

JUDICIAL BRANCH

The Judicial Branch consists of the Supreme Court, courts of appeal, trial courts, and the Judicial Council. The trial courts are funded with a combination of General Fund, county maintenance-of-effort requirements, fines, fees, and other charges. Other levels of the Judicial Branch receive most of their funding from the General Fund. The Budget includes total funding of \$4.1 billion (\$2.1 billion General Fund and \$2.0 billion other funds) in 2019-20 for the Judicial Branch, of which \$2.4 billion is provided to support trial court operations. The Judicial Council is responsible for managing the resources of the Judicial Branch.

Two important historical events led to the current trial court system. First, in 1998, California voters passed a constitutional amendment that provided for voluntary unification of the superior and municipal courts in each county into a single, countywide trial court system. By 2001, all 58 counties had voted to unify their municipal and superior court operations. Second, the Trial Court Funding Act of 1997 consolidated the costs of operating California's trial courts at the state level. The Act was based on the premise that state funding of court operations was necessary to provide more uniform standards and procedures, economies of scale, structural efficiency, and access for the public.

INVESTMENTS IN INFORMATION TECHNOLOGY

One of the recommendations from the Chief Justice's Commission on the Future of California's Court System is to expand the use of new technology in the courts to improve access to justice and to better serve Californians. Three new technologies

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recommended by the Commission include: (1) remote appearances for most noncriminal court proceedings; (2) voice-to-text language interpretation services at court filing, service counters, and in self-help centers; and (3) intelligent chat technology to provide self-help services. The Budget includes \$2.3 million General Fund to advance these projects.

The Budget also includes \$41.9 million General Fund for the Judicial Council to improve access to justice and modernize court operations, as follows:

- Trial Court Case Management System Replacements—\$23.1 million General Fund to replace 14 case management systems in 10 trial courts across California. This funding enables these trial courts to establish a digital court foundation by implementing a modern and supportable case management system needed to efficiently deliver services to the public.
- Implementation of Phoenix Roadmap—\$7.7 million General Fund to complete the first step in migrating to an updated Phoenix personnel system, enable additional payroll deployments for seven trial courts, and shift \$3.2 million in existing Improvement and Modernization Fund costs to the General Fund.
- Digitizing Court Records—\$5.6 million General Fund to establish a pilot program to digitize paper and film case files at approximately six trial courts. This pilot program allows the Judicial Branch to develop best practices for future statewide implementation.
- Business Intelligence and Data Analytics—\$5.5 million General Fund to establish and support the foundation of a business intelligence, data analytics, and identity and access management program to improve court efficiencies and service to the public.

JUDICIAL BRANCH EMPLOYEE COST ADJUSTMENTS

HEALTH AND RETIREMENT BENEFITS FOR TRIAL COURT EMPLOYEES

The state began consistently funding the increased health and retirement benefit costs for the trial courts in 2014-15 when the trial courts made progress in implementing the Public Employees' Pension Reform Act of 2013. However, funding has only been provided prospectively and does not address adjustments that impact the courts mid-year. This has caused challenges for the trial courts as these unbudgeted costs are typically covered by funding that is provided for general trial court operations.

Beginning in 2019-20, the Budget includes a mechanism to fund trial court employee benefit increases in both the current year and budget year. The Budget includes \$25.9 million General Fund in 2019-20 for trial court employee benefit increases that were implemented in 2018-19, which brings the total funding provided by the state since 2014-15 to approximately \$155 million for these increased costs.

COMPENSATION FOR STATE-LEVEL JUDICIARY STAFF

The Budget includes \$9.5 million General Fund to fund a general salary increase for state-level judiciary employees at the Judicial Council, California Supreme Court, and Appellate Courts.

OTHER SIGNIFICANT JUDICIAL BRANCH INVESTMENTS

The Budget also includes the following General Fund augmentations for the Judicial Branch:

- **Trial Court Trust Fund Revenue Backfill**—The Budget continues funding commitments made by the state to backfill the Trial Court Trust Fund as a result of declining fine and penalty revenues. Specifically, the Budget includes a total of \$52.5 million to backfill the decline of fines and penalty revenues expected in 2019-20.
- **Facilities, Operation and Maintenance**—The Budget includes \$40 million for deferred maintenance projects, and \$20.2 million to support operations and maintenance of trial court facilities constructed since 2007.
- **Dependency Counsel**—The Budget includes \$20 million for court-appointed dependency counsel who represent children and parent clients at every stage of the dependency proceeding. The additional funding is intended to help reduce attorney caseloads statewide.
- **Cannabis Conviction Resentencing Workload, Chapter 993, Statutes of 2018 (AB 1793)**—The Budget includes \$13.9 million for anticipated resentencing workload associated with AB 1793, which expedites the identification, review, and notification of individuals who may be eligible for recall or dismissal, dismissal or sealing, or redesignation of the conviction for specified cannabis-related offenses.
- **Trial Court Security Systems and Equipment**—The Budget includes \$6 million to refresh, maintain, and replace trial court security equipment and systems. The security equipment and systems must be upgraded or maintained in a way that mitigates the need for additional security staffing.

- Litigation Management Program—The Budget includes \$5.6 million to shift funding for the Litigation Management Program from the Improvement and Modernization Fund to the General Fund.

PRETRIAL PILOT PROJECTS

In recent years, the Judicial Council has awarded grants to trial courts to implement programs and practices to improve pretrial outcomes. Notably, the Judicial Council allocated funding from the Recidivism Reduction Fund beginning in 2014 to 12 trial courts for pretrial decision-making projects, including the use of risk assessment tools. Additionally, many probation departments have used risk assessment tools to manage pretrial populations either as a part of these grants or using existing resources. These programs are worthy of continuation and replication to support the goals of enhancing public safety, ensuring the rights of defendants and victims, and supporting the efficient, consistent and fair administration of justice. The Budget includes \$75 million General Fund to be allocated over a two-year period by the Judicial Council to fund the implementation, operation, or evaluation of programs or efforts in 8 to 10 courts related to pretrial decision-making. In selecting its pilot courts, the Judicial Council should seek a diversity in court size, location, case management systems, and other appropriate factors.