



## 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 31, 2021

**Action Requested**

Action required

**To**

Family and Juvenile Law Advisory  
Committee

**Deadline**

September 7, 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](mailto: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](mailto: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.<sup>1</sup> 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.

#### **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

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.

#### **Previous Approved Plan for Unspent Funds (FY 2020–21 Contract Period)**

On August 6, 2021, the committee approved the following plan proposed by staff to use the remaining funds not spent by the grantee courts for the AV contract year 2020–21, as follows:

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).

**Revised Proposed Plan for Unspent Funds (FY 2020–21 Contract Period)<sup>1</sup>**

Following committee approval, staff identified the need to clarify that the AV funds for computers or equipment would be provided directly to the AV subcontractors/supervised visitation providers and not to the grantee courts (Item 1). In consultation with Judicial Council Information Services, it was also determined that the procurement of the computers and technology requests could be done through a needs assessment and procurement with the assistance of Judicial Council IT. In addition, staff has determined that the approved purchase of AV Grant Management/Data Collection Software and related services will proceed using the council's competitive procurement process which will include a Request for Proposal or other solicitation method. (Item 2). Staff therefore requests committee review and approval of the revisions to item 1 and item 2 as stated below:

1. Provide an allocation to AV funded professional supervised visitation and exchange providers for computers, software, or equipment through a needs assessment with providers by Judicial Council staff in Information Services and Access to Visitation staff, which will be procured by a process conducted by Judicial Council IT (\$40,000).
2. Procurement of online AV Grant Management/Data Collection Software and related services (\$26,000).

---

<sup>1</sup> The amounts listed next to each proposed item are estimates and actual costs may vary.