

PUBLIC COMMENT for AB1058 Funding Allocation Joint Sub-Committee
(Meeting to be held on April 18, 2018)

To: All Joint Sub-Committee members

The concerns I've raised in previous public comments remain relevant. Rather than repeat them, I believe it is important to point to some unanswered—or inadequately answered—questions as this process continues to march forward. These comments are my own (not on behalf of any organization).

1. If all appear to agree to the following points:

- the most accurate and greatest workload for IV-D courts comes from motions/hearings¹
 - as recognized in the very first report (1997) when the program was first funded
 - as recognized by the DCSS contractor hired to study the issue (2017 presentation given)
 - as recognized in the 2017 report by CSC SME workgroup formed by this very Jt. Sub-Comm.
- that it is important to utilize data for funding distribution that is within the control of the court, and not dependent upon an outside source – especially if the source is a IV-D litigant
- that a grant, which carries with it specific grant requirements, is different from general funding

Then, why is it appropriate to move forward to and recommend implementation of a “generally approved” funding methodology that admittedly does not address the true IV-D workload of the courts? Simply answering “because it is the best data we have” at the moment is not reason enough.

Suggestion: Develop proper measurements tailored to the unique aspects of the AB1058 program over next two years. Meanwhile, Family & Juvenile Advisory Sub-Committee should recommend over these same years, incremental changes—including to base allocations—to select counties, e.g. focus on counties with a very large drop in filings since 1997, combined w/analyzed spending patterns, claimed needs, etc.²

2. How has this Jt. Sub-Committee addressed the needs of the grant—and the need to protect the grant? Is it known whether moving \$ from one county to another will jeopardize performance measures or other requirements of the grant, both locally and statewide? An example: will it throw counties that are going to lose \$ out of compliance with their POC time restrictions, without improving compliance of the county receiving additional \$? **If the answers are not clear, or not known, then is it wise to simply start moving \$ according to a non-tailored “generally” approved methodology/formula?**

3. Has anyone actually analyzed the full/complete definition of “open cases” used by state DCSS?

- Are counties both tracking and reporting the same things (at the same points in time)?
 - *Example:* County A opens one court case for 1 child – uses same court case for 2nd child while County B opens one court case for 1 child – opens another court case for 2nd child;
 - *Example:* County C has no backlog closing its “open” cases per IV-D regulations, while County D has a large backlog (being counted in “open” cases)
 - Is there a big disparity between counties in # of cases “in locate” that are/are not being “counted”?

If not, then why not? If reliance will be upon DCSS’ “caseload” it is important to understand it.

4. Has anyone ever compared the prior *annual* “ask” by each county, to any proposed change??

WITHOUT GOOD ANSWERS TO THE QUESTIONS ABOVE, GOOD DECISIONS MAY BE LACKING.

Thank you, and respectfully submitted from Rebecca Wightman (Commissioner, San Francisco)



¹ Rather than dismiss this as too likely to be manipulated, work should be focused on strengthening the ability to accurately capture this measure (lessen ability to manipulate), as it is the single most important work(load) that faces a IV-D court once a case has been opened – with many cases remaining open for decades.

² I realize this means counties like San Francisco, Santa Clara and others may see incrementally reduced funding in the next few years; however, this is not about “protecting” any one county, but rather about truly servicing the AB1058 grant’s needs.