

JUDICIAL COUNCIL OF CALIFORNIA

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

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 21-166 For business meeting on November 19, 2021

Title

Report to the Legislature: Annual Report on Contracts for the Trial Courts for the Fiscal Year Ended June 30, 2021

Submitted by Judicial Council staff Doug Kauffroath, Director Branch Accounting and Procurement Agenda Item Type Information Only

Date of Report September 30, 2021

Contact Doug Kauffroath, 916-263-2872 <u>doug.kauffroath@jud.ca.gov</u>

Executive Summary

Public Contract Code section 19209 and the *Judicial Branch Contracting Manual* require that the Judicial Council submit a report annually to the Joint Legislative Budget Committee and the State Auditor to provide information related to contracts and payments for the trial courts. The report includes a list of vendors and contractors as required by section 19209(b). The report further identifies the amounts of payments to the contractors and vendors, the types of services and goods provided, and the trial courts with which the contractors and vendors contracted to provide those goods and services. The report summary also includes a list of all amended contracts as required by section 19209(c), identifying the vendors, contractors, and types of services and goods provided under the contract, including any changes to the contract value, type of services or goods, or contract. Therefore, in compliance with this Public Contract Code mandate, Judicial Council staff submitted this report on September 30, 2021.

Relevant Previous Council Action

At its August 26, 2011, business meeting, the Judicial Council approved the *Judicial Branch Contracting Manual* (JBCM), which included the requirement for the preparation of two semiannual reports and their submission to the Joint Legislative Budget Committee and the State Auditor. Reports submitted prior to August 1, 2017, were approved at Judicial Council meetings or through circulating orders. Reports submitted beginning August 1, 2017, were submitted to the Judicial Council as information-only items at the meetings immediately following the statutory due dates of the reports.

Analysis/Rationale

Statutory requirement

The Judicial Branch Contract Law (JBCL; Pub. Contract Code, §§ 19201–19210), enacted March 24, 2011, requires judicial branch entities to comply with the provisions of Public Contract Code section 19206 applicable to state agencies and departments related to the procurement of goods and services. The JBCL applies to all contracts initially entered into or amended by judicial branch entities on or after October 1, 2011. The JBCL also requires the council to adopt a judicial branch contracting manual containing policies and procedures applicable to judicial branch entities related to the procurement of goods and services. The Judicial Council, on August 26, 2011, adopted the manual, which incorporates policies and procedures consistent with the Public Contract Code and, as the code requires, is "substantially similar to the provisions contained in the State Administrative Manual and the State Contracting Manual."

Reporting requirement

Assembly Bill 3364 (Stats. 2020, ch. 36), approved August 31, 2020, changed the requirement for the Judicial Council from providing two semiannual reports to providing one annual report, by no later than September 30 for the prior fiscal year. The JBCL requires the Judicial Council to provide a report to the Joint Legislative Budget Committee and the State Auditor once each year to provide information related to contracts and payments for the trial courts under Public Contract Code section 19209. The annual report must contain specific information, including a list of vendors and contractors as required by section 19209(b), the amounts of payments to the contractors and vendors, the types of services and goods provided, and the trial courts with which the contractors and vendors contracted to provide those goods and services. The report also includes a list of all amended contracts as required by section 19209(c), identifying the vendors, contractors, and types of services and goods provided under the contract, including any changes to the contract value, type of services or goods, or contract.

The responsibilities for each judicial branch entity are specified in the JBCM manual generally as follows:

- **Trial courts:** The Phoenix Financial System (Phoenix) is the source of information for compiling reports relating to payments during a reporting period by each trial court to vendors, and relating to contracts between vendors and each court. Each trial court is responsible for ensuring that information in Phoenix relating to payments to, and contracts with, that court's vendors is accurate, consistent, and complete.
- **Judicial Council:** The Judicial Council's Branch Accounting and Procurement office is responsible for maintaining and providing accurate, consistent, and complete information relating to payments to, and contracts with, vendors of the Judicial Council.

Contents of the report

The annual report includes a list of all vendors that received a payment from a trial court during the reporting period. During the current reporting period, the Judicial Council is reporting 21,942 payments representing \$453.4 million for trial courts. For each vendor, the report includes the following information:

- The trial court(s) that contracted for the goods or services;
- The amount of payment; and
- The type of services or goods provided.

The report also includes a list of all trial court contracts that were executed or amended during the reporting period. The report contains the following information by vendor for each distinct contract that was amended:

- The name of the vendor;
- The type of services or goods provided;
- The nature of any amendment;
- The duration of any amendment; and
- The value of any amendment.

Assembly Bill 3364 removed the requirement for the Judicial Council to provide information related to contracts and payments for non-trial court judicial branch entities. As required by Public Contract Code section 19209, judicial branch entities using FI\$Cal "shall participate with the state's transparency effort by making their contract and payment information available for the state's transparency websites on a rolling basis." Each judicial branch entity "shall ensure their contract and payment information is entered in FI\$Cal to the state transparency websites and for state department audit purposes." The Branch Accounting and Procurement office assists judicial branch entities with their responsibilities for entering this information.

Fiscal Impact and Policy Implications

It is important that each judicial branch entity maintain and provide accurate and consistent information so that the annual reports provided by the Judicial Council contain accurate and complete information. All judicial branch personnel involved in maintaining and providing the necessary information must have the training, experience, level of responsibility, and accountability necessary to ensure the accuracy, completeness, and consistency of the information maintained and provided. No adverse policy implications will result from acceptance or approval of these reports.

The reports impose no specific implementation requirements or costs, other than the requirement to disclose the attached audit reports through online publication.

Attachments and Links

1. Attachment A: Annual Report on Contracts for the Trial Courts for the Fiscal Year Ending June 30, 2021

2. Link A: Trial court reports from July 1, 2020, through June 30, 2021 (*Trial Court Contract Report* and *Trial Court Payment Report*), <u>http://www.courts.ca.gov/7466.htm</u>



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MR. MARTIN HOSHINO Administrative Director Judicial Council

JUDICIAL COUNCIL OF CALIFORNIA

September 30, 2021

Hon. Nancy Skinner Chair, Joint Legislative Budget Committee State Capitol, Room 5019 Sacramento, California 95814

Ms. Elaine M. Howle California State Auditor 621 Capitol Mall, Suite 1200 Sacramento, California 95814

Re: Annual Report on Contracts for the Trial Courts for the Fiscal Year Ending June 30, 2021, as required under Public Contract Code section 19209

Dear Senator Skinner and Ms. Howle:

Pursuant to the requirements under Public Contract Code section 19209, the Judicial Council is submitting the attached report on new contracts, contract payments to vendors from trial courts, and contract amendments during the reporting period July 1, 2020, through June 30, 2021.

If you have any questions related to this report, please contact Mr. Doug Kauffroath, Director, Branch Accounting and Procurement, at 916-263-2872, or <u>doug.kauffroath@jud.ca.gov</u>.

Sincerely,

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Administrative Director Judicial Council

Hon. Nancy Skinner Ms. Elaine M. Howle September 30, 2021 Page 2

MH/RD/TM/es

Attachment cc: Cara L. Jenkins, Legislative Counsel Erika Contreras, Secretary of the Senate Sue Parker, Chief Clerk of the Assembly 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 Gabriel Petek, Legislative Analyst, Legislative Analyst's Office Jessie Romine, Budget Analyst, Department of Finance Margie Estrada, Chief Counsel, Senate Judiciary Committee Mary Kennedy, Chief Counsel, Senate Public Safety Committee Christopher Francis, Consultant, Senate Budget and Fiscal Review Committee Shaun Naidu, Consultant, Senate Appropriations Committee Hans Hemann, Principal Consultant, Joint Legislative Budget Committee Eric Csizmar, Consultant, Senate Republican Policy Office Matt Osterli, Consultant, Senate Republican Fiscal Office Morgan Branch, Consultant, Senate Republican Policy Office Alison Merrilees, Chief Counsel, Assembly Judiciary Committee Gregory Pagan, Chief Counsel, Assembly Public Safety Committee Sandy Uribe, Chief Counsel, Assembly Public Safety Committee Jennifer Kim, Consultant, Assembly Budget Committee Jay Dickenson, Chief Consultant, Assembly Appropriations Committee Kimberly Horiuchi, Principal Consultant, Assembly Appropriations Committee Lyndsay 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 Cory T. Jasperson, Director, Governmental Affairs, Judicial Council Fran Mueller, Deputy Director, Budget Services, Judicial Council Zlatko Theodorovic, Deputy Director, Budget Services, Judicial Council Jenniffer Herman, Administrative Coordinator, Governmental Affairs, Judicial Council



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MR. MARTIN HOSHINO Administrative Director Judicial Council

JUDICIAL COUNCIL OF CALIFORNIA

Report title:	Annual Report on Contracts for the Trial Courts for the Fiscal Year Ending June 30, 2021
Statutory citation:	Public Contract Code section 19209
Date of report:	September 30, 2021

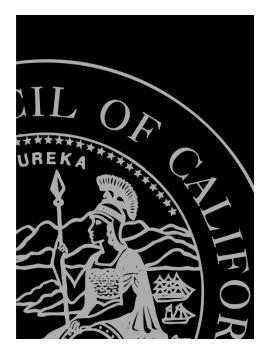
The Judicial Council has submitted a report to the Legislature in accordance with Public Contract Code section 19209. The following summary of the report is provided under the requirements of Government Code section 9795.

The Judicial Branch Contract Law (JBCL), enacted March 24, 2011, requires judicial branch entities to comply with the provisions of the Public Contract Code applicable to state agencies and departments related to the procurement of goods and services.

The JBCL also requires the Judicial Council to report to the Joint Legislative Budget Committee and the State Auditor annually on contracting activities by trial courts. The reports contain specific information, including details about payments received by vendors and contractors and their associated contracts, contract amendments entered into by trial courts with vendors or contractors, and the nature of the services or goods provided under the reported contracts and amendments. Additionally, the JBCL requires judicial branch entities using the Financial Information System for California (FI\$Cal) to make their contract and payment information available to the state's transparency website.

This report covers the period of July 1, 2020, through June 30, 2021. The report lists contracts associated with these payments, as well as contracts with amendments.

The full report can be accessed at <u>www.courts.ca.gov/7466.htm</u>. A printed copy of the report may be obtained by contacting Mr. Doug Kauffroath, Director, Branch Accounting and Procurement, at 916-263-2872 or <u>doug.kauffroath@jud.ca.gov</u>.



Annual Report on Contracts for the Trial Courts for the Fiscal Year Ending June 30, 2021

REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE STATE AUDITOR AS REQUIRED BY PUBLIC CONTRACT CODE SECTION 19209

September 30, 2021



JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATIVE DIVISION

JUDICIAL COUNCIL OF CALIFORNIA

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Chief Justice of California and Chair of the Judicial Council

Martin Hoshino

Administrative Director Judicial Council

ADMINISTRATIVE DIVISION

John Wordlaw Chief Administrative Officer

BRANCH ACCOUNTING AND PROCUREMENT Doug Kauffroath

Director

Tracy Matthews

Supervisor and Primary Author of Report

Introduction

The Judicial Council submits this report to the Joint Legislative Budget Committee and the California State Auditor under Public Contract Code section 19209 to provide information related to contracts and payments for the trial courts. The report includes a list of vendors and contractors as required by section 19209(b). The report further identifies the amounts of payments to the contractors and vendors, the types of services and goods provided, and the trial courts with which the contractors and vendors contracted to provide those goods and services. The report summary also includes a list of all amended contracts as required by section 19209(c), identifying the vendors, contractors, and types of services and goods provided under the contract, including any changes to the contract value, type of services or goods, or contract.

The report is developed annually, covering the state fiscal year ending June 30. This report covers the period from July 1, 2020, through June 30, 2021.

Contracts excluded from the report

Public Contract Code section 19204(c) provides that the Judicial Branch Contract Law (JBCL; Pub. Contract Code, §§ 19201–19210) "does not apply to procurement and contracting by judicial branch entities that are related to trial court construction, including, but not limited to, the planning, design, construction, rehabilitation, renovation, replacement, lease, or acquisition of trial court facilities." This section also states that the JBCL "shall apply to contracts for maintenance of all judicial branch facilities that are not under the operation and management of the Department of General Services." Appropriate exclusions and inclusions based on the above subdivisions have been made in this report.

Also excluded from the report are the following contracts, which are unique to the trial courts and not subject to the JBCL:

- Contracts (often referred to as memorandums of understanding) between a trial court and the sheriff for court security services;
- Contracts between a court and a court *reporter*, when the court reporter provides services as an independent contractor; and
- Contracts between a court and a court *interpreter*, when the court interpreter provides services as an independent contractor.

Non-Trial Court Data

In July 2018, the judicial branch implemented the Financial Information System for California (FI\$Cal) for all entities other than the trial courts. The entities on FI\$Cal include the Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council.

Under Public Contract Code section19209(a), procurement and payment transactions for the Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and Judicial Council of California are available on the state's transparency websites, where summary or detailed data can be downloaded into an Excel format.

- Procurement transactions are available on the California eProcure website at https://suppliers.fiscal.ca.gov/psc/psfpd1/SUPPLIER/ERP/c/ZZ_PO.ZZ_SCPRS1_CMP.GBL? FolderPath=PORTAL_ROOT_OBJECT.ZZ_FISCAL_SCPRS.ZZ_SCPRS1_CMP_GBL&IsFol der=false&IgnoreParamTempl=FolderPath%2cIsFolder. The judicial branch's department number is 0250. Date ranges can be used on the site to limit the volume of information returned.
- Payment transactions are available on the State of California transparency website at *https://fiscalca.opengov.com*. All the entities listed above are included under the judicial branch portion of data. Date ranges can be entered at the top of the page to limit the volume of information returned.

Trial Court Data

The information that relates to trial court contracting is extracted from the Phoenix Financial System. This information includes the following reports:

- Trial Court Payment Report; and
- Trial Court Contract Report.

Table 1 explains the format of the reports and describes the data elements.

 Table 1. Trial Court Contract Reports: Comparison of Required Data Elements with Actual Reports

 to Report Under Public Contract Code Section 19209

		Data Element Column Heading
Report	Required to Be Reported by Statute	Trial Court Reports
Payment Report	 Vendors and contractors receiving any payment. Identify the: Amount of payment to the contractor or vendor; Type of service or good provided; and Judicial branch entity (JBE) or entities with which the vendor or contractor was contracted to provide that service or good. 	 Vendor Name Vendor ID Contract Number Total Payment Amount Goods/Services JBE/Court
Contract and Contract Amendment Report	 Report each distinct contract between the vendor or contractor and a judicial branch entity. For all contract amendments made, identify: Vendor or contractor; Type of service or good provided under the contract; Nature of the amendment; Duration of the amendment; and Cost of the amendment. 	 Court Contract Number Vendor ID Vendor Name Last Reported Contract Value Contract Value (New) Contract Value (Changed) Goods/Services Goods/Services (Changed) Contract Duration (New) Contract Duration (Changed)

Statistics

Tables 2 and 3, below, provide statistical information for the July 1, 2020, through June 30, 2021, reporting period. Note that the tables may include totals that do not equal 100 percent because of rounding.

Table 2 provides an overall summary of contracts and payments for the reporting period.

Table 2. Overall Contract and Pa	vmont Statistics July	v 1 2020 through	nh June 30 2021
Table 2. Overall Contract and Fa	yment Statistics, July	y 1, 2020, unou	yn June 30, 2021

	Trial Courts
Payments:	
Number	21,942
Dollar amount	\$453.4 million
Number of associated contracts	11,872
Contracts:	
New contracts	7,878*
Value of new contracts	\$223.3 million*
Contracts with amendments	2,039
Value of amendments	\$92.4 million**
* Includes new contracts executed during reporting period.	
** Includes existing contracts with amendments execut	ed during reporting period.

Table 3 provides a summary of all payments for goods and services by the trial courts during this reporting period. The table shows 21,942 payments representing approximately \$453.4 million associated with 11,872 contracts.

Table 3. Trial Court Payment Statistics, Goods, and Services Detail Summary, July 1, 2020, throughJune 30, 2021

Goods/Services	No. of Payments	Value (\$)	No. of Contracts
ADVERTISING	109	224,877.00	35
BANKING AND INVESTMENT SERV	10	70,860.16	3
COLLECTION SERVICES	115	13,604,123.44	59
CONSULTING SERVICES - TEMP	102	2,050,235.39	94
CONSULTING/PROFESSIONAL SVCS	3	1,028,837.18	2
CONTRACTED SERVICES	121	3,281,702.97	94
COUNTY-PROVIDED SERVICES	190	42,563,406.86	158
COURT APPOINTED COUNSEL CHA	491	57,369,028.31	108
COURT INTERPRETER SERVICES	2,897	22,106,722.35	333
COURT ORDERED PROFESSIONAL	1,378	12,870,968.65	869
COURT REPORTER SERVICES	212	2,882,052.65	13
COURT TRANSCRIPTS	2,127	12,093,126.76	31
DUES AND MEMBERSHIPS	220	329,124.86	34
EQUIPMENT MAINTENANCE	327	2,982,020.96	269
EQUIPMENT RENTAL/LEASE	174	5,611,268.38	114
EQUIPMENT REPAIRS	231	1,560,656.52	199
FACILITIES OPERATION	21	19,522.52	21
FEES/PERMITS	160	6,776,506.38	55
FREIGHT AND DRAYAGE	18	2,708.61	7
GENERAL CONSULTANT AND PROF	774	35,186,940.12	483
GENERAL EXPENSE	11	88,619.04	1
GENERAL EXPENSE - SERVICE	423	4,370,381.64	288
GROUNDS	30	329,229.97	15
INFORMATION TECHNOLOGY	15	826,594.27	15
INSURANCE	151	2,438,574.69	56
INVESTIGATIVE SERVICES	141	593,737.96	52
IT COMMERCIAL CONTRACT	246	20,264,846.72	202
IT INTER-JURISDICTIONAL CON	35	1,616,334.88	20
IT MAINTENANCE	706	20,207,914.62	613
IT OTHER	77	2,222,911.09	58
IT REPAIRS/SUPPLIES/LICENSE	1,152	28,352,615.14	991
JANITORIAL	304	22,738,506.33	215
JUROR COSTS	7	1,861.56	
LABORATORY EXPENSE	38	73,315.33	18
LEGAL	162	3,576,884.53	98
LIBRARY PURCHASES AND SUBSC	605	11,452,944.86	362

Goods/Services	No. of Payments	Value (\$)	No. of Contracts
MAINTENANCE AND SUPPLIES	304	5,698,679.46	225
MAJOR EQUIPMENT	201	11,770,808.15	192
MEDIATORS/ARBITRATORS	173	1,905,246.31	33
MEETINGS, CONFERENCES, EXHI	73	101,571.27	21
MINOR EQUIPMENT - UNDER \$5K	1,651	22,931,424.08	1,480
OFFICE EXPENSE	2,502	8,968,312.10	2,126
OTHER CONTRACT SERVICES	51	2,825,841.97	36
OTHER FACILITY COSTS - GOODS	231	549,976.55	191
OTHER FACILITY COSTS - SERV	78	964,772.45	44
OTHER ITEMS OF EXPENSE	14	31,048.70	10
OTHER TRAVEL EXPENSE	1	7.00	
OTHER - SPECIAL ITEMS OF EXPENSE	1	329.26	
PHOTOGRAPHY	7	45,689.44	6
POSTAGE	30	1,545,007.40	12
POSTAGE METER	82	5,636,704.97	42
PRINTING	621	3,950,918.34	518
RENT/LEASE	98	4,378,553.59	53
SECURITY	165	16,742,294.57	119
SHERIFF	567	2,236,958.37	19
STAMPS, STAMPED ENVELOPES	241	5,352,233.11	117
TELECOMMUNICATIONS	677	14,641,438.01	461
TRAINING	228	598,689.88	105
UNIFORM ALLOWANCE	8	18,289.69	8
VEHICLE OPERATIONS	155	702,348.92	69
Grand Total	21,942	\$453,367,106.29	11,872

Because of their size, the detailed reports, including any explanatory footnotes, are posted online separately for access and review. The reports can be accessed here:

• http://www.courts.ca.gov/7466.htm

Report Information

Trial Court Contract Report

The Phoenix Financial System is not configured to collect information about contracts in a manner that precisely matches the statutory reporting requirements. Below are some key factors to consider when reviewing the contract data related to the trial courts:

• The *Trial Court Contract Report* includes all contracts and amendments completed within the reporting period because including all contracts is more cost-effective than developing a report that includes distinct contracts for only the vendors who received more than one payment in the reporting period. "Vendor" is used synonymously with "contractor" in the report.

- Goods/services descriptions are determined by the general ledger account(s) entered in the system.
- The only amendment descriptions that can be reported are changes in the overall value or duration of an agreement, or changes in the goods or services provided.
- As with most enterprise resource planning systems, the Phoenix Financial System cannot distinguish between a true amendment and an error correction. The Judicial Council of California relies on the trial courts to manually identify error corrections for omission from this report.

Table 4 contains a list of the report fields and their descriptions.

Table 4. Trial	Court Contract Report Field Names and Descriptions
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Field Name	Field Description
Court	Judicial branch entity (JBE), specifically the name of the trial court with the associated contract.
Contract	Unique identifier for the contract; can be system generated or a court-specific number.
Vendor ID	Unique identifier for the vendor; can be system generated or a court-specific vendor identifier.
Vendor Name	Name of the vendor.
Last Reported Contract Value	The most recently reported contract value, when the transaction record is for a contract that has been previously reported. (Only contracts created or amended after January 1, 2012, have been reported.)
Contract Value (New)	Known or estimated original contract value, when the transaction record is for a new contract.
Contract Value (Changed)	The increase or decrease to the contract value, if the contract value changed within the reporting period, which may occur in the same reporting period as a new contract.
Goods/Services	A description of the goods/services based on the general ledger accounts associated with the contract, when the transaction record is for an original contract. (The goods/services are rolled up from subaccounts, so descriptions may appear to be duplicates but are actually separate subaccounts in the rolled-up category.)
Goods/Services (Changed)	A description of the changed goods/services based on the general ledger accounts associated with the contract, when the transaction record refers to an amendment to the goods/services. (The goods/services are rolled up from subaccounts, so descriptions may appear to be duplicates but are actually separate subaccounts in the rolled-up category.)
Contract Duration (New)	When the transaction record is for an original contract, the original contract duration, represented in months or a fraction thereof.
Contract Duration (Changed)	When the transaction record refers to an amendment to the current contract duration, the increase or decrease to the contract duration, represented in months or a fraction thereof.

Trial Court Payment Report

Below are some key factors to consider when reviewing the payment data:

- Goods/services descriptions are determined by the general ledger account(s) entered in the system.
- A single payment may have multiple lines of data in the file if the payment is for multiple goods or services. Simple sorting by contract number keeps these records together. The reports can also be sorted by court/JBE or by vendor.

Table 5 contains a list of the report fields and their descriptions.

Field Name	Field Description	
Court	Name of the trial court making the payment.	
Contract Number	Unique identifier for the contract under which the payment was made. (If the payment was not associated with a contract, this field will be blank.)	
Goods/Services	Description of the goods/services based on the general ledger account associated with the payment. (The goods/services are rolled up from subaccounts, so descriptions may appear to be duplicates but are actually separate subaccounts in the rolled-up category.)	
Vendor ID	Unique identifier for the vendor.	
Vendor Name	Name of the vendor.	
Total Payments	Total payments to a vendor, reported by court, contract, and goods/services under the contract. (Data can be sorted in various ways to obtain totals by court, vendor, contract, goods/services, etc.)	

Table 5. Trial Court Payment Report Field Names and Descriptions