



JUDICIAL COUNCIL OF CALIFORNIA

COLLABORATIVE JUSTICE
COURTS ADVISORY COMMITTEE

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COLLABORATIVE JUSTICE COURTS ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

March 4, 2016
12:15-12:30 p.m.

Toll Free: 1-877-820-7831; Listen Only Passcode: 4811933

Advisory Body Members Present: Hon. Richard Vlavianos, Chair, Hon. Rogelio T. Flores, Vice-Chair, Mr. Scott D. Brown, Ms. Deborah Cima, Mr. Chad Finke, Ms. Kulvinder "Rani" Singh, Hon. Dylan Sullivan, and Dr. Kathleen West.

Advisory Body Members Absent: Ms. Jo Ann Allen, Mr. Steve Binder, Mr. David Brooks, Ms. Wendy Broughton, Hon. Lawrence G. Brown, Hon. Elizabeth Lee, Hon. Richard J. Loftus Jr., Hon. Stephen V. Manley, Hon. Eileen C. Moore, Ms. Sharon Owsley, Ms. Jennifer Pabustan-Claar, Undersheriff Randolph Peshon, Ms. Maria Rocha, and Mr. Paul Shapiro.

Others Present: Hon. Charles Ervin, Hon. Sam Lavorato, Jr., Ms. Francine Byrne, Ms. Chelsie Bright, Ms. Sharon Reilly, Ms. Angelica Souza, Ms. Nancy Taylor, Ms. Adrienne Toomey, and Ms. Carrie Zoller.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:15 p.m., and took roll call.

Approval of Minutes

There were no minutes to approve from previous meetings.

DISCUSSION AND ACTION ITEMS (ITEMS I–II)

Item I: Annual Agenda Review: Substance Abuse Focus Grant

Description of Item Discussed: Judge Vlavianos welcomed everyone. There were no comments received from members of the public prior to this meeting. Carrie Zoller gave an overview of the Substance Abuse Focus Grant item listed in the draft annual agenda. She mentioned that the grant is a line item from the state budget, a non-competitive grant offered to all the counties in California. We have usually between 48 and 50 participants each year. It is a deliverable-based grant done by a formula approved by the Judicial Council.

Action:

Carrie Zoller asked for input. Committee members agreed with the wording in the draft annual agenda and had no suggested revisions.

Item II: Substance Abuse Focus Grant Application Timeline

Description of Item Discussed:

Judicial Council staff has received feedback from counties who want their contracts earlier to speed up their ability to spend down the funds. One way to do this would be to send the Request for Applications (RFA) form earlier in the fiscal year to the courts. The idea is to present them to the August JC meeting instead of the October meeting, if the committee agrees. Carrie Zoller also mentioned that optional webinars for this grant were being offered to the courts on the week of March 14, 2016 to learn more about the process and address their questions.

Action:

Judicial Council staff will prepare and distribute the RFAs documents on a timeline that would allow the Judicial Council to consider proposed allocations in June or July. The date the proposed allocations will go to the Judicial Council is dependent upon when the California State budget is released and whether the budget again allocates 1.16 million, as it had done in previous years. It is anticipated that working on this timeline will allow the contracts to be sent to the counties earlier in the fiscal year. Staff will send the RFA form to the committee as an information item, and will notify the counties about the new timeline.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:38 p.m.

Approved by the advisory body on **enter date.**



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 29, 2016

Title

Collaborative Justice: Recommended
Allocations of Fiscal Year 2016–2017
Substance Abuse Focus Grants

Agenda Item Type

Action Required

Effective Date

July 29, 2016

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

June 24, 2016

Recommended by

Collaborative Justice Courts Advisory
Committee
Hon. Richard Vlavianos, Chair

Contact

Carrie Zoller, 415-865-8829
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Executive Summary

The Collaborative Justice Courts Advisory Committee recommends funding court programs using grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program, through the California Collaborative and Drug Court Projects in the Budget Act of 2016 [item 0250-101-0001], and the Dependency Drug Court Augmentation to the grants of the Substance Abuse Focus Grant Program, through the federal Court Improvement Program funds for fiscal year (FY) 2016–2017 [item 0250-101-0890]. The committee recommends funding programs in 49 courts for FY 2016–2017 with these annual grants distributed by the Judicial Council to expand or enhance promising collaborative justice programs around the state.

Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective July 29, 2016, approve the distribution of grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program and the Dependency Drug Court Augmentation for fiscal year 2016–2017.

The proposed distribution is listed in the last column of Attachment A, *Allocation Summary: Fiscal Years 2015–2016 and 2016–2017*.

Previous Council Action

The Judicial Council has approved the annual funding allocation for the Substance Abuse Focus Grant Program since FY 1998–1999. In November 2005, at the recommendation of the Collaborative Justice Courts Advisory Committee, the Judicial Council approved the Caseload-Based Funding-Level Formula for distributing the funds, as shown on the grant calculation worksheet in Attachment B. In July 2014, following the Judicial Council approved Caseload-Based Funding-Level Formula, grant funds from the Court Improvement Program of the U.S. Department of Health and Human Services, Administration for Children and Families, were distributed as an augmentation to the grants of the Substance Abuse Focus Grant Program.

Rationale for Recommendation

Substance Abuse Focus Grant

This year’s funding authorization for the annual grants comes from a legislative mandate under California Collaborative and Drug Court Projects in the Budget Act of 2016 (Stats. 2016, ch. 23; § 45.55.020), as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2016–2017 in allocation amounts calculated using the formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2016–2017 State Budget allocates \$1.16 million for these projects—the same level of funding that was allocated for the Collaborative Justice Courts Substance Abuse Focus Grant Program in fiscal year 2015–2016.

As in previous years, grants are awarded to all proposed projects that meet the following criteria:

- Consistency with both the California Standards of Judicial Administration and the *Guiding Principles of Collaborative Justice Courts* (see Attachment C);
- Involvement of a local steering committee; and
- Fulfillment of statistical and financial reporting requirements for previous grant funding periods (if applicable).

As in previous years, courts were permitted to apply for grants for more than one project and at more than one site. The funding formula worksheet—which weighs total adjusted funding allocation, type of program, and number of individuals served by each program—is provided in Attachment B of this report.

The formula starts with the presumption that all projects that meet the grant criteria start with a base funding amount of \$12,000 per county. This base figure may be adjusted upward or downward to reflect the actual amount of total funding approved by the Legislature for the year and the number of court projects eligible for grants from those funds. Each project’s adjusted

base figure may then be augmented depending on the program's focus and the number of participants who may potentially benefit from the program. Programs that focus on treatment receive higher allocations than those that do not, in recognition of the intensive case management required in treatment court programs. Courts can also request grants for program planning, which may include an augmentation for the estimated number of participants if the project will become operational before the end of the fiscal year. These adjustments combine to arrive at the algorithm applied against the year's total allocation to determine each program's grant award.

For the 2015–2016 fiscal year, the \$1.16 million allocation supported 145 court projects in 50 counties. The types of projects funded were adult drug courts (35), dependency drug courts (17), juvenile drug courts (17), adult mental health/dual-diagnosis courts (16), peer and truancy courts (12), veterans courts (10), DUI courts (7), domestic violence courts (6), juvenile mental health/dual-diagnosis courts (6), homeless courts (3), and other collaborative justice court programs (16).

Dependency Drug Court Augmentation Grant

Federal Court Improvement Program funds of up to \$75,000 have been made available to support dependency drug courts. In past years, the Judicial Council's Collaborative Justice Courts Advisory Committee has made these grants available through a formulaic distribution available to all eligible dependency drug courts requesting funding through the Substance Abuse Focus Grant Program for the purpose of implementing, maintaining, enhancing, or expanding their dependency drug courts. Because these augmentation funds are federal funds, this grant augmentation must be administered in compliance with conditions stated in part B of title IV of the Social Security Act (specifically, section 438B of the act: the approved state application and plan, including all assurances, approved amendments, and revisions) and with applicable federal regulations, program policies, and instructions. These funds augment the Substance Abuse Focus Grant awards following the Judicial Council–approved Caseload-Based Funding-Level Formula for distributing the funds, as shown on the funding calculation table in Attachment B.

Application process

The presiding judges and court executive officers of the superior courts were informed of this year's grant opportunity on June 2, 2016. Courts submitted project action plans, which staff of the Judicial Council's Center for Families, Children & the Courts reviewed to confirm that the proposed projects met the requirements of addressing substance abuse issues and adhering to the Collaborative Justice Courts principles (see Attachment C, *Guiding Principles of Collaborative Justice Courts*).

Comments, Alternatives Considered, and Policy Implications

All program proposals that meet grant guidelines, including those for planning grants, are considered eligible for funding. The committee considered introducing a competitive process for determining which programs deserve awards but rejected the idea because distributing funds to all qualified applicants by straight formula has proven to be an effective and efficient process.

Implementation Requirements, Costs, and Operational Impacts

In FY 2010–2011, grants from the Substance Abuse Focus Grant Program changed from reimbursable to deliverable. Under the reimbursement model, courts were required to submit monthly invoices to receive reimbursement for their program costs. Under the deliverable model, courts now submit program information that documents the program model, use and participation levels, and outcomes via two progress reports accompanied by two invoices. This change has streamlined the process for distributing funding to the courts, resulting in significant time savings for the courts and for the Judicial Council’s grant-processing staff.

Relevant Strategic Plan Goals and Operational Plan Objectives

This funding allocation enables interested courts to expand and enhance collaborative justice court programs that focus on improved services and outcomes for court users. The improvements introduced by these courts as a result of the grants help fulfill strategic plan Goal IV, Quality of Justice and Service to the Public, and objective IV.1 of the related operational plan: “Foster excellence in public service to ensure that all court users receive satisfactory services and outcomes.”

Attachments

1. Attachment A: *Allocation Summary: Fiscal Years 2015–2016 and 2016–2017*
2. Attachment B: *Caseload-Based Funding-Level Formula: Fiscal Year 2016–2017*
3. Attachment C: *Guiding Principles of Collaborative Justice Courts*

Allocation Summary: Fiscal Year (FY) 2015–2016 and FY 2016–2017

Collaborative Justice Courts Project—Substance Abuse Focus Grant (SAFG) and Dependency Drug Court (DDC) Augmentation Awards (by Court)

	County	FY 15–16 Allocation Based on Formula	FY 15–16 Final SAFG Funding Allocation ¹	FY 15–16 DDC Augmentati on Allocation ²	FY 15–16 Total Allocation (SAFG + DDC)	FY 16–17 Allocation Based on Formula	FY 16–17 Final SAFG Funding Allocation	FY 16–17 DDC Augmentation Allocation	FY 16–17 Total Allocation (SAFG + DDC)
1	Alameda	\$35,000	\$29,304	\$3,934	\$33,238	\$35,000	\$28,548	\$2,628	\$31,176
2	Amador	14,000	12,000		12,000	31,000	25,671		25,671
3	Butte	32,000	26,792		26,792	24,000	20,634		20,634
4	Calaveras*	12,000	12,000		12,000	-	-	-	-
5	Contra Costa	27,000	22,606		22,606	35,000	28,548		28,548
6	Del Norte	20,000	16,745		16,745	18,000	16,317		16,317
7	El Dorado	20,000	16,745		16,745	24,000	20,634		20,634
8	Fresno	45,000	37,675	1,230	38,905	45,000	35,743	1,689	37,432
9	Glenn	24,000	20,094		20,094	24,000	20,634		20,634
10	Humboldt	18,000	15,070		15,070	18,000	16,317		16,317
11	Inyo	12,000	12,000		12,000	14,000	13,439		13,439
12	Kern	20,000	16,745		16,745	20,000	17,756		17,756
13	Kings	20,000	16,745		16,745	24,000	20,634		20,634
14	Lake	12,000	12,000		12,000	12,000	12,000		12,000
15	Lassen	29,000	24,280		24,280	22,000	19,195		19,195
16	Los Angeles	41,000	34,328	7,377	41,705	31,000	25,671	1,501	27,172
17	Madera	24,000	20,094		20,094	24,000	20,634		20,634
18	Marin	16,000	13,396		13,396	16,000	14,878		14,878
19	Mendocino	26,000	21,768	3,197	24,965	24,000	20,634	2,252	22,886
20	Merced	12,000	12,000		12,000	12,000	12,000		12,000
21	Modoc	16,000	13,396	393	13,789	16,000	14,878	300	15,178
22	Monterey	45,000	37,675		37,675	45,000	35,743	11,261	47,004
23	Nevada	24,000	20,094		20,094	24,000	20,634		20,634
24	Orange	42,000	35,165		35,165	42,000	33,585		33,585
25	Placer	16,000	13,396		13,396	16,000	14,878		14,878
26	Plumas	29,000	24,280		24,280	24,000	20,634		20,634
27	Sacramento	42,000	35,165	11,803	46,968	42,000	33,585	11,261	44,846
28	San Bernardino	42,000	35,165		35,165	42,000	33,585		33,585
29	San Diego	42,000	35,165		35,165	44,000	35,024	7,508	42,532
30	San Francisco	44,500	37,256	2,705	39,961	45,000	35,743	3,754	39,497
31	San Joaquin	45,000	37,675	20,656	58,331	45,000	35,743	15,766	51,509

	County	FY 15-16 Allocation Based on Formula	FY 15-16 Final SAFG Funding Allocation ¹	FY 15-16 DDC Augmentati on Allocation ²	FY 15-16 Total Allocation (SAFG + DDC)	FY 16-17 Allocation Based on Formula	FY 16-17 Final SAFG Funding Allocation	FY 16-17 DDC Augmentation Allocation	FY 16-17 Total Allocation (SAFG + DDC)
32	San Luis Obispo	32,000	26,792	3,689	30,481	32,000	26,390	2,815	29,205
33	San Mateo	32,000	26,792		26,792	32,000	26,390		26,390
34	Santa Barbara	44,000	36,840		36,840	44,000	35,024		35,024
35	Santa Clara	35,000	29,304	8,361	37,665	32,000	26,390	4,880	31,270
36	Santa Cruz	45,000	37,675		37,675	45,000	35,743	2,065	37,808
37	Shasta	24,000	20,094		20,094	30,000	24,952		24,952
38	Sierra	12,000	12,000		12,000	12,000	12,000		12,000
39	Siskiyou	20,000	16,745	1,475	18,220	20,000	17,756	938	18,694
40	Solano	41,000	34,328	2,459	36,787	45,000	35,743	1,877	37,620
41	Sonoma	45,000	37,675	1,967	39,642	45,000	35,743	563	36,306
42	Stanislaus	24,000	20,094	836	20,930	24,000	20,634	563	21,197
43	Sutter	22,000	18,419		18,419	22,000	19,195		19,195
44	Tehama	24,000	20,094	738	20,832	24,000	20,634	563	21,197
45	Trinity	15,000	12,558		12,558	28,000	23,512		23,512
46	Tulare	20,000	16,745		16,745	24,000	20,634		20,634
47	Tuolumne	20,000	16,745	2,459	19,204	20,000	17,756	1,502	19,258
48	Ventura	32,000	26,792	1,721	28,513	32,000	26,390	1,314	27,704
49	Yolo	18,000	15,070		15,070	12,000	12,000		12,000
50	Yuba	22,000	18,419		18,419	22,000	19,195		19,195
	Total	\$1,373,500	\$1,160,000	\$75,000	\$1,235,000	\$1,381,000	1,160,000.00	\$75,000.00	\$1,235,000

¹ In FY 16-17 there are \$1,160,000 available for allocation among the 49 courts who applied to the Collaborative Justice Courts Substance Abuse Focus Grant Program (SAFG). According to the funding formula, the maximum level of funding courts are eligible for is \$1,381,000. This number exceeds the available funding by \$221,000. As a result, the total awards reflect a reduction in funding of 16%. Each court was awarded a base allocation of \$12,000 and the remaining funds were distributed proportionally among those courts who were eligible for additional funds above the base amount.

² Dependency Drug Court Augmentation funds were allocated based on number of participants.

*The Superior Court of California, County of Calaveras, did not apply for fiscal year 2016-2017.

Caseload Based Funding-Level Formula
2016-2017 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program

Funding Calculation Table:

Program Focus Category	Base Amount	Number of Total Program(s) Participants						Enhancement	
		5 – 19	20 – 49	50 – 99	100 – 199	200 – 499	500+	10 – 24	25+
Treatment Court	\$12,000	\$0	\$4,000	\$8,000	\$12,000	\$20,000	\$30,000	\$2,000	\$3,000
Education / Non-treatment Program	\$12,000	\$0	\$2,000	\$4,000	\$6,000	\$10,000	\$15,000	\$1,000	\$2,000

Instructions:

1. Program Focus Category - Identify whether the primary focus of the program is on treatment or education.

2. Base Amount - Minimum base program funding level. Only one base amount can be included in funding calculation.

3. Number of Total Program(s) Participants - Number of total participants that will be directly served by the grant program for FY 16-17:

- Find the number range of participants for your program.
- Match it with the appropriate Program Focus Category. **Note:** For treatment focused programs, include all participants enrolled in the program, not just the participants receiving a particular level or kind of treatment.
- Add the matching funding amount to the Base Amount - **this is your maximum funding level.**

***Example: \$12,000 (Base) + \$12,000 (Treatment Court Focus with 125 program participants) = \$24,000 eligible maximum funding level**

4. Enhancement - For court program(s) that will increase the maximum number of participants they can serve to be larger than their FY 15-16 program capacity. Minimum of 10 additional participants is required for enhancement funding.

***Example: \$12,000 (Base) + \$12,000 (Treatment Court Focus w/ 125 program participants) + \$2,000 (increase in program capacity from previous year by 15 additional participants) = \$26,000 eligible maximum funding level.**

Calculation Tool:

5. Court Calculation:	Base	Treatment	Non Treat	Enhance	Maximum Funding Level
Enter numbers here:	\$12,000	\$0	\$0	\$0	\$12,000
	Total				

NOTE: This tool is provided to assist courts in calculating the appropriate level of funding to request. Actual award amounts will be based upon the number of courts applying and the total allocation available in the 2016 California State Budget.

Guiding Principles of Collaborative Justice Courts

Using the National Drug Court Institute's 10 key components of drug courts as a model, the Collaborative Justice Courts Advisory Committee identified 11 essential components as the guiding principles of collaborative justice courts:

1. Integrate services with justice system processing;
2. Achieve the desired goals without the use of the traditional adversarial process;
3. Intervene early and promptly to place participants in the collaborative justice court program;
4. Provide access to a continuum of services, including treatment and rehabilitation services;
5. Compliance is monitored frequently;
6. A coordinated strategy governs collaborative justice court response to participant compliance, using a system of sanctions and incentives to foster compliance;
7. Ongoing judicial interaction with each collaborative justice court participant is essential;
8. Monitoring and evaluation measures the achievement of program goals and gauges effectiveness;
9. Ensure continuing interdisciplinary education;
10. Forge partnerships among collaborative justice courts, public agencies, and community-based organizations to increase the availability of services, enhance collaborative justice court effectiveness and generates local support; and
11. Emphasize team and individual commitments to cultural competency. Awareness of the responsiveness to diversity and cultural issues help ensure an attitude of respect within the collaborative justice setting.