

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 May Revision includes total funding of \$4.2 billion (\$2.2 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.

JUDGESHIPS

The 2017 Budget Act included the reallocation of four vacant superior court judgeships—two from Alameda County and two from Santa Clara County—to Riverside and San Bernardino Counties. This reallocation shifted judgeships to the areas of the state where workload is highest, but did not increase the overall number of judges. The 2018 Budget Act authorized two additional judgeships in Riverside County and one Justice in the Fourth Appellate District of the Court of Appeal in the San Bernardino/Riverside area.

In a continued effort to address judicial workload needs and provide timely access to justice, the May Revision includes \$30.4 million General Fund in 2019-20 and \$36.5 million General Fund annually thereafter, for 25 additional superior court judgeships. The judges will be allocated upon completion 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 \$27 million statewide. This restriction has presented operational challenges for courts and limited their flexibility to address unanticipated fiscal changes.

The May Revision includes statutory changes to increase the trial court reserve cap to 3 percent beginning June 30, 2020. This will enable courts to retain funding to cover unanticipated mid-year changes in costs (such as for payroll) or disruptions in funding (such as declines in fee revenue). It will also provide courts the flexibility to address unique local needs, as no two court jurisdictions are alike.

DEPENDENCY COUNSEL

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

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 May Revision 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 dependency counsel budget from \$156.7 million to \$190.7 million annually beginning in 2019-20.

OTHER SIGNIFICANT JUDICIAL BRANCH INVESTMENTS

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

- **Legal Aid for Renters in Landlord-Tenant Disputes**—The May Revision augments the Judicial Branch's Equal Access Fund by \$20 million one-time General Fund 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.

- Language Access Expansion—The May Revision includes \$9.6 million ongoing General Fund for the continuation of interpreter services for civil matters and to cover increased costs in criminal cases. The Judicial Council adopted a comprehensive Strategic Plan for Language Access in the California Courts in 2015, following United States Department of Justice investigations that identified an unmet federal Civil Rights Act requirement for interpreter services to be provided free of charge in all court proceedings. This expansion of interpreter services and overall increases in court interpreter costs have led to shortfalls that require ongoing resources.
- Courts of Appeal Workload—The May Revision includes \$5 million ongoing General Fund 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.