

SUPERIOR COURT MOE

Mission

The mission of the County's Court Maintenance of Effort (MOE) Department Budget is to provide the level of financial support to the State of California, as required by law, for the Superior Court of California, El Dorado County.

The State of California is now responsible for overall funding and operation of trial courts, including Court employees. County Boards of Supervisors throughout the State are responsible for providing a level of ongoing funding support through annual revenue "maintenance of effort" payments to the State, as specified in the California Government Code. Fees and fines levied as a result of Court action are collected by the Court and other County agencies. Collections are distributed as directed by law, with portions of that distribution allocated to the County General Fund, cities, and other State special funds and agencies. The General Fund share of such revenue is recorded in the County's Court MOE Budget.

Counties also continue to be responsible for the provision of indigent defense services (court appointed counsel for indigents).

Program Summaries

Superior Court Maintenance of Effort

Total Appropriations: \$922,000
Total Revenue: \$1,325,500
Net County Cost: (\$403,500)

The Court Maintenance of Effort budget unit reflects the County's share of fines and fees levied during Court proceedings, some of which are collected and distributed by the State Superior Court, El Dorado County branch. The Court MOE budget unit also includes appropriations for the County's payment of the mandated revenue "maintenance of effort" for ongoing support of the State Superior Court. (Appropriations for local Court operations are not reflected in the County Budget since the Court is now a part of the State system. The State's appropriations to the local courts Statewide are determined by the State Judicial Council based upon recommendations from the State Administrative Office of Courts.)

Court Facilities

Total Appropriations: \$334,000
Total Revenue: \$65,000
Net County Cost: \$269,000

Appropriations for court facilities are provided in compliance with statutory requirements that the County pay for the operation and maintenance of court facilities. This budget provides funding for the County Facility Payment (CFP) under AB1491.

AB1491 (formerly SB1732), the State Trial Court Facilities Act, required the County to transfer Court occupied facilities and properties to the State either by title or responsibility. The County completed the transfer of Court facilities in November 2008 with the transfer becoming effective January 2, 2009. Upon transfer of the facilities and properties an annual County Facilities Payment (CFP) was established requiring the County to sustain a level of financial support for the on-going maintenance and utilities of the State's court facilities. This budget also includes

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revenue from the State to cover costs associated with those shared facilities where the County manages the building.

Indigent Defense

Contract Attorneys: 10

Total Appropriations: \$1,710,000

Total Revenue: \$20,000

Net County Cost: \$1,555,500

The Indigent Defense program consists of Court appointed private attorneys serving as indigent conflict counsel for those cases where either the Judge or the County Public Defender has determined a conflict exists. Conflicts can exist for a number of different reasons. Examples include a case where the Public Defender may already be defending a client on a different case or where a client is linked to circumstances in a different client's case. Conflict panel attorneys can also be assigned by the Judges to cases where there are multiple defendants in a case or where special circumstances exist such as the death penalty which requires, by law, a minimum of two attorneys, one of which would come from the conflict panel.

The program consists of 10 attorneys (7 West Slope and 3 South Lake Tahoe). In addition, this budget includes funding for court ordered services associated with the defense of indigent clients. It also includes \$10,000 for criminal grand jury expenses in the event a criminal grand jury is called during the year.

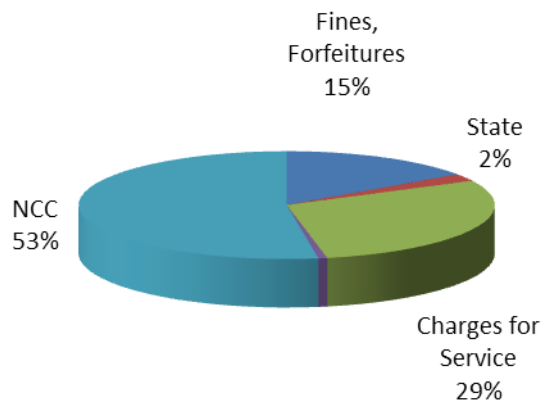
Source of Funds

Fine, Forfeiture & Penalties (\$455,000): Includes vehicle fines (\$15,000), Court fines (\$400,000), and other miscellaneous fines (\$40,000).

State Intergovernmental (\$65,000): Reimbursement from the State for the Court's share of utility costs in County owned buildings

Charges for Service (\$870,500): Primarily comprised of Court fees associated with traffic school fees (\$600,000), and the County share of State Penalty fees (\$250,000).

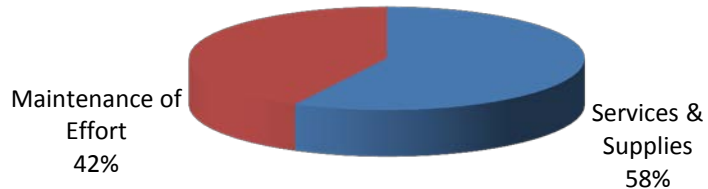
Miscellaneous Revenue (\$20,000)



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Use of Funds

Services & Supplies (\$1,710,000): Primarily comprised of the contractual service program for court appointed attorneys (\$675,000), professional and specialized services for indigent defense services (\$750,000), criminal investigation for indigent defense cases (\$200,000) and psychiatric medical for indigent defense cases (\$75,000).



Other Charges (\$1,256,000):

The County's payment of the mandated revenue "maintenance of effort" for ongoing support of the State Superior Court.

Staffing Trend

There is no staffing within this Department. There are contractual agreements with ten attorneys for indigent defense services.

Chief Administrative Office Comments

The Recommended Budget for the Court Maintenance of Effort represents a decrease in revenue of \$199,000 or 12% and an increase in appropriations of \$499,000 or 20% from the FY 2012-13 approved budget. As a result, the Net County Cost is increased \$698,000 or 81%.

The large increase in Net County Cost is the result of an ongoing death penalty case. The costs associated with this case are uncertain. These costs may be expended in FY 2012-13 in which case an adjustment to the Court budget will take place in addenda reducing appropriations.

The Court facilities budget with Department 20 continues to reflect the full year funding for the County Facility Payment (CFP) as required by AB1491. In addition, the budget has been adjusted to reflect revenue from the State for costs incurred by the County for buildings where the County and the Courts share space, but the County manages the buildings. This revenue is estimated at \$65,000 for the year.

The appropriation for the conflict panel includes funding for ten attorneys, seven on the west slope and three in Lake Tahoe. At the time of this publication the contracts with the indigent defense panel are under negotiation. Any changes will be incorporated into the Addenda.

The budget also includes \$10,000 to cover the cost of any criminal grand jury expenses should a panel be called during the year.

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Financial Information by Fund Type

FUND TYPE: 10 GENERAL FUND
 DEPARTMENT: 20 SUPERIOR COURT MOE

	MID-YEAR PROJECTION	CURRENT YR APPROVED BUDGET	DEPARTMENT	CAO RECOMMENDED BUDGET	DIFFERENCE
TYPE: R REVENUE					
SUBOBJ SUBOBJ					
0300 VEHICLE CODE: FINES	15,000	6,000	15,000	15,000	9,000
0301 VEHICLE CODE: COURT FINES	520,000	400,000	400,000	400,000	0
0320 COURT FINE: OTHER	45,000	35,000	40,000	40,000	5,000
CLASS: 03 REV: FINE, FORFEITURE & PENALTIES	580,000	441,000	455,000	455,000	14,000
0880 ST: OTHER	65,000	65,000	65,000	65,000	0
CLASS: 05 REV: STATE INTERGOVERNMENTAL	65,000	65,000	65,000	65,000	0
1500 COURT: FEES & COSTS	3,000	4,000	2,000	2,000	-2,000
1504 COURT: SUMMARY JUDGMENT	9,000	5,000	15,000	15,000	10,000
1510 COURT: TRAFFIC BAIL SCHOOL VC42007	570,000	620,000	500,000	500,000	-120,000
1511 COURT: TRAFFIC SCHOOL VC42007.1	110,000	125,000	100,000	100,000	-25,000
1512 COURT: CITE/OWN RECOG PC1463.07	1,500	3,000	1,500	1,500	-1,500
1513 COURT: AB233 CNTY SHARE ST PENALTY	300,000	325,000	250,000	250,000	-75,000
1517 COURT: CONFLICT ATTORNEY	1,500	1,500	2,000	2,000	500
CLASS: 13 REV: CHARGE FOR SERVICES	995,000	1,083,500	870,500	870,500	-213,000
1942 MISC: REIMBURSEMENT	20,000	20,000	20,000	20,000	0
CLASS: 19 REV: MISCELLANEOUS	20,000	20,000	20,000	20,000	0
TYPE: R SUBTOTAL	1,660,000	1,609,500	1,410,500	1,410,500	-199,000
TYPE: E EXPENDITURE					
SUBOBJ SUBOBJ					
4126 JURY MILEAGE: CRIMINAL	2,500	2,500	2,500	2,500	0
4127 GRAND JURY EXPENSE	7,500	7,500	7,500	7,500	0
4300 PROFESSIONAL & SPECIALIZED SERVICES	360,000	360,000	750,000	750,000	390,000
4310 CONTRACTUAL SERVICE PROGRAM	675,000	675,000	675,000	675,000	0
4316 APPOINT COUNSEL: JUVENILES	2,000	10,000	0	0	-10,000
4317 CRIMINAL INVESTIGATION	80,000	50,000	200,000	200,000	150,000
4320 VERBATIM: TRANSCRIPTION	2,500	5,000	0	0	-5,000
4323 PSYCHIATRIC MEDICAL SERVICES	70,000	50,000	75,000	75,000	25,000
4324 MEDICAL,DENTAL,LAB & AMBULANCE SRV	1,000	1,000	0	0	-1,000
CLASS: 40 SERVICE & SUPPLIES	1,200,500	1,161,000	1,710,000	1,710,000	549,000
5240 CONTRIB: NON-CNTY GOVERNMENTAL	345,000	334,000	334,000	334,000	0
5242 AB233: MOE COURT REVENUE	972,000	972,000	922,000	922,000	-50,000
CLASS: 50 OTHER CHARGES	1,317,000	1,306,000	1,256,000	1,256,000	-50,000
TYPE: E SUBTOTAL	2,517,500	2,467,000	2,966,000	2,966,000	499,000
FUND TYPE: 10 SUBTOTAL	857,500	857,500	1,555,500	1,555,500	698,000
DEPARTMENT: 20 SUBTOTAL	857,500	857,500	1,555,500	1,555,500	698,000

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Ten Year History

	04/05 Actual	05/06 Actual	06/07 Actual	07/08 Actual	08/09 Actual
Fines, Forfeitures	354,175	356,150	309,141	329,698	415,132
State	-	-	-	-	-
Other Governmental	-	-	-	-	-
Charges for Service	1,274,465	1,077,912	1,135,528	1,213,236	1,275,072
Misc.	257	2,305	1,540	3,139	3,420
Total Revenue	1,628,897	1,436,367	1,446,209	1,546,073	1,693,624
Services & Supplies	1,132,336	1,300,638	1,471,551	1,513,846	1,392,678
Maintenance of Effort	1,647,875	1,143,655	964,928	1,007,797	1,164,643
Other Charges	-	-	-	-	-
Intrafund Transfers	-	110	25	-	-
Total Appropriations	2,780,211	2,444,403	2,436,504	2,521,643	2,557,321
NCC	1,151,314	1,008,036	990,295	975,570	863,697
FTE's	-	-	-	-	-

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Ten Year History

	09/10 Actual	10/11 Actual	11/12 Actual	12/13 Projected	13/14 Budget
Fines, Forfeitures	524,947	610,605	624,999	580,000	455,000
State	79,163	74,205	53,473	65,000	65,000
Other Governmental	-	-	127,249	-	-
Charges for Service	1,085,867	1,008,028	1,034,393	995,000	870,500
Misc.	14,346	22,647	24,406	20,000	20,000
Total Revenue	1,704,323	1,715,485	1,864,520	1,660,000	1,410,500
Services & Supplies	1,369,145	1,240,406	1,168,805	1,200,500	1,710,000
Maintenance of Effort	1,562,203	1,793,062	1,186,508	1,317,000	1,256,000
Other Charges	-	-	12,925	-	-
Intrafund Transfers	75	-	-	-	-
Total Appropriations	2,931,423	3,033,468	2,368,238	2,517,500	2,966,000
NCC	1,227,100	1,317,983	503,718	857,500	1,555,500
FTE's	-	-	-	-	-

10 Year Variance		
	\$ Change	% Change
Fines, Forfeitures	100,825	28%
State	65,000	N/A
Other Governmental	-	N/A
Charges for Service	(403,965)	-32%
Misc.	19,743	7682%
Total Revenue	(218,397)	-13%
Services & Supplies	577,664	51%
Maintenance of Effort	(391,875)	-24%
Total Appropriations	185,789	7%
NCC	404,186	35%
FTE's	-	N/A

Notes

Services & supplies have grown over the years primarily due to growth in the indigent defense budget and Court occupied space in County facilities.

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