



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on September 15, 2017

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**Title**

Collaborative Justice: Recommended  
Allocations of Fiscal Year 2017–2018  
Substance Abuse Focus Grants

**Agenda Item Type**

Action Required

**Effective Date**

September 15, 2017

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

August 1, 2017

**Recommended by**

Collaborative Justice Courts Advisory  
Committee  
Hon. Richard Vlavianos, Chair

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### Executive Summary

The Collaborative Justice Courts Advisory Committee recommends funding court programs using grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program, through the California Collaborative and Drug Court Projects in the Budget Act of 2017 [item 0250-101-0001], and the Dependency Drug Court Augmentation to the grants of the Substance Abuse Focus Grant Program, through the federal Court Improvement Program funds for fiscal year (FY) 2017–2018 [item 0250-101-0890]. The committee recommends funding programs in 49 courts for FY 2017–2018 with these annual grants distributed by the Judicial Council to expand or enhance promising collaborative justice programs around the state.

### Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective September 15, 2017, approve the distribution of grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program and the Dependency Drug Court Augmentation for fiscal year 2017–2018.

The proposed distribution is listed in the last column of Attachment A, *Allocation Summary: Fiscal Years 2016–2017 and 2017–2018*.

### **Previous Council Action**

The Judicial Council has approved the annual funding allocation for the Substance Abuse Focus Grant Program since FY 1998–1999. In November 2005, at the recommendation of the Collaborative Justice Courts Advisory Committee, the Judicial Council approved the Caseload-Based Funding-Level Formula for distributing the funds, as shown on the grant calculation worksheet in Attachment B. In July 2014, following the Judicial Council approved Caseload-Based Funding-Level Formula, grant funds from the Court Improvement Program of the U.S. Department of Health and Human Services, Administration for Children and Families, were distributed as an augmentation to the grants of the Substance Abuse Focus Grant Program.

### **Rationale for Recommendation**

#### **Substance Abuse Focus Grant**

This year’s funding authorization for the annual grants comes from a legislative mandate under California Collaborative and Drug Court Projects in the Budget Act of 2017 (Stats. 2017, ch. 23; § 45.55.020), as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2017–2018 in allocation amounts calculated using the formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2017–2018 State Budget allocates \$1.16 million for these projects—the same level of funding that was allocated for the Collaborative Justice Courts Substance Abuse Focus Grant Program in fiscal year 2016–2017.

As in previous years, grants are awarded to all proposed projects that meet the following criteria:

- Consistency with both the California Standards of Judicial Administration and the *Guiding Principles of Collaborative Justice Courts* (see Attachment C);
- Involvement of a local steering committee; and
- Fulfillment of statistical and financial reporting requirements for previous grant funding periods (if applicable).

As in previous years, courts were permitted to apply for grants for more than one project and at more than one site. The funding formula worksheet—which weighs total adjusted funding allocation, type of program, and number of individuals served by each program—is provided in Attachment B of this report.

The formula starts with the presumption that all projects that meet the grant criteria start with a base funding amount of \$12,000 per county. This base figure may be adjusted upward or downward to reflect the actual amount of total funding approved by the Legislature for the year and the number of court projects eligible for grants from those funds. Each project’s adjusted

base figure may then be augmented depending on the program's focus and the number of participants who may potentially benefit from the program. Programs that focus on treatment receive higher allocations than those that do not, in recognition of the intensive case management required in treatment court programs. Courts can also request grants for program planning, which may include an augmentation for the estimated number of participants if the project will become operational before the end of the fiscal year. These adjustments combine to arrive at the algorithm applied against the year's total allocation to determine each program's grant award.

For the 2016–2017 fiscal year, the \$1.16 million allocation supported 266 court projects in 49 counties. The types of projects funded were adult domestic violence courts (6), adult drug courts (52), adult mental health/dual-diagnosis courts (25), community courts (2), dependency drug courts (23), DUI courts (14), elder courts (1), homeless courts (4), juvenile delinquency drug courts (22), juvenile mental health/dual-diagnosis courts (6), peer/youth courts (70), reentry courts (6), truancy courts (5), veterans courts (11), and other collaborative justice court programs (19).

### **Dependency Drug Court Augmentation Grant**

Federal Court Improvement Program funds of up to \$75,000 have been made available to support dependency drug courts. In past years, the Judicial Council's Collaborative Justice Courts Advisory Committee has made these grants available through a formulaic distribution available to all eligible dependency drug courts requesting funding through the Substance Abuse Focus Grant Program for the purpose of implementing, maintaining, enhancing, or expanding their dependency drug courts. Because these augmentation funds are federal funds, this grant augmentation must be administered in compliance with conditions stated in part B of title IV of the Social Security Act (specifically, section 438B of the act: the approved state application and plan, including all assurances, approved amendments, and revisions) and with applicable federal regulations, program policies, and instructions. These funds augment the Substance Abuse Focus Grant awards following the Judicial Council–approved Caseload-Based Funding-Level Formula for distributing the funds, as shown on the funding calculation table in Attachment B.

### **Application process**

The presiding judges and court executive officers of the superior courts were informed of this year's grant opportunity on June 28, 2017. Courts submitted project action plans, which staff of the Judicial Council's Center for Families, Children & the Courts reviewed to confirm that the proposed projects met the requirements of addressing substance abuse issues and adhering to the Collaborative Justice Courts principles (see Attachment C, *Guiding Principles of Collaborative Justice Courts*).

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

All program proposals that meet grant guidelines, including those for planning grants, are considered eligible for funding. The committee considered introducing a competitive process for determining which programs deserve awards but rejected the idea because distributing funds to all qualified applicants by straight formula has proven to be an effective and efficient process

and feedback from local courts has indicated their preference for a non-competitive grant process.

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

In FY 2010–2011, grants from the Substance Abuse Focus Grant Program changed from reimbursable to deliverable. Under the reimbursement model, courts were required to submit monthly invoices to receive reimbursement for their program costs. Under the deliverable model, courts now submit program information that documents the program model, use and participation levels, and outcomes via two progress reports accompanied by two invoices. This change has streamlined the process for distributing funding to the courts, resulting in significant time savings for the courts and for the Judicial Council’s grant-processing staff. This year the grant application coversheet was changed to automatically calculate the maximum eligible grant amount. This made the application easier to complete for local courts and improved their grant application accuracy. In turn, this reduced the amount of Judicial Council staff time needed to review grant request calculations.

### **Relevant Strategic Plan Goals and Operational Plan Objectives**

This funding allocation enables interested courts to expand and enhance collaborative justice court programs that focus on improved services and outcomes for court users. The improvements introduced by these courts as a result of the grants help fulfill strategic plan Goal IV, Quality of Justice and Service to the Public, and objective IV.1 of the related operational plan: “Foster excellence in public service to ensure that all court users receive satisfactory services and outcomes.”

### **Attachments**

1. Attachment A: *Allocation Summary: Fiscal Years 2016–2017 and 2017–2018*
2. Attachment B: *Caseload-Based Funding-Level Formula: Fiscal Year 2017–2018*
3. Attachment C: *Guiding Principles of Collaborative Justice Courts*

## Allocation Summary: Fiscal Year (FY) 2016–2017 and FY 2017–2018

**Collaborative Justice Courts Project—Substance Abuse Focus Grant (SAFG) and  
Dependency Drug Court (DDC) Augmentation Awards (by Court)**

|    | County            | FY 16–17<br>Allocation<br>Based on<br>Formula | FY 16–17<br>Final SAFG<br>Funding<br>Allocation <sup>1</sup> | FY 16–17<br>DDC<br>Augmentati<br>on<br>Allocation <sup>2</sup> | FY 16–17<br>Total<br>Allocation<br>(SAFG +<br>DDC) | FY 17–18<br>Allocation<br>Based on<br>Formula | FY 17–18<br>Final SAFG<br>Funding<br>Allocation | FY 17–18 DDC<br>Augmentation<br>Allocation | FY 17–18<br>Total<br>Allocation<br>(SAFG +<br>DDC) |
|----|-------------------|---|--|--|--|---|---|--|--|
| 1  | Alameda           | \$35,000                                      | \$28,548   | \$2,628  | \$31,176   | \$42,000                                      | \$33,639  | \$2,516                                    | \$36,155   |
| 2  | Amador            | 31,000  | 25,671   |  | 25,671   | 31,000  | 25,706  |  | 25,706   |
| 3  | Butte             | 24,000  | 20,634   |  | 20,634   | 20,000  | 17,770  |  | 17,770   |
| 4  | Contra<br>Costa   | 35,000  | 28,548   |  | 28,548   | 22,000  | 19,213  |  | 19,213   |
| 5  | Del Norte         | 18,000  | 16,317   |  | 16,317   | 18,000  | 16,328  |  | 16,328   |
| 6  | El Dorado         | 24,000  | 20,634   |  | 20,634   | 24,000  | 20,656  |  | 20,656   |
| 7  | Fresno            | 45,000  | 35,743   | 1,689  | 37,432   | 45,000  | 35,803  | 1,342                                      | 37,145   |
| 8  | Glenn             | 24,000  | 20,634   |  | 20,634   | 35,000  | 28,590  | 537  | 29,127   |
| 9  | Humboldt          | 18,000  | 16,317   |  | 16,317   | 24,000  | 20,656  |  | 20,656   |
| 10 | Inyo              | 14,000  | 13,439   |  | 13,439   | 16,000  | 14,885  |  | 14,885   |
| 11 | Kern              | 20,000  | 17,756   |  | 17,756   | 16,000  | 14,885  |  | 14,885   |
| 12 | Kings             | 24,000  | 20,634   |  | 20,634   | 24,000  | 20,656  |  | 20,656   |
| 13 | Lake              | 12,000  | 12,000   |  | 12,000   | 12,000  | 12,001  |  | 12,001   |
| 14 | Lassen            | 22,000  | 19,195   |  | 19,195   | 20,000  | 17,770  |  | 17,770   |
| 15 | Los<br>Angeles    | 31,000  | 25,671   | 1,501  | 27,172   | 39,000  | 31,476  | 5,031                                      | 36,507   |
| 16 | Madera            | 24,000  | 20,634   |  | 20,634   | 18,000  | 16,328  |  | 16,328   |
| 17 | Marin             | 16,000  | 14,878   |  | 14,878   | 16,000  | 14,885  |  | 14,885   |
| 18 | Mendocino         | 24,000  | 20,634   | 2,252  | 22,886   | 24,000  | 20,656  | 2,013                                      | 22,669   |
| 19 | Merced            | 12,000  | 12,000   |  | 12,000   | 12,000  | 12,001  |  | 12,001   |
| 20 | Modoc             | 16,000  | 14,878   | 300  | 15,178   | 16,000  | 14,885  | 168  | 15,053   |
| 21 | Monterey          | 45,000  | 35,743   | 11,261   | 47,004   | 42,000  | 33,639  | 10,063                                     | 43,702   |
| 22 | Nevada            | 24,000  | 20,634   |  | 20,634   | 24,000  | 20,656  |  | 20,656   |
| 23 | Orange            | 42,000  | 33,585   |  | 33,585   | 42,000  | 33,639  |  | 33,639   |
| 24 | Placer            | 16,000  | 14,878   |  | 14,878   | 16,000  | 14,885  |  | 14,885   |
| 25 | Plumas            | 24,000  | 20,634   |  | 20,634   | 12,000  | 12,001  |  | 12,001   |
| 26 | Sacramento        | 42,000  | 33,585   | 11,261   | 44,846   | 42,000  | 33,639  | 13,416                                     | 47,055   |
| 27 | San<br>Bernardino | 42,000  | 33,585   |  | 33,585   | 45,000  | 35,803  |  | 35,803   |
| 28 | San Diego         | 44,000  | 35,024   | 7,508  | 42,532   | 42,000  | 33,639  | 6,708                                      | 40,347   |
| 29 | San<br>Francisco  | 45,000  | 35,743   | 3,754  | 39,497   | 44,000  | 35,082  | 3,354                                      | 38,436   |
| 30 | San<br>Joaquin    | 45,000  | 35,743   | 15,766   | 51,509   | 45,000  | 35,803  | 15,093                                     | 50,896   |

<sup>1</sup> In FY 17-18 there are \$1,160,000 available for allocation among the 49 courts who applied to the Collaborative Justice Courts Substance Abuse Focus Grant Program (SAFG). According to the funding formula, the maximum level of funding courts are eligible

|    | County          | FY 16–17 Allocation Based on Formula | FY 16–17 Final SAFG Funding Allocation <sup>1</sup> | FY 16–17 DDC Augmentati on Allocation <sup>2</sup> | FY 16–17 Total Allocation (SAFG + DDC) | FY 17–18 Allocation Based on Formula | FY 17–18 Final SAFG Funding Allocation | FY 17–18 DDC Augmentation Allocation | FY 17–18 Total Allocation (SAFG + DDC) |
|----|-----------------|--------------------------------------|---|--|--|--------------------------------------|--|--------------------------------------|--|
| 31 | San Luis Obispo | 32,000                               | 26,390  | 2,815  | 29,205                                 | 32,000                               | 26,426                                 | 2,516                                | 28,942                                 |
| 32 | San Mateo       | 32,000                               | 26,390  |  | 26,390                                 | 32,000                               | 26,426                                 |                                      | 26,426                                 |
| 33 | Santa Barbara   | 44,000                               | 35,024  |  | 35,024                                 | 42,000                               | 33,639                                 |                                      | 33,639                                 |
| 34 | Santa Clara     | 32,000                               | 26,390  | 4,880  | 31,270                                 | 42,000                               | 33,639                                 | 4,696                                | 38,335                                 |
| 35 | Santa Cruz      | 45,000                               | 35,743  | 2,065  | 37,808                                 | 45,000                               | 35,803                                 |                                      | 35,803                                 |
| 36 | Shasta          | 30,000                               | 24,952  |  | 24,952                                 | 28,000                               | 23,542                                 |                                      | 23,542                                 |
| 37 | Sierra          | 12,000                               | 12,000  |  | 12,000                                 | 12,000                               | 12,000                                 |                                      | 12,000                                 |
| 38 | Siskiyou        | 20,000                               | 17,756  | 938  | 18,694                                 | 20,000                               | 17,770                                 | 1,342                                | 19,112                                 |
| 39 | Solano          | 45,000                               | 35,743  | 1,877  | 37,620                                 | 45,000                               | 35,803                                 | 1,342                                | 37,145                                 |
| 40 | Sonoma          | 45,000                               | 35,743  | 563  | 36,306                                 | 45,000                               | 35,803                                 | 503                                  | 36,306                                 |
| 41 | Stanislaus      | 24,000                               | 20,634  | 563  | 21,197                                 | 24,000                               | 20,656                                 | 335                                  | 20991                                  |
| 42 | Sutter          | 22,000                               | 19,195  |  | 19,195                                 | 22,000                               | 19,213                                 |                                      | 19213                                  |
| 43 | Tehama          | 24,000                               | 20,634  | 563  | 21,197                                 | 24,000                               | 20,656                                 | 503                                  | 21159                                  |
| 44 | Trinity         | 28,000                               | 23,512  |  | 23,512                                 | 34,000                               | 27,869                                 | 1,006                                | 28875                                  |
| 45 | Tulare          | 24,000                               | 20,634  |  | 20,634                                 | 24,000                               | 20,656                                 |                                      | 20656                                  |
| 46 | Tuolumne        | 20,000                               | 17,756  | 1,502  | 19,258                                 | 16,000                               | 14,885                                 | 1,342                                | 16227                                  |
| 47 | Ventura         | 32,000                               | 26,390  | 1,314  | 27,704                                 | 32,000                               | 26,426                                 | 1,174                                | 27600                                  |
| 48 | Yolo            | 12,000                               | 12,000  |  | 12,000                                 | 12,000                               | 12,000                                 |                                      | 12000                                  |
| 49 | Yuba            | 22,000                               | 19,195  |  | 19,195                                 | 22,000                               | 19,213                                 |                                      | 19213                                  |
|    | <b>Total</b>    | <b>\$1,381,000</b>                   | <b>\$1,160,000</b>                                  | <b>\$75,000</b>                                    | <b>\$1,235,000</b>                     | <b>\$1,381,000</b>                   | <b>\$1,160,000</b>                     | <b>\$75,000</b>                      | <b>\$1,235,000</b>                     |

for is \$1,381,000. This number exceeds the available funding by \$221,000. As a result, the total awards reflect a reduction in funding of 16%. Each court was awarded a base allocation of \$12,000 and the remaining funds were distributed proportionally among those courts who were eligible for additional funds above the base amount.

<sup>2</sup> Dependency Drug Court Augmentation funds were allocated based on number of participants.

**Caseload-Based Funding-Level Formula:  
2017–2018 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program**

**FUNDING CALCULATION TABLE**

| Program Focus Category           | Base Amount | Number of Total Program(s) Participants |         |         |          |          |          | Enhancement |         |
|----------------------------------|-------------|---|---------|---------|----------|----------|----------|-------------|---------|
|                                  |             | 5–19                                    | 20–49   | 50–99   | 100–199  | 200–499  | 500+     | 10–24       | 25+     |
| Treatment Court                  | \$12,000    | \$0                                     | \$4,000 | \$8,000 | \$12,000 | \$20,000 | \$30,000 | \$2,000     | \$3,000 |
| Education / Nontreatment Program | \$12,000    | \$0                                     | \$2,000 | \$4,000 | \$6,000  | \$10,000 | \$15,000 | \$1,000     | \$2,000 |

**INSTRUCTIONS**

1. **Program Focus Category:** Identify whether the primary focus of the program is on treatment or education.
  
2. **Base Amount:** Minimum base program funding level. Only one base amount can be included in funding calculation.
  
3. **Number of Total Program(s) Participants:** Number of total participants that will be directly served by the grant program for FY 17–18.
  - a. Find the number range of participants for your program.
  - b. Match it with the appropriate Program Focus Category. **Note:** For treatment-focused programs, include all participants enrolled in the program, not just the participants receiving a particular level or kind of treatment.
  - c. Add the matching funding amount to the Base Amount—**this is your maximum funding level.**

\* **Example:** \$12,000 (Base) + \$12,000 (Treatment Court Focus with 125 program participants) = \$24,000 eligible maximum funding level.
  
4. **Enhancement:** For court program(s) that will increase the maximum number of participants they can serve to be larger than their FY 16–17 program capacity.
 

A minimum of 10 additional participants is required for enhancement funding.

\* **Example:** \$12,000 (Base) + \$12,000 (Treatment Court Focus w/ 125 program participants) + \$2,000 (increase in program capacity from previous year by 15 additional participants) = \$26,000 eligible maximum funding level.

**CALCULATION TOOL**

|                             |             |                  |                 |                |                              |
|-----------------------------|-------------|------------------|-----------------|----------------|------------------------------|
| <b>5. Court Calculation</b> | <b>Base</b> | <b>Treatment</b> | <b>Nontreat</b> | <b>Enhance</b> | <b>Maximum Funding Level</b> |
| Enter numbers here:         | \$12,000    | \$0              | \$0             | \$0            | \$12,000                     |
|                             |             |                  |                 |                | <b>Total</b>                 |

**Note:** This tool is provided to assist courts in understanding how the maximum eligible grant allocation is calculated. Please note that actual award amounts will be based upon the number of courts applying and the total allocation available in the 2017 California State Budget.

## **Guiding Principles of Collaborative Justice Courts**

Using the National Drug Court Institute's 10 key components of drug courts as a model, the Collaborative Justice Courts Advisory Committee identified 11 essential components as the guiding principles of collaborative justice courts:

1. Integrate services with justice system processing;
2. Achieve the desired goals without the use of the traditional adversarial process;
3. Intervene early and promptly to place participants in the collaborative justice court program;
4. Provide access to a continuum of services, including treatment and rehabilitation services;
5. Use a coordinated strategy that governs the court's response to participant compliance, using a system of sanctions and incentives to foster compliance;
6. Use ongoing judicial interaction with each collaborative justice court participant;
7. Use monitoring and evaluation to measure the achievement of program goals and gauge effectiveness;
8. Ensure continuing interdisciplinary education;
9. Forge partnerships among collaborative justice courts, public agencies, and community-based organizations to increase the availability of services;
10. Enhance the program's effectiveness and generate local support; and
11. Emphasize team and individual commitments to cultural competency.