

# Overview of Judicial Branch Budget and Operations

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LEGISLATIVE ANALYST'S OFFICE

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Assembly Accountability and Administrative  
Review Committee

Hon. Hector De La Torre, Chair





## Overview of Judicial Branch

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- Court Systems.** The California Constitution vests the state's judicial power in the Supreme Court, the Courts of Appeal, and the Trial Courts. The Supreme Court and the six Courts of Appeal are entirely state-supported. The Trial Court Funding program provides state funds (above a fixed county share) for support of the state's 58 trial courts.
  
- Judicial Council.** The Judicial Council, which is the administrative body of the judicial system, was founded in 1926 through a constitutional amendment. This council of 27 members (1) adopts rules for court administration, practice, and procedure; (2) allocates the branch's budget; and (3) sets priorities for the improvement of the branch.
  
- Administrative Office of the Courts (AOC).** In 1961, the Judicial Council established the AOC to serve as staff to the Judicial Council and the Administrative Director of the Courts. Under the Constitution, the Judicial Council can delegate any of its authority to the director, except for the power to make court rules. Currently, the AOC consists of 11 divisions, including governmental affairs and construction management. It also has three regional offices primarily focused on court operations.



## Major Features of Judicial Branch Budget

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### ***Support Budget.***

- The 2009-10 budget provides about \$3.7 billion in support for the judicial branch. This amount includes \$1.9 billion from the General Fund, which is \$272 million, or 12.3 percent, less than the revised 2008-09 amount.
- Funding for trial court operations is the single largest component of the judicial branch budget, accounting for about 84 percent of total spending.



### ***Operational Reductions.***

- In addition to a largely unallocated General Fund reduction of \$272 million, the budget also provides \$124 million less than the estimated workload budget for the courts for 2009-10, primarily by (1) continuing permanently various reductions enacted on a one-time basis for 2008-09 and (2) eliminating the state appropriations limit adjustment for trial courts.
- The budget assumes that the total \$396 million savings will be accommodated primarily through the closure of court-houses for one day per month and related furloughs of court staff, increased court fees, and the redirection of various special funds.

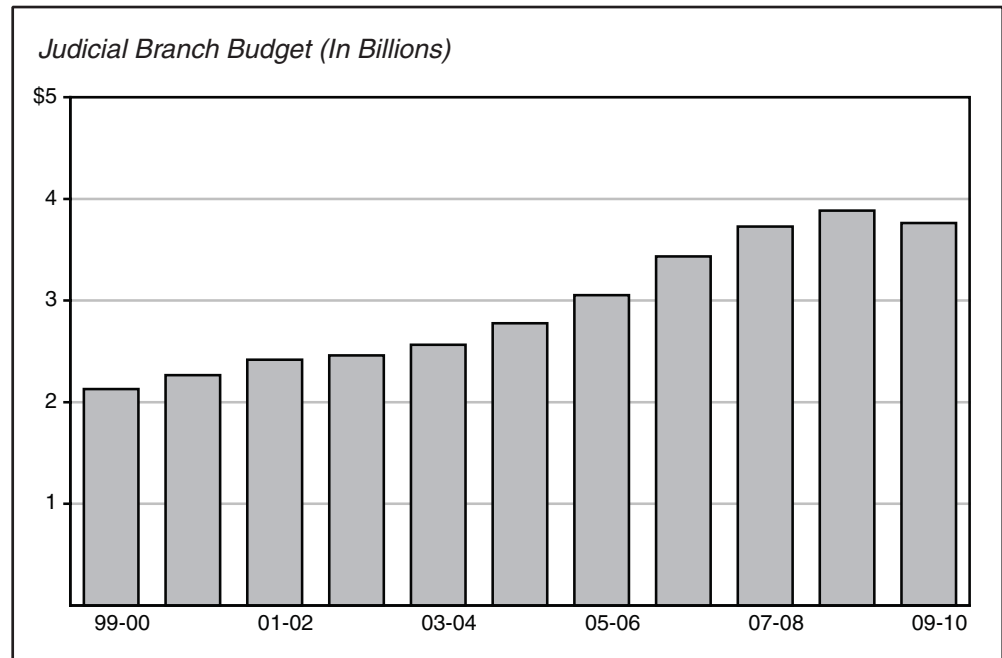


### ***Capital Outlay Budget.***

- The budget also provides \$177 million—including \$43 million from the State Court Facilities Construction Fund and \$100 million from the Immediate and Critical Needs Account—for various new and ongoing court projects.



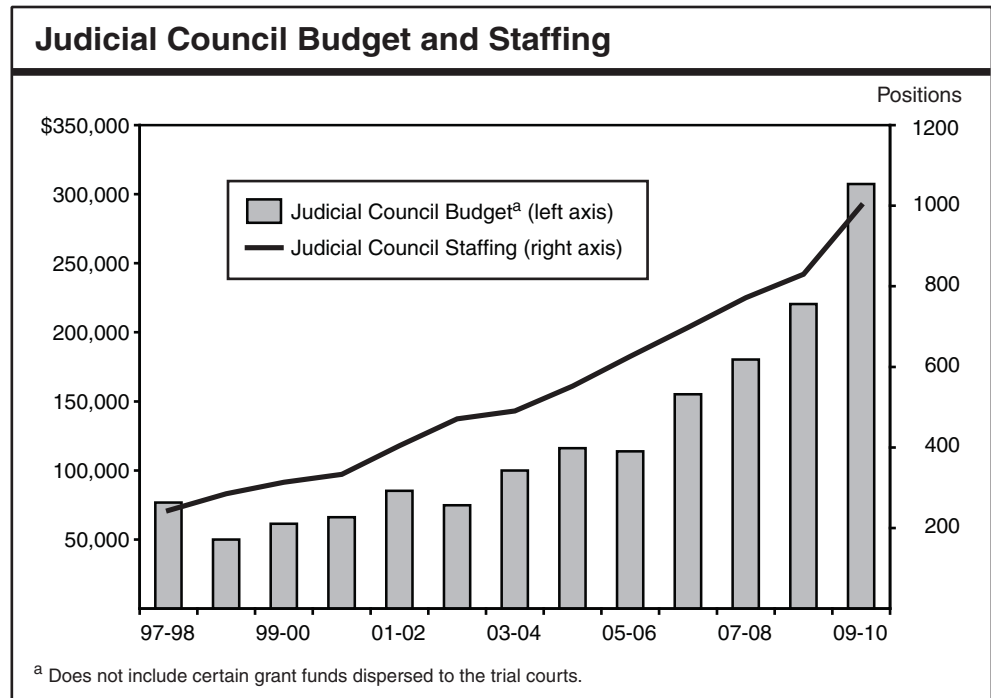
## Significant Growth in Spending on Courts



- Total spending for the judicial branch from all fund sources has increased by roughly \$1.6 billion, or 77 percent, between 1999-00 and 2009-10, an average annual increase of about 6 percent.
- One of the major factors for this increase is the shift in fiscal responsibility for the trial courts from the counties to the state in 1997.



## Trial Court Realignment Changed Role of The Judicial Council and AOC



- The realignment required Judicial Council, through AOC, to take on budgetary, administrative, and facility related duties for the trial courts. For example, Judicial Council is now responsible for allocating funds to each trial court. In addition, AOC provides some fiscal, human resource services, and building-related services to various courts.
- Since the realignment, the budget for the Judicial Council has increased from about \$77 million in 1997-98 to just over \$307 million in 2009-10. Similarly, the number of positions in AOC has more than tripled, growing from about 244 positions in 1997-98 to about 1,000 positions in 2009-10.



## Recent LAO Recommendations Regarding The Judicial Branch

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### ***Create Greater Efficiencies in Court Operations.***

- Contract for court security services on a competitive basis with both public and private security providers.
- Implement electronic court reporting in California courtrooms.
- Expand use of videoconferencing and the Assigned Judges Program to help accommodate increases in judicial workload.



### ***Ensure Greater Legislative Oversight.***

- Eliminate automatic funding increases for the trial courts.
- Require the judicial branch to follow the state's information technology process for project planning, development and implementation, and evaluation. This will ensure that future projects demonstrate need, justify expenditures, mitigate risk, and ensure cost-effectiveness.