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Title

Juvenile Dependency: Court-Appointed Dependency Counsel Workload and Funding Methodology Options (Action Required)

Summary

At its June 2016 meeting, the Judicial Council tabled any action on the two recommendations provided by the Court-Appointed Counsel Funding Allocation Methodology Joint Subcommittee of the Trial Court Budget Advisory Committee (TCBAC) and Family and Juvenile Law Advisory Committee (FJLAC). The Judicial Council also tabled action on a recommendation of the TCBAC related to one of the subcommittee's recommendations and directed the TCBAC to further advise the council on the recommendations provided by the subcommittee at the council's July 2016 meeting, including when allocations for fiscal year 2016-2017 should be adopted by the council. The TCBAC recommends the council adopt the proposed one-time modification to the court-appointed counsel funding methodology as it pertains to courts with smaller caseloads. The TCBAC further recommends the council encourage small court pilot projects, and further review by advisory bodies and specific stakeholders of the court-appointed counsel funding allocation methodology as it pertains to courts with smaller caseloads.

Recommendation

The Trial Court Budget Advisory Committee (TCBAC) unanimously recommends that the Judicial Council, effective July 29, 2016:

1. Direct small courts to pursue pilot projects to decrease attorney costs, including: coordinating calendars in courts that share attorneys, developing conflict attorney panels that could serve several courts, developing expert witness panels that could serve several courts, and expanding remote appearances by attorneys.
2. On a one-time basis in 2016-2017, approve a modification to the court-appointed counsel funding allocation methodology to provide \$406,000 in relief from the reallocation of funding to courts with smaller caseloads and set aside a \$200,000 reserve to provide funding to small courts experiencing unexpected short-term caseload increases.
3. Direct the TCBAC to reassess the eligibility criteria for small courts to receive additional funding

beyond what is computed by the reallocation policy, the amount that would be made available, and, if needed, other factors. The TCBAC would report back to the council during fiscal year 2016-2017.

4. To the extent that the Judicial Council wants to consider making changes to the court-appointed counsel funding methodology as it relates to small courts, consider forming a group of small courts to provide input to either or both the Trial Court Budget Advisory Committee and the Family and Juvenile Law Advisory Committee. Both committees were tasked by the council in April 2016 to consider a comprehensive update of the attorney workload data and time standards in the current workload model.

Speakers

Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee

Mr. Don Will, Center for Families, Children, and the Courts

Mr. Colin Simpson, Finance