



## JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

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# CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-17-04

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Title	Action Requested
Judicial Branch: Request for Delegation to Judicial Branch Budget Committee for Court Innovations Grants	<b>VOTING MEMBERS ONLY:</b> Vote and return by fax. Additionally, return original signature page.
Rules, Forms, Standards, or Statutes Affected	Please Respond By
None	<b>June 30, 2017</b>
Recommended by	Date of Report
Hon. David M. Rubin, Chair Judicial Branch Budget Committee	<b>June 21, 2017</b>
	Contact
	Maureen Dumas, 916-263-2290 <a href="mailto:maureen.dumas@jud.ca.gov">maureen.dumas@jud.ca.gov</a>

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### **Executive Summary**

The Judicial Branch Budget Committee seeks from the Judicial Council authority to approve Court Innovations Grant Program award adjustments to reduce delays in implementing these important programs.

### **Recommendation**

The Court Innovations Grant Program was established in the Budget Act of 2016 (Sen. Bill 826; Stats. 2016, ch. 23).<sup>1</sup> The Act requires the Judicial Council to administer the grant program from June 1, 2017, through June 30, 2020. At its March 24, 2017, meeting the council approved \$23.5 million in grants for 28 trial courts and 1 appellate court. In preparing to implement their proposals some courts discovered they need funding adjustments. There could be more such

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<sup>1</sup> See <http://www.courts.ca.gov/documents/cipg-budget-act.pdf>.

requests over the grant program life-cycle. To reduce delays in implementing these important programs, the JBBC recommends the council:

delegate to the Judicial Branch Budget Committee authority to act on these requests, subject to certain limitations. Any changes would be part of the JBBC's quarterly report to the council about the innovations grant program.

### **Previous Council Action**

At the Judicial Council's August 25, 2016, meeting the responsibility for evaluation of Court Innovations grant proposals and subsequent recommendations for grant awards was given to the Judicial Branch Budget Committee.

At its March 24, 2017, meeting the council voted to allocate \$23.5 million to 28 trial courts and one appellate court under the Court Innovations Grant Program as recommended by the Judicial Branch Budget Committee. Using the three legislatively required award categories, \$11.3 million was allocated to collaborative court programs; \$7.5 million to self-help, family and juvenile court programs; \$4.7 million to other efficiencies across all types of court programs; and \$625,000 to the Judicial Council for grant program administration. Further the council approved the retention of 3 to 4 percent of the funding in each category as a contingency against unforeseen costs courts may encounter over the grant period.

### **Rationale for Recommendation**

In its March 2017 action approving the grants, the council anticipated courts may require adjustment to their project funding. For these contingencies the council created a reserved fund. The amount set aside has grown because one court declined to accept an award and because of small calculation errors; the reserve amount is now \$2.5 million.<sup>2</sup> Requests for grant adjustments have already been received. Additional requests are likely to be submitted throughout the program period.

Given the council's meeting schedule, implementing innovative programs will be delayed if council approval is required for each adjustment request. To avoid these interruptions, the Judicial Branch Budget Committee seeks a delegation from the council to act on these requests.<sup>3</sup> The delegation would be subject to these limitations:

- Any adjustment must be for an expense that is allowed under the Court Innovations Grant Program.

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<sup>2</sup> The amount of contingency funding for each of the three legislatively mandated grant categories is: \$1.9 million for collaborative court programs; \$350,725 for self-help, family, and juvenile court programs; and \$148,387 for other efficiencies across all types of court programs.

<sup>3</sup> This delegation would be similar to the delegation provided to the Administrative Director of the Judicial Council to transfer allocations in the Improvement and Modernization Fund.

- Any adjustment must be considered by using the same criteria that was applied in granting the original award.
- There is money in the grant category to fund the adjustment.
- All adjustments will be reported in the next Judicial Branch Budget Committee chair's innovations grant quarterly report to the council.

Every member of the Judicial Branch Budget Committee will continue to adhere to already established strict recusal rules when discussing, voting, or deciding any request affecting the member's court.

### **Comments, Alternatives Considered, and Policy Implications**

As an alternative option, the council could retain the authority to vote on all requests for grant adjustments. This option would not delegate any authority to the Judicial Branch Budget Committee and would require the council to consider and approve any and all requested grant amount adjustments, both major and minor.

### **Implementation Requirements, Costs, and Operational Impacts**

This delegation of authority will result in quicker decisions for grant adjustments, provide for a transparent and defined process for the Judicial Branch Budget Committee's consideration of grant adjustments, and require full reporting to the council of those adjustments.

### **Attachments**

1. *Instructions for Review and Action by Circulating Order*, at page 4
2. *Circulating Order*, at pages 5–6

## Instructions for Review and Action by Circulating Order

### Voting members

- Please indicate your **vote, sign, and return by 5:00 p.m., Friday, June 30, 2017**, if possible by one of these methods:
  1. Fax the signature pages to the attention of Judicial Council and Trial Court Leadership, Leadership Services Division at 415-865-4391.
  2. Reply to the e-mail message with “I approve,” “I disapprove,” or “I abstain.”
- If you are unable to reply by **Friday, June 30, 2017**, please do so as soon as possible thereafter.
- Additionally, **return the original** signature page to Judicial Council and Trial Court Leadership, Judicial Council of California, 455 Golden Gate Avenue, San Francisco, California, 94102-3688. **Please keep a copy for your records.**

### Advisory members

The circulating order is being faxed to you for your information only. There is no need to sign or return any documents.

**CIRCULATING ORDER  
Judicial Council of California  
Voting and Signature Pages**

Effective immediately, the Judicial Council approves delegation to the Judicial Branch Budget Committee to act on requests for grant funding adjustments for Court Innovations Grant Program amounts subject to certain limitations.

My vote is as follows:

Approve

Disapprove

Abstain

\_\_\_\_\_  
Tani G. Cantil-Sakauye, Chair

\_\_\_\_\_  
Marla O. Anderson

\_\_\_\_\_  
Brian John Back

\_\_\_\_\_  
Richard Bloom

\_\_\_\_\_  
Stacy Boulware Eurie

\_\_\_\_\_  
Kyle S. Brodie

\_\_\_\_\_  
Ming W. Chin

\_\_\_\_\_  
Samuel K. Feng

\_\_\_\_\_  
Scott M. Gordon

\_\_\_\_\_  
Harry E. Hull, Jr.

\_\_\_\_\_  
James M. Humes

\_\_\_\_\_  
Audra Ibarra

\_\_\_\_\_  
Hannah-Beth Jackson

\_\_\_\_\_  
Patrick M. Kelly

My vote is as follows:

Approve

Disapprove

Abstain

\_\_\_\_\_  
Dalila Corral Lyons

\_\_\_\_\_  
Donna D'Angelo Melby

\_\_\_\_\_  
Douglas P. Miller

\_\_\_\_\_  
Gary Nadler

\_\_\_\_\_  
Debra Elaine Pole

\_\_\_\_\_  
David M. Rubin

\_\_\_\_\_  
Dean T. Stout

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Administrative Director and  
Secretary of the Judicial Council