

**COUNTY OF MADERA
BUDGET UNIT EXPENDITURE DETAIL
BUDGET FOR THE FISCAL YEAR 2012-13**

Department: **TRIAL COURT
OPERATIONS (02300)**
Function: **Public Protection**
Activity: **Judicial**
Fund: **General**

<u>ACCOUNT CLASSIFICATION</u>	<u>ACTUAL EXPENDITURES 2010-11</u>	<u>BOARD APPROVED EXPENDITURES 2011-12</u>	<u>DEPARTMENT REQUEST 2012-13</u>	<u>CAO RECOMMENDED 2012-13</u>
SERVICES & SUPPLIES				
720900 Maintenance-Buildings & Improvements	45,518	51,758	43,779	43,779
722100 Utilities	49,973	48,510	56,310	56,310
TOTAL SERVICES & SUPPLIES	95,491	100,268	100,089	100,089
OTHER CHARGES				
731308 County Contribution to State Trial Court Trust	1,142,719	1,170,685	1,145,415	1,145,415
731315 Trial Court Funding - County Facilities Payment	263,589	263,587	263,587	263,587
TOTAL OTHER CHARGES	1,406,308	1,434,272	1,409,002	1,409,002
TOTAL - TRIAL COURT OPERATIONS	1,501,799	1,534,540	1,509,091	1,509,091

TRIAL COURT OPERATIONS

COMMENTS

With the passage of the Lockyer/Isenberg Trial Court Funding Act of 1997 (AB 322) on January 1, 1998, the County's responsibility to fund the courts ended. For more than 40 years, trial court budgets were developed and adopted at the County level with the County having statutory responsibility to fund the trial courts.

AB 322 eliminated the counties' role in establishing and adopting budgets for court operations and placed it under the State budget process. Budgets are self-administered by the courts and expenditures are not subject to Board approval. The Judicial Council and the Legislature respond to the court's financial needs that arise during the year. In accordance with the provisions of the Trial Court Funding Act of 1997, the County has entered into a Memorandum of Understanding with the Madera County Superior Court regarding the provision of any support services. Current support services are for bailiff services, fiscal agent including payroll services, health benefits administration, retirement and deferred compensation administration, and mail services. The County is able to charge the Court for these services at a rate not to exceed the costs of similar services to other County Departments or Special Districts.

Based on the recommendation of a State Task Force required under the provisions of the Trial Court Funding Act of 1997, effective January 1, 2001, County employees employed in the Court became Court employees.

County's Contribution to the State Trial Court Trust Fund

AB 322 includes a provision that requires the County to submit four equal installments based on an amount of fine and forfeiture revenues remitted to the State in 1994-95. There has not been any State legislation to waive the local contribution for fines and forfeiture revenue to Trial Court Funding. The recommended amounts shown below are the funds which the County will contribute for 2012-13.

Trial Court Facilities (SB 1732)

SB 1732, passed in 2002, established the governance structure and procedures for the transfer of responsibilities for trial court facilities from the County to the State. It provided the essential steps in completing the trial court funding reform effort which began in 1997 with the passage of the Lockyer-Isenberg Trial Court Funding Act (AB 322) discussed above. The transfer process was to be accomplished as expeditiously as possible by June 30, 2007, and was negotiated on a building-by-building basis between the State and each County, resulting in an agreement governing each facility.

TRIAL COURT OPERATIONS

COMMENTS (continued)

Trial Court Facilities (SB 1732) (continued)

On April 24, 2007, the Board of Supervisors approved all necessary documents for the transfer of responsibility for trial court facilities from the County of Madera to the State of California, Administrative Office of the Courts (AOC) in accordance with the provisions of SB 1732. The facilities are the former County Government Center, Bass Lake Government Center, and the Family Court Services facility, which was leased at 321 West Yosemite Avenue. The effective date of transfer was April 30, 2007, for the former County Government Center and the Bass Lake Government Center, and May 1, 2007, for the Family Court Services facility.

Under the provisions of SB 1732, the State requires a revenue source for the ongoing operations and maintenance of court facilities once transferred to the State by requiring the County to pay to the State an amount that the County has historically, on average, expended for the annual operation and maintenance for each court facility. The components were based on the actual annual direct and indirect county expenditures on court facilities from 1995-96 through 1999-2000. The development of the County Facilities Payment Plan (CFP) was completed by the County Auditor-Controller and approved by the State Department of Finance. The annual County "maintenance of effort" for operations and maintenance for the transferred court facilities will be \$263,587, and is recommended to be funded through this budget. This amount will remain constant each year.

SB 1732 also requires the County to pay a percentage of the annual maintenance and utility expenses for the shared facilities. The pro-rata share of maintenance and utility costs for the former Government Center will be 28%, and 32.5% for Bass Lake Court. The State will be submitting to the County an "Estimate Statement" itemizing the shared costs. This Estimate Statement will come to the County after the preparation of the proposed budget, and any necessary adjustments will be submitted at Final Budget. The annual costs for the shared maintenance and utility expenses are recommended to be funded through this budget.

The following is the recommended Trial Court Operations budget for 2012-13:

SERVICES & SUPPLIES

720900 Maintenance - Building & Improvements (\$43,779) is recommended reduced \$7,979 from 2011-12. This account represents the County's estimated pro-rata share of the annual janitorial and maintenance expenses for the former County Government Center and the Bass Lake Government Center. AOC will be submitting an estimated budget after the development of the 2012-13 Proposed County Budget. The preliminary annual estimated cost for maintenance is \$38,403 for the former County Government Center, and \$5,376 for the Bass Lake Government Center.

TRIAL COURT OPERATIONS

SERVICES & SUPPLIES (continued)

722100 **Utilities** (\$56,310) is recommended increased \$7,800 and represents the County’s estimated pro-rata share of the annual utility expenses for the former County Government Center (\$44,789) and the Bass Lake Government Center (\$11,521).

OTHER CHARGES

731308 **County Contribution to State Trial Court Trust** (\$1,145,415) is recommended reduced \$25,270 based on current and projected expenditures for the share of Excess Fines. This contribution is based on the level of revenue collected by the County comprised of fines and forfeitures remitted to the State in 1994-95. In previous years, the County was required to contribute a “Maintenance of Effort” in the amount of \$1,042,797. In 2006-07, the State reduced the County’s Maintenance of Effort \$17,112, from \$1,042,797 to \$1,025,685. In addition, the County is required to remit to the State 50% of the fine and forfeiture revenue in excess of the base level Maintenance of Effort.

	<u>Actual</u> <u>2010-11</u>	<u>Approved</u> <u>2011-12</u>	<u>Recommended</u> <u>2012-13</u>
Fines and Forfeitures	1,025,685	1,025,685	1,025,685
Share of Excess Fines	117,034	145,000	119,730
 COUNTY CONTRIBUTION TO TRIAL COURT TRUST FUND	 \$1,142,719	 \$1,170,685	 \$1,145,415

731315 **Trial Court Funding - County Facilities Payment** (\$263,587) is recommended unchanged as the County’s “Maintenance of Effort” based on the County Facilities Payment Plan (CFP). See Comments Section. The recommended amount is shown below by facility:

<u>Facility</u>	<u>County Facilities Payment</u>
Former County Government Center	\$191,335
Bass Lake Government Center	\$ 40,117
Family Court Services Office	<u>\$ 32,135</u>
Total	\$263,587