

**White Paper**  
**President's Family Justice Center Initiative**  
**Governance Structure Options for Family Justice Centers**

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Many communities developing Family Justice Centers (FJC) with initial support from the President's Family Justice Center Initiative are struggling with selecting the organizational model best suited for their community. In reality, there is no single model that is right for all communities. Each community has unique strengths and challenges that may lead them to one model over others. This paper is intended to draw on the experience of existing child advocacy centers (CAC) across America and the experience of the San Diego Family Justice Center in identifying possible options for communities to consider in developing the best governance structure for a particular Family Justice Center. Existing CAC provide the best analogy to the challenge facing Family Justice Centers. CAC are multi-disciplinary service centers that bring together professionals from multiple disciplines to provide protection and services to victims of child abuse and neglect including law enforcement and prosecution. Other than CAC there are very few clear coordinated community response service center models that can be analogized to the new movement toward FJC.

In the final analysis, the President's Family Justice Center Initiative, during the implementation phase for the first fifteen federally funded Centers, will likely yield several models that fit the particular communities that each Center serves. While various communities may be attracted to different models, all FJC should support the fundamental goal of multi-disciplinary, co-located services for victims of family violence. Such services should come from a variety of community partner agencies that bring a small number of staff to a single location even while maintaining the autonomy of each agency and the staff assigned to the FJC by each agency. Any governance approach must provide for this fundamental element of federally funded Centers. And any governance model selected should also be supplemented by a strong volunteer component that can supplement services regardless of governance structure selected.

It should also be understood that a governance structure may evolve into another approach after starting with one model. A federally funded FJC, initiated under a local public agency, may begin with a very close financial relationship to a local government agency but may slowly move toward independence over time. Alternatively, a Center receiving federal funds under the President's Initiative may begin with a strong commitment to complete autonomy and independence but may find over time that a closer working relationship with local government is critical to its success and sustainability. If an FJC is governed by a community-based leadership or advisory board, the composition of that board may evolve as well as the organization and the partnerships it represents. As the organization matures and the role and function of the leadership

board changes, the board's approach to planning, development, operations, and long term sustainability issues may also change.

While there is no right or wrong answer for all FJC, there are a range of models, borrowing from the CAC movement and the San Diego experience, that deserve consideration. An infinite number of hybrids can derive from these models. This paper attempts to identify the core models and potential strengths and weaknesses with each approach. This paper is intended to be a work in progress that will evolve over time as we learn lessons from the experiences of individual sites within the President's Initiative. We have, at present, identified four different models for sites to consider in developing their own governance structures for new FJC. Two of the models, the public agency driven model and the private, non-profit organization model predominate in the current Initiative. However, the other two models may become more prevalent in the years to come. While there are a myriad of variations on these models, the four models can serve as the starting point for evaluating possible approaches in the beginning stages of an FJC.

### **1. Public Agency Driven - Host Agency Model**

In this model, one existing public, government agency acts as host of the Center and provides the broad leadership for planning and implementation of the Center. The executive leadership of the host agency is typically a visionary who believes in the model and uses his or her community status and access to resources to lead efforts to bring the Center to life. This leadership most often comes from the District Attorney, the Sheriff, the Police Chief, or the Mayor. This model was used in San Diego during the tenure of then-San Diego City Attorney Casey Gwinn to actually begin the San Diego Family Justice Center. Gwinn, as the elected City Attorney, built a strong partnership with the Police Chief and then organized the FJC structure and operation and recruited community agencies to assign staff to office space provided by the City of San Diego. As an elected official, he was able to recruit the support the Mayor and City Council for FJC as a public safety initiative of the City Attorney and Police Chief. Each community agency partner still maintained authority over their on-site employees. While a community-partners' site committee was important in the collaborative development process, an individual elected official still led the way and provided the direct support from local government that was necessary to launch the Center. In many CAC over the last twenty years, a single agency has provided the impetus, leadership, and infrastructure for the collaborative entity to develop.

A hybrid of this model will also likely evolve in many sites in which the elected official or policy maker will provide oversight and leadership support but will still develop a collaborative, community site governance committee to focus on day to day operations of the Center. While such a committee may be chaired by a representative of the elected official or policy maker, many community-based organizations can still play powerful leadership and decision making roles in the site governance or steering committee that is created to oversee operations of the FJC.

**Advantages:** This model provides clarity of leadership and accountability. The role of the other community partners, as they join the vision, is focused on implementation and operations rather than ultimate authority issues. With central management and support services already in place in the public agency, decisions can be made quicker and responsible staff members held accountable more easily. This approach also maintains strong financial ties to local government funding, whether City or County government. If the local government funds the basic costs of the Center, there is a clear, long-term buy-in to the vision of the FJC. Community organizations can then join the vision, bring staff to the Center, and become allies in the effort to advocate for on-going support from local elected officials. The government agency can assist in providing office space and staffing support as the collaborative multi-disciplinary center evolves. In San Diego, the City's Real Estate Assets Department, Data Processing Corporation, Police Department, Water Department, and Park and Recreation Department all played critical roles in moving the FJC forward given its status as a core initiative of City government.

**Disadvantages:** Such a model is dependent on a strong and charismatic leader and if that person leaves office the Center could be in jeopardy. Long-term risks are enhanced if the FJC is linked to a political administration and a political successor does not support the vision. This model may also lack "buy-in" and ownership of key community-based agencies. Such agencies may perceive they are cooperating with the host agency and the host agency's vision rather than implementing a true community vision for a multi-disciplinary service center. Community partners may also want a strong voice in governance issues and may find they lack such a voice in the face of a strong government leader that wants to make his/her own decisions about critical governance issues. While such disadvantages can be overcome by developing a strong, collaborative implementation team, a single government official may make it difficult to develop broad community buy-in unless he/she is willing to surrender some level of control over time.

**Discussion:** This model can have many variations. The direction and leadership can be derived completely from the policy maker or elected official. Alternatively, the direction and leadership can come from a community board that oversees the activities of the Center much like an independent board would direct a non-profit agency even though the employees are employed and fiscal authority is actually managed by a public agency. Such a collaborative approach requires the elected official or policy maker to cede some level of authority in order for this board to have power to make decisions related to the FJC. In this approach, no new non-profit entity need be created but the public agency acts as a fiscal agent and essentially delegates operational authority for the Center to a community advisory board. Such a steering committee or board can then institutionalize decision making procedures that protect their long-term role in assisting in participating in day to day operations decisions.

Under this model, the direction and operation of the Center can reflect community priorities and values while the day-to-day operation is guided by an established management structure and support system still fueled by financial support from local government. Such a balance, however, does depend on the philosophy and approach of the local elected official taking the lead.

If the elected official is willing to cede such authority while still sponsoring the FJC, this will provide greater community ownership and commitment while still allowing the FJC to benefit from the existing organizational assets of an established public agency. The direction and operation of the Center reflects community priorities and values while the day-to-day operation is guided by an established management structure and support system fueled by financial support from local government. Any new FJC personnel would be hired by the public agency while partner agencies would, as with the other models, assign their staff to be co-located at the Center while maintaining authority over their own staff members at the FJC.

In San Diego, community participation and support were also aided by the on-site presence of the San Diego Domestic Violence Council, the coordinating body for domestic violence service agencies in San Diego County. The Council played a critical role in assuring all community agencies of the collaborative nature of the FJC. The trust level of the community was also aided by years of public/private collaborations between the City Attorney's Office, the Police Department, and community-based agencies.

The potential exists, however, in this hybrid public agency approach for conflict between the community board and the elected or appointed leadership of the host public agency that is actually handling fiduciary responsibility for FJC and all related activities. The community board is likely to feel empowered to act independently and the executive leadership of the host agency may give the board considerable latitude. But such independence may create conflicts down the road when the vision of the public agency diverges from the vision of the community board. Such a model works well as long as all parties are in agreement but if differences of opinion arise or concerns about management of the Center emerge, the host agency may assert their legal authority over the FJC operations with predictable resistance by the board and community partners.

Such an approach will require long term funding, once the federal grant expires, from private sources such as grants, donations, or other sources (i.e. victims compensation or insurance). Many services of a Center will not qualify for victim compensation fund reimbursement or insurance reimbursement and other support will need to be secured. In the absence of such funding, maintaining on-site staff as government employees may not be viable to the local government entity overseeing the operation. But maintaining a close relationship with an elected official will tend to assist the FJC in its long-term sustainability goal.

As noted in the introduction of this paper, an FJC which begins with this approach can still move toward a non-profit agency governance structure over time. This is how the original CAC in Huntsville Alabama, the National CAC, is governed with the staff employed by the District Attorney's office and the agency directed by an independent board upon which the District Attorney is only one member.

This hybrid version of a public agency governance model achieves many of the benefits of the fully independent non-profit but eliminates some key start up challenges including

the need to establish a full human resource function or negotiate a benefit package for the Center's employees. Since the Center staff members are employed by the public agency, the staff are paid on the same schedule as public employees and the Center reimburses the public agency for the payroll costs in a way that reduces the cash flow challenges of the private agency, especially if the public agency allows reimbursement to be tied to the receipt of funds rather than upon payment of the staff. This model works well if there are clear agreements on what financial support the public agency will absorb and what costs will be borne, ultimately, by the non-profit agency operating the Center.

This model may work best if only a small number of management employees are hired by the public agency while most on-site service provider staff members remain employed by their own individual partnering agencies. The larger the size of the staff and the more expense borne by the local government agency, the more difficult this model may be to administer. If, however, a Center owned its own building and had only a small management staff, this model could work extremely well. This approach may also form a better foundation for maintaining strong public safety personnel presence at the Center since it remains an entity staffed by public agency management personnel.

This approach may, at times, engender conflict between the non-profit agency board and the leadership of the host public agency that is actually employing the staff. The non-profit agency board in this model may feel empowered to act independently and the executive leadership of the host agency may give the board considerable latitude. But such independence may create conflicts down the road if the vision of the public agency leadership diverges from the vision of the community non-profit agency. Such a model works well as long as a clear, comprehensive operating agreement is put in place at the outset of the relationship. But if differences of opinion arise or concerns about management of the Center emerge, the host agency may assert their line authority over the staff of the FJC with predictable resistance by the board and community partners.

Such an approach will also require a long term funding strategy once the federal grant expires. Monies from private and public sources such as grants, donations, or other sources (i.e. victim compensation or insurance) will have to be identified. Many services of a Family Justice Center will not qualify for victim compensation or insurance reimbursement and therefore other support will need to be secured. In the absence of such funding, maintaining all on-site staff as government employees may not be viable to the local government entity overseeing the operation. In the absence of a reimbursement mechanism for local government, it may not be viable to ask local government to assume the long-term costs of a significant number of employees.

## **2. Local Government Department Model**

Under this model, the FJC is established as a separate unique department within city or county government with an appointed department head and core governance and fiscal responsibilities managed by city or county employees assigned to the department. In this model, the entire Center becomes a department of local government and local government absorbs all responsibility for operating the Center including building

relationships with community service providers. This model differs from #1 in that the District Attorney, Sheriff, or Police Department does not become the host agency. A new agency is created as part of local government to build a new governance structure on a clean slate even while using existing local government infrastructure to support the day to day operation of the FJC. Often this will require strong and active involvement and support from a County Board of Commissioners, Board of Supervisors, or City Council for this model to be a viable governance structure.

**Advantages:** As with model #1, this approach provides strong infrastructure support from local government for the day to day operation of the FJC. The Center's high visibility and clear accountability also support its on-going feasibility and sustainability. With the City or County government in the management role, maintaining the buy-in of law enforcement and prosecutors is significantly easier. Such a structure focuses on the ongoing responsibility of local government to sustain the Center as part of its core public safety mission and increases the likelihood the Center will outlive any short-term federal grant. In San Diego, at its inception, the FJC did not have major federal funding and therefore had to depend upon local government (Mayor, Council, Manager, and Police Chief) buy-in and ongoing financial support. As a government department, the FJC can be expected to continue despite future changes in political administrations as it becomes institutionalized in local government. This structure will work well if the executive management team of the FJC provides freedom and autonomy as necessary to community based non-profit organizations that place staff at the Center, in order to maintain strong community involvement.

**Disadvantages:** Such a structure within local government may require the allocation of local government resources now or in the future and may suggest a degree of permanency that some local political leaders may not yet be willing to endorse. Such long-term financial commitment concerns may manifest themselves as political opposition to the FJC as it evolves. To date, no federally funded site has used this model. Only San Diego, with over 2 ½ years of operation, has implemented the new government department approach. With the FJC as a public, government agency, some community partners may not embrace the Center's vision. Fearing efforts to control their own philosophies and approaches to services, community agencies may decline to participate. Such a structure may also overemphasize prosecution and law enforcement services unless precautions are taken to protect and prioritize community-based service providers.

**Discussion:** Many local government entities have the resources and ability to prioritize an FJC Department as a core public safety function. The decision to pursue this approach becomes a political choice and a value-laden public policy matter. Such an approach also often requires buy-in not only from a particular local elected official or policy maker but also buy-in from the City Council, Board of Supervisors, County Commissioners, or other form of the local governing body. Only San Diego has pursued this approach within the FJC initiative so it is difficult to fully evaluate its applicability to other jurisdictions. Nevertheless, it is likely this approach will be viable and even preferred as one of the most effective and efficient ways to develop an FJC.

As this model evolves, more will need to be written about this approach. Without question, pursuing and obtaining a formal action by local government to institutionalize an FJC portends well for the long-term existence of the Center. Many issues, however, remain to be identified and addressed. Many local governments, for example, do not have a strong working relationship with community-based domestic violence agencies including domestic violence shelters. In the absence of a long-term, established working relationship with local advocates and survivors, local government governance of an FJC may alienate or fail to include community-based social service partners crucial to the success of an FJC. While this danger exists throughout the entire national Initiative, models #1, 2, and 3 pose particular challenges in elevating the decision-making and leadership roles for community-based organizations within an FJC.

Both models #1 and #2 can be slightly modified to operate as public/private partnerships depending on the level of power and decision making delegated to community partners. The public/private partnership model is essentially the model that the San Diego Family Justice Center has evolved into over the past two years. San Diego began with a public agency driven host model (#1) in 2002. Today, the Center is a unique, separate City department (similar to model #2), but the San Diego Family Justice Center has developed strong private agency participation and fundraising support utilizing private, non-profit organizations. In this model, the FJC is managed by public agency employees, within an existing department or as a new separate public agency department, in collaboration with community partners. However, most service providers remain under the authority of their own organizations even while working at the FJC. With a public/private partnership approach, public funds for the core costs of the Center's facility and infrastructure are supplemented by private fund raising in the form of a single purpose 501c3 foundation or fundraising entity, which is specifically established for the purpose of supporting the operation of the public agency.

Such a foundation can be composed of persons of financial influence who do not necessarily need to understand the issues required to manage the Center, deliver services, and support victims of family violence. This hybrid approach enjoys all the benefits of the pure public agency model plus the fundraising and development capacity of a private non-profit agency. Some private sources of revenue, however, may still resist private fund raising efforts, seeing the public agency portion of the partnership as responsible for fulfilling the Center's responsibilities with public dollars. In the long run, conflicts could arise between the priorities of the fundraising foundation and those of the public agency or the community advisory board created to assist in guiding the Center. In the absence of strong, collaborative strategic planning, this model may lead to conflicts between the roles of the public agency, the Foundation, and the community partners.

### **3. Independent City or County Agency/Corporation Model**

In this model, the City or the County or the City/County, in partnership, create a legal entity with quasi-government powers and authority to oversee the FJC. This model has never been used with an FJC and has only been used rarely by CAC so little is known about the ramifications of such an approach. But many local governments develop

publicly owned corporations or a Joint Powers Authority to serve specific government purposes. In San Diego County, all cities in the region have created a public-owned corporation, known as the San Diego Association of Governments to collaborate on county-wide issues such as freeway planning, taxation, and data collection. In other communities, such entities have been created to oversee information technology needs, public safety initiatives, or joint ownership legal entities to manage stadiums, water systems, sewer systems, and similar government initiatives. Though this model may not initially be viable for FJC, it is a potential model for long-term sustainability and development of multiple FJC in a County or for purposes of pursuing collaborative, multi-government leadership structures, or FJC financing options such as a bond measure or a special tax to support FJC operations.

In the years to come, many FJC will find this is the most viable way to create power for the FJC vision within a local community. It will be a powerful statement of the priority of FJC work when this governance approach becomes as common for FJC as it is now for trolley, bus, transportation, sewer, and water systems. No FJC would currently be prepared to pursue this model but it is clearly viable given its widespread use for other government priorities that cross the jurisdictional lines of individual cities.

**Advantages:** Such an approach could institutionalize the larger vision of FJC serving an entire region. This model would facilitate sustainability of FJC as well. A joint powers authority or quasi-governmental body could be given the power to tax, bond, or finance public safety needs within an FJC region. It could also form the structure necessary to have multiple FJC in a large county or area by bringing together county government with individual cities throughout the county that need to be part of a regional FJC vision.

**Disadvantages:** This model is very complex and will take a great deal of time and local political support to actually create. It may be difficult to build the political will within local government entities to actually move forward with development of such an entity. Such a model may require a public vote in certain communities and may run counter to current national political trends toward regionalized, streamlined government entities.

#### **4. Independent Non-Profit Agency Model**

This approach involves sponsorship by an existing, private non-profit entity or creation of a new 501c3 non-profit organization established to manage the Family Justice Center. This new entity assumes responsibility for governance, philanthropic outreach, and future public and private funding for the Family Justice Center. This model places overall leadership and fiduciary responsibility on an independent Board of Directors and an appointed Executive Director for a new or existing non-profit agency. Such an approach can include creation of a Board with members from all participating community agencies or Board membership made up of business and philanthropic leaders, or a combination of both. This is the most common governance of CAC.

**Advantages:** This model uses an existing private entity or establishes a new unique entity created to manage the Family Justice Center. A new entity can be shaped and fashioned

in order to obtain buy-in and support from as many constituencies as possible. It allows the Family Justice Center the independent authority to seek government and private grants and reach out for the support of private philanthropists. Governance and fiduciary responsibility are in the hands of a community board of directors in which all community partners, public and private can share. The Executive Director is responsible to the board; not another director or a single elected or appointed official. This model may maximize community ownership. If private or insurance reimbursement funding is available or can be developed to assist with sustainability, this model works well.

**Disadvantages:** This model reduces ownership on the part of government and elected officials. It also runs the risk of being lost in a sea of competing non-profits and charities. It may divorce the core mission of a Family Justice Center from the public safety function of government which may discourage participation from law enforcement, prosecution, and other government sponsored partners. It also requires establishment of a wide range of organizational support systems from accounting to human resources, to facility management. The new entity will need to establish benefits for its employees and establish accounting systems to manage the flow of cash in an environment in which the agency may need to expend resources for payroll, rent, utilities, travel, and other day to day costs well before grant funds or other resources are available in the agency bank account. Within the President's Initiative, such negative impacts may not be felt initially if federal grant funds are used to operate the Center during its start up phase. However, after the conclusion of the federal planning and implementation grant, the Center will find itself without any long-term, committed financial partner and will face great risk to its on-going operation. If local government or private philanthropic support is still available, after the conclusion of federal funding, to fund the on-going costs of the Center, this model may work well in maximizing community ownership. But if such local support is not present, the Center could be forced to cease operations without adequate grant funding or private philanthropic support.

### **Discussion**

In this model, one private non-profit agency oversees the Center and provides, at a minimum, general leadership for the planning and implementation of the Center. If the non-profit is an existing entity, within the President's Initiative, this would generally mean the creation of a cooperative management agreement between the government agency obtaining the grant and the private non-profit agency tapped to administer the grant and provide leadership and oversight. In the CAC context, the executive leadership of the host agency is typically a visionary who believes in the model and uses his/her community status and access to resources to lead efforts to bring the Center to life. A number of sites within the President's Initiative have such strong community-based leaders moving the vision forward, but in order for such a structure to be implemented organizationally it would be necessary to actually execute a contract or agreement between the governmental grant recipient and the private non-profit organization.

This model clearly provides greater community ownership and commitment than a government sponsored and managed Center. If the private non-profit agency running the

FJC can negotiate a long-term financial commitment from local government beyond the existence of federal grant funds, this approach may be an excellent one for many Centers as long as law enforcement and prosecution agencies will still support the co-location vision of the Initiative.

Such an approach also may alienate law enforcement or prosecution agencies in some cases if they perceive they are seen as “working for” the community-based non-profit organizations. On the other hand, this model may also lack “buy-in” and ownership of some other key community based agencies. These agencies may feel they are cooperating with a competing agency’s vision and strategic interest rather than implementing a true community vision or fulfilling their own mission. Such tensions may be heightened if an existing 501c3 entity is used rather than creating a new legal entity. This model is common in the CAC network where organizations such as hospitals frequently house CAC operations but the CAC model does not require participation of as many community agencies as the FJC model.

In a variation of this private agency-driven model, the FJC could be established as a division of an existing, large non-profit umbrella agency along with creation of a community board in an advisory role with Center. The Center director, in this model, would become an employee of the existing non-profit organization and could serve as a member of the management team of the umbrella organization. In this approach, the Center director could play a key role as a member of the core management and fiscal staff of the umbrella organization even while leading the FJC.

A number of challenges could develop in attempting to run the FJC out of an existing non-profit entity. First, the unique identity of the FJC may be lost when it operates as a division of a larger, private umbrella agency. Efforts to establish a separate identity for the FJC may lead to confusion in the public mind about the status of the Center given its legal relationship with the umbrella agency. Efforts to raise funds for the Center may compete for efforts to raise funds for the umbrella organization. Alternatively, other community partners may be threatened by the role of the umbrella agency in raising funds for its own operation while also raising funds for the FJC. Such a model is dependent on a private agency leader who is willing to share the limelight with the FJC. The umbrella agency may wish to exercise control over the FJC fund raising efforts in order to avoid conflicts in timing of solicitations or donor perceptions. Such an approach also divorces the FJC from a close working relationship with local government funding and support. It may also raise the same concerns, as with other community-based agency leadership models, of law enforcement and prosecution agencies who do not want to be that closely aligned with private non-profit organizations while performing their public safety functions.

In any variation of the private agency-driven model, the core FJC employees would likely work for the non-profit corporation under its general responsibilities for hiring the staff and serving as the fiscal agent. Again, no Family Justice Center has yet pioneered such a model so only analogies to existing CAC can inform consideration of this option. Many

of the current federal sites are pursuing variations of this model, so we will have data on this model in less than a year.

## **Conclusion**

There is little doubt that the President's Family Justice Center Initiative is charting new territory in developing workable governance structures for each Family Justice Center. With the exception of the child advocacy center movement, few criminal justice affiliated multi-disciplinary service centers exist to provide guidance. Child advocacy centers however, have a limited number of community partners, a narrow service focus, and may have grants, medical reimbursement, crime victim compensation funds, and other funding available for significant portions of their operations. Family Justice Centers, on the other hand, have many non-profit social service agency partners with limited financial support (some of whom have traditionally competed for support) to begin with, coupled with many non-reimbursable public safety personnel primarily funded by local government, general fund revenues. The difference between child advocacy centers and Family Justice Centers, therefore, limits the value of the comparison.

The San Diego Family Justice Center is the only truly comprehensive multi-disciplinary family violence service center of its kind in the country today. In two years, it has moved through three of the models described in this paper. Yet, the lesson from San Diego is applicable to all sites within the President's Family Justice Center Initiative. Numerous governance approaches are viable and any single approach may not be the long-term model for a particular community. Each community must be willing to pursue a particular governance approach but also be willing to re-evaluate, change, and adapt depending on issues and challenges which arise as a Family Justice Center develops over time. Which approach cited in this paper or which variation of these models is best for a particular community should be determined through a collaborative process with all public and private agency community partners. Use of a strategic planner or facilitator in this evaluation process will be extremely helpful. And the San Diego Technical Assistance Team is available to assist in determining which model is best given the unique strengths and weaknesses of a particular community.

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