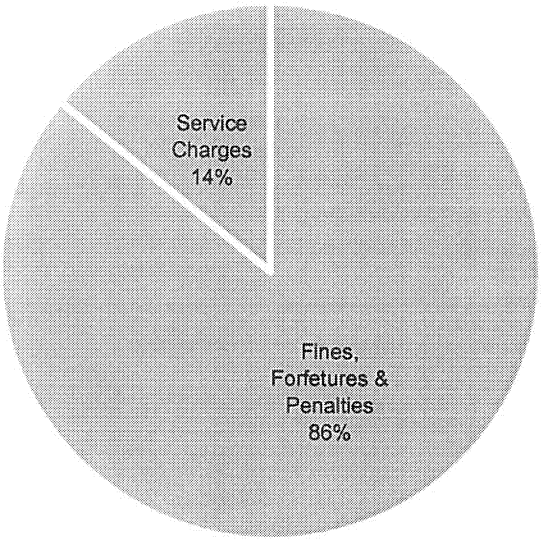
PURPOSE

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	2005-06 Actual	2006-07 Actual	2007-08 Requested	2007-08 Recommended	2007-08 Adopted
Revenues	$ 3,144,909	$ 3,308,944	$ 2,474,000	$ 2,474,000	$ 2,474,000
Other Charges	1,993,311	1,905,972	1,905,972	1,905,972	1,905,972
**Gross Expenditures	$ 1,993,311	$ 1,905,972	$ 1,905,972	$ 1,905,972	$ 1,905,972
General Fund Support (G.F.S.)	$ (1,151,598)	$ (1,402,972)	$ (568,028)	$ (568,028)	$ (568,028)

Source of Funds



SERVICE PROGRAMS

Courts

Provides the County's required share of financing for State Trial Court operations.
Total Expenditures: $1,905,972 Total Staffing (FTE): 0.0

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 maintenance of effort expense (MOE) that requires the County to pay a fixed amount to the State of California to support Court operations.

The expense in the budget, the County MOE payment of $1,905,972 is an increase of $82,407 (4%) over the FY 2006-2007 amount. The revenues in the budget total $2,474,000 but are decreasing by $80,275 (3%). There is no General Fund Support in this budget as the revenues from fees, fines and penalties exceed the expense. However, the combination of increased expense and reduced revenues will result in a decline of $169,682 (22%) in the funds that the County receives from this budget.

Most of the changes to this budget result from legislation that revised MOE payments and a group of revenues shared between counties and the Courts "Undesignated Fees, Fines and Penalties." The revisions to State law established a process to for the State and counties to divide revenues and make changes to the MOE payments.

About 40% of the decline in revenue, or $70,000, is due to a recent State audit of the allocation of fines, fees and penalty revenues in this budget. The audit identified that a portion of revenues associated with Traffic Court should have been allocated to the State Courthouse Construction due to a change in legislation that occurred three years ago. Revenues from these fees are collected and distributed by the local Superior Court. Because the local Court distributed the revenues, the County did not know the distribution by the local Court was incorrect. The County may be expected to repay between $200,000 and $275,000 for the revenue collected over the past three years. This is not included in the budget as the exact amount is not known at this time. When the State Audit is finalized we may bring a mid-year Budget Adjustment allocating funding to repay the State, if necessary.

Although revenues continue to exceed expenses in this budget, the positive balance still only partially offsets other court related expenses listed below:

- County Sheriff Department expenses related to supplies, equipment and services used by Court Bailiff's are excluded from reimbursement of Court security costs provided by the County Sheriff. The expense of prisoner transportation from the county jail to Superior Court is similarly excluded from allowable reimbursement and remains a County paid cost.
- Legal defense costs for indigents charged with crimes remain a County obligation (See Fund Center 135-Public Defender).
- Many costs related to operation of Court facilities are borne by the County.
- Some discretionary services are performed at County cost by the Probation Department.
- A number of types of Court ordered expert witness and psychological examinations are funded by the County.

BOARD ADOPTED CHANGES

None.