \$67,320,659 was made by taking the sum of total FY 2014–2015 budgeted salaries and benefits for all filled court reporter employee positions as of July 1, 2014 (\$188,392,475), and total FY 2014–2015 expenditures on contract court reporters (\$6,739,872), and multiplying by the estimated proportion of time court reporters spend on civil cases (civil, probate, mental health, guardianship, and family) versus all cases, 34.5 percent. The time percentage estimate is based on the most recent time study survey, which was conducted by the National Center for State Courts in September 2003 and involved the superior courts in nine California counties—Amador, Calaveras, Los Angeles, Sacramento, San Bernardino, San Joaquin, San Mateo, Shasta, and Stanislaus—representing about 46.5 percent of statewide authorized court reporter positions.<sup>2</sup>

If you have any questions related to this report, please contact Mr. Zlatko Theodorovic, Director, Judicial Council Finance, at 916-263-1397.

Sincerely,

Martin Hoshino  
Administrative Director  
Judicial Council of California

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<sup>1</sup> Of the amount collected, \$8,000,074 was available to be used for services of an official court reporter in civil proceedings, because a \$6.5 million ongoing redirection of this revenue to offset trial court funding reductions was approved by the Judicial Council at its July 22, 2011, business meeting as authorized by Government Code section 68086.1(c).

<sup>2</sup> Per FY 2014–2015 Schedule 7A, as submitted by the courts, 620.5 of 1,334 authorized court reporter full-time equivalent positions as of July 1, 2014.

MH/CS

cc: Members, Joint Legislative Budget Committee  
Diane F. Boyer-Vine, Legislative Counsel  
Daniel Alvarez, Secretary of the Senate  
E. Dotson Wilson, Chief Clerk of the Assembly  
Margie Estrada, Policy Consultant, Office of Senate President pro Tempore Kevin de León  
Fredericka McGee, Special Assistant to Assembly Speaker Toni G. Atkins  
Peggy Collins, Principal Consultant, Joint Legislative Budget Committee  
Benjamin Palmer, Chief Counsel, Senate Judiciary Committee  
Julie Salley-Gray, Consultant, Senate Budget and Fiscal Review Committee  
Jolie Onodera, Consultant, Senate Appropriations Committee  
Matt Osterli, Consultant, Senate Republican Fiscal Office  
Mike Petersen, Consultant, Senate Republican Policy Office  
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee  
Pedro Reyes, Chief Consultant, Assembly Appropriations Committee  
Marvin Deon, Consultant, Assembly Budget Committee  
Allan Cooper, Consultant, Assembly Republican Office of Policy & Budget  
Paul Dress, Consultant, Assembly Republican Office of Policy & Budget  
Tiffany Garcia, Program Budget Analyst, Department of Finance  
Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office  
Tina McGee, Executive Secretary, Legislative Analyst's Office  
Cory T. Jaspersen, Director, Governmental Affairs, Judicial Council  
Zlatko Theodorovic, Director, Finance, Judicial Council  
Laura Speed, Assistant Director, Governmental Affairs, Judicial Council  
Peter Allen, Senior Manager, Communications, Judicial Council  
Steven Chang, Manager, Finance, Judicial Council  
Monica LeBlond, Governmental Affairs, Judicial Council  
Colin Simpson, Senior Budget Analyst, Finance, Judicial Council  
Yvette Casillas-Sarcos, Governmental Affairs, Judicial Council



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Mr. Frank A. McGuire  
Hon. Eric C. Taylor  
Hon. Charles D. Wachob

MR. MARTIN HOSHINO  
Administrative Director,  
Judicial Council

Report Title: *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2014–2015*

Statutory Citation: Assembly Bill 1759 (Stats. 2003, ch. 159)

Code Section: Gov. Code, § 68086(f)

Date of Report: January 22, 2016

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 68086(f), which requires the council to report concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in each fiscal year.

The following summary of the report is provided per the requirements of Government Code section 9795.

This report provides information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide in fiscal year (FY) 2014–2015. Trial courts reported collecting \$23,694,655 for the period July 1, 2014, to June 30, 2015. Because most courts do not track the amount of time court reporters spend in proceedings by case categories, statewide expenditures related to civil proceedings must be estimated. Expenditures on court reporter services in civil proceedings in FY 2014–2015 are estimated to have been \$67,320,659.

The full report is available at [www.courts.ca.gov/7466.htm](http://www.courts.ca.gov/7466.htm). A printed copy of the report may be obtained by calling 415-865-7966.

## Instructions for Review and Action by Circulating Order

### Voting members

- Please indicate your **vote, sign, and return by 5pm, January 19, 2016**, if possible by one of these methods:
  1. Fax the signature pages to the attention of Judicial Council Support, Leadership Services Division at 415-865-4391
  2. Reply to the e-mail message with “I approve,” “I disapprove,” or “I abstain.”
- If you are unable to reply by **January 19, 2016**, please do so as soon as possible thereafter.
- Additionally, **return the original** signature page to the Judicial Council Support, Judicial Council of California, 455 Golden Gate Avenue, San Francisco, California, 94102-3688. **Please keep a copy for your records.**

### Advisory members

The circulating order is being faxed 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 “*Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2014–2015*” and directs Judicial Council staff to submit the report to the Joint Legislative Budget Committee.

My vote is as follows:

☐ Approve

☐ Disapprove

☐ Abstain

\_\_\_\_\_  
Tani G. Cantil-Sakauye, Chair

\_\_\_\_\_  
Marla O. Anderson

\_\_\_\_\_  
Brian John Back

\_\_\_\_\_  
Richard Bloom

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Mark G. Bonino

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Harry E. Hull, Jr.

\_\_\_\_\_  
James M. Humes

\_\_\_\_\_  
Hannah-Beth Jackson

\_\_\_\_\_  
Patrick M. Kelly

\_\_\_\_\_  
Donna D’Angelo Melby



My vote is as follows:

☐ Approve

☐ Disapprove

☐ Abstain

\_\_\_\_\_  
Douglas P. Miller

\_\_\_\_\_  
Gary Nadler

\_\_\_\_\_  
Debra Elaine Pole

\_\_\_\_\_  
David M. Rubin

\_\_\_\_\_  
Marsha G. Slough

\_\_\_\_\_  
Dean T. Stout

\_\_\_\_\_  
Martin J. Tangeman

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Administrative Director and  
Secretary of the Judicial Council