

Child Support Services (1380 206)

Jim Kucharek, Child Support Services Director

1380 - Child Support Fund	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Request	2006-07 Adopted	Increase/ (Decrease)
Revenues							
Use of Money & Property	\$126,822	\$46,011	\$26,897	\$41,059	\$50,000	\$50,000	\$8,941
Other Gov't Agencies	4,508,187	4,865,721	4,932,304	5,227,725	5,012,689	5,012,689	(215,036)
Charges for Services	2,156	420	795	1,055	0	0	(1,055)
Other Revenues	0	359	20	91	0	0	(91)
General Fund Support	0	0	0	0	0	0	0
Total Revenues	\$4,637,166	\$4,912,512	\$4,960,017	\$5,269,930	\$5,062,689	\$5,062,689	(\$207,241)
Expenditures							
Salaries & Benefits	\$3,751,997	\$3,861,010	\$3,801,899	\$3,836,811	\$4,062,025	\$4,062,025	\$225,214
Supplies & Services	2,631,607	1,324,493	1,007,132	875,275	825,947	825,947	(49,328)
Other Charges	244,542	86,987	122,560	124,248	150,717	150,717	26,469
Fixed Assets	86,988	49,567	38,901	58,460	24,000	24,000	(34,460)
Total Expenditures	\$6,715,133	\$5,322,057	\$4,970,491	\$4,894,794	\$5,062,689	\$5,062,689	\$167,895
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Allocated Positions	86.00	87.00	82.50	78.50	69.00	69.00	(9.50)
Temporary (FTE)	N/A	N/A	0.25	0.00	0.00	0.00	0.00
Total Staffing	86.00	87.00	82.75	78.50	69.00	69.00	(9.50)

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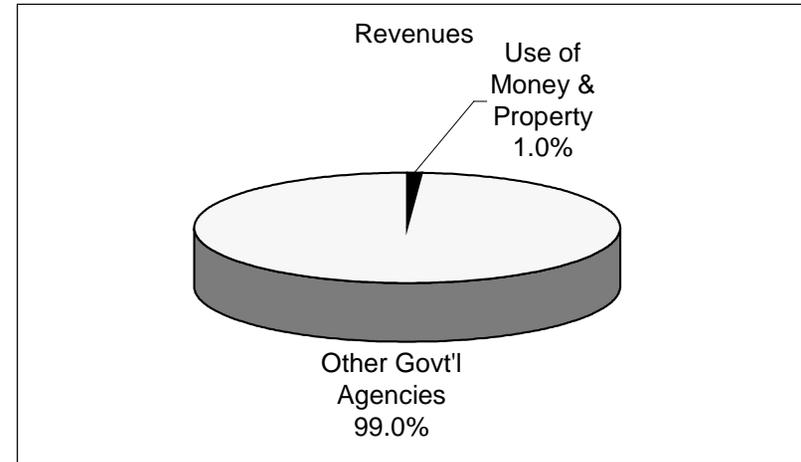
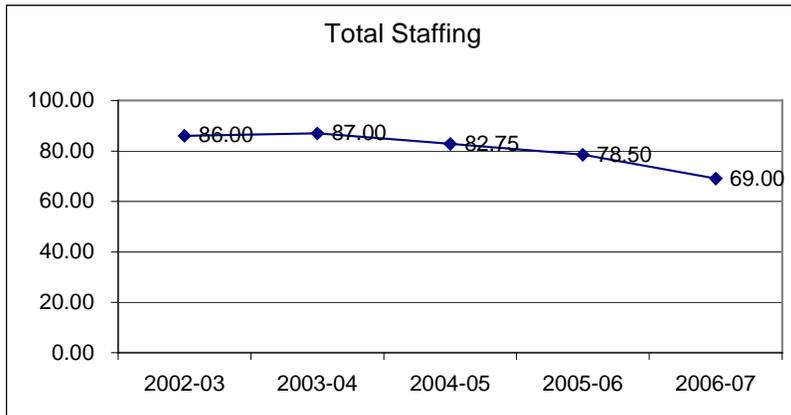
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Purpose

Since 1975, Federal law has mandated that all states operate a child support enforcement program. To ensure uniformity of effort statewide, each California county is required to enter into a Plan of Cooperation with the State Office of Child Support Services.

Mission

The mission of the California Child Support Program is to promote the well-being of children and the self-sufficiency of families by delivering first-rate child support establishment, collection, and distribution services that help both parents meet the financial, medical, and emotional needs of their children.



Program Discussion

The Department of Child Support Services collects, disburses, and accounts for child support payments. In its enforcement capacity, the Department takes the necessary legal actions to establish paternity and establish and enforce child support orders. The Department's child support collections for the 2004-05 Federal fiscal year were \$13,285,906.

The Department has traditionally received nearly all of its funding from the State. For FY 2006-07, the State program allocation will remain virtually unchanged from 2005-06. Unfortunately, costs for running the program have continued to rise. As a result, the Department will eliminate seven vacant positions and lay off another 2.5 positions—a loss of approximately 13% of its staff this year.

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For FY 2006-07, the Department has been able to balance its expenditures with revenues. With the position eliminations, personnel costs are being maintained at the same levels as FY 2005-06. The only significant changes in other line items were in allocated costs such as insurance, A-87, and mailroom charges.

Starting in approximately August of 2006, however, the California Department of Child Support Services will take the next step in fully implementing the State Disbursement Unit (SDU). Currently, people who are paying child support send those payments to a local address and they are automatically forwarded to the SDU. When the SDU fully implements, counties will be completely cut out of the payment process and payments will be mailed directly to the SDU.

While the counties will not be receiving the money or actually posting it, they will be responsible for verifying every payment and dealing with the accuracy problems created by this method of accounting for funds.

Beyond changes at the State level, the Federal Deficit Reduction Act of 2005 could have a major impact on the Department's funding, though this is not anticipated until FY 2007-08.

In addition to partially reimbursing the State for money spent on child support collections, the Federal government has allowed states to earn incentive funds for good performance. Incentive funds must be reinvested in the child support program and have been eligible to generate additional reimbursement from the Federal government. The Deficit

Reduction Act eliminates states' ability to get reimbursement for using incentive money.

California currently receives \$91 million in Federal incentive matching funds. Unless the State adds new funds into the program, those cuts will be passed on to the counties. Humboldt County's portion of that reduction has been calculated to be approximately \$646,087 in FY 2007-08.

2005-06 Accomplishments

1. Passed Federal audit for data reliability.
2. Passed all State compliance audits for the year.
3. **Moved from the #10 position to the #4 position on California's list of top-performing counties.**
4. Exceeded the statewide averages for the five Federal performance measurements for the percent of cases with paternity established; the percent of cases with a child support order; percent of current support collected; percent of cases arrearage collections; and cost-effectiveness performance level.

2006-07 Objectives

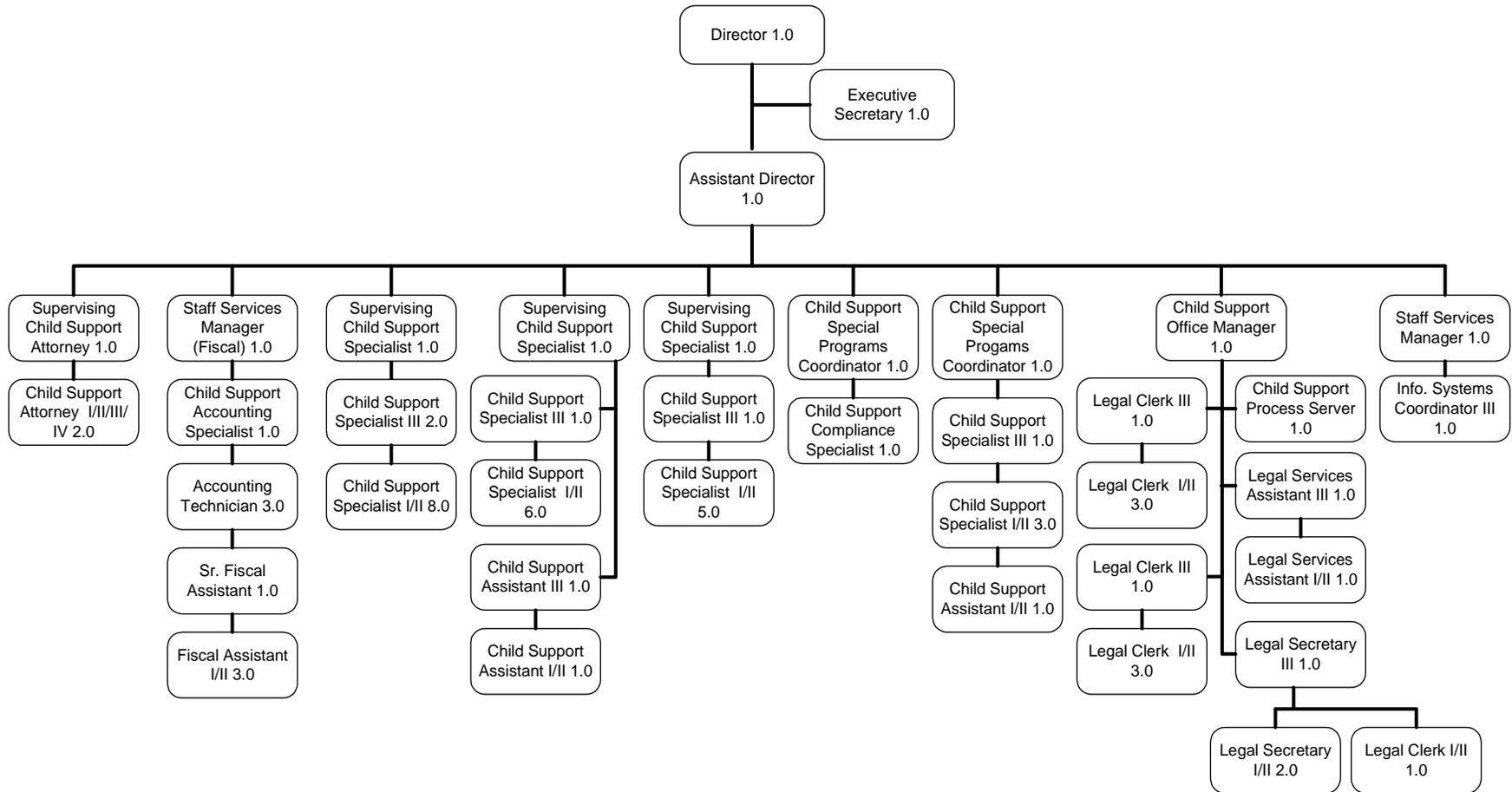
1. To successfully pass the Federal audit for data reliability.
2. To successfully pass all State compliance audits for the year.
3. To continue as one of the top-performing counties in the State of California.
4. To continue to far exceed the Statewide averages for the five federal performance measurements for the percent of cases with paternity established; the percent of cases with a child support order; percent of current support collected; percent of cases arrearage collections; and cost-effectiveness performance level.
5. To meet the Department’s performance goals as determined by the State Department of Child Support Services.

Performance Measures:

1. <i>Description of Performance Measure:</i> Paternity Establishment		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
105.8%	107.1%	100%
<i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> This performance measure tells the total number of children in the caseload who have been born out of wedlock and for whom paternity has been established compared to the total number of children in the caseload at the end of the preceding fiscal year who were born out of wedlock expressed as a percentage. Child support can't be collected until the child's parents have been identified. The State average for this measure was 87.6% in 2004-05 and 86% in 2005-06.		
2. <i>Description of Performance Measure:</i> Cases with Support Orders		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
92.3%	92.7%	92.7%
<i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> This measure tells the number of cases with support orders as compared with the		

total caseload expressed as a percentage. Once paternity has established, the Department must immediately move ahead and get an enforceable order for support. The State average for this measure was 78.1% in 2004-05 and 80.3% in 2005-06.		
3. Description of Performance Measure: Collections on Current Support		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
65.92%	65.39%	65%
<i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> This measure tells the amount of current support collected as compared to the total amount of current support owed, expressed as a percentage. This is the single, most-important measure. It reflects how much of what is owed is being collected. The State average for this measure was 48% in 2004-05 and 49.3% in 2005-06.		
4. Description of Performance Measure: Collections of Cases with Arrears		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
65.49%	65.5%	65.0%
<i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> This measure tells the number of cases paying on arrears as compared with the total number of cases within the caseload that have arrears owing. This measures how successful the Department is at obtaining against the arrears owed to the Department. The State average on this measure was 54.9% in 2004-05 and 56% in 2005-06.		
5. Description of Performance Measure: Cost Effectiveness		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
\$2.55	\$2.41	\$2.45
<i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> This measure tells the total amount of distributed collections compared to the total amount of expenditures for the fiscal year expressed as dollars. This measure reflect how much money an agency collects in child support for every dollar it spends. The State average on this measure was \$2.12 in 2004-05 and \$2.15 in 2005-06.		

Organizational Chart:

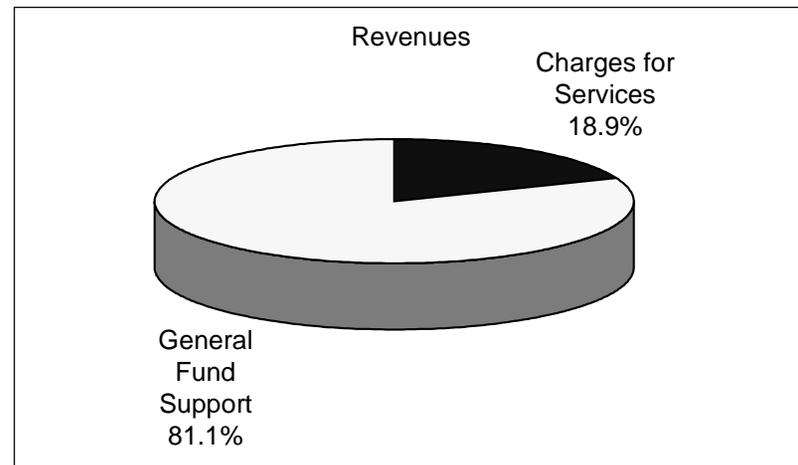
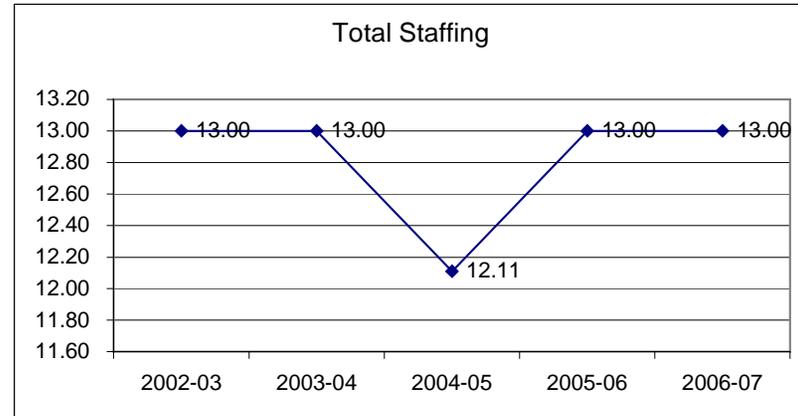


1100 - General Fund	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Request	2006-07 Adopted	Increase/ (Decrease)
Revenues							
Other Govt'l Agencies	\$0	\$0	\$0	\$45,548	\$0	\$0	(\$45,548)
Charges for Services	210,722	52,884	141,288	232,429	239,462	239,462	7,033
General Fund Support	843,998	1,017,159	888,108	891,810	1,026,067	1,026,068	134,258
Total Revenues	\$1,054,720	\$1,070,043	\$1,029,395	\$1,169,787	\$1,265,529	\$1,265,530	\$95,743
Expenditures							
Salaries & Benefits	\$951,580	\$965,824	\$933,671	\$1,074,568	\$1,167,443	\$1,167,444	\$92,876
Supplies & Services	87,904	91,475	83,056	82,583	79,996	79,996	(2,587)
Other Charges	15,236	12,744	12,669	12,636	18,090	18,090	5,454
Total Expenditures	\$1,054,720	\$1,070,043	\$1,029,395	\$1,169,787	\$1,265,529	\$1,265,530	\$95,743
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Allocated Positions	13.00	13.00	12.00	13.00	13.00	13.00	0.00
Temporary (FTE)	N/A	N/A	0.11	0.00	0.00	0.00	0.00
Total Staffing	13.00	13.00	12.11	13.00	13.00	13.00	0.00

Purpose

Conflict Counsel and Alternate Counsel provide indigent defense services to the courts in criminal and juvenile cases.

While the courts bear the responsibility for providing counsel to indigents, such counsel must receive a reasonable sum for compensation, and such compensation is to be paid from the general fund of the county (Penal Code Section 987.2). While the amount of compensation paid to attorneys is to be determined by the court (Penal Code Section 987.2), the County does have some discretion as to cost in that the Board of Supervisors can provide for indigent criminal defense through establishment of an office of Public Defender (Government Code Section 27700). In cases for which there exists a conflict of interest as to the Public Defender’s Office, the court must appoint other counsel. In those counties that have established a second public defender, appointment in cases of conflict of interest should be made to that office (Penal Code Section 987.2(e)).



Major Budget Changes

Salaries & Employee Benefits

- \$119,658 General salary and benefit adjustment.

Program Discussion

The Office of Conflict Counsel was established by the Board of Supervisors as the County's second public defender to provide for some control over, and stability in, the costs of appointed counsel in conflict cases. The office began operations in September 1994.

Because of the success of Conflict Counsel in reducing costs in conflict cases, during FY 1997-98, the Board of Supervisors authorized an expansion of the role of Conflict Counsel in the handling of conflict cases through the establishment of the Alternate Counsel's Office. This office operates under the management of Conflict Counsel and is directed at cutting costs associated with second level conflicts.

As a result of this organizational arrangement Humboldt County has three separate "in-house" public defender offices available to provide services to indigents in criminal and juvenile cases, drastically reducing the higher costs arising when private counsel must be appointed to provide representation in these cases. The primary financial benefit to the County in this arrangement is in reduced costs for the provision of a mandated service.

Conflict Counsel and Alternate Counsel provide services to the courts in four major areas:

- ❖ Felony criminal cases.
- ❖ Misdemeanor criminal cases.
- ❖ Juvenile delinquency cases.

- ❖ Juvenile dependency cases.

While the Public Defender's Office provides primary services in three of the five criminal courts in Humboldt County, Conflict Counsel and Alternate Counsel each provides primary indigent defense services in one of the five criminal courts. Additionally each Conflict Counsel office provides conflict services in the other criminal courts as well as in juvenile dependency and delinquency cases whenever there is a conflict of interest that precludes the Public Defender's Office from providing representation.

1100-246 Conflict Counsel

The total budget for this office for FY 2006-07 is \$730,238.

1100-253 Alternate Counsel

The total budget for this office for FY 2006-07 is \$535,292.

2005-06 Accomplishments

1. Provided services in over 500 felony cases including 4 murder cases, as well as in over 200 felony violation of probation cases. In excess of 2500 misdemeanor cases and over 400 juvenile cases were also handled by the two offices. Both offices provided quality legal services in the face of caseloads that exceed nationally recognized caseload standards for defender offices.

2006-07 Objectives

1. To assist the County in efforts to improve cost effectiveness and efficiency in the delivery of indigent defense services. Every effort will be made to optimize the use of the three public defender offices so as to minimize the need for appointment of private counsel to provide indigent defense services. We will work with the courts to explore ways of providing services that are responsive to changes in the judicial structure.
2. To co-operate in efforts by the County to obtain reimbursement from clients for the costs of providing appointed counsel. We will provide information as needed to assist the County in obtaining State

reimbursement for the costs of providing appointed counsel in homicide and other qualified cases. We will continue to work with the courts and the County Administrative Office to obtain trial court funding for reimbursement in exchange for the services provided to the court in dependency cases.

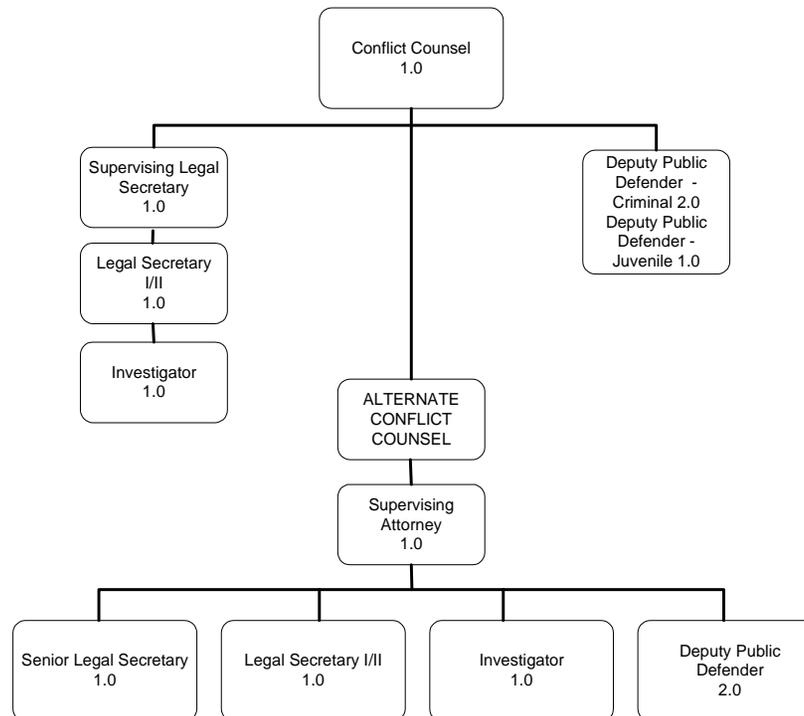
3. To continue to provide quality, competent legal services to clients and the courts so that citizens who become involved in the criminal and juvenile justice system in this County will receive a fair and just resolution of their cases. Providing competent representation in the delivery of these services will also serve to protect the County from financial losses as a result of civil liability and/or reversal of cases on appeal.

Performance Measures

1. <i>Description of Performance Measure:</i> Number of cases in which other counsel was appointed, case was reversed upon appeal or civil liability resulted from a showing of failure to provide competent counsel.		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
0	0	0
<i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> If the Department fails to provide competent legal representation the results can include (1) Appointment of other counsel to provide representation at cost to the County; (2) Reversal of convictions on appeal at cost to the County; (3) Civil liability for the County.		
2. <i>Description of Performance Measure:</i> Number of cases handled by both offices during the year.		

<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
>450 felony cases; >2,000 misdemeanor cases; >400 juvenile cases.	>500 felony cases; >2,500 misdemeanor cases; >400 juvenile cases.	>500 felony cases; >2,500 misdemeanor cases; >400 juvenile cases.
<p><i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> The Department strives to provide representation up to the maximum number of cases that will permit competent representation and within caseload standards set by nationally recognized standards. The office continues to handle a heavy caseload that exceeds caseload standards without additional staff.</p>		

Organizational Chart:

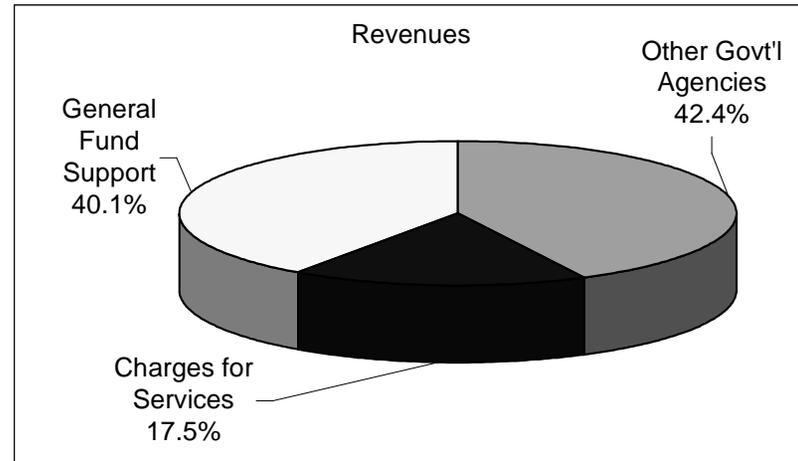
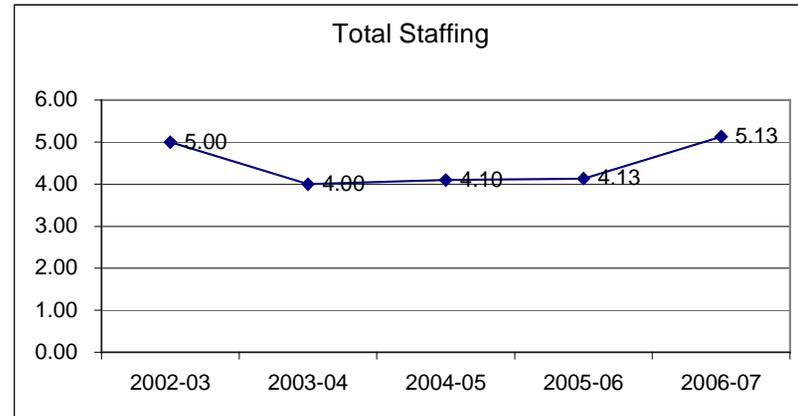


1100 - General Fund	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Request	2006-07 Adopted	Increase/ (Decrease)
Revenues							
Other Govt'l Agencies	\$189,536	\$209,014	\$227,176	\$242,415	\$255,139	\$255,139	\$12,724
Charges for Services	139,649	105,293	109,627	107,033	105,000	105,000	(2,033)
Other Revenues	1,038	1,408	0	0	0	0	0
General Fund Support	200,592	150,007	144,898	153,641	233,055	241,555	87,914
Total Revenues	\$530,815	\$465,721	\$481,700	\$503,090	\$593,194	\$601,694	\$98,604
Expenditures							
Salaries & Benefits	\$308,796	\$282,593	\$322,540	\$319,327	\$368,235	\$376,735	\$57,408
Supplies & Services	205,705	171,473	150,769	166,859	210,617	210,617	43,758
Other Charges	5,047	8,008	8,391	8,079	10,842	10,842	2,763
Fixed Assets	11,267	3,646	0	8,825	3,500	3,500	(5,325)
Total Expenditures	\$530,815	\$465,721	\$481,700	\$503,090	\$593,194	\$601,694	\$98,604
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Allocated Positions	5.00	4.00	4.00	4.00	5.00	5.00	1.00
Temporary (FTE)	N/A	N/A	0.10	0.13	0.13	0.13	0.00
Total Staffing	5.00	4.00	4.10	4.13	5.13	5.13	1.00

Purpose

The office of the Coroner-Public Administrator is an elected constitutional office. The duties and responsibilities are well defined in statutes including the Penal Code, Probate Code, Government Code, and Health and Safety Code. The general duties and responsibilities are to investigate and determine the manner and cause of death, protect the property of the decedent, ensure that the decedent is properly interred, and administer the decedent's estate where appropriate. The coroner's investigation is called an inquest, the results of which are public information. The Coroner signs the death certificate, listing the manner and cause of death, as a result of the inquest. The Coroner can recover costs from the decedent's estate. Where appropriate, the Public Administrator will administer the estate of a decedent. This can occur when there is no known next of kin, or when the next of kin declines to act. It can also occur where there is no will, or when the Public Administrator is appointed by the Court.

The Coroner's Office is a Police Agency as defined in Penal Code Section 830.35. The Coroner and Deputy Coroners have police powers under Penal Code Section 836. In addition to these general duties, there are many specific responsibilities mandated to the Coroner-Public Administrator. Some examples: Section 27469 of the Government Code which states in part that in any action or proceeding in which the Sheriff is a party, the Coroner shall discharge the duties of the Sheriff. The Coroner is notified and coordinates tissue and organ transplants from decedents. The Coroner co-chairs the child death review team within this County.



Major Budget Changes

Salaries & Employee Benefits

- \$51,376 Restoration of one Deputy Coroner position.
- \$27,135 General salary and benefit adjustment.

Services & Supplies

- \$19,000 Increase in professional services due to notification of increased costs for autopsies and toxicology studies.
- \$3,000 Increase in out-of-County travel due to pending retirement of pathologist.

Fixed Assets

- \$3,500 Replacement of one computer and one printer, with associated software

Revenues

- \$35,046 Increase in Proposition 172 funds anticipated based on recent growth trends.

Program Discussion

The Coroner's Office serves the people of Humboldt County by providing professional death investigation of all unattended and unnatural violent deaths. The office is on call 24 hours each day of the year to respond to anywhere in Humboldt County. As Public Administrator the office assists attorneys and private citizens with management of estates. In addition to these mandated duties, the Coroner is involved in teaching and public awareness presentations to the medical community, law enforcement and local schools.

The budget this year reflects significant increases in professional services and out-of-County travel. The office has been advised to expect cost increases in autopsy and toxicology fees. The current pathologist may be retiring during this fiscal year. If this occurs the office may be forced to take all autopsy cases out of the County.

In addition to these changes, this budget restores a Deputy Coroner position lost due to lay offs three years ago. During the last three years the small staff has experienced fatigue due to the nearly constant call-outs and late night hours. Cost for restoration of the third Deputy Coroner is partially offset by reductions in the budgets for extra help and overtime.

2005-06 Accomplishments

1. Continued to encourage families to allow their deceased to become tissue donors.

- 2. Impacted traffic accident deaths (down for the third year in a row) through community awareness programs such as Every 15 Minutes.
- 3. Reduced the number of cases requiring autopsy through close working relationships with local hospitals and doctors.

- 2. To continue participation in the Child Death Review and Drug and Alcohol Death Review teams.

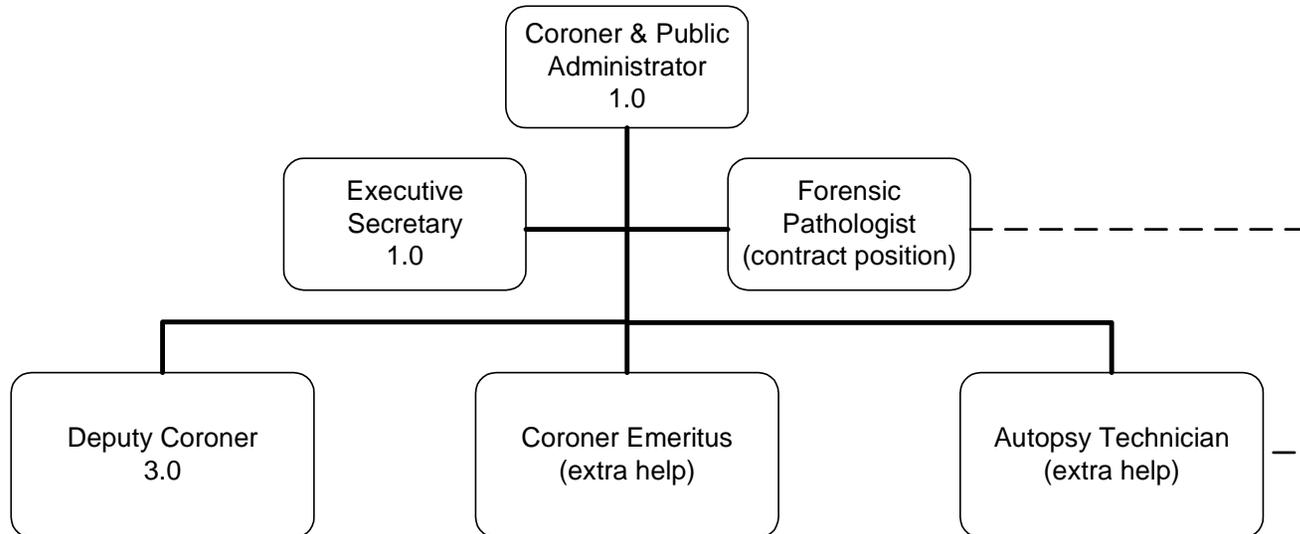
Goals

- 1. Secure the services of a qualified forensic pathologist.
- 2. Develop a policy and procedure manual for this Department.

2006-07 Objectives

- 1. To continue working with the Northern California Transplant Bank and encourage families to consent for the deceased to be tissue donors.

Organizational Chart:



Courts - County Contribution (1100 250)

Loretta Nickolaus, County Administrative Officer

1100 - General Fund	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Request	2006-07 Adopted	Increase/ (Decrease)
Revenues							
Fines, Forfeits & Penalties	\$1,226,406	\$1,321,657	\$1,298,188	\$1,282,945	\$1,283,600	\$1,283,600	\$655
Charges for Services	169,769	107,917	196,756	18,149	15,000	15,000	(3,149)
Other Revenues	2,009	1,404	956	9,008	0	0	(\$9,008)
General Fund Support	\$153,216	\$229,909	\$203,778	\$213,774	\$162,074	\$162,074	(\$51,700)
Total Revenues	\$1,551,401	\$1,660,887	\$1,699,678	\$1,523,876	\$1,460,674	\$1,460,674	(\$63,202)
Expenditures							
Supplies & Services	\$483,495	\$491,412	\$530,002	\$502,084	\$465,200	\$465,200	(\$36,884)
Other Charges	1,067,906	1,169,475	1,169,676	1,021,792	995,474	995,474	(26,318)
Total Expenditures	\$1,551,401	\$1,660,887	\$1,699,678	\$1,523,876	\$1,460,674	\$1,460,674	(\$63,202)
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Allocated Positions	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Temporary (FTE)	N/A	N/A	0.00	0.00	0.00	0.00	0.00
Total Staffing	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Purpose

This budget unit includes the required County contribution of \$993,327, which is a fixed direct payment to the State toward operation of the court system. Also included are appropriations for outside counsel, investigators and experts for indigent defense that could not be assigned to the Offices of the Public Defender, Alternate Counsel or Conflict Counsel. Some of these costs are offset by that portion of court fine and forfeiture revenues that are allocated to the County.

Major Budget Changes

Services & Supplies

- (\$44,000) Net decrease related to adjustments in indigent defense costs to align expenses with historical trends.

Other Charges

- (\$68,912) Decrease in mandated “undesigned revenue” shift to State.
- (\$91,882) Reduction in County’s required MOE payment due to shift of civil assessment and other undesigned revenues to the State.

Revenues

- \$30,000 Increase in Trial Court realignment revenues based on historical experience.
- (\$40,000) Continued decrease in vehicle fines and forfeitures revenue, plus Superior Court filing fee revenue, based on historical experience.
- (\$155,000) Elimination of civil assessment revenue due to legislation that redirects this revenue to the State.

Program Discussion

The County and Superior Court are entering into the tenth year of transition which began with the passage of the Trial Court Funding Act of 1997. The two transition issues which continue to face the County are the Court Facilities Act of 2002 and the passage of State legislation in 2005 that resolves the disposition of court revenues left unaddressed by the Trial Court Funding Act. In addition, the County and the local Superior Court has made significant strides in resolving issues related to which entity should receive certain court-generated revenues, and about payment for services provided to the Court by the County. Finally, the County and the Court have begun working on updates to their Memoranda of Understanding (MOU’s) that govern their relationship with each other. These issues are discussed in more detail as follows.

Court Facilities Act of 2002

The Trial Court Funding Act of 1997 created the Task Force on Trial Court Facilities to deal with the lingering issue concerning which entity should have responsibility for the provision of court facilities. The Task Force's recommendations were incorporated into the Court Facilities Act of 2002.

The key provision of the Court Facilities Act is that there will be a transition of responsibility for trial court facilities from the counties to the State. If County-owned facilities meet specified seismic and safety standards, then counties can transfer responsibility for those facilities to the State. The County will still be required to make an annual maintenance-of-effort payment to the State equivalent to its recent historical expenditures for maintenance of any transferred building, and a proportionate share of the County's unobligated balance in its Courthouse Construction Fund will transfer to the State. However, the County will then be permanently relieved of its responsibility to maintain, renovate, and replace the transferred court facility.

The County has its main courthouse in Eureka, and small branch courts in Hoopa and Garberville.

To implement the Court Facilities Act, counties are expected to enter into negotiations with the State to determine which buildings will be transferred, and on what terms. Humboldt County has had preliminary discussions with the state's Administrative Office of the Courts (AOC) regarding transfer negotiations.

Unless new legislation is enacted that extends the deadline, the Court Facilities Act specifies that the final transfer of court facilities will occur no later than June 2007.

Undesignated Revenues

The Trial Court Funding Act specified which court-generated revenues should be retained by the State, and which should remain with the counties. However, several dozen court-generated revenue sources were left unaddressed by the Trial Court Funding Act. By necessity, county-by-county negotiations occurred since the passage of the Trial Court Funding Act to determine the disposition of these "undesignated revenues." Some court-generated revenues have accrued to the local Superior Court, but others have accrued to the County. Civil assessment revenues represent the largest single undesignated revenue source that were under dispute.

In FY 2003-04, in order to balance the State budget, the legislature passed AB 1759, which swept all undesignated revenues except civil assessments to the State. The implementation mechanism in AB 1759 resulted in an allocation formula that diverted \$31 million statewide (\$113,631 in Humboldt County) to the State in FY 2003-04 and FY 2004-05.

Many years of controversy over allocation of these undesignated revenues was finally resolved in 2005 with the passage of Assembly Bills 139 and 145 (Chapters 74 and 75, respectively, Laws of 2005). AB 139 specifies that all undesignated revenues, including civil assessments, will accrue to the Court. In compensation, Counties were given a

reduction in their annual MOE payments to the State equivalent to their civil assessment revenue collections in FY 2003-04.

AB 139 also enacted a provision that phases out the \$31 million undesignated revenue payment from counties to the State over a four-year period. It was reduced to \$20 million for FY 2005-06 and reduced again to \$15 million for FY 2006-07. Humboldt County's share of the \$31 million undesignated revenue shift has dropped from \$113,631 in FYs 2003-04 and 2004-05 to \$59,626 in FY 2005-06 and to \$44,720 for FY 2006-07. The County will then see additional reductions in FYs 2007-08 and 2008-09 before the undesignated revenue shift is finally eliminated altogether in FY 2009-10.

AB 145 enacted a uniform statewide civil filing fee structure, and also compensates counties for the non-civil assessment undesignated revenues that have been shifted to the State by reducing the County's MOE payment in an amount equivalent to those undesignated revenues retained by the County in FY 2003-04. Between these two pieces of legislation, the County's required MOE payment has dropped from \$1,025,583 in FY 2004-05 to \$933,701 for FY 2005-06 and beyond.

Court Debts

The Trial Court Funding Act specified that local Superior Courts shall pay for services provided by its county to the local court. Each county was required to enter into a Memorandum of Understanding (MOU) with its local court that outlines what services will be provided, and how payment will be made.

As described earlier, county-by-county negotiations were made to determine which entity should retain the various types of undesignated revenues. Humboldt County officials were in dispute with Superior Court officials regarding the disposition of these revenues since FY 1999-00.

In FY 2002-03, Superior Court began withholding payments legitimately owed to the County for services provided by the County to the court. In FY 2004-05 Court and County officials worked together to resolve their disputes and reached agreement on amounts owed for FYs 2002-03 and 2003-04. An agreement was approved by the Board of Supervisors that the County owed Superior Court approximately \$757,281, and the Court owed the County approximately \$1,476,693. Thus, for the two-year period specified above, Superior Court owed the County approximately \$719,412. In March 2006, these debts were finally repaid in full. The County and the Court are now working to resolve revenue and service charges issues related to FY 2004-05 and FY 2005-06, as well as some previously-unresolved issues related to prior years.

Court-County Memorandum of Understanding (MOU)

The Trial Court Funding Act of 1997 required each County and its respective Superior Court to enter into an MOU regarding which specific services the County would provide to the Court, and how the County would be repaid. Humboldt County entered into its first MOU with Superior Court in 1998. That document is now sadly outdated. The Sheriff-Court MOU, which is required by law to be a separate document, is also in need of updating. County Administrative Office (CAO) staff has worked with county departments to draft an updated MOU.

Courts - County Contribution (1100 250)

Loretta Nickolaus, County Administrative Officer

This draft document includes an appendix specifically addressing Revenue Recovery and court collections, since this area of Court-County interaction is the most intensive and has significant financial impact on both entities. After County Counsel review, CAO staff will negotiate with Superior Court to create a final draft, which will then be presented to the Board of Supervisors for its approval.

2. Received payment from the Court of over \$719,000 in outstanding debt to the County.
3. Began work on a new Court-County MOU.

FY 2005-06 Accomplishments

1. Resolved long-standing disagreements with Superior Court regarding the appropriate disposition of various court-generated revenue sources, and County charges to the Court for services.

FY 2006-07 Objectives

1. To finalize an updated Court-County MOU and Sheriff-Court MOU.
2. To resolve the remaining disputed issues between Superior Court and the County.



1100 - General Fund	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Request	2006-07 Adopted	Increase/ (Decrease)
Revenues							
General Fund Support	\$54,650	\$47,378	\$34,619	\$35,515	\$45,269	\$45,269	\$9,754
Total Revenues	\$54,650	\$47,378	\$34,619	\$35,515	\$45,269	\$45,269	\$9,754
Expenditures							
Supplies & Services	\$54,574	\$47,378	\$34,514	\$35,131	\$43,922	\$43,922	\$8,791
Other Charges	76	0	105	135	1,347	1,347	1,212
Fixed Assets	0	0	0	249	0	0	(249)
Total Expenditures	\$54,650	\$47,378	\$34,619	\$35,515	\$45,269	\$45,269	\$9,754
<hr/>							
Allocated Positions	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Temporary (FTE)	N/A	N/A	0.00	0.00	0.00	0.00	0.00
Total Staffing	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Purpose

The Grand Jury is part of the judicial branch of government. Consisting of nineteen citizens, it is an arm of the court, yet an entirely independent body.

Major Budget Changes

Services & Supplies

- \$3,550 New line item for out-of-County travel to cover Grand Jury training in Redding.

- (\$2,375) Decrease in in-County travel based on recent experience.

Program Discussion

The civil Grand Jury is an investigative body having for its objective the detection and correction of flaws in government. The primary function of the Grand Jury is to examine all aspects of county and city government (including special districts and joint powers agencies), to see that the monies are handled judiciously, and that all accounts are properly audited.

The Grand Jury serves as an ombudsperson for citizens of the County. It may receive and investigate complaints by individuals concerning the actions and performances of public officials. Members of the Grand Jury are sworn to secrecy and most of the jury's work is conducted in closed session. All testimony and deliberations are confidential.

Grand jurors serve for one year. Some jurors may serve for a second year to provide an element of continuity from one jury to the next. Continuity of information is also provided by documents collected and retained in the Grand Jury library.

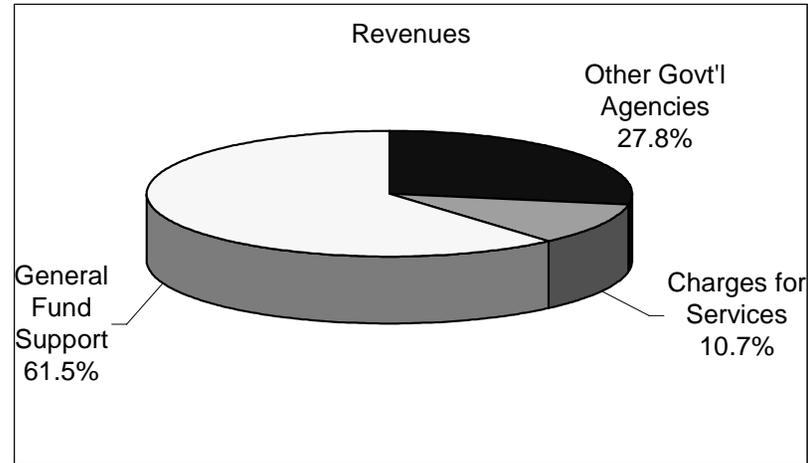
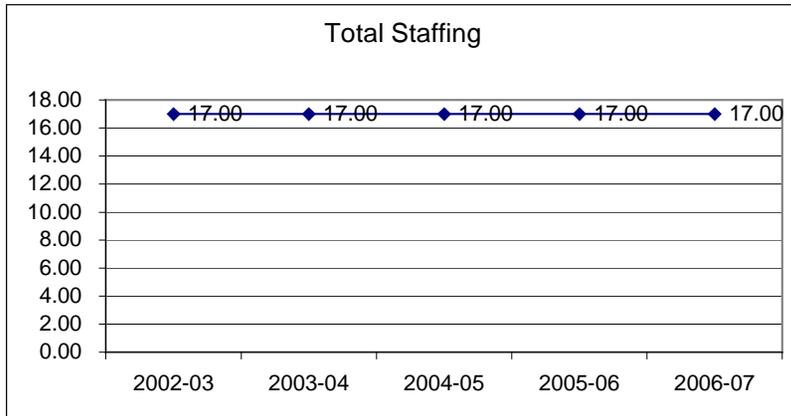
The FY 2006-07 budget for the Grand Jury is much the same as for FY 2005-06.



1100 - General Fund	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Request	2006-07 Adopted	Increase/ (Decrease)
Revenues							
Other Govt'l Agencies	\$449,591	\$397,395	\$431,934	\$476,366	\$453,925	\$453,925	(\$22,441)
Charges for Services	109,450	75,745	158,152	121,233	174,757	174,757	53,524
General Fund Support	809,484	908,832	836,331	918,741	1,004,701	1,004,701	85,960
Total Revenues	\$1,368,525	\$1,381,972	\$1,426,417	\$1,516,339	\$1,633,383	\$1,633,383	\$117,044
Expenditures							
Salaries & Benefits	\$1,218,744	\$1,201,120	\$1,279,782	\$1,379,440	\$1,474,238	\$1,474,238	\$94,798
Supplies & Services	134,956	165,804	132,507	116,192	99,574	99,574	(16,618)
Other Charges	14,825	15,048	14,127	14,753	23,953	23,953	9,200
Fixed Assets	0	0	0	5,954	35,618	35,618	29,664
Total Expenditures	\$1,368,525	\$1,381,972	\$1,426,417	\$1,516,339	\$1,633,383	\$1,633,383	\$117,044
<hr/>							
Allocated Positions	17.00	17.00	17.00	17.00	17.00	17.00	0.00
Temporary (FTE)	N/A	N/A	0.00	0.00	0.00	0.00	0.00
Total Staffing	17.00	17.00	17.00	17.00	17.00	17.00	0.00

Purpose

The Public Defender’s Office is the primary provider of Court-appointed legal services to indigent persons facing criminal charges or other potential deprivation of civil rights. Authorization for the Office of the Public Defender is set forth in Government Code sections 27700 *et seq.*



Major Budget Changes

Salaries & Employee Benefits

- \$145,421 General salary and benefit adjustment.

Fixed Assets

- \$22,618 Computer equipment for Court presentations
- \$13,000 New shelving for files

Revenues

- \$62,433 Increase in Proposition 172 revenue projected based on recent trends.
- \$13,022 Increase in Court reimbursement for juvenile representation.

Program Discussion

The Public Defender's office provides appointed counsel as mandated in certain cases by the Federal and State Constitutions, statutory and case law.

This year's budget has experienced significant increases in revenue from both Proposition 172 and court reimbursements for juvenile dependency representation. These increased revenues have allowed the Department to invest in some needed office equipment.

2005-06 Accomplishments

1. Continued representation at extremely high caseload levels. The projected number of cases is 226 felony cases per felony attorney and 886 misdemeanor cases per misdemeanor attorney.

2. Resolved three murder cases this fiscal year.
3. Participated in Homeless Court program under direction of the Honorable Judge John Feeney.
4. Refurnished office waiting room.

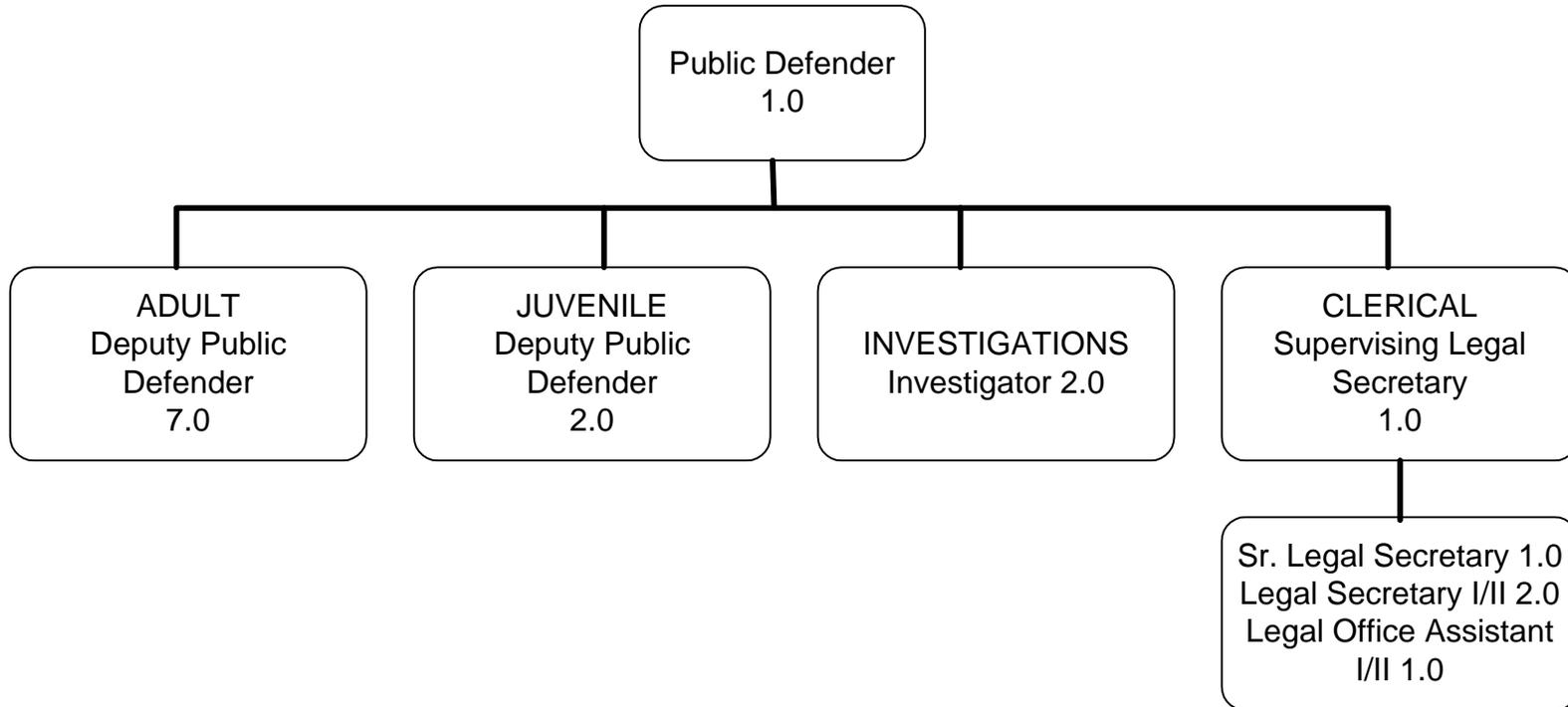
2006-07 Objectives

1. To formulate new policies and procedures as warranted by new Public Defender.
2. To replace shelving system for closed cases to allow more storage and easier access.
3. To institute a more formalized training / continuing education program.
4. To modernize computer system with acquisition of newer technology.

Performance Measures:

1. <i>Description of Performance Measure:</i> Individual attorney caseload		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
229 felony / 944 misdemeanor	226 felony / 886 misdemeanor	225 felony / 900 misdemeanor
<p><i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> The individual attorney caseload shows how many new cases an attorney is assigned per year. This directly affects the amount of work required by the attorney, the clerical, and investigative staff. Although there are no "official" caseload limitations, various studies and jurisdictions have published suggested levels. For example, the National Advisory Commission on Criminal Justice Standards and Goals in 1973 published numerical standards of 150 felonies or 400 misdemeanors. However, statewide case-weighted caseloads from other states vary considerably, suggesting that the Humboldt County caseload is about average for felonies, and high for misdemeanors. The Humboldt County caseloads have been fairly consistent for the past five years.</p>		
2. <i>Description of Performance Measure:</i> Total caseload		
<i>FY 2004-05 Actual</i>	<i>FY 2005-06 Estimate</i>	<i>FY 2006-07 Projected</i>
5,424	5,208	5,300
<p><i>Describe why this measure is important and/or what it tells us about the performance of this budget unit:</i> The total caseload provides a snapshot of the overall departmental activity from year to year. It includes all new appointments to adult felonies, misdemeanors, conservatorships, expungements, writs, contempts, and miscellaneous, as well as juvenile delinquencies and dependencies. A significant rise or drop would suggest a corresponding change in the county-wide crime rate, or at least in the arrest/prosecution rate or some other major policy change. This caseload has been fairly consistent for the past five years.</p>		

Organizational Chart:



Law & Justice

