



**Superior Court of California  
COUNTY OF ALAMEDA**

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**POLICY NO.** 08.01.001

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**TITLE:** Travel Expense Reimbursement for Judicial Officers and Court Employees

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**EFFECTIVE DATE:** Revised policy effective August 10, 2018

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**CONTACT:** Laura Stine, Senior Accountant

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**POLICY STATEMENT:** See Section 1.0, Page 1

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**GOVERNING STATUTES AND RULES:** JUDICIAL COUNCIL OF CALIFORNIA FIN 8.03  
TRAVEL EXPENSE REIMBURSEMENT FOR TRIAL COURT JUDGES & EMPLOYEES

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**RELATED COURT PROCEDURES AND POLICIES:** Policy No. 08.01.002

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# **Travel Expense Reimbursement for Judicial Officers and Court Employees**

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## **1.0 Policy Statement**

1. The local court policies and procedures are designed to establish and describe the criteria and requirements related to administering travel expense reimbursement claims for judicial officers and court employees (hereafter refer to as “court personnel”) and contractors/consultants who participate in authorized trial court activities funded by the Court. The travel expense claims submittal and approval process will be impartial and appropriate, and is consistent with the Judicial Council of California’s Trial Court Financial Policies & Procedures Manual<sup>1</sup>.

Any changes to the Trial Court Financial Policies and Procedures Manual must be submitted to the Judicial Council in writing and have prior approval in accordance with alternative procedures guidelines established in the Trial Court Financial Policies and Procedures, Policy No. FIN 1.01 Trial Court Organization, Section 6.4, Paragraph 4.

2. For travel using grant funds, the Court will comply with all federal, state, Judicial Council and other grantor regulations, rules and requirements that apply to the administration of grant funds. The use of grant funds for specific court activities does not exempt court personnel from the Court’s policies and procedures.
3. The Finance Director will review and update travel reimbursement related-policies and procedures on an annual basis or more frequently as necessary and ensure the Court is acting within the guidelines of the Judicial Council of California’s Trial Court Financial Policies & Procedures Manual .

## **2.0 Application**

This policy applies to court personnel and contractors/consultants for all in-state, out-of-state, and international travel on court business.

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<sup>1</sup> GC § 69505(b)

### 3.0 Reimbursement Procedures

#### 3.1. Procedures Summary

Step	Responsible Party	Action
1.	Traveler/ Claimant	<p>a. Complete the <i>Travel Expense Claim</i> (TEC) form (FIN-002) and attach the supporting documentations which may include:</p> <ul style="list-style-type: none"> <li>• <b>Required for first-time Claimants:</b> Payee Data Record form</li> <li>• Approved <i>Work-Related Travel Authorization Request</i> form (FIN-001)*</li> <li>• Proof of attendance (agenda is suffice)*</li> <li>• Applicable receipt(s)</li> <li>• <i>Authorization To Use Privately Owned Vehicles On State Business Form</i> (State of California, form STD. 261)</li> <li>• Printout of Google Map or Map Quest for each origin and destination of travel</li> </ul> <p>*For external meetings, conferences and trainings</p> <p>b. The TEC form must be submitted to the Claimant's appropriate level of authority within 60 days of travel completion. Claims submitted after 60 days may be subject to approval by the Director of Finance or CEO and may be subject to availability of funds. <b>The Claimant's signature is required.</b></p> <p>c. Obtain a copy of your TEC for reference and submit the original to the appropriate level of authority for review and approval.</p>
2.	Appropriate Level of Authority <u>Approvers:</u> <ul style="list-style-type: none"> <li>• Presiding Judge for judicial officers</li> <li>• Division Director or authorized signor for employees, contractors and consultants</li> </ul>	<p>a. Review the TEC form and supporting documents for completeness and accuracy.</p> <p>b. Contact the Claimant for missing supporting documentation, receipts, etc.</p> <p>c. Upon approval, <b>the appropriate level of authority's signature is required.</b> Submit the TEC to the Finance Division, Accounts Payable at QIC 20713.</p>
3.	Finance Division, Accounts Payable	<p>a. Review the TEC form and supporting documents. Verify the following information for accuracy:</p> <ul style="list-style-type: none"> <li>• Claimant's personal information is current with SAP database</li> <li>• Mileage calculations and total amount claimed</li> <li>• Claimant's/Approval's signature (compared to Authorized Signature Card)</li> </ul> <p>b. Confirm the accounting codes for the expenses.</p> <p>c. Contact the Claimant if there is an adjustment to the claim.</p> <p>d. Park TEC in SAP and ensure it has been posted</p> <p>e. File the TEC form and supporting documents in the Accounts Payable records for future reference and audit.</p>

### 3.2. Approval to Travel

1. All travel required for court business must be approved by an authorized personnel prior to making travel arrangements. Travel costs incurred without proper authorization may be subject to rejection when reimbursement is requested.
2. All Judicial Officers and Court Employees are responsible to book their own Court business related travel for travel dates beginning August 10, 2018 using their own personal credit card and submit TEC's for reimbursement upon return from travel. Employees are advised to review the guidelines before booking travel. **Contracted Court interpreters and grant related travel are the exceptions** and travel will continue to be booked on the Court's Citibank travel card. In the exception, the Court will only pre-pay registration fees for conferences and training.\*

#### 2. Types of Travel

##### a. *Day-to-day work*

The traveler's appropriate level of authority (commonly the direct supervisor) provides general approval to travel required for routine court business which includes travel between courthouses, internal meetings, field work, local stakeholder meetings, etc. The usage of the *Work-Related Travel Authorization Request* form (FIN-001) is not required.

##### b. *External meetings, trainings and conferences*

Prior to travel, all court personnel will request written approval by submission of the *Work-Related Travel Authorization Request* form (FIN-001) for business travel which requires registration fee, air travel, lodging, incidentals, surface transportation (rental vehicle, shuttle and taxi) and other business-related expenses, at least 30 days prior to the event for processing. The Request's supporting documentations shall include the event agenda, estimated travel expenses, and other documents as necessary for the approvers to make a decision. Missing documentation may delay the approval process. For grant-funded travel, the Grants Analyst must confirm the availability of funds and whether the costs are allowed under the program.

3. The following table provides the required approval authority levels for court personnel, contractors and consultants. Under no circumstances may an appointing power designee approve his or her own travel request and expense claim.

<b>Position</b>	<b>Written Approval Required on Travel Authorization Request Form (FIN-001)</b>
Judicial Officers and Court Executive Officer	Presiding Judge (The Court Executive Officer is the Presiding Judge's designee in his/her absence)
Court Employees	In the order of: Supervisor/Manager, Division Director and Court Executive Officer
Contractors and Consultants	Division Director or higher level of authority
All Court Personnel and Contractors	<i>For grant funding confirmation only, the Grants Analyst</i>

4. Provided timely receipt for the *Work-Related Travel Authorization Request* form, management will review the request and a decision will be made for approval or disapproval.
5. Upon the request approval:
- a. If the request is approved, the traveler will book their own accommodations.
  - b. It is the traveler's responsibility to maintain the original approved *Work-Related Travel Authorization Request* form, supporting documentations and receipts, which are required to be attached to the *Travel Expense Claim* form (Form FIN-002).

### **3.2.1. Travel Reservations**

Court personnel may travel by plane, train, bus, private or trial court-owned vehicles, rented car, taxi, or other means, whichever most economically and advantageously suits the needs of the Court. Travel reservations involving lodging, airfare and car rentals must be made by the traveler.

In the event where a traveler chooses to use a third-party vendor (such as Priceline.com, Expedia.com, Travelocity.com, Hotels.com, etc.) to make travel arrangements, the following instructions must be strictly adhered to:

- i. The travelers who request reimbursement for receipts from third-party vendors for lodging expenses related to a Court-approved lodging expenses incurred while traveling on court business must provide a valid receipt from the third-party vendor and the commercial lodging establishment where the traveler stayed;
- ii. Both receipts are required in order to properly substantiate a valid business expense;
- iii. It is incumbent upon the traveler to verify with the third-party vendor and the lodging establishment that a receipt can be obtained which will show, in detail, the traveler's check-in and check-out dates, the itemized expenses incurred, and the total amount paid by the traveler.
- iv. The traveler is responsible to verify the cancellation policy of the third-party prior to booking as the cancellation policy may vary if not directly booked through the hotel, airfare or car rental agency.

### **3.2.2. Cancellation and Change Fees**

Travelers that are unable to honor a reservation, are responsible for canceling the reservation in compliance with the cancellation terms established by the hotel, airline, etc. Charges or lost refunds resulting from failure to cancel reservations will not be reimbursed unless traveler can show that such failure was the result of circumstances beyond their control. Change fees may be reimbursable if traveler can document a legitimate business need for the change or can show that the need was the result of circumstances beyond their control

Travel Expense Claims (TEC) not supplying both the required receipts will result in the rejection of the associated claimed expense on the TEC. Travelers should also be made aware that some third-party vendors do not provide refunds for cancelled trips.

### **3.2.3. Use of Court and Personal Vehicles**

1. Anyone who operates a vehicle on court business must hold a valid California driver's license, a good driving record, and have an annually approved *Authorization To Use Privately Owned Vehicles On State Business* form (State of California, form STD. 261) on file with the Finance Department – Accounts Payable. Additional information regarding the Certification for Driving on Official Court Business is provided in Sub-section 4.4.6. The traveler's appropriate level of authority (generally the direct supervisor) determines the most economical method of transportation. Prior to authorizing the use of a personal vehicle, the appropriate level of authority will ensure personal liability insurance requirements have been satisfied. However, unless it is a condition of employment, employees are not required to use their personal vehicle for business purposes. Requests for the use of court-owned vehicles should be submitted to

Facilities Division immediately after approval of a travel request requiring a vehicle.

- a. Fines and Tickets—Court personnel are personally responsible for any fines incurred as a result of toll, traffic, or parking violations while driving on court business. Furthermore, no traveler is permitted, under any circumstances to operate a rental car or court-owned vehicle when any impairment causes the traveler to not be able to drive safely

#### **3.2.4. Commercial Vehicle Rental Policy**

1. Upon travel request approval, the traveler must book their own rental vehicle.
2. The Court through the State of California contracts with Enterprise Rent-A-Car, which participates in the American Express Business Account. The state contracts include \$250,000 automobile liability insurance and full collision waivers for rented vehicles.
3. The Court's policy is to use the Court's commercial vehicle contractor whenever vehicle rental is authorized, unless circumstances as outlined within these procedures prevent it.
4. Court personnel who are 21 years of age or older may rent and operate vehicles under the commercial vehicle rental contractor agreements when on official court business with approval by the respective Division Director. Non-court personnel (i.e. contractors, consultants, volunteers) are not eligible to use rented vehicles.
5. Upon authorization of commercial vehicle rental, travelers are required to use the primary commercial vehicle contractors first. Should the primary contractor be unable to provide service, travelers are required to use the secondary commercial contractor.
6. Should the primary and secondary commercial vehicle contractors be unable to provide service, travelers may use a non-contracted commercial vehicle contractor. The use of a non-contracted vendor must be pre-approved in writing by the traveler's Division Director and requires written justification attached to the travel expense claim if necessary.
7. In the event that a traveler finds a rate less than that offered through the State contract, the State contract and State rate must still be used, as the lesser rate will not include the \$250,000 automobile liability insurance, or automatic collision waivers provided under the terms of the State contract.
8. Substantiation for Upgrade
  - a. A traveler must rent a compact vehicle unless there is a reason for a larger vehicle—such as four or more travelers commuting together, or a need for extra luggage space to transport equipment, conference materials or the like. In such a case, an upgrade for another type or size of vehicle (such as an intermediate-size car, mini-van, or a cargo van) may be utilized, with prior written approval of the Division Director.

- b. If a larger or upgraded vehicle is necessary, written substantiation for the rental must be attached to the traveler's request for reimbursement.
  
9. The contractor-provided automobile liability insurance and automatic collision waivers will not be activated unless one of these acceptable methods of payment is used:
  - a. An American Express Business Travel Account or
  - b. An American Express Government Card clearly marked "State of California".
  
10. When renting a vehicle from any of the State commercial vehicle rental companies, it is unnecessary for travelers to sign up for collision insurance (Collision Damage Waiver (CDW)), Loss Damage Waiver (LDW), or medical insurance (called "personal accident insurance").
  
11. On those rare occasions when it is necessary to rent a vehicle from a non-contracted vendor (e.g., when no car is available or the type or the size of vehicle needed is unavailable from the vehicle rental company with the State contract), the traveler must not sign up for automobile liability insurance, but depending on the Court's ability to pay for physical damage to the rented vehicle, it is advisable to accept the collision waiver option. The state's Motor Vehicle Liability Program provides automobile liability insurance coverage to court personnel on official court business. In the event of an accident, the commercial vehicle rental company and/or the State's Motor Vehicle Liability Program will cover any costs arising from an accident in the rented vehicle so long as it is being operated by a court employee working within the scope of employment. However, the State's Motor Vehicle Liability Program will **not cover** damage to the rented vehicle and such costs will be the responsibility of the traveler's court. If the rented vehicle is being operated by a non-employee working within the scope of service to the court the limitations regarding non-salaried drivers in Section 4.3, State of California Motor Vehicle Liability Program Coverage will apply. If the process as detailed in Subsection 4.2.3 is not followed, the automobile liability insurance is not applicable and any accident related expenses will be the responsibility of the traveler's court.
  
12. Contract rental vehicles are to be used only for conducting official court business. A traveler who wishes to extend the rental of a vehicle for personal use must arrange it with the commercial vehicle rental contractor when making reservations and before picking up the vehicle.
  - a. At the end of court business, the traveler must close out the court contract rental agreement (either at the original vendor location or another mutually agreed upon location) and have a new rental agreement drawn for the term of personal travel.

- b. The rate charged by the vendor for the term of personal travel is between the traveler and the commercial vehicle rental company, does not include the insurance benefit identified above, and must be completely separate and apart from the court contract.
  - c. If personal travel is interrupted by official court business, the traveler may be reimbursed for the court business mileage at the authorized personal vehicle mileage rate or have a new rental agreement drawn for the term of the official court business (whichever is less costly).
13. Vehicle rental contractors charge for vehicles returned with less than full gas tanks. Travelers should refuel vehicles before returning them to the vendor, since the vendor's refueling charge is usually higher than regular gas station rates. Travelers may submit the refueling cost for reimbursement on their TEC, with original receipt attached. If it becomes necessary to use the vehicle rental company for refueling, resulting in a rate higher than at a regular gas station, the traveler must submit a written explanation with the TEC as to why the vehicle was not refueled prior to its return. In the absence of a satisfactory explanation, the amount involved will be disallowed and will be considered a nonreimbursable personal expense.

### **3.2.5. Air Travel for Official Business**

1. Court Personnel and non-court personnel (i.e. contractors, consultants, and volunteers) must pay for their own air travel and submit an expense claim after travel is completed.
2. The most economical means of transportation should be used when traveling on court business. The total cost of the air travel and efficient use of court personnel travel time should be taken into consideration when making this decision.
  - a. Reservations are for economy/coach class seats only; expenses for upgrades to business class and first class seats are not allowed.
  - b. Priority/early check-in service fees are not allowed.
  - c. Cost for check-in baggage must be considered at the time of reservation.
3. If a personal vehicle is used in lieu of a commercial airline to the same business destination, the maximum amount that will be reimbursed for mileage is the total cost of an economy/coach seat only or the lesser amount.

### **3.2.6. Exception Request for Lodging**

1. A request for a lodging exception is allowed for business travel when lodging above the maximum rate is the only lodging available, or when it is cost-effective. For example, staying at the hotel where the meeting activity will be held may be more economical than staying at a hotel that costs slightly less but may require a cab ride to transport the traveler to the meeting site. Refer to the *Superior Court of California, County of*

*Alameda Travel Rates and Guidelines* for the current Judicial Council-approved lodging rates.

2. A *Request For Exception to Maximum Lodging Rate* form (Form FIN-003) and supporting documentation must be submitted in advance of travel and must be approved by the Presiding Judge for judicial officers or the Court Executive Officer for court employees and contractors. Under no circumstances may an appointing power designee approve his or her own *Request For Exception to Maximum Lodging Rate* form.
  - a. Pertaining to In-State-Travel and Out-of-State-Travel. The *Request For Exception for Maximum Lodging Rate* form is not required when non-state-sponsored business is conducted if the participant stays at the conference, convention, or meeting site. Actual lodging expenses are reimbursable with the hotel folio. In all instances, the traveler must attach substantiating documentation (such as a registration form or an agenda) to the Travel Expense Claim.
3. Exception Request Criteria. The following criteria have been established for use in the consideration of exception requests:
  - a. Alternative lodging. Attach a list of three quotes for establishments contacted, the dates of the contacts, phone numbers, contact persons, rates available, and any other results of the contacts.
  - b. Transportation to and from the alternative lodging. Either the cost or the loss of production time required by travel between the work location and a less expensive lodging establishment can justify exceeding the rate difference (explain efforts to obtain transportation, and provide a cost comparison analysis).
  - c. Court business conducted at a designated lodging establishment (attach an agenda and supporting documentation). Address the availability of alternative lodging as identified above.
  - d. Required attendance. An exception can be authorized when attendance is required at a court-related conference, convention, business meeting, or training where the contracted facility exceeds the maximum daily lodging allowance (provide specific facts, including confirmation related to this criterion).
  - e. Attendance at a non-state-sponsored function. An exception can be authorized when a participant in a non-state-sponsored function cannot stay at the designated function site. Explain the circumstances; provide specific facts that prevent on-site lodging. An exception will not be authorized solely for the convenience of the traveler.

4. Request an exception in advance of travel for lodging expenses that exceed the maximum rates established on the *Superior Court of California, County of Alameda Travel Rates and Guidelines*.

For out-of-state travel, the actual incurred costs up to the federal lodging rate, plus tax and surcharges, which substantiated by receipts. The federal lodging rates are accessible at [www.qsa.gov](http://www.qsa.gov).

5. It is the responsibility of the traveler to ensure reasonableness and completeness of the *Request For Exception to Maximum Lodging Rate* form. An incomplete form or a form with inadequate justification will be returned unprocessed. If advance approval is not obtained, the traveler will be reimbursed only for the specified maximum rate plus tax and surcharges.
6. A copy of the *Request For Exception to Maximum Lodging Rate* form must be attached to the respective travel expense claim on file in Accounts Payables. The Trial Court Financial Policies and Procedures, Policy No. FIN 12.01, Record Retention, requires the minimum retention period to be five years (the current year plus four additional years).

### **3.2.7. Hotel/Motel Transient Occupancy Tax Waiver**

1. Court personnel qualify for the State of California Transient Occupancy Tax exemption. The Transient Occupancy Tax is a tax imposed by cities and counties on hotel and motel lodging rates within the State of California. This tax may be waived if proof is provided that the traveler is a representative or employee of the State Judicial Branch on official business.
2. Court personnel should attempt to have the Transient Occupancy Tax waived for all hotel/motel rooms they stay in while on State business. It is recommended that travelers inquire about this exemption when making reservations. The *Hotel/Motel Transient Occupancy Tax Waiver form (State of California form, Std. 236)* must be completed in order to qualify for the discount. However, the waiver of the tax is strictly voluntary at the option of the lodging establishment.

### **3.2.8. Business-related Travel by a Contractor**

Business-related travel by a contractor for items such as air transportation, lodging, meals, personal vehicle usage, rental vehicle usage, insurance requirements (including workers compensation insurance), etc. must be addressed in a written agreement between the contractor and the Court, in accordance with the procurement and contracting guidelines established by the Trial Court Financial Policies and Procedures, Policy No. FIN 6.0,

Procurement. The contractor must go through his or her own travel agent or temporary agency for air and rental car reservations if those expenses are specified in his or her contract with the Court. Contractors or temporary agency employees must not drive court owned, leased, or rented vehicles. The *Superior Court of California, County of Alameda Travel Rates and Guidelines* provide specific information regarding the current limitations that apply to allowable travel expenses. The policy and limits listed in the *Superior Court of California, County of Alameda Travel Rates and Guidelines* that are in effect at the time the agreement is signed must be the upper limits applied to Court agreements for services involving business-related travel by a contractor. It is recommended that the Court incorporate the negotiated travel guidelines and attach a copy of the guidelines to the agreement. Contractor, vendor, or temporary agency staff business travel must be billed to the court on a company invoice in accordance with the guidelines noted in the company's contract with the Court.

### **3.3. State of California Motor Vehicle Liability Program Coverage**

The state's Motor Vehicle Liability Program is a self-insurance program administered by the Office of Risk and Insurance Management. The program is not commercial insurance. There is no policy or policy limit for State and/or court employees. When a driver who is not a State or court employee, such as a pro bono consultant or volunteer, is involved in a motor vehicle accident while on court business, the self-insurance coverage will be limited to \$1 million per accident, regardless of ownership of the vehicle. The non-State or non-court employee driver's assigned court will be financially responsible for the payment of any claims, settlements, judgments or verdicts in excess of \$1 million. The program is funded through assessments charged to government entities, including courts that own vehicles and specified mobile equipment.

In order for the state's Motor Vehicle Liability Program to be in effect, the Court's Facilities Division must complete and submit an Annual Mobile Equipment Inventory form to the Department of General Services (DGS), Office of Risk and Insurance Management (ORIM) pursuant to ORIM instructions. Trial courts that own vehicles or mobile equipment will pay an annual assessment to DGS based on the information provided by the court on the Annual Equipment Inventory form.

1. **Court-Owned Vehicles.** First-dollar liability coverage is provided for court personnel authorized to drive court-owned vehicles in the course and scope of employment. That is, if a court personnel is authorized to drive a court-owned vehicle in the course and scope of their employment at the time of an accident, the state Motor Vehicle Liability Program provides full protection against third-party claims arising out of that accident. The program does not cover damage to the court vehicle. Repairs for damage to court vehicles are arranged and paid for directly by the court. If a court-owned vehicle is damaged as a result of negligence by a third party, ORIM will initiate action to recover

from that party the cost to repair or replace the damaged vehicle. A court can also obtain automobile physical damage insurance from ORIM at additional cost from that paid for the Motor Vehicle Liability Program.

2. **State Commercial Vehicle Contractors.** State Commercial Vehicle Contractors. To obtain the benefit of \$250,000 liability coverage and automatic collision waivers when driving on court business, travelers should rent vehicles for short-term use only from the state-contracted companies, unless circumstances as outlined within this policy prevent it. In addition the liability insurance will not be activated unless the traveler uses the state negotiated rental car rate and one of the recognized methods of payment. Refer to Sub-section 4.3.3, Commercial Vehicle Rental Policy for recognized methods of payment.
3. **Non-Contract Commercial Vehicle Company.** If the use of a noncontract company is justified, the liability insurance offered through the state's Motor Vehicle Liability Program will provide automobile liability coverage for court travelers on official business. However, the program does not cover damage to the rental vehicle. Repairs for such damage are paid for directly by the court. If the accident is a result of negligence on the part of a third party, ORIM will initiate action to recover from that party the cost to repair or replace the damaged vehicle. If the use of the vendor is not justified, however, the state's Motor Vehicle Liability Program is not applicable and all expenses will be charged to the traveler's court. Should any liability claim arising from the operations of a rented vehicle not be covered by ORIM, the full particulars of the accident and the claim should be sent to the Superior Court of California, County of Alameda's Office of the General Counsel (OGC), which will resolve the claim.
4. **Privately Owned Vehicles.** Court personnel authorized to drive their own vehicle in the course and scope of employment should be aware that, in case of an accident, their own personal vehicle liability insurance provides the primary protection up to the policy limit. Should a settlement or judgment arising out of that accident exhaust the personal vehicle policy limit, then the state's Motor Vehicle Liability Program provides unlimited excess coverage. In the event of an accident, the employee should pay his/her deductible. The deductible is part of the cost of insurance covered by the vehicle mileage reimbursement rate.
5. **Out-of-State and International Vehicle Coverage.** The state's Motor Vehicle Liability Program provides coverage as referenced above for court employees renting vehicles from state commercial vehicle contractors or an approved non-contract commercial vehicle company, whichever is applicable. ORIM recommends buying liability insurance coverage for international travel and will assist in obtaining it in accordance with the laws of the foreign country.

6. **Annual Certification for Driving on Official Court Business.** The Court determines which judicial officers and court employees are authorized to drive in the scope and course of their duties. Each judicial officer and court employee authorized to drive any vehicle must complete an Annual Certification for Driving on Official Court Business. The Annual Certification for Driving on Official Court Business serves the following purposes:
- a. It provides the conditions under which judicial officers or court employees are authorized to drive any vehicle on official court business;
  - b. It provides the proper procedure for reporting accidents while using any vehicle on official court business;
  - c. Acknowledgement of insurance coverage limitations for nonjudiciary passengers.
  - d. It is the employee's responsibility to inform his or her individual supervisor of any personal automobile liability coverage changes during the year.
  - e. The mechanism to request approval to use a privately-owned vehicle on official court business, verifying that the judicial officer or court employee has personal automobile liability coverage in force on the personal vehicle, with a minimum protection of \$15,000 per person and \$30,000 for all persons.

The Annual Certification for Driving on Official Court Business will be verified and signed by each authorized judicial officer and employee, and his or her appropriate approval level of authority. The approver must submit the original form to Human Resources Division for retention on file. A new certification is required to be submitted during the year if the judicial officer or court employee will be driving a different privately owned vehicle on official court business. Unless it is a condition of employment, employees are not required to use their personal vehicle for business purposes. It is the employee's responsibility to immediately inform his or her supervisor in writing if he or she receives a moving violation, has his or her driving license suspended or revoked, or fails to carry the minimum personal liability insurance coverage on the personal vehicle. When warranted, it is the approver's responsibility to suspend or revoke the permission of a judicial officer or court employee to drive in the scope and course of his or her duties.

7. **Coverage for Judicial Officers and Court Employees.** The state's Motor Vehicle Liability Program does not provide coverage for medical costs resulting from an injury to a judicial officer, employee, or occupants of a court-operated vehicle. In the event of an accident, an injury to a judicial officer or an employee of the court is handled through workers' compensation.
8. **Insurance Coverage Limitations for Passengers.** Transporting any persons other than those directly involved in official court business is prohibited unless written

permission has been obtained in advance for each trip by the employee's appropriate approval level. In those limited situations when advance approval has been obtained, neither the state's Motor Vehicle Liability Program nor the workers' compensation system will pay for any loss or expense, including; medical expenses, of a non-judiciary passenger, including a family member, resulting from any injury or accident in a court-operated vehicle. The non-judiciary passenger or family member is responsible for all such costs and expenses. Typically, the nonjudiciary passenger or family member's health insurance provider would cover these expenses.

9. **Motor Vehicle Accidents and Reporting.** All motor vehicle accidents involving any vehicle being used on court business must be reported immediately to the Supervisor or the Human Resources Division. The Human Resources Division must report to ORIM within 48 hours of the accident.

ORIM  
707 Third Street, 1st Floor  
West Sacramento, CA 95605

To accomplish this, the traveler must complete a [Vehicle Accident Report \(Std. 270\)](#), as soon as possible and forward it to their Supervisor.

- a. The Supervisor or appropriate level of authority will:
- i. Review the form,
  - ii. Investigate the circumstances surrounding the accident,
  - iii. Verify that the employee was on official court business, and
  - iv. Complete the Supervisor's [Review of Motor Vehicle Accident \(Std. 274\)](#) then mail or fax both forms to:

Trial Court Vehicle Accident Report  
c/o Business Services Unit  
Administration Office of the Courts  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
Telephone: 415-865-7988  
Fax: 415-865-4326

- b. Business Services will:
- i. Review the form for consistency;
  - ii. Acquire clarifying information, if necessary, and
  - iii. Send the forms to ORIM.

- c. If the accident resulted in bodily injury or significant property damage to a non-court party, the accident must be reported directly to ORIM by telephone during normal working hours at 916-376-5302 or by a preliminary copy of the Standard Form 270, sent by fax to 916-376-5277. This preliminary report by telephone or fax does not replace the requirement of sending or faxing the Standard Form 270 to the AOC's Business Services Unit as soon as possible.
- d. A traveler should not, at the accident scene, admit fault or make any promises that the court will pay for damages. ORIM handles all decisions on accident claims. If a claimant contacts a traveler directly, the traveler should refer the claimant directly to ORIM at 916-322-0459 to expedite the handling of the claim.
- e. A Vehicle Accident Report, Std. 270, and an [Accident Identification Card](#) must be placed in the glove compartment of all court-owned or -leased vehicles. The Accident Identification Card serves as evidence of financial responsibility and states: "This vehicle is owned or leased by a superior court of the State of California, a public entity, and operated by judicial officers or employees of the court. California Vehicle Code sections 16000, 16021, et seq. state that ownership or lease of a vehicle by a public entity establishes evidence of financial responsibility." This card should be completed at the scene of an accident and provided to the other driver.
- f. **State of California Smog Check Program**  
The Bureau of Automotive Repair administers the Smog Check Program in California. The goal of the program is to reduce air pollution produced by vehicles. Trial courts that own and operate vehicles are required to obtain a smog check with the same frequency as is required for vehicles subject to annual renewal of registration. However, a smog check is not required on all vehicles. Some vehicles only need a smog check when they are being sold or registered in California after previously being registered in another state. The type of vehicle, model-year, and area in which the vehicle is registered determines whether a smog check is required.

Pursuant to Health and Safety Code 44019 (a), trial courts affected by Smog Check Program requirements will smog test vehicles in accordance with an established schedule and report the results to the Bureau of Automotive Repair. Each trial court affected by the Smog Check Program is required to complete a Government Fleet Smog Check Program Letter of Response (form 79-19) and submit it to the Bureau of Automotive Repair. A revised Government Fleet Smog Check Program Letter of Response form should be submitted for any changes in vehicle inventory, responsible managing employee, phone numbers, addresses or status of ownership. In addition, trial courts affected by the Smog Check Program are required to report vehicle smog testing results to the Bureau of Automotive Repair on the Government Fleet Smog Check

Program Annual Reporting Transmittal (form 79-21). Additional information regarding the Smog Check Program may be acquired online from the Bureau of Automotive Repair's Web site at [www.smogcheck.ca.gov](http://www.smogcheck.ca.gov).

### **3.4. Travel Procedures**

1. It is necessary to document business travel expenses with original receipts (copies are acceptable) showing the actual amounts spent on lodging, transportation and other miscellaneous items. In limited circumstances, a receipt not on pre-printed bill head may be acceptable. Every receipt must be properly itemized. Original, itemized receipts are needed to claim reimbursement for:
  - a. Airfare for ticket-less travel, the airfare itinerary is a valid receipt.
  - b. Rental cars.
  - c. Other forms of transportation including buses, trains, taxis, etc. of \$3.50 or more.
    - Documentation showing bridge and road tolls must be submitted (i.e: receipt, FasTrak history print out, Google maps & etc.)
  - d. Parking of \$3.50 or more.
  - e. Seminar registration.
  - f. Hotel lodging. Receipts for hotel lodging charges must be on a pre-printed bill head, listing all itemized charges, with a zero balance shown.

In the event where a traveler chooses to use a third-party vendor (such as Priceline.com, Expedia.com, Travelocity.com, Hotels.com, etc.) to make travel arrangements, the following instructions must be strictly adhered to:

- i. The travelers who request reimbursement for receipts from third-party vendors for lodging expenses related to a Court-approved lodging expenses incurred while traveling on court business must provide a valid receipt from the third-party vendor and the commercial lodging establishment where the traveler stayed;
- ii. Both receipts are required in order to properly substantiate a valid business expense;
- iii. It is incumbent upon the traveler to verify with the third-party vendor and the lodging establishment that a receipt can be obtained which will show, in detail, the traveler's check-in and check-out dates, the itemized expenses incurred, and the total amount paid by the traveler.

Travel Expense Claims (TEC) not supplying both the required receipts will result in the rejection of the associated claimed expense on the TEC. Travelers should also be made aware that some third-party vendors do not provide refunds for cancelled trips.

- g. Meals. Itemized receipts for meals are required for grant-funded and non-grant funded travel.
- h. Conferences and training classes. In addition to the receipt, a proof of attendance or certification of completion must be submitted with the claim. Agenda materials distributed at the conference will suffice as proof of attendance.
- i. Telephone or fax charges of \$2.50 or more. All telephone or fax expenses claimed must be related to court business and show the date, place, and party called.
- j. Business-related expenses. (e.g., in-room internet service, photocopying, registration fees)

In cases where receipts cannot be obtained or have been lost, a written explanation to that effect and the reason provided must be noted on the Travel Expense Claim. Lodging, airfare, and car rental receipts cannot be certified as lost or waived and will not be reimbursed without the submission of a valid original receipt.

#### **3.4.1. Court Vehicle Use**

For travel in trial court-owned vehicles, travelers should first use the DGS fuel card when it is available. When expenses are paid by the traveler, original receipts documenting expenses for gasoline, oil, parking, and any other necessary costs are required for reimbursement.

#### **3.4.2. Personal Vehicle Mileage**

1. When the use of a personal vehicle is approved for court business, a TEC form must be completed for reimbursement. The TEC must contain a description of the trip including the date of travel, destination, and total miles driven for business purposes.
  - a. For court investigators using their personal vehicles for field work, when completing the TEC form, the traveler must provide the case number, and the addresses for each origin and destination of travel.
2. Trial court judges and employees submitting claims for reimbursement for personal vehicle use should note the following:
  - a. Travel between home and a judge's or employee's regular place of work is not reimbursable.
  - b. If the traveler departs directly from home to a business destination other than the traveler's regular place of work (designated headquarter), the traveler will not be reimbursed for mileage equal to or less than their normal commute.

If the traveler departs from the last business destination directly to the traveler's home, the traveler will not be reimbursed for mileage equal to or less than their normal commute. Please refer to mileage calculation formulas below. If the total is a negative (-) value; mileage will not be reimbursed as the mileage is less than their normal commute.

### **Mileage Calculation Formula**

***Mileage from home to 1st business destination - normal commute = reimbursable mileage***

***Mileage from last business destination to home - normal commute = reimbursable mileage***

\*Normal Commute is the mileage from your home to your designated headquarter.

- c. A Google Map or Map Quest print out must be provided showing mileage driven.
  - d. Travel between court locations is reimbursable.
  - e. Personal vehicle use in lieu of commercial airline.  
Refer back to section: 3.2.5 - Air Travel for Official Business
3. Prior to authorizing the use of a personal vehicle, the approver will ensure personal liability insurance requirements have been satisfied. However, unless it is a condition of employment, employees are not required to use their personal vehicle for business purposes. It is the employee's responsibility to inform his or her appropriate approval level of any personal automobile liability coverage changes during the year.

### **3.5. Travel Expense Reimbursement**

1. Reimbursable travel expenses are limited to the authorized, actual, and necessary costs of conducting the official business of the court and the limits established in the published *Superior Court of California, County of Alameda Travel Rates and Guidelines*. Court Travel Expense Claims will be processed and paid at least monthly. Travelers shall submit their travel expense claim for approval within 60 days of travel completion.

The following table provides the required approval authority levels for court personnel and contractors. Under no circumstances may an appointing power designee approve his or her own travel request and expense claim.

<b>Claimant</b>	<b>Officer Approving Travel Expense Claim (FIN-002)</b>
Judicial Officers and Court Executive Officer	Presiding Judge (in his/her absence, the Court Executive Officer)
Court Employees	Court Executive Officer, Division Director or Authorized Supervisor/Manager
Contractors and Consultants	Division Director

\* Authorized Supervisor/Manager must have a current "Authorized Signature Card" approved by the Division Director on file with Accounts Payable \*

2. Travel expense reimbursements will be paid from the Trial Court Operations Fund.<sup>2</sup>

### 3.5.1. Submittal of Travel Expense Claims (TEC)

1. Judicial officers, court employees and contractors who incur reimbursable business travel costs must submit a completed TEC form, which:
  - a. Is approved and signed by the judge's or employee's appropriate approval level of authority.
  - b. Includes only allowable expenses paid by the judge or employee.
  - c. Is supported by receipts for airline tickets, lodging, car rentals, and any other expenses (refer to Section 3.4, Travel Procedures for additional information). Receipts should be arranged in chronological order, taped onto an 8 1/2" x 11" sheet of paper, and attached to the TEC. Each receipt must be itemized on a pre-printed bill head showing the date, quantity, cost, and nature of expense.
  - d. Provides written justification for any unusual expenses.
  - e. Notes the business purpose of the trip.
  - f. The Court has developed an electronic TEC form that maybe used to provide a simple and convenient means of documenting travel expenses for reimbursement purposes. Use of the electronic form is recommended and it is included in the Associated Documents at the end of this procedure.
  - g. Traveler must obtain a copy of their TEC and supporting documents before submitting to Accounts Payable.

### 3.5.2. Allowable Expenses

1. The following types of expenses are allowable and reimbursable for court business travel with prior written approval:

a. Airfare. Air travel should be obtained at the lowest convenient airfare. Only the cost of coach/economy class air travel is allowable.

b. Surface Transportation. The cost of surface transportation by train, bus, taxi, and rented vehicle, private or trial court-owned vehicle is allowable. If surface transportation is chosen in lieu of available commercial air travel, the total reimbursement cannot exceed the total cost for travel had the services of a commercial airline been used. A cost comparison should be prepared calculating the amounts for both modes of transportation and related expenses prior to approving surface travel so the traveler knows in advance the estimated amount eligible for reimbursement.

c. Mileage. Personal vehicle mileage is reimbursable at the current federal mileage reimbursement rate established by the Internal Revenue Service that corresponds to the date/s of travel. Parking and toll charges are also reimbursable.

d. Lodging. Actual costs incurred for overnight lodging are allowable up to the maximum rate established by the *Superior Court of California, County of Alameda Travel Rates and Guidelines* or approved lodging exception request rate. Maximum rates are listed below:

- San Francisco County \$150
- Alameda, San Mateo, Santa Clara Counties \$140
- Monterey and San Diego Counties \$125
- Los Angeles, Orange, and Ventura Counties \$120

All other counties will remain at the previously established maximum reimbursement rates of \$110.

All **Federally funded travel** is subject to rates published in Federal Travel Regulations. Employees should refer to lodging per diem rates published on the GSA site (<https://www.gsa.gov/travel-resources>) for each travel destination.

In the event where a traveler chooses to use a third-party vendor (such as Priceline.com, Expedia.com, Travelocity.com, Hotels.com, etc.) to make travel arrangements, the following instructions must be strictly adhered to:

- i. The travelers who request reimbursement for receipts from third-party vendors for lodging expenses related to a Court-approved lodging expenses incurred while traveling on court business must provide a valid receipt from the third-party vendor and the commercial lodging establishment where the traveler stayed;
  - ii. Both receipts are required in order to properly substantiate a valid business expense;
  - iii. It is incumbent upon the traveler to verify with the third-party vendor and the lodging establishment that a receipt can be obtained which will show, in detail, the traveler's check-in and check-out dates, the itemized expenses incurred, and the total amount paid by the traveler.
- e. Meals. The maximum allowable reimbursement for each meal is established by the *Superior Court of California, County of Alameda Travel Rates and Guidelines*. Judicial officers and employees may be reimbursed for meals consumed during business travel. Meals to be reimbursed should be itemized as breakfast, lunch or dinner. Actual costs are reimbursable up to the limits stated below for continuous travel of more than 24 hours.

Breakfast: Up to \$8

Lunch: Up to \$12

Dinner: Up to \$20

- Meals related to **federally funded travel** is subject to rates published in Federal Travel Regulations. Employees should refer to M&IE per diem rates published on the GSA site (<https://www.gsa.gov/travel-resources>) for each travel destination. Only 75% of the published rates for meals & incidentals should be charged to federal programs for the first and last day of travel.

Meals provided by a sponsoring organization will not be reimbursed if the traveler chooses to forego the provided meals. It is the traveler's responsibility to communicate any dietary restrictions to a sponsoring organization.

Meal reimbursement for one-day trips is taxable and reportable income unless travel included an overnight stay. For continuous travel of less than 24 hours, actual expenses up to the above limits may be reimbursable if:

- Travel begins one hour before normal work hours – Breakfast may be claimed.
- Travel ends one hour after normal work hours – Dinner may be claimed.
- Lunch may not be claimed on trips of less than 24 hours

- f. Personal Services Charges/Incidentals. Incidental expenses including fees and tips for persons providing services, such as: luggage handlers, parking attendants, and hotel housekeeping, and transportation costs to get to meals. Any expense paid for meals are NOT considered incidentals. Actual amounts paid as incidentals for services are allowable up to \$6 per day established by the *Superior Court of California, County of Alameda Travel Rates and Guidelines*. Incidentals are not reimbursable for one-day trips; they may only be claimed after 24 hours.
  - g. Expenses of Other Judges and Employees. Court personnel may be reimbursed for business expenses incurred for court personnel provided the specific business reason for the expense is indicated along with the names and affiliations of the others involved. This is intended for common business travel situations where it is practical for one individual to pay for an expense rather than divide it among several individuals (e.g., a restaurant bill for a group of judges and/or employees traveling together).
2. The Finance Director will review and update, on an annual basis or more frequently as necessary, travel reimbursement-related policies and procedures approved by the Judicial Council, including the Judicial Branch Travel Rates and Guidelines that provide specific information regarding the current limitations that apply to allowable travel expenses.

### **3.5.3. Unallowable Expenses**

1. Expenses incurred for the sole benefit of a judicial officer or court employee will not be allowed as reimbursable travel expenses. Examples of unallowable expenses include any type of insurance, travel loan finance charges, personal credit card fees or dues, newspapers, magazines, and other like charges.
  - a. Alcoholic Beverages. The purchase of alcoholic beverages is not allowed as a reimbursable travel expense.
  - b. Personal Telephone Charges. Personal telephone charges that are not court business related are not allowed as reimbursable travel expense.
  - c. Surface Transportation in Lieu of Air Travel. The excess costs of meals, lodging, or other travel expenses incurred as a result of choosing surface transportation instead of air travel are not allowable. As stated above in Sub-section 3.6.2, Paragraph 1, Item b, the total travel costs reimbursed must not exceed the amount had the services of a commercial airline been used if available.
  - d. Meal Provided at Meeting/Conference. If a business meal (at a meeting/conference, etc.) is provided and paid for on the traveler's behalf, reimbursement must not be processed for the same meal if claimed by the traveler on a TEC, regardless of whether the traveler chose to forgo the provided meal and eat at another venue.

### **3.6. Travel Expense Restrictions**

To protect the resources allocated to components of the judicial branch that support the basic constitutionally and statutorily required operations of the branch, all judges, subordinate judicial officers, and those trial court employees who are not represented by a recognized employee organization and who earn more than \$100,000 per year will not be reimbursed for professional association dues that are due or owing on or after January 1, 2004. This restriction does not affect reimbursement of the costs of licenses that are a requirement of the position (e.g., State Bar licenses).

### **3.7. Travel Expense Reimbursement of Non-Superior Court Employees (Pro-Bono Consultants)**

Pro-bono consultants are individuals serving as experts in specialized areas who receive no salary. Because their expertise is needed for limited periods a written contract may not be required. Headquarters should be established, listed on each TEC, and kept on file by the appropriate approval level. Pro-bono consultants are eligible for reimbursement of actual travel expenses supported by a receipt up to the maximum rates identified in the published *Superior Court of California, County of Alameda Travel Rates and Guidelines*.

#### 4.0 Associated Documents

Please refer to the Courts intranet Finance Division page for the current forms, instructions and reference materials.

<b>Document Title</b>	<b>Form No.</b>
<b>Superior Court of California, County of Alameda Travel Rates and Guidelines</b>	N/A
<b>Travel Authorization Request</b>	FIN-001
<b>Travel Expense Claim</b>	FIN-002
<b>Request for Exception to Maximum Lodging Rates</b>	FIN-003
<b>Travel Reimbursement Flowchart</b>	N/A
<b>Payee Data Record</b> (Judicial Council of California)	N/A
<b>Vendor Master – Change Request</b> (Judicial Council of California)	N/A
<b>Hotel/Motel Transient Occupancy Tax Waiver</b> (State of California)	Std. 236
<b>Authorization to Use Privately Owned Vehicles on State Business</b> (State of California)	Std. 261
<b>Restricted Travel to States with Discriminatory Laws</b>	08.01.002

**Change Control**

<b>Date</b>	<b>Description of Activity</b>	<b>Principal Contact</b>
July 1, 2016	Local policy adopted	Jenny Lee
January 1, 2018	Local policy revised: 3.1 Procedures summary, Step 1b. ; 3.3.2 Use of court and personal vehicles; 3.3.4 Air Travel for Official Business; 3.5.2 Personal Vehicle Mileage;	Laura Stine
Augsut 1, 2018	Local policy revised: 3.2 Approval of Travel –Judicial Officers and Employees are responsible to book their own Court related travel for travel dates effective Aug. 10, 2018; 3.2.1 Travel Reservations; 3.2.2 Cancellation and Change Fee – section added; 3.4 Travel Procedures – update to documentation requirement; 3.4.2 b Personal Vehicle Mileage – clarity of mileage reimbursement calculation; 3.5.2 d & e Allowable Expenses – added language for federal funded travel; 4.0 Associated Documents – added Travel Reimbursement Flowchart.	Laura Stine