



JUDICIAL COUNCIL OF CALIFORNIA

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

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 21-002

For business meeting on: January 22, 2021

Title

Report to the Legislature: State Trial Court
Improvement and Modernization Fund
Expenditures for 2019–20

Agenda Item Type

Information Only

Date of Report

December 14, 2020

Submitted by

Judicial Council staff
Zlatko Theodorovic, Deputy Director
Judicial Council Budget Services

Contact

Jason Haas, 916-643-7061
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Executive Summary

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. The attached *State Trial Court Improvement and Modernization Fund Expenditures for 2019-20* report provides information for the reporting period of July 1, 2019, through June 30, 2020.

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 as the successor fund of the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund. Previous reports on the 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 2020 transmission of the *Report of State Trial Court Improvement and Modernization Fund Expenditures for 2019–20* to the Legislature has been designated as council information only. No recommendations are being made, therefore, no actions are required of the council.

Fiscal Impact and Policy Implications

Submission of this 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 2019–20*



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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, Legislation Committee

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

HON. KYLE S. BRODIE
Chair, Technology Committee

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MR. MARTIN HOSHINO
Administrative Director
Judicial Council

December 31, 2020

Mr. Aaron Silva
Chief Deputy 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
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

*Re: Report of State Trial Court Improvement and Modernization Fund
Expenditures for 2019–20, as required under Government Code section
77209(i)*

Dear Mr. Silva, 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.

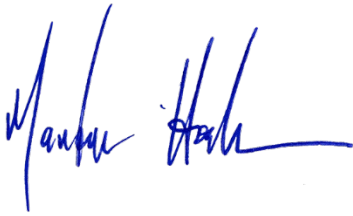
The State Trial Court Improvement and Modernization Fund is an important component of the judicial branch budget. It supports statewide services for the trial courts, ongoing technology programs and infrastructure initiatives, and educational and development programs. Additionally, it funds innovative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

Mr. Aaron Silva
Ms. Erika Contreras
Ms. Sue Parker
December 31, 2020
Page 2

In 2019–20, \$74.856 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. Detailed expenditures by program can be found in Attachment 2.

If you have any questions related to this report, please contact, Zlatko Theodorovic, Budget Services Deputy Director 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,

A handwritten signature in blue ink, appearing to read "Martin Hoshino", with a long horizontal flourish extending to the right.

Martin Hoshino
Administrative Director
Judicial Council

Mr. Aaron Silva
Ms. Erika Contreras
Ms. Sue Parker
December 31, 2020
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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
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Shaun Naidu, Consultant, Senate Appropriations Committee
Hans Hemann, Principal Consultant, Joint Legislative Budget Committee
Eric Csizmar, Consultant, Senate Republican Policy Office
Morgan Branch, Consultant, Senate Republican Policy Office
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Gregory Pagan, Chief Counsel, Assembly Public Safety Committee
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Lindsay Mitchell, Consultant, Assembly Republican Office of Policy & Budget
Gary Olson, Consultant, Assembly Republican Office of Policy & Budget
Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget
Amy Leach, Minute Clerk, Office of Assembly Chief Clerk
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MR. MARTIN HOSHINO
Administrative Director
Judicial Council

Report title: *Report of State Trial Court Improvement and Modernization Fund Expenditures for 2019–20*

Statutory citation: Government Code section 77209(i)

Date of report: December 31, 2020

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 2019–20, \$74.856 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 at: 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

*Chief Justice of California and
Chair of the Judicial Council*

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Report of State Trial Court Improvement and Modernization Fund Expenditures for 2019–20

DECEMBER 2020



JUDICIAL COUNCIL
OF CALIFORNIA

ADMINISTRATIVE DIVISION
BUDGET SERVICES

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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 2019–20,¹ 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 \$96.115 million (see Attachment 1).

As of June 30, 2020, from allocations approved by the Judicial Council for 2019–20, a total of \$74.856 million was expensed and/or encumbered for various programs and projects. Specifically, expenditures were made for self-help centers, education programs for judicial officers and trial court personnel, complex civil litigation programs, enhanced collections, and information technology (see Attachment 2). Of the \$74.856 million expensed, \$70.317 million was related to local assistance (distributions to trial courts or payments to vendors in support of trial courts), and \$4.539 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 \$21.153 million (see Attachment 3).

Use of IMF Resources for Trial Courts During 2019–20

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 \$260,648 for the salary, benefits, and support costs for two auditor positions during 2019–20. 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 seven audit reports of the courts during 2019–20.

Branch Accounting and Procurement

Statewide Contracts—Trial Courts

A total of \$136,578 was expensed in the Branch Accounting and Procurement budget for a staff person to maintain statewide contracts for the trial courts. The statewide contracts are leveraged procurement agreements designed to consolidate the procurement needs of all trial courts and leverage their combined buying power to reduce prices, improve terms and conditions, and improve procurement efficiency. Branch Accounting and Procurement staff currently maintain approximately 71 statewide contracts within 30 goods/services categories on behalf of the trial courts.

Budget Services

Treasury Services—Cash Management

A total of \$279,804 was expensed for the Treasury Services Cash Management program. The allocation was used for 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 to 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 \$7,993 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 workload study models.

Budget-Focused Training and Meetings

A total of \$14,622 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 \$6 was expensed for training. The Trial Court Revenue Distribution Training is an annual training 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. This year, the typically in-person training was converted to online sessions due to the COVID-19 pandemic. The recorded presentations allowed courts and counties to view the sessions at their convenience. As such, the allocation for the training was essentially unspent.

Centralized Rent for All IMF Staff

A total of \$391,733 was expensed for rent for all IMF-funded staff. Rent for all staff is paid from a centralized account.

Education Programs

Mandated, Essential, and Other Education for Judicial Officers

A total of \$962,039 was expensed for three programs 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, \$731,559 was expensed on new judge education; \$9,581 was expensed on Primary Assignment Orientation for Experienced Judges; and \$220,899 was expensed on Continuing Judicial Education for Experienced Judges, including judicial leadership education.

New Judge Education

A total of \$731,559 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 Advisory 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 Advisory Committee.

- ***New Judge Orientation (NJO).*** While eight were scheduled, due to the COVID-19 pandemic only four iterations of the weeklong NJO program were delivered in 2019–20. 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. A standard course includes four highly experienced faculty members and serves 12 participants. In 2019–20, four 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 twelve and as few as two 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 2019–20, 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 9 of the 14 scheduled PAO courses were delivered during 2019–20. The number was reduced due to the COVID-19 pandemic. 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 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 Temporary 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

- 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 Advisory 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 Advisory Committee.
- 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 \$220,899 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 2019–20, the CJER Advisory Committee developed an education plan that included the Juvenile Law Institute, the Probate and Mental Health Institute, and the Cow County Judges Institute (for judges in small, often rural courts who hear all assignments). Due to the COVID-19 pandemic, the Probate and Mental Health Institute was the only one that was delivered. 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.

Essential content is identified by curriculum committees appointed by the CJER Advisory 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 enough 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 \$11,045 was expensed to pay for participant and faculty costs associated with court manager and supervisor education. Funds were used to pay for faculty travel, lodging, and 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 travel expenses.

- **Core leadership courses.** The Core leadership series of courses are multiple-day programs that provide an intensive experience for new and experienced trial court supervisors and managers. They contain 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 30 participants who are selected from applications received online. Courses include Core 40: Basic Training for Court Managers and Supervisors, Advanced Core 40, and Core 24: Advanced Skills for Experienced Managers and Administrators.
- **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 provide them 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, there have been 227 court leaders who have achieved either the Certified Court Manager or Certified Court Executive certification from ICM. During that time, 805 different individuals completed at least one ICM course toward certification, and those taking more than one course contributed to an aggregate total of approximately 2,900 course participants.

Essential and Other Education for Court Personnel

Court Personnel Institutes

A total of \$70,586 was expensed to pay for participant and faculty costs associated with court personnel education. This included video, regional, and local education offerings as well as the Trial Court Judicial Attorney Institute and the Court Clerk Training Institute. Due to the COVID-19 pandemic, only one of six courses usually offered as part of the Court Clerk Training Institute was provided.

- ***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 CJER Advisory Committee’s curriculum committees and taught by experienced CJER faculty. Courses cover a wide array of topics—including human resources, courtroom clerk responsibilities, 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 \$65,298 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 are also 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

A total of \$20,199 was expensed to pay for faculty costs associated with 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 million was distributed to the courts for public self-help center programs and operations. All 58 trial courts receive funding for their self-help centers.

Self-help services increase the efficiency of other court operations. Reductions to self-help services would substantially increase the number and complexity of questions at the clerk’s office, leading to longer lines and slower processing of forms. Self-help services improve the legibility, comprehensiveness, and focus of documents prepared by self-represented litigants, allowing clerks to process and judges to review forms more quickly and conduct hearings more efficiently.

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 \$60,000 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. These programs were used over 200,000 times in 2019.

Sargent Shriver Civil Counsel Pilot Project

A total of \$520,692 was distributed to legal services organizations under the Sargent Shriver Civil Counsel pilot project. This supplemental funding was provided to the programs from fees collected pursuant to Assembly Bill 590 (Feuer; Stats. 2009 ch. 457). These projects provided legal representation to low-income parties on critical legal issues affecting basic human needs. The pilot projects are operated by legal services nonprofit corporations working in collaboration with their local superior courts.

The purpose of the pilot projects is to improve access to justice in civil cases and thereby avoid undue risk of erroneous court decisions resulting from the nature and complexity of the law in the specific proceeding or the disparities between parties in legal representation, education, sophistication, language proficiency, and access to self-help or alternative dispute resolution services.

The organizations provided representation to low-income Californians who are at or below 200 percent of the federal poverty level and need representation in housing-related matters, domestic violence and civil harassment restraining orders, guardianship of the person, probate conservatorship, or child custody actions by a parent seeking sole legal or physical custody of a child, particularly where the opposing side is represented. The Sargent Shriver Civil Counsel Act Evaluation submitted to the Legislature in June 2020 described the benefits of the program.

Statewide Multidisciplinary Education

A total of \$67,000 was expended for statewide education. A total of \$49,500 was expensed to support Beyond the Bench 25: Joining Forces for a Better Future for Children & Families, held in San Diego from December 16–18, 2019. Held every other year, Beyond the Bench is the largest conference hosted by the Judicial Council. In 2019, the conference included participants from 57 of the California’s 58 counties and offered over 80 educational sessions to nearly 1,400 participants including judges, court professionals, attorneys, social workers, probation officers,

agency leaders, mental and behavioral health specialists, educators, and other system partners from across California.

A total of \$17,500 was expensed to support work on the 2020 Youth Court Summit. A conference site was secured, and all content planning was completed for the anticipated June 2020 conference however, due to the COVID-19 pandemic, the event could not be held. Work done on the 2020 Youth Court Summit, which was to have the theme “Empowering Youth for Civic Engagement,” will go toward informing the content of the 2021 Youth Court Summit, which is anticipated to be held through a virtual platform.

Statewide Support for Self-Help Programs

A total of \$100,000 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 legal updates and new content for the California Courts Online Self-Help Center and the new statewide Self-Help Portal.

Every year over 4 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 \$143,000 was expensed to support the interpreter testing program. The council’s Court Interpreters Program contracts with Prometric, LLC (a third-party exam administrator for the interpreting testing program) to provide the following services: administering exams, training and managing exam proctors and raters, customer support call center, updating existing and developing new exams, processing appeals, providing reports, recommendations on assessment of interpreters, and maintaining a web presence.

Due to the COVID-19 pandemic, all in-person testing for the Bilingual Interpreting Examination, Written Examination and Oral Proficiency Examination at all California testing locations were cancelled due to safety concerns. However, the \$143,000 in funding was devoted to the deliverables listed above that are not associated with ongoing test administration (e.g., development and piloting of two new exams, recommendations concerning skills assessment, and ongoing customer service). The council is working with Prometric, LLC, the current test

administrator, to develop options to safely resume in-person examinations in 2021, including support for efforts to develop a computer-based testing platform.

Human Resources Services

Trial Court Labor Relations Academies and Forums

Due to the COVID-19 pandemic, the trial court labor relations academies and forums were not held during 2019–20. This resulted in \$0 in expenditures and a savings of \$22,700. The allocation is primarily used to pay for lodging for trial court employees who attend the events as either participants or faculty.

Information Technology Services

California Courts Protective Order Registry (CCPOR)

A total of \$697,985 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 46 counties currently participating, and with limited read access to 14 tribal courts. 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 \$8,912,527 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 17 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 (CMS 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 \$2,609,963 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.

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.

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.

Data Integration

A total of \$2,632,587 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.

Data Integration supports the CCPOR system, which is live in 45 counties and provides a Quick Attach Order Interface so courts can submit scanned images of the restraining order into CCPOR.

The program also supports e-filing for appellate courts, performs schema validations, and updates the Appellate Court Case Management System. Data Integration was involved in moving all appellate courts to the document management system.

Data Integration also supports the California Disposition Reporting Exchange, which allows for electronic submission of disposition records to the California Department of Justice. Currently the Superior Court of San Joaquin County is “live” with the exchange, and the team is working to onboard the Tulare and Santa Barbara courts.

Data integration also supports the Judicial Branch Statistical Information System (JBSIS) portal, the JBSIS Warehouse, and multiple interfaces to the V3 case management system to transfer DMS, Index, and EDD extracts from the V3 system to the Sacramento and Ventura courts. It also supports the EDS interface used by the Sacramento court to process credit card transactions.

The allocation covered the hosting costs of the Integrated Services Backbone applications at the California Courts Technology Center, infrastructure support, application maintenance and

upgrades, and daily operational support to the courts for all environments, including testing, staging, and production.

Interim Case Management Systems

A total of \$391,813 was expensed to provide program management support to the 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. Additionally, this program 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. During this fiscal year, the SJE courts were focused on deploying a new case management system. The last SJE court migrated to their new case management system on August 31, 2020. As such, this program is considered to have sunset.

Jury Management Systems

A total of \$391,645 was expensed in jury grants to courts to provide some level of funding to all 12 courts that requested jury grants and represents 15 different jury projects. The types of jury projects that received some level of funding included: two projects to upgrade the jury management system, two projects improving the ability of jurors to access information through interactive voice/web response, five projects to improve the ability for jurors to self-check in for service, three projects to improve the scanning capabilities of the jury system, two projects to add peripheral jury hardware, and one project to move to cloud hosting of the jury system.

Phoenix

A total of \$119,814 was expensed for the Phoenix program. This expenditure should have been expensed to the General Fund. Corrections were submitted to the Accounting unit prior to year-end. In the future, all expenditures for shared services in the Phoenix program will be against the General Fund.

Statewide Planning and Development Support

A total of \$4,345,520 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 branch-wide 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 EA support services provide support for several branch-wide initiatives that will help improve and advance infrastructure services for the trial courts. The supported initiatives included the initiation of a branch-wide identity management, a branch-wide data share-house, and technology to improve access for the general public. The branch-wide 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 branch-wide data share-house develops a modern method to enable the trial courts 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 branch-wide trial court systems and programs, plus 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 \$17,249,593 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 \$145,286 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 the UCFS.

Digitizing Courts

A total of \$4,851,999 was expended for Phase 1 of the Digitizing Court Records budget change proposal (BCP). The superior courts in Phase 1 were selected using a survey to assess courts' needs and ability to support a project to digitize their court records. Priorities established in the BCP were applied to the survey results to award funds to seven courts including the Superior Courts of Alameda, Madera, Placer, San Mateo, San Luis Obispo, Santa Clara, and Sutter Counties. The allocations are used by the courts to procure imaging services and imaging equipment for their projects to digitize paper and microform court records.

CMS Replacement

A total of \$22,756,370 was expended from the CMS Replacement BCP to provide funding to 10 courts (Amador, Colusa, Contra Costa, Lassen, Marin, Mariposa, Mono, Nevada, Shasta and Solano) to replace their legacy case management systems with a modern case management system. These 10 courts have each selected an approved vendor that has a master services agreement with the Judicial Council and are in the process deploying their new CMSs.

Legal Services

Judicial Performance Defense Insurance

A total of \$1,107,290 was expended 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 \$3,526 was expended 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*.

Regional Office Assistance Group

A total of \$511,284 was expensed to pay for two attorneys 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.

Attachments

1. Attachment 1: State Trial Court Improvement and Modernization Fund: 2019–20 Resources
2. Attachment 2: State Trial Court Improvement and Modernization Fund: 2019–20 Expenses and Encumbrances by Program and Project
3. Attachment 3: State Trial Court Improvement and Modernization Fund: 2019–20 Fund Condition Summary

State Trial Court Improvement and Modernization Fund

2019-20

Resources

Description	Amount
Beginning Fund Balance	\$ 15,864,292
Prior Year Adjustments	5,086,942
Adjusted Beginning Fund Balance	20,951,234
Revenues and Transfers	
<i>Revenues</i>	
50/50 Excess Fees, Fines, and Forfeitures Split	6,982,134
2% Automation Fund	9,356,014
Interest from Surplus Money Investment Fund	1,504,475
Royalties from Publications of Jury Instructions	693,156
Miscellaneous Revenue and Adjustments	60,649
Class Action Residue	1,057,614
<i>Transfers</i>	
Transfer from State General Fund	69,501,000
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	75,164,042
Total Resources	\$ 96,115,276

State Trial Court Improvement and Modernization Fund
2019-20 Expenditures and Encumbrances by Program and Project

Description	Total
<i>Audit Services</i>	\$ 260,648
Audit Services ¹	260,648
<i>Branch Accounting and Procurement</i>	\$ 136,578
Trial Court Procurement	136,578
<i>Budget Services</i>	\$ 694,158
Treasury Services - Cash Management ¹	279,804
Trial Court Performance Measures Study	7,993
Budget Focused Training and Meetings	14,622
Revenue Distribution Training	6
Centralized Rent for IMF Staff	391,733
<i>Education Programs</i>	\$ 1,129,167
New Judge Education	731,559
Primary Assignment Orientation (PAO) Courses for Experienced Judges	9,581
Continuing Judicial Education for Experienced Judges	220,899
Court Manager and Supervisor Education	11,045
Court Personnel Education	70,586
Faculty Development	65,298
Distance Learning	20,199
<i>Programs for Families and Children</i>	\$ 5,907,692
Domestic Violence Forms Translation	17,000
Self-Help Centers	5,000,000
Self-Help Document Assembly Programs	60,000
Shriver Civil Counsel	520,692
Statewide Multidisciplinary Education	67,000
Statewide Support for Self-Help Programs	100,000
Court Interpreter Program (Testing, Development, Recruitment and Education)	143,000
<i>Human Resources Services</i>	\$ -
Trial Court Labor Relations Academies and Forums	-

State Trial Court Improvement and Modernization Fund
2019-20 Expenditures and Encumbrances by Program and Project

Description	Total
<i>Information Technology Services</i>	\$ 65,105,102
California Courts Protective Order Registry (CCPOR) - ROM ²	697,985
California Courts Technology Center (CCTC) ²	8,912,527
Case Management Systems,V3 Transition, Civil, Small Claims, Probate and Mental Hea	2,609,963
Data Integration ²	2,632,587
Interim Case Management Systems	391,813
Jury Management Systems	391,645
Phoenix Project	119,814
Statewide Planning and Development Support	4,345,520
Telecommunications Support/Telecom BCP	17,249,593
Uniform Civil Fees System (UCFS) ¹	145,286
Digitizing Courts	4,851,999
CMS Replacement	22,756,370
<i>Legal Services</i>	\$ 1,622,730
Judicial Performance Defense Insurance	1,107,920
Jury System Improvement Projects	3,526
Regional Office Assistance Group ¹	511,284
Total Expenditures and Encumbrances	\$ 74,856,075

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 2019-20 Fund Condition Summary	
Description	Amount
Total Resources	\$ 96,115,276
Program/Project Area	
Audit Services	260,648
Branch Accounting and Procurement	136,578
Budget Services	694,158
Education Programs	1,129,167
Programs for Families and Children	5,907,692
Human Resources Services	-
Information Technology Services	65,105,102
Legal Services	1,622,730
Subtotal, Expenditures and Encumbrances	\$ 74,856,075
Pro-rata, Statewide General Administrative Services	105,746
Total Expenditures, Encumbrances, and Pro-Rata	\$ 74,961,821
Fund Balance	\$ 21,153,455