

AGENDA**ASSEMBLY BUDGET SUBCOMMITTEE No. 5 ON PUBLIC SAFETY****ASSEMBLYMEMBER REGINALD BYRON JONES-SAWYER SR., CHAIR****THURSDAY, MAY 23, 2013****2:00 P.M. - STATE CAPITOL ROOM 437**

VOTE-ONLY CALENDAR		
ITEM	DESCRIPTION	PAGE
2720	CALIFORNIA HIGHWAY PATROL	2
ISSUE 1	AIR FLEET REPLACEMENT	2
0250	JUDICIAL BRANCH	4
ISSUE 1	TRIAL COURT TRUST FUND – TECHNICAL ADJUSTMENT	4
ISSUE 2	IMMEDIATE AND CRITICAL NEEDS ACCOUNT TRANSFER	4
ISSUE 3	CONTROL SECTION 15.45	5
ISSUE 4	NEW LONG BEACH COURTHOUSE	6
ISSUE 5	TRIAL COURT EFFICIENCY PROPOSALS AND FEE REVENUE INCREASE	8
ISSUE 6	JUDICIAL BRANCH – CAPITAL OUTLAY PROJECTS	11
ISSUE 7	ELIMINATION OF THE SUNSET FOR PUBLIC PRESENTATION OF TRIAL COURT BUDGETS	12

ITEMS TO BE HEARD		
ITEM	DESCRIPTION	PAGE
0250	JUDICIAL BRANCH	13
ISSUE 1	TRIAL COURT FUNDING	13
ISSUE 2	JUDICIAL BRANCH CONTRACT AUDITS	15
ISSUE 3	TRIAL COURTS CASH MANAGEMENT	16
	ATTACHMENT – A	

VOTE ONLY ITEMS

2720 CALIFORNIA HIGHWAY PATROL

VOTE-ONLY ISSUE 1: AIR FLEET REPLACEMENT

Governor's Proposal. The California Highway Patrol (CHP) requests one-time Motor Vehicle Account funding of \$17 million to replace four aircraft (three helicopters and one airplane), which have exceeded 14,000 flight hours. As a part of this proposal, the CHP will also conduct an analysis of its air operations program over the next year and outline a schedule to modernize its aging air fleet.

BACKGROUND

CHP aircraft provide a vital service to the Department as a force multiplier, particularly during these on-going difficult fiscal times. With the significantly reduced number of officers available for beat coverage, CHP aircraft can patrol huge geographic areas in a short period of time providing better service to the public in the form of quicker response times to law enforcement missions, emergency incidents, traffic collisions, and rescues. The response of aircraft reduces loss of life, injuries, property damage, and environmental impacts from criminal activity, threats to homeland security, hazardous material incidents, traffic collisions, and medical emergencies. Additionally, allied agencies are increasingly relying on the assistance of CHP aircraft, as many agencies have had to reduce or eliminate their airborne law enforcement programs due to budget cuts. The multi-faceted mission capability of departmental aircraft is invaluable to all. Every attempt is made to ensure CHP aircraft are available 24 hours a day, 365 days of the year. However, due to personnel scheduling, staffing shortages in some locations, required training, and maintenance, availability is less than complete. Because the AOP is funded from within the Department's budget, services are provided at no charge to the public or allied agencies. In most locations, allied agencies do not have the resources to provide the type of service the CHP's AOP offers. The increasing age and operational hours of the aircraft fleet contributes to an increase in downtime for maintenance. When an aircraft is down for maintenance, it is not available for service in that region. In some areas, a lack of availability can significantly and adversely affect the outcome of an emergency situation.

The following table lists flight hours flown and a break-down of services provided by departmental helicopters statewide. The data covers a 4-year period beginning January 2008 through December 2011, and reflects totals for the fleet:

Total Flight Hours	90,322
Total Lives Saved*	182
Traffic Related Lives Saved	78
Search and Rescue	20,146
Emergency Medical Service	1,486
Enforcement Actions	58,415
Arrests	6,873
Assist Motorists	49,685
Assist Allied Agencies	58,952
Assist CHP	194,788

Staff Recommendation: Approve proposed funding and adopt provisional language requiring the CHP to provide the legislature with a five-year rolling plan for aircraft replacement and maintenance along with associated cost projections.

0250 JUDICIAL BRANCH

VOTE-ONLY ISSUE 1: TRIAL COURT TRUST FUND – TECHNICAL ADJUSTMENT

Governor's Proposal. An April Finance Letter proposes a decrease of \$28 million in Trial Court Trust Fund Authority to correct a technical error related to the Automated Traffic Enforcement proposal from fiscal year 2010-11.

BACKGROUND

The Automated Traffic Enforcement proposal was rejected, however, the expenditure authority to support the increased workload associated with the proposal was not reduced to reflect this action. This adjustment reduces the expenditure authority in the Trial Court Trust Fund accordingly.

Staff Recommendation: Approve as proposed.

VOTE-ONLY ISSUE 2: IMMEDIATE AND CRITICAL NEEDS ACCOUNT TRANSFER

Governor's Proposal. The Governor's May Revision proposes an amendment to the Immediate and Critical Needs Account transfer item to ensure the transfer does not adversely affect ongoing construction projects.

BACKGROUND

The Governor's Budget included a \$200 million transfer, to the General Fund, from the Immediate and Critical Needs Account (one of the courts two primary construction funds) to offset a \$200 million augmentation to the Trial Court Trust Fund. The May Revision amends this transfer to specify that it take place "upon the order of the Director of Finance." This amendment is proposed to ensure that the transfer is not made in a manner that affects ongoing construction projects.

Staff Recommendation: Approve as proposed.

VOTE-ONLY ISSUE 3: CONTROL SECTION 15.45

Governor's Proposal. The Governor's May Revision proposes that Control Section 15.45 be added in order to offset General Fund Payments to the Trial Court Trust Fund with funds received from county offices of education.

BACKGROUND

The proposed language, below, is consistent with language that has been used in the past for offsets to trial court expenditures.

"The Controller shall offset General Fund payments to the Trial Court Trust Fund from Item 0250-111-0001 of Section 2.00 with any funds received from county offices of education for reimbursement of trial court costs pursuant to Section 2578 of the Education Code. These offsets shall be recorded as a reduction of total expenditures and shall not be a reduction to any department or program."

Staff Recommendation: Approve as proposed.

VOTE-ONLY ISSUE 4: NEW LONG BEACH COURTHOUSE

Governor's Proposal. The Governor's Budget proposes \$34.8 million (\$54.2 million in 2014-15) from the Immediate and Critical Needs Account (ICNA) for the initial annual service fee for the New Long Beach Court Building.

BACKGROUND

The 2007-08 Budget Act directed the Administrative Office of the Courts (AOC), to gather information regarding the possible use of a public private partnership (P3) for the construction of a new facility to replace the existing courthouse in Long Beach. In December 2010, the AOC entered into a P3 contract that required a private developer to finance, design, and build a new Long Beach courthouse, as well as to operate and maintain the facility over a 35-year period. At the end of this period, the judicial branch will own the facility. In exchange, the contract requires the AOC to make annual service payments totaling \$2.3 billion over the period. Occupancy of the new Long Beach courthouse will begin in September 2013.

The type of P3 used for this project is when a single contract is entered into with a private partner (often a consortium of several companies) for the design, construction, finance, operation, and maintenance of an infrastructure facility. In order for a private partner to be willing to finance these costs, the contract must specify a mechanism for repaying the partner. In many cases, this involves a revenue source created by the project (such as a toll or user fee on the infrastructure facility), with the private partner taking on the risk that the projected revenues will materialize at the level anticipated. Alternatively, the state can commit to making annual payments to the partner from an identified funding source. In this case, the Governor is proposing that the annual payments for the new Long Beach courthouse be made from ICNA.

The Judicial Branch has two primary court construction funds the State Court Facilities Construction Fund, which receives approximately \$130 million annually from fees and penalty assessments to support trial court construction projects, and ICNA, which receives approximately \$320 million annually from various civil and criminal fines and fees originally intended to support 41 trial court construction projects that were deemed to be immediate and critical by the Judicial Council.

The Long Beach courthouse project was not originally on the list of projects the judicial branch planned to be funded from ICNA. Instead, the branch had assumed that the project would be funded from the General Fund. Therefore, the plan to use ICNA funds for these service payments, combined with other reductions to ICNA's fund balances, resulted in a Judicial Council decision to indefinitely delay four court construction projects (the Fresno County, Southeast Los Angeles, Nevada City, and Sacramento Criminal courthouses).

STAFF COMMENTS

The LAO has identified several opportunities for the state to further maximize its benefits when deciding to procure a state infrastructure project as a P3. Specifically, they recommend that the Legislature:

- Specify P3 project selection criteria in state law in order to provide for greater consistency across departments in terms of how P3s are selected.
- Require a comparative analysis of a range of procurement options (including design–bid–build, design–build, and P3) for all potential P3 infrastructure projects in order to better determine which procurement option would most effectively benefit the state, as well as allow the state to better balance the potential benefits of increased private sector involvement with the potential risks unique to each project.
- Require the existing Public Infrastructure Advisory Commission (PIAC) to approve state P3 projects in order to improve the consistency of the state's P3 approval process.
- Require PIAC to 1) have a broad mix of expertise related to P3 and state finance and procurement, 2) develop additional best practices for the state's use of P3s, and, (3) evaluate other state departments to determine if they would benefit by having P3 authority.

Staff Recommendation: 1) Approve the proposal to fund the service payment for the new Long Beach Courthouse from ICNA.

2) Adopt trailer bill language to a) require the Judicial Council to report to the Legislature on aspects of the Long Beach project in order to assess the value of this project delivery method; and, b) require the development and adoption of best practices for P3 projects, as recommended by the LAO in their November 2012 report.

VOTE-ONLY ISSUE 5: TRIAL COURT EFFICIENCY PROPOSALS AND FEE REVENUE INCREASE

Governor's Proposal. The Governor proposes trailer bill language for a range of statutory changes to reduce trial court workload through administrative efficiencies and increase user fees to support ongoing workload at the trial courts.

An April Finance Letter proposes an expenditure authority increase of \$10.3 million to the Trial Court Trust Fund to reflect anticipated revenues associated with three of these proposals, the exemplification of record (\$164,660), copy and comparison (\$5.9 million) and mailing services fees (\$200,000), and the \$30 fee for court reporting services lasting under one hour as authorized by the 2012 Budget Act (\$4.0 million).

BACKGROUND

In May 2012, the Judicial Branch identified 17 proposals for trial court efficiencies in a report to the Legislature. The Governor is proposing to implement 11 of the 17 options. Of the 11 proposed changes, five changes would reduce trial court workload and operating costs, and six would increase user fees to support ongoing workload. These changes would provide the courts with approximately \$30 million in ongoing savings or revenues to help address prior-year budget reductions. Following is an outline of the 11 proposals, as presented by the LAO:

1. **Court-Ordered Debt Collection.** Courts (or sometimes counties on behalf of courts) may choose to utilize the state's Tax Intercept Program, operated by the Franchise Tax Board (FTB) with participation by the State Controller's Office (SCO), to intercept tax refunds, lottery winnings, and unclaimed property from individuals who are delinquent in paying fines, fees, assessments, surcharges, or restitution ordered by the court. Current law allows FTB and SCO to require the court to obtain and provide the social security number of a debtor prior to running the intercept. Under the proposed change, courts will no longer be required to provide such social security numbers to FTB. Instead, FTB and SCO (who issues payments from the state) would be required to use their existing legal authority to obtain social security numbers from the Department of Motor Vehicles. This change will reduce court costs associated with attempting to obtain social security numbers from debtors.
2. **Destruction of Marijuana Records.** Courts are currently required to destroy all records related to an individual's arrest, charge, and conviction for the possession or transportation of marijuana if there is no subsequent arrest within two years. Under the proposed change, courts would no longer be required to destroy marijuana records related to an infraction violation for the possession of up to 28.5 grams of marijuana, other than concentrated cannabis. This proposed change would reduce staff time and costs associated with the destruction process.

3. **Preliminary Hearing Transcripts.** Courts are currently required to purchase preliminary hearing transcripts from certified court reporters and provide them to attorneys in all felony cases. In all other cases, the courts purchase transcripts upon the request of parties. Under the proposed change, courts would only be required to provide preliminary hearing transcripts to attorneys in homicide cases. Transcripts would continue to be provided upon request for all other case types. This change reduces costs as the court will no longer be required to purchase copies of all non-homicide felony cases from the court's certified court reporter, but will only need to purchase them when specifically requested.
4. **Court-Appointed Dependency Counsel.** Current law states that parents will not be required to reimburse the court for court-appointed counsel services in dependency cases if (1) such payments would negatively impact the parent's ability to support their child after the family has been reunified or (2) repayment would interfere with an ongoing family reunification process. Designated court staff currently has the authority to waive payment in the first scenario, but are required to file a petition for a court hearing to determine whether payment can be waived in the second scenario. Under the proposed change, staff would be permitted to waive payments under this second scenario, thereby eliminating the need for some court hearings.
5. **Exemplification of a Record.** Exemplification involves a triple certification attesting to the authenticity of a copy of a record by the clerk and the presiding judicial officer of the court for use as evidence by a court or other entity outside of California. The fee for this certification is proposed to increase from \$20 to \$50. The cost of a single certification is \$25. The increased fee is estimated to generate \$165,000 in additional revenue.
6. **Copies or Comparisons of Files.** The fee for copies of court records is proposed to increase from \$0.50 to \$1 per page, which is estimated to generate an additional \$5.9 million in revenue. Additionally, fees to compare copies of records with the original on file would increase from \$1 to \$2 per page.
7. **Record Searches.** Current law requires court users to pay a \$15 fee for any records request that requires more than ten minutes of court time to complete. Typically, courts interpret this to mean that the fee can only be applied when the search for any single record takes more than ten minutes to complete, regardless of the total number of requests made by the requester. Under the Governor's proposal, courts would charge a \$10 administrative fee for each name or file search request. A fee exemption is provided for an individual requesting one search for case records in which he or she is a party.
8. **Small Claims Mailings.** The fee charged for mailing a plaintiff's claim to each defendant in a small claims action would increase from \$10 to \$15 to cover the cost of postal rate increases that have occurred over the past few years.

9. ***Deferred Entry of Judgment.*** Courts would be permitted to charge an administrative fee—up to \$500 for a felony and \$300 for a misdemeanor—to cover the court’s actual costs of processing a defendant’s request for a deferred entry of judgment. This occurs when the court delays entering a judgment on a non-violent drug charge pending the defendant’s successful completion of a court-ordered treatment (or diversion) program.
10. ***Vehicle Code Administrative Assessment.*** Courts would be required to impose a \$10 administrative assessment for every conviction of a Vehicle Code violation, not just for subsequent violations as required under current law. This new assessment is estimated to generate \$2.2 million in annual revenue.
11. ***Trial by Written Declaration.*** Currently, defendants charged with a Vehicle Code infraction may choose to contest the charges in writing—a trial by written declaration. Originally implemented to allow individuals living far from the court to contest the charge, courts have discovered that more and more individuals living close to the court have been using this service. If the local violator is unsatisfied with the decision rendered in the trial by declaration process, they may then personally contest the charges in court as if the trial by written declaration never took place. In recognition of the unintended increased workload, this proposal would eliminate the right to a trial in front of a judge after a defendant has chosen to proceed with a trial by written declaration.

Staff Recommendation:**1) Reject the following portions of the Administration's proposal:**

Destruction of Marijuana Records, Preliminary Hearing Transcripts, Copies, or Comparisons of Files, Record Searches, Deferred Entry of Judgment, Vehicle Code Administrative Assessment, and Trial by Written Declaration.

2) Adopt the Court-Appointed Dependency Counsel proposal with language clarifying that where a court appointed Dependency Counsel doesn't approve the waiver, a parent shall be able to seek a court hearing.

3) Adopt \$4.365 million expenditure authority increase consistent with approved fee increases.

VOTE-ONLY ISSUE 6: JUDICIAL BRANCH – CAPITAL OUTLAY PROJECTS

Governor's Proposal. A May 1 Finance Letter proposes: 1) \$522.3 million (\$511.4 in lease revenue bond authority and \$10.9 from the Immediate and Critical Needs Account (ICNA)) for the construction phase of three court construction projects; 2) \$15.4 million from the ICNA for the working drawings phase of five projects; 3) the reappropriation of \$240.2 million in Lease Revenue Bond (LRB) authority for the construction phase of one project; and, 4) reimbursement authority of \$3.6 million for the preliminary plans phase of one project.

BACKGROUND

The May 1 letter is requesting funding for the continuation phases for 10 projects:

	Courthouse Project	Phase	Fund Source	Amount
1	San Joaquin – New Stockton Courthouse	C	LRB SCFCF	\$240,183,000 \$3,083,000
2	San Diego – New San Diego Central Courthouse	C	ICNA LRB	\$511,374,000 \$4,623,000
3	San Joaquin – Renovate and Expand Juvenile Justice Center	C	ICNA	\$3,205,000
4	Merced – New Los Banos Courthouse	W	ICNA	\$1,974,000
5	Tehama – New Red Bluff Courthouse	W	ICNA	\$3,982,000
6	Imperial – New El Centro Courthouse	W	ICNA	\$3,344,000
7	Riverside – New Indio Juvenile and Family Courthouse	W	ICNA	\$3,484,000
8	Glenn – Renovation and Addition to Willows Historic Courthouse	W	ICNA	\$2,600,000
9	Siskiyou – New Yreka Courthouse	P	Reimbursement	\$3,578,000

C = Construction phase W = Working Drawings Phase P = Preliminary Plans Phase

Staff Recommendation: Approve as proposed.

VOTE-ONLY ISSUE 7: ELIMINATION OF THE SUNSET FOR PUBLIC PRESENTATION OF TRIAL COURT BUDGETS**BACKGROUND**

AB 973 (Campos), Chapter 687, Statutes of 2011, requires each trial court, until January 1, 2017, prior to adopting a budget plan for the fiscal year, to provide the public with notice of, and an opportunity for input on, the trial court's proposed budget.

STAFF COMMENTS

Staff notes that the increased transparency provided by AB 973 has provided invaluable insight on how court budgets are developed. Considering this, staff opines that in order to maintain this level of transparency, this process should continue indefinitely.

Staff Recommendation: Repeal sunset date in Government Code Section 68511.7

ITEMS TO BE HEARD

0250 JUDICIAL BRANCH

ISSUE 1: TRIAL COURT FUNDING

Governor's Proposal. The Governor's Budget proposes \$2.4 billion for the state's trial courts in 2013-14. This includes the restoration of a \$418 million one-time (General Fund) reduction to the trial courts made in 2012-13. The Governor's Budget also assumes that \$200 million in trial court reserves will be available for use by the trial courts to offset previously approved reductions.

PANELISTS

- Administrative Office of the Courts
- Department of Finance
- Legislative Analyst's Office

BACKGROUND

During the mid-1990s, there were significant reforms in the Judicial Branch, court unification and the state assumption of funding responsibility for trial courts. Prior to state funding, many small courts were in financial crisis and needed emergency state funding to keep their doors open. One of the goals of state funding was to promote equal access to justice so that a citizen's access to court services was not dependent on the financial health of an individual county. Upon realignment of funding responsibility to the state, trial courts benefitted financially, as the state was initially able to stabilize and increase funding.

Since 2008-09, state General Fund support for the trial courts has been reduced by \$724 million on an ongoing basis. However, the Administration, the Legislature, and the Judicial Council have mitigated these reductions through a mix of permanent and one-time offsets, including transfers from special funds, fee increases, and use of trial court reserves. Overall expenditures for the trial courts have remained relatively flat due to these offsets. However, many of the one-time solutions have been exhausted and trial courts are currently faced with the need to operationalize nearly \$250 million in ongoing reductions by 2014-15. The following chart, created by the Legislative Analyst's Office, provides additional detail on Branch reductions and mitigating solutions adopted since the 2008-09 fiscal year.

Trial Courts Budget Reductions Through 2014-15*(In Millions)*

	2008-09	2009-10	2010-11	2011-12	2012-13 (Estimated)	2013-14 (Budgeted)	2014-15 (Estimated)
General Fund Reductions							
One-time reduction	-\$92	-\$100	-\$30	—	-\$418	—	—
Ongoing reductions (cumulative)	—	-261	-286	-\$606	-724	-\$724	-\$724
Total Reductions	-\$92	-\$361	-\$316	-\$606	-\$1,142	-\$724	-\$724
Solutions to Address Reduction							
Construction fund transfers	—	\$25	\$98	\$213	\$299	\$55	\$55
Other special fund transfers	—	110	62	89	102	52	52
Trial court reserves	—	—	—	—	385	200	—
Increased fines and fees	—	18	66	71	121	121	121
Statewide programmatic changes	—	18	14	19	21	48	48
Total Solutions	—	\$171	\$240	\$392	\$928	\$476	\$276
Reductions Allocated to the Trial Courts^a	\$92	\$190	\$76	\$214	\$214	\$248	\$448

^a Addressed using various actions taken by individual trial courts, such as the implementation of furlough days and reduced clerk hours, as well as use of reserves (separate from those required by budget language or Judicial Council).

Staff Recommendation:

1) Adopt Governor's proposal and provide an additional ongoing General Fund Augmentation of \$100 million directed specifically to trial court trust fund for trial court operations.

2) Adopt provisional language requiring:

a) The AOC to coordinate and submit to the legislature, on or before 8/1/2013, county plans for how they will use their allocation from these funds to maintain and/or increase public access to justice;

b) The AOC to coordinate and submit to the legislature, after 4/14/2014; but, before 5/14/2014, a written report on how funds were and/or will be expended during the 2013-14 fiscal year.

3) Clarify that the intent of the Legislature is for the General Fund augmentation to be used for the items identified in each court's respective portion of the "Judicial Branch Snapshot." document dated March 2013 and attached to this agenda as attachment A.

4) Clarify that the intent of the Legislature is for 100 percent of the General Fund augmentation be distributed to trial courts based on the funding methodology approved by the Judicial Council on April 26, 2013 upon receipt of their written plan.

ISSUE 2: JUDICIAL BRANCH CONTRACT AUDITS

Governor's Proposal. The Governor's Budget proposal included trailer bill language authorizing the AOC to contract with the Controller, Department of Finance (DOF), or the State Auditor to perform a series of mandated contracting audits.

PANELISTS

- Administrative Office of the Courts
- State Auditor
- Department of Finance
- Legislative Analyst's Office

BACKGROUND

A trailer bill associated with the 2011 Budget Act included contracting requirements for the Judicial Branch. Most notably, the Judicial Branch is now required to follow essentially the same requirements that apply to state agencies. The Judicial Council and trial courts were also required to adopt contracting manuals that mirror the Public Contract Code and are similar to other related state policies. The new law also requires the AOC to report, twice annually, to the Legislature and State Auditor regarding procurement and contracting practices. Lastly, the State Auditor was required to establish an audit program to be funded by the entity being audited.

Staff Recommendation: Reject the proposed trailer bill language and adopt the following:

- 1) \$325,000 appropriation to the Trial Court Trust fund.**
 - 2) Adopt budget bill language specifying that this funding is to be transferred from the judicial branch to the state auditor in support of audits performed pursuant to section 19210 of the Public Contract Code.**
 - 3) Reduce the number of audits to 5 occurring on a biennial basis and continue the biennial audit of the AOC.**
 - 4) Modify statute to make the court's contracting audit program a more selective, risk-based audit program.**
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ISSUE 3: TRIAL COURTS CASH MANAGEMENT

Governor's Proposal. The Governor's Budget proposal included trailer bill language intended to address trial court cash management concerns inadvertently caused by the recent reduction in allowable trial court reserves.

PANELISTS

- Administrative Office of the Courts
- Department of Finance
- Legislative Analyst's Office

BACKGROUND

Legislation associated with the realignment of trial courts from the counties to the state allowed the Judicial Council to authorize trial courts to establish reserves to hold any unspent funds from prior years. There were no restrictions placed on the amount of reserves each court could maintain or how they could be used. Trial courts had \$531 million in reserves at the end of 2011-12.

These reserves consist of funding designated by the court as either restricted or unrestricted. Restricted reserves include 1) funds set aside to fulfill contractual obligations or statutory requirements; and, 2) funds usable only for specific purposes. Examples of restricted reserves include funds set aside to cover short-term facility lease costs, service contracts, license agreements, and children's waiting rooms costs. Unrestricted reserves, on the other hand, are funds that are available for any purpose. Unrestricted funds are generally used to avoid cash shortfalls caused by normal revenue or expenditure fluctuations, to make one-time investments in technology or equipment, and to cover unanticipated costs.

As part of the 2012-13 budget package, the Legislature approved legislation to change the above reserve policy that allows trial courts to retain unlimited reserves. Specifically, beginning in 2014-15, each trial court will only be allowed to retain reserves of up to 1 percent of its prior-year operating budget. The judicial branch estimates that, in total, trial courts will be able to retain up to \$22 million in 2014-15. Additionally, legislation was approved to establish a statewide trial court reserve, managed by the Judicial Council, beginning in 2012-13. This statewide reserve consists of 2 percent of the total funds appropriated for trial court operations in a given year, \$27.8 million in 2012-13. Trial courts can petition the Judicial Council for an allocation from the statewide reserve to address unforeseen emergencies, unanticipated expenses for existing programs, or unavoidable funding shortfalls. Any unexpended funds in the statewide reserve would be distributed to the trial courts on a prorated basis at the end of each fiscal year.

The Governor has proposed trailer bill language to help trial courts operationalize the new reserve policy and mitigate cash flow concerns, by:

- Specifying that court reporting fees collected for proceedings lasting less than an hour be distributed to the court in which it was collected.
- Clarifying that each trial court's allocation be offset by the amount of reserves in excess of the amount allowable (1 percent).
- Allowing the AOC to transfer funds to the Trial Court Trust Funds, from other court funds (State Court Facilities Construction Fund, Immediate and Critical Needs Account, Judicial Branch Workers' Comp Fund), if the cash balance is insufficient to support trial court operations. The total amount of the outstanding loan cannot exceed \$150,000,000.
- Exempts certain funds from being included in the calculation of the 1 percent balance in unexpended funds that trial courts can carry-over from one fiscal year to the next.

Staff Recommendation: Adopt trailer bill language to increase the amount of funds that a trial court can carryover from one fiscal year to the next to 12 percent. In addition, adopt the Administration's proposed exclusions from the calculation of the 12 percent carryover.
