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Title

Trial Court Allocations: Funding for General Court Operations and Specific Costs in Fiscal Year 2016-2017 (Action Required)

Summary

For fiscal year (FY) 2016-2017, the Trial Court Budget Advisory Committee recommends the Judicial Council allocate \$1.842 billion to the trial courts from the Trial Court Trust Fund (TCTF) and state General Fund for general court operations and specific costs. The recommended allocations include an allocation of \$1.773 billion in 2016-2017 beginning base funding for general court operations, each court's share of \$28.7 million in new and 2015-2016 funding for noninterpreter employee benefits, \$754,000 for court-provided security costs, a statewide net allocation of \$19.6 million for general court operations using the Workload-Based Allocation and Funding Methodology (WAFM), a net-zero allocation for the WAFM funding-floor adjustment, a preliminary one-time allocation reduction related to the 1 percent cap on trial court fund balances, and one-time allocations of \$9.2 million for criminal justice realignment costs and \$21.4 million in new funding for Proposition 47-related workload costs. Assuming approval of the allocations and given current revenue projections and estimated savings from appropriations, the TCTF will end FY 2016-2017 with a fund balance of \$25.3 million, of which approximately \$4.7 million will be unrestricted.

Recommendation

Based on actions taken at its July 7, 2016 meeting, the Trial Court Budget Advisory Committee (TCBAC) unanimously recommends that the Judicial Council, effective July 29, 2016:

1. Approve the 2016-2017 beginning base allocation for court operations of \$1.773 billion (see Attachment E, column 9), which carries forward the ending 2015-2016 Trial Court Trust Fund base allocation (column 6), and adds the General Fund benefits base allocation (column 7) and adjustments to annualize partial-year allocations made in 2015-2016 (column 8) (see Attachment A, column 1).
2. Allocate each court's share of \$28.7 million in new and FY 2015-2016 funding for non-interpreter employee benefits cost changes from the Trial Court Trust Fund (the remaining \$603,000 provided for 2015-2016 court interpreter benefits cost changes in the Budget Act of 2016 was added to the TCTF Program 0150037 - Court Interpreters appropriation (formerly Program 45.45)) as follows:
 - a. \$8.4 million for each court's share 2015-2016 cost changes (see Attachment A, column 2); and
 - b. \$7.0 million for courts unfunded 2012-2013 and 2013-2014 benefits cost increases in addition to the \$13.3 million provided in the 2015 Budget Act totaling \$20.3 million (see Attachment A, column 3)
3. Allocate a total of \$754,000 for court-provided security costs from the TCTF as follows:
 - a. Allocate the amount of \$412,000 based on the Judicial Council-approved methodology that beginning in 2016-2017 and beyond, if any new General Fund (GF) augmentation is received, courts with court-provided (non-sheriff) security since 2010-2011 would be provided funding based on either the same growth funding percentage that the county sheriff receives or the percentage of the GF increase to the trial courts--whichever is lower (see Attachment A, column 4); and
 - b. Allocate the amount of \$343,000 included in the 2016 Budget Act to address the increased costs

for marshals in two courts (see Attachment A, column 5).

4. Allocate each court's share of a net allocation increase of \$19.6 million from the Trial Court Trust Fund using the 2016-2017 Workload-Based Allocation and Funding Methodology (WAFM) consisting of a reallocation of 40 percent (\$576.2 million) and an additional \$233.8 million of courts' historical WAFM-related base allocation of \$1.44 billion, reallocation of \$214.2 million in new funding provided from 2013-2014 through 2015-2016 for general court operations, and allocation of \$19.6 million in new funding provided in 2016-2017 for general court operations (see Attachment A, column 6).
5. Allocate each court's share of the 2016-2017 Workload-Based Allocation and Funding Methodology funding-floor allocation adjustment, which includes funding-floor allocations for six courts receive a total of \$400,562 in floor adjustments and all other courts are allocated a reduction totaling \$400,562, for a net zero total allocation (see Attachment A, column 7).
6. Approve a preliminary one-time allocation reduction of \$10.3 million to 20 courts that are projecting the portion of their 2015-2016 ending fund balance that is subject to the 1 percent fund balance cap to exceed the cap by \$10.3 million, as required by statute (see Attachment A, column 8).
7. Approve a one-time allocation of \$9.2 million for criminal justice realignment costs from the Trial Court Trust Fund based on the most current available post-release community supervision (PRCS) and parole workload data submitted to the Judicial Council's Criminal Justice Services office pursuant to Penal Code section 13155 (each court's percentage of the statewide number of petitions filed and court motions made to revoke/modify PRCS and parole) (see Attachment A, column 9).
8. Approve a one-time allocation of \$21.4 million in new funding from the Trial Court Trust Fund for Proposition 47-related workload costs in the following manner:
 - a. Allocate \$10.7 million based on each court's share of statewide petitions for resentencing and reclassification from October 1, 2015 to March 31, 2016 with funding to be distributed in August 2016 (see Attachment A, column 10); and
 - b. Allocate \$10.7 million based on each court's share of statewide petitions for resentencing and reclassification from April 1, 2016 to September 30, 2016 with funding to be distributed in January 2017 (see Attachment A, column 11).

A summary of the allocations by court related to recommendations 1 through 8 is displayed in Attachment A.

Speakers

Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee

Mr. Patrick Ballard, Finance

Mr. Colin Simpson, Finance