

**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: AB 1058: Base Allocations for Child Support Commissioner and Family
Law Facilitator Program, Fiscal Year 2008–2009 (Action Required)

Issue Statement

The Judicial Council is required to annually allocate non-trial court funding, as described below, to local courts for the child support commissioner and family law facilitator program (Assem. Bill 1058 [Stats. 1996, ch. 957] program). These funds pay the salaries and benefits of child support commissioners, family law facilitators, support staff, as well as associated operating expenses. The funds for this program are provided by a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council. Two-thirds of these funds are from the federal government, and the remaining one-third are from the state General Fund (non-trial court funding).

In addition, last year the DCSS and the Administrative Office of the Courts (AOC) developed a process by which the courts could maintain existing levels of program services and recover two-thirds of local trial court funds expended for and contributed to the program beyond the current contract maximum. This process allows the courts to use such contributions in lieu of the one-third state match to draw down the two-thirds federal coverage of allowable and approved program costs to the extent that funds are available. This federal draw-down option will continue to be available for fiscal year 2008–2009.

DCSS has advised staff that the funding available for the base allocations for fiscal year 2008–2009 will be reduced statewide by a total of approximately 9 percent due to state fiscal circumstances. The fiscal year 2007–2008 statewide funding was set at \$47.88

million for base allocations, and an additional amount of \$8.3 million was available through the federal draw-down procedure, with \$5.5 million as the federal share and \$2.83 million as the court share, after the fiscal year 2007–2008 midyear reallocation award.

In order to assist the courts in mitigating the reduced base allocation, DCSS has increased the amount of federal draw-down funds available for fiscal year 2008–2009 for those courts that wish to participate. For example, if a court’s base allocation for fiscal year 2007–2008 had been \$100,000, the court’s base allocation with the 9 percent reduction for fiscal year 2008–2009 would be \$91,000. However, the court could request an additional \$9,000 under the federal draw-down option resulting in an actual reduction of funding of only \$3,060 (federal share of \$5,940, with a court share of \$3,060).

Funding for fiscal year 2008–2009 for the child support commissioner component of the program will be \$32.54 million base allocation and \$12.23 million in federal draw-down option, and funding for the family law facilitator component will be \$10.9 million base allocation and \$4.13 million in federal draw-down option for a total program base allocation of \$43.5 million and a total program federal draw-down allocation of \$16.4 million.

Recommendation

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

1. Approve the committee’s recommended revised base allocations for the child support commissioner program for fiscal year 2008–2009, subject to the state Budget Act.
2. Approve the committee’s recommended revised base allocations for the family law facilitator program for fiscal year 2008–2009, subject to the state Budget Act.

Attachments A and B, which provide the detailed breakdowns of these allocations, are included at pages 4–5.

Rationale for Recommendation

In 1997, the Judicial Council established staffing standards for child support commissioners under Family Code section 4252(b)(3). Staffing standards are based on the number of local child support agency cases that have 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 were made to the base allocations of courts whose program expenses consistently exceeded their base allocations until fiscal year 2004–2005, when the Judicial Council approved some revisions.

Because funding available for immediate allocation represents a reduction of base funding from the preceding fiscal year but an increase in the federal draw-down option, proportionate downward adjustments are being made to the fiscal year 2007–2008 base allocations and upward adjustments are being made to the federal draw-down option for all courts. All courts will be offered the choice of participating in the federal draw-down option. Federal draw-down funds for any courts that decline to participate in this option will be held in reserve to be distributed as part of the midyear reallocation process.

Alternative Actions Considered

No alternative actions were considered, as the Judicial Council is required to allocate funding for this legislatively mandated program.

Comments From Interested Parties

This proposal was not circulated for comment.

Implementation Requirements and Costs

None.

FY2008/2009 Base Allocation: Family Law Facilitator (FLF) Program

Family Law Facilitator Program					
County Name	Base Allocation FY 08-09	Federal Draw- down Allocation	Federal Draw Match	Local Trial Court Match	Total Recommended Allocation for Base FY 08-09
Alameda	378,689	142,350	93,951	48,399	521,040
Butte	106,361	39,981	26,388	13,594	146,342
Calaveras/Amador	122,518	46,055	30,396	15,659	168,573
Colusa	53,696	20,184	13,322	6,863	73,880
Contra Costa	311,955	117,265	77,395	39,870	429,220
Del Norte	51,025	19,180	12,659	6,521	70,205
El Dorado/Alpine	108,208	40,676	26,846	13,830	148,884
Fresno	400,760	150,647	99,427	51,220	551,407
Glenn	77,359	29,079	19,192	9,887	106,438
Humboldt	91,010	34,211	22,579	11,632	125,221
Imperial	53,696	20,184	13,322	6,863	73,880
Inyo	58,356	21,936	14,478	7,458	80,292
Kern	360,724	135,597	89,494	46,103	496,321
Kings	59,521	22,374	14,767	7,607	81,895
Lake	60,176	22,620	14,929	7,691	82,796
Lassen	114,218	42,935	28,337	14,598	157,152
Los Angeles	1,919,748	721,639	476,282	245,357	2,641,387
Madera	84,212	31,655	20,893	10,763	115,867
Marin	142,765	53,666	35,419	18,246	196,431
Mariposa	47,444	17,834	11,771	6,064	65,278
Mendocino	62,906	23,647	15,607	8,040	86,553
Merced	102,841	38,658	25,515	13,144	141,500
Modoc	74,019	27,824	18,364	9,460	101,842
Mono	49,145	18,474	12,193	6,281	67,619
Monterey	122,806	46,163	30,468	15,696	168,970
Napa	62,906	23,647	15,607	8,040	86,553
Nevada/Sierra	121,262	45,583	30,085	15,498	166,845
Orange	548,204	206,071	136,007	70,064	754,275
Placer	91,460	34,380	22,691	11,689	125,840
Plumas	58,356	21,936	14,478	7,458	80,292
Riverside	675,903	254,074	167,689	86,385	929,977
Sacramento	314,465	118,208	78,018	40,191	432,674
San Benito	62,906	23,647	15,607	8,040	86,553
San Bernardino	466,563	175,382	115,752	59,630	641,946
San Diego	538,339	202,363	133,560	68,804	740,703
San Francisco	250,278	94,080	62,093	31,987	344,358
San Joaquin	223,447	83,994	55,436	28,558	307,442
San Luis Obispo	68,258	25,658	16,934	8,724	93,916
San Mateo	132,541	49,822	32,883	16,940	182,363
Santa Barbara	173,388	65,177	43,017	22,160	238,565
Santa Clara	452,550	170,115	112,276	57,839	622,664
Santa Cruz	75,502	28,381	18,732	9,650	103,883
Shasta	164,364	61,785	40,778	21,007	226,149
Siskiyou	77,808	29,248	19,304	9,944	107,057
Solano	134,914	50,715	33,472	17,243	185,629
Sonoma	140,715	52,895	34,911	17,984	193,611
Stanislaus	228,981	86,074	56,809	29,265	315,055
Sutter	67,457	25,357	16,736	8,621	92,814
Tehama	28,530	10,724	7,078	3,646	39,254
Trinity	25,483	9,579	6,322	3,257	35,062
Tulare	320,325	120,411	79,471	40,940	440,736
Tuolumne	67,457	25,357	16,736	8,621	92,814
Ventura	257,427	96,767	63,866	32,901	354,194
Yolo	77,808	29,248	19,304	9,944	107,057
Yuba	66,892	25,145	16,596	8,549	92,037
Total	10,988,647	4,130,663	2,726,238	1,404,425	15,119,310
Total amount to be allocated					\$ 15,119,310