

Statewide Estimate of Costs
Jointly Developed by the County of Los Angeles and Department of Finance

Firearm Hearings for Discharged Inpatients (99-TC-11)
Welfare and Institutions Code Section 8103, Subdivisions (f) and (g)
Statutes 1999, Chapter 578

Initial Period of Reimbursement: July 1, 1998 through June 30, 2007
Budget Year: 2009-2010

Eligible Claimants: Counties and City and County

Adopted: June 26, 2008

Amount of Statewide Estimate of Costs: \$154,675

I. Summary of Statewide Estimate of Costs

The Department of Finance and the County of Los Angeles (test claimant) developed the statewide estimate of costs (SEC) based on self-reported, unaudited survey data from eighteen (18) counties responding to the Firearm Hearings for Discharged Inpatients Reasonable Reimbursement Methodology (RRM) survey. The SEC includes nine fiscal years for a total cost of \$154,675 (no costs were incurred in the 1998-99 fiscal year). This averages to \$17,186 per year.

According to the Department of Justice (DOJ), the eighteen respondents represented the majority of the counties who process firearm hearing cases under the test claim statutes. DOJ estimated that the total number of these firearm hearing cases reported statewide is approximately 300 per year; and the average number of cases reported by the surveyed claimants is approximately 316. Although DOJ estimated that the average number of cases may increase to 600 per year, this increase has not been reflected in the statewide estimate of costs. The SEC may decrease if some eligible county claimants are unable to meet the \$1,000 minimum threshold for filing reimbursement claims, or may increase if the number of cases increases to 600 per year.

Statewide Estimate of Costs (Fiscal Years 1998-99 to 2007-08)
Firearm Hearings for Discharged Inpatients

Fiscal Year	Number of Cases	RRM	Total Costs
1998-1999	0	\$36	\$0.00
1999-2000	343	\$41	\$14,063
2000-2001	261	\$46	\$12,006
2001-2002	232	\$51	\$11,832
2002-2003	376	\$56	\$21,056
2003-2004	596	\$61	\$36,356
2004-2005	232	\$66	\$15,312
2005-2006	154	\$71	\$10,934

2006-2007	116	\$76	\$8,816
*2007-2008	300	\$81	\$24,300
Statewide estimate of costs	2,910		\$154,675

*Estimated average number of cases per year.

II. Summary of the Mandate and Reimbursable Activities

On April 26, 2006, the Commission adopted its Statement of Decision finding that subdivisions (f) and (g) of Section 8103 of the Welfare and Institutions Code (test claim statute) imposed a reimbursable state-mandated program on counties within the meaning of section 6 of article XIII B of the California Constitution and section 17514 of the Government Code for the district attorney's activities in representing the People of the State of California in civil hearings.

Statutes 1999, Chapter 578 established hearing procedures for persons detained for mental health treatment and evaluation, and eventually discharged, to challenge the firearm prohibition law through a civil hearing in superior court. Under the firearm prohibition law, the detained patient shall not own, possess, control, receive, or purchase a firearm for five years except as permitted pursuant to subdivisions (f) and (g) (subject hearings) of the test claim statutes.

Any county or city and county that have a district attorney's office that incurs increased costs may claim reimbursement for the activities identified below, at the rates established by the reasonable reimbursement methodology adopted by the Commission.

1. District attorney's services required to process a case related to the subject hearings. Activities include, but are not limited to, performing necessary legal tasks to prepare and plead case at the hearing.
2. Legal secretary/paralegal services required to process a case related to the subject hearings. Activities include, but are not limited to, performing administrative functions necessary to process documents for the hearing.
3. Expert witness services required to provide consultation on a case related to the subject hearings. Activities include consulting services provided at the hearing.