

COUNTY'S COURT MAINTENANCE OF EFFORT (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).

Court MOE Financial Summary

| | 14/15 Actual | 15/16 Budget | 16/17 Dept Request | 16/17 CAO Recommend | Change from Budget to Recommend | % Change |
|-----------------------------|------------------|------------------|--------------------------|---------------------------|---------------------------------------|-------------|
| Fines, Forfeitures | 506,475 | 458,227 | 403,788 | 403,788 | (54,439) | -12% |
| Charges for Service | 723,718 | 662,191 | 633,692 | 633,692 | (28,499) | -4% |
| Misc. | 17,620 | 20,000 | 10,000 | 10,000 | (10,000) | -50% |
| Total Revenue | 1,247,813 | 1,140,418 | 1,047,480 | 1,047,480 | (92,938) | -8% |
| Services & Supplies | 1,076,434 | 1,057,068 | 1,096,331 | 1,307,877 | 250,809 | 24% |
| Maintenance of Effort | 1,066,246 | 1,274,000 | 1,274,000 | 1,274,000 | - | 0% |
| Total Appropriations | 2,142,680 | 2,331,068 | 2,370,331 | 2,581,877 | 250,809 | 11% |
| NCC | 894,867 | 1,190,650 | 1,322,851 | 1,534,397 | 343,747 | 29% |
| FTE's | - | - | - | - | - | - |

Source of Funds

Fine, Forfeiture & Penalties (\$403,788): Includes vehicle fines (\$13,500), Court fines (\$352,350), and other miscellaneous fines (\$38,000).

Charges for Service (\$633,692): Primarily comprised of Court fees associated with traffic school fees (\$359,500), and the County share of State Penalty fees (\$180,400).

Miscellaneous Revenue (\$10,000)

Net County Cost: (\$1,534,397): The department is primarily funded with discretionary General Fund tax dollars. These revenues are collected in Department 15 – General Fund Other Operations.

Use of Funds

Services & Supplies (\$1,307,877): Primarily comprised of the contractual service program for court appointed attorneys (\$997,677), professional and specialized

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services for indigent defense services (\$160,000), criminal investigation for indigent defense cases (\$75,000) and psychiatric medical for indigent defense cases (\$60,000).

Other Charges (\$1,274,000): 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. The contract for indigent defense services is administered by the Chief Administrative Office

| 2016-17 Summary of Department Programs | | | | |
|---|------------------|------------------|------------------|----------|
| | Appropriations | Revenues | Net County Cost | Staffing |
| Court Facilities | 334,000 | - | 334,000 | 0 |
| Indigent Defense | 1,307,877 | 10,000 | 1,297,877 | 0 |
| Maintenance of Effort | 940,000 | 1,037,480 | (97,480) | 0 |
| <i>TOTAL</i> | <i>2,581,877</i> | <i>1,047,480</i> | <i>1,534,397</i> | <i>0</i> |

Program Summaries

Court Facilities

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.

Indigent Defense

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 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 includes a contract with a local law firm to coordinate a panel of 11 attorneys (8 West Slope and 3 South Lake Tahoe). In addition, this budget includes

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funding for court ordered services associated with the defense of indigent clients.

Superior Court Maintenance of Effort

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.)

Chief Administrative Office Recommendation

The Recommended Budget for the Court Maintenance of Effort represents a reduction in revenue of \$92,938 or 8% and an increase in appropriations of \$250,809 or 11% from the FY 2015-16 approved budget. As a result, the Net County Cost is increased \$343,747 or 29%.

The increase in appropriations is due to an increase in expenses for indigent defense. The Chief Administrative Office issued a Request for Proposals (RFP) for conflict attorney services for indigent clients. The Board awarded the contract to El Dorado Law, A Professional Law Corporation. Rather than contract directly with the conflict panel attorneys, El Dorado Law will administer the panel of 11 attorneys as subcontractors. In addition, El Dorado Law will provide administrative support and will collect and report data to the County in order to assist in better evaluation and management of these services. Individual attorney pay will be increased by 15%, commensurate with increases received by most County employees over the past several years.

COUNTY'S COURT MAINTENANCE OF EFFORT (MOE)

Financial Information by Fund Type

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

| | MID-YEAR PROJECTION | CURRENT YR APPROVED BUDGET | DEPARTMENT REQUEST | CAO RECOMMENDED BUDGET | DIFFERENCE CURR YR CAO RECMD | |
|----------------------------|-------------------------------------|----------------------------------|-----------------------|------------------------------|------------------------------------|----------------|
| TYPE: R REVENUE | | | | | | |
| SUBOBJ SUBOBJ TITLE | | | | | | |
| 0300 | VEHICLE CODE: FINES | 13,835 | 13,835 | 13,536 | 13,536 | -299 |
| 0301 | VEHICLE CODE: COURT FINES | 407,384 | 407,384 | 352,356 | 352,356 | -55,028 |
| 0320 | COURT FINE: OTHER | 37,008 | 37,008 | 37,896 | 37,896 | 888 |
| CLASS: 03 | REV: FINE, FORFEITURE & | 458,227 | 458,227 | 403,788 | 403,788 | -54,439 |
| 1500 | COURT: FEES & COSTS | 743 | 743 | 485 | 485 | -258 |
| 1504 | COURT: SUMMARY JUDGMENT | 9,264 | 9,264 | 8,000 | 8,000 | -1,264 |
| 1510 | COURT: TRAFFIC BAIL SCHOOL VC42007 | 364,587 | 364,587 | 359,534 | 359,534 | -5,053 |
| 1511 | COURT: TRAFFIC SCHOOL VC42007.1 | 76,828 | 76,828 | 78,918 | 78,918 | 2,090 |
| 1512 | COURT: CITE/OWN RECOG PC1463.07 | 743 | 743 | 390 | 390 | -353 |
| 1513 | COURT: AB233 CNTY SHARE ST PENALTY | 208,859 | 208,859 | 180,429 | 180,429 | -28,430 |
| 1517 | COURT: CONFLICT ATTORNEY | 1,167 | 1,167 | 5,936 | 5,936 | 4,769 |
| CLASS: 13 | REV: CHARGE FOR SERVICES | 662,191 | 662,191 | 633,692 | 633,692 | -28,499 |
| 1942 | MISC: REIMBURSEMENT | 20,000 | 20,000 | 10,000 | 10,000 | -10,000 |
| CLASS: 19 | REV: MISCELLANEOUS | 20,000 | 20,000 | 10,000 | 10,000 | -10,000 |
| TYPE: R SUBTOTAL | | 1,140,418 | 1,140,418 | 1,047,480 | 1,047,480 | -92,938 |
| TYPE: E EXPENDITURE | | | | | | |
| SUBOBJ SUBOBJ TITLE | | | | | | |
| 4120 | JURY & WITNESS EXPENSE | 5,000 | 5,000 | 5,000 | 5,000 | 0 |
| 4122 | JURY EXP: CRIMINAL | 0 | 0 | 2,000 | 2,000 | 2,000 |
| 4126 | JURY MILEAGE: CRIMINAL | 2,000 | 2,000 | 2,200 | 2,200 | 200 |
| 4127 | GRAND JURY EXPENSE | 6,372 | 6,372 | 6,000 | 6,000 | -372 |
| 4300 | PROFESSIONAL & SPECIALIZED SERVICES | 10,000 | 10,000 | 10,000 | 10,000 | 0 |
| 4310 | CONTRACTUAL SERVICE PROGRAM | 748,696 | 748,696 | 786,131 | 997,677 | 248,981 |
| 4313 | LEGAL SERVICES | 145,000 | 145,000 | 145,000 | 145,000 | 0 |
| 4317 | CRIMINAL INVESTIGATION | 75,000 | 75,000 | 75,000 | 75,000 | 0 |
| 4320 | VERBATIM: TRANSCRIPTION | 5,000 | 5,000 | 5,000 | 5,000 | 0 |
| 4323 | PSYCHIATRIC MEDICAL SERVICES | 60,000 | 60,000 | 60,000 | 60,000 | 0 |
| CLASS: 40 | SERVICE & SUPPLIES | 1,057,068 | 1,057,068 | 1,096,331 | 1,307,877 | 250,809 |
| 5240 | CONTRIB: NON-CNTY GOVERNMENTAL | 334,000 | 334,000 | 334,000 | 334,000 | 0 |
| 5242 | AB233: MOE COURT REVENUE | 940,000 | 940,000 | 940,000 | 940,000 | 0 |
| CLASS: 50 | OTHER CHARGES | 1,274,000 | 1,274,000 | 1,274,000 | 1,274,000 | 0 |
| TYPE: E SUBTOTAL | | 2,331,068 | 2,331,068 | 2,370,331 | 2,581,877 | 250,809 |
| FUND TYPE: 10 | SUBTOTAL | 1,190,650 | 1,190,650 | 1,322,851 | 1,534,397 | 343,747 |
| DEPARTMENT: 20 | SUBTOTAL | 1,190,650 | 1,190,650 | 1,322,851 | 1,534,397 | 343,747 |