



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 21, 2015

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Title	Agenda Item Type
Collaborative Justice: Recommended Allocations of Fiscal Year 2015–2016 Substance Abuse Focus Grants	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	August 21, 2015
Recommended by	Date of Report
Collaborative Justice Courts Advisory Committee	August 12, 2015
Hon. Richard Vlavianos, Chair	Contact
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### Executive Summary

The Collaborative Justice Courts Advisory Committee recommends that funding allocations for Collaborative Justice Courts Substance Abuse Focus Grants, through the California Collaborative and Drug Court Projects in the Budget Act of 2015 (Stats. 2015, ch. 10; § 45.55.020, item 0250-101-0001), and the Dependency Drug Court Augmentation to the Substance Abuse Focus Grants, through the federal Court Improvement Program funds for fiscal (FY) year 2015–2016 [item 0250-101-0890], be distributed to court programs as proposed in the attached table. This report details the committee’s recommendations for funding programs in 50 courts for FY 2015–2016 with these annual grants distributed by the Judicial Council to expand or enhance promising collaborative justice programs around the state.

### Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective August 21, 2015, approve the distribution of Collaborative Justice Courts Substance Abuse Focus Grants for 2015–2016 as proposed in the last column of the attached table (see Attachment C), *Allocation Summary: Fiscal Years 2014–2015 and 2015–2016*.

## **Previous Council Action**

The Judicial Council has approved the annual funding allocation for the Substance Abuse Focus Grants since FY 1998–1999. In November 2005, at the recommendation of the Collaborative Justice Courts Advisory Committee, the Judicial Council approved a Caseload-Based Funding-Level Formula for distributing the funds, as shown on the grant calculation worksheet in Attachment B. Grant funds from the federal Court Improvement Program were made available as an augmentation to the Substance Abuse Focus Grants by the U.S. Department of Health and Human Services, Administration for Children and Families in July 2014.

## **Rationale for Recommendation**

### **Substance abuse focus grant**

This year's funding authorization for the annual grants comes from a legislative mandate under California Collaborative and Drug Court Projects in the Budget Act of 2015, as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2015–2016 in allocation amounts calculated with the same formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2015–2016 State Budget allocates \$1.16 million for these projects. This is the same level of funding that was allocated for the Collaborative Justice Courts Substance Abuse Focus Grants in FY 2014–2015.

As in previous years, grants are awarded to all proposed projects that meet the following criteria:

- Consistency with both the California Standards of Judicial Administration and the *Guiding Principles of Collaborative Justice Courts* (see Attachment A);
- Involvement of a local steering committee; and
- Fulfillment of statistical and financial reporting requirements for previous grant funding periods (if applicable).

As in previous years, courts were permitted to apply for grants for more than one project and at more than one site. The funding formula worksheet, which weighs total adjusted funding allocation, type of program, and number of individuals served by each program, follows this report as Attachment B.

The formula starts with the presumption that all projects that meet the grant criteria start with a base funding amount of \$12,000 per county. This base figure is then adjusted upward or downward to reflect the actual amount of total funding approved by the Legislature for the year and the number of court projects eligible for grants from those funds. Each project's adjusted base figure may then be augmented depending on the program's focus and the number of participants who may potentially benefit from the program. Programs that focus on treatment receive higher allocations than those that do not, in recognition of the intensive case management required in treatment court programs. Courts can also request grants for program planning, which

may include an augmentation for the estimated number of participants if the project will become operational before the end of the fiscal year. These adjustments combine to arrive at the algorithm applied against the year's total allocation to determine each program's grant award.

For the 2014–2015 fiscal year, the \$1.16 million allocation supported 155 court projects in 51 counties. The types of projects funded were adult drug courts (35), juvenile drug courts (18), dependency drug courts (19), peer and truancy courts (9), adult mental health/dual-diagnosis courts (15), juvenile mental health/dual-diagnosis courts (4), DUI courts (6), domestic violence courts (6), homeless courts (2), and veterans courts (10), as well as other collaborative justice court programs (18).

### **Dependency drug court augmentation grant**

Federal Court Improvement Program funds in the amount of up to \$75,000 have been made available to support dependency drug courts. In past years, the Judicial Council's Collaborative Justice Court's Advisory Committee (CJCAC) has made grants available through a formulaic distribution available to all eligible dependency drug courts requesting funding through the Substance Abuse Focus Grant program for the purpose of implementing, maintaining, enhancing, or expanding their dependency drug courts. As these augmentation funds are federal funds, this grant augmentation shall be administered in compliance with conditions set forth in part B of title VI of the Social Security Act (specifically, section 438B of the act: the approved state application and plan, including all assurances, approved amendments, and revisions) and with applicable federal regulations, program policies, and instructions. These funds augment the Substance Abuse Focus Grant awards.

### **Application process**

Judge Richard Vlavianos, chair of the Collaborative Justice Courts Advisory Committee, informed the presiding judges and court executive officers of the superior courts of this year's grant opportunity on July 8, 2015. Courts submitted project action plans, which staff of the Judicial Council's Center for Families, Children & the Courts reviewed to confirm that the proposed projects met the requirements of addressing substance abuse issues and adhering to the collaborative justice court principles; see Attachment A, *Guiding Principles of Collaborative Justice Courts*.

### **Comments, Alternatives Considered, and Policy Implications**

All program proposals that meet grant guidelines, including those for planning grants, are considered eligible for funding. The committee considered introducing a competitive process for determining which programs deserve awards, but rejected the idea because distributing funds to all qualified applicants by straight formula has proven to be an effective and efficient process.

### **Implementation Requirements, Costs, and Operational Impacts**

In FY 2010–2011, substance abuse focus grants changed from reimbursable to deliverable. Under the reimbursement model, courts were required to submit semiannual statistical data

reports and monthly invoices to receive reimbursement for their program costs. Under the deliverable model, courts now submit only basic program information, two progress reports, and two invoices. This change has streamlined the process for distributing funding to the courts, resulting in significant time savings for the courts and for the grant processing staff at the Judicial Council.

### **Relevant Strategic Plan Goals and Operational Plan Objectives**

This funding allocation enables interested courts to expand and enhance collaborative justice court programs that focus on improved services and outcomes for court users. The improvements introduced by these courts as a result of the grants help fulfill strategic plan Goal IV, Quality of Justice and Service to the Public, and operational plan Goal IV, Objective 1: “Foster excellence in public service to ensure that all court users receive satisfactory services and outcomes.”

### **Attachments**

1. Attachment A: *Guiding Principles of Collaborative Justice Courts*
2. Attachment B: *Caseload-Based Funding-Level Formula: Fiscal Year 2015–2016*
3. Attachment C: *Allocation Summary: Fiscal Years 2014–2015 and 2015–2016*

## **Guiding Principles of Collaborative Justice Courts**

Using the National Drug Court Institute's 10 key components of drug courts as a model, the Collaborative Justice Courts Advisory Committee identified 11 essential components as the guiding principles of collaborative justice courts:

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 to 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 response to participant 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 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.

**Caseload-Based Funding-Level Formula:  
2015–2016 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program**

**FUNDING CALCULATION TABLE**

Program Focus Category	Base Amount	Number of Total Program(s) Participants						Enhancement	
		5–19	20–49	50–99	100–199	200–499	500+	10–24	25+
Treatment Court	\$12,000	\$0	\$4,000	\$8,000	\$12,000	\$20,000	\$30,000	\$2,000	\$3,000
Education / Nontreatment Program	\$12,000	\$0	\$2,000	\$4,000	\$6,000	\$10,000	\$15,000	\$1,000	\$2,000

**INSTRUCTIONS**

1. **Program Focus Category:** Identify whether the primary focus of the program is on treatment or education.
  
2. **Base Amount:** Minimum base program funding level. Only one base amount can be included in funding calculation.
  
3. **Number of Total Program(s) Participants:** Number of total participants that will be directly served by the grant program for FY 15–16.
  - a. Find the number range of participants for your program.
  - b. Match it with the appropriate Program Focus Category. **Note:** For treatment-focused programs, include all participants enrolled in the program, not just the participants receiving a particular level or kind of treatment.
  - c. Add the matching funding amount to the Base Amount—**this is your maximum funding level.**

\* **Example:** \$12,000 (Base) + \$12,000 (Treatment Court Focus with 125 program participants) = \$24,000 eligible maximum funding level.
  
4. **Enhancement:** For court program(s) that will increase the maximum number of participants they can serve to be larger than their FY 14–15 program capacity.  
 A minimum of 10 additional participants is required for enhancement funding.  
 \* **Example:** \$12,000 (Base) + \$12,000 (Treatment Court Focus w/ 125 program participants) + \$2,000 (increase in program capacity from previous year by 15 additional participants) = \$26,000 eligible maximum funding level.

**CALCULATION TOOL**

<b>5. Court Calculation</b>	<b>Base</b>	<b>Treatment</b>	<b>Nontreat</b>	<b>Enhance</b>	<b>Maximum Funding Level</b>
Enter numbers here:	\$12,000	\$0	\$0	\$0	\$12,000
	<b>Total</b>				

**Note:** This tool is provided to assist courts in calculating the appropriate level of funding to request. Actual award amounts will be based upon the number of courts applying and the total allocation available in the 2015 California State Budget.

**Allocation Summary: Fiscal Years 2014–2015 and 2015–2016****Collaborative Justice Project—Substance Abuse Focus Grant and Dependency Drug Court Augmentation Awards  
(by Court)**

	County	FY 14-15 Final SAFG Funding Allocation	FY 14-15 Dependency Drug Court Augmentation Allocation	FY 14-15 Total Allocation (SAFG + DDC)	FY 15-16 Allocation Based on Formula	FY 15-16 Final SAFG Funding Allocation <sup>1</sup>	FY 15-16 Dependency Drug Court Augmentation Allocation <sup>2</sup>	FY 15-16 Total Allocation (SAFG + DDC)
1.	Alameda	\$24,855	\$1,172	\$26,027	\$35,000	\$29,304	\$3,934	\$33,238
2.	Amador	\$14,432		\$14,432	\$14,000	\$12,000		\$12,000
3.	Butte	\$25,657		\$25,657	\$32,000	\$26,792		\$26,792
4.	Calaveras	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
5.	Contra Costa	\$23,251		\$23,251	\$27,000	\$22,606		\$22,606
6.	Del Norte	\$19,242		\$19,242	\$20,000	\$16,745		\$16,745
7.	El Dorado	\$16,035	\$469	\$16,504	\$20,000	\$16,745		\$16,745
8.	Fresno	\$36,080	\$703	\$36,783	\$45,000	\$37,675	\$1,230	\$38,905
9.	Glenn	\$19,242		\$19,242	\$24,000	\$20,094		\$20,094
10.	Humboldt	\$14,432		\$14,432	\$18,000	\$15,070		\$15,070
11.	Inyo	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
12.	Kern	\$33,674		\$33,674	\$20,000	\$16,745		\$16,745
13.	Kings	\$16,035		\$16,035	\$20,000	\$16,745		\$16,745
14.	Lake	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
15.	Lassen	\$15,234		\$15,234	\$29,000	\$24,280		\$24,280
16.	Los Angeles	\$36,080	\$7,812	\$43,892	\$41,000	\$34,328	\$7,377	\$41,705
17.	Madera	\$19,242		\$19,242	\$24,000	\$20,094		\$20,094
18.	Marin	\$18,441		\$18,441	\$16,000	\$13,396		\$13,396
19.	Mendocino	\$19,242	\$2,539	\$21,781	\$26,000	\$21,768	\$3,197	\$24,965
20.	Merced	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
21.	Modoc	\$12,828	\$391	\$13,219	\$16,000	\$13,396	\$393	\$13,789
22.	Monterey	\$36,080		\$36,080	\$45,000	\$37,675		\$37,675
23.	Napa <sup>3</sup>	\$19,242	\$2,344	\$21,586				
24.	Nevada	\$19,242		\$19,242	\$24,000	\$20,094		\$20,094

<sup>1</sup> The maximum SAFG grant award is capped at \$45,000. To match the projected state allocation, the maximum allowable funding amount based on formula was adjusted downward by approximately 18% percent. The courts which requested less than the base amount or their maximum funding amount are not adjusted downward.

<sup>2</sup> Dependency Drug Court augmentation funds were allocated based on number of participants at the rate of approximately \$49.18 per person.

<sup>3</sup> The Superior Court of California, County of Placer did not apply for funding in fiscal year 2014–2015, but has applied in fiscal year 2015–2016. The Superior Court of California, Counties of Napa and Riverside did not apply for fiscal year 2015–2016.

	County	FY 14-15 Final SAFG Funding Allocation	FY 14-15 Dependency Drug Court Augmentation Allocation	FY 14-15 Total Allocation (SAFG + DDC)	FY 15-16 Allocation Based on Formula	FY 15-16 Final SAFG Funding Allocation <sup>1</sup>	FY 15-16 Dependency Drug Court Augmentation Allocation <sup>2</sup>	FY 15-16 Total Allocation (SAFG + DDC)
25.	Orange	\$33,674		\$33,674	\$42,000	\$35,165		\$35,165
26.	Placer <sup>3</sup>				\$16,000	\$13,396		\$13,396
27.	Plumas	\$20,846		\$20,846	\$29,000	\$24,280		\$24,280
28.	Riverside <sup>3</sup>	\$28,062	\$13,672	\$41,734				
29.	Sacramento	\$33,674	\$9,375	\$43,049	\$42,000	\$35,165	\$11,803	\$46,968
30.	San Bernardino	\$33,674		\$33,674	\$42,000	\$35,165		\$35,165
31.	San Diego	\$33,674		\$33,674	\$42,000	\$35,165		\$35,165
32.	San Francisco	\$36,080	\$1,953	\$38,033	\$44,500	\$37,256	\$2,705	\$39,961
33.	San Joaquin	\$36,080	\$17,578	\$53,658	\$45,000	\$37,675	\$20,656	\$58,331
34.	San Luis Obispo	\$25,657	\$2,930	\$28,587	\$32,000	\$26,792	\$3,689	\$30,481
35.	San Mateo	\$25,657		\$25,657	\$32,000	\$26,792		\$26,792
36.	Santa Barbara	\$35,278		\$35,278	\$44,000	\$36,840		\$36,840
37.	Santa Clara	\$27,260	\$4,687	\$31,947	\$35,000	\$29,304	\$8,361	\$37,665
38.	Santa Cruz	\$36,080		\$36,080	\$45,000	\$37,675		\$37,675
39.	Shasta	\$22,450		\$22,450	\$24,000	\$20,094		\$20,094
40.	Sierra	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
41.	Siskiyou	\$19,242	\$1,953	\$21,195	\$20,000	\$16,745	\$1,475	\$18,220
42.	Solano	\$33,674	\$1,953	\$35,627	\$41,000	\$34,328	\$2,459	\$36,787
43.	Sonoma	\$36,080	\$1,563	\$37,643	\$45,000	\$37,675	\$1,967	\$39,642
44.	Stanislaus	\$16,035		\$16,035	\$24,000	\$20,094	\$836	\$20,930
45.	Sutter	\$12,828		\$12,828	\$22,000	\$18,419		\$18,419
46.	Tehama	\$19,242	\$586	\$19,828	\$24,000	\$20,094	\$738	\$20,832
47.	Trinity	\$12,028		\$12,027	\$15,000	\$12,558		\$12,558
48.	Tulare	\$12,828		\$12,828	\$20,000	\$16,745		\$16,745
49.	Tuolumne	\$16,035	\$1,953	\$17,988	\$20,000	\$16,745	\$2,459	\$19,204
50.	Ventura	\$25,657	\$1,367	\$27,024	\$32,000	\$26,792	\$1,721	\$28,513
51.	Yolo	\$12,000		\$12,000	\$18,000	\$15,070		\$15,070
52.	Yuba	\$17,639		\$17,639	\$22,000	\$18,419		\$18,419
	<b>Total</b>	<b>\$1,160,000</b>	<b>\$75,000</b>	<b>\$1,235,000</b>	<b>\$1,373,500</b>	<b>\$1,160,000</b>	<b>\$75,000</b>	<b>\$1,235,000</b>