



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on September 21, 2018

Title

Collaborative Justice: Recommended
Allocations of Fiscal Year 2018–19
Substance Abuse Focus Grants

Agenda Item Type

Action Required

Effective Date

September 21, 2018

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

July 24, 2018

Recommended by

Collaborative Justice Courts Advisory
Committee
Hon. Richard Vlavianos, Chair

Contact

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Executive Summary

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council fund 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 2018 (item 0250-101-0001), and the Dependency Drug Court Augmentation to the grant program through the federal Court Improvement Program funds for fiscal year (FY) 2018–19 (item 0250-101-0890). The committee recommends funding programs in 49 courts for FY 2018–19 with these annual grants to expand or enhance promising collaborative justice programs around the state.

Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective September 21, 2018, approve the distribution of grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program and the Dependency Drug Court Augmentation for FY 2018–19.

The proposed distribution is listed in the last column of Attachment A, *Allocation Summary: Fiscal Years (FY) 2017–18 and 2018–19*.

Previous Council Action

The Judicial Council has approved the annual funding allocation for the Substance Abuse Focus Grant Program since FY 1998–99. In November 2005, at the recommendation of the Collaborative Justice Courts Advisory Committee, the 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 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.

Analysis/Rationale

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 2018 (Stats. 2018, ch. 23), as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2018–19 in allocation amounts calculated using the formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2018–19 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 FY 2017–18.

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 2017–18 fiscal year, the \$1.16 million allocation supported 260 court projects in 49 counties. The types of projects funded were adult domestic violence courts (5), adult drug courts (50), adult mental health/dual-diagnosis courts (28), community courts (3), dependency drug courts (29), DUI courts (14), elder courts (1), girls' courts (2), homeless courts (4), juvenile delinquency drug courts (20), juvenile mental health/dual-diagnosis courts (4), peer/youth courts (56), reentry courts (6), truancy courts (6), veterans courts (14), and other collaborative justice court programs (18).

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 438(b) 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 July 16, 2018. Courts submitted project action plans that staff of the Judicial Council's Center for Families, Children & the Courts reviewed for conformance with the requirements of addressing substance abuse issues and adhering to the Collaborative Justice Courts principles (see Attachment C, *Guiding Principles of Collaborative Justice Courts*).

Policy implications

The recommended action is consistent with the currently existing Judicial Council policy regarding allocating these funds to local courts.

Comments

The recommended action was discussed at an open meeting of the Collaborative Justice Courts Advisory committee. No external comments were received. Committee members were unanimous in their agreement on the recommended action.

Alternatives considered

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. The idea was rejected because distributing funds to all qualified applicants by straight formula has proven to be an effective and efficient process and feedback from local courts has indicated their preference for a noncompetitive grant process.

Fiscal and Operational Impacts

In FY 2010–11, 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. In 2017 the grant application cover sheet was enhanced to automatically calculate the maximum eligible grant amount. This made the application easier to complete for local courts and improved their grant application accuracy. In turn, this reduced the amount of Judicial Council staff time needed to review grant request calculations.

Attachments

1. Attachment A: *Allocation Summary: Fiscal Years (FY) 2017–18 and 2018–19*
2. Attachment B: *Caseload-Based Funding-Level Formula: 2018–19 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program*
3. Attachment C: *Guiding Principles of Collaborative Justice Courts*

Allocation Summary: Fiscal Years (FY) 2017–18 and FY 2018–19**Collaborative Justice Courts Project—Substance Abuse Focus Grant (SAFG) and
Dependency Drug Court (DDC) Augmentation Awards (by Court)**

	County	FY 17–18 Allocation Based on Formula	FY 17–18 Final SAFG Funding Allocation ¹	FY 17–18 DDC Augmen- tation Allocation ²	FY 17–18 Total Allocation (SAFG + DDC)	FY 18–19 Allocation Based on Formula	FY 18–19 Final SAFG Funding Allocation	FY 18–19 DDC Augmentation Allocation	FY 18–19 Total Allocation (SAFG + DDC)
1	Alameda	\$42,000	\$33,639	\$2,516	\$36,155	\$42,000	\$33,832	\$4,713	\$38,545
2	Amador	31,000	25,706		25,706	31,000	25,828		25,828
3	Butte	20,000	17,770		17,770	20,000	17,822		17,822
4	Contra Costa	22,000	19,213		19,213	22,000	19,277		19,277
5	Del Norte	18,000	16,328		16,328	18,000	16,366		16,366
6	El Dorado	24,000	20,656		20,656	24,000	20,733		20,733
7	Fresno	45,000	35,803	1,342	37,145	45,000	36,015	1,952	37,967
8	Glenn	35,000	28,590	537	29,127	41,000	33,103		33,103
9	Humboldt	24,000	20,656		20,656	23,000	20,005	404	20,409
10	Inyo	16,000	14,885		14,885	16,000	14,911		14,911
11	Kern	16,000	14,885		14,885	16,000	14,911		14,911
12	Kings	24,000	20,656		20,656	20,000	17,822		17,822
13	Lake	12,000	12,001		12,001	16,000	14,911		14,911
14	Lassen	20,000	17,770		17,770	20,000	17,822		17,822
15	Los Angeles	39,000	31,476	5,031	36,507	35,000	28,739	1,683	30,422
16	Madera	18,000	16,328		16,328	18,000	16,366		16,366
17	Marin	16,000	14,885		14,885	16,000	14,911		14,911
18	Mendocino	24,000	20,656	2,013	22,669	22,000	19,277	808	20,085
19	Merced	12,000	12,001		12,001	12,000	12,000		12,000
20	Modoc	16,000	14,885	168	15,053	16,000	14,911	168	15,079
21	Monterey	42,000	33,639	10,063	43,702	45,000	36,015	4,208	40,223
22	Nevada	24,000	20,656		20,656	24,000	20,733		20,733
23	Orange	42,000	33,639		33,639	42,000	33,832		33,832
24	Placer	16,000	14,885		14,885	16,000	14,911		14,911
25	Plumas	12,000	12,001		12,001	16,000	14,911		14,911
26	Sacramento	42,000	33,639	13,416	47,055	42,000	33,832	13,465	47,297
27	San Bernardino	45,000	35,803		35,803	45,000	36,015		36,015
28	San Diego	42,000	33,639	6,708	40,347	42,000	33,832	4,578	38,410
29	San Francisco	44,000	35,082	3,354	38,436	45,000	36,015	9,762	45,777
30	San Joaquin	45,000	35,803	15,093	50,896	45,000	36,015	15,147	51,162
31	San Luis Obispo	32,000	26,426	2,516	28,942	32,000	26,555	3,535	30,090
32	San Mateo	32,000	26,426		26,426	32,000	26,555		26,555

	County	FY 17–18 Allocation Based on Formula	FY 17–18 Final SAFG Funding Allocation ¹	FY 17–18 DDC Augmen- tation Allocation ²	FY 17–18 Total Allocation (SAFG + DDC)	FY 18–19 Allocation Based on Formula	FY 18–19 Final SAFG Funding Allocation	FY 18–19 DDC Augmentation Allocation	FY 18–19 Total Allocation (SAFG + DDC)
33	Santa Barbara	42,000	33,639		33,639	42,000	33,832		33,832
34	Santa Clara	42,000	33,639	4,696	38,335	42,000	33,832	4,713	38,545
35	Santa Cruz	45,000	35,803		35,803	39,000	31,649	1,683	33,332
36	Shasta	28,000	23,542		23,542	26,000	22,189		22,189
37	Sierra	12,000	12,000		12,000	12,000	12,000		12,000
38	Siskiyou	20,000	17,770	1,342	19,112	16,000	14,911	808	15,719
39	Solano	45,000	35,803	1,342	37,145	45,000	36,015	1,347	37,362
40	Sonoma	45,000	35,803	503	36,306	36,000	29,466	1,178	30,644
41	Stanislaus	24,000	20,656	335	20991	24,000	20,733	337	21,070
42	Sutter	22,000	19,213		19213	22,000	19,277		19,277
43	Tehama	24,000	20,656	503	21159	20,000	17,822	505	18,327
44	Trinity	34,000	27,869	1,006	28875	26,000	22,188	673	22,861
45	Tulare	24,000	20,656		20656	39,000	31,649		31,649
46	Tuolumne	16,000	14,885	1,342	16227	20,000	17,822	1,347	19,169
47	Ventura	32,000	26,426	1,174	27600	32,000	26,555	1,986	28,541
48	Yolo	12,000	12,000		12000	12,000	12,000		12,000
49	Yuba	22,000	19,213		19213	22,000	19,277		19,277
Total		\$1,381,000	\$1,160,000	\$75,000	\$1,235,000	\$1,374,000	\$1,160,000	\$75,000	\$1,235,000

¹ In FY 18–19 there is \$1,160,000 available for allocation among the 49 courts who applied to the Collaborative Justice Courts Substance Abuse Focus Grant Program (SAFG). According to the funding formula, the maximum amount of funding for which courts are eligible is \$1,235,000. This amount exceeds the available funding by \$214,000. As a result, the total awards reflect a reduction in funding of approximately 13 percent. Each court was awarded a base allocation of \$12,000 and the remaining funds were distributed proportionally among those courts who were eligible for additional funds above the base amount.

² Dependency Drug Court Augmentation funds were allocated based on the number of participants.

**Caseload-Based Funding-Level Formula:
2018–19 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program**

FUNDING CALCULATION TABLE

Program Focus Category	Base Amount	Number of Total Program 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 Participants:** Number of total participants who will be directly served by the grant program for FY 18–19.
 - 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 programs that increase their program capacity (i.e., the maximum number of participants they can serve) beyond their FY 16–17 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

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

Note: This tool is provided to assist courts in understanding how the maximum eligible grant allocation is calculated. Please note that actual award amounts will be based on the number of courts applying and the total allocation available in the 2017 2018 California State Budget.

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.