

**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. Jean Pfeiffer Leonard, Chair  
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DATE: August 1, 2005

SUBJECT: California Collaborative and Drug Court Project Grants: Revise the  
Allocation Formula Under the 2005–2006 Budget Act  
(Action Required)

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Issue Statement

The Judicial Council annually reviews and approves the distribution of funds from the California Drug Court Project, the title of which was revised in 2005–2006 to California Collaborative and Drug Court Projects [0250-101-0001 Schedule (3) 45.55.020]. The 2005–2006 Budget Act provides for an allocation of \$1.066 million for California collaborative and drug court projects. In 2004–2005, the Collaborative Justice Courts Advisory Committee allocated \$1 million to 41 participating collaborative justice courts. These funds were available to all 58 counties, using an allocation formula based on the number of authorized judicial position equivalents (JPEs). The Collaborative Justice Courts Advisory Committee and staff of the Administrative Office of the Courts (AOC) recommends allocation of Fiscal Year 2005–2006 funds, based on a revised allocation formula. The revised formula is designed to provide for program growth and to reflect the number of individuals served by the grant funds.

Recommendation

Under the 2005–2006 Budget Act, the Collaborative Justice Courts Advisory Committee and staff of the AOC, Collaborative Justice Program, recommend that the Judicial Council, effective January 1, 2006:

1. Approve the committee’s recommendation for a revision to the allocation formula for Drug Court Program Grants, as set forth in Attachment 2: Overview of Caseload Based Formula: 2005–2006.
2. Approve the committee’s recommended allocation of Fiscal Year 2005–2006 California Collaborative and Drug Court Project funds, applying the revised

allocation formula, as set forth in Attachment 3: Allocation Summary: 2004–2005 and 2005–2006.

### Rationale for Recommendation

Funding authorization for the California Collaborative and Drug Court Projects Grants is based on a legislative mandate for the California Collaborative and Drug Court Project [0250-101-0001 Schedule (3) 45.55.020]<sup>1</sup> as indicated in the California Budget Act of 2005–2006.

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 2005–2006:

- Consistency with both the California Standards of Judicial Administration and 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, comprehensive action plan and budget.

The Judicial Council annually reviews and approves the distribution methodology for these funds. In prior years, the distribution methodology has been modified to improve the administrative efficiency of the program and to align the awards with overarching program goals.

The 2004–2005 grant allocations supported the goal of institutionalizing collaborative justice. A total of \$1 million was provided to a wider range of collaborative justice courts that focused on substance abuse and employed the basic elements of drug courts. Attachment 1 summarizes grant program performance for FY 2004–2005. Attachment 3 shows the allocation summary for FY 2004–2005.

Also in 2004–2005, a simplified application process replaced the competitive grant proposal solicitation and review process of previous years. Feedback from participating courts was that the simplification made application more feasible and placed fewer demands on court staff.

A similar application process was developed for FY 2005–2006. To gauge court participation levels for that fiscal year, a letter from the Collaborative Justice Courts Advisory Committee chair was sent by e-mail on July 8, 2005, to presiding judges and court executive officers alerting them to this grant opportunity. Interested courts will submit a program action plan and proposed budget. Action plans and budgets will be reviewed by staff to confirm that proposed collaborative justice programs

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<sup>1</sup> The judiciary's budget as displayed in the Governor's Budget is divided into various categories and components, by program, by funding source (appropriation), and by cost component (state operations, local assistance, and capital outlay).

meet requirements to address substance abuse issues and use collaborative justice court principles. Attachment 4 summarizes these principles.

Recommendations to modify the allocation formula in FY 2005–2006 are consistent with efforts to support program growth and integrate substance abuse and drug court projects into a wider range of collaborative courts. Allocations for FY 2004–2005 were based on the number of authorized judicial position equivalents (JPEs), a gross indicator of program capacity. The recommended allocation formula for FY 2005–2006, however, is based on a more specific indicator of program capacity — counts of actual participants served by the grant. The methodology was developed from a review of caseload sizes and allocations in prior years.

The specific allocation formula is diagrammed in Attachment 2. As in prior years, courts are allowed to apply for more than one type of allocation at more than one site. Any court request that meets the grant criteria will receive a minimum funding base of \$12,000. This base can be augmented, depending on program focus and number of program participants. Programs that focus on treatment courts receive higher allocations than those that do not, as a result of more intensive case management in treatment court programs. The base allocation is also adjusted for parties served, based on caseload in prior years. Courts may request enhancement funds, to serve additional participants. Courts may also request funds for planning grants, which may include an augmentation for the estimated number of participants if the court believes that they will become operational before the end of the fiscal year. All program proposals that meet grant guidelines, including planning grants, will be eligible for funding.

Effort was taken to develop an allocation formula that offered greater opportunity for program growth without resulting in dramatic shifts in current allocations. As part of this effort, courts reviewed their current programs and caseloads to align their requests with the type and scope of services provided. Attachment 3 compares allocations in Fiscal Years 2004–2005 and 2005–2006. Most of the differences in awards are a result of funding requested, rather than the application of the new formula. Program staff anticipate that allocation patterns will continue to shift gradually, reflecting changes in program focus and caseload.

#### Alternative Actions Considered

The use of a competitive request for proposal (RFP) process to distribute funds was also considered. However, the positive results of the formulaic distribution proved it to be an effective and efficient process. A competitive grant program imposes a lengthy, labor-intensive, proposal development process on court staff, with resulting delay in distribution of time-sensitive funding. The large number of courts that participate in this grant program makes a formulaic distribution a more efficient approach. A total of 51 court projects in 41 counties were awarded funding through this program in 2004, as summarized in Attachments 1 and 3.

The committee has indicated that it plans to review both the grant program and

allocation methodology in spring 2006, recognizing that this is a new approach. Court programs will submit quarterly statistical reports and monthly financial reports as a condition of receiving funding. In addition, this grant program is among those being reviewed by the Center for Families, Children & the Courts, with the goal of developing more uniform grant program guidelines.

#### 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 have 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

No additional costs will be associated with this funding.

Attachments 1–5 are on pages 5–11.

Attachment 1	2004–2005 Grant Performance Summary
Attachment 2	Overview of Caseload Based Formula: 2005–2006
Attachment 3	Allocation Summary: 2004–2005 and 2005–2006
Attachment 4	Guiding Principles of Collaborative Justice Courts
Attachment 5	Timeline for Grant Application and Distribution

## Attachment 1

### 2004–2005 Grant Performance Summary

Since the inception of this grant, participating courts continually demonstrate effective court strategies that serve substance-abusing offenders. During the 2004–2005 project year, it is estimated that participating courts will report more than 1,500 successful completions, more than 300 family reunifications, more than 150 GED completions, and approximately 30 to 40 drug-free babies born to participating mothers.

#### 2004–2005 Project Year Highlights:

- Grants were awarded to 51 court projects located in 41 counties;
- Funded projects included adult drug court (17), juvenile drug court (17), domestic violence court (3), mental health/dual diagnosis court (3), family treatment court (2), peer court (7), homeless court (1), and restorative justice court (1);
- Awards ranged from \$7,744 to \$62,000. The median award amount was \$21,500, and the modal<sup>2</sup> award amount was \$27,000 (9);
- Funded courts range in size from 2 judicial position equivalents to 589 JPEs; the median court size is 14 JPEs and the modal court size is 3 JPEs (6);
- On average, courts project approximately 60 participants per court project; this number excludes the 6 largest projects, which average 545 participants per court; and
- The spend-out rate<sup>3</sup> for this grant in 2003–2004 was 96 percent. Final invoices for 2004–2005 are due September 15, 2005. Staff project a spend-out rate of approximately 95 percent for project year 2004–2005.

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<sup>2</sup> Relating to or constituting the most frequent value in a distribution.

<sup>3</sup> The percentage amount of the total grant funding that was expended by the participating court projects.

Attachment 2 Overview of Caseload Based Formula: 2005-2006

2005-2006 Collaborative and Drug Court Projects Program Funding Level Formula

Program Focus Category	Base Amount	Number of Total Program(s) Participants						Enhancement	
		500+	200 – 499	100 – 199	50 – 99	20 – 49	5 – 19	25+	10 – 24
Treatment Court	\$12,000	\$35,000	\$25,000	\$15,000	\$10,000	\$5,000	\$0	\$5,000	\$3,000
Education / Non-treatment Program	\$12,000	\$18,000	\$13,000	\$8,000	\$5,000	\$3,000	\$0	\$3,000	\$2,000

Instructions:

**1. Program Focus Category** - Nature of services directly related to the number of participants in treatment or education as the primary focus of the proposed program.

**2. Base Amount** - This amount provides for a court minimum base funding level and for court planning programs. All courts that apply and qualify for funding will at least receive this base funding level.

**3. Number of Total Program(s) Participants** - Number of total participants directly served by the grant program:

- a. Establish this number
- b. Match it with the appropriate Program Focus Category
- c. Add the matching funding amount to the Base Amount - **this is your eligible maximum funding level**

**\*Example: \$12,000 (Base) + \$15,000 (Treatment Program Focus with 125 program participants) = \$27,000 eligible maximum funding level**

**4. Enhancement** - If program(s) want to serve additional participants beyond their current capacity level during the grant program. Minimum of 10 additional participants is required for enhancement funding.

**\*Example: \$12,000 (Base) + \$15,000 (Treatment Program Focus w/ 125 program participants) + \$3,000 (increase number of participants by 15) = \$30,000 eligible maximum funding level**

5. Court Calculation:	Base	Program	Enhance	Maximum Funding Level
	\$12,000	\$0	\$0	\$12,000

**Attachment 3 Allocation Summary: 2004-2005 and 2005-2006**  
**Collaborative and Drug Court Projects Grant Awards**  
**Fiscal Year 2004-2005 and 2005-2006**

	County	2004-2005			2005-2006			
		JPEs <sup>1</sup>	Allocation Based on Formula	Court Funding Request <sup>2</sup>	Final Funding Allocation <sup>3,4</sup>	Allocation Based on Formula <sup>5</sup>	Court Funding Request	Projected Final Funding Allocation <sup>6,7</sup>
1	Alameda	85	\$30,000	\$30,000	\$32,000	\$45,000	\$45,000	\$42,000
2	Amador	3	\$13,000	\$13,000	\$14,000	\$20,000	\$18,200	\$17,450
3	Butte	12	\$20,000	\$0	\$0	\$47,000	\$47,000	\$44,000
4	Calaveras	3	\$13,000	\$0	\$0	Did not submit intent to apply notification for 05-06 grant		
5	Colusa	3	\$13,000	\$13,000	\$14,000	\$20,000	\$20,000	\$18,500
6	Contra Costa	47	\$25,000	\$25,000	\$27,000	\$40,000	\$40,000	\$37,000
7	El Dorado	9	\$20,000	\$20,000	\$21,000	\$17,000	\$17,000	\$16,250
8	Fresno	45	\$25,000	\$25,000	\$27,000	\$30,000	\$30,000	\$27,400
9	Glenn	3	\$13,000	\$0	\$0	\$17,000	\$17,000	\$16,250
10	Humboldt	8	\$20,000	\$20,000	\$21,000	\$20,000	\$20,000	\$18,500
11	Inyo	3	\$13,000	\$13,000	\$14,000	\$12,000	\$12,000	\$12,000
12	Kern	41	\$25,000	\$25,000	\$27,000	\$15,000	\$15,000	\$15,000
13	Lassen	3	Did not submit intent to apply notification for 04-05 grant			\$17,000	\$17,000	\$16,250
14	Los Angeles	590	\$60,000	\$60,000	\$62,000	\$47,000	\$47,000	\$44,000
15	Madera	9	\$20,000	\$20,000	\$21,000	\$25,000	\$25,000	\$23,000
16	Marin	16	\$20,000	\$20,000	\$21,500	\$17,000	\$17,000	\$16,250
17	Mendocino	10	\$20,000	\$20,000	\$21,000	\$22,000	\$20,000	\$18,500
18	Merced	11	\$20,000	\$20,000	\$21,500	\$17,000	\$17,000	\$16,250
19	Modoc	2	\$13,000	\$13,000	\$14,000	\$17,000	\$15,000	\$15,000
20	Monterey	20	Did not submit intent to apply notification for 04-05 grant			\$20,000	\$20,000	\$18,500
21	Napa	8	\$20,000	\$16,800	\$16,800	\$27,000	\$27,000	\$25,000
22	Nevada	7	\$17,000	\$17,000	\$18,000	\$12,000	\$12,000	\$12,000
23	Orange	144	\$45,000	\$45,000	\$47,000	\$47,000	\$47,000	\$44,000
24	Placer	14	\$20,000	\$19,350	\$20,736	\$48,000	\$48,000	\$45,000
25	Plumas	3	\$13,000	\$13,000	\$14,000	\$17,000	\$17,000	\$16,250
26	Riverside	69	\$30,000	\$30,000	\$32,000	\$25,000	\$25,000	\$23,000
27	Sacramento	69	\$30,000	\$29,394	\$31,394	\$17,000	\$17,000	\$16,250
28	San Bernardino	80	\$30,000	\$30,000	\$32,000	\$27,000	\$27,000	\$25,000
29	San Diego	154	\$45,000	\$45,000	\$47,000	\$47,000	\$47,000	\$44,000
30	San Francisco	64	\$30,000	\$30,000	\$32,000	\$30,000	\$30,000	\$27,400
31	San Joaquin	30	\$25,000	\$25,000	\$27,000	\$22,000	\$22,000	\$20,500
32	San Luis Obispo	15	\$20,000	\$20,000	\$21,500	\$17,000	\$17,000	\$16,250
33	San Mateo	33	\$25,000	\$25,000	\$27,000	\$27,000	\$27,000	\$25,000
34	Santa Barbara	24	\$25,000	\$25,000	\$27,000	\$37,000	\$37,000	\$34,000
35	Santa Clara	89	\$30,000	\$30,000	\$32,000	\$22,000	\$22,000	\$20,500
36	Santa Cruz	14	\$20,000	\$20,000	\$21,500	\$25,000	\$25,000	\$23,000
37	Shasta	11	\$20,000	\$20,000	\$21,500	\$25,000	\$25,000	\$23,000
38	Sierra	3	\$13,000	\$13,000	\$14,000	\$12,000	\$12,000	\$12,000
39	Siskiyou	5	\$17,000	\$17,000	\$18,000	\$22,000	\$22,000	\$20,500
40	Solano	22	\$25,000	\$25,000	\$27,000	\$22,000	\$22,000	\$20,500

**Attachment 3 Allocation Summary: 2004-2005 and 2005-2006  
Collaborative and Drug Court Projects Grant Awards  
Fiscal Year 2004-2005 and 2005-2006**

	County	JPEs <sup>1</sup>	2004–2005			2005–2006		
			Allocation Based on Formula	Court Funding Request <sup>2</sup>	Final Funding Allocation <sup>3,4</sup>	Allocation Based on Formula <sup>5</sup>	Court Funding Request	Projected Final Funding Allocation <sup>6,7</sup>
41	Sonoma	22	\$25,000	\$25,000	\$27,000	\$28,000	\$28,000	\$26,000
42	Stanislaus	22	Did not submit intent to apply notification for 04–05 grant			\$27,000	\$27,000	\$25,000
43	Trinity	3	\$13,000	\$13,000	\$14,000	\$17,000	\$17,000	\$16,250
44	Tuolumne	5	\$17,000	\$17,000	\$18,000	\$22,000	\$22,000	\$20,500
45	Ventura	32	\$25,000	\$25,000	\$27,000	\$22,000	\$22,000	\$20,500
46	Yolo	12	\$20,000	\$19,440	\$20,826	\$17,000	\$17,000	\$16,250
47	Yuba	6	\$17,000	\$7,744	\$7,744	\$17,000	\$17,000	\$16,250
<b>Totals</b>			<b>\$1,000,000</b>	<b>\$939,728</b>	<b>\$1,000,000</b>	<b>\$1,143,000</b>	<b>\$1,137,200</b>	<b>\$1,066,000</b>

1. JPEs – Judicial Position Equivalents

2. \$0 Funding request represents courts that decided to not apply after notifying of intent to apply.

3. 2004–2005 Total Available Grant Funding Amount – \$1,000,000

4. Increased 2004–2005 final funding allocations were available to participating courts due to the 3 courts (Butte, Calaveras, Glenn) that decided to not apply.

5. 2005–2006 Allocation Based on Formula - Allocations exceed funding base due to larger number of applications than in prior years. Final allocation is subject to modification based on available funding.

6. 2005–2006 Total Available Grant Funding Amount – \$1,066,000

7. 2005–2006 projected funding is subject to final review of applications and budgets. Proposed reductions to final allocations, listed below, are due to larger number of applications than in prior years, as follows: 2005-2006 court funding requests of \$35,000 and above reduced by \$3,000; 2005–2006 court funding requests of \$30,000 to \$34,999 reduced by \$2,600; 2005–2006 court funding requests of \$25,000 to \$29,999 reduced by \$2,000; 2005–2006 court funding requests of \$20,000 to \$24,999 reduced by \$1,500; 2005–2006 court funding requests of \$15,001 to \$19,999 reduced by \$750; 2005–2006 court funding requests of \$15,000 and below no reduction.

## **Attachment 4**

# **Guiding Principles of Collaborative Justice Courts**

The Collaborative Justice Courts Advisory Committee identified the following 11 essential components, or guiding principles, of collaborative justice courts. They are based on the Ten Key Components of Drug Courts as recognized by the National Drug Court Institute:

1. Integrate services with justice system processing;
2. Achieve the desired goals without the use of the traditional adversarial process;
3. Intervene early, and promptly place participants in the collaborative justice court program;
4. Provide access to a continuum of services, including treatment and rehabilitation services;
5. Use a coordinated strategy that governs the court's responses to participants' compliance, using a system of sanctions and incentives to foster compliance;
6. Use ongoing judicial interaction with each collaborative justice court participant;
7. Use monitoring and evaluation to measure the achievement of program goals and to gauge effectiveness;
8. Ensure continuing interdisciplinary education;
9. Forge partnerships among collaborative justice courts, public agencies, and community-based organizations to increase the availability of services;
10. Enhance the program's effectiveness and generate local support; and
11. Emphasize team and individual commitments to cultural competency.

## Attachment 5

### Timeline for Grant Application and Distribution

ACTIVITY	DATE
<p><b>Grant Funding Subcommittee, Collaborative Justice Courts Advisory Committee Review and Approval</b></p> <ul style="list-style-type: none"> <li>Review and approve modified formulaic allocation method where grant awards to the courts will be based on program size (i.e., number of participants served during the grant period)</li> <li>Review language that would be inserted into the grant application clearly stipulating that the funding is contingent on the passing of the State Budget and the Judicial Council's authorization to administer the grant</li> </ul>	<p><b>06/30/05 (Completed)</b></p>
<p><b>Notification of Intent and Grant Application Period</b></p> <ul style="list-style-type: none"> <li><b>7/8/05</b> – Grant announcement and application packet sent to courts</li> <li><b>7/25/05</b> – Deadline for courts to notify AOC of their intention to apply</li> <li><b>7/26/05</b> – Courts notified of funding levels for which they are eligible</li> <li><b>8/12/05</b> – Deadline for the courts to submit grant applications</li> </ul>	<p><b>7/8/05 to 8/12/05 (Completed)</b></p>
<p><b>Review of Applications</b></p>	<p><b>8/15/05 to 8/29/05 (Completed)</b></p>
<p><b>JCC Executive and Planning Committee Review and Authorization</b></p> <ul style="list-style-type: none"> <li>Collaborative and Drug Court Project Grants Under the 2005–2006 Budget Act Report will be submitted for review and request for grant program authorization</li> </ul>	<p><b>9/21/05</b></p>
<p><b>Notification of Awards and Grant Program Authorization Announcement</b></p>	<p><b>10/05</b></p>
<p><b>Distribution of Court Grant Contracts (Projection)</b></p> <ul style="list-style-type: none"> <li>Grant contracts will be distributed to the courts electronically by AOC Business Services</li> </ul>	<p><b>10/05</b></p>