

**ASSEMBLY BILL**

**No. 1089**

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**Introduced by Assembly Member Alejo**

February 18, 2011

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An act to amend Section 77003 of the Government Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1089, as introduced, Alejo. Trial court funding.

Existing law establishes the Trial Court Trust Fund, the proceeds of which are required to be apportioned for authorized purposes, including apportionment to the trial courts to fund trial court operations. Existing law, for the purpose of funding trial court operations, authorizes the Judicial Council to establish bank accounts for the superior courts, into which shall be deposited all moneys appropriated in the Budget Act and allocated or reallocated to each court by the Judicial Council, moneys held in trust, and other moneys as deemed necessary or appropriate. "Court operations" is defined for these purposes.

This bill would make technical, nonsubstantive changes to the provisions defining court operations.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 77003 of the Government Code is
- 2 amended to read:
- 3 77003. (a) As used in this chapter, "court operations" means
- 4 all of the following:

1 (1) Salaries, benefits, and public agency retirement contributions  
2 for superior court judges and for subordinate judicial officers. For  
3 purposes of this paragraph, “subordinate judicial officers” ~~includes:~~  
4 (A) *Includes* all commissioner or referee positions created prior  
5 to July 1, 1997, including positions created in the municipal court  
6 prior to July 1, 1997, which thereafter became positions in the  
7 superior court as a result of unification of the municipal and  
8 superior courts in a county, and including those commissioner  
9 positions created pursuant to former Sections 69904, 70141,  
10 70141.9, 70142.11, 72607, 73794, 74841.5, and 74908; ~~and~~  
11 *includes*.  
12 (B) *Includes* any staff who provide direct support to  
13 commissioners; ~~but does~~.  
14 (C) *Does* not include commissioners or staff who provide direct  
15 support to the commissioners whose positions were created after  
16 July 1, 1997, unless approved by the Judicial Council, subject to  
17 availability of funding.  
18 (2) The salary, benefits, and public agency retirement  
19 contributions for other court staff.  
20 (3) Those marshals and sheriffs as the court deems necessary  
21 for court operations.  
22 (4) Court-appointed counsel in juvenile court dependency  
23 proceedings and counsel appointed by the court to represent a  
24 minor pursuant to Chapter 10 (commencing with Section 3150)  
25 of Part 2 of Division 8 of the Family Code.  
26 (5) Services and supplies relating to court operations.  
27 (6) Collective bargaining under Sections 71630 and 71639.3  
28 with respect to court employees.  
29 (7) Subject to paragraph (1) of subdivision (d) of Section 77212,  
30 actual indirect costs for county and city and county general services  
31 attributable to court operations, but specifically excluding, but not  
32 limited to, law library operations conducted by a trust pursuant to  
33 statute; courthouse construction; district attorney services;  
34 probation services; indigent criminal defense; grand jury expenses  
35 and operations; and pretrial release services.  
36 (8) Except as provided in subdivision (b), other matters listed  
37 as court operations in Rule 10.810 of the California Rules of Court,  
38 as it read on January 1, 2007.

1 (b) However, “court operations” does not include collection  
2 enhancements as defined in Rule 10.810 of the California Rules  
3 of Court, as it read on January 1, 2007.

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