



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 21-130*

For business meeting on October 1, 2021

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**Title**

Collaborative Justice: Recommended  
Allocations of Fiscal Year 2021–22  
Substance Abuse Focus Grants

**Agenda Item Type**

Action Required

**Effective Date**

October 1, 2021

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

None

**Date of Report**

August 12, 2021

**Recommended by**

Collaborative Justice Courts Advisory  
Committee  
Hon. Richard Vlavianos, Chair

**Contact**

Carrie Zoller, 415-865-8829  
[carrie.zoller@jud.ca.gov](mailto:carrie.zoller@jud.ca.gov)

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### Executive Summary

As part of the Budget Act of 2021, the Legislature has allocated \$1,160,000 to the superior courts to maintain, expand, or enhance collaborative courts. In November 2005, the Judicial Council established a caseload-based methodology for allocation of these funds (the Substance Abuse Focus Grants) to the courts. The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council allocate the fiscal year (FY) 2021–22 funds to courts using the council's methodology. Additionally, \$75,000 in federal Court Improvement Program funds have been made available for FY 2021–22 to fund the noncompetitive Dependency Drug Court Augmentation to the focus grant program. The committee recommends funding programs in 45 courts for FY 2021–22 with these annual grants and providing augmentation grants to dependency drug courts in 20 counties.

### Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective October 1, 2021, approve the distribution of grants from the Collaborative Justice

Courts Substance Abuse Focus Grant Program and the Dependency Drug Court Augmentation for FY 2021–22.

The proposed distribution is listed in the last column of Attachment A, *Allocation Summary: Fiscal Years 2020–21 and 2021–22*.

### **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. Beginning in July 2014, 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 using the same formula.

### **Analysis/Rationale**

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

This year’s funding authorization for the annual grant comes from a legislative mandate under California Collaborative and Drug Court Projects in the Budget Act of 2021 (Stats. 2021, ch. 69), as referenced in item 0250-101-0001.

This recommendation distributes the funding for FY 2021–22 in allocation amounts calculated using the formula approved in 2005 by the Judicial Council (see Attachment B). The 2021–22 State Budget allocates \$1,160,000 for these projects.

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 2020–21 fiscal year, the \$1.16 million allocation supported 294 court projects in 48 superior courts. The types of projects funded were adult domestic violence courts (8), adult drug courts (62), adult mental health/dual-diagnosis courts (34), community courts (3), dependency drug courts (14), DUI courts (24), elder courts (1), girls' courts (3), homeless courts (7), juvenile delinquency drug courts (10), juvenile mental health/dual-diagnosis courts (7), peer/youth courts (33), reentry courts (33), truancy courts (7), veterans courts (22), and other collaborative justice court programs (26).

### **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 July 9, 2021. 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 Collaborative Justice Courts principles (see Attachment C, *Guiding Principles of Collaborative Justice Courts*).

### **Policy implications**

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

## **Comments**

The recommended action was approved by the Collaborative Justice Courts Advisory Committee during an open meeting. No external comments were received.

## **Alternatives considered**

All program proposals that meet grant guidelines, including those for planning grants, are considered eligible for funding. The committee did not consider modifying the allocation methodology approved by the Judicial Council in 2005.

## **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. This year, continuous process improvements include simplifying and transitioning the grant application to a paperless online process. The online application automatically calculates the maximum eligible grant amount and provides the applicant with a PDF copy of the completed application.

## **Attachments**

1. Attachment A: *Allocation Summary: Fiscal Years 2020–21 and 2021–22*
2. Attachment B: *Caseload-Based Funding-Level Formula: 2021–22 Judicial Council Collaborative Justice Courts Substance Abuse Focus Grant Program*
3. Attachment C: *Guiding Principles of Collaborative Justice Courts*

### Allocation Summary: Fiscal Years 2020–21 and 2021–22

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

	County	FY 20–21 Allocation Based on Formula	FY 20–21 Final SAFG Funding Allocation <sup>1</sup>	FY 20–21 DDC Augmen- tation Allocation <sup>2</sup>	FY 20–21 Total Allocation (SAFG + DDC)	FY 21–22 Allocation Based on Formula	FY 21–22 Final SAFG Funding Allocation	FY 21–22 DDC Augmentation Allocation	FY 21–22 Total Allocation (SAFG + DDC)
1	Alameda	\$42,000	\$34,724	\$6,133	\$40,857	\$42,000	\$37,410	\$6,949	\$44,359
2	Amador	18,000	16,546		16,546	\$22,000	\$20,470		\$20,470
3	Butte	24,000	21,089		21,089	\$24,000	\$22,164		\$22,164
4	Contra Costa	16,000	15,030		15,030	-	-		-
5	Del Norte	18,000	16,545		16,545	\$18,000	\$17,082		\$17,082
6	El Dorado	35,000	29,422		29,422	\$24,000	\$22,164		\$22,164
7	Fresno	45,000	36,995	1,314	38,309	\$45,000	\$39,951	\$993	\$40,944
8	Glenn	32,000	27,149		27,149	\$32,000	\$28,940		\$28,940
9	Humboldt	18,000	16,545	876	17,421	\$22,000	\$20,470	\$993	\$21,463
10	Inyo	16,000	15,030		15,030	\$16,000	\$15,388		\$15,388
11	Kern	16,000	15,030		15,030	-	-	-	-
12	Kings	20,000	18,060		18,060	\$16,000	\$15,388		\$15,388
13	Lake	12,000	12,000		12,000	-	-	-	-
14	Lassen	16,000	15,030		15,030	\$16,000	\$15,388		\$15,388
15	Los Angeles	27,000	23,363	5,900	23,363	\$29,000	\$26,399	\$1,985	\$28,384
16	Madera	18,000	16,545		16,545	\$18,000	\$17,082		\$17,082
17	Marin	16,000	15,030		15,030	\$16,000	\$15,388		\$15,388
18	Mendocino	20,000	18,060	1,314	19,374	\$20,000	\$18,776	\$1,241	\$20,017
19	Merced	12,000	12,000		12,000	\$12,000	\$12,000		\$12,000
20	Modoc	20,000	18,060	132	18,192	\$20,000	\$18,776	\$100	\$18,876
21	Monterey	44,000	36,238		36,238	\$34,000	\$30,634		\$30,634
22	Nevada	24,000	21,089		21,089	\$24,000	\$22,164		\$22,164
23	Orange	42,000	34,724		34,724	\$42,000	\$37,410		\$37,410
24	Plumas	16,000	15,030		15,030	\$16,000	\$15,388		\$15,388
25	Riverside					\$12,000	\$12,000		\$12,000
26	Sacramento	42,000	34,724	16,866	51,590	\$42,000	\$37,410	\$12,408	\$49,818
27	San Bernardino	45,000	36,995		36,995	\$45,000	\$39,950		\$39,950
28	San Diego	45,000	36,995	5,257	42,252	\$42,000	\$37,410	\$4,964	\$42,374
29	San Francisco	44,000	36,238	6,571	42,809	\$45,000	\$39,950	\$6,453	\$46,403
30	San Joaquin	44,000	36,238	17,524	53,762	\$45,000	\$39,951	\$17,370	\$57,321

	County	FY 20–21 Allocation Based on Formula	FY 20–21 Final SAFG Funding Allocation <sup>1</sup>	FY 20–21 DDC Augmen- tation Allocation <sup>2</sup>	FY 20–21 Total Allocation (SAFG + DDC)	FY 21–22 Allocation Based on Formula	FY 21–22 Final SAFG Funding Allocation	FY 21–22 DDC Augmentation Allocation	FY 21–22 Total Allocation (SAFG + DDC)
31	San Luis Obispo	32,000	27,149	2,629	29,778	\$35,000	\$31,481	\$2,581	\$34,062
32	San Mateo	32,000	27,149		27,149	\$32,000	\$28,940		\$28,940
33	Santa Barbara	42,000	34,724		34,724	\$33,000	\$29,787		\$29,787
34	Santa Clara	45,000	36,995	6,571	43,566	\$45,000	\$39,950	\$7,942	\$47,892
35	Santa Cruz	45,000	36,995	1,095	38,090	\$42,000	\$37,410	\$1,241	\$38,651
36	Shasta	34,000	28,665		28,665	\$32,000	\$28,940		\$28,940
37	Sierra	16,000	15,030		15,030	\$16,000	\$15,388		\$15,388
38	Siskiyou	20,000	18,060	1,095	19,155	\$16,000	\$15,388	\$397	\$15,785
39	Solano	45,000	36,995	1,753	38,748	\$45,000	\$39,950	\$2,482	\$42,432
40	Sonoma	36,000	30,179		30,179	\$36,000	\$32,328	\$993	\$33,321
41	Stanislaus	12,000	12,000	657	12,657	\$21,000	\$19,623	\$745	\$20,368
42	Sutter	22,000	19,575		19,575	\$22,000	\$20,470		\$20,470
43	Tehama	20,000	18,060	876	18,936	\$20,000	\$18,776	\$993	\$19,769
44	Trinity	22,000	19,575		19,575	\$22,000	\$20,470		\$20,470
45	Tulare	30,000	25,634		25,634	\$30,000	\$27,246		\$27,246
46	Tuolumne	20,000	18,060	1,752	19,812	\$20,000	\$18,776	\$1,241	\$20,017
47	Ventura	42,000	34,724	2,585	37,309	\$42,000	\$37,410	\$2,929	\$40,339
48	Yolo	23,000	20,332		20,332	-	-	-	-
49	Yuba	22,000	19,575		19,575	\$24,000	\$22,164		\$22,164
	<b>Total</b>	<b>\$1,347,000</b>	<b>\$1,160,000</b>	<b>\$75,000</b>	<b>\$1,235,000</b>	<b>\$1,272,000</b>	<b>\$1,160,000</b>	<b>\$75,000</b>	<b>\$1,235,000</b>

<sup>1</sup> In FY 2021–22, there is \$1,160,000 available for allocation among the 45 courts that 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 \$1,272,000. This amount exceeds the available funding by \$112,000. As a result, the total awards reflect a reduction in funding of approximately 8 percent. Each court was awarded a base allocation of \$12,000, and the remaining funds were distributed proportionally among those courts that were eligible for additional funds above the base amount.

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

**Caseload-Based Funding-Level Formula:  
2021–22 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 2020–21.
  - 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 programs that increase their program capacity (i.e., the maximum number of participants they can serve) beyond their FY 2019–20 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 2020–21 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.