

Court Maintenance of Effort (MOE) & Indigent Defense

RECOMMENDED BUDGET • FY 2017 - 18

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. Fines and forfeitures 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). This County function is represented in this Department.

DEPARTMENT BUDGET SUMMARY

	15/16 Actual	16/17 Budget	17/18 Dept Request	17/18 CAO Recommend	Change from Budget to Recommend	% Change
Fines, Forfeitures	\$ 403,075	\$ 403,788	\$ 401,074	\$ 401,074	\$ (2,714)	-0.7%
Charges for Service	\$ 635,816	\$ 633,692	\$ 619,723	\$ 619,723	\$ (13,969)	-2.2%
Miscellaneous	\$ 10,107	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.0%
Total Revenue	\$ 1,048,998	\$ 1,047,480	\$ 1,030,797	\$ 1,030,797	\$ (16,683)	-1.6%
Services & Supplies	\$ 954,575	\$ 1,307,877	\$ 1,178,725	\$ 1,178,725	\$ (129,152)	-9.9%
Maintenance of Effort	\$ 785,593	\$ 1,274,000	\$ 1,275,000	\$ 1,275,000	\$ 1,000	0.1%
Total Appropriations	\$ 1,740,168	\$ 2,581,877	\$ 2,453,725	\$ 2,453,725	\$ (128,152)	-5.0%
Net County Cost	\$ 691,170	\$ 1,534,397	\$ 1,422,928	\$ 1,422,928	\$ (111,469)	-7.3%
FTEs	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%

MAJOR BUDGET CHANGES

Appropriations

Services and Supplies

(\$129,152) Decrease due primarily to a recommended reduction in the number of attorneys serving on the indigent defense conflict panel.

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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 attorneys. In addition, this budget includes 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 forfeitures 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.)

BUDGET SUMMARY BY PROGRAM

	Appropriations	Revenues	Net County Cost	Staffing
Court Facilities	\$ 335,000	\$ -	\$ 335,000	0
Indigent Defense	\$ 1,178,725	\$ 10,000	\$ 1,168,725	0
Maintenance of Effort	\$ 940,000	\$ 1,020,797	\$ (80,797)	0
Total	\$ 2,453,725	\$ 1,030,797	\$ 1,422,928	0

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RECOMMENDED BUDGET

This Budget is recommended at \$2,453,725. The Recommended Budget represents an overall decrease of \$16,683 (2%) in revenues and a decrease of \$128,152 (5%) in appropriations when compared to the FY 2016-17 Adopted Budget. As a result, the Net County Cost has decreased by \$111,469 (7%) to \$1,422,928.

The Recommended Budget reflects a reduction in the cost for conflict panel attorney services.

Sources & Uses of Funds

The County receives a share of fines, including vehicle and court fines (\$401,074), and fees and penalties, mostly associated with traffic school (\$619,723), which are collected by the Courts.

The remaining required Superior Court Maintenance of Effort is funded with the County's share of the fine and fee revenue that the County receives. Additionally, the County is required to remit to the State a 50% portion of any fine and forfeiture revenue received in excess of the base MOE amount.

Indigent Defense is funded entirely from discretionary General Fund revenue.

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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 REQUEST	CAO RECOMMENDED BUDGET	DIFFERENCE CURR YR CAO RECMD	
TYPE: R REVENUE						
SUBOBJ	SUBOBJ TITLE					
0300	VEHICLE CODE: FINES	13,536	13,536	12,963	12,963	-573
0301	VEHICLE CODE: COURT FINES	352,356	352,356	351,452	351,452	-904
0320	COURT FINE: OTHER	37,896	37,896	36,659	36,659	-1,237
CLASS: 03	REV: FINE, FORFEITURE &	403,788	403,788	401,074	401,074	-2,714
1500	COURT: FEES & COSTS	485	485	473	473	-12
1504	COURT: SUMMARY JUDGMENT	8,000	8,000	8,000	8,000	0
1510	COURT: TRAFFIC BAIL SCHOOL VC42007	359,534	359,534	351,831	351,831	-7,703
1511	COURT: TRAFFIC SCHOOL VC42007.1	78,918	78,918	77,600	77,600	-1,318
1512	COURT: CITE/OWN RECOG PC1463.07	390	390	390	390	0
1513	COURT: AB233 CNTY SHARE ST PENALTY	180,429	180,429	180,429	180,429	0
1517	COURT: CONFLICT ATTORNEY	5,936	5,936	1,000	1,000	-4,936
CLASS: 13	REV: CHARGE FOR SERVICES	633,692	633,692	619,723	619,723	-13,969
1942	MISC: REIMBURSEMENT	10,000	10,000	10,000	10,000	0
CLASS: 19	REV: MISCELLANEOUS	10,000	10,000	10,000	10,000	0
TYPE: R SUBTOTAL	1,047,480	1,047,480	1,030,797	1,030,797	-16,683	
TYPE: E EXPENDITURE						
SUBOBJ	SUBOBJ TITLE					
4120	JURY & WITNESS EXPENSE	5,000	5,000	2,500	2,500	-2,500
4122	JURY EXP: CRIMINAL	2,000	2,000	5,066	5,066	3,066
4126	JURY MILEAGE: CRIMINAL	2,200	2,200	4,831	4,831	2,631
4127	GRAND JURY EXPENSE	6,000	6,000	6,000	6,000	0
4300	PROFESSIONAL & SPECIALIZED SERVICES	10,000	10,000	10,000	10,000	0
4310	CONTRACTUAL SERVICE PROGRAM	997,677	997,677	0	0	-997,677
4313	LEGAL SERVICES	145,000	145,000	163,644	163,644	18,644
4315	CONTRACT: LEGAL ATTORNEY	0	0	841,184	841,184	841,184
4317	CRIMINAL INVESTIGATION	75,000	75,000	75,000	75,000	0
4320	VERBATIM: TRANSCRIPTION	5,000	5,000	10,000	10,000	5,000
4323	PSYCHIATRIC MEDICAL SERVICES	60,000	60,000	60,000	60,000	0
4400	PUBLICATION & LEGAL NOTICES	0	0	500	500	500
CLASS: 40	SERVICE & SUPPLIES	1,307,877	1,307,877	1,178,725	1,178,725	-129,152
5240	CONTRIB: NON-CNTY GOVERNMENTAL	334,000	334,000	335,000	335,000	1,000
5242	AB233: MOE COURT REVENUE	940,000	940,000	940,000	940,000	0
CLASS: 50	OTHER CHARGES	1,274,000	1,274,000	1,275,000	1,275,000	1,000
TYPE: E SUBTOTAL	2,581,877	2,581,877	2,453,725	2,453,725	-128,152	
FUND TYPE: 10	SUBTOTAL	1,534,397	1,534,397	1,422,928	1,422,928	-111,469
DEPARTMENT: 20	SUBTOTAL	1,534,397	1,534,397	1,422,928	1,422,928	-111,469