

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).

Program Summaries

Superior Court Maintenance of Effort

Total Appropriations: \$1,316,283
Total Revenue: \$1,552,150
Net County Cost: \$(235,867)

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: \$350,000
Total Revenue: \$90,000
Net County Cost: \$260,000

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: \$1,155,000
Total Revenue: \$2,500
Net County Cost: \$1,152,000

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 8 attorneys (5 West Slope and 3 South Lake Tahoe) at \$5,951 per month. This monthly compensation is a decrease of \$661 per month per attorney or approximately \$63,000 annually from the original contracted compensation. In addition, this budget includes funding for court ordered services associated with the defense of indigent clients.

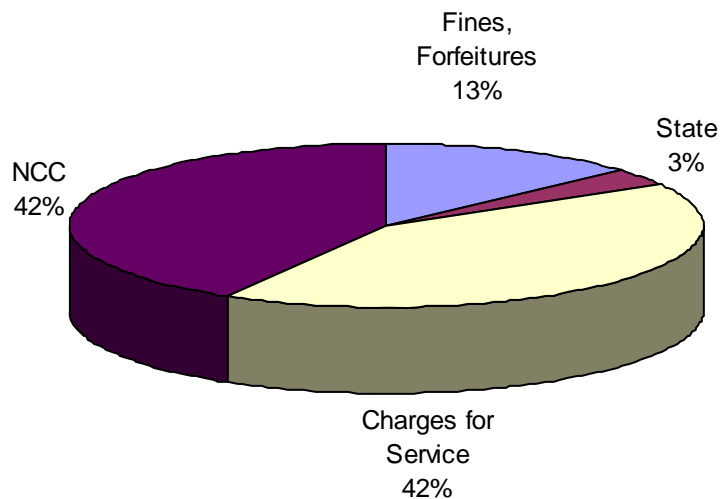
Source of Funds

Fine, Forfeiture & Penalties (\$380,000): Includes vehicle fines (\$5,000), Court fines (\$350,000), and other miscellaneous fines (\$25,000).

State Intergovernmental (\$90,000): All comprised of State Other (\$90,000).

Charges for Service (\$1,172,150): Primarily comprised of Court fees associated with traffic school fees (\$835,000), County share of State Penalty fees (\$325,000).

Miscellaneous Revenue (\$2,500)

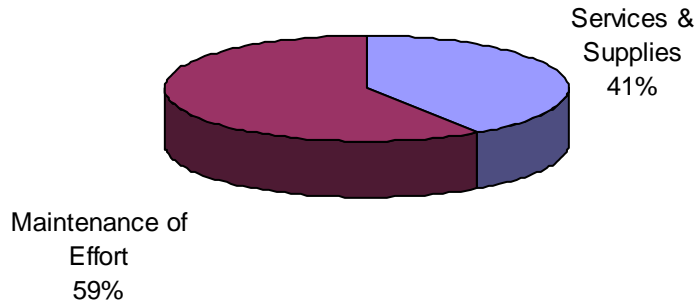


Net County Cost: (\$1,176,633) : Discretionary General Fund tax dollars. These revenues are collected in Department 15 – General Fund Other Operations.

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Use of Funds

Services & Supplies (\$1,155,000): 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 (\$1,666,283): 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 8 attorneys for indigent defense services.

Chief Administrative Office Comments

The Recommended Budget represents no change in revenue and a decrease of \$50,583 or 2% in appropriations when compared to the FY 2010-11 approved budget. As a result, the Net County Cost is decreased by \$50,583 or 4%.

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 building where the County and the Courts share space, but the County manages the buildings. This revenue is estimated at \$90,000 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 new attorney's that are funded as entry level. These are full fledged attorneys, but will only be assigned misdemeanor and low level felony cases. These two attorney's are compensated at a lower level in an effort to diversify the panel as well as manage the cost.

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The County has experienced a number of high profile cases over the past few years and several more are waiting to go forward. The budget includes approximately \$500,000 in funding for the defense of indigent defense cases.

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Financial Information by Fund Type

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

		CURRENT YR		CAO		
		MID-YEAR	APPROVED	DEPARTMENT	RECOMMENDED	
		PROJECTION	BUDGET	REQUEST	BUDGET	
					DIFFERENCE	
TYPE: R REVENUE						
SUBOBJ	SUBOBJ TITLE					
0300	VEHICLE CODE: FINES	5,000	5,000	5,000	5,000	0
0301	VEHICLE CODE: COURT FINES	350,000	350,000	350,000	350,000	0
0320	COURT FINE: OTHER	25,000	25,000	25,000	25,000	0
CLASS: 03	REV: FINE, FORFEITURE & PENALTIES	380,000	380,000	380,000	380,000	0
0880	ST: OTHER	90,000	90,000	90,000	90,000	0
CLASS: 05	REV: STATE INTERGOVERNMENTAL	90,000	90,000	90,000	90,000	0
1500	COURT: FEES & COSTS	7,000	7,000	7,000	7,000	0
1510	COURT: TRAFFIC BAIL SCHOOL VC42007	710,000	710,000	710,000	710,000	0
1511	COURT: TRAFFIC SCHOOL VC42007.1	125,000	125,000	125,000	125,000	0
1512	COURT: CITE/OWN RECOG PC1463.07 GC29550	5,000	5,000	5,000	5,000	0
1513	COURT: AB233 CNTY SHARE ST PENALTY	325,000	325,000	325,000	325,000	0
1742	MISC: COPY FEES	150	150	150	150	0
CLASS: 13	REV: CHARGE FOR SERVICES	1,172,150	1,172,150	1,172,150	1,172,150	0
1942	MISC: REIMBURSEMENT	2,500	2,500	2,500	2,500	0
CLASS: 19	REV: MISCELLANEOUS	2,500	2,500	2,500	2,500	0
TYPE: R SUBTOTAL		1,644,650	1,644,650	1,644,650	1,644,650	0
TYPE: E EXPENDITURE						
SUBOBJ	SUBOBJ TITLE					
4300	PROFESSIONAL & SPECIALIZED SERVICES	350,000	350,000	360,000	360,000	10,000
4310	CONTRACTUAL SERVICE PROGRAM	735,583	735,583	675,000	675,000	-60,583
4316	APPOINT COUNSEL: JUVENILES	20,000	20,000	20,000	20,000	0
4317	CRIMINAL INVESTIGATION	50,000	50,000	50,000	50,000	0
4323	PSYCHIATRIC MEDICAL SERVICES	50,000	50,000	50,000	50,000	0
CLASS: 40	SERVICE & SUPPLIES	1,205,583	1,205,583	1,155,000	1,155,000	-50,583
5142	AUDIT FINDINGS	465,000	465,000	465,000	465,000	0
5240	CONTRIB: NON-CNTY GOVERNMENTAL	350,000	350,000	350,000	350,000	0
5242	AB233: MOE COURT REVENUE	851,283	851,283	851,283	851,283	0
CLASS: 50	OTHER CHARGES	1,666,283	1,666,283	1,666,283	1,666,283	0
TYPE: E SUBTOTAL		2,871,866	2,871,866	2,821,283	2,821,283	-50,583
FUND TYPE: 10	SUBTOTAL	1,227,216	1,227,216	1,176,633	1,176,633	-50,583
DEPARTMENT: 20	SUBTOTAL	1,227,216	1,227,216	1,176,633	1,176,633	-50,583

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Ten Year History

	02/03 Actual	03/04 Actual	04/05 Actual	05/06 Actual	06/07 Actual
Fines, Forfeitures	383,276	477,231	354,175	356,150	309,141
State	-	-	-	-	-
Charges for Service	1,861,673	1,130,358	1,274,465	1,077,912	1,135,528
Misc.	1,849	-	257	2,305	1,540
Total Revenue	2,246,798	1,607,589	1,628,897	1,436,367	1,446,209
Services & Supplies	759,336	1,013,823	1,132,336	1,300,638	1,471,551
Maintenance of Effort	1,268,129	1,262,226	1,647,875	1,143,655	964,928
Intrafund Transfers	-	-	-	110	25
Total Appropriations	2,027,465	2,276,049	2,780,211	2,444,403	2,436,504
NCC	(219,333)	668,460	1,151,314	1,008,036	990,295
FTE's	-	-	-	-	-

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Ten Year History

	07/08 Actual	08/09 Actual	09/10 Actual	10/11 Projected	11/12 Budget
Fines, Forfeitures	329,698	415,132	524,947	380,000	380,000
State	-	-	79,163	90,000	90,000
Charges for Service	1,213,236	1,275,072	1,085,867	1,172,150	1,172,150
Misc.	3,139	3,420	14,346	2,500	2,500
Total Revenue	1,546,073	1,693,624	1,704,323	1,644,650	1,644,650
Services & Supplies	1,513,846	1,392,678	1,369,145	1,205,583	1,155,000
Maintenance of Effort	1,007,797	1,164,643	1,562,203	1,666,283	1,666,283
Intrafund Transfers	-	-	75	-	-
Total Appropriations	2,521,643	2,557,321	2,931,423	2,871,866	2,821,283
NCC	975,570	863,697	1,227,100	1,227,216	1,176,633
FTE's	-	-	-	-	-

10 Year Variance		
	\$ Change	% Change
Fines, Forfeitures	(3,276)	-1%
State	90,000	N/A
Charges for Service	(689,523)	-37%
Misc.	651	35%
Total Revenue	(602,148)	-27%
Services & Supplies	395,664	52%
Maintenance of Effort	398,154	31%
Total Appropriations	793,818	39%
NCC	1,395,966	636%
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.