

JUDICIAL BRANCH

The Judicial Branch consists of the Supreme Court, courts of appeal, trial courts, the Habeas Corpus Resource Center, 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 \$5.2 billion (\$3.3 billion General Fund and \$1.9 billion other funds) in 2022-23 for the Judicial Branch, of which \$2.8 billion is provided to support trial court operations. The Judicial Council is responsible for managing the resources of the Judicial Branch.

REDUCING FINES AND FEES FOR ALL CALIFORNIANS

In recent decades, the state substantially increased fines, fees, assessments, and surcharges levied on individuals convicted of criminal offenses to generate funding for specific state and local programs and services. The Judicial Council estimates these fines and fees generated nearly \$1 billion in revenue in 2020-21.

Recognizing the financial hardship these increased fines and fees have created for Californians, the Legislature and Administration have worked to implement various statutory and budget changes. For example, the 2018 Budget Act included resources to implement an Ability-to-Pay program to allow indigent and low-income individuals to apply online to have their fines and fees from traffic infractions reduced in accordance with their ability to pay. The 2021 Budget Act expanded this program statewide and incorporated both traffic and non-traffic infractions. Furthermore, the 2020 and

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2021 Budget Acts included resources and statutory changes to eliminate the ability of state and local agencies to impose certain administrative fees for criminal offenses, such as fees imposed to recover costs related to public defense and probation supervision and to collect restitution, among others.

In continuation of these efforts to provide financial relief for individuals from the imposition of fines and fees, the Budget includes statutory changes to reduce civil assessment fees from a maximum of \$300 to \$100. The Budget includes \$67 million ongoing General Fund to backfill the resulting loss in revenue for trial courts. To provide additional financial relief, the Budget also waives past civil assessment debt prior to July 1, 2022, and includes \$10 million one-time General Fund to backfill the trial courts. Lastly, the Budget makes statutory changes to deposit collected civil assessments into the General Fund instead of the Trial Court Trust Fund.

The Budget also expands the pool of individuals eligible for automatic court filing fee waivers by raising the income threshold from 125 to 200 percent of the federal poverty level, and exempting those receiving certain government benefits. The Budget includes \$18 million ongoing General Fund to backfill the Trial Court Trust Fund for the resulting loss in revenue.

OTHER SIGNIFICANT ADJUSTMENTS:

- **Trial Court Inflationary Adjustment and Fiscal Equity**—\$184.2 million ongoing General Fund for trial court operations. This amount includes \$84.2 million to adjust for statewide inflation and \$100 million to be allocated by the Judicial Council to promote fiscal equity among the trial courts.
- **Trial Court Trust Fund Revenue Backfill**—\$151.5 million ongoing General Fund to continue backfilling the expected revenue decline in the Trial Court Trust Fund and to maintain existing service levels. Additionally, the Budget includes \$10.3 million ongoing General Fund to backfill trial courts for revenue losses from the repeal of fees by Chapter 257, Statutes of 2021 (AB 177).
- **Superior Court Judgeships**—\$42.6 million General Fund in 2022-23 and \$42.3 million ongoing for 23 additional superior court judgeships, including associated security costs. The judges will be allocated based on the Judicial Council's 2020 Judicial Needs Assessment. With this augmentation, the Judicial Branch will be fully funded to fill all judgeships authorized under law.
- **Branch-Wide Information Technology Modernization**—\$34.7 million General Fund in 2022-23, increasing to \$40.3 million in 2025-26 and ongoing, for information

technology initiatives to modernize the Judicial Branch and increase access to justice for the public.

- **Fire, Life, and Safety Trial Court Facility Improvements**—\$29.7 million one-time General Fund to repair existing elevators, escalators, and air conditioning in the San Diego County Superior Court Hall of Justice. The Budget also includes \$15.3 million one-time General Fund to address egress deficiencies in the San Diego Superior Court East County Regional Center. Lastly, the Budget includes \$11.3 million one-time General Fund to address increased project costs for an existing fire, life, and safety improvement project in the Orange County Superior Court Central Justice Center.
- **Trial Court Employee Benefits**—\$20.9 million ongoing General Fund for trial court employee health benefit and retirement costs.
- **Judicial Training for Environmental Issues**—\$1.2 million ongoing General Fund to establish a unit within the Judicial Council to provide training, technical assistance, and legal support to judicial officers and court personnel on water law, climate change, and environmental issues.
- **Community Assistance, Recovery, and Empowerment (CARE) Court**—\$39.5 million General Fund in 2022-23 and \$37.7 million ongoing for the Judicial Branch to conduct CARE court hearings and provide resources for self-help centers, contingent on adoption of statutory changes. The Administration continues to work with the Judicial Council and counties to estimate costs associated with this new court process. See the Health and Human Services Chapter for more information.
- **Legal Aid Resources**—\$30 million one-time General Fund for Legal Aid eviction defense and \$15 million one-time General Fund for a Legal Aid for Consumer Debt Pilot program to assist consumers with debt incurred during the pandemic.
- **Dependency Counsel**—\$30 million ongoing General Fund for court-appointed counsel for children, non-minor dependents, and parents in juvenile court dependency proceedings.
- **Court Appointed Special Advocate (CASA) Expansion**—\$20 million General Fund in 2022-23, 2023-24 and 2024-25 to expand the CASA program capacity, and recruitment and training.
- **Firearm Relinquishment Program**—\$40 million one-time General Fund to establish a court-based firearm relinquishment pilot program in six courts for the safe removal of firearms from individuals prohibited from owning or possessing firearms. See the Criminal Justice Chapter for more information.

- **Courthouse Lactation Facilities**—\$15 million one-time General Fund to expand public access to lactation facilities in courthouses.
- **Criminal Remote Proceedings**—To continue to increase access to justice, the Budget extends, until January 1, 2024, the ability of defendants to consent to a remote appearance in misdemeanor and felony proceedings, with the exception of trial and felony sentencing. The parties and the court may consent to a remote appearance by a witness in criminal proceedings except for felony trials, and attorneys may appear remotely when appropriate.