



Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.countyofnapa.org

Main: (707) 253-4580

Legislation Text

File #: 23-0980, **Version:** 1

TO: Board of Supervisors
FROM: David Morrison - Interim County Executive Officer
REPORT BY: Jasmine Elo - Management Analyst
SUBJECT: MOU with Board of Law Library Trustees and the Superior Courts of California

RECOMMENDATION

Interim County Executive Officer requests the approval of a Budget Transfer increasing appropriations by \$200,000 in Central Services (1052000-52490), offset by a commensurate reduction the Appropriations for Contingency to process reimbursements according to the MOU with the Board of Law Library Trustees and the Superior Courts of California. (4/5 vote required)

EXECUTIVE SUMMARY

Pursuant to Assembly Bill 223 passed in 1997, the County, Court and Law Library entered into a Memorandum of Understanding (MOU) dated July 1, 1999. The document sets forth the terms and conditions under which the Court would continue to provide and the County would reimburse the Court for the costs of those services which do not meet the definition of "court operations" set forth in Rule 810 of the California Rules of Court. Approval of today's request would allow for the reimbursement of these services for Fiscal Year 2022-23.

FISCAL & STRATEGIC PLAN IMPACT

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| Is there a Fiscal Impact? | Yes |
| Is it currently budgeted? | No |
| Is it Mandatory or Discretionary? | Mandatory |
| Is the general fund affected? | Yes |
| Future fiscal impact: | The County is required to obtain these services. Staff from both the Court and the County will annually review services provided by the Court and budget for those services. |
| County Strategic Plan pillar addressed: | Effective and Open Government |

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

In Fiscal Year 1998-99, the Board of Supervisors approved the original Memorandum of Understanding (MOU) between the Superior Court of California and the County for certain additional services which do not meet the definition of “court operations” set forth in Rule 810 of the California Rules of Court. The MOU outlines those services provided by the Courts and establishes reimbursement by the County for those services. The document also sets forth the various revenue accounts the Courts shall receive.

In October 2005, the Board approved an Amendment to the MOU to reflect the current arrangement regarding network security, clarify procedures for automatic adjustments of reimbursement rates to reflect actual costs, and to include other technical non-substantive changes.

Services provided by the Courts to the County include:

- Operation of the County Law Library;
- Comprehensive Collections Program;
- Grand Jury Administration;
- Expert Witness and other expert services not otherwise required by law; and
- Electronic Access to Court Records: Interconnectivity Security Protocols.

Approval of today’s request would allow for the reimbursement of these services for Fiscal Year 2022-23.