

The background features a large, faint, circular seal of the Judicial Council of California. The seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the perimeter, "EUREKA" in the center, and the year "1926" at the bottom. The seal also depicts a central figure, likely a personification of Justice, holding a scale and a sword.

Trial Court Allocations: Children's Waiting Room Distribution

Judicial Council Meeting

June 27, 2014

Background

- GC section 70640(e) authorizes courts after January 1, 2006, to apply to the Judicial Council for a CWR distribution and requires that applications be made according to trial court financial policies and procedures authorized by the Judicial Council.
- Two courts are requesting a \$5 CWR distribution effective July 1, 2014.
- The Judicial Council has never adopted a process pursuant to Government Code section 70640 for courts to request a CWR distribution nor considered a court's request for a CWR distribution.



Background

- Currently 19 courts receive a CWR distribution, ranging from \$3 to \$5 per collected filing fee.
- In fiscal year 2012–2013, the total distribution to courts was \$3.7 million
 - \$21,064 was the lowest annual distribution for a court and \$990,928 was the highest.



TCBAC

- The Revenue and Expenditure Subcommittee met on May 27, 2014 to consider a policy and procedure for courts to request children's waiting room distributions.
- At its June 3, 2014 meeting, the Trial Court Budget Advisory Committee unanimously adopted the subcommittee's recommendations.



Recommendation 1 (part 1)

The TCBAC recommends that the Judicial Council adopt the following policy and procedure for a court to request a children's waiting room distribution.

- A court's presiding judge or executive officer must submit a request to the director of the AOC Fiscal Services Office 45 days prior to the date of the council meeting at which the court is requesting consideration.



Recommendation 1 (part 2)

- The request must include the following information:
 - Date of the council meeting at which the court is requesting consideration.
 - Requested effective date of the distribution (July 1 or January 1).
 - The scheduled opening date of the CWR(s).
 - Description of the CWR(s).
 - The date when the court intends to make expenditures related to operating its CWR(s).
 - The requested distribution amount between \$2 and \$5. Courts can request the AOC Fiscal Services Office to provide an estimate of annual distributions.
 - The amount of unspent distributions (for reapplications only).



Recommendation 1 (part 3)

- Require the TCBAC to make a recommendation to the council on each court's request since a CWR distribution reduces the funding that supports all courts' base allocations.



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Recommendation 2 (part 1)

The TCBAC recommends that the Judicial Council require courts to reapply for a distribution if they fall into one of two categories:

- Courts that have received a distribution prior to July 1, 2014 but are not currently operating a children's waiting room.
- Courts that receive a distribution effective July 1, 2014 or after but have not operated a children's waiting room six months after their planned opening date of the children's waiting room.



Recommendation 2 (part 2)

- In addition the TCBAC recommends:
 - If and when the council denies a court's request, it should consider directing the court to return any unspent distributions to the Trial Court Trust Fund.



Recommendation 3

- The TCBAC recommends that the Judicial Council consider two courts' requests for a children's waiting room distribution of \$5 effective July 1, 2014: the Superior Court of Butte County's request and the Superior Court of Monterey County's request.



End of Presentation



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