

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

Question #1. What does the court see as its long term and short terms goals for system reforms?

Answer #1. Long term goals are based on the report of the Blue Ribbon Commission on Children in Foster care, which emphasized that families in dependency court need more time in front of the bench. The court is having ongoing discussions about adding another dependency department, in an effort to further this goal. Unfortunately, this would require moving some dependency departments to the building that currently houses the delinquency court, which is not as conveniently located for families as the current dependency courthouse, and which would impact dependency service providers, including attorneys, as well as the families in these cases.

The court's short term goal is to improve the stability of the court and its system partners. We continue to work together to strengthen collaborative ties that provide that stability.

Question #2. Is the addition of a department in the other location likely within the next 5 years?

Answer #2. This growth is something we're hoping for, but the conditions are not ideal. The location of the main dependency court is easier for children and parents to use, in terms of transportation and the availability of food and other services. In addition, there are advantages for the bench in being together in one location.

Question #3. What is distance to the building that houses the delinquency court?

Answer #3. 7.5 miles.

Question #4. The RFP mentions a standing committee and subcommittees. Can you please specify these committees?

Answer #4. They are the standing committee and subcommittees listed in Attachment C, Section 3.0 of the RFP, under the paragraph titled "Systems Meetings" and also listed below:

- Dependency Standing Committee
- Subcommittees of the Dependency Standing Committee
- Schools Advisory Committee
- 241.1 Committee

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

- Medical and Mental Health Subcommittee of the Criminal Justice Cabinet
- Statewide or local multi-disciplinary trainings or conferences

Question #5. There has been a decline in filings from 2,407 in 2008-09 to 979 in 2009-10. Does the court envision an increase in filings now that CPS is stabilizing?

Answer #5. The court is not in a position to predict the number of annual filings, which are determined by CPS.

Question #6. Is the funding level provided in the RFP the same as the current allocation?

Answer #6. Yes.

Question #7. Is the funding level static for the five year period of the contracts, or are cost of living adjustments (COLAs) anticipated?

Answer #7. While we were able to provide for annual COLAs in contracts in past years, the current budget situation does not allow us to provide them at the present time. If improvements to the state budget allows, we may be able to make adjustments during the course of the contract.

Question #8. The RFP indicates that contracts will go from July 1 to June 30 each year. Will the AOC consider extending contracts so that they do not coincide with the state's fiscal year?

Answer #8. Our goal is to move all DRAFT contracts off the state's fiscal year. However, meeting this goal depends on the availability of funding, as it requires paying for more than one year's worth of service during the initial year when such an extension implemented. There are no specific plans with regard to Sacramento contracts at this time.

Question #9. Is there any indication yet of the budget for the next fiscal year?

Answer #9. No, the budget process is quite lengthy, and we do not yet know what is planned for the next year.

Question #10. Does the court have plans for specialized courts in addition to the Drug Court?

Answer #10. Not at the present time.

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

Question #11. Will JCATS be used to comply with all of the monthly reporting requirements listed in the scope of services?

Answer #11. All of the monthly and quarterly case reporting requirements will be completed through JCATS. Monthly staffing reports will be completed separately, in a simple Excel format.

Question #12. Is it anticipated that JCATS will be ready for use by July 1?

Answer #12. Yes.

Question #13. The RFP states that 21.4% of children placed out of county. Can we get a breakdown of where they are placed?

Answer #13.

County	Percent of Sacramento Children Placed in County ¹
Placer	2.9%
San Joaquin	2.6%
Yolo	1.7%
El Dorado	1.2%
Stanislaus	1.0%
Yuba	1.0%
Alameda	0.8%
Solano	0.6%
Contra Costa	0.5%
Amador, Butte, Calaveras, Fresno, Glenn, Humboldt, Kern, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Napa, Nevada, Orange, Riverside, San Benito, San Bernardino, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Shasta, Sonoma, Sutter, Tehama, Tulare, Tuolumne, Ventura	<0.5%

¹ Source: Needell, B., Webster, D., Armijo, M., Lee, S., Dawson, W., Magruder, J., Exel, M., Glasser, T., Williams, D., Zimmerman, K., Simon, V., Putnam-Hornstein, E., Frerer, K., Cuccaro-Alamin, S., Winn, A., Lou, C., & Peng, C. (2010). Child Welfare Services Reports for California.

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

Question #14. There is conflicting information in different parts of the RFP about the requirements for Cost Recovery. Will participation be limited to distribution of financial declaration forms, or will parents' counsel be required to represent clients at hearings set to determine the ability to pay for the cost of court appointed counsel?

Answer #14. It is our intent that the contract for parents' representation will include representation in financial evaluation hearings if parents contest the ability to pay. Please also refer item F in Addendum #1.

Question #15. Isn't there a conflict of interest for the attorney to represent parents in fee hearings?

Answer #15. Although we do not believe that any conflict exists, because DRAFT attorneys' contracts are with the AOC and thus any provider's payment is not dependent on the outcome of fee hearings, staff will request further review of the question by the Office of General Counsel however an opinion is not expected prior to the due date of this RFP.

Question #16. Does the cost recovery statute provide for recovery of the cost of representation for the children?

Answer #16. Yes, the statute allows for recovery of these costs.

Question #17. Will parents' attorneys have to represent their clients at a fee hearing with regard to the cost of representation of their children, or only for the cost of their own representation?

Answer #17. We do not anticipate separate hearings; if a parent is determined able to pay, they would be assessed the costs for all representation up to that point. If they dispute the ability to pay, the hearing will address their overall ability to pay, and will not consider the costs separately.

Question #18. Based on a county of this size, can you provide an estimate of the number of fee review hearings that are likely to take place?

Answer #18. The Los Angeles court, which reported 11,212 dependency filings in 2010, informed AOC staff that, in 2010, one party requested a hearing to contest fees after meeting with the Financial Evaluator. San Diego County's Office of Revenue and Recovery informed AOC staff that two to three clients per month request hearings; there were 1,733 dependency petitions filed in San

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

Diego in fiscal year 2009-10. As noted in Table 2 in Attachment C of the RFP, 979 dependency petitions were filed in Sacramento in 2009-10.

Question #19. Has the court determined how these hearings will be calendared?

Answer #19. Not yet.

Question #20. The contract terms forbid subcontracting without the approval of the AOC. Does the RFP preclude use of subcontractors for conflicts representation?

Answer #20. The contract does not preclude the use of subcontractors; rather, it requires that subcontractors be approved by the AOC and the court.

Question #21. The RFP indicates that Lot 2 includes the representation of legal guardians and de facto parents, who are not currently represented by court appointed counsel. Is this accurate?

Answer #21. Yes, de facto parents are not entitled to appointed counsel; the court, in its discretion, may appoint counsel to represent de facto parents. When it does so, the cost of such counsel is an allowable court appointed counsel expense under the Trial Court Funding Act (see California Rule of Court 10.810 , function 7). De facto parent representation is included in all DRAFT contracts that include representation of parents.

Question #22. Will the court begin appointing counsel for de facto parents?

Answer #22. This has not yet been determined.

Question #23. Will representation at 241.1 hearings be included in new contracts?

Answer #23. Current contracts require attorneys to prepare for and participate in 241.1 hearings. This requirement will be in the contracts executed pursuant to this RFP.

Question #24. The contract terms included in the RFP have a provision regarding proprietary or confidential information of the State. Is this a new provision? If so, what types of information are contemplated by this provision?

Answer #24. This is part of the AOC's standard, boilerplate contract language; it appears in current DRAFT dependency contracts. We do not contemplate any specific type of proprietary information to be covered by the language, however please see the definition of "Confidential Information" in Exhibit A, Contract Terms and Conditions; Exhibit A, Terms and Conditions; Section 1,

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

Definitions, which describes the types of confidential information that would be covered under the language.

Question #25. Does the court currently calendar trials in the afternoon and other matters in the morning?

Answer #25. Yes. The court's current calendar configuration is shown on the following page.

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

Superior Court of California, County of Sacramento
Dependency Court Calendar Configuration:

Juvenile Court Division

	Department 130	Department 131	Department 133	Department 134	Department 135
	Home Court	Home Court	Conflict Home Court (Parents)	Conflict Home Court (Super & Child Conflicts)	Home Court
	Judge Seave	Judge Borack	Referee Hertoghe	Referee Horton	Referee Petersen
8:30 a.m.:					
Monday	Law & Motion (L&M) Hearings. ¹	L&M	L&M	Adoptions ² ; Detention Hearings	L&M
Tuesday	Adoptions at 9:00 a.m.; L&M at 10:00 a.m.	L&M	Adoptions	L&M – Super Conflict	L&M
Wednesday	L&M	L&M	L&M	Trials – Super Conflict	L&M
Thursday	L&M	L&M	L&M	L&M – Child Conflict	L&M
Friday	L&M	L&M	L&M	L&M – Child Conflict	L&M
1:30 p.m.:					
Monday	Trials	Trials	Trials	Trials	Trials
Tuesday	Trials	Trials	Trials/Detention Hearings	Trials	Trials
Wednesday	Trials	Adoptions; Trials	Trials	Trials	Trials
Thursday	Trials	Trials	Trials	Trials	Trials
Friday	Trials	Trials	Trials	Trials	Adoptions; Trials

Note: The court utilizes a direct calendar format, where cases are assigned in an automatic rotation to a home court department and then remains with the department until completion. The court has designated two home court departments as "conflict home courts" devoted to hearing cases that require conflict counsel and other cases as assigned by the court to facilitate an even workload amongst the departments.

¹ Law and Motion Hearings in Juvenile Dependency include initial detention hearings, jurisdictional hearings, dispositional hearings, pre-permanency hearings (Welfare & Institutions Code (WIC) §§ 366.2(f) , 366.22), WIC §§ 366.26, 366 review hearings, WIC § 387 supplemental petitions, WIC § 388 motions for change, and all other.

² Attorneys are not required for adoption hearings.

Sacramento Dependency Representation
RFP Number CFCC-201001-RB

QUESTIONS AND ANSWERS FROM
PROPOSERS' CONFERENCE OF JANUARY 5, 2011

Question #26. What is the current practice with regard to youth participation in dependency proceedings?

Answer #26. Youth are typically present in court. Their participation in hearings is determined by the individual judicial officers, with deference to the youth with regard to their desires for participation.

Question #27. Attorney caseloads are not specified among the evaluation criteria. Does either the court or the state intend to use attorney caseloads in evaluating proposals?

Answer #27. The evaluation team will strictly adhere to the criteria for proposal evaluation, which are delineated in Section 7.0 of the RFP. The Judicial Council has adopted a caseload standard; while it is the AOC's long term goal to implement this standard, funding limitations have precluded its implementation to date. It would be unfair to hold bidders to a caseload level that cannot be supported fiscally

Question #28. Who currently represents minor parent clients?

Answer #28. If client is a dependent minor represented by Sacramento Child Advocates (SCA), that representation continues.

Question #29. How are conflicts among sibling groups or between minor parents and their children currently handled?

Answer #29. SCA provides representation through subcontracts with conflicts counsel.

Question #30. The RFP provides information about primary and secondary child clients. Is information about tertiary level representation available?

Answer #30. No, this level of information is not available.

[END OF QUESTIONS AND ANSWERS]