



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-114

For business meeting on July 12, 2024

Title

Child Support: AB 1058 Child Support
Commissioner and Family Law Facilitator
Program Funding for Fiscal Year 2024–25

Agenda Item Type

Action Required

Effective Date

July 12, 2024

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

June 13, 2024

Recommended by

Trial Court Budget Advisory Committee
Hon. Jonathan B. Conklin, Chair
Ms. Rebecca Fleming, Vice-Chair

Contact

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Executive Summary

The Trial Court Budget Advisory Committee recommends approval of Assembly Bill 1058 Child Support Commissioner and Family Law Facilitator Program funding for fiscal year 2024–25. The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council, which requires the council to annually approve these funding allocations.

Recommendation

The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 12, 2024:

1. Approve the recommended allocation for the Child Support Commissioner program for fiscal year (FY) 2024–25. This allocation maintains the current workload-based methodology that was approved by the Judicial Council on January 15, 2019, and is updated with new workload data every two years; and
2. Approve the recommended allocation for the Family Law Facilitator program for FY 2024–25. This allocation maintains the current population-based methodology that was approved

by the Judicial Council on July 9, 2021, and is updated with new population data every two years.

The recommended allocations for the two programs are included as Attachments A and B to this report, respectively.

This recommendation was presented to the Judicial Branch Budget Committee on May 16, 2024, and approved for consideration by the Judicial Council.

Relevant Previous Council Action

The Judicial Council is required to annually allocate nontrial court funding to the Assembly Bill 1058 program and has done so since 1997.¹ A cooperative agreement between the California Department of Child Support Services (DCSS) and the council provides the funds for this program and requires the council to approve the funding allocation annually. Two-thirds of the funds are federal, and one-third comes from the state General Fund (nontrial court funding). Any funds left unspent at the end of the fiscal year revert to the state General Fund and cannot be used in subsequent years. The Judicial Council conducts a midyear reallocation to minimize the return of unspent funds.

The AB 1058 Funding Allocation Joint Subcommittee was formed in 2015 to review the historical AB 1058 program funding methodology. On January 15, 2019, the council approved a new workload-based funding methodology for the AB 1058 Child Support Commissioner (CSC) program while maintaining the historical Family Law Facilitator (FLF) program funding methodology until FY 2021–22, as recommended by the subcommittee.² On July 9, 2021, the council approved a new population-based methodology for the FLF program and maintained the workload-based methodology, with updated workload data, for the CSC program and directed that each methodology be updated every two years with updated data.³ Additionally, the council directed the Family and Juvenile Law Advisory Committee to make a recommendation for the

¹ AB 1058 added article 4 to chapter 2 of part 2 of division 9 of the Family Code, which at section 4252(b)(6) requires the Judicial Council to “[e]stablish procedures for the distribution of funding to the courts for child support commissioners, family law facilitators pursuant to [Family Code] Division 14 (commencing with Section 10000), and related allowable costs.”

² More details can be found in the Judicial Council report for the January 2019 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Allocation* (Nov. 21, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6953308&GUID=A6F15A78-08B6-42DA-8826-19A6AF0B7CB1>.

³ More details can be found in the Judicial Council report for the July 2021 meeting: Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding Methodology, Adopting a Family Law Facilitator Program Funding Methodology, and Adopting 2021–22 AB 1058 Program Funding Allocations* (May 14, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9508521&GUID=BC737E96-AFD8-4E22-A046-AE9E16A5C422>.

CSC program for funding a minimum service level for smaller courts and reviewing the implementation of the CSC workload-based methodology until FY 2023–24.⁴

On July 21, 2023, the Judicial Council approved the funding allocation for FY 2023–24 with updated workload data for the CSC program and updated population data for the FLF program. The council also confirmed that for the CSC program, funding for the smallest courts and courts in a cooperative agreement to share services will be allocated based on the courts’ historical allocations.⁵

Analysis/Rationale

AB 1058 program funding for FY 2024–25 is distributed through a two-year cooperative agreement between the DCSS and the Judicial Council. Base funding is distributed based on Judicial Council–approved methodologies for both sides of the program. For federal drawdown funds, courts are given the option to contribute trial court funds to receive a two-thirds match in federal dollars. The allocation of federal drawdown funds is based on a prior fiscal year survey of courts indicating whether they would like to change their federal drawdown allocation for the next fiscal year.

Funding for FY 2024–25 for the CSC program is \$35.0 million in base funding and \$13.0 million in federal drawdown funding. Funding for FY 2024–25 for the FLF program is \$11.9 million in base funding and \$4.4 million in federal drawdown funds. The total program base allocation is \$46.9 million, and the total federal drawdown allocation is \$17.5 million.

Based on the approved funding methodologies, courts will receive the same amount of base funding as they received for FY 2023–24 and the same federal drawdown funding if they requested to receive the same funding amount. Any federal drawdown funding made available from courts requesting a reduced allocation is allocated based on methodology previously approved by the Judicial Council. See Attachments A and B for more details.

Policy implications

Approval of these recommendations allows for the continued funding of the CSC and FLF programs, supporting courts in meeting mandates under Family Code sections 4251 and 10002 to hire sufficient child support commissioners and family law facilitators, respectively, to provide AB 1058 services to the public. Approval of these recommendations also fulfills the

⁴ Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating Workload Data for the AB 1058 Child Support Commissioner Funding Methodology, Adopting a Family Law Facilitator Program Funding Methodology, and Adopting 2021–22 AB 1058 Program Funding Allocations* (May 14, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9508521&GUID=BC737E96-AFD8-4E22-A046-AE9E16A5C422>.

⁵ Judicial Council of Cal., Advisory Com. Rep., *Child Support: Updating AB 1058 Program Funding Methodologies and Adopting Fiscal Year 2023–24 Funding Allocations* (June 29, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12128370&GUID=89F3B1A2-851D-4C5B-9966-A563AFCD50E5>.

requirements of the contract between the council and the California Department of Child Support Services.

Comments

Public comments were not solicited for this proposal because the recommendations are within the Judicial Council's purview to approve without circulation.

Alternatives considered

No alternatives were considered because the recommended allocations were calculated using the funding methodology approved by the Judicial Council.

Fiscal and Operational Impacts

To draw down federal funds, federal provisions require payment of a state share of one-third of total expenditures. Therefore, each participating court will need to provide the one-third share of the court's total cost to draw down two-thirds of total expenditures from federal participation.

Attachments and Links

1. Attachment A: Child Support Commissioner (CSC) Program Allocation, 2024–25
2. Attachment B: Family Law Facilitator (FLF) Program Allocation, 2024–25

Attachment A

Child Support Commissioner (CSC) Program Allocation, 2024–25

		A	B	C	D	E	F
#	CSC Court	Base Allocation	Beginning Federal Drawdown Option	Federal Share 66% (Column B * .66)	Court Share 34% (Column B * .34)	Total Allocation (A + B)	Contract Amount (A + C)
1	Alameda	\$1,474,740	\$549,815	\$362,878	\$186,937	\$2,024,555	\$1,837,618
2	Alpine (see El Dorado)						
3	Amador	140,250	45,736	30,186	15,550	185,986	170,436
4	Butte	259,055	0	0	0	259,055	259,055
5	Calaveras	132,667	10,000	6,600	3,400	142,667	139,267
6	Colusa	45,691	15,809	10,434	5,375	61,500	56,125
7	Contra Costa	753,850	0	0	0	753,850	753,850
8	Del Norte	63,791	29,023	19,155	9,868	92,814	82,946
9	El Dorado	203,169	100,382	66,252	34,130	303,551	269,421
10	Fresno	1,704,980	1,187,832	783,969	403,863	2,892,812	2,488,949
11	Glenn	120,030	0	0	0	120,030	120,030
12	Humboldt	111,198	20,332	13,419	6,913	131,530	124,617
13	Imperial	224,088	147,000	97,020	49,980	371,088	321,108
14	Inyo	79,264	0	0	0	79,264	79,264
15	Kern	1,079,358	99,442	65,632	33,810	1,178,800	1,144,990
16	Kings	261,308	75,000	49,500	25,500	336,308	310,808
17	Lake	133,954	90,500	59,730	30,770	224,454	193,684
18	Lassen	60,000	0	0	0	60,000	60,000
19	Los Angeles	6,922,976	3,198,270	2,110,858	1,087,412	10,121,246	9,033,834
20	Madera	247,874	88,000	58,080	29,920	335,874	305,954
21	Marin	108,983	40,396	26,661	13,735	149,379	135,644
22	Mariposa	75,216	0	0	0	75,216	75,216
23	Mendocino	147,030	56,550	37,323	19,227	203,580	184,353
24	Merced	466,068	297,354	196,254	101,100	763,422	662,322
25	Modoc						
26	Mono	45,974	0	0	0	45,974	45,974
27	Monterey	365,228	163,240	107,738	55,502	528,468	472,966
28	Napa	90,958	0	0	0	90,958	90,958
29	Nevada	327,593	0	0	0	327,593	327,593
30	Orange	2,149,386	575,996	380,157	195,839	2,725,382	2,529,543
31	Placer	296,704	20,870	13,774	7,096	317,574	310,478
32	Plumas	95,777	0	0	0	95,777	95,777
33	Riverside	1,635,589	26,418	17,436	8,982	1,662,007	1,653,025
34	Sacramento	1,446,037	601,713	397,131	204,582	2,047,750	1,843,168
35	San Benito	135,384	40,000	26,400	13,600	175,384	161,784
36	San Bernardino	3,260,118	925,058	610,538	314,520	4,185,176	3,870,656
37	San Diego	1,968,496	1,186,541	783,117	403,424	3,155,037	2,751,613
38	San Francisco	779,283	363,320	239,791	123,529	1,142,603	1,019,074
39	San Joaquin	866,577	83,046	54,810	28,236	949,623	921,387
40	San Luis Obispo	199,204	127,093	83,881	43,212	326,297	283,085
41	San Mateo	336,483	228,000	150,480	77,520	564,483	486,963
42	Santa Barbara	413,356	293,279	193,564	99,715	706,635	606,920
43	Santa Clara	1,531,621	977,183	644,941	332,242	2,508,804	2,176,562
44	Santa Cruz	168,434	99,440	65,630	33,810	267,874	234,064
45	Shasta	417,575	235,246	155,262	79,984	652,821	572,837
46	Sierra (see Nevada)						
47	Siskiyou	112,559	0	0	0	112,559	112,559
48	Solano	536,562	95,481	63,017	32,464	632,043	599,579
49	Sonoma	430,721	0	0	0	430,721	430,721
50	Stanislaus	665,867	406,836	268,512	138,324	1,072,703	934,379
51	Sutter	173,492	63,487	41,901	21,586	236,979	215,393
52	Tehama	114,459	56,982	37,608	19,374	171,441	152,067
53	Trinity (see Shasta)						
54	Tulare	519,227	99,937	65,958	33,979	619,164	585,185
55	Tuolumne	150,638	78,346	51,708	26,638	228,984	202,346
56	Ventura	501,078	175,000	115,500	59,500	676,078	616,578
57	Yolo	201,367	15,000	9,900	5,100	211,367	211,267
58	Yuba	203,149	50,000	33,000	17,000	253,149	236,149
TOTAL		\$34,954,436	\$13,038,953	\$8,605,709	\$4,433,244	\$47,993,389	\$43,560,145

CSC Base Funds	\$34,954,436
CSC Federal Drawdown	\$13,038,953
Total Funding Allocated	\$47,993,389

Attachment B

Family Law Facilitator (FLF) Program Allocation, 2024–25							
		A	B	C	D	E	F
#	FLF Court	Base Allocation	Beginning Federal Drawdown Option	Federal Share 66% (Column B * .66)	Court Share 34% (Column B * .34)	Total Allocation (A + B)	Contract Amount (A + C)
1	Alameda	\$427,656	\$247,743	\$163,510	\$84,233	\$675,399	\$591,166
2	Alpine (see El Dorado)						
3	Amador	47,097	4,701	3,103	1,598	51,798	50,200
4	Butte	93,008	61,250	40,425	20,825	154,258	133,433
5	Calaveras	70,907	8,000	5,280	2,720	78,907	76,187
6	Colusa	38,685	8,900	5,874	3,026	47,585	44,559
7	Contra Costa	325,463	0	0	0	325,463	325,463
8	Del Norte	50,155	5,971	3,941	2,030	56,126	54,096
9	El Dorado	107,111	50,384	33,253	17,131	157,495	140,364
10	Fresno	361,481	198,952	131,308	67,644	560,433	492,789
11	Glenn	75,971	0	0	0	75,971	75,971
12	Humboldt	81,205	12,549	8,283	4,267	93,754	89,488
13	Imperial	69,686	36,940	24,380	12,560	106,626	94,066
14	Inyo	57,289	0	0	0	57,289	57,289
15	Kern	325,360	211,122	139,340	71,781	536,482	464,700
16	Kings	68,120	0	0	0	68,120	68,120
17	Lake	52,299	28,623	18,891	9,732	80,922	71,190
18	Lassen	65,167	0	0	0	65,167	65,167
19	Los Angeles	2,354,734	803,431	530,264	273,167	3,158,165	2,884,998
20	Madera	73,759	26,937	17,778	9,158	100,696	91,537
21	Marin	124,657	0	0	0	124,657	124,657
22	Mariposa	45,491	0	0	0	45,491	45,491
23	Mendocino	56,553	30,722	20,277	10,445	87,275	76,830
24	Merced	103,021	70,913	46,802	24,110	173,934	149,823
25	Modoc	70,995	1,247	823	424	72,242	71,818
26	Mono	48,322	1,350	891	459	49,672	49,213
27	Monterey	139,169	61,815	40,798	21,017	200,984	179,967
28	Napa	67,700	41,426	27,341	14,085	109,126	95,041
29	Nevada	116,579	0	0	0	116,579	116,579
30	Orange	719,452	129,890	85,727	44,163	849,342	805,179
31	Placer	116,133	0	0	0	116,133	116,133
32	Plumas	55,935	0	0	0	55,935	55,935
33	Riverside	647,113	240,227	158,550	81,677	887,340	805,663
34	Sacramento	382,653	224,079	147,892	76,187	606,732	530,545
35	San Benito	60,627	29,986	19,791	10,195	90,613	80,418
36	San Bernardino	546,115	331,046	218,490	112,556	877,161	764,605
37	San Diego	774,012	279,398	184,403	94,995	1,053,410	958,415
38	San Francisco	249,644	2,144	1,415	729	251,788	251,059
39	San Joaquin	222,201	85,640	56,522	29,118	307,841	278,723
40	San Luis Obispo	88,799	32,246	21,282	10,964	121,045	110,081
41	San Mateo	184,398	92,696	61,180	31,517	277,094	245,578
42	Santa Barbara	156,466	77,323	51,033	26,290	233,789	207,499
43	Santa Clara	506,978	210,712	139,070	71,642	717,690	646,048
44	Santa Cruz	92,216	46,072	30,407	15,664	138,288	122,623
45	Shasta	186,519	112,157	74,024	38,133	298,676	260,543
46	Sierra (see Nevada)						
47	Siskiyou	67,608	37,311	24,625	12,686	104,919	92,233
48	Solano	141,837	39,710	26,209	13,501	181,547	168,046
49	Sonoma	154,217	65,519	43,243	22,276	219,736	197,460
50	Stanislaus	200,661	124,226	81,989	42,237	324,887	282,650
51	Sutter	60,351	31,488	20,782	10,706	91,839	81,133
52	Tehama	39,713	3,535	2,333	1,202	43,248	42,046
53	Trinity (see Shasta)						
54	Tulare	280,401	141,878	93,640	48,239	422,279	374,041
55	Tuolumne	58,532	30,084	19,855	10,229	88,616	78,387
56	Ventura	245,297	86,121	56,840	29,281	331,418	302,137
57	Yolo	86,762	38,268	25,257	13,011	125,030	112,019
58	Yuba	59,845	44,953	29,669	15,284	104,798	89,514
TOTAL		\$11,902,125	\$4,449,685	\$2,936,792	\$1,512,893	\$16,351,810	\$14,838,917

FLF Base Funds	\$11,902,125
FLF Federal Drawdown	\$4,449,685
Total Funding Allocated	\$16,351,810