



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: April 29, 2011

Title	Agenda Item Type
Child Support Commissioner and Family Law Facilitator Program: Midyear Funding Reallocation for Fiscal Year 2010–2011	Action Required
	Effective Date
	April 29, 2011
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	March 9, 2011
Recommended by	Contact
Family and Juvenile Law Advisory Committee	Michael Wright, 415-865-7619
Hon. Kimberly J. Nystrom-Geist, Cochair	michael.wright@jud.ca.gov
Hon. Dean Stout, Cochair	

Executive Summary

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve the reallocation of funding for the Child Support Commissioner and Family Law Facilitator Program for fiscal year 2010–2011. Under an established procedure described in the standard agreement with each superior court, the Judicial Council at midyear redistributes to courts that have a documented need for additional funds any unallocated funds and any available funds from courts that are projected not to spend their full grants. The courts are also offered an option to 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 April 29, 2011:

1. Approve the reallocation for funding of child support commissioners for fiscal year 2010–2011, subject to the state Budget Act; and
2. Approve the reallocation 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 annually to 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). Any funds left unspent during the fiscal year revert to the state General Fund and cannot be used in subsequent years.

Under an established procedure described in the standard agreement with each superior court, the Judicial Council at midyear redistributes to courts that have a documented need for additional funds any unallocated funds and any available funds from courts that are projected not to spend their full grants. In addition, in FY 2007–2008, DCSS and the Administrative Office of the Courts 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 FY 2010–2011.

Rationale for Recommendation

The midyear reallocation process is a review of each court's program funding, conducted once each fiscal year to determine if any adjustment is warranted. Midyear reallocation is primarily designed to meet one-time, nonrecurring special needs, such as equipment purchases and temporary help to clear work backlogs. However, due to the limited amount of funds available for reallocation this year, priority for reallocating has been given to courts that need additional funds to maintain current service levels due to the increased costs of doing business. In FY 2007–2008, an additional procedure—the federal drawdown option—was put in place to assist in covering the cost of maintaining current program service levels through the use of local trial court funds spent beyond the current contract maximum and used as a match to obtain additional federal funds for the program.

At the beginning of the current fiscal year, seven courts voluntarily reduced the court contract amount for the Child Support Commissioner Program, resulting in \$479,722 in funds (federal drawdown option) for the program. Three courts voluntarily reduced the court contract amount for the Family Law Facilitator Program, resulting in \$224,607 in funds (federal drawdown option) for this program. These funds were held in reserve for redistribution during the midyear reallocation process. In addition, two courts have volunteered to return a total of \$197,113 for the Child Support Commissioner Program and one court \$71,450 for the Family Law Facilitator Program as a result of the midyear reallocation process. Funds allocated at the beginning of this

fiscal year under the federal drawdown option but returned by courts that would be unable to use all of these funds are also proposed for reallocation during this midyear process.

Under an established procedure described in the standard agreement with each superior court, a questionnaire is sent to each court requesting the information needed to evaluate appropriate funding levels. In addition to compiling questionnaire responses, AOC staff gather information on each court's historical spending patterns and calculate projected spending based on invoices received to date for the current fiscal year. Review workgroups and the Family and Juvenile Law Advisory Committee then recommend proposed funding changes. The criteria for consideration of court requests are based on need, the amount of funds available for redistribution, historical spending patterns, workload, and staffing levels. Funds taken from courts with a historical pattern of underspending, funds voluntarily returned, and funds held in reserve are redistributed to courts with documented needs.

This midyear reallocation process ensures that the highest proportion of total funds allocated to the courts is spent where funding is needed. This process also minimizes the amount of unspent funds that revert to the state General Fund.

A total of \$676,835 from all child support program grant sources was available for reallocation to the child support commissioner component of the program. A total of 28 courts requested no change to their allocations, and 9 courts offered to return funds.

A total of \$296,057 from all child support program grant sources was available for reallocation to the family law facilitator component of the program. A total of 24 courts requested no change to their allocations, and 4 courts offered to return funds.

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. The committee considered taking no action but rejected this option because it would result in the reversion of unspent funds to the General Fund, which is inconsistent with Judicial Council goals. Also, taking no action would have deprived courts of the option of using federal financial participation to cover two-thirds of some of the existing court contributions to the program.

Implementation Requirements, Costs, and Operational Impacts

To draw down federal funds, federal provisions require 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 from federal participation.

Attachments

1. Child Support Commissioner Program Reallocation
2. Family Law Facilitator Program Reallocation

Child Support Commissioner Program

County Name	A Beg. Base Funding Allocation FY 2010-2011	B Beg. Federal Option Drawdown FY 2010-2011 (C + D)	C Federal Draw Match (B x 66%)	D Local Trial Court Match (B x 34%)	E Beg. Total Base Allocation (A + B)	F Mid- Year Change to Base	G Recommen ded Change to Federal Drawdown Option (H + I)	H Change to Federal Draw Match (G x 66%)	I Change to Local Trial Court Match (G x 34%)	J Total Recommended Allocation (E + F + G)
Alameda	1,083,753	449,453	296,639	152,814	1,533,206			-	-	1,533,206
Amador	146,306	38,144	25,175	12,969	184,450			-	-	184,450
Butte	373,375	40,625	26,813	13,813	414,000			-	-	414,000
Calaveras	137,084	33,651	22,210	11,441	170,735			-	-	170,735
Colusa	47,213	17,907	11,819	6,088	65,120			-	-	65,120
Contra Costa	1,041,088	431,758	284,960	146,798	1,472,846			-	-	1,472,846
Del Norte	49,603	20,571	13,577	6,994	70,174			-	-	70,174
El Dorado	211,940	87,895	58,011	29,884	299,835		30,000	19,800	10,200	329,835
Fresno	1,599,054	663,157	437,684	225,473	2,262,211		50,000	33,000	17,000	2,312,211
Glenn	121,753	50,493	33,325	17,168	172,246		25,000	16,500	8,500	197,246
Humboldt	126,262	52,363	34,560	17,803	178,625			-	-	178,625
Imperial	168,110	69,718	46,014	23,704	237,828			-	-	237,828
Inyo	80,400	16,242	10,720	5,522	96,642			-	-	96,642
Kern	662,792	274,872	181,416	93,456	937,664		33,835	22,331	11,504	971,499
Kings	301,993	125,242	82,660	42,582	427,235		20,000	13,200	6,800	447,235
Lake	161,825	17,818	11,760	6,058	179,643			-	-	179,643
Lassen	97,402	40,394	26,660	13,734	137,796			-	-	137,796
Los Angeles	5,229,183	2,168,640	1,431,302	737,338	7,397,823			-	-	7,397,823
Madera	220,958	91,636	60,480	31,156	312,594		25,000	16,500	8,500	337,594
Marin	154,263	-	-	-	154,263			-	-	154,263
Mariposa	78,463	28,614	18,885	9,729	107,077			-	-	107,077
Mendocino	177,620	23,245	15,342	7,903	200,865			-	-	200,865
Merced	563,034	233,501	154,111	79,390	796,535			-	-	796,535
Modoc	-	-	-	-	-	-		-	-	-
Mono	45,878	12,546	8,280	4,266	58,424		(3,631)	(2,396)	(1,235)	54,793
Monterey	381,148	158,069	104,326	53,743	539,217			-	-	539,217
Napa	184,762	76,624	50,572	26,052	261,386		40,000	26,400	13,600	301,386
Nevada	341,737	141,725	93,539	48,187	483,462			-	-	483,462
Orange	2,332,104	742,335	489,941	252,394	3,074,439		60,000	39,600	20,400	3,134,439
Placer	376,931	143,203	94,514	48,689	520,134			-	-	520,134
Plumas	96,230	10,470	6,910	3,560	106,700			-	-	106,700
Riverside	993,801	92,875	61,298	31,578	1,086,676			-	-	1,086,676
Sacramento	1,059,488	439,389	289,997	149,392	1,498,877		58,000	38,280	19,720	1,556,877
San Benito	139,890	58,015	38,290	19,725	197,905			-	-	197,905
San Bernardino	2,612,496	1,063,346	701,808	361,538	3,675,842			-	-	3,675,842
San Diego	1,817,325	753,679	497,428	256,251	2,571,004		170,000	112,200	57,800	2,741,004
San Francisco	915,399	456,194	301,088	155,106	1,371,593			-	-	1,371,593
San Joaquin	707,805	237,084	156,475	80,609	944,889		(193,482)	(127,698)	(65,784)	751,407
San Luis Obispo	231,781	96,124	63,442	32,682	327,905			-	-	327,905
San Mateo	406,490	168,579	111,262	57,317	575,069			-	-	575,069
Santa Barbara	473,188	196,240	129,518	66,722	669,428			-	-	669,428
Santa Clara	1,753,316	459,901	303,535	156,366	2,213,217		55,000	36,300	18,700	2,268,217
Santa Cruz	192,813	71,727	47,340	24,387	264,540			-	-	264,540
Shasta	434,666	180,264	118,974	61,290	614,930			-	-	614,930
Siskiyou	239,481	99,317	65,549	33,768	338,798			-	-	338,798
Solano	538,088	139,761	92,242	47,519	677,849			-	-	677,849
Sonoma	501,158	207,840	137,174	70,666	708,998		50,000	33,000	17,000	758,998
Stanislaus	804,403	174,194	114,968	59,226	978,597			-	-	978,597
Sutter	200,534	83,165	54,889	28,276	283,699			-	-	283,699
Tehama	94,696	39,272	25,920	13,352	133,968			-	-	133,968
Trinity	-	-	-	-	-	-		-	-	-
Tulare	567,579	-	-	-	567,579		30,000	19,800	10,200	597,579
Tuolumne	165,412	68,600	45,276	23,324	234,012		30,000	19,800	10,200	264,012
Ventura	578,328	239,844	158,297	81,547	818,172			-	-	818,172
Yolo	198,404	82,282	54,306	27,976	280,686			-	-	280,686
Yuba	204,111	84,649	55,868	28,781	288,760			-	-	288,760
Total	32,422,916	11,753,252	7,757,146	3,996,106	44,176,168	-	479,722	316,617	163,105	44,655,890
Funds returned beginning of FY				479,722						
Funds returned midyear				197,113						
Total Available for reallocation				676,835						

Family Law Facilitator Program

County Name	A Beg. Base Funding Allocation FY 2010-2011	B Beg. Federal Option Drawdown FY 2010-2011 (C + D)	C Federal Draw Match (B x 66%)	D Local Trial Court Match (B x 34%)	E Beg. Total Base Allocation (A + B)	F Mid-Year Change to Base	G Recommend ed Change to Federal Drawdown Option (H + I)	H Change to Federal Draw Match (G x 66%)	I Change to Local Trial Court Match (G x 34%)	J Total Recommended Allocation (E + F + G)	K Contract Amount (A + F + ((B+G)*.66)
Alameda	378,689	147,333	97,240	50,093	526,022			-	-	526,022	475,929
Amador	-	-	-	-	-			-	-	-	-
Butte	106,361	41,381	27,311	14,070	147,742			-	-	147,742	133,672
Calaveras & Amador	122,518	7,800	5,148	2,652	130,318			-	-	130,318	127,666
Colusa	53,696	20,891	13,788	7,103	74,587			-	-	74,587	67,484
Contra Costa	351,955	121,369	80,104	41,265	473,324			-	-	473,324	432,059
Del Norte	51,025	3,836	2,532	1,304	54,861			-	-	54,861	53,557
El Dorado & Alpine	108,208	42,099	27,785	14,314	150,307			-	-	150,307	135,993
Fresno	400,760	155,920	102,907	53,013	556,680			-	-	556,680	503,667
Glenn	77,359	30,097	19,864	10,233	107,456			-	-	107,456	97,223
Humboldt	91,010	35,408	23,369	12,039	126,418			-	-	126,418	114,379
Imperial	53,696	20,891	13,788	7,103	74,587			-	-	74,587	67,484
Inyo	58,356	22,704	14,985	7,719	81,060			-	-	81,060	73,341
Kern	360,724	140,343	92,626	47,717	501,067			-	-	501,067	453,350
Kings	59,521	23,157	15,284	7,873	82,678			-	-	82,678	74,805
Lake	60,176	23,412	15,452	7,960	83,588			-	-	83,588	75,628
Lassen	114,218	44,438	29,329	15,109	158,656			-	-	158,656	143,547
Los Angeles	1,919,748	746,897	492,952	253,945	2,666,645			-	-	2,666,645	2,412,700
Madera	84,212	32,763	21,624	11,139	116,975			-	-	116,975	105,836
Marin	142,765	55,544	36,659	18,885	198,309			-	-	198,309	179,424
Mariposa	47,444	7,089	4,679	2,410	54,533			-	-	54,533	52,123
Mendocino	62,906	24,474	16,153	8,321	87,380			-	-	87,380	79,059
Merced	102,841	40,011	26,407	13,604	142,852			-	-	142,852	129,248
Modoc	74,019	-	-	-	74,019			-	-	74,019	74,019
Mono	49,145	-	-	-	49,145			-	-	49,145	49,145
Monterey	122,806	47,779	31,534	16,245	170,585			-	-	170,585	154,340
Napa	62,906	24,474	16,153	8,321	87,380		44,823	29,583	15,240	132,203	108,642
Nevada & Sierra	121,262	47,178	31,137	16,041	168,440		21,571	14,237	7,334	190,011	166,637
Orange	548,204	213,284	140,767	72,517	761,488			-	-	761,488	688,971
Placer	91,460	35,583	23,485	12,098	127,043			-	-	127,043	114,945
Plumas	58,356	-	-	-	58,356			-	-	58,356	58,356
Riverside	675,903	55,493	36,625	18,868	731,396			-	-	731,396	712,528
Sacramento	314,465	122,346	80,748	41,598	436,811		51,433	33,946	17,487	488,244	429,159
San Benito	62,906	24,474	16,153	8,321	87,380		-	-	-	87,380	79,059
San Bernardino	466,563	181,521	119,804	61,717	648,084			-	-	648,084	586,367
San Diego	618,339	209,446	138,234	71,212	827,785		126,039	83,186	42,853	953,824	839,759
San Francisco	250,278	97,373	64,266	33,107	347,651			-	-	347,651	314,544
San Joaquin	223,447	86,934	57,376	29,558	310,381		(71,450)	(47,157)	(24,293)	238,931	233,666
San Luis Obispo	68,258	26,556	17,527	9,029	94,814			-	-	94,814	85,785
San Mateo	132,541	51,566	34,034	17,532	184,107			-	-	184,107	166,575
Santa Barbara	173,388	67,458	44,522	22,936	240,846			-	-	240,846	217,910
Santa Clara	452,550	176,069	116,206	59,863	628,619		28,997	19,138	9,859	657,616	587,894
Santa Cruz	75,502	29,375	19,388	9,988	104,877			-	-	104,877	94,890
Shasta	164,364	63,948	42,206	21,742	228,312			-	-	228,312	206,570
Siskiyou	77,808	30,272	19,980	10,292	108,080			-	-	108,080	97,788
Solano	134,914	52,490	34,643	17,847	187,404			-	-	187,404	169,557
Sonoma	140,715	54,747	36,133	18,614	195,462			-	-	195,462	176,848
Stanislaus	228,981	89,087	58,797	30,290	318,068			-	-	318,068	287,778
Sutter	67,457	26,245	17,322	8,923	93,702			-	-	93,702	84,779
Tehama	28,530	2,559	1,689	870	31,089			-	-	31,089	30,219
Trinity	25,483	9,914	6,543	3,371	35,397		23,194	15,308	7,886	58,591	47,334
Tulare	320,325	109,329	72,157	37,172	429,654			-	-	429,654	392,482
Tuolumne	67,457	26,245	17,322	8,923	93,702			-	-	93,702	84,779
Ventura	257,427	100,154	66,102	34,052	357,581			-	-	357,581	323,529
Yolo	77,808	30,272	19,980	10,292	108,080			-	-	108,080	97,788
Yuba	66,892	26,025	17,177	8,849	92,917			-	-	92,917	84,069
Total	11,108,647	3,906,053	2,577,995	1,328,058	15,014,700	-	224,607	148,241	76,366	15,239,307	13,834,883

Funds returned beginning of FY	224,607
Funds returned midyear	71,450
Total Available for reallocation	296,057