

JUDICIAL BRANCH

The Judicial Branch consists of the Supreme Court, courts of appeal, trial courts, and the Judicial Council. The Judicial Council is responsible for managing the resources of the Judicial Branch. 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 \$4.2 billion (\$2.2 billion General Fund and \$2 billion other funds) in 2019-20 for the Judicial Branch, of which \$2.4 billion is provided to support trial court operations. This represents an increase of \$288.7 million, or 15.1 percent, over the amount of General Fund provided to the courts in 2018-19.

JUDGESHIPS

The Budget includes \$30.4 million General Fund in 2019-20 and \$36.5 million General Fund annually thereafter for 25 additional trial court judgeships. The Budget also includes \$2.9 million General Fund in 2019-20 and \$3.5 million annually thereafter for the bailiffs associated with the new judgeships. The judgeships will be allocated upon adoption of the Judicial Council's Judicial Needs Assessment expected in late summer 2019.

TRIAL COURT RESERVES

Since 2013-14, trial courts have been prohibited from carrying over more than 1 percent in reserves from their prior year operating budget. In 2018-19, this equals approximately

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\$27 million statewide. This restriction has presented operational challenges for courts and limited their flexibility to address unanticipated fiscal changes.

The Budget includes statutory changes to increase the trial court reserve cap to 3 percent beginning June 30, 2020. This will enable courts to retain additional funding and flexibility to cover unanticipated mid-year changes in costs and unique local needs.

DEPENDENCY COUNSEL

Court-appointed dependency counsel represent children and parents at every stage of dependency proceedings. The Budget includes \$20 million ongoing General Fund, increasing the total dependency counsel state funding to \$156.7 million annually beginning in 2019-20.

Additionally, the recent federal Families First Prevention Services Act expanded the list of eligible Title IV-E reimbursable activities to include court-appointed dependency counsel costs. The Budget includes \$1.5 million ongoing General Fund for the Judicial Council to administer these federal reimbursements, which are estimated to be \$34 million annually. These reimbursements will be used to supplement the amount provided by the state and increase the amount of funding dedicated for dependency counsel to \$190.7 million annually beginning in 2019-20.

PRETRIAL PILOT PROJECTS

The Budget includes \$75 million General Fund to be allocated over a two-year period by the Judicial Council to fund the implementation, operation, and evaluation of programs or efforts in at least 10 courts related to pretrial decision-making. The Judicial Council will seek to select a diverse group of pilot courts with a range of different sizes, geographic locations, case management systems, and risk assessment tools. This funding continues the previous efforts of the Judicial Council to implement programs and practices to improve pretrial outcomes.

INVESTMENTS IN INFORMATION TECHNOLOGY

The Chief Justice's Commission on the Future of California's Court System recently recommended that the courts expand the use of new technology to improve access to justice. Specifically, the Commission recommended the adoption of technologies enabling (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 one-time General Fund to advance these projects.

The Budget also includes the following General Fund augmentations for the Judicial Council to improve access to justice and modernize court operations:

- Trial Court Case Management System Replacements—\$23.1 million in 2019-20 and \$6.7 million in 2020-21 to replace 14 case management systems in 10 trial courts across California. This funding will enable these trial courts to deliver services to the public more efficiently.
- Implementation and Maintenance of Personnel Management Systems—\$4.5 million ongoing to complete the first step in migrating to Phoenix, an updated personnel system, and to allow for additional payroll deployments for seven trial courts.
- Digitizing Court Records—\$5.6 million one-time to establish a pilot program to digitize paper and film case files at several 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 one-time 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.

HEALTH AND RETIREMENT BENEFITS FOR TRIAL COURT EMPLOYEES

The state began consistently funding increased health and retirement benefit costs for the trial courts in 2014-15 when the trial courts made progress implementing the Public Employees' Pension Reform Act of 2013. However, since that time, such funding has only been provided to pay for prospective costs in the fiscal years succeeding changes in health and benefits costs; funding has not been provided to pay for costs associated with mid-year adjustments. As a result, courts have been forced to cover unbudgeted costs associated with mid-year adjustments by diverting funds 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 \$22.5 million ongoing General Fund for trial court employee benefit increases, which brings the total funding provided by the state since 2014-15 to approximately \$150.5 million ongoing for these increased costs.

OTHER SIGNIFICANT JUDICIAL BRANCH INVESTMENTS

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

- **Trial Court Trust Fund Revenue Backfill**—The Budget continues the funding commitments to backfill the Trial Court Trust Fund as a result of declining fine and penalty revenues. Specifically, the Budget includes a total of \$41.8 million to backfill the decline of fine and penalty revenues expected in 2019-20.
- **Facilities, Operations and Maintenance**—The Budget includes \$20.2 million ongoing to support operations and maintenance of trial court facilities constructed since 2007, and \$15 million one-time for deferred maintenance projects.
- **Legal Aid for Renters in Landlord-Tenant Disputes**—The Budget includes \$20 million one-time to provide legal aid for renters in landlord-tenant disputes. Specifically, these additional funds will provide free legal services for landlord-tenant issues, including legal assistance for counseling, renter education programs, and preventing evictions as discussed in the Housing and Local Government Chapter.
- **Cannabis Conviction Resentencing Workload, Chapter 993, Statutes of 2018 (AB 1793)**—The Budget includes \$13.9 million in 2019-20 and \$2.9 million in 2020-21 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.
- **Language Access Expansion in the California Courts**—The Budget includes \$13.6 million ongoing to continue the expansion of interpreter services for civil matters and to cover increased costs in criminal cases. The expansion of interpreter services and costs associated with court interpreters have led to shortfalls that require ongoing resources.
- **Trial Court Security Systems and Equipment**—The Budget includes \$6 million ongoing 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.
- **Improvement and Modernization Fund Stabilization**—The Budget includes \$8.8 million to shift existing programs to the General Fund to maintain solvency in the Improvement and Modernization Fund. Specifically, the Budget shifts \$5.6 million for

the Litigation Management Program and \$3.2 million for the Personnel Management System.

- Courts of Appeal Workload—The Budget includes \$5 million ongoing to address general operational cost increases, workload due to more complex litigation, new case duties related to recent law changes requiring retroactive decisions related to criminal justice reforms, and voter-approved initiatives requiring appellate review.
- Shriver Act Civil Counsel—The Budget includes \$2.5 million one-time for the expansion and administration of pilot programs that provide representation to low-income Californians on critical legal issues affecting basic human needs.

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