



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 25, 2013

Title	Agenda Item Type
Judicial Dependency: Proposed Allocation for Fiscal Year 2013–2014 for Court Appointed Special Advocate Local Assistance	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
N/A	October 25, 2013
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	September 18, 2013
Hon. Kimberly J. Nystrom-Geist, Chair	Contact
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Executive Summary

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve Court Appointed Special Advocate (CASA) grant funding allocations for fiscal year (FY) 2013–2014. The recommended allocations will fund 45 current programs using the new funding methodology and set aside funds for technical assistance.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective October 25, 2013:

1. Allocate \$2.21 million for CASA local assistance grants to 45 CASA programs using the new funding methodology approved by the council at the August 23, 2013 business meeting; and,
2. Set aside \$3,000 of CASA funding for technical assistance to address program challenges.

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 the February 9, 1999 meeting, the Judicial Council delegated approval of the allocation of the Judicial Council CASA grant funds to the Executive and Planning Committee (E&P).

In August 2003, at the recommendation of the Family and Juvenile Law Advisory Committee, E&P approved a formula-based method for distributing Judicial Council CASA program funding to California CASA programs. The new funding approach replaced the previous competitive request for proposals process with predetermined program awards. When the allocation process transitioned to a formula-based method, the baseline awards were determined by averaging the amounts of the previous two years of funding. In 2011, E&P decided that the approval of budget allocations for CASA programs be made by the Judicial Council.

At the August 23, 2013 meeting, the Judicial Council approved a funding methodology that is formula based and utilizes program data submitted by local programs that evaluates efficiency and program growth. Programs are required, through both a contract and an evaluation process, to demonstrate that they meet a number of program objectives, including compliance with rule 5.655 of the California Rules of Court, local rules of court, volunteer recruitment, volunteer training, board development, sound fiscal management, and other requirements as outlined in the National CASA Standards. This new methodology (1) establishes equitable allocations for CASA programs and eliminates wide funding variations resulting from historical funding formulas and grant applications; (2) supplements funding to local programs that work toward efficiency, effectiveness, and program growth; and (3) increases the number of dependency youth served by CASA programs and potentially, the number of courts.

Rationale for Recommendation

The state judicial branch budget for Judicial Council CASA grants for FY 2013–2014 is \$2.213 million. As of July 1, 2013, one of the five two-county programs has experienced a significant transition of becoming two separate CASA programs, serving each of their jurisdictions independently. Now, there are 45 California CASA programs serving 49 counties, four of which are two-county programs. No new counties have requested to establish a CASA program for FY 2013–2014. The new funding methodology adopted by the Judicial Council promotes equitability, addresses local shifts in administration, and provides clear direction on the distribution of CASA funding each fiscal year.

Comments, Alternatives Considered, and Policy Implications

Before the current methodology was adopted by the Judicial Council at the August 23, 2013 meeting, it was circulated for comment from June 18, 2013, through July 8, 2013, and was distributed to presiding judges of the juvenile court and executive directors and managers of California CASA programs. The proposed methodology was also distributed through *Court News Update* (July 18, 2013) and made available in the “Invitations to Comment” section of the California Courts website. Actual allocations were not circulated for comment because they were derived by using FY 2012–2013 program data to allocate the incentive component of the funding (Attachment A).

Implementation Requirements, Costs, and Operational Impacts

There are no implementation requirements and costs other than the estimated \$2.213 million state judicial branch funding to be distributed to CASA programs.

Relevant Strategic Plan Goals and Operational Plan Objectives

The CASA funding methodology and allocations for local CASA programs align with multiple strategic and operational goals established by the Judicial Council, specifically Goals II and III.

Goal II specifies that “[t]he judiciary must maintain its status as an independent, separate, and co-equal branch of government. . . . The judiciary will unify in its advocacy for resources and policies that support and protect independent and impartial judicial decisionmaking in accordance with the constitution and the law. The branch will maintain the highest standards of accountability for its use of public resources, and adherence to its statutory and constitutional mandates.” The methodology incentivizes efficient and effective use of Judicial Council funding distributed to CASA programs each fiscal year.

Goal III notes that “effective administration of justice requires deliberate attention to recruiting, developing, and retaining high-quality staff at all levels, as well as to developing and implementing appropriate accountability and compliance measures.” Recruitment of court-appointed special advocates requires extensive screening and training of individuals. A competitive incentive in the CASA funding methodology rewards programs that retain these qualified, experienced volunteers.

Attachments

1. Attachment A: Proposed Allocation for FY 2013–2014 Judicial Council CASA Local Assistance