

**SUBCOMMITTEE NO. 5**

**Agenda**

**Senator Laura Richardson, Chair**  
**Senator María Elena Durazo**  
**Senator Kelly Seyarto**



**Thursday, April 16, 2026**  
**9:30 a.m. or Upon Adjournment of Session**  
**State Capitol – Room 112**

Consultant: Nora Brackbill

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## ITEMS FOR DISCUSSION

### 8140 OFFICE OF THE STATE PUBLIC DEFENDER

#### Issue 1: Racial Justice for All Act (AB 256) Implementation

##### Panelists.

- Galit Lipa, State Public Defender
- Drew Soderborg, Deputy Legislative Analyst, Legislative Analyst's Office
- Mark Jimenez, Principal Program Budget Analyst, Department of Finance
- Victoria Chin, Finance Budget Analyst, Department of Finance

**Proposal.** The proposed budget includes six positions and \$2.1 million General Fund in 2026-27, and \$2 million in 2027-28 and ongoing, to continue to address the provisions of AB 256 (Kalra), Chapter 739, Statutes of 2022.

##### Background.

The Office of the State Public Defender (OSPD) provides representation to persons in post-conviction proceedings following a judgment of death. OSPD also provides assistance and training to public defender offices and appointed private counsel, and engages in related efforts for the purpose of improving indigent defense. OSPD produces statewide guidance on various sentencing changes and pieces of legislation that affect all defense counsel.

**History of OSPD.** OSPD was originally created in 1976 to represent indigent criminal defendants in appellate cases. In 1997, with a rise in death penalty sentences, OSPD began to focus primarily on death penalty appeals. Since 2016, OSPD has also taken a larger statewide role in death penalty defense and has assumed responsibilities for litigating issues that affect multiple death penalty cases across the state. Additionally, OSPD has assisted other state entities in assessing problems related to the administration of the death penalty.

The mission of OSPD was expanded in 2020 to include assisting counties in the provision of constitutionally mandated public defense services, through the Indigent Defense Improvement Division. OSPD now has the responsibility to train and offer technical assistance to county level public defenders and other private attorneys representing the indigent. OSPD has administered several grants related to this mission.

**Racial Justice Act Implementation.** The California Racial Justice Act (RJA; AB 2542 [Kalra], Chapter 317, Statutes of 2020) prohibits the state from seeking or obtaining a conviction or sentence on the basis of race, ethnicity, or national origin. AB 256 (Kalra), Chapter 739, Statutes of 2022 made the RJA retroactive, and allowed individuals to petition for relief under certain conditions. The 2023 Budget Act included \$3.1 million one-time General Fund for the Office of the State Public Defender to litigate RJA claims in capital cases (OSPD also received \$2 million General Fund for local assistance for non-capital cases). The funding was available over three years, and is currently expiring.

However, OSPD reports that its workload is continuing to be affected in three ways. The first is the need to respond to orders from the California Supreme Court for substantial supplemental briefs, in cases that were otherwise completely briefed and filed. OSPD has submitted supplemental briefs in 14 cases, and expects another 26 cases in the next three to six years that will require supplemental briefing. The second is the direction from the California Supreme Court to file RJA claims as writs of habeas corpus, which takes specific expertise and extensive time and resources. OSPD estimates that dozens of cases will be affected by this mandate. The last is for California Public Records Act (CPRA) requests for large data sets for use in RJA claims. In 2020, OSPD received three CPRA requests; in 2024, it received 129, and in 2025, it is on track for 170 requests, with 85 received in the first half of the year.

Due to this ongoing workload and the expiration of the limited-term funding, OSPD is requesting resources for six permanent positions, including four attorneys, one research data specialist, and one staff services analyst, and resources for data storage and management.

**Staff Recommendation.** Hold open.

**Issue 2: California Public Defense Workloads and Staffing****Panelists.**

- Galit Lipa, State Public Defender

DOF and LAO are available for questions.

**Background.** In 2021, the Legislature directed OSPD, in consultation with the California Public Defenders Association and other subject matter experts, to study public defender workloads and submit a report with findings and recommendations to the Legislature, upon appropriation (AB 625 [Arambula], Chapter 583, Statutes of 2021). The funding was provided in the 2022 Budget Act, and the report was submitted in September 2025<sup>1</sup>.

**Summary of Report.** OSPD partnered with the Deason Criminal Justice Reform Center at the SMU Dedman School of Law to produce the report, and provided the following summary:

California is one of only three states in the country with no statewide oversight or standards for its public defense systems. To assess the current workload and staffing of California public defense providers and to provide recommendations of the needed staffing standards in today's public defense systems, the experts at the Deason Center conducted a comprehensive literature review, convened an Advisory Group, conducted site visits to nine California counties, held ten focus groups, and surveyed California's chief public defenders. The report incorporates the recently published National Public Defense Workload Standards published by RAND and the American Bar Association.

The Deason Center found that California's public defense attorneys are almost universally burdened by excessive workloads. The best available data demonstrates that public defense attorneys' caseloads far exceed nationally recommended standards.

The Deason Center also found that public defense providers in California lack the investigators, social workers, paralegals, and administrative assistants necessary to efficiently and effectively represent their clients.

The report addresses the problems in California's less-populous, more rural counties, which include decreasing attorney availability in counties that incarcerate individuals at a higher rate, pointing to what will become a growing problem.

The report makes recommendations based on expert analysis of the data and public defense standards. These recommendations include:

- Standards to both limit attorney workloads and ensure appropriate support staffing for public defense providers.

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<sup>1</sup> <https://www.ospd.ca.gov/wp-content/uploads/2025/09/CA-Full-Report-FINAL-9.29.25-r.pdf>

- Funds for California’s public defense programs to ensure that they can meet standards.
- Protection of public defense offices and independent providers who decline case appointments due to excessive workload.
- Attorney recruitment and retention support, particularly for small and rural counties facing attorney deserts.
- Requiring counties to regularly report data on public defense services.

***Recent Challenges Due to Public Defender Shortages.*** Public defender shortages and workloads have led to significant challenges, both in California and nationwide. For example, in February 2026, the Oregon Supreme Court issued a ruling that resulted in more than 1,400 criminal cases being dismissed due to lack of counsel, with hundreds of those individuals having waited more than a year for an attorney to be appointed<sup>2</sup>. In California, in May 2025, the San Francisco Public Defender refused to take on additional cases due to workload. Initially, private panel attorneys took on additional cases, but they also started to turn down new clients. Eventually, this led to the need to release defendants due to lack of access to an attorney<sup>3</sup>. In January 2026, a judge ruled that the public defender must accept new cases, and the situation is ongoing<sup>4</sup>.

**Staff Recommendation.** This item is informational, and no action is required.

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<sup>2</sup> <https://www.theguardian.com/us-news/2026/feb/05/oregon-supreme-court-ruling-attorney-shortage>

<sup>3</sup> <https://www.sfchronicle.com/sf/article/superior-courts-judges-release-defendants-21112852.php>

<sup>4</sup> <https://www.sfchronicle.com/bayarea/article/san-francisco-public-defender-contempt-fine-22200499.php>

**0250 JUDICIAL BRANCH****Issue 3: Legal Aid Funding****Panelists.**

- Lorin Kline, Director of Advocacy, Legal Aid Association of California
- Judge Sergio C. Tapia II, Presiding Judge of the Superior Court of Los Angeles County
- Kate Marr, Executive Director, Community Legal Aid SoCal
- Tessie Solorzano, Executive Director, Inland Counties Legal Services
- Siobhan Waldron, Managing Attorney, Immigrant Legal Defense

LAO and DOF are available for questions.

**Background.**

As currently interpreted, the United States constitution does not provide a right to counsel in civil cases. “Right to counsel” is a term of art that, broadly defined, means that a person facing a legal issue is entitled to be represented by a lawyer, even if the person cannot afford to pay that lawyer. Civil cases include a wide variety of topics including debt, housing and eviction defense, health and benefits access, and immigration. According to the 2022 Justice Gap Study by LSC, 74 percent of low-income households had experienced at least one civil legal problem in the previous year, and low-income Americans did not get any or enough legal help for 92 percent of their substantial civil legal problems<sup>5</sup>.

**Equal Access Fund.** California provides more than 100 nonprofit legal aid organizations with funding through the IOLTA (Interest on Lawyers’ Trust Accounts) program and the Equal Access Fund (EAF)<sup>6</sup>. These organizations provide free legal services to indigent clients, defined as having income 200 percent or less of the federal poverty threshold, being eligible for Supplemental Security Income, and/or being eligible for free services under services under the Older Americans Act or Developmentally Disabled Assistance Act. The budget includes ongoing, baseline funding of \$40 million for the EAF.

**Other Legal Services Funding.** Outside of the EAF, the state provides funding for legal services through several targeted allocations. This includes \$11 million ongoing Trial Court Trust Fund for the Shriver Program, which provides competitive grants to support projects in which courts partner with legal services providers to provide legal representation to low-income people in civil matters that affect basic human needs (such as housing, child custody, probate, and conservatorship matters). Funding for immigration legal services is also available through the California Department of Social Services (CDSS) One California program, which receives \$75 million annually. The Access to Justice Commission also provides \$5 million annually for State Legal Aid Infrastructure and Innovation Grants.

<sup>5</sup> <https://justicegap.lsc.gov/resource/executive-summary/>

<sup>6</sup> <https://www.calbar.ca.gov/Portals/0/documents/accessJustice/Legal-Aid-Grant-Recipients.pdf>

**Recent one-time allocations.** The state has provided various one-time or limited-term allocations for these and other programs in recent budgets, including:

- The 2025-26 budget included a one-time \$10 million General Fund augmentation to the One California program, and \$10 million General Fund for the Children’s Holistic Immigration Representation Project, which provides integrated legal representation and social services to unaccompanied undocumented minors.
- The 2024-25 budget included \$25 million one-time for immigration services, approved during the First Extraordinary Session in January 2025. This included \$10 million for One California, \$10 million for the Equal Access Fund, and \$5 million for the Access to Justice Commission.
- The 2022-23 budget included General Fund allocations of \$30 million for eviction protection and \$15 million for consumer debt cases,
- The 2021-22 budget included a general \$30 million augmentation for the EAF, and \$80 million in American Rescue Plan funding over three years to provide legal aid services for renters and homeowners.
- The 2020-21 budget included \$31 million from the National Mortgage Settlement Trust Fund for tenant legal aid (of a total \$331 million settlement, the rest went to housing counseling and mortgage relief).

**Evictions.** In California, evictions are processed as civil cases called unlawful detainers. These include both commercial and residential evictions. Depending on the amount of debt, these can be either limited civil cases (for debts under \$25,000, which would include most residential evictions) and unlimited civil cases (for debts over \$25,000, which is primarily commercial evictions). Note that limited and unlimited civil cases can be a rough proxy for residential and commercial cases, but they are not an exact split. In eviction cases, 93 percent of tenants are unrepresented, while 81 percent of landlords who seek evictions are represented<sup>7</sup>. A report on eviction in Fresno County found that 73 percent of landlords were represented, versus only 1 percent of tenants<sup>8</sup>. Access to counsel has been shown to have a significant impact on case outcomes<sup>9</sup>. For example, in San Francisco, over two-thirds of households with an attorney were able to stay in their homes, compared to 38 percent of households without representation<sup>10</sup>.

As shown in the figures on the next page, from the Los Angeles Superior Court’s reports and statistics on landlord-tenant disputes, which tracks filings over time and by zip code<sup>11</sup>, unlawful detainer filings decreased significantly during the COVID-19 pandemic due to various moratoriums and rent relief programs. Filings rebounded in 2022 and 2023, and have leveled off.

<sup>7</sup> [https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report\\_12-10-19.pdf](https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report_12-10-19.pdf)

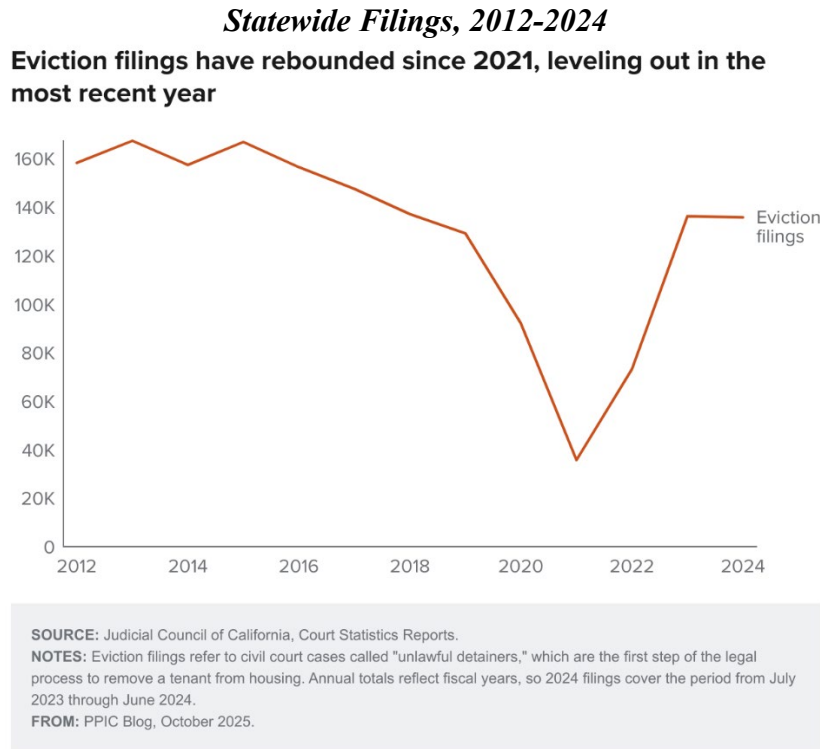
<sup>8</sup> Nkosi, J., Crowell, A. R., Milrod, P., Garibay, V., & Werner, A. (2019). Evicted in Fresno: Facts for housing advocates. Report prepared on behalf of Faith in the Valley.

<sup>9</sup> [https://www.courts.ca.gov/documents/lr-2020-sargent-shriver-gov68085\\_c.pdf](https://www.courts.ca.gov/documents/lr-2020-sargent-shriver-gov68085_c.pdf)

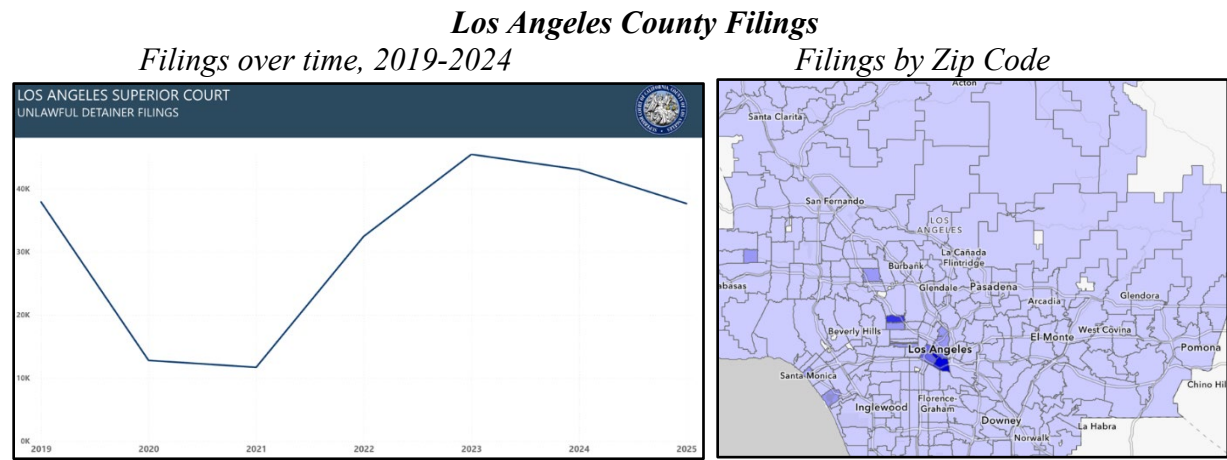
<sup>10</sup> [http://civilrighttocounsel.org/uploaded\\_files/282/San\\_Francisco\\_RTC\\_6\\_month\\_data.pdf](http://civilrighttocounsel.org/uploaded_files/282/San_Francisco_RTC_6_month_data.pdf)

<sup>11</sup> <https://www.lacourt.ca.gov/pages/lp/research-and-statistics/tp/landlord-tenant-disputes>

This is consistent with statewide data, as reported by the Public Policy Institute of California in October 2025 using Judicial Council data, and shown below.<sup>12</sup>



Source: PPIC<sup>13</sup>



**Staff Recommendation.** This item is informational, and no action is required.

<sup>12</sup> <https://www.ppic.org/blog/evictions-in-california-have-leveled-off-with-upticks-in-some-counties/>

<sup>13</sup> Id.

<sup>14</sup> <https://www.lacourt.ca.gov/pages/lp/research-and-statistics/tp/landlord-tenant-disputes>

## Issue 4: Judicial Branch Overview

### Panelists.

- Michelle Curran, Administrative Director, Judicial Council of California
- Judge Ann C. Moorman, Presiding Judge of the Superior Court of Mendocino County and Chair of the Judicial Branch Budget Committee
- Kate Bieker, Court Executive Officer, Superior Court of Ventura County and Chair of the Court Executives Advisory Committee
- Zlatko Theodorovic, Budget Services Director, Judicial Council of California
- Drew Soderborg, Deputy Legislative Analyst, Legislative Analyst’s Office
- Mark Jimenez, Principal Program Budget Analyst, Department of Finance
- Henry Ng, Staff Finance Budget Analyst, Department of Finance

**Proposal.** The proposed budget includes total funding of \$5.7 billion (\$3.3 billion General Fund) in 2026-27 for the Judicial Branch. This proposed budget includes an increase of \$70 million ongoing General Fund for trial court operations, and an increase of \$21.7 million ongoing General Fund for trial court employee health benefits and retirement costs.

**Background.** The Judicial Branch is responsible for the interpretation of law, the protection of people’s rights, the orderly settlement of all legal disputes, and the adjudication of accusations of legal violations. The branch consists of statewide courts (the Supreme Court and Courts of Appeal), trial courts in each of the state’s 58 counties, and statewide entities of the branch (Judicial Council, the Judicial Council Facility Program, and the Habeas Corpus Resource Center). The branch receives support from several funding sources including the state General Fund, civil filing fees, criminal penalties and fines, county maintenance-of-effort payments, and federal grants.

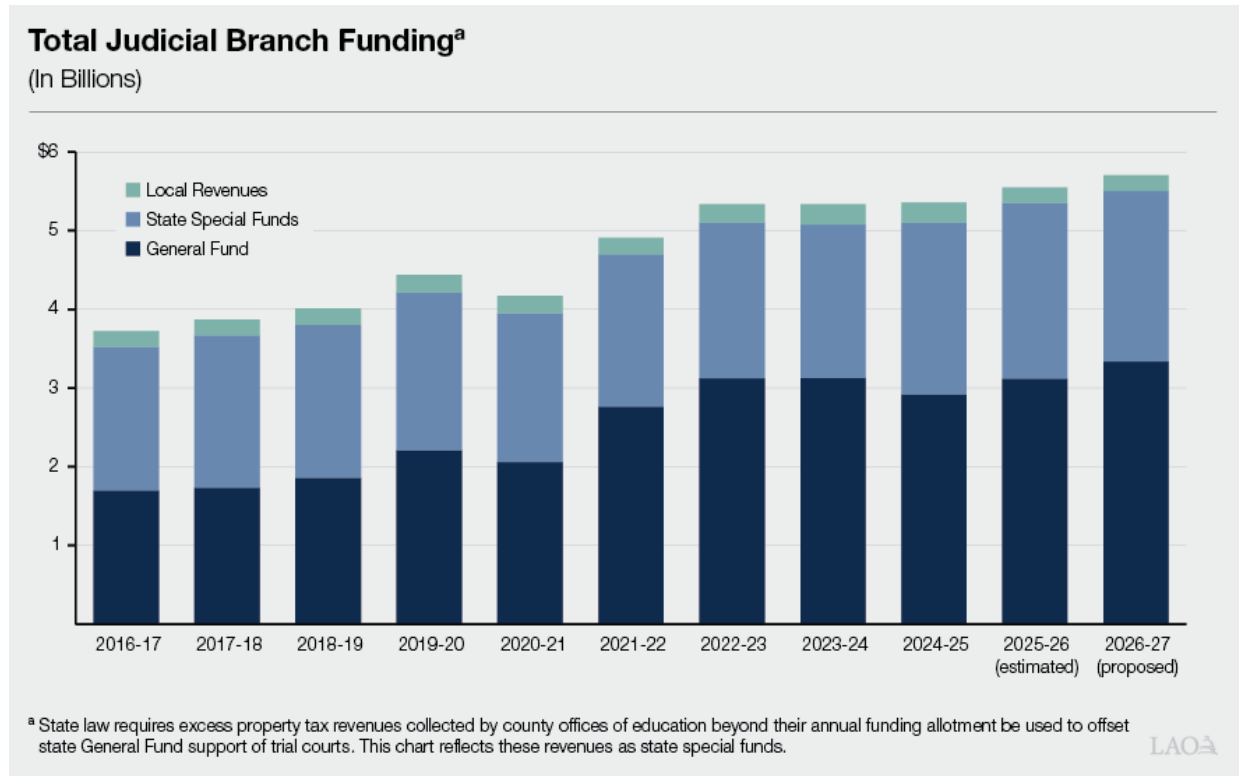
As shown below, most of the branch’s funding (\$4.1 billion) is for the trial courts, with the remainder split between the Supreme Court, the Courts of Appeal, the Judicial Council, the Judicial Branch Facility Program, and the Habeas Corpus Resource Center.

	2024-25 Actual	2025-26 Estimated	2026-27 Proposed	Change From 2025-26	
				Amount	Percent
State Trial Courts	\$3,885	\$4,037	\$4,090	\$53	1.3%
Supreme Court	53	58	57	-1	-2.5
Courts of Appeal	283	298	312	14	4.8
Judicial Council	281	283	280	-4	-1.3
Judicial Branch Facility Program	585	654	743	89	13.6
Habeas Corpus Resource Center	18	20	20	—	0.2
<b>Totals</b>	<b>\$5,105</b>	<b>\$5,350</b>	<b>\$5,502</b>	<b>\$152</b>	<b>2.8%</b>

Source: LAO<sup>15</sup>

<sup>15</sup> <https://lao.ca.gov/Publications/Report/5113>

As shown below, Judicial Branch operational funding, and the amount supported by the General Fund, has steadily increased from 2016-17 through 2025-26. The proposed General Fund amount of \$3.3 billion represents a net increase of \$220 million (7 percent) from the revised 2025-26 General Fund amount.



Source: LAO<sup>16</sup>

**Trial Court Operations Funding.** While a portion of trial court operations funding is provided for specific programs or purposes (such as court interpreters), a significant portion of the funding is provided on a discretionary basis with little to no restrictions on its use. Upon receiving its allocation, each trial court has significant flexibility in determining how its share of discretionary funding from the state is used. When budget conditions allow, trial court operations funding has been augmented to account for increases in expenses. Since 2022-23, the state has augmented trial court operations funding by a total of \$243.3 million ongoing General Fund. The proposed budget includes \$70 million ongoing General Fund for increased operational costs.

The Judicial Council allocates funding to trial courts using a combination of the previous year’s funding level and estimated workload need. The workload formula estimates the resource need of each court in dollars using (1) the number of filings of different case types, (2) the average time per case type, and (3) local salary and cost information. Each court’s allocation is based on the prior year allocation (“the base”) with adjustments that depend on (1) the amount of trial court operations funding included in the budget, and (2) the percent of workload need funded for that court compared to the statewide average.

<sup>16</sup> <https://lao.ca.gov/Publications/Report/5113>

**Facilities.** The Judicial Branch’s facilities funding was covered in the Subcommittee No. 5 hearing on February 26, 2026. In brief, the proposed budget includes \$320.3 million Lease Revenue Bond authority, \$3.8 million General Fund, and reappropriations of \$23.3 million General Fund to continue five courthouse construction projects in the counties of San Luis Obispo, Nevada, Plumas, Fresno, and Solano; \$20.6 million General Fund for new courtrooms in San Joaquin, Kings, and Sutter counties for their previously approved new judgeships; \$10.9 million General Fund to facilitate the relocation of courtrooms from the Spring Street Courthouse in Los Angeles; and \$36 million General Fund and \$3.6 million SCFCF reimbursement authority in 2026-27, and \$35 million one-time General Fund and \$3.5 million SCFCF reimbursement authority in 2027-28 to complete various fire life safety upgrades at the Central Justice Center in Orange County.

**Staff Recommendation.** Hold open.

**Issue 5: Continuation of Courts of Appeal Workload****Panelists.**

- Justice Laurie Earl, Administrative Presiding Justice Third District Court of Appeal
- Zlatko Theodorovic, Budget Services Director, Judicial Council of California
- Drew Soderborg, Deputy Legislative Analyst, Legislative Analyst's Office
- Mark Jimenez, Principal Program Budget Analyst, Department of Finance
- Henry Ng, Staff Finance Budget Analyst, Department of Finance

**Proposal.** The proposed budget includes 18.0 positions and \$5.2 million Appellate Court Trust Fund in 2026-27 and \$4.9 million General Fund in 2027-28 and ongoing to extend limited-term funding provided in the 2023 Budget Act to address appellate court workload. (The April Finance Letters contained a technical realignment of position and expenditure authority related to this proposal.)

**Background.**

Pending appeals have increased statewide since emerging from the pandemic, rising from 12,312 at the end of fiscal year 2020-21 to 14,435 at the end of 2023-24. Notices of appeal have also risen from 12,538 to 17,772 in the same period. In the years leading up to the pandemic, approximately 14,000 notices of appeal were filed annually.

This has led to an increased backlog and delays in processing appeals, particularly in the decisional phase. This is the phase in which appeals are fully briefed, where the record preparation and submission of briefs is complete, and the case is sent to the justices and judicial staff. Currently, longer than 12 months is considered an excessive delay according to the Administrative Presiding Judges, but the primary goal of this request is to shorten this to no more than nine months.

The 2023 Budget Act included \$2.7 million in 2023-24 and \$2.3 million in 2024-25 and 2025-26 Appellate Court Trust Fund (ACTF) authority for appellate workload and operations. This included 12 new attorneys and 6 judicial assistants (note that the cost of the positions was higher, but there was existing, unused ACTF authority). The Administration states that the Courts of Appeal workload continues to increase, and that permanent funding and positions are needed.

This proposal requests ACTF in 2026-27 and General Fund in 2027-28 and ongoing to support the extension of the 18 positions. As shown in the fund condition statement on the following page, the ACTF is projected to have revenues of \$6.8 million, authorized expenditures of \$14.1 million, and a balance of \$19.9 million in 2026-27. The Administration projects that the fund will not be able to support this proposal beyond the budget year.

<u>3060 Appellate Court Trust Fund<sup>s</sup></u>			
BEGINNING BALANCE	\$30,454	\$32,644	\$27,243
Prior Year Adjustments	233	-	-
Adjusted Beginning Balance	<u>\$30,687</u>	<u>\$32,644</u>	<u>\$27,243</u>
<b>REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS</b>			
Revenues:			
4163000 Investment Income - Surplus Money Investments	1,333	1,410	1,410
4171200 Court Filing Fees and Surcharges	5,243	5,342	5,342
4172500 Miscellaneous Revenue	461	-	-
Total Revenues, Transfers, and Other Adjustments	<u>\$7,037</u>	<u>\$6,752</u>	<u>\$6,752</u>
Total Resources	<u>\$37,724</u>	<u>\$39,396</u>	<u>\$33,995</u>
<b>EXPENDITURE AND EXPENDITURE ADJUSTMENTS</b>			
0250 Judicial Branch (State Operations)	4,908	11,305	12,856
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	172	848	1,214
Total Expenditures and Expenditure Adjustments	<u>\$5,080</u>	<u>\$12,153</u>	<u>\$14,070</u>
FUND BALANCE	<u>\$32,644</u>	<u>\$27,243</u>	<u>\$19,925</u>
Reserve for economic uncertainties	32,644	27,243	19,925

**Staff Recommendation.** Hold open.

**Issue 6: Supreme Court and Courts of Appeal Court-Appointed Counsel Programs****Panelists.**

- Justice Laurie Earl, Administrative Presiding Justice Third District Court of Appeal
- Zlatko Theodorovic, Budget Services Director, Judicial Council of California
- Drew Soderborg, Deputy Legislative Analyst, Legislative Analyst's Office
- Mark Jimenez, Principal Program Budget Analyst, Department of Finance
- Henry Ng, Staff Finance Budget Analyst, Department of Finance

**Proposal.** The proposed budget includes \$11 million in General Fund ongoing to provide a \$25 per hour rate increase for appointed counsel in the Supreme Court Capital Court-Appointed Counsel and the Courts of Appeal Court-Appointed Counsel Programs.

**Background.**

In capital and appeals cases, counsel for indigent defendants is appointed by the state, rather than through county-provided public defenders. Capital appeals are handled by the Supreme Court, and non-capital appeals are handled by the six Appellate District Courts. Representation for indigent clients is provided through Court-Appointed Counsel (CAC) programs, which are managed by the California Appellate Projects.

The California Appellate Projects are nonprofit legal corporations that are contracted by the state to provide legal services to indigent clients and manage private panel attorneys. There are five projects that contract with the Courts of Appeal for non-capital cases, and one project (California Appellate Project – San Francisco, or CAP-SF) that contracts with the Supreme Court for capital cases. Each project office oversees a panel of private attorneys who receive appointments in their respective courts, and are responsible for working with the panel attorneys to ensure that effective legal assistance is provided. CAP-SF also monitors capital cases without appointed counsel.

The 2025-26 budget included a \$10 per hour increase for appointed panel attorneys and a 7 percent increase in the annual contracts for the project offices. This amounted to a rate of \$155 per hour and costs of \$708,000 for the Supreme Court Capital CAC (\$274,000 for the hourly increase and \$434,000 for CAP-SF), and rates of \$120-\$140 per hour and costs of \$5.5 million for the Courts of Appeal CAC (\$4.1 million for the hourly increase and \$1.4 million for the project offices).

However, panel attorney rates have still not kept up with market rates, and many panel attorneys are near retirement. For comparison, the Department of General Services' Price Book lists \$170 per hour for external legal advice, and the rate for federally-appointed counsel is \$175 per hour. As of May 2025, the Courts of Appeal panel consisted of 643 attorneys (78 percent independent panel attorneys (levels 3–5) and 22 percent assisted panel attorneys (levels 1 and 2)). For comparison, in January 2015, the panel had 894 attorneys (68 percent independent attorneys and 32 percent assisted panel attorneys). There has been a small increase between July 2024 and May 2025, indicating a positive impact of increased recruitment efforts and the most recent panel attorney hourly rate increases of \$15 per hour in 2022-23 and the anticipated increase of \$10 per hour in 2025-26. The lack of capacity in the Supreme Court Capital CAC panel has resulted in 349

individuals on death row with no direct and/or habeas appointments. Many of these capital cases are over 15 to 20 years without appointment.

The proposed 2026-27 budget includes an additional \$25 per hour increase, resulting in increased costs of \$10.3 million for the Courts of Appeal CAC program and \$685,000 for the Supreme Court Capital CAC program. This would result in hourly rates of \$180 for the Supreme Court Capital CAC and \$145-\$165 for the Courts of Appeal CAC, depending on the tier of the case.

**Staff Recommendation.** Hold open.

## NON-DISCUSSION ITEMS

These items will not be presented, but the Department of Finance and the Legislative Analyst's Office are available to answer questions from the subcommittee members. Public Comment may be provided on these items.

### 0250 JUDICIAL BRANCH

#### Issue 7: Incompetent to Stand Trial Procedures (SB 820)

**Proposal.** The Judicial Council of California requests \$4.25 million General Fund per year from 2026-27 through 2029-30 to support the trial courts with the implementation of new Incompetency to Stand Trial and involuntary medication order (IMO) procedures established by SB 820 (Stern), Chapter 330, Statutes of 2025. SB 820 will result in the need for additional court hearings and psychiatric evaluations. The estimated costs are shown in the table below from the Administration.

SB 820 – Description of Costs	BY Costs (Ongoing)
New Judge and Clerk workload to conduct IMO Hearings (6,800 cases/year at 10 min per hearing and \$4 per min of Judge Workload and \$18 per min of Clerk workload)	\$1,500,000
Psychiatric Evaluations (5,320 cases @ \$300 each)	\$1,596,000
Court-Appointed Evaluator Testimony (3,410 cases @ \$250 each)	\$853,000
60-day Review Hearings (1,570 cases/year at 10 min per hearing and \$4 per min of Judge Workload and \$18 per min of Clerk workload)	\$300,000
<b>Total</b>	<b>\$4,249,000</b>

**Staff Comment.** This proposal is consistent with the fiscal impacts estimated during the policy process. According to the Assembly Appropriations Committee, the Judicial Council estimated costs of \$1.77 million to \$4.25 million annually ongoing to fulfill the responsibilities of the bill.

**Staff Recommendation.** Hold open.