



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on September 24, 2019

Title	Agenda Item Type
Collaborative Justice: Recommended Allocations of Fiscal Year 2019–20 Substance Abuse Focus Grants	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	September 23, 2019
Recommended by	Date of Report
Collaborative Justice Courts Advisory Committee Hon. Richard Vlavianos, Chair	July 15, 2019
	Contact
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Executive Summary

As part of the Budget Act of 2019 (Stats. 2019, ch. 23), the Legislature allocated a total of \$1.16 million for California collaborative and drug court projects to maintain, expand, or enhance collaborative courts. The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council continue to use this annual allocation to fund court programs through the noncompetitive Collaborative Justice Courts Substance Abuse Focus Grant Program. Additionally, \$75,000 in federal Court Improvement Program funds have been made available for fiscal year (FY) 2019–20 to fund the noncompetitive Dependency Drug Court Augmentation to the focus grant program. The committee recommends funding programs in 49 courts for FY 2019–20 with these annual grants, and providing augmentation grants to dependency drug courts in 18 counties.

Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective September 23, 2019, approve the distribution of grants from the Collaborative Justice Courts Substance Abuse Focus Grant Program and the Dependency Drug Court Augmentation for FY 2019–20.

The proposed distribution is listed in the last column of Attachment A, *Allocation Summary: Fiscal Years (FY) 2018–19 and 2019–20*.

Previous Council Action

The Judicial Council has approved the annual funding allocation for the Substance Abuse Focus Grant Program since FY 1998–99. In November 2005, at the recommendation of the Collaborative Justice Courts Advisory Committee, the 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 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.

Analysis/Rationale

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 2019 (Stats. 2019, ch. 23), as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2019–20 in allocation amounts calculated using the formula previously approved by the Judicial Council and used in previous years (see Attachment B). The 2019–20 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 FY 2018–19.

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 2018–19 fiscal year, the \$1.16 million allocation supported 277 court projects in 49 counties. The types of projects funded were adult domestic violence courts (6), adult drug courts (53), adult mental health/dual-diagnosis courts (31), community courts (2), dependency drug courts (29), DUI courts (19), elder courts (1), girls' courts (2), homeless courts (5), juvenile delinquency drug courts (18), juvenile mental health/dual-diagnosis courts (4), peer/youth courts (54), reentry courts (7), truancy courts (6), veterans courts (17), and other collaborative justice court programs (23).

Dependency Drug Court Augmentation Grant

Federal Court Improvement Program funds of \$75,000 are available to support dependency drug courts funded by the Collaborative Justice Courts Substance Abuse Focus Grant Program. In past years, the Judicial Council 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 438(b) 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 6, 2019. Courts submitted project action plans that staff of the Judicial Council's Center for Families, Children & the Courts reviewed for conformance with the requirements of addressing substance abuse issues and adhering to the Collaborative Justice Courts principles (see Attachment C, *Guiding Principles of Collaborative Justice Courts*).

Policy implications

The recommended action is consistent with the currently existing Judicial Council policy regarding allocating these funds to local courts.

Comments

The recommended action was discussed at an open meeting of the Collaborative Justice Courts Advisory committee. No external comments were received. Committee members were unanimous in their agreement on the recommended action.

Alternatives considered

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. The idea was rejected 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 noncompetitive grant process.

Fiscal and Operational Impacts

In FY 2010–11, 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. In 2017 the grant application cover sheet was enhanced 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.

Attachments

1. Attachment A: *Allocation Summary: Fiscal Years (FY) 2018–19 and 2019–20*
2. Attachment B: *Caseload-Based Funding-Level Formula: 2019–20 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program*
3. Attachment C: *Guiding Principles of Collaborative Justice Courts*

Allocation Summary: Fiscal Years (FY) 2018–19 and FY 2019–20

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

	County	FY 18–19 Allocation Based on Formula	FY 18–19 Final SAFG Funding Allocation ¹	FY 18–19 DDC Augmen- tation Allocation ²	FY 18–19 Total Allocation (SAFG + DDC)	FY 19–20 Allocation Based on Formula	FY 19–20 Final SAFG Funding Allocation	FY 19–20 DDC Augmentation Allocation	FY 19–20 Total Allocation (SAFG + DDC)
1	Alameda	\$42,000	\$33,832	\$4,713	\$38,545	\$42,000	\$34,142	\$5,162	\$39,304
2	Amador	31,000	25,828		25,828	31,000	26,024		26,024
3	Butte	20,000	17,822		17,822	24,000	20,857		20,857
4	Contra Costa	22,000	19,277		19,277	22,000	19,381		19,381
5	Del Norte	18,000	16,366		16,366	18,000	16,428		16,428
6	El Dorado	24,000	20,733		20,733	24,000	20,857		20,857
7	Fresno	45,000	36,015	1,952	37,967	45,000	36,355	2,028	38,384
8	Glenn	41,000	33,103		33,103	39,000	31,928		31,928
9	Humboldt	23,000	20,005	404	20,409	31,000	26,023	1,032	27,055
10	Inyo	16,000	14,911		14,911	16,000	14,952		14,952
11	Kern	16,000	14,911		14,911	16,000	14,952		14,952
12	Kings	20,000	17,822		17,822	20,000	17,905		17,905
13	Lake	16,000	14,911		14,911	12,000	12,000		12,000
14	Lassen	20,000	17,822		17,822	16,000	14,952		14,952
15	Los Angeles	35,000	28,739	1,683	30,422	29,000	24,548	5,900	30,448
16	Madera	18,000	16,366		16,366	18,000	16,428		16,428
17	Marin	16,000	14,911		14,911	16,000	14,952		14,952
18	Mendocino	22,000	19,277	808	20,085	20,000	17,905	922	18,827
19	Merced	12,000	12,000		12,000	12,000	12,000		12,000
20	Modoc	16,000	14,911	168	15,079	16,000	14,952	111	15,063
21	Monterey	45,000	36,015	4,208	40,223	45,000	36,355		36,356
22	Nevada	24,000	20,733		20,733	24,000	20,857		20,857
23	Orange	42,000	33,832		33,832	42,000	34,142		34,142
24	Placer	16,000	14,911		14,911	16,000	14,952		14,952
25	Plumas	16,000	14,911		14,911	16,000	14,952		14,952
26	Sacramento	42,000	33,832	13,465	47,297	42,000	34,142	14,749	48,891
27	San Bernardino	45,000	36,015		36,015	45,000	36,355		36,356
28	San Diego	42,000	33,832	4,578	38,410	42,000	34,142	5,015	39,157
29	San Francisco	45,000	36,015	9,762	45,777	44,000	35,618	6,932	42,550
30	San Joaquin	45,000	36,015	15,147	51,162	45,000	36,355	16,592	52,948

	County	FY 18–19 Allocation Based on Formula	FY 18–19 Final SAFG Funding Allocation ¹	FY 18–19 DDC Augmentation Allocation ²	FY 18–19 Total Allocation (SAFG + DDC)	FY 19–20 Allocation Based on Formula	FY 19–20 Final SAFG Funding Allocation	FY 19–20 DDC Augmentation Allocation	FY 19–20 Total Allocation (SAFG + DDC)
31	San Luis Obispo	32,000	26,555	3,535	30,090	32,000	26,761	3,872	30,633
32	San Mateo	32,000	26,555		26,555	32,000	26,761		26,761
33	Santa Barbara	42,000	33,832		33,832	44,000	35,618		35,618
34	Santa Clara	42,000	33,832	4,713	38,545	45,000	36,356	5,531	41,887
35	Santa Cruz	39,000	31,649	1,683	33,332	39,000	31,928		31,928
36	Shasta	26,000	22,189		22,189	26,000	22,334		22,334
37	Sierra	12,000	12,000		12,000	16,000	14,952		14,952
38	Siskiyou	16,000	14,911	808	15,719	20,000	17,905	922	18,827
39	Solano	45,000	36,015	1,347	37,362	41,000	33,404	1,475	34,879
40	Sonoma	36,000	29,466	1,178	30,644	36,000	29,714		29,714
41	Stanislaus	24,000	20,733	337	21,070	20,000	17,905	553	18,458
42	Sutter	22,000	19,277		19,277	22,000	19,381		19,381
43	Tehama	20,000	17,822	505	18,327	20,000	17,905	553	18,458
44	Trinity	26,000	22,188	673	22,861	22,000	19,381		19,381
45	Tulare	39,000	31,649		31,649	30,000	25,285		25,285
46	Tuolumne	20,000	17,822	1,347	19,169	20,000	17,905	1,475	19,380
47	Ventura	32,000	26,555	1,986	28,541	32,000	26,761	2,176	28,937
48	Yolo	12,000	12,000		12,000	16,000	14,952		14,952
49	Yuba	22,000	19,277		19,277	22,000	19,381		19,381
	Total	\$1,374,000	\$1,160,000	\$75,000	\$1,235,000	\$1,363,000	\$1,160,000	\$75,000	\$1,235,004

¹ In FY 19–20 there is \$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 amount of funding for which courts are eligible is \$1,363,000. This amount exceeds the available funding by \$203,000. As a result, the total awards reflect a reduction in funding of approximately 13 percent. 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.

² Dependency Drug Court Augmentation funds were allocated based on the number of participants.

**Caseload-Based Funding-Level Formula:
2019–20 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program**

FUNDING CALCULATION TABLE

Program Focus Category	Base Amount	Number of Total Program 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 Participants:** Number of total participants who will be directly served by the grant program for FY 19–20.

- Find the number range of participants for your program.
- 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.
- 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 programs that increase their program capacity (i.e., the maximum number of participants they can serve) beyond their FY 18–19 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

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

Total

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 on the number of courts applying and the total allocation available in the 2019-20 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.