



# Health & Human Services Agency

## COUNTY OF TULARE AGENDA ITEM

### BOARD OF SUPERVISORS

LARRY MICARI  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** July 23, 2024

|                                    |     |
|------------------------------------|-----|
| Public Hearing Required            | N/A |
| Scheduled Public Hearing w/Clerk   | N/A |
| Published Notice Required          | N/A |
| Advertised Published Notice        | N/A |
| Meet & Confer Required             | N/A |
| Budget Transfer (Aud 308) attached | N/A |
| Personnel Resolution attached      | N/A |
| Agreement(s) attached              | N/A |

CONTACT PERSON: Natalie Bolin, DSW, LCSW    PHONE: 559-624-8000

**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, to reimburse the Superior Court for one Courtroom Clerk position in the Porterville Division and two Courtroom Clerk positions in the Visalia Division for the Mental Health Court and Drug Court in an amount not to exceed \$343,141, retroactive from July 1, 2024, through June 30, 2025. This Memorandum of Understanding is retroactive due to the timing in receiving the MOU from the vendor; making it impracticable for the Board to take action prior to July 1, 2024.
2. Find that the Board had the authority to enter into the Memorandum of Understanding as of July 1, 2024, and that it was in the County's best interest to enter into the Memorandum of Understanding on that date.
3. Authorize the Chair of the Board to sign the Memorandum of Understanding.

**SUMMARY:**

The Superior Court of California, County of Tulare, operates 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 supportive services to reduce criminal activity and improve the participants' quality of life. The Mental Health Court was established to effectively use 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 individuals with mental illness in the criminal justice system. By giving individuals, the option to seek treatment over

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incarceration, the Mental Health Court responds to public safety concerns and addresses jail overcrowding and the disproportionate number of people in the criminal justice system who have a mental illness.

The Drug Court provides access to treatment for substance-abuse offenders in criminal, dependency, and family courts while minimizing the use of incarceration through pre-trial resolution of offenses. 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. The criminal charges may be dismissed if the defendant successfully completes the program. It is anticipated that approximately 400 defendants in Visalia and 320 defendants in Porterville will receive services as part of the Mental Health Court and Drug Court through this proposed Fiscal Year 2024/2025 Memorandum of Understanding (MOU).

Courtroom Clerks are critical to the administration of both these programs. These essential positions prepare the necessary legal papers, case files, documents, and records for court sessions. They attend court sessions, take minutes of actions and proceedings, and request clarification of instructions and orders of action 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. Courtroom Clerks prepare court calendars and/or calendar cases for hearings, confer with the appropriate agencies and/or individuals according to established procedures, and subsequently distribute calendars and related case files for review, which is key to program success.

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

During Fiscal Year 2024/2025, the Tulare County Health & Human Services Agency will reimburse the Superior Court of California, County of Tulare, for the salary and benefits of one (1) Courtroom Clerk position in Porterville and two (2) Courtroom Clerks in Visalia. The MOU establishes the services and details regarding reimbursement for the 2024/2025 fiscal year.

The following terms deviate substantively from the standard County boilerplate: 1) The County and Superior Court of California are required to indemnify and hold the other harmless for any claims resulting from the work under this MOU; 2) The County will sign first; and 3) The County or Court is unable to terminate the MOU during the term of the MOU.

**FISCAL IMPACT/FINANCING:**

The budgeted costs associated with this MOU will be included in the HHSA 001-142-3331 and 6071 budget, line 7043 professional services, in an amount not to exceed \$343,141 for Fiscal Year 2024/2025. The reimbursement to the Superior Court of

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California, County of Tulare, for one Courtroom Clerk position in Porterville in the amount of \$124,340 and two Courtroom Clerk positions in Visalia in the amount of \$218,801 are paid through the Alcohol and Drug Trust Fund 441 (first offender program) and Mental Health Services Act. There is no additional net County cost to the General Fund.

**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. This 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:**

Gilberto Rivas /OBO/

Natalie Bolin, DSW, LCSW  
Director of Mental Health

Cc: County Administrative Office

Attachments: Memorandum of Understanding