

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

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Report

TO: Members of the Judicial Council

FROM: Collaborative Justice Courts Advisory Committee
Hon. Darrell W. Stevens, Chair
Tim Newman, Court Services Analyst, 415-865-7614

DATE: September 22, 2003

SUBJECT: Drug Court Project Grants Under the 2004–2005 Budget Act
(Action Required)

Issue Statement

The 2004–2005 Budget Act provides for an allocation of \$1 million for California drug court projects under the California Drug Court Project grant program. In 2003–2004, the Collaborative Justice Courts Advisory Committee allocated \$1 million to 43 participating collaborative justice courts. These funds were available to all 58 counties using a formulaic distribution method. Distribution is based on the number of authorized judicial position equivalents (JPEs).

The Collaborative Justice Courts Advisory Committee will again use the formulaic distribution method to make grants available to all local jurisdictions. The grant will implement or enhance collaborative justice courts that address substance abuse issues and use drug court principles. Participating courts will include adult and juvenile drug courts, family treatment courts, youth and peer courts, adult and juvenile domestic violence and dating violence courts, adult and youth mental health courts, homeless courts, community courts, and balanced and restorative justice programs.

Recommendation

Under the 2004–2005 Budget Act, the Collaborative Justice Courts Advisory Committee and staff of the Administrative Office of the Courts (AOC) Collaborative Justice Program recommend that the Judicial Council approve distribution of grant awards to local courts through allocation of the California Drug Court Project fund of \$1 million.

Funds will be distributed to collaborative justice projects through a mini-grant process, using a formulaic distribution method. Local jurisdictions will be eligible for mini-grant awards of up to \$60,000 for an individual court.

Rationale for Recommendation

Funding authorization for this grant initiative is based on a legislative mandate for the California Drug Court Project (0250-101-0001 Schedule (2) 30.20) and is in accord with the California Budget Act of 2004–2005.

In 2003–2004, \$1 million was provided to collaborative justice courts that focus on substance abuse. Funds were used to expand the scope of the grant program to include a wider range of collaborative justice courts that employ the basic elements of drug courts. This approach supports institutionalizing collaborative justice by integrating drug court models into other types of collaborative justice courts.

Adult and juvenile drug courts and family treatment courts continue to have a definite focus on substance abuse. Other collaborative justice courts, such as domestic violence courts and youth and peer courts, address substance abuse as a key factor in many cases and include drug court principles as part of case processing. Evidence suggests a correlation between substance abuse and the social problems that are addressed in collaborative justice courts. For example, according to the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA), at least 50 percent of the 1.5 to 2 million Americans with severe mental illness abuse illicit drugs or alcohol. These grants fund court programs that integrate substance abuse treatment and drug court principles in collaborative justice courts.

Distribution of funds for participating courts will be based on a formulaic distribution that is based on the number of judicial position equivalents for each participating jurisdiction. The formulaic distribution used in 2003–2004 was coupled with a simplified application process, replacing the competitive grant proposal solicitation and review process of prior years. Participating courts signaled their appreciation of this process as it eased demand on court staff and enhanced statewide access to the funds.

To gauge court participation levels for 2004–2005, a letter from the Collaborative Justice Courts Advisory Committee chair will be sent to presiding judges and court executive officers alerting them of this grant opportunity. Local court management will respond in a timely manner, expressing either interest or lack of interest in the funds. Interested courts will submit a program action plan and proposed budget. Action plans and budgets will be reviewed and awards made based on the established grant criteria. The grant criteria reflect efforts in previous years to fund collaborative justice courts that address substance abuse issues and use drug court models.

In 1999, the Judicial Council approved the criteria for Drug Court Project mini-grant awards. These same criteria will be used to determine the awards under the Budget Act of 2004–2005:

- Consistency with the California Standards of Judicial Administration and other drug court guidelines;
- Involvement of a local steering committee;

- Successful completion of statistical and financial reporting requirements for previous mini-grant funding periods (if applicable); and
- Submission of a complete and comprehensive action plan and budget.

Upon successful completion of their action plans and budgets, courts will be notified of their awards. Contracts between the AOC and grantees will be processed. Court programs will submit quarterly statistical reports and monthly financial reports as a condition of receiving funding.

Alternative Actions Considered

Using a competitive request for proposal (RFP) process to distribute funds was also considered. However, the positive result of the formulaic distribution proved to be an effective, more-efficient process. A competitive grant program imposes a lengthy, labor-intensive, proposal development process on court staff and risks further delay in distribution of time-sensitive funding. The large numbers of courts that participate in this grant program make a formulaic distribution a more efficient approach. Fifty-four court projects in 43 counties were awarded funding through this program in 2003, as summarized in Attachment A.

Comments From Interested Parties

The Collaborative Justice Courts Advisory Committee and staff from the AOC's Center for Families, Children & the Courts have considered the proposed use of these funds and concurred. In meetings with grantee courts and local coordinators of collaborative justice courts, AOC staff have learned that local courts favor a simplified formulaic grant distribution process such as the one proposed here.

Implementation Requirements and Costs

There will be no additional costs associated with this funding.

Attachment

2003–2004 Grant Performance Summary

Since the inception of this grant, participating courts continually demonstrate effective court strategies that serve substance-abusing offenders. During the 2003–2004 project year, courts report more than 1,500 successful completions, more than 150 family reunifications, 185 GED completions, and approximately 40 drug-free babies born to participating mothers.

2003–2004 Project Year Highlights:

- Grants were awarded to 54 court projects located in 43 counties;
- Funded projects include; adult drug court (22), juvenile drug court (16), domestic violence court (4), mental health court (2), family treatment court (2), peer court (7), and restorative justice court (1);
- Awards ranged from \$13,000 to \$64,550. The median award amount was \$21,000 and the modal award amount was \$13,000 (9);
- Funded courts range in size from 2 Judicial Position Equivalentents to 593 JPE. The median court size is 12 JPE and the modal court size is 3 JPE (8);
- On average, courts report serving approximately 34 participants per court project. This number excludes the five largest projects, which average 375 participants per court; and
- The spend-out rate for this grant in 2002–2003 was 98%. Final invoices for 2003–2004 are due September 30, 2004. Staff project a spend-out rate between 90–95% for project year 2003–2004.

2003 - 2004 Drug Court Project Grant Funds Distribution

Judicial Position Equivalents Breakdown	Number of Counties Funded	Maximum Award Amount
200 positions or more	1	\$64,550.00
100 - 199 positions	2	\$48,000.00
50 - 99 positions	5	\$33,000.00
20 - 49 positions	9	\$26,000.00
8 - 19 positions	13	\$21,000.00
5 - 7 positions	4	\$16,000.00
Less than 5 positions	9	\$13,000.00
Total	43	