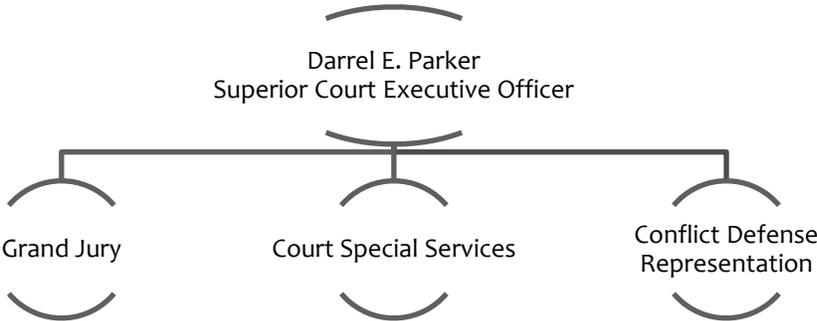


# Court Special Services



**BUDGET & FULL-TIME EQUIVALENTS SUMMARY & BUDGET PROGRAMS CHART**

Operating	\$ 15,248,900
Capital	\$ 0
FTEs	-



# Court Special Services

## Department

### **MISSION STATEMENT**

Court Special Services supports the Court's mission to resolve disputes arising under the law in a fair, accessible, effective, and efficient manner, and to interpret and apply the law consistently, impartially, and independently to protect the rights and liberties guaranteed by the Constitutions of California and the United States.

### **DEPARTMENT DESCRIPTION**

With the passage of the Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233), the primary responsibility for funding Court operations shifted from the County to the State. As a result of this shift, the County is required to make a Maintenance of Effort (MOE) financial contribution to the State for court funding, which is fixed by statute and determined using the County's Fiscal Year (FY) 1994-95 base year expenditures. Along with the shift of financial responsibility, most of the Court's operating budget also shifted to the State. The budget presented here for Court Special Services includes the County's obligation for funding the annual MOE contribution to the State of approximately \$10.4 million. This contribution is comprised of \$8.5 million in General Fund and approximately \$2.0 million from County's share of Fees, Fines & Penalties.

Court Special Services are budgeted in three Programs: Grand Jury, Court Special Services, and Conflict Defense. The Grand Jury is comprised of both the Civil and Criminal Grand Jury programs. Court Special Services are comprised of Pretrial Services, Enhanced Collections, Court Administered Dispute Resolution (CADRe), Juvenile Justice Commission/Delinquency Prevention Commission, Family & Children Services, and Small Claims Advisory programs. Conflict Defense is contract defense attorneys appointed to represent indigent defendants when the public defender declares a conflict of interest.

### **HIGHLIGHTS OF 2016-18 OBJECTIVES**

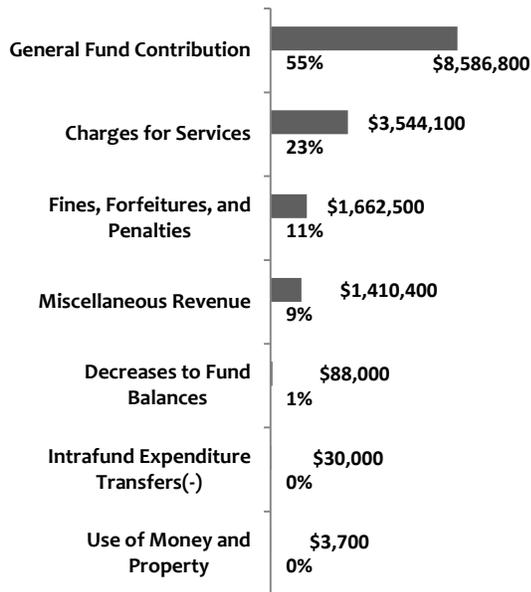
- Grand Jury: The Santa Barbara County Grand Jury will continue its major role of: government oversight; investigation into citizen complaints; and determination of whether evidence presented by the District Attorney is of a sufficient nature to warrant a person to stand trial in court when a Criminal Grand Jury is impaneled.
- Pretrial Services: Begin using the Virginia Pretrial Risk Assessment Instrument (VPRAI) to determine arrestee's probability of appearing at the next scheduled hearing and likelihood of re-offending if released on their own recognizance. The Department will explore additional possibilities for supervised pretrial release through partnerships with Probation and the Sheriff's Department in employing electronic monitoring, alcohol monitoring, GPS tracking, home visitation, and substance abuse testing.
- Enhanced Collections: The Enhanced Collections Unit continues to explore options in the use of Interactive Voice Response (IVR) systems that will interface with the Court's new case management system enabling better collection methods for the County and Court. Additionally, the Court will relocate the North County collection office to the Santa Maria courthouse increasing accessibility for payers addressing their delinquent accounts.
- Conflict Defense: The Court is pursuing a one year extension of the Conflict Defense contracts on both ends of the county with the respective teams of lawyers.

# Court Special Services

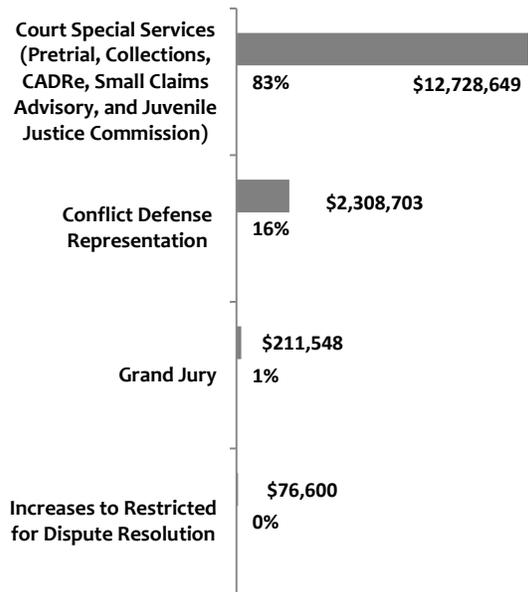
## Department

### RECOMMENDED SOURCES & USES OF FUNDS

#### Source of Funds - \$15,325,500



#### Use of Funds - \$15,325,500



### STAFFING TREND

Court Special Services Department has no County Employees. All positions are Superior Court Employees.

# Court Special Services

## Department

### BUDGET OVERVIEW

Staffing Detail By Budget Program	2014-15 Actual	2015-16 Adopted	Change from FY15-16 Ado to FY16-17 Rec	2016-17 Recommended	2017-18 Proposed
<b>Budget By Budget Program</b>					
Grand Jury	\$ 234,593	\$ 233,990	\$ (22,442)	\$ 211,548	\$ 214,484
Court Special Services	12,497,516	12,727,424	1,225	12,728,649	12,775,535
Conflict Defense Representation	2,583,586	2,417,516	(108,813)	2,308,703	2,370,617
Total	<u>\$ 15,315,695</u>	<u>\$ 15,378,930</u>	<u>\$ (130,030)</u>	<u>\$ 15,248,900</u>	<u>\$ 15,360,636</u>
<b>Budget By Categories of Expenditures</b>					
Services and Supplies	\$ 5,085,008	\$ 5,037,906	\$ 8,334	\$ 5,046,240	\$ 5,137,976
Other Charges	10,230,687	10,341,024	(138,364)	10,202,660	10,222,660
Total Operating Expenditures	<u>15,315,695</u>	<u>15,378,930</u>	<u>(130,030)</u>	<u>15,248,900</u>	<u>15,360,636</u>
Capital Assets	-	11,400	(11,400)	-	-
Increases to Fund Balances	72,677	76,600	-	76,600	76,600
Total	<u>\$ 15,388,373</u>	<u>\$ 15,466,930</u>	<u>\$ (141,430)</u>	<u>\$ 15,325,500</u>	<u>\$ 15,437,236</u>
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	\$ 1,474,219	\$ 1,800,900	\$ (138,400)	\$ 1,662,500	\$ 1,662,500
Use of Money and Property	(114,658)	3,230	470	3,700	3,700
Charges for Services	3,675,175	3,599,000	(54,900)	3,544,100	3,544,100
Miscellaneous Revenue	962,563	1,175,654	234,746	1,410,400	1,410,400
Total Operating Revenues	<u>5,997,300</u>	<u>6,578,784</u>	<u>41,916</u>	<u>6,620,700</u>	<u>6,620,700</u>
Intrafund Expenditure Transfers (-)	39,400	30,000	-	30,000	30,000
Decreases to Fund Balances	814,873	321,346	(233,346)	88,000	88,000
General Fund Contribution	8,536,800	8,536,800	50,000	8,586,800	8,586,800
Fund Balance Impact (-)	-	-	-	-	111,736
Total	<u>\$ 15,388,373</u>	<u>\$ 15,466,930</u>	<u>\$ (141,430)</u>	<u>\$ 15,325,500</u>	<u>\$ 15,437,236</u>

# Court Special Services

## Department

### **CHANGES & OPERATIONAL IMPACT: 2015-16 ADOPTED TO 2016-17 RECOMMENDED**

#### Staffing

- Not applicable as employees in this Department are employed by the Court.

#### Expenditures

- Net operating expenditure decrease of \$130,030 primarily due to:
  - +\$8,334 increase in Services and Supplies due to an increase in cost for contractual services with the Court for Pre-Trial Services, Enhanced Collections, Alternative Dispute Resolution, and cost allocation for the County to Court Special Services which is offset by a potential decrease in indigent defense fees.
  - -\$138,364 decrease in Other Charges based on a reduction in estimated payments due to the state for the calculated 50/50 split portion.
- Net non-operating expenditure decrease of \$11,400 due to a decrease in Capital Assets purchases.

These changes result in Recommended operating expenditures of \$15,248,900, non-operating expenditures of \$76,600, resulting in total expenditures of \$15,325,500. Non-operating expenditures primarily include capital assets, transfers, and increases in fund balances.

#### Revenues

- Net operating revenue increase of \$41,916 primarily due to:
  - +\$234,746 increase in Miscellaneous Revenue due to an increase to state reimbursement revenue.
  - +\$470 increase in Use of Money and Property due to an increase in interest income.
  - -\$138,400 decrease in Fines and Forfeitures due a reduction in payments collected at the Court.
  - -\$54,900 decrease in Charges for Services due to a decrease in fees.
- Net Non-operating revenue decrease of \$183,346 due to:
  - +\$50,000 increase in the general fund contribution expenses for contracted experts.
  - -\$233,346 decrease in the Use of Fund Balance from prior year one-time expenditures.

These changes result in Recommended operating revenues of \$6,620,700, non-operating revenues of \$8,704,800, resulting in total revenues of \$15,325,500. Non-operating revenues primarily include General Fund Contribution, intrafund transfers, and Decreases to Fund Balance.

### **CHANGES & OPERATIONAL IMPACT: 2016-17 RECOMMENDED TO 2017-18 PROPOSED**

Criminal defense contracts conclude in June of 2017. Replacement services must be addressed. Further, recent multiple defendant gang related cases will likely result in larger than anticipated investigative costs.

#### **RELATED LINKS**

For more information on the Court's Office and the County Grand Jury, please refer to the websites at [www.sbcourts.org](http://www.sbcourts.org) and [www.sbcgi.org](http://www.sbcgi.org). For more information on the Court Administered Dispute Resolution (CADRe) Program, please refer to the websites at [www.sbcourts.org](http://www.sbcourts.org) and [www.sbcadre.org](http://www.sbcadre.org).

# Court Special Services

## Department

### PERFORMANCE MEASURES

Description	FY 2013-14 Actual	FY 2014-15 Actual	FY 2015-16 Estimated Actual	FY 2016-17 Recommend	FY 2017-18 Proposed
<b>Grand Jury</b>					
Review all detention facilities throughout the county.	100% 16/16	100% 17/17	100% 17/17	100% 17/17	100% 17/17
<b>Court Special Services</b>					
Percent and amount of non-warrant bookings reviewed within 48 hours for probable cause.	100% 3,362	100% 3,212	100% 3,200	100% 4,470	100% 4,470
Percent and amount of detainees eligible for release on their own recognizance/reduced bail interviewed within 24 hours of being booked into jail to reduce overcrowding. Based on number of bookings.	100% 16,528	100% 17,476	100% 17,500	100% 17,760	100% 17,089
Percent and amount of detainees released on their own recognizance/reduced bail that fail to appear in court.	N/A	2% 12/616	2% 12/600	4% 24/612	4% 24/612
<b>Conflict Defense Representation within Contract</b>					
Number of Adult cases represented	1,506	1,611	1,605	1,511	1,600
Number of Juvenile cases represented	372	387	402	402	418

# Court Special Services



# Court Special Services

## Program

### GRAND JURY

The Civil Grand Jury is a watchdog agency overseeing government agencies, cities, and special districts throughout Santa Barbara County. Made up of volunteers from the County's five supervisorial districts, the Civil Grand Jury may investigate, evaluate, and make recommendations to any city, county, or special district agency, which receives county funds. They are required to inspect County and city jails and detention facilities and review County financial accounts and records.

The Criminal Grand Jury consists of 19 members and a designated number of alternates. The Criminal Grand Jury is selected at random from the petit jury list to ensure that a reasonable representative cross-section of the entire county is eligible for this jury service. All persons qualified for Criminal Grand Jury service have an obligation to serve when summoned.

The Criminal Grand Jury hears evidence brought by a prosecutor's office to the direction of the Presiding Judge and the Jury Commissioner to determine on the basis of the evidence whether a crime has been committed and whether a certain person should be charged with a crime and required to stand trial in the Superior Court.

### Staffing

There are no County employees for this budget program.

### Revenue & Expenditures

Budget By Categories of Expenditures	2014-15 Actual	2015-16 Adopted	Change from FY15-16 Ado to FY16-17 Rec	2016-17 Recommended	2017-18 Proposed
Services and Supplies	\$ 231,670	\$ 230,090	\$ (22,442)	\$ 207,648	\$ 210,584
Other Charges	2,923	3,900	-	3,900	3,900
Total Operating Expenditures	234,593	233,990	(22,442)	211,548	214,484
Capital Assets	-	11,400	(11,400)	-	-
Total Expenditures	\$ 234,593	\$ 245,390	\$ (33,842)	\$ 211,548	\$ 214,484
<b>Budget By Categories of Revenues</b>					
General Fund Contribution	-	-	211,548	211,548	214,484
Total Revenues	\$ -	\$ -	\$ 211,548	\$ 211,548	\$ 214,484

### 2015-16 Anticipated Accomplishments

The Civil Grand Jury investigates various governmental entities within Santa Barbara County in addition to their inspection of county detention facilities. The Civil Grand Jury and the Court are exploring ways to expand opportunities for residents to serve throughout the county.

# Court Special Services

## Program

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### ***GRAND JURY (CONT'D)***

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#### **2016-18 Objectives**

##### *Functions of the Civil and Criminal Grand Jury*

The Santa Barbara County Grand Jury will continue its three predominant functions:

- Government oversight;
- Investigation into citizen complaints;
- Determination of whether evidence presented by the District Attorney is of a sufficient nature to warrant a person to stand trial in court when a Criminal Grand Jury is impaneled.

# Court Special Services

## Program

### ***COURT SPECIAL SERVICES***

#### Pretrial Services

The Pretrial Services Division of the Court Special Services is responsible for determining eligibility for a pretrial detainee's release on their own recognizance or an appropriate adjustment of bail given the offenses charged. In recent years, courts throughout the United States have been relying upon more evidence based risk assessment instruments to assist own recognizance officers in evaluating a defendant's risk of re-offending if released on their own recognizance or the likelihood that they will appear in court as ordered and promised.

#### Enhanced Collection Unit

In compliance with California Penal Code section 1463.010, Santa Barbara's County and Court maintain a collection program to provide prompt, efficient, and effective imposition and collection of court-ordered fees, fines, forfeitures, penalties, restitution, and assessments. The Collection Unit serves the public by providing assistance for those paying debt owed to the Court by setting up payment plans, mailing out payment reminders, allowing acceptance of payment via the phone, over the web, and in person. The Collection Unit works directly with the DMV, FTB, and Alliance One to ensure the best and timely methods of collecting delinquent debt.

Senate Bill 85 (Stats. 2015, ch 26) authorized a one-time mandatory amnesty program that reduces bail and fine amounts for vehicle and some non-vehicle code infractions beginning October 1, 2015 and ending March 31, 2017. The purpose of this amnesty program is to provide relief to qualified individuals who previously defaulted on their court ordered debt.

#### Alternative Dispute Resolution

Santa Barbara County offers a variety of Alternative Dispute Resolution (ADR) mechanisms. These programs coordinate and provide ADR resources to serve parties engaged in a wide range of civil and other disputes. ADR programs offer litigants a variety of problem solving approaches as an alternative to a court trial or even filing a court case, and have proven to save time, money, increase participant control over the outcome, preserve relationships and increase participant satisfaction. Some programs are provided at the referral of a judge after a court case has been filed or at the option of the parties. Others are aimed to assist residents in resolving their disputes prior to filing a court case.

### **Staffing**

There are no County employees for this budget program.

# Court Special Services

## Program

### ***COURT SPECIAL SERVICES (CONT'D)***

#### Revenue & Expenditures

Budget By Categories of Expenditures	2014-15 Actual	2015-16 Adopted	Change from FY15-16 Ado to FY16-17 Rec	2016-17 Recommended	2017-18 Proposed
Services and Supplies	\$ 2,269,752	\$ 2,390,300	\$ 139,589	\$ 2,529,889	\$ 2,556,775
Other Charges	10,227,764	10,337,124	(138,364)	10,198,760	10,218,760
Total Operating Expenditures	12,497,516	12,727,424	1,225	12,728,649	12,775,535
Increases to Fund Balances	72,677	76,600	-	76,600	76,600
Total Expenditures	\$ 12,570,193	\$ 12,804,024	\$ 1,225	\$ 12,805,249	\$ 12,852,135
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	1,474,219	1,800,900	(138,400)	1,662,500	1,662,500
Use of Money and Property	(114,658)	3,230	470	3,700	3,700
Charges for Services	3,675,175	3,599,000	(54,900)	3,544,100	3,544,100
Miscellaneous Revenue	962,563	1,175,654	234,746	1,410,400	1,410,400
Total Operating Revenues	5,997,300	6,578,784	41,916	6,620,700	6,620,700
Intrafund Expenditure Transfers (-)	39,400	30,000	-	30,000	30,000
Decreases to Fund Balances	814,873	321,346	(233,346)	88,000	88,000
General Fund Contribution	8,536,800	8,536,800	(2,470,251)	6,066,549	6,001,699
Total Revenues	\$ 15,388,373	\$ 15,466,930	\$ (2,661,681)	\$ 12,805,249	\$ 12,740,399

#### 2015-16 Anticipated Accomplishments

##### Pretrial Services

- Complete review of differences in practices and procedures between the two units of the pretrial services division and standardize where appropriate.
- Work with jail and transportation staff in ensuring that arrestees are provided equal opportunity to be interviewed for potential pretrial release in a timely manner.
- The Santa Barbara Superior Court Pretrial Services Division has been evaluating the Virginia Pretrial Risk Assessment Instrument (VPRAI) to determine its efficacy if used in Santa Barbara County.
- In November of 2015 a team of Court and County Justice Partners attended a Pretrial Summit in Sacramento. With a grant from the Judicial Council, funds from the Community Corrections Partnership and technical assistance from the National Institute of Corrections the team has secured the services of consultant with expertise in this field. The justice partners will work together to reach a written agreement on the appropriateness and use of supervised pretrial release establishing a matrix of options available depending upon a defendant's offense and risk assessment score.

##### Enhanced Collection Unit

The County and Court continue to improve its process for collecting delinquent fees and fines utilizing the Enhanced Collections Unit. In FY 2015-16 the Enhanced Collections Unit is anticipating the collection of \$7.2 million. In addition, through the use of outside collection agencies, such as the Franchise Tax Board Court Ordered Debt Program and

# Court Special Services

## Program

### ***COURT SPECIAL SERVICES (CONT'D)***

#### **2015-16 Anticipated Accomplishments (cont'd)**

Alliance One, it is, anticipated that a combined total of \$9.8 million in delinquent revenues will be collected by the Unit.

The Court has developed a cost recovery process where the County implemented PC 1463.007, which state in part "...a comprehensive collection program may deduct the costs of operating that program, excluding capital expenditures, from any revenues collected under that program". The program reimbursement revenue from the State for FY 2014-15 is estimated at \$1.1 million. This revenue is reported in Miscellaneous Revenue.

The mandatory amnesty program will have an effect on the outstanding debt that the Enhanced Collection Unit manages. It is estimated that in FY 2015-16 \$100K could result in write offs due to the participants' eligibility in this program. Also, in the first four months of this program the Court has seen 4 in defaults to the 7 payment plans. These defaulted cases have already been sent to the Franchise Tax Board for Court Ordered Debt collections to see if we can collect this through the participant's tax return refund.

#### **2016-18 Objectives**

##### Pretrial Services

- Begin using calibrated VPRAI in determining arrestee's probability of appearing at the next scheduled hearing and likelihood of reoffending if released on their own recognizance.
- Consolidate supervision of different pretrial units under one pretrial program services supervisor.
- Standardize practices, procedures, and opportunities for pretrial release countywide.  
Explore additional possibilities for supervised pretrial release through partnerships with Probation and the Sheriff's Department in employing electronic monitoring, alcohol monitoring, GPS tracking, home visitation, and substance abuse testing.

##### Enhanced Collections

Court Special Services will begin the revision of the Memorandum of Understanding (MOU) with the County that implements and enhances the collection of court-ordered debt and other monies owed under a court order.

The Enhanced Collection Unit is looking into the cost and benefits of employing an Interactive Voice Response (IVR) system that will interface with the Court's new case management system (CMS) (Odyssey) to enable better collection methods for the County and Court. The Court has transitioned into a temporary IVR system that works with the old CMS but is still researching the best IVR system to work with the new CMS.

# Court Special Services

## Program

### **CONFLICT DEFENSE REPRESENTATION**

The County is required to pay for indigent defense expenses under Penal Code Section 987.2. The Court administers this contract for the County for those defendants where the Public Defender has declared that a conflict of interest has arisen legally preventing the Public Defender from representing the defendant. In order to fix costs the Court negotiates on behalf of the County with a qualified team of criminal defense attorneys to represent defendants in those instances where the Public Defender has declared a conflict. Up to five defendants on a case will be represented by the qualified team under the terms of the contract. If there are more defendants in a case than can be covered by representation of the Public Defender and the five attorneys under the contract, independent attorneys are appointed at an agreed upon rate outside of the contract.

Increases in multiple defendant cases and rising numbers of cases proceeding to trial has affected the cost of representing indigent defendants. Additionally, escalating investigative costs associated with egregious offenses and gang related activity have affected the Court Special Service's budget.

### Staffing

There are no County employees for this budget program.

### Revenue & Expenditures

Budget By Categories of Expenditures	2014-15 Actual	2015-16 Adopted	Change from FY15-16 Ado to FY16-17 Rec	2016-17 Recommended	2017-18 Proposed
Services and Supplies	\$ 2,583,586	\$ 2,417,516	\$ (108,813)	\$ 2,308,703	\$ 2,370,617
Total Operating Expenditures	2,583,586	2,417,516	(108,813)	2,308,703	2,370,617
Total Expenditures	<u>\$ 2,583,586</u>	<u>\$ 2,417,516</u>	<u>\$ (108,813)</u>	<u>\$ 2,308,703</u>	<u>\$ 2,370,617</u>
<b>Budget By Categories of Revenues</b>					
General Fund Contribution	-	-	2,308,703	2,308,703	2,370,617
Total Revenues	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,308,703</u>	<u>\$ 2,308,703</u>	<u>\$ 2,370,617</u>

### 2015-16 Anticipated Accomplishments

The Court is pursuing a one year extension available under the current terms of the for indigent defense representation in both the North and South County.

### 2016-18 Objectives

- Closely monitor investigative costs to ensure consistency in approval of payment and recommend caps on the authorized expenditures.
- Establish guidelines for various investigative expenses and expert witnesses by reviewing other counties' practices.
-

# Court Special Services

