

# SUPERIOR COURT MOE

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## 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: \$972,000**  
**Total Revenue: \$1,524,500**  
**Net County Cost: (\$552,500)**

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: \$1,161,000**

**Total Revenue: \$20,000**

**Net County Cost: \$1,141,000**

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) at \$5,951 per month for eight long term attorneys and \$4,000 for two newer attorneys. 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.

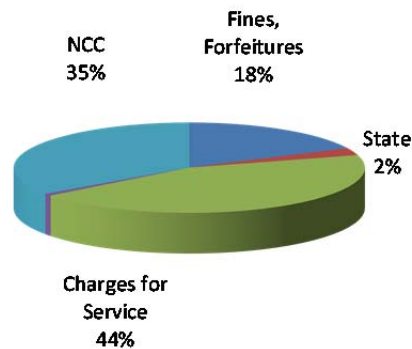
### **Source of Funds**

**Fine, Forfeiture & Penalties (\$441,000):** Includes vehicle fines (\$6,000), Court fines (\$400,000), and other miscellaneous fines (\$35,000).

**State Intergovernmental (\$65,000):** All comprised of State Other (\$65,000).

**Charges for Service (\$1,083,500):** Primarily comprised of Court fees associated with traffic school fees (\$745,000), County share of State Penalty fees (\$325,000).

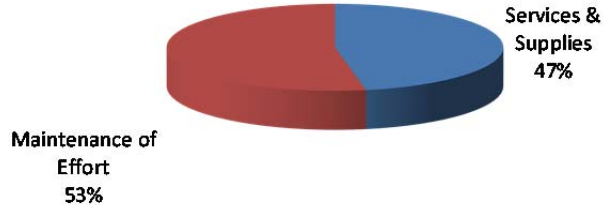
**Miscellaneous Revenue (\$20,000)**



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## Use of Funds

Services & Supplies (\$1,161,000): Primarily comprised of the contractual service program for court appointed attorneys (\$675,000), professional and specialized services for indigent defense services (\$360,000), criminal investigation for indigent defense cases (\$50,000) and psychiatric medical for indigent defense cases (\$50,000).



Other Charges (\$1,306,000): 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 \$35,150 or 2% and a decrease in appropriations of \$474,283 or 16% from the FY 2011-12 approved budget. As a result, the Net County Cost is decreased \$439,133 or 34%.

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. Of the seven on the west slope, two are newer attorney's that are funded as entry level. These are full-fledged attorneys, but they are only assigned misdemeanor and low level felony cases. These two attorneys' are compensated at a lower level in an effort to diversify the panel as well as manage the cost.

In addition to contract attorney expense the budget includes approximately \$500,000 in funding for the defense of indigent defense cases. This amount has remained stable over the past year or so. No increase is proposed in this budget. However, this budget does include \$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

		CURRENT YR			CAO	
		MID-YEAR PROJECTION	APPROVED BUDGET	DEPARTMENT REQUEST	RECOMMENDED BUDGET	DIFFERENCE
<b>TYPE:</b>		<b>R</b>	<b>REVENUE</b>			
<b>SUBOBJ</b>	<b>SUBOBJ TITLE</b>					
0300	VEHICLE CODE: FINES	5,000	5,000	6,000	6,000	1,000
0301	VEHICLE CODE: COURT FINES	350,000	350,000	400,000	400,000	50,000
0320	COURT FINE: OTHER	25,000	25,000	35,000	35,000	10,000
<b>CLASS: 03</b>	<b>REV: FINE, FORFEITURE &amp;</b>	380,000	380,000	441,000	441,000	61,000
0880	ST: OTHER	90,000	90,000	65,000	65,000	-25,000
<b>CLASS: 05</b>	<b>REV: STATE INTERGOVERNMENTAL</b>	90,000	90,000	65,000	65,000	-25,000
1500	COURT: FEES & COSTS	7,000	7,000	4,000	4,000	-3,000
1504	COURT: SUMMARY JUDGMENT	0	0	5,000	5,000	5,000
1510	COURT: TRAFFIC BAIL SCHOOL VC42007	710,000	710,000	620,000	620,000	-90,000
1511	COURT: TRAFFIC SCHOOL VC42007.1	125,000	125,000	125,000	125,000	0
1512	COURT: CITE/OWN RECOG PC1463.07	5,000	5,000	3,000	3,000	-2,000
1513	COURT: AB233 CNTY SHARE ST PENALTY	325,000	325,000	325,000	325,000	0
1517	COURT: CONFLICT ATTORNEY	0	0	1,500	1,500	1,500
1742	MISC: COPY FEES	150	150	0	0	-150
<b>CLASS: 13</b>	<b>REV: CHARGE FOR SERVICES</b>	1,172,150	1,172,150	1,083,500	1,083,500	-88,650
1942	MISC: REIMBURSEMENT	2,500	2,500	20,000	20,000	17,500
<b>CLASS: 19</b>	<b>REV: MISCELLANEOUS</b>	2,500	2,500	20,000	20,000	17,500
<b>TYPE: R SUBTOTAL</b>		1,644,650	1,644,650	1,609,500	1,609,500	-35,150
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<b>TYPE: E EXPENDITURE</b>						
<b>SUBOBJ</b>	<b>SUBOBJ TITLE</b>					
4126	JURY MILEAGE: CRIMINAL	0	0	2,500	2,500	2,500
4127	GRAND JURY EXPENSE	0	0	7,500	7,500	7,500
4300	PROFESSIONAL & SPECIALIZED SERVICES	360,000	360,000	360,000	360,000	0
4310	CONTRACTUAL SERVICE PROGRAM	675,000	675,000	675,000	675,000	0
4316	APPOINT COUNSEL: JUVENILES	20,000	20,000	10,000	10,000	-10,000
4317	CRIMINAL INVESTIGATION	50,000	50,000	50,000	50,000	0
4320	VERBATIM: TRANSCRIPTION	0	0	5,000	5,000	5,000
4323	PSYCHIATRIC MEDICAL SERVICES	50,000	50,000	50,000	50,000	0
4324	MEDICAL,DENTAL,LAB & AMBULANCE SRV	0	0	1,000	1,000	1,000
<b>CLASS: 40</b>	<b>SERVICE &amp; SUPPLIES</b>	1,155,000	1,155,000	1,161,000	1,161,000	6,000
5142	AUDIT FINDINGS	-185,000	465,000	0	0	-465,000
5240	CONTRIB: NON-CNTY GOVERNMENTAL	350,000	350,000	334,000	334,000	-16,000
5242	AB233: MOE COURT REVENUE	971,283	971,283	972,000	972,000	717
<b>CLASS: 50</b>	<b>OTHER CHARGES</b>	1,136,283	1,786,283	1,306,000	1,306,000	-480,283
<b>TYPE: E SUBTOTAL</b>		2,291,283	2,941,283	2,467,000	2,467,000	-474,283
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<b>FUND TYPE: 10</b>	<b>SUBTOTAL</b>	646,633	1,296,633	857,500	857,500	-439,133

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### Ten Year History

	03/04 Actual	04/05 Actual	05/06 Actual	06/07 Actual	07/08 Actual
Fines, Forfeitures	477,231	354,175	356,150	309,141	329,698
State	-	-	-	-	-
Charges for Service	1,130,358	1,274,465	1,077,912	1,135,528	1,213,236
Misc.	-	257	2,305	1,540	3,139
<b>Total Revenue</b>	<b>1,607,589</b>	<b>1,628,897</b>	<b>1,436,367</b>	<b>1,446,209</b>	<b>1,546,073</b>
Services & Supplies	1,013,823	1,132,336	1,300,638	1,471,551	1,513,846
Maintenance of Effort	1,262,226	1,647,875	1,143,655	964,928	1,007,797
Intrafund Transfers	-	-	110	25	-
<b>Total Appropriations</b>	<b>2,276,049</b>	<b>2,780,211</b>	<b>2,444,403</b>	<b>2,436,504</b>	<b>2,521,643</b>
<b>NCC</b>	<b>668,460</b>	<b>1,151,314</b>	<b>1,008,036</b>	<b>990,295</b>	<b>975,570</b>
<b>FTE's</b>	-	-	-	-	-

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### Ten Year History

	08/09 Actual	09/10 Actual	10/11 Actual	11/12 Projected	12/13 Budget
Fines, Forfeitures	415,132	524,947	610,605	380,000	441,000
State	-	79,163	74,205	90,000	65,000
Charges for Service	1,275,072	1,085,867	1,008,028	1,172,150	1,083,500
Misc.	3,420	14,346	22,647	2,500	20,000
<b>Total Revenue</b>	<b>1,693,624</b>	<b>1,704,323</b>	<b>1,715,485</b>	<b>1,644,650</b>	<b>1,609,500</b>
Services & Supplies	1,392,678	1,369,145	1,240,406	1,155,000	1,161,000
Maintenance of Effort	1,164,643	1,562,203	1,793,062	1,136,283	1,306,000
Intrafund Transfers	-	75	-	-	-
<b>Total Appropriations</b>	<b>2,557,321</b>	<b>2,931,423</b>	<b>3,033,468</b>	<b>2,291,283</b>	<b>2,467,000</b>
<b>NCC</b>	<b>863,697</b>	<b>1,227,100</b>	<b>1,317,983</b>	<b>646,633</b>	<b>857,500</b>
<b>FTE's</b>	-	-	-	-	-

10 Year Variance		
	\$ Change	% Change
Fines, Forfeitures	(36,231)	-8%
State	65,000	N/A
Charges for Service	(46,858)	-4%
Misc.	20,000	N/A
<b>Total Revenue</b>	<b>1,911</b>	<b>0%</b>
Services & Supplies	147,177	15%
Maintenance of Effort	43,774	3%
<b>Total Appropriations</b>	<b>190,951</b>	<b>8%</b>
<b>NCC</b>	<b>189,040</b>	<b>-28%</b>
<b>FTE's</b>	-	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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