



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 20, 2018

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Title	Agenda Item Type
Judicial Council Budget: Court Appointed Special Advocate Funding Methodology and FY 2018-19 Allocations	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	July 20, 2018
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee Hon. Jerilyn L. Borack, Cochair	June 28, 2018
	Contact
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### Executive Summary

The Family and Juvenile Law Advisory Committee recommends approving a revised allocation methodology for Court Appointed Special Advocate (CASA) local assistance funding beginning in fiscal year (FY) 2018–19. The committee also recommends applying the revised methodology for allocations beginning in FY 2018–19. The revised allocation methodology would provide all CASA programs with a larger percentage of funds as baseline funding and, for those programs that are eligible, a growth incentive. The state judicial budget for Judicial Council CASA Grants for FY 2018-19 is \$2.213 million.<sup>1</sup> The allocations would fund 45 CASA programs serving 51 counties.

### Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 20, 2018:

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<sup>1</sup> An additional \$500,000 was approved in the Governor's Budget on June 27, 2018. Allocation of these funds will be presented to the Judicial Council at its September 2018 meeting.

1. Approve a revised allocation methodology for Court Appointed Special Advocate local assistance funding and apply the revised methodology to funding allocations beginning in FY 2018–19.
2. Approve the allocations applying the revised methodology as shown on Attachment A.

### **Relevant 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 its August 23, 2013 meeting, the Judicial Council approved a new funding methodology as discussed below.<sup>2</sup>

### **Analysis/Rationale**

In developing its 2018 annual agenda, the Family and Juvenile Law Advisory Committee included conducting a five-year review of the methodology adopted in 2013 in response to concerns raised about the methodology from the CASA programs.

To address those concerns, the committee requested guidance and input from the California Court Appointed Special Advocates Association (Cal CASA). Cal CASA convened a small task force consisting of a representative sample of CASA program executive directors. The methodology recommended in this proposal is a result of collaboration between the Cal CASA task force and Judicial Council CASA program staff.

### **Current methodology**

The current methodology involves a two-step approach: step 1 is the establishment of a base funding allocation and step 2 is the award of up to two fixed-amount incentives that can be applied on top of the base funding allocation for qualifying programs.

CASA programs are required, through both a contract and an evaluation process, to demonstrate that they meet a number of objectives, including compliance with rule 5.655 of the California Rules of Court and local rules of court, as well as requirements relating to volunteer recruitment and training, board development, sound fiscal management, and other requirements as outlined in the National CASA Association Standards. This 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

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<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *Juvenile Dependency: Court Appointed Special Advocate Program Funding Methodology* (Aug. 23, 2013), [www.courts.ca.gov/documents/jc-20130823-itemM.pdf](http://www.courts.ca.gov/documents/jc-20130823-itemM.pdf) (as of June 21, 2018).

toward efficiency, effectiveness, and program growth; and (3) increases the number of dependency youth and, potentially, the number of courts served by CASA programs.

### ***Step 1, base funding allocation***

Four county population tiers were established, with tier 1 comprising the least populous counties and tier 4 comprising the most populous counties. A base allocation amount was set for each tier. The county population of each local program determines its tier and thus its base funding amount. This method provides a stable grant award that local CASA programs can expect and consider for budget planning moving into subsequent fiscal years.

Two-county and multi-county programs factor in the sum of their combined county populations to determine their tier category. Because these programs experience an added challenge working across two or more jurisdictions while sharing limited resources under one program administration, the base allocation amount is multiplied by 1.5.

### ***Step 2, incentive funding***

The second step in the current funding methodology includes two types of incentive awards that can be added on top of the base funding allocation amounts. The incentive funding focuses on measurable criteria that are strong indicators of a thriving program and its ability to grow. Each incentive award is a fixed amount that is awarded to the top 20 local programs (44 percent) that achieve the greatest results in *each* of the two incentive categories. This is a competitive component to the formula and there may be some programs that do not qualify for either incentive.

- **Incentive A, volunteer retention rate.** The number of volunteers assigned minus the number of volunteers trained, divided by 100, equals the retention rate. This rate speaks to how successful local programs are at training and retaining CASA volunteers, from completing training to getting sworn in as an officer of the court by the judge, and being assigned a child. This incentive also recognizes the number of CASAs that remain assigned to a dependent child or youth beyond the 12-month commitment period and who take on another case after one has closed.
- **Incentive B, dependency proportion served.** Comparing two factors in this incentive option allows smaller counties to be recognized for serving a high proportion of their dependency children or youths. While larger counties may have a higher number of children served overall, any potential inequality can be addressed by considering that larger counties are given a higher base amount to start.

### **Recommended revised methodology**

The committee recommends replacing the current methodology with one that would provide a larger percentage of funds as base funding. The committee also recommends replacing the two existing incentives available to all programs meeting the eligibility requirements with a new incentive available to most, but not all, programs. The proposed methodology follows:

### ***Base funding***

- Continue to distribute base funds in accordance with the four tiers adopted in 2013. Maintain the current formula allowing two-county programs to receive a higher base amount at 1.5 times the county's allocation. However, for any two-county program in which the number of children served by CASAs is 200 or more per county, counties in those programs will be treated as separate counties.
- Add 15 percent to each CASA base allocation for increased costs and operating expenses. For FY 2018–19, this would increase the percentage of total funds allocated as base funding from 81 to 93 percent.

### ***Incentives***

- Eliminate incentives for any county with fewer than 50 children in foster care.
- Reduce the number of incentives from two to one and reduce the incentive award amount from \$10,450 to \$4,955.
- Separate programs into large and small categories based on total county population.
- Evaluate large programs based on the *number of children* served by CASAs compared to the previous year, with the top 14 programs with the largest increase receiving an incentive.
- Evaluate small programs based on the *percentage of children* in foster care served by CASAs for the current year, with the top 13 programs serving the largest percentage receiving an incentive.<sup>3</sup>

### **Comments**

The committee did not seek formal comment. However, Cal CASA surveyed the network of CASA programs by e-mail and the network was given the opportunity to provide input and feedback on the proposed revised funding methodology.

Over 52 percent of the programs (23 out of 44) provided feedback. Of the programs that provided feedback, 74 percent (17 programs) support the revised methodology, while 26 percent (6 programs) disapprove. Five of the six programs that do not support the proposed methodology are small CASA programs. One large CASA program disapproves of the proposed methodology based on a philosophical change of the program's goal from increasing the number of children served by CASA to a "deeper" provision of services to children currently being served.

### **Alternatives considered**

***Alternative 1.*** Give every CASA program its previous year's base allocation and a *flat increase* for operating costs and expenses. This increase did not seem equitable given that some programs have higher expenses than others. Additionally, some programs were eligible for two incentives

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<sup>3</sup> The committee proposes that there be one less incentive available for the small CASA programs given that there are fewer of them than the large programs.

based on the number of children served and the percentage of children with CASAs as compared to the total number of children in foster care. Providing for some programs to receive two incentives seemed out of scale compared to the number of children served and the overall budget of the program. The growth incentive that we believe favors the larger programs is the raw number of children, while the percentage of children served with CASAs as compared to the number in foster care favors the smaller programs.

**Alternative 2.** Maintain the CASA program's previous year base allocation with *no increase*. The same incentives were used as in Alternative 1 but the top 20 programs in each category received a larger incentive. Again, some programs received both incentives, which did not seem equitable given the number of children served and the small budgets of those programs.

**Alternative 3.** Give every CASA program its previous year's base allocation and a *flat increase* for operating costs and expenses. The same incentives were used as in Alternative 1 and the top 10 programs in each category received a larger incentive. Again, some small programs received both incentives, which did not seem equitable, as under this proposal only 20 programs would receive incentives, which was considered to be too few.

**Alternative 4.** Give every CASA program its previous year's base allocation and a *percentage increase* for operating costs and expenses. The same incentives were used as in Alternative 1 and the top 10 programs in each category received a larger incentive. Incentives were eliminated for counties with fewer than 50 children in foster care. Under this proposal, only 20 programs would receive incentives, which was considered to be too few.

**Alternative 5.** Maintain the status quo with use of the current CASA grants allocation methodology approved by the council in 2013. Allocation of the \$2.213 million for 2018–19 for CASA local assistance grants would be based on the current methodology. (See Attachment B.)

## **Fiscal and Operational Impacts**

Implementation of this CASA funding methodology would be effective for FY 2018–19. Currently, local programs are required to collect and submit to the Judicial Council a variety of data, including statistics on the number of children served and the number of new volunteers trained. This methodology would require no additional data collection because information is already collected as part of grant contract deliverables.

Small programs will likely experience reduced funding. Small programs that received two incentives under the 2013 methodology will likely not be eligible for the incentive under the revised funding methodology. The revised methodology will work toward equalizing funding on a per child basis. It is notable that small CASA programs, in general, have received a much larger per child amount compared to larger programs and, while reduced, this will not change with the revised funding methodology.

## **Attachments and Links**

1. Attachment A: Proposed Allocation for FY 2018–2019 Judicial Council Local Assistance (revised methodology)
2. Attachment B: Proposed Allocation for FY 2018–2019 Judicial Council Local Assistance (current methodology, established in 2013)

Attachment A (Revised): Proposed Allocation for FY 2018-2019  
Judicial Council Local Assistance

<b>Local CASA Programs by County(ies)</b>	<b>Base Allocations</b>	<b>15% Base Increase</b>	<b>Total Base Allocations</b>	<b>Growth Incentive</b>	<b>Total JC Local Assistance Grant</b>
Alameda	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Amador /Calaveras	\$39,000	\$5,850	\$44,850	4,955	\$49,805
Butte/Glenn	\$51,000	\$7,650	\$58,650	\$0	\$58,650
Contra Costa	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Del Norte	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
El Dorado	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Fresno/Madera	\$75,000	\$11,250	\$86,250	\$4,955	\$91,205
Humboldt	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Imperial	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Inyo/Mono	\$39,000	\$5,850	\$44,850	\$0	\$44,850
Kern	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Kings	\$34,000	\$5,100	\$39,100	\$0	\$39,100
Lassen	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
Los Angeles	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Marin	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Mariposa	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Mendocino/Lake	\$51,000	\$7,650	\$58,650	\$0	\$58,650
Merced	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Modoc	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Monterey	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
Napa	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Nevada	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Orange	\$50,000	\$7,500	\$57,500	\$0	\$57,500
Placer	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Plumas	\$26,000	\$3,900	\$29,900	\$0	\$29,900
Riverside	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
Sacramento	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
San Benito	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
San Bernardino	\$50,000	\$7,500	\$57,500	\$4,955	\$62,455
San Diego	\$50,000	\$7,500	\$57,500	\$0	\$57,500
San Francisco	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
San Joaquin	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
San Luis Obispo	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
San Mateo	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Santa Barbara	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Santa Clara	\$50,000	\$7,500	\$57,500	\$0	\$57,500
Santa Cruz	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
Shasta/Tehama	\$51,000	\$7,650	\$58,650	\$0	\$58,650
Siskiyou	\$26,000	\$3,900	\$29,900	\$4,955	\$34,855
Solano	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
Sonoma	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255
Stanislaus	\$42,000	\$6,300	\$48,300	\$4,955	\$53,255

## Attachment A (Revised): Proposed Allocation for FY 2018-2019

## Judicial Council Local Assistance

Tulare	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Ventura	\$42,000	\$6,300	\$48,300	\$0	\$48,300
Yolo	\$34,000	\$5,100	\$39,100	\$4,955	\$44,055
	\$1,808,000	\$271,200	\$2,079,200	\$133,785	\$2,212,985

Total Local Assistance Grant	\$2,213,000
Total Base Amounts	\$2,079,200
<b>Incentives Awards for Top 27 Programs</b> (Small 13 & Large 14)	\$133,785
<b>Total Allocations = Base + 27 incentives</b>	\$2,212,985

*The CASA Methodology specifies \$5,000 for incentives. After allocating funds to the base according to the methodology, \$4,955 per qualified program was available for incentive funding.*



**Attachment B: Proposed Allocation for FY 2018-2019  
Judicial Council Local Assistance**

<b>Local CASA Programs by County(ies)</b>	<b>Base Allocations</b>	<b>Incentive 2A*</b>	<b>Incentive 2B*</b>	<b>Total Incentives</b>	<b>Total JC Local Assistance Grant</b>
Alameda	\$50,000	0	0	\$0	\$50,000
Amador /Calaveras	\$39,000	0	0	\$0	\$39,000
Butte/Glenn	\$51,000	1	0	\$10,125	\$61,125
Contra Costa	\$50,000	0	0	\$0	\$50,000
Del Norte	\$26,000	1	0	\$10,125	\$36,125
El Dorado	\$34,000	1	1	\$20,250	\$54,250
Fresno/Madera	\$75,000	0	0	\$0	\$75,000
Humboldt	\$26,000	0	0	\$0	\$26,000
Imperial	\$34,000	1	1	\$20,250	\$54,250
Inyo/Mono	\$39,000	1	1	\$20,250	\$59,250
Kern	\$50,000	0	0	\$0	\$50,000
Kings	\$34,000	0	0	\$0	\$34,000
Lassen	\$26,000	1	1	\$20,250	\$46,250
Los Angeles	\$50,000	0	0	\$0	\$50,000
Marin	\$34,000	0	1	\$10,125	\$44,125
Mariposa	\$26,000	0	1	\$10,125	\$36,125
Mendocino/Lake	\$51,000	1	0	\$10,125	\$61,125
Merced	\$34,000	0	0	\$0	\$34,000
Modoc	\$26,000	1	1	\$20,250	\$46,250
Monterey	\$42,000	0	0	\$0	\$42,000
Napa	\$34,000	1	1	\$20,250	\$54,250
Nevada	\$26,000	0	1	\$10,125	\$36,125
Orange	\$50,000	1	0	\$10,125	\$60,125
Placer	\$42,000	0	1	\$10,125	\$52,125
Plumas	\$26,000	0	1	\$10,125	\$36,125
Riverside	\$50,000	0	0	\$0	\$50,000
Sacramento	\$50,000	0	0	\$0	\$50,000
San Benito	\$26,000	1	1	\$20,250	\$46,250
San Bernardino	\$50,000	1	0	\$10,125	\$60,125
San Diego	\$50,000	1	1	\$20,250	\$70,250
San Francisco	\$42,000	1	0	\$10,125	\$52,125
San Joaquin	\$42,000	0	0	\$0	\$42,000
San Luis Obispo	\$34,000	0	1	\$10,125	\$44,125
San Mateo	\$42,000	0	1	\$10,125	\$52,125
Santa Barbara	\$42,000	0	1	\$10,125	\$52,125
Santa Clara	\$50,000	0	1	\$10,125	\$60,125
Santa Cruz	\$34,000	0	1	\$10,125	\$44,125
Shasta/Tehama	\$51,000	1	0	\$10,125	\$61,125
Siskiyou	\$26,000	1	1	\$20,250	\$46,250
Solano	\$42,000	1	0	\$10,125	\$52,125
Sonoma	\$42,000	1	1	\$20,250	\$62,250

**Attachment B: Proposed Allocation for FY 2018-2019  
Judicial Council Local Assistance**

Stanislaus	\$42,000	0	0	\$0	\$42,000
Tulare	\$42,000	0	0	\$0	\$42,000
Ventura	\$42,000	1	0	\$10,125	\$52,125
Yolo	\$34,000	1	0	\$10,125	\$44,125
	\$1,808,000	20	20	\$405,000	\$2,213,000

\*Incentive 2A funding is earned by the top 20 programs with the highest volunteer retention rate. Incentive 2B funding is earned by the top 20 programs with the highest dependency proportion served.

Total Local Assistance Grant	\$2,213,000
Total Base Amounts	\$1,808,000
<b>Incentive Award for Top 20 Programs @ \$10,125 (x 40)</b>	\$405,000
<b>Total Allocations = Base + 40 incentives</b>	\$2,213,000