

Court-Appointed Dependency Counsel

Workload and Funding Methodology
June 2015

Thank you for joining this webinar

It will begin at 4:00 pm

All attendees are muted

Steps to the Caseload Funding Model

| 1989 | Dependency counsel included in state court funding |
|------|--|
| 2000 | SB 2160 requires caseload standards |
| 2001 | Judicial Council directs staff to study attorney caseload statewide and develop draft standards |
| 2004 | Court-Appointed Counsel Caseload Study Working Group reports on attorney caseload |
| 2004 | Council implements Dependency Representation, Administration, Funding and Training (DRAFT) program to further study caseload standards and performance |
| 2007 | Council approves caseload funding model recommended by DRAFT Pilot Program Implementation Committee |

Developing the Caseload Funding Model

Two week time study of all dependency attorneys in state

Data analyzed to produce median time by task and hearing, and dependency case workload weighted over multiple years

Expert focus groups reviewed the data and developed time standards for each category

Committee reviewed focus group results and approved a caseload standard of 188 cases per full-time attorney when supported by a half-time investigator

What Goes Into the Methodology

1. Workload standards
2. Client counts
3. Salary and cost computations

Time Attorneys Spend on Tasks

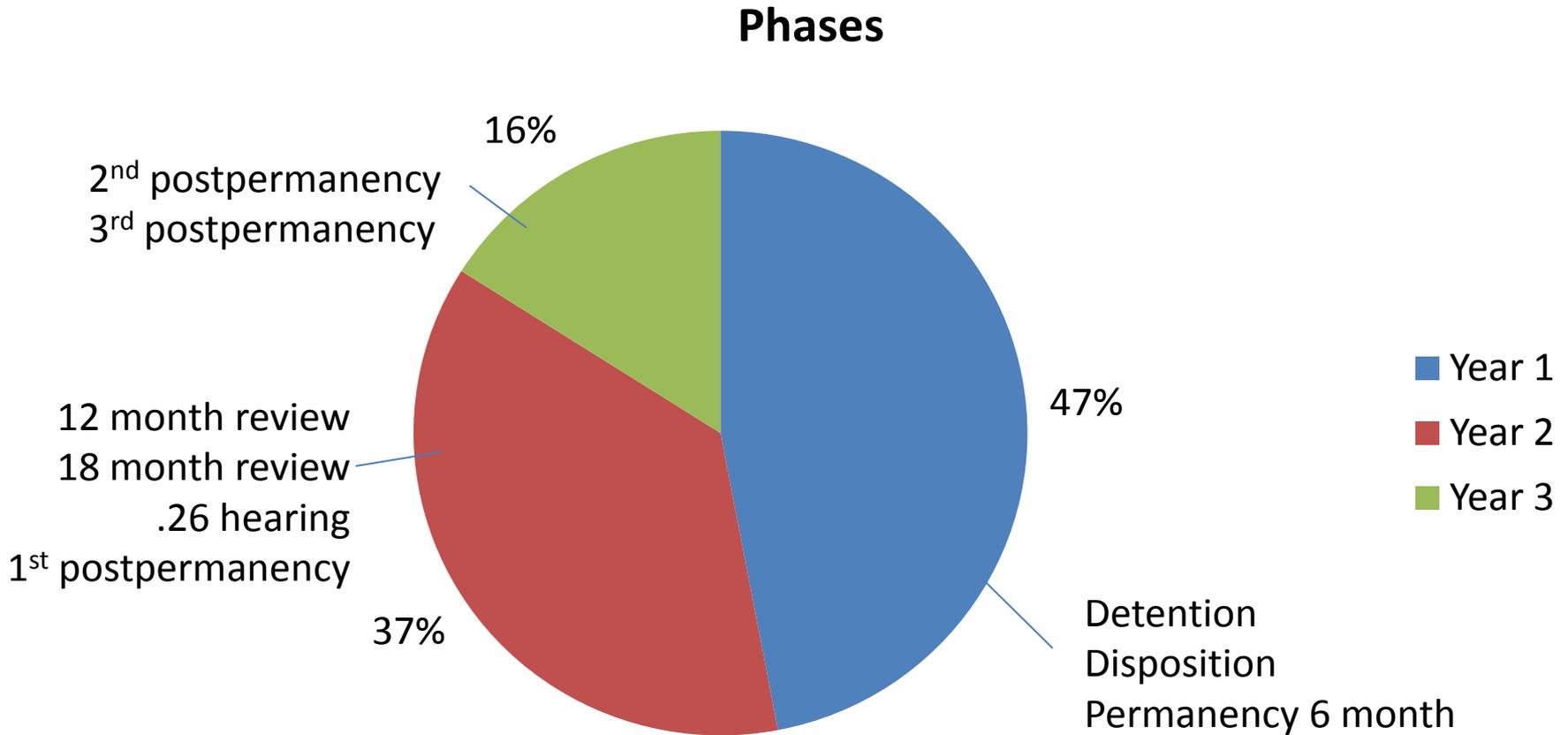
The working group developed three models of total attorney time spent on a case:

1. Using the data reported by the time study, which reflected very high caseloads
2. Using an optimal set of time standards derived from the focus groups
3. Using a set of time standards designed to provide case services at a basic level of competent practice (also derived from focus groups)

Summary of basic time standard for child's attorney

| Case Phase | Attorney Hours Required |
|--------------------------------|-------------------------|
| Detention | 3.04 |
| Disposition | 4.49 |
| Permanency 6 month review | 4.15 |
| 12 month review | 2.96 |
| 18 month review | 1.25 |
| .26 hearing | 1.92 |
| First post permanency hearing | 1.92 |
| Second post permanency hearing | 1.92 |
| Third post permanency hearing | 1.92 |
| Writ | 11.25 |
| Travel | 3.20 |

The case phases are weighted by the proportion of cases in each phase



The weighted time standard *per case* then looks like this

| Year | Time requirement | Weighted to year | Weighted annual hours |
|------------------------------------|------------------|------------------|-----------------------|
| One | 11.69 | 47% | 5.52 |
| Two | 8.72 | 37% | 3.18 |
| Three | 3.84 | 16% | .63 |
| Total | | | 9.32 |
| | | | |
| Adjustment for Travel and writs | | | 1.07 |
| Total | | | 10.39 |

Then there are two steps to the caseload standard

- Derive number of cases per attorney by dividing the total annual hours available for case work (1,476) by hours per case (~ 10.5) = 141 cases per attorney.
- Adjust for services of .5 investigator ($.33$) = 188 cases per attorney + investigator.

Client Counts

Caseload funding model uses case data from the state child welfare system.

Each county has a mandate and receives federal funding to report accurate data on children in child welfare.

This includes children at home (family maintenance), both court supervised and not court supervised.

Data is provided to researchers at UC Berkeley School of Social Work who create longitudinal files and post updates quarterly.

Client Counts

Caseload funding model uses each county's snapshot count of court supervised child welfare cases

The model uses a moving three year average to adjust for short term fluctuations

The model uses a multiplier derived from the 2002 study of .82 parent cases per child case to estimate a total count of dependency clients

Client Counts

| Year | Children | Est. Parents | Total |
|----------------------|----------|--------------|---------|
| 2012 | 68,445 | 56,125 | 124,570 |
| 2013 | 70,968 | 58,194 | 129,162 |
| 2014 | 76,156 | 62,448 | 138,604 |
| 2015* | 77,730 | 63,739 | 141,469 |
| | | | |
| Average 2012-2013 | | | 130,780 |

Salary and cost computations

Counties were classified in 4 economic “regions” based on an economic study, a survey of county counsel salaries, and economic indicators from the census.

For each region, salaries were set at an average, median county counsel salary.

The salary for investigators is set at \$55,000 statewide.

Salaries by region

| Region 1 | \$67,143 |
|---------------|-----------|
| Region 2 | \$79,539 |
| Region 3 | \$95,892 |
| Region 4 | \$114,800 |
| | |
| Investigators | \$55,000 |

Other costs

- Benefits for attorneys and investigators are assigned at 25% of salary
- Overhead costs equal 33% of the personnel total, and are expected to cover supervising and clerical time, rent and other operating costs.

Statewide funding calculation

| Average child welfare cases 2012-2014 | 71,857 |
|---------------------------------------|---------------|
| Parent multiplier .82 | 58,923 |
| Total cases | 130,780 |
| Attorneys at 188 cases per attorney | 695.6 |
| Average salary for attorney | \$90,738 |
| Investigators at .5 per 188 cases | 347.8 |
| Salary for investigators | \$55,000 |
| Total attorney cost | \$63,117,717 |
| Total social worker cost | \$19,129,000 |
| Total salary | \$82,246,717 |
| Benefits @ 25% | \$20,561,679 |
| Total personnel | \$102,808,396 |
| Operations @ 33% | \$34,269,465 |
| Total funding need | \$137,077,860 |

Sources

The data and detailed computations for the following slides can be found in the Judicial Council Report to the Legislature:

Dependency Counsel Caseload Standards,
April 2008.

Sources

The slides from this presentation, the Report to the Legislature, and other source material will be posted on the web pages for the Family and Juvenile Law Advisory Committee and the Trial Court Budget Advisory Committee:

<http://www.courts.ca.gov/familyjuvenilecomm.htm>

<http://www.courts.ca.gov/tcbac.htm>