



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 20, 2018

Title

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

Agenda Item Type

Action Required

Effective Date

July 20, 2018

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

June 12, 2018

Recommended by

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

Contact

Catrayel Wood, 916-643-7008
Catrayel.Wood@jud.ca.gov

Executive Summary

The Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends that the Judicial Council approve three new requests and two amended requests 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.

Recommendation

Based on actions taken at its June 4, 2018, meeting, the Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 20, 2018:

Approve the following, new requests totaling \$862,192 (Attachment A):

1. \$800,000 request of the Superior Court of Alameda County (Attachment C);
2. \$53,151 request of the Superior Court of Butte County (Attachment D); and

3. \$9,041 request of the Superior Court of Sutter County (Attachment E).

Approve the following, amended fiscal year requests (Attachment B):

4. Request of the Superior Court of Butte County to amend the fiscal year to expend the remaining \$5,546 from 2017–18 to 2018–19 (Attachment F).
5. Request of the Superior Court of Kern County to amend the fiscal year to expend \$677,378 from 2017–18 to 2018–19 (Attachment G).

Relevant Previous Council Action

On April 15, 2016, the council approved the Trial Court Budget Advisory Committee (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 TCTF as restricted fund balance for the benefit of those courts (Link A). 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 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 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.

In 2016, the Judicial Council approved 18 requests from 15 trial courts totaling \$8.3 million, and 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 those courts. In 2017, the council approved 28 requests from 18 trial courts totaling \$8.1 million in anticipation of reductions from the 1 percent fund balance cap at the end of 2017–18.

Analysis/Rationale

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.

Government Code section 77203 (carryover funds) was added in 2012 as part of Senate Bill 1021. SB 1021 authorized a trial court to carry over unexpended funds from the court's operating budget from the prior fiscal year and, on and after that date, to carry over unexpended funds in an amount not to exceed 1 percent of the court's operating budget from the prior fiscal year.

Government Code section 68502.5, amended as part of 2012 SB 1021, required the Judicial Council to set a preliminary allocation to trial courts in July of each fiscal year and to finalize those allocations in January. The bill also required the Judicial Council to set aside funds for unforeseen emergencies, unanticipated expenses for existing programs, or unavoidable funding shortfalls.

Policy implications

None.

Comments

This item was not circulated for comment. Public comment was not received for this item.

Alternatives considered

Specific alternatives considered are detailed in the courts' attached applications but broadly. If the requests are not approved, the courts will either utilize other resources from their operating budgets, which would in turn cut into other resources from their operating budgets; postpone implementation of the requested actions; or reduce services to the public to recover funding needs.

Fiscal and Operational Impacts

There is no additional cost to allocating the funds beyond the amount requested for allocation, and operational impacts are absorbed in Judicial Council staff workload. The consequences of not approving the requests would negatively affect both court budgets and the courts' ability to adequately and efficiently serve the public.

Attachments and Links

1. Attachment A: Summary of New Requests for TCTF Funds, at page 1
2. Attachment B: Summary of Amended Requests for TCTF Funds, at page 2
3. Attachment C: Application from the Superior Court of Alameda County, at page 3
4. Attachment D: Application from the Superior Court of Butte County, at page 6
5. Attachment E: Application from the Superior Court of Sutter County, at page 13
6. Attachment F: Application from the Superior Court of Butte County, at page 15
7. Attachment G: Application from the Superior Court of Kern County, at page 21
8. Attachment H: Judicial Council–Approved Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts, at page 25

9. Link A: Judicial Council Meeting Materials, April 15, 2016, including item 16-055: *Trial Court Allocations: Trial Court Reserves Held in the Trial Court Trust Fund*,
<https://jcc.legistar.com/View.ashx?M=F&ID=4378277&GUID=57D6B686-EA95-497E-9A07-226CA724ADCB>

Summary of Requests for Trial Court Trust Fund Funds to be Held on Behalf of the Court (New Requests)

Table 1: New Requests for July 19-20, 2018 Judicial Council Meeting

Court	Request Number	Amount Requested	2017-18	2018-19+	Category	High Level Summary
Alameda	01-18-01-A3	800,000		800,000	Upgrade	Upgrade the court's Human Resources Information System
Butte	04-18-01-00	53,151		53,151	Upgrade	Replace an aged calendaring system
Sutter	51-18-01-00	9,041		9,041	Facility improvements	Facility improvements
		862,192	-	862,192		
			862,192			

Summary of Requests for Trial Court Trust Fund Funds to be Held on Behalf of the Court (Amended Requests)

Table 2: Amended Requests for July 19-20, 2018 Judicial Council Meeting

Court	Request Number	Last Approved Amount	Does Request Change \$\$ Amount?	If Yes - \$\$ Change +/-	Last Approved Expenditures by Fiscal Year		Amended Expenditures by Fiscal Year		Category	High-Level Summary
					2017-18	2018-19 +	2017-18	2018-19 +		
Butte	04-18-01-01	120,000	No	-	120,000		114,454	5,546	Major equipment	Major equipment
Kern	15-18-02-A3	677,378	No	-	677,378		-	677,378	Case Management System	Tyler Technologies
		797,378		-	797,378	-	114,454	682,924		
					797,378		797,378			

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:

Alameda

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

Chad Finke, Court Executive Officer

CONTACT PERSON AND CONTACT INFO:

Melanie Jones, Finance Director 510-891-6038, mjones@alameda.courts.ca.gov

DATE OF SUBMISSION:

5/22/2018

TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE:

JULY 1, 2018 – JUNE 30, 2020

REQUESTED AMOUNT:

\$800,000.00

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 Court has the immediate need to upgrade the Court's HR information system. The complexity of the Court's fiscal, personnel and payroll reporting needs requires specific system requirements offered by very few systems. The Court intends to implement a new HR and Payroll system with these funds. The planned work and related expenditures are expected to be completed within two fiscal years.

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 Court's selected HRIS vendor in the last RFP process dissolved its business interests in human capital systems. As a result, the Court needs more time to conduct the procedural processes needed to contract with a new system vendor.

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 current HR information system cannot support the following essential functions of the HR Division at the Court:

- Position control: Currently HR and Finance management engage in intensive, manual processes to manage and track position control for development of the QCAP and the 7A. The lack of position control also prevents efficient fiscal personnel budget forecasting, tracking and management.
- FMLA tracking: At present 1/3 of the Court's staff are either on an on-going or intermittent leave under FMLA. Our HR information system is unable to track this, requiring intensive and time-consuming manual tracking.
- Historical HR Data: The current HR system is only configured to house data from June 2014. HR data from 2005 – 2014 is housed in a separate HR database, which limits accessibility to the data.
- Data Management and Reporting: Due to the limitations of the current HR system, the Court is required to contract with outside vendors to manage data that should be managed by the Court's system. The Court pays a monthly fee to an outside vendor to house the Court's historical HR data from 2005-2014, and a vendor to assist with ACA tracking and issuance of 1094 and 1095 forms.
- Compliance Reporting: There are limited reporting functions and a lack of historical data in the current HR information system. Responses to public information requests, union information requests, discovery, investigations, and general compliance reporting is manual, inefficient and sometimes ineffective, due to the lack of a cohesive system in which to house this data.

The new HR Information system will improve the Court's efficiency and effectiveness, and increase the availability of court services and programs in the following areas:

- Position control and fiscal personnel budget tracking and management.
- Compliance Reporting.
- Employee Onboarding and Self-Service – faster access to data and information for candidates, individual employees and the Court at-large.
- Reduction in manual processes that reduce the Court's ability to provide strategic and effective customer service to Court services and programs.

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 will continue to incur large labor costs to continue manual processes, continue to hamper the Court's ability to appropriately manage and forecast personnel costs, and continue to invite the liability of potential data reporting errors due to the limitations of HR data collection and production in the current system.

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

N/A

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

Holding the funds in the TCTF is the preferred alternative so that the Court can maintain the ability to fund budgeted costs during the fiscal year and maintain appropriate staffing levels to meet the personnel needs of the Court.

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

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

Please see attached TCTF Tables Template—HRIS, Sec. IV.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

Please see attached TCTF Tables Template—HRIS, Sec. IV.B.

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

Please see attached TCTF Tables Template—HRIS, Sec. IV.C.

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

Please see attached TCTF Tables Template—HRIS, Sec. IV.D.

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: Butte	PERSON AUTHORIZING REQUEST <i>(Presiding Judge or Court Executive Officer):</i> Kimberly Flener, Court Executive Officer	
	CONTACT PERSON AND CONTACT INFO: Jarrod Orr, Deputy Court Executive Officer	
DATE OF SUBMISSION: 5/22/2018	TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE: \$53,151 FROM FY 2016-17 COURT RESERVES. PROJECT EXPENSES ARE ANTICIPATED IN FY 2018-19	REQUESTED AMOUNT: \$53,151

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 project will replace the Court's current calendar posting process (manually posting of hardcopy printouts) at the Oroville Courthouse facility (04-A1) by expanding the electronic calendar posting board system recently installed in the new Chico Courthouse facility (04-F1).

Large electronic display flat panels will be installed at the main public entrance of 04-A1 in place of current cork board use for posting of paper calendars. This project will fund the hardware, software, and infrastructure (data cabling and power) aspects of this installation. If funding allows, smaller boards will also be installed outside each of the 11 individual courtrooms at the facility for posting of Courtroom-specific hearing information and messages.

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 cost of the project is estimated to be \$53,151 which is a major capital (one-time) expense for the Court. This amount was originally approved in the TCTF Funds Held on Behalf process earlier this fiscal year; however, it has taken some time for the planning and initiation of the project to occur. It is anticipated that the encumbrance of this money would occur in the first quarter of FY 2018-19 if the amount is authorized. The Court is currently working on developing its FY 2018-19 budget, but does not anticipate being able to fund this expense through its FY 2018-19 allocation.

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?

Our recent experience with electronic calendar boards at the Chico facility has proven them to be much more reliable, flexible, and efficient than the manual paper-posting process. In addition to offering the information in a much clearer and easier to follow format for the public than posting dozens of separate 8.5 x 11 pieces of paper, the information is automatically updated on the fly as changes occur in the Court's Case Management System throughout the day, ensuring that the public is seeing the most up-to-date information. The system also allows more flexibility to the Court in manipulating the data such as providing the ability to filter sensitive or confidential data than does the posting of a paper calendar. Because calendar changes are posted automatically, Court staff will not have to go into the public space, or interfere with the public who are actively attempting to view the calendars, when calendar changes occur throughout the day.

C. If a cost efficiency, please provide cost comparison (table template provided).**D. Describe the consequences to the court's operations if the court request is not approved.**

The Court would need to maintain its paper process. In addition to losing the opportunity for improving public access for the public as described above, it continues to require Court staff to go into unsecured (public) areas of the facility to post daily calendars and to disrupt the public when posting calendar changes. The unnecessary time and effort that this takes on the part of staff would continue.

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

See D above. In reality, this means that the data posted for the public to review is more likely to be out-of-date and inaccurate, resulting either in longer lines at the counters or in parties going to the wrong courtroom. Because paper calendar information cannot be updated until a calendar is completely finalized, the significant delays in notification to the public will continue. The Oroville facility is Butte's principal Criminal Courthouse, so day-of calendar changes are frequent and ongoing, not only in terms of last-minute calendar add-ons, but also calendars such as in-custody arraignments which are constantly in flux until the last minute (and sometimes after). It is essentially impossible to keep this information up-to-date in the public areas by posting paper calendars.

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 identified alternative is to maintain the status quo with the aforementioned paper process. The Court does not anticipate having the funding in its operational budget from the FY 2018-19 allocation to move forward with this project as it is a major capital expense.

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

Application for TCTF Funds Held on Behalf of the Court

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

FUNDS									
FY 2016-17		General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Description									
Beginning Balance		176,821	318,852	-					495,673
Revenues		12,110,521	564,351	687,376					13,362,248
Expenditures		11,840,660	598,511	703,503					13,142,674
Operating Transfers In (Out)		(51,255)	35,128	16,127					-
Ending Fund Balance		395,427	319,820	-	-	-	-	-	715,247

FUNDS									
FY 2015-16		General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Description									
Beginning Balance		1,014,680	329,866	-					1,344,546
Revenues		11,577,854	523,380	743,430					12,844,664
Expenditures		12,403,680	534,394	755,464					13,693,538
Operating Transfers In (Out)		(12,034)		12,034					-
Ending Fund Balance		176,820	318,852	-	-	-	-	-	495,672

FUNDS									
FY 2014-15		General	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Description									
Beginning Balance		1,283,997	256,204						1,540,201
Revenues		10,866,128	533,845	694,752					12,094,725
Expenditures		11,121,021	460,183	709,177					12,290,381
Operating Transfers In (Out)		(14,425)		14,425					-
Ending Fund Balance		1,014,679	329,866	-	-	-	-	-	1,344,545

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						
		▼	Special Revenue Non-Grant	Special Revenue Grant	Capital Projects	Debt Service	Proprietary	Fiduciary	TOTAL
Description	General								
REVENUES									
State Financing Sources	11,651,909		80,332						11,732,241
Grants	-			1,074,950					1,074,950
Other Financing Sources	341,151		473,850						815,001
TOTAL REVENUES	11,993,060		554,182	1,074,950	-	-	-	-	13,622,192
EXPENDITURES									
Salaries	5,653,865		338,172	522,254					6,514,291
Staff Benefits	3,090,706		148,213	249,651					3,488,570
General Expense	455,169		-	44,755					499,924
Printing	7,750								7,750
Telecommunications	115,666			31,529					147,195
Postage	91,500			150					91,650
Insurance	5,800								5,800
Travel in State	47,165			7,831					54,996
Travel Out of State	2,000								2,000
Training	27,781			1,500					29,281
Security	472,190								472,190
Facilities Operations	217,760								217,760
Utilities	-								-
Contracted Services	1,412,238		57,733	104,456					1,574,427
Consulting and Professional Services									
- County Provided	19,675								19,675
Information Technology (IT)	238,883		67,339	4,796					311,018
Major Equipment	180,239								180,239
Other Items of Expense									-
Juror Costs	73,500								73,500
Other	209,700								209,700
Debt Service									-
Court Construction									-
Distributed Administration & Allocation	(124,155)			124,155					-
Prior Year Expense Adjustment									-
TOTAL EXPENDITURES	12,197,432		611,457	1,091,077	-	-	-	-	13,899,966
Operating Transfers In (Out)	(48,860)		32,733	16,127					-
Fund Balance (Deficit)									
Beginning Balance (Deficit)	395,426		319,850						715,276
Ending Balance (Deficit)	142,194		295,308	-	-	-	-	-	437,502

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	53,151
950000	Other Items of Expense	
972000	Other	
973000	Debt Service	
983000	Court Construction	
990000	Distributed Administration & Allocation	
Total		53,151

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	53,151								53,151
Expenditures		-	53,151						53,151
Cumulative Balance	53,151	53,151	-	-	-	-	-	-	106,302

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:

5/14/2018

**TIME PERIOD COVERED BY THE
REQUEST, INCLUDING CONTRIBUTION
AND EXPENDITURE: FISCAL YEAR
2018-2019**

REQUESTED AMOUNT:

\$9,041.42

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.):*

Our \$10,000 TCTF allocation reduction related to the approved Court Facilities Request (CFR) 51-003 for facility improvements will not be spent by the end of FY 17-18.

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 approved CFR allowed the Court's May 2016 TCTF allocation to be reduced by \$10,000 in order to pay for facility improvements. However, not obtaining our occupancy certificate until March 2017 as well as a shortage of Pride Industries staff has prevented the Court from spending the \$10,000 within the three-year allocation reduction time period.

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 facility improvements will enhance safety and efficiencies for court staff as well as improve longevity of the courthouse which will increase the availability of court services and programs to 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.**

If the request is not approved it will impact the court's budget in fiscal year 17-18 as the amount requested would be returned to the Court and have an impact on the Court's 1% Fund Balance Cap calculation.

- 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. Further, jurors who need their medication refrigerated would be impacted.

- 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 18-19.

- 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 18-19.

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

Work to be completed in fiscal year 18-19.

- 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 18-19.

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:**
Butte**PERSON AUTHORIZING REQUEST** *(Presiding Judge or Court Executive Officer):*
Kimberly Flener, Court Executive Officer**CONTACT PERSON AND CONTACT INFO:**
Jarrod Orr, Deputy Court Executive Officer**DATE OF SUBMISSION:**
5/22/2018**TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE: \$120,000 FROM FY 2016-17 COURT RESERVES. PROJECT EXPENSES ARE ANTICIPATED IN FY 2017-18 AND FY 2018-19.****REQUESTED AMOUNT:**
\$ 120,000 – Original**\$5,546 - Amended (of the original request, roll-forward this amount to FY 2018-19)**

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.):* The Court's audio system in the Oroville Courthouse that runs both the Courtroom audio for each courtroom and the Court-wide public address system is failing and is in urgent need of being replaced. The system is comprised of various components installed over the years some dating as far back as 1980. The Court currently has four of its eleven courtrooms that have audio that is either not functioning at all or functioning on a limited/intermittent basis. Given the age of the system and the recent courtroom audio failures that have occurred in the last few months, more courtrooms could experience similar issues. Based on feedback received by multiple audio companies, continued repairs of the system were not advisable and could cause further damage to the system. A complete replacement of the audio system is therefore a reasonable and financially prudent solution to undertake.

Discussions with the audio companies about a complete replacement of the audio system has led the Court to an approximate cost estimate for this of \$120,000. The Court plans on conducting an RFP to determine the final cost of this project but this information won't be available for three to four months until the RFP process concludes.

Amended: RFP results show the entire project costing approximately \$224,726. The Court has prioritized five courtrooms to complete first with the existing funding. It is hoped that the remaining courtrooms can be funded in FY 2018-19 which will largely be dependent on the extent of the additional funding provided in FY 2018-19 through the Governor's approved budget.

SECTION II: AMENDED REQUEST CHANGES

A. Identify sections and answers amended.
Sections I, III, IV

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

The Court only has enough funding to replace the audio in five of the eleven courtrooms. Of the \$120,000 authorized in the application, \$114,454 was encumbered for this project in FY 2017-18. The Court requests to roll forward \$5,546 into

FY 2018-19 to assist with funding the audio replacement of the remaining courtrooms which is estimated at \$18,400 per courtroom. The Court hopes to identify new monies in FY 2018-19 to combine with this amount.

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 cost for this project is estimated to be \$120,000 which is a major (one-time) expense for the Court and does not fit within the Court's annual operational budget process. Given the limited state-wide funding augmentation to trial courts in FY 2016-17 and no funding augmentation in FY 2017-18, the Court does not have any extra funding sources that haven't already been programmed into its annual operating budget. Additionally, given the lack of funding augmentation for FY 2017-18 and a slight WAFM reduction to the Court's allocation, the Court's funding has been cut forcing the absorption of on-going cost increases through reductions in other budget expense line item accounts. The Court has no further room in its budget to absorb this major expense.

Amended: The total project cost is estimated to be \$224,726

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? Approval of this request will allow the Court to be more effective in projecting communication that is occurring in the Courtrooms and will allow full operation of the assisted listening devices, required for compliance with Americans with Disabilities Act (ADA). Additionally, a more effective system for crowd management will be realized as the Court's public address system is not fully functioning.

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

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

The Court will not be in compliance with the ADA and it will also impair the judges'/staff's ability to carry on hearings in the Courtroom if the ability to hear testimony is compromised. Additionally, the Court will be significantly limited in its ability to manage the public in the event of an emergency through the Court's public address system.

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

Access to justice will be compromised as the public will either have difficulty hearing testimony or not hearing it all (in the case of the need for an assisted listening device). Also, Court proceedings may proceed more slowly to ensure the Court record is captured accurately in the absence of a fully functioning audio system.

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

Replacing the Court's audio system in the Oroville Courthouse is estimated to be a major expense and the cost will likely not be too far removed from the monetary amount allowed to be held as part of the Court's 1% reserve. One funding alternative could be to pay for the replacement from the Court's 1% reserve; however, it would not be

financially prudent to tap into this reserve for the replacement cost of the audio system, leaving the Court with little to no monies in reserve. Additionally, the Court does not have the resources to pay for this in one-lump sum from its annual allocation.

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

Amended: The Court is currently still assembling its FY 2018-19 budget, so it is unavailable at this time.

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

Original: Note: the Court anticipates completing this project in FY 2017-18; however, depending on the timing of the RFP process, overall scope of the project, and vendor availability, it could stretch into FY 2018-19.

Amended: This project will stretch into FY 2018-19 to allow for additional funding to be identified for project completion.

Application for TCTF Funds Held on Behalf of the Court

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	11,673,127	59,328	-					11,732,455		
Grants	-	-	1,119,999					1,119,999		
Other Financing Sources	340,151	470,650	-					810,801		
TOTAL REVENUES	12,013,278	529,978	1,119,999	-	-	-	-	13,663,255		
EXPENDITURES										
Salaries	6,161,991	338,172	563,585					7,063,748		
Staff Benefits	2,577,593	148,213	250,805					2,976,611		
General Expense	429,250	-	44,505					473,755		
Printing	7,600	-	-					7,600		
Telecommunications	115,666	-	31,529					147,195		
Postage	91,500	-	150					91,650		
Insurance	5,800	-	-					5,800		
Travel in State	42,165	-	7,831					49,996		
Travel Out of State	2,000	-	-					2,000		
Training	27,781	-	1,500					29,281		
Security	472,190	-	-					472,190		
Facilities Operations	217,760	-	-					217,760		
Utilities	-	-	-					-		
Contracted Services	1,381,258	60,513	107,270					1,549,041		
Consulting and Professional Services										
- County Provided	20,825	-	-					20,825		
Information Technology (IT)	238,959	66,508	4,796					310,263		
Major Equipment	180,239	-	-					180,239		
Other Items of Expense	-	-	-					-		
Juror Costs	73,500	-	-					73,500		
Other	55,845	-	124,155					180,000		
Debt Service	-	-	-					-		
Court Construction	-	-	-					-		
Distributed Administration & Allocation	-	-	-					-		
Prior Year Expense Adjustment								-		
TOTAL EXPENDITURES	12,101,922	613,406	1,136,126	-	-	-	-	13,851,454		
Operating Transfers In (Out)	(51,640)	35,513	16,127					-		
Fund Balance (Deficit)										
Beginning Balance (Deficit)	418,469	302,475						720,944		
Ending Balance (Deficit)	278,185	254,560	-	-	-	-	-	532,745		

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		224,726
950000	Other Items of Expense		
972000	Other		
973000	Debt Service		
983000	Court Construction		
990000	Distributed Administration & Allocation		
Total			224,726

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	120,000								120,000
Expenditures		114,454	5,546						120,000
Cumulative Balance	120,000	5,546	-	-	-	-	-	-	240,000

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:**[Click here to enter court](#) **Kern****PERSON AUTHORIZING REQUEST** (Presiding Judge or Court Executive Officer):**Terry McNally, Court Executive Officer****CONTACT PERSON AND CONTACT INFO:****Debra Ostlund, Deputy CEO-Finance** debra.ostlund@kern.courts.ca.gov**DATE OF SUBMISSION:****5/22/2018****TIME PERIOD COVERED BY THE REQUEST, INCLUDING CONTRIBUTION AND EXPENDITURE:** **2018/19****REQUESTED AMOUNT:****\$ \$677,378 (Final)**

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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, County of Kern, entered into a contract with Tyler Technologies, Inc. to replace its antiquated, legacy case management system provided by the County for the last 30-years. The new system will enhance court operations by providing a single case management system for all case types improving the operations of the Court. Further, the County of Kern Justice partners have also agreed to migrate to the new case management system providing for a fully integrated system using new technology including a digital file storage, e-filing, and other similar state-of-the-art enhancements that will improve the management of cases through the entire local justice system.

The Court's contract with Tyler Technologies Inc. provided for an amount of local programming, integration and development to comply with statutory obligations and requirements for court operations in California. Tyler Technologies Inc. subsequently signed agreements with another 25 or more courts in California. This will enable Courts in California to collaborate on a large number of state-wide development initiatives including DMV and DOJ interface, electronic citation processing, state-wide e-filing, and other similar improvements. However, due to programmer constraints local development efforts have been delayed. In turn, encumbered funds necessary to pay for the remaining project deliverables and any local development will not be expended within the three-year term of the agreement.

It is respectfully requested that the Superior Court, County of Kern, be allowed to carryover encumbered local funds to finalize this project, the second phase—Go-live for the Criminal, Traffic and Juvenile case management components—planned for completion in the **Spring fall** of 201**69**.

SECTION II: AMENDED REQUEST CHANGES**A. Identify sections and answers amended.****Amendment 3 – Section I – NO CHANGE IN REQUESTED AMOUNT**

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

Amendment 3 – Removed the “estimated” notation.
Changed Time Period to 2018/19 and the planned completion date to Spring of 2019.

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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 Superior Court, County of Kern, like many other courts in California was anticipating the provision of a new case management system with the launch of CCMS. With the demise of this project, the Court utilized its reserve balances to fund a vendor solution based on a recently approved MSA. The MSA provided for case management solutions from four approved vendors including Tyler Technologies, Inc. These one-time funding resources were accumulated from operational savings accrued over years and would be impossible to replace in the short term. To replace the encumbered funds, the Court would be required to implement reductions in staffing and service levels to save the necessary resources from operational budgets, given the current 1% cap on reserve funding.

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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 have a significant operational impact on the courts. The new system will include integration with Probation, the Sheriff, Public Defender and the District Attorney. Further it will include e-filing capabilities, integration with a digital document management system, and other similar functionality that have been proven by other Courts in California and the United States to improve efficiency and effectiveness of court operations.

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 would not be able to complete the second phase of the Case management system for the installation of the Criminal, Juvenile and Traffic components of the system. Nor would the court be able to pay for local integration and development programming to fully enhance the interconnecting planned with local justice partners.

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

Current case management systems do not provide for e-filing or digital document storage. Thus, court users will not be able to access court documents and other case information without the necessity of personal visits to court. Some court locations in Kern are two-hour, one-way trips from the County Seat in Bakersfield.

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

Maintain the current system that is costing the court in excess of \$1/2 million in annual transaction fees paid to the County of Kern for maintenance of the legacy case management system.

SECTION IV: FINANCIAL INFORMATION - ~~N/A~~

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

N/A

Deliverable and Milestone Payment Schedule			Criminal	Invoices					EXHIBIT G			
			Delivery Date	Invoice Date	Gross Amt	10% retention	Net Amt Pd	Project Mgr. Signoff -		CONTRACT AMOUNT	10% Retention	Net Payment w/invoice
Phases	EXHIBIT E SOW Deliverables											Attachment G
1	1.1.1	Project Mgmt Plan	11/18/13	12/26/13	92,000	9,200	82,800	T Davis signed orig.	13	92,000	9,200	82,800
	1.1.2	Project Operational Plans	12/3/13	12/26/13	116,000	11,600	104,400	T Davis signed orig.	13	116,000	11,600	104,400
	1.2.1	Business Process Review Report	4/9/14	9/17/14	122,000	12,200	109,800	T Davis signed orig.	13	122,000	12,200	109,800
	1.3.1	Solution Design	1/8/14	3/11/14	114,120	11,412	102,708	T Davis signed orig.	13	114,120	11,412	102,708
2	2.1.1	Certification of Infrastructure Environment	2/11/14	3/27/14	98,000	9,800	88,200	T Davis signed orig.	13	98,000	9,800	88,200
	2.3.1	* Application CPD Documents - Civil	5/7/14	10/19/16	1,150		1,150	Don't pay - Deb	13	68,216	6,822	61,394
	2.3.2	* Application CPD Documents - Criminal	5/7/14			-	-	Don't pay - Deb	13	68,214	6,821	61,393
	2.3.3	* Application Development Complete - Civil	11/10/14			-	-	Don't pay - Deb	14	68,214	6,821	61,393
	2.3.4	* Application Development Complete - Crim	5/13/15			-	-	Don't pay - Deb	14	68,214	6,821	61,393
	2.4.1	* Integration CPD Documents	5/7/14	4/11/16	68,214	6,821	61,393	T Davis signed orig.	13	68,214	6,821	61,393
	2.4.2	* Integration Development Complete - Civil	11/17/14					Don't pay - Deb	14	68,214	6,821	61,393
	2.4.3	* Integration Development Complete - Crim	5/20/15			-	-	Don't pay - Deb	14	68,214	6,821	61,393
3.1.1	3.1.1.1	Configuration Plan	1/29/14	3/11/14	50,000	5,000	45,000	T Davis signed orig.	13	50,000	5,000	45,000
	3.1.1.2	Case Mgr Configuration Wkshp Complete	3./19/14	3/20/14	50,000	5,000	45,000	T Davis signed orig.	13	50,000	5,000	45,000
	3.1.1.3	Security Workshop Completed	5/14/14	1/27/15	50,000	5,000	45,000	T Davis signed orig.	13	50,000	5,000	45,000
	3.1.1.4	Forms Workshop Completed	5/27/14	10/14/14	50,000	5,000	45,000	T Davis signed orig.	13	50,000	5,000	45,000
	3.1.1.5	Configuration Tracking Spreadsheet -Civ	7/14/14	4/24/15	20,000	2,000	18,000	T Davis signed orig.	14	20,000	2,000	18,000
3.1.2	3.1.2.1	Load of Legacy Data into Staging Database	2/5/14	3/11/14	50,000	5,000	45,000	T Davis signed orig.	13	50,000	5,000	45,000
	3.1.2.2	Completion of Data Mapping	4/9/14	8/13/14	50,000	5,000	45,000	T Davis signed orig.	13	50,000	5,000	45,000
	3.1.2.3	First Data Conversion Push	4/16/14	7/15/14	50,000	5,000	45,000	T Davis signed orig.	13	50,000	5,000	45,000
	3.1.2.4	Go-Live Push to Production	8/25/14	6/30/15	50,000	5,000	45,000	T Davis signed orig.	14	50,000	5,000	45,000
3.1.3	3.1.3.1	* User Acceptance Testing Report - Civil	1/21/15	1/27/15	50,000	5,000	45,000	T Davis signed orig.	14	50,000	5,000	45,000
3.1.4	3.1.4.1	Go-Live Transition Plan	1/28/15	2/16/17	82,000	8,200	73,800	T Davis signed orig.	14	82,000	8,200	73,800
	3.1.4.2	Training Plans and Materials - Civil	1/28/15	1/30/15	99,000	9,900	89,100	T Davis signed orig.	14	99,000	9,900	89,100
	3.1.4.3	Go-Live Status Reports	4/10/15	6/30/15	86,000	8,600	77,400	T Davis signed orig.	14	86,000	8,600	77,400
3.1.5	3.1.5.1	E- Filing Configuration Documentation - Civ	6/25/15	6/30/15	-	-	-		14	-	-	-
	3.1.5.3	E- Filing Training Plans & Materials - Civil	7/16/15	6/30/15	-	-	-		15	-	-	-
	3.1.5.4	E- Filing Go-Live Status Reports - Civil	7/31/15	6/30/15	-	-	-		15	-	-	-
3.2.1	3.2.1.1	Configuration Plan - Criminal	5/1/15	11/13/15	35,000	3,500	31,500	T Davis signed orig.	14	35,000	3,500	31,500
	3.2.1.2	Case Mgr Configuration Wkshp Complete	5/21/15	3/18/16	35,000	3,500	31,500	T Davis signed orig.	14	35,000	3,500	31,500
	3.2.1.3	Security Workshop Completed	7/16/15	8/25/16	35,000	3,500	31,500	T Davis signed orig.	15	35,000	3,500	31,500
	3.2.1.4	Forms Workshop Completed	9/2/15	4/11/16	35,000	3,500	31,500	T Davis signed orig.	15	35,000	3,500	31,500
	3.2.1.5	Configuration Tracking Spreadsheet	9/15/15	2/16/17	35,000	3,500	31,500	T Davis signed orig.	15	35,000	3,500	31,500
3.2.2	3.2.2.1	Load of Legacy Data into Staging Database	6/4/15	3/9/16	18,000	1,800	16,200	T Davis signed orig.	14	18,000	1,800	16,200
	3.2.2.2	Completion of Data Mapping	8/6/15	3/9/16	18,000	1,800	16,200	T Davis signed orig.	15	18,000	1,800	16,200
	3.2.2.3	First Data Conversion Push	8/13/15	3/9/16	18,000	1,800	16,200	T Davis signed orig.	15	18,000	1,800	16,200
	3.2.2.4	Go-Live Push to Production	12/22/15			-	-		15	18,000	1,800	16,200
3.2.3	3.2.3.1	* User Acceptance Testing Report - Criminal	2/4/16			-	-		15	50,000	5,000	45,000
3.2.4	3.2.4.1	Go-Live Transition Plan	3/15/16			-	-		15	89,000	8,900	80,100
	3.2.4.2	Training Plans and Materials - Crim	3/15/16			-	-		15	79,000	7,900	71,100
	3.2.4.3	Go-Live Status Reports	5/12/16			-	-		15	84,000	8,400	75,600
	3.2.5.1	E- Filing Configuration Documentation - Cr	7/25/16		-	-	-		16	-	-	-
	3.2.5.2	E- Filing Acceptance Testing Rpt - Cr	8/8/16		-	-	-		16	-	-	-
	3.2.5.3	E- Filing Training Plans & Materials - Cr	8/15/16		-	-	-		16	-	-	-
	3.2.5.4	E- Filing Go-Live Status Reports - Cr	8/30/16		-	-	-		16	-	-	-
	4.1.	Project closeout Report	9/27/16			-	-		16	14,000	1,400	12,600
3500 hours			* \$577,500 for custom application/integration	Civil		\$ 1,577,484	\$ 157,633.40	\$ 1,419,851		2,319,620	231,962	2,087,658
			577,500	Criminal		(2,319,620)	\$ 127,912.00	Custom development		477,500		
Note: The 10% retention is payable upon final acceptance, go-live and productive use of the complete Odyssey Platform set forth in Exhibit C of the Tyler contract.					(742,136)	unspent @ 6/30/17		Less: Spent		(69,364)		
					153,150	Spent 16/17		Total Left to spend (custom dev)		408,136		
								Unspent items		334,000		
MSA Ex B - "should be held for the final milestone - final delivery and acceptance of all services.										742,136		
MSA Ex C, Attach 3, 4.3 (f) ...court shall have the right ..to withhold 10%...until								Data conversion		200,000	20,000	180,000
Deliverable Acceptance of the final Deliverable							Actual Paid					

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)*