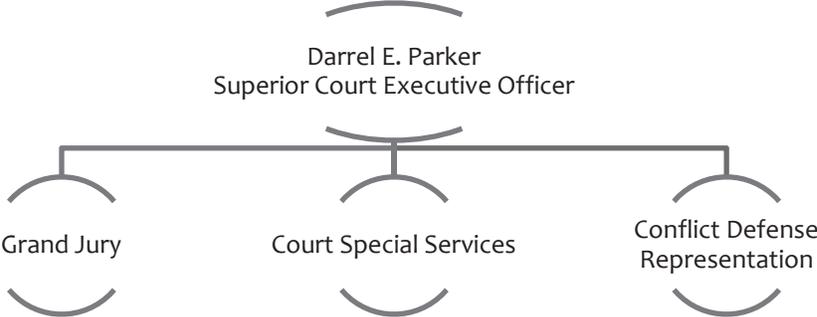


# Court Special Services



**RECOMMENDED BUDGET & STAFFING SUMMARY & BUDGET PROGRAMS CHART**

Operating	\$ 14,817,600
Capital	\$ 0
FTEs	8



# Court Special Services

## **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 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 2020-21 OBJECTIVES**

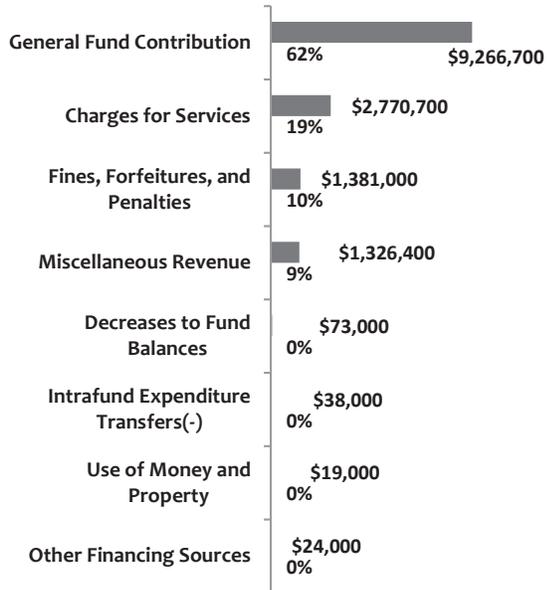
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- Grand Jury: The Santa Barbara County Grand Jury will continue its major role of: government oversight; investigation into citizen complaints. The Criminal Grand Jury will continue to weigh evidence, and if impaneled, make determinations if there is sufficient evidence presented to warrant a person to stand trial in court.
- Enhanced Collections: In February 2019 the Collections Unit added a new vendor with the goal of increased collection on delinquent cases 2016 and older. From February 2019 – January 2020 there has been an increase of \$627K collected on these cases. 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 multi-year contract expires June 30, 2020. The Court is working on extending the agreements for the representation of eligible indigents in both the North and South County.

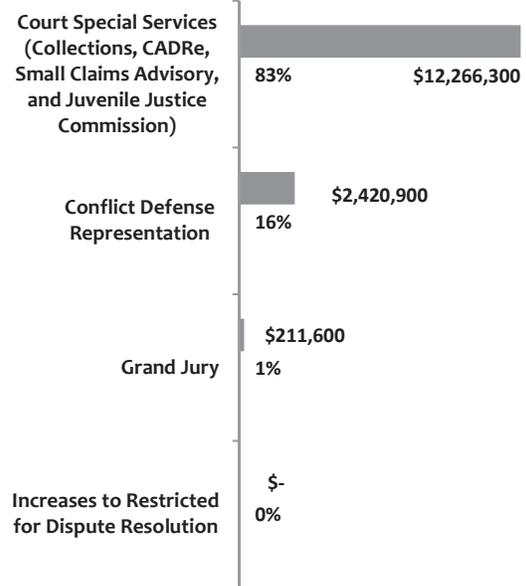
# Court Special Services

## RECOMMENDED SOURCES & USES OF FUNDS

### Source of Funds - \$14,898,800



### Use of Funds - \$14,898,800



## STAFFING TREND

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

# Court Special Services

## BUDGET OVERVIEW

<u>Staffing Detail By Budget Program</u>	<u>2018-19 Actual</u>	<u>2019-20 Adopted</u>	<u>2019-20 Estimated Actual</u>	<u>2020-21 Recommended</u>	<u>Change From FY19-20 Ado to FY20-21 Rec</u>
<b>Budget By Budget Program</b>					
Grand Jury	\$ 151,184	\$ 211,600	\$ 211,600	\$ 211,600	\$ -
Court Special Services	12,386,210	12,063,000	12,278,700	12,185,100	122,100
Conflict Defense Representation	2,793,686	2,420,800	2,420,900	2,420,900	100
Total	<u>\$ 15,331,080</u>	<u>\$ 14,695,400</u>	<u>\$ 14,911,200</u>	<u>\$ 14,817,600</u>	<u>\$ 122,200</u>
<b>Budget By Categories of Expenditures</b>					
Services and Supplies	\$ 5,431,177	\$ 4,796,200	\$ 5,012,000	\$ 4,915,900	\$ 119,700
Other Charges	9,899,903	9,899,200	9,899,200	9,901,700	2,500
Total Operating Expenditures	15,331,080	14,695,400	14,911,200	14,817,600	122,200
Increases to Fund Balances	80,188	72,000	81,500	81,200	9,200
Total	<u>\$ 15,411,268</u>	<u>\$ 14,767,400</u>	<u>\$ 14,992,700</u>	<u>\$ 14,898,800</u>	<u>\$ 131,400</u>
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	\$ 1,379,833	\$ 1,337,500	\$ 1,379,000	\$ 1,381,000	\$ 43,500
Use of Money and Property	20,951	21,800	19,000	19,000	(2,800)
Charges for Services	2,878,959	2,809,500	2,809,500	2,770,700	(38,800)
Miscellaneous Revenue	1,136,918	1,075,700	1,326,400	1,326,400	250,700
Total Operating Revenues	5,416,660	5,244,500	5,533,900	5,497,100	252,600
Other Financing Sources	1,302,441	146,200	80,800	24,000	(122,200)
Intrafund Expenditure Transfers (-)	33,368	38,000	38,000	38,000	-
Decreases to Fund Balances	72,000	72,000	73,300	73,000	1,000
General Fund Contribution	8,586,800	9,266,700	9,266,700	9,266,700	-
Total	<u>\$ 15,411,268</u>	<u>\$ 14,767,400</u>	<u>\$ 14,992,700</u>	<u>\$ 14,898,800</u>	<u>\$ 131,400</u>

# Court Special Services

## **CHANGES & OPERATIONAL IMPACT: 2019-20 ADOPTED TO 2020-21 RECOMMENDED**

### **Staffing**

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

### **Expenditures**

- Net operating expenditure increase \$122,200 primarily due to:
  - \$120,000 in services and supplies due to an increase in court attorney fees on multi-defendant and complicated legal cases.
- Net non-operating expenditure increase \$9,200 due to:
  - \$9,200 in restricted funds for dispute resolution.

These changes result in recommended operating expenditures for FY 2020-21 of \$14,817,600, non-operating expenditures of \$81,200, resulting in total expenditures of \$14,898,800. Non-operating expenditures are restricted funds for dispute resolution.

### **Revenues**

- Net operating revenue increase \$252,600 primarily due to:
  - \$250,700 increase in miscellaneous revenue caused by an increase in state reimbursements from higher commission costs on revenue collected by the court's private collection vendors.
- Net non-operating revenue decrease \$121,200 primarily due to:
  - -\$122,200 decrease in intrafund expenditure transfer from Probation.

These changes result in recommended operating revenues for FY 2020-21 of \$5,497,100 non-operating revenues of \$9,401,700, resulting in total revenues of \$14,898,800. 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](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

**PERFORMANCE MEASURES**

Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Estimated Actual	FY 2020-21 Recommend
<b>Conflict Defense Representation within Contract</b>				
Number of Adult cases represented	1,447	1,744	1,626	1,626
Number of Juvenile cases represented	440	461	183	183
<b>Alternative Dispute</b>				
Percentage and amount of qualified cases ordered to alternative dispute processes	68% 243/360	59% 186/316	59% 186/316	59% 186/316

# 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	2018-19 Actual	2019-20 Adopted	2019-20 Estimated Actual	2020-21 Recommended	Change From FY19-20 Ado to FY20-21 Rec
Services and Supplies	\$ 147,950	\$ 209,700	\$ 209,700	\$ 208,800	\$ (900)
Other Charges	3,234	1,900	1,900	2,800	900
Total Operating Expenditures	151,184	211,600	211,600	211,600	-
Total Expenditures	<u>\$ 151,184</u>	<u>\$ 211,600</u>	<u>\$ 211,600</u>	<u>\$ 211,600</u>	<u>\$ -</u>
<b>Budget By Categories of Revenues</b>					
General Fund Contribution	211,600	211,600	211,600	211,600	-
Total Revenues	<u>\$ 211,600</u>	<u>\$ 211,600</u>	<u>\$ 211,600</u>	<u>\$ 211,600</u>	<u>\$ -</u>

# Court Special Services

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

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### **2020-21 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 BUDGET PROGRAM***

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#### Enhanced Collections 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 Collections Unit works directly with the Department of Motor Vehicles (DMV), Franchise Tax Board (FTB), Alliance One, and GC Services 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, 8 Court employees work on Court Special Services programs in the following areas: 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	2018-19 Actual	2019-20 Adopted	2019-20 Estimated Actual	2020-21 Recommended	Change From FY19-20 Ado to FY20-21 Rec
Services and Supplies	\$ 2,489,541	\$ 2,165,700	\$ 2,381,400	\$ 2,286,200	\$ 120,500
Other Charges	9,896,669	9,897,300	9,897,300	9,898,900	1,600
Total Operating Expenditures	12,386,210	12,063,000	12,278,700	12,185,100	122,100
Increases to Fund Balances	80,188	72,000	81,500	81,200	9,200
Total Expenditures	\$ 12,466,398	\$ 12,135,000	\$ 12,360,200	\$ 12,266,300	\$ 131,300
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	1,379,833	1,337,500	1,379,000	1,381,000	43,500
Use of Money and Property	20,951	21,800	19,000	19,000	(2,800)
Charges for Services	2,878,171	2,809,500	2,809,400	2,770,600	(38,900)
Miscellaneous Revenue	1,136,918	1,075,700	1,326,400	1,326,400	250,700
Total Operating Revenues	5,415,872	5,244,500	5,533,800	5,497,000	252,500
Other Financing Sources	1,302,441	146,200	80,800	24,000	(122,200)
Intrafund Expenditure Transfers (-)	33,368	38,000	38,000	38,000	-
Decreases to Fund Balances	72,000	72,000	73,300	73,000	1,000
General Fund Contribution	6,058,400	6,634,300	6,634,300	6,634,300	-
Total Revenues	\$ 12,882,080	\$ 12,135,000	\$ 12,360,200	\$ 12,266,300	\$ 131,300

### 2019-20 Anticipated Accomplishments

#### Enhanced Collections

The County and Court continue to improve its process for collecting delinquent fees and fines utilizing the Enhanced Collections Unit. In FY 2018-19 the Enhanced Collections Unit collected \$5.5 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 \$10.4 million in delinquent revenues were collected by the Collections Unit.

Delinquent revenues collected by the Unit for FY 2019-20 are expected to come in at the same range as FY 2018-19. The combined total of delinquent revenues collected by the Collections Unit, July 2019 through February 2020 is \$3.8 million, which is the same for that period in FY 2018-19.

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 2018-19 was at \$1.06 million. This revenue is reported in Miscellaneous Revenue.

Reimbursement revenue from the state is expected to come in higher than FY 2018-19. Reimbursement revenue July 2019 through February 2020 is at \$799k, up \$199k from the same period in FY 2018-19. The increase is attributed to higher commission costs, due to increase in revenue being collected by the court's private collection vendors.

#### 2020-21 Objectives

- Continue reviewing all delinquent cases to verify they are updated and tracked to maximize collection.
- Work with other courts and our case management system vendor to finalize an automated AB 103 report.
- 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 have 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.

# Court Special Services

## **CONFLICT DEFENSE REPRESENTATION BUDGET PROGRAM (CONT'D)**

### Revenue & Expenditures

Budget By Categories of Expenditures	2018-19 Actual	2019-20 Adopted	2019-20 Estimated Actual	2020-21 Recommended	Change From FY19-20 Ado to FY20-21 Rec
Services and Supplies	\$ 2,793,686	\$ 2,420,800	\$ 2,420,900	\$ 2,420,900	\$ 100
Total Operating Expenditures	2,793,686	2,420,800	2,420,900	2,420,900	100
Total Expenditures	<u>\$ 2,793,686</u>	<u>\$ 2,420,800</u>	<u>\$ 2,420,900</u>	<u>\$ 2,420,900</u>	<u>\$ 100</u>
<b>Budget By Categories of Revenues</b>					
Charges for Services	788	-	100	100	100
Total Operating Revenues	788	-	100	100	100
General Fund Contribution	2,316,800	2,420,800	2,420,800	2,420,800	-
Total Revenues	<u>\$ 2,317,588</u>	<u>\$ 2,420,800</u>	<u>\$ 2,420,900</u>	<u>\$ 2,420,900</u>	<u>\$ 100</u>

### 2019-20 Anticipated Accomplishments

The Court will pursue extending the multi-year contracts for indigent defense representation in both the North and South County through June 30, 2021.

### 2020-21 Objectives

- Closely monitor investigative and expert witness costs to ensure consistency in approval of payment and recommend caps on the authorized expenditures.

# Court Special Services

