

SB 56 WORKING GROUP CHARTER **July 27, 2009; Updated 2012**

In 2006, the California State Legislature passed Senate Bill 56 (SB 56) directing the Judicial Council to adopt and report to the Legislature concerning “judicial administration standards and measures that promote the fair and efficient administration of justice.” Improving the administration of justice is one of the founding purposes of the Judicial Council enshrined in Article VI of the California State Constitution. Since the advent of state funding of the trial courts, the Judicial Council has adopted standards and measures that allow for the equitable allocation of resources across courts and to prioritize the allocation of those resources.

The Judicial Council has approved two essential tools for these purposes: the Judicial Workload Assessment and the Resource Allocation Study (now termed the Resource Assessment Study, or RAS). The Judicial Workload Assessment was approved by the council in 2001 and updated in 2004, 2007, 2008, and 2010. In 2006, the basic parameters of the model were incorporated into statute under SB 56, which mandates that the trial court workload estimates be updated every two years. Since 2006, 100 new judgeships have been created by the legislature in SB 56 and Assembly Bill 159 (AB 159) using the judicial workload model to estimate the number of new judgeships needed by the courts and to prioritize where new judgeships are most urgently needed.

The RAS model was approved by the council in 2005 to use in the budget allocation process and is updated annually to identify the most underfunded courts and supplement their budgets to adjust for historic underfunding. Since 2005, using workload estimates derived from the RAS model, the Judicial Council authorized the allocation of approximately \$31 million in new funding to the baseline budgets of the most severely underfunded courts in the state using a portion of State Appropriations Limit (SAL) funding.

The *SB 56 Working Group* is established to ensure that these models are regularly revised to adequately capture standards and measures that promote the fair and efficient administration of justice and to provide input from the trial courts on these and other measures and standards of trial court performance.

Charge

The AOC Office of Court Research (OCR) is responsible for developing a comprehensive model for a discreet number of performance measures for court systems and developing an implementation plan for performance measurement in a timely, efficient manner. OCR is also responsible for preparing amendments to the Judicial Workload Assessment and the Resource Assessment Study models as they relate to standards and measures of court administration. The *SB 56 Working Group* is responsible for responding to proposed performance measures and implementation plans and modifications to the Judicial Workload Assessment and the Resource Assessment Study Model by providing advice and suggestions to improve and to effectively implement the plans and models. Specifically, the *SB 56 Working Group* will review and provide

advice to the OCR on proposals for instituting performance measures and implementation plans in areas such as:

- Processes, study design, and methodologies that should be used to measure and report on court administration; and
- Amendments to the Judicial Workload Assessment and the Resource Assessment Study models as they relate to standards and measures of court administration.

Members will also advise the AOC on studies and analyses undertaken to update and amend case weights through time studies, focus groups, or other methods.

In addition to the working group, OCR and the SB 56 members may employ other means of gathering information, analyses, and perspectives through interviews with national or state experts on relevant topics or roundtables of judges, lawyers, and court staff with experience in specific subject matters, as needed.

After review and approval by the SB 56 Working group, OCR will will present final proposals in these areas to the Judicial Council.

Membership

Accounting for the dual focus of the working group, addressing both judicial workload and court staff workload issues, membership in the *SB 56 Working Group* consists of both judicial officers and court executive officers (CEOs). The working group will have sixteen members, with approximately half of the membership consisting of judicial officers and half CEOs. The membership will include both representatives from courts that have participated in previous workload studies and members from courts that have not previously participated.

SB 56 Working Group members will serve for staggered renewable four-year terms. The length of the term is slightly longer than that of other AOC working groups to allow for a member to serve through an entire workload model update cycle.

The judicial and court-executive membership of the *SB 56 Working Group* will broadly reflect the diversity of the Superior Courts, taking into account:

- Participation of urban, suburban, and rural courts;
- Diversity in size and adequacy of court resources;
- Participation of both small and large courts, expressed by the number of judgeships;
- For judicial officer members, diversity of case-type experience; and

- Recent service on the Civil and Small Claims, Collaborative Justice Courts, Family and Juvenile Law, Criminal Law, Probate and Mental Health, and/or Traffic Advisory committee.

No fewer than four courts will represent each of the AOC's three regional groupings.

Membership may include a judge and court executive from the same court.

SB56 Working Group meeting attendees also includes AOC staff from the Center for Families, Children & the Courts, the Civil and Small Claims Advisory Committee, the Criminal Law Advisory Committee, and others with knowledge of and experience with standards and measures of court performance.

A working group member serves as the chair of the group, serving for a two-year renewable term.

Appointment

Members will be appointed by the Administrative Director. The chair of the working group is also appointed by the Administrative Director.

Frequency of Meetings

The working group shall meet twice a year as a full body, with at least one meeting annually to be held in person.