

California State Assembly



Agenda

Assembly Budget Subcommittee No. 6 on Public Safety

Assemblymember James Ramos, Chair

Monday, March 4, 2024
2:30 P.M. – State Capitol, Room 447
(please note room change)

Items To Be Heard		
Item	Description	Page
Various	Public Safety Budget Overview	2
Issue	1. Overview from the Legislative Analyst's Office	2
5227	Board of State and Community Corrections	3
Issue	2. Missing and Murdered Indigenous People Grant Program Update	3
0250	Judicial Branch	5
Issues	3. Judicial Branch Overview and various trailer bill proposals	5
	4. Judgeships	8
	5. Self-Help Centers	12
	6. Trial Court Construction Project Updates	17

Public Comment will be taken in person after the completion of all panels and any discussion from the Members of the Subcommittee.

Items To Be Heard

Various Departments – Public Safety Budget Overview

Issue 1: Overview from the Legislative Analyst’s Office

The Legislative Analyst’s Office (LAO) will provide an overview of noteworthy budget proposals in the Governor’s 2024-25 January Budget proposal. A handout has been provided by the LAO and is also available on the Assembly Budget Subcommittee No. 6’s website.

Panel

- Anita Lee, Legislative Analyst’s Office

Staff Recommendation: Hold Open.

5227 Board of State and Community Corrections

Issue 2: Missing and Murdered Indigenous People Grant Program Update

The Board of State and Community Corrections (BSCC) will provide an update on the Missing and Murdered Indigenous People Grant Program (MMIP).

Panel

- Katie Howard, Executive Director, BSCC
- Eddie Escobar, Field Representative, BSCC
- Joseph L. James, Chairman, Yurok Tribe
- Cynthia Mendoza, Department of Finance
- Anita Lee, Legislative Analyst's Office

Background

Missing and Murdered Indigenous People in California. The state currently does not have reliable data on the actual number of MMIP in California, despite having the largest Native American and Alaska Native population in the country with more than 160 tribes. With the limited data that is available, California is still fifth in the nation for the highest number of MMIP cases, the vast majority of cases involving women and girls¹. Nationally, the Bureau of Indian Affairs estimates 4,200 missing and murdered cases and state that “investigations remain unsolved often due to a lack of investigative resources available to identify new information from witness testimony, re-examine new or retained material evidence, as well as reviewing fresh activities of suspects.”²

California is governed by Public Law 280, passed by Congress in 1953, which transferred jurisdiction over tribal lands to the states. Many, including tribal leaders, have argued that this transfer, because it was not accompanied by adequate funding or policy support, has resulted in significant gaps in addressing public safety jurisdictional issues.

MMIP Grant Program. The MMIP grant program was established by the Budget Act of 2022 with \$12 million in one-time General Funds to be distributed over three years. The Budget Act of 2023 included an additional \$12 million General Fund to support this effort, bringing the total to \$24 million. The BSCC is charged with administering the competitive program to federally recognized Native American tribes in the state to support efforts to identify, collect case-level

¹ https://www.sovereign-bodies.org/files/ugd/6b33f7_d7e4c0de2a434f6e9d4b1608a0648495.pdf

² <https://www.bia.gov/service/mmu/missing-and-murdered-indigenous-people-crisis>

data, publicize, investigate and solve cases involving missing and murdered indigenous people. Funds may be used for activities such as developing culturally based prevention strategies, strengthening responses to human trafficking, improving coordination between local, state, federal, and tribal law enforcement. Grantees are required to provide an evaluation plan and a final evaluation to assess the results and overall impact of the resources.

The first grant request for proposal period was from April 2023 until June 23, 2023. During this period of time, the BSCC held a bidders’ conference to answer questions and provide technical support to prospective applicants. The grant service period runs from October 1, 2023 until June 1, 2028. The first cohort grantees are listed below:

Tribe	Award
Tolowa Dee-ni Nation	\$440,000
Sherwood Valley Band of Pomo Indians	\$1,000,000
Yurok Tribe	\$1,000,000
Cher-Ae Heights Indian Community of the Trinidad Rancheria	\$436,003

The applications for the second cohort are due by March 15, 2024 and virtual information sessions for prospective applicants were provided in December of 2023 and January of 2024.

Staff Recommendation: Hold Open.

0250 Judicial Branch

Issue 3: Judicial Branch Overview and Various Trailer Bill Proposals

The Judicial Council will provide an overview of the Judicial Branch and a summary of their trial court trust fund reserve cap and remote hearings trailer bill proposals.

Panel

- Shelley Curran, Administrative Director, Judicial Council
- Zlatko Theodorovic, Director, Judicial Council Budget Services
- Tracy Kenny, Deputy Director, Judicial Council Office of Governmental Affairs
- Emma Jungwirth, Department of Finance
- Henry Ng, Department of Finance
- Anita Lee, Legislative Analyst’s Office

Background

The Judicial Branch is responsible for the interpretation of law, the protection of people’s rights, the orderly settlement of all legal disputes, and the adjudication of accusations of legal violations. The branch consists of statewide courts (the Supreme Court and Courts of Appeal), trial courts in each of the state’s 58 counties, and statewide entities of the branch (Judicial Council, the Judicial Council Facility Program, and the Habeas Corpus Resource Center). The branch receives support from several funding sources including the state General Fund, civil filing fees, criminal penalties and fines, county maintenance-of-effort payments, and federal grants.

Governor’s Proposal. The Governor’s budget proposes \$5.5 billion (\$3.2 billion or 63% from the General Fund) from all fund sources in support for the judicial branch as noted below in the table provided by the Legislative Analyst’s Office (dollars in millions).

	2022-23 Actual	2023-24 Estimated	2024-25 Proposed	Change From 2023-24	
				Amount	Percent
State Trial Courts	\$3,749	\$3,986	\$4,033	\$47	1.2%
Supreme Court	49	58	56	-2	-3.6
Courts of Appeal	278	290	290	—	0.1
Judicial Council	284	347	311	-36	-10.4
Judicial Branch Facility Program	728	614	637	23	3.7
Habeas Corpus Resource Center	17	20	20	—	-0.3
Totals	\$5,105	\$5,315	\$5,346	\$31	0.6%

Trial Court Trust Fund Reserve Cap Trailer Bill Proposal. Trial courts have a limited ability to keep and carry over any unspent funds from one fiscal year to the next. Specifically, trial courts are only allowed to carry over funds equal to 3 percent of their operating budget from the prior fiscal year under current law. However, certain funds held in the reserve—such as those that are encumbered, designated for statutorily specified purposes, or funds held on a court’s behalf by Judicial Council for specific projects—are not subject to this cap. At the end of 2022-23, trial courts reported having \$485 million in reserves. Of this amount, \$402 million (83 percent) is not subject to the cap. The Governor’s Budget proposes to increase the 3 percent cap to 5 percent.

Remote Hearings for Civil and Criminal Proceeds Trailer Bill Proposal. Existing law (1) authorizes, until January 1, 2026, the use of remote technology different types of proceedings, including, among others, proceedings regarding the involuntary treatment and conservatorship of gravely disabled persons under specified provisions, contempt proceedings, and competency proceedings and prohibits the use of remote technology in specified circumstances, (2) authorizes the use of remote technology in juvenile justice proceedings except in specified circumstances, until January 1, 2026, (3) requires, beginning July 1, 2024, when the court conducts proceedings that will be reported by an official reporter or official reporter pro tempore, the reporter to be physically present in the same room as the judicial officer if the court cannot provide specified technology standards and repeals these provisions on January 1, 2025, (4) authorizes, until January 1, 2025, a witness to testify in any misdemeanor or felony criminal proceeding, except for felony trials, through the use of remote technology with the written or oral consent of the parties on the record and with the consent of the court and requires the defendant to waive the right to have a witness testify in person on the record, and (5) prohibits a trial court, until January 1, 2026, from retaliating against an official court report or official court report pro tempore for notifying a judicial officer that technology or audibility issues are interfering with the creation of the verbatim record for a remote proceeding, but limits application to an official reporter or official reporter pro tempore that qualifies as a trial court employee, as defined.

The Governor’s Budget proposes to repeal the various sunsets for remote criminal and civil proceeds which is currently scheduled to sunset by January 1, 2025 or January 1, 2026 depending on the section.

Other Various Budget Proposals

1. Trial Courts Facility Operations and Maintenance. The Governor’s Budget requests \$3.57 million for maintenance of the Stanislaus–New Modesto Courthouse (309,284 square feet) opening in 2024-25. The proposal will provide maintenance funding for the new Modesto Courthouse which is set to open in 2025. This project was originally approved upon the passage

of SB 1732 (Chapter 1082, Statutes of 2002) which funded the construction of new courthouses and the authorization of SB 1407 (Chapter 311, Statutes of 2008) which allowed for additional fee based revenue and bonded indebtedness of up to \$5 billion for the most immediate and critical court facility construction projects.

2. Statutory Statewide External Audit Program. The Governor’s Budget requests \$1.3 million Trial Court Trust Fund in 2024-25, increasing to \$1.5 million in 2028-29 and annually thereafter to align with the State Controller’s Office’s (SCO) cost estimates to support independent, external audits of the trial courts pursuant to Government Code Section 77206(h). The statute requires independent audits of the revenues, expenditures, and fund balances under each trial court’s control on a four year cycle. Prior to auditing each court, the auditor must first establish a pilot program to audit six trial courts. The purpose of the audit is to provide a basis to estimate the full costs of auditing all 58 superior courts on a four year cycle. The Budget Act of 2017 provided \$540,000 ongoing from the Trial Court Trust Fund but according to the Judicial Council, this is insufficient to cover the SCO’s audit costs and the trial courts would not be able to cover these costs unless they found savings within their operating budgets which could impact their operations.

3. Court of Appeal: New Sixth Appellate District Courthouse. The Governor’s Budget requests \$89.491 million Lease Revenue Bond authority for the design-build phase of the New Sixth Appellate District Courthouse. This project will provide construction of a new 50,000 square feet, one-courtroom, two-story courthouse on an existing two acre state opened property. The total project is estimated to cost \$92.302 million. The resources for the performance criteria phase were provided in the 2023 Budget Act.

4. Trial Court Emergency Fund. The Governor’s Budget proposes trailer bill to reduce the Trial Court Trust Fund reserve from \$10 million to \$5 million and to remove the requirement to submit a report for any fiscal year in which there are no requests from the trial courts or allocations related to the Trial Court Trust Fund.

Staff Recommendation: Hold Open.

Issue 4: Judgeships

The Judicial Council will provide an overview of judgeships in the state including a summary of the Judicial Needs Assessment.

Panel

- Leah Rose-Goodwin, Chief Deputy and Analytics Officer, Judicial Council Business Management Services
- Judge Lisa M. Rogan, Presiding Judge, San Bernardino County
- Emma Jungwirth, Department of Finance
- Henry Ng, Department of Finance
- Anita Lee, Legislative Analyst’s Office

Background

The California Constitution provides the Legislature with the authority to establish judgeships. AB 159 (2007, Jones) authorized 50 additional judges upon appropriation by the Legislature. In addition, Government Code section 69615(c) requires the Judicial Council to provide an update every two years regarding the need for new judgeships based on a weighted caseload assessment. Funding for the 50 judgeships was provided in the 2018 (2 judgeships), 2019 (25) and 2022 (23 judgeships) Budget Acts. SB 75 (Roth) was signed in 2023 which authorized an additional 26 judgeships, subject to appropriation and Judicial Council’s allocation method. It costs the state approximately \$1.5 million annually to fund one judgeship which includes resources for support staff and security. In addition, capital modifications to courthouses and enhanced security may also be required. For example, the 2022 Budget included \$42 million ongoing for 23 new trial court judgeships, noted in the table below, as well as \$24 million one-time for facility modifications and \$30 million to build out shelled courtrooms in four counties.

Court	Number of New Judgeships
San Bernardino	6
Riverside	4
Kern	2
Sacramento	2
Fresno	2
San Joaquin	1
Stanislaus	1
Tulare	1
Kings	1
Madera	1
Sutter	1
Placer	1
Total	23

Judicial need is based on factors derived from a 2018 time study that includes a three year rolling average of filings by case type and available time to hear different cases. During the pandemic, the Judicial Council opted to use expected trends in filings rather than actual filings data to account for a sharp drop in workload based on limits imposed by the state’s emergency order. While court filings were significantly lower at the start of the pandemic, the numbers have resumed to pre-pandemic levels and with the assistance of remote hearings, cases disposition timelines have largely returned to pre-pandemic levels.

In the most recently available Judicial Needs Assessment (2022), it indicated the need for 98 new additional judgeships³. Thirty four counties have an excess number of judicial officers above their assessed need. The following table show shows the assessed judicial need compared to authorized positions.

³ A list of the counties and number of judgeships needed, including the allocation order are available. The three counties with the highest need are Kern (11), Riverside (22) and San Bernardino (30).

Table A1. Assessed Judicial Need Compared to Authorized Positions

Court	A Authorized and Funded Judicial Positions*	B 2022 Assessed Judicial Need (AJN)	C AJN – AJP (B – A)	D Percentage Judicial Need Over AJP (C / A)†
San Bernardino	100	130.5	30.5	30%
Tehama	4	5.6	1.2	29%
Riverside	89	111.7	22.7	26%
Kern	47	58.8	11.8	25%
Kings	11	13.0	2.4	23%
Madera	10	12.3	2.0	20%
Lake	5	5.5	0.8	18%
San Joaquin	36	41.8	6.3	18%
Merced	13	15.1	2.1	16%
Humboldt	8	9.3	1.3	16%
Shasta	13	14.9	1.9	15%
Tulare	25	28.6	3.6	15%
Fresno	53	60.0	7.0	13%
Placer	16	17.5	2.0	13%
San Benito	3	2.8	0.3	12%
Sutter	6	7.0	0.7	11%
Stanislaus	26	28.1	2.1	8%
Sacramento	78	82.2	4.7	6%
Calaveras	2	2.4	0.1	5%
Amador	3	3.1	0.1	2%
Monterey	21	21.5	0.3	1%
Del Norte	3	2.8	0.0	1%
Orange	144	145.3	1.3	1%
Yuba	5	5.4	0.0	0%
Butte	13	12.8	-0.2	-2%
Ventura	34	32.8	-1.2	-3%
Tuolumne	5	4.5	-0.2	-5%
Sonoma	23	21.0	-2.0	-9%
Yolo	12	11.3	-1.1	-9%
San Luis Obispo	15	13.6	-1.4	-9%
Glenn	2	2.1	-0.2	-9%
Contra Costa	42	37.9	-4.1	-10%
Solano	23	20.4	-2.6	-11%
Santa Cruz	14	11.9	-1.6	-12%
Napa	8	7.0	-1.0	-12%
Los Angeles	585	511.7	-73.6	-13%

Court	A Authorized and Funded Judicial Positions*	B 2022 Assessed Judicial Need (AJN)	C AJN – AJP (B – A)	D Percentage Judicial Need Over AJP (C / A)†
Lassen	2	2.0	-0.3	-14%
San Diego	154	132.6	-21.4	-14%
El Dorado	9	7.7	-1.3	-14%
Imperial	11	9.5	-1.8	-16%
Santa Barbara	24	20.0	-4.0	-17%
San Mateo	33	26.7	-6.3	-19%
Mendocino	8	6.4	-2.0	-24%
Siskiyou	5	3.8	-1.2	-24%
Santa Clara	82	62.3	-19.7	-24%
Marin	13	9.5	-3.2	-25%
Alameda	83	59.5	-23.5	-28%
Colusa	2	1.6	-0.7	-30%
San Francisco	56	38.7	-17.2	-31%
Inyo	2	1.5	-0.8	-34%
Nevada	8	4.9	-2.7	-36%
Trinity	2	1.5	-0.8	-36%
Mariposa	2	1.3	-1.0	-42%
Plumas	2	1.1	-1.2	-50%
Mono	2	1.0	-1.3	-58%
Modoc	2	1.0	-1.3	-59%
Sierra	2	0.2	-2.1	-90%
Alpine	2	0.2	-2.1	-93%

Staff Recommendation: Hold Open.

Issue 5: Self-Help Centers

The Judicial Council will provide an overview of their proposal related to ongoing funding for Self-Help Centers.

Panel

- Zlatko Theodorovic, Director, Judicial Council Budget Services
- Charlene Depner, Director, Judicial Council Center for Families and Children in the Courts
- Judge Maria Hernández, Presiding Judge, Orange Superior Court
- Anita Lee, Legislative Analyst's Office
- Henry Ng, Department of Finance

Background

Self Help Centers. Each of California's trial courts operates a self-help center which serves as a central location for self-represented people to seek assistance with navigating court procedures. Self-help centers use a combination of virtual assistance and limited in-person office hours. Attorneys and other trained personnel who staff the centers provide services in a variety of ways, including one-on-one discussions, workshops, and referrals to other legal resources. This assistance is provided for issue areas ranging from divorce and child custody to small claims. Individual self-help centers use their own resources but may also utilize certain statewide resources and services provided by Judicial Council, such as electronic document assembly programs that populate court forms based on self-represented peoples' answers to certain questions.

The 2018 Budget Act provided \$19 million General Fund annually for three years to supplement \$11 million in existing support for self-help centers, for a total of \$30 million. The 2021 Budget Act extended this increased funding level for an additional three years. These funds are allocated to individual centers using a formula based on the population of the county where the center is located. Self-help centers also can receive funding from other sources, such as trial court operation dollars and federal funds.

In addition to self-help centers, the state has also provided funding for other programs in recent years to maintain or increase levels of legal resources for the public. Examples include:

- **Community Assistance, Recovery, and Empowerment (CARE) Program.** The CARE Program is a new civil court proceeding that allows specific people to seek assistance for certain adults with severe mental illness. Upon full implementation, the 2023-24 budget includes \$75 million in ongoing General Fund support, including \$10.6 million for

attorneys to provide legal assistance related to the CARE program and \$64.4 million for legal services providers (or county public defender offices) to provide legal representation related to the program.

- **Statewide Web Portal.** As noted above, the judicial branch currently maintains a statewide web portal to help self-represented people navigate the court system. The 2018-19 budget included \$3.2 million General Fund in 2018-19, declining to \$709,000 annually beginning in 2020-21, to construct and maintain this web portal.
- **Shriver Program.** The 2020-21 budget included \$11 million in ongoing funding from the TCTF to reflect the additional amount of revenue available to support the program after Chapter 217 of 2019 (AB 330, Gabriel) increased the amount of certain post-judgment civil filing fees that are available to support the program.
- **Equal Access Fund (EAF) Program.** The 2021-22 budget included an ongoing \$15 million General Fund augmentation to provide discretionary funding for the program. Additionally, the 2022-23 budget included \$45 million in one-time General Fund support for eviction-related matters (\$30 million) and consumer debt-related issues stemming from the COVID-19 pandemic (\$15 million).

County law libraries are covered in the staff comment below.

Governor's Proposal. The Governor's Budget proposes \$19 million ongoing General Fund augmentation for self-help centers. Without this augmentation, funding for self-help centers would decrease to \$11 million beginning in 2024-25. If the proposal is approved, the annual funding would be \$30 million statewide.

LAO Comments

The Legislative Analyst's Office (LAO) provides the following assessment and recommendations.

Assessment

Proposed Self Help Funding Would Maintain Increased Service Levels. Given the state's budget problem, any discretionary proposal—including this proposal—seeking to increase General Fund support in 2024-25 and future years merits additional scrutiny. This proposal technically increases General Fund support on an ongoing basis. However, this is necessary to maintain the increased level of funding that has been provided for self-help services since 2018-19, which has allowed self-help centers to serve approximately 600,000 people. Absent a continuation of this funding, self-help center service levels would decrease.

Proposed Self-Help Funding Would Help Promote Equity. Additionally, funding for self-help centers helps promote equity. People seeking self-help center services generally are lower-income and cannot afford the services of an attorney to address issues that may have significant impacts on their lives—such as divorce, child custody, domestic violence, eviction, and guardianship issues. While some of these people may be low-income enough to obtain free legal representation (such as through the Shriver Program or EAF Program), a number of them will not be eligible because the income threshold that must be met to qualify for those programs is quite low.

Cost Benefit Evaluation Found Some Self-Help Services Created Net Benefits. As directed by the Legislature, the judicial branch completed a cost-benefit analysis of self-help centers in June 2022. The analysis found that providing self-help in family, civil, and probate cases were net beneficial to both the courts and litigants, meaning the benefits to the courts and litigants outweighed the costs of providing the self-help center services. For example, the analysis found that a civil case which received self-help one-on-one assistance resulted in \$322 in benefits and \$89 in costs—resulting in net benefits of \$233 per filing. For civil cases which received self-help assistance through a workshop, the net benefit was \$267 per filing.

Evaluation of Shriver Program Showed it Produced Notable Benefits Over Self Representation. A June 2020 statutorily required evaluation of the Shriver Program found that legal representation generated different benefits than self-help centers. For example, in comparing eviction cases in which low-income tenants were represented through Shriver projects with those who were self-represented, the evaluation found notable additional benefits for tenants represented by Shriver project attorneys. The evaluation found that tenants served by the Shriver projects were more likely to participate in their case, more likely to have their case resolved by settlement rather than trial, and reduced the level of court involvement. While most tenants still ultimately moved, few tenants served by the Shriver projects were ultimately formally evicted—which would have impacted their ability to seek replacement housing. Additionally, in comparison to self-represented tenants, Shriver project attorneys were able to help reduce the amount of money their tenant clients ultimately had to pay to resolve their cases and to obtain terms to benefit their clients' credit (such as not reporting the case to credit agencies). This made it more likely that Shriver clients found replacement housing within a year.

Evaluations Show That Different Benefits Achievable Based on What Legal Resources Are Funded. Both evaluations demonstrated that self-help centers and the Shriver Program generated benefits, and thus could merit funding consideration. However, the different benefits generated raises policy considerations for the Legislature regarding where funding should be invested to generate legislatively desired results. If the Legislature determined the benefits of the Shriver Programs were policy priorities, it could provide funding to prioritize expanding legal

representation to tenants to the 47 courts that currently lack the Shriver Program or expanding the number of people who would be eligible for services. In contrast, if the Legislature prioritized court operational efficiency by reducing delays from incomplete forms or lack of procedural knowledge, it would be preferable to invest in self-help centers, which can reduce court operational costs.

State Lacks Strategic Plan For Legal Resources Funding. The state currently lacks a plan for how to strategically approach funding for legal resources broadly. This is because funding for the array of legal assistance and service programs supported by the state has generally been considered on a piecemeal basis. The different programs have not been compared against one another to see which have the greatest impact, what populations are being served by each program, where programs may overlap, where there may be gaps in services.

Strategic Plan for Funding Is Important Due to Large, Potentially Growing, Unmet Need. Strategic use of any funding provided to support legal resources is particularly important as the estimated need for legal resources already exceeds the current level of resources provided by the state. For example, a 2017 survey of trial courts estimated that an additional \$63 million in funding—above the existing \$11 million in baseline support—would be needed to fully staff self-help centers. Additionally, the Shriver program is currently only available at 11 courts. Moreover, this mismatch between estimates of the potential need for these resources and the funding available could widen going forward for various reasons, including new legislation.

Strategic Plan for Funding Could Improve Service Levels. Given that a significant number of people can benefit from legal assistance and services, it is important that the state maximizes effective use of funding for these legal resources. Maximizing effective use includes strategically determining where money should be placed to achieve the greatest legislatively desired results, to provide people with the resources they most need, and to provide service in the most cost-effective ways possible.

Our office is projecting that the state will face significant fiscal difficulties in both the budget year and future years. As a result, additional funding to expand legal resources may not be available for several years. This would mean that existing funding needs to be more strategically allocated and used if the state would like to address more of the unmet need for legal resources. Alternatively, if the Legislature decides to increase funding for legal resources, it would likely have to come at the expense of other state programs. Under this scenario, it would be equally important that the funding is allocated strategically to ensure the state maximizes the number of people receiving legal assistance or service and/or the quality of the assistance or service provided.

Recommendations

1. Direct Judicial Council to Convene Working Group to Provide a Report Assessing Legal Resources. We recommend the Legislature direct Judicial Council to convene a working group to assess the legal resources available in the state. The working group would consist of diverse representatives from the courts and the legal service provider community to represent the different ways in which legal services are provided as well as the different legal resource needs across the state. The working group would review all programs providing legal assistance or services in the state—whether or not they receive state funding—and prepare a report for the Legislature by January 1, 2027. This report would identify what resources are being provided and by which providers, who is eligible for the resources, how resources are provided, the costs of providing such resources, what benefits are generated, and all funding sources available to support such resources.

2. Direct Working Group to Develop a Strategic Plan for Legal Resource Funding. We recommend the Legislature also require the working group to develop a strategic plan for legal resource funding. Specifically, based on the information in the report recommended above, the strategic plan would detail how to improve the allocation of existing funding to maximize the number of people served and achieve the greatest benefits, minimize the effect of any funding reductions, and identify priorities for where additional funding—should it be available—could be allocated to increase service levels in a cost-effective manner.

3. Consider Providing Proposed \$19 Million in Self-Help Funding for Three-Years. Given the state is currently facing a budget problem, the Legislature will need to weigh the \$19 million proposal against its other spending priorities. We recommend only providing the requested funding for three years which would allow Judicial Council to convene the recommended working group and develop the strategic plan. The Legislature would then be able to determine how much funding should be provided beginning in the 2027-28 budget year to support self-help centers, as well as other legal resource programs.

Staff Comments

Staff notes that the Legislature has also prioritized funding for county law libraries that serve a similar purpose to the proposed self-help centers. The county law libraries are primarily funded by a small percentage from civil court filing fees which have been declining in recent years even prior to the COVID-19 pandemic. In response to the declining revenue and to backfill funding for county law libraries, the Legislature has allocated one time funding in the last several years, including \$16.5 million in the 2018 Budget Act, \$7 million in the 2020 Budget Act, and most recently, the 2021 Budget Act included \$16.5 million in each of 2021-22 and 2022-23.

Staff Recommendation: Hold Open.

Issue 6: Trial Court Construction Project Updates

The Judicial Council will provide an update on trial court construction projects.

Panel

- Pella McCormick, Director, Judicial Council Facilities Services
- Koreen van Ravenhorst, Department of Finance
- Phillip Osborn, Department of Finance
- Anita Lee, Legislative Analyst’s Office

Background

The Trial Court Facilities Act (TCFA) of 2002 established Judicial Council’s facilities program. The TCFA shifted governance of California’s courthouses from counties to the state. The Judicial Council facilities portfolio consists of approximately 450 court facilities with over 2,100 courtrooms across the state in more than 21 million square feet.

Government Code section 70371.9 required the Judicial Council to conduct a reassessment of all trial court capital-outlay projects that had not been fully funded up to and through the 2018 Budget Act (FY 2018–19) and to submit the report by December 31, 2019, to the Legislature. The Judicial Council identified a need for 80 construction projects—56 new buildings and 24 renovations— totaling \$13.2 billion. These projects were categorized into five groups and ranked within each group—in the following descending priority order: 18 immediate need projects (\$2.3 billion), 29 critical need projects (\$7.9 billion), 15 high need projects (\$1.3 billion), 9 medium need projects (\$1.6 billion), and 9 low need projects (\$100 million).

The Judicial Council provides the following update on the various projects:

The 2024-25 five-year infrastructure proposal to address the current financial circumstances will significantly slow the construction completion rate for court projects. Ten previously appropriated projects will complete current phases (acquisition or design) and be placed “on hold” until a future funding year. Restarting one project per year pushes the timeframe to complete the last project with a prior appropriation from 2030 to 2037. The project costs will increase due to escalation (estimated at 5% per year) to midpoint of construction. There are sixty-nine other projects on the 2019 statewide list waiting for appropriations that will likewise escalate as they are deferred to future funding years. For the General Fund-reliant Butte Juvenile, Kings, Sutter, and San Joaquin courtroom projects, the goal is to restart these projects once General Fund revenues stabilize. The project amounts will increase as a result of construction escalation, restart costs for professional services, Authorities Having Jurisdiction (AHJ) fees, possible code changes, etc.

The following table shows the status of appropriated projects:

Project County and City	Court rooms	Square Footage	Current Phase	Phase % Complete	Approved Project Budget	Forecast Project Completion
Projects Complete						
Shasta Redding	14	165,000	Completed	100%	\$203,006,000	2/13/2024
Imperial El Centro	4	47,000	Completed	100%	\$73,424,000	1/2/2023
Glenn - Willows	3	42,000	Completed	100%	\$64,939,000	11/1/2023
Los Angeles Study	NA	NA	Completed	99%	\$2,347,000	3/31/2024
Continuing Projects Appropriated through Construction						
Sacramento Criminal	53	540,000	Construction	90%	\$514,792,000	10/14/2024
Sonoma - Santa Rosa	15	169,000	Construction	67%	\$215,428,000	11/18/2024
Riverside Indio	5	53,000	Construction	45%	\$80,874,000	7/31/2025
Riverside Menifee	9	85,000	Construction	95%	\$95,253,000	6/1/2024
Stanislaus Modesto	27	308,964	Construction	70%	\$351,909,000	5/6/2025
San Bernardino			Working			
Juvenile Dependency	2	5,000	Drawings	95%	\$9,928,000	3/31/2026
Lake Lakeport	4	46,000	Design Build	1%	\$86,722,000	3/26/2026
Mendocino Ukiah	7	82,000	Design Build	10%	\$150,970,000	7/27/2027
Monterey Fort Ord	7	83,000	Acquisition	63%	\$191,766,000	3/16/2028
Santa Clara			Performance			
Sunnyvale*	1	50,000	Criteria	10%	\$92,302,000	10/12/2028
Sacramento Juvenile			Working			
Judgeship	2	10,300	Drawings	85%	\$11,532,000	10/7/2025
Project to Complete Phase and Hold						
Solano Fairfield	12	141,000	Acquisition	23%	\$265,123,000	TBD Restart BY + 1
Fresno - Fresno	36	413,000	Acquisition	26%	\$749,369,000	TBD Restart BY + 2
Plumas - Quincy	3	54,000	Acquisition	25%	\$100,891,000	TBD Restart BY + 3
Los Angeles Santa Clarita	24	278,000	Acquisition	20%	\$519,561,000	TBD Restart BY + 4
San Luis Obispo	12	145,000	Acquisition	23%	\$291,895,000	TBD Restart BY + 5
Nevada - Nevada City	6	77,250	Acquisition	10%	\$178,418,000	TBD Restart BY + 6
Butte Oroville			Working			TBD
Juvenile	1	610	Drawings	100%	\$3,955,000	GF Recovery
			Working			TBD
Kings Judgeship	1	6,245	Drawings	85%	\$6,025,000	GF Recovery
			Working			TBD
Sutter Judgeship	1	2,500	Drawings	50%	\$6,025,000	GF Recovery

San Joaquin Judgeship	1	1,907	Working Drawings	95%	\$6,025,000	TBD GF Recovery
--------------------------	---	-------	---------------------	-----	-------------	--------------------

*Design-Build authority is included in FY 2024-25 Governor's Budget.

Staff Recommendation: Hold Open.

This agenda and other publications are available on the Assembly Budget Committee's website at: [Sub 6 Hearing Agendas | California State Assembly](#). You may contact the Committee at (916) 319-2099. This agenda was prepared by Jennifer Kim.