



Appropriations Subcommittee
March 3, 2022

**INFORMATION REQUESTED FROM THE APPROPRIATIONS COMMITTEE
ON FEBRUARY 16, 2021
FOR SUBMISSION TO THE SUBCOMMITTEE WORKING GROUP
ON MARCH 3, 2022**

1. How many vacancies do we have?

The total number of vacancies for full time positions in the Judicial Branch as of the 2/3/22 vacancy report to the Office of Policy and Management is 764 positions.

2. How many retirements have occurred this fiscal year?

The total number of retirements in the Judicial Branch, from July 1, 2021 to February 1, 2022, is 178.

3. How many applications to retire have been submitted to the Judicial Branch Human Resource Management unit?

Retirement Applications from employees expecting to retire from March 1, 2022 and beyond total 175.

4. How many positions have been filled?

The total number of full-time Judicial Branch employees who have been appointed in FY22 since July 1, 2021 is 249.

5. How long does it take from the date of hire to the date when a new employee starts to work?

It takes approximately 8 to 12 weeks from recruitment to start date to bring a new full-time employee on board in the Judicial Branch. Judicial Marshals and Juvenile Detention Officers are in training programs for no more than 5 months. After appointment, Judges start working on day one with a 4 to 6 week training.

6. How is the Judicial Branch providing services to juveniles?

The Judicial Branch provides a full continuum of contracted, rehabilitative services to juveniles, to support the supervision and services delivered by Juvenile Probation Officers. Contracted programs are (re)procured every five years to ensure they reflect the evolving literature concerning “what works” in reducing recidivism and improving other key quality of life indicators. The service array includes evidence- and research-based services, delivered in the community and in juveniles’ homes, as well as clinical, educational and vocational, and residential services. The residential programs,

which are designed to provide respite for juvenile and families as well as substance use and behavioral health treatment, are offered in both staff secure and hardware secure environments.

Two key program refinements are required, to keep pace with the profile of court-involved youth in Connecticut, and their treatment needs. Please note, the requests below are new and were not included in the Judicial Branch's written testimony that was submitted on February 16, 2022.

Expand Juvenile Justice Residential Programming \$2.7M (\$1.2M FY 2023; \$1.5M FY 2024)

- A. In response to changes in the profile of court-involved juveniles requiring residential programming, the Judicial Branch, Court Support Services Division intends to adjust its residential services continuum by discontinuing its short-term respite program, HAMILTON, when that contract expires on 6/30/22. It will be replaced with a model with a longer length of stay, and more intensive service delivery system. This new program will target youth with more complex behavioral health needs, and who may be aggressive, as this continues to be the greatest service gap. Currently, the only option for these individuals is the REGIONS Secure Programs; however, REGIONS does not have the appropriate resources for this population in place. Programming will serve court-involved juveniles who require a secure setting, for their own and for public safety, while addressing their complex behavioral health treatment needs. Because of the more intensive programming requirements, anticipated site security and staffing needs, this program will be more expensive to operate than HAMILTON, which had an annual operating budget of roughly \$1.3M. An estimated additional \$1.2M in FY 2023 is needed to adequately serve the target population for this new program.*
- B. To ensure youth and families in Connecticut continue to have short-term, respite available, the TRAC program will accept referrals of juveniles who would have otherwise been sent to HAMILTON. Utilization pressures are expected to be a challenge to this strategy, so when TRAC expires in June 2023, that model will be rebid and expanded. The new model is expected to serve pre-adjudicatory and adjudicated juveniles for a period of 30-60 days. TRAC is currently operating with 5 of 8 beds filled, and 4 additional referrals pending intake. The rebid (and likely renamed) TRAC program will need 10-12 beds, in one or two facilities. Two smaller facilities would provide a more home-like environment, and likely allow for greater geographic coverage, but would cost considerably more to operate. While the current TRAC program's annual operating budget is roughly \$1.4M, it is projected that an additional \$1.5M in FY 2024 would be required to enhance services and expand capacity as described.*

7. Provide information about the backlog of foreclosure cases and child support cases.

As of 2/17/2022, there are almost 8,700 pending foreclosure matters. Over the last 5 years, the pending foreclosure cases have declined, as follows:

	12/31/2017	12/31/2018	12/31/2019	12/31/2020	12/31/2021
Pending Foreclosure (P00) Cases	13,806	11,342	10,483	9,944	8,676

Added cases were significantly and artificially lowered as a result of the 17-month foreclosure moratorium. In addition, federal mortgage service rules and a recent CT Supreme Court decision continue to delay filing time frames. Please see the added cases below:

	2017	2018	2019	2020	2021
Added Foreclosure (P00) Cases	12,629	10,439	9,782	4,284	3,293

It is not unreasonable to assume that once all restrictions are lifted and the filer has met the required procedures, many of the foreclosures that were not filed in 2020 and 2021 will be filed. Given that the Judicial Branch is already facing 8,700 pending matters, it is likely that at some point in the near future, we will be looking at pending balances that exceed Calendar Year 2017 figures above, and possibly well beyond those figures. Over the last 2 calendar years, we have almost 13,000 fewer foreclosure filings than the average of the prior three years. At some point, a significant number of those cases will reach filing status.

Additional ARPA funding is requested so that the Branch can continue to provide timely and effective mediation services.

The Judicial Branch, Support Enforcement Services Unit (SES), is responsible for monitoring and collecting child support for more than 128,000 cases. A significant number of the cases represent some of the neediest families in Connecticut. During the pandemic, collections were sustained by a variety of federal support mechanisms, such as stimulus money, elevated unemployment benefits, and changes in child tax credits. As the federal support mechanisms are scaled back or discontinued, there is an impact in collections. The Collection Rate (total amount paid over the total amount owed) dropped by 4%, or approximately \$2.5 million, in the first quarter (October 2021-December 2021) of the federal fiscal year ending September 2022. As a result, the child support program is beginning to

experience the longer-term effect of the pandemic. Currently, Support Enforcement Services must address collections that have dropped because of the pandemic. The requested money for technology will be used to:

- (1) identify collection opportunities,*
- (2) locate child support obligors and their assets,*
- (3) assist in identifying cases that have inappropriate orders given the obligor's present resources,*
and
- (4) improve client engagement.*

8. Provide information that Brian Hill provided to the Task Force to Study the State Workforce and Retiring Employees

In June 2021, House Bill 6381 established a Task Force to Study the State Workforce and Retiring Employees. The Task Force's study was to "include, but need not be limited to, an examination of adequate succession planning for state employees in order to recruit and maintain the best talent in the state workforce, as well as a review of barriers to managerial recruitment." The Task Force included numerous representatives, including a member of the Judicial Branch's management. Brian Hill, Director of Human Resource Management, was the Judicial Branch's representative.

*On January 4, 2022, the Judicial Branch was invited to present a workforce summary, including discussion of retirement trends and strategies to address succession planning. This presentation can be found in "**Attachment A**".*

9. Please provide the AFT Arbitration Award.

*Pursuant to Connecticut General Statute section 5-278 (b), the Judicial Branch filed with the clerk of the House and Senate on February 10, 2022, an arbitration award concerning the Judicial Branch and the Union of Professional Judicial Employees for Fiscal Year 2022, together with the Branch's and Division of Public Defender Services' estimates of the funds necessary to implement the award. The total cost to the Branch to implement the award is \$3.7 million. The Branch will fulfill the recommendation of the Legislature upon notification. The arbitration award may be found in "**Attachment B**".*

10. Please provide information about implementation plans to securely house juveniles.

The plan in “Attachment C” was submitted to the General Assembly pursuant to section 13 of Public Act 21-174, which required the Judicial Branch to “...develop an implementation plan to securely house, in the custody of the Judicial Branch, any person under eighteen years of age who is arrested and detained prior to sentencing or disposition on or after January 1, 2023.”

11. Request for information about VOCA funding and how the ARPA funds will be used to assist non-profit providers.

The Judicial Branch, Office of Victim Services, has \$14,700,000 in federal VOCA funds available for State Fiscal Year 2023. This is approximately 50% of the value of Judicial Branch current service provider contracts of \$29.5 million for FY 2022. The requested \$14.8 million of ARPA funding will be used in conjunction with available federal VOCA funds of \$15 million, to maintain current service levels totaling \$29.5 million in State Fiscal Year 2023.

12. Questions about \$2.9 million of ARPA money to assist with bail.

Analysis of client data shows that housing instability is most pronounced among Judicial Branch Court Support Service Division’s pretrial clients. Access to residential treatment programs and secure housing are among the key services that can assist clients in moving from law-breaking to law-abiding. The requested ARPA funding, \$2.9M, would support the residential treatment needs and establish secure housing for additional adult offenders in CT.

A. REACH

Through a collaboration with the Department of Correction (DOC), the Judicial Branch, Court Support Services Division, currently purchases access to 8 two-bedroom apartments, housing 16 probation referred clients around the state. This program is usually for a period of 4 to 6 months and can be extended as necessary. It provides housing supports for at risk populations who are experiencing housing instability and it includes case management, employment services, and assistance with community reintegration. It is not a staff secured residential setting (not 24/7). Probation staff work closely with the case manager to coordinate services and provide supervision. If funded the Branch would expand this program to serve more clients.

B. Residential Drug Treatment

Through a collaboration with the Department of Mental Health and Addiction Services (DMHAS), the Judicial Branch currently purchases access to 167 residential drug treatment beds at programs

throughout the state. These programs provide licensed drug treatment in a residential setting. The length of stay varies and is usually individualized to meet the treatment needs of the client. These services are available to both pretrial and probation referrals and greater access would be possible if funding were provided for additional treatment beds.

C. Rapid Rehousing

Based on the Rapid Rehousing (RRH) model currently operated by the Department of Housing (DOH), this new initiative through a collaboration with DOH targets probation clients in Hartford and New Haven who are identified as unstably housed or homeless. These clients are referred to a local DOH provider for housing case management. The local provider works with each individual client identifying barriers to housing, then assists each client with the housing search including, identifying landlords, viewing apartments, and filling out appropriate paperwork, including the lease. Clients pay a portion of the rent, from 0-60% of their income, the state provides the subsidy for the balance. For this initiative, the length of the subsidy is usually 4 months, but can be extended if necessary. The client works with the landlord to either retain the existing apartment or transition to another one. The housing case manager works closely with adult probation staff to coordinate all ancillary services through the Branch's existing community resources, treatment, employment services, anger manager basic needs etc. Funding would enable the Branch to extend this service to its most vulnerable pretrial population.

On January 30, 2019, there were 245 clients screened and waiting for admission to a DMHAS (treatment) bed, and another 88 waitlisted for a Transitional Housing bed. On December 29, 2021, those numbers are 139 and 69 respectively.

13. Additional information from the Judicial Branch:

A. Probation Overtime (OT):

Juvenile and Adult Probation officers report better client engagement, supervision, and services, when they interact with their clients outside of traditional work hours. From September – December 2021, Coronavirus Relief Funds (CRF) supported Officers being paid overtime for evening and weekend home and community visits with their clients at highest risk of recidivating. The additional time also permitted Probation Officers to coordinate more effectively with law enforcement.

The Judicial Branch now requests additional funding to continue this service. Such funds would support otherwise unbudgeted, unanticipated payroll expenses to mitigate or respond to public safety concerns presented by high and medium risk adult and juvenile probation clients. The overtime would be requested and approved in advance, entered into the Judicial Branch's

electronic attendance monitoring system, as well as the client-based Case Management Information System.

Field work would include the following activities conducted outside of the probation office after regular business hours - home and program visits; warrant service, including extraditions and interstate compact retakings; compliance or reasonable suspicion searches; attendance at community safety-related meetings (when approved); coverage to respond to law enforcement inquiries related to public safety; and any other activity designated by the appropriate Adult or Juvenile Probation Deputy Director.

High risk clients include those listed on the Candidates for TVU Referral CMIS report; whose client classification requires a minimum of two or more face-to-face contacts per month; who are experiencing a mental health and/or substance abuse issue; who is not complying with the conditions of probation; and whose actions or threatened actions pose a risk to an identifiable victim and/or the community; who has an outstanding VOP warrant, where it has been determined that a compliance or reasonable suspicion search is appropriate; and/or who is identified as a high risk for another reason(s).

The Judicial Branch requested ARPA funding for this targeted approach which has yielded positive outcomes and better client engagement. The Governor mentioned \$2.5M in his crime package but did not include it in his Budget recommendations. The Branch requests ARPA funding for this project.

B. Enhancements to Funding to Private Nonprofits: Salary Increases for Staff in Private Nonprofit Programs

The information below and in “Attachment D” was originally submitted to the Appropriations Committee on December 13, 2021, following the forum on children’s behavioral health. **This information does not represent a request for funds from the Judicial Branch, rather an example of the broader, statewide staffing challenges confronting the community-based provider network in Connecticut.**

1. Juvenile: Challenges in attracting and retaining a qualified workforce have long plagued the private nonprofit program (PNP) network, and COVID and nation- and statewide workforce shortages have exacerbated this problem. Staff shortages are a primary reason for occasional waitlists or interruptions of services. Based on research conducted by Branch staff, it would take a 38% increase in staff salaries in the PNP network to bring wages to a reasonable market standard. As an example, increasing staff salaries in targeted, direct service, juvenile contracts / programs by 38% would require an additional appropriation of roughly \$9.8M.

2. Adult: Of note, the adult network of programs operates on an even tighter budget, with adult programs consistently operating at a lower cost-per-slot rate. As an example, to increase the salaries by 38% in the adult continuum would cost an additional \$8.8M, and that does not include increases for staff in the treatment beds the Branch procures through Department of Mental Health and Addiction Services and Department of Correction. Increasing only our own contractors' adult program staff salaries by 38% would still leave them underfunded relative to the juvenile programs.

C. Cyber security attack mitigation

The Judicial Branch requested funding for two specific cyber security projects to maintain the safety and security of information contained in its information technology systems.

1. **Cybersecurity Endpoint Monitoring and Management:** *An increasing number of cyber-attacks are designed specifically to target endpoints, seeking to install malware and gain unauthorized access to networks. Continuous monitoring of network activity is necessary to protect systems. Tracking activity and risk on all devices, including mobile, that join the Judicial Branch network can help in reducing incident response times by disrupting and containing attacks earlier in the process. Endpoint monitoring is done in a hybrid process using both software and human resources.*

The Judicial Branch requests \$780,000 in FY 2023 and \$600,000 in FY 2024 in ARPA funding for equipment and highly skilled, certified consultants to perform daily monitoring to identify any suspicious activity to detect and mitigate risks.

2. **Mitigation of Cybersecurity Issues with Current Judicial Branch Developed Applications:** *The Judicial Branch currently maintains over 300 IT developed web applications as well as over 3,000 websites (including services) of which 530 are in production. To comply with current cybersecurity application development guidelines, many of these applications and websites need to be partially recoded so that the proper security protocols and digital code signatures are incorporated. It is this compliance that keeps malicious cybersecurity activity at bay. These bad actors look for web applications that are coded in outdated framework just so they can penetrate them.*

The Judicial Branch is seeking \$750,000 in fiscal years 2023 and 2024 in ARPA funding for consultants to execute this work. The Judicial Branch would implement industry standard application development Guidelines and management software for all future application coding.