



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on January 12, 2018

Title

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

Agenda Item Type

Action Required

Effective Date

January 12, 2018

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

December 19, 2017

Recommended by

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

Contact

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Executive Summary

The Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends that the Judicial Council approve one new request and one amended request for Trial Court Trust Fund (TCTF) funds to be held on behalf of the trial courts. Under the Judicial Council–adopted process, a court may request that funding reduced as a result of a court exceeding its 1 percent fund balance cap be retained in the TCTF for the benefit of that court. The total amount requested by the trial courts that would be reduced from their 2017–18 allocations for exceeding the cap is \$619,413.

Recommendation

The Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends that the Judicial Council, effective January 12, 2018:

1. Allocate and designate \$10,895 in Trial Court Trust Fund fund balance to be held on behalf of the Superior Court of Shasta County. These funds will be reduced from the court's allocation as a result of this court exceeding the 1 percent fund balance cap. The funds would be distributed back to the court in 2017–18, as delineated in Attachment A.

2. Approve the amended request of the Superior Court of San Bernardino County, which adds an additional \$15,086 in Trial Court Trust Fund fund balance to be held on behalf to its revised request of \$697,432. The funds would be distributed back to the court in 2017–18, as delineated in Attachment B.

Attachment E, *Judicial Council–Approved Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts*, provides the recommendations proposed by the Trial Court Budget Advisory Committee (TCBAC) and approved by the Judicial Council at its April 15, 2016, business meeting. Attachment A, Summary of Requests for TCTF Funds to be Held on Behalf of the Court (new requests), and Attachment B, Summary of Requests for TCTF Funds to be Held on Behalf of the Court (amended requests), provide the amount of the requests 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 2016–17 allocations reduced as a result of a court exceeding the 1 percent fund balance cap be retained in the TCTF for the benefit of that court. The requests totaled \$8.3 million. In 2017, at the Judicial Council’s May 19, July 28, September 15, and November 15 business meetings, the council approved 15 new requests and 14 amended requests totaling \$8.1 million in funds to be retained in 2017–18 allocations in anticipation of reductions from the 1 percent fund balance cap at the end of 2016–17.

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 TCTF-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 E) provides the following 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 submission;
- 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 a court have significant court expenditures that cannot be financed within its annual budget. 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 submission 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

A TCTF 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.

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 due to the 1 percent fund balance cap to be retained in the TCTF for the benefit of that court. At its December 4, 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;
- Hon. Elizabeth W. Johnson, Judge, Superior Court of Trinity County;
- Ms. Kimberly Flener, Court Executive Officer (CEO), Superior Court of Butte County;
- Mr. Kevin Harrigan, CEO, Superior Court of Glenn County;
- Mr. Michael D. Planet, CEO, Superior Court of Ventura 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 (carryover funds) was added as part of Senate Bill 1021 (Stats. 2012, ch. 41) and later amended by SB 75 (Stats. 2013, ch. 31), as follows:

- (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 (trial court budget process) was amended as part of SB 1021 to add subdivision (c)(2)(A) and further amended by SB 75, as follows:

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 authorized 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 TCBAC’s Fiscal Planning Subcommittee considered the recommendations at its December 4, 2017, meeting. Further, the subcommittee considered no alternatives. In their attached applications (see Attachments C and D), 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, 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

A TCTF 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 Requests for TCTF Funds to be Held on Behalf of the Court (new requests)
2. Attachment B: Summary of Requests for TCTF Funds to be Held on Behalf of the Court (amended requests)
3. Attachment C: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of Shasta County
4. Attachment D: Application for TCTF Funds Held on Behalf of the Court—Request for the Superior Court of San Bernardino County
5. Attachment E: *Judicial Council–Approved Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts*

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

Table 1: New Requests for January 12, 2018 Judicial Council meeting

Court	Request Number	Amount Requested	2017-2018	2018-2019	2019-2020	Total	Category	Quick Summary
Shasta	45-17-01-00	10,895	10,895			10,895	Equipment replacement (new car)	Replaced totaled vehicle
						-		
						-		
						-		
						-		
						-		
						-		
Total - New Requests		10,895	10,895	-	-	10,895		

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

Table 2: Amended Requests for January 12, 2018 Judicial Council meeting

Court	Request Number	Last Approved Amount	request change \$\$ amount?	If yes - \$\$ change +/-	Last Approved Expenditures by FY			Amended Expenditures by FY			Category	Quick Summary
					2016-2017	2017-2018	2018-2019 +	2016-2017	2017-2018	2018-2019 +		
San Bernardino	36-17-01-A2	697,432	Yes	15,086		697,432			712,518		Contract extending beyond 3-year term	Delayed implementation of Tyler Case Management System
Total: Amended Requests		697,432		15,086	-	697,432	-	-	712,518	-		

Rev. Apr. 2016

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 marshal's department uses the vehicle as part of the Recidivism Reduction grant program, to serve warrants, and for personnel to travel to training classes (in order to avoid personal vehicle mileage expense to the court).

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

The value of the vehicle was \$3,000 and the repair estimate was \$2,625 therefore the insurance adjuster salvaged the vehicle. The court is expecting an insurance payout of \$2,960. The loss of using this vehicle will impact the operations of this department.

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

The court budgeted replacing two vehicles during FY 2017/18: the Marshal's Office and Family Court Services. The court would have to eliminate the \$15,000 budgeted for the Family Court Services vehicle and apply it to the Marshal's Office to cover the cost of the vehicle. Because the Deputy Marshals are peace officers under 830.1 of the Penal Code, they must utilize a law enforcement vehicle when on official business. They cannot conduct their business in other court vehicles that are utilized by non-law enforcement personnel.

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

The Family Court Services Court Investigators use a 2004 Subaru for their guardianship and conservatorship investigations. Replacement of the aging Subaru would have to be delayed and the court would continue to experience high repair costs as a result.

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

Preserving funding that the court is forfeiting based on the 1% calculation would allow the court to replace both vehicles.

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

Refer to attached document.

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

Refer to attached document.

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

Refer to attached document.

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

Refer to attached document.

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

FY 2014-15 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	178,827	159,396	-			27,439		365,662
Revenues	12,458,835	2,626,723	804,230			368,812		16,258,600
Expenditures	12,723,982	2,019,283	843,206			657,947		16,244,418
Operating Transfers In (Out)	429,473	(733,984)	38,976			265,535		-
Ending Fund Balance	343,153	32,852	-	-	-	3,839	-	379,844

FY 2015-16 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	343,153	32,852	-			3,839		379,844
Revenues	13,683,507	2,863,017	1,039,700			364,620		17,950,844
Expenditures	14,144,305	1,883,797	1,092,998			643,689		17,764,789
Operating Transfers In (Out)	318,419	(648,045)	53,298			276,328		-
Ending Fund Balance	200,774	364,027	-	-	-	1,098	-	565,899

FY 2016-17 ▼	FUNDS							
Description	General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Beginning Balance	200,774	364,027	-			1,098		565,899
Revenues	14,279,637	2,752,137	1,050,329			363,477		18,445,580
Expenditures	14,827,898	1,892,734	1,098,200			631,410		18,450,242
Operating Transfers In (Out)	553,957	(887,066)	47,871			285,238		-
Ending Fund Balance	206,470	336,364	-	-	-	18,403	-	561,237

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	13,302,970	394,734				100		13,697,804
Grants			1,160,081					1,160,081
Other Financing Sources	1,251,856	2,531,750				367,140		4,150,746
TOTAL REVENUES	14,554,826	2,926,484	1,160,081	-	-	367,240	-	19,008,631
EXPENDITURES								
Salaries	8,172,151	1,160,884	636,833			439,661		10,409,529
Staff Benefits	4,637,408	577,961	258,373			208,549		5,682,291
General Expense	216,374	78,485	41,040			4,325		340,224
Printing	20,150	1,300	6,000					27,450
Telecommunications	85,320	18,175	4,100			1,100		108,695
Postage	69,300	52,800	5,000					127,100
Insurance	5,000							5,000
Travel in State	26,595		13,325			3,000		42,920
Travel Out of State								-
Training	6,250		5,115			3,500		14,865
Security	3,550							3,550
Facilities Operations	205,900	81,555				5,000		292,455
Utilities								-
Contracted Services	1,441,810	200,815	181,113			710		1,824,448
Consulting and Professional Services - County Provided	20,500					250		20,750
Information Technology (IT)	134,500					66,931		201,431
Major Equipment	35,000							35,000
Other Items of Expense	15,850							15,850
Juror Costs	80,000	4,300						84,300
Other	3,600	1,700						5,300
Debt Service								-
Court Construction								-
Distributed Administration & Allocation	(123,925)	57,223	123,925			(57,223)		-
Prior Year Expense Adjustment								-
TOTAL EXPENDITURES	15,055,333	2,235,198	1,274,824	-	-	675,803	-	19,241,158
Operating Transfers In (Out)	294,037	(717,343)	114,743			308,563		-
Fund Balance (Deficit)								
Beginning Balance (Deficit)	206,470	336,364				18,403		561,237
Ending Balance (Deficit)	-	310,307	-	-	-	18,403	-	328,710

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	35,000
950000	Other Items of Expense	
972000	Other	
973000	Debt Service	
983000	Court Construction	
990000	Distributed Administration & Allocation	
Total		35,000

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

Description	FY 2017-18 ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Total
Contribution	13,855								13,855
Expenditures	35,000								35,000
Cumulative Balance	(21,145)	(21,145)	(21,145)	(21,145)	(21,145)	(21,145)	(21,145)	(21,145)	48,855

Contribution includes \$2,960 in insurance payment + \$10,895 in TCTF funds held in behalf funding. The remaining balance will come from within the court's 2017-18 allocation.

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	
DATE OF SUBMISSION: 9/5/2017	CONTACT PERSON AND CONTACT INFO: Nancy CS Eberhardt, Court Executive Officer, 909-708-8769	REQUESTED AMOUNT: \$ 1,718,000.00 \$ 712,518

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. Requested Amount

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

The San Bernardino Superior Court requests an amendment to the previously submitted TCTF funds held request from an amount of \$1,718,000.00 in expiring FY 2014-15 funding to the updated amount of \$712,518. This change results from a review of the 2014-15 fund balance, which when factored in results in the reduced amount noted above.

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.

While current estimates of costs and implementation milestones indicate that the funds being held on behalf of the court will be liquidated within FY 2017-18, we request approval for any unspent funds to be available in FY 2018-19 should any phases associated with these funds not be completed by the end of next fiscal year.

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.

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

Last Amended Request approved by Judicial Council November 17, 2017

Description	FY 2014-15 ▼	FY 2016-17 ▼	FY 2017-18 ▼	FY 2018-19 ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Total
Encumbered Amount	697,432								697,432
Contribution									-
Expenditures			697,432						697,432
Cumulative Balance	697,432	697,432	-	-	-	-	-	-	-

New Amended request

Description	FY 2014-15 ▼	FY 2016-17 ▼	FY 2017-18 ▼	FY 2018-19 ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Select Fiscal Year ▼	Total
Encumbered Amount	712,518								712,518
Contribution									-
Expenditures			712,518						712,518
Cumulative Balance	712,518	712,518	-	-	-	-	-	-	-

Judicial–Council Approved Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts

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.

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.

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

Below is the 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*)