Judicial Council *of* California

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CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-26-02

Allocations and Reimbursements to Trial Courts: Pretrial Release Funding and Allocation Methodology

Circulating Order Details

Rules, Forms, Standards, or Statutes Affected
None

Recommended by
Trial Court Budget Advisory Committee
Hon. Jonathan B. Conklin (Ret.), Chair
Ms. Rebecca Fleming, Vice-Chair

Action Requested
VOTING MEMBERS ONLY: Submit votes by responding to the transmittal email.

Please Respond by
August 24, 2026

Date of Report
August 12, 2026

Contact
Deirdre Benedict, 415-865-7543
deirdre.benedict@jud.ca.gov

Public Comment
Public comments for this Judicial Council action are accepted in writing until noon, on August 17, 2026, at judicialcouncil@jud.ca.gov.

California Rules of Court, rules 10.5(h) and 10.13(d) allow the Judicial Council to act on business between meetings, including urgent matters, by circulating order. This memorandum is not a Judicial Council meeting; circulating orders are conducted via electronic communications. Prior public notice of a proposed circulating order is not required.

Executive Summary

The Trial Court Budget Advisory Committee recommends approving the fiscal year 2026–27 supplemental pretrial release funding of $20 million General Fund for the trial courts. The Judicial Council approved the initial allocations of $48.95 million on July 17, 2026. Funding

through the pretrial release program provides for the operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.

Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council approve fiscal year 2026–27 supplemental pretrial release allocations of $20 million General Fund for the trial courts in accordance with methodologies outlined in the Budget Act of 2026 (Assem. Bill 109; Stats. 2026, ch. 19) and amended by Senate Bill 111 (Stats. 2026, ch. 21), including minimum funding floors.

Recommendations were reviewed by the Judicial Branch Budget Committee on August 6, 2026, and approved for consideration by the Judicial Council.

Relevant Previous Council Action

Beginning in fiscal year (FY) 2021–22, the Judicial Council has reviewed and approved annual allocations to the Pretrial Release Program. For FY 2021–22, allocations of $137.9 million General Fund for the trial courts were approved by the council on October 1, 2021, in accordance with methodologies outlined in Senate Bill 129 (Stats. 2021, ch. 69) and included minimum funding floors (see Link A). As required in the legislation, half of the approved FY 2021–22 funding ($68.95 million) was distributed to the 41 courts that had not received Pretrial Pilot Program funding provided in the Budget Act of 2019 (Assem. Bill 74; Stats. 2019, ch. 23). The remaining $68.95 million was distributed to all courts. The council has since approved annual allocations to the Pretrial Release Program.

The Budget Act of 2025 (amended by Assem. Bill 102; Stats. 2025, ch. 5) reduced the appropriation by $5 million, resulting in a new allocation to the trial courts of $63.95 million (see Link B). Following enactment of the Budget Act of 2025, the council approved the FY 2025–26 allocations to the trial courts on September 2, 2025, via circulating order.

The Budget Act of 2026 originally allocated $48.95 million to the Pretrial Release Program (see Link C). The Judicial Council approved these allocations at its meeting on July 17, 2026. See Attachment A for the breakdown of these approved allocations.

Analysis/Rationale

The Budget Act of 2026 allocated $48.95 million to the program, a reduction of $15 million from the prior fiscal year. Shortly after its enactment, the Budget Act of 2026 was amended by SB 111, which appropriated a supplemental $20 million to the program and fully restored the program allocation to $68.95 million (see Link D). Funding through the Pretrial Release Program is intended to be distributed to the courts for the operation of ongoing court programs and

practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.[1]

Each court may retain up to 30 percent of the funding for costs associated with pretrial programs and practices. Courts are required to contract for pretrial services with their county's probation department—or any county department or agency other than those that have primary responsibility for making arrests or prosecuting criminal offenses—and provide those departments with the remainder of the funds.[2]

The Judicial Council is required to distribute funds annually to all courts based on each county's relative proportion of the state population that is 18 to 25 years of age. The updated budget available to the courts for the Pretrial Release Program under SB 111 is $68.95 million. These funds must be encumbered or expended by June 30, 2027. See Attachment B for the breakdown of the proposed allocations of the supplemental $20 million.

Funding floor

In prior years, the pretrial release allocations approval requests to the Trial Court Budget Advisory Committee (TCBAC) included a recommendation to provide small and small-medium courts with a $200,000[3] funding floor with a commitment from Judicial Council staff to monitor and evaluate the impact of and necessity for the floor and return to the committee with a recommendation to either rescind or adjust the floor. The funding floor allocations allow small and small-medium courts to implement and operate pretrial programs that promote court appearance and public safety. If small and small-medium courts are limited to their unadjusted allocations, all of them are likely to operate their programs in a deficit.

At its business meeting on July 17, 2026, the Judicial Council approved initial funding floor allocations of $141,987 for FY 2026–27 for all funding floor courts.[4] The updated funding floor allocation of $141,987 reflected a proportional reduction of the $20 million decrease to the original program allocation, from $68.95 million to $48.95 million.

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[1] Senate Bill 111 allocates $1.05 million to the Judicial Council for administrative costs. This cost is separated from the overall allocation of $68.95 million.

[2] Senate Bill 111 specifically provides that the Superior Court of Santa Clara County may contract with the Office of Pretrial Services in that county, and that the Superior Court of San Francisco County may contract with the sheriff's office and the existing not-for-profit entity that is performing pretrial services in the city and county for pretrial assessment and supervision services.

[3] The original funding floor allocation of $200,000 is equivalent to the funding floor used in the funding methodology in the California Community Corrections Performance Incentives Act of 2009. (Sen. Bill 678; Stats. 2009, ch. 608.) In FY 2023–24, after an annual spending survey of the funding floor courts, staff implemented a sliding-scale model to more effectively allocate the funding based on individual court needs.

[4] The Superior Courts of Alpine, Amador, Calaveras, Colusa, Del Norte, Glenn, Inyo, Lake, Lassen, Mariposa, Mendocino, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, and Yuba Counties have previously received funding floor allocations.

Specific to the supplemental $20 million included under SB 111, staff recommend that 22 courts receive the full funding floor of $200,000 and 1 court receive a funding floor of $150,000.[5]

Staff will continue to monitor and evaluate small and small-medium courts to determine if the recommended floor allocations provide the necessary resources for the courts to meet the mandates of the Pretrial Release Program. Staff will suggest recommendations to adjust the funding floor to the TCBAC and Judicial Branch Budget Committee, as needed.

Policy implications

No policy implications are associated with this report.

Comments

Public comments were not solicited for this proposal because the recommendations are within the Judicial Council's purview to approve without circulation.

Alternatives considered

Staff considered eliminating the funding floor recommendations, but this alternative is not advisable. In FY 2025–26 more than half the courts that received a funding floor expended over 100 percent of their unadjusted allocation. These courts would not have enough funding to continue operating their pretrial programs without the funding floor adjustments.

Fiscal and Operational Impacts

SB 111 allocates $1.05 million to the Judicial Council for costs associated with implementing, supporting, and evaluating pretrial programs in courts. Council staff continue to assist courts with legal, educational, and technical support to help courts operate their pretrial programs and meet the legislative requirements.

Attachments and Links

1. Attachment A: Approved FY 2026–27 Pretrial Release Program Allocations for Initial $48.95 Million
2. Attachment B: Proposed FY 2026–27 Pretrial Release Program Allocations for Supplemental $20 Million
3. Attachment C: Total FY 2026–27 Pretrial Release Program Allocations
4. Link A: Sen. Bill 129
5. Link B: Assem. Bill 102
6. Link C: Assem. Bill 109
7. Link D: Sen. Bill 111
8. Voting instructions, at page 12
9. Vote and signature pages, at pages 13–14

[5] In prior fiscal years, the Superior Court of Amador County voluntarily agreed to a lower funding floor allocation of $150,000. Following enactment of Senate Bill 111, staff confirmed with the court its intention to continue receiving this level of funding.

Author

Deirdre Benedict
Supervising Analyst, Criminal Justice Services

Approved FY 2026–27 Pretrial Release Program Allocations for Initial $48.95 Million

County	Population 18–24 years old	Percentage of California population 18–24 years old	Approved allocation of $48.95 million ($)
Alameda	130,760	3.72%	1,700,596
Alpine	NA	NA	141,987
Amador	NA	NA	141,987
Butte	30,289	0.86%	393,923
Calaveras	NA	NA	141,987
Colusa	NA	NA	141,987
Contra Costa	92,860	2.64%	1,207,688
Del Norte	NA	NA	141,987
El Dorado	12,593	0.36%	163,778
Fresno	98,003	2.79%	1,274,575
Glenn	NA	NA	141,987
Humboldt	16,209	0.46%	210,806
Imperial	17,729	0.50%	230,574
Inyo	NA	NA	141,987
Kern	90,016	2.56%	1,170,701
Kings	15,901	0.45%	206,800
Lake	NA	NA	141,987
Lassen	NA	NA	141,987
Los Angeles	872,040	24.83%	11,341,293
Madera	15,806	0.45%	205,564
Marin	18,230	0.52%	237,090
Mariposa	NA	NA	141,987
Mendocino	NA	NA	141,987
Merced	32,744	0.93%	425,851
Modoc	NA	NA	141,987
Mono	NA	NA	141,987
Monterey	43,949	1.25%	571,577
Napa	11,123	0.32%	144,660
Nevada	NA	NA	141,987
Orange	282,770	8.05%	3,677,558
Placer	30,238	0.86%	393,259

County	Population 18–24 years old	Percentage of California population 18–24 years old	Approved allocation of $48.95 million ($)
Plumas	NA	NA	141,987
Riverside	231,396	6.59%	3,009,414
Sacramento	132,077	3.76%	1,717,724
San Benito	NA	NA	141,987
San Bernardino	215,164	6.13%	2,798,309
San Diego	320,072	9.11%	4,162,688
San Francisco	54,969	1.56%	714,898
San Joaquin	74,737	2.13%	971,990
San Luis Obispo	41,959	1.19%	545,697
San Mateo	54,440	1.55%	708,018
Santa Barbara	65,938	1.88%	857,555
Santa Clara	164,705	4.69%	2,142,066
Santa Cruz	37,310	1.06%	485,234
Shasta	13,391	0.38%	174,156
Sierra	NA	NA	141,987
Siskiyou	NA	NA	141,987
Solano	37,447	1.07%	487,016
Sonoma	37,982	1.08%	493,974
Stanislaus	52,244	1.49%	679,458
Sutter	NA	NA	141,987
Tehama	NA	NA	141,987
Trinity	NA	NA	141,987
Tulare	48,582	1.38%	631,832
Tuolumne	NA	NA	141,987
Ventura	73,952	2.11%	961,781
Yolo	45,073	1.28%	586,196
Yuba	NA	NA	141,987
TOTAL	**3,512,698**	**100%**	**$48,950,000**

Note: Funding is allocated based on Assembly Bill 109, section 2, item 0250-101-0001, provision 7.

The 18 to 25 age category specified in statute does not match available population data age categories used by the California Department of Finance. The department broke down the 18 to 25 age category into two groups of available data: 15 to 19 years of age and 20 to 24 years of age.

Proposed FY 2026–27 Pretrial Release Program Allocations for Supplemental $20 Million

County	Population 18–24 years old	Percentage of California population 18–24 years old	Proposed allocation of $20 million ($)
Alameda	130,760	3.72%	696,691
Alpine	NA	NA	58,013
Amador	NA	NA	8,013
Butte	30,289	0.86%	161,380
Calaveras	NA	NA	58,013
Colusa	NA	NA	58,013
Contra Costa	92,860	2.64%	494,759
Del Norte	NA	NA	58,013
El Dorado	12,593	0.36%	67,096
Fresno	98,003	2.79%	522,161
Glenn	NA	NA	58,013
Humboldt	16,209	0.46%	86,362
Imperial	17,729	0.50%	94,460
Inyo	NA	NA	58,013
Kern	90,016	2.56%	479,606
Kings	15,901	0.45%	84,721
Lake	NA	NA	58,013
Lassen	NA	NA	58,013
Los Angeles	872,040	24.83%	4,646,240
Madera	15,806	0.45%	84,215
Marin	18,230	0.52%	97,130
Mariposa	NA	NA	58,013
Mendocino	NA	NA	58,013
Merced	32,744	0.93%	174,460
Modoc	NA	NA	58,013
Mono	NA	NA	58,013
Monterey	43,949	1.25%	234,161
Napa	11,123	0.32%	59,263
Nevada	NA	NA	58,013
Orange	282,770	8.05%	1,506,602
Placer	30,238	0.86%	161,109

County	Population 18–24 years old	Percentage of California population 18–24 years old	Proposed allocation of $20 million ($)
Plumas	NA	NA	58,013
Riverside	231,396	6.59%	1,232,880
Sacramento	132,077	3.76%	703,708
San Benito	NA	NA	58,013
San Bernardino	215,164	6.13%	1,146,397
San Diego	320,072	9.11%	1,705,348
San Francisco	54,969	1.56%	292,876
San Joaquin	74,737	2.13%	398,200
San Luis Obispo	41,959	1.19%	223,558
San Mateo	54,440	1.55%	290,057
Santa Barbara	65,938	1.88%	351,319
Santa Clara	164,705	4.69%	877,550
Santa Cruz	37,310	1.06%	198,788
Shasta	13,391	0.38%	71,347
Sierra	NA	NA	58,013
Siskiyou	NA	NA	58,013
Solano	37,447	1.07%	199,518
Sonoma	37,982	1.08%	202,369
Stanislaus	52,244	1.49%	278,357
Sutter	NA	NA	58,013
Tehama	NA	NA	58,013
Trinity	NA	NA	58,013
Tulare	48,582	1.38%	258,846
Tuolumne	NA	NA	58,013
Ventura	73,952	2.11%	394,017
Yolo	45,073	1.28%	240,150
Yuba	NA	NA	58,013
TOTAL	**3,512,698**	**100%**	**$20,000,000**

Note: Funding is allocated based on Senate Bill 111, section 2, item 0250-101-0001, provision 7.

The 18 to 25 age category specified in statute does not match available population data age categories used by the California Department of Finance. The department broke down the 18 to 25 age category into two groups of available data: 15 to 19 years of age and 20 to 24 years of age.

Total FY 2026–27 Pretrial Release Program Allocations

County	Approved allocation of $48.95 million ($)	Proposed allocation of $20 million ($)	Total allocation FY 2026–27 ($)
Alameda	1,700,596	696,691	2,397,287
Alpine	141,987	58,013	200,000
Amador	141,987	8,013	150,000
Butte	393,923	161,380	555,303
Calaveras	141,987	58,013	200,000
Colusa	141,987	58,013	200,000
Contra Costa	1,207,688	494,759	1,702,447
Del Norte	141,987	58,013	200,000
El Dorado	163,778	67,096	230,874
Fresno	1,274,575	522,161	1,796,736
Glenn	141,987	58,013	200,000
Humboldt	210,806	86,362	297,168
Imperial	230,574	94,460	325,034
Inyo	141,987	58,013	200,000
Kern	1,170,701	479,606	1,650,307
Kings	206,800	84,721	291,521
Lake	141,987	58,013	200,000
Lassen	141,987	58,013	200,000
Los Angeles	11,341,293	4,646,240	15,987,533
Madera	205,564	84,215	289,779
Marin	237,090	97,130	334,220
Mariposa	141,987	58,013	200,000
Mendocino	141,987	58,013	200,000
Merced	425,851	174,460	600,311
Modoc	141,987	58,013	200,000
Mono	141,987	58,013	200,000
Monterey	571,577	234,161	805,738
Napa	144,660	59,263	203,923
Nevada	141,987	58,013	200,000
Orange	3,677,558	1,506,602	5,184,160
Placer	393,259	161,109	554,368
Plumas	141,987	58,013	200,000

County	Approved allocation of $48.95 million ($)	Proposed allocation of $20 million ($)	Total allocation FY 2026–27 ($)
Riverside	3,009,414	1,232,880	4,242,294
Sacramento	1,717,724	703,708	2,421,432
San Benito	141,987	58,013	200,000
San Bernardino	2,798,309	1,146,397	3,944,706
San Diego	4,162,688	1,705,348	5,868,036
San Francisco	714,898	292,876	1,007,774
San Joaquin	971,990	398,200	1,370,190
San Luis Obispo	545,697	223,558	769,255
San Mateo	708,018	290,057	998,075
Santa Barbara	857,555	351,319	1,208,874
Santa Clara	2,142,066	877,550	3,019,616
Santa Cruz	485,234	198,788	684,022
Shasta	174,156	71,347	245,503
Sierra	141,987	58,013	200,000
Siskiyou	141,987	58,013	200,000
Solano	487,016	199,518	686,534
Sonoma	493,974	202,369	696,343
Stanislaus	679,458	278,357	957,815
Sutter	141,987	58,013	200,000
Tehama	141,987	58,013	200,000
Trinity	141,987	58,013	200,000
Tulare	631,832	258,846	890,678
Tuolumne	141,987	58,013	200,000
Ventura	961,781	394,017	1,355,798
Yolo	586,196	240,150	826,346
Yuba	141,987	58,013	200,000
TOTAL	**$48,950,000**	**$20,000,000**	**$68,950,000**

Note: Funding is allocated based on Senate Bill 111, section 2, item 0250-101-0001, provision 7. Funding must be spent or encumbered by June 30, 2027.

INSTRUCTIONS FOR REVIEW AND ACTION BY CIRCULATING ORDER

Voting members

- Please reply to the email message with “I approve,” “I disapprove,” or “I abstain,” by noon on **August 24, 2026**.
- If you are unable to reply by noon on **August 24, 2026**, please do so as soon as possible thereafter.

Advisory members

The circulating order is being emailed to you for your information only. There is no need to sign or return any documents.

CIRCULATING ORDER
Judicial Council of California
Voting and Signature Pages

Effective immediately, the Judicial Council approves the Trial Court Budget Advisory Committee recommendation to allocate the fiscal year 2026–27 supplemental pretrial release funding of $20 million General Fund for the trial courts in accordance with the methodologies outlined in the Budget Act of 2026, as amended by Senate Bill 111, including minimum funding floors.

My vote is as follows:

☒ **Approve** ☐ **Disapprove** ☐ **Abstain**

/s/ Patricia Guerrero, Chair	/s/ Mary J. Greenwood
/s/ Maria Lucy Armendariz	 Maureen F. Hallahan
/s/ Bunmi O. Awoniyi	/s/ Maria D. Hernandez
/s/ Stacy Boulware Eurie	/s/ Brad R. Hill
/s/ Carol A. Corrigan	/s/ Rachel W. Hill
/s/ Charles Crompton	 Ash Kalra
/s/ Judith K. Dulcich	/s/ Ann C. Moorman

My vote is as follows:

☒ **Approve** ☐ **Disapprove** ☐ **Abstain**

/s/
Gretchen M. Nelson

/s/
Dena Stone

/s/
Ricardo R. Ocampo

/s/
Thomas J. Umberg

/s/
Craig M. Peters

/s/
Tamara L. Wood

/s/
Michael Rhoads

Date: 8/26/26

Attest:

Michelle J. Curran
Administrative Director and
Secretary of the Judicial Council