



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-104

For business meeting on: July 21, 2023

Title

Juvenile Law: Court Appointed Special Advocate Funding Methodology, Program Expansion, and Fiscal Year 2023–2024 Allocations

Agenda Item Type

Action Required

Effective Date

July 1, 2023

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

June 21, 2023

Recommended by

Family and Juvenile Law Advisory Committee
Hon. Stephanie E. Hulse, Cochair
Hon. Amy M. Pellman, Cochair

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Executive Summary

The Family and Juvenile Law Advisory Committee recommends allocation of \$2.713 million for fiscal year (FY) 2023–24 for the Court Appointed Special Advocate (CASA) Local Assistance program, and two updates to the funding allocation methodology. The judicial branch budget for Judicial Council CASA grants for FY 2023–24 is \$2.713 million, which includes a \$500,000 augmentation. The allocations would fund 45 CASA programs serving 52 counties.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2023:

1. Continue the allocation of the \$500,000 funding augmentation as base funding for FY 2023–24 using the four-tiered base funding methodology approved by the council on September 21, 2018;

2. Amend the methodology to allow for expansion of the CASA Local Assistance program to permit existing programs to expand to serve new courts without a program; and
3. Allocate \$2.713 million for FY 2023–24 to the CASA programs based on the recommended amended methodology.

Relevant Previous Council Action

A CASA program is a nonprofit organization that supports and promotes trained volunteers appointed by a judicial officer to provide advocacy for a child who is under the jurisdiction of a juvenile court. A CASA volunteer spends time with the child, monitors the child's needed services, and provides child-focused recommendations to the court based on the best interest of the child.

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 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 (Executive Committee).

In August 2003, at the recommendation of the Family and Juvenile Law Advisory Committee (Committee), the Executive Committee 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. Then on August 23, 2013, the Judicial Council approved a new funding methodology that was formula-based and used program data submitted by local programs to evaluate the efficiency and growth of those programs.¹

At its meeting on July 20, 2018, the Judicial Council adopted a revised methodology that provides a larger percentage of funds as base funding and replaced the two existing incentives with a growth incentive for those programs that are eligible.² The revised methodology made no changes to the four-tiered base funding portion of the methodology.

The Budget Act of 2018 included a \$500,000 augmentation to Judicial Council CASA funding to promote program growth. At its September 21, 2018, meeting, the Judicial Council approved the allocation of these funds to CASA programs as additional base funding for FYs 2018–19 and

¹ Judicial Council of Cal., Advisory Com. Rep., *Juvenile Dependency: Court Appointed Special Advocate Program Funding Methodology* (July 19, 2013), www.courts.ca.gov/documents/jc-20130823-itemM.pdf.

² Judicial Council of Cal., Advisory Com. Rep., *Judicial Council Budget: Court Appointed Special Advocate Funding Methodology and FY 2018–19 Allocations* (June 28, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6357571&GUID=C010F4D4-28C5-4868-871C-94B763688ACA>.

2019–20 using the four-tiered base funding methodology adopted and reaffirmed at its August 2013 and July 2018 meetings, respectively.³ In this report to Council, the Committee noted that it would develop recommendations for a methodology specific to these funds for implementation in FY 2020–21. The Committee deferred this item during the pandemic and in FY 2021–22, the Judicial Council approved extending utilization of the four-tiered base funding methodology for allocation of the augmented funds beyond the two-year funding plan.⁴ On July 15, 2022, the Judicial Council directed the Committee and Judicial Council CASA program staff to develop a funding methodology for the \$500,000 augmentation.⁵

Analysis/Rationale

\$500,000 augmentation

In 2022 the Family and Juvenile Law Advisory Committee formed an ad hoc working group to work with program staff to develop a funding methodology for the \$500,000 funding augmentation.

The ad hoc working group reviewed CASA Local Assistance base funding amounts for each county, the number of dependents served by CASAs, and the resident population for each county. The COVID-19 pandemic strained all aspects of the child welfare system. Local CASA programs have been challenged to recruit, train, and supervise CASA volunteers after a drop in volunteers during the pandemic. The programs continue to experience ongoing challenges with recruiting, training, and supervising CASA volunteers.

The committee recommends continuing allocation of the \$500,000 augmentation to CASA programs as additional base funding using the four-tiered base funding methodology adopted by the council on September 21, 2018, until the child welfare system stabilizes from the impact of the COVID-19 pandemic. In FY 2023–24 the Family and Juvenile Law Advisory Committee will continue to review data regarding the impact of the COVID-19 pandemic on the child welfare system and local CASA programs and present recommendations for a funding methodology for this augmentation in FY 2024–25. Continuing the \$500,000 augmentation funding allocation based on this funding methodology for FY 2023–24 will provide the local CASA programs with funding based on historic allocations.

³ Judicial Council of Cal., Advisory Com. Rep., (Aug. 14, 2018), *Judicial Council Budget: Allocation of Augmented Funding for Court Appointed Special Advocate Grant Program*, <http://jcc.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=2133>.

⁴ Judicial Council of Cal., Advisory Com. Rep., *Juvenile Law: Fiscal Year 2021–22 Funding Allocations for Court Appointed Special Advocate Local Assistance* (June 16, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9487734&GUID=BD0E146D-4BF6-40A9-B325-779E70763AAD>.

⁵ Judicial Council of Cal., Advisory Com. Rep., *Juvenile Law: Fiscal Year 2022–23 Funding Allocations for Court Appointed Special Advocate Local Assistance* (June 22, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11051536&GUID=CB060812-69AE-4272-9D05-0F0AECEA8ABC>.

Proposed funding plan for augmented funds for FY 2023–24

- The Judicial Council CASA Grant program will continue the allocation of \$500,000 as base funding for FY 2023–24 to CASA programs using the four-tiered base funding methodology approved by the council on September 21, 2018.
- In FY 2023-24 the Family and Juvenile Law Advisory Committee will continue to review data regarding the impact of the COVID-19 pandemic on the child welfare system and local CASA programs and present recommendations for a funding methodology for this augmentation for FY 2024–25.

CASA program expansion

There are seven courts without a CASA program, and many of these courts have expressed an interest in establishing a local CASA program. One program requested to expand their program to serve an additional court effective FY 2023–24.⁶ However, the current methodology directs available funding for allocation only to existing programs and does not include provisions to expand the funding to courts without a program.

The committee recommends the current methodology be updated to include provisions for expansion of the program to serve new courts with the following parameters:

1. New programs must be approved by the California CASA Association and National CASA Association;
2. New programs must join under an existing and neighboring program; and
3. The request to join an existing program must be submitted to the Judicial Council by April 1 to be considered for inclusion in the next CASA Local Assistance allocation term (September 1 through August 31).

Since the total amount available for funding does not increase with expansion, expansion to new courts will result in a decrease in the funding available to each program, specifically the augmentation and growth incentive funding. Requiring new courts to join under an existing or neighboring program will minimize the fiscal impact on existing programs.

Proposed funding allocations for FY 2023–24

The judicial branch budget for Judicial Council CASA grants for FY 2023–24 is \$2.713 million, which includes a \$500,000 augmentation. The allocations would fund 45 CASA programs serving 52 counties. The committee recommends allocation of the \$2.713 million for FY 2023–24 to the CASA programs based on the recommended amended methodology as outlined in Attachment A. Attachment A includes FY 2023–24 program allocations with the

⁶ The Superior Court of Yuba County and the CASA program serving Placer County, Child Advocates of Placer County, requested consideration for inclusion in the CASA Local Assistance Program as a two-county program beginning FY 2023–24. In April 2023, the California CASA Association submitted an application to the National CASA Association for Child Advocates of Placer County to expand into Yuba County and received approval in May 2023.

addition of a new program. Attachment B shows the FY 2023–24 program allocations without the new program.

Policy implications

There are no policy implications to consider for the recommended allocation and methodology revisions.

Comments

Circulation for public comment was not required for this report. However, as indicated previously, the Family and Juvenile Law Advisory Committee formed an ad hoc working group to work with program staff to develop a funding methodology for the ongoing \$500,000 funding augmentation. The working group discussed and considered two alternatives, detailed below. When evaluating various options, the working group carefully considered child welfare data, county populations, the historical funding methodology, the impact of the COVID-19 pandemic on the child welfare system, and the challenges faced by the local CASA programs. There was consensus among the working group to continue allocation of the \$500,000 augmentation to CASA programs as additional base funding using the four-tiered base funding methodology adopted by the council on September 21, 2018, until the child welfare system stabilizes from the impact of the COVID-19 pandemic.

The working group was reconvened to discuss and consider a methodology to permit expansion of the program to serve courts without a local CASA program. The group discussed the process for expansion with respect to the requirements for approval by the California CASA Association and the National CASA Association, which includes formal application and approval. The working group also discussed the number of courts currently without a CASA program and anticipation of additional courts showing interest in joining the program. Also discussed and considered was the impact of expansion of the program on funding allocations for new and existing programs. The recommended methodology stemmed from these discussions with no dissent.

Alternatives considered

Two alternatives were considered to recommendation 1:

1. *Allocate the \$500,000 augmentation evenly for all local CASA programs.*

This alternative equally distributes the \$500,000 among the 45 local programs. Although this method would provide the same amount of funding for each program, it would not account for county population, multicounty programs, or any other factors.

2. *Create an incentive program that would provide augmented funding for programs that meet that incentive.*

Creating another incentive option for the local CASA programs, such as number of children served or number of CASA volunteers recruited within a time frame, would reward CASA programs that reach that incentive. However, because of economies of scale, larger programs are better positioned to reach incentives, creating inequities in the awarding of incentives.

Two alternatives were considered to recommendation 2:

1. *Allow expansion for standalone programs.*

Allowing expansion to standalone programs would increase the amount of funding distributed for base allocations, thereby reducing the augmentation and growth incentive funding available for all programs. New programs joining under an existing and neighboring program will have a lesser impact on the available funding for each program. In addition, shared resources will likely lead to efficiencies.

2. *Defer CASA Local Assistance program expansion to future years.*

By deferring expansion to future years, those courts without a CASA program would continue to be ineligible for funding through the CASA Local Assistance program to serve children in their counties. Allowing for expansion beginning in FY 2023–24 will increase the number of children served by a CASA.

Fiscal and Operational Impacts

This recommendation is for the allocation of funds that are included in the FY 2023–24 budget. Implementation of the expansion provision will be effective for FY 2023–24. If the recommended methodology for expansion is approved, all programs will see a minimal decrease in augmentation funding and growth incentive funding.

Attachments and Links

1. Attachment A: Proposed Allocation for FY 2023–2024 Judicial Council Local Assistance (recommended—with program expansion)
2. Attachment B: Proposed Allocation for FY 2023–2024 Judicial Council Local Assistance (no program expansion)

Attachment A: Proposed Allocation for FY 2023-24

Local CASA Programs by County(ies)	Base Allocations	Allocation of \$500,000	Proposed Growth Incentive	Total Proposed JC Local Assistance Grant
Alameda	\$57,500.00	\$13,668.67	\$4,061.00	\$75,229.70
Amador /Calaveras	\$44,850.00	\$10,661.56	\$4,061.00	\$59,572.58
Butte/Glenn	\$58,650.00	\$13,942.04	\$0.00	\$72,592.07
Contra Costa	\$57,500.00	\$13,668.67	\$4,061.00	\$75,229.70
Del Norte	\$29,900.00	\$7,107.71	\$0.00	\$37,007.72
El Dorado	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
Fresno/Madera	\$86,250.00	\$20,503.01	\$0.00	\$106,753.05
Humboldt	\$29,900.00	\$7,107.71	\$0.00	\$37,007.72
Imperial	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
Inyo/Mono	\$44,850.00	\$10,661.56	\$0.00	\$55,511.58
Kern	\$57,500.00	\$13,668.67	\$4,061.00	\$75,229.70
Kings	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
Lassen	\$29,900.00	\$7,107.71	\$4,061.00	\$41,068.72
Los Angeles	\$57,500.00	\$13,668.67	\$0.00	\$71,168.70
Marin	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
Mariposa	\$29,900.00	\$7,107.71	\$0.00	\$37,007.72
Mendocino/Lake	\$58,650.00	\$13,942.04	\$4,061.00	\$76,653.07
Merced	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
Modoc	\$29,900.00	\$7,107.71	\$0.00	\$37,007.72
Monterey	\$48,300.00	\$11,481.68	\$4,061.00	\$63,842.70
Napa	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
Nevada	\$29,900.00	\$7,107.71	\$0.00	\$37,007.72
Orange	\$57,500.00	\$13,668.67	\$0.00	\$71,168.70
Placer/Yuba	\$72,450.00	\$17,222.53	\$4,061.00	\$93,733.56
Plumas	\$29,900.00	\$7,107.71	\$0.00	\$37,007.72
Riverside	\$57,500.00	\$13,668.67	\$4,061.00	\$75,229.70
Sacramento	\$57,500.00	\$13,668.67	\$4,061.00	\$75,229.70
San Benito	\$29,900.00	\$7,107.71	\$0.00	\$37,007.72
San Bernardino	\$57,500.00	\$13,668.67	\$4,061.00	\$75,229.70
San Diego	\$57,500.00	\$13,668.67	\$0.00	\$71,168.70
San Francisco	\$48,300.00	\$11,481.68	\$4,061.00	\$63,842.70
San Joaquin	\$48,300.00	\$11,481.68	\$4,061.00	\$63,842.70
San Luis Obispo	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
San Mateo	\$48,300.00	\$11,481.68	\$0.00	\$59,781.70
Santa Barbara	\$48,300.00	\$11,481.68	\$4,061.00	\$63,842.70
Santa Clara	\$57,500.00	\$13,668.67	\$0.00	\$71,168.70
Santa Cruz	\$39,100.00	\$9,294.70	\$4,061.00	\$52,455.72
Shasta/Tehama	\$58,650.00	\$13,942.04	\$4,061.00	\$76,653.07
Siskiyou	\$29,900.00	\$7,107.71	\$4,061.00	\$41,068.72
Solano	\$48,300.00	\$11,481.68	\$4,061.00	\$63,842.70
Sonoma	\$48,300.00	\$11,481.68	\$4,061.00	\$63,842.70
Stanislaus	\$48,300.00	\$11,481.68	\$0.00	\$59,781.70
Tulare	\$48,300.00	\$11,481.68	\$4,061.00	\$63,842.70
Ventura	\$48,300.00	\$11,481.68	\$0.00	\$59,781.70
Yolo	\$39,100.00	\$9,294.70	\$0.00	\$48,394.72
Totals	\$2,103,350.00	\$499,999.97	\$109,647.00	\$2,712,996.97
Total Local Assistance Grant	\$2,713,000.00			
Total Base Amounts	\$2,603,349.97			
Incentives Awards for Top 27 Program (Small 13 & Large 14)	\$109,647.00			

*Base Allocations are based on the four-tier methodology

After allocating funds to the base according to the methodology and expanding the Placer County program to serve Yuba County, \$4,061 was available for incentive funding per qualified program.

Attachment B: Proposed Allocation for FY 2023-24

Local CASA Programs by County(ies)	Base Allocations	Allocation of \$500,000	Proposed Growth Incentive	Total Proposed JC Local Assistance Grant
Alameda	\$57,500.00	\$13,827.00	\$4,955.00	\$76,282.00
Amador /Calaveras	\$44,850.00	\$10,785.00	\$4,955.00	\$60,590.00
Butte/Glenn	\$58,650.00	\$14,104.00	\$0.00	\$72,754.00
Contra Costa	\$57,500.00	\$13,827.00	\$4,955.00	\$76,282.00
Del Norte	\$29,900.00	\$7,190.00	\$0.00	\$37,090.00
El Dorado	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
Fresno/Madera	\$86,250.00	\$20,741.00	\$0.00	\$106,991.00
Humboldt	\$29,900.00	\$7,190.00	\$0.00	\$37,090.00
Imperial	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
Inyo/Mono	\$44,850.00	\$10,785.00	\$0.00	\$55,635.00
Kern	\$57,500.00	\$13,827.00	\$4,955.00	\$76,282.00
Kings	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
Lassen	\$29,900.00	\$7,190.00	\$4,955.00	\$42,045.00
Los Angeles	\$57,500.00	\$13,827.00	\$0.00	\$71,327.00
Marin	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
Mariposa	\$29,900.00	\$7,190.00	\$0.00	\$37,090.00
Mendocino/Lake	\$58,650.00	\$14,104.00	\$4,955.00	\$77,709.00
Merced	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
Modoc	\$29,900.00	\$7,190.00	\$0.00	\$37,090.00
Monterey	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
Napa	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
Nevada	\$29,900.00	\$7,190.00	\$0.00	\$37,090.00
Orange	\$57,500.00	\$13,827.00	\$0.00	\$71,327.00
Placer	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
Plumas	\$29,900.00	\$7,190.00	\$0.00	\$37,090.00
Riverside	\$57,500.00	\$13,827.00	\$4,955.00	\$76,282.00
Sacramento	\$57,500.00	\$13,827.00	\$4,955.00	\$76,282.00
San Benito	\$29,900.00	\$7,190.00	\$0.00	\$37,090.00
San Bernardino	\$57,500.00	\$13,827.00	\$4,955.00	\$76,282.00
San Diego	\$57,500.00	\$13,827.00	\$0.00	\$71,327.00
San Francisco	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
San Joaquin	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
San Luis Obispo	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
San Mateo	\$48,300.00	\$11,615.00	\$0.00	\$59,915.00
Santa Barbara	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
Santa Clara	\$57,500.00	\$13,827.00	\$0.00	\$71,327.00
Santa Cruz	\$39,100.00	\$9,403.00	\$4,955.00	\$53,458.00
Shasta/Tehama	\$58,650.00	\$14,104.00	\$4,955.00	\$77,709.00
Siskiyou	\$29,900.00	\$7,190.00	\$4,955.00	\$42,045.00
Solano	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
Sonoma	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
Stanislaus	\$48,300.00	\$11,615.00	\$0.00	\$59,915.00
Tulare	\$48,300.00	\$11,615.00	\$4,955.00	\$64,870.00
Ventura	\$48,300.00	\$11,615.00	\$0.00	\$59,915.00
Yolo	\$39,100.00	\$9,403.00	\$0.00	\$48,503.00
Totals	\$2,079,200.00	\$499,995.00	\$133,785.00	\$2,712,980.00

Total Local Assistance Grant	\$2,713,000.00
Total Base Amounts	\$2,579,195.00
Incentives Awards for Top 27 Program (Small 13 & Large 14)	\$133,785.00

**Base Allocations are based on the four-tier methodology*

After allocating funds to the base according to the methodology, \$4,955 was available for incentive funding per qualified program.