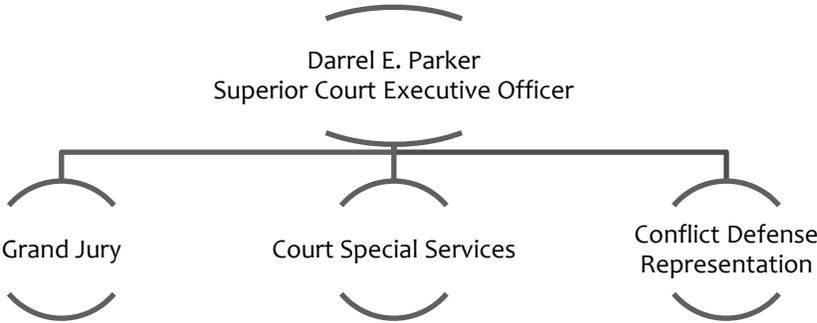


Court Special Services



RECOMMENDED BUDGET & STAFFING SUMMARY & BUDGET PROGRAMS CHART

Operating	\$ 14,695,400
Capital	\$ 0
FTEs	19.50



Court Special Services

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 \$9.9 million. This contribution is comprised of \$9.0 million in General Fund and approximately \$0.9 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.

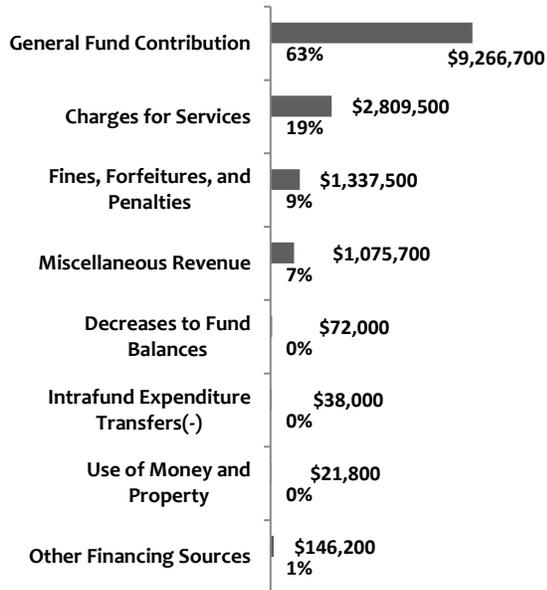
HIGHLIGHTS OF 2019-20 OBJECTIVES

- 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: In August of 2018, Senate Bill 10 was passed by the Legislature calling for reform of California's bail system and the mandated use of risk assessment instruments to determine a defendant's eligibility for release in lieu of bail. The Court began working with the Probation Department on the implementation of the new law. In January of 2019 the referendum to overturn the law was certified and halted the October 2019 implementation until the results of the vote on the referendum in November 2020 are known. The changes with SB10 and the referendum have confounded the efforts to expand any additional services with Pretrial Unit.
- Enhanced Collections: In September 2018 the Collections Unit began working with a second outside collection agency, GC Services. As of February 2019 approximately 24,000 cases have been transferred to GC Services with the goal of enhancing revenues. An additional 14,000 cases will be transferred to GC Services in 2020-21. The Collections Unit will continue to provide prompt, efficient, and effective imposition and collection of court-ordered fees, fines, forfeitures, penalties, restitution and assessments.
- Conflict Defense: The court extended the multi-year contract which expires June 30, 2019. The court is working on developing new agreements for the representation of eligible indigents in both the North and South County.

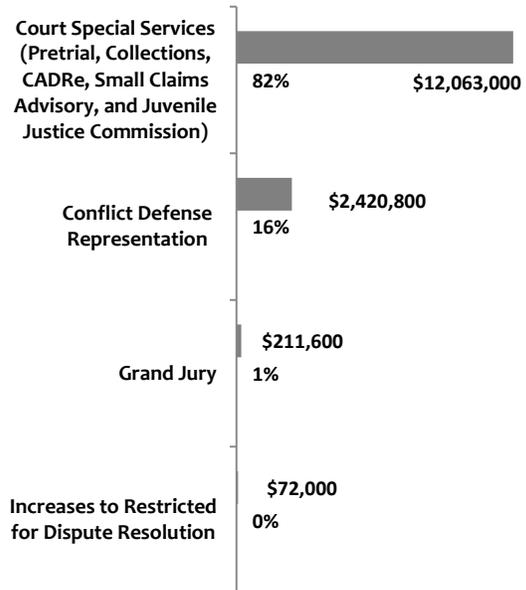
Court Special Services

RECOMMENDED SOURCES & USES OF FUNDS

Source of Funds - \$14,767,400



Use of Funds - \$14,767,400



STAFFING TREND

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

Court Special Services

BUDGET OVERVIEW

Staffing Detail By Budget Program	2017-18 Actual	2018-19 Adopted	2018-19 Estimated Actual	2019-20 Recommended	Change From FY18-19 Ado to FY19-20 Rec
Budget By Budget Program					
Grand Jury	\$ 192,506	\$ 211,600	\$ 188,600	\$ 211,600	\$ -
Court Special Services	11,802,745	12,047,600	12,055,300	12,063,000	15,400
Conflict Defense Representation	2,556,785	2,316,800	2,369,900	2,420,800	104,000
Total	<u>\$ 14,552,035</u>	<u>\$ 14,576,000</u>	<u>\$ 14,613,800</u>	<u>\$ 14,695,400</u>	<u>\$ 119,400</u>
Budget By Categories of Expenditures					
Services and Supplies	\$ 4,691,966	\$ 4,600,700	\$ 4,714,600	\$ 4,796,200	\$ 195,500
Other Charges	9,860,069	9,975,300	9,899,200	9,899,200	(76,100)
Total Operating Expenditures	14,552,035	14,576,000	14,613,800	14,695,400	119,400
Increases to Fund Balances	71,997	38,300	72,000	72,000	33,700
Total	<u>\$ 14,624,032</u>	<u>\$ 14,614,300</u>	<u>\$ 14,685,800</u>	<u>\$ 14,767,400</u>	<u>\$ 153,100</u>
Budget By Categories of Revenues					
Fines, Forfeitures, and Penalties	\$ 1,377,412	\$ 1,401,700	\$ 1,350,700	\$ 1,337,500	\$ (64,200)
Use of Money and Property	16,003	15,100	22,000	21,800	6,700
Charges for Services	2,978,341	3,171,300	2,855,300	2,809,500	(361,800)
Miscellaneous Revenue	990,199	1,123,500	1,049,000	1,075,700	(47,800)
Total Operating Revenues	5,361,955	5,711,600	5,277,000	5,244,500	(467,100)
Other Financing Sources	549,202	205,900	714,800	146,200	(59,700)
Intrafund Expenditure Transfers (-)	35,165	38,000	35,200	38,000	-
Decreases to Fund Balances	90,910	72,000	72,000	72,000	-
General Fund Contribution	8,586,800	8,586,800	8,586,800	9,266,700	679,900
Total	<u>\$ 14,624,032</u>	<u>\$ 14,614,300</u>	<u>\$ 14,685,800</u>	<u>\$ 14,767,400</u>	<u>\$ 153,100</u>

Court Special Services

CHANGES & OPERATIONAL IMPACT: 2018-19 ADOPTED TO 2019-20 RECOMMENDED

Staffing

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

Expenditures

- Net operating expenditure increased by \$119,400 primarily due to:
 - \$235,500 increase in court attorney fees, contracted services, and the cost allocation charge.
 - \$76,100 decrease in other charges.
- Net Non-operating expenditure increased by \$33,700 due to:
 - \$33,700 increase in restricted funds for dispute resolution.

These changes result in recommended operating expenditures for FY 2019-20 of \$14,695,400 non-operating expenditures of \$72,000, resulting in total expenditures of \$14,767,400. Non-operating expenditures are restricted funds for dispute resolution.

Revenues

- Net operating revenue decrease \$467,100 primarily due to:
 - \$361,800 decrease in Charges for Services due to decrease in revenue from the passage of AB103 and fewer case filings.
 - \$47,800 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.
 - \$64,200 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 \$620,200 due to:
 - \$679,900 increase in General Fund Contribution to address increase costs and decreasing revenues. \$59,700 decrease in Other Financing from Probation reducing one-time expenditures from 2018-2019.

These changes result in recommended operating revenues of \$5,244,500, non-operating revenues of \$9,522,900, resulting in total revenues of \$14,767,400. 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

PERFORMANCE MEASURES

Description	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Estimated Actual	FY 2019-20 Recommend
Court Special Services				
Pretrial total cases reviewed for probable cause	5,033	4,574	4936	5,100
Pretrial written reports completed	2,427	2,148	2,836	3000
Pretrial released on own recognizance	470	366	484	535
Pretrial Failure to Appear (FTAs)	4% 17/438	4% 15/366	6% 29/484	6% 31/517
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

GRAND JURY BUDGET PROGRAM

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	2017-18 Actual	2018-19 Adopted	2018-19 Estimated Actual	2019-20 Recommended	Change From FY18-19 Ado to FY19-20 Rec
Services and Supplies	\$ 190,048	\$ 209,700	\$ 186,700	\$ 209,700	\$ -
Other Charges	2,458	1,900	1,900	1,900	-
Total Operating Expenditures	192,506	211,600	188,600	211,600	-
Total Expenditures	\$ 192,506	\$ 211,600	\$ 188,600	\$ 211,600	\$ -
Budget By Categories of Revenues					
General Fund Contribution	211,548	211,600	188,600	211,600	-
Total Revenues	\$ 211,548	\$ 211,600	\$ 188,600	\$ 211,600	\$ -

2018-19 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.

2019-20 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

COURT SPECIAL SERVICES BUDGET PROGRAM

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, supervised release, or an appropriate adjustment of bail given the offenses charged. Since July of 2017, the unit has been assessing defendants using the Virginia Pretrial Risk Assessment Instrument (VPRAI). This instrument informs release decisions regarding court appearance compliance as well as risk/safety to the community. The partnership with the Probation Department to offer supervised pretrial release through the use of Pretrial Compliance Officers has been fully implemented. The Pretrial Compliance Officers are actively supervising over 100+ pretrial defendants within the communities of Santa Barbara County.

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), Alliance One (an outside collection agency) and GC Services (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

COURT SPECIAL SERVICES BUDGET PROGRAM (CONT'D)

Revenue & Expenditures

Budget By Categories of Expenditures	2017-18 Actual	2018-19 Adopted	2018-19 Estimated Actual	2019-20 Recommended	Change From FY18-19 Ado to FY19-20 Rec
Services and Supplies	\$ 1,945,134	\$ 2,074,200	\$ 2,158,000	\$ 2,165,700	\$ 91,500
Other Charges	9,857,611	9,973,400	9,897,300	9,897,300	(76,100)
Total Operating Expenditures	11,802,745	12,047,600	12,055,300	12,063,000	15,400
Increases to Fund Balances	71,997	38,300	72,000	72,000	33,700
Total Expenditures	\$ 11,874,741	\$ 12,085,900	\$ 12,127,300	\$ 12,135,000	\$ 49,100
Budget By Categories of Revenues					
Fines, Forfeitures, and Penalties	1,377,412	1,401,700	1,350,700	1,337,500	(64,200)
Use of Money and Property	16,003	15,100	22,000	21,800	6,700
Charges for Services	2,978,341	3,171,300	2,855,300	2,809,500	(361,800)
Miscellaneous Revenue	990,199	1,123,500	1,049,000	1,075,700	(47,800)
Total Operating Revenues	5,361,955	5,711,600	5,277,000	5,244,500	(467,100)
Other Financing Sources	549,202	205,900	714,800	146,200	(59,700)
Intrafund Expenditure Transfers (-)	35,165	38,000	35,200	38,000	-
Decreases to Fund Balances	90,910	72,000	72,000	72,000	-
General Fund Contribution	6,058,549	6,058,400	6,028,300	6,634,300	575,900
Total Revenues	\$ 12,095,781	\$ 12,085,900	\$ 12,127,300	\$ 12,135,000	\$ 49,100

2018-19 Anticipated Accomplishments

Pretrial Services

- Development of baseline performance data will be completed by the Administrative Analyst. Analysis of one year's worth of data will measure the program's success with the use of the risk assessment instrument, release conditions, and release compliance and outcomes of pretrial defendants.
- Onboard additional Pretrial Compliance Officers to properly and safely manage the increasing population of defendants granted supervised release.
- Using the SB10 legislation as a guide, continue working with the Probation Department and the County to transition the Pretrial Unit under the authority of the Probation Department.

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 2017-18 the Enhanced Collections Unit collected \$5.6 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 \$7.9 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 2017-18 was at \$916 thousand. This revenue is reported in Miscellaneous Revenue.

Court Special Services

COURT SPECIAL SERVICES BUDGET PROGRAM (CONT'D)

2019-20 Objectives

Pretrial Services

- Continue working with the County and the Probation Department on the possible transition and incorporation of the Pretrial Services Unit into the Probation Department mid fiscal year.
- Integrate Pretrial Data Collection and tracking with Probation's supervised release data.
- Consider recommending supervised release of higher risk defendants and determine appropriate conditions for such releases.

Enhanced Collections

- Use the Courts new case management system to further develop Collections reports for the Judicial Council of California and the Legislature.
- Review all cases that have not been referred to an outside collection agency to verify they have been tracked accordingly.
- Submit an additional 14,000 cases to GC Services, monitor progress and analyze results.
- Discharge uncollectable court-ordered debt.

Court Special Services

CONFLICT DEFENSE REPRESENTATION BUDGET PROGRAM

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 only 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 related 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	2017-18 Actual	2018-19 Adopted	2018-19 Estimated Actual	2019-20 Recommended	Change From FY18-19 Ado to FY19-20 Rec
Services and Supplies	\$ 2,556,785	\$ 2,316,800	\$ 2,369,900	\$ 2,420,800	\$ 104,000
Total Operating Expenditures	2,556,785	2,316,800	2,369,900	2,420,800	104,000
Total Expenditures	\$ 2,556,785	\$ 2,316,800	\$ 2,369,900	\$ 2,420,800	\$ 104,000
Budget By Categories of Revenues					
General Fund Contribution	2,316,703	2,316,800	2,369,900	2,420,800	104,000
Total Revenues	\$ 2,316,703	\$ 2,316,800	\$ 2,369,900	\$ 2,420,800	\$ 104,000

2018-19 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, 2019.

2019-20 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

