



JUDICIAL COUNCIL OF CALIFORNIA

2860 Gateway Oaks Drive, Suite 400 • Sacramento, California 95833-4336

Telephone 916-263-7885 • Fax 916-263-1966 • TDD 415-865-4272

MEMORANDUM

Date

August 4, 2021

Action Requested

Please review

To

Family and Juvenile Law Advisory
Committee

Deadline

August 9, 2021

From

Shelly La Botte, Access to Visitation Grant
Program Coordinator
Center for Families, Children & the Courts

Contact

Shelly La Botte
916-643-7065
shelly.labotte@jud.ca.gov

Subject

Access to Visitation Grant Program: Proposed
Plan for Unspent Grant Funds for the Fiscal
Year 2020–21 Contract Period

Gregory Tanaka
415-865-7671
gregory.tanaka@jud.ca.gov

This memorandum sets forth the Center for Families, Children & the Courts, Access to Visitation Grant Program's proposed plan for unspent Access to Visitation (AV) grant funds for the 2020–21 contract period that began on April 1, 2020 and ended on March 31, 2021.

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 justification for why they should receive additional funding, including 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 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, the committee recommended that any remaining unspent funds for the end of year contract period be used for proposed resources and statewide technical assistance services that will benefit all courts. This included supervised visitation technical assistance, education and training to meet statutory requirements of Family Code section 3200.5 and Standard 5.20 of the California Standards of Judicial Administration, and production of visitation materials and/or brochures. To ensure accountability regarding any unspent funds, Judicial Council program staff was to provide the committee with a plan for any additional unspent funds to be used for proposed resources and statewide technical assistance services to the superior courts.

Most recently, a staff proposal for unspent funds from the end of the AV contract year 2018–19 was approved by the committee on August 26, 2019 and used to complete the following resources benefitting AV statewide services and courts:

1. Contracted with a consultant to evaluate the Access to Visitation Grant Program Request-for-Proposals (RFP) grant application, selection, and review processes (\$10,000) that resulted in a new simplified, streamlined, fillable RFP and scoring rubric for the new 2021–24 three-year grant cycle²; and
2. Contracted with a consultant to develop an online animated domestic violence and supervised visitation training for implementation of Standard 5.20 of the California Standards of Judicial Administration.³

Funding Reallocation for the Access to Visitation Contract Year 2020–21

Under the Access to Visitation Grant Program midyear reallocation process for the FY 2020–21 contract period, no grantee superior courts stated that they had excess grant funds to reallocate. As a result, additional unspent funds were not available for midyear reallocation to courts receiving Access to Visitation funds. This was understandable considering that the pandemic resulted in the suspension of in-person professional supervised visitation services across the state and much uncertainty remained regarding whether in-person services would resume during the contract period.

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

² <https://www.courts.ca.gov/cfcc-accessstovisitation.htm>

³ <https://youtu.be/nVetWWvBmMM>

Upon receipt of the final invoices from grantees for the contract year ending on March 31, 2021, by the deadline of June 30, 2021, seven of the nine superior courts reported unspent funds totaling approximately \$86,000—after deducting AV grant administration costs. While some supervised visitation providers were able to reopen with very limited capacity, most maintained remote services due to the ongoing pandemic which resulted in significantly less AV funds being expended through the end of the contract year. Because federal funds do not rollover to the next Fiscal Year, any funds not obligated by September 30, 2021, will revert to the federal funder. Therefore, program staff is requesting that the committee consider and approve the following proposed recommendations for the remaining unspent funds from AV contract year 2020–21.

Proposed Plan for Unspent Funds (FY 2020–21 Contract Period)

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 2020–21, as follows⁴:

1. Provide grants to AV funded superior courts for computers or equipment through an application process (\$40,000).
2. Request For Proposals (RFP) to purchase online AV Grant Management/Data Collection Software and related services (\$26,000).
3. Develop curriculum, materials, and resources with contractor for “Train the Trainer” program for AV Standard 5.20 trainings (\$10,000).
4. Develop additional online parent education, videos, podcasts and/or resources on supervised visitation to be posted on the Judicial Council website (\$10,000).

⁴ The amounts listed next to each proposed item are estimates and actual costs may vary.