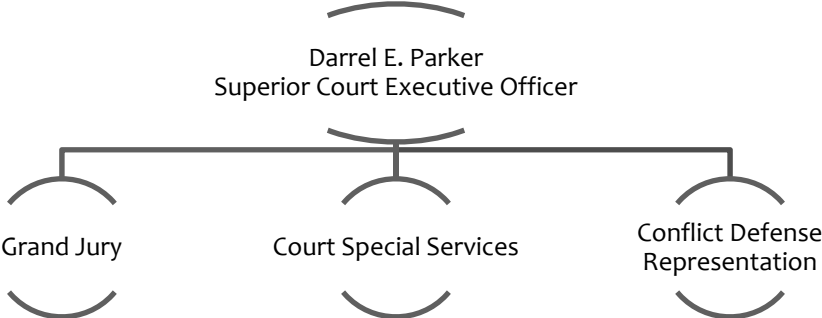


Court Special Services



RECOMMENDED BUDGET & STAFFING SUMMARY & BUDGET PROGRAMS CHART

Operating	\$ 14,576,000
Capital	\$ 0
FTEs	-



Court Special Services

Department

MISSION STATEMENT

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

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 comprised of contract defense attorneys appointed to represent indigent defendants when the public defender declares a conflict of interest, independent attorneys appointed outside the contracts and court appointed investigator and expert services.

HIGHLIGHTS OF 2018-19 OBJECTIVES

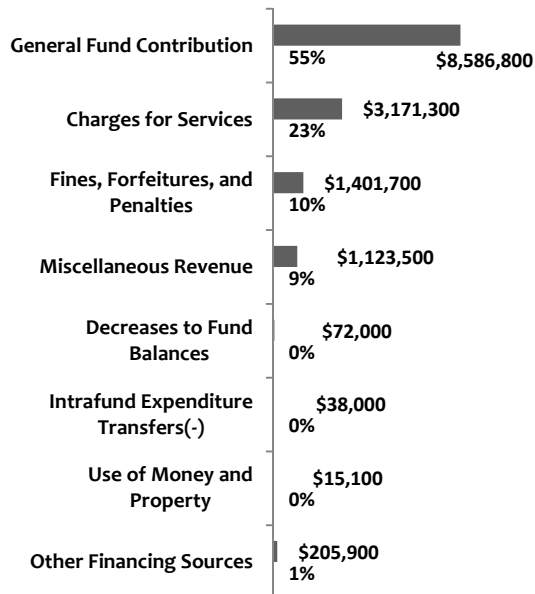
- Grand Jury: The Santa Barbara County Grand Jury will continue its major role of: government oversight; investigation into citizen complaints. The Criminal Grand Jury will continue to weigh evidence, and if impaneled, make determinations if there is sufficient evidence presented to warrant a person to stand trial in court.
- Pretrial Services: Through the recommendation and funding of the Community Corrections Partnership (CCP), this division has expanded their release protocols from basic pretrial release to standard and intensive supervised pretrial release. The officers have been formally trained and are now using the Virginia Pretrial Risk Assessment Instrument (VPRAI) on all pretrial detainees. Through a partnership with the Probation Department, more intensive supervised release options are now available to judicial officers.
- Enhanced Collections: In December 2017 the Collection's unit implemented the process of using the Court's new case management system to generate monthly statements, which are sent out to all delinquent debtors. The Collections Unit will continue to identify potential opportunities to minimize the impact of recent legislation changes, and will continue to provide prompt, efficient, and effective imposition and collection of court-ordered fees, fines, forfeitures, penalties, restitution and assessments.
- Conflict Defense: The multi-year contract expires June 30, 2018. The Court is working on developing new agreements for the representation of eligible indigents in both the North and South County.

Court Special Services

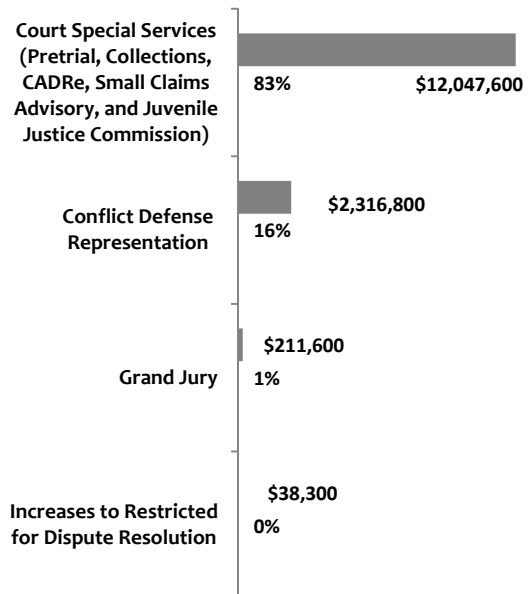
Department

RECOMMENDED SOURCES & USES OF FUNDS

Source of Funds - \$14,614,300



Use of Funds - \$14,614,300



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	2016-17 Actual	2017-18 Adopted	2017-18 Estimated Actual	2018-19 Recommended	Change From FY17-18 Ado to FY18-19 Rec
Budget By Budget Program					
Grand Jury	\$ 248,624	\$ 211,548	\$ 211,600	\$ 211,600	\$ 52
Court Special Services	12,088,444	12,728,649	12,332,900	12,047,600	(681,049)
Conflict Defense Representation	2,492,293	2,316,703	2,119,100	2,316,800	97
Total	<u>\$ 14,829,360</u>	<u>\$ 15,256,900</u>	<u>\$ 14,663,600</u>	<u>\$ 14,576,000</u>	<u>\$ (680,900)</u>
Budget By Categories of Expenditures					
Services and Supplies	\$ 4,872,453	\$ 5,054,240	\$ 4,765,600	\$ 4,600,700	\$ (453,540)
Other Charges	9,956,907	10,202,660	9,898,000	9,975,300	(227,360)
Total Operating Expenditures	<u>14,829,360</u>	<u>15,256,900</u>	<u>14,663,600</u>	<u>14,576,000</u>	<u>(680,900)</u>
Increases to Fund Balances	67,423	77,538	68,000	38,300	(39,238)
Total	<u>\$ 14,896,784</u>	<u>\$ 15,334,438</u>	<u>\$ 14,731,600</u>	<u>\$ 14,614,300</u>	<u>\$ (720,138)</u>
Budget By Categories of Revenues					
Fines, Forfeitures, and Penalties	\$ 1,446,869	\$ 1,662,500	\$ 1,331,800	\$ 1,401,700	\$ (260,800)
Use of Money and Property	11,451	1,571	15,100	15,100	13,529
Charges for Services	3,185,368	3,544,100	3,068,000	3,171,300	(372,800)
Miscellaneous Revenue	1,240,226	1,410,400	1,123,500	1,123,500	(286,900)
Total Operating Revenues	<u>5,883,914</u>	<u>6,618,571</u>	<u>5,538,400</u>	<u>5,711,600</u>	<u>(906,971)</u>
Other Financing Sources	-	-	496,400	205,900	205,900
Intrafund Expenditure Transfers (-)	37,654	38,000	38,000	38,000	-
Decreases to Fund Balances	388,416	91,067	72,000	72,000	(19,067)
General Fund Contribution	8,586,800	8,586,800	8,586,800	8,586,800	-
Total	<u>\$ 14,896,784</u>	<u>\$ 15,334,438</u>	<u>\$ 14,731,600</u>	<u>\$ 14,614,300</u>	<u>\$ (720,138)</u>

Court Special Services

Department

CHANGES & OPERATIONAL IMPACT: 2017-18 ADOPTED TO 2018-19 RECOMMENDED

Staffing

- Not applicable as all 19.5 employees in this Department are employed by the Court.

Expenditures

- Net operating expenditure decreased by \$680,900 primarily due to:
 - -\$380,000 in restricted funds for one-time funding and purchase of new software for Pretrial Services.
 - -\$227,400 decrease in other charges
- Net Non-operating expenditure decreased by \$39,238 due to:
 - -\$39,238 decrease in restricted funds for dispute resolution.

These changes result in recommended operating expenditures for FY 2018-19 of \$14,576,900, non-operating expenditures of \$38,300, resulting in total expenditures of \$14,614,300. Non-operating expenditures are restricted funds for dispute resolution.

Revenues

- Net operating revenue decrease \$907,000 primarily due to:
 - -\$372,800 decrease in Charges for Services due to decrease in revenue from the passage of AB103 and fewer case filings.
 - -\$286,900 decrease due to Miscellaneous Revenue caused by a decrease in State Reimbursements from lower commission costs on revenue collect by the Franchise Tax Board and private collection agency.
 - -\$260,800 decrease in Fines, Forfeitures and Penalties due to decrease in revenue from the passage of AB103 and fewer case filings.
- Net Non-operating revenue increase \$186,800 due to:
 - +\$205,900 increase in Intrafund Expenditure Transfer from Probation.
 - -\$19,100 decrease in Decrease in Fund Balances from Dispute Resolution.

These changes result in recommended operating revenues of \$5,711,600, non-operating revenues of \$8,902,700, resulting in total revenues of \$14,614,300. Non-operating revenues primarily include General Fund Contribution, intrafund transfers, and Decreases to Fund Balance.

RELATED LINKS

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

Court Special Services

Department

PERFORMANCE MEASURES

Description	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Estimated Actual	FY 2018-19 Recommend
Court Special Services				
Pretrial total cases reviewed for probable cause	5,132	5,033	4,258	5,000
Pretrial written reports completed	3,102	2,427	2,101	2,425
Pretrial released on own recognizance	613	470	346	517
Pretrial Failure to Appear (FTAs)	6% 37/613	4% 17/438	6% 21/346	2% 12/517
Conflict Defense Representation within Contract				
Number of Adult cases represented	1,575	2,057	1,484	1,484
Number of Juvenile cases represented	427	625	404	404
Alternative Dispute				
Percentage and amount of qualified cases ordered to alternative dispute processes	59% 244/411	68% 243/360	68% 243/360	68% 243/360

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. The Civil Grand Jury comprised of 19 volunteers from the County's five supervisorial districts, investigates, evaluates, and makes recommendations to any city, county or special district agency, which receives county funds.

Unlike the Civil Grand Jury, the Criminal Grand Jury is not a standing body, and is convened at the request of the District Attorney. The Criminal Grand Jury consists of 19 members and a designated number of alternates who are 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 weighs evidence brought by a prosecutor's office under the direction of the Presiding Judge and the Jury Commissioner. The Criminal Grand Jury is responsible for making determinations, on the basis of the evidence presented, if a crime has been committed which warrants a person should be charged 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	2016-17 Actual	2017-18 Adopted	2017-18 Estimated Actual	2018-19 Recommended	Change From FY17-18 Ado to FY18-19 Rec
Services and Supplies	\$ 246,034	\$ 207,648	\$ 209,500	\$ 209,700	\$ 2,052
Other Charges	2,590	3,900	2,100	1,900	(2,000)
Total Operating Expenditures	248,624	211,548	211,600	211,600	52
Total Expenditures	\$ 248,624	\$ 211,548	\$ 211,600	\$ 211,600	\$ 52
Budget By Categories of Revenues					
General Fund Contribution	211,548	211,548	211,600	211,600	52
Total Revenues	\$ 211,548	\$ 211,548	\$ 211,600	\$ 211,600	\$ 52

2017-18 Anticipated Accomplishments

The Civil Grand Jury continues to investigate various governmental entities within Santa Barbara County. The Civil Grand Jury and the Court are exploring ways to expand opportunities for residents to serve throughout the county.

Court Special Services

Program

GRAND JURY (CONT'D)

2018-19 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. Last year the Pretrial Division began utilizing the Virginia Pretrial Risk Assessment Instrument (VPRAI) to inform release decisions. Through a partnership with the Probation Department and funding through the Community Corrections Partnership, the position of Pretrial Compliance Officer (PTCO) was created. The Pretrial Compliance Officer is responsible for overseeing those individuals released to the community that require supervision during their court proceedings. While basic and some standard releases have been used for many years in Santa Barbara County, the expansion of the Pretrial Compliance Officer offers judicial officers more options to ensure compliance of court appearances and helps safeguard the community. Supervised pretrial options may include but are not limited to: GPS monitoring, drug testing, field supervision and face to face office check-ins.

Enhanced Collection Unit

In compliance with California Penal Code section 1463.010, Santa Barbara's County and Court maintain a collection program that 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 Department of Motor Vehicles (DMV), Franchise Tax Board (FTB), and Alliance One (an outside collection agency) to ensure the best and timely methods of collecting delinquent debt.

Alternative Dispute Resolution

Santa Barbara County offers a variety of Alternative Dispute Resolution (ADR) mechanisms through the Court Administered Dispute Resolution (CADRe) Program. The program coordinates and provides a variety of ADR resources to serve litigants engaged in small claims and civil disputes. The ADR process is often quicker and less costly than litigation and offers a variety of options to enable a timely resolution to civil disputes. Participation in ADR provides diverse problem solving approaches as alternatives to a court trial or filing a court case. The ADR process increases participant control and satisfaction over the outcome. Resources are provided at the referral of a judge after a court case is filed, or at the option of the parties, while others educate residents in resolving disputes prior to filing a court case.

Staffing

There are no County employees for this budget program. However, 19.5 Court employees work on Court Special Services programs in the following areas: Pretrial Services 11.5 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	2016-17 Actual	2017-18 Adopted	2017-18 Estimated Actual	2018-19 Recommended	Change From FY17-18 Ado to FY18-19 Rec
Services and Supplies	\$ 2,134,126	\$ 2,529,889	\$ 2,437,000	\$ 2,074,200	\$ (455,689)
Other Charges	9,954,317	10,198,760	9,895,900	9,973,400	(225,360)
Total Operating Expenditures	12,088,444	12,728,649	12,332,900	12,047,600	(681,049)
Increases to Fund Balances	67,423	77,538	68,000	38,300	(39,238)
Total Expenditures	\$ 12,155,867	\$ 12,806,187	\$ 12,400,900	\$ 12,085,900	\$ (720,287)
Budget By Categories of Revenues					
Fines, Forfeitures, and Penalties	1,446,869	1,662,500	1,331,800	1,401,700	(260,800)
Use of Money and Property	11,451	1,571	15,100	15,100	13,529
Charges for Services	3,185,368	3,544,100	3,068,000	3,171,300	(372,800)
Miscellaneous Revenue	1,240,226	1,410,400	1,123,500	1,123,500	(286,900)
Total Operating Revenues	5,883,914	6,618,571	5,538,400	5,711,600	(906,971)
Other Financing Sources	-	-	496,400	205,900	205,900
Intrafund Expenditure Transfers (-)	37,654	38,000	38,000	38,000	-
Decreases to Fund Balances	388,416	91,067	72,000	72,000	(19,067)
General Fund Contribution	6,066,549	6,058,549	6,058,400	6,058,400	(149)
Total Revenues	\$ 12,376,533	\$ 12,806,187	\$ 12,203,200	\$ 12,085,900	\$ (720,287)

2017-18 Anticipated Accomplishments

Pretrial Services

- All pretrial officers completed formal training and are using the Virginia Pretrial Risk Assessment Instrument on each defendant interviewed.
- Expansion of Supervised Pretrial Release (basic and intensive) through a partnership with the CCP and the Probation Department; Deployment of a Pretrial Compliance Officer position to enhance release opportunities including GPS monitoring, drug testing, home detention and field supervision.
- 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.
- Onboard Administrative Analyst position to completed development of baseline performance data, measurement, monitoring and regular reports in evaluating the program's success.
- Consolidated supervision of countywide pretrial division.
- Standardized reporting data countywide.

Court Special Services

Program

COURT SPECIAL SERVICES (CONT'D)

2017-18 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 2016-17 the Enhanced Collections Unit collected \$5.9 million. In addition, through the use of outside collection agencies, such as the Franchise Tax Board Court Ordered Debt Program, and Alliance One, a combined total of \$8.1 million in delinquent revenues were 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 2016-17 was at \$940 thousand. This revenue is reported in Miscellaneous Revenue.

Delinquent revenues collected by the Unit for FY 2017-18 are expected to come in lower than FY 2016-17. The combined total of delinquent revenues collected by the Unit, July 2017 through February 2018 is \$3.8 million, down \$1.35 million from the same period in FY 2016-17. Decline is attributed to AB103 (effective July 1, 2017), and a decrease in case filings.

Reimbursement revenue from the State is expected to come in lower than FY 2016-17. Reimbursement revenue July 2017 through February 2018 is at \$503k, down \$76k from the same period in FY 2016-17. The decline is attributed to lower commission costs, due to decline in revenue being collected by Franchise Tax Board and Alliance One.

AB2260 was introduced on February 13, 2018. The proposed bill would require each county to establish an amnesty program (similar to the amnesty program that ended on March 31, 2017) for acceptance of payments for the period of January 1, 2019 to December 31, 2024, inclusive. The proposed bill is currently with the Committee on Transportation and Public Safety.

2018-19 Objectives

Pretrial Services

- Complete written protocols and standards for each type of release decision (basic, standard and intensive).
- Select and implement pretrial software that will ensure proper data collection of interview and release data.
- Automate court appearance reminder system for individuals released on their own recognizance.
- Enter into Memorandum of Understanding with UCSB to validate the Virginia Pretrial Risk Assessment Instrument with the individuals arrested within our County.

Enhanced Collections

- Use the Courts new case management system to further develop Collections reports for the Judicial Council of California.
- Explore the possibility of adding a new vendor to assist with collecting delinquent revenue.
- Continue to look at our processes, specifically to identify potential opportunities to minimize the impact of recent legislation changes.

Court Special Services

Program

CONFLICT DEFENSE REPRESENTATION

Penal Code Section 987.2 requires the appointment of counsel to be paid out of the general fund of the county in criminal and juvenile cases wherein the defendant desires but is unable to employ counsel. The Court administers the provision of conflict defense services for the county through contracts in which a consortium of attorneys handle various cases that the Public Defender cannot legally represent the defendant because of a conflict of interest. This primarily occurs in multiple defendant cases in which the Public Defender may one represent one defendant. The contractor is required to represent up to five (5) co-defendants in a given conflict case. Secondary conflicts are avoided because the various attorneys in the consortium are in separate law firms, with separate offices and records.

The contract method of providing conflict defense services results in a cost savings over the method of compensating counsel on an hourly basis for each case. The Court negotiates on behalf of the County with qualified teams of criminal defense attorneys to establish contracts for conflict defense that essentially require the provision of such services on a “flat fee for all services” basis, with only very limited exceptions permitted.

In cases comprised of more defendants than can be represented by the Public Defender and the five (5) attorneys under the contract, independent attorneys are appointed at a standard hourly rate to represent the remaining indigent defendants. Increases in multiple defendant cases has adversely affected the costs of indigent representation. Additionally, escalating investigative and expert witness costs associated with egregious offences and gang restated activity have impacted the Court Special Services budget.

Staffing

There are no County employees for this budget program.

Revenue & Expenditures

Budget By Categories of Expenditures	2016-17 Actual	2017-18 Adopted	2017-18 Estimated Actual	2018-19 Recommended	Change From FY17-18 Ado to FY18-19 Rec
Services and Supplies	\$ 2,492,293	\$ 2,316,703	\$ 2,119,100	\$ 2,316,800	\$ 97
Total Operating Expenditures	2,492,293	2,316,703	2,119,100	2,316,800	97
Total Expenditures	\$ 2,492,293	\$ 2,316,703	\$ 2,119,100	\$ 2,316,800	\$ 97
Budget By Categories of Revenues					
General Fund Contribution	2,308,703	2,316,703	2,316,800	2,316,800	97
Total Revenues	\$ 2,308,703	\$ 2,316,703	\$ 2,316,800	\$ 2,316,800	\$ 97

2017-18 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, 2018.

2018-19 Objectives

- Closely monitor investigative and expert witness 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

