



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: May 18–19, 2017

Title

Trial Court Allocations: Trial Court Trust
Fund Funds Held on Behalf of the Trial
Courts

Agenda Item Type

Action Required

Effective Date

May 19, 2017

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

May 4, 2017

Recommended by

Fiscal Planning Subcommittee of the Trial
Court Budget Advisory Committee
Hon. Jonathan B. Conklin, Chair

Contact

Suzanne Blihovde, 916-263-1754
suzanne.blihovde@jud.ca.gov

Executive Summary

The Trial Court Budget Advisory Committee's Fiscal Planning Subcommittee recommends that the Judicial Council approve seven new requests from six trial courts and three amended requests from three trial courts for Trial Court Trust Fund funds to be held on behalf of the trial courts. Under the Judicial Council-adopted process, courts may request funding reduced as a result of a court's exceeding the 1 percent fund balance cap, to be retained in the Trial Court Trust Fund for the benefit of that court. The total estimated amount requested by the trial courts that would be reduced from their 2017–2018 allocations for exceeding the cap is \$7.8 million. The council will be informed of any final adjustments to the estimated amounts after 2016–2017 year-end.

Recommendation

Based on actions taken at its April 13, 2017, meeting, the Trial Court Budget Advisory Committee's (TCBAC's) Fiscal Planning Subcommittee recommends that the Judicial Council, effective May 19, 2017:

1. Allocate and designate \$7,845,184 in Trial Court Trust Fund fund balance to be held on behalf of the following courts:
 - \$350,000 to be held for the Superior Court of Colusa County;
 - \$2,000,000 and \$3,200,000 to be held for the Superior Court of Los Angeles County;
 - \$1,718,000 to be held for the Superior Court of San Bernardino County;
 - \$447,147 to be held for the Superior Court of San Francisco County;
 - \$80,837 to be held for the Superior Court of Sutter County; and
 - \$49,200 to be held for the Superior Court of Tulare County.

These funds will be reduced from the courts' allocation as a result of the courts' exceeding the 1 percent fund balance cap. The funds would be distributed back to the courts over three fiscal years, as delineated in Attachment A.

2. Approve the amended requests of the Superior Court of Glenn County, the Superior Court of Placer County, and the Superior Court of Sonoma County. These funds have been reduced and reallocated from the courts' allocation in 2016–2017 as a result of the courts' exceeding the 1 percent fund balance cap. The funds would be adjusted and distributed back to the courts over two fiscal years, as delineated in Attachment I.

Attachment M, *Summary of Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts*, provides the recommendations proposed by the TCBAC and approved by the Judicial Council at its April 15, 2016, business meeting. Attachment A, *Summary of New Requests for TCTF Funds to be Held on Behalf of the Court*, and Attachment I, *Summary of Amended Requests for TCTF Funds to be Held on Behalf of the Court*, provide summaries of the court requests, including the amount of the request and other relevant information.

Previous Council Action

In 2016, at the Judicial Council's business meetings on June 24, July 29, October 28, and December 16, the council approved 18 requests from 15 trial courts that 2016–2017 allocations reduced as a result of a court's exceeding the 1 percent fund balance cap be retained in the Trial Court Trust Fund for the benefit of those courts. The requests totaled \$8.5 million.

At the Judicial Council's April 15, 2016, business meeting, the council approved the TCBAC-recommended process, criteria, and required information for trial courts to request that Trial Court Trust Fund—reduced allocations—related to the 1 percent fund balance cap—be retained in the Trial Court Trust Fund as restricted fund balance for the benefit of those courts. This retention allows the courts to prudently plan for and fund necessary court infrastructure projects such as technology or infrastructure improvements; facilities maintenance and repair allowed under California Rules of Court, rule 10.810; court efficiencies projects; and other court infrastructure projects that would not be possible as an unintended consequence of the 1 percent fund balance cap.

The council-approved process (see Attachment M) provides the following criteria to ensure clear, transparent, and uniform standards for the courts requesting that funds be held on their behalf, as well as for the subcommittee members, Judicial Council staff, and Judicial Council members who will be processing, reviewing, and evaluating the requests:

- Criterion for eligibility;
- Submission, review, and approval process;
- Deadline for submittal;
- Allowance for additional appropriate terms and conditions from the Judicial Council;
- Plan changes that require submission of an amended request;
- Plan changes that require submission of a new request;
- Postcompletion reporting requirements; and
- Audit review as part of the normal audit cycle.

The criterion for eligibility is that courts have significant court expenditures that cannot be financed within their annual budgets. The submission, review, and approval process, and the allowance for additional appropriate terms and conditions are consistent with the process for supplemental funding requests. The deadline for submittal is based on the need to submit June council meeting draft reports almost six weeks before the meeting.

Forty business days is a short timeline, given staff analysis, generation of the report to a TCBAC subgroup, scheduling of a meeting of the subgroup, and generation of a report from the subgroup. The requirements for submission of an amended or new request are intended to ensure that the council is aware of any modifications to an approved plan and has given its explicit approval. Postcompletion reporting and audit requirements provide final review of the plans and their adherence to the approved purpose.

Rationale for Recommendation

Trial Court Trust Fund fund balance held on behalf of the trial courts allows the courts to meet contractual obligations and fund necessary court infrastructure projects such as technology improvements or infrastructure; rule 10.810—allowable facilities maintenance and repair; court efficiencies projects; and other court infrastructure projects whose work extends beyond the three-year term of the contract encumbrance.

The TCBAC established the Fiscal Planning Subcommittee to review and make recommendations directly to the Judicial Council regarding trial court requests to permit trial court allocation amounts—reduced related to the 1 percent fund balance cap—to be retained in the TCTF for the benefit of that court. At its April 13, 2017, meeting, the subcommittee approved the recommendations provided in this report. The subcommittee is composed of:

- Hon. Jonathan B. Conklin, Chair, Judge, Superior Court of Fresno County;
- Mr. Kevin Harrigan, Court Executive Officer (CEO), Superior Court of Glenn County;
- Mr. Michael D. Planet, CEO, Superior Court of Ventura County;

- Hon. Glenda Sanders, Judge, Superior Court of Orange County;
- Hon. Elizabeth W. Johnson, Judge, Superior Court of Trinity County;
- Mr. Brian Taylor, CEO, Superior Court of Solano County; and
- Mr. David H. Yamasaki, CEO, Superior Court of Orange County.

Government Code section 77203 was added as part of Senate Bill 1021 (Stats. 2012, ch. 41) and later amended by Senate Bill 75 (Stats. 2013, ch. 31), as follows:

77203. (a) Prior to June 30, 2014, a trial court may carry over all unexpended funds from the courts operating budget from the prior fiscal year.
- (b) Commencing June 30, 2014, a trial court may carry over unexpended funds in an amount not to exceed 1 percent of the court's operating budget from the prior fiscal year. The calculation of the 1 percent authorized to be carried over from the previous fiscal year shall not include funds received by the court pursuant to the following:
- (1) Section 470.5 of the Business and Professions Code.
 - (2) Section 116.230 of the Code of Civil Procedure, except for those funds transmitted to the Controller for deposit in the Trial Court Trust Fund pursuant to subdivision (h) of that section.
 - (3) Subdivision (f) of Section 13963, Sections 26731, 66006, 68090.8, 70640, 70678, and 76223, subdivision (b) of Section 77207.5, and subdivision (h) of Section 77209.
 - (4) The portion of filing fees collected for conversion to micrographics pursuant to former Section 26863, as that section read immediately before its repeal, and Section 27361.4.
 - (5) Sections 1027 and 1463.007, subdivision (a) of Section 1463.22, and Sections 4750 and 6005, of the Penal Code.
 - (6) Sections 11205.2 and 40508.6 of the Vehicle Code.

Government Code section 68502.5 was amended as part of SB 1021 to add subparagraph (c)(2)(A) and further amended by SB 75, as follows:

68502.5(c)(2)(A). When setting the allocations for trial courts, the Judicial Council shall set a preliminary allocation in July of each fiscal year. The preliminary allocation shall include an estimate of available trial court reserves as of June 30 of the prior fiscal year and each court's preliminary allocation shall be offset by the amount of reserves in excess of the amount authorized to be carried over pursuant to subdivision (b) of Section 77203. In January of each fiscal year, after review of available trial court reserves as of June 30 of the prior fiscal year, the Judicial Council shall finalize allocations to trial courts and each court's finalized allocation shall be offset by the amount of reserves in excess of the amount authorized to be carried over pursuant to subdivision (b) of Section 77203.

Beginning June 30, 2014, Government Code section 77203 authorizes trial courts to carry over unexpended funds in an amount not to exceed 1 percent of the court's operating expenses from the prior fiscal year. The section also exempts certain funds from the calculation of that 1 percent. Government Code section 68502.5(c)(2)(A) directs the Judicial Council, in setting allocations for the fiscal year, to reduce a trial court's allocation in the amount that its prior fiscal year-ending fund balance exceeded 1 percent of its prior fiscal year operating expenses. Courts are also allowed to exclude encumbered funds from the cap.

Comments, Alternatives Considered, and Policy Implications

No public comments were received when the recommendations were considered by the TCBAC's Fiscal Planning Subcommittee at its April 13, 2017, meeting. Further, no alternatives were considered by the subcommittee. In their attached applications (see Attachments B–H and J–L), the requesting courts provided alternatives that they considered in case their requests were not approved.

Implementation Requirements, Costs, and Operational Impacts

There is no additional cost to allocating the funds beyond the amount requested for allocation. In their attached applications (Attachments B–H and J–L), the requesting courts provided the consequences to court operations, the public, and access to justice if their requests were not approved.

Relevant Strategic Plan Goals and Operational Plan Objectives

Trial Court Trust Fund fund balance held on behalf of the trial courts is consistent with strategic Goal II, Independence and Accountability, in that it helps courts to “[a]llocate resources in a transparent and fair manner that promotes efficiency and effectiveness in the administration of justice, supports the strategic goals of the judicial branch, promotes innovation, and provides for effective and consistent court operations” (Goal II.B.3).

Attachments and Links

1. Attachment A: Summary of New Requests for TCTF Funds to be Held on Behalf of the Court
2. Attachment B: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Colusa County
3. Attachment C: Letter and Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Los Angeles County
4. Attachment D: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Los Angeles County
5. Attachment E: Letter and Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of San Bernardino County
6. Attachment F: Letter and Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of San Francisco County

7. Attachment G: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Sutter County
8. Attachment H: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Tulare County
9. Attachment I: Summary of Amended Requests for TCTF Funds to be Held on Behalf of the Court
10. Attachment J: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Glenn County
11. Attachment K: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Placer County
12. Attachment L: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Sonoma County
13. Attachment M: *Summary of Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts*

Summary of New Requests for TCTF Funds to be Held on Behalf of the Court

Table 1: New Requests

Court	Request Number	Amount Requested	2016-2017	2017-2018	2018-2019	Total	Category	Quick Summary
Colusa	06-16-01-00	350,000	150,000	100,000	100,000	350,000	Technology Improvement	Saving for new case management system
Los Angeles	19-17-01-00	2,000,000		850,000	1,150,000	2,000,000	Contract extending beyond 3-year term	Delayed implementation of Journal Technology Civil Case Management System
Los Angeles	19-17-02-00	3,200,000		3,200,000		3,200,000	Contract extending beyond 3-year term	Delayed implementation of Tyler Case Management System
San Bernardino	36-17-01-00	1,718,000		1,718,000		1,718,000	Contract extending beyond 3-year term	Delayed implementation of Tyler Case Management System
San Francisco	38-17-01-00	447,147		295,000	152,147	447,147	Contract extending beyond 3-year term	Delayed implementation of case management system
Sutter	51-17-01-00	80,837		80,837		80,837	Contract extending beyond 3-year term	Delayed implementation of case management system
Tulare	54-16-01-00	49,200	45,020	4,180		49,200	Equipment replacement (CCTV system)	Funds in a contract that is on hold, pending legal actions, to be used instead for equipment replacement
Total - New Requests		7,845,184	195,020	6,248,017	1,402,147	7,845,184		

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☒ **NEW REQUEST** *(Complete Section I, III, and IV only.)*☐ **AMENDED REQUEST** *(Complete Sections I through IV.)***SECTION I: GENERAL INFORMATION****SUPERIOR COURT:**

Colusa

PERSON AUTHORIZING REQUEST *(Presiding Judge or Court Executive Officer):*
Court Executive Officer**CONTACT PERSON AND CONTACT INFO:**

Jason B. Galkin, Jason.Galkin@colusa.courts.ca.gov; 530-458-5149 x9

DATE OF SUBMISSION:

3/22/2017

TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE:
THROUGH FY19/20**REQUESTED AMOUNT:****\$350,000.00****REASON FOR REQUEST** *(Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):*

Colusa Superior Court is in the beginning stages of research and procurement for a new Case Management System to replace its legacy system. Given the simultaneous need for funding and risk that such an undertaking will not be funded directly by the State through a BCP (or that ancillary costs and expenditures will not be covered in such a BCP), the court must start setting aside funds today to afford such a purchase. Case management systems involve a significant one-time expenditure in implementation which far exceeds Colusa's 1% reserve or yearly available funds for such a project. Therefore, the court is proposing in this application that funds be budgeted and set aside on a yearly basis to accumulate sufficient capital to fully or partially fund (in the event of matching or supplemental funding from the State) the implementation of a new case management system.

SECTION II: AMENDED REQUEST CHANGES**A. Identify sections and answers amended.****B. Provide a summary of the changes to the request.****SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE****A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.**

The primary factor in this situation is the size of the expense relative to the size of the court's yearly budget and reserves. Many vendors require significant payment to be made within the first fiscal year of contracting to secure licensing and pay implementation costs. Colusa's yearly 1% reserves amount to just over \$20,000 which will not be sufficient to pay for the initial costs of a new CMS. Additionally, given the difficulties many other courts have faced with CMS transitions, Colusa is planning on a longer transition period which may cause fundamental incompatibilities with the standard three year encumbrance term. This may result in the Court facing a choice between a rushed and problematic implementation, or having financial liabilities in a given fiscal year of transition without finances to cover them.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

A new case management system will allow the court to prepare for and accommodate the transition to an paper-on-demand or paperless environment, accommodate e-filing, significantly increase reporting and caseflow management capabilities, and automate processes. Additionally, it will allow Colusa to transition to a modern system that allows improved stakeholder integration and coordination on a state wide basis.

C. If a cost efficiency, please provide cost comparison (table template provided).

N/A. This may result in cost savings, but that is contingent on upkeep costs for a new CMS and salary savings resulting from new processes made possible by a new CMS. Therefore, these cost efficiencies are currently only hypothetical. More detail will be available in the future as more information is available.

D. Describe the consequences to the court's operations if the court request is not approved.

If the request is not approved, the court will be wholly dependent on an approved BCP or other source of funding to fully fund the cost of transitioning to a modern CMS from its legacy CMS. In the current uncertain fiscal landscape, this could potentially leave Colusa with one of the oldest case management systems in the state. Colusa will soon be the only court in the state using the Ciber CMS, as all other courts in California have transitioned or are in the process of transitioning from Ciber. This places Colusa at a significant risk if Ciber makes the business decision to cease support operations for California courts. In the event Ciber does cease support operations for California courts, Colusa would be at risk of CMS failure resulting in a completely paper-based environment. Further Colusa would not have the financial ability or time to adequately prepare for and conduct a transition to an eventual replacement, as such a transition would inevitably be rushed to ensure continued CMS availability (from any vendor).

E. Describe the consequences to the public and access to justice if the court request is not approved.

If this request is not approved, Colusa will remain on its current case management system: Ciber. However, because the other courts in California using this case management system have either migrated to a new system or are in the process of migrating, Colusa is likely to be the sole California court still using Ciber sometime in FY 17/18. This raises issues and concerns regarding the economic feasibility of long term continued support from Ciber. Should support cease at any time, Colusa will have no means of performing the necessary updates to the Case Management System to remain compliant with laws and rules of court without resorting to processing things by hand. Such a change in process would yield drastic consequences in case processing time and the ability for the court to perform its duties in service to the public.

F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

A BCP which provides for State funding may be a superior alternative to holding funds in the TCTF. However, Colusa has always been keenly interested in wise and forward looking fiscal management. In the current uncertain fiscal landscape, it seems most appropriate that the Court at least begin making contributions towards investment into a new CMS and not be wholly dependent on a BCP. While a BCP will be sought for funding, it is the court's opinion that showing its own willingness to contribute will increase the likelihood of funding being provided eventually.

In addition, Colusa would plan on leveraging funds from, and prioritizing the use of, its 2% Automation Fund to supplement funds set aside in the TCTF held on behalf process and any BCP. Given the current projected costs of the CMS software, integration, and deployment, it is expected that the current \$161,506 balance in the 2% Automation Fund will be insufficient to account for the costs of such an undertaking (currently projected at nearly \$700,000 including associated labor, training, and equipment costs).

Colusa’s ability to contribute may be limited in subsequent fiscal years based on branch funding and WAFM. Use of potential BCP funding, available 2% automation funds, and the TCTF funds held on behalf program in tandem will improve the timeline for acquisition, implementation, and transition to a new CMS. However, without the TCTF funds held on behalf program, Colusa would be solely dependent on BCP funding to acquire a CMS anytime in the near future even if the Court fully depleted its 2% Automation Fund balance. This assessment is based on current growth rates of the 2% automation fund, WAFM impact of filing reductions, branch funding changes (or stagnation), and increasing operational and staff costs.

SECTION IV: FINANCIAL INFORMATION

Please provide the following *(table template provided for each)*:

A. Three-year history of year-end fund balances, revenues, and expenditures

See attached.

B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court’s behalf

See attached.

C. Identification of all costs, by category and amount, needed to fully implement the project

See attached.

D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

See attached.

Prior three-year history of year-end fund balances, revenues, and expenditures

FY 2013-14 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	720,189	27,558	-	45,283	-	-	-	793,030
Revenues	1,601,409	330,497	124,855	2,047				2,058,808
Expenditures	2,050,218	229,097	139,295					2,418,610
Operating Transfers In (Out)	(14,440)		14,440					-
Ending Fund Balance	256,940	128,958	-	47,330	-	-	-	433,228

FY 2014-15 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	256,940	128,958	-	47,330				433,228
Revenues	1,588,314	178,560	127,554	1,555				1,895,983
Expenditures	1,810,247	164,168	141,404					2,115,819
Operating Transfers In (Out)	(13,850)		13,850					-
Ending Fund Balance	21,157	143,350	-	48,885	-	-	-	213,392

FY 2015-16 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	21,158	143,350	-	48,885				213,393
Revenues	2,033,260	165,426	128,449	1,748				2,328,883
Expenditures	2,013,749	149,415	146,027					2,309,191
Operating Transfers In (Out)	(17,578)		17,578					-
Ending Fund Balance	23,091	159,361	-	50,633	-	-	-	233,085

Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the c

	FY 2016-17		FUNDS					
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	2,086,438	16,300						2,102,738
Grants	-		128,523					128,523
Other Financing Sources	31,563	120,723		195				152,481
TOTAL REVENUES	2,118,001	137,023	128,523	195	-	-	-	2,383,742
EXPENDITURES								
Salaries	637,068	3,300						640,368
Staff Benefits	480,000	973						480,973
General Expense	112,000	3,200	534					115,734
Printing	4,200							4,200
Telecommunications	46,000							46,000
Postage	15,000							15,000
Insurance	430							430
Travel in State	4,500		277					4,777
Travel Out of State	-							-
Training	2,500		360					2,860
Security	-							-
Facilities Operations	37,687							37,687
Utilities								-
Contracted Services	351,877	122,000	145,200					619,077
Consulting and Professional Services - County Provided	1,800							1,800
Information Technology (IT)	175,000							175,000
Major Equipment	-							-
Other Items of Expense								-
Juror Costs	3,400							3,400
Other	85,000							85,000
Debt Service	-							-
Court Construction	-							-
Distributed Administration & Allocation	(1,500)	1,500						-
Prior Year Expense Adjustment	17,578							17,578
TOTAL EXPENDITURES	1,972,540	130,973	146,371	-	-	-	-	2,249,884
Operating Transfers In (Out)	15,786	6,050	17,848	195				39,879
Fund Balance (Deficit)								
Beginning Balance (Deficit)	23,091	159,362	-	50,632				233,085
Ending Balance (Deficit)	184,338	171,461	-	51,022	-	-	-	406,821

Current detailed budget projection on court's behalf

	FY 2017-18		FUNDS					
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	2,086,438	17,000						2,103,438
Grants			129,000					129,000
Other Financing Sources	31,563	124,000		195				155,758
TOTAL REVENUES	2,118,001	141,000	129,000	195	-	-	-	2,388,196
EXPENDITURES								
Salaries	720,000	5,000						725,000
Staff Benefits	525,000	1,200						526,200
General Expense	118,000	3,800	550					122,350
Printing	5,000							5,000
Telecommunications	48,000							48,000
Postage	18,500							18,500
Insurance	500							500
Travel in State	7,500		300					7,800
Travel Out of State								-
Training	5,675		380					6,055
Security								-
Facilities Operations	42,000							42,000
Utilities								-
Contracted Services	380,000	124,000	145,200					649,200
Consulting and Professional Services - County Provided	2,400							2,400
Information Technology (IT)	200,000							200,000
Major Equipment								-
Other Items of Expense								-
Juror Costs	5,000							5,000
Other	85,000							85,000
Debt Service								-
Court Construction								-
Distributed Administration & Allocation	(1,600)	1,600						-
Prior Year Expense Adjustment	17,848							17,848
TOTAL EXPENDITURES	2,178,823	135,600	146,430	-	-	-	-	2,460,853
Operating Transfers In (Out)	15,786	5,400	17,430	195				38,811
Fund Balance (Deficit)								
Beginning Balance (Deficit)	184,338	171,461	-	51,022	-	-	-	406,821
Ending Balance (Deficit)	139,302	182,261	-	51,412	-	-	-	372,975

Current detailed budget projection:

	FY 2018-19		FUNDS					
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	2,192,230	18,000						2,210,230
Grants			129,000					129,000
Other Financing Sources	31,563	124,000		195				155,758
TOTAL REVENUES	2,223,793	142,000	129,000	195	-	-	-	2,494,988
EXPENDITURES								
Salaries	809,000	5,000						814,000
Staff Benefits	540,000	1,200						541,200
General Expense	118,000	3,800	550					122,350
Printing	5,000							5,000
Telecommunications	48,000							48,000
Postage	18,500							18,500
Insurance	500							500
Travel in State	7,500		300					7,800
Travel Out of State								-
Training	5,675		380					6,055
Security								-
Facilities Operations	42,000							42,000
Utilities								-
Contracted Services	380,000	124,000	145,200					649,200
Consulting and Professional Services - County Provided	2,400							2,400
Information Technology (IT)	200,000							200,000
Major Equipment								-
Other Items of Expense								-
Juror Costs	5,000							5,000
Other	60,000							60,000
Debt Service								-
Court Construction								-
Distributed Administration & Allocation	(1,600)	1,600						-
Prior Year Expense Adjustment	17,430							17,430
TOTAL EXPENDITURES	2,257,405	135,600	146,430	-	-	-	-	2,539,435
Operating Transfers In (Out)	15,786		17,430	195				33,411
Fund Balance (Deficit)								
Beginning Balance (Deficit)	139,302	182,261	-	51,412	-	-	-	372,975
Ending Balance (Deficit)	121,476	188,661	-	51,802	-	-	-	361,939

Current detailed budget projection:

	FY 2019-20		FUNDS					
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	2,193,770	18,000						2,211,770
Grants			129,000					129,000
Other Financing Sources	31,563	124,000		195				155,758
TOTAL REVENUES	2,225,333	142,000	129,000	195	-	-	-	2,496,528
EXPENDITURES								
Salaries	829,000	5,000						834,000
Staff Benefits	560,000	1,200						561,200
General Expense	118,000	3,800	550					122,350
Printing	5,000							5,000
Telecommunications	48,000							48,000
Postage	18,500							18,500
Insurance	500							500
Travel in State	7,500		300					7,800
Travel Out of State								-
Training	5,675		380					6,055
Security								-
Facilities Operations	42,000							42,000
Utilities								-
Contracted Services	380,000	124,000	145,200					649,200
Consulting and Professional Services - County Provided	2,400							2,400
Information Technology (IT)	200,000							200,000
Major Equipment								-
Other Items of Expense								-
Juror Costs	5,000							5,000
Other	60,000							60,000
Debt Service								-
Court Construction								-
Distributed Administration & Allocation		1,600						1,600
Prior Year Expense Adjustment	17,430							17,430
TOTAL EXPENDITURES	2,299,005	135,600	146,430	-	-	-	-	2,581,035
Operating Transfers In (Out)	15,786		17,430	195				33,411
Fund Balance (Deficit)								
Beginning Balance (Deficit)	121,476	188,661	-	51,802	-	-	-	361,939
Ending Balance (Deficit)	63,590	195,061	-	52,192	-	-	-	310,843

Identification of all costs, by category and amount, needed to fully implement the project

Expenses Category		Amount
GL Account	Description	
900000	Salaries	120,000
910000	Staff Benefits	54,000
920001	General Expense	
924000	Printing	
925000	Telecommunications	
926000	Postage	
928000	Insurance	
929000	Travel in State	5,000
931000	Travel Out of State	
933000	Training	20,000
934000	Security	
935000	Facilities Operations	
936000	Utilities	
938000	Contracted Services	
940000	Consulting and Professional Services - County Provided	
943000	Information Technology (IT)	450,000
945000	Major Equipment	50,000
950000	Other Items of Expense	
972000	Other	
973000	Debt Service	
983000	Court Construction	
990000	Distributed Administration & Allocation	
Total		699,000

A specific funding and expenditure schedule identifying the amounts related to the proposal to be contributed and expended, by fiscal year

Description	FY 2016-17 ▼	FY 2017-18 ▼	FY 2018-19 ▼	FY 2019-20 ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Total
Contribution	150,000	100,000	100,000	-					350,000
Expenditures			300,000	50,000					350,000
Cumulative Balance	150,000	250,000	50,000	-	-	-	-	-	-



SHERRI R. CARTER
EXECUTIVE OFFICER / CLERK

111 NORTH HILL STREET
LOS ANGELES, CA 90012-3014

Superior Court of California *County of Los Angeles*

February 6, 2017

Martin Hoshino
Administrative Director
Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102-3688

Dear Mr. Hoshino:

The Superior Court of California, County of Los Angeles (Court) respectfully requests Judicial Council consideration at the March 23/24 Judicial Council Meeting that \$5.2 million of Trial Court Trust Fund fund balance be held on its behalf to support delayed deployment of new case management systems (CMS).

The Court is currently replacing its CMS in every litigation area. Replacement is imperative due to antiquated legacy systems, (system are between 11 and 36 years old), continuing declines in functionality and supportability and rising costs associated with system maintenance. The Court executed multi-year contracts with two CMS vendors (Journal Technology, Inc. and Tyler Technologies) in 2014 for the replacement projects. Since that time, the Court has successfully implemented Probate, Small Claims and Adoptions with the largest litigation areas of Family Law Juvenile, Traffic, Civil and Criminal still ahead. With the magnitude of these litigation types remaining and the volume of Court transactions, the Court recognizes the need for a deliberate approach with implementation. It is imperative that the appropriate time is taken to ensure successful data conversion; data mapping; integration with justice partners, state and local systems; financial transaction processing; revenue distributions and training and implementation.

The deliverables stipulated in the contracts that allow for payment must be delayed for the reasons stated above. The Court, therefore, requests that \$5.2 million of local Trial Court Trust Fund fund balance be held on behalf of the Los Angeles Superior Court. This request comes about due to "delayed deployment of new information systems" which is consistent with Judicial Council guidelines.

The attached application and supporting templates reflect a request for funds totaling \$5,200,000 to be held for the following contracts:

- Tyler, Inc. Odyssey case management system - \$3.2M
- Journal Technology, Inc. (JTI) case management system - \$2.0M.

The Court anticipates that the funds requested to be held on its behalf for Tyler will be fully spent by 2017/18, and those requested for JTI will be fully spent in 2018/19. If you have any questions, you may contact me directly, or your staff may contact Jeremy Cortez, Chief Deputy, Finance and Administration at 213-633-0109.

Sincerely,

A handwritten signature in blue ink that reads "Sherri R. Carter". The signature is written in a cursive, flowing style.

Sherri R. Carter

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☒ **NEW REQUEST** *(Complete Section I, III, and IV only.)*

☐ **AMENDED REQUEST** *(Complete Sections I through IV.)*



SECTION I: GENERAL INFORMATION

SUPERIOR COURT: Los Angeles	PERSON AUTHORIZING REQUEST <i>(Presiding Judge or Court Executive Officer):</i> Sherri R. Carter, Court Executive Officer	
	CONTACT PERSON AND CONTACT INFO: Jeremy Cortez, Chief Deputy, Finance & Administration	
DATE OF SUBMISSION: 2/6/2017	TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE: JULY 1, 2017 TO JUNE 30, 2019	REQUESTED AMOUNT: \$ 2,000,000

REASON FOR REQUEST *(Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):*

The Court entered into a multi-year contract with Journal Technology, Inc. for the implementation of a new civil case management system. Pursuant to the contract, the implementation dates were scheduled to be completed prior to June 30, 2017, and milestone payments were to be made based on a deliverables schedule that should have resulted in liquidation of the encumbrance according to guidelines and within the 3 year term. However, following implementation of the Small Claims component, the Court found configuration issues and recognized a need for customized programming. Although the Court and the vendor are working diligently to address the issues, the Court recognized that a delay in implementation of the Limited and Unlimited Civil modules would be necessary to ensure a smooth transition. As a result, the Court will be unable to expend the balance of funds encumbered in Fiscal Year (FY) 2014/15, and is requesting the funds be held on its behalf in order to implement the case management system as planned and meet the obligations of the contract. In summary, there is a need to carry over funds towards the completion of the case management system. This application is being submitted to seek authorization to carry those monies into FY 2017/18 and 2018/19.

SECTION II: AMENDED REQUEST CHANGES

- A. Identify sections and answers amended.**
-
-
- B. Provide a summary of the changes to the request.**

SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

- A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.**

Due to circumstances related to data conversion, configuration and programming issues, deliverables and production dates have been delayed resulting in changes to the deliverables schedule. This request is to have the unliquidated funds encumbered in the 2014/15 encumbrance held on the Court's behalf to ensure sufficient funds are available through 2018/19 when projected milestones / deliverables have been achieved.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

The new case management system will enable the Court to move off of the antiquated (DOS-based) legacy systems to a newer web-based system that will offer more flexibility in interacting with newer technology. This will enable the Court to provide more efficient and effective access to justice through enhanced automated systems, improving accessibility to Court documents/records for the public, law enforcement, lawyers and justice partners. More specifically, the introduction of e-filing capabilities will allow all parties to file and access documents in a more effective and efficient manner as documents will be uploaded directly into the Court's database. In its efforts to work toward a paperless environment, implementation of the system will also reduce staffing needs for scanning documents as well as the need for the public to appear in person to retrieve documents, thereby reducing long public lines, and further promoting the goal of providing equal access to justice through the fair, timely and efficient resolution of all cases.

C. If a cost efficiency, please provide cost comparison (table template provided).

N/A

D. Describe the consequences to the court's operations if the court request is not approved.

If denied, the Court would need to acquire additional one-time funding from the Judicial Council to complete implementation, which could result in further delays. In addition, the Court may be unable to comply with the contractual obligations as it would be unable to meet its financial commitment to the vendor. Longer delays would require the Court to further retain antiquated legacy systems and costly labor intensive processes (staffing), causing a domino effect and delaying other projects that are dependent upon the successful deployment of the new case management system.

E. Describe the consequences to the public and access to justice if the court request is not approved.

Electronic accessibility will be severely delayed, resulting in the public having to drive to local courthouses to obtain copies, file documents and obtain other case information. This will further delay e-filing and digital document storage projects as the old CMS systems do not provide for these types of modules.

F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

Alternatives:

- Seek additional funding through a Budget Change Proposal.
- Reduce services to the public to recover funding need.

Holding funds in TCTF is the preferred alternative because it will eliminate the need to locate and maneuver funding in the Court's already balance budget. These funds were already allocated and dedicated for the effective implementation of the new case management system. Use of these funds will assure that deadlines are met without further delays.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

A. Three-year history of year-end fund balances, revenues, and expenditures

The Fund Balances reflected include funds excluded from the 1% calculation, the Payroll Revolving fund, and commitments related to encumbrances in process.

B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf

Budget projections assume a budget with no growth, resulting in diminished purchasing power because of the lack of funding to cover Consumer Price index (CPI) increases.

C. Identification of all costs, by category and amount, needed to fully implement the project

D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

Application for TCTF Funds Held on Behalf of the Court

Prior three-year history of year-end fund balances, revenues, and expenditures

FY 2013-14	FUNDS						
	Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	TOTAL
	Beginning Balance	44,603,445	13,817,565				58,421,010
	Revenues	611,127,054	25,397,286	9,956,732			646,481,072
	Expenditures	645,385,067	8,773,847	10,225,731			664,384,645
	Operating Transfers In (Out)	22,556,559	(22,825,558)	268,959			-
	Ending Fund Balance	32,901,991	7,615,446	-	-	-	40,517,437

FY 2014-15	FUNDS						
	Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	TOTAL
	Beginning Balance	32,901,991	7,615,445	-			40,517,436
	Revenues	646,270,497	25,569,107	10,035,836			681,875,440
	Expenditures	640,684,985	11,896,815	9,755,005			662,336,805
	Operating Transfers In (Out)	11,238,852	(10,958,022)	(280,831)			(1)
	Ending Fund Balance	49,726,355	10,329,715	-	-	-	60,056,070

FY 2015-16	FUNDS						
	Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	TOTAL
	Beginning Balance	49,726,355	10,329,715	-			60,056,070
	Revenues	690,749,490	25,479,068	9,978,358			726,206,916
	Expenditures	682,842,409	11,704,440	9,844,855			704,391,704
	Operating Transfers In (Out)						-
	Ending Fund Balance	57,633,436	24,104,343	133,503	-	-	81,871,282

Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the c

	FY 2017-18	▼	FUNDS						
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL	
REVENUES									
State Financing Sources	698,554,000	6,099,000						704,653,000	
Grants	1,578,000		10,133,000					11,711,000	
Other Financing Sources	32,270,000	20,910,000	(19,000)					53,161,000	
TOTAL REVENUES	732,402,000	27,009,000	10,114,000	-	-	-	-	769,525,000	
EXPENDITURES									
Salaries	418,463,000	7,422,000	5,273,000					431,158,000	
Staff Benefits	200,867,000	3,478,000	3,416,000					207,761,000	
General Expense	29,823,000	262,000	123,000					30,208,000	
Printing	2,414,000	-	1,000					2,415,000	
Telecommunications	4,621,000	-	9,000					4,630,000	
Postage	4,002,000	-	17,000					4,019,000	
Insurance	173,000	-	14,000					187,000	
Travel in State	996,000	-	-					996,000	
Travel Out of State	3,000	-	9,000					12,000	
Training	433,000	-	-					433,000	
Security	505,000	-	932,000					1,437,000	
Facilities Operations	7,013,000	10,000	-					7,023,000	
Utilities	-	-	320,000					320,000	
Contracted Services	39,128,000	2,692,000	-					41,820,000	
Consulting and Professional Services									
- County Provided	26,811,000	3,145,000	-					29,956,000	
Information Technology (IT)	12,314,062	-	-					12,314,062	
Major Equipment	3,225,000	-	-					3,225,000	
Other Items of Expense	13,359,000	-	-					13,359,000	
Juror Costs	6,300,000	-	-					6,300,000	
Other	148,000	-	-					148,000	
Debt Service	-	-	-					-	
Court Construction								-	
Distributed Administration & Allocation								-	
Prior Year Expense Adjustment								-	
TOTAL EXPENDITURES	770,598,062	17,009,000	10,114,000	-	-	-	-	797,721,062	
Operating Transfers In (Out)	10,000,000	(10,000,000)						-	
Fund Balance (Deficit)									
Beginning Balance (Deficit)	42,700,000	15,745,000						58,445,000	
Ending Balance (Deficit)	14,503,938	15,745,000	-	-	-	-	-	30,248,938	

Current detailed budget projection court's behalf

	FY 2018 19	▼	FUNDS					
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	697,454,000	6,099,000						703,553,000
Grants	1,578,000		10,133,000					11,711,000
Other Financing Sources	32,270,000	21,910,000	(19,000)					54,161,000
TOTAL REVENUES	731,302,000	28,009,000	10,114,000	-	-	-	-	769,425,000
EXPENDITURES								
Salaries	418,463,000	7,422,000	5,273,000					431,158,000
Staff Benefits	200,867,000	3,478,000	3,416,000					207,761,000
General Expense	24,823,000	262,000	123,000					25,208,000
Printing	2,414,000	-	1,000					2,415,000
Telecommunications	4,621,000	-	9,000					4,630,000
Postage	4,002,000	-	17,000					4,019,000
Insurance	173,000	-	14,000					187,000
Travel In State	996,000	-	-					996,000
Travel Out of State	3,000	-	9,000					12,000
Training	433,000	-	-					433,000
Security	505,000	-	932,000					1,437,000
Facilities Operations	4,013,000	10,000	-					4,023,000
Utilities	-	-	320,000					320,000
Contracted Services	33,328,000	2,692,000	-					36,020,000
Consulting and Professional Services								
- County Provided	26,811,000	3,145,000	-					29,956,000
Information Technology (IT)	12,314,062	-	-					12,314,062
Major Equipment	3,225,000	-	-					3,225,000
Other Items of Expense	13,359,000	-	-					13,359,000
Juror Costs	6,300,000	-	-					6,300,000
Other	148,000	-	-					148,000
Debt Service	-	-	-					-
Court Construction								-
Distributed Administration & Allocation								-
Prior Year Expense Adjustment								-
TOTAL EXPENDITURES	756,798,062	17,009,000	10,114,000	-	-	-	-	783,921,062
Operating Transfers In (Out)	11,000,000	(11,000,000)						-
Fund Balance (Deficit)								
Beginning Balance (Deficit)	14,503,938	15,745,000	-	-	-	-	-	30,248,938
Ending Balance (Deficit)	7,876	15,745,000	-	-	-	-	-	15,752,876

Identification of all costs, by category and amount, needed to fully implement the project

GL Account	Expenses Category		Amount
	Description		
900000	Salaries		
910000	Staff Benefits		
920001	General Expense		
924000	Printing		
925000	Telecommunications		
926000	Postage		
928000	Insurance		
929000	Travel in State		
931000	Travel Out of State		
933000	Training		
934000	Security		
935000	Facilities Operations		
936000	Utilities		
938000	Contracted Services		
940000	Consulting and Professional Services - County Provided		
943000	Information Technology (IT)		3,349,000
945000	Major Equipment		
950000	Other Items of Expense		
972000	Other		
973000	Debt Service		
983000	Court Construction		
990000	Distributed Administration & Allocation		
Total			3,349,000

Application for TCTF Funds Held on Behalf of the Court

A specific funding and expenditure schedule identifying the amounts related to the proposal to be contributed and expended, by fiscal year

Description	FY 2016-17	FY 2017-18	FY 2018-19	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Total
Contribution	2,000,000								2,000,000
Expenditures		850,000	1,150,000						2,000,000
Cumulative Balance	2,000,000	1,150,000	-	-	-	-	-	-	4,000,000

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☒ **NEW REQUEST** (Complete Section I, III, and IV only.)☐ **AMENDED REQUEST** (Complete Sections I through IV.)**SECTION I: GENERAL INFORMATION****SUPERIOR COURT:**
Los Angeles**PERSON AUTHORIZING REQUEST** (Presiding Judge or Court Executive Officer):
Sherri R. Carter, Court Executive Officer**CONTACT PERSON AND CONTACT INFO:**
Jeremy Cortez, Chief Deputy, Finance & Administration**DATE OF SUBMISSION:**
2/6/2017**TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE:**
JULY 1, 2017 TO JUNE 30, 2018**REQUESTED AMOUNT:**
\$ 3,200,000**REASON FOR REQUEST** (Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):

In 2014/15, the Court entered into a multi-year contract with Tyler Inc. for the implementation of the Odyssey Case Management System in every litigation area but Civil. Projected implementation dates were specified and milestone payments were to be made based on the deliverables schedule pursuant to the contract. Following the implementation of the Probate module, the Court was made aware of significant configuration issues and recognized a need to slow down to ensure successful implementation. The litigation areas scheduled to be implemented after Probate are much larger, more complicated, and have a greater impact on the community the court serves. As a result, the Court made a decision to delay implementation to subsequently scheduled litigation areas. Due to these unforeseen circumstances, the vendor will not meet the contractually obligated deliverables on schedule; consequently, the balance of the encumbrance established in 2014/15 cannot be liquidated as planned by the end of 2016/17. Therefore, the Court is requesting funds be held on its behalf to meet the delayed deliverables that were not billable within the three-year encumbrance term. To summarize, there is a need to carry over funds towards the completion of our case management project. This application is being submitted to seek authorization to have the balance of the encumbrance held on its behalf until the end of 2017/18.

SECTION II: AMENDED REQUEST CHANGES**A. Identify sections and answers amended.****B. Provide a summary of the changes to the request.****SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE****A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.**

Due to circumstances related to the scope of the project and programming issues, deliverables and production dates have been delayed, resulting in changes to the deliverables schedule pursuant to the contract. This request is to have the unliquidated funds encumbered in the 2014/15 encumbrance held on the Court's behalf to ensure sufficient funds are available in 2017/18 when projected milestones / deliverables have been achieved.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

The new case management system will enable the Court to move off of the antiquated (DOS-based) legacy systems to a newer web-based system that will offer more flexibility in interacting with newer technology. This will enable the Court to provide more efficient and effective access to justice through enhanced automated systems, improving accessibility to Court documents/records for the public, law enforcement, lawyers and justice partners. More specifically, the introduction of e-filing capabilities will allow all parties to file and access documents in a more effective and efficient manner as documents will be uploaded directly into the Court's database. In its efforts to work toward a paperless environment, implementation of the system will also reduce staffing needs for scanning documents as well as the need for the public to appear in person to retrieve documents, thereby reducing long public lines, and further promoting the goal of providing equal access to justice through the fair, timely and efficient resolution of all cases.

C. If a cost efficiency, please provide cost comparison (table template provided).

N/A

D. Describe the consequences to the court's operations if the court request is not approved.

If denied, the Court would need to acquire additional one-time funding from the Judicial Council to complete implementation, which could result in further delays. In addition, the Court may be unable to comply with the contractual obligations as it would be unable to meet its financial commitment to the vendor. Longer delays would require the Court to further retain antiquated legacy systems and costly labor intensive processes (staffing), causing a domino effect and delaying other projects that are dependent upon the successful deployment of the new case management system.

E. Describe the consequences to the public and access to justice if the court request is not approved.

Electronic accessibility will be severely delayed, resulting in the public having to drive to local courthouses to obtain copies, file documents and obtain other case information. This will further delay e-filing and digital document storage projects as the old CMS systems do not provide for these types of modules.

F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

Alternatives:

Seek additional funding through a Budget Change Proposal.

Reduce services to the public to recover funding need.

Holding funds in TCTF is the preferred alternative because it will eliminate the need to locate and maneuver funding from a balanced budget, resulting in reduced access to Court services. These funds were already allocated and dedicated for the effective implementation of the new case management system. Use of these funds will assure that deadlines are met without further delays.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

A. Three-year history of year-end fund balances, revenues, and expenditures

The Fund Balances reflected include funds excluded from the 1% calculation, the Payroll Revolving fund, and commitments related to encumbrances in process.

B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf

Budget projections assume a budget with no growth, resulting in diminished purchasing power because of the lack of funding to cover Consumer Price index (CPI) increases.

C. Identification of all costs, by category and amount, needed to fully implement the project

D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

Prior three-year history of year-end fund balances, revenues, and expenditures

FY 2013-14							
FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary
Beginning Balance	44,603,445	13,817,565					
Revenues	611,127,054	25,397,286	9,956,732				
Expenditures	645,385,067	8,773,847	10,225,731				
Operating Transfers In (Out)	22,556,559	(22,825,558)	268,999				
Ending Fund Balance	32,901,991	7,615,446	-	-	-	-	-
							40,517,437

FY 2014-15							
FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary
Beginning Balance	32,901,991	7,615,445	-				
Revenues	646,270,497	25,569,107	10,035,836				
Expenditures	640,684,985	11,896,815	9,755,005				
Operating Transfers In (Out)	11,238,852	(10,958,022)	(280,831)				
Ending Fund Balance	49,726,355	10,329,715	-	-	-	-	-
							60,056,070

FY 2015-16							
FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary
Beginning Balance	49,726,355	10,329,715	-				
Revenues	690,749,490	25,479,068	9,978,358				
Expenditures	682,842,409	11,704,440	9,844,855				
Operating Transfers In (Out)							
Ending Fund Balance	57,633,436	24,104,343	133,503	-	-	-	-
							81,871,282

Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf.

	FY 2017-18		FUNDS						
		▼							
	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL	
REVENUES									
State Financing Sources	698,554,000	6,099,000						704,653,000	
Grants	1,578,000		10,133,000					11,711,000	
Other Financing Sources	32,270,000	20,910,000	(19,000)					53,161,000	
TOTAL REVENUES	732,402,000	27,009,000	10,114,000	-	-	-	-	769,525,000	
EXPENDITURES									
Salaries	418,463,000	7,422,000	5,273,000					431,158,000	
Staff Benefits	200,867,000	3,478,000	3,416,000					207,761,000	
General Expense	29,823,000	262,000	123,000					30,208,000	
Printing	2,414,000	-	1,000					2,415,000	
Telecommunications	4,621,000	-	9,000					4,630,000	
Postage	4,002,000	-	17,000					4,019,000	
Insurance	173,000	-	14,000					187,000	
Travel in State	996,000	-	-					996,000	
Travel Out of State	3,000	-	9,000					12,000	
Training	433,000	-	-					433,000	
Security	505,000	-	932,000					1,437,000	
Facilities Operations	7,013,000	10,000	-					7,023,000	
Utilities	-	-	320,000					320,000	
Contracted Services	39,128,000	2,692,000	-					41,820,000	
Consulting and Professional Services									
- County Provided	26,811,000	3,145,000	-					29,956,000	
Information Technology (IT)	12,314,062	-	-					12,314,062	
Major Equipment	3,225,000	-	-					3,225,000	
Other Items of Expense	13,359,000	-	-					13,359,000	
Jurat Costs	6,300,000	-	-					6,300,000	
Other	148,000	-	-					148,000	
Debt Service	-	-	-					-	
Court Construction								-	
Distributed Administration & Allocation								-	
Prior Year Expense Adjustment								-	
TOTAL EXPENDITURES	770,598,062	17,009,000	10,114,000	-	-	-	-	797,721,062	
Operating Transfers In (Out)	10,000,000	(10,000,000)						-	
Fund Balance (Deficit)									
Beginning Balance (Deficit)	42,700,000	15,745,000						58,445,000	
Ending Balance (Deficit)	14,503,938	15,745,000	-	-	-	-	-	30,248,938	

Identification of all costs, by category and amount, needed to fully implement the project

GL Account	Expenses Category		Amount
	Description		
900000	Salaries		
910000	Staff Benefits		
920001	General Expense		
924000	Printing		
925000	Telecommunications		
926000	Postage		
928000	Insurance		
929000	Travel in State		
931000	Travel Out of State		
933000	Training		
934000	Security		
935000	Facilities Operations		
936000	Utilities		
938000	Contracted Services		
940000	Consulting and Professional Services - County Provided		
943000	Information Technology (IT)		36,690,002
945000	Major Equipment		
950000	Other Items of Expense		
972000	Other		
973000	Debt Service		
983000	Court Construction		
990000	Distributed Administration & Allocation		
Total			36,690,002



**Superior Court of California
County of San Bernardino**

NANCY CS EBERHARDT
Court Executive Officer and Clerk
Jury Commissioner

**247 West Third Street, Eleventh Floor
San Bernardino, CA 92415-0302**

(909) 708-8747

March 20, 2017

Martin Hoshino, Administrative Director
Judicial Council
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Dear Mr. Hoshino:

On behalf of Presiding Judge Raymond L. Haight III, the San Bernardino Superior Court respectfully submits the enclosed request for the Judicial Council to hold monies in the Trial Court Trust Fund on behalf of the court for fiscal year 2017-18.

This request is motivated by delays in implementing a new case management system coupled with fund balance restrictions related to encumbered funds.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Nancy CS Eberhardt
Court Executive Officer

NE:sb

enclosure

cc: Raymond L. Haight III, Presiding Judge
Zlatko Theodorovic, Judicial Council, Director, Budget Services
Robert Fleshman, Chief Financial Officer

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☒ **NEW REQUEST** *(Complete Section I, III, and IV only.)*

☐ **AMENDED REQUEST** *(Complete Sections I through IV.)*



SECTION I: GENERAL INFORMATION

SUPERIOR COURT: San Bernardino	PERSON AUTHORIZING REQUEST <i>(Presiding Judge or Court Executive Officer):</i> Raymond L. Haight III	
	CONTACT PERSON AND CONTACT INFO: Nancy CS Eberhardt, Court Executive Officer, 909-708-8769	
DATE OF SUBMISSION: 3/17/2017	TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE: FY 2017-18	REQUESTED AMOUNT: \$ 1,718,000.00

REASON FOR REQUEST *(Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):*

The San Bernardino Superior Court is requesting the Judicial Council of California to hold court monies subject to the 1% fund balance restriction in the Trial Court Trust Fund in order to effectively implement the second stage (Project 2) of the court's new case management system (CMS). For purposes of this discussion, Project 1 refers to criminal & traffic case types and Project 2 refers to civil, family, small claims/unlawful detainers, and probate case types.

Due to unforeseen delays and complications that have significantly extended the CMS rollout beyond the original schedule, the court is now facing certain funding restrictions and seeks an extension on the encumbered funds dedicated to this project.

SECTION II: AMENDED REQUEST CHANGES

- A. Identify sections and answers amended.
N/A
- B. Provide a summary of the changes to the request.
N/A

SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

- A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.

This CMS rollout does not fit within the court's annual operational budget process or the three-year encumbrance term because of the additional year required to fully implement certain deliverables associated with the project.

The Court began planning for the first phase, Project 1, in FY 2013-14 when it entered into contract with Tyler Technologies for the implementation of its Odyssey CMS solution. Planning for the second phase, Project 2, which included all other cases types, began in FY 2014-15.

The rollout of Project 1 was delayed multiple times and then suffered serious setbacks after go-live, which caused and resulted in the delay for Project 2. The implementation timeline for Project 2 was projected to be completed by the end of fiscal year FY 2016-17. However, due to the difficulties in implementation of Project 1 as mentioned above, funds originally reserved for Project 2 will not be liquidated within the three-year encumbrance term. This will require funds to be held on behalf of the court in the TCTF.

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

The request will allow the court to continue its current CMS roll-out schedule, while utilizing the funds originally designated and prevent funding impacts to other critical services to court users. With the full implementation of CMS Projects 1 & 2, the court anticipates case flow processing improvements, increased accuracy of case information and reporting, enhanced digital access for court users, and a better customer service experience for the public and stakeholders alike.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

C. If a cost efficiency, please provide cost comparison (table template provided).
N/A

D. Describe the consequences to the court's operations if the court request is not approved.

The funds reserved for Project 2 from FY 2014-15 are currently set to expire on June 30, 2017. The amount of funds reserved exceeds the 1% fund balance limit for that fiscal year and will ultimately lead to monies being lost, if this request is not approved. The court does not currently have an available fund balance to replace the previously reserved funds. If this request is not approved, the ability of the court to maintain access to justice at its current levels will be compromised because the court may be forced to halt implementation of Project 2. Highlighting the need for a replacement system and further compounding the court's technology situation, the vendor for the legacy CMS—currently supporting civil, family, probate, and other case types—cannot continue to provide support to the court beyond June 30, 2019. This situation puts the court in an extremely precarious position.

To put it bluntly, the loss of these funds would require the use of dedicated operational money. This will adversely affect the court's ability to maintain current levels of access, including plans to reopen a remote courthouse, reduce our ability to fund programs like self-help, homeless court, and other critical court functions. Further, there is no option but to fund this rollout since the legacy CMS will not be supported after June 2019.

E. Describe the consequences to the public and access to justice if the court request is not approved.

Any issues that will affect the legacy CMS beyond June 30, 2019 will go unsupported. Without local resources, the court could suffer downtime or other system related issues which will affect public services and access to justice.

F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

San Bernardino Superior Court has made the implementation of Project 2 a top priority and, due to our investment of time and resources to date, switching vendors at this point is not a viable option. As an alternative, should the request not be approved, the court will find the funds for Project 2 by cutting funding in other areas of the court—which would ultimately negatively impact court user access to the San Bernardino Superior Court system.

As part of our governance structure, there are weekly meetings between the Executive Management Team and the CMS Vendor to resolve pending issues. Collaboratively, we have fixed a large volume of outstanding items and plan to continue to meet weekly to complete implementation successfully.

The Court has broken the rollout of Project 2 into smaller and separate implementation tracks. While this will extend the original implementation timeline, the court believes this change in strategy will better manage changes to business processes and any necessary troubleshooting throughout the project.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

A. Three-year history of year-end fund balances, revenues, and expenditures

Not applicable for one year extension requests.

B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf

Not applicable for one year extension requests.

C. Identification of all costs, by category and amount, needed to fully implement the project

Not applicable for one year extension requests.

D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

Not applicable for one year extension requests.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

400 McAllister Street, Room 205
San Francisco, CA 94102-4512



T. MICHAEL YUEN
CHIEF EXECUTIVE OFFICER

March 21, 2017

Martin Hoshino
Administrative Director
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102

Re: Trial Court Funds Held on Behalf of Courts in the TCTF

Dear Mr. Hoshino:

Please find enclosed an application for funds to be held in the Trial Court Trust Fund on behalf of the Superior Court of California, County of San Francisco. Additionally, enclosed is an expenditure schedule identifying the amounts related to be contributed and expended by fiscal year. If you have any questions, please contact Sue Wong, Chief Financial Officer at suewong@sftc.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Michael Yuen".

T. Michael Yuen
Chief Executive Officer

CC: Zlatko Theodorovic, Director and Chief Financial Officer, Judicial Council of California
Sue Wong, Chief Financial Officer, Superior Court of California, County of San Francisco

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☒ **NEW REQUEST** *(Complete Section I, III, and IV only.)*

☐ **AMENDED REQUEST** *(Complete Sections I through IV.)*



SECTION I: GENERAL INFORMATION

SUPERIOR COURT: San Francisco	PERSON AUTHORIZING REQUEST <i>(Presiding Judge or Court Executive Officer):</i> T. Michael Yuen, Court Executive Officer	
	CONTACT PERSON AND CONTACT INFO: Sue Wong, Chief Financial Officer, suewong@sftc.org	
DATE OF SUBMISSION: 3/21/2017	TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE: 24 MONTHS	REQUESTED AMOUNT: \$447,147

REASON FOR REQUEST *(Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):*

The Court entered into contract with Thomson Reuters for a new case management system. The goal was to eliminate the Court's reliance on various legacy systems, and replace it with a more efficient and technologically advanced single case management system. Unfortunately, unexpected delays such as additional technical requirements and customizations (e.g. complex fines and fee revenue distributions) have prolonged development and implementation. With the unanticipated delays, we have not been able to spend down funds allocated for this fiscal year (16-17). The overall CMS timeline has been re-adjusted to accommodate the initial delay and has pushed the implementation of the other case types to 2017-18. However, at it stands now, we will not be able to spend applicable encumbered funds by June 30, 2017. Therefore, the Court is requesting to carry over these funds to be used in 2017-18 and 2018-19. It is critical to maintain access to these funds for project continuity and completion. Denial of access to these funds would have negative impacts to court services and the public's access to justice.

SECTION II: AMENDED REQUEST CHANGES

A. Identify sections and answers amended.

N/A

B. Provide a summary of the changes to the request.

N/A

SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.

Savings over years were accumulated to fund this project. To be able to acquire comparable amounts in such a short amount of time would require significant reductions in other critical operational areas. The only way that such funds may be obtained is to reduce staffing levels, or delay other critical projects.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

This project will enhance the efficiency and effectiveness of court operations because there will be a fully integrated system in which all case related data will be available across departments. We currently have four case management systems that we are attempting to consolidate into one system that is also web-based. Significant staff efficiencies will be achieved since the case management system will be standardized across criminal, civil and family law. Moreover, standard operating procedures will be more streamlined and become automated including reports that will replace manual recording and data entry processes. Lastly, with the new system, we would be able to electronically exchange data with related justice partners, integrate with other existing non-case management systems, expand electronic case filing and files, and meet Judicial Council and other California state reporting requirements.

C. If a cost efficiency, please provide cost comparison (table template provided).

N/A

D. Describe the consequences to the court's operations if the court request is not approved.

If this request is not approved, the court will have to maintain both the old case management systems and the new system. Maintaining both systems would create an undue burden on the court, as it would require support for several platforms. In addition to the dual support for several platforms, staff time and resources will be impacted negatively as they navigate through both. The current systems are also obsolete, and at risk of failure. If the court lost funding for this project, we would be operating at a less than efficient level for several years as we struggled to find funds to continue implementation. Therefore, this project must continue to be funded to increase efficiencies in the court, as well as for the public.

E. Describe the consequences to the public and access to justice if the court request is not approved.

If this request is not approved, the public would experience increased wait times as staff attempt to assist them navigating through two systems. The expansion of e-filing would be delayed resulting in continued old-fashioned use of court runners. Additionally, the public would be adversely affected as there would be delayed information provided to our justice partners. Lastly, since the systems are so antiquated, access to justice is at risk of being affected at any time if the systems fail.

F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

The only alternative if this request is not approved is to maintain several systems until funding has been secured to fund this project. Not only is this ineffective and wasteful of resources, it is also irrational. In addition, cutting other operational areas to acquire enough funds to complete this project is not a practical alternative. Holding funding in the TCTF is the preferred alternative because we would be able to seamlessly continue this project.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

A. Three-year history of year-end fund balances, revenues, and expenditures

N/A

B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf

N/A

C. Identification of all costs, by category and amount, needed to fully implement the project

N/A

D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

See attached.

A specific funding and expenditure schedule identifying the amounts related to the proposal to be contributed and expended, by fiscal year

Description	FY 2016-17 ▼	FY 2017-18 ▼	FY 2018-19 ▼	▼	▼	▼	▼	▼	Total
Contribution	447,147								447,147
Expenditures		295,000	152,147						447,147
Cumulative Balance	447,147	152,147	-	-	-	-	-	-	-

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☒ **NEW REQUEST** (Complete Section I, III, and IV only.)☐ **AMENDED REQUEST** (Complete Sections I through IV.)**SECTION I: GENERAL INFORMATION****SUPERIOR COURT:**

Sutter

PERSON AUTHORIZING REQUEST (Presiding Judge or Court Executive Officer):

Stephanie M. Hansel, Court Executive Officer

CONTACT PERSON AND CONTACT INFO: Joe Azevedo, Court Fiscal Manager,
(530) 822-3340; jazevedo@suttercourts.com**DATE OF SUBMISSION:**

3/22/2017

**TIME PERIOD COVERED BY THE
REQUEST, INCLUDING CONTRIBUTION
AND EXPENDITURE: FISCAL YEAR**
2017-2018**REQUESTED AMOUNT:**

\$80,837.19

REASON FOR REQUEST (Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):

JSI: Professional services and deliverables on jury management system that is partially implemented (\$31,273.56).

Tyler: Professional services and deliverables on new case management system that is partially implemented (\$34,526.20).

Ricoh: Final term of purchase agreement for copiers (\$15,037.43).

SECTION II: AMENDED REQUEST CHANGES**A. Identify sections and answers amended.**

N/A

B. Provide a summary of the changes to the request.

N/A

SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE**A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.**

The JSI funds encumbered in 2014 were impacted by the delay of our new courthouse completion for one year and the delay of our new case management system implementation by 8 months. The kiosks have been installed, however configuration of the programming that is utilized by the public is in progress but not completed and we expect that configuration to be completed in fiscal year 17-18.

The Tyler funds encumbered in 2014 are the remaining project of our Odyssey case management system. The clerk's edition component requires four months of configuration. The multiple delays of our implementation date and substantial staff resources devoted to ongoing issues with functionality have

delayed our ability to implement the next phase until a date outside of the three year encumbrance period. The project will be completed in fiscal year 17-18.

The copier lease to purchase agreement covered a term that extends beyond the original three year encumbrance period. The structure of the encumbrance and cap process has changed substantially over this time period and extending this encumbrance into fiscal year 17-18 will allow the current administration to satisfy the contractual obligation entered into at the time of the encumbrance.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

The JSI project will provide additional services and resources to jurors through our web portal as opposed to a phone call or visit to the courthouse during business hours.

The Tyler project will increase efficiency for courtroom clerks and assist in reducing backlog.

The Ricoh project will allow us to complete the purchase of the court's copiers, an important piece of our infrastructure.

C. If a cost efficiency, please provide cost comparison (table template provided).

N/A

D. Describe the consequences to the court's operations if the court request is not approved.

If the request is not approved it will impact the court's budget in fiscal year 17-18 as the amount requested would be liquidated and reduce the court's allocation for fiscal year 17-18. Further, it puts the court in a position of defaulting on the previously entered into contracts that we were unable to fully implement.

E. Describe the consequences to the public and access to justice if the court request is not approved.

Not approving the request would affect the ability to serve the public as court resources, specifically staffing would be affected.

F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

The court could not identify alternatives should the request not be approved. Holding funding in the TCTF is the only alternative.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

A. Three-year history of year-end fund balances, revenues, and expenditures

Work to be completed in fiscal year 17-18.

B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf

Work to be completed in fiscal year 17-18.

C. Identification of all costs, by category and amount, needed to fully implement the project

Work to be completed in fiscal year 17-18.

D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

Work to be completed in fiscal year 17-18.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☒ **NEW REQUEST** *(Complete Section I, III, and IV only.)*☐ **AMENDED REQUEST** *(Complete Sections I through IV.)***SECTION I: GENERAL INFORMATION****SUPERIOR COURT:**

Tulare

PERSON AUTHORIZING REQUEST *(Presiding Judge or Court Executive Officer):*
LaRayne Cleek, Interim Court Executive Officer**CONTACT PERSON AND CONTACT INFO:**

Michelle Martinez, ACEO 559-730-5000 x 1312

DATE OF SUBMISSION:

1/6/2017

**TIME PERIOD COVERED BY THE
REQUEST, INCLUDING CONTRIBUTION
AND EXPENDITURE: 1 YEAR****REQUESTED AMOUNT:**

\$ 45,020

REASON FOR REQUEST *(Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):*

The Superior Court of Tulare County experiences a high volume of defendants who Fail to Appear (FTA) for criminal arraignments. In an effort to reduce the amount of FTA's, the Court sought the services of American Telesource Inc. (ATI) to design and build an e-Court integrated module that would automatically make reminder calls and text messages, in both English and Spanish, to the parties scheduled on the court calendar two (2) days before their scheduled appearance. The requested amount, referenced above, was encumbered to pay for the design and installation of the module in 2015. Prior to the start of the project, the Court learned from another court that had a similar product in place, there may be substantial liability issues if we moved forward with implementation. The Court requested a legal opinion from Judicial Council's (JCC) legal division. In the original and follow up legal opinions, the court was informed that while we may be able to complete this project, governmental (specifically judicial) entities were not automatically excluded from the overriding legal authority of the Federal Telephone Consumer Protection Act (FTCPA). After review of the legal opinion and analysis of the requirements of the FTCPA, it was determined the court would not be in a position to support (for the long term) the amount of resources needed to adhere to the requirements of the act. Such as, a new telephone and case management system integrated software and staff to secure and track individual express consent and identify reassigned phone numbers. Since there are pending legal actions requesting the exclusion of governmental entities from the FTCPA, the Court initially felt we may be in a position to move forward once the legal actions were resolved; however, to date, there has been no ruling on the matter.

In the meantime, the court experienced a matrix failure that impacted the entire CCTV system, resulting in no viewing capability in the courtrooms. The matrix is the component that allows security personnel to control movement of the PTZ cameras located throughout the courthouse. It allows the end user to change the position of each camera so that various areas within the courtrooms and building are able to be viewed and recorded. Without the matrix the cameras are only partially functional; they record but cannot be moved or re-positioned. This is a particular concern in the courtrooms where cameras failed while facing a wall so there is no useable view or recording capability. The matrix is very old and outdated and is non-repairable. The JCC has agreed to provide limited repair of the system by manually re-focusing the existing camera and freezing it in a stationary position, resulting in one stationary camera per court room. There are 14 courtroom cameras and 58 other cameras throughout the building; aside from the courtrooms, none of the remaining 58 cameras will be repaired or replaced by the JCC. In addition to the repair of the courtroom cameras, the Court must also update the current system software in order to use the remaining 58 PTZ cameras throughout the building. The Court

must purchase additional hardware, equipment, and software to allow for the functionality of all cameras, enabling court security to monitor courtrooms and the rest of the courthouse. Courthouse security is compromised with the loss of the camera system.

The Court is currently working with vendors to obtain quotes for the cost of this project. Due to the magnitude of the project, we anticipate it will cost tens of thousands of dollars to complete. Due to limited resources the court is unable to fund this project out of our current budget. Without knowing what we can expect in next fiscal year's budget, the Court feels that monies previously encumbered for the initial project are better used in repairing and upgrading security systems in our court. However, based upon the requirements of the 1% cap we will be forced to return the requested amount of \$45,020 to the state when we liquidate the purchase order for the FTA project. The Court will continue to suffer a negative impact if we are not able to replace the cameras and software system that were impacted by the recent equipment failure. The Court is seeking permission to use the currently encumbered funds of \$45,020 for the camera and software system repair and upgrade so these funds are not lost to the state thru the current purchase order liquidating process and the constraints of the 1% cap.

SECTION II: AMENDED REQUEST CHANGES

A. Identify sections and answers amended.

B. Provide a summary of the changes to the request.

SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.

Based on the 1% cap worksheet submitted annually, the Court can only liquidate \$13,177 of the funds encumbered in fiscal year 15/16 without the money reverting back to the state. When we liquidate the purchase order for the FTA Project in the amount of \$45,020, \$31,843 will revert to the state in fiscal year 17/18. Since the Court was not able to move forward with the original intended purpose of the 2015 purchase order, due to various legal issues, we are seeking approval to use the previously encumbered funds for the camera and software system repair and upgrade rather than returning the money to the state.

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

The request will allow the Court to repair and replace the camera system that recently failed. The repair and upgrade is necessary to restore camera viewing capability in the courthouse. It is imperative the system be fully functional to provide adequate security to judges, court staff, and the public.

C. If a cost efficiency, please provide cost comparison (table template provided). N/A

D. Describe the consequences to the court's operations if the court request is not approved.

Due to limited resources, the Court is unable to fund this project out of our current budget. Without knowing what to expect in next fiscal year's budget, the Court believes that monies previously encumbered for the initial project are better used in securing our court. If the request to move encumbered funds from one project to another is not approved we will be forced to return \$31,843 to the state and will have insufficient funds for the security system repair and upgrade. The Court would have no option but to fund this project over two fiscal years, resulting in compromised security for an extended period of time in our busiest courthouse.

E. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

The Court does not have an alternative to TCTF holding the funds. Once we liquidate the purchase order for the FTA project we will be forced to return \$31,843 to the state. If the Court is not allowed to use the encumbered funds for the security project the Court would lose \$31,843 and have to provide the funding for the security project

<p>in the amount of \$49,200. That overall cost to our budget would be \$81,043. Due to our limited resources the Court is unable to absorb that with current year funding and limited funding in next fiscal year.</p>

SECTION IV: FINANCIAL INFORMATION

Please provide the following (table template provided for each):

- A. Three-year history of year-end fund balances, revenues, and expenditures
- B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf
- C. Identification of all costs, by category and amount, needed to fully implement the project
- D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

Prior three-year history of year-end fund balances, revenues, and expenditures

FY 2015-16 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	986,877	613,572	-	-	-	-	-	1,600,449
Revenues	23,148,177	2,595,785	1,358,981					27,102,942
Expenditures	22,467,718	2,655,246	1,466,109					26,589,072
Operating Transfers In (Out)	(124,021)	16,892	107,128					(1)
Ending Fund Balance	1,543,315	571,003	-	-	-	-	-	2,114,318

FY 2014-15 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	524,335	707,013	-	-	-	-	-	1,231,348
Revenues	20,878,278	2,596,111	1,098,514					24,572,902
Expenditures	20,334,942	2,709,251	1,159,608					24,203,802
Operating Transfers In (Out)	(80,793)	19,699	61,094					-
Ending Fund Balance	986,877	613,572	-	-	-	-	-	1,600,449

FY 2013-14 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	894,151	525,228	-	-	-	-	-	1,419,379
Revenues	19,997,593	2,444,499	1,077,591	-	-	-	-	23,519,683
Expenditures	20,280,237	2,282,283	1,145,194	-	-	-	-	23,707,714
Operating Transfers In (Out)	(87,173)	19,569	67,603	-	-	-	-	(0)
Ending Fund Balance	524,335	707,013	0	-	-	-	-	1,231,348

Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the cc

	FY 2016-17		FUNDS					
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	22,065,330	213,275						22,278,605
Grants			1,274,043					1,274,043
Other Financing Sources	1,931,608	2,403,803						4,335,411
TOTAL REVENUES	23,996,938	2,617,078	1,274,043	-	-	-	-	27,888,059
EXPENDITURES								
Salaries	11,563,647	609,785	519,922					12,693,354
Staff Benefits	7,428,356	420,290	289,654					8,138,300
General Expense	620,294	35,703	11,749					667,747
Printing	91,108	8,280	1,077					100,465
Telecommunications	155,174	7,555	4,659					167,388
Postage	165,011	35,835	2,135					202,981
Insurance	10,680	-	-					10,680
Travel in State	37,935	745	7,448					46,129
Travel Out of State	-	-	-					-
Training	2,543	85	-					2,627
Security	791	-	82,550					83,340
Facilities Operations	378,947	10,126	49,983					439,056
Utilities	1,290	2,650	1,788					5,728
Contracted Services	3,305,969	1,247,603	364,008					4,917,580
Consulting and Professional Services - County Provided	35,964	-	-					35,964
Information Technology (IT)	635,566	265,350	-					900,916
Major Equipment	876,283	-	-					876,283
Other Items of Expense	3,304	70	-					3,373
Juror Costs	94,365	-	-					94,365
Other	1,000	-	-					1,000
Debt Service	-	-	-					-
Court Construction	12,000	-	-					12,000
Distributed Administration & Allocation	(255,001)	146,694	104,848					(3,459)
Prior Year Expense Adjustment	(63,249)	-						(63,249)
TOTAL EXPENDITURES	25,101,976	2,790,771	1,439,821	-	-	-	-	29,332,568
Operating Transfers In (Out)	(232,727)	66,948	165,778					-
Fund Balance (Deficit)								
Beginning Balance (Deficit)	1,543,316	571,003						2,114,319
Ending Balance (Deficit)	205,551	464,259	(0)	-	-	-	-	669,810

Current detailed budget projection on court's behalf

	FY 2017-18		FUNDS					
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
REVENUES								
State Financing Sources	22,195,596							22,195,596
Grants								-
Other Financing Sources	1,819,988							1,819,988
TOTAL REVENUES	24,015,584	-	-	-	-	-	-	24,015,584
EXPENDITURES								
Salaries	12,327,549							12,327,549
Staff Benefits	8,297,354							8,297,354
General Expense	446,723							446,723
Printing	106,189							106,189
Telecommunications	148,013							148,013
Postage	148,324							148,324
Insurance	10,741							10,741
Travel in State	45,211							45,211
Travel Out of State	-							-
Training	1,080							1,080
Security	791							791
Facilities Operations	279,690							279,690
Utilities	1,358							1,358
Contracted Services	3,304,494							3,304,494
Consulting and Professional Services - County Provided	31,823							31,823
Information Technology (IT)	581,439							581,439
Major Equipment	467,086							467,086
Other Items of Expense	3,350							3,350
Juror Costs	111,336							111,336
Other	-							-
Debt Service	-							-
Court Construction	-							-
Distributed Administration & Allocation	(246,952)							(246,952)
Prior Year Expense Adjustment								-
TOTAL EXPENDITURES	26,065,599	-	-	-	-	-	-	26,065,599
Operating Transfers In (Out)								-
Fund Balance (Deficit)								
Beginning Balance (Deficit)	205,551	464,259	(0)	-	-	-	-	669,810
Ending Balance (Deficit)	(1,844,464)	464,259	(0)	-	-	-	-	(1,380,206)

Identification of all costs, by category and amount, needed to fully implement the project

Expenses Category		Amount
GL Account	Description	
900000	Salaries	
910000	Staff Benefits	
920001	General Expense	
924000	Printing	
925000	Telecommunications	
926000	Postage	
928000	Insurance	
929000	Travel in State	
931000	Travel Out of State	
933000	Training	
934000	Security	
935000	Facilities Operations	
936000	Utilities	
938000	Contracted Services	
940000	Consulting and Professional Services - County Provided	
943000	Information Technology (IT)	
945000	Major Equipment	49,200
950000	Other Items of Expense	
972000	Other	
973000	Debt Service	
983000	Court Construction	
990000	Distributed Administration & Allocation	
Total		49,200

A specific funding and expenditure schedule identifying the amounts related to the proposal to be contributed and expended, by fiscal year

Description	FY 2016-17 ▼	FY 2017-18 ▼	▼	▼	▼	▼	▼	▼	Total
Contribution	45,020	4,180							49,200
Expenditures	49,200								49,200
Cumulative Balance	(4,180)	-	-	-	-	-	-	-	-

Summary of Amended Requests for TCTF Funds to be Held on Behalf of the Court

Table 2: Amended Requests

Court	Request Number	Last Approved Amount	Does request change \$\$ amount?	If yes - \$\$ change +/-	Original Expenditures by FY		Amended Expenditures by FY		Category	Quick Summary
					2016-2017	2017-2018	2016-2017	2017-2018		
Glenn	11-16-01-A1	90,000	No		90,000	-	61,000	29,000	Contract extending beyond 3-year term	Delayed implementation of Tyler Case Management System
Placer	31-16-01-A2	211,350	No		136,700	74,650	11,700	199,650	Contract extending beyond 3-year term	Delayed implementation of case management systemsystem
Sonoma	49-16-01-A2	824,106	No		824,106	-	371,808	452,298	Contract extending beyond 3-year term	Delayed implementation of Tyler Case Management System
Total: Amended Requests		1,125,456			1,050,806	74,650	444508	680948		

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☐ **NEW REQUEST** (Complete Section I, III, and IV only.)☒ **AMENDED REQUEST** (Complete Sections I through IV.)**SECTION I: GENERAL INFORMATION****SUPERIOR COURT:**

Glenn

PERSON AUTHORIZING REQUEST (Presiding Judge or Court Executive Officer):

Hon. Donald Cole Byrd, Presiding Judge

CONTACT PERSON AND CONTACT INFO:

Kevin Harrigan, CEO

DATE OF SUBMISSION:

3/22/2017

TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE:
JUNE 30, 2017 TO FY2017-2018

REQUESTED AMOUNT:

\$29,000.00

REASON FOR REQUEST (Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):

Utilizing section 1.a.i. of the newly approved process for TCTF Fund Balance Held on Behalf of the Courts, Glenn Superior Court respectfully requests to have \$29,000 held on its behalf in order to successfully complete the implementation of a new case management system.

Glenn is a participant in the "NorCal Project" which was a group of seven trial courts that joined together to share efforts and achieve cost savings related to the Tyler/Odyssey Case Management System. Glenn Superior Court previously encumbered \$194,000 at the end of the 2013-2014 fiscal year at which time the expiration date associated with the encumbrance was June 30, 2016. Glenn Court then successfully utilized this process at the end of the 2015-2016 fiscal year when it asked that \$90,000.00 be held on its behalf to allow sufficient time for the new system to be implemented. While there has been progress in the 2016-2017 fiscal year, the arduous implementation process has necessitated that a portion of the previously approved funds, \$29,000, be held on its behalf into fiscal year 2017-2018. Glenn Superior Court's newly scheduled go-live date is not determined at this time, but do anticipate implementation of the case management system in all case types in during the 2017-2018 fiscal year which begins July 1, 2017. Upon approval of this application, the Court intends to utilize the previously set aside funds to pay the vendor for each remaining deliverable upon successful completion.

SECTION II: AMENDED REQUEST CHANGES**A. Identify sections and answers amended.**

Section I and Section III, D and E have been amended.

B. Provide a summary of the changes to the request.

Of the \$90,000 previously approved at the end of FY15-16 to be held for use in FY 16-17, \$29,000 will not be spent until FY 17-18.

SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

- A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.

Ongoing maintenance and service of the software is within the court's annual operational budget. However, the burden of implementation costs are too large for our small court and far exceed the 1% cap on fund balance.

The three-year encumbrance term will be exceeded due to a variety of delays during the very difficult and complex implementation process. Further, Glenn Superior Court has been in the process of preparing to move its entire operation to a temporary facility leading up to a major expansion and renovation project in the Willows Historic Courthouse. All of which is being completed with fewer staff on hand now than five years ago.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

- B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

Glenn's current case management system (Ciber) is well over 20 years old. Once operational, the new system will allow for e-filing, paper on demand, and improved interfaces with other government agencies and justice partners, among many other additional improved features when compared to the current system in use.

- C. If a cost efficiency, please provide cost comparison (table template provided). N/A

- D. Describe the consequences to the court's operations if the court request is not approved.

The Court is testing system functionality and developing business processes for the new system. Upon successful completion of this step, end-user training should commence just prior to go-live. If the request is not approved, the Glenn Superior Court would need to find a way to cut \$29k from its budget next year in order to pay for the remaining deliverables during a time of underfunding. The Court receives approximately \$2 million dollars in Program 10 monies, \$29k is substantial to Glenn, approximately 1.5% of its annual TCTF allocation.

- E. Describe the consequences to the public and access to justice if the court request is not approved.

The cut referenced above in Section III. D. would be the equivalent to the loss of 0.5 to 1 FTE's to an already short staffed court where the doors are currently shut to the public at 3 p.m. each day.

- F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

The mostly likely alternative would be to stall project implementation all together until funding was identified elsewhere and/or being forced to make more difficult choices on staffing levels and further reductions to public access hours.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

- A. Three-year history of year-end fund balances, revenues, and expenditures
- B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf
- C. Identification of all costs, by category and amount, needed to fully implement the project
- D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year


A specific funding and expenditure schedule identifying the amounts related to the proposal to be contributed and expended, by fiscal year

Approved request from October 28, 2016 Judicial Council

Description	FY 2013-14 ▼	FY 2016-17 ▼	FY 2017-18 ▼	▼	▼	▼	▼	▼	Total
Encumbered Amount	90,000								90,000
Contribution									-
Expenditures		90,000	-						90,000
Cumulative Balance	90,000	-	-	-	-	-	-	-	-

Amended request

Description	FY 2013-14 ▼	FY 2016-17 ▼	FY 2017-18 ▼	▼	▼	▼	▼	▼	Total
Encumbered Amount	90,000								90,000
Contribution									-
Expenditures		61,000	29,000						90,000
Cumulative Balance	90,000	29,000	-	-	-	-	-	-	-

Please check the type of request:		
<input type="checkbox"/> NEW REQUEST <i>(Complete Section I, III, and IV only.)</i> <input checked="" type="checkbox"/> AMENDED REQUEST <i>(Complete Sections I through IV.)</i>		
SECTION I: GENERAL INFORMATION		
SUPERIOR COURT: Placer	PERSON AUTHORIZING REQUEST <i>(Presiding Judge or Court Executive Officer):</i> Jake Chatters, Court Executive Order	
	CONTACT PERSON AND CONTACT INFO: Julie Kelly jkelly@placer.courts.ca.gov	
DATE OF SUBMISSION: 3/22/2017	TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE: FY13/14, FY16/17, FY17/18	REQUESTED AMOUNT: \$211,350
REASON FOR REQUEST <i>(Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):</i> The court requests the total amount of \$211,350 be held by the Judicial Council for an overage of the 1% fund balance from FY13/14 for two projects that final completion will be delayed beyond the three year encumbrance term: (1) In FY13/14 the court encumbered \$250,000 for the development and installation of a new case management system for the court. This project has been delayed beyond the 3 year encumbrance period. The court requests \$199,650 be held on behalf of the court with expenditure expected to be made during FY17/18. (2) Also, in FY13/14 the court encumbered a contract for the installation of a telephonic appearance system. The amount of \$11,700 remains to be expended. This project has been delayed beyond the 3 year encumbrance period as the amount is tied to integration with the case management system noted in (1). The court requests the total of both projects, \$211,350, be held on behalf of the court in the Trial Court Trust Fund.		
SECTION II: AMENDED REQUEST CHANGES		
A. Identify sections and answers amended. B. Provide a summary of the changes to the request. The prior request dated 9.28.16 indicated that funds expensed in FY16/17 would be \$136,700 and \$74,650 would be expensed in FY17/18. While the expenditure for the case management system will extend to FY17/18, the telephonic appearance system is anticipated to be completed by the end of FY16/17. Therefore, we request to amend the prior request to designate the total expenditure amount for FY16/17 to \$11,700 and \$199,650 for FY17/18. See tab Sec. IV.D. of the TCTF funds held on behalf table.		
SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE		
A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term. The court continued its effort to replace an aged case management system. The court has completed deployment for the traffic case type, June 2014, and achieved implementation for the criminal case type in May 2016. As of the end of FY15/16, the civil, family law and juvenile case types will remain to be deployed. Deployment activities for the remaining case types are expected to begin in May 2016, with ultimately completion in late FY 16/17 or early FY 17/18. The telephonic appearance system interfaces with the case management system and will also		

need to be upgraded when the civil case type is deployed in FY 16/17 or early FY 17/18. As such, both of these projects extend beyond the three year encumbrance period which expires at FY15/16.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs?

The new case management system provides the public and justice partners with a public portal or website to access case related information such as documents, court dates, and payment information. The new system will also include automated workflows, automatic generation of documents, time standard expiration which will result in staff operational efficiencies. The new system will also enable the capture and use of a fully electronic case record, including e-filing, significantly reducing staff time and improving access to the court system.

C. If a cost efficiency, please provide cost comparison (table template provided).

As a result of the recession earlier this decade, the court has reduced from 186 filled positions to roughly 110 positions. Efficiencies gained from the new system are expected to support the remaining staff's ability to timely process incoming work and more effectively meet the needs of the public.

D. Describe the consequences to the court's operations if the court request is not approved.

Deployment of future case types may be significantly delayed or cancelled. The court will need to run two case management systems leading to additional costs for licenses and maintenance.

E. Describe the consequences to the public and access to justice if the court request is not approved.

The current case management system will not allow for e-filing nor a public website for public and justice partner access to case related information. The system is built on three-decade old programming language that also severely limits or precludes electronic integration with local and state justice partners.

F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative?

The court has not identified any alternatives. The court plans on completing the projects and liquidating the encumbrances within the next two fiscal years, so it is the court's preference that these funds be held in the TCTF to avoid further delay in improving court efficiency and public access.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

A. Three-year history of year-end fund balances, revenues, and expenditures

N/A

B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf

N/A

C. Identification of all costs, by category and amount, needed to fully implement the project

N/A

D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

See attached spreadsheet. The court does not expect any changes to these amounts.

A specific funding and expenditure schedule identifying the amounts related to the proposal to be contributed and expended, by fiscal year

Approved request from October 28, 2016 Judicial Council

Description	FY 2013-14 ▼	FY 2016-17 ▼	FY 2017-18 ▼	▼	▼	▼	▼	▼	Total
Encumbered Amount	211,350								211,350
Contribution									-
Expenditures		136,700	74,650						211,350
Cumulative Balance	211,350	74,650	-	-	-	-	-	-	-

Amended request

Description	FY 2013-14 ▼	FY 2016-17 ▼	FY 2017-18 ▼	▼	▼	▼	▼	▼	Total
Encumbered Amount	211,350								211,350
Contribution									-
Expenditures		11,700	199,650						211,350
Cumulative Balance	211,350	199,650	-	-	-	-	-	-	-

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT

Please check the type of request:

☐ **NEW REQUEST** (Complete Section I, III, and IV only.)☒ **AMENDED REQUEST** (Complete Sections I through IV.)**SECTION I: GENERAL INFORMATION****SUPERIOR COURT:**

Sonoma

PERSON AUTHORIZING REQUEST (Presiding Judge or Court Executive Officer):

Jose Guillen

CONTACT PERSON AND CONTACT INFO:Cindia Martinez, Assistant CEO (707) 521-6854 cmartine@sonomacourt.org**DATE OF SUBMISSION:**

3/24/2017

TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE: ORIGINAL ENCUM. FY 12/13, EXPIRED 6/30/16. ENCUM. FOR ONE ADDITIONAL YEAR, NOW EXPIRING 6/30/17. NOW WILL INCUR BALANCE OF PROJECT EXP. IN FY 17/18.

REQUESTED AMOUNT:

\$ 452,298

REASON FOR REQUEST (Please briefly summarize the purpose for this request, including a brief description of the project/proposal. Use attachments if additional space is needed.):

Conversion to Odyssey , Tyler Case Management System- The Court contracted with Tyler Technologies in FY 13/14 off of Master Agreement MA 132003, The contract was for the Odyssey Case Management System with a big-bang implementation for all case types set to be carried out in five phases, including pre-implementation planning and business process review; design and development of the overall solution; completion of the deployment of the CMS; deployment of e-filing; and close out of the project. The contract includes software licensing, maintenance and support services, and electronic filing. The Court was originally planned to go live in Sept. 2015, but has since been delayed 3 times. Our next deployment was supposed to be Dec. 2016, however, it was clear that the big-bang proposal required too much court resources and given our current integration with the county justice partners, would not be feasible in this timeline. So our court then broke the project into two phases, to allow an adequate allocation of resources. Phase I included Civil, Family, Probate and Non-Criminal Mental Health and went live August 2016. This phase had minimal interfaces with justice partners thereby allowing for less delays in completing this segment. Other delays are a result of the availability of limited Tyler resources, given multiple conversions in California. Further, our integrated Criminal System and fully automated Traffic System have proved challenging for Tyler with their limited resources. The Court currently uses a County built, fully integrated system and cannot convert to Odyssey until all interfaces have been completed and all data conversion errors have been resolved. As indicated, our current Traffic System, which operates from a web-based program (eCourt by Daily Journal Technologies) contains a multitude of automated workflow that exceeds the current Tyler offering and if implemented as currently configured, that would result in going backwards in technology and efficiency. This has created increased work for Tyler to make the court whole with the Traffic System. As a result, we will now break the project into three phases, with the second phase now scheduled for some time in early FY 17/18, pending completion of the integrated interfaces with our county justice partners. The final phase will be Traffic and no current date has been set, pending the successful launch of Traffic in LA court by Tyler Technologies. The Court and Tyler Technologies continue to mutually work toward a successful implementation and developing a comprehensive mitigation plan to phase-in the remaining implementations. The amount requested reflects the remaining body of work for the Phase II and Phase III go-lives, which will include Criminal, Juvenile and Traffic.

SECTION II: AMENDED REQUEST CHANGES

- A. Identify sections and answers amended. The court Requests to extend the current funds, for an additional year in order to complete the original contracted project, due to delays in the availability of the vendor's staff, current allocation of court resources, and county justice partner integration delays, in order to launch a successful conversion to the new case management system. We are all aware of challenges for Courts (like Alameda) that may have launched sooner given timeline pressures which creates major issues for the court and community.
- B. Provide a summary of the changes to the request.
Our request is to extend for an additional year our current funds, but reduced to reflect payments made for the Phase I go-live. The amount remaining on this project is \$452,298 which needs to be carried over to FY 17/18. This will allow the court to complete Phases II and III, resulting in Criminal, Juvenile and Traffic case types converted to the Tyler product, Odyssey Case Manager.

SECTION III: TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

- A. Explain why the request does not fit within the court's annual operational budget process and the three-year encumbrance term.
Sonoma Court is currently a donor court and has a deficit budget for FY 16/17. With FY 17/18 representing 50% WAFM adjustments it is anticipated that our loss will be even greater, which would not allow the court to fund the remainder of this project, as we will be looking for cost reductions to balance the budget and not additional expenditures. Additionally, previous one-time funding such as Prop 47 and Criminal Realignment sunset, further eroding our budget. The court initially set aside funds for a case management system, prior to the 1% imposed CAP on fund balance by the Governor and therefore needs to roll-over the remainder of these funds to pay for the remaining obligated terms of the contract with Tyler.
As indicated above, this project did not fit within the initial three year encumbrance period due to competing needs with Tyler and all the other California courts that embarked on similar projects at the same time, given the 1% imposed cap on fund balances. Tyler resources were not able to maintain the workload for all the California courts which has resulted in delays for many. Additionally, as a donor court our staffing levels remain low limiting the amount of resources that the court could allocate to such a large project while still maintaining the regular workload for the court-providing access to justice. Finally, our current system is a county legacy system which was fully integrated and automated, requiring many interfaces between the new Odyssey Case Manager and the county's system to assure accuracy, efficiency and continued automated processes for the justice system.
We believe that the remaining projects will be completed in the next fiscal year and we can therefore exhaust the remaining encumbered balance for this contract.

APPLICATION FOR TCTF FUNDS HELD ON BEHALF OF THE COURT (Continued)

SECTION III (continued): TRIAL COURT OPERATIONS AND ACCESS TO JUSTICE

- B. How will the request enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs? Converting to the new case management system provides increased access to justice by utilizing web-based applications allowing users access to information via the web. Also the updated application will allow for e-filing, digitized documents and improved workflows for the public. The court will also have a more robust system that they control and will no longer be at the mercy of the county for making improvements.
- C. If a cost efficiency, please provide cost comparison (table template provided). Ultimately, it does not reflect a cost efficiency, as the court must employ technical IT staff to maintain and enhance the system, which offsets any initial savings from the cost of the current system. However it does provide the court more control over their data, including improved data reporting, and the ability to implement legislated changes more efficiently.
- D. Describe the consequences to the court's operations if the court request is not approved. The court would have to resort to drastic staffing cuts in order to pay the remaining amount of this contract, severely impacting access to the public and justice partners. It would also delay the project further given the staffing reductions as there would not be enough resources to complete the project.
- E. Describe the consequences to the public and access to justice if the court request is not approved. Services would be drastically delayed, public hours further reduced, backlogs increased and delays to an improved system which would ultimately allow e-filing. Overall this would impact access to justice.
- F. What alternatives has the court identified if the request is not approved, and why is holding funding in the TCTF the preferred alternative? We really have no other alternatives unless the court closes down courtrooms, clerk's offices and creates unreasonable backlogs. Holding these remaining funds, which are the court's funds from previous fund balances must be used to complete this project, as was originally intended. It is only due to the vendor's and court's resource impacts that caused a delay in implementing all case types.

SECTION IV: FINANCIAL INFORMATION

Please provide the following (*table template provided for each*):

- A. Three-year history of year-end fund balances, revenues, and expenditures
- B. Current detailed budget projections for the fiscal years the trial court would either be contributing to or receiving distributions from the TCTF fund balance held on the court's behalf
- C. Identification of all costs, by category and amount, needed to fully implement the project
- D. A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year

A specific funding and expenditure schedule identifying the amounts related to the proposal to be contributed and expended, by fiscal year

Approved request from October 28, 2016 Judicial Council

Description	FY 2013-14 ▼	FY 2016-17 ▼	FY 2017-18 ▼	▼	▼	▼	▼	▼	Total
Encumbered Amount	824,106								824,106
Contribution									-
Expenditures		824,106	-						824,106
Cumulative Balance	824,106	-	-	-	-	-	-	-	-

Amended request

Description	FY 2013-14 ▼	FY 2016-17 ▼	FY 2017-18 ▼	▼	▼	▼	▼	▼	Total
Encumbered Amount	824,106								824,106
Contribution									-
Expenditures		371,808	452,298						824,106
Cumulative Balance	824,106	452,298	-	-	-	-	-	-	-

Summary of Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts

Recommended Process for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts

1. Trial Court Trust Fund fund balance will be held on behalf of trial courts only for expenditures or projects that cannot be funded by a court's annual budget or three-year encumbrance term and that require multiyear savings to implement.
 - a. Categories or activities include, but are not limited to:
 - i) Projects that extend beyond the original planned three-year term process such as expenses related to the delayed opening of new facilities or delayed deployment of new information systems;
 - ii) Technology improvements or infrastructure such as installing a local data center, data center equipment replacement, case management system deployment, converting to a VoIP telephone system, desktop computer replacement, and replacement of backup emergency power systems;
 - iii) Facilities maintenance and repair allowed under rule 10.810 of the California Rules of Court such as flooring replacement and renovation as well as professional facilities maintenance equipment;
 - iv) Court efficiencies projects such as online and smart forms for court users and RFID systems for tracking case files; and
 - v) Other court infrastructure projects such as vehicle replacement and copy machine replacement.
2. The submission, review, and approval process is as follows:
 - a. All requests will be submitted to the Judicial Council for consideration.
 - b. Requests will be submitted to the Administrative Director by the court's presiding judge or court executive officer.
 - c. The Administrative Director will forward the request to the Judicial Council director of Finance.
 - d. Finance budget staff will review the request, ask the court to provide any missing or incomplete information, draft a preliminary report, share the preliminary report with the court for its comments, revise as necessary, and issue the report to a formal review body consisting of members from the Trial Court Budget Advisory Committee (TCBAC); the TCBAC subgroup will meet to review the request, hear any presentation of the court representative, and ask questions of the representative if one participates on behalf of the court; and Finance office budget staff will issue a final report on behalf of the TCBAC subgroup for the council.
 - e. The final report to the TCBAC review subgroup and the Judicial Council will be provided to the requesting court before the report is made publicly available on the California Courts website.
 - f. The court may send a representative to the TCBAC review subgroup and Judicial Council meetings to present its request and respond to questions.

3. To be considered at a scheduled Judicial Council business meeting, requests must be submitted to the Administrative Director at least 40 business days (approximately eight weeks) before that business meeting.
4. The Judicial Council may consider including appropriate terms and conditions that courts must accept for the council to approve designating TCTF fund balance on the court's behalf.
 - a. Failure to comply with the terms and conditions would result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
5. Approved requests that courts subsequently determine need to be revised to reflect a change (1) in the amounts by year to be distributed to the court for the planned annual expenditures and/or encumbrances, (2) in the total amount of the planned expenditures, or (3) of more than 10 percent of the total request among the categories of expense will need to be amended and resubmitted following the submission, review, and approval process discussed in 1–3 above.
 - a. Denied revised requests will result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
6. Approved requests that courts subsequently determine have a change in purpose will need to be amended and resubmitted following the submission, review, and approval process discussed in 1–3 above, along with a request that the TCTF funds held on behalf of the court for the previously approved request continue to be held on behalf of the court for this new purpose.
 - a. Denied new requests tied to previously approved requests will result in the immediate change in the designation of the related TCTF fund balance from restricted to unrestricted and no longer held on behalf of the court unless the council specifies an alternative action.
7. On completion of the project or planned expenditure, courts are required to report to the Trial Court Budget Advisory Committee within 90 days on the project or planned expenditure and how the funds were expended.
8. As part of the courts' audits in the scope of the normal audit cycle, a review of any funds that were held on behalf of the courts will be made to confirm that they were used for their stated approved purpose.

Recommended Criteria for Eligibility for TCTF Fund Balance Held on Behalf of the Courts

TCTF fund balance will be held on behalf of the trial courts only for expenditures or projects that cannot be funded by the court's annual budget or three-year encumbrance term and that require multiyear savings to implement.

Recommended Information Required to Be Provided by Trial Courts for TCTF Fund Balance Held on Behalf of the Courts

Below is the proposed information required to be provided by trial courts on the *Application for TCTF Funds Held on Behalf of the Court*:

SECTION I

General Information

- Superior court
- Date of submission
- Person authorizing the request
- Contact person and contact information
- Time period covered by the request (includes contribution and expenditure)
- Requested amount
- A description providing a brief summary of the request

SECTION II

Amended Request Changes

- Sections and answers amended
- A summary of changes to request

SECTION III

Trial Court Operations and Access to Justice

- An explanation as to why the request does not fit within the court's annual operational budget process and the three-year encumbrance term
- A description of how the request will enhance the efficiency and/or effectiveness of court operations, and/or increase the availability of court services and programs
- If a cost efficiency, cost comparison (*table template provided*)
- A description of the consequences to the court's operations if the court request is not approved
- A description of the consequences to the public and access to justice if the court request is not approved
- The alternatives that the court has identified if the request is not approved, and the reason why holding funding in the TCTF is the preferred alternative

SECTION IV

Financial Information

- Three-year history of year-end fund balances, revenues, and expenditures (*table template provided*)

- Current detailed budget projections for the fiscal years during which the trial court would either be contributing to the TCTF fund balance held on the court's behalf or receiving distributions from the TCTF fund balance held on the court's behalf (*table template provided*)
- Identification of all costs, by category and amount, needed to fully implement the project (*table template provided*)
- A specific funding and expenditure schedule identifying the amounts to be contributed and expended, by fiscal year (*table template provided*)