



## Judicial Council of California

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

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# INVITATION TO COMMENT

## SPR26-28

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**Title**

Juvenile Dependency: Guidelines for  
Counsel Collections Program

**Action Requested**

Review and submit comments by May 18,  
2026, to [invitations@jud.ca.gov](mailto:invitations@jud.ca.gov)

**Proposed Rules, Forms, Standards, or Statutes**

Amend Cal. Rules of Court, appen. F

**Proposed Effective Date**

January 1, 2027

**Proposed by**

Family and Juvenile Law Advisory  
Committee

Hon. Tari L. Cody, Cochair

Hon. Stephanie E. Hulsey, Cochair

**Contact**

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### Executive Summary and Origin

To remove references to a superseded method of calculating the court cost of providing dependency-related legal services, the Family and Juvenile Law Advisory Committee proposes amending California Rules of Court, Appendix F (titled *Guidelines for the Juvenile Dependency Counsel Collections Program*). The proposal would also reformat the guidelines to conform more closely to the style of the rules of court, replace gender-specific language with gender-neutral terms, and make additional technical and stylistic changes.

### Background

The law imposes liability on parents and other persons responsible for the support of a child (responsible persons) for the cost to the court of providing legal services to the child and the responsible persons in dependency proceedings. (Welf. & Inst. Code, § 903.1.<sup>1</sup>) A court is responsible for determining its cost of providing the dependency-related legal services referred to in section 903.1. The court must use procedures adopted by the Judicial Council to determine their cost; otherwise, the council must approve the determination. (§ 904(a).) A court may not

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<sup>1</sup> All subsequent statutory references are to the Welfare and Institutions Code unless otherwise specified.

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

collect more in reimbursement from a responsible person or persons than the actual cost of providing services to those persons and the child or children in their case. (§ 901.)

### **Development of appendix F**

Legislation enacted in 2009 required the Judicial Council to establish a program to collect reimbursement of the cost of dependency-related legal services from responsible persons who had the ability to repay those costs.<sup>2</sup> The statute required the council to adopt, as part of the collections program, a statewide standard for determining a responsible person's ability to pay reimbursement for the cost of counsel.<sup>3</sup> In 2012, the council adopted *Guidelines for the Juvenile Dependency Counsel Collections Program* (JDCCP) as appendix F to the California Rules of Court, establishing the JDCCP as mandated.<sup>4</sup>

### **Alternative methods of determining the court cost of dependency-related legal services**

Consistent with the condition in section 904(a) that a court's determination of its cost of providing dependency-related legal services must use procedures adopted by the Judicial Council unless the council approves each determination, the council adopted three methods of determining the court cost in section 5 of the guidelines to assist courts in making that determination.

First, the guidelines authorize a court to determine the actual cost of the legal services provided to a child or responsible person in a dependency proceeding. The court should base this determination on the actual cost incurred per event in the proceeding, per hour billed, or per client represented. (Cal. Rules of Court, appen. F, § 5a.)

Second, the guidelines authorize a court to apply the caseload funding model (CFM) then in effect to determine the cost.<sup>5</sup> (*Id.*, § 5b.) Section 5b provides detailed instructions on how to apply the CFM to calculate an individual court's cost of providing legal services to children and responsible persons in particular cases. Third, the guidelines authorize a court to adopt a flat rate fee structure for the cost of legal services in a dependency proceeding as long as the fees charged

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<sup>2</sup> § 903.47(a), added by Assem. Bill 131 (Stats. 2009, ch. 413).

<sup>3</sup> § 903.47(a)(1)(A).

<sup>4</sup> Judicial Council of Cal., Advisory Com. Rep., *Juvenile Dependency: Counsel Collections Program* (Sept. 14, 2012), [courts.ca.gov/sites/default/files/courts/default/2024-12/jc-20121026-itema20.pdf](https://courts.ca.gov/sites/default/files/courts/default/2024-12/jc-20121026-itema20.pdf). The council amended the guidelines a year later following further statutory amendment. Judicial Council of Cal., Advisory Com. Rep., *Juvenile Dependency: Counsel Collections Program Guidelines* (Aug. 15, 2013), [courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20130823-itemf.pdf](https://courts.ca.gov/sites/default/files/courts/default/2024-10/jc-20130823-itemf.pdf). These and later minor amendments are not related to the current proposal.

<sup>5</sup> In October 2007, the Trial Court Budget Working Group developed and the Judicial Council approved a need-based compensation or caseload funding model (CFM) for court-appointed dependency counsel practicing in courts under the Dependency Representation, Administration, Funding, and Training (DRAFT) program. See Judicial Council of Cal., Staff Rep., *DRAFT Pilot Program and Court-Appointed Counsel* (Oct. 26, 2007), pp. 7–8. In June 2008, the council's Executive and Planning Committee extended that methodology to appointed dependency counsel in all juvenile courts statewide. See *id.* at pp. 7–10; Judicial Council of Cal., Advisory Com. Rep., *Court-Appointed Counsel Compensation Model and Workload-Based Funding Methodology* (June 10, 2008).

do not exceed the actual cost of the services provided in that proceeding up to and including the date of the determination and assessment. (*Id.*, § 5c.)

## The Proposal

In April 2016, the Judicial Council replaced the CFM with a new funding methodology that implemented nine recommendations of the Court-Appointed Counsel Funding Allocation Methodology Joint Subcommittee of the Trial Court Budget Advisory Committee and the Family and Juvenile Law Advisory Committee.<sup>6</sup> Because the current methodology differs significantly from the CFM, courts should not use the model in section 5b to determine their cost for dependency-related legal services. Section 5b is inaccurate, and retaining it is potentially misleading. The committee therefore proposes repealing section 5b of the guidelines, as well as footnotes 3–5 and 7, which also refer to the CFM.

The committee proposes not replacing the method in section 5b with a method that applies the current funding methodology. This proposal would leave courts with the options of determining their actual cost of providing dependency-related legal services to specific clients in particular cases (Cal. Rules of Court, appen. F, § 5a) or adopting a flat rate fee structure (*Id.*, § 5c but proposed to be relettered as 5b). Most courts that participate in the JDCCP appear to have chosen the latter option.

In addition to the amendments recommended to respond to the inaccurate language in current section 5b, the committee proposes reformatting the guidelines to conform more closely to the style of the rules of court, replacing gender-specific language with gender-neutral terms, and making additional technical and stylistic changes.

## Alternatives Considered

The committee considered proposing a new model for calculating the court cost of dependency-related legal services based on the current funding methodology but chose not to pursue that option after determining that few, if any, courts would use it. The committee also considered taking no action, as the model used in current section 5b of the guidelines has been obsolete for almost 10 years and not led to any known confusion. However, the committee chose to propose repealing the methodology contained in section 5b and related language because it is inaccurate and could be misleading.

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<sup>6</sup> Judicial Council of Cal., Advisory Com. Rep., *Juvenile Dependency: Court-Appointed Dependency Counsel Workload and Funding Methodology* (Apr. 1, 2016), [jcc.legistar.com/View.ashx?M=F&ID=4382676&GUID=E8BCCA8A-5DED-48C3-B946-6E21EBB0BEAF](http://jcc.legistar.com/View.ashx?M=F&ID=4382676&GUID=E8BCCA8A-5DED-48C3-B946-6E21EBB0BEAF). The council has updated the funding methodology twice. The first update addressed the funding needs of smaller courts. Judicial Council Advisory Com. Rep., *Juvenile Dependency: Small Court Dependency Workload Working Group Final Recommendations* (May 5, 2017), [jcc.legistar.com/View.ashx?M=F&ID=5150554&GUID=7D8E5F4F-6D83-4C73-A246-4F11E877A411](http://jcc.legistar.com/View.ashx?M=F&ID=5150554&GUID=7D8E5F4F-6D83-4C73-A246-4F11E877A411). The second update addressed changes to the salary level of county counsel, one of the factors in the methodology.

## **Fiscal and Operational Impacts**

The proposal is expected to result in few, if any, costs to the courts or other stakeholders. Courts participating in the JDCCP reportedly no longer use the CFM model in section 5b to calculate their costs. Courts would therefore not need to change their practices. The effect of the proposed change on other stakeholders would flow from a change in court practices and is therefore also expected to be minimal.

### **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

## **Attachments and Links**

1. Cal. Rules of Court, appen. F, at pages 5–16

**Appendix F.**

**Guidelines for the Juvenile Dependency Counsel Collections Program (JDCCP)**

**1. Legal Authority**

These guidelines are adopted under the authority of section 903.47 of the Welfare and Institutions Code,<sup>1</sup> which mandates that the Judicial Council “establish a program to collect reimbursements from the person liable for the costs of counsel appointed to represent parents or minors pursuant to Section 903.1 in dependency proceedings.” (Welf. & Inst. Code, § 903.47(a).) As part of the program, the statute requires the council to “[a]dopt a statewide standard for determining [a responsible person’s] ability to pay reimbursements for counsel.” This standard must “at a minimum include the family’s income, their necessary obligations, the number of people dependent on this income, and the cost-effectiveness of the program.” (*Ibid.*) The statute also requires the council to “[a]dopt policies and procedures allowing a court to recover from the money collected the costs associated with implementing the reimbursements program.”<sup>2</sup> These policies and procedures must, in turn, “limit the amount of money a court may recover to a reasonable proportion of the reimbursements collected and provide the terms and conditions under which a court may use a third party to collect reimbursements.” (*Ibid.*)

\* \* \*

Under section 903.47(b), the court may designate a court financial evaluation officer (FEO) or, with the consent of the county, a county ~~financial evaluation officer~~ (FEO) to determine a responsible person’s ability to pay the cost of court-appointed counsel. The court refers any responsible person to the designated FEO at the close of the dispositional hearing under section 903.45(b) unless that referral would not be cost-effective under section 903.47(a)(1)(A). The FEO then determines the ~~responsible~~ person’s ability to pay all or part of the cost of dependency-related legal services under the procedures and within the limits set by section 903.45(b). The statutory scheme, particularly sections 901 and 903, prohibits the assessed amount from exceeding the actual cost of the legal services.

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<sup>1</sup> Except as otherwise specified, all statutory references in these guidelines are to the Welfare and Institutions Code.

<sup>2</sup> This section defines *costs associated with implementing the reimbursements program* as the “court costs of assessing a parent’s ability to pay for court-appointed counsel and the costs to collect delinquent reimbursements.”

1 2.-4. \* \* \*

2  
3 **5. Determination of Cost of Legal Services**  
4

5 The court is charged with determining the cost of dependency-related legal  
6 services. In doing so, the court may adopt ~~one of the three methods in (a) – (c)~~ either  
7 the method described in (a) or the method described in (b). In no event will the  
8 court seek reimbursement of an amount that exceeds the actual cost of legal  
9 services already provided to the children and the responsible person in the  
10 proceeding. The court may update its determination of the cost of legal services on  
11 an annual basis, on the conclusion of the dependency proceedings in the juvenile  
12 court, or on the cessation of representation of the child or responsible person.  
13

14 **(a) Actual Cost**  
15

16 The court may determine the actual cost of the legal services provided to a  
17 child or responsible person in a dependency proceeding. The court should  
18 base this determination on the actual cost incurred per event in the  
19 proceeding, per hour billed, or per client represented.  
20

21 **(b) Cost Model**

22 ~~The court may determine the cost of legal services provided to a child or~~  
23 ~~responsible person in a dependency proceeding by applying the Uniform~~  
24 ~~Regional Cost Model available on [jrn.courts.ca.gov](http://jrn.courts.ca.gov) or from~~  
25 ~~[jdecip@jud.ca.gov](mailto:jdecip@jud.ca.gov). Use of the cost model as described in this section will~~  
26 ~~ensure that the court seeks reimbursement of an amount that most closely~~  
27 ~~approximates, but does not exceed, the actual cost incurred by the court.~~  
28

29 ~~(1) *Time Allocated to Each Event per Attorney*~~

30 ~~The court will calculate the time allocated to each event in a local~~  
31 ~~dependency proceeding by~~  
32

33 ~~(A) Dividing the normative caseload of 141 clients per attorney by~~  
34 ~~the actual caseload reported by the dependency attorneys in the~~  
35 ~~county in which the court sits, and then~~  
36

37 ~~(B) Multiplying the result by the number of hours allocated to the~~  
38 ~~type of event in question by the Dependency Counsel Caseload~~  
39 ~~Study.<sup>3</sup>~~  
40

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<sup>3</sup> See Center for Families, Children & Cts., Admin. Off. of Cts. Rep., *Court-Appointed Counsel: Caseload Standards, Service Delivery Models, and Contract Administration* (June 23, 2004), p. 3 & appen.

1 (2) *Cost of Each Event per Attorney*

2 ~~The court will then calculate the cost of each type of event by~~  
3 ~~multiplying the time allocated to the event by~~

4  
5 (A) ~~The actual hourly rate billed to the court for the provision of~~  
6 ~~dependency-related legal services, or~~

7  
8 (B) ~~The lowest actual hourly rate billed for dependency-related legal~~  
9 ~~services in the region<sup>4</sup> in which the court is located as reported in~~  
10 ~~the most recent survey of those rates, or~~

11  
12 (C) ~~The approved hourly rate for the region in which the court is~~  
13 ~~located as provided in the Caseload Funding Model (CFM)~~  
14 ~~approved by the Judicial Council in October 2007 and June~~  
15 ~~2008.<sup>5</sup>~~

16  
17 (3) *Cost of Proceeding per Attorney*

18 ~~The court will then calculate the cost of the services provided by an~~  
19 ~~attorney in a dependency proceeding by adding together the costs of~~  
20 ~~each event that has occurred in the proceeding at issue.~~

21  
22 **(e)(b) Flat Rate Fee Structure**

23  
24 The court may adopt a flat rate fee structure for the cost of legal services in a  
25 dependency proceeding as long as the fees charged do not exceed the actual  
26 cost of the services provided in that proceeding up to and including the date  
27 of the determination and assessment.  
28

29  
30 **6. Determination of Ability to Pay; Financial Evaluation Officer; Statewide**  
31 **Standard**

32  
33 **(a) Referral for Financial Evaluation**

34  
35 At the close of the dispositional hearing, the court will order any responsible  
36 person present at the hearing to appear before a designated ~~financial~~  
37 ~~evaluation officer~~ (FEO) for a determination of the ~~responsible~~ person's  
38 ability to pay reimbursement of all or part of the cost of legal services for

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<sup>4</sup>California trial courts are grouped into four regions based on parity in cost of living, attorney salaries, and other factors among counties in a given region. See Center for Families, Children & Cts., Admin. Off. of Cts. Rep., *DRAFT Pilot Program and Court Appointed Counsel* (Oct. 26, 2007), pp. 7-8.

<sup>5</sup>See *id.*, at pp. 7-10; Trial Court Budget Working Group Rep., *Court Appointed Counsel Compensation Model and Workload Based Funding Methodology* (June 10, 2008).

1 which ~~he or she is~~ they are liable under section 903.1(a), unless the court  
2 finds that, given the resources of the court, evaluation by an FEO would not  
3 be a cost-effective method of determining the ~~responsible~~ person's ability to  
4 pay.

5  
6 (1) *Responsible Person Not Present at Dispositional Hearing*

7  
8 If a responsible person is not present at the dispositional hearing, the  
9 court will issue proper notice and an order for ~~him or her~~ them to  
10 appear before an FEO for determination of ~~his or her~~ their ability to pay  
11 reimbursement of all or part of the cost of legal services for which ~~he or~~  
12 ~~she is~~ they are liable under section 903.1(a) unless the court finds that  
13 evaluation by an FEO would not be a cost-effective method of  
14 determining the ~~responsible~~ person's ability to pay given the resources  
15 of the court.

16  
17 \* \* \*

18  
19 (2) *Alternative Methods*

20  
21 \* \* \*

22  
23 (3) *Failure to Appear for Financial Evaluation*

24  
25 If a responsible person is ordered to appear for financial evaluation, has  
26 received proper notice, and fails to appear as ordered, the FEO will  
27 recommend that the court order the ~~responsible~~ person to pay the full  
28 cost of legal services as determined under section 5 of these guidelines  
29 unless the next paragraph applies.

30  
31 If a responsible person is not present at the hearing at which the order  
32 to appear for a financial evaluation is made, has received proper notice  
33 and an order to appear, and responds to the order by submitting a  
34 declaration that ~~he or she~~ the person is involuntarily confined and  
35 therefore not able to attend or reschedule the evaluation, the FEO or the  
36 court may presume that ~~he or she~~ the person is unable to pay  
37 reimbursement and is eligible for a waiver of liability at that time.

38  
39 (4) *Proper Notice*

40  
41 Proper notice to a responsible person will contain notice of all of the  
42 following:

- 1 (A) ~~His or her~~ The person's right to a statement of the costs as soon  
2 as it is available;  
3  
4 (B) ~~His or her~~ The person's procedural rights under section 27755 of  
5 the Government Code;  
6  
7 (C) The time limit within which ~~his or her~~ the person's appearance is  
8 required; and  
9  
10 (D) A warning that if ~~he or she~~ the person fails to appear before the  
11 FEO, the officer will recommend that the court order ~~him or her~~  
12 them to pay the full cost of legal services, and that the FEO's  
13 recommendation will be a sufficient basis for the court to order  
14 payment of an amount up to the full cost.  
15

16 **(b) Financial Evaluation Officer**

17 \* \* \*

18  
19  
20 **(c) Authority of Financial Evaluation Officer**

21  
22 The designated FEO will conduct the evaluation under the procedures  
23 outlined in section 903.45(b). The FEO may determine a referred responsible  
24 person's ability to pay all or part of the cost of legal services for which ~~his or~~  
25 ~~she~~ the person is liable, negotiate a plan for reimbursement over a set period  
26 of time based on the ~~responsible~~ person's financial condition, enter into an  
27 agreement with the ~~responsible~~ person regarding the amount to be reimbursed  
28 and the terms of reimbursement, petition the court for an order of  
29 reimbursement according to the terms agreed to with the ~~responsible~~ person,  
30 and refer the ~~responsible~~ person back to court for a hearing in the event of a  
31 lack of agreement.  
32

33 **(d) Standard for Determining Ability to Pay**

34  
35 The FEO will determine the responsible person's ability to reimburse the cost  
36 of legal services using the following standard:  
37

38 (1) *Presumptive Inability to Pay; Waiver*

39  
40 If a responsible person receives qualifying public benefits or qualifies  
41 for a fee waiver under the criteria of Government Code section  
42 68632(b)(1) at the time of the inquiry, then the person is presumed to  
43 be unable to pay reimbursement and is eligible for a waiver of liability.

1  
2 (A) *Qualifying public benefits* include benefits under any of the programs  
3 listed in Government Code section 68632(a).

4  
5 (2) *Further Inquiry*

6  
7 \* \* \*

8  
9 (3) *Responsible Person's Financial Condition*

10  
11 The FEO may, at any time following the close of the dispositional  
12 hearing, make a detailed evaluation of a referred responsible person's  
13 financial condition at that time under section 903.45(b). Based on any  
14 relevant information submitted by the responsible person, including but  
15 not limited to a completed *Financial Declaration—Juvenile*  
16 *Dependency* (form JV-132) or the equivalent local form, the FEO will  
17 assess the responsible person's household income, household needs and  
18 obligations (including other court-ordered obligations), and the number  
19 of persons dependent on the household income and will determine the  
20 person's ability to pay all or part of the cost of legal services without  
21 using funds that would normally be used to pay for the common  
22 necessities of life.

23  
24 When calculating a person's household income, the FEO must exclude  
25 from consideration any benefits received from a public assistance  
26 program that determines eligibility based on need.<sup>63</sup>

27  
28 **(e) Circumstances Requiring No Petition or Order for Reimbursement**

29  
30 Under section 903.45(b), the FEO may not petition the court to order  
31 reimbursement of the cost of legal services, and the court will not so order, if:

32  
33 (1) The responsible person has been reunified with any of the children  
34 under a court order and the FEO determines that requiring repayment  
35 would harm ~~his or her~~ the person's ability to support the children;

36  
37 (2)–(3) \* \* \*

38  
39 **(f) Amount Assessed**

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41 \* \* \*

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<sup>63</sup> *In re S.M.* (2012) 209 Cal.App.4th 21, 28–31.

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**(g) Agreement; Petition**

If the responsible person agrees in writing to the FEO’s written determination of the amount that the ~~responsible~~ person is able to reimburse and the terms of reimbursement, the FEO will petition the court for an order requiring the ~~responsible~~ person to reimburse the court in a manner that is reasonable and compatible with the ~~responsible~~ person’s financial condition.

**(h) Dispute; Referral**

If the responsible person disputes ~~his or her~~ their liability for the cost of legal services, the amount of that cost, the FEO’s determination of ~~his or her~~ the person’s ability to reimburse all or part of that cost, or the terms of reimbursement, the FEO will refer the matter, with ~~his or her~~ the written determination, back to the juvenile court for a hearing.

**7. Judicial Proceeding Following Determination of Ability to Reimburse Costs**

\* \* \*

**(a) Agreement; Order**

If the responsible person agrees to reimburse the court as recommended by the FEO, the FEO will prepare an agreement to be signed by the ~~responsible~~ person. The agreement will reflect the amount to be reimbursed and the terms under which reimbursement will be paid. The juvenile court may order the ~~responsible~~ person to pay reimbursement under those terms without further notice to the ~~responsible~~ person.

**(b) Dispute; Hearing**

\* \* \*

**(c) Judicial Determination**

If, at the conclusion of the hearing, the court determines that the responsible person is able to reimburse all or part of the cost of legal services—including the cost of any attorney appointed to represent the ~~responsible~~ person at that hearing—without using funds that would normally be used to pay for the common necessities of life, the court will set the amount to be reimbursed and order the ~~responsible~~ person to pay that amount to the court in a manner

1 that the court ~~believes~~ determines to be reasonable and compatible with the  
2 ~~responsible~~ person's financial condition.  
3  
4

5 **8. Reevaluation of Ability to Pay**  
6

7 At any time before reimbursement is complete, a responsible person may petition  
8 the court to modify or vacate the reimbursement order based on a change in  
9 circumstances affecting ~~his or her~~ the person's ability to pay. The court may deny  
10 the petition without a hearing if the petition fails to state a change of circumstances.  
11 The court may grant the petition without a hearing if the petition states a change of  
12 circumstances and all parties stipulate to the requested modification.  
13

14  
15 **9. Frequency of Determination of Ability to Pay and Assessment**  
16

17 The initial evaluation and determination of a responsible person's ability to pay  
18 reimbursement may be conducted at any time following the conclusion of the  
19 dispositional hearing. The court may order a reevaluation of a ~~responsible~~ person's  
20 financial condition on an annual basis, on the conclusion of the dependency  
21 proceedings in the juvenile court, or on the cessation of court-appointed  
22 representation of the child or the ~~responsible~~ person.  
23

24 If the FEO determines on reevaluation that the responsible person is able at that  
25 time to pay all or part of the cost of legal services, the FEO may, consistent with  
26 the ~~responsible~~ person's ability to pay without using funds that would normally be  
27 used to pay for the common necessities of life, assess an amount up to the full cost,  
28 as determined under section 5, of any legal services provided to the child or the  
29 ~~responsible~~ person and may recommend reimbursement in a single lump sum or in  
30 multiple installments over a set period of time.  
31  
32

33 **10. Collection Services**  
34

35 **(a) Court-Based Collection Services**  
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37 \* \* \*

38  
39 **(b) Outside Collection-Services Providers**  
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41 \* \* \*

42  
43 (1) *Collection Services Provided by County*

1  
2 \* \* \*

3  
4 (2) *Collection Services Provided by Private Vendor*

5  
6 A court that uses a private collection service should use a vendor that  
7 has entered into a master agreement with the Judicial Council to  
8 provide comprehensive collection services. A court that uses such a  
9 vendor should complete a participation agreement and send it to  
10 Judicial Council staff ~~via e-mail~~ by email to [jdccp@jud.ca.gov](mailto:jdccp@jud.ca.gov). A court  
11 may contract directly with a private vendor only on terms and  
12 conditions substantially similar to those set forth in the master  
13 agreements for comprehensive collection services available at  
14 [jrn.courts.ca.gov/programs/collections/mva.htm](http://jrn.courts.ca.gov/programs/collections/mva.htm).  
15 [courts.ca.gov/procurement-services#acc16722](http://courts.ca.gov/procurement-services#acc16722).

16  
17 (3) \* \* \*

18  
19 \* \* \*

20  
21 (c) **Agreements Between Courts**

22  
23 \* \* \*

24  
25  
26 **11. Recovery of Program Implementation Costs**

27  
28 A court may recover, from the money it has collected, its eligible program  
29 implementation costs before remitting the balance of the collected funds to the state  
30 in the manner required by Government Code section 68085.1. Eligible costs are  
31 limited by statute to the cost of determining responsible persons' ability to repay  
32 the cost of court-appointed counsel and to the cost of collecting delinquent  
33 reimbursements. If a court's eligible costs in any given month exceed the amount  
34 of revenue it has collected in that month, the court may carry the excess costs  
35 forward within the same fiscal year until sufficient revenue is collected to recover  
36 the eligible costs in full. Any program costs recovered by the court must be  
37 documented by the court and reported monthly by ~~e-mail~~ email to  
38 [jdccp@jud.ca.gov](mailto:jdccp@jud.ca.gov) in a format consistent with the Cost Recovery Template  
39 available ~~on~~ at [jrn.courts.ca.gov/programs/famjuv/resources.htm](http://jrn.courts.ca.gov/programs/famjuv/resources.htm) or from  
40 [jdccp@jud.ca.gov](mailto:jdccp@jud.ca.gov).

41  
42 **(a) — ~~Delinquent Reimbursement Defined~~**

1 For purposes of this section, *delinquent reimbursement* means any reimbursement  
2 payment not received within one business day of the date it is due.

3  
4

5 **12. Remittance and Reporting of Collected Revenue**

6

7 A court will remit collected revenue, less recovered costs, to the state in the same  
8 manner as required under Government Code section 68085.1 and will report this  
9 revenue on row 130 of *Court Remittance Advice* (form TC-145), available at  
10 [jrn.courts.ca.gov/programs/finance/fees.htm](http://jrn.courts.ca.gov/programs/finance/fees.htm). The Judicial Council will deposit the  
11 revenue received through this program into the Trial Court Trust Fund as required  
12 by statute.

13

14 ~~(a)~~ **Judicial Council Collections Agreement Option**

15

16 Where the Judicial Council has entered into an MOU or an agreement with a  
17 county or a private collection-services vendor under section 10(b)(3) of these  
18 guidelines, funds will be remitted directly to the Judicial Council under the terms of  
19 the MOU or the agreement.

20

21

22 **13. Program Data Reporting**

23

24 \* \* \*

25

26 ~~(a)~~ **Ongoing Reporting Requirement**

27

28 To support the amount remitted to the Trial Court Trust Fund, each court will  
29 report collections data annually on or before September 30, beginning September  
30 30, 2013. ~~The first report should cover the period from January 1, 2013, to June 30,~~  
31 ~~2013.~~ Each court should submit its completed report attached to an ~~e-mail~~ email  
32 message to [jdccp@jud.ca.gov](mailto:jdccp@jud.ca.gov).

33

34 ~~(1)~~(a) **Data Reporting**

35

36 Judicial Council staff will provide a reporting template that solicits the  
37 following information:

38

39 ~~(A)~~(1) \* \* \*

40

41 ~~(B)~~(2) \* \* \*

42

43 ~~(C)~~(3) \* \* \*

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~~(D)~~(4) \* \* \*

~~(E)~~(5) \* \* \*

~~(F)~~(6) \* \* \*

~~(G)~~(7) \* \* \*

~~(H)~~(8) \* \* \*

~~(I)~~(9) \* \* \*

~~(J)~~(10) \* \* \*

~~(K)~~(11) \* \* \*

~~(2)~~(b) **JDCCP Implementation Review**

~~Within two years of the effective date of these guidelines and thereafter as~~ As  
needed, the Judicial Council will evaluate the progress of the JDCCP’s  
statewide implementation and examine the impact of the program on court  
workload and finances. For this purpose, Judicial Council staff may survey  
the courts about their financial evaluation processes, including the time and  
resources needed to determine responsible persons’ ability to pay, the number  
of such persons evaluated, the results of the evaluations as specified in 6(d)–  
(g), and the number of judicial hearings necessary under 7(b)–(c).

**14. Allocation of Collected Funds to Trial Courts**

**(a) Eligibility for Allocation**

\* \* \*

(1) *Participation*

\* \* \*

(2) *Funding Need*

The court receives a base court-appointed counsel allocation that,  
viewed as a percentage of the available statewide funding, is less than

1 its percentage share of the statewide court-appointed counsel funding  
2 need as estimated by the CFM funding methodology in effect at the  
3 time of the allocation.<sup>7</sup>  
4

5 **(b) Allocation Methodology**

6 \* \* \*

7 \* \* \*  
8  
9 **(c) Review of Determination of Funding Level**

10 \* \* \*  
11  
12  
13

14 **15. Technical Assistance**

15  
16 Judicial Council staff will provide technical assistance on request to courts that are  
17 in the process of implementing the JDCCP or that wish to coordinate collection  
18 efforts with other courts. Courts may send requests by ~~e-mail~~ email to  
19 jdccp@jud.ca.gov to receive technical assistance, which can include (but is not  
20 limited to) services such as:

21  
22 ~~(a)(1)~~ \* \* \*

23  
24 ~~(b) Advising a court on the application of the Uniform Cost Model under section~~  
25 ~~5(b) of these guidelines;~~

26  
27 ~~(c)(2)~~ \* \* \*

28  
29 ~~(d)(3)~~ \* \* \*

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<sup>7</sup>In October 2007, the TCBWG developed and the Judicial Council approved a need-based compensation or caseload funding model (CFM) for court-appointed dependency counsel practicing in courts under the DRAFT program. (See Trial Court Budget Working Group Rep., *supra* note 5.) In June 2008, the council's Executive and Planning Committee extended that methodology to appointed dependency counsel in all juvenile courts statewide. The CFM uses the number of data-supported clients in a county to determine the number of FTE attorneys needed to serve that population at the Judicial Council-approved caseload standard of 188 clients per FTE attorney. (See *id.*, at p. 4.) It then uses cost of living, county counsel salaries, and other economic factors to assign each court to one of four statewide groups. (See *id.*, at p. 5.) To promote equity in attorney compensation, each group of courts is assigned an attorney salary level based on the prevailing county counsel salary range in that group. Each court's appointed counsel salary needs are determined by multiplying the mid-tier salary level by the number of FTE attorneys needed to serve the client population at the approved caseload. The cost of benefits and overhead, including support staff, are calculated at assigned percentages of the attorney salaries. Adding these elements together yields a precise estimate of the funding needed for a court to ensure competent representation of all parties in juvenile dependency proceedings under sections 317(c) and 317.5, as well as rule 5.660(d) of the California Rules of Court.