



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on January 15, 2019

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Title	Agenda Item Type
Trial Court Budget: 2018–19 Allocation Methodology of New Judgeships	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	January 15, 2019
Recommended by	Date of Report
Trial Court Budget Advisory Committee Hon. Jonathan B. Conklin, Chair	November 29, 2018
	Contact
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### **Executive Summary**

The Budget Act of 2018 (Stats. 2018, ch. 29) provided ongoing funding to support two new judgeships in the Superior Court of Riverside County. The Trial Court Budget Advisory Committee recommends that the Judicial Council approve the 2018–19 funding allocation of \$1.896 million to the Superior Court of Riverside County for general trial court operations, as directed in provisional language.

### **Recommendation**

The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council, effective January 15, 2019, approve \$1.896 million to be allocated to the Superior Court of Riverside County for general trial court operations in support of the two new judgeships provided in 2018–19.

### **Relevant Previous Council Action**

Allocation of trial court funds is one of the principal responsibilities of the Judicial Council. The council approves preliminary trial court base allocations annually in July of each fiscal year.

Government Code section 68502.5(c)(2)(A) requires the council to make a preliminary allocation for the trial courts in July of each fiscal year and a final allocation in January.

On July 20, 2018, the council approved \$1.940 billion, or 96 percent of the fiscal year 2018–19 base allocations for the trial courts. On September 21, 2018, the council approved an additional \$75.0 million in new discretionary funding provided in the Budget Act of 2018.

### **Analysis/Rationale**

The \$2.92 million appropriated by the Legislature in the Budget Act of 2018 included the following provisional language:

Of the funds appropriated in this item, \$2,920,000 shall be available for expenses associated with two judgeships in Riverside County Superior Court.

Of this amount, \$1.896 million is provided for general trial court operations support.

### **Current funds disbursement processes**

#### ***Judges' salaries***

Riverside superior court judges are paid through the county. The county submits paper claim schedules to the State Controller's Office to receive reimbursement for costs related to judges' salaries and benefits. As a result, the \$768,000 for compensation is excluded from this recommendation.

#### ***Court interpreters***

Court interpreter costs are allocated and reimbursed through the monthly Trial Court Trust Fund distribution process. Allocated funds are distributed to courts on a monthly basis for staff interpreter salary and benefit costs for authorized positions as reported by the courts on their Schedule 7A. Additionally, courts are reimbursed for actual expenditures for qualifying actual costs incurred during the applicable period pending available funding. As a result, the \$256,000 for court interpreters is excluded from this recommendation.

#### ***Support for trial court operations***

In order to comply with the statutory provision in the Budget Act of 2018, the Judicial Council needs to approve the allocation of the remaining \$1.896 million in general support for trial court operations.

### **Policy implications**

The TCBAC believes this recommendation is consistent with the provisional budget language that states that funding be available to support two new judgeships in the Superior Court of Riverside County.

**Comments**

Public comment was received by the Funding Methodology Subcommittee from Presiding Judge Rebecca Lynn Dugan, Superior Court of Riverside County, in support of the allocation from the TCTF to the Riverside court on October 18, 2018. No public comment was received when this item was considered by the TCBAC on November 13, 2018.

**Alternatives considered**

An alternative considered was to use the Workload-Based Allocation and Funding Methodology approved by the Judicial Council in January 2018 to allocate trial court operations funds. However, given the provisional language, this alternative would be inconsistent with the Budget Act of 2018.

**Fiscal and Operational Impacts**

If the recommendation to allocate funds is not approved, the Superior Court of Riverside County will not be able to support the two new judgeships provided in the Budget Act of 2018.