



JUDICIAL COUNCIL OF CALIFORNIA

2850 Gateway Oaks Drive, Suite 300 • Sacramento, California 95833-4348

Telephone 916-263-1400 • Fax 916-643-8028 • TDD 415-865-4272

MEMORANDUM

Date August 19, 2019	Action Requested Please review
To Family and Juvenile Law Advisory Committee Hon. Jerilyn L. Borack, Cochair Hon. Mark A. Juhas, Cochair	Deadline N/A
From Shelly La Botte, Access to Visitation Grant Program Coordinator Center for Families, Children & the Courts	Contact Shelly La Botte 916-643-7065 phone shelly.labotte@jud.ca.gov Gregory Tanaka, Supervising Attorney 415-865-7671 phone gregory.tanaka@jud.ca.gov
Subject Access to Visitation Grant Program: Proposed Recommendations for Unspent Grant Funds for the 2018–19 Contract Year	

This memorandum sets forth staff's recommendations for consideration and approval by the Family and Juvenile Law Advisory Committee regarding the Access to Visitation (AV) Grant Program reallocation of additional unspent grant funds for the contract year that began on April 1, 2018 and ended on March 31, 2019.

Background

Under the Judicial Council-approved funding methodology for the AV Grant Program, grant funds that become available, when a grantee court withdraws from the program or does not spend its full grant award, are distributed to courts that are currently receiving AV funds through a midyear reallocation process based on a needs assessment. Courts submit a request and justification for receiving additional funding, which includes completing a detailed questionnaire with the information needed to evaluate appropriate funding reallocation levels. At the Judicial

Council's November 17, 2017 meeting, the council approved modification of the AV Grant Program midyear reallocation process delegating authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funds for contract years 2018–19 through 2020–21.¹ To ensure that the unused allocations can be redistributed to the courts in a timely manner within the federal grant year, an expedited process for reallocation of funds to the courts was essential. In addition, council staff was authorized to develop a plan to expend any remaining unspent grant funds to provide statewide services that will benefit all courts when unused funds exceed the requested funds from those eligible courts to receive additional funding through the midyear reallocation process and to report on the plan to the Family and Juvenile Law Advisory Committee.

Previous Committee Action

Midyear Reallocation for Fiscal Year 2018–19

A detailed midyear-funding questionnaire completed by the grant recipients was used to develop the reallocation recommendations for the AV Grant contract period 2018–19. Based on the midyear reallocation questionnaire received from the 11 grant recipient's courts, 3 courts responded that they would not spend their AV grant funds for the contract period 2018–19. The total amount of unspent grant funds that was available for midyear reallocation for the 2018–19 contract period from the above-mentioned three courts was \$62,500. Five of the eight remaining courts requested a total of \$130,000 of additional funding through the midyear reallocation questionnaire and needs assessment. Because the total amount requested exceeded the unspent funds available, Judicial Council program staff—as approved by the Family and Juvenile Law Committee—distributed the \$62,500 to the eligible five grant recipient courts (See Attachment A).

Proposed Recommendations for Consideration

Remaining Unspent Grant Funds by the Courts for FY 2018–19

For the contract year 2018–19 ending on March 31, 2019, 7 of the 11 grant recipient courts did not spend their full grant award allocation despite indicating through the midyear reallocation process that their entire grant award allocation would be expended (See Attachment B). In addition, two of the five courts that requested and received additional funds through the midyear reallocation process, did not spend the entire amount of additional funds distributed to them. As in previous years, the viability and sudden closure of subcontractor service providers continued to be the primary reason for unspent funds by grantee courts. However, it is anticipated that the infusion of additional state grant funding for supervised visitation, through an RFP released and awarded by CalOES (Governor's Office of Emergency Services) in April of 2019, will help stabilize the provision of statewide services going forward. A total of seven AV grant subrecipients applied for and were awarded CalOES grants of up to \$200,000 each. The

¹ <https://jcc.legistar.com/View.ashx?M=F&ID=5526793&GUID=1E232B38-3A39-44D0-AFF0-4D34DEAE2985>.

additional funds received by the seven AV grant programs will help supplement AV funding for supervised visitation services through the current 2019–20 contract year.

For the 2018–19 AV contract year, it is estimated that a total of approximately \$20,611 will remain unspent by the grantee courts, after allocating funds to projected AV administration costs through the end of the federal Fiscal Year on September 30, 2019 of approximately \$82,945. Because federal funds do not rollover to the next Fiscal Year, any funds not spent by September 30, 2019, will revert to the federal funder. To ensure accountability and provide additional benefit to statewide AV services, staff proposes that the committee consider for approval, using the remaining funds not spent by the grantee courts for the AV contract year 2018–19, as follows:

1. Contract with a consultant to evaluate the Access to Visitation Grant Program Request-for-Proposals (RFP) grant application, selection, and review processes (\$10,000); and
2. Contract with a consultant to develop an online domestic violence and supervised visitation training for implementation of Standard 5.20 of the California Standards of Judicial Administration, that will provide statewide benefit to all courts (\$10,000).

ATTACHMENT A

**Judicial Council of California
Operations and Programs Division
Center for Families, Children & the Courts**

ACCESS TO VISITATION GRANT PROGRAM

*List of Superior Courts and Proposed Grant Funding Midyear Reallocation Amounts
for Contract Year 2018–2019*

Superior Courts of California	Current Grant Funding Allocation Award	Requested Additional Funding Amount	Total Funding Reallocation
1. Superior Court of Butte County	\$60,000	\$0	\$0
2. Superior Court of Del Norte County	\$25,000	\$0	\$0
3. Superior Court of El Dorado County	\$50,000	\$0	\$0
4. Superior Court of Inyo County	\$35,000	\$0	\$0
5. Superior Court of Orange County	\$100,000	\$0	\$0
6. Superior Court of San Bernardino County	\$100,000	\$0	\$0
7. Superior Court of San Francisco County	\$100,000	\$60,000	\$21,111
8. Superior Court of Santa Clara County	\$65,000	\$35,000	\$13,722
9. Superior Court of Shasta County	\$60,000	\$20,000	\$12,667
10. Superior Court of Tulare County	\$100,000	\$10,000	\$10,000
11. Superior Court of Yuba County	\$60,000	\$5,000	\$5,000
TOTAL	\$755,000	\$130,000	\$62,500

ATTACHMENT B

**Judicial Council of California
Operations and Programs Division
Center for Families, Children & the Courts**

ACCESS TO VISITATION GRANT PROGRAM

**List of Superior Courts Grant Award Funding Amounts and Midyear Reallocation Amounts
for the Contract Period Fiscal Year 2018–2019**

Superior Courts¹	Current Grant Funding Allocation	Midyear Request for Additional Funding	Unspent Midyear Reallocation Amount	Total Court Unspent Funds
1. Butte ²	\$60,000	\$0	N/A	\$8,362.88
2. Del Norte ³	\$25,000	\$0	N/A	\$4,462.65
3. El Dorado ⁴	N/A	N/A	N/A	N/A
4. Mono/Inyo ⁵	\$35,000	\$0	N/A	\$18,808.24
5. Orange ⁶	\$100,000	\$0	N/A	\$18,710.61
6. San Francisco	\$100,000	\$21,111	\$0	\$0
7. San Bernardino	\$100,000	\$0	N/A	\$2,987.08
8. Santa Clara ⁷	\$65,000	\$13,722	\$13,722	\$33,770.82
9. Shasta	\$60,000	\$12,677	\$0	\$0
10. Tulare	\$100,000	\$10,000	\$0	\$0
11. Yuba ⁸	\$60,000	\$5,000	\$5,000	\$16,454.18
	\$705,000	\$62,500	\$18,722	\$103,556.46

¹ The Superior Courts of Butte, El Dorado, and Yuba Counties shared the same subcontractor. The local subcontractor withdrew from the grant program and affected each of the courts.

² Butte: The court lost their subcontractor and the subcontractor stopped providing services in late October even though they informed the court they would provide services until the end of the grant period on March 31, 2019.

³ Del Norte: The funds were unspent in salaries due to a decrease in scheduled visits for a short period.

⁴ El Dorado: The court returned their grant award amount of \$50,000 back to the JC for FY 2019-2020 because they lost their subcontractor. These funds were used as part of the FY 18 midyear reallocation to other courts.

⁵ Mono/Inyo: The court subcontractor closed down their program in October 2018. JC staff used their projected estimate of approximately \$10K based on courts midyear reallocation response as unspent funds for reallocation.

⁶ Orange: The court secured a second subcontractor; however, service delivery delayed by the new subcontractor, and thus, funds not spent down.

⁷ Santa Clara: The court stated the reason for the unspent funds because of delayed staffing by subcontractor and the subcontractor/court had another grant (which they no longer have) that ended in January 2019 and thus was trying to split the billing between the grants appropriately.

⁸ Yuba: The court lost their subcontractor and had five months of no service delivery from November to March until they were able to secure new subcontractor. This period was subsequent to the midyear reallocation.