



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: June 26, 2018

Subject: FISCAL YEAR 2018/19 COUNTY DISPUTE RESOLUTION PROGRAM

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Administrator, or designee, to execute contracts, with the Congress of Neutrals for \$120,000 and with the Center for Human Development for \$60,000, in a total amount not to exceed \$180,000 for the County Dispute Resolution Program for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

\$180,000 for the period July 1, 2018 through June 30, 2019; 100% Restricted Dispute Resolution funds. No Net County Costs. Program costs offset by \$8.00 filing fee on civil actions filed in the Superior Court.

BACKGROUND:

The Dispute Resolution Program Act of 1986 (Business and Professional Code Sections 465, et seq.) provided for the establishment and funding, at County option, of local dispute resolution services as an alternative to formal court proceedings. The Act authorized participating counties to increase Superior, Municipal and Justice Courts filing fees from one to three dollars for the purpose of funding local dispute resolution programs.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **06/26/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 26, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Timothy Ewell,
925-335-1036

cc:

On January 1, 1987, the Board approved the County's participation in the program and authorized a three dollar increase in court filing fees. The Dispute Resolution Advisory Committee was created by the Board to consider implementation strategies and funding guidelines appropriate for Contra Costa County.

From 1989 through 1998, the Advisory Committee solicited proposals for funding under the Dispute Resolution Programs Act of 1986. The purpose of the funding is to encourage the establishment and use of local dispute resolution services as an alternative to formal Court proceedings. The program operates under the provisions of the Dispute Resolution Programs Act.

In 1998, the State updated the California Dispute Resolution Program Act and authorized counties to allocate up to \$8.00 from filing fees to generate new revenues for these local programs. Effective January 1, 1999, the dispute resolution portion of the civil filing fee in Contra Costa County increased from \$3.00 to \$8.00. The increase was approved by the Board of Supervisors pursuant to a request by the Superior Court.

The following is a brief description of each program:

BACKGROUND: (CONT'D)

Center for Human Development - \$60,000

General Dispute Resolution – Community Mediation Project will provide mediation and conciliation to landlords and tenants, consumers and merchants, neighbors, public agencies, citizen groups, families, animal disputes, family transition, and organizations. Specialty services include group facilitation, mediator training, real estate mediation, conflict resolution skills training for agencies, and business mediation and consultation. (\$15,000)

Guardianship Mediation will continue to offer mediation services with a panel of two mediators to clients referred by the Courts for resolution of child custody and visitation issues in Guardianship Matter. Mediations will be held in the A.F. Bray Courthouse in Martinez. Services include referral, telephone conciliation, and mediation. (\$45,000)

Congress of Neutrals - \$120,000

General Dispute Resolution – Victim Offender Reconciliation Project (VORP) Program - will continue to provide a community-based restorative justice program for juvenile offenders. The Congress will provide mediation between certain non-chronic, non-violent juvenile offenders and their victims to obtain civil restitution in proceedings under the Welfare and Institutions Code. (\$25,000)

Small Claims/Civil Harassment/Unlawful Detainer Mediation for all branches of the Superior Court; to improve court efficiency; assist court staff and reduce court caseload. Introduce disputants to the principles of conciliation and negotiated settlement; mediations will be done at the court, prior to the court hearing and/or on the day of the court hearing. The Congress will recruit and train community volunteers, certified law students and attorneys as mediators. This project will continue the Superior Court's high quality of Alternative Dispute Resolution and conflict management programs. (\$90,000)

Family Law Contempt for the Martinez Division of the Superior Court; to improve court efficiency, assist bench officers and court staff; to support the District Attorney, the Public Defender and other agencies of Contra Costa County involved with cases where failure to pay family support becomes a contempt proceeding against the payor in default. To provide mediation and facilitated negotiation; to reduce court caseloads, and introduce disputants to the principles of conciliation and negotiated settlement; mediations to be done on the day of the court hearing; to recruit and train community volunteers, law students, attorneys as mediators; to serve all areas of Contra Costa County; and to continue Contra Costa County's high quality ADR and conflict management programs. (\$5,000)

CONSEQUENCE OF NEGATIVE ACTION:

The 2018/19 County Dispute Resolution program will not be implemented resulting in a service reduction in several areas to the citizens of Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

Several of the dispute resolution/mediation services target better outcomes for children, including the Guardianship mediation and Victim Offender Reconciliation programs.