

JUDICIAL COUNCIL OF CALIFORNIA  
CENTER FOR FAMILIES, CHILDREN & THE COURTS  
Report to the Collaborative Justice Courts Advisory Committee  
(Action Item)

**Title:** 2023-24 Substance Abuse Focus Grant Reallocation Methodology

**Date:** 4/20/2023

**Contact:** Don Will, Principal Manager, Judicial Council of California, Center for Families, Children & the Courts  
415-865-7557 | [don.will@jud.ca.gov](mailto:don.will@jud.ca.gov)  
Tiana Osborne-Gauthier, Analyst, Judicial Council of California, Center for Families, Children & the Courts  
916-643-6902 | [tiana.osborne-gauthier@jud.ca.gov](mailto:tiana.osborne-gauthier@jud.ca.gov)

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**Issue**

Consider process and methodology options for reallocating the Substance Abuse Focus Grant (SAFG) funding among courts during the fiscal year.

**Recommendations**

The Collaborative Justice Courts Advisory Committee is asked to consider the following recommendation for consideration by the Judicial Council:

1. Amend the current funding methodology to include
  - a. A midyear reporting process that allows adjusting grantee awards to the number of collaborative court participants they are serving;
  - b. A midyear invoicing process based on the adjusted grantee awards;
  - c. A midyear reallocation process based on the adjusted grantee awards;
  - d. Direct the committee to consider reviewing and revising the underlying funding methodology and spending restrictions for the program in FY 2024-25.

**Background**

**SAFG Overview**

The Collaborative Justice Courts Substance Abuse Focus Grant (SAFG) Program has been funded annually through the *California Budget Act* since 1998. In 2022, the Legislature allocated a total of \$1.16 million for the grant.

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**Contracting Issue Identified**

Funding for this grant is allocated based on the type of collaborative justice court and participant estimates for the fiscal year, provided by grantees during the Request for Application (RFA) process at the beginning of the fiscal year. Currently, there is no established process to determine if a grantee's funding needs changed during the fiscal year based on participants served. Additionally, there is not an established process to reallocate funds if funding needs change midyear.

The Judicial Council has been advised that SAFG allocations, consistent with other grants administered by the council, must be based on need tied to the number of participants served. To address this concern, a midyear reallocation is recommended for Fiscal Year 2023-2024 and on-going.

**Current Funding Methodology**

Individual SAFG grant awards are calculated using a Judicial Council approved formula that includes base funding of \$12,000 for each grantee plus additional funding based on the following information from the court's application:

- Number of collaborative courts to be supported by SAFG funding
  - a grantee may have one or more collaborative justice courts
- Type of collaborative justice court(s) (treatment or education)
- Number of participants in each collaborative court
- Enhancement funding which includes either starting a new collaborative court or increase the capacity of an existing collaborative court by at least 10 participants.

Using this information, the \$1.16 million is then allocated across all award grantees, prorating the funds to the amount available after the \$12,000 base is distributed.

Consistent with the current Judicial Council approved SAFG funding methodology, grantees will continue to receive initial funding allocations based on RFA participant estimates, however, other contracting requirements would change as follows:

1. Deliverable 1: At midyear, grantees are required to provide the Judicial Council with the following information in the first deliverable:

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- a. Number of participants served<sup>1</sup> the first six months of the grant (July 1, 2023, through December 31, 2023), and
  - b. Updated estimate of the number of participants they expect to serve for the remainder of the fiscal year (through June 30, 2024).
2. At midyear, if a grantee's updated estimate provided in Deliverable 1 shows a decrease in participant count, the award will be adjusted as follows:
- a. A decrease in participants by less than 10% of the RFA estimate will result in no change in funding allocation.
  - b. For a decrease in participants of more than 10% of the RFA estimate, grantees will be subject to an evaluation and potential reallocation.<sup>2</sup> If the grantee indicates they intend to serve the original participant estimate provided in the RFA, a justification must be provided in Deliverable 1 to explain how the grantee plans to meet this estimate to exclude them from receiving a decrease in funding during the midyear reallocation.
  - c. Grantees without an approved justification will receive a reduction in SAFG funding during the midyear reallocation.
3. At midyear, if a grantee's updated estimate provided in Deliverable 1 shows an increase in participant count, the award will be adjusted as follows:
- a. An increase in participants by less than 10% of the RFA estimate will result in no change in funding allocation.
  - b. If a grantee plans to increase their participant count by more than 10% and would like to request additional funding, they must provide updated participant estimates with a justification that explains how the grantee plans to meet this increased estimate.
  - c. Grantees without a valid justification will not receive an increase in SAFG funding during the midyear reallocation.

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<sup>1</sup> Served refers to the number of participants that are currently enrolled or have been enrolled in the collaborative court program(s) between the aforementioned dates or throughout the fiscal year period when applicable (July 1, 2023 – June 30, 2024). This includes current enrollees/participants and participants who graduated, left the program, or unsuccessfully exited the program during the fiscal year period.

<sup>2</sup> The 10% threshold is determined by grantees current # of participants, projected number of participants for the fiscal year, and justifications on how they will increase participation to determine if any money needs to be reallocated.

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4. Reallocation.

- a. The SAFG award will be reallocated based on the grantees updated number of participants served, new estimates, and justifications provided in Deliverable 1.
- b. The reallocation will be approved by the Collaborative Justice Courts Advisory Committee in February 2024 and will go to the Judicial Council for approval in March of 2024.
- c. Contract amendments will occur after the March 2024 Judicial Council meeting and grantees.

5. Invoicing Process:

- a. Deliverable 1 Submission: grantees serving one or more participants will be eligible to invoice for half of the base amount of funding (\$6,000) plus a prorated amount based on the number of participants served through midyear, to a maximum of the prorated amount of half of the grantee's original award.
- b. Deliverable 2 Submission: After the reallocation, grantees will also be notified of the remaining balance of funding that they can invoice for after Deliverable 2 is submitted (updated award – amount invoiced for in Deliverable 1).
- c. After submitting Deliverable 2, grantees will be able to invoice for the remaining balance of their award.

Grantees with a reduction in overall participant counts for treatment and education programs greater than 10% in the second half of the year will receive a reduction in SAFG funding due to the reduction in number of participants being served during the final invoice.

**Attachments**

1. **Attachment 1:** Current Funding Formula
2. **Attachment 2:** Proposed Invoicing Methodology

# Attachment 1

## Current Funding Formula (Judicial Council Approved)

### Caseload Based Funding-Level Formula

#### 2023-2024 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program

Individual grant awards are calculated using a Judicial Council approved formula and are anticipated to be approximately **\$12,000 - \$45,000**. All SAFG grantees receive a base amount of \$12,000. Additional funding depends on the following:

1. total number of qualifying county courts across California applying for the SAFG
2. number of collaborative courts
  - a grantee may have 1 or more collaborative justice courts
3. type of collaborative justice court(s)
  - *treatment* type collaborative justice courts receive more funding than *education only* types
4. number of participants in each collaborative court
5. any enhancement funding for existing collaborative court(s)
  - grantees wishing to start a new collaborative court or increase the capacity of existing collaborative court(s) by at least 10 participants may apply for enhancement funding
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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 / Non-treatment Program	\$12,000	\$0	\$2,000	\$4,000	\$6,000	\$10,000	\$15,000	\$1,000	\$2,000

## Attachment 2

### Proposed Invoicing Methodology

#### Recommended Funding Breakdown: ½ of Base Funding (\$6,000) & Prorated Per Participant

The category grantees fall into will be based on RFA data submitted for Deliverable 1<sup>3</sup>. Grantees will use their Deliverable 1 data to calculate the amount per participant they receive. For example if in the RFA a grantee estimated serving 400 treatment court participants and 100 education court participants they can receive up to \$40 per treatment participant and \$20 per education program participant so long as this total does not exceed half of their overall SAFG award.<sup>4</sup> If in Deliverable 1 the court indicates that they have served 120 treatment program participants and 20 education program participants so far, the court will be eligible to invoice for the \$6,000 base plus their prorated per participant amount of \$5,400 ((120\* \$40 = \$4,800) + (20 \* \$30 = \$600)).

**Prorated FUNDING CALCULATION TABLE: Set Rate**

Program Focus Category	Formula	Number of Total Program(s) Participants Indicated on RFA						Enhancement	
		5-19	20-49	50-99	100-199	200-499	500+*	10-24	25+
<b>Treatment Court</b>		\$0	\$4,000	\$8,000	\$12,000	\$20,000	\$30,000	\$2,000	\$3,000
<b>Formula</b>	<b>\$ amount / Max participant for range</b>	-	\$4,000/49	\$8,000/99	\$12,000/199	\$20,000/499	\$30,000 /500	-	-
<b>\$ amount per participant</b>	-	\$0	\$81	\$80	\$60	\$40	\$60	\$0	\$0
<b>Education / Non-treatment Program</b>	<b>\$12,000</b>	\$0	\$2,000	\$4,000	\$6,000	\$10,000	\$15,000	\$1,000	\$2,000
<b>Formula</b>		-	\$2,000/49	\$4,000/99	\$6,000/199	\$10,000/499	\$15,000 /500	-	-
<b>\$ amount per participant</b>		\$0	\$40	\$40	\$30	\$20	\$30	\$0	\$0

Note. To avoid overpayment, dollar amounts have been **rounded down** to the nearest dollar when applicable.

\*Any court serving more than 500 participants will be eligible to receive the full award amount

<sup>3</sup> For courts who need to pro-rate the final invoice, the category will be determined by the estimates provided in Deliverable 1 used for the reallocation.

<sup>4</sup> Courts whose calculated invoice amount exceeds more of than half of their SAFG award, will only be eligible to invoice for a maximum of half of their award amount for the first invoice.