



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
April 24, 2012	For Information Only
To	Deadline
Members of the Judicial Council	N/A
From	Contact
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Report on Activities of the Administrative Office of the Courts	

The following information outlines some of the many activities in which the Administrative Office of the Courts (AOC) is engaged to further the Judicial Council's goals and priorities for the judicial branch. The report focuses on action since the council's February meeting and is exclusive of issues on the April meeting agenda.

TABLE OF CONTENTS	PAGE
State Bar Appointment of New Judicial Council Member	3
AOC Organizational Restructuring and Budget Reductions	3
AOC Voluntary Separation Incentive Program	3
Establishment of AOC Criminal Justice Court Services Office	3
Reentry Court Program	3
California Risk Assessment Pilot Project	4
New Judgeships and Vacancies	4, 21
Posting of Statements of Judges' Economic Interests	4
Legislative Activities	4
Senate Budget Hearing	4
Legislative Hearing on Impacts of Judicial Branch Budget Cuts	5
Bench-Bar Coalition Legislative Visits	5
Court Construction Funding Advocacy	5
Stand Up for Justice Rally	5
Proposal for Court Operational Efficiencies, Cost Savings, and New Revenue	5
New Bills Introduced	6
Association of Defense Counsel of Southern California Meeting	6
Budget	6
Enhanced Collections	6
Judicial Branch Audit Program	6
Administrative Infrastructure	6
Technology	6
Facilities	8
Human Resources	9
International Visitors Program	9
Family Dispute Resolution Court Exchange Visits	9
Legal and Court Services Regarding Tribal/State Programs	10
Advisory Committees, Task Forces, and Working Groups	10
Judicial and Court Employee Education	14

State Bar Appointment of New Judicial Council Member: At its March 2 meeting, the State Bar Board of Trustees appointed Mr. James P. Fox of the San Mateo County District Attorney's Office to the Judicial Council. Mr. Fox will replace Ms. Miriam Krinsky when her term of service expires in September 2012.

AOC Organizational Restructuring and Budget Reductions: Continuing reorganization efforts to achieve efficiencies and cost savings, the AOC Executive Team is focusing on identifying and implementing a course of action that will allow the agency to meet its statewide responsibilities to the Judicial Council, the courts, and the public in the current challenging environment. Efforts are focused on four key areas:

1. Managing major budget reductions for fiscal year 2012–2013 and beyond;
2. Confirming the core activities for the AOC in this environment of reduced resources;
3. Identifying programs and services that should or could be realigned or eliminated; and
4. Identifying associated employee positions that will need to be realigned within the organization or eliminated through layoffs.

Program and service priorities and proposed reductions will be discussed with the Chief Justice and the Judicial Council. Input also will be sought from trial and appellate courts leaders on issues where courts will be most directly affected.

AOC Voluntary Separation Incentive Program: As part of the broader budget reduction effort, a second round of the Voluntary Separation Incentive Program (VSIP) is being implemented by the AOC. A first round, implemented in the last quarter of 2011, was instrumental in helping the organization achieve its target reduction of \$13.4 million for the current fiscal year. However, with that reduction increasing for fiscal year 2012–2013, additional savings are needed. The timeline of the VSIP anticipates separation of participants no later than May 30, 2012. The final number of participants and projected savings will be reported once all final acceptances have been received.

Establishment of AOC Criminal Justice Court Services Office: Effective April 1, the existing Community Corrections Program was reconfigured into the Criminal Justice Court Services Office to better manage AOC efforts related to community corrections, the 2011 Criminal Justice Realignment, and other criminal justice activities. Several divisions within the AOC currently work on various aspects of Criminal Justice Realignment, and they will continue to do so. Placing the management of this multidivisional work in one place improves efficiencies and assistance to the courts. This restructuring will be accomplished using existing staff and resources.

Reentry Court Program: AOC staff conducted a preliminary analysis of the Parolee Reentry Courts including a description of how the courts operate, demographic data on participants, some

initial outcomes, and a discussion on the impact of the Criminal Justice Realignment legislation on reentry courts.

California Risk Assessment Pilot Project: The Napa County Probation Department, one of the risk assessment pilot counties, hosted a half-day training for probation officers from the other three participating counties (San Francisco, Santa Cruz, and Yolo Counties). The objective was to provide the probation officers with a detailed view of the ways in which Napa County has implemented a range of evidence-based practices to reduce recidivism among adult felony probationers.

New Judgeships and Vacancies (*see full report on page 21*):

- Since February 2012, the Governor made three new judicial appointments: Imperial (1), Alameda (1), and Contra Costa (1) Counties.
- In March, one new judgeship was created by converting a commissioner position for the Superior Court of Sacramento County.
- Currently, there are 6 Court of Appeal and 76 trial court judicial vacancies.

Posting of Statements of Judges' Economic Interests: The Fair Political Practices Commission (FPPC) at its regularly scheduled meeting in March addressed judges' security concerns relating to the FPPC's regulation requiring posting of Statements of Economic Interest (Form 700) of elected officials, including judges, on the FPPC website. The FPPC heard testimony from Judge David M. Rubin (California Judges Association President), Judge James R. Brandlin (Los Angeles), and Judge Benjamin G. Davidian (Sacramento) about the special risks for judges in light of their unique role in deciding controversial issues. AOC General Counsel Mary Roberts suggested that the FPPC defer implementation of the posting regulation with respect to judges to allow more time to consider judges' security-related concerns and how to address them. The FPPC voted 4–1 to defer posting judges' Forms 700 pending further consideration of guidelines for redacting or deleting security-sensitive information before online posting and directed staff to present guidelines at the May FPPC meeting.

Legislative Activities

Senate Budget Hearing: On April 19, 2012, Senate Budget and Fiscal Review Subcommittee No. 5, chaired by Senator Loni Hancock, held a hearing on the judicial branch budget. Topics included the impacts of recent budget reductions, and the California Court Case Management System. The committee approved a motion to require the judicial branch to submit a report to the subcommittee by May Revise detailing operational efficiencies, including system-wide or court specific.

Joint Senate Committee Hearing on Impacts of Judicial Branch Budget Cuts: The Senate Judiciary Committee and Senate Budget and Fiscal Review Subcommittee No. 5 held a joint hearing on the impacts of budget reductions to the courts on April 16, 2012. The hearing provided the opportunity for the committees to examine the impacts of budget reductions on the administration of justice. Panels of judges, court executives, practitioners, court employee organizations, and others presented testimony. Also testifying were the co-chairs of the American Bar Association's Task Force on Preservation of the Justice System, Theodore B. Olson and David Boies. The executive summary and recommendations from a report on the Hearings on California's Civil Justice Crisis held throughout the state in November and December was passed out at the meeting. The Chief Justice, Mr. Olson, and Mr. Boies spoke at a press conference prior to the hearing on the need to adequately fund the judicial system.

Bench-Bar Coalition Legislative Visits: In conjunction with the Chief Justice's State of the Judiciary address to the Legislature, members of the Bench-Bar Coalition (BBC) met with legislators from their districts to advocate in support of the judicial branch. Nearly 40 BBC and Judicial Council members made personal visits to Capitol offices. They updated legislators and key staff members on the devastating effects of reductions to the judicial branch budget on the courts, the bar, and legislators' constituents and urged legislators to protect court construction funding and to move forward with projects that are providing much-needed jobs around the state.

Court Construction Funding Advocacy: A new coalition has formed to advocate for the protection of court construction funds. The *Just Build Coalition for California Courthouse Construction* consists of organizations representing building trades, contractors, engineers, architects, and other stakeholders. Their website is <http://www.justbuildcalifornia.com/>.

Stand Up for Justice Rally: We continue to work with the Open Courts Coalition—a bipartisan committee of attorneys advocating for adequate funding of the justice system—on court funding issues and on securing a judicial branch budget that ensures that courts remain open and accessible. On April 18, 2012, the coalition hosted a rally—Stand Up for Justice—in San Francisco. The rally was cosponsored by a number of organizations, including the State Bar of California and local and specialty bar associations. Speakers included representatives from the judicial branch, legal aid organizations, local governments, law schools, the court construction industry, and other community and legal organizations.

Proposals for Court Operational Efficiencies, Cost Savings, and New Revenue: The AOC convened a Trial Court Efficiencies Working Group, made up of presiding judges and court executive officers, to examine legislative changes that would enable the courts to operate more efficiently and provide cost savings. The working group met three times and passed their recommendations on to the Ad Hoc Advisory Committee on Court Efficiencies, Cost Savings,

and New Revenue. Recommendations of the ad hoc advisory committee will go to the council's Policy Coordination and Liaison Committee for consideration for council sponsorship.

New Bills Introduced: Hundreds of new bills were introduced in the lead up to the February 24 deadline for introducing bills for the 2011–2012 legislative session. Office of Governmental Affairs advocates analyzed justice system-related bills that fall within the Judicial Council's purview and will bring them to appropriate advisory committees for input. Staff will continue to monitor the bills and advocate any positions taken by the council.

Association of Defense Counsel of Southern California: Office of Governmental Affairs Director Curtis L. Child attended the 51st Annual Seminar of the Association of Defense Counsel of Southern California in Los Angeles, along with California Defense Counsel lobbyist, Mike Belote. Mr. Belote and Mr. Child provided attendees with an overview of the political climate in Sacramento and the judicial branch budget and reviewed new and pending legislation impacting the defense practice in California.

Budget

Enhanced Collections: The Enhanced Collections Unit revised cost recovery guidelines, standards, and the reporting template currently used by court and county collection programs. The revised documents have been posted for public comment and will be presented to the Judicial Council in June for final approval.

Judicial Branch Audit Program

- Regular cycle comprehensive audits were initiated for the Superior Courts of Los Angeles and Santa Barbara Counties.
- Regular cycle comprehensive audit field work was completed for the Superior Courts of Santa Clara, Stanislaus, and Tuolumne Counties.
- A regular cycle comprehensive audit was completed for the Superior Court of Mariposa County and is awaiting review by the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch.

Administrative Infrastructure

Technology

Civil, Small Claims, Probate and Mental Health Case Management System (V3):

- The AOC successfully supported the Superior Court of Ventura County in updating cases based on reassigning civil operations from the East County Courthouse to the Hall of Justice. The second phase of moving non-active cases has commenced.

- Staff also supported the Superior Court of Sacramento County in development of an e-filing solution. The e-filing portal was opened for business on March 12.

Interim Case Management System—Sustain Justice Edition: The AOC funds program management oversight for this case management system. For courts hosted at the California Courts Technology Center, maintenance activities included utility upgrades, server updates, and storage area network reclamation to reduce data storage costs.

Oracle Financial System: The older application ceased to be supported by Oracle in December 2011. A technical upgrade completed in February 2012 migrated all existing functions for the following modules—general ledger, accounts payable, purchasing, iProcurement, fixed assets, accounts receivables, and custom claim schedules.

Award for California Courts Protective Order Registry: *Computerworld* has named the AOC as a 2012 Honors Laureate for applying technology to meet a specific social need in the “safety and security” category based on the California Courts Protective Order Registry. The AOC developed the registry by applying the technology used in the development of the California Case Management System. *Computerworld* is a leading source of technology news and information and is published by International Data Group Enterprise.

Phoenix Human Resources Management System:

- **Bank Account Consolidation:** Historically, the trial courts have maintained separate bank accounts with Bank of America. Leveraging functionality in the Phoenix System to keep funds separated, all courts can now be part of a single account. This transition results in significant banking fee savings for the trial courts. Initial savings of \$700,000 from the consolidation are expected. By placing particular bank accounts on the same software platform and creating efficiencies stemming from less manual procedures it is estimated that there will be \$30,000 annually in additional savings for the courts.
- **Best Practice Guidelines:** The AOC has worked with court executives of the Phoenix Steering Committee (9 executives—3 each from small, medium, and large courts), and the Phoenix Human Resources courts' working group to compile a set of best practice guidelines for administration of certain human resources and payroll functions. These guidelines will help address common problem areas for the seven courts using the system. The guidelines are available on the Serranus website and will be updated and improved, as appropriate.

Alpine Superior Court Administration Assistance: AOC staff provided assistance to the Alpine court on their effort to assume administrative functions previously provided by a private Certified Public Accounting firm. Processes are now in place at the court and in the

AOC's Trial Court Administrative Services Division to fully manage budgetary and financial transactions, employee timekeeping and payroll, and all associated compliance reporting.

Facilities

Facility Maintenance Pilot Program: In March, the selection group of the Trial Court Facility Modification Working Group and members of the Office of Court Construction and Management approved court participation in the pilot program that will delegate to the participating courts responsibility for some or most facility maintenance services. The participating courts are the Superior Courts of Imperial, Orange, Riverside, and San Luis Obispo Counties. Orange will have full delegation participation, while courts in Riverside and San Luis Obispo will have moderate delegation, and Imperial will have minor delegation. The pilot program will begin in Imperial and San Luis Obispo Counties on July 1, and Orange and Riverside Counties on October 1. The AOC continues to reach out to other courts that may be interested in the program and to work with all courts to improve the program.

Capital Projects:

Forty-nine Projects Moving Forward: Site selection and acquisition for 21 new courthouse projects are in progress, design is under way on 19 projects (renovations and new construction), and 8 projects (total project value of \$1.2 billion) are either in construction or ready to begin construction.

New Courthouse Groundbreaking Ceremony: The new Calaveras County courthouse groundbreaking ceremony was held in San Andreas. The four-courtroom courthouse is expected to open in the fall of 2013. The ceremony included remarks by Presiding Judge John E. Martin, Court Executive Officer Hugh Swift, and the chair of the Calaveras County Board of Supervisors. More details on the new courthouse are available on the California courts' website at: <http://www.courts.ca.gov/facilities-calaveras.htm>.

State Public Works Board Approval:

Site acquisition:

- New Stockton courthouse
- New Santa Rosa Criminal courthouse
- New Sonora courthouse

Preliminary plans:

- New Hanford courthouse
- Renovation and addition to the Juvenile Justice Center, Superior Court of San Joaquin County

Facility Modifications:

As of April 10, 2012, there were 379 active facility modifications at a total estimated cost of \$52,239,962.

Human Resources Services

Labor Relations: The AOC is supporting 15 trial courts in labor negotiations and assisting with the development and implementation of voluntary separation programs in three trial courts. Overtime, the AOC has provided labor relations services to 36 of the 58 trial courts.

Employee Relations: Employee relations assistance is currently being provided to 15 courts. Assistance includes training for court staff, training for court supervisors/managers, employee investigations, performance management, and employee disciplinary actions.

Classification and Compensation: The AOC is assisting the Supreme Court in developing a new classification series and is conducting certain classification reviews for the Superior Court of Madera County and the Court of Appeal, Third Appellate District, at their request.

Judicial Support Services: The AOC was invited by the Superior Court of Alameda County to participate in its *State of the Court* meeting. Staff presented an overview of the judges' state payroll and benefits programs, as well as the Judges Retirement Systems (JRS I and JRS II).

Judicial Branch Workers' Compensation Program: The AOC assisted two courts with their workers' compensation claims file reviews by providing consultative support for claims handling strategy. The five-part webinar training series on workers' compensation claims and program administration continues to be well-attended by courts, with representation from staff from the 56 participating trial courts. The webinars will continue through June.

Policy Development: Staff is providing technical assistance to the Superior Court of Sutter County to update the court's personnel policies and procedures manual.

International Visitors: The AOC hosted a group of judges and attorneys representing Bangladesh, India, Nepal, Sri Lanka, and Pakistan. Following an overview of California's court system, the group heard presentations on maintaining transparency and equal access to justice, self-help services, tribal/state court relations, and human trafficking.

Family Dispute Resolution Court Exchange Visits: AOC staff, trial court management from the Superior Court of San Luis Obispo, Fresno, and Merced Counties, who oversee their Family

Court Services and child custody mediation programs, visited each other's courts to confer, observe, and exchange information about their respective programs.

Legal and Court Services Regarding Tribal/State Programs: In Sonoma County, assistance was provided regarding transfer of Indian Child Welfare Act (ICWA) cases. In Sacramento County, assistance was provided with implementation of ICWA in delinquency cases.

Advisory Committees/Task Forces/Working Groups

Advisory committees will hold only one in-person meeting per year until the fiscal situation improves. Other meetings will be convened using video- or audio-conferencing.

The following committees met since the Judicial Council's February meeting:

1. Administrative Presiding Justices Advisory Committee
2. Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch
3. Appellate Advisory Committee
4. Appellate Indigent Defense Oversight Advisory Committee
5. Civil and Small Claims Advisory Committee
6. Collaborative Justice Courts Advisory Committee
7. Court Executives Advisory Committee and Conference of Court Executives
8. Court Facilities Working Group
9. Court Interpreters Advisory Panel
10. Court-Ordered Debt Task Force
11. Court Technology Advisory Committee
12. Criminal Law Advisory Committee
13. Mental Health Issues Implementation Task Force
14. New Judges Education Working Group
15. Trial Court Budget Working Group
16. Trial Court Efficiencies Working Group
17. Tribal Court and State Court Forum
18. Trial Court Presiding Judges Advisory Committee

Meeting Details

Administrative Presiding Justices Advisory Committee:

- Discussed the appellate courts' budgets, including solutions for the remainder of fiscal year 2011–2012 and proposals for addressing projected budget cuts in fiscal year 2012–2013.

- Discussed numerous pending bills that would expand appellate court jurisdiction in matters relating to the California Environmental Quality Act, as well as the possibility of developing standard e-filing practices among the Courts of Appeal.
- Appellate Court Budget Subcommittee convened its first meeting and focused on developing a recommendation regarding the level of General Fund reductions that can be sustained and operationalized by the appellate courts in fiscal year 2012-13.

Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch:

- Contracts Working Group discussed the updated list of active AOC contracts; potential approaches to provide the council's Executive and Planning Committee with AOC contract efficiencies information; and recommendations to improve the financial accountability associated with these contracts.
- Considered the pending audit report pertaining to the Superior Court of Mono County.

Appellate Advisory Committee:

- Reviewed public comments on and recommended adoption of proposed rules to implement recently enacted legislation establishing an expedited procedure for review in the Court of Appeal of California Environmental Quality Act claims involving certain large development projects.
- Reviewed and recommended that the Judicial Council oppose recently introduced bills to expand the expedited procedure for review of California Environmental Quality Act claims in the Court of Appeal.
- Reviewed suggestions for new and amended appellate rules and forms and recommended seven proposals for possible circulation for comment.

Appellate Indigent Defense Oversight Advisory Committee:

- Conducted standard review/audit of a random sampling of appellate-level court-appointed counsel claims.
- Discussed options for addressing the structural funding deficit of approximately \$5 million in the Court-Appointed Counsel program. With the goal of replacing the annual deficiency request, a budget change proposal for a permanent funding allocation was submitted to the Department of Finance.

Civil and Small Claims Advisory Committee:

- Received reports on the judicial branch budget and recently introduced civil legislation.
- Recommended circulation of several rules and form proposals—including proposals to amend the rules on voir dire to be consistent with recently enacted legislation, adopt a new set of form interrogatories for use in construction litigation, revise the *Emergency Protective Order* form to clarify firearms requirements, amend rule 3.827 on requests for dismissal of

arbitrated cases and several other rules on judicial arbitration, and amend rule 3.1385 on notices of conditional settlement.

- Recommended that the Judicial Council sponsor legislation to amend the Code of Civil Procedure to provide procedures for state courts' recognition and enforcement of civil judgments issued by tribal courts.

Collaborative Justice Courts Advisory Committee:

- Considered the impact of criminal justice realignment on collaborative justice courts, updates on the work of the Mental Health Issues Implementation Task Force and the Veterans' Court Working Group, and the preliminary results of the Parolee Reentry Court program.
- Received updates on recent legislative changes that affect collaborative courts.

Court Executives Advisory Committee and Conference of Court Executives:

- Discussed Judicial Council actions on the California Court Case Management System, the nature of proposed revisions to the Judicial Branch Contracting Manual, and the proposed recommendation by the Phoenix Steering Committee to seek an alternate source of funding for the financial component of the Phoenix Shared Services Center.
- Received updates concerning the new Trial Court Efficiencies Working Group and presiding judges and court executive officers' Joint Rules Working Group.

Court Facility Working Group:

- Approved recommendation to the Judicial Council that 13 planned courthouse projects be reassessed with the goal of significantly lowering their costs.

Court Interpreters Advisory Panel:

- Heard a report from the American Sign Language subcommittee on draft changes to Evidence Code section 754 that would include updates to terminology and clarifications in the code.
- Discussed the Video Remote Interpreting pilot program, followed by a live demonstration of the video program with two participating courts.
- Discussed and approved, for submission to the Judicial Council, recommended changes to the Court Interpreters Professional Compliance Standards to strengthen orientation and training of new interpreters.
- Discussed a staff report and recommendation on the policy regarding de-designation of previously designated languages. Voted to recommend to the Judicial Council that the policy not be changed at this time, but be revisited after the next five-year language use and need study is completed in 2015.

Court-Ordered Debt Task Force:

- Surveyed the state's courts, counties, and cities about their Special Fund expenditures as they pertain to criminal and traffic-related fines and fees for fiscal years 2008–2009 and 2009–2010. Responses are being collected as part of the task force's efforts to meet its statutorily defined obligations.

Court Technology Advisory Committee:

- Supported, in principle, mandatory e-filing as a local court option and agreed to work in collaboration with other entities to enact legislation this year to provide courts with statutory authority to institute such e-filing.
- Recommended several rule proposals for circulation, including amending rule 8.212 to provide for service by electronic means of copies of civil briefs to the Supreme Court, amending rules to provide for use and updating of e-mail addresses on papers filed in the appellate and trial courts, and amending rule 10.1028 to modernize the law on the creation and retention of appellate court records.
- Received updates on the Court Efficiencies Working Group, the Information Technology Working Group, and the Judicial Council meeting on the California Court Case Management System.
- Considered subcommittee reports and future actions, including the establishment of an e-access working group, the development of model terms of use for court websites, and assisting in providing education on court technology.

Criminal Law Advisory Committee:

- Considered various rule, form, and legislative proposals, including:
 - A legislative proposal to apply current probation revocation procedures to mandatory supervision, postrelease community supervision, and parole revocations;
 - A legislative proposal to prohibit intercounty transfer of misdemeanor cases and eliminate a separate transfer procedure for Prop 36 cases;
 - Legislative proposals designed to address many of the felony sentencing uncertainties resulting from recent criminal justice realignment legislation;
 - Revisions to the Judicial Council felony waiver and plea form (CR-101) in response to criminal justice realignment; and
 - Amendments to rules 4.470 and 4.305 to eliminate an unnecessary transcript requirement.

Mental Health Issues Implementation Task Force:

- Discussed the task force work plan, the annual agenda, and project objectives.

New Judge Education Working Group:

- Meeting for the first time, discussed the initial plan for information gathering and the process for analyzing and making recommendations on new judge education to the Governing Committee for the Center for Judicial Education and Research.

Trial Court Budget Working Group:

- Newly appointed membership discussed budget process and strategies for 2012–2013.
- Received a brief orientation on branch funding and an overview of specific issues expected to go before the group over the next several months.
- This working group is expected to play an important role in developing methodologies for the allocation of budget reductions in the coming fiscal year.

Trial Court Efficiencies Working Group:

- Met three times to examine legislative changes that would enable the courts to operate more efficiently and provide cost savings.
- AOC staff worked on rough cost savings estimates for all of the proposals.
- Items approved were passed on to the Ad Hoc Advisory Committee on Court Efficiencies and Cost Savings and then to the council's Policy Coordination and Liaison Committee for consideration for council sponsorship.

Tribal Court and State Court Forum:

- Discussed extension of California Courts Protective Order Registry to all tribal courts.
- Discussed the legislative proposal regarding comity for civil judgments and planning for the October educational symposium for tribal and state court judges, in partnership with the National Judicial College, and funded by the Bureau of Justice Administration.

Trial Court Presiding Judges Advisory Committee:

- Reviewed the branch budget (including finance and legislative perspectives) and received updates from the council's California Court Case Management System Internal Committee, the Advisory Committee on Financial Accountability and Efficiency, the Joint Legislation and Joint Rules Working Groups, and recently appointed presiding judge liaisons to council advisory committees and task forces. Discussed budget issues, actions, and proposed solutions related to reduction scenarios.

Judicial Branch Education Programs

Judicial Education

1. Appellate Judicial Attorneys Institute
2. Assigned Judges Program Orientation
3. Basic Spousal Support and Attorney Fees and Costs

4. Ethics and Self-Represented Litigants in Domestic Violence Cases
5. Evidence in Civil and Criminal Cases
6. Family Dispute Resolution
7. Family Law: Spousal Support and Attorney Fees
8. Handling Sexual Assault Cases
9. Judicial Ethics and Social Networking for Appellate Justices
10. LPS Holds and Conservatorships
11. Qualifying Judicial Ethics
12. Supervising Judges Institute

Judicial Officer, Court Employee, and Justice System Stakeholder Education

1. Assessing Difficult Conservatorship Cases (for probate court investigators)
2. Best Practices Approach Initiative
3. Court Clerk Training Institute
4. Death Penalty Procedures (for court reporters and courtroom clerks)
5. Exploring the Criminal Department (for trial court personnel)
6. Family Dispute Resolution Regional Training (for directors, managers, and supervisors)
7. Implementing California Fostering Connections to Success Act (Extending Foster Care)
8. Information Sharing to Improve Foster Care Outcomes
9. Indian Child Welfare Act Training
10. Institute for Court Management: *Court Performance Standards* (for trial court leadership)
11. Institute for Court Management: *Essential Components* (for trial court leadership)
12. Introduction to Family Procedure (for trial court personnel)
13. Labor Relations Academies
14. San Diego Family Law Bar Association Presentation

Broadcasts

1. Appellate Court Records and Files (for appellate staff)
2. Building and Leading Effective Multigenerational Teams (for court supervisors)
3. Coaching: Building Positive Relationships (for court supervisors)
4. Court Personnel Training: Realignment: An Overview for Court Personnel
5. Great Minds: Neuroscience and the Law (for judges)
6. Managing and Supervising: Coaching Relationships (for managers and supervisors)
7. Practical Judge: Extending Foster Care in Dependency Court (AB 12/212)
8. Realignment: An Overview for Court Personnel (for court staff)
9. Today's Law: Family Law Update

New Online Courses

1. Domestic Violence Restraining Orders
2. Introduction to Family Procedure

3. Restraining Orders Against Harassment, Abuse, or Violence
4. Unlawful Detainers

New Online Resources

5. Courtroom Simulations: Felonies
6. Dependency Hearings
7. Monthly Online Interactive Articles and Quizzes
8. Sexually Violent Predators
9. Trial Court Judicial Attorneys Institute videos
10. Ten-Minute Mentor: Social Networking

Updated Online Courses

1. Civil Trial Evidence: I Object!
2. Communicating with Self Represented Litigants
3. Common Objections
4. Contempt
5. Courtroom Control
6. Custody and Visitation
7. Dividing Property
8. Domestic Violence, Communication with Self Represented Litigants
9. Domestic Violence Restraining Orders
10. Family Dispute Resolution Bay Area Regional Training
11. How To Run a Busy Calendar
12. Is It Hearsay?
13. Judicial Ethics for Temporary Judges
14. Jury Challenges
15. Real World Judicial Ethics I, II, III
16. Relevance and Its Limits
17. Trial Evidence
18. You Be the Judge: Hearsay and Its Exception

Benchtools Posted

1. Civil
2. Probate
3. Unlawful Detainer
4. Small Claims

Benchbooks/Benchguides

1. Injunctions Prohibiting Civil Harassment and Workplace/Postsecondary School Violence
2. Small Claims Court

3. Landlord-Tenant Litigation: Unlawful Detainer
4. Restitution

Publications

1. Juvenile Dependency Mediation: An Overview

Program Details

Judicial Education

Assigned Judges Program Orientation: Twenty new judges and justices in the Assigned Judges Program attended an all-day program orientation covering the program rules and procedures, “best practices” through a panel hosted by two veteran retired judges, and an overview of the Serranus website and LexisNexis training.

Criminal Assignment Courses: Courses for experienced and advanced judges with criminal law assignments were offered. Topics addressed handling sexual assault cases, advanced felony sentencing (including new sentencing structure after realignment and the incorporation of evidence based practices into sentencing), and homicide trials, and death penalty trials.

Domestic Violence Institute Faculty Meeting: Faculty for the Domestic Violence Judicial Institute met to revise the institute curriculum in preparation for the program to be held in May. The faculty includes seven substantive law faculty and eight seminar leaders. The institute is a skills-based program with components on fact finding and decision making across case types involving domestic violence allegations.

Ethics and Self-Represented Litigants in Domestic Violence Cases: Twenty judges and commissioners attended this program where participants enact a domestic violence hearing involving self-represented litigants, view a tape of the mock-hearing, and receive comments from experienced faculty. The program also contains components on restraining and protective orders and ethics issues in domestic violence cases.

Family Dispute Resolution: A one-day, regional training provided mandated continuing education for 59 child custody mediators, recommending counselors, and evaluators.

Handling Sexual Assault Cases: Judge J. Richard Couzens (Ret.) and Judge George Clarke joined with forensic psychologist Dr. Ellen Stein in conducting a two-day course on handling sexual assault cases from arraignment through post-sentencing procedures. The grant-funded course was presented as part of the Criminal Assignments Program.

Qualifying Judicial Ethics Training: Core ethics classes of the Fourth Qualifying Ethics Cycle were held in San Diego, and in Monterey, at the California Judges Association Retired Judges program.

Supervising Judges Institute: The program for 39 participants focused on court leadership, handling difficult conversations, the role and responsibility of supervising judges in relationship to the Commission on Judicial Performance, and ethical challenges. The institute also provided an opportunity for the supervising judges to network, discuss challenges, and share solutions.

Judicial Officer, Court Employee, and Justice System Stakeholder Education

Assessing Difficult Conservatorship Cases: The course provided a one-day class for 36 probate court investigators. The class addressed differences between general, limited, and LPS conservatorships, the investigator's role in determining the need for a temporary, general, limited, or LPS conservatorship, review investigations, pitfalls in the use of discretion in making the determinations required by law, developing competency to effectively assess challenging cases, and effective report writing.

Best Practices Approach Initiative: This grant-funded program provided training for court and justice partner professionals and provided technical assistance in Inyo County on using evidence-based practices, programs, and principles in juvenile justice cases.

Court Clerk Training Institute: This bifurcated two-week program was attended by 92 courtroom and legal process clerks. The program addressed counter and courtroom procedures for probate, traffic, and civil procedures.

Death Penalty Procedures: This one-day class for 36 court clerks and reporters provided insight into capital cases, from preliminary certification through both phases of record correction to certification of the record.

Exploring the Criminal Department: The course provided two, one-day classes for court staff, addressing terms specific to criminal litigation, steps involved in criminal case flow, the differences between misdemeanors and felonies, parties involved in criminal matters, and the roles and responsibilities of court employees working in the criminal department.

Extending Foster Care: Implementing California's Fostering Connections to Success Act: To support implementation of Assembly Bill 12/212, a two-hour webinar provided an orientation to judicial officers and court stakeholders on new hearing types and court

procedures. Staff is also working to prepare a two-part broadcast for juvenile court judicial officers in April.

Information Sharing to Improve Foster Care Outcomes: AOC staff provided training to judicial officers and court and justice partner professionals in Santa Cruz County on new guidelines for sharing educational information on foster youth under the Family Education Rights and Privacy Act.

Family Dispute Resolution Directors, Managers, and Supervisors Regional Training: The first and second of four spring regional trainings for Family Court Services directors, managers, and supervisors included legal procedures and best practices on information sharing, managing Family Court Services files, domestic violence workshops, and implementation of California Rules of Court. An interactive presentation on managing within the court system and a segment on local regional issues are also included in this six hour training.

Indian Child Welfare Act (ICWA) Training: Inspired by National Public Radio reports on foster care placement of children, the American Bar Association Parent Representation Project, in collaboration with the National Child Welfare Resource Center on Legal and Judicial Issues, and the AOC presented a webinar series for parents' attorneys focused on ICWA. The ICWA has provided the following trainings: (1) training for social workers in Alameda County, (2) national training on qualified expert witness testimony by webinar in partnership with American Bar Association, (3) training for probation officers in San Francisco County, and (4) a presentation on tribal court protective orders and tribal customary adoption in Riverside County.

Institute for Court Management: *Court Performance Standards CourTools*: This three-day class for court employees addressed how to use CourTools and the Court Performance Standards as a framework to guide courts by setting target performance, monitoring, and evaluation.

Institute for Court Management: *Essential Components*: This three-day class for court employees identified critical, foundational judicial branch purposes, and examined tools that measure efficiency in supporting core functions.

Labor Relations Academies: The AOC hosted the annual Labor Academies in Burbank and Sacramento with 122 registered participants representing 34 trial courts.

San Diego Family Law Bar Association Presentation: Staff presented on "Children's Participation in Family Law," reviewing the new rule of court (5.250) as part of a three-hour

educational program with local judicial officers and attorneys for several hundred local practitioners.

Broadcasts

Appellate Court Records and Files: This new broadcast for assistant deputy clerks, judicial assistants, records assistants, and office assistants who work in the appellate courts defined records on appeal, summarized the appeal process, identified case management system docket entries, distinguished between sealed and confidential documents, and discussed records retention.

Coaching: Building Positive Relationships: A new broadcast for court supervisors describes the qualities of coaching within the court environment and explains the concept of self-management, emotional intelligence, and its importance to leadership.

Realignment: An Overview for Court Personnel: A new broadcast, aired for court employees included a panel of court managers who shared their knowledge of post-realignment sentencing, split or hybrid sentencing, and the changes in custody credit calculation. They also explained the postrelease revocation hearing. This is the first broadcast on realignment that is devoted to court staff.

Publications

Juvenile Dependency Mediation, *An Overview*: This research update summarizes the results of a statewide survey of juvenile dependency mediation programs. Topics addressed include program structure and funding, staffing, volume, and details of the mediation process. For results see: www.courts.ca.gov/documents/JDM_Research_Update_Final.pdf

New Judgeships and Judicial Vacancy Report

Number of Judgeships Authorized, Filled, and Vacant as of April 17, 2012

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	Filled(Last Month)***	Vacant(Last Month)***
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	105	99	6	0	99	5
Superior Courts	58	1680	1554	76**	50*	1564	112
All Courts	65	1792	1660	132		1670	

*Authorized January 1, 2008, 50 new (AB 159) judgeships are added. However, the funding for these 50 new (AB 159) judgeships has not yet been provided.

** In March 2012, 1 new judgeship was created by converting a commissioner position for the Superior Court of Sacramento County

***As of February 29, 2012

COURTS OF APPEAL

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
First Appellate District, Division Four	1	Retirement	Hon. Patricia K. Sepulveda	02/29/12
Second Appellate District, Division Six	1	Retirement	Hon. Paul H. Coffee	01/31/12
Third Appellate District	1	Elevated	Hon. Tani G. Cantil-Sakauye	01/02/11
Fourth Appellate District, Division Three	1	Elevated	Hon. Kathleen E. O'Leary	02/09/12
Sixth Appellate District	2	Retirement	Hon. Wendy Clark Duffy	10/28/11
Sixth Appellate District		Retirement	Hon. Richard J. McAdams	02/28/11
TOTAL VACANCIES	6			

SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	3	Converted	New Position	02/09/12
Alameda		To Fed Court	Hon. Yvonne Gonzalez Rogers	11/19/11
Alameda		Retirement	Hon. Beverly Daniels-Greenberg	10/14/11
Butte	2	Retirement	Hon. Gerald Hermansen	03/31/12
Butte		Retirement	Hon. Steven J. Howell	02/29/12
Calaveras	1	Retirement	Hon. Douglas V. Mewhinney	03/01/12
Contra Costa	1	Retirement	Hon. Harlan G. Grossman	03/23/12
Del Norte	1	Retirement	Hon. Robert W. Weir	01/01/12
Kern	1	Retirement	Hon. Robert J. Anspach	09/09/11
Kings	1	Retirement	Hon. Lynn C. Atkinson	12/31/11
Los Angeles	23	Retirement	Hon. Anita H. Dymant	04/10/12
Los Angeles		Retirement	Hon. Rose Hom	03/27/12
Los Angeles		Retirement	Hon. Gary R. Hahn	03/07/12
Los Angeles		Retirement	Hon. Carl J. West	02/29/12
Los Angeles		Retirement	Hon. Jacqueline A. Connor	02/23/12
Los Angeles		Retirement	Hon. Marjorie S. Steinberg	02/14/12
Los Angeles		Converted	New Position	01/01/12
Los Angeles		Retirement	Hon. Burt Pines	12/31/11
Los Angeles		Retirement	Hon. Peter D. Lichtman	11/30/11
Los Angeles		Retirement	Hon. Maral Injejikian	09/05/11
Los Angeles		Retirement	Hon. Michael Allen Latin	09/05/11
Los Angeles		Retirement	Hon. Judith L. Champagne	08/31/11
Los Angeles		Retirement	Hon. Martha Bellinger	07/31/11
Los Angeles		Converted	New Position	07/31/11
Los Angeles		Retirement	Hon. John P. Shook	07/15/11
Los Angeles		Retirement	Hon. William J. Birney	07/07/11
Los Angeles		Converted	New Position	07/01/11
Los Angeles		Converted	New Position	07/01/11
Los Angeles		Converted	New Position	07/01/11
Los Angeles		Converted	New Position	07/01/11
Los Angeles		Converted	New Position	07/01/11
Los Angeles		Converted	New Position	07/01/11
Los Angeles		Retirement	Hon. Andrew C. Kauffman	05/15/11

Madera	1	Dis Retirement	Hon. Eric C. Wyatt	05/23/11
Marin	1	Converted	New Position	07/01/11
Mendocino	2	Retirement	Hon. Jonathan M. Lehan	03/04/11
Mendocino		Dis Retirement	Hon. Ronald Brown	01/31/11
Merced	1	Converted	New Position	01/03/12
Monterey	1	Retirement	Hon. Terrance R. Duncan	08/17/11
Napa	1	Dis Retirement	Hon. Stephen Thomas Kroyer	05/23/11
Orange	8	Retirement	Hon. Nancy A. Pollard	03/22/12
Orange		Converted	New Position	01/01/12
Orange		Retirement	Hon. Kazuharu Makino	09/30/11
Orange		Retirement	Hon. David C. Velasquez	09/09/11
Orange		Retirement	Hon. Michael J. Naughton	08/05/11
Orange		Deceased	Hon. James Patrick Marion	07/10/11
Orange		Converted	New Position	07/01/11
Orange		Converted	New Position	07/01/11
Riverside	1	Converted	New Position	02/09/12
Sacramento	4	Converted	New Position	03/19/12
Sacramento		Retirement	Hon. Gary S. Mullen	12/30/11
Sacramento		Converted	New Position	12/03/11
Sacramento		Retirement	Hon. James L. Long	03/10/11
San Bernardino	3	Retirement	Hon. Margaret A. Powers	11/30/11
San Bernardino		Retirement	Hon. Michael M. Dest	10/31/11
San Bernardino		Retirement	Hon. W. Robert Fawke	04/22/11
San Diego	4	Retirement	Hon. Frank A. Brown	03/31/12
San Diego		Retirement	Hon. William S. Cannon	03/31/12
San Diego		Retirement	Hon. William H. Kronberger	03/31/12
San Diego		Retirement	Hon. Linda B. Quinn	02/29/12
San Francisco	3	Retirement	Hon. Jerome T. Benson	01/20/12
San Francisco		Retirement	Hon. Tomar Mason	12/30/11
San Francisco		Retirement	Hon. Mary Carolyn Morgan	03/03/11
San Luis Obispo	1	Retirement	Hon. Teresa E. Mullaney	01/25/12
San Mateo	2	Retirement	Hon. H. James Ellis	08/31/11
San Mateo		Retirement	Hon. Rosemary Pfeiffer	03/31/11
Santa Barbara	1	Retirement	Hon. James W. Brown	09/30/11
Santa Clara	4	Retirement	Hon. Douglas K. Southard	09/30/11
Santa Clara		Retirement	Hon. Kevin J. Murphy	05/31/11
Santa Clara		Retirement	Hon. Alfonso Fernandez	04/12/11

Interim Administrative Director's Report to the Judicial Council

April 24, 2012

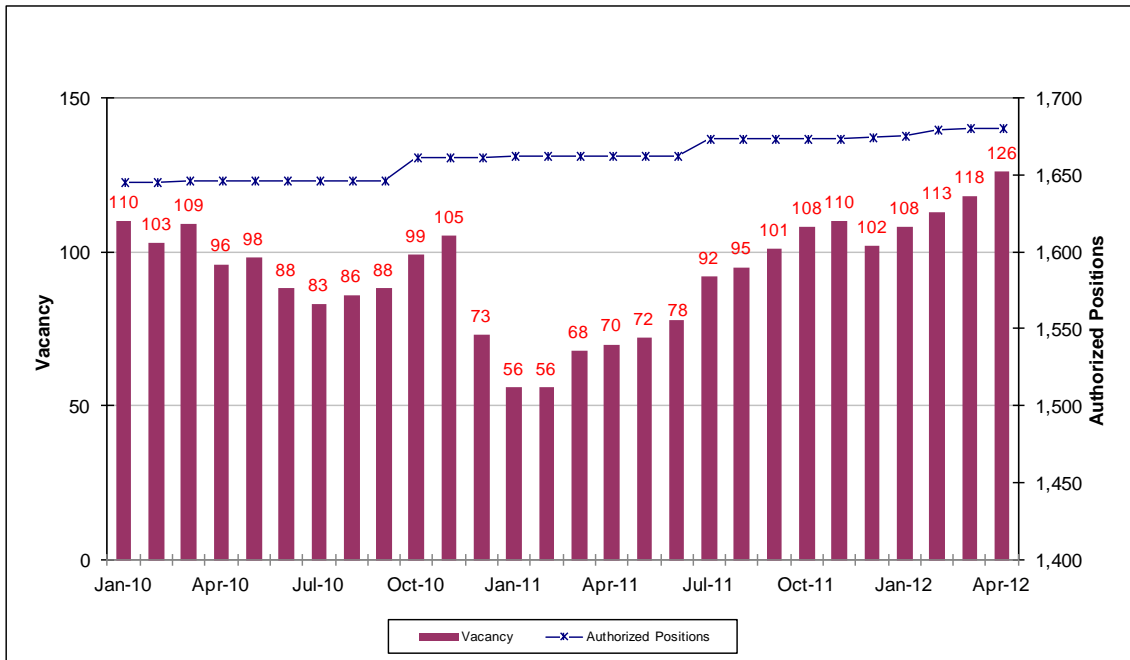
Page 24

Santa Clara		To Fed Court	Hon. Edward J. Davila	03/01/11
Santa Cruz	1	Converted	New Position	07/01/11
Shasta	1	Retirement	Hon. Wilson Curle	09/30/11
Solano	1	Retirement	Hon. Allan P. Carter	02/25/11
Stanislaus	1	Retirement	Hon. John G. Whiteside	04/15/11
Ventura	1	Retirement	Hon. Edward F. Brodie	11/30/11
SUBTOTAL:	76			
Authorized January 1, 2008, 50 new (AB 159) judgeships. However, the funding for these 50 new (AB 159) judgeships has been deferred and has not yet been provided.				
Butte	1	(AB 159)*	New Position	1/1/2008
Contra Costa	1	(AB 159)*	New Position	1/1/2008
Del Norte	1	(AB 159)*	New Position	1/1/2008
Fresno	4	(AB 159)*	New Positions	1/1/2008
Kern	3	(AB 159)*	New Positions	1/1/2008
Kings	1	(AB 159)*	New Position	1/1/2008
Los Angeles	1	(AB 159)*	New Position	1/1/2008
Madera	1	(AB 159)*	New Position	1/1/2008
Merced	2	(AB 159)*	New Positions	1/1/2008
Monterey	1	(AB 159)*	New Position	1/1/2008
Orange	1	(AB 159)*	New Position	1/1/2008
Placer	2	(AB 159)*	New Positions	1/1/2008
Riverside	7	(AB 159)*	New Positions	1/1/2008
Sacramento	6	(AB 159)*	New Positions	1/1/2008
San Bernardino	7	(AB 159)*	New Positions	1/1/2008
San Joaquin	3	(AB 159)*	New Positions	1/1/2008
Shasta	1	(AB 159)*	New Position	1/1/2008
Solano	1	(AB 159)*	New Position	1/1/2008
Sonoma	1	(AB 159)*	New Position	1/1/2008
Stanislaus	2	(AB 159)*	New Positions	1/1/2008
Tulare	2	(AB 159)*	New Positions	1/1/2008
Yolo	1	(AB 159)*	New Position	1/1/2008
TOTAL VACANCIES:	126			

New Vacancies that occurred in March and April 2012

*Conversions of subordinate judicial officer positions to judgeships

**Trial Court Authorized Positions and Vacancies
 January 2009 – April 2012**



Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month, from January 2010 through April 2012*								
Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Jan-10	1,645	1,535	110	6.7%	105	102	3	2.9%
Feb-10	1,645	1,542	103	6.3%	105	101	4	3.8%
Mar-10	1,646	1,537	109	6.6%	105	101	4	3.8%
Apr-10	1,646	1,550	96	5.8%	105	102	3	2.9%
May-10	1,646	1,548	98	6.0%	105	102	3	2.9%
Jun-10	1,646	1,558	88	5.3%	105	101	4	3.8%
Jul-10	1,646	1,563	83	5.0%	105	102	3	2.9%
Aug-10	1,646	1,560	86	5.2%	105	103	2	1.9%
Sep-10	1,646	1,558	88	5.3%	105	103	2	1.9%
Oct-10	1,661	1,562	99	6.0%	105	102	3	2.9%
Nov-10	1,661	1,556	105	6.3%	105	102	3	2.9%
Dec-10	1,661	1,588	73	4.4%	105	102	3	2.9%
Jan-11	1,662	1,606	56	3.4%	105	104	1	1.0%
Feb-11	1,662	1,606	56	3.4%	105	104	1	1.0%
Mar-11	1,662	1,594	68	4.1%	105	103	2	1.9%
Apr-11	1,662	1,592	70	4.2%	105	103	2	1.9%
May-11	1,662	1,590	72	4.3%	105	103	2	1.9%
Jun-11	1,662	1,584	78	4.7%	105	102	3	2.9%
Jul-11	1,673	1,581	92	5.5%	105	102	3	2.9%
Aug-11	1,673	1,578	95	5.7%	105	102	3	2.9%
Sep-11	1,673	1,572	101	6.0%	105	102	3	2.9%
Oct-11	1,673	1,565	108	6.5%	105	101	4	3.8%
Nov-11	1,673	1,563	110	6.6%	105	101	4	3.8%
Dec-11	1,674	1,572	102	6.1%	105	101	4	3.8%
Jan-12	1,675	1,567	108	6.4%	105	101	4	3.8%
Feb-12	1,679	1,566	113	6.7%	105	100	5	4.8%
Mar-12	1,680	1,562	118	7.0%	105	99	6	5.7%
Apr-12	1,680	1,554	126	7.5%	105	99	6	5.7%

* As of April 17, 2012