



## Judicial Council of California. Administrative Office of the Courts

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 27, 2010

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Title	Agenda Item Type
Child Support: Fiscal Year 2010–2011 Base Funding Allocation for Child Support Commissioner and Family Law Facilitator Program	Action Required
	Effective Date
	July 1, 2010
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	July 16, 2010
Recommended by	Contact
Family and Juvenile Law Advisory Committee	Michael Wright, 415-865-7619 <a href="mailto:michael.wright@jud.ca.gov">michael.wright@jud.ca.gov</a>
Hon. Jerilyn L. Borack, Cochair	
Hon. Susan D. Huguenor, Cochair	

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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 2010–2011. 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). These funds pay the salaries and benefits of child support commissioners, family law facilitators, and 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 is from the state General Fund (non-trial court funding). The courts may also use local court funds up to an approved amount to draw down or qualify for federal matching funds.

## **Recommendation**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective retroactively to July 1, 2010:

1. Approve the allocation for funding of child support commissioners for fiscal year 2010–2011, subject to the state Budget Act; and
2. Approve the allocation for funding of family law facilitators for fiscal year 2010–2011, subject to the state Budget Act.

## **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. A cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council provides the funds for this program. Two-thirds of the funds are federal, and one-third is from the state General Fund (non–trial court funding). In addition, in Fiscal Year 2007–2008, DCSS and the Administrative Office of the Courts (AOC) provided a mechanism for the courts to recover two-thirds of additional program costs beyond the contract maximum covered by use of local trial court funds. This federal drawdown option continues to be available for Fiscal Year 2010–2011.

## **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 to each court requesting the information needed to evaluate appropriate funding levels for any exceptional needs.

In addition to the base allocation funding, DCSS and the 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 drawdown option will continue to be available for fiscal year 2010–2011. 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 staff that the funding available for the base allocations for fiscal year 2010–2011 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. Minor upward adjustment was made for one court on the commissioner side of the program to allow for completion of an electronic filing project begun last fiscal year. Under the standard allocation procedures for this program, the

request was reviewed by a workgroup consisting of local court staff and the Family and Juvenile Law Advisory Committee. Both of these groups unanimously recommended the proposed allocations.

Funding for fiscal year 2010–2011 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 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 committee approval process for program funding provides for 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 would need to provide the one-third share of the court's total cost to draw down two-thirds of total expenditures through federal participation.

### **Attachments**

1. Child Support Commissioner Program: Fiscal Year 2010–2011 Base Allocation at page 4
2. Family Law Facilitator Program: Fiscal Year 2010–2011 Base Allocation at page 5

**Child Support Commissioner Program: Fiscal Year 2010-2011 Base Allocation**

<b>Commissioner Program</b>						
<b>County Name</b>	<b>Base Allocation FY 10-11</b>	<b>Federal Drawdown Allocation</b>	<b>Federal Drawdown Match</b>	<b>Local Trial Court Match</b>	<b>Total Recommended Allocation for Base FY 10-11</b>	<b>Contract Amount</b>
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	26,813	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	59,031
Contra Costa	1,041,088	431,758	284,961	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	225,474	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	10,719	5,522	96,642	91,119
Kern	662,792	274,872	181,416	93,457	937,665	844,208
Kings	301,993	125,242	82,660	42,582	427,236	384,653
Lake	161,825	17,818	11,760	6,058	179,642	173,584
Lassen	97,402	40,394	26,660	13,734	137,797	124,062
Los Angeles	5,229,183	2,168,640	1,431,302	737,338	7,397,823	6,660,486
Madera	220,958	91,636	60,479	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	154,110	79,390	796,534	717,144
Mono	45,878	19,027	12,558	6,469	64,905	58,436
Monterey	381,148	158,069	104,326	53,744	539,217	485,474
Napa	184,762	76,624	50,572	26,052	261,386	235,334
Nevada/Sierra	341,737	141,725	93,538	48,186	483,462	435,275
Orange	2,332,104	742,335	489,941	252,394	3,074,438	2,822,044
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	272,017	140,130	1,405,948	1,265,818
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	1,063,346	701,808	361,538	3,675,842	3,314,305
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	237,084	156,475	80,608	944,889	864,280
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	575,068	517,752
Santa Barbara	473,188	196,240	129,518	66,722	669,428	602,707
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	92,243	47,519	677,849	630,330
Sonoma	501,158	207,840	137,174	70,665	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	13,353	133,969	120,616
Tulare	567,579	-	-	-	567,579	567,579
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	280,685	252,709
Yuba	204,111	84,649	55,868	28,781	288,760	259,980
<b>Total</b>	<b>32,422,915</b>	<b>12,232,973</b>	<b>8,073,762</b>	<b>4,159,211</b>	<b>44,655,888</b>	<b>40,496,677</b>
<b>Total amount to be allocated</b>					<b>44,655,888</b>	
			CSC Allocation		44,655,888	
			FLF Allocation		15,239,310	
			Total FY 09-10 Base Allocation		\$ 59,895,198	

**Family Law Facilitator Program: Fiscal Year 2010-2011 Base Allocation**

Family Law Facilitator Program						
County Name	Base Allocation FY 10-11	Federal Drawdown Allocation	Federal Drawdown Match	Local Trial Court Match	Total Recommended Allocation for Base FY 10-11	Contract Amount
Alameda	378,689	147,333	97,240	50,093	526,022	475,929
Butte	106,361	41,381	27,311	14,069	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	80,104	41,266	473,325	432,059
Del Norte	51,025	3,836	2,532	1,304	54,861	53,557
El Dorado & Alpine	108,208	42,099	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	23,370	12,039	126,418	114,380
Imperial	53,696	20,891	13,788	7,103	74,587	67,484
Inyo	58,356	22,704	14,985	7,719	81,060	73,340
Kern	360,724	140,343	92,627	47,717	501,067	453,351
Kings	59,521	23,157	15,284	7,873	82,678	74,804
Lake	60,176	23,412	15,452	7,960	83,588	75,628
Lassen	114,218	44,438	29,329	15,109	158,655	143,546
Los Angeles	1,919,748	746,897	492,952	253,945	2,666,645	2,412,700
Madera	84,212	32,763	21,624	11,140	116,975	105,835
Marin	142,765	55,544	36,659	18,885	198,309	179,424
Mariposa	47,444	18,458	12,183	6,276	65,902	59,626
Mendocino	62,906	24,474	16,153	8,321	87,380	79,059
Merced	102,841	40,011	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	31,138	16,041	168,440	152,399
Orange	548,204	213,284	140,768	72,517	761,488	688,972
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	395,214
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	138,235	71,212	827,786	756,574
San Francisco	250,278	97,373	64,266	33,107	347,651	314,544
San Joaquin	223,447	86,934	57,377	29,558	310,381	280,824
San Luis Obispo	68,258	26,556	17,527	9,029	94,814	85,785
San Mateo	132,541	51,566	34,034	17,533	184,107	166,575
Santa Barbara	173,388	67,458	44,522	22,936	240,846	217,910
Santa Clara	452,550	176,069	116,205	59,863	628,619	568,755
Santa Cruz	75,502	29,375	19,387	9,987	104,877	94,889
Shasta	164,364	63,948	42,205	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	169,558
Sonoma	140,715	54,747	36,133	18,614	195,462	176,848
Stanislaus	228,981	89,087	58,798	30,290	318,068	287,778
Sutter	67,457	26,245	17,321	8,923	93,701	84,778
Tehama	28,530	2,559	1,689	870	31,089	30,219
Trinity	25,483	9,914	6,543	3,371	35,397	32,026
Tulare	320,325	109,329	72,157	37,172	429,654	392,482
Tuolumne	67,457	26,245	17,321	8,923	93,701	84,778
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	92,918	84,069
<b>Total</b>	<b>11,108,647</b>	<b>4,130,663</b>	<b>2,726,238</b>	<b>1,404,425</b>	<b>15,239,310</b>	<b>13,834,885</b>
<b>Total amount to be allocated</b>					<b>\$ 15,239,310</b>	