

JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS
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Report

TO: Members of the Judicial Council

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SUBJECT: Fiscal Year 2008–2009 Expenditures for the Supreme Court, the Courts of Appeal, the Judicial Council/Administrative Office of the Courts, the Judicial Branch Facility Program, and the Habeas Corpus Resource Center (Information Only)

Issue Statement

Rule 10.101(c)(3) of the California Rules of Court requires the Administrative Director of the Courts to report to the Judicial Council on actual expenditures for the Supreme Court, the Courts of Appeal, the Judicial Council/Administrative office of the Courts (AOC), and the Habeas Corpus Resource Center after the end of the fiscal year. This report transmits the required fiscal information for fiscal year (FY) 2008–2009 and provides an overview of financial governance for the appellate system, Judicial Council/AOC, the Judicial Branch Facility Program¹, and the Habeas Corpus Resource Center. (Note: Trial court expenditure information was separately reported to the council on December 15, 2009, and transmitted to the Legislature in accordance with Government Code sections 77202.5(b) and 68502.5(b).)

Fiscal Year 2008–2009 Expenditure Information

Attachment 1 provides year-end financial information for the Supreme Court and Courts of Appeal (by district) as well as court-appointed counsel expenditures.

Attachment 2 provides information on FY 2008–2009 expenditures for the Judicial Council/AOC (by division) and the Judicial Branch Facility Program.

¹ The Judicial Branch Facility Program is separately appropriated in the State Budget.

Attachment 3 displays year-end financial information, by fund, for the Supreme Court, the Courts of Appeal, the Judicial Council/AOC, the Judicial Branch Facility Program, and the Habeas Corpus Resource Center.

Financial Governance Structure

The Legislature, in the annual budget act, appropriates funding for the Supreme Court, the Courts of Appeal, the Judicial Council/AOC, the Judicial Branch Facility Program, and the Habeas Corpus Resource Center (Item 0250-001-0001 and related items of appropriation.) Each year in the Budget Act, the Legislature has specified that the council has authority to allocate or reallocate funds as appropriate for these entities². Rule 10.101(c)(2) of the California Rules of Court delegates authority to the Chief Justice and the Administrative Director of the Courts to allocate funding appropriated to the Supreme Court, the Courts of Appeal, the Judicial Council/AOC, and the Habeas Corpus Resource Center.

Note: While funding appropriated for trial court operations, if unspent at the end of the fiscal year, may be carried over from one year to the next, funding appropriated for the rest of the branch for support operations must be expended or encumbered by June 30 of each fiscal year, or these monies revert to the General Fund or other fund source and would have to be reappropriated by the Legislature if the funding is still required.

Supreme Court

The Chief Justice and the Clerk of the Supreme Court are responsible for administering the court's budget.

As part of the State budget development process, the AOC Finance Division coordinates with the court on funding priorities and brings funding proposals to the council for consideration in August of each year. Approved funding proposals are then developed and submitted to the State Department of Finance for possible inclusion in the Governor's proposed budget, which is released in early January. Any new funding for the Supreme Court included in the final, enacted budget is then allocated to the court.

Courts of Appeal

Specific court funding allocations reflect historical base allocations, adjusted by technical or specific policy changes as approved by the Chief Justice. Within each appellate district, the respective administrative presiding justice, with the assistance of the clerk/administrator, maintains responsibility for administering the respective budget for the district. As with the Supreme Court, the AOC Finance Division coordinates with each district Court of Appeal to determine potential funding priorities for the upcoming fiscal year and then takes these to the council for review and approval. Any funding approved is allocated to the courts once a final budget is in place.

² Similar authority does not exist for other judicial branch appropriations.

The administrative presiding justices make recommendations to the Chief Justice and Administrative Director of the Courts regarding budget allocations during the fiscal year. Any adjustments must be approved by the Chief Justice.

Habeas Corpus Resource Center

The budget of the Habeas Corpus Resource Center is managed by an Executive Director with oversight from an independent Board of Directors. The board also serves to determine budget priorities for the center. AOC staff provides accounting and budget support to the center as needed.

Judicial Council/Administrative Office of the Courts

The Administrative Director of the Courts approves the allocation of funding appropriated by the Legislature to individual divisions. Division directors maintain responsibility for managing their respective divisional budgets. The budget development process is the same for both the appellate courts and the AOC.

As part of the State's annual financial reporting process, the AOC is responsible for preparing and submitting financial statements to the state Department of Finance on behalf of the Supreme Court, the Courts of Appeal, the trial courts, the Judicial Council/AOC, the Judicial Branch Facility Program, and the Habeas Corpus Resource Center.

Judicial Branch Facility Program

The Administrative Director of the Courts approves the allocation of funding appropriated by the Legislature for the Judicial Branch Facility Program. The program director maintains responsibility for managing the budget.

Supreme Court and Courts of Appeal FY 2008-2009 Year-end Expenditures			
Appellate Courts	General Expenditures	Court-Appointed Counsel Expenditures	2008-2009 Total
Supreme Court	30,465,786	14,342,195	44,807,981
Courts of Appeal:			
Statewide Projects	369,654	0	369,654
1st District - San Francisco	23,146,291	9,036,182	32,182,473
2nd District - Los Angeles, Ventura	42,862,208	19,451,675	62,313,883
3rd District - Sacramento	19,826,086	8,797,225	28,623,311
4th District - San Diego, Riverside, Santa Ana	36,685,907	18,237,917	54,923,824
5th District - Fresno	13,570,059	6,646,808	20,216,867
6th District - San Jose	10,045,410	4,104,035	14,149,445
TOTAL COURTS OF APPEAL	146,505,615	66,273,842	212,779,457
TOTAL	176,971,401	80,616,037	257,587,438

Source: Oracle Financial System & Year-end Statements

Judicial Council/AOC and Judicial Branch Facility Program	
FY 2008-2009 Year-end Expenditures	
DIVISION	2008-2009 Actuals
Executive Office	6,396,593
Office of the General Counsel	12,834,549
Office of Governmental Affairs	1,994,973
Center for Families, Children and the Courts	15,346,851
Education Division	13,188,123
Executive Office Programs Division	10,111,960
Southern Regional Office	4,631,440
Northern/Central Regional Office	1,177,348
Bay Area Regional Office	839,548
Finance Division	19,552,783
Information Services Division	28,177,212
Human Resources Division	10,570,815
Trial Court Administrative Services	9,555,657
TOTAL: Judicial Council/AOC	134,377,852
Total: Judicial Branch Facility Program	109,012,999

Source: Oracle Financial System & Year-end Statements

**Supreme Court, Courts of Appeal, Judicial Council/AOC, Judicial Branch Facility Program, and Habeas Corpus Resource Center
FY 2008-2009 Expenditures by Program, Fund**

Fund Source	Supreme Court	Courts of Appeal	Administrative Office of the Courts	Judicial Branch Facility Program	Habeas Corpus Resource Center	Total Judiciary
EXPENDITURES						
General Fund	43,785,302	207,998,207	94,741,130	4,481,017	13,869,986	364,875,642
Motor Vehicle Account, State Transportation Fund			185,014			185,014
Trial Court Improvement Fund			11,815,889			11,815,889
Court Interpreters' Fund			154,500			154,500
Family Law Trust Fund			2,311,946			2,311,946
Federal Trust Fund			2,968,448		24,520	2,992,968
Trial Court Trust Fund			8,685,210			8,685,210
Reimbursements			5,625,596	3,909,934		9,535,530
State Court Facilities Construction Fund			7,420,020	47,599,951		55,019,971
Appellate Court Trust Fund	1,033,808	4,921,973				5,955,781
Court Facilities Trust Fund				53,022,097		53,022,097
Mental Health Services Fund			394,738			394,738
Judicial Branch Workers' Compensation Fund	-11,129	-140,723	75,361		-37,472	-113,963
TOTAL	44,807,981	212,779,457	134,377,852	109,012,999	13,857,034	514,835,323

Source: Oracle and FY 2010-11 Governor's Budget

Includes Court Appointed Counsel