



Judicial Council of California. Administrative Office of the Courts

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

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 26, 2011

Title

Child Support: Fiscal Year 2011–2012 Base
Funding Allocation for the Child Support
Commissioner and Family Law Facilitator
Program

Agenda Item Type

Action Required

Effective Date

July 1, 2011

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

July 19, 2011

Recommended by

Family and Juvenile Law Advisory
Committee

Hon. Kimberly J. Nystrom-Geist, Cochair

Hon. Dean Stout, Cochair

Contact

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Executive Summary

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve the allocation of funding for the Child Support Commissioner and Family Law Facilitator Program for fiscal year 2011–2012. The Judicial Council is required to annually allocate non-trial court funding to local courts for this program (Assem. Bill 1058; Stats. 1996, ch. 957). The funds are provided through a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective retroactively to July 1, 2011:

1. Approve the allocation for funding of child support commissioners for fiscal year 2011–2012, subject to the state Budget Act (see Attachment A); and

2. Approve the allocation for funding of family law facilitators for fiscal year 2011–2012, subject to the state Budget Act (see Attachment B).

Previous Council Action

The Judicial Council is required to annually allocate non–trial court funding to the child support commissioner and family law facilitator program and has done so since 1997.¹ A cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council provides the funds for this program and requires the Council to annually approve the funding allocation.

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. In addition, under an established procedure described in the standard agreement with each superior court, questionnaires are sent annually to each court requesting the information needed to evaluate appropriate funding levels for any exceptional needs.

Two-thirds of the base allocation funding comes from the federal government, with the remaining one-third coming from the state General Fund (non–trial court funding). In addition to the base allocation funding, there is a federal drawdown option developed in fiscal year 2007–2008 by DCSS and the AOC as 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 to cover additional program costs beyond the current contract maximum. This process allows the courts to use such contributions in lieu of the one-third state General Fund match to draw down the two-thirds federal coverage of allowable and approved program costs to the extent that funds are available. This federal drawdown option will continue to be available for fiscal year 2011–2012. Program funding is implemented via separate interagency agreements between DCSS and the AOC for the child support commissioners and the family law facilitators.

DCSS has advised the AOC that the funding available for the base allocations for fiscal year 2011–2012 will remain at the same level as that of the preceding fiscal year. Because statewide funding is level with the prior fiscal year, only special requests that were necessary for the courts to continue their mandated duties were considered. One court has agreed to reduce their grant by returning all funds under the federal drawdown procedure for both the child support commissioner and family law facilitator program components, making these funds available for allocation to other participating courts. An upward adjustment was made for one court on the commissioner side of the program so that the court can return to utilizing its full authorized child

¹ AB 1058 added article 4 to chapter 2 of part 2 of division 9 of the Family Code, which at section 4252(b)(6) requires the Judicial Council to “[e]stablish procedures for the distribution of funding to the courts for child support commissioners, family law facilitators pursuant to [Family Code] Division 14 (commencing with Section 10000) and related allowable costs.”

support commissioner position that it had previously voluntarily reduced. Another upward adjustment was made for one court on the family law facilitator side for the billing of allowable indirect costs that had not been previously budgeted or billed. Under the established allocation procedures for this program, the request was reviewed by a workgroup consisting of local court staff and by the Family and Juvenile Law Advisory Committee. Both of these groups unanimously recommended the proposed allocations.

Funding for fiscal year 2011–2012 for the child support commissioner component of the program will be \$32.4 million base allocation and \$12.2 million in federal drawdown option; funding for the family law facilitator component will be \$11.1 million base allocation and \$4.1 million in federal drawdown option, for a total program base allocation of \$43.5 million and a total program federal drawdown allocation of \$16.3 million.

In addition to their allocation of the base funding, courts may choose to participate in the federal drawdown option.

Comments, Alternatives Considered, and Policy Implications

This proposal was not circulated for public comment because the existing advisory committee and workgroup approval process for program funding provides sufficient input from all relevant stakeholders. No alternative action was considered, as the Judicial Council is required to allocate funding for this legislatively mandated program.

Implementation Requirements, Costs, and Operational Impacts

Federal provisions require that any request to draw down federal funds requires payment of a state share of one-third of total expenditures. Therefore each participating court needs to provide the one-third share of its total cost to draw down two-thirds of total expenditures through federal participation.

Attachments

1. Attachment A: Child Support Commissioner Program Allocation
2. Attachment B: Family Law Facilitator Program Allocation

Commissioner Program						
A	B	C	D	E	F	G
County Name	Base Allocation ¹ FY 11-12	Federal Drawdown Allocation ²	Federal Draw Match (C x .66)	Local Trial Court Match (C x .34)	Total Recommended Allocation for Base FY 11-12 (B+C)	Contract Amount (B+D)
Alameda	1,083,753	449,453	296,639	152,814	1,533,206	1,380,392
Amador	146,306	60,676	40,046	20,630	206,982	186,352
Butte	373,375	40,625	26,812	13,813	414,000	400,187
Calaveras	137,084	33,651	22,210	11,441	170,735	159,294
Colusa	47,213	17,907	11,819	6,088	65,120	59,032
Contra Costa	1,041,088	431,758	284,960	146,798	1,472,846	1,326,048
Del Norte	49,603	20,571	13,577	6,994	70,174	63,180
El Dorado/Alpine	211,940	87,895	58,011	29,884	299,835	269,951
Fresno	1,599,054	663,157	437,684	225,473	2,262,211	2,036,738
Glenn	121,753	50,493	33,325	17,168	172,246	155,078
Humboldt	126,262	52,363	34,560	17,803	178,625	160,822
Imperial	168,110	69,718	46,014	23,704	237,828	214,124
Inyo	80,400	16,242	10,720	5,522	96,642	91,120
Kern	662,792	274,872	181,415	93,456	937,664	844,207
Kings	301,993	125,242	82,660	42,582	427,235	384,653
Lake	161,824	17,818	11,760	6,058	179,642	173,584
Lassen	97,402	40,394	26,660	13,734	137,796	124,062
Los Angeles	5,229,183	2,168,640	1,431,302	737,338	7,397,823	6,660,485
Madera	220,958	91,636	60,480	31,156	312,594	281,438
Marin	154,263	63,976	42,224	21,752	218,239	196,487
Mariposa	78,463	32,540	21,476	11,064	111,003	99,939
Mendocino	177,620	73,662	48,617	25,045	251,282	226,237
Merced	563,034	233,501	154,111	79,390	796,535	717,145
Modoc	-	-	-	-	-	-
Mono	45,878	19,026	12,557	6,469	64,904	58,435
Monterey	381,148	158,069	104,326	53,743	539,217	485,474
Napa	184,762	76,624	50,572	26,052	261,386	235,334
Nevada	341,737	141,725	93,538	48,187	481,872	435,275
Orange	2,332,104	742,335	489,941	252,394	3,074,439	2,822,045
Placer	376,931	156,320	103,171	53,149	533,251	480,102
Plumas	96,230	10,470	6,910	3,560	106,700	103,140
Riverside	993,801	412,148	272,018	140,130	1,405,949	1,265,819
Sacramento	1,059,488	439,389	289,997	149,392	1,498,877	1,349,485
San Benito	139,890	58,015	38,290	19,725	197,905	178,180
San Bernardino	2,612,496	1,083,451	715,078	368,373	3,695,947	3,327,574
San Diego	1,817,325	753,679	497,428	256,251	2,571,004	2,314,753
San Francisco	915,399	456,194	301,088	155,106	1,371,593	1,216,487
San Joaquin	707,805		-	-	707,805	707,805
San Luis Obispo	231,781	96,124	63,442	32,682	327,905	295,223
San Mateo	406,490	168,579	111,262	57,317	575,069	517,752
Santa Barbara	473,188	196,240	129,518	66,722	669,428	602,706
Santa Clara	1,753,316	459,901	303,535	156,366	2,213,217	2,056,851
Santa Cruz	192,813	71,727	47,340	24,387	264,540	240,153
Shasta & Trinity	434,666	180,264	118,974	61,290	614,930	553,640
Siskiyou	239,481	99,317	65,549	33,768	338,798	305,030
Solano	538,088	139,761	92,242	47,519	677,849	630,330
Sonoma	501,158	207,840	137,174	70,666	708,998	638,332
Stanislaus	804,403	174,194	114,968	59,226	978,597	919,371
Sutter	200,534	83,165	54,889	28,276	283,699	255,423
Tehama	94,696	39,272	25,920	13,352	133,968	120,616
Trinity	-	-	-	-	-	-
Tulare	567,579	165,000	108,900	56,100	732,579	676,479
Tuolumne	165,412	68,600	45,276	23,324	234,012	210,688
Ventura	578,328	239,844	158,297	81,547	818,172	736,625
Yolo	198,404	82,282	54,306	27,976	280,686	252,710
Yuba	204,111	84,649	55,868	28,781	288,760	259,979
Total	32,422,915	12,180,994	8,039,456	4,141,537	44,603,909	40,462,371
Total Amount to be allocated					44,603,909	
			CSC Allocation		44,603,909	
			FLF Allocation		15,176,376	
			Total FY 11-12 Base Allocation		\$ 59,780,285	

Family Law Facilitator Program						
A	B	C	D	E	F	G
County Name	Base Allocation ¹ FY 11-12	Federal Drawdown Allocation ²	Federal Draw Match (C X .66)	Local Trial Court Match (C X .34)	Total Recommended Allocation for Base FY 11-12 (B+C)	Contract Amount (B+D)
Alameda	378,689	147,333	97,240	50,093	526,022	475,929
Amador	-	-	-	-	-	-
Butte	106,361	41,381	27,311	14,070	147,742	133,672
Calaveras & Amador	122,518	7,800	5,148	2,652	130,318	127,666
Colusa	53,696	20,891	13,788	7,103	74,587	67,484
Contra Costa	351,955	121,369		41,265	473,324	351,955
Del Norte	51,025	3,836	2,532	1,304	54,861	53,557
El Dorado & Alpine	108,208	42,100	27,786	14,314	150,308	135,994
Fresno	400,760	155,920	102,907	53,013	556,680	503,667
Glenn	77,359	30,097	19,864	10,233	107,456	97,223
Humboldt	91,010	35,408	23,369	12,039	126,418	114,379
Imperial	53,696	20,891	13,788	7,103	74,587	67,484
Inyo	58,356	22,704	14,985	7,719	81,060	73,341
Kern	360,724	140,343	92,626	47,717	501,067	453,350
Kings	59,521	23,157	15,284	7,873	82,678	74,805
Lake	60,176	23,412	15,452	7,960	83,588	75,628
Lassen	114,218	44,438	29,329	15,109	158,656	143,547
Los Angeles	1,919,748	746,897	492,952	253,945	2,666,645	2,412,700
Madera	84,212	32,763	21,624	11,139	116,975	105,836
Marin	142,765	55,544	36,659	18,885	198,309	179,424
Mariposa	47,444	18,458	12,182	6,276	65,902	59,626
Mendocino	62,906	24,474	16,153	8,321	87,380	79,059
Merced	102,841	40,012	26,408	13,604	142,853	129,249
Modoc	74,019	-	-	-	74,019	74,019
Mono	49,145	-	-	-	49,145	49,145
Monterey	122,806	47,779	31,534	16,245	170,585	154,340
Napa	62,906	24,474	16,153	8,321	87,380	79,059
Nevada & Sierra	121,262	47,178	31,137	16,041	168,440	152,399
Orange	548,204	213,284	140,767	72,517	761,488	688,971
Placer	91,460	35,583	23,485	12,098	127,043	114,945
Plumas	58,356	5,764	3,804	1,960	64,120	62,160
Riverside	675,903	262,967	173,558	89,409	938,870	849,461
Sacramento	314,465	122,346	80,748	41,598	436,811	395,213
San Benito	62,906	24,474	16,153	8,321	87,380	79,059
San Bernardino	466,563	181,521	119,804	61,717	648,084	586,367
San Diego	618,339	209,446	138,234	71,212	827,785	756,573
San Francisco	250,278	97,373	64,266	33,107	347,651	314,544
San Joaquin	223,447		-	-	223,447	223,447
San Luis Obispo	68,258	26,556	17,527	9,029	94,814	85,785
San Mateo	132,541	51,566	34,034	17,532	184,107	166,575
Santa Barbara	173,388	67,458	44,522	22,936	240,846	217,910
Santa Clara	452,550	176,069	116,206	59,863	628,619	568,756
Santa Cruz	75,502	29,375	19,388	9,988	104,877	94,890
Shasta	164,364	63,948	42,206	21,742	228,312	206,570
Siskiyou	77,808	30,272	19,980	10,292	108,080	97,788
Solano	134,914	52,490	34,643	17,847	187,404	169,557
Sonoma	140,715	54,747	36,133	18,614	195,462	176,848
Stanislaus	228,981	89,087	58,797	30,290	318,068	287,778
Sutter	67,457	26,245	17,322	8,923	93,702	84,779
Tehama	28,530	2,559	1,689	870	31,089	30,219
Trinity	25,483	33,915	22,384	11,531	59,398	47,867
Tulare	320,325	109,329	72,157	37,172	429,654	392,482
Tuolumne	67,457	26,245	17,322	8,923	93,702	84,779
Ventura	257,427	100,154	66,102	34,052	357,581	323,529
Yolo	77,808	30,272	19,980	10,292	108,080	97,788
Yuba	66,892	26,025	17,177	8,849	92,917	84,069
Total	11,108,647	4,067,729	2,604,598	1,383,028	15,176,376	13,713,245
Total amount to be allocated					\$ 15,176,376	
¹ Base allocation includes 1/3 state General Fund share of cost provided by state DCSS and 2/3 federal financial participation						
² Federal Drawdown allocation includes 1/3 local court match (see Column E) and 2/3 federal financial participation						