



Judicial Council of California

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Subject Details (With Text)

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Title: Juvenile Law | Distribution of Federal Title IV-E Reimbursement for Dependency Counsel (Action Required)

Sponsors:

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Date	Ver.	Action By	Action	Result
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Title

Juvenile Law | Distribution of Federal Title IV-E Reimbursement for Dependency Counsel (Action Required)

Summary

The Budget Act of 2019 provides an increase of \$34 million, and ongoing funds in future years, in federal funds to support court-appointed dependency counsel representing children and parents at every stage of the dependency proceeding. This funding became available with a change to the federal *Child Welfare Policy Manual*, which now permits claiming federal foster care dollars (title IV-E funds) for attorneys to provide legal representation to a title IV-E-eligible child in foster care or to the child’s parents. This federal funding brings California closer to the Judicial Council caseload standard to fully fund the adequate and competent representation of parents and children required by Welfare and Institutions Code section 317. The Family and Juvenile Law Advisory Committee recommends the distribution of these funds to court-appointed counsel providers meeting eligibility requirements according to the court-appointed counsel workload methodology adopted in April 2016 and modified for small courts in January 2019.

Recommendation

The Family and Juvenile Law Advisory Committee recommends, effective July 19, 2019, that the Judicial Council:

1. Direct staff to distribute federal IV-E match funds to court-appointed dependency counsel that satisfy the eligibility requirements, based on each county’s allocation; and
2. Direct staff to survey court-appointed counsel providers regarding their ability to utilize IV-E match funds during the remainder of fiscal year 2019-20; reallocate any court-appointed dependency counsel IV-E match funding that is estimated to remain unspent at the end of the year by workload, using the formula and method approved by the Judicial Council on January 22, 2015; and report back to the council at its July 23-24, 2020 meeting.