



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on August 25–26, 2016

Title	Agenda Item Type
Judicial Branch Administration: Increased Maximum Lodging Reimbursement Rate for San Francisco	Action Required
	Effective Date
	August 26, 2016
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	August 16, 2016
Recommended by	Contact
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Branch Accounting and Procurement	

Executive Summary

Judicial Council staff recommends that the Judicial Council approve an increase in the maximum lodging reimbursement rate for the City and County San Francisco from \$150 per night to \$250 per night. This increase will align the rate for judicial branch officers and employees with the rate implemented by the executive branch for excluded employees in July 2016.

Recommendation

Judicial Council staff recommends that the Judicial Council approve, effective August 26, 2016, an adjustment to the maximum lodging rate for the City and County San Francisco from the current \$150 per night to \$250 per night for reimbursement to judicial branch officers and employees for official state business travel. All other counties will remain at existing maximum lodging reimbursement rates per night (i.e., \$140 for Alameda, San Mateo, and Santa Clara Counties; \$125 for Monterey and San Diego Counties; \$120 for Los Angeles, Orange, and Ventura Counties; and \$110 for all other counties).

Previous Council Action

In April 2008, the Judicial Council adopted rule 10.106 (judicial branch travel expense reimbursement policy) of the California Rules of Court. This rule incorporates the requirements of Government Code section 68506.5 and provides that the judicial branch state travel expense reimbursement policy applies to official state business travel by judicial officers and assigned judges and by officers, employees, retired annuitants, and members of the Supreme Court, the Courts of Appeal, superior courts, the Judicial Council and its staff, the Habeas Corpus Resource Center, and the Commission on Judicial Performance.

Rule 10.106 delegates to the Administrative Director, under Article VI, section 6(c) of the California Constitution and other applicable law, the authority to make technical changes and clarifications to the judicial branch travel expense reimbursement policy. The report on the adoption of the rule states that examples of technical changes include “rate changes in response to federal mileage reimbursement rate adjustments and other changes that result from changes in federal, state, or local rules; regulations; or applicable law.”

In August 2013, the Judicial Council approved an increase in meal and lodging reimbursement rates to the current levels. These increases were similar to the changes announced in July 2013 by the California Department of Human Resources concerning the lodging and meal reimbursement rates for most executive branch employees. Existing travel reimbursement rates were communicated by memoranda and in the *Trial Court Financial Policies and Procedures Manual*.¹

Rationale for Recommendation

The Judicial Council’s approval of the adjustment of the maximum lodging rate for the City and County San Francisco from \$150 per night to \$250 per night will align the rate for judicial branch officers and employees with the rate recently implemented by the executive branch for excluded employees. This rate increase will provide consistency across different branches of government and will minimize potential disparities in reimbursement rates for officials and employees. It will make it more feasible for the judicial branch, like the executive branch, to hold meetings and conduct business in San Francisco.

Because of the heightened focus on branch fiscal resources, the Judicial Council is asked to approve the present rate increase as it did the 2013 increases, even though the rate change might have been made as a technical change within the scope of authority delegated to the Administrative Director under rule 10.106.²

¹ See Finance Memo AE 2001-006, Travel Reimbursement Provisions/Rates; Policy No. FIN 8.03, Travel Expense Reimbursement for Trial Court Judges and Employees (Apr. 1, 2001), www.courts.ca.gov/documents/803b.pdf (as of Aug. 9, 2016).

² A separate report being considered by the council at the same time as this report recommends that rule 10.804 of the California Rules of Court be amended, among other things, to delegate to the Administrative Director the authority to make technical changes to the *Trial Court Financial Policies and Procedures Manual* without requiring

Comments, Alternatives Considered, and Policy Implications

Because of the technical nature of the rate increase, no formal comment period was provided for this item other than the usual one-week advance posting of this report, and no alternatives were considered. If this adjustment is not approved, judicial branch officers and employees will not be eligible for reimbursement for any difference between the current judicial branch maximum lodging reimbursement rate and the higher lodging maximum reimbursement rate now in effect for executive branch employees for San Francisco.

Implementation Requirements, Costs, and Operational Impacts

The change in lodging rates for the City and County San Francisco is expected to provide additional lodging options for judicial officers and others attending Judicial Council and advisory committee meetings, and other business meetings, conferences, and training sessions.

circulation of the changes for 30 days (see Judicial Council of Cal., Branch Accounting and Procurement Rep., *Trial Courts: Financial Policies and Procedures* (Aug. 5, 2016)). This amendment will enable the Administrative Director to immediately update Policy No. FIN 8.03, Travel Expense Reimbursement for Trial Judges and Employees, to reflect the San Francisco rate increase recommended in this report.