



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 29, 2016

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**Title**

Collaborative Justice: Recommended  
Allocations of Fiscal Year 2016–2017  
Substance Abuse Focus Grants

**Agenda Item Type**

Action Required

**Effective Date**

July 29, 2016

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

June 24, 2016

**Recommended by**

Collaborative Justice Courts Advisory  
Committee  
Hon. Richard Vlavianos, Chair

**Contact**

Carrie Zoller, 415-865-8829  
[carrie.zoller@jud.ca.gov](mailto:carrie.zoller@jud.ca.gov)

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### Executive Summary

The Collaborative Justice Courts Advisory Committee recommends funding court programs using grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program, through the California Collaborative and Drug Court Projects in the Budget Act of 2016 [item 0250-101-0001], and the Dependency Drug Court Augmentation to the grants of the Substance Abuse Focus Grant Program, through the federal Court Improvement Program funds for fiscal year (FY) 2016–2017 [item 0250-101-0890]. The committee recommends funding programs in 49 courts for FY 2016–2017 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 July 29, 2016, approve the distribution of grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program and the Dependency Drug Court Augmentation for fiscal year 2016–2017.

The proposed distribution is listed in the last column of Attachment A, *Allocation Summary: Fiscal Years 2015–2016 and 2016–2017*.

### **Previous Council Action**

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

### **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 2016 (Stats. 2016, ch. 23; § 45.55.020), as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2016–2017 in allocation amounts calculated using the formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2016–2017 State Budget allocates \$1.16 million for these projects—the same level of funding that was allocated for the Collaborative Justice Courts Substance Abuse Focus Grant Program in fiscal year 2015–2016.

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 C);
- 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—is provided in Attachment B of this report.

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 may be 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 2015–2016 fiscal year, the \$1.16 million allocation supported 145 court projects in 50 counties. The types of projects funded were adult drug courts (35), dependency drug courts (17), juvenile drug courts (17), adult mental health/dual-diagnosis courts (16), peer and truancy courts (12), veterans courts (10), DUI courts (7), domestic violence courts (6), juvenile mental health/dual-diagnosis courts (6), homeless courts (3), and other collaborative justice court programs (16).

### **Dependency Drug Court Augmentation Grant**

Federal Court Improvement Program funds of up to \$75,000 have been made available to support dependency drug courts. In past years, the Judicial Council's Collaborative Justice Courts Advisory Committee has made these 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. Because these augmentation funds are federal funds, this grant augmentation must be administered in compliance with conditions stated in part B of title IV 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 following the Judicial Council–approved Caseload-Based Funding-Level Formula for distributing the funds, as shown on the funding calculation table in Attachment B.

### **Application process**

The presiding judges and court executive officers of the superior courts were informed of this year's grant opportunity on June 2, 2016. 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 Courts principles (see Attachment C, *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, grants from the Substance Abuse Focus Grant Program changed from reimbursable to deliverable. Under the reimbursement model, courts were required to submit monthly invoices to receive reimbursement for their program costs. Under the deliverable model, courts now submit program information that documents the program model, use and participation levels, and outcomes via two progress reports accompanied by 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 Judicial Council’s grant-processing staff.

## **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 objective IV.1 of the related operational plan: “Foster excellence in public service to ensure that all court users receive satisfactory services and outcomes.”

## **Attachments**

1. Attachment A: *Allocation Summary: Fiscal Years 2015–2016 and 2016–2017*
2. Attachment B: *Caseload-Based Funding-Level Formula: Fiscal Year 2016–2017*
3. Attachment C: *Guiding Principles of Collaborative Justice Courts*