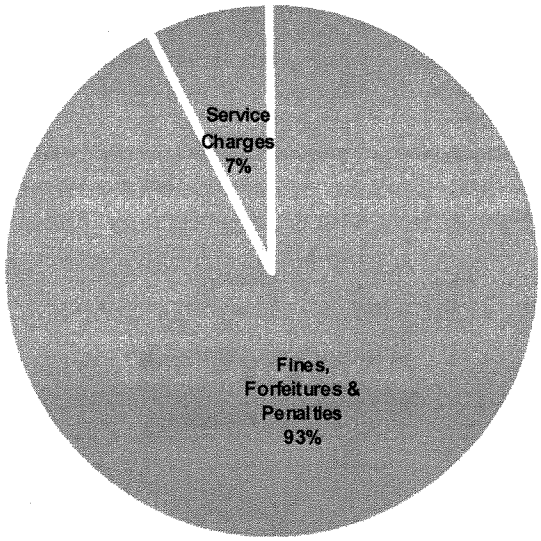
PURPOSE

The purpose of this budget unit is to appropriate funding needed to meet the County's financial maintenance of effort obligations for trial court funding and for Court related operations that are not a Court obligation.

Financial Summary	2008-09 Actual	2009-10 Actual	2010-11 Requested	2010-11 Recommended	2010-11 Adopted
Fines, Forfeitures and Penalties	$ 3,297,036	$ 3,208,439	$ 2,517,200	$ 2,473,300	$ 2,473,300
Charges for Current Services	205,531	209,641	200,000	200,000	200,000
Other Revenues	0	(999,999)	0	0	0
**Total Revenue	$ 3,502,567	$ 2,418,081	$ 2,717,200	$ 2,673,300	$ 2,673,300
Services and Supplies	0	137,313	155,000	155,000	155,000
Other Charges	2,063,203	2,316,110	2,335,773	2,335,773	2,335,773
**Gross Expenditures	$ 2,063,203	$ 2,453,423	$ 2,490,773	$ 2,490,773	$ 2,490,773
General Fund Support (G.F.S.)	$ (1,439,364)	$ 35,342	$ (226,427)	$ (182,527)	$ (182,527)

Source of Funds



SERVICE PROGRAMS

Courts

Provides the County's required share of financing for State Trial Court operations.

Total Expenditures: $2,490,773 Total Staffing (FTE): 0.00

COUNTY ADMINISTRATOR'S COMMENTS AND RECOMMENDATIONS

This budget funds the continuing County obligations to the California Superior Court. In the late 1990s, the State passed the Trial Court Funding Act. This legislation revised the financial and operational relationships between counties and courts by shifting the overall responsibility for court operations to the California State Judicial Council. The financial arrangement that resulted from the Trial Court Funding Act established a maintenance of effort expense (MOE) that requires the County to pay a specified amount (based on a formula) to the State of California to support Court Operations.

The recommended budget for Court Operations includes an expense decrease of $63,000 (-2%) and a recommended revenue increase of $178,300 (7%) compared to the FY 2009-10 Adopted Budget. This results in a decrease in General Fund support of $241,300 compared to the prior fiscal year. In years prior to FY 2009-10, the only budgeted expense was for the mandated County MOE payment to the State. (In FY 2010-11, this MOE payment is budgeted at $1,754,132, which is the same amount included in the FY 2009-10 Adopted Budget). Beginning in FY 2009-10, expenditures for annual payments, "Court Facility Payments," made to the State Administrative Office of the Courts were included in this fund center. These payments are pursuant to the terms of the court transfer agreements finalized in 2009. In return for these payments, the County will no longer be responsible for the cost of maintaining the facilities and related utility expenses. These payments add $581,641 in expense to the Court Operations budget.

Revenues from fees, fines and penalties are estimated based on prior year actuals and are set at conservative levels. Revenue that is actually received is dependent on the mix of cases heard by the Courts and judicial decisions to waive any or all fees, fines and penalties. There are some notable changes compared to the FY 2009-10 budget:

- Revenue from fines for Red Light Violations was set too high in FY 2009-10 and has been reduced significantly ($93,800 or 98%) in the recommended FY 2010-11 budget. The Courts discovered an error in their distribution formula that resulted in too much of this revenue distributed to the County and too little distributed to the State over a period of 10 months spanning FY 2008-09 and FY 2009-10. This resulted in an estimated $180,000 impact to this budget that will be corrected in FY 2009-10.
- Revenue from Traffic School fees was budgeted too conservatively in FY 2009-10 and has been increased by $350,000 (53%) in the recommended FY 2010-11 budget.
- New revenue from a $5.00 surcharge placed on parking tickets is reflected in the recommended FY 2010-11 budget in the amount of $90,000. This revenue constitutes the County's $2.00 per ticket portion of the $5.00 surcharge, approved by your Board on June 2, 2009. Implementation of this program is slowly gaining momentum. Once this program is in full operation, we estimate this revenue to be approximately $120,000 per year.

Other Court related expenses listed below are included in other fund centers and are not covered by the revenue reflected in the Court Operations budget, including:

- County Sheriff Department expenses related to supplies, equipment and services used by Court Bailiffs, which are excluded from reimbursement of Court security costs provided by the County Sheriff. The expense of inmate transportation from the County jail to Superior Court is similarly excluded from allowable reimbursement and remains a County-paid cost. These expenses are included in Fund Center 136 – Sheriff-Coroner.
- Legal defense costs for indigents charged with crimes remain a County obligation, which are included in Fund Center 135 – Public Defender.
- Court-ordered expert witness and psychological examinations are funded by the County, also budgeted in Fund Center 135 – Public Defender.

- Some discretionary services are performed at County cost by the Probation Department, budgeted in Fund Center 139 – Probation.

No budget augmentations are recommended for FY 2010-11.

BOARD ADOPTED CHANGES

None