



## JUDICIAL COUNCIL OF CALIFORNIA

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### MEMORANDUM

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Date	Action Requested
June 20, 2018	Please review/approve
To	Deadline
Family and Juvenile Law Advisory Committee	June 20, 2018
From	Contact
Penelope Davis, Supervising Analyst	Penny Davis 415-865-8815 phone penny.davis@jud.ca.gov
Subject	
Juvenile Dependency: Proposed Allocation for Fiscal Year 2018-19 for Court Appointed Special Advocates Local Assistance	

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Staff supporting the Court Appointed Special Advocates (CASA) grant program request that the Family and Juvenile Law Advisory Committee (F&J) review and approve Court Appointed Special Advocate (CASA) program local assistance grant funding allocations for 2018-19.

The Family and Juvenile Law Advisory Committee approved a new funding methodology for Court Appointed Special Advocate (CASA) local assistance grant funding at its June 4, 2018 meeting. A draft report to the Judicial Council comprising the committee's recommendation that the Council adopt the new funding methodology and approve allocations based on the new methodology at its business meeting of July 20, 2018 is attached for your review.<sup>1</sup>

The 2018-19 State judicial branch budget for Judicial Council CASA local assistance grants is \$2.213 million. Attachment A provides allocations of the \$2.213 million to 45 CASA programs serving 50 counties using the new methodology which provides the CASA programs and those programs that are eligible for financial incentives with a baseline allocation.

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<sup>1</sup> Draft Report to the Judicial Council for business meeting of July 20, 2018.

Family & Juvenile Law Advisory Committee

June 20, 2018

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The draft report also includes the option of funding allocations using the current methodology established in 2013 as an alternative. Allocations based on the current methodology are available in Attachment B.



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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 19- 20, 2018:

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Title	Agenda Item Type
Juvenile Dependency: Court Appointed Special Advocate (CASA) Local Assistance Funding Allocation Methodology for Fiscal Year 2018-2019	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	July 20, 2018
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee Hon. Jerilyn L. Borack, Co-chair	June 22, 2018
	Contact
	Penelope Davis, 415-865-8815 penny.davis.jud.ca.gov

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### **Executive Summary**

The Family and Juvenile Law Advisory Committee recommends adopting a revised methodology for Court Appointed Special Advocate (CASA) Local Assistance funding allocations beginning in Fiscal Year 2018-19. The state judicial branch budget for Judicial Council CASA Grants for 2018-19 is \$2.213 million. The committee also recommends applying the new methodology for allocations beginning in Fiscal Year 2018-19. This would provide all CASA programs with a baseline allocation and those programs which are eligible, a growth incentive. The allocations would fund 45 programs serving 51 counties.

### **Recommendation**

The Family and Juvenile Family Law Advisory Committee recommends that the Judicial Council, effective July 19-20, 2018,

1. Adopt a revised funding methodology to determine allocations for Court Appointed Special Advocate (CASA) Local Assistance programs and approve local assistance funding allocations beginning in Fiscal Year 2018-19.
2. Approve allocations applying the methodology in 1 as shown on attachment A.

### **Relevant Previous Council Action**

Legislation (Stats. 1988, ch. 723) amended Welfare and Institutions Code section 100 et seq. to require the Judicial Council to establish guidelines encouraging the development of local CASA programs that assist abused and neglected children who are the subject of judicial proceedings. The legislation also called for the establishment of a CASA grant program to be administered by the Judicial Council and required CASA programs to provide local matching or in-kind funds equal to program funding received from the Judicial Council. At its August 23, 2013, meeting, the Judicial Council approved a new funding methodology as discussed below.<sup>1</sup>

### **Analysis/Rationale**

In developing its 2018 annual agenda, the Family and Juvenile Law Committee included conducting a 5-year review of the methodology adopted in 2013, in response to concerns raised about the methodology.

To address concerns from the CASA programs regarding the methodology, the committee requested guidance and input from the California Court Appointed Special Advocates Association (Cal CASA). Cal CASA convened a small task force consisting of a representative sample of CASA program Executive Directors. The recommended methodology is a result of collaboration between the Cal CASA task force and Judicial Council CASA program staff.

### **Current Methodology**

The current methodology is a two-step approach, with the first step establishing a base funding allocation and the second step, awarding up to two (2) incentives at a fixed amount for each incentive that can be applied on top of the base funding allocation if the program qualifies.

Programs are required, through both a contract and an evaluation process, to demonstrate that they meet a number of objectives, including compliance with rule 5.655 of the California Rules of Court and local rules of court, volunteer recruitment, volunteer training, board development, sound fiscal management, and other requirements as outlined in the National CASA Standards. This methodology (1) establishes equitable allocations for CASA programs and eliminates wide funding variations resulting from historical funding formulas and grant applications;

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<sup>1</sup> Judicial Council of California, Advisory Com. Rep., *Juvenile Dependency: Court Appointed Special Advocate Program Funding Methodology* (Aug. 23, 2013), [www.courts.ca.gov/documents/jc-20130823-itemM.pdf](http://www.courts.ca.gov/documents/jc-20130823-itemM.pdf) (as of June 21, 2018).

(2) supplements funding to local programs that work toward efficiency, effectiveness, and program growth; and (3) increases the number of dependency youth and, potentially, the number of courts served by CASA programs.

### **Step 1, base funding allocation**

The range between the lowest and highest county populations was utilized to determine tiers, with Tier 1 comprising lower county populations and Tier 4 comprising the most populous counties. The county population of each local program determines the tier to establish the base funding amount. This method provides a stable grant award that local CASA programs can expect and consider for budget planning moving into subsequent fiscal years.

Two- and multi-county programs will factor in the sum of their combined county populations for their tier category. These programs experience an added challenge working across two or more jurisdictions while sharing limited resources under one program administration. The base allocation amount of each of the five currently operating two-county programs would be multiplied by 1.5 to cover increased costs of this type of collaboration.

### **Step 2, incentive funding allocation**

The second step in the current funding methodology includes two types of incentive awards that can be added on top of the base funding allocation amounts. The incentive funding focuses on measurable criteria that are strong indicators of a thriving program and its ability to grow. Each incentive award will be worth a fixed amount and will be given on top of the base funding allocation of the twenty local programs (44%) that achieve the greatest results in *each* of the two incentive categories. This is a competitive component to the formula and there may be programs that do not qualify for any incentives, only receiving the base amount as determined in step 1.

- **Incentive A, Volunteer Retention Rate.** The number of volunteers assigned minus the number of volunteers trained, divided by 100. This rate speaks to how successful local programs are at training and retaining CASA volunteers, from completing training to getting sworn-in as an officer of the court by the judge, and being assigned a child. This incentive also recognizes the number of CASAs that remain assigned to a dependent child or youth beyond the 12-month commitment period and who take on another case after one has closed.
- **Incentive B, Dependency Proportion Served.** Comparing two factors in this incentive option allows smaller counties to be recognized for serving a high proportion of their dependency children or youth. While larger counties may have a higher number served overall, any potential inequality can be addressed by considering that larger counties are given a higher base amount to start.

## **Recommended Revised Methodology**

The committee recommends replacing the current methodology with a methodology that would provide a larger percentage of funds as base funding, replace the two existing incentives available to all programs meeting the eligibility requirements with a new incentive available to most but not all programs. The proposed methodology is:

**Base Funding:**

- Base funds would continue to be distributed on the 4 tiers adopted in 2013. Maintain current formula allowing two county programs to receive a higher base amount currently at 1.5 times the county's allocation. However, for any two-county program in which the number of children served by CASAs is 200 children or more per county, those counties will be kept as separate counties.
- Add 15% to each CASA base allocation for increased costs in operating expenses. For Fiscal Year 2018-19 this would increase the percentage of total funds allocated as base funding from 81% to 93%.

**Incentives:**

- Exempt any county with less than 50 children in foster care from receiving an incentive.
- Reduce incentives from two to one and reduce the amount from \$10,450 to \$4,955.
- Separate programs into large and small categories based on total county population.
- Evaluate large programs based on the number of children served by CASAs compared to the previous year, with the top 14 programs with the largest increase receiving an incentive.
- Evaluate small programs based on the percentage of children in foster care served by CASAs for current year, with the top 13 programs serving the largest percentage of children receiving an incentive.<sup>2</sup>

**Comments**

The committee did not seek formal comment. However, Cal CASA surveyed the CASA network by e-mail and the network was given the opportunity to provide input and feedback on the proposed revised funding methodology.

More than 52% of the programs (23 of 44 programs) provided feedback. Of the programs that provided feedback, 74% (17 programs) supported the revised methodology, while 26% (6

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<sup>2</sup> The committee proposes one less incentive for the small programs given that there are fewer of them than the large programs.

programs) disapproved. Five of the six programs that do not support the proposed methodology are small CASA programs.

One large CASA program disapproved of the proposed methodology based on a philosophical change of the program from a goal of increasing the number of children served by CASA to a “deeper” provision of services to the children currently being served.

### **Alternatives considered**

- Alternative #1 This proposal gives every CASA program their previous year’s base allocation and a flat increase for operating and expenses. This increase did not seem equitable given that some programs have larger expenses than others. Additionally, some programs were eligible for two incentives based on number of children served and the percentage of children with CASAs compared to the total number of children in foster care. Providing for some programs to receive two incentives seemed out of scale compared to the number of children served and overall budget of the program. The raw number of children was the growth incentive that we believe favors the larger programs while the percentage of children served with CASAs compared to the number in foster care favors the smaller programs.
- Alternative #2 This proposal maintains the CASA program’s previous year base allocation with no increase. The same incentives were used as in Alternative #1 but the top 20 programs in each category received a larger incentive. Again, some programs received both incentives which did not appear equitable give the number of children served and the small budgets of those programs.
- Alternative #3 This proposal gives every CASA program their previous year’s base allocation and a flat increase for operating and expenses. The same incentives were used as in Alternative #1 and the top 10 programs in each category received a larger incentive. Again, some small programs received both incentives which did not seem equitable as only 20 programs receiving an incentive was considered too few.
- Alternative #4 This proposal gives every CASA program their previous year’s base allocation and a percentage increase for operating and expenses. The same incentives were used as in Alternative #1 and the top 10 programs in each category received a larger incentive. Incentives were eliminated for a county with fewer than 50 children in foster care. This did not seem equitable only 20 programs receiving an incentive was considered too few.
- Alternative #5 Maintain status quo. The committee also considered maintaining the status quo with continued use of the current CASA grants allocation methodology, approved by the council in 2013, without change. Allocation of the \$2.213 million for 2018-19 for CASA local assistance grants will be calculated based on the current

methodology. Funding allocations based on the current methodology established in 2013 are available in Attachment B.

### **Fiscal and Operational Impacts**

Implementation of this CASA funding methodology would be effective for fiscal year 2018–2019. Currently, local programs are required to collect and submit to the Judicial Council a variety of data, including statistics on the number of children served, and the number of new volunteers trained. This methodology would require no additional data collection because information is already collected as part of grant contract deliverables.

Small programs will likely see a fiscal impact of decreased funding. Small programs that received two incentives under the 2013 methodology will likely not be eligible for the incentive under the revised funding methodology. The new methodology will work toward equalizing funding on a per child basis. It is notable that small programs, in general, have received a much larger per child amount compared to larger CASA programs, and, while reduced, this will not change with the new funding methodology.

### **Attachments and Links**

1. Attachment A: Proposed Allocation for FY 2018-2019 Judicial Council Local Assistance (recommended methodology)
2. Attachment B: Proposed Allocation for FY 2018-2019 Judicial Council Local Assistance (current methodology, est. 2013)
3. Judicial Council of California, Advisory Com. Rep., Juvenile Dependency: Court Appointed Special Advocate Program Funding Methodology (Aug. 23, 2013) [www.courts.ca.gov/documents/jc-20130823-itemM.pdf](http://www.courts.ca.gov/documents/jc-20130823-itemM.pdf) (as of June 21, 2018).

Attachment A (Revised): Proposed Allocation for FY 2018-2019  
Judicial Council Local Assistance

<b>Local CASA Programs by County(ies)</b>	<b>Base Allocations</b>	<b>15% Base Increase</b>	<b>Total Base Allocations</b>	<b>Growth Incentive</b>	<b>Total JC Local Assistance Grant</b>
Alameda	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Amador /Calaveras	\$39,000	\$5,850	\$44,850	4,955	\$49,805
Butte/Glenn	\$51,000	\$7,650	\$58,650	\$0	\$58,650
Contra Costa	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Del Norte	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
El Dorado	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Fresno/Madera	\$75,000	\$11,250	\$86,250	\$4,955	\$91,205
Humboldt	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Imperial	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Inyo/Mono	\$39,000	\$5,850	\$44,850	\$0	\$44,850
Kern	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Kings	\$34,000	\$5,100	\$39,100	\$0	\$39,100
Lassen	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
Los Angeles	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Marin	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Mariposa	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Mendocino/Lake	\$51,000	\$7,650	\$58,650	\$0	\$58,650
Merced	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Modoc	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Monterey	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
Napa	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Nevada	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Orange	\$50,000	\$7,500	\$57,500	\$0	\$57,500
Placer	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Plumas	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Riverside	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Sacramento	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
San Benito	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
San Bernardino	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
San Diego	\$50,000	\$7,500	\$57,500	\$0	\$57,500
San Francisco	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
San Joaquin	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
San Luis Obispo	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
San Mateo	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Santa Barbara	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Santa Clara	\$50,000	\$7,500	\$57,500	\$0	\$57,500
Santa Cruz	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Shasta/Tehama	\$51,000	\$7,650	\$58,650	\$0	\$58,650
Siskiyou	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
Solano	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
Sonoma	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
Stanislaus	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255

Attachment A (Revised): Proposed Allocation for FY 2018-2019  
Judicial Council Local Assistance

Tulare	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Ventura	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Yolo	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
	\$1,808,000	\$271,200	\$2,079,200	\$133,785	\$2,212,985

Total Local Assistance Grant	\$2,213,000
Total Base Amounts	\$2,079,200
<b>Incentives Awards for Top 27 Programs</b> (Small 13 & Large 14)	\$133,785
<b>Total Allocations = Base + 27 incentives</b>	\$2,212,985

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*The CASA Methodology specifies \$5,000 for incentives. After allocating funds to the base according to the methodology, \$4,955 per qualified program was available for incentive funding.*

**Attachment B: Proposed Allocation for FY 2018-2019  
Judicial Council Local Assistance**

<b>Local CASA Programs by County(ies)</b>	<b>Base Allocations</b>	<b>Incentive 2A*</b>	<b>Incentive 2B*</b>	<b>Total Incentives</b>	<b>Total JC Local Assistance Grant</b>
Alameda	\$50,000	0	0	\$0	\$50,000
Amador /Calaveras	\$39,000	0	0	\$0	\$39,000
Butte/Glenn	\$51,000	1	0	\$10,125	\$61,125
Contra Costa	\$50,000	0	0	\$0	\$50,000
Del Norte	\$26,000	1	0	\$10,125	\$36,125
El Dorado	\$34,000	1	1	\$20,250	\$54,250
Fresno/Madera	\$75,000	0	0	\$0	\$75,000
Humboldt	\$26,000	0	0	\$0	\$26,000
Imperial	\$34,000	1	1	\$20,250	\$54,250
Inyo/Mono	\$39,000	1	1	\$20,250	\$59,250
Kern	\$50,000	0	0	\$0	\$50,000
Kings	\$34,000	0	0	\$0	\$34,000
Lassen	\$26,000	1	1	\$20,250	\$46,250
Los Angeles	\$50,000	0	0	\$0	\$50,000
Marin	\$34,000	0	1	\$10,125	\$44,125
Mariposa	\$26,000	0	1	\$10,125	\$36,125
Mendocino/Lake	\$51,000	1	0	\$10,125	\$61,125
Merced	\$34,000	0	0	\$0	\$34,000
Modoc	\$26,000	1	1	\$20,250	\$46,250
Monterey	\$42,000	0	0	\$0	\$42,000
Napa	\$34,000	1	1	\$20,250	\$54,250
Nevada	\$26,000	0	1	\$10,125	\$36,125
Orange	\$50,000	1	0	\$10,125	\$60,125
Placer	\$42,000	0	1	\$10,125	\$52,125
Plumas	\$26,000	0	1	\$10,125	\$36,125
Riverside	\$50,000	0	0	\$0	\$50,000
Sacramento	\$50,000	0	0	\$0	\$50,000
San Benito	\$26,000	1	1	\$20,250	\$46,250
San Bernardino	\$50,000	1	0	\$10,125	\$60,125
San Diego	\$50,000	1	1	\$20,250	\$70,250
San Francisco	\$42,000	1	0	\$10,125	\$52,125
San Joaquin	\$42,000	0	0	\$0	\$42,000
San Luis Obispo	\$34,000	0	1	\$10,125	\$44,125
San Mateo	\$42,000	0	1	\$10,125	\$52,125
Santa Barbara	\$42,000	0	1	\$10,125	\$52,125
Santa Clara	\$50,000	0	1	\$10,125	\$60,125
Santa Cruz	\$34,000	0	1	\$10,125	\$44,125
Shasta/Tehama	\$51,000	1	0	\$10,125	\$61,125
Siskiyou	\$26,000	1	1	\$20,250	\$46,250
Solano	\$42,000	1	0	\$10,125	\$52,125
Sonoma	\$42,000	1	1	\$20,250	\$62,250

**Attachment B: Proposed Allocation for FY 2018-2019  
Judicial Council Local Assistance**

Stanislaus	\$42,000	0	0	\$0	\$42,000
Tulare	\$42,000	0	0	\$0	\$42,000
Ventura	\$42,000	1	0	\$10,125	\$52,125
Yolo	\$34,000	1	0	\$10,125	\$44,125
	\$1,808,000	20	20	\$405,000	\$2,213,000

\*Incentive 2A funding is earned by the top 20 programs with the highest volunteer retention rate. Incentive 2B funding is earned by the top 20 programs with the highest dependency proportion served.

Total Local Assistance Grant	\$2,213,000
Total Base Amounts	\$1,808,000
<b>Incentive Award for Top 20 Programs @ \$10,125 (x 40)</b>	\$405,000
<b>Total Allocations = Base + 40 incentives</b>	\$2,213,000

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