



STATE OF NEW HAMPSHIRE



GOVERNOR'S OFFICE  
for

EMERGENCY RELIEF AND RECOVERY

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November 2, 2020

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court, and

His Excellency, Governor Christopher T. Sununu  
And the Honorable Council  
State House  
Concord, NH 03301

INFORMATIONAL ITEM

- 1. Pursuant to RSA 21-P:43, RSA 4:45, RSA 4:47, Executive Order 2020-04, as amended by Executive Order 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, and 2020-16, Governor Sununu has authorized the Governor's Office of Emergency Relief and Recovery (GOFERR) authority to transfer \$1,426,960 in Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding to the New Hampshire Judicial Council (NHJC) to cover eligible COVID-19 related expenses incurred from March 1, 2020 to December 30, 2020. Effective upon the Governor's approval through December 30, 2020. 100% Federal Funds

Funding has been transferred from the following accounting unit:

<b>01-02-02-020110-19110000 OFFICE OF THE DIRECTOR</b>		
<u>CLASS</u>	<u>ACCOUNT</u>	<u>TRANSFER REQUEST</u>
085 -INTERAGCY XFR OUT OF FED FND	588507	\$ 1,426,960
	<b>TOTAL EXPENSES</b>	<b>\$ 1,426,960</b>
<u>SOURCE OF FUNDS</u>		
FEDERAL FUNDS	400338	\$ 1,426,960
	<b>TOTAL FUNDS</b>	<b>\$ 1,426,960</b>

- 2. Further, the Governor has authorized NHJC to accept and expend \$1,426,960 from the GOFERR in support of the COVID-19 in support of the COVID-19 response efforts. Effective upon the Governor's approval through December 30, 2020. 100% Other Funds.

Funds have been budgeted as follows:

<b>02-07-07-070010-10990000 COURT APPOINTED SPEC. ADV-CASA</b>		
<b>CLASS</b>	<b>ACCOUNT</b>	<b>REQUESTED BUDGET</b>
102 - CONTRACTS FOR PROGRAM SERVICES	500731	\$ 900,000
	<b>TOTAL EXPENSES</b>	<b>\$ 900,000</b>
<b>SOURCE OF FUNDS</b>		
00D - FED REV XFERS FROM OTHER AGENCY	488502	\$ 900,000
	<b>TOTAL FUNDS</b>	<b>\$ 900,000</b>
<b>02-07-07-070010-10920000 GUARDIAN AD LITEM</b>		
<b>CLASS</b>	<b>ACCOUNT</b>	<b>REQUESTED BUDGET</b>
108 - PROVIDER PAYMENTS-LEGAL SERVICES	500751	\$ 200,000
	<b>TOTAL EXPENSES</b>	<b>\$ 200,000</b>
<b>SOURCE OF FUNDS</b>		
00D - FED REV XFERS FROM OTHER AGENCY	488502	\$ 200,000
	<b>TOTAL FUNDS</b>	<b>\$ 200,000</b>
<b>02-07-07-070010-10940000 PUBLIC DEFENDER PROGRAM</b>		
<b>CLASS</b>	<b>ACCOUNT</b>	<b>REQUESTED BUDGET</b>
102 - CONTRACTS FOR PROGRAM SERVICES	500731	\$ 326,960
	<b>TOTAL EXPENSES</b>	<b>\$ 326,960</b>
<b>SOURCE OF FUNDS</b>		
00D - FED REV XFERS FROM OTHER AGENCY	488502	\$ 326,960
	<b>TOTAL FUNDS</b>	<b>\$ 326,960</b>

### EXPLANATION

The Governor has authorized the emergency allocation and expenditure of \$1,426,960 total to Judicial Council, to cover eligible COVID-19-related expenses incurred from March 1, 2020 to December 30, 2020.

**Funds for 1099 Court Appointed Special Advocate (CASA):** The Council contracts with CASA of New Hampshire (CASA) to provide guardian ad litem services in child protection cases. CASA's state appropriation represents just a portion of its operating budget. CASA has traditionally received fifty percent of its budget from its state contract and federal grants and the balance from events, private donors and foundations, and other fundraisers. The Council anticipates that due to a decrease in fundraising, CASA's general fund appropriation will be insufficient to meet operating costs through December 30, 2020.

When CASA is unable to accept an appointment in a child protection case, a private guardian ad litem is appointed. The Council also pays for this expenditure. While it is not possible to accurately predict the impact of COVID-19 on the rate of child protection cases, based on information from New Hampshire stakeholders and other sources, an increase in child protection cases should be anticipated.

This funding will address CASA's anticipated COVID-19 related revenue shortfalls, and the anticipated caseload increase. In addition to an overall increase in case numbers, the return to traditional classrooms is expected to result in an immediate and significant increase in cases.

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Funds for 1092 Guardian Ad Litem: This anticipated child protection caseload increase will also impact the private Guardian ad Litem line. The FY21 appropriation for this budget line is \$150,000. FY20 YTD expenditures were approximately \$345,000. CARES Act funding is only intended to address costs that were not accounted for in the most recently approved budget. Expenditures would have exceeded the appropriation independent of COVID-19, however, the anticipated timing and influx of cases is a result of COVID-19. An estimated \$200,000 would prepare this budget line for these unanticipated expenditures.

Funds for 1094 New Hampshire Public Defender Program (NHPD): The funds for NHPD are intended to support unanticipated technology upgrades that were necessary to provide constitutionally mandated representation to indigent defendants. Since the pandemic, the New Hampshire Public Defender (NHPD) has had to fundamentally change the way that it provides constitutionally mandated representation to indigent defendants. Court hearings, staff meetings and client visits are now almost all being done remotely. This is expected to continue for the foreseeable future. Specifically, NHPD upgraded its Microsoft 365 to provide better support for remote workers; it leased Surface Pro 7s to allow for both video conferencing and access to the office's case management system; and it paid to transition to cloud-based storage. The Surface Pro 7s were originally leased, but are now in the process of being purchased. All cost of business interruption due to COVID-19 must be incurred by the recipient before December 30, 2020.

Respectfully submitted,



Lisa English  
Deputy Director, GOFERR