



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:* 23-088

For business meeting on: May 12, 2023

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**Title**

Child Support: Midyear Funding  
Reallocation for 2022-23

**Agenda Item Type**

Information Only

**Date of Report**

February 15, 2023

**Submitted by**

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### Executive Summary

Effective January 17, 2020, the Judicial Council approved the Family and Juvenile Law Advisory Committee's recommendation to combine the previous two Assembly Bill 1058 midyear funding reallocation processes into one administrative process to maximize program efficiencies. This administrative process for midyear reallocation delegates ongoing authority to the Administrative Director on an annual basis. This report details the midyear reallocation of funding for the AB 1058 Child Support Commissioner and Family Law Facilitator Program for 2022–23.

### Relevant Previous Council Action

The Judicial Council is required to annually allocate non-Trial Court Trust Fund funds to the AB 1058 Child Support Commissioner and Family Law Facilitator Program and has done so since 1997. Funds for this program are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council. Any funds unspent during the fiscal year revert to the state General Fund and cannot be used in subsequent years.

Under an established procedure described in the standard agreement with each superior court, at midyear the Judicial Council redistributes both base funding and federal drawdown funds to courts that indicate a need for additional funds from any unallocated funds and any available funds from courts that are projected not to spend their full grants.

Effective January 17, 2020, the Judicial Council delegated ongoing authority to the Administrative Director to reallocate funds at midyear based on an approved methodology to ensure program efficiencies and maximize the use of program funding by moving funds from courts who voluntarily return funds to courts who will exhaust their annually allocated funds before the end of the fiscal year.<sup>1</sup>

## **Analysis/Rationale**

The midyear reallocation process is a one-time adjustment in each fiscal year and is intended to maximize the funding for the AB 1058 trial court program. Each court completes a form to indicate whether they anticipate having additional funds that can be reallocated to courts that have demonstrated a need for additional funds. The historical purpose of the midyear reallocation is to meet one-time, nonrecurring special needs, such as equipment purchases or temporary help to clear work backlogs. Courts began using the midyear reallocation process to request additional funds to maintain current service levels resulting from increased costs of providing services.

## **2022–23 Midyear Reallocation**

Funds available for reallocation are from courts who did not take their full allocation at the beginning of 2022–23 and courts who volunteered to return funds not anticipated to be spent before the end of the fiscal year. Available funds were proportionally reallocated to courts requesting additional funds based on their share of the total base funding.

This year, for the child support commissioner (CSC) program, a total of \$569,272 was reallocated. Ten courts returned \$512,839 in base funds and 16 courts returned \$2,505,670 in federal drawdown funds. Nine courts requested additional base funds and no courts requested additional federal drawdown funds. One court requested additional federal drawdown funds if base funds were not available. See Attachment A for details. In the CSC program, more federal drawdown funds were returned than were requested. Courts were not able to spend out all the federal drawdown funds due to operational and personnel needs in each court.

For the family law facilitator program, a total of \$508,087 was reallocated. Five courts returned \$167,113 in base funds and 4 courts returned \$340,974 in federal drawdown funds. Twenty-one courts requested additional base funds and 3 courts requested additional federal drawdown funds. Nineteen courts requested additional federal drawdown funds if base funds were not available. See Attachment B for details.

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<sup>1</sup> More details can be found in the Judicial Council report for the January 2020 meeting: Judicial Council of Cal., Advisory Com. Rep., Child Support: Midyear Funding Reallocation Process for the Child Support Commissioner and Family Law Facilitator Programs (Dec. 20, 2019), <https://jcc.legistar.com/View.ashx?M=F&ID=7982101&GUID=519545BC-7D0B-4FA0-88F9-3AA25965315B>

## **Fiscal Impact and Policy Implications**

The midyear process allows for the maximization of AB 1058 program funds to best support courts in meeting their mandates under Family Code sections 4251 and 10002 to hire sufficient program staff to provide AB 1058 services to the public.

## **Attachments and Links**

1. Attachment A: Child Support Commissioner (CSC) Program Midyear Reallocation, 2022–2023
2. Attachment B: Family Law Facilitator (FLF) Program Midyear Reallocation, 2022–2023



