



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: November 14, 2019

Title

Report to the Legislature: State Trial Court
Improvement and Modernization Fund
Expenditures for 2018–19

Agenda Item Type

Action Required

Effective Date

November 15, 2019

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

November 14, 2019

Recommended by

Judicial Council staff
Zlatko Theodorovic, Director
Judicial Council Budget Services

Contact

Jason Haas, 916-643-7061
jason.haas@jud.ca.gov

Executive Summary

Judicial Council staff recommend approval of the *Report of State Trial Court Improvement and Modernization Fund Expenditures for 2018–19* for transmittal to the Legislature. Government Code section 77209(i) requires the Judicial Council to report annually to the Legislature on the use of the State Trial Court Improvement and Modernization Fund and include any appropriate recommendations.

Recommendation

The Judicial Council's Budget Services, Funds and Revenue Unit recommends that the Judicial Council, effective November 15, 2019:

1. Approve the *Report of State Trial Court Improvement and Modernization Fund Expenditures for 2018–19*;
2. Direct Judicial Council staff to submit the report to the Legislature by December 31, 2019.

The report to the Legislature is included as Attachment A to this report.

Relevant Previous Council Action

Government Code section 77209 was amended by Senate Bill 1021 (Stats. 2012, ch. 41), creating the State Trial Court Improvement and Modernization Fund. Previous reports on the Trial Court Improvement and Modernization Fund have been required and submitted under Government Code section 77209 since fiscal year 2002–03. These reports are posted on the California Courts website on the “Legislative Reports” webpage at www.courts.ca.gov/7466.htm.

Analysis/Rationale

The recommendation is made pursuant to Government Code section 77209(i), which requires that the Judicial Council annually report to the Legislature regarding use of the State Trial Court Improvement and Modernization Fund. Transmitting this report to the Legislature fulfills that requirement.

Policy implications

None.

Comments

This item is not required to be circulated for public comment.

Alternatives considered

Because the reporting of this information is mandated by the Legislature, no alternative was considered.

Fiscal and Operational Impacts

Submission of this mandated report to the Legislature requires minimal implementation costs for the Judicial Council, and has no fiscal or operational impacts on the trial courts.

Attachments and Links

1. Attachment A: *Report of State Trial Court Improvement and Modernization Fund Expenditures for 2018–19*



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

HON. MARSHA G. SLOUGH
Chair, Executive and Planning Committee

HON. DAVID M. RUBIN
Chair, Judicial Branch Budget Committee
Chair, Litigation Management Committee

HON. MARLA O. ANDERSON
Chair, Policy Coordination and
Liaison Committee

HON. HARRY E. HULL, JR.
Chair, Rules and Projects Committee

HON. KYLE S. BRODIE
Chair, Technology Committee

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MR. MARTIN HOSHINO
Administrative Director,
Judicial Council

December 31, 2019

Ms. Diane F. Boyer-Vine
Legislative Counsel
State Capitol, Room 3021
Sacramento, California 95814

Ms. Erika Contreras
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Ms. Sue Parker
Assistant Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

Re: Report of State Trial Court Improvement and Modernization Fund
Expenditures for 2018–19, as required under Government Code section
77209(i)

Dear Ms. Boyer-Vine, Ms. Contreras, and Ms. Parker:

Pursuant to Government Code section 77209 (i), the Judicial Council is submitting the required report on expenditures from the State Trial Court Improvement and Modernization Fund.

The State Trial Court Improvement and Modernization Fund is an important component of the judicial branch budget. It supports statewide services for the trial courts, ongoing technology programs and infrastructure initiatives, and educational and development programs. Additionally, it funds innovative and model programs and other special projects.

As of June 30, 2019, from allocations approved by the Judicial Council for 2018–19, a total of \$54.537 million was expensed and/or encumbered

Ms. Diane F. Boyer-Vine
Ms. Erika Contreras
Ms. Sue Parker
December 31, 2019
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(expensed) for various programs and projects. Specifically, expenditures were made for self-help centers, education programs for judicial officers and trial court personnel, litigation management programs, complex civil litigation programs, enhanced collections, information technology, and the Phoenix Financial System (see Attachment 2). Of the \$54.537 million expensed, \$49.813 million was related to local assistance (distributions to trial courts or payments to vendors in support of trial courts), and \$4.724 million was related to administrative support provided by staff.

If you have any questions related to this report, please contact Budget Services Director Zlatko Theodorovic at 916-263-1397 or zlatko.theodorovic@jud.ca.gov. Additional information can be found in Attachment A, or on the California Courts website on the “Legislative Reports” webpage at www.courts.ca.gov/7466.htm.

Sincerely,

Martin Hoshino
Administrative Director
Judicial Council

Ms. Diane F. Boyer-Vine

Ms. Erika Contreras

Ms. Sue Parker

December 31, 2019

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MH/ZT/jh

Attachment

cc: Eric Dang, Policy Consultant, Office of Senate President pro Tempore Toni G. Atkins

Amy Alley, Policy Advisor, Office of Senate President pro Tempore Toni G. Atkins

Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon

Gabrielle Zeps, Policy Consultant, Office of Assembly Speaker Anthony Rendon

Anita Lee, Principal Fiscal and Policy Analyst, Legislative Analyst's Office

Tina McGee, Executive Secretary, Legislative Analyst's Office

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MR. MARTIN HOSHINO
Administrative Director,
Judicial Council

Report title: *Report of State Trial Court Improvement and Modernization Fund Expenditures for 2018–19*

Statutory citation: Assembly Bill 1700 (Stats. 2001, ch. 824, § 35) as amended by Senate Bill 1021 (Stats. 2012, ch. 41)

Code section: Government Code section 77209(i)

Date of report: December 31, 2019

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 77209(i). The following summary of the report is provided under the requirements of Government Code section 9795.

The State Trial Court Improvement and Modernization Fund is an important component of the judicial branch budget. It supports statewide services for the trial courts, ongoing technology programs and infrastructure initiatives, and educational and development programs. Additionally, it funds innovative and model programs and other special projects.

In 2018–19, \$54.537 million was expended or encumbered from the State Trial Court Improvement and Modernization Fund for various programs and projects. Those programs and initiatives highlight many of the judicial branch's efforts to ensure that all Californians are treated in a fair and just manner, and have equal access to the courts.

The full report can be accessed here: www.courts.ca.gov/7466.htm. A printed copy of the report may be obtained by calling 415-865-7966.

JUDICIAL COUNCIL OF CALIFORNIA

Hon. Tani G. Cantil-Sakauye

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Report of State Trial Court Improvement and Modernization Fund Expenditures for 2018–19

DECEMBER 2019



JUDICIAL COUNCIL
OF CALIFORNIA

ADMINISTRATIVE DIVISION
BUDGET SERVICES

Recommendations Regarding the State Trial Court Improvement and Modernization Fund

Government Code section 77209(i) requires the Judicial Council to make “appropriate recommendations” to the Legislature concerning the State Trial Court Improvement and Modernization Fund (IMF) in the annual report. The council has no recommendations this fiscal year.

Resources, Expenditures, and Fund Balance Overview

In 2018–19,¹ the IMF was supported by a variety of funding sources, including the 50/50 excess fees, fines, and forfeitures split revenue under Government Code section 77205(a); the 2 percent automation fund under Government Code section 68090.8(b); interest from the Surplus Money Investment Fund; royalties from publication of jury instructions under Government Code section 77209(h); and a transfer from the state General Fund. Including prior-year adjustments and transfers to the Trial Court Trust Fund, the total available resources were \$70.708 million (see Attachment 1).

As of June 30, 2019, from allocations approved by the Judicial Council for 2018–19, a total of \$54.537 million was expensed and/or encumbered (expensed) for various programs and projects. Specifically, expenditures were made for self-help centers, education programs for judicial officers and trial court personnel, litigation management programs, complex civil litigation programs, enhanced collections, information technology, and the Phoenix Financial System (see Attachment 2). Of the \$54.537 million expensed, \$49.813 million was related to local assistance (distributions to trial courts or payments to vendors in support of trial courts), and \$4.724 million was related to administrative support provided by staff.

Given the resources that were available for the fiscal year and the resulting expenditures and encumbrances, the fund ended the year with an estimated balance of \$15.865 million (see Attachment 3).

Use of IMF Resources for Trial Courts During 2018–19

The council approved allocations of funding from IMF resources for various programs and projects that seek to improve trial court administration; increase access to justice and the provision of justice throughout the state; and improve court management, efficiency, case processing, and timeliness of trials. A description of how each project and program used its allocation of funding is included below.

¹ All further references to year ranges are to fiscal years unless otherwise indicated.

Audit Services

Audit Services expensed a total of \$326,374 for the salary, benefits, and support costs for two auditor positions during 2018–19. Audit Services performs recurring audits of the state’s 58 trial courts to assess their compliance with the Judicial Council’s policies and procedures. These audits include reviewing various aspects of court operations, including evaluating the effectiveness of cash controls, reviewing court procurement activity, and assessing court compliance with the Judicial Council’s significant grant programs. Audit Services completed and published 11 audit reports of the courts during fiscal year 2018–19.

Branch Accounting and Procurement

Phoenix System—Financial and Human Resources Systems

A total of \$3,248,946 was expensed to pay for the Phoenix System. A total of \$1,527,911 was in the Branch Accounting and Procurement budget for the main consultant contract, including a staff person to maintain statewide contracts for the trial courts. An additional \$1,721,035 was expensed by the Information Technology (IT) office for Phoenix-related tech center costs, and Phoenix-specific licenses and maintenance.

The Phoenix System was established in response to a Judicial Council directive for statewide fiscal accountability and human resources support for the trial courts as part of the council’s strategic plan. The program’s purpose is to provide daily, centralized administrative support to the trial courts, including accounting and financial services; trust accounting services; purchasing services; a centralized treasury system; human capital management services; and core business analysis, training, and support. Program staff design, test, deploy, maintain, and manage the Phoenix System, which enables the courts to produce a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations.

The judicial branch benefits from an integrated, staff-administered program promoting statewide consistency in court administrative practices. The financial component of the Phoenix System has been implemented in all 58 courts and allows for uniform processing, accounting, and reporting. The HR payroll management component of the Phoenix System has been implemented in 16 courts to date, with another in progress, providing human resources management and payroll services.

Budget Services

Treasury Services—Cash Management

A total of \$297,546 was expensed for the Treasury Services—Cash Management program. The allocation was used for the salary, benefits, and support costs for two accounting staff. Staff are engaged in the accounting and distribution of all uniform civil fees (UCF) collected by the trial courts. Responsibilities include receiving cash deposits and monthly collection reporting of UCF

for all 58 trial courts, entering UCF reporting into a web-based application that calculates the statutory distributions, executing the monthly cash distributions due state and local agency recipients, and completing the appropriate financial accounting. Staff performed other cash management and treasury duties as needed for the trial courts.

Trial Court Performance Measures Study

A total of \$6,642 was expensed for travel costs for members of the Workload Assessment Advisory Committee to convene an in-person meeting to review potential updates to the Judicial Workload Study model.

Budget-Focused Training and Meetings

A total of \$38,453 was expensed to support meetings of the Trial Court Budget Advisory Committee and associated subcommittees that confer on trial court funding policies and issues. In addition, the allocation was used to support budget-related meetings and conference calls regarding judicial branch budget advocacy and budget training for trial court staff, including annual training on various fiscal-related schedules.

Revenue Distribution Training

A total of \$5,258 was expensed to pay for the Trial Court Revenue Distribution Training. This annual training was established by the Judicial Council's Court-Ordered Debt Task Force in 2013 for court, county, city, and parking entities that perform revenue collection and distribution activities. Three one-day training sessions were held in San Diego and in Sacramento; 53 courts or counties were represented by 265 participants.

Education Programs

Mandated, Essential, and Other Education for Judicial Officers

A total of \$1,263,050 was expensed to pay for education for trial court judicial officers. Funds were expended to pay for faculty lodging, meals and travel, and for trial court participant lodging, business meals, meeting room rental, audiovisual equipment and other program-related rentals, and participant materials. Of this amount, \$919,136 was expensed on new judge education; \$94,165 was expensed on Primary Assignment Orientation for Experienced Judges; and \$249,749 was expensed on Continuing Judicial Education for Experienced Judges, including judicial leadership education.

New Judge Education

A total of \$919,136 was expensed on new judge education. All newly elected and appointed judges and subordinate judicial officers are required by rule 10.462(c)(1) of the California Rules of Court to complete (1) new judge education offered by the Judicial Council's Center for Judicial Education and Research (CJER) by attending the New Judge Orientation program within six months of taking the oath of office, (2) an orientation course in their primary assignment within one year of taking the oath of office, and (3) the B. E. Witkin Judicial College within two

years of taking the oath of office. By rule of court, CJER is the sole provider for these audiences. These three programs, which constitute the new judge education required under rule 10.462(c)(1), have been determined by the CJER Governing Committee to be essential for new judges and subordinate judicial officers and are specifically designed for that audience. The content of each program has been developed by the various curriculum committees appointed by the CJER Governing Committee.

- ***New Judge Orientation (NJO).*** Twelve iterations of the weeklong NJO program were delivered in FY 2018–19. The NJO program is designed to assist new judges and subordinate judicial officers in making the transition from attorney advocates to judicial officers and includes the subject areas of judicial ethics, fairness, and trial management. Program participants focus on ethics, including demeanor (demeanor issues are the number one cause of discipline of judges by the Commission on Judicial Performance), fairness, and courtroom control in this highly interactive program. They also learn about the judicial branch and the Judicial Council. The concept at NJO is to give new judges the opportunity, as they begin their new positions, to focus on the core of what it means to be a judge and to come away with a commitment to maintaining high standards in their work. The specific number of courses required during a year depends on the number of judicial officers appointed, elected, or hired (in the case of subordinate judicial officers) in each year. Governor Brown appointed a large number of judges in 2018 before leaving office. A standard course includes four highly experienced faculty members and serves 12 participants. In 2018, 12 classes were held with 14 participants in each for a total of 168 judicial officers completing the program. Over the past 30 years, there have been as many as 12 and as few as 2 courses offered during a fiscal year.
- ***B. E. Witkin Judicial College.*** The two-week judicial college is offered once each year. This program provides new judges and subordinate judicial officers with a broader educational experience than the orientation courses, while still emphasizing their current position as new bench officers. Extensive courses in evidence and other basic civil and criminal courses are offered, as well as a multitude of relevant elective courses on topics including mental health and the courts, self-represented litigants, and domestic violence. The college class is divided into seminar groups that meet frequently during the two weeks to provide participants an opportunity to discuss the courses and answer questions that arise during the program. The college design is premised on the belief that working professionals learn best from each other. The small-group design of the college, as well as the presence of trained seminar leaders, is a means to encourage this type of learning. It also allows participants to raise sensitive issues that they might be reluctant to raise at their local courts. The statewide program provides an early opportunity for new judges to see a variety of approaches within different courts. The number of judicial college participants varies based on the number of judicial appointments; in 2018–19, 120 attended. In the past, participation has ranged from approximately 55 to 140 judges and subordinate judicial officers.

- ***Primary Assignment Orientation (PAO).*** A total of 14 PAO courses were delivered during FY 2108–19. These courses provide new judges and subordinate judicial officers with an intense immersion into their primary assignment (e.g., civil, criminal, probate, family, juvenile, or traffic), with a heavy emphasis on detailed procedures and protocols and classroom exercises designed to test skills in the assignment. The courses are typically offered at one of three venues throughout the year, and some of the courses are offered multiple times.

All of the PAO courses are taught by judicial faculty who have been specifically trained for this education program and who are acknowledged experts in these assignments. Because these programs focus deeply on the major bench assignments, the Assigned Judges Program relies heavily on the PAO courses to provide its judges with the education and training they need to be able to take assignments that many retired judges never had during their active careers. PAO courses are statewide programs, offered throughout the year, that provide judges and subordinate judicial officers from all over the state the opportunity to learn with and from their colleagues and learn the different ways that various courts do the work of judging. This collaboration encourages the cohesiveness of the bench, as well as the fair administration of justice statewide. Educating judges to understand the rules and issues of ethics and fairness enhances public confidence in the judiciary and promotes access to justice.

Together, the three educational offerings provide staggered opportunities for new judges to develop relationships that can last throughout their careers. Many of the NJO exercises require new judges to share deeply and personally. Bringing the newly assigned judges together allows them not only to ask the faculty questions but also to discuss issues with both faculty and colleagues. Uniformity in judicial practice and procedure is promoted by the sharing of ideas and best practices. The benefits to the individual judges, who gain confidence in their practice on the bench, and to the courts—most of which are unable to provide a systematic training program for judges—are great. Moreover, ensuring a well-educated judiciary enhances the administration of justice, increases the public’s confidence in the judicial branch, and promotes support for the branch.

Primary Assignment Orientation Courses for Experienced Judges

A total of \$94,165 was expensed to pay for primary assignment orientation courses for experienced judges returning to an assignment after an assignment in another department.

- In addition to the PAO courses, CJER offers assignment courses for experienced judges who are moving into new assignments that are substantively more complex and nuanced (e.g., felony sentencing, homicide trials, and capital cases). These programs are designed for experienced judges who are required to take a course in their new primary assignment or to fulfill other statutory or case law–based education requirements. These three programs, which constitute primary assignment education required under rule 10.462(c)(4), have been determined by the CJER Governing Committee to be essential

for new judges and subordinate judicial officers and are specifically designed for that audience. The content of each program has been developed by the various curriculum committees appointed by the CJER Governing Committee. A new course was developed and offered in 2018 to address death penalty habeas corpus petitions after Proposition 66.

- CJER also offers courses dealing specifically with domestic violence issues. These courses are funded by a grant and augmented by a small amount of IMF money. The IMF money is used to pay for participant meal costs that the grant cannot. By attending the domestic violence programming, judges and subordinate judicial officers also meet the provisions of California Rules of Court, rule 10.464, which state the education requirements and expectations for judges and subordinate judicial officers on domestic violence issues. The PAO and experienced-judge primary assignment courses can accommodate approximately 600 participants per year.

Continuing Judicial Education for Experienced Judges

A total of \$249,749 was expensed on continuing judicial education for experienced judges.

- ***Advanced judicial education courses for experienced judges.*** CJER develops and provides a small number of advanced courses for experienced judges. These continuing education courses were designed to address advanced judging issues and include such courses as Complex Civil Litigation, Civil and Criminal Evidence, and Experienced Probate Law, as well as specialized courses in handling domestic violence and sexual assault cases. For the domestic violence courses, CJER pays participant meal costs for which grant money cannot be used.

As with the NJO and PAO courses, these are statewide programs providing judges and subordinate judicial officers from all over the state with the opportunity to work with and learn from their colleagues and exchange techniques and strategies. This approach enhances the cohesiveness of the bench and promotes the fair and consistent administration of justice statewide. Courses typically accommodate approximately 165 participants per year.

- ***Judicial institutes.*** In 2018–19, the CJER Governing Committee developed an education plan that included the Family Law Institute, Civil Law Institute, and Cow County Judges Institute (for judges in small, often rural courts who hear all assignments). CJER offers institutes in all the major trial court bench assignments (civil, criminal, family, juvenile, and probate), as well as specific programs for appellate justices, rural court judges, appellate court attorneys, and trial court attorneys.

The bench assignment institutes are designed primarily for experienced judicial officers, but judges new to an assignment also benefit from attending. These two-day programs typically offer between 12 and 20 courses covering topics of current interest, legal updates, and best practices. Participants frequently comment that the learning environment is greatly enhanced because they meet with colleagues from throughout the

state and have an opportunity to learn about different strategies for dealing with the many challenges faced by judges in the same assignment or by the specific audiences attending the institute. By attending these programs, judges and subordinate judicial officers satisfy education hours toward the continuing education expectations and requirements of the California Rules of Court. Attendance numbers at the various institutes range from 50 to 140. In 2018, 55 people participated in the Cow County Judges Institute, 55 in the Civil Law Institute, and 117 in the Family Law Institute.

Essential content is identified by curriculum committees appointed by the CJER Governing Committee and then more specifically developed by workgroups. This content can include in-depth coverage of common, yet complex, issues that are not covered in sufficient detail at the PAO programs. In addition, many course offerings cover advanced topics as well as recent developments in the law. The primary benefit to the courts—and to the judicial branch as a whole—is that statewide programming for experienced judges encourages uniformity in the administration of justice and provides an opportunity for judicial officers to learn from their more experienced peers.

- **Leadership training.** The Presiding Judge/Court Executive Officer Management Institute and the Supervising Judges Institute are offered annually. These programs offer participants a chance to learn management techniques, strategies, and best practices designed for the unique environment of the courts. The ability to bring court leaders together to focus on the specific and special nature of their responsibilities is essential to the smooth, efficient, and fair operation of the courts. These programs enable judges to fulfill continuing education hours and expectations under rule 10.462(c)(2) of the California Rules of Court.

Essential and Other Education for Court Executives, Managers, and Supervisors

Manager and Supervisor Training

A total of \$23,395 was expensed to pay for participant and faculty costs associated with court manager and supervisor education. Funds were used to pay for faculty travel and lodging, participant lodging, business meals, meeting room rental, audiovisual equipment and other program-related rentals, and participant materials production. Although the IMF funds some of the expenses, the courts fund participant lodging for the Core 40 and Institute for Court Management courses.

- **Core 40.** The Core 40 course is an intensive one-week program for new and experienced trial court staff supervisors and managers. It contains valuable and practical information that can be used to improve leadership skills, which results in the overall improvement in staff performance. Classes are limited to 28 participants who are selected from applications received online. Topics include group development, employment law, and performance management. Experienced court personnel serve as the faculty.

- ***Institute for Court Management (ICM) courses.*** ICM courses lead to certification by the National Center for State Courts (NCSC) in many national curriculum areas related to court management. The courses provide relevant education for court leaders based on the core competencies identified by the National Association for Court Management—and locally, at a cost to courts and participants significantly lower than that of national programs. This program grew out of a multistate consortium formed in 2008 by the Judicial Council of California, the ICM, and six other states interested in enhancing the existing ICM certification program and preparing court leaders with the skills and knowledge they need to effectively manage the courts. This effort resulted in the ability of CJER to provide education and certification for court managers and supervisors. In the past, the courts had to pay ICM to bring these courses to their location or send staff to NCSC headquarters in Williamsburg, Virginia, the cost for which was prohibitive for most courts. CJER’s ability to offer these courses in California using California faculty has allowed all courts to reap the benefits of this program.

The initial capital investment has yielded extremely positive results in advancing judicial branch education for court leaders. Since June 2009, 212 court leaders have achieved either the Certified Court Manager or Certified Court Executive certification from ICM. During that time, 790 different individuals completed at least one ICM course toward certification, and those taking more than one course contributed to an aggregate total of approximately 2,800 course participants.

Essential and Other Education for Court Personnel

Court Personnel Institutes

A total of \$124,741 was expensed to pay for participant and faculty costs associated with court personnel education. This included regional and local education offerings as well as eight courses offered via the Court Clerk Training Institute.

- ***The Court Clerk Training Institute (CCTI)*** is a weeklong institute that offers courtroom and court legal process clerks education in each substantive area of the court (appeals, civil, traffic, criminal, probate, family, and juvenile), including training in rules of court, changes in the law, customer service, and other aspects of performance that affect court operations behind the scenes. In addition to legal process and procedure, classes stress statewide consistency, ethical performance, and efficient use of public funds. All 58 courts have accessed this education for their staff: smaller courts, which typically do not have training departments, rely more heavily on CJER to provide a statewide perspective on the duties and responsibilities of courtroom and counter staff; the larger courts often provide faculty for this program. CCTI has been an essential education program for courts for more than 25 years and continues to prepare court staff for the essential functions of their jobs, consistent with the law and statewide practices.

Regional and Local Court Staff Education Courses

- ***Regional and local court staff courses.*** These courses allow CJER to provide high-quality education to trial court personnel at a greatly reduced cost and with significant convenience to the courts. The courses included in both the regional and local programming are considered and identified by the Governing Committee's curriculum committees and taught by experienced CJER faculty. Courses cover a wide array of topics—including human resources, traffic court, and case processing in the major court assignments of civil, criminal, probate, family, and juvenile—as well as broad topics relevant to all court staff, such as identifying and preventing workplace sexual harassment.
- ***Core Leadership and Training Skills.*** This course is designed for lead/senior clerks and assistant supervisors. Among other things, this three-day course teaches participants skills that contribute to effective leadership, discusses the challenges with leading colleagues and former peers, identifies strategies to meet those challenges, and identifies approaches to building successful and effective work relationships at all levels of the organization.

Faculty Development

Trial Court Faculty Costs—Statewide Education Programs

Faculty Development

A total of \$21,373 was expensed to cover the costs of lodging, group meals, and travel for trial court participants and faculty at “train the trainer” programs, course design workshops, and faculty development programs, some of which are foundational for new faculty and some of which are designed to support specific courses or programs, including the NJO and judicial college programs. Funds also are used for meeting room rental, audiovisual equipment and other such program-related rentals, and participant materials.

Current CJER faculty development programs include:

- Critical course and/or program-specific faculty development (e.g., NJO, the B. E. Witkin Judicial College, Qualifying Ethics, and the Institute for Court Management);
- Design workshops for new or updated courses under development, such as regional one-day and orientation/institute courses;
- Advanced faculty development courses that allow faculty to work on more complex faculty skills; and
- Short lunchtime webinars for advanced faculty on discrete faculty development topics.

Distance Learning

Online Video, Webinars, Podcasts, Satellite

Faculty costs subsumed within the projects above were paid from IMF to enable CJER's delivery of distance education to all judicial branch audiences. Education is provided through online instructional videos, webinars, and podcasts. These educational products leverage the distance-learning technologies employed by the Judicial Council over the past 19 years and enable CJER to develop multiple cost-effective resources that contribute to meeting the educational needs of virtually every judicial branch audience it serves. The broadcast video production studio is used to create instructional videos that are uploaded to the CJER Online website. Live training that is required statewide—including sexual harassment prevention training—is delivered as a webcast. Podcasts provide timely information that can be pushed directly to judges' mobile devices. Webinars offer live courses to large or small audiences. The CJER Online website provides a rich array of "just-in-time" resources for judicial and staff audiences. Email alerts inform more than a thousand judges who have subscribed to this service when new resources are added to the online toolkits serving their assignment area. And, a separate webpage with online courses and other resources organized to assist local courts in their education of temporary judges is used heavily for that purpose.

Programs for Families and Children

Domestic Violence Forms Translation

A total of \$17,000 was expensed to pay for the translation of new and updated domestic violence forms and instructions into Spanish, Chinese, Korean, and Vietnamese, and to make them available on the California Courts Online Self-Help Center and to all courts.

Self-Help Centers

A total of \$5,000,000 was distributed to the courts for public self-help center programs and operations. All 58 trial courts receive funding for their self-help centers.

Reducing self-help services has increased courts' other costs. With fewer self-help staff, the number and complexity of questions and issues at the public counter increase substantially, thereby adding to line lengths and wait times. Self-help services improve the quality of documents filed with the courts, thereby reducing follow-up and cleanup work in the clerks' offices—and in courtrooms.

Evaluations show that court-based assistance to self-represented litigants is effective and carries measurable short and long-term cost benefits to the court. One study found that self-help center workshops save \$1.00 for every \$0.23 spent. If the self-help center also aids self-represented litigants to bring their cases to disposition at the first court appearance, the court saves \$1.00 for every \$0.45 spent. Demand for self-help services is strong. Courts indicate that they are unable to keep up with increasing public demand for self-help services and need additional staff. In a 2017

survey, the courts identified a need for \$66 million in additional funds to fully support self-help services.

Self-Help Document Assembly Programs

A total of \$57,508 was expensed to develop document assembly software programs that simplify the process of completing Judicial Council forms and other pleadings. Using a “TurboTax” model, litigants enter information only once: the program automatically fills in that information on the rest of the form, saving substantial time and assisting self-represented litigants in preparing understandable and legible pleadings. Self-help centers report that these programs significantly enhance their efficiency and effectiveness. Moreover, clerks and judicial officers save time by having legible and fully completed documents and better prepared litigants.

Statewide Multidisciplinary Education

A total of \$60,675 was expensed to support the biannual Child and Family Focused Education Conference (CaFFE) and the Youth Court summit. The CaFFE conference, “Transcending the Daily Grind,” in 2019 brought together over 365 judicial officers, court administrators, supervised visitation providers, juvenile dependency mediators, Family Court Services managers and supervisors, family court mediators, child custody recommending counselors, and investigators and evaluators, as well as dependency counsel and probate investigators. Conference content met continuing education requirements. It included legal updates, emerging issues, and best practices, and met continuing education requirements for attendees. The 2019 Youth Court Summit, “Uniting Together to Lead Tomorrow: Empowering Youth for Civic Engagement,” brought together nearly 200 youth, judicial officers, attorneys, probation officers, teachers, law enforcement officers, and counselors and community leaders involved in youth courts, and provided information on truancy prevention, civics education, implicit bias, bullying, substance abuse, and best practices for youth courts.

Statewide Support for Self-Help Programs

A total of \$91,695 was expensed to support statewide services available to court self-help centers in all of California’s 58 trial courts. The allocation supported updates to instructional materials and forms used by self-help centers and the public. It also paid for translations and plain language legal updates for the California Courts Online Self-Help Center.

Every year, over 64 million users view this website, which has more than 4,000 pages of content in English and Spanish, as well as hundreds of links to other free legal resources. It provides local courts with information they can use to research, translate, and post local court information on their own. The site enables California’s courts to provide information and avoid duplicative work by making a wide range of resources available at a single location.

This allocation also supported professional educational content for self-help center staff on legal updates and best practices in self-help services. It contributed to the maintenance of an extensive bank of shared resources for self-help and legal services programs, such as sample instructions, translations, and other materials.

Court Interpreter Program (Testing, Development, Recruitment, and Education)

A total of \$114,739 was expensed to support the interpreter testing program, produce official credential badges, conduct ethics training for newly enrolled certified and registered interpreters, and support meeting costs of the Court Interpreters Advisory Panel.

Certification/Registration of Court Interpreters

- ***Third-party exam administrator services.*** Although court interpreter testing candidates pay market-rate exam fees, and those fees are one financial source used to pay the costs of operating the testing program, there are additional costs. Prometric, Inc., the third-party exam administrator for the court interpreter testing program, provides the following services: administering court interpreter certification and registration exams (approximately 2,000 written and oral exams per year); selecting and training exam raters; selecting, training, and managing exam proctors; capturing and reporting demographic data about exam takers; staffing and maintaining a centralized call and email response center; designing new test instruments; developing, maintaining, and updating existing exam instruments; and maintaining a web presence with all relevant information regarding the administration of exams.
- ***Interpreter credential identification.*** Costs to produce official interpreter credential identification (which convey the languages for which an interpreter is certified or registered) are covered for approximately 100 to 125 newly certified or registered interpreters per year.

Education

- ***Ethics workshops for newly enrolled certified and registered court interpreters.*** The ethics workshops are required for all newly enrolled interpreters to satisfy their continuing education requirements. Approximately two to four workshops are held each year in Northern and Southern California. Each workshop is attended by approximately 40 interpreters. Funds are applied to the following expenses: faculty, site location, and materials.

Court Interpreters Advisory Panel (CIAP)

- ***Costs associated with CIAP's annual in-person meeting.*** The meeting provided an opportunity for members to examine the shortage of interpreters and develop recommendations for future courses of action to address the shortage.

Human Resources Services

Trial Court Labor Relations Academies and Forums

A total of \$17,777 was expensed to pay for conference room and lodging costs associated with the labor relations academies and forums. Funds were primarily used to pay for lodging for trial

court employees who attended the event as either participants or faculty. Trial court participation figures are shown below:

	Number of Participants	Number of Courts Represented
<i>Labor Relations Forum</i>		
Northern California	60	30
Southern California	28	8
<i>Labor Relations Academy I</i>		
Northern California	15	12
Southern California	22	9
<i>Labor Relations Academy II</i>		
Northern California	52	30
Southern California	23	10

The academies and forums are offered to court professionals who support or directly participate in labor relations and negotiations. Academy I is a two-day program and includes a basic introduction to labor relations. It provides participants with the experience of engaging with others in a bargaining role-playing exercise. Academy II is a two-day program in which participants discuss current topics and trends, strategies for resolving complex labor issues, and best-practice recommendations from subject-matter experts in labor relations. The one-day forum serves as an interactive platform for problem solving, information sharing, education, and group discussion of issues.

Information Technology Services

California Courts Protective Order Registry (CCPOR)

A total of \$807,950 was expensed to fund a statewide protective order repository that provides complete, accessible information on restraining and protective orders—including images of those orders—to the 45 counties currently participating, and with limited read access to 14 tribal courts. The Superior Court of Mono County went live as scheduled in November 2018. The Superior Court of Orange County is in the process of onboarding, with a target go-live date in March 2020. The allocation covered the hosting costs of the CCPOR application at the California Courts Technology Center, application maintenance and enhancements, mandatory legislative changes, and daily operational support to the courts and their local law enforcement agency partners who are users of the system.

California Courts Technology Center (CCTC)

A total of \$8,131,367 was expensed to provide ongoing technology center hosting for participating courts, shared services to the trial courts, and a full disaster-recovery program. Applications hosted at the CCTC include Microsoft Exchange, Microsoft Active Directory, and the Integrated Services Backbone. The CCTC continued to host the Phoenix Financial System

(serving all 58 courts) and the Phoenix Human Resources/Payroll System (serving 16 courts). Additionally, two case management systems operate out of the CCTC: the Sustain Justice Edition system and the civil, small claims, mental health, and probate system (V3). Some courts leverage the third-party contracts to receive full IT services for their courts, including desktop support, help desk services, file server management, and email.

Case Management Systems—Civil, Small Claims, Probate, and Mental Health (CMS V3)

A total of \$3,835,704 was expensed for CMS V3. These funds were used for product releases including court enhancement requests, judicial branch requirements, and biannual legislative changes; infrastructure support and hosting services for all environments, including development, testing, training, staging, and production; and daily court user support. In addition, funds were allocated to the courts via intrabranch agreements based on disbursement milestones for software vendor contracts, consulting, equipment, and temporary project staff.

The civil, small claims, probate, and mental health interim case management system processes 25 percent of all civil cases statewide. V3 functionality enables the courts to process and administer their civil caseloads, automating activities in case initiation and maintenance, courtroom proceedings, calendaring, work queue, payment, and financial processing. Each V3 court configures its instance to support its staff, operations, and case management. This model allows for a single deployment and common version of the software, avoiding the cost of three separate installations.

E-filing has been successfully deployed at the Orange and San Diego courts, saving time and resources. The Superior Court of Sacramento County has deployed e-filing for its Employment Development Department cases. The Sacramento and Ventura courts integrate V3 with public kiosks. E-filing and public kiosks are recognized as providing public and justice partners with increased ease of use and efficiencies.

Funding will be eliminated for V3 from the IMF by July 2020. V3 is currently in the process of ramping down and preparing for retirement. However, project timelines to replace V3 have been extended for courts with delayed transition. Judicial Council Information Technology is working with the Sacramento, San Diego, and Ventura courts to coordinate “lights on” planning and court funding for V3 support after June 2020.

The budget change proposal for civil CMS (V3) replacement encumbered \$500,000 in 2018–19 to fund the courts replacement of V3. The Judicial Council and the V3 courts requested and received funding over three years to replace V3 at each court. Funds are allocated to the courts via intrabranch agreements based on disbursement milestones for software vendor contracts, consulting, equipment, and temporary project staff.

Data Integration

A total of \$1,804,047 was expensed to continue work with trial courts to provide system interfaces between Judicial Council systems and the computer systems of our justice partners, including courts, law enforcement agencies, and the Department of Justice. Without the Integrated Services Backbone (ISB), the current systems for sharing protective orders, for example, would not function.

Interim Case Management Systems

A total of \$1,892,104 was expensed to provide program management support to nine courts using the Sustain Justice Edition (SJE) case management system. The allocation was used to provide maintenance and operations support to the SJE courts hosted at the CCTC, such as implementation of legislative updates, application upgrades, production support, CCTC infrastructure upgrades, and patch management. This allocation also provides application support such as providing legislative updates to the SJE courts hosted at the Placer court's data center or locally hosted. The program also supports SJE interfaces to the Department of Motor Vehicles, the Department of Justice, and the Judicial Branch Statistical Information System, as well as custom interfaces with the Franchise Tax Board Court-Ordered Debt Collections program, interactive voice/web response processing, issuance of warrants, court-ordered debt collections, and failure-to-appear/failure-to-pay collections. The last court that has its SJE application hosted at the CCTC is expected to move to a new locally hosted case management system in October 2019. Additionally, all other SJE courts are in the process of replacing their legacy SJE application with a new CMS that is projected for completion by June 2020. At that time, the ICMS program is expected to sunset.

Jury Management Systems

A total of \$717,000 was expensed in jury grants to courts to provide some level of funding to 38 of 39 requested jury projects submitted by 23 different trial courts. The types of jury projects which received some level of funding included: 14 projects to upgrade the jury management system, 12 projects improving the ability of jurors to access information through interactive voice/web response, nine projects to improve the ability for jurors to self-check in for service, one project to allow jurors to scan their summons into the jury management system, and two projects for jury management system hardware.

Statewide Planning and Development Support

A total of \$3,981,014 was expensed to provide enterprise products for use by the trial courts and to support the Judicial Council in providing tools and applications to manage its projects and programs at an enterprise level.

This program provides the trial courts cost-free access to a variety of Oracle products (e.g., Oracle Database Enterprise Edition, Oracle Real Application Clusters, Oracle Advanced Security, Oracle Diagnostic Pack, and Oracle WebLogic Server). Because Oracle discounts are based on volume, the branchwide license agreement can deliver significant savings over

individual court purchases. It also provides funding to continue the ongoing software maintenance for Adobe Forms. There are nearly 1,000 statewide forms and over 2,000 local forms that are used in the trial courts. A PDF form can be “fillable” but it can also be savable for later updates with this Adobe license agreement.

The program also funded enterprise architect (EA) support services. The enterprise architecture support services provide support for several branchwide initiatives that will help improve and advance infrastructure services for the trial courts. The supported initiatives included the initiation of a branchwide identity management, a branchwide data share-house, and technology to improve access for the general public. The branchwide identity management system will enable the trial courts to have a standardized means for enabling and managing access for the general public to access court digital services. The branchwide data share-house develops a modern method to enable the trial courts the ability to manage and share data with the branch and with other justice partners. The access technology included the research and application of the use of intelligent chat technology, video remote access technology, and voice-to-text translation services. In addition to the initiatives, the EA support services provided architectural oversight and guidance to existing branchwide trial court systems and programs, plus provided architectural and technical guidance to the trial courts as needed.

The program also procured educational subscriptions for all the trial courts. These educational resources will provide access to technical research and knowledge libraries, security and risk management best practices, and consultation with subject matter experts.

Telecommunications Support

A total of \$15,459,511 was expensed to provide a program for the trial courts to develop, maintain, and support a standardized level of local and wide area network infrastructure. This infrastructure provides a foundation for the deployment and operation of both local court and enterprise IT services and applications, including those based at the California Courts Technology Center. The program allows the judicial branch to leverage economies of scale, obtain operational efficiencies, and maintain adherence to established system and design standards. Items that were funded include: the replacement of network components that have reached the end of their service life; the provision of a comprehensive set of network security services consisting of a managed firewall, intrusion detection, and prevention; vulnerability scanning; web browser security services; the provision of maintenance and support coverage, which provides courts with critical vendor support coverage for all network and security infrastructure; and network technology training for court IT staff.

Uniform Civil Fees System

A total of \$227,822 was expensed to provide ongoing application support and maintenance and application software upgrades of the Uniform Civil Fees System (UCFS). This program supports the distribution and mandated reporting of uniform civil fees collected by all 58 superior courts, with an average of \$49 million distributed per month. The system generates reports for the State Controller’s Office and various entities that receive the distributed funds. More than 200 fee

types are collected by each court and distributed to 28 different entities (e.g., the Trial Court Trust Fund, the counties, the law library, etc.), requiring 65,000 corresponding distribution rules that are maintained by UCFS.

Legal Services

Judicial Performance Defense Insurance

A total of \$961,408 was expensed to pay for the portion of the Commission on Judicial Performance (CJP) defense master insurance policy that covers claims by superior court judges and subordinate judicial officers. The CJP Defense Insurance program was approved by the Judicial Council as a comprehensive loss-prevention program in 1999. The program covers defense costs in CJP proceedings related to CJP complaints, protects judicial officers from exposure to excessive financial risk for acts committed within the scope of their judicial duties, and lowers the risk of conduct that could lead to complaints through required ethics training for judicial officers.

Jury System Improvement Projects

A total of \$5,255 was expensed to support the meeting expenses of the Judicial Council's Civil Jury Instructions Advisory Committee and the Criminal Jury Instructions Advisory Committee, and to cover the expense of obtaining copyright protection for the official civil and criminal jury instruction publications, *Judicial Council of California Civil Jury Instructions (CACI)* and *Judicial Council of California Criminal Jury Instructions (CALCRIM)*. The advisory committees prepare new and revised instructions at least twice a year and propose their adoption to the Judicial Council. Upon approval, the instructions are then copyrighted and licensed to commercial publishers. The publishers pay royalties to the Judicial Council based on sales of the instructions, and the Judicial Council's jury system improvement projects are supported by the royalty revenue from the publication of *CACI* and *CALCRIM*.

Litigation Management Program

A total of \$4,707,283 was expensed to pay the costs of defense—including fees for counsel and related costs—and to pay settlements of government claims, lawsuits, and other litigation-related matters brought against covered entities and individuals. Government Code section 811.9 requires the Judicial Council to provide for the representation, defense, and indemnification of the state's trial courts, trial court judicial officers, and court employees.

Regional Office Assistance Group

A total of \$611,770 was expensed to pay for four attorneys (which fell to two over the course of the fiscal year) and one administrative specialist to establish and maintain effective working relationships with the trial courts and to serve as liaisons, consultants, clearinghouses, advocates, and direct legal services providers to the trial courts in the areas of transactions, legal opinions, and labor and employment.

Trial Courts Transactional Assistance Program

A total of \$680,000 was expensed to pay attorney's fees and related expenses to outside counsel representing trial courts primarily in labor arbitrations and proceedings before the Public Employment Relations Board (PERB). The Judicial Council established the Trial Court Transactional Assistance Program in July 2001 as a means by which the Legal Services office could provide legal assistance to the trial courts on transactional matters through outside counsel selected and managed by the office. The Judicial Council later expanded the scope of the program to include outside counsel fees and expenses to provide legal assistance to the trial courts in other nonlitigation areas, such as labor arbitrations and PERB proceedings.

Attachments

1. Attachment 1: State Trial Court Improvement and Modernization Fund: 2018–19 Resources
2. Attachment 2: State Trial Court Improvement and Modernization Fund: 2018–19 Expenses and Encumbrances by Program and Project
3. Attachment 3: State Trial Court Improvement and Modernization Fund: 2018–19 Fund Condition Summary

State Trial Court Improvement and Modernization Fund

2018-19

Resources

Description	Amount
Beginning Fund Balance	\$ 14,796,513
Prior Year Adjustments	(973,149)
Adjusted Beginning Fund Balance	13,823,364
Revenues and Transfers	
<i>Revenues</i>	
50/50 Excess Fees, Fines, and Forfeitures Split	11,177,463
2% Automation Fund	10,698,861
Interest from Surplus Money Investment Fund	1,565,780
Royalties from Publications of Jury Instructions	648,480
Miscellaneous Revenue and Adjustments	359,397
Class Action Residue	1,311,975
<i>Transfers</i>	
Transfer from State General Fund	45,114,000
Transfer to Trial Court Trust Fund (Gov. Code, § 77209 (j))	(13,397,000)
Transfer to Trial Court Trust Fund (2015 Budget Act)	(594,000)
Subtotal, Revenues and Transfers	56,884,956
Total Resources	\$ 70,708,320

State Trial Court Improvement and Modernization Fund 2018-19 Expenditures and Encumbrances by Program and Project	
Description	Total
<i>Audit Services</i>	\$ 326,374
Audit Services ¹	326,374
<i>Branch Accounting and Procurement</i>	\$ 1,527,911
Phoenix Financial and Human Resources Services ²	1,527,911
<i>Budget Services</i>	\$ 347,899
Treasury Services - Cash Management ¹	297,546
Trial Court Performance Measures Study	6,642
Budget Focused Training and Meetings	38,453
Revenue Distribution Training	5,258
<i>Education Programs</i>	\$ 1,432,559
New Judge Education	919,136
Primary Assignment Orientation (PAO) Courses for Experienced Judges	94,165
Continuing Judicial Education for Experienced Judges	249,749
Court Manager and Supervisor Education	23,395
Court Personnel Education	124,741
Faculty Development	21,373
<i>Families and Children Programs</i>	\$ 5,341,617
Domestic Violence Forms Translation	17,000
Self-Help Centers	5,000,000
Self-Help Document Assembly Programs	57,508
Statewide Multidisciplinary Education	60,675
Statewide Support for Self-Help Programs	91,695
Court Interpreter Program (Testing, Development, Recruitment and Education)	114,739
<i>Human Resources Services</i>	\$ 17,777
Trial Court Labor Relations Academies and Forums	17,777
<i>Information Technology Services</i>	\$ 38,577,554
California Courts Protective Order Registry (CCPOR) - ROM ²	807,950
California Courts Technology Center (CCTC) ²	8,131,367
Case Management Systems,V3 Transition, Civil, Small Claims, Probate and Mental Hea	3,835,704
Data Integration ²	1,804,047
Interim Case Management Systems	1,892,104
Jury Management Systems	717,000
Statewide Planning and Development Support	3,981,014
Telecommunications Support/Telecom BCP	15,459,511
Uniform Civil Fees System (UCFS) ¹	227,822
Phoenix Project	1,721,035

State Trial Court Improvement and Modernization Fund 2018-19 Expenditures and Encumbrances by Program and Project (cont'd)	
Description	Total
<i>Legal Services</i>	\$ 6,965,716
Judicial Performance Defense Insurance	961,408
Jury System Improvement Projects	5,255
Litigation Management Program	4,707,283
Regional Office Assistance Group ¹	611,770
Trial Courts Transactional Assistance Program	680,000
Total Expenditures and Encumbrances	\$ 54,537,407

¹ All expenditure is for administrative support services provided by Judicial Council staff.

² Expenditures include the costs for local assistance and administrative support services provided by Judicial Council staff.

State Trial Court Improvement and Modernization Fund 2018-19 Fund Condition Summary	
Description	Amount
Total Resources	\$ 70,708,320
Program/Project Area	
Audit Services	326,374
Branch Accounting and Procurement	1,527,911
Budget Services	347,899
Education Programs	1,432,559
Families and Children Programs	5,341,617
Human Resources Services	17,777
Information Technology Services	38,577,554
Legal Services	6,965,716
Subtotal, Expenditures and Encumbrances	\$ 54,537,407
Pro-rata, Statewide General Administrative Services	305,622
Total Expenditures, Encumbrances, and Pro-Rata	\$ 54,843,029
Fund Balance	\$ 15,865,291