

Representation in Juvenile Dependency Court Proceedings,
Superior Court of California, County of Santa Cruz
RFP# CFCC-200807-RB

**QUESTIONS AND ANSWERS FROM
BIDDERS' CONFERENCE OF JULY 21, 2008**

Question #1: How many dependency courtrooms are in the Santa Cruz Court?

Answer #1: There is one dependency courtroom in Santa Cruz (Dept. 6) and one in Watsonville (Dept. A), with one judge assigned to both departments. Calendar days are Tuesdays in Santa Cruz and Thursdays in Watsonville. Morning calendars, which begin at 8:15 a.m., are for post-disposition reviews and matters; afternoon calendars, which begin at 1:15 p.m., are for jurisdictional and dispositional hearings and pre-dispositional issues. Contested matters are heard Mondays, Wednesdays and Fridays in Santa Cruz.

Detentions are held daily at 9:30 a.m., depending on filings. Detentions are held Mondays, Tuesdays, Wednesdays and Fridays in Santa Cruz, and Thursdays in Watsonville. Clerks notify attorneys the afternoon prior when a petition has been filed. There is an average of two to five petitions per week.

Mandatory settlement conferences are held on Tuesdays and Thursdays at 11:00 a.m., 3:00 p.m. and 4:00 p.m.. Mediations are set twice per month.

In addition, Judge Marigonda presides over Family Preservation Court. It is in session on Wednesday afternoons in Department 11 at the jail in Santa Cruz, across the street from the courthouse.

Question #2: Are attorneys required to participate in mediations?

Answer #2: Yes, they are required by the local rules to do so. Sometimes mediations are set in conflict with Family Preservation Court, in which case the mediation takes precedent.

Question #3: Do the demands of the court schedule preclude participation by a solo practitioner?

Answer #3: It is challenging, but we work hard to accommodate counsels' schedules; it is a collaborative effort.

Question #4: Does the judge participate in the mandatory settlement conferences?

Answer #4: Not as a general rule. All of the parties are ordered to appear, and the judge sometimes gets involved if the parties are close to a resolution but are stuck on a particular issue. Sometimes, cases are settled with respect to all but one or two issues, which are then set for contest.

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Question #5: Can visitation be discussed at a hearing?

Answer #5: Yes. The key focus is working cooperatively to figure out how to resolve cases. Santa Cruz has a high reunification rate.

Question #6: What is Family Preservation Court?

Answer #6: The Dependency Drug Court.

Question #7: Are there any pre-filing cases in Family Preservation Court?

Answer #7: No.

Question #8: Are the current contracts available for review?

Answer #8: A contract has been negotiated with Evguenia Vatchkova to represent the first parent, and with Kevin Thurber to represent the second and additional parents. The current contracts have not been executed, so they are not available for review.

Question #9: Is information about the funding level for both the prior contract with Gary Proctor and the current contracts available?

Answer #9: The contract for Mr. Proctor was for \$440,305 in the last year of the contract (July 1, 2007 – June 30, 2008). The annualized amount for the current contracts is \$393,952, which more closely aligns with the caseload funding model adopted by the Judicial Council.

Question #10: How often are counsel expected to appear in court five days per week?

Answer #10: Every week.

Question #11: How many parent clients are there?

Answer #11: Approximately 360.

Question #12: How is the caseload of 360 counted?

Answer #12: We count the number of clients, rather than cases. If there are several children in a sibling group, each is counted as a client. If a parent has several children with dependency cases, the parent is considered as one client.

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Question #13: What is the rationale for counting clients rather than cases?

Answer #13: The workload study conducted by the AOC a number of years ago considered the issue of counting clients vs. cases and made this determination. A recent case file review found that a significant percentage of sibling groups had one or more factors, including different parents, different placements, special needs, etc., which would lead to a higher workload than would be required by an attorney representing one client.

Question #14: How are conflicts beyond the second level handled?

Answer #14: Through the contract with Mr. Thurber.

Question #15: How many families are in the system?

Answer #15: This information can be approximated by the number of “first parent” clients, which is 212.

Question #16: Does the County Counsel attend all hearings, or only contested hearings?

Answer #16: The County Counsel attends all hearings.

Question #17: How long has Family Preservation Court been in existence?

Answer #17: It was established as Dependency Drug Court in 2004 and until recently was heard every other week. Because of new funding that has been secured, beginning this year it has been in session weekly, on Wednesdays at 2:30 p.m., with case reviews beginning at 1:15 p.m.

Question #18: How many clients participate in Family Preservation Court? Is it for both mothers and fathers?

Answer #18: Family Preservation Court includes both mothers and fathers. There are currently 40 clients; the court’s goal is to have 60 clients in Family Preservation Court.

Question #19: How many of those clients are from the same family?

Answer #19: Approximately six clients, from three families.

Question #20: What are the penalties for non-compliance?

Answer #20: The penalties are determined by the treatment team that evaluates cases.

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- Question #21:* Do penalties include time in custody?
- Answer #21:* Potentially, yes, but this penalty is almost never imposed.
- Question #22:* Are you expecting that cases will be transferred to the new provider(s), if new provider(s) are selected?
- Answer #22:* Yes, with the exceptions of cases described in Attachment D, Section 6.0 of the RFP.
- Question #23:* Is no objection expected from the current providers? Has a schedule of transfers been agreed upon?
- Answer #23:* No objection is expected; a schedule of transfers has not been agreed upon.
- Question #24:* Who is the dependency judge and how long has she been assigned to the dependency calendar?
- Answer #24:* Judge Denine Guy has presided over the dependency calendar for seven months.
- Question #25:* What is the length of this assignment? Is a judge, rather than a commissioner or referee, usually assigned to the dependency calendar?
- Answer #25:* The assignment is for three years. A judge has presided over this calendar since 1997.
- Question #26:* Is there a general sense of support among the community organizations providing services to dependency clients?
- Answer #26:* Yes. The relationships with the service providers is good, although there is sometimes reluctance about sharing information when it is not clear whether they are supposed to do so.
- Question #27:* Can we observe dependency court proceedings in the next couple of weeks?
- Answer #27:* Yes. Please contact Alex Calvo, Court Executive Officer, to arrange court observation. Mr. Calvo can be reached at (831) 420-2401. The environments in the Santa Cruz and Watsonville courts are different, so it would be advisable to observe proceedings in both locations. Judge Guy will be away the week of July 29th, so it would be best to arrange court observation after that.

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Question #28: How long is the drive between the Santa Cruz and Watsonville courts?

Answer #28: Usually about thirty minutes, depending on traffic. The Watsonville court includes some space that is available for work use and client meetings; WiFi services is available for a fee.

Question #29: How are the calendars set? Are there time certain hearings?

Answer #29: Calendars are set at 8:15 a.m. and 1:15 p.m. Cases with children present are called first, followed by cases where GALs and CASAs are present, with all other cases called after that. The bailiff determines the order of cases to be called, taking into consideration the needs of the parties and witnesses.

Question #30: Is the courtroom locked during court proceedings?

Answer #30: No, but proceedings are stopped if an unexpected person appears in the courtroom, so that the judge can determine if their presence is permitted.

Question #31: How are Spanish-speaking clients served?

Answer #31: There are a couple of Spanish-speaking attorneys who represent parents. The County Counsel ensures support for families in court, and most of the service providers have services available in Spanish.

Question #32: Will the courtroom be dark next week, when Judge Guy is away?

Answer #32: No, the courtroom is generally never dark, except during holidays. Retired Judge Yonts, who formerly presided over the dependency calendar, will sit on the dependency bench during Judge Guy's absence next week. No contested hearings have been scheduled, but detentions will proceed.

Question #33: How many committees/groups are attorneys expected to participate in?

Answer #34: There are four meeting in which attorneys participate on a regular basis:

1. *Dependency Court Services.* This meeting includes all systems partners. Leadership of this committee rotates among those partners; currently, it is led by CASA. This meeting is held monthly, during lunchtime.
2. *Family Preservation Court Review.* This meeting is held at 1:15 p.m., prior to weekly Family Preservation Court hearings, to review the cases of each participant. Attorneys do not attend these hearings if they conflict with dependency court responsibilities such as mediations, settlement conferences or contested hearings.
3. *Family Preservation Court Steering Committee.* This committee meets monthly during lunchtime to discuss policy and systemic issues.

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4. *Project-Specific Meetings* are set on an as-needed basis, as projects arise. They are also held at lunchtime.

Question #35: *How will the state's budget impasse impact the awarding of contracts? If no state budget is enacted, do you still expect to have contracts in place by October 1?*

Answer #35: At this point, we do not expect the budget impasse to continue into October. However, if this does occur, we will negotiate contracts based on available budget information.

END OF QUESTIONS AND ANSWERS
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