



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on September 15, 2017

Title

Collaborative Justice: Recommended
Allocations of Fiscal Year 2017–2018
Substance Abuse Focus Grants

Agenda Item Type

Action Required

Effective Date

September 15, 2017

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

August 1, 2017

Recommended by

Collaborative Justice Courts Advisory
Committee

Hon. Richard Vlavianos, Chair

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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 2017 [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) 2017–2018 [item 0250-101-0890]. The committee recommends funding programs in 49 courts for FY 2017–2018 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 September 15, 2017, approve the distribution of grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program and the Dependency Drug Court Augmentation for fiscal year 2017–2018.

The proposed distribution is listed in the last column of Attachment A, *Allocation Summary: Fiscal Years 2016–2017 and 2017–2018*.

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 2017 (Stats. 2017, ch. 23; § 45.55.020), as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2017–2018 in allocation amounts calculated using the formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2017–2018 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 2016–2017.

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 2016–2017 fiscal year, the \$1.16 million allocation supported 266 court projects in 49 counties. The types of projects funded were adult domestic violence courts (6), adult drug courts (52), adult mental health/dual-diagnosis courts (25), community courts (2), dependency drug courts (23), DUI courts (14), elder courts (1), homeless courts (4), juvenile delinquency drug courts (22), juvenile mental health/dual-diagnosis courts (6), peer/youth courts (70), reentry courts (6), truancy courts (5), veterans courts (11), and other collaborative justice court programs (19).

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 28, 2017. 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

and feedback from local courts has indicated their preference for a non-competitive grant 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. This year the grant application coversheet was changed to automatically calculate the maximum eligible grant amount. This made the application easier to complete for local courts and improved their grant application accuracy. In turn, this reduced the amount of Judicial Council staff time needed to review grant request calculations.

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 2016–2017 and 2017–2018*
2. Attachment B: *Caseload-Based Funding-Level Formula: Fiscal Year 2017–2018*
3. Attachment C: *Guiding Principles of Collaborative Justice Courts*

Allocation Summary: Fiscal Year (FY) 2016–2017 and FY 2017–2018

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

	County	FY 16–17 Allocation Based on Formula	FY 16–17 Final SAFG Funding Allocation ¹	FY 16–17 DDC Augmentati on Allocation ²	FY 16–17 Total Allocation (SAFG + DDC)	FY 17–18 Allocation Based on Formula	FY 17–18 Final SAFG Funding Allocation	FY 17–18 DDC Augmentation Allocation	FY 17–18 Total Allocation (SAFG + DDC)
1	Alameda	\$35,000	\$28,548	\$2,628	\$31,176	\$42,000	\$33,639	\$2,516	\$36,155
2	Amador	31,000	25,671		25,671	31,000	25,706		25,706
3	Butte	24,000	20,634		20,634	20,000	17,770		17,770
4	Contra Costa	35,000	28,548		28,548	22,000	19,213		19,213
5	Del Norte	18,000	16,317		16,317	18,000	16,328		16,328
6	El Dorado	24,000	20,634		20,634	24,000	20,656		20,656
7	Fresno	45,000	35,743	1,689	37,432	45,000	35,803	1,342	37,145
8	Glenn	24,000	20,634		20,634	35,000	28,590	537	29,127
9	Humboldt	18,000	16,317		16,317	24,000	20,656		20,656
10	Inyo	14,000	13,439		13,439	16,000	14,885		14,885
11	Kern	20,000	17,756		17,756	16,000	14,885		14,885
12	Kings	24,000	20,634		20,634	24,000	20,656		20,656
13	Lake	12,000	12,000		12,000	12,000	12,001		12,001
14	Lassen	22,000	19,195		19,195	20,000	17,770		17,770
15	Los Angeles	31,000	25,671	1,501	27,172	39,000	31,476	5,031	36,507
16	Madera	24,000	20,634		20,634	18,000	16,328		16,328
17	Marin	16,000	14,878		14,878	16,000	14,885		14,885
18	Mendocino	24,000	20,634	2,252	22,886	24,000	20,656	2,013	22,669
19	Merced	12,000	12,000		12,000	12,000	12,001		12,001
20	Modoc	16,000	14,878	300	15,178	16,000	14,885	168	15,053
21	Monterey	45,000	35,743	11,261	47,004	42,000	33,639	10,063	43,702
22	Nevada	24,000	20,634		20,634	24,000	20,656		20,656
23	Orange	42,000	33,585		33,585	42,000	33,639		33,639
24	Placer	16,000	14,878		14,878	16,000	14,885		14,885
25	Plumas	24,000	20,634		20,634	12,000	12,001		12,001
26	Sacramento	42,000	33,585	11,261	44,846	42,000	33,639	13,416	47,055
27	San Bernardino	42,000	33,585		33,585	45,000	35,803		35,803
28	San Diego	44,000	35,024	7,508	42,532	42,000	33,639	6,708	40,347
29	San Francisco	45,000	35,743	3,754	39,497	44,000	35,082	3,354	38,436
30	San Joaquin	45,000	35,743	15,766	51,509	45,000	35,803	15,093	50,896

¹ In FY 17-18 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

	County	FY 16–17 Allocation Based on Formula	FY 16–17 Final SAFG Funding Allocation ¹	FY 16–17 DDC Augmentati on Allocation ²	FY 16–17 Total Allocation (SAFG + DDC)	FY 17–18 Allocation Based on Formula	FY 17–18 Final SAFG Funding Allocation	FY 17–18 DDC Augmentation Allocation	FY 17–18 Total Allocation (SAFG + DDC)
31	San Luis Obispo	32,000	26,390	2,815	29,205	32,000	26,426	2,516	28,942
32	San Mateo	32,000	26,390		26,390	32,000	26,426		26,426
33	Santa Barbara	44,000	35,024		35,024	42,000	33,639		33,639
34	Santa Clara	32,000	26,390	4,880	31,270	42,000	33,639	4,696	38,335
35	Santa Cruz	45,000	35,743	2,065	37,808	45,000	35,803		35,803
36	Shasta	30,000	24,952		24,952	28,000	23,542		23,542
37	Sierra	12,000	12,000		12,000	12,000	12,000		12,000
38	Siskiyou	20,000	17,756	938	18,694	20,000	17,770	1,342	19,112
39	Solano	45,000	35,743	1,877	37,620	45,000	35,803	1,342	37,145
40	Sonoma	45,000	35,743	563	36,306	45,000	35,803	503	36,306
41	Stanislaus	24,000	20,634	563	21,197	24,000	20,656	335	20991
42	Sutter	22,000	19,195		19,195	22,000	19,213		19213
43	Tehama	24,000	20,634	563	21,197	24,000	20,656	503	21159
44	Trinity	28,000	23,512		23,512	34,000	27,869	1,006	28875
45	Tulare	24,000	20,634		20,634	24,000	20,656		20656
46	Tuolumne	20,000	17,756	1,502	19,258	16,000	14,885	1,342	16227
47	Ventura	32,000	26,390	1,314	27,704	32,000	26,426	1,174	27600
48	Yolo	12,000	12,000		12,000	12,000	12,000		12000
49	Yuba	22,000	19,195		19,195	22,000	19,213		19213
	Total	\$1,381,000	\$1,160,000	\$75,000	\$1,235,000	\$1,381,000	\$1,160,000	\$75,000	\$1,235,000

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.

**Caseload-Based Funding-Level Formula:
2017–2018 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 / Nontreatment 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 17–18.

- 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 16–17 program capacity.

A 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	Nontreat	Enhance	Maximum Funding Level
Enter numbers here:	\$12,000	\$0	\$0	\$0	\$12,000

Total

Note: This tool is provided to assist courts in understanding how the maximum eligible grant allocation is calculated. Please note that actual award amounts will be based upon the number of courts applying and the total allocation available in the 2017 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. Use a coordinated strategy that governs the court's response to participant compliance, using a system of sanctions and incentives to foster compliance;
6. Use ongoing judicial interaction with each collaborative justice court participant;
7. Use monitoring and evaluation to measure the achievement of program goals and gauge effectiveness;
8. Ensure continuing interdisciplinary education;
9. Forge partnerships among collaborative justice courts, public agencies, and community-based organizations to increase the availability of services;
10. Enhance the program's effectiveness and generate local support; and
11. Emphasize team and individual commitments to cultural competency.