



**Health & Human Services  
Agency  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** June 5, 2018

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet and Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Donna Ortiz      PHONE: 624-8000				

**SUBJECT:** Approve a Memorandum of Understanding with the Superior Court of California, County of Tulare

**REQUEST(S):**  
That the Board of Supervisors:

1. Approve a Memorandum of Understanding with the Superior Court of California, County of Tulare in an amount not to exceed \$249,565.92. (\$94,900.11 for one (1) Courtroom Clerk position in the Porterville Division and \$154,665.81 for two (2) Courtroom Clerks for the Visalia Division) effective from July 1, 2018, through June 30, 2019; and
2. Authorize the Chairman of the Board to sign three (3) copies of the agreement.

**SUMMARY:**  
The Superior Court of California, County of Tulare operates both the Mental Health Court and the Drug Court for the County of Tulare. The Mental Health Court is a problem-solving court that combines judicial supervision with community mental health treatment and other support services in order to reduce criminal activity and improve the quality of life of the participants. The Mental Health Court was established to make effective use of limited criminal justice and mental health resources. It is utilized to connect individuals with treatment and social services in the community to improve outcomes for offenders with mental illness in the criminal justice system. The Mental Health Court also responds to public safety concerns, addresses jail overcrowding, and addresses the disproportionate number of people in the criminal justice system who have a mental illness.

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The Drug Court provides access to treatment for substance-abusing offenders in criminal, dependency and family courts while minimizing the use of incarceration through a pre-guilty plea. A pre-plea diversion program allows criminal proceedings to be suspended while the defendant participates in a program involving counseling, drug testing, education or other requirements. If the defendant successfully completes the program, the criminal charges may be dismissed.

Approximately 401 defendants in Visalia and 318 defendants in Porterville are anticipated to be serviced by the Mental Health Court and Drug Court.

Courtroom Clerks are critical to the administration of these programs, in their respective courts. These essential positions prepare the necessary legal papers, case files, documents, and records for court sessions. They attend court sessions and take minutes of actions and proceedings, request clarification of instructions and order of actions to properly note the official record of the court. In addition, these positions advise public agencies, attorneys, and the public on the status of cases and provide procedural information. Key to these programs is that Courtroom Clerks prepare court calendars, and/or calendar cases for hearing, confer with the appropriate agencies and/or individuals according to established procedures and subsequently distribute calendars and related case files for review.

Funding for these positions is vital for sustaining the Mental Health Court and Drug Court programs within Tulare County. Public safety is the highest priority of the program. Sufficient funding for Courtroom Clerks will establish a collaborative effort by both the County of Tulare and the Superior Court of California, County of Tulare in preserving this commitment to our community.

During the fiscal year 2018/2019, Tulare County Health and Human Services Agency (HHSA) will reimburse the Court for the salary and benefits of one (1) Courtroom Clerk position in Porterville, and two (2) Courtroom Clerks in Visalia. The Memorandum of Understanding (MOU) establishes the services and details regarding reimbursement for the 2018/2019 fiscal year.

This Memorandum of Understanding has been approved as to form by County Counsel. The following term deviates substantively from the standard County boilerplate: The MOU includes mutual indemnification language.

**FISCAL IMPACT/FINANCING:**

The reimbursement to the Superior Court of California, County of Tulare for one Courtroom Clerk position in Porterville, and two Courtroom Clerks in Visalia, in an amount not to exceed \$249,565.92, will be paid from the Fiscal Year 2018/2019 Mental Health Services Act and Alcohol and Drug budgets. There is no net cost to the County General Fund.

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**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five year strategic plan includes the Organizational Performance Initiative to continuously improve organizational effectiveness and fiscal stability. The MOU helps fulfill this initiative by having departments analyze what services can be delivered, and the costs associated with those services. The MOU also facilitates efficiency within the court system by supporting Mental Health Court and Drug Court activities.

**ADMINISTRATIVE SIGN-OFF:**



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Timothy D. Durick, Psy.D.  
Director of Mental Health

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s) Memorandum of Understanding

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE A )  
MEMORANDUM OF UNDERSTANDING ) Resolution No. \_\_\_\_\_  
WITH THE SUPERIOR COURT OF ) Agreement No. \_\_\_\_\_  
CALIFORNIA, COUNTY OF TULARE )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

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2. Authorized the Chairman of the Board to sign three (3) copies of the Memorandum of Understanding.