



Trial Court Funding



Trial Court Funding—Background



1985

The Legislature established the Trial Court Funding Program to promote a more uniform level of judicial services throughout California and relieve some of the fiscal pressure on county governments.

- The program provided participating counties funding for both specific operating costs (such as salaries for selected judges) and general operating costs (such as ancillary court personnel and services).
- Counties were required to forgo reimbursement from mandates related to trial court operations.



1988

The Legislature enacted the Brown-Presley Trial Court Funding Act to provide additional funding for trial court operations. It:

- Provided for the state to assume primary responsibility for funding the operations of the trial courts.
- Increased significantly the block grant payments to participating counties.
- Authorized 64 new superior court and 34 new municipal judgeships in 23 counties.



1991

The Legislature enacted the Trial Court Realignment and Efficiency Act of 1991, (Ch 90/91, AB 1297, Isenberg), which repealed several of the provisions of the Brown-Presley Trial Court Funding Act and made significant changes to the Trial Court Funding Program:

- Increased state block grant funding for trial court operations.
- Stated Legislature's *intent* to increase state's share of support of trial courts to 70 percent by 1995-96.
- Enacted a variety of reforms in the trial courts that are designed to increase efficiency and reduce costs for support of the trial courts in the long run.
- Instructed the Judicial Council to recommend a process by which to include funding for trial court operations in the Governor's Budget.



Trial Court Funding—Background (Continued)



1994

The Governor proposed a significant increase in funding for trial courts as part of state/county restructuring proposal, and included state expenditures for trial court operations by "function" in the *1994-95 Governor's Budget*. The realignment proposal and funding increase were rejected. The state funded 36 percent of trial court costs in 1994-95.



1995

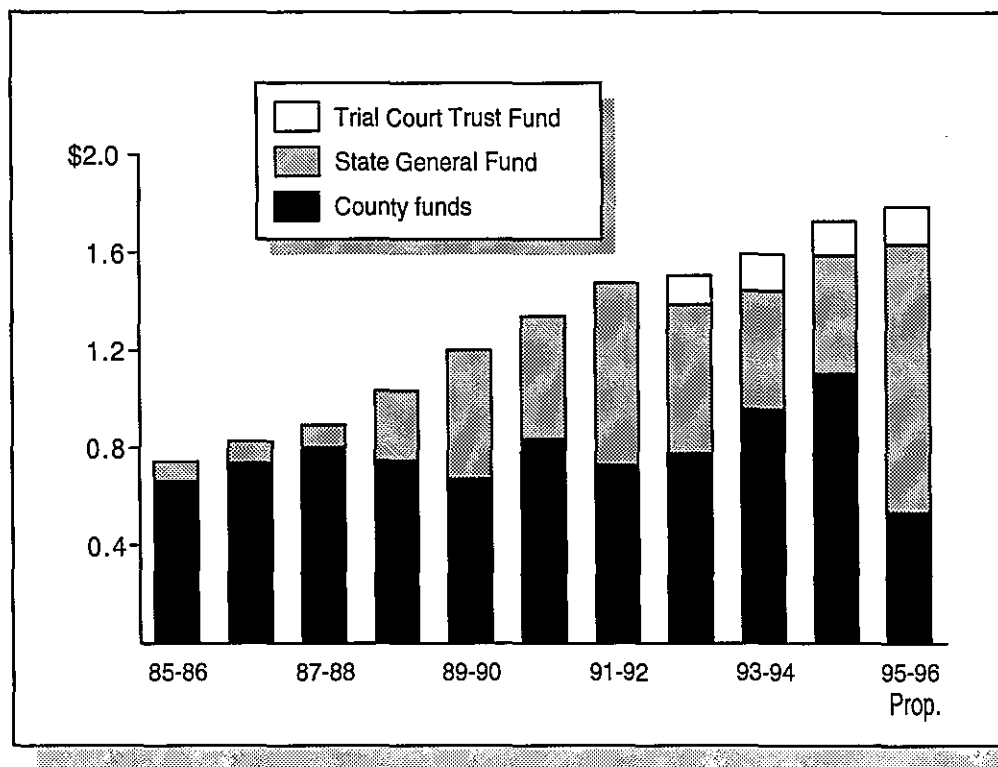
The Governor proposes a new state/county restructuring proposal that includes significant increase in funding for trial courts.

- Proposal provides 70 percent funding, as intended in the Trial Court Realignment and Efficiency Act of 1991.
- Proposal provides that fines, fees, and forfeiture revenues, previously remitted to the state General Fund to be retained at the local level.



Funding for Trial Courts 1985-86 to 1995-96

(In Billions)



- State and local costs for trial court operations are expected to total \$1.8 billion in 1995-96.
- The *1995-96 Governor's Budget* proposes General Fund expenditures of \$1.1 billion to support trial court operations and Trial Court Trust Fund expenditures of \$156 million.
- Since the enactment of Ch 90/91, the Trial Court Realignment and Efficiency Act of 1991, total state and local trial court costs have increased an average of 5 percent per year.



Trial Court Funding Issues That The Legislature Will Need to Consider

- What is the state's ultimate objective for funding and operation of the trial courts?**
- If the state takes a much larger role in funding trial courts, how can the state control trial court expenditures? What will be the role of counties?**
- Now that the funding practice of providing money for support of trial courts by "function" (for example, judicial officers, court-appointed counsel, court security, interpreters, etc.) has been in place for a year, how is the system working? How can it be improved?**
- How will the state ensure that efficiencies and cost saving measures are implemented by the courts?**
- How can the state ensure accountability of financial reporting by trial courts?**
- How can performance measures be introduced into state funding of the trial courts?**