

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee
Hon. Jerilyn Borack and Hon. Susan Huguenor, Co-chairs
Michael Wright, Supervising Attorney, 415-865-7619,
michael.wright@jud.ca.gov

DATE: February 24, 2006

SUBJECT: Child Support Commissioner and Family Law Facilitator Program:
Midyear Funding Reallocation for Fiscal Year 2005–2006
(Action Required)

Issue Statement

The Judicial Council is required annually to allocate non-trial court funding to local courts for the child support commissioner and family law facilitator program. A cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council provides the funds for this program. Two-thirds of these funds are federal, and the remaining one-third is from the state General Fund (non-trial court funding). Any funds left unspent during the fiscal year revert to the state General Fund and cannot be used in subsequent years. Under an established procedure described in the standard agreement with each superior court, the Judicial Council at midyear redistributes to courts that have a documented need for additional funds any unallocated funds and any available funds from courts that are projected not to spend their full grants.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective immediately:

1. Approve the reallocation for funding of child support commissioners for fiscal year 2005–2006 set forth in Attachment A.
2. Approve the reallocation for funding of family law facilitators for fiscal year 2005–2006 set forth in Attachment B.

The attachments are enclosed at pages 3–6.

Rationale for Recommendation

The midyear reallocation process is a review of each court's program funding conducted once each fiscal year to determine if any adjustment is warranted. Midyear reallocation is primarily designed to meet one-time, nonrecurring special needs such as equipment purchases and temporary help to clear work backlogs. Requests by courts for adjustments to fund ongoing expenses such as salary and benefit increases, additional positions and operating expenses are addressed through a separate process at the beginning of each fiscal year.

Under an established procedure described in the standard agreement with each superior court, questionnaires are sent to each court requesting the information needed to evaluate appropriate funding levels. In addition to the questionnaire responses, staff gather information on each court's historical spending patterns and calculate projected spending based upon invoices received to date for the current fiscal year. Review workgroups and the Family and Juvenile Law Advisory Committee then recommend proposed funding changes. The criteria for consideration of court requests are based upon need, the amount of funds available for redistribution, historical spending patterns, workload and staffing levels. Funds taken from courts with a historical pattern of underspending, funds voluntarily returned and any funds held in reserve are redistributed to courts with documented needs.

This midyear reallocation process ensures that the highest proportion of total funds allocated to the courts is spent where funding is needed. This process also minimizes the amount of unspent funds that revert to the state General Fund.

A total of \$547,257 from all sources was available for reallocation to the child support commissioner component of the program. A total of \$40,468 from all sources was available for reallocation to the family law facilitator component of the program.

Alternative Actions Considered

The committee considered taking no action but rejected this option since it would result in reversion of unspent funds to the General Fund, which is not in accordance with Judicial Council goals.

Comments From Interested Parties

Not applicable.

Implementation Requirements and Costs

None.

Attachments

Child Support Commissioner Program			
County Name	Base Allocation FY 05–06	Recommended MidYear Change to Base Allocation for FY 05–06	Total Recommended Allocation for FY 05–06
Alameda	\$1,201,672	\$0	\$1,201,672
Amador	162,225	0	162,225
Butte	414,000	10,000	424,000
Calaveras	130,000	0	130,000
Colusa	52,350	0	52,350
Contra Costa	1,154,364	0	1,154,364
Del Norte	55,000	-4,000	51,000
El Dorado and Alpine	235,000	35,000	270,000
Fresno	1,773,040	0	1,773,040
Glenn	135,000	0	135,000
Humboldt	140,000	0	140,000
Imperial	186,401	0	186,401
Inyo	83,000	0	83,000
Kern	734,908	25,000	759,908
Kings	253,440	59,473	312,913
Lake	179,432	0	179,432
Lassen	83,410	0	83,410
Los Angeles	5,798,149	-250,000	5,548,149
Madera	245,000	0	245,000
Marin	171,048	-10,000	161,048
Mariposa	87,000	0	87,000
Mendocino	196,946	0	196,946
Merced	624,295	0	624,295
Mono	50,870	0	50,870
Monterey	422,619	0	422,619
Napa	204,865	0	204,865
Nevada and Sierra	378,920	0	378,920
Orange	2,585,850	0	2,585,850
Placer	417,943	0	417,943
Plumas	106,700	0	106,700
Riverside	1,101,932	0	1,101,932
Sacramento	1,174,766	31,000	1,205,766
San Benito	155,111	0	155,111
San Bernardino	1,898,168	260,028	2,158,196
San Diego	2,015,061	0	2,015,061
San Francisco	1,015,000	22,680	1,037,680
San Joaquin	784,818	0	784,818
San Luis Obispo	257,000	-25,000	232,000
San Mateo	450,718	25,000	475,718
Santa Barbara	524,674	19,000	543,674
Santa Clara	1,944,087	0	1,944,087
Santa Cruz	209,661	0	209,661
Shasta and Trinity	481,960	10,000	491,960

Child Support Commissioner Program			
County Name	Base Allocation FY 05–06	Recommended MidYear Change to Base Allocation for FY 05–06	Total Recommended Allocation for FY 05–06
Siskiyou	265,538	0	265,538
Solano	596,635	0	596,635
Sonoma	555,687	0	555,687
Stanislaus	754,205	0	754,205
Sutter	222,353	18,492	240,845
Tehama	105,000	0	105,000
Tulare	584,088	13,584	597,672
Tuolumne	183,410	18,000	201,410
Ventura	641,254	0	641,254
Yolo	219,991	0	219,991
Yuba	226,320	0	226,320
Total	\$34,630,884	\$258,257	\$34,889,141
Total amount to be allocated			\$258,257
Note:			
FY 05–06 unallocated reserve			-\$258,257
Contract reductions in 4 courts			-289,000
Contract increases in 13 courts			547,257
Total net increase			\$258,257

Family Law Facilitator Program			
County Name	Base Allocation FY 05–06	Recommended MidYear Change to Base Allocation for FY 05–06	Total Recommended Allocation for FY 05–06
Alameda	\$416,096	\$0	\$416,096
Butte	116,867	0	116,867
Calaveras	134,620	-5,424	129,196
Colusa	59,000	0	59,000
Contra Costa	342,770	0	342,770
Del Norte	56,065	0	56,065
El Dorado and Alpine	118,897	0	118,897
Fresno	440,347	0	440,347
Glenn	85,000	0	85,000
Humboldt	100,000	0	100,000
Imperial	50,000	0	50,000
Inyo	64,120	0	64,120
Kern	396,356	0	396,356
Kings	60,000	0	60,000
Lake	66,120	0	66,120
Lassen	68,044	-8,044	60,000
Los Angeles	2,109,379	0	2,109,379
Madera	92,530	-10,000	82,530
Marin	111,867	0	111,867
Mariposa	52,130	0	52,130
Mendocino	69,120	0	69,120
Merced	113,000	0	113,000
Modoc	52,130	0	52,130
Mono	54,000	0	54,000
Monterey	134,937	0	134,937
Napa	69,120	0	69,120
Nevada and Sierra	133,240	0	133,240
Orange	602,355	7,500	609,855
Placer	100,494	0	100,494
Plumas	64,120	0	64,120
Riverside	667,668	0	667,668
Sacramento	345,528	0	345,528
San Benito	69,120	0	69,120
San Bernardino	409,650	0	409,650
San Diego	516,516	0	516,516
San Francisco	275,000	3,000	278,000
San Joaquin	245,519	-10,000	235,519
San Luis Obispo	75,000	13,000	88,000
San Mateo	145,633	12,968	158,601
Santa Barbara	190,515	0	190,515
Santa Clara	497,252	0	497,252
Santa Cruz	82,960	0	82,960

Family Law Facilitator Program			
County Name	Base Allocation FY 05–06	Recommended MidYear Change to Base Allocation for FY 05–06	Total Recommended Allocation for FY 05–06
Shasta and Trinity	180,600	0	180,600
Siskiyou	85,494	0	85,494
Solano	148,241	0	148,241
Sonoma	154,615	0	154,615
Stanislaus	251,599	0	251,599
Sutter	74,120	0	74,120
Tehama	28,130	0	28,130
Tulare	314,983	4,000	318,983
Tuolumne	64,120	0	64,120
Ventura	282,855	0	282,855
Yolo	85,494	-7,000	78,494
Yuba	73,500	0	73,500
Total	\$11,596,836	\$0	\$11,596,836
Total amount to be allocated			\$0
Note:			
FY 05–06 unallocated reserve			\$0
Contract reductions in 5 courts			-40,468
Contract increases in 5 courts			40,468
Total net increase			\$0