

LEGISLATIVE, JUDICIAL AND EXECUTIVE

Governmental entities classified under the Legislative, Judicial, and Executive section of the Governor's Budget are either established as independent entities under the California Constitution or are departments that operate outside the agency structure. Constitutionally established bodies include the Legislature, Judicial Branch, Governor's Office, and Constitutional Officers.

JUDICIAL BRANCH

The Judicial Branch is made up of approximately 22,000 employees (including 2,000 judges and judicial officers). The Judicial Branch consists of the state-level judiciary, which includes the Supreme Court and the Courts of Appeal, as well as the Administrative Office of the Courts. Prior to 1998, the trial courts consisted of county superior and municipal courts, but have since been unified into 58 state superior courts. The Judicial Branch serves the people of California by providing access to justice in both civil and criminal matters. The state-level judiciary receives the majority of its funding support from the General Fund. The trial courts receive funding support from the General Fund, from local governments pursuant to maintenance of effort agreements, and from a variety of fines, fees, and other charges collected by the court system and paid into the Trial Court Trust Fund.

Reductions to the trial courts have historically been proposed as unallocated reductions, which has enabled court administrators to work with the Administration and the

Legislature to implement the reductions in a manner that works best within the entire structure of the trial court system.

In recent years, reductions to the trial courts have been implemented through a variety of methods, including one-time transfers from other funding sources, the use of additional reserve balances in special funds, and increases in fees and fines. In 2009-10, the Judicial Council implemented a one-time \$100 million unallocated reduction by closing the courts one day per month.

Similar to the overall problem with the state Budget, the Judicial Branch has used largely one-time solutions to address their past budget reductions and has not made significant efforts to reduce ongoing costs in the court system. As a result, the operational costs of the court system have not been reduced, and the judiciary has fewer options at its disposal to continue operating at existing funding levels.

The significant General Fund solutions are as follows:

- Reduction to the Courts – The Budget proposes a permanent decrease of \$200 million beginning in 2011-12 for the courts. The Administration intends to work with stakeholders and the Judicial Branch to identify ways to implement this reduction in a manner that is least harmful to the courts and preserves service levels provided to the public. In doing so, all areas of the Judicial Branch budget will be evaluated. Some of these options include looking at potential duplication of some state operations functions, and evaluating the availability of fund reserve balances for short-term savings.
- Repeal Trial Courts Conservatorship Program – The Budget proposes a permanent decrease of \$17.4 million beginning in 2011-12 to reflect the elimination of statutory requirements to implement the Omnibus Court Conservatorship and Guardianship Act of 2006. Funds that would allow the courts to fully implement the Act have been deferred for several fiscal years on a one-time basis and as a result the program has never been operational statewide. This proposed change would relieve the courts of the mandated responsibilities under the Act, but would still allow for individual courts who have been implementing parts of the Act to continue doing so.

In addition to the reductions mentioned above, there are two additional proposals affecting the trial courts. There is a proposal to use \$860 million in funds that historically would have gone to redevelopment agencies to offset trial court General Fund costs. This proposal is discussed in more detail in the Tax Relief and Local Government chapter.

As part of the realignment proposal, a new revenue source will support court security services provided by county sheriffs. This issue is discussed in more detail in the Realignment chapter.

GOVERNOR'S OFFICE

The Office of the Governor provides for the overall direction and executive administration of all state agencies and departments under its purview. The Governor's Office is funded from the General Fund and a special fund that supports centralized state administrative costs. The state's fiscal crisis is extremely serious, and the Governor believes it is critical that all state agencies, including his own office, do more with less. Therefore, in order to streamline operations and eliminate unnecessary functions, the Budget proposes to reduce the Governor's Office by \$4.5 million (\$3.7 million General Fund)—a 25-percent reduction. These savings will be achieved by eliminating positions within the Governor's Office.

In addition to these savings, additional current-year savings will be achieved by spending only a portion of the funds that were budgeted for transition costs during 2010-11, and by eliminating the office of the American Reinvestment and Recovery Act Inspector General six months early.

DEPARTMENT OF JUSTICE

As chief law officer of the state, the Attorney General has the responsibility to see that the laws of California are uniformly and adequately enforced. This responsibility is fulfilled through the diverse programs of the Department of Justice (DOJ).

The DOJ represents the people in all matters before the Appellate and Supreme Courts of California and the United States; serves as legal counsel to state officers, boards, commissions, and departments; represents the people in actions to protect the environment and to enforce consumer, antitrust, and civil rights laws; and assists district attorneys in the administration of justice.

The DOJ also coordinates efforts to address the statewide narcotic enforcement problem; assists local law enforcement in the investigation and analysis of crimes; provides person and property identification and information services to criminal justice agencies; supports the telecommunications and data processing needs of the California criminal justice community; and pursues projects designed to protect the people of California

from fraudulent, unfair, and illegal activities. The DOJ receives funding support from the General Fund, as well as federal funds and a number of special-purpose funds related to the Department's regulatory and legal enforcement activities.

Currently, state departments receive legal services in an inconsistent manner. Unlike the Department of General Services (DGS), which bills all departmental clients for services provided, DOJ legal services are provided to departments both on a billable basis, as the DGS operates, and also on a "non-billable" basis, which means that DOJ has received a budget appropriation meant to cover the costs of various clients instead of billing them for their services. The clients who have not been receiving services on a billable basis have been experiencing service level reductions as a result of budget cuts taken by the DOJ. In addition, DOJ indicates that some of these clients have used DOJ for services that may not require the expertise of a DOJ Deputy Attorney General, and as a result these clients do not appear to be prioritizing the work they send to the DOJ. Given the success that DOJ's long-term billable clients have had with managing their own caseload on an attorney/client basis, the Budget proposes to convert the remaining "non-billable" clients to billable status.

The Budget includes a reduction of \$50.2 million General Fund and an increase of \$60.1 million Legal Services Revolving Fund to reflect this transition. The Budget provides General Fund allocations to the 11 largest non-billable clients based on past actual hourly usage. The remaining clients will receive legal services from an allocation that the DOJ will reconcile annually to ensure that appropriate funds are being used to pay for legal services. It is expected that converting these remaining "non-billable" clients to the same system that has been used by many state departments for years will result in better management of legal workload, and an attorney-client relationship that is more beneficial to both the departmental clients and the Department of Justice.

CALIFORNIA TECHNOLOGY AGENCY (FORMERLY THE OFFICE OF THE STATE CHIEF INFORMATION OFFICER)

The California Technology Agency (Agency) has a budget of \$1.3 billion and over 1,200 employees to oversee information technology projects and public safety emergency communication systems for all state departments, as well as to establish and enforce statewide information technology policies, standards and strategic plans. Effective January 1, 2011, Chapter 404, Statutes of 2010 renamed the Office of the State Chief Information Officer to the California Technology Agency and codified the statewide

information technology consolidation originally implemented by the Governor's Reorganization Plan No.1 in 2009.

Within the Agency, the Office of Technology Services (OTech) serves as the state's data center to deliver computing, networking, and electronic messaging services to state, federal, and local government entities. The Public Safety Communications Division designs, engineers and installs the state's radio and microwave systems, as well as provides for maintenance and repair of equipment. The division also provides oversight of the emergency telephone (9-1-1) network and the 500 police, fire, and paramedic dispatch centers located throughout the state.

The significant Non-General Fund workload adjustment is:

- Data Center Workload Capacity—An increase of \$19.7 million and 23 positions in 2011-12 as a result of data center workload growth, including \$10.6 million to support the migration of state agencies to a shared e-mail system.

The significant Non-General Fund policy issue adjustment is:

- Independent Project Oversight—An increase of \$966,000 and 9 positions in 2011-12 to transition independent oversight of state information technology projects from vendors to the agency.

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