

Drug Court Key Findings and Funding Recommendations

January 15th and January 20th, 2016



Tasks for Today's Meeting

- Update on Recent Activities
- Review of Key Budgetary Findings
- Review of Draft Funding Recommendations
- Next Steps



Update on Recent Activities

- Drug Court Funding Workgroup and DCI Met on 12/16 to review key budget findings and hear preliminary recommendations
- NCSC met with external drug court stakeholders to present preliminary recommendations on 1/5
- NCSC met with Drug Court Funding Workgroup to discuss and revise funding recommendations on 1/5
- DCI met on 1/13 to review funding recommendations



Key Findings – MN Drug Court Funding



Key Findings – MN Drug Court Funding

- The mechanism by which the various models of drug courts in Minnesota are funded is diverse.
- No single state agency or entity has primary responsibility for funding all 52 courts – this is both a strength and a weakness.
- Unique challenges exist for drug court programs that operate in rural counties and in counties with a high volume of potentially eligible defendants. These unique challenges need to be taken into account in determining a long-term sustainability plan.



FY16 Federal Grant Funding

Model	Total FY16 Federal Grant Contribution	Percent of Funding by Model in FY16
Adult Drug Court/DWI Court	\$781,709	13.4%
Veterans Treatment Courts	\$169,530	43.9%
Mental Health Courts	\$211,264	26.4%
Family Drug Courts	\$8,252	2.0%
Total	\$1,170,755	--

Cash and In-Kind Funding

Model	Cash Funding	In-Kind Funding
ADC/DWI/Hybrid ADC & DWI Courts	65%	35%
Veterans Treatment Courts	37%	63%
Mental Health Courts	65%	35%
Juvenile Drug Courts	64%	36%
Family Drug Court/Hybrid Family Drug Court/DWI Courts	43%	57%



Key Findings

FY15 Cash Funding from State Agencies*

Agency	Funding Amount	% of Cash Budget
Minnesota Judicial Branch	\$2,471,654	52%
OPS, Office of Traffic Safety	\$1,844,180	39%
OPS, Office of Justice Programs	\$237,136	5%
Department of Human Services	\$200,000**	4%

*Includes only the funding that directly goes to programs – excludes support of the statewide drug court coordinator.

**NCSC is waiting on final confirmation of this figure – it will increase.



Budget Breakdowns by Model



Adult Drug Courts/DWI Courts/Hybrid Drug & DWI Courts

FY16 Budget Contributions (Cash)	Total Cash Contribution	Percent of Funding
Department of Public Safety/Office of Traffic Safety	\$1,986,336	34.1%
Minnesota Judicial Branch	\$1,782,920	30.6%
Local Government	\$828,857	14.2%
Federal Grants	\$781,709	13.4%
Program Fees	\$204,300	3.5%
Department of Human Services	\$100,000	1.7%
Department of Public Safety/MN Office of Justice Programs	\$99,983	1.7%
Other	\$42,424	0.7%
Private Foundation	\$5,000	0.1%
Total	\$5,831,530	100.0%

Adult Drug Courts/DWI Courts/Hybrid Drug & DWI Courts

Agency/Entity	Total In-Kind Contribution	% of Funding
Local Government	\$1,258,098	39.4%
Minnesota Judicial Branch	\$1,065,146	33.4%
Other*	\$429,760	13.5%
State Board of Public Defense	\$361,101	11.3%
Department of Human Services	\$31,350	1.0%
Private Volunteer	\$21,840	0.7%
Tribe	\$14,806	0.5%
Department of Corrections	\$7,557	0.2%
Private Agency	\$3,900	0.1%
Total	\$3,193,558	100.0%

*Some drug courts did not provide source information for contributions in the “other” category.

Adult Drug Courts/DWI Courts/Hybrid Drug & DWI Courts

	Average Daily Census	Average Caseload/Year*	Range of Caseloads/Year
New Courts n=8			
FY15	21	45	16-106
Established Courts n=25			
FY14	27	59	23-122
FY15	29	63	21-106
FY14/FY15 average	28	61	26-114

*Average caseload per year is calculated by adding together the average daily population on October 1 plus the total number of exits for the year (successful and unsuccessful) and the total number of new admissions for the year. This approach was used because NCSC did not have data available from MJB on all programs.

¹The census of the Hennepin County Adult Drug Court and the Hennepin County DWI Court have been removed from the calculations for this chart because the census for these two courts is much higher than the other courts in the model. With Hennepin County's numbers left in the model, the average daily census is FY14 is 33, FY15 is 36 and FY14/15 average is 34. The average caseload per year with Hennepin County's numbers left in the model in FY14 is 75, FY15 is 79 and the FY14/FY15 average is 77.

Veterans Treatment Courts

Agency/Entity	Total Cash Contribution	% of Funding
Federal Funding	\$169,530	43.9%
Department of Human Services	\$98,212	25.4%
Minnesota Judicial Branch	\$75,300	19.5%
Department of Veterans Affairs	\$33,600	8.7%
Local Government	\$10,000	2.5%
Total	\$386,642	100.0%

Veterans Treatment Courts

Agency	Total In-Kind Contribution	% of Funding
Minnesota Judicial Branch	\$186,369	28.7%
Department of Veterans Affairs	\$147,250	22.7%
State Board of Public Defense	\$134,201	20.7%
Local Government	\$106,696	16.4%
Unknown	\$74,146	11.4%
Total	\$648,661	100.0%

Veterans Treatment Courts

	Average Daily Census	Average Caseload/Year*	Range of Caseloads/Year
New Courts n=4			
FY15	15	37	16-60
Established Courts n=1			
FY14	27	59	23-122
FY15	29	63	21-106
FY14/FY15 average	28	61	26-114

*Average caseload per year is calculated by adding together the average daily population on October 1 plus the total number of exits for the year (successful and unsuccessful) and the total number of new admissions for the year. This approach was used because NCSC did not have data available from MJB on all programs.

²The data provided are based on Hennepin County's Veteran Treatment Court. The census appears to be significantly larger than would be expected in the other courts so the data shown are not representative of the VTC model for established courts. With Hennepin County's numbers, the average daily census is FY14 is 71, FY15 is 57 and FY14/15 average is 64. The average caseload per year with Hennepin County's numbers left in the model in FY14 is 170, FY15 is 154 and the FY14/FY15 average is 162.

Mental Health Courts

Agency	Total Cash Contribution	Percent of Funding
Department of Human Services	\$562,300	70.4%
Federal Funding	\$211,264	26.4%
Minnesota Judicial Branch	\$17,000	2.1%
Local Government	\$7,450	0.8%
Program Fees	\$1,200	0.2%
Total	\$799,214	100.0%

Mental Health Courts

Agency	Total In-Kind Contribution	% of Funding
Minnesota Judicial Branch	\$209,845	49.0%
Local Government	\$140,808	32.8%
Unknown	\$54,600	12.7%
State Board of Public Defense	\$23,400	5.5%
Total	\$428,653	100.0%

Mental Health Courts

	Average Daily Census	Average Caseload/Year*	Range of Caseloads/Year
Established Courts n=3			
FY14	25	44	26-61
FY15	26	51	41-60
FY14/FY15 average	25	47	34-61

*Average caseload per year is calculated by adding together the average daily population on October 1 plus the total number of exits for the year (successful and unsuccessful) and the total number of new admissions for the year.

³The census of the Hennepin County Mental Health Court has been removed from the calculations for this chart because the census for this court is much higher than the two other courts in the model. With Hennepin County's numbers left in the model, the average daily census is FY14 is 80, FY15 is 85 and FY14/15 average is 82. With Hennepin County's numbers left in the model, the total number of participants served is FY14 is 188, FY15 is 191 and FY14/15 average is 190.

Juvenile Drug Court

Agency	Total Cash Contribution	Percent of Funding
County Funding	\$76,426	75.4%
Minnesota Judicial Branch	\$25,000	24.6%
Total	\$101,426	100.0%

Juvenile Drug Court

Agency	Total In-Kind Contribution	% of Funding
Minnesota Judicial Branch	\$33,989	59.9%
State Board of Public Defense	\$14,138	24.9%
Local Government	\$8,588	15.1%
Total	\$56,715	100.0%

Juvenile Drug Court

	Average Daily Census	Average Caseload/Year*	Range of Caseloads/Year
Established Courts n=1			
FY14	11	21	n/a
FY15	4	17	n/a
FY14/FY15 average	6	19	n/a

*Average caseload per year is calculated by adding together the average daily population on October 1 plus the total number of exits for the year (successful and unsuccessful) and the total number of new admissions for the year.

Family Dependency Court/Drug/DWI/Family Dependency Court

Agency	Total Cash Contribution	Percent of Funding
Minnesota Judicial Branch	\$250,970	60.3%
County Funding	\$144,100	34.6%
Program Fees	\$13,250	3.2%
Federal Funding	\$8,252	2.0%
Total	\$416,572	100.0%

Family Dependency Court/Drug/DWI/Family Dependency Court

Agency	Total In-Kind Contribution	% of Funding
Local Government	\$331,697	59.0%
Minnesota Judicial Branch	\$140,808	25.3%
Unknown	\$55,798	9.9%
State Board of Public Defense	\$32,760	5.8%
Total	\$562,654	100.0%

Family Dependency Court/Drug/DWI/Family Dependency Court

	Average Daily Census	Average Caseload/Year*	Range of Caseloads/Year
Established Courts n=5			
FY14	20	48	32-74
FY15	19	39	23-59
FY14/FY15 average	19	44	29-67

*Average caseload per year is calculated by adding together the average daily population on October 1 plus the total number of exits for the year (successful and unsuccessful) and the total number of new admissions for the year.

Staffing Models



Key Findings

- Staffing patterns vary across the five models and within the models themselves.
- Reflects differences in resources within communities and the relative strength or weaknesses of cross-agency relationships within a county or region.
- The current funding for Coordinators reflects significant diversity.
- The majority are funded through cash resources versus in-kind funding but only 53.7% of the total cash funding presently comes from the Minnesota Judicial Branch.



Staffing Models - Coordinators

Model	% of courts with a Coordinator	% of programs with a full-time coordinator	Range of hours per week for coordinator
ADC/DWI/Hybrid ADC/DWI	97%	39%	10 to 40
MHC	100%	33%	20 to 40
VTC	100%	20%	1 to 40
JDC	100%	0%	7 to 10
FDC/Hybrid FDC	100%	20%	20 to 40

Staffing Models - Coordinators

Model	Total In-Kind Funding to Support Coordinators	Total Cash Funding to Support Coordinators	Total Funding for Coordinators
ADC/DWI/Hybrid ADC/DWI	\$0	\$1,194,730	\$1,194,730
MHC	\$0	\$136,204	\$136,204
VTC	\$51,077	\$70,656	\$121,733
JDC	\$0	\$8,513	\$8,513
FDC/Hybrid FDC	\$17,026	\$147,696	\$164,722
Total	\$68,103	\$1,557,799	\$1,625,902

Staffing Models - Coordinators

Source of Support for Coordinators	Amount of Cash Funding	% of Total Cash Funding
Minnesota Judicial Branch	\$835,831	53.7%
Bureau of Justice Assistance	\$193,410	12.4%
DPS/Office of Traffic Safety	\$189,409	12.2%
Local Government	\$179,024	11.5%
Department of Human Services	\$126,074	8.1%
DPS/Office of Justice Programs	\$34,051	2.2%
Total	\$1,557,799	100.0%

Short-Term Budget Recommendations



Implement a Formula Approach

- Two approaches being developed:
 - Distribute funds using a funding formula beginning in FY17
 - Distribute funds using a funding formula beginning in FY18
- Form an Implementation Team
 - Advise on phased implementation approach
 - Assist with development of application process
 - Review implementation details
 - Provide recommendations on schedule for applying funding formula to drug court funding



Proposed Funding Formula



Guiding Principles

Create a system of funding that:

- ✓ Is transparent, predictable and perceived as fair by the majority, if not all, programs.
- ✓ Simplifies funding requests for the programs and data reporting.
- ✓ Allows for planning and budgeting at the state level.
- ✓ Controls state costs to a reasonable “per participant” rate.
- ✓ Recognizes and supports the existing creative approaches to funding and the current “in-kind” matches.
- ✓ Does not unnecessarily restrict funding but does incorporate national standards.



Category A: Implementation Funding

Funding requirements:

1. Be an eligible model defined in Judicial Council Policy 511: Drug Courts
2. Demonstrate an ability to comply with state and national standards
3. Document compliance with Judicial Council Policy 511.3 Drug Court Development and Approval Process
4. Demonstrate ability to collaborate with other local partners
5. Document the drug court has applied for federal implementation grant
6. Document a 30% match (cash or in-kind)



Category A: Implementation Funding

Recommended Implementation Funding Formula

Program Model	Average # of Participants/Year	Annual Funding	Biennial Funding	Cost Per Participant
Adult Drug Court/DWI Court/Hybrid ADC & DWI Courts	20-25	\$52,000	\$104,000	\$2,080 - \$2,600
Mental Health Court	15-20	\$52,500	\$105,000	\$2,625 - \$3,500
Veteran Treatment Court	15-20	\$52,500	\$105,000	\$2,626 - \$3,500
Juvenile Drug Court	10-15	\$52,800	\$105,600	\$3,520 - \$5,280
Family Drug Court/Hybrid FDC	15-20	\$52,500	\$105,000	\$2,626 - \$3,500

Implementation Funding: Implementation Issues

- Drug courts must demonstrate the capacity to serve the average number of active participants per year in order to receive state implementation funding
- If the drug court receives federal implementation funding, the state appropriation is reverted to the supplemental funding category



Category B: Sustainability Funding

Funding Requirements:

1. Drug courts apply and receive funding for a period of two years
2. Operational courts that meet the minimum number of participants required for their model are eligible to apply
3. A 30% match (cash or in-kind) is required
4. Grants will be awarded based on the number of active participants enrolled during the 3 previous years
5. Any unspent funds from the first year of the biennium may be rolled over to the second year
6. Redistribution of funds at the district level will be limited to a certain percentage



Sustainability Funding – Adult Drug and Mental Health Courts

Program Model	Range of Participants	Annual Funding	Biennial Funding	Cost Per Participant
Adult Drug Court (ADC)/DWI Court/Hybrid ADC & DWI Court				The increase of \$30,000 above the base for every 25 participants in the ADC/DWI/Hybrid ADC & DWI model is based on a cost of \$1,200 x 25 people.
	25-50	\$100,000	\$200,000	
	51-75	\$130,000	\$260,000	
	76-100	\$160,000	\$320,000	
	101-125	\$190,000	\$380,000	
	126-150	\$220,000	\$440,000	
	151-175	\$250,000	\$500,000	
	176-200	\$280,000	\$560,000	
	201+	\$310,000	\$620,000	The increase of \$48,000 above the base for every 15 participants in the MHC model is based on a cost of \$3,200 x 15 participants.
Mental Health Court				
	20-35	\$110,000	\$220,000	
	36-50	\$158,000	\$316,000	
	51-65	\$206,000	\$412,000	
	66-80	\$254,000	\$508,000	
	81+	\$302,000	\$604,000	

Sustainability Funding – Veterans, Juvenile, and Family Dependency Courts

Program Model	Range of Participants	Annual Funding	Biennial Funding	Cost Per Participant
Veterans Treatment Court (VTC)				The increase of \$37,500 above the base for every 15 participants in the VTC model is based on a cost of \$2,500 x 15 participants.
	20-35	\$100,000	\$200,000	
	36-50	\$137,500	\$275,000	
	51-65	\$175,000	\$350,000	
	66-80	\$212,500	\$425,000	
	81+	\$250,000	\$500,000	
Juvenile Drug Court				The increase of \$17,500 above the base for every 5 participants in the JDC model is based on a cost of \$3,500 x 5 participants.
	15-20	\$110,000	\$220,000	
	21-25	\$127,500	\$255,000	
	26+	\$145,000	\$290,000	
Family Dependency Treatment Court/Hybrid FDC				The increase of \$37,500 above the base for every 15 participants in the FDC model is based on a cost of \$2,500 x 15 participants.
	20-35	\$110,000	\$220,000	
	36-50	\$147,500	\$295,000	
	51+	\$185,000	\$370,000	

Category C: Supplemental Funding

- Funds for drug courts exceeding the target rates or multi-jurisdictional programs/rural programs with demonstrated need
- Funds provided in addition to Sustainability Funds
- Primary funding source yet to be identified
 - MJB or partners may elect to set aside funds specifically for this category
 - Unneeded funds from the implementation category
- May not be available every year



Category C: Supplemental Funding

Funding requirements:

1. Application process
2. Grant period of one year
3. A 30% match (cash or in-kind) is required



Encourage Courts to Pursue Federal Implementation Grants

- New drug courts should apply for federal implementation grants
- This should be done prior to, or in conjunction with, applying for state implementation funding
- If a court receives federal implementation funding, they will not receive state implementation funding
- Courts receiving federal implementation funding will be placed on the priority list to receive state funding when federal funding ends



Encourage Established Courts to Pursue Enhancement Grants

- Programs receiving state funding will not receive a reduced state appropriation as a result of receiving an enhancement grant
- Drug courts should not expect the state to sustain initiatives funded by enhancement grants
 - However, should the enhancement shift a drug court caseload into the next funding range then the drug court would receive additional state funding



Long-Range Recommendations



Expand Funding Formula in FY18*

- In FY18, the funding formula should be expanded to include ALL operational drug courts
 - Drug courts not currently receiving state funds
 - Drug courts in the planning phase

*Contingent on the availability of funding



Expand State Level Support

- Incorporate items contained in Vol. II of the NADCP National Drug Court Standards into Minnesota Standards
- Increase annual training opportunities for drug court teams
- Increase technical assistance to drug court teams



Programmatic Recommendations



Prioritize Coordinator Funding

- Coordinators should be employees of the Minnesota Judicial Branch
- Communities with multiple drug courts:
 - Employ a full-time coordinator for every two drug courts
 - Employ a full-time Administrative Coordinator
 - Provide system-wide training
 - Provide budgetary oversight
 - Coordinate use of screening and assessment across drug courts
 - Unify policies where appropriate
- Communities with multi-jurisdictional programs will likely need a full-time coordinator



Implement a Statewide MIS to Collect Drug Court Data

- Implement statewide data system to capture drug court information
- System will assist drug courts with day to day operations, monitoring program effectiveness, performance management and program evaluation



Develop Performance Measures

- Develop performance measures for each drug court model
- Establish benchmark targets for each measure
- Incorporate performance measures into future funding plans
 - Create supplemental performance funding for drug courts exceeding performance expectations
 - Provide support to drug courts unable to meet benchmarks



Implement Standardized Risk-Needs Assessment Tool

- Ensure drug courts are serving high-risk, high-need participants
- Consider differences among the different drug court models when selecting an instrument(s)



Support Local Determination of Staffing Needs

- Allow individual drug courts to determine staffing needs related to case managers/probation officers
- No good model for participant to case manager ratio
- The variations in program census, risk level, size of the jurisdiction and travel time between sites make it difficult to recommend a standard



Impact of Proposed Funding Formula on Funding Needs

	Annual Funding Amounts	Difference	Funding Needed Over the Biennium
FY16 state funding available	\$5,525,516		
Annual cost of applying funding formula to existing state-funded programs	\$5,554,500	\$19,484	\$36,968
Annual cost of applying funding formula to all existing programs (including programs with no state funding)	\$6,589,500	\$1,063,984	\$2,127,968
Annual cost of applying funding formula to all existing programs and six newly planned programs.	\$6,901,500	\$1,375,984	\$2,751,968

Funding Formula Implementation Issues

- NCSC recommends creation of an implementation team to advise on the transition to the funding formula
- If full funding cannot be secured, a phase in approach is recommended
- Some courts will see a cut to their existing funding based on the proposed formula. In the first year of implementation, funds may be set aside to provide supplemental funding to these courts to ease the transition.



Next Steps

- Draft report sent to Funding Workgroup on January 13th for review
- Review report with Funding Workgroup January 20th
- Receive final comments from the Funding Workgroup January 22nd
- Final report distributed to the Workgroup the week of January 25th
- Present final recommendations to Judicial Council for on February 18th. Judicial Council decision is expected on March 17th
- Schedule Coordinator meeting for early April to review recommendations

