



JUDICIAL COUNCIL OF CALIFORNIA

FAMILY AND JUVENILE LAW
ADVISORY COMMITTEE

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FAMILY AND JUVENILE LAW ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

November 14, 2022

4:30 - 5:30 p.m.

Advisory Body Members Present: Hon. Stephanie E. Hulse, Hon. Charles F. Adams, Hon. Craig E. Arthur, Hon. Bunmi O. Awoniyi, Hon. Brett Bianco, Hon. John P. Bianco, Hon. Tari L. Cody, Ms. Mary Majich Davis, Hon. Ana L. España, Ms. Katherine Fogarty, Hon. Suzan M. Gill, Ms. Leslie Heimov, Ms. Rose Klein, Ms. Selis Koker, Mr. Jonathan Laba, Hon. Frank J. Menetrez, Hon. Laura H. Miller, Ms. Sherry Peterson, Ms. Melissa J. Poulos, Hon. Lawrence P. Riff, Ms. Shannon Sullivan, Hon. B. Scott Thomsen, Hon. Monica F. Wiley.

Advisory Body Members Absent: Hon. Amy M. Pellman, Hon. Suzanne Gazzaniga, Hon. Jennifer Lee Giuliani, Mx. Cody Hernandez, Ms. Diane Iglesias, Ms. Sharon Lawrence, Mr. Brian J. Richart, Hon. Lawrence P. Riff, Ms. Cheryl Scott, Ms. Nancy E. Smith, Hon. Nannette J. Stomberg, Hon. Rubèn A. Villalobos.

Others Present: Ms. Charlene Depner, Ms. Diana Glick, Ms. Audrey Fancy, Ms. Anne Hadreas, Mr. John Henzl, Hon. Maria Hernandez, Ms. Frances Ho, Ms. Andi Liebenbaum, Ms. Anna Maves, Ms. Amanda Morris, Ms. Marci Reichbach, Ms. Gabrielle Selden, Mr. Greg Tanaka, Mr. Don Will.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 4:30 p.m. and took roll call.

DISCUSSION AND ACTION ITEMS

Item 1

Firearm Relinquishment Grant Program Recommendations (Action Required)

After consideration and vote, the committee recommended that the Judicial Council approve the allocation and distribution of \$18,884,010 to seven superior courts to fund new or expanded Firearm Relinquishment programs for Fiscal Years 2022–2025. The committee also recommended that the Judicial Council delegate authority to the Family and Juvenile Law Advisory Committee to distribute and reallocate any unspent funding from these grant awards to any of the awarded courts, based on the same criteria established during the application period.

Hon. Charles Adams, Hon. Brett Bianco, Hon. Tari Cody, Hon. Ana España, Ms. Rose Klein, Hon. Laura Miller, and Hon. Monica Wiley abstained from voting.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 5:06 p.m.

Pending approval by the advisory body on March 13, 2023.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

Item No.:

For business meeting on: May 11-12, 2023

Title

Allocations and Reimbursements to Trial Courts: Firearm Relinquishment Grant Program for 2023–24 Through 2024–25

Rules, Forms, Standards, or Statutes Affected

None

Recommended by

Family and Juvenile Law Advisory Committee
Hon. Stephanie E. Hulse, Cochair
Hon. Amy M. Pellman, Cochair
Trial Court Budget Advisory Committee
Hon. Jonathan B. Conklin, Chair
Ms. Rebecca Fleming, Vice Chair

Agenda Item Type

Action Required

Effective Date

May 12, 2023

Date of Report

March 8, 2023

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Executive Summary

The Budget Act of 2022 (Assem. Bill 178; Stats. 2022, ch. 45) appropriated \$40 million in one-time funding to the Judicial Council, of which \$36 million must be distributed to trial courts to support court-based firearm relinquishment programs. The Family and Juvenile Law Advisory Committee and the Trial Court Budget Advisory Committee recommend that the Judicial Council approve the allocation and distribution of \$4.3 million to two trial courts for Firearm Relinquishment Grant awards for 2023–24 through 2024–25.

Recommendation

The Family and Juvenile Law Advisory Committee and the Trial Court Budget Advisory Committee recommend that the Judicial Council, effective May 12, 2023:

1. Approve the allocation and distribution of \$4,359,887 to two trial courts to fund new or expanded firearm relinquishment programs for fiscal years 2023–24 through 2024–25; and
2. Delegate authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funding allocated to any of the awarded courts in Cycles 1 and 2, based on the same criteria established during the application period.

The proposed allocations for funding are listed in Attachment A.

These recommendations were presented to the Judicial Branch Budget Committee on [REDACTED] and approved for consideration by the Judicial Council.

Relevant Previous Council Action

At its meeting on January 20, 2023, the Judicial Council approved the allocation and distribution of \$18.5 million to seven trial courts to fund new or expanded firearm relinquishment programs. Additionally, the Judicial Council delegated authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funding from these grant awards to any of the awarded courts, based on the same criteria established during the applications period.

Analysis/Rationale

Of the 36 million that must be distributed to trial courts under this program, \$18.5 million remains, as the Judicial Council allocated \$17.5 million earlier this year. To distribute the remaining funds, the Judicial Council’s Center for Families, Children & the Courts (CFCC) circulated another grant application (Cycle 2), inviting all courts, including those who were awarded in Cycle 1, to apply. The application was sent to all trial court presiding judges and court executive officers on January 10, 2023, with an initial deadline of February 10, 2023. The deadline was subsequently extended to February 17, 2023. Information regarding the program was also posted on the California Courts website and a live information webinar was hosted on January 12, 2023.¹ In addition, a recording of the webinar was posted on the Judicial Resources Network.

Eligibility and selection criteria

To be eligible for grant funding, AB 178 provided the following criteria and priority areas in selecting applicant courts:

- Each court must contract with at least one law enforcement agency located within the county for activities that cannot reasonably and safely be conducted by the court. (“*Law enforcement agency* is defined as probation departments, sheriff’s offices, police departments, or multiagency teams including some or all of these agencies in a jurisdiction.” (Assem. Bill 178, § 1, provision 14, italics added.))

¹ California Courts, “Firearm Relinquishment Grant Program,” www.courts.ca.gov/programs-cfcc.htm.

- At least 30 percent of the funding allocated to each court must be directed to law enforcement through contracts with the court.
- The selection process must consider statewide diversity in geographic location and court size.
- Priority must be given to firearm relinquishment activities related to domestic violence restraining orders, gun violence restraining orders, or any other civil court order.
- Priority must be given to courts with higher numbers of requests, per capita, for domestic violence restraining orders or gun violence restraining orders filed.

Proposed grant awards

Two trial courts applied for funding during Cycle 2. The applicants are Orange and San Francisco County Superior Courts. Both courts meet the eligibility criteria.

Orange Superior Court would partner with the Anaheim Police Department to focus on relinquishment efforts for civil domestic violence restraining orders. The court would also work with technology consultants to enhance communication between the court and law enforcement; and develop training and education for stakeholders and the public.

The San Francisco Superior Court seeks to supplement their program with two additional law enforcement partners (San Francisco District Attorney's Office and the San Francisco Police Department), and proposes to expand their compliance review calendar, develop a chat bot and create a platform to inform law enforcement agencies of noncompliance.²

Proposed activities include staffing for compliance review hearings, creating electronic notification and communication systems, piloting a chatbot to answer questions on how to properly relinquish firearms, training on legal requirements to law enforcement and the public, and investigating and removing firearms from prohibited persons.

Activities that were not recommended for funding were activities related to prosecution, such initiating criminal proceedings for prosecution of non-compliant individuals. Such activities were deemed to be outside the scope of the grant, which is to ensure the removal of firearms. It was also determined that it would be inappropriate for a court-based program to fund the prosecution of criminal cases because doing so would conflict with the judiciary's role to remain neutral.

The committees recommend awarding the two courts according to the allocations listed in Attachment A.

² San Francisco Superior Court was awarded \$2 million in Cycle 1 to partner with the Sheriff's Department and to create a dedicated compliance review calendar.

Policy implications

The recommended actions comply with the Budget Act of 2022 requirement that the Judicial Council allocate these funds to trial courts to support court-based firearm relinquishment programs. Upon approval of the recommended allocations, \$13 million would still be available for distribution.

Comments

The proposal was not circulated for comment and did not receive any public comments.

Alternatives considered

Other alternatives were not considered because of the specific conditions included in AB 178 for the Judicial Council to receive and allocate grant funds to selected trial courts in support of court-based firearm relinquishment programs. The grant eligibility and selection criteria were adopted directly from the requirements of the Budget Act.

Fiscal and Operational Impacts

Funding will assist the trial courts in supporting firearm relinquishment efforts and activities statewide, in partnership with law enforcement agencies. The Judicial Council will execute contract agreements with the trial courts that are awarded funding, and the courts will then be required to execute memorandums of understanding with their law enforcement agency partners. All grant funding must be spent or encumbered by June 30, 2025. Each court that receives funding is required to submit quarterly reporting metrics to the Judicial Council and can utilize grant funds to update court management systems or firearms-related systems, as needed.

Attachments and Links

1. Attachment A: Firearm Relinquishment Grant Program Proposed Funding Allocation for 2023-24 through 2024–25.

Judicial Council of California

**Firearm Relinquishment Grant Program
Proposed Funding Allocation for 2023–24 through 2024–25**

#	Recipient Court	Region/Court Size	Proposed Grant Funding Allocation
1	Orange County	Southern California/Large	\$1,551,777
2	San Francisco	Bay Area/Large	\$2,808,110
Total			\$4,359,887