



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-052

For business meeting on January 20, 2023

Title

Trial Court Budget: Community Assistance, Recovery, and Empowerment (CARE) Act Allocation Methodology

Agenda Item Type

Action Required

Effective Date

January 20, 2023

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

November 29, 2022

Recommended by

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

Contact

Don Will, 415-865-7557
don.will@jud.ca.gov

Executive Summary

The Trial Court Budget Advisory Committee recommends an allocation methodology to distribute \$2,828,000 to the seven courts making up the first cohort of courts implementing the Community Assistance, Recovery, and Empowerment (CARE) Act in fiscal year (FY) 2022–23. The committee further recommends that it be directed to develop an allocation methodology for CARE Act funding to the courts in FY 2023–24 and subsequent years.

Recommendation

The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council:

1. Approve, for Cohort One courts implementing the CARE Act, an allocation methodology that employs the Workload Formula with a base of 0.50 full-time equivalent costs, calculated at \$98,000, for FY 2022–23;
2. Approve the TCBAC to perform a reconciliation using CARE Act spending reports and court projections; and

3. Direct the TCBAC Funding Methodology Subcommittee to develop an allocation for CARE Act funding in FY 2023–24 and subsequent years.

CARE Act Cohort One Court Funding Allocation Models is provided as Attachment 1.

Relevant Previous Council Action

No previous action relevant to this report has been taken by the Judicial Council on this subject.

Analysis/Rationale

The CARE Act establishes a court-based mental health services engagement and oversight program for individuals with “schizophrenia spectrum and other psychotic disorders,” as defined in the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition. The first cohort of counties to begin implementation are the Superior Courts of Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties, beginning CARE Act programming by October 1, 2023. The 2022 Budget Act includes \$2.8 million for staff or other administrative costs for the seven trial courts in these counties to begin planning implementation.¹

Funding for courts to begin implementation of the CARE Act in 2022–23² was estimated using the data in Table 1 and was included in the 2022 Budget Act, item 0250-101-0932, provision 36.

Table 1. Fiscal Year 2022–23 Estimated CARE Act Funding

Court Program Administration	
Staff for program administration, coordination, and Self-Help Centers (2.0 FTE per court avg. for full year)	14.5
Costs (Salary, benefits, and operating expenditures and equipment)	\$195,000
Total Court Administration costs	\$2,828,000

The first cohort of courts intends to meet regularly and share implementation experiences. The committee also recommends that the consideration of an allocation methodology for funding available in 2023–24 and following be deferred until early 2023, when more information will be available from the first cohort on implementation costs.

Policy implications

These recommendations are consistent with the intent of the CARE Court Program (Sen. Bill 1338; Stats. 2022, ch. 319) and the 2022 Budget Act. They fulfill the requirement that the Judicial Council approve the allocation methodology to the trial courts for any new funding or reallocation or redistribution of existing funding.

¹ Budget Act of 2022 (Assem. Bill 179 (Ting)), https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB179.

² This and all subsequent references to year spans are to fiscal years.

Comments

This recommendation did not circulate for public comment and received no public comment.

Alternatives considered

Four alternatives were considered and are displayed in Attachment 1, *CARE Act Cohort One Funding Allocation Models*:

1. Allocation by county population;
2. Allocation by total filings;
3. Allocation by the 2022–23 Workload Formula; and
4. Allocation by the 2022–23 Workload Formula with a floor of \$98,000 to ensure that small courts have sufficient resources to plan implementation.

Fiscal and Operational Impacts

This recommendation requests funding support to the seven courts charged with implementing the first cohort of the CARE Act. The funding is included in the Budget Act of 2022.

Attachments and Links

1. Attachment 1: *CARE Act Cohort One Court Funding Allocation Models*
2. Link A: Budget Act of 2022 (Assem. Bill 179 (Ting)),
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB179.
3. Link B: Community Assistance, Recovery, and Empowerment (CARE) Court Program (Sen. Bill 1338; Stats. 2022, ch. 319),
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1338

ATTACHMENT 1. CARE Act Cohort One Court Funding Allocation Models

Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L	Col. M
Court	Allocated by County Population			Allocated by Total Filings			Allocated by Final Workload Allocation			Allocated by Final Workload Allocation		
	Population	Percent	Distribution	Total Filings	Percent	Distribution	Final Workload Allocation	Percent	Distribution	Base: 0.25 FTE	Final Workload Allocation	Total Distribution
Glenn	29,750	0.29%	\$ 8,119	5,204	0.48%	\$ 13,538	\$ 2,913,222	0.49%	\$ 13,971	\$ 98,000	\$ -	\$ 98,000
Orange	3,162,245	30.52%	863,013	373,014	34.31%	970,359	184,275,447	31.25%	883,748	\$ 98,000	678,228	776,228
Riverside	2,435,525	23.50%	664,683	298,751	27.48%	777,171	133,058,980	22.56%	638,124	\$ 98,000	489,726	587,726
San Diego	3,287,306	31.72%	897,143	286,236	26.33%	744,614	169,972,330	28.82%	815,153	\$ 98,000	625,586	723,586
San Francisco	842,754	8.13%	229,997	59,696	5.49%	155,293	63,648,431	10.79%	305,245	\$ 98,000	234,259	332,259
Stanislaus	549,466	5.30%	149,956	56,985	5.24%	148,241	31,028,662	5.26%	148,807	\$ 98,000	114,201	212,201
Tuolumne	55,291	0.53%	15,090	7,221	0.66%	18,785	4,785,485	0.81%	22,950	\$ 98,000	-	98,000
Total	10,362,337	100.00%	\$ 2,828,000	1,087,107	100.00%	\$ 2,828,000	\$ 589,682,557	100.00%	\$ 2,828,000	\$ 686,000	\$ 2,142,000	\$ 2,828,000

Total Court Allocation 2022-23 \$ 2,828,000

Sources

Department of Finance, Population Estimates for Cities, Counties and the State (E1)

<https://dof.ca.gov/forecasting/demographics/estimates-e1/>

Judicial Council, June 28, 2022. Trial Court Budget: Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2022-23.

Attachment C: 2022-23 Workload Formula Allocation

Judicial Council, Court Statistics Report. Appendix G. County Tables. Caseloads and Judicial Positions, by County Superior Courts Fiscal Year 2020-21