

Report to the Judicial Council and the Legislature

**Annual Report of Special Funds Expenditures
For
Fiscal Year 2007–2008**

Pursuant to reporting requirements set forth in the
Government Code Section 77209(j)
(Trial Court Improvement Fund)
And
Supplemental Report of the 2000 Budget Act
(Judicial Administration Efficiency and Modernization Fund)

December 3, 2008

Administrative Office of the Courts
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Introduction

The Judicial Council (council) utilizes the Trial Court Improvement Fund (Improvement Fund) to improve court management and efficiency, case processing, and timeliness of trials. Government Code section (GC) 77209(g), authorizes the council to administer monies deposited in the Improvement Fund and allows the council, “with appropriate guidelines,” to delegate administration of the fund to the Administrative Office of the Courts (AOC). In accordance with GC 77209(g), the council has approved internal guidelines to provide management and staff with general policies and procedures for allocating funds from the Improvement Fund and tracking expenditures on an annual basis.

The Judicial Administration Efficiency and Modernization Fund (Modernization Fund), established by GC 77213 as part of the Trial Court Funding Act of 1997 (Stats. 1997, ch. 850), supports statewide initiatives for ensuring the highest quality of justice in all of California’s trial courts. The Modernization Fund is designated to fund projects that promote improved access to, efficiency of, and effectiveness in the trial courts.

Annual Report

In accordance with GC 77209(j), the council is required to annually report to the Legislature on the expenditures from the Improvement Fund. In addition, language in the Supplemental Report of the 2000 Budget Act (Item 0450-101-0932, Trial Court Funding) requested an annual reporting to the Legislature of expenditures from the Modernization Fund. In accordance with the statutory requirement and legislative intent expressed in the Supplemental Report, the council submits this report to the Legislature.

Funding Sources and Restrictions (refer to Attachments A and B)

The Improvement Fund (Attachment A, page 1) has a variety of funding sources, including annual deposits from the 50/50 excess fees and fines split revenue, 2% automation fund, interest from the Surplus Money Investment Fund (SMIF), sale of documents and royalties from publications of jury instructions, other miscellaneous revenues, and a transfer from the Trial Court Trust Fund (TCTF). Government Code Section 77209 places specific restrictions upon the use of the transfer from TCTF such as reserving at least one-half of the transfer for a specified time-period unless allocated to a court or courts for urgent needs.

The Modernization Fund (Attachment B, page 1) is appropriated annually in the state Budget Act. Government Code Section 77213 prescribes the primary purposes for the fund, including improved technology that promotes efficiency and access to justice.

For fiscal year (FY) 2007–2008, expenditures from the special funds were made in the following categories:

Improvement Fund (refer to Attachment A, page 2)

- Ongoing Statewide Programs 151,029,997
 - Trial Court Projects and Model Programs 6,548,325
- Total Expenditures by Category: \$ 157,578,322

Modernization Fund (refer to Attachment B, page 1)

- Statewide Technology Projects \$26,369,468
 - Education and Developmental Programs 3,300,612
 - Pilot Projects, Special Initiatives, and Ongoing Programs 7,580,538
- Total Expenditures by Category: \$37,250,618

Fiscal Year 2007–2008 Expenditures and Encumbrances

Improvement Fund (refer to Attachment A, page 2)

In FY 2007–2008, the council expended \$157.578 million from the Improvement Fund. Most of the projects funded by the Improvement Fund represent ongoing efforts or initiatives that support programs that most trial courts would not otherwise be able to provide or perform. Since the passage of the Trial Court Funding Act of 1997, the state has been responsible for funding trial court operations. Consistent with this change, the AOC has been responsible for developing and implementing a statewide infrastructure to provide services that were previously provided by the counties. The following two categories represent critical efforts of statewide importance as well as direct support for the trial courts provided from the Improvement Fund:

Category 1: Ongoing Statewide Programs: \$151.030 million (refer to Attachment A, page 3)

To improve trial court administration, increase meaningful access to justice, and enhance the provision of justice throughout the state, the Judicial Council continued support for the following ongoing statewide programs and multi-year initiatives, including:

➤ *Trial Court Security Grants*

The grants provide funding to assist trial court with the acquisition of necessary equipment and training to maintain public safety within court facilities. In FY 2007–2008, allocated funds were expended to install duress alarm systems in seven trial courts, install Closed Circuit Television and access systems in seven trial courts, install weapons screening equipment in five trial courts, and make security enhancements in six trial courts. Funds were also used to develop and

deliver the mechanism and training necessary for the courts to complete their own Continuity of Operations Plan (COOP). In FY 2008–2009 the AOC’s Emergency Response and Security Unit will continue to work on installing Closed Circuit Television and access systems and duress alarms in various courthouses.

➤ *Litigation Management Program*

Government Code section 811.9 requires the council to provide for the representation, defense, and indemnification of the state's trial courts, trial court judicial officers, and trial court employees. In FY 2007–2008, allocated funds were expended to pay the costs of defense, including fees for attorneys from the Attorney General's Office and private counsel, and to pay the costs of settlements and judgments of civil claims and actions brought against covered entities and individuals. Unexpended allocations will be carried over to the next fiscal year in order to cover pending obligations and contingent liabilities.

➤ *Commission on Judicial Performance (CJP) Defense Insurance*

The CJP Defense Insurance program was approved by the council as a comprehensive loss prevention program in 1999. The program covers defense costs in CJP proceedings related to CJP complaints, protects judicial officers from exposure to excessive financial risk for acts committed within the scope of their judicial duties, and lowers the risk of conduct that could develop into increased complaints through required ethics training for judicial officers. In FY 2007–2008, allocated funds were expended to efficiently administer the program and cover the subscription costs for the *Judicial Conduct Reporter*.

➤ *Judicial Conduct Reporter*

The *Judicial Conduct Reporter*, which is a quarterly newsletter published by the American Judicature Society that reports on recent opinions and other issues involving judicial ethics and discipline. The report is distributed to all judicial officers as a part of the AOC’s ethics education program, which was implemented as a means of risk management when the council initiated the CJP Defense Insurance program.

➤ *Trial Court Transactional Assistance Program (TCTAP)*

The council established the TCTAP in July 2001 as a means by which the AOC could provide transactional legal assistance to the trial courts through outside counsel selected and managed by the AOC. The program provides outside legal counsel to trial courts in numerous areas including business transactions, labor and employment, real estate, and legal opinions. In FY 2007–2008, allocated funds were expended to pay for attorney fees and related expenses.

➤ *Self-Represented Litigants – Self Help Centers*

The council continues to support programs and initiatives to provide comprehensive services to self-represented litigants. In FY 2007–2008, allocated funds were expended to establish or expand self-help assistance to every county in the State of California. The distribution to the courts was based upon the population of the county. Eighty percent of the funding was to be used for staffing to increase the amount of services available in self-help centers. All courts have now implemented self-help assistance and are serving over 480,000 litigants each year in the areas of family law, consumer, domestic violence, guardianship, landlord/tenant, and other civil matters. Resources developed by local programs are shared with other self-help centers throughout the state.

In addition, funding was provided to conduct a series of workshops for self-help centers to develop strategic plans to provide more services to litigants. In February 2008, a family law conference was held to focus on the needs of low- and moderate-income family law litigants and to develop strategies for assisting the large numbers of self-represented litigants in family law. Two regional conferences were held in April 2008 to assist the courts in meeting the requirements of the new self-help center guidelines and developing the plans for services to disabled and limited English-speaking litigants required by those guidelines. A Statewide Conference, which focused on coordinating services with legal aid and pro bono organizations to ensure an effective continuum of services, was convened in June 2008. The AOC's website was expanded to include information from the conferences as well as brochures, videos, and other informational materials for self-represented litigants.

Future funding will continue to support implementation of trial court action plans including strategies for demonstrating the cost-effectiveness of self-help assistance, developing materials targeted at underserved populations, and providing training opportunities.

➤ *Family Law Interpretive Program for Domestic Violence Cases*

In 2002, the council established the Domestic Violence—Family Law Interpreter Program to provide assistance to trial courts to increase interpreter services for litigants with limited English proficiency in cases where domestic violence or elder abuse protective orders have been issued or are being sought and in general family law cases. In FY 2007–2008, forty three courts received funding through this program to provide services in court hearings, Family Court Services mediation proceedings, Family Law Facilitator sessions, and court-sponsored self-help settings. Participating courts used the funds to cover the costs of providing certified or registered interpreters (which includes per diem or salary, benefits, and mileage), Language Line Services, and to pay for interpreter coordinator services. The project also ensured that revisions to domestic violence related court forms

and information sheets were translated into Spanish, Korean, Chinese, and Vietnamese. Feedback from participating courts indicates that the program has been extremely helpful in improving access to California's justice system, enhancing safety for domestic violence victims and children, and improving court efficiency.

➤ Online Training

California Rules of Courts (Rule 10.451) require participation in education activities as part of the official duties of judicial officers and court personnel. Due to the geographic diversity of the state, the council provides funding to increase the quantity of educational material available online. In FY 2007–2008, allocated funds were expended to purchase a variety of online courses that are provided to the trial court staff and judges as a part of the AOC's distance education efforts. The courses provided access to online libraries containing numerous on-demand software and professional development courses.

➤ Branchwide Strategic Planning

Since 1992, the council has developed strategic plans in order to provide a mission and direction for California's judicial branch. In FY 2007–2008, allocated funds were expended to develop the new operational plan for California's judicial branch. The Operational Plan for California's Judicial Branch, 2008–2011, was adopted by the council on April 25, 2008. In addition, the funds were used to coordinate and conduct the council's annual branchwide planning meeting held on June 25–27, 2008, where over 80 judicial branch leaders and partners considered council policymaking roles and responsibilities toward the continual improvement of California's courts and the administration of justice.

➤ California Courts – Connecting with Constituencies

In order to increase access, the council continues to support outreach and educational initiatives. In FY 2007–2008, funding supported three approaches to connect courts with the general public:

Website Design and Usability Tools. The tools included the development of a website graphic toolkit and style guide resources, analysis of how the public utilizes several trial court websites downloadable web graphics toolkit (including templates, graphics, banners), and a web design style guide (a reference manual covering fonts, page sizes, etc.).

Community Forum. A forum whose purpose was to educate the public about the courts and to learn from the public about how the court can improve services was hosted by the Superior Court of Fresno County. Over 200 people attended.

Teacher Training Institutes. The institutes provided twenty-five K-12 teachers with resources and strategies that they could use to educate their students about the judicial system. Over 800 students will be the recipients of this information and educational opportunity.

➤ *Employee Assistance Program for Bench Officers*

In order to ensure fair and just treatment of all litigants appearing in court, the council continues to support an employee assistance program for justices, judges, commissioners, referees, and assigned judges in the Supreme Court, Courts of Appeal, and Superior Courts. The program provides confidential assistance and support for judicial officers dealing with a wide range of personal, family, and financial matters.

➤ *Trial Court Benefits Program – Legal Advice*

In 2001, the trial courts became independent employers. To assist with the transition and additional responsibility, funds were expended to maintain a statewide contract for outside counsel for legal advice regarding a wide range of benefits program issues. Outside legal counsel assist with changes to benefit plan documents, assisting in negotiating contracts with vendors, answering benefit-related legal questions from the court participants in the plan, and assisting in implementing new requirements imposed by legislation such as the recent change in domestic partner eligibility

➤ *ADP Master Contract*

In 2001, the trial courts became independent employers. To assist with the transition and additional responsibility, funds were expended to continue the ADP Master Agreement Contract that provides trial court with payroll services from November 2007 through November 2008. The contract was setup to allow each of the trial courts to negotiate separate agreements with the vendor for payroll services. The allocated funding helped 22 trial courts obtain payroll and other related services from two dedicated consultants. Court representatives had a direct phone line to these consultants.

Ongoing Statewide Administrative Infrastructure Initiatives

Progress has been made on the statewide technology initiatives that support the objectives set forth by the council in its Strategic and Operational Plans, and as approved by the Court Technology Advisory Committee (CTAC). A total of \$158.966 million was expended in support of these initiatives. Of that total \$132.597 million was from the Improvement Fund (refer to Attachment A, Addendum 1), and \$26.369 million was from the Modernization Fund (refer to Attachment B, Page 2). The funding in FY 2007–2008 was expended on the following:

I. Enterprise Policy/Planning (formerly Statewide Strategic Planning and Deployment)

The Administrative Office of the Courts is currently managing the delivery of a number of technology initiatives. Enterprise Policy and Planning ensures that the comprehensive technological needs of the branch will be met in an efficient manner. In FY 2007–2008, allocated funds were expended to develop and maintain branch-wide technology and planning commitments in three areas:

Enterprise Technology Architecture (ETA) Program. This program provides a roadmap for how all the various technology initiatives fit together from a business and technology perspective. The major activities in FY 2007–2008 included: developing framework for an ETA unit with governance and decision process for the Branch, providing five-year estimates for hardware requirements for the CCTC, provided high-level design and coordination for the interface between the California Department of Child Support Services (CDCSS) and the courts, and providing support to the local courts with ETA related issues and solution design.

Enterprise Test Management Suite (ETMS). ETMS provided application enhancement for software testing process and improving applications quality management. The major activities in FY 2007–2008 included: selecting implementation vendor, holding a kickoff meeting with targeted application team, completed CCTC hardware hosting requirements, and completing training and beginning migration of current test data to the new ETMS.

Branch-wide Security Policy. Progress was made in the development of policy in the areas of data and network security, disaster recovery, and continuity of business operations. The major activities in FY 2007–2008 included: engaging an organization to assist in development of the branch-wide security policy and forming a team comprised with trial court representatives and AOC management team members and program personnel to develop policies for CCTC that can also be applied to the trial courts.

II. Court Management Systems

➤ Phoenix Financial System

The Phoenix Financial System is a statewide system that enables courts to maintain control over expenditures, providing timely information about fiscal needs while complying with policies, procedures, regulations, and standardized processes. The current configuration includes General Ledger, Cost Accounting, Materials Management, Accounts Payable, Accounts Receivable, Project Accounting, and Trust Accounting. Twelve courts went on the system, so that by year-end 57 of the 58 courts were on the Phoenix Financial System. In FY 2007–

2008, allocated funds were expended to further the progress of the overall project, ensuring that each milestone was reached as scheduled. Expenses included support staff, contractors, software licenses, hardware maintenance, and training.

➤ Phoenix Human Resources System

The Phoenix Human Resources System is a statewide human resources management system that will leverage technology for human resources administration and in-house payroll processing, develop a customer service call center, standardize processes and procedures, collect data at the source, provide central administrative processing, and provide Manager Self Service (MSS) and Employee Self Service (ESS) functions to the employees of the courts. Six courts (Lake, Riverside, Sacramento, Santa Cruz, Siskiyou, and Stanislaus) went live on the system, and the projected date for completion is in FY 2011–2012. In FY 2007–2008, allocated funds were expended to support the implementation and planning efforts associated with a statewide offering of human resources and payroll functions that use the same SAP operating platform that supports the Phoenix Financial System.

➤ California Case Management System (CCMS)

In FY 2007–2008, allocated funds were expended for continued development and support of the California Case Management System (CCMS) project. CCMS is a statewide technology initiative intended to provide courts one application for all case categories. The system will be deployed in all trial courts in California and will be hosted at the California Courts Technology Center (CCTC). Development of CCMS is a multi-year effort, which began with the development of a criminal and traffic product called V2. The V3 product was developed for civil, probate, small claims, and mental health case management. V2 and V3 products are currently in use by seven California superior courts. Next, V4 is the final development phase and will combine the functionality already developed in V2 and V3 with new functionality for family law and juvenile case categories. V4 will also include statewide reporting, court interpreter and court reporter scheduling, and integration with justice partner applications.

The major activities in FY 2007–2008 included:

- Completing the design of the framework, user interface, and infrastructure. The V4 Final Functional Design Deliverable (FFDD) was received on and is under extensive review.
- Supporting new releases of the V3 product, which provided courts enhancements in the areas of functionality for judicial officers, alternative dispute resolution, and technical component upgrades.

- Supporting new releases of the V2 product, which included enhancements to the collections functionality and created an interface to the Franchise Tax Board.
- Beginning the work on the Request for Proposal (RFP) for V4 deployment phase that covers all vendor services required to support deployment to 58 courts.
- Receiving proposal responses from two vendors. After meeting with the project team to clarify proposal information and assumptions, vendors were given additional instructions and each submitted their Best and Final Offer (BAFO).
- Beginning the scoring of proposals with the goal of selecting a deployment vendor by late fall 2008.

➤ Interim Case Management System (ICMS)

In FY 2007–2008, allocated funds were expended to complete the implementation in 13 of 15 courts that are planned to use the Sustain Justice Edition (SJE) case management system. Five vendors of case management systems in use in California courts have been certified as meeting both state and local functional requirements as defined by the courts. Courts further out in the deployment schedule for CCMS are being migrated to the California version of these certified products to ensure stability of critical court operations during this transition period. Efforts related to data cleanup and data conversion in these 13 courts and the interfaces with justice partners will greatly facilitate the transition of these courts to CCMS.

III. Data Integration (DI) Standards

➤ Data Integration Program

In FY 2007–2008 allocated funds were expended to continue the Data Integration (DI) program and work with the trial courts to develop a statewide approach in four major areas: data exchange standards, Integration Services Backbone, deployment services, and statewide partner relationships. The major activities in FY 2007–2008 included: managing 17 criminal and traffic data exchange standards, and four draft family and juvenile data exchange standards; developing a number of best practices on such issues as testing methodology, implementation criteria, data gathering requirements, and configuration requirements; updating all branch information exchange specifications to the National Information Exchange Model (NIEM); developing 125 interfaces to the Integration Services Backbone (ISB); and assuming additional activity such as creation of the Justice Partner Data Integration Program, which is responsible for communicating DI program to courts and their justice partners, and assisting in their integration.

IV. Infrastructure

➤ California Court Technology Center (CCTC)

In FY 2007–2008, allocated funds were expended to continue providing courts with a centralized and comprehensive information technology support services. The major accomplished activities in FY 2007–2008 include: continued services by CCTC included Microsoft Exchange, Microsoft Active Directory, Disaster Recovery, ACCMS, CAFM, ISB, and Local Court Desktop/Remote Server Support; hosted the Phoenix Financial System and Phoenix HR/Payroll system for 57 and six courts, respectively; operated three case management systems, including Sustain, CCMS-Criminal/Traffic, and CCMS-Civil/Small Claims/Probate/Mental Health; and provided direct services to 11 courts.

➤ Court Telecommunications Program

In FY 2007–2008, allocated funds were expended to establish and support a point-to-point and frame relay network permitting electronic communications between the AOC, regional offices, appellate courts, the CCTC, the trial courts, state and local justice partners, and the public. Telecommunication infrastructure upgrades provide courts with new circuits, cable/fiber, switches, and routers that effectively support secure access to the CCTC and the many business applications in use today, and local initiatives such as Internet Protocol–based telephony systems, videoconferencing, and new physical security monitoring systems. The major activities in FY 2007–2008 included: completing telecommunications upgrades and established 24/7 security monitoring of networks for 50 trial courts; replacing network equipment as part of the Local Area Network/Wide Area Network (LAN/WAN) “refresh” program for 39 trial courts; installing wireless networking for seven trial courts to support public Internet access in jury assembly rooms; establishing roaming access for court staff to access network capabilities throughout court facilities; and developing telecommunication standards by working with the courts and vendors.

V. Statewide Administrative Infrastructure Initiatives (SAII) Support and Additional Initiatives

In FY 2007–2008, allocated funds were expended to pay for the statewide administrative infrastructure AOC staff costs (\$7.048 million) and additional initiatives that support courts in various areas (\$3.291 million).

1. Statewide Administrative Infrastructure Initiatives (SAII) Support
Support for the SAII demands continuous dedication of AOC staff, temporary staff and outside private consultants. The AOC continues to make great strides towards completion of the SAII, which includes design, development,

implementation and deployment, and continuous maintenance to the many projects.

2. Additional Initiatives

- *California Law Enforcement Telecommunication Network (CLETS)*
The allocated funds were for one position at AOC to support the system. CLETS Access, as provided via the California Department of Justice, was enabled during FY 2006–2007 through the CCTC by the implementation of hardware, software, and telecommunications services. Five courts are now using the statewide network to access and update various California and federal databases, including the Domestic Violence Restraining Order System.
- *Trial Court Reengineering*
In September 2007, the AOC’s Northern/Central Regional Office (NCRO) established a Reengineering and Process Improvement Unit that focuses on reengineering the business processes and systems of the trial courts to help achieve improvement in business performance. The Reengineering Unit is comprised of a Re-engineering Manager and Senior Court Services Analyst who work with trial courts at the Court's request to participate in this program. The Reengineering Unit travels to the trial courts to observe the trial courts workflow and business processes, to meet and collaborate with the Court Judicial Officers, executive management, management team, and line staff to identify and recommend efficient and streamlined processes. Ultimately, it is the Reengineering Unit's goal to identify and share these best practices with other courts across the State. The unit designed its Charter and finalized its Reengineering Methodology, marketed the newly established program, and initiated reengineering programs for two trial courts in the Northern/Central Region.
- *Enhanced Collections*
The Enhanced Collections Unit (ECU) engaged a consultant to develop collections performance measures and benchmarks, best practices, and reporting template, as required by AB367. ECU conducted four AB367 workshops at the three regional offices to inform the 58 collection programs statewide of the bill’s requirements. ECU assisted 38 courts with improving their collections program. In conjunction with the AOC Business Services Unit, ECU established a committee to prepare and release the 2008 Request for Proposals (RFP) for statewide collection services. In collaboration with the AOC Finance Division and on behalf of the Franchise Tax Board (FTB), ECU obtained council approval to allow the FTB to utilize an estimated \$4.3 million, available in the FTB Court

Collection Account, to continue their Court-Ordered Debt Expansion (CODE) project. The CODE project will expand its capacity to accept cases from all 58 courts and counties. Presentations were made to the California Revenue Officers Association (CROA) and the Probation Business Managers Association (PBMA) regarding the imposition and/or enforcement of court-ordered debt, as well as new legislation. A training session was conducted at the AOC Traffic Overview Course for new Judicial Officers assigned to traffic calendars on the imposition and collection of fines, fees and assessments. A course on the imposition and collection of fines, fees and assessments in criminal cases, including traffic, was presented at the Cow County Institute.

- *Internal Audits*
Allocated funds were expended on six internal auditor positions in AOC, consistent with prior-year funding.
- *Regional Office Assistance Group (ROAG)*
Allocated funds were expended for attorneys and staff working primarily in the three regional offices, whose mission is to establish and maintain effective working relationships with the trial and appellate courts and serve as liaison, clearinghouse, advocate, consultant, and service provider to the trial courts.
- *Treasury-Cash Management*
Allocated funds were expended on one senior accountant and one staff accountant, including their travel and rent costs. These staff are engaged in the accounting and distribution of the Uniform Civil Fees (UCF) collected by the trial courts, including receiving the monthly UCF collection reporting from all 58 trial courts, entering this reporting in a financial systems application which calculates the statutory distributions, and executing the monthly cash distributions when due to the State and local agency recipients.

Category 2: Trial Court Projects and Model Programs: \$6.548 million (refer to Attachment A, page 4)

Funding was provided for various ongoing, limited-term, and one-time projects that support trial court operations as well as improve court management and efficiency, case processing, and timeliness of trials. The projects and programs include the following:

- *Settlement Support Services for Unrepresented Litigants*
In FY 2007–2008, allocated funds were expended to conduct a pilot project to help self-represented litigants in small claims and limited civil cases effectively participate in mediation and settlement programs. This pilot project is intended to

address recommendations in the 2005 study *Trust and Confidence in the California Courts: A Survey of the Public and Attorneys* by helping self-represented litigants, and particularly those with limited English proficiency, to be aware of the availability and potential benefits of mediation and settlement programs and to understand the legal issues and possible outcomes in their cases, so that they can make informed choices during these processes. During this reporting period, three trial courts were awarded grants to establish and conduct pilot projects or to participate in the collaborative development of multi-lingual videos and printed materials to help self-represented litigants participate in mediation and settlement programs.

- *Legal Services for Performance Based Infrastructure (PBI) Agreement*
Senate Bill 77 (Stats. 2007, Ch171) and Senate Bill 82 (Stats. 2007, Ch 176) establish a framework by which the separate branches of state government may evaluate the potential benefits of delivering the project via a performance-based infrastructure (also referred to as public-private partnerships), as well as authorized the construction of a new Long Beach Courthouse utilizing PBI. In FY 2007–2008, allocated funds were expended to pay the costs of legal work completed in connection with the project for replacing the current courthouse in Long Beach. In order to properly execute the necessary legal agreements to address complexity of the proposed financing structure, highly specialized outside counsel was retained to assist in project structuring, preparing the solicitation documents and negotiating with investment banks or other sophisticated financial partners involved in the project. Two legal consultants were selected as counsel to the project. One was selected as lead firm, and the other was chosen as the local firm providing assistance with project issues requiring expertise in California real estate law and environmental regulation.
- *E-Access Working Group Meetings*
The working group was established to consider issues relating to various types of electronic access and to make recommendations as to what fees, if any, should be charged for such access. These issues have been of significant concern to the public, the Legislature, and the courts. The working group retained a consultant and held an initial meeting to address, discuss, and prepare recommendations on all related issues of electronic access to the court system. The group will continue to meet in FY 2008–2009.
- *Working Group on Personal Information and Court Outsourcing*
The working group was established to consider the security of personal information held by the courts processed by companies operating outside of the United States. The issue on outsourcing court data has been highly publicized and of significant concern to the public, the Legislature, and the courts. In FY 2007–2008, the working group held an initial meeting to discuss, and prepare

recommendations on all related issues of security of personal information held by the courts. The group will continue to meet in FY 2008–2009.

➤ *Domestic Violence Orders after Hearing Project*

The AOC is assisting trial courts with the implementation of the Family Court Case Tracking System (FACCTS) software program, which initially provided parties with a signed and filed Domestic Violence Restraining Order at the time of hearing for cases of civil harassment, elder abuse, and criminal protective orders. FACCTS has been contracted to work with the Information System Division on the California Court Protective Registry (CCPOR) with the objective of becoming a front-end for entering data into the CCPOR and into the California Law Enforcement Telecommunication System (CLETS). This will allow the program to interface with court case management systems allowing demographic data to be pulled automatically into FACCTS to populate the Judicial Council forms, streamlining the process to obtaining a restraining order. When fully implemented, an order can then be submitted directly to the judge for signing, and the signed original can be printed and filed with copies provided to the parties before they leave the courtroom.

➤ *Effective Caseload Management of Family and Juvenile Cases*

In FY 2007–2008, allocated funds were expended to improve computer case management and caseload management for juvenile dependency attorneys. A manual summarizing existing practices, recommending changes to court rules and laws, and suggesting effective caseload management techniques was published and distributed to all interested counties.

➤ *National Consortium Regarding Pro Se Litigation*

In FY 2007–2008, allocated funds were expended to develop best practices, share resources, and develop a curriculum for judicial officers on handling cases involving self-represented litigants. California judges attended a national conference at Harvard University, which utilized this curriculum that is now being incorporated into a wide range of judicial trainings. The funds were also used for groundbreaking research on communication between judges and self-represented litigants. The results of that research were published and have been incorporated into judicial education. In addition, a research toolkit for courts to conduct a self-assessment regarding their self-help programs was completed and made available to all the courts in California.

➤ *Domestic Violence Practice and Procedure Task Force*

In FY 2007–2008, allocated funds were expended to support the work of the task force. A comprehensive final report that included 139 recommended guidelines and practices was presented to the Judicial Council and was unanimously approved by the council at its February 22, 2008 meeting. The task force charge

was revised and launched in June 2008 to include implementation of the guidelines, including potential legislation, rules of court, revised or new forms, additional regional court meetings that focus on implementation of key guidelines, technical assistance to local courts; statewide and local judicial branch educational programs, distance learning events, and electronic and hard copy publications.

➤ *Snapshot 2008*

In FY 2007–2008, allocated funds were expended to support research staff's effort on formation and data collection for the 2008 Snapshot study of court-based family mediation. This study complies with Family Code 1850, which specifies that the Judicial Council will provide uniform statistics on family law proceedings, including divorce and nullity. The funds also covered the costs of preparation for the Snapshot, including site visits, focus group survey, travel expenses for the working group meetings, and the contractor who is performing data collection. First publications are scheduled for release in April 2009.

➤ *Tort Funds Liaison*

In FY 2007–2008, allocated funds were expended to assist with the implementation of the Los Angeles court's Juvenile Court Tort Policy, which was established to ensure that dependent children are able to pursue potential tort claims while under juvenile court jurisdiction. A tort funds liaison was hired to track tort awards to ensure that children receive funds to which they are entitled. The liaison tracked cases where dependent children were plaintiffs, including tracking any monetary awards, and established systems to maintain children's contact information and to ensure the distribution of the awards when the children are entitled to receive them. The liaison also began development of written protocols for this policy, so that it can be implemented in other jurisdictions.

➤ *Riverside County Trial Court Criminal Cases Processing Evaluation*

In FY 2007–2008, allocated funds were expended to support research initiatives and studies related to criminal case flow management in the Superior Court of Riverside County. *Effective Practices in Criminal Caseflow Management* was developed to provide special technical assistance to reduce the number of backlogged cases. The court adopted the criminal case flow management structure in March, 2008 as an ongoing system change. The project continues to provide assistance to the court's justice system partners in the tracking and modification of the new criminal caseflow structure. In addition, assistance has been provided to the court's efforts to improve opportunities for settlement and trial of civil cases.

➤ *Enhanced Collections – Consultant*

In FY 2007–2008, allocated funds were expended to fund a Contract Services project to meet the requirements of Penal Code 1463.010, as amended by Assembly Bill 367 (AB 367). The funds were used to complete the phase one

contract deliverables, collections performance measures and benchmarks, best practices and a reporting template, and four AB 367 workshops conducted at the three regional offices. The phase two contract deliverables costs were encumbered and will be expended in FY 2008-09. AB 367 requires the council to report on these collection programs to the Legislature on or before December 31, 2009.

➤ Commission on Impartial Courts

In FY 2007–2008, allocated funds were expended to cover the costs of meetings for one steering committee and four task forces, and a contract consultant. The 87-member Commission for Impartial Courts (CIC), formed by the Chief Justice of California in September 2007, has the overall charge to study and recommend ways to ensure judicial impartiality and accountability for the benefit of all Californians. The steering committee met in person a total of four times and the task forces each met in person between two and four times. The CIC contracted with four nationally known consultants to assist the task forces in quickly becoming knowledgeable in the more specialized aspects of their charges.

➤ Audit Contract

In FY 2007–2008, allocated funds were expended to continue to supplement an internal audit program that was approved by the council in FY 2001–2002. This program includes two components, internal and external audit resources. The first component was an internal audit unit within the Finance Division of the AOC, and the second component was a contract with external consulting and auditing firms to supplement the internal audit staff. According to AOC policy, each of the 58 trial courts is audited once every 3 or 4 years encompassing the following primary areas:

- Court administration
- Cash controls
- Court revenues and expenditures
- General operations

➤ Distribution to Trial Courts (pursuant to GC 77205(a)(2))

In FY 2007–2008, allocated funds were expended for a one-time distribution to the trial courts. In accordance with GC 77205(a) and California Rules of Court 6.105, the council must annually allocate 80 percent of the 50/50 excess split revenue deposited into the Improvement Fund that exceeds the amount deposited in FY 2002–2003 to the trial courts located in the counties from which the excess revenues were collected to fulfill one-time obligations and to address cash flow issues. Thirty-nine (39) trial courts qualified to receive a distribution of excess revenues from FY 2007–2008 excess split revenue.

- *Mercer Consulting – Governmental Accounting Standards Board (GASB 43/45)*
In FY 2007–2008, allocated funds were expended to execute a consulting contract with Mercer Consulting to produce actuarial reports that would meet the requirements of GASB Statements No. 43/45. The GASB is the regulatory body that is responsible for setting the accounting standards for all state and local governments. The reporting requirements have been met and actuarial reports for each trial court have been forwarded on to the State Controller’s Office (SCO) so that the information contained in the report can be included in the State’s Comprehensive Annual Financial Report (CAFR) as required. A copy of the report was also sent to each trial court for their managerial needs. The only portion of the contract that is still being worked on is the court and AOC educational program, which should be completed in early 2009.

- *Workers’ Compensation Implementation Reserve Program*
Fifty-five courts participate in the AOC-managed program to reduce costs related to workers’ compensation claims. The program utilized a consultant, who provided the AOC with assistance in the calculation of these liabilities. In FY 2007–2008, allocated funds were expended to address payment of outstanding claims, tail claim liability with various counties, and administration costs related to losses with dates of injury from January 1, 2001 to July 1, 2003 that involved court employees.

- *Trial Court Healthcare Reserve Account*
In FY 2007–2008, allocated funds were expended to pay off claims that are incurred prior to midnight, December 31, 2009 but invoiced and paid thereafter. As the AOC does not currently have the staffing or ability to perform the support services for the program in-house, the allocated funds were also used for a benefits consultant who provided services that include actuarial studies to determine appropriate reserve and premium amounts, placement of insured services, and discrimination testing of the Flexible Spending Accounts. As the healthcare plan will terminate on December 31, 2009, the consultant also provided plan termination services to the AOC. In plan year 2009, the consultant’s fees will be charged back to the participating courts.

- *Trial Court Benefits Program – Third Party Administrator*
In FY 2007–2008, allocated funds were expended to maintain a service contract with a third-party administrator (TPA) who served as the benefits administrator for the benefits program. The services from TPA includes maintaining enrollment and eligibility information of the plan participants, collecting requisite premiums from the courts and dispersing them to individual benefit providers, and addressing the compliance requirements as dictated by the Health Insurance Portability and Accountability Act (HIPAA) and the Consolidated Omnibus

Budget Reconciliation Act (COBRA). In plan year 2009, the TPA fees will be charged back to the participating courts.

➤ *New South Justice Center Courthouse Project*

In FY 2007–2008, allocated funds were expended to continue the payments to the consulting Court Construction Management Representative (CCMR) that facilitated and supported the design and construction project of the new South Justice Center Courthouse for Superior Court of Orange County. The CCMR worked daily with and represented the court on all aspects of implementing the new courthouse. The project is in the preparation of documents and review phase. AOC attorneys, as well as Orange County attorneys are involved drafting up these agreements with the county, AOC and court. The schedule calls for these agreements to be completed and construction started by early next year.

Modernization Fund (refer to Attachment B, page 1)

In FY 2007–2008, the council expended \$37.251 million from the Modernization Fund. Funding provided by the Modernization Fund provides the primary support for critical technology projects (e.g., court technology staff, case management systems, data integration, and jury management systems), mandated and non-mandated education for judicial officers (e.g., orientation for new judges and continuing judicial studies), education for court administration and staff (e.g., court faculty program, and distance learning), and key local assistance initiatives (e.g., alternative dispute resolution, complex civil litigation programs, and remote interpreting services). A description of these projects follows:

Category 1: Statewide Technology Projects: \$26.369 million (refer to Attachment B, page 2)

The Modernization Fund allocation of \$26.369 million for statewide technology projects funded various inter-related technology initiatives, including:

I. Enterprise Policy/Planning (Formerly Statewide Strategic Planning and Deployment)

In FY 2007–2008, both Improvement Fund and Modernization Fund resources supported the statewide technology plan. (Refer to the Statewide Planning and Development Support item in the Improvement Fund section for details.)

II. Court Management Systems

➤ *Phoenix Financial System*

In FY 2007–2008, both Improvement Fund and Modernization Fund resources supported the Phoenix Financial System. (Refer to the Phoenix Financial System item in the Improvement Fund section for details.)

- Phoenix Human Resources System
In FY 2007–2008, both Improvement Fund and Modernization Fund resources supported the Phoenix Human Resources System. (Refer to the Phoenix Human Resources System item in the Improvement Fund section for details.)

- California Case Management System (CCMS)
In FY 2007–2008, both Improvement Fund and Modernization Fund resources supported the CCMS project. (Refer to the California Case Management System item in the Improvement Fund section for details.)

- Interim Case Management Systems (ICMS)
In FY 2007–2008, both Improvement Fund and Modernization Fund resources supported the ICMS project. (Refer to the Interim Case Management Systems item in the Improvement Fund section for details.)

- Jury Management Systems
In FY 2007–2008, allocated funds were expended to complete the upgrades to the most current version of courts vendor software, including their servers, for all 58 courts. With this migration, many courts have also been able to add functionality to provide web access, integrated voice response systems, and check writing modules. Courts reported up to a fifty percent reduction in calls handled by jury staff as a result of implementing additional system functionality.

III. Data Integration (DI) Standards

In FY 2007–2008, both Improvement Fund and Modernization Fund resources supported the data integration projects. (Refer to the Data Integration item in the Improvement Fund section for details.)

IV. Infrastructure

- California Courts Technology Center
In FY 2007–2008, both Improvement Fund and Modernization Fund resources supported the court technology center. (Refer to the California Courts Technology Center item in the Improvement Fund section for details.)

Category 2: Educational and Developmental Programs: \$3.301 million (refer to Attachment B, page 3)

The council's strategic plan identifies education of judges, subordinate judicial officers, and non-judicial court staff as a significant means to advance the mission and goals of the

judiciary in the areas of access, fairness, diversity, and ethics. With the increasing complexity of the law and court procedures, delivery of justice to the people of California requires judges and court personnel to be equipped with knowledge, skills, and abilities that enable them to administer the justice system in a fair, effective manner that fosters public confidence.

The allocations for education programs and statewide meetings fall into five general categories: Mandated State Education Programs for Judges (e.g., orientation for new judges, family law assignment education), Non-Mandated Education Programs for Judges (e.g., criminal law and procedure institute, probate and mental health institute), Education and Training Programs related to Court Administration (e.g., technical assistance to local courts, trial court faculty), Education Programs for Court Staff (e.g., court clerk training institute, distance learning), and Other Educational and Developmental Programs (e.g., achieving equal justice for women and men in California courts, teen courts and beyond bench).

The education programs and projects are listed on Attachment B, page 3, and the funding enabled judges and subordinate judicial officers to participate in mandated and assignment-related educational programs as well as trial court staff to attend various training programs.

Education and development funding from the Modernization Fund currently provides the costs of lodging and group meals for participants attending statewide education programs and conferences as well as mandatory education programs for judges and other non-mandatory education programs for judges, court executives, and other court staff. The funding also covers the development and transmission of broadcast programs.

Category 3: Pilot Projects, Special Initiatives, and Ongoing Programs: \$7.581 million (refer to Attachment B, page 4)

The provision of justice in the courts can be enhanced by improving access, efficiency, and effectiveness. In FY 2007–2008, the council allocated funding from the Modernization Fund to support innovative programs that enhanced the provision of justice. The projects and programs include the following:

➤ Alternative Dispute Resolution

In FY 2007–2008, allocated funds were expended to continue the Civil Mediation and Settlement Program project. This project is designed to expand the mediation and settlement programs for civil cases in the trial courts. The project helps courts meet the goal of section 10.70(a) of the Standards of Judicial Administration, which provides that all trial courts should implement mediation programs for civil cases as part of their core operations. It also implements the council's February 2004 directive that AOC staff work with the trial courts to: 1) assess their needs and available resources for developing, implementing, maintaining, and improving

mediation and other settlement programs for civil cases; and 2) where existing resources are not sufficient, develop plans for obtaining the necessary resources. During this reporting period, two types of grants were awarded to trial courts: 1) five planning grants to conduct a needs assessment or plan a mediation or settlement program, and 2) fourteen implementation grants to implement a new mediation or settlement program or improve or expand an existing one.

➤ *Complex Civil Litigation Pilot Program*

In FY 2007–2008, allocated funds were expended to provide support for the Complex Civil Litigation Program, which began as a pilot program in January 2000. In August 2003, the council approved making this a permanent program and it is tasked with improving the management of complex civil cases. During this reporting period, the program involved 18 departments in the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco and Santa Clara Counties. The National Center for State Courts reported on the program in its Evaluation of the Centers for Complex Litigation Pilot Program. The lengthy report included information on the number of complex cases filed, the impact of the complex litigation departments on case and calendar management, the impacts on trial courts, attorneys, and parties, and recommendations to the Legislature and the Governor concerning complex litigation departments.

➤ *Plain Language and Foreign Language*

In FY 2007–2008, allocated funds were expended to translate various Judicial Council forms into foreign languages and plain English. These translations are intended to assist self-represented litigants and persons with limited English language proficiency. The forms that were translated into foreign languages during the fiscal year included domestic violence prevention forms, unlawful detainer forms, and traffic forms. The forms which were prepared as plain language forms included fee waiver forms and small claims forms. During the coming fiscal years, numerous protective order forms in plain language will be revised and many of those will need to be translated into foreign languages.

➤ *Self-Help Videos for the Website*

In FY 2007–2008, allocated funds were expended to pay the costs of the server for videos available to the public on issues such as how to prepare for court and how mediation works. Training sessions from the self-help conferences were posted to allow staff and judicial officers who were unable to participate in the workshops to view the courses on-line.

➤ *Interactive Software for Self-Represented Litigant Electronic Forms*

In FY 2007–2008, allocated funds were expended to develop “plain language” forms and translation of commonly used forms. Forms for appeals in limited civil

and traffic cases were drafted and reviewed. In addition, funds were used to support a national document assembly server that will enable litigants to complete their forms on-line at no charge. Developed in collaboration with legal services programs, these interactive programs can be used in every county to help litigants complete pleadings in workshop settings more quickly and accurately.

➤ California Drug Court Cost Analysis

In FY 2007–2008, allocated funds were expended to support implementation of the drug court cost study in local courts statewide. The study results make it possible for courts to quantify costs and benefits of drug court programs. Funds were also used to hire consultants to modify the cost study tool for local use and to train local courts on use of the cost study tool. In addition, the consultant prepared proxy values for costs and cost comparisons that local courts could not determine, and assisted in compiling local court data for cost-benefit study reports specific to participating local courts.

➤ Collaborative Justice Transferability Study

In FY 2007–2008, allocated funds were expended to support the Youth Summit that was held in June 2008 at the University of California, Davis. The Summit was attended by approximately 150 youth, judges, and peer court staff. Presenters at the event included a former gang member who, after rehabilitation, went to Harvard University, a 'rap' artist with a message of recovery, and a presentation of a DUI sentencing hearing followed by a victim statement from a young person who lost a close friend in a DUI incident. Other activities included workshops led by youth regarding sentencing in peer courts, interviewing offenders, and the models of peer court programs. The event concluded with tours of the State Capitol.

➤ Juvenile Delinquency Court Assessment

In FY 2007–2008, allocated funds were expended to begin a comprehensive assessment of juvenile delinquency courts in California. This project included surveying all delinquency court judicial officers, court executive officers, prosecutors, public defenders, alternate defenders, and contract panel attorneys who were identified as working in juvenile delinquency courts. Also, randomly selected juvenile probation officers from around the state were surveyed. Within the project's six study counties (Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou), over 30 in-depth and focus group interviews were conducted with judges, court staff, prosecutors, defense attorneys, probation officers, youth on probation, parents of youth, victims of juvenile crime, and diverse groups of community members. The areas of inquiry were hearings and other court processes, court collaboration with justice system partners, placement, treatment, supervision options for youth, perspectives of parties and interested groups (e.g., youth, parents, victims, and community), education, training, and

customer service. The final report with findings and recommendations was presented to the council at its April 25, 2008 meeting.

➤ *Family Law Resource Guidelines*

In FY 2007–2008, allocated funds were expended to publish a volume that provides models of resource allocation and administration that promote effective practices on family case processing at all stages. An eight-member drafting team composed of judicial officers and a court executive officer make policy decisions for the project and review all drafts of the volume. The drafting team is supported by eight groups of experts from the courts working on content in such topics as assistance to self-represented litigants, differentiated case management and early comprehensive settlement, court operations, hearings and trials, custody mediation and other social services, domestic violence, and AB 1058 issues. A group working on workload analysis was also assembled. There were over 70 court participants from 24 courts including judges, commissioners, family law facilitators, family court services mediators, and court operations managers and staff.

➤ *Family Dispute Resolution Court Exchange Visits*

In FY 2007–2008, allocated funds were expended to support the collaboration among the trial courts' Family Dispute Resolution (FDR) programs across the state. Through the court exchange visits, the sharing of information and observation of the management of different FDR programs, the goal of the project is to strengthen the FDR programs across the state, thereby improving the quality of service to the public. This project included groupings of three courts of similar size, with visits taking place at each court over the span of a couple of weeks. Representatives from twelve trial courts participated.

➤ *Blue Ribbon Commission Public Hearing*

In FY 2007–2008, allocated funds were expended to cover the costs on travel expenses for presenters and commission members, audiovisual equipment, and testimony transcription for three public hearings. One was held in Sacramento, with members of the Assembly Select Committee on Foster Care participating, focused on the role of the courts in foster care and the experiences in court of youth, parents, caregivers, and court officials. The other two public hearings were held in Los Angeles and San Francisco during the public comment period for the commission's draft recommendations for changes to our foster care system and our juvenile dependency courts. Speakers included youth in foster care, parents, judges, attorneys, child welfare administrators as well as philanthropists and others who work to support foster youth.

➤ *Presiding Judges and Court Executives Meetings*

In FY 2007–2008, allocated funds were expended to facilitate the participation of about 454 trial court presiding judges, assistant presiding judges, court executives, assistant court executives, and other court leaders at ten committee meetings. The meetings provided a forum for the participants to discuss and consider both local and statewide court administration issues affecting trial court operations. The initiatives supported by the committees included revising the California Code of Ethics for court employees, revising the California payment policies for contract court interpreters, and deploying statewide trial court systems. Other issues addressed at the meetings included presiding judge responsibilities for effective domestic violence case management, rule of court amendments to address delays frequently caused by the ten-day trailing period for criminal cases, and recommendations towards clarifying performance standards and improving audit processes for the trial courts.

➤ *Kleps Award Program*

In FY 2007–2008, allocated funds were expended to award and publicize the Judicial Council’s biannual Ralph N. Kleps Award that honors and celebrates innovative contributions of courts to the administration of justice. Kleps Award nominees and recipients represent creative solutions to problems faced by many courts throughout the state. Funds were used for the travel costs for the committee members and recipients from the courts to the California Bench Bar Biannual Conference where the awards were presented. In addition, funds were used for the production and distribution of the publication *Innovations in the California Courts*. The book profiles replicable court innovations and statewide initiatives including projects that are recipients of the Ralph N. Kleps Award, and designed to promote advances in infrastructure, management, communications, and other aspects of the day-to-day business of the California courts.

➤ *Jury Management and Improvement Initiatives*

In FY 2007–2008, allocated funds were expended to improve the experience of jurors and the quality of justice in a variety of ways including: a) wide distribution of *Ideals Made Real*, a juror orientation video, and assorted educational materials; b) provided needed technology upgrades to jury management voice-activated and Internet-based systems in the Superior Court of Fresno County for the purpose of improving the quality of service to jurors; c) installed wireless internet access in trial courts statewide, including for jurors while they wait in jury assembly rooms; d) produced educational jury outreach brochures for trial courts and the AOC to inform the public and business owners about the importance of jury service; e) conducted three in-person meetings of the Joint Working Group on Jury Administration that focused on the plans, priorities and strategies of the working group and incorporated the Judicial Council’s Strategic Plan 2006-2012 into the group’s inaugural work plan.

➤ Courts Review Magazine

In FY 2007–2008, allocated funds were expended to publish the Courts Review Magazine (CRM), a branchwide quarterly periodical. CRM reports on initiatives and issues facing state courts and serves as a forum for court leaders and branch stakeholders. With a print run of 5,500, the magazine is mailed out to all judges and court executives in California, as well as chief justices and administrative directors in all 50 states. Another 1,000 copies are kept on hand for the executive office to hand out in conferences or leadership meetings. CRM continues to be the model flagship publication for the California Judicial Branch, supporting key branch projects, such as the Phoenix Financial and Human Resources Systems and the California Courts Case Management System, through feature articles; promoting upcoming events and programs through display ads; and with the flexibility to incorporate detailed messaging as with the Summit of Judicial Leaders, when necessary.

➤ Developing Promising Practices

In FY 2007–2008, allocated funds were expended to support three programs:

The California JusticeCorps Project – Funds were expended to support the California JusticeCorps program, an AmeriCorps program funded in part by the Governor’s California Volunteers agency. JusticeCorps members assist court based attorneys in serving the public by helping to triage cases, providing information and referral, identifying and completing legal forms, and assisting in day of court hearings. The JusticeCorps program expanded from FY 2006–2007 and recruited, trained, and placed over 230 undergraduate university students in court-based legal access self-help centers in Los Angeles, five Bay Area counties, and San Diego. Funds were also used to help create 11 new full-time JusticeCorps member positions for program alumni in Los Angeles and the Bay Area, who will continue working in the courts doing higher skilled tasks, including team leading and case management. JusticeCorps members served 59,000 self-represented litigants in FY 2007–2008.

California on My Honor: Civics Institute for Teachers – Funds were expended for the California on My Honor: Civics Institute for Teachers program. In summer 2008, fifty teachers participated in the program and six prior participants functioned as teacher leaders. This professional development program for competitively selected K-12 teachers is part of the California Judicial Branch approach to improving citizen knowledge about the role and operations of the courts. In collaboration with California State University at San Marcos, College of Education, the in-depth training institute provides teachers with: an overview of the current K–12 curriculum standards related to civics education; an increase in knowledge about the role and operations of courts; experience with models of existing K–12 court-and law-related education programs, including a visit to the

local courthouse and a meeting with judges; a review of the principles of effective lesson plan design and impact evaluation; and exposure to exciting ways to use technology in teaching about civics. Each participant teacher prepares unique lesson plans to use in their classrooms and reports back to institute leaders and participants after implementation and evaluation of the lesson plans. This program is an outgrowth of a 2006 local pilot program in San Diego. Approximately 15,000 children have been impacted by the California on My Honor: Civics Institute for Teachers program to date.

Joint Evaluation - Civics Institute for Teachers and Courts in the Classroom Website – Funds were expended to hire a professional evaluation firm to assess the effectiveness of the California on My Honor: Civics Institute for Teachers program as a professional development effort. A complimentary component of this program, and one that is also being evaluated by the contractor, is the Courts in the Classroom website. The evaluation is focused around the 2008 institute program and participant teachers and a sub-set of teachers and students at the schools in which institute participant teachers’ work. This evaluation will allow the AOC to determine to what degree this professional development program for K-12 teachers is meeting its goals, what changes would benefit the program, and if there is substantial enough effectiveness of this programmatic approach to warrant further expansion beyond 2008. In addition, the use of the website by a subset of teachers and students is being evaluated for effectiveness as a curriculum tool.

➤ *Trial Court Performance Measures Study*

In FY 2007–2008, allocated funds were expended to develop measures of performance and accountability in the trial courts as an outgrowth of the Judicial Council’s adoption of the Resource Allocation Study (RAS) model and in support of SB 56 (Government Code § 77001.5). Funds have been used to advance the goals of the Judicial Council in the following ways:

1. Extended the pilot test of the National Center for State Courts (NCSC) CourTools to two additional mid-sized courts focusing on the development of resources – training materials, data collection tools, analytical templates – that will provide courts the technical support they need for administration and analysis of CourTools user-satisfaction survey;
2. Developed recommendations on data validation and data quality control to ensure that data used for policy development and evaluation of court performance is accurate. The project consisted of:
 - Pilot data validation project in four superior courts – Contra Costa, El Dorado, Placer and Ventura – to review court procedures, documentation, and correspondence of data from case files, case management system, and

the statewide data warehouse;

- Targeted data validation in four superior courts – Amador, Contra Costa, Santa Clara, and Orange – to ensure the validity of conservatorship data to be used in determining budget allocations related to the Omnibus Conservatorship and Guardianship Act of 2006;
 - Technical assistance to the Superior Court of Amador County to enable the reporting of basic data on filings and dispositions that the court has not been able to report to the AOC.
3. Supported the work of the “Developing Effective Practices in Criminal Caseflow Management” project and its special technical assistance to the Superior Court of Riverside County.
 4. Launched a study of procedural justice and outcome fairness in small claims cases in support of the development of a survey of users of small claims court. Conducted interviews with court staff, judicial officers and users of the courts and conducted focus groups to identify topics for further exploration in phone survey to be administered in late 2008.

➤ High Priority Media Relations Projects

In FY 2007–2008, allocated funds were expended to sponsor the Second Annual Meeting of Court Public Information Officers, which received excellent evaluations from the 52 judges, court executives, PIOs, managers, and staff who attended the one-day program in San Francisco. The session gave participants practical tips and guidance on crisis communications, effective interview techniques, and how to create successful media programs. Thirty-five counties and one appellate court were represented. The AOC’s Public Information Office and Office of Communications developed the training curriculum, which was designed for PIOs and court communications professionals of varying experience levels.

In addition, funds were used to support the Bench Bar Media Committee. During FY 2007–2008, the Chief Justice appointed the 14-member Bench Bar Media Steering Committee, which was charged with improving professional working relationships among judges, lawyers, and journalists who report on the courts (<http://www.courtinfo.ca.gov/presscenter/newsreleases/NR12-08.PDF>). The first meeting of the Steering Committee is scheduled for December 3, 2008.

➤ Branch Online Communications

In FY 2007–2008, allocated funds were expended to complete the first phase of the Judicial Branch Redesign Project. A new graphical design system has been created for all AOC-maintained Web sites (California Courts, Serranus, Center for

Families, Children and the Courts, Education Portal, and COMET) and a new information architecture has been created that consolidates all the content and information from the sites mentioned above into one new "super-site." The next phase of work involves developing an implementation and migration plan for launching the new site on our new Web Content Management System, Red Dot.

➤ *Court Interpreters Program – Testing, Development and Implementation*

In FY 2007–2008, allocated funds were expended to support core functions of the Court Interpreters Program (CIP). The majority of funding was used to cover the costs of Test Administration, the Court Interpreters Advisory Panel, and Ethics and Orientation Workshops for newly certified and registered interpreters.

Test Administration – During fiscal year 2007–2008, there were a total of six court interpreter test administrations statewide, and over 2,700 candidates were tested. CIP's court interpreter examination process is the only way in which additional interpreters can become certified or registered.

Judicial Council's Court Interpreters Advisory Panel – The Judicial Council's Court Interpreters Advisory Panel held three face-to-face meetings and two teleconferences during FY 2007–2008. Travel and meeting costs for the 17 members (voting and advisory) were paid for by these funds. The Court Interpreters Advisory Panel (CIAP) was established under California Rule of Court 10.51. Meetings were held in Burbank and San Francisco and were focused on developing recommendations to improve and update the court interpreter testing process. The recommendations developed by CIAP were approved by the council and CIP is working to implement the approved recommendations, including using an oral proficiency screening exam to screen in qualified bilingual test candidates.

Ethics and orientation workshops – Three ethics workshops and two orientation workshops were held for new court interpreters. Attendance totals for the year included 98 interpreters at the ethics workshops and 28 at the orientation workshops. Newly certified court interpreters are required by the Judicial Council to attend an ethics workshop, and newly registered interpreters are required to attend one ethics workshop and one orientation workshop. Court interpreters have commented that the workshops are productive, highly structured, and professional, provide a valuable forum for exchanging ideas, and provide them with information on what bench and bar officers expect from court interpreters.

➤ *Judicial Council Orientation/Branch Planning – Trial Court Participants*

In FY 2007–2008, allocated funds were expended to pay for the travel expenses for trial court members of the Judicial Council to attend a three-day branch wide planning meeting. The 2008 branch-wide planning meeting addressed branch

wide priorities including equitable access to justice, procedural fairness and independence, accountability and impartiality of the judicial branch.

➤ *Interpreter Recruitment Campaign*

In FY 2007–2008, allocated funds were expended to develop outreach and advertisement materials including press releases and radio, television and print advertisements that are being run throughout California. In that effort, CIP worked closely with an advertising firm. In addition, CIP worked with the advertising firm to create and distribute 1,000 court interpreter recruitment toolkits to trial courts throughout the state, community organizations, and educational institutions. Toolkits include brochures describing the court interpreting profession, advertising posters, contact information for CIP, and a frequently asked questions sheet. CIP received a great deal of positive feedback on the toolkits from courts and court interpreters, specifically that the toolkits are helpful and informative for recruiting new court interpreters. In addition to positive feedback on the toolkits, the numerous press releases have resulted in newspaper articles in general and ethnic media newspapers around the state. Since beginning the advertising work in the fall of 2007, there has been a 35 percent increase in the overall number of court interpreter examination test takers, including 63 percent who represent first time test takers. In addition, there has been a 50 percent increase in inquiries to CIP regarding becoming a court interpreter.

➤ *Authorization to Administer Psychotropic Medication*

In FY 2007–2008, allocated funds were expended to cover the cost for a pilot project between the AOC’s Northern/Central Regional Office and six trial courts to assist juvenile court judges in cases where a doctor has recommended treating a dependent child of the court with psychotropic medications. Judges were provided with expert medical consultants to help them make informed decisions on authorizing medications. In approximately 20 percent of the cases that were referred to a consultant, the consultant did not agree with the recommended medication and suggested that the court either deny or modify the request. The consultant review is helpful where relatively little is known about the drug(s) in question for “pediatric” use or when the juvenile is being prescribed a “cocktail” of psychotropic medications that make it difficult to determine the appropriateness of the prescriptions, potential contraindications, and/or risk of side effects.

➤ *Interim Commission on Civil Fees*

In FY 2007–2008, allocated funds were expended to pay the travel expenses of commission members attending the interim commission’s meeting in San Francisco. The charge of the commission is to review fee issues periodically and to propose adjustments to accommodate inflation and other factors affecting operating costs for the trial courts, county law libraries, dispute resolution programs, and other programs that rely on court fees for funding.

Conclusion

During the past decade, the judicial branch has undergone dramatic and fundamental structural changes, including the switch from county funding to state funding of the trial courts along with subsequent improvements in branch's budget process, the unification of 220 municipal and superior courts into 58 court systems—one in each county. All these changes have been encouraged and embraced as part of the judicial branch's focus on creating a strong judicial branch that is better equipped to comprehensively deliver justice to all Californians.

Funding from the Improvement and Modernization Funds continues to represent a vital component of the judicial branch budget to ensure equal access to fair and consistent justice across the state.

Trial Court Improvement Fund
FY 2007–2008
Resources

Description	Amount
BEGINNING FUND BALANCE	\$ 146,706,027
Prior Year Adjustments	3,518,346
Adjusted Beginning Fund Balance	<u>150,224,373</u>
REVENUES AND TRANSFERS	
50/50 Excess Fines and Forfeitures Split Revenue	67,280,506
2% Automation Fund Revenue	17,536,456
Interest from Surplus Money Investment Fund	7,499,537
Sales of Document/Royalties from Publications of Jury Instructions	482,011
Miscellaneous Revenue	45,304
One Percent (1%) Transfer from the Trial Court Trust Fund	26,124,130
Transfer to Trial Court Trust Fund (AB 1806, GC 77202(a)(B)(iii))	<u>-31,563,000</u>
Total Revenues and Transfers	87,404,943
Total Resources	\$ 237,629,316

**Trial Court Improvement Fund
FY 2007–2008
Summary of Fund Balance**

Description	Amount
Total Resources	\$ 237,629,316
Expenditures and Encumbrances	
Ongoing Statewide Programs	151,029,997
Trial Court Projects and Model Programs	6,548,325
Emergency Funding Reserve	0
Subtotal Expenditure and Encumbrance	157,578,322
Pro-rata, Statewide General Administrative Services	0
Total Expenditures, Encumbrances, and Pro-Rata	157,578,322
Total Fund Balance	\$ 80,050,994

**Trial Court Improvement Fund
FY 2007–2008 Expenditures and Encumbrances
Category I - Ongoing Statewide Programs**

Description	Amount
Trial Court Security Grants	\$ 6,784,682
Litigation Management Program	4,607,435
Commission on Judicial Performance Defense Insurance	780,193
Subscription Costs - Judicial Conduct Reporter	28,770
Trial Court Transactional Assistance Program	739,069
Self-Represented Litigants - Strategic Planning	300,230
Family Law Interpretive Program for Domestic Violence Cases	1,762,332
Self-Help Centers	2,434,410
Online Training	24,194
Branchwide Strategic Planning	319,659
California Courts - Connecting with Constituencies	385,331
Employee Assistance Program for Bench Officers	51,949
Trial Court Benefits Program - Legal Advice	115,000
ADP Master Contract	100,000
Statewide Administrative Infrastructure Initiatives ¹	122,258,402
Statewide Administrative Infrastructure Initiatives and Other Initiatives Support ¹	10,338,341
Total Ongoing Statewide Programs	\$ 151,029,997

¹ See Addendum 1 for the list of projects.

Trial Court Improvement Fund
FY 2007–2008 Expenditures and Encumbrances
Statewide Administrative Infrastructure Initiatives - Projects and Support

Description	Amount
<i>I. Enterprise Policy/Planning (formerly Statewide Strategic Planning and Deployment)</i>	\$ 4,789,320
<i>II. Court Management Systems (CMS)</i>	
Phoenix Project - Fiscal Management Systems	18,365,662
Phoenix Project - Human Resources Systems	2,313,191
California Case Management System (CCMS)	70,528,022
Interim Case Management System (ICMS)	2,514,786
<i>Subtotal, CMS</i>	93,721,661
<i>III. Data Integration</i>	3,814,234
<i>IV. Infrastructure</i>	
California Courts Technology Center (CCTC)	7,663,412
Telecommunications / WAN	12,269,775
<i>Subtotal, Infrastructure</i>	19,933,187
<i>V. Statewide Administrative Infrastructure Initiatives Support¹</i>	10,338,340
Total Statewide Administrative Infrastructure Initiatives and Support	\$ 132,596,742

¹ As specified by the provisions of GC 68085(a)(2)(A), the amount available from the Improvement Fund that can be used for administrative infrastructure support needs is 20% of the amounts deposited into the Improvement Fund pursuant to GC 77205(a).

Trial Court Improvement Fund
FY 2007–2008 Expenditures and Encumbrances
Category II - Trial Court Projects and Model Programs

Description	Amount
Settlement Support Services for Unrepresented Litigants	\$ 330,000
Legal Services for P3 Agreement	200,000
E-Access Working Group Meetings	12,423
Working Group on Personal Information and Court Outsourcing	2,144
Domestic Violence Orders after Hearing Project	214,996
Effective Caseflow Management of Family and Juvenile Cases	95,845
National Consortium Regarding Pro Se Litigation	75,000
Domestic Violence Practice and Procedure Task Force	47,087
Snapshot 2008	174,511
Tort Funds Liaison	74,479
Riverside Trial Court Criminal Cases Processing Evaluation	118,000
Enhanced Collections - Consultant	450,000
Commission on Impartial Courts	192,577
Audit Contract	1,100,000
Distribution to Trial Courts [pursuant to GC 77205(a)(2)] ¹	1,421,178
Mercer Consulting - GASB 43/45	650,000
Workers Compensation Implementation Reserve Program	146,019
Trial Court Healthcare Reserve Account	277,000
Trial Court Benefits Program - Third Party Administrator	551,067
New South Justice Center Courthouse Project	416,000
Total Trial Court Projects and Model Programs	\$ 6,548,326

¹ Pursuant to GC 77205(a), the amount above the FY 2002–2003 50/50 Excess Fines Split Revenue level is to be allocated between the trial court(s) that collected amounts above the FY 2002–2003 level, other trial courts as provided in GC 68085(a)(1) [that is, to the TCTF], and retained in the Improvement Fund. The amounts distributed are one-time funds that will vary in amount from year-to-year. For this reporting period, the adjusted FY 2002–2003 base level was \$62.434 million.

Judicial Administration Efficiency and Modernization Fund

FY 2007–2008

Summary of Expenditures and Encumbrances

Description	Amount
Appropriation	\$ 37,692,000
Expenditures and Encumbrances by Category	
Statewide Technology Projects	26,369,468
Education and Developmental Programs	3,300,612
Pilot Projects, Special Initiatives, and Ongoing Programs	7,580,538
Total Expenditures and Encumbrances	37,250,618
Appropriation Savings	\$ 441,382

**Judicial Administration Efficiency and Modernization Fund
 FY 2007–2008 Expenditures and Encumbrances
 Category I - Statewide Technology Projects**

Description	Amount
<i>I. Enterprise Policy/Planning (formerly Statewide Strategic Planning and Deployment)</i>	\$ 696,591
<i>II. Court Management Systems (CMS)</i>	
Phoenix Project - Financial Management Systems	3,513,741
Phoenix Project - Human Resources Information Systems	610,542
California Case Management System (CCMS)	8,821,317
Interim Case Management Systems (ICMS)	2,227,654
Jury Management	494,891
<i>Subtotal, CMS</i>	<i>15,668,145</i>
<i>III. Data Integration</i>	<i>4,841,849</i>
<i>IV. Infrastructure - California Courts Technology Center</i>	<i>5,162,883</i>
Total Statewide Technology Projects	\$ 26,369,468

Judicial Administration Efficiency and Modernization Fund
FY 2007–2008 Expenditures and Encumbrances
Category II - Educational and Developmental Programs

Description	Amount
Orientation for New Court Judges	\$ 109,691
B.E. Witkin Judicial College of California	220,456
Family Law Assignment Education	62,676
Juvenile Law Assignment Education	55,302
<i>Subtotal, Mandated State Education Program</i>	448,125
Criminal Law and Procedure Institute	19,504
Cow County Judges Institute	32,277
Winter Continuing Judicial Studies Program (CJSP)	159,994
Probate and Mental Health Institute	46,180
Civil Law and Procedure Institute	45,107
Overview Courses	112,877
<i>Subtotal, Non-Mandated Education Programs</i>	415,939
Court Management Course (Fall CJSP)	68,416
California Judicial Administration Conference	229,166
Technical Assistance to Local Courts	183,440
Train the Trainers - Faculty Development	140,348
Training Coordinators Conference	13,362
Trial Court Faculty (Statewide Education Programs)	417,548
Judicial Administration Graduate Program	50,000
Court Management Curriculum	33,333
<i>Subtotal, Programs Related to Court Administration</i>	1,135,613
Mid-level Management Conferences	39,201
Court Clerk Training Institute	320,800
Distance Learning (Satellite Broadcast)	353,031
Court Staff Training	13,999
TC Judicial Attorney Institute	47,654
HR Staff Training	3,923
<i>Subtotal, Programs for Trial Court Staff</i>	778,608
Achieving Equal Justice for Women and Men in California Courts	140,000
CFCC Programs (Teen Courts and Beyond the Bench)	186,283
CFCC Publications	93,940
International Community Corrections Association Conference	32,963
Trial Court Outreach - Visits to Council/AOC	41,550
New Judicial Officer Regional Meeting for Branch Policy	885
California Courthouses Book	26,707
<i>Subtotal, Other Educational and Developmental Programs</i>	522,327
Total Education and Developmental Programs	\$ 3,300,612

Judicial Administration Efficiency and Modernization Fund
FY 2007–2008 Expenditures and Encumbrances
Category III - Pilot Projects, Special Initiatives, and Ongoing Programs

Description	Amount
Alternative Dispute Resolution	\$ 1,010,700
Complex Civil Litigation Pilot Program	3,957,600
Plain-Language and Foreign language	75,000
Self-Help Videos for the Website	3,850
Interactive Software - Self-represented Electronic Form	61,077
Drug Court Cost Analysis	208,686
Collaborative Justice Transferability Study	48,000
Juvenile Delinquency Court Assessment	53,924
Family Law Resource Guidelines	171,895
Family Dispute Resolution Court Exchange Visits	14,423
Blue Ribbon Commission Public Hearing	10,963
Presiding Judges and Court Executives Meetings	179,562
Kleps Award Program	73,356
Jury Management and Improvement Initiatives	214,874
Court Review Magazine	104,608
Developing Promising Practices	369,214
Trial Court Performance Measures Study	258,451
High Priority Media Relations Projects	38,946
Branch Online Communications	333,541
CIP - Testing, Development, and Implementation	231,302
JC Orientation/Branch Planning - Trial Court Participants	10,111
Interpreter Recruitment Campaign	125,000
Authorization to Administer Psychotropic Medication	24,000
Interim Commission on Civil Fees	1,456
Total Pilot Projects, Special Initiatives, and Ongoing Projects	\$ 7,580,538