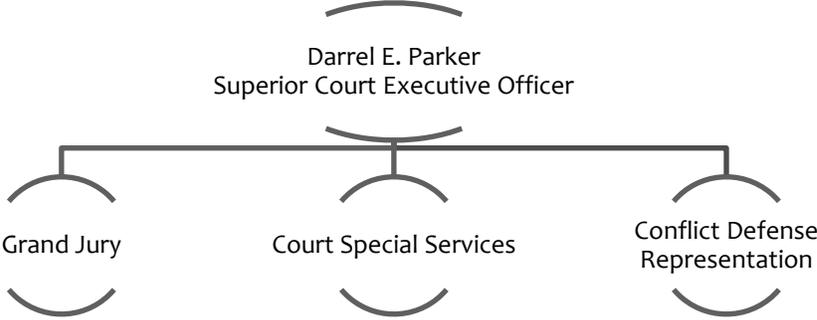


# Court Special Services



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

Operating	\$ 15,256,900
Capital	\$ 0
FTEs	-



# Court Special Services

## Department

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### **MISSION STATEMENT**

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Court Special Services supports the Court's mission to protect constitutional rights and liberties, equally apply the law, resolve disputes, and reconcile relationships in a fair and timely manner.

### **DEPARTMENT DESCRIPTION**

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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 \$10.2 million. This contribution is comprised of \$8.2 million in General Fund and approximately \$2 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 and it also includes investigator and expert services as they relate to the defendant's case.

### **HIGHLIGHTS OF 2017-19 OBJECTIVES**

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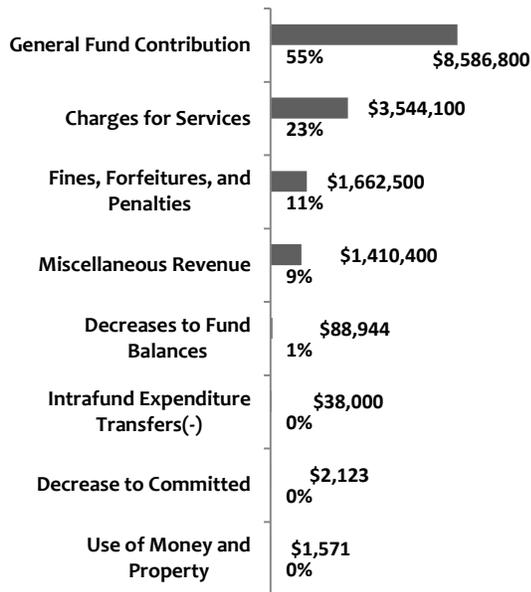
- Grand Jury: The Santa Barbara County Grand Jury will continue its major role of: government oversight; investigation into citizen complaints; and determination of whether evidence presented by the District Attorney is of a sufficient nature to warrant a person to stand trial in court when a Criminal Grand Jury is impaneled.
- Pretrial Services: The Virginia Pretrial Risk Assessment Instrument (VPRAI) is relied upon to inform release decisions of pretrial detainees. This evidence based risk assessment instrument helps determine an arrestee's probability of appearing at the next scheduled hearing and likelihood of re-offending if released on their own recognizance. This division has expanded the use of supervised pretrial release. In conjunction with the Community Corrections Partnership more intensive supervised release options will be available.
- Enhanced Collections: January 2017 the Collection's unit switched from using an outside phone/web payment agency to processing these payments internally. Additionally, the 18 month state mandated amnesty program concluded March 31, 2017. As of January 2017 the amnesty program brought in \$63K in revenue.
- Conflict Defense: The multi-year contract expires June 30, 2017. The Court is working on developing a new agreement with the teams of attorneys in both north and south county to develop a new multi-year contract.

# Court Special Services

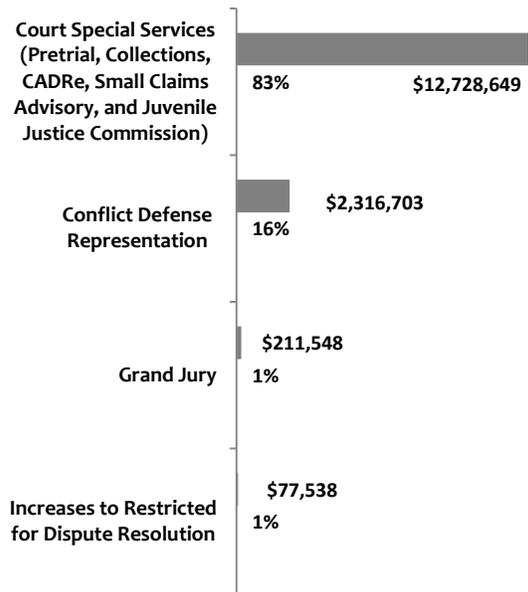
## Department

### RECOMMENDED SOURCES & USES OF FUNDS

#### Source of Funds - \$15,334,438



#### Use of Funds - \$15,334,438



### 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	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
<b>Budget By Budget Program</b>					
Grand Jury	\$ 255,273	\$ 211,548	\$ -	\$ 211,548	\$ 211,548
Court Special Services	12,647,743	12,728,649	-	12,728,649	12,728,649
Conflict Defense Representation	2,099,000	2,308,703	8,000	2,316,703	2,316,703
Total	<u>\$ 15,002,017</u>	<u>\$ 15,248,900</u>	<u>\$ 8,000</u>	<u>\$ 15,256,900</u>	<u>\$ 15,256,900</u>
<b>Budget By Categories of Expenditures</b>					
Services and Supplies	\$ 4,497,015	\$ 5,046,240	\$ 8,000	\$ 5,054,240	\$ 5,054,240
Other Charges	10,505,002	10,202,660	-	10,202,660	10,202,660
Total Operating Expenditures	15,002,017	15,248,900	8,000	15,256,900	15,256,900
Increases to Fund Balances	221,371	76,600	938	77,538	77,538
Total	<u>\$ 15,223,387</u>	<u>\$ 15,325,500</u>	<u>\$ 8,938</u>	<u>\$ 15,334,438</u>	<u>\$ 15,334,438</u>
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	\$ 1,735,852	\$ 1,662,500	\$ -	\$ 1,662,500	\$ 1,662,500
Use of Money and Property	12,819	3,700	(2,129)	1,571	1,571
Charges for Services	3,714,583	3,544,100	-	3,544,100	3,544,100
Miscellaneous Revenue	1,169,318	1,410,400	-	1,410,400	1,410,400
Total Operating Revenues	6,632,572	6,620,700	(2,129)	6,618,571	6,618,571
Other Financing Sources	20,000	-	-	-	-
Intrafund Expenditure Transfers (-)	33,264	30,000	8,000	38,000	38,000
Decreases to Fund Balances	752	88,000	3,067	91,067	91,067
General Fund Contribution	8,536,800	8,586,800	-	8,586,800	8,586,800
Total	<u>\$ 15,223,387</u>	<u>\$ 15,325,500</u>	<u>\$ 8,938</u>	<u>\$ 15,334,438</u>	<u>\$ 15,334,438</u>

# Court Special Services

## Department

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

#### Staffing

- Not applicable as all 19 employees in this Department are employed by the Court.

#### Expenditures

- Net operating expenditure increased by \$8,000 due to:
  - +\$8,000 increase in Services and Supplies due to an increase in services and expenditures in indigent defense fees.
- Net operating expenditure increased by \$938 due to:
  - +\$938 increase in restricted funds for dispute resolution.

These changes result in recommended operating expenditures for FY 2017-18 of \$15,256,900, non-operating expenditures of \$77,538, resulting in total expenditures of \$15,334,438. Non-operating expenditures are restricted funds for dispute resolution.

#### Revenues

- Net operating revenue decrease \$2,129 primarily due to:
  - -\$2,129 decrease in Use of Money and Property due to a decrease in unrealized investment income.
- Net Non-operating revenue increase \$11,067 due to:
  - +\$8,000 increase in Intrafund Expenditure Transfer from Probation.
  - +944 increase in Restricted Funds from Dispute Resolution.
  - +\$2,123 decrease in Committed due to unrealized gains on investments.

These changes result in recommended operating revenues of \$6,618,571, non-operating revenues of \$8,715,867, resulting in total revenues of \$15,334,438. Non-operating revenues primarily include General Fund Contribution, intrafund transfers, and Decreases to Fund Balance.

### **CHANGES & OPERATIONAL IMPACT: 2017-18 RECOMMENDED TO 2018-19 PROPOSED**

Criminal defense contracts expire 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 2014-15 Actual	FY 2015-16 Actual	FY 2016-17 Estimated Actual	FY 2017-18 Recommend	FY 2018-19 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>					
Pretrial total cases reviewed for probable cause	N/A	5,132	5,033	5,000	5,000
Pretrial written reports completed	N/A	3,102	2,427	2,425	2,425
Pretrial released on own recognizance	N/A	613	470	517	517
Pretrial Failure to Appear (FTAs)	N/A	6% 37/613	3% 12/470	2% 12/517	2% 12/517
<b>Conflict Defense Representation within Contract</b>					
Number of Adult cases represented	1,701	1,575	2,057	2,057	2,057
Number of Juvenile cases represented	387	427	581	581	581
<b>Alternative Dispute</b>					
Percentage and amount of qualified cases ordered to alternative dispute processes	69% 225/326	71% 297/418	57% 206/361	57% 206/361	57% 206/361

# 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 is not a standing body. A criminal grand jury is convened at the request of the district attorney. 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	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
Services and Supplies	\$ 252,527	\$ 207,648	\$ -	\$ 207,648	\$ 207,648
Other Charges	2,746	3,900	-	3,900	3,900
Total Operating Expenditures	255,273	211,548	-	211,548	211,548
Total Expenditures	\$ 255,273	\$ 211,548	\$ -	\$ 211,548	\$ 211,548
<b>Budget By Categories of Revenues</b>					
General Fund Contribution	-	211,548	-	211,548	211,548
Total Revenues	\$ -	\$ 211,548	\$ -	\$ 211,548	\$ 211,548

### 2016-17 Anticipated Accomplishments

The Civil Grand Jury continues to investigate 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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#### **2017-19 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. Santa Barbara County Pretrial is using the Virginia Pretrial Risk Assessment Instrument (VPRAI) to inform release decisions. Further, Pretrial is expanding the use of supervised pretrial release in appropriate circumstances.

#### 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, through the mail, and in person. The Collection Unit works directly with the DMV, FTB, and Alliance One (an outside collection agency) 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. As of January 31, 2017, there were 467 participants in the fine reduction program and 617 driver's license reinstated within the amnesty program.

#### 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. However, 19 Court employees work on Court Special Services programs in the following areas: Pretrial Services 11 employees, Enhanced Collections 7 employees, and Court Administered Dispute Resolution 1 employee.

# Court Special Services

## Program

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

#### Revenue & Expenditures

Budget By Categories of Expenditures	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
Services and Supplies	\$ 2,145,488	\$ 2,529,889	\$ -	\$ 2,529,889	\$ 2,529,889
Other Charges	10,502,255	10,198,760	-	10,198,760	10,198,760
Total Operating Expenditures	12,647,743	12,728,649	-	12,728,649	12,728,649
Increases to Fund Balances	221,371	76,600	938	77,538	77,538
Total Expenditures	<u>\$ 12,869,114</u>	<u>\$ 12,805,249</u>	<u>\$ 938</u>	<u>\$ 12,806,187</u>	<u>\$ 12,806,187</u>
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	1,735,852	1,662,500	-	1,662,500	1,662,500
Use of Money and Property	12,819	3,700	(2,129)	1,571	1,571
Charges for Services	3,714,583	3,544,100	-	3,544,100	3,544,100
Miscellaneous Revenue	1,169,318	1,410,400	-	1,410,400	1,410,400
Total Operating Revenues	6,632,572	6,620,700	(2,129)	6,618,571	6,618,571
Other Financing Sources	20,000	-	-	-	-
Intrafund Expenditure Transfers (-)	33,264	30,000	8,000	38,000	38,000
Decreases to Fund Balances	752	88,000	3,067	91,067	91,067
General Fund Contribution	8,536,800	6,066,549	(8,000)	6,058,549	6,058,549
Total Revenues	<u>\$ 15,223,387</u>	<u>\$ 12,805,249</u>	<u>\$ 938</u>	<u>\$ 12,806,187</u>	<u>\$ 12,806,187</u>

#### 2016-17 Anticipated Accomplishments

##### Pretrial Services

- Consolidated supervision of countywide pretrial division.
- Standardized reporting format countywide.
- The Santa Barbara Superior Court Pretrial Services Division has begun using the Virginia Pretrial Risk Assessment Instrument (VPRAI) to inform release decision making.
- The Community Corrections Partnership has approved funding for more intensive supervised pretrial release and enhanced technology infrastructure.
- Pretrial Service's staff are personally contacting released parties reminding them of court appearances in an effort to reduce failures to appear.

# Court Special Services

## Program

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

#### **2016-17 Anticipated Accomplishments (cont'd)**

##### 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 collected \$6.9 million. In addition, through the use of outside collection agencies, such as the Franchise Tax Board Court Ordered Debt Program, and Alliance One, the combined total of \$9.5 million in delinquent revenues were collected by the Unit. These collections efforts are expected to be similar in FY 2016-17.

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 2015-16 was at \$1 million. This revenue is reported in Miscellaneous Revenue.

The mandatory amnesty program has had an effect on the outstanding debt that the Enhanced Collection Unit manages. It is estimated that the 18 month amnesty program ending March 31, 2017 could result in \$150K in write offs due to the participants' eligibility in this program.

#### **2017-19 Objectives**

##### Pretrial Services

- Formally train all pretrial officers in the use of the Virginia Pretrial Risk Assessment Instrument.
- Implement automated interview, risk evaluation, and report generation employing electronic case initiation and filing where appropriate. Explore online access to pretrial reports for appropriate partners in the justice system.
- In conjunction with the Community Correction Partnership, expand supervised release opportunities to include GPS monitoring, testing, home detection, and filed supervision.
- Develop written protocols and standards for each type of release decision.
- Conclude a memorandum of understanding among the criminal justice partners in adopting a matrix of pretrial release options and agreed upon eligible offenses and circumstances for the use of supervised release.
- Develop baseline performance data, measurement, monitoring, and regular reports in evaluating the program's success.

##### 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.

# 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 these contracts 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 qualified teams 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 teams under the terms of the contracts. 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 contracts.

Increases in multiple defendant cases has affected the cost of representing indigent defendants. Additionally, escalating investigative and expert witness costs associated with egregious offenses and gang related activity have impacted the Court Special Service's budget. A recent multiple defendant international gang related homicide will likely incur substantial costs as it proceeds to trial.

### Staffing

There are no County employees for this budget program.

### Revenue & Expenditures

Budget By Categories of Expenditures	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
Services and Supplies	\$ 2,099,000	\$ 2,308,703	\$ 8,000	\$ 2,316,703	\$ 2,316,703
Total Operating Expenditures	2,099,000	2,308,703	8,000	2,316,703	2,316,703
Total Expenditures	<u>\$ 2,099,000</u>	<u>\$ 2,308,703</u>	<u>\$ 8,000</u>	<u>\$ 2,316,703</u>	<u>\$ 2,316,703</u>
<b>Budget By Categories of Revenues</b>					
General Fund Contribution	-	2,308,703	8,000	2,316,703	2,316,703
Total Revenues	<u>\$ -</u>	<u>\$ 2,308,703</u>	<u>\$ 8,000</u>	<u>\$ 2,316,703</u>	<u>\$ 2,316,703</u>

### 2016-17 Anticipated Accomplishments

The Court is pursuing new multi-year contracts for indigent defense representation in both the north and south County to begin July 1, 2017.

### 2017-19 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

