



Legislation Text

File #: 12-0995, **Version:** 1

Health and Human Services Agency, Public Health Division, and the Probation Department recommending the Board authorize the Chair to sign retroactive perpetual nonfinancial Memorandum of Understanding (MOU) No. 027-M1310 with the California Superior Court of El Dorado for the continued provision of Teen Court services. The MOU becomes effective upon execution by the Board, with a start date of July 1, 2012, and no end term.

FUNDING: Substance Abuse Prevention Treatment funding combined with Alcohol Abuse Education and Prevention Penalty Assessments and Controlled Substance Abuse Penalty Fees.

Fiscal Impact/Change to Net County Cost

No change. Any costs associated with this MOU due to participation by Health and Human Services Agency or Probation Department staff is fully offset by SAPT Prevention Set-Aside funding available through the California Department of Alcohol and Drug Programs as well as funds generated from fines and fees collected by the County for violations and convictions of alcohol and drug related offenses as required by California Penal Code §1463 et al. as it applies to Alcohol Abuse Education and Prevention Penalty Assessments and Controlled Substance Abuse Penalty Fees. Funds are budgeted for FY 2012-13 and will be budgeted for future fiscal years.

Compensation for Services

Not applicable. There is no remuneration associated with this MOU.

Contract Termination

This MOU contains a clause providing that, in the event funding is reduced or eliminated, the MOU may, at County's sole discretion, become immediately null and void. In addition, either party may terminate the MOU upon thirty (30) days written notice.

Retroactive Term

This MOU has a term date retroactive to July 1, 2012 due to verification of the availability of funding, which resulted in a delay in its development.

Background

Nonfinancial MOU 120-162-P-N2011 between the Health Services Department and California Superior Court, El Dorado County for the provision of Teen Court services for the term of July 1, 2011 through June 30, 2012 was approved and executed by the Board on July 19, 2011.

Interdepartmental nonfinancial MOU 096-150-P-N2010 between County of El Dorado Health Services Department and Probation Department for the provision of Teen Court services was executed by both departments for the for the term July 1, 2011 through June 30, 2013 and will be terminated upon execution of MOU 027-M1310.

Reason for Recommendation

Approval by the Board of nonfinancial perpetual MOU 027-M1310, which was developed in order to blend the current individual Teen Court MOUs between the Health Services Department and the Superior Court and with the Probation Department into one seamless MOU, will allow continuation of the Teen Court program, a diversion program of the juvenile court. Juvenile offenders, after admitting to having committed offenses, may choose to be judged and sentenced by their peers who are recruited from local high schools and serve as jurors, prosecutors, defense attorneys, bailiffs, and court clerks. Adult attorneys from the community serve as mentors to the youth attorneys and a Superior Court Judge presides over the hearings. Sentences recommended by the juries include supportive and punitive measures. Teen Court continues to be an effective vehicle for education and early intervention with alcohol and drug issues for the youth that participate in the program and has a successful completion rate of 85% due to the collaborative efforts of the Superior Court, the County, and the community. MOU 027-M1310 will become effective upon Board execution, be retroactive to July 1, 2012, and automatically renew for successive one-year terms unless terminated pursuant to terms and conditions contained therein. The MOU includes the County's standard "fiscal out" termination clause, as well as a provision for the County to terminate the MOU in thirty (30) calendar days upon written notice.

Action To Be Taken Following Board Approval

- 1) Chair to sign two (2) originals of MOU 027-M1310.
- 2) Board Clerk's Office to return one (1) original MOU to HHSA Contracts Unit at Briw Road
- 3) HHSA to distribute as appropriate.

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Concurrences: County Counsel and Risk Management have approved MOU 027-M1310.