

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

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Report

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee
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SUBJECT: Revisions to Base Allocations for Child Support Commissioner and Family Law Facilitator Program for Fiscal Year 2004–2005 (Action Required)

Issue Statement

At the inception of the child support commissioner and family law facilitator program (AB 1058 program) in 1997, the Judicial Council established base allocations for commissioner and facilitator program for every court. In fiscal year 2003–2004, the Judicial Council permanently reduced the base allocations of courts that habitually underspent their allocations for this program. Staff now recommend permanently increasing the allocations of courts that regularly have costs related to the AB 1058 program that exceed their base funding.

In order to identify those courts, staff and the Family and Juvenile Law Advisory Committee's AB 1058 Subcommittee analyzed all courts' program-related spending histories, including a projection for fiscal year 2003–2004 using year-to-date invoices, as well as workload figures and questionnaires returned by the courts regarding their program needs and costs. The Family and Juvenile Law Advisory Committee recommends increasing the base allocations of 31 courts and decreasing slightly the base allocations of 7 courts for their child support commissioner programs. The committee recommends increasing the base allocations of 11 courts and decreasing slightly the base allocations of 3 courts for their family law facilitator programs. The remaining funds would be retained as an emergency reserve. Any unused portion would be distributed during the midyear reallocation process.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2004:

1. Approve the committee's recommended revised base allocations for child support commissioner program for 2004–2005, as set forth in Attachment A.
2. Approve the committee's recommended revised base allocations for family law facilitator program for 2004–2005, as set forth in Attachment B.

Attachments A and B are on pages 4–7.

Rationale for Recommendation

The Judicial Council in 1997 established staffing standards for child support commissioners under Family Code section 4252(b)(3). Staffing standards are based on the number of cases in local child support agencies with established child support orders. Base allocations remained substantially the same from the inception of the program in 1997 until some reductions were made in fiscal year 2003–2004 to adjust base allocations for courts that consistently did not use their full base allocations. Because of level funding, few permanent adjustments have been made to the base allocations of courts whose program expenses consistently exceeded their base allocations.

Spending histories, which include a projection for fiscal year 2003–2004 based on year-to-date invoices, have now been established, and courts whose valid ongoing AB 1058 program expenses exceed their existing base allocations have been identified. In addition, changes in court workloads based upon the established staffing standards have been analyzed. For these courts, recommendations for an increase of their base allocations have been made. The committee recommends minor decreases in the AB 1058 program base allocations for a few courts that do not spend their full allocations. The committee also recommends retaining the remainder of the unallocated funds as a small reserve for any emergency requests. Any unused reserve funds will be distributed through the midyear reallocation process.

All courts, including those listed in Attachments A and B, can apply for additional funds through the midyear reallocation process. One of the goals of these recommended increases in base allocations is to allow the midyear reallocation process to return to its original intent—redistribution of excess funds for special projects and one-time expenses—rather than covering recurring program expenses.

The California Department of Child Support Services (DCSS) provides one-third of funding for the child support commissioner and family law facilitator program, based on a cooperative agreement with the Judicial Council. The federal government provides the remaining two-thirds of the funding. DCSS has informed Judicial Council staff that

increased funding for the program cannot be obtained until all of the commissioner and facilitator program funding is spent every year, as it is not possible to demonstrate the need for increased funding otherwise.

Alternative Actions Considered

The advisory committee considered and rejected the option of taking no action. If no action is taken, some courts will underspend and those funds will continue to revert to the state General Fund, while other courts will lack sufficient funds for AB 1058 program–related expenses.

Comments From Interested Parties

This proposal was not circulated for comment.

Implementation Requirements and Costs

None.

Attachments

Child Support Commissioner Program			
County	Base Allocation FY 03/04	Recommended Change to Base Allocation for FY 04/05	Total Recommended Base Allocation for FY 04/05
Alameda	1,102,155	(28,003)	1,074,152
Amador	132,700	26,300	159,000
Butte	355,055	58,945	414,000
Calaveras	153,055	(23,055)	130,000
Colusa	52,350	0	52,350
Contra Costa	1,060,920	50,000	1,110,920
Del Norte	75,000	(20,000)	55,000
El Dorado & Alpine	213,995	0	213,995
Fresno	1,623,040	0	1,623,040
Glenn	135,000	0	135,000
Humboldt	120,000	20,000	140,000
Imperial	163,150	13,251	176,401
Inyo	85,000	(7,000)	78,000
Kern	665,000	(30,000)	635,000
Kings	201,675	51,765	253,440
Lake	121,775	33,657	155,432
Lassen	108,410	(25,000)	83,410
Los Angeles	5,719,435	78,714	5,798,149
Madera	203,765	13,133	216,898
Marin	120,000	51,048	171,048
Mariposa	87,000	0	87,000
Mendocino	153,055	20,071	173,126
Merced	444,295	80,000	524,295
Mono	42,715	8,155	50,870
Monterey	377,000	9,000	386,000
Napa	204,865	0	204,865
Nevada & Sierra	326,290	12,630	338,920
Orange	2,456,075	29,775	2,485,850
Placer	363,830	4,113	367,943
Plumas	106,700	0	106,700
Riverside	1,000,850	0	1,000,850
Sacramento	1,116,510	0	1,116,510
San Benito	153,055	2,056	155,111
San Bernardino	1,174,100	69,978	1,244,078
San Diego	1,884,135	30,926	1,915,061
San Francisco	905,930	52,242	958,172
San Joaquin	740,545	0	740,545
San Luis Obispo	244,575	0	244,575
San Mateo	379,400	71,318	450,718
Santa Barbara	490,500	0	490,500
Santa Clara	1,704,190	60,053	1,764,243
Santa Cruz	183,410	11,251	194,661
Shasta & Trinity	501,960	(20,000)	481,960
Siskiyou	203,765	61,773	265,538

Solano	464,060	42,575	506,635
Sonoma	458,660	80,000	538,660
Stanislaus	601,165	25,000	626,165
Sutter	183,410	0	183,410
Tehama	105,000	0	105,000
Tulare	550,600	33,488	584,088
Tuolumne	183,410	0	183,410
Ventura	591,220	0	591,220
Yolo	168,515	51,476	219,991
Yuba	183,410	10,000	193,410
Total	31,145,680	1,009,635	32,155,315
Total amount to be allocated			32,155,315

Family Law Facilitator Program			
County	Base Allocation FY 03/04	Recommended Change to Base Allocation for FY 04/05	Total Recommended Base Allocation for FY 04/05
Alameda	406,096	5,000	411,096
Amador	64,120	0	64,120
Butte	106,867	0	106,867
Calaveras	64,120	6,380	70,500
Colusa	59,000	0	59,000
Contra Costa	320,602	16,168	336,770
Del Norte	64,120	(8,055)	56,065
El Dorado & Alpine	118,897	0	118,897
Fresno	419,666	0	419,666
Glenn	64,120	4,000	68,120
Humboldt	65,130	13,670	78,800
Imperial	50,000	0	50,000
Inyo	64,120	0	64,120
Kern	368,127	0	368,127
Kings	64,120	(2,120)	62,000
Lake	64,120	0	64,120
Lassen	58,000	6,120	64,120
Los Angeles	2,049,601	0	2,049,601
Madera	59,530	10,000	69,530
Marin	106,867	5,000	111,867
Mariposa	52,130	0	52,130
Mendocino	64,120	0	64,120
Merced	95,000	0	95,000
Modoc	52,130	0	52,130
Mono	58,000	(4,000)	54,000
Monterey	106,867	15,000	121,867
Napa	64,120	0	64,120
Nevada & Sierra	128,240	0	128,240
Orange	555,000	0	555,000
Placer	95,494	0	95,494
Plumas	64,120	0	64,120
Riverside	662,668	0	662,668
Sacramento	277,855	0	277,855
San Benito	64,120	0	64,120
San Bernardino	341,976	0	341,976
San Diego	448,843	0	448,843
San Francisco	235,108	0	235,108
San Joaquin	256,519	0	256,519
San Luis Obispo	64,120	0	64,120
San Mateo	106,867	0	106,867
Santa Barbara	170,987	0	170,987
Santa Clara	406,096	0	406,096
Santa Cruz	64,120	0	64,120

Shasta & Trinity	180,600	0	180,600
Siskiyou	85,494	0	85,494
Solano	128,241	0	128,241
Sonoma	149,615	0	149,615
Stanislaus	226,048	0	226,048
Sutter	64,120	0	64,120
Tehama	28,130	0	28,130
Tulare	270,735	5,000	275,735
Tuolumne	64,120	0	64,120
Ventura	277,855	0	277,855
Yolo	85,494	0	85,494
Yuba	64,120	5,506	69,626
Total	10,696,295	77,669	10,773,964
Total amount to be allocated			10,773,964