



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
October 23, 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 August meeting and is exclusive of issues on the October business meeting agenda.

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Budget Change Proposals: Following Judicial Council approval in August 2012 to develop specific funding proposals for the judicial branch for fiscal year 2013–2014, nearly a dozen budget change proposals were submitted to the state Department of Finance in accordance with established deadlines for the state budget development process. The submission included information to further the ongoing dialogue on structural deficiencies in the branch budget and the difficulties faced by trial courts unable to carry over fund balances after June 2014. The Department of Finance has since advised that proposals related to increased operations costs for new trial court facilities; failing trial court case management systems; and case team staffing and support for the Habeas Corpus Resource Center will not be considered further for 2013–2014. The AOC will continue to advocate for the remaining proposals submitted for consideration.

Judicial Branch Internal Audits:

- Regular cycle comprehensive audits were completed for the Superior Courts of Del Norte and Stanislaus Counties and submitted for review of the Accountability and Efficiency Committee for the Judicial Branch.
- Non-audit consultative services were provided for the following:
 - The Superior Court of San Joaquin County: county charges for information services;
 - The Bureau of State Audits, Assessment of Implementation of the Judicial Branch Contract Law (Pilot Court Audits);
 - The State Controller's Office, Financial Statement Audits of the Judicial Branch (Pilot Courts).
- A regular cycle comprehensive audit was initiated for the Superior Court of Monterey County.

Audit on Implementation of Judicial Branch Contract Law: The Bureau of State Audits has initiated the audit required under Public Contract Code Section 19210 to assess implementation of the Judicial Branch Contract Law. In addition to an audit of the AOC, the pilot trial courts selected are: Napa, Orange, Sacramento, Stanislaus, Sutter, and Yolo Counties. These courts have requested that the AOC provide technical audit expertise. A final report will be submitted to the Legislature, the Department of Finance, and the Judicial Council by April 1, 2013. A budget change proposal for audit costs was submitted to the Department of Finance.

Required Actuarial Reports Submitted for Trial Courts: The actuarial study required under Government Accounting Standards Board 43/45 was completed and submitted to the State Controller's Office in October in compliance with the established reporting deadline. The AOC is required to report "Other Post-Employment Benefits" for each of the trial courts to the State Controller's Office on a bi-annual basis.

Collections Reporting:

- *Collection of Court-Ordered Debt:* Pursuant to California Penal Code section 1463.010, courts and counties are required to submit information about their collection performance measures by September 30 each year. The information is used to produce the annual report submitted to the Legislature by December 31. As of October 10, 54 of the 58 courts and county collection programs reported collecting \$669,969,469 of delinquent court-ordered debt in fiscal year 2011–2012. The AOC's Enhanced Collections Unit will report final figures to the Judicial Council in December prior to submission of the report to the Legislature.
- *Amnesty Program:* The Amnesty Program, conducted on a statewide basis between January 1 and June 30, 2012, allowed individuals to make a lump-sum payment of 50 percent of their eligible outstanding balance to fully satisfy delinquent infractions or Vehicle Code misdemeanor cases, with the exception of driving under the influence and reckless driving. As of October 10, 2012, 48 of 58 courts had reported total collections of \$13,371,698 under the Amnesty Program. Reported operating costs to date total \$2,397,249.

Substance Abuse Focus Grants: Forty-seven courts applied for substance abuse focus grants in response to a solicitation on behalf of the Judicial Council's Collaborative Justice Courts Advisory Committee. The Legislature designates \$1,160,000 in annual funding for these collaborative and drug court projects. Funds to the 47 courts will be allocated upon approval of the Judicial Council.

Legislative Advocacy:

- In furtherance of increased efforts to provide legislators and committees with specific information on the fiscal impact of legislation on the judicial branch, the AOC prepared a budget change proposal for submission to the Department of Finance identifying the costs to the judiciary related to all legislation signed into law during the 2011–2012 legislative session.
- August 31 marked the end of the legislative session, and September 30 was the deadline for the Governor to act on legislation passed by the Legislature. The final Legislative Status Chart, reflecting the outcomes of all legislation during the 2011–2012 legislative session on which the council took a position, can be found at the following link: <http://www.courts.ca.gov/documents/LegStatusReport2012.pdf>

Legislative Analyst's Office Court Visits: The AOC continues to coordinate court visits and conference calls for legislative officials. Staff accompanied analysts from the Legislative Analyst's Office on a visit to the Superior Courts of San Diego, Orange, and Santa Cruz Counties. Conference calls focused on collection of court-ordered debt were completed, with the final call with the Trinity Superior Court.

Bench-Bar Coalition: The Bench-Bar Coalition held its fall meeting during the Annual Meeting of the State Bar of California and included remarks by and questions and answers with the Chief Justice. As Administrative Director of the Courts, I also had the welcome opportunity to address the membership. The agenda also included a session on how judicial branch budget reductions are impacting the practice of law in California. Panelists included trial court leadership, practicing attorneys, legal service providers, and representatives from legal community stakeholder organizations.

Judicial Administration Fellowship Program: The 2012–2013 class of ten Judicial Administration Fellows began their year of service with a week-long orientation at Sacramento State University. The program is a collaboration between the Judicial Council and the Center for California Studies at Sacramento State. Justice Ronald B. Robie welcomed the class on behalf of the judicial branch. The orientation included meeting with the administrators who will serve as mentors, briefings on major challenges facing the judicial branch, and advice from program directors and former fellows on how to make the most of the fellowship year.

Criminal Justice Realignment

- Staff collaborated with an advisory group of judges and trial court executives and court staff to draft outcome and disposition data elements related to the criminal justice realignment. Commencing January 1, 2013, the AOC will collect specified data as required by statute from the trial courts.
- Staff participated in several meetings with representatives of the California Department of Corrections and Rehabilitation to prepare for the transition of parole revocation responsibilities from the department to courts beginning July 1, 2013, including developing standardized forms and uniform procedures for consideration by the Criminal Law Advisory Committee.
- **Evidence-Based Probation Supervision/SB 678:** Site visits conducted in Kings and Napa Counties focused on gathering information on their implementation of evidence-based practices as well as validating data collected for the SB 678 project. Staff submitted a quarterly report documenting probation failure rates and legislatively mandated data elements to the California Department of Finance. Staff also conducted the second annual assessment of such practices used in probation departments throughout the state and received assessments from 57 of California's 58 counties.
- **Parolee Reentry Courts:** Preliminary evaluation data reports were created and distributed to the six pilot courts to assist in identifying effective program practices and outcomes.

- **California Risk Assessment Pilot Project:**
 - This pilot project in Napa, San Francisco, Santa Cruz, and Yolo Counties focuses on the intersection of probation and the courts in incorporating evidence-based practices and risk/need assessment information into felony sentencing and violation of probation proceedings.
 - In a two-day meeting to inform the development of curriculum that will be made available to all courts, state and national experts joined project teams comprising a judge, chief probation officer, and sheriff or jail manager from each of the four participating counties to begin their review of the use of evidence-based practices and risk assessments in other critical court decisionmaking processes under realignment: pretrial release decisions, new sentencing provisions, use of alternatives to local secure confinement; supervision and supervision revocation of offenders under mandatory supervision or postrelease community supervision, and implementing assessment-driven interventions for offenders with substance abuse and mental health risk factors.
 - Project managers for the four pilot counties met to review potential technical assistance work plans for the remainder of the fiscal year.
 - AOC staff conducted a site visit to Napa County to discuss project quantitative data collection requirements in order to effectively measure the impact of the use of Risk and Needs Assessment at the sentencing of felony probationers and responding to violations of probation.

Facilities

Trial Court Facility Management Pilot Program: As of October 1, 2012, the pilot program was fully launched. There are four courts participating in the program—Imperial, San Luis Obispo, Riverside and Orange—each have varying levels of delegated maintenance responsibility, as documented in intra-branch agreements. Training was provided on the AOC Computer Aided Facilities Management program, which dispatches and tracks maintenance work. The Office of Real Estate and Facilities Management will continue to support these courts and process maintenance work that falls outside of the delegated authority level.

SB 1407 Capital Projects: Three projects were approved by the State Public Works Board for inclusion in the fall bond sale scheduled to close on October 30—the new Woodland courthouse for Yolo County, the new North Butte County courthouse, and a renovation of the old Solano courthouse. The project teams and the courthouse cost reduction subcommittee of the Court Facilities Working Group identified over \$17 million in construction costs that will be trimmed. Additional projects are moving forward for the spring bond sale.

Facility Modifications: As of October 10, 2012, there were 398 active facility modifications at a total estimated cost of \$46,023,104.

Technology

Judicial Branch Technology Summit: During the week of October 22, the Judicial Council Technology Committee hosted a Technology Summit for the Court Technology Advisory Committee and the Judicial Branch Technology Initiatives Working Group to promote dialogue regarding the role and vision for branch technology. Mary Winkley Assistant Secretary for Program and Portfolio Management with the California Technology Agency moderated a discussion on the role and vision for judicial branch technology.

California Courts Technology Center Annual Disaster Recovery Exercise: The eighth annual disaster recovery exercise successfully demonstrated that infrastructure, network services, and applications hosted in the Tempe, Arizona technology center can be securely backed-up, redirected, and restored at a secondary site in Omaha, Nebraska. The AOC appreciated the participation of the Fresno, Humboldt, Imperial, Merced, Modoc, Plumas, Sacramento, San Benito, San Joaquin, Santa Cruz, and Ventura courts in testing over the weekend to help make the exercise a success.

Sustain Justice Edition Case Management System: The AOC and a consortium of court executive officers met to discuss the path forward for replacing this interim case management system for the 16 courts it supports.

ECitations Pilot Project: In a partnership of the AOC, the California Highway Patrol (CHP), and the Superior Courts of Orange, San Bernardino, and Santa Clara Counties, this project was developed to use a centralized data exchange to facilitate transmission of citation data to the courts. In October, the CHP made a decision to implement point-to-point interfaces with the pilot courts without utilizing the centralized data exchange. A separate effort will be initiated to explore development of a new centralized data exchange, dependent on identifying required funding and resources.

Electronic Noticing in Indian Child Welfare Cases: The partnership among the Cherokee Nation, the AOC, and the Los Angeles County Counsel's Office to develop electronic noticing in Indian Child Welfare Act (ICWA) cases has led to a broadened collaboration with the National Center for State Courts (NCSC) to facilitate electronic data sharing among state courts, child welfare agencies, and tribes. In its first meeting on this issue at the AOC's Burbank office, the NCSC invited representatives from the Cherokee and Navajo Nations and the Washoe tribe as well as state and county representatives from Arizona, California, Nevada, and New Mexico to discuss information exchange opportunities for ICWA

notification. The meeting was also broadcast nationally, and approximately 75 individuals participated online.

Phoenix Financial System Bulk Mailing Savings: Implementation of a bulk mailing software program that takes print jobs from the Phoenix financial system and pre-sorts them by zip code has reduced in postage from \$0.45 to \$0.38 per item for savings to courts. There are plans to incorporate additional mail items from Phoenix over the next several months, increasing pre-sorted mail from approximately 20,800 to 37,000 per month.

Savings from Comprehensive Payment Solution: The AOC configured the accounts payable system to leverage an automated payment service offered by Bank of America allowing vendors to be paid by the bank's electronic payment network instead of more costly paper check issuance. As a benefit of the program, the bank will share a portion of the credit card association fee proceeds with the courts in the form of a rebate estimated at \$700,000 once the program is fully operational. With recent assistance from the Superior Courts of Kern, Orange, and Riverside Counties, payments were successfully completed to pilot vendors. The vendor enrollment campaign has begun on a larger scale.

Human Resources

Labor Relations/Negotiations:

- The AOC is currently supporting 22 trial courts in labor negotiations and two court interpreter regions in bargaining sessions. Negotiations are becoming longer in duration due to the permanent reductions that are being sought by the courts to meet their ongoing funding reductions. Having two years to utilize the existing fund balance has allowed some courts to slowly infuse these long term changes and maintain labor stability.
- AOC staff assisted with the implementation of voluntary separation programs in four trial courts, and responding to Public Employment Relations Board charges, grievance responses and layoff processes in five additional courts.

Trial Court Employee Relations: Employee relations assistance is currently being provided to 11 courts. Assistance includes Family and Medical Leave Act compliance, policy review, employee investigations, performance management, and employee disciplinary actions. Staff also is providing technical policy development services and assisting two trial courts in updating their personnel policies and procedures manuals.

Trial Court Recruitment Assistance: Staff provided a full range of recruitment assistance in the Lassen and Siskiyou courts' executive officer recruitments. Assistance was provided to the San Francisco court on recruitment for an integrated disability programs analyst. General recruitment assistance is being provided to Santa Cruz and Tuolumne courts.

Judicial Branch Workers' Compensation Program: As program administrator, the AOC provides branchwide program oversight, subject matter expertise, and administrative support services to assist courts with the timely processing and closure of workers' compensation claims. HR has participated in workers' compensation claims file reviews for the Superior Courts of San Bernardino, Contra Costa, Imperial, Orange, Ventura, Mendocino, Fresno, and San Diego Counties.

California Appellate Project: The five appellate project directors, whose offices recruit and assist appointed lawyers who represent indigent clients in their fight to appeal criminal convictions, met with AOC staff to discuss statewide appellate court-appointed counsel issues, including the budget for the Court-Appointed Counsel Program.

Appellate Court Clerks' Association: Members convened to discuss computer infrastructures, business processes, budget, and court staff training conferences for the current and next fiscal year.

Child Welfare Council: Justice Vance Raye led a discussion with crossover Blue Ribbon Commission and Child Welfare Council members on how the two bodies could more effectively collaborate to leverage the resources available toward better outcomes for California's most vulnerable children and families. Both Secretary Diana Dooley and Justice Raye, co-chairs of the Child Welfare Council, enthusiastically endorsed the growing collaboration between the council and the commission.

AOC Space Reductions: Regarding previously announced plans to vacate the entire 7th floor and one-third of the 8th floor in the AOC's San Francisco office: following a walk-through of floor plan options for shifting staff, it was determined that the 8th floor space needs to be retained in order to adequately accommodate staff. The AOC currently leases approximately 70 percent of the 8th floor, with the remaining space occupied by the Department of Industrial Relations. Vacating the 7th floor will still provide a total of \$3.7 million in savings for the Judicial Council/AOC budget over the next three years.

AOC Staff Member Honored at Annual Native American Day Celebration: Native American women in leadership were honored by the Governor and tribal communities at the 45th Annual Native American Day celebration. Among the eight honorees were Judge Abby Abinanti, Chief Judge of the Yurok Tribe and member of the California Tribal Court-State Court Forum and Vida Castaneda (Chumash, Ohlone, and Zapotec), Court Services Analyst in the Tribal Projects Unit with the AOC's Center for Families, Children & the Courts.

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 August meeting:

1. Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch
2. Appellate Indigent Defense Oversight Advisory Committee
3. Blue Ribbon Commission on Children in Foster Care Truancy/School Discipline Work Group
4. Collaborative Justice Courts Advisory Committee
5. Court Facilities Working Group
6. Court Interpreters Advisory Panel
7. Court-Ordered Debt Task Force
8. Criminal Law Advisory Committee
9. Traffic Advisory Committee
10. Trial Court Budget Working Group

Meeting Details

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

- Approved pending audit reports for the Superior Courts of Del Norte and Stanislaus Counties for submission to the Judicial Council for review and acceptance.

Appellate Indigent Defense Oversight Advisory Committee:

- Audited 140 compensation claims paid to individual attorneys for work performed by the appellate project, as part of its regular quarterly review. Eighteen adjustment letters were sent to panel attorneys.
- Training Initiative Subcommittee received reports from the Appellate Projects on the 29 attorneys participating in various training programs.
- Project Oversight and Analysis of Triggered Claims Procedures Subcommittee reviewed 55 independent cases with five or more hours of project assistance. Additional project explanation was requested on a few cases.

Blue Ribbon Commission's Truancy/School Discipline Work Group:

- Met with representatives of the California Department of Education, the California Endowment, and other education-focused organizations to discuss a statewide summit on truancy and school discipline issues in fall 2013.

Collaborative Justice Courts Advisory Committee:

- Approved a plan to develop and submit a proposed optional form to identify veteran status in court proceedings, and received reports from the juvenile and reentry subcommittees.

Court Facilities Working Group:

- Convened an open, public meeting to determine which SB 1407 projects must be indefinitely delayed due to lack of adequate funding. Each court with one or more SB 1407 project presented information.
- Developed a preliminary recommendation to indefinitely delay seven SB 1407 projects for the courts of Kern, Los Angeles, Monterey, Placer, and Plumas.
- Posted preliminary recommendations for public comment for two weeks and, based on these comments, finalized recommendations for presentation to the council on October 26, 2012.
- Received the report of the Independent Outside Oversight Consultant Subcommittee, chaired by Judge Lucas of the Superior Court of Santa Clara County concerning the current effectiveness of the AOC capital construction program
- Subcommittee recommended that the report be accepted with two caveats: 1) the timeline of the implementation of the recommendations be extended by six months, until July 16, 2013, and 2) the task of creating and maintaining policies, procedures and guidelines necessary to implement the report's findings and recommendations be centralized, to ensure they are consistent and current throughout all parts of the AOC's Judicial Branch Capital Program Office.
- Findings and recommendations will be presented to the Judicial Council at the October meeting.

Court Interpreters Advisory Panel:

- Recommended adoption of proposed language changes in Evidence Code 754.
- Recommended guidelines for video remote interpreting for American Sign Language when in-person interpreters cannot be secured by the court; and changes to the compliance requirements for certified and registered court interpreters, including an additional requirement for interpreters to complete an online orientation on working in the California courts prior to being added to the Judicial Council's Master List.
- Recommended policy changes will go to the Administrative Director of the Courts for final approval before implementation.

Court-Ordered Debt Task Force:

- Continued efforts to complete a reconciliation of tables produced by the State Controller's Office detailing how trial courts and counties should distribute trial court fines, fees, forfeitures, penalties, assessments, and restitution orders in order to comply with California codes, recognizing that various pieces of legislation currently on the Governor's desk for

signature may further impact this ongoing effort. (The AOC and the Controller's Office have begun discussions toward the development of an enhanced statewide training program for county/court staff who participate in revenue distribution activities to promote a common approach.)

Criminal Law Advisory Committee:

- Considered comments received and approved recommendations to the Judicial Council regarding two rule and form proposals required by recent criminal justice realignment legislation that rendered current intercounty transfer and postrelease community supervision revocation procedures obsolete.

Traffic Advisory Committee:

- Recommended circulation for public comment of proposals for legislation, rules, and forms to establish pilot projects for remote video proceedings for traffic infraction cases and mandatory education proceedings.
- Developed recommendations to revise the Judicial Council's Uniform Bail and Penalty Schedules for 2013 and to amend California Rules of Court, rule 4.104, regarding eligibility of drivers with commercial driver's license to attend traffic violator school programs to avoid points for traffic violations in non-commercial vehicles.

Trial Court Budget Working Group:

- Subcommittee reviewed proposed 2012–2013 allocations from the State Trial Court Improvement and Modernization Fund; focused on finding an alternative option for funding costs and services provided through the Phoenix financial system, which are currently borne by each trial court (depending on the level of service provided).
- Discussed cash flow, alternatives for Phoenix financial system funding, court reporter fee issues, and considered proposed 2012–2013 allocations from the State Trial Court Improvement and Modernization Fund for presentation to the council at its October business meeting.

Judicial Branch Education Programs

Judicial Education

1. Building Relationships: Identifying your role in effective team building (offered through the California Court Association)
2. Complex Property WebEx course (for family court judges)
3. Family Law Complex Property: Interspousal Transfers
4. Primary Assignment Orientation Courses (for criminal, family, juvenile dependency, and limited civil law judges)

5. Qualifying Ethics Core Class (held at the California Judges Association Annual Meeting in Monterey, Sacramento, and San Luis Obispo)

Judicial Officer, Court Employee, and Justice System Stakeholder Education

6. American Association of Public Welfare Attorneys
7. Business Writing for the Courts (for appellate court personnel)
8. California Dependency Online Guide Website Demonstration
9. California Foster Youth Education Summit
10. Developing Effective Written Materials (offered offered through the California Court Association)
11. Domestic Violence On-the-Job Training
12. Evidence in Civil and Criminal Cases
13. Judicial Branch Funding-State-Level Process and Structure webinar for Presiding Judges and Court Executive Officers
14. Microsoft Word Tips and Tricks (for court staff)
15. Microsoft Excel Charting (for court staff)
16. National Judicial College – CA Tribal Court-State Court Symposium
17. Parolee Reentry Court Evaluation and Training
18. Probate Fees and Wills (for court staff)
19. Institute for Court Management courses
 - Managing Court Financial Resources
 - Leadership
 - Purposes and Responsibilities of Courts
 - Visioning and Strategic Planning
20. Seeking Additional Sources of Funding (webinar for Presiding Judges and Court Executive Officers)
21. Statewide Financial Roundtable WebEx Program (for Orange and San Bernardino courts)
22. Time Management course (for Justice Corps Volunteers)
23. Technology Summit Support WebEx transmission

Broadcasts

24. Demystifying the Appeals Process (for trial court personnel)
25. Everyday Managing and Supervising:
 - Coaching: Creating an Environment for Learning and Results
 - Courts and Technology Solutions Today
26. Supreme Court Outreach Program with the California Channel (broadcast & DVD)
27. The Jury Process (for trial court personnel)

New Online Resources

28. 10-Minute Mentor Videos:
 - Handling a Request for Disability Accommodation
 - Hearing Domestic Violence Cases
 - Pitfalls of Early Termination of Marital Status
 - Tips on Settling Criminal Cases
29. Civil Evidence Issues Courtroom Simulation
30. Ethics for New Judges

Updated Online Courses

31. The Americans With Disabilities Act in State Court
32. Courtroom Clerk at Felony Sentencing
33. Juvenile Court: Delinquency Hearings and Dependency Hearings courses
34. Work of the Courts

Videos

35. Electroconvulsive Shock Therapy
36. Evolving Criminal Realignment and Sentencing Issues for appellate justices and appellate attorneys
37. Gun Returns and Restoration of the Right to Bear Arms
38. Introduction to Developmental Disability

Publications

39. Report on Litigant and Case Characteristics in Small Claims Cases Revised/Updated Benchguides and Benchbooks
40. AB 1058 Child Support Proceedings: Establishing Support (benchguide 203)
41. AB 1058 Child Support Proceedings: Enforcing Support (benchguide 204)
42. Misdemeanor Arraignment (benchguide 52)
43. Right to Counsel Issues (benchguide 54)
44. Civil Proceedings (updated benchbook)
45. Civil Proceedings: Trial (Second Edition, Volumes 1 & 2) Annual Update

Program Details

American Association of Public Welfare Attorneys: Justice Richard D. Huffman, Chair of the Blue Ribbon Commission on Children in Foster Care, spoke at the 45th Annual National Training and Continuing Education Conference of the American Association of Public Welfare Attorneys in San Diego on the importance of interagency data and information sharing about youth in foster care.

Building Relationships: Identifying Your Role in Effective Team Building: This three-hour class for court staff included group development theory, guidelines to build effective work relationships, and a discussion of how to improve group performance.

Business Writing for the Courts: This was the second of two 90-minute sessions on business writing techniques designed to improve communication and editing skills.

California Dependency Online Guide Website Demonstration: New juvenile dependency court judicial officers from around the state viewed a demonstration and training on how to use the California Dependency Online Guide, a resource website that includes cases summaries; links to rules, forms and regulations; educational material; publication; and local resources. Attendees could also order the companion book, the Dependency Quick Guide, which is provided to Judicial Officers and court staff free-of-charge.

California Foster Youth Education Summit: Justice Richard D. Huffman, Chair of the Blue Ribbon Commission on Children in Foster Care, and commission member Judge Stacy Boulware Eurie, Presiding Judge of the Juvenile Court in Sacramento, gave keynote addresses at the Sixth California Foster Youth Education Summit in Sacramento. Justice Huffman and Judge Boulware Eurie also attended a youth breakfast at the Summit and spoke to over 50 current and former foster youth.

California Risk Assessment Pilot Project: A two-day roundtable was conducted with the four pilot counties to kick off the second phase of the Risk Assessment Pilot Project, which now includes training and technical assistance regarding incorporation of evidence-based responses and RNA information into other critical court decision-making processes under realignment, such as pretrial decisions, new sentencing provisions, and supervision and revocation of offenders under local jurisdiction.

Data Quality Control Program and Technical Assistance: The AOC provided a series of web-based training sessions for approximately 50 participants from 10 courts on a new data quality control report to assist courts in reviewing and validating their data before it is published in the annual Court Statistics Report. This new report is part of an expanded Data Quality Control Program that includes a collection of statistical reports and data quality control tools for courts, management of the Web Portal and data reporting systems, and increased technical assistance for courts.

Developing Effective Written Materials: This class for court personnel included guidelines to improve the ability to create effective job aids, procedures, and other written materials.

Domestic Violence On-the-Job Training: Innovative domestic violence training was provided to child custody mediators, recommending counselors, and evaluators in a new format that involves a one-hour webinar focused on recent efforts to improve screening, followed by on-the-job implementation and another one-hour webinar interactive discussion about their experiences and next steps for implementing promising approaches to handling these complex cases. By using distance learning technology and including content that can immediately be applied on the job, cost-savings are immediate, time away from court is limited, and training mandates are met.

Electroconvulsive Shock Therapy: In this video designed for judges with a mental health calendar, faculty discussed the governing law and procedure regarding electroconvulsive shock therapy.

Gun Returns and the Restoration of the Right to Bear Arms: One of the consequences of being placed on a hold under 5150 of the Welfare and Institutions Code is that the patient loses the right to bear arms for five years from the date of discharge from the in-patient mental health facility. This video lecture, designed for judges with a mental health calendar, addressed petitions to determine whether firearms should be returned to the former patient and petitions to determine whether the right to bear arms should be restored under California law.

Introduction to Developmental Disability: This video provides an overview and introduction to developmental disabilities. Part 1 includes a discussion of definitions of developmental disability, services provided for persons with developmental disabilities, and eligibility issues. Part 2 addresses judicial commitments under *In re Hop*, petitions under Welfare and Institutions Code § 6500, and limited conservatorships under the Probate Code.

Evidence in Civil and Criminal Cases: A two-day course providing judicial officers with an overview of evidentiary issues that commonly arise in civil and criminal cases was offered at the Interdisciplinary and Criminal Assignment Courses program in Sacramento.

Family Law Complex Property: Interspousal Transfers: Case analysis and roundtable discussions emphasized issue-spotting in cases involving reimbursements, credits, Moore-Marsden, FC 2640, and transmigrations.

Institute for Court Management Courses:

- **Leadership:** At this three-day course participants developed their knowledge and skills of leadership as a core competency and explored their own readiness to be in a leadership role. Individual leadership styles and their impact in the work environment were

considered, with emphasis on the importance of communication and the need for integrity in leaders.

- **Managing Court Financial Resources:** This three-day course explored the building blocks of financial reporting, auditing, and budgeting; the balance between judicial independence and fiscal responsibility; the link between strategic planning and budgeting; and practical steps courts can take in difficult fiscal times.
- **Purposes and Responsibilities of Courts:** This three-day course, held in Fresno and including surrounding courts, explored the historical and societal context for the development of our court system and helped participants understand and explore the tensions inherent in the courts' ability to fulfill its purposes and responsibilities.
- **Visioning and Strategic Planning:** This three-day course demonstrated that having a vision and a strategic plan is an effective way to define priorities and allocate limited court resources. Participants learned to use concepts such as implementation, alignment, and line of sight, to make their court an effective organization. The course agenda ranged from the general to the specific and includes theory, practice, models, methods, and tips for success.

Judicial Branch Funding-State-Level Process and Structure: This webinar for presiding judges and court executive officers covered the state and branch budget processes, timelines, Trial Court Budget Working Group and Judicial Council roles, and a high level review of funding streams and expenditures.

National Judicial College – California Tribal Court-State Court Symposium: In partnership with the National Tribal Judicial Center of the National Judicial College, and with funding from the Bureau of Justice Administration, the California Tribal Court-State Court Symposium convened 50 tribal and state court judges to review federal Indian law and discuss cross-jurisdictional issues facing tribal and state justice systems.

Parolee Reentry Court Evaluation and Training: Preliminary evaluation data reports were distributed to the six pilot Parolee Reentry Courts in California. These reports will be used to assist the courts in identifying effective program practices and outcomes. AOC staff facilitated a two-day Parolee Reentry Court Roundtable for the existing reentry courts as other courts interested in program replication. The Roundtable focused on identifying effective practices and program sustainability as well as methods for implementing reentry courts in other jurisdictions.

Seeking Additional Sources of Funding: This webinar for presiding judges and court executive officers covered additional court funding sources such as grants, gifts, and court related non-profit organizations.

Technology Summit Support: WebEx training was provided for presiding judges, court executive officers, and court technology managers to join sessions by WebEx using a voiceover IP option with their computers.

The Work of the Courts: This online course for new employees of the courts and the AOC provided an introduction to the California court system including a summary of the functions of the three branches of government, basic court terms, and court administrative functions.

Broadcasts

Courts and Technology Solutions Today: This broadcast for court supervisors and managers, provided an introduction to the initiation and management of technology solutions, reviewed solutions for today's courts, discussed how to recognize opportunities, and explained the process and benefits of partnering with technology professionals.

The Jury Process: Court personnel roles and responsibilities in the jury process were addressed, from before jury selection to post-trial.

Coaching: Creating an Environment for Learning and Results: This broadcast for managers and supervisors included methods to facilitate learning and create opportunities for employees to improve performance and increase autonomy.

Demystifying the Appeals Process: This broadcast for court personnel addressed the felony and misdemeanor appeals process while focusing on how the work of non-appellate court personnel affects and informs those who work in appeals.

Publications

Report on Litigant and Case Characteristics in Small Claims Cases: *DataPoints*, the latest in a series of empirical reports on court operations presents an overview of litigant and case characteristics in small claims cases in three large Northern California courts with respect to "Procedural Fairness and Effective Court Practices in Small Claims Cases." The report finds that while there is great diversity among the litigants in small claims cases, they are better educated and more affluent than the general population. The report also notes lower levels of education and lower incomes as additional challenges facing Spanish language speaking litigants.

Administrative Office of the Courts Staffing Report as of October 16, 2012

As of the mid-October report, the AOC had 815.10 full-time equivalent authorized positions, with an employee headcount of 687 regular employees, 51 employment agency temporary workers, and 62.5 contractors.

STAFFING	Leadership Services Division							Operations Services Division						Administrative Services Division						AOC
	Executive Office	Office of Gov't Affairs	Legal Services Office	Office of Communications	JC Support Services	Trial Court Liaison Office	Special Project Office	Court Ops Special Svc Office	Center for Families, Child. & Education	Office of Education	Office of JB Capital Programs	Criminal Justice Court Svc Office	Office of Security	Fiscal Services Office	HR Services Office	TC Admin Services Office	Info & Tech Services Office	Office of Admin Services	Office of Real Estate & Fac. Mgmt	
Authorized Position (FTE)	10.00	13.00	64.00	9.00	12.80	8.00	2.00	48.90	72.00	67.50	61.00	4.00	10.00	95.00	38.00	92.00	136.90	7.00	64.00	815.10
Filled Authorized Position (FTE)	8.00	9.85	55.40	7.00	7.80	6.00	2.00	37.95	66.00	63.15	53.00	4.00	8.00	83.00	29.00	84.00	104.78	7.00	46.00	681.93
Headcount - Employees	8	10	56	7	8	6	2	38	68	64	53	5	8	83	29	84	105	7	46	687.00
Vacancy (FTE)	2.00	3.15	8.60	2.00	5.00	2.00	0.00	10.95	6.00	4.35	8.00	0.00	2.00	12.00	9.00	8.00	32.13	0.00	18.00	133.18
Vacancy Rate (FTE)	20.0%	24.2%	13.4%	22.2%	39.1%	25.0%	0.0%	22.4%	8.3%	6.4%	13.1%	0.0%	20.0%	12.6%	23.7%	8.7%	23.5%	0.0%	28.1%	16.3%
AOC Temporary Employee (909)	1	0	1	0	0	0	0	2	1	9	1	1	0	1	1	0	0	2	0	20.00
*Employment Agency Temporary Worker	0	0	2	0	2	0	0	1	2.5	1	2	0.5	0	6	1	0	5	0	28	51.00
Contractors	0	0	0	0	0	0	0	0	0	0	8	0	0	0	1	0	52.5	0	1	62.50
TOTAL WORKFORCE (based on FTE, 909s, Agency Temps & Contractors)	9.00	9.85	58.40	7.00	9.80	6.00	2.00	40.95	69.50	73.15	64.00	5.50	8.00	90.00	32.00	84.00	162.28	9.00	75.00	815.43

*Updated as of 10/16/12: EXEC & CFCC are sharing a temp

Definitions:

Authorized Position (FTE) Authorized positions include all regular ongoing positions approved in the Budget Act for that year. The number is based on the position's approved full time equivalency.

Filled Authorized Position (FTE) Filled authorized positions are the number of authorized positions filled based on the employee's full time equivalency.

Headcount The actual count of persons employed by the AOC, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". This count does not include AOC Temporary Employees (909) or Employment Agency Temporary Workers.

Vacancy (FTE) The number of vacancies is the number of authorized positions minus the number of filled authorized positions.

Vacancy Rate (FTE) Vacancy Rate is calculated by dividing the number of authorized positions by the number of vacant authorized positions. This number excludes AOC temporary employees ("909" funded employees). See definition of AOC temporary employees below.

AOC Temporary Employees (909) The "909 category is the State Controller code the AOC uses to reference a temporary position or a temporary employee.
909 Position - it is a position that may not be funded through the Budget Act and it is categorized by the Office of the State Controller as a temporary position used in the absence of an authorized position. 909 positions may be occupied by regular full-time employees due to the unavailability of an authorized vacant position. 909 Employee - An employee whose salary is not funded through the Budget Act. 909 employees may receive benefits if employed at least half-time and the term of employment is for more than six months. Types of "909" Temporary Employees include: Retired Annuitants: A retired annuitant is a retiree who is hired by his or her former employer or by another employer that participates in the same retirement system as the former employer. This includes a former participant in a state retirement system who has previously retired and who is currently receiving retirement benefits. Temporary: Employees employed by the AOC on a temporary basis - they do not receive full benefits (but do receive CalPERS retirement service credit).

Employment Agency Temporary Worker These are workers from an employment agency. They are employees of the employment agency, not the AOC, but provide short-term support for AOC workload.

Contractor (FTE) Individuals augmenting the work of the AOC and providing services for a limited period of time or on a specific project, where a particular skill set is required that is either (1) not within an existing AOC classification and/or job description or (2) where recruitment issues require the use of a contractor.

Full Time Equivalency (FTE) Full Time Equivalency is the number of total maximum compensable hours designated in a year divided by actual hours worked in a year. For example, the work year for the AOC is defined as 2,080 hours; one employee occupying a paid full time job all year would consume one FTE. One employee working for 1,040 hours each would consume .5 FTE.

Time Base
Full time: Employee is scheduled to work 40 hours per week. Receives full benefits.
Part time: Employee is scheduled to work less than 40 hours per week. Employees that work more than 20 hours per week receive full benefits.
Intermittent: Employees have no established work schedule and work on an as-needed basis that varies from one pay period to the next. Eligibility for certain benefits may be limited for these employees.

Regular Employee Commonly referred to as "permanent employees" – They receive full benefits.

Limited Term Limited Term Position – It is a position that is funded through the Budget Act with a specific end date. The position is counted as an authorized position. Employee in limited term positions may be regular or temporary.

New Judgeships and Judicial Vacancy Report

New Judicial Appointments: There have been no appointments since August 7, 2012.

- **Judicial Vacancies:** Currently, there are five Court of Appeal and 83 trial court judicial vacancies.
- **Subordinate Judicial Officer Conversions:** On the recommendation of staff, the council's Executive and Planning Committee confirmed the conversion of four subordinate judicial officer positions: two in the Superior Court of Riverside, one in the Superior Court of Orange, and one in the Superior Court of Marin, and confirmed the conversion of one additional position in the Superior Court of Orange, pending approval by the Judicial Council to transfer a conversion to that court.

JUDICIAL VACANCY REPORT

Number of Judgeships Authorized, Filled and Vacant as of **October 17, 2012**

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	<i>Filled(Last Month***)</i>	<i>Vacant(Last Month***)</i>
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	105	100	5	0	100	5
Superior Courts	58	1686	1553	83	50*	1561	123
All Courts	65	1798	1660	138		1668	128

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

***As of August 31, 2012.

New Vacancies that occurred in September and October 2012.

JUDICIAL VACANCIES: APPELLATE COURTS

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
Fifth Appellate District	1	Retirement	Hon. Betty L. Dawson	05/10/12
Sixth Appellate District	1	Retirement	Hon. Wendy Clark Duffy	10/28/11
TOTAL VACANCIES	5			

(Vacancy Removed from Report when Replacement Appointed or Elected)

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	7	Retirement	Hon. David E. Hunter	09/03/12
Alameda		Retirement	Hon. Robert K. Kurtz	07/10/12
Alameda		Converted	New Position	06/27/12
Alameda		Converted	New Position	06/27/12
Alameda		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
Del Norte	1	Retirement	Hon. Robert W. Weir	01/01/12
Kern	2	Retirement	Hon. Lee Phillip Felice	06/30/12
Kern		Retirement	Hon. Robert J. Anspach	09/09/11
Kings	1	Retirement	Hon. Lynn C. Atkinson	12/31/11
Los Angeles	20	Retirement	Hon. Lyle Michael MacKenzie	09/07/12
Los Angeles		Retirement	Hon. Judith A. Vander Lans	07/31/12
Los Angeles		Retirement	Hon. Gary E. Daigh	07/16/12
Los Angeles		Retirement	Hon. Deborah B. Andrews	07/05/12
Los Angeles		Retirement	Hon. Joan Comparet-Cassani	05/11/12
Los Angeles		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

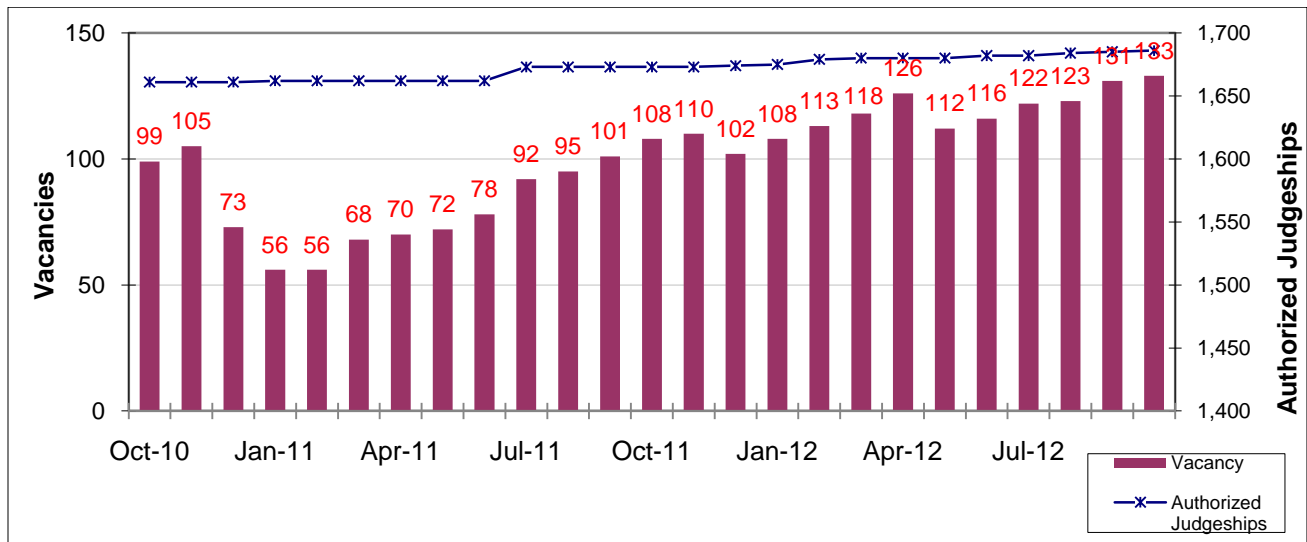
Los Angeles		Retirement	Hon. Maral Injejikian	09/05/11
Los Angeles		Retirement	Hon. Michael Allen Latin	09/05/11
Los Angeles		Retirement	Hon. Judith L. Champagne	08/31/11
Los Angeles		Retirement	Hon. Martha Bellinger	07/31/11
Los Angeles		Converted	New Position	07/31/11
Los Angeles		Retirement	Hon. John P. Shook	07/15/11
Madera	1	Retirement	Hon. Eric C. Wyatt	05/23/11
Marin	2	Converted	New Position	09/27/12
Marin		Converted	New Position	07/01/11
Merced	1	Converted	New Position	01/03/12
Monterey	1	Retirement	Hon. Terrance R. Duncan	08/17/11
Napa	2	Retirement	Hon. Raymond A. Guadagni	09/28/12
Napa		Retirement	Hon. Stephen Thomas Kroyer	05/23/11
Nevada	1	Retirement	Hon. Julie A. McManus	07/02/12
Orange	9	Converted	New Position	08/24/12
Orange		Elevated	Hon. David A. Thompson	06/27/12
Orange		Retirement	Hon. Richard W. Stanford, Jr.	05/16/12
Orange		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
Placer	2	Retirement	Hon. Robert P. McElhany	08/09/12
Placer		Retirement	Hon. Larry D. Gaddis	08/01/12
Riverside	2	Converted	New Position	08/24/12
Riverside		Converted	New Position	02/09/12
Sacramento	4	Retirement	Hon. Brian R. Van Camp	09/30/12
Sacramento		Converted	New Position	03/19/12
Sacramento		Retirement	Hon. Gary S. Mullen	12/30/11
Sacramento		Converted	New Position	12/03/11

San Bernardino	2	Retirement	Hon. Margaret A. Powers	11/30/11
San Bernardino		Retirement	Hon. Michael M. Dest	10/31/11
San Diego	5	To Fed Court	Hon. Gonzalo P. Curiel	09/30/12
San Diego		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	4	Retirement	Hon. Donna A. Little	08/31/12
San Francisco		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	Converted	New Position	10/15/12
San Mateo		Retirement	Hon. H. James Ellis	08/31/11
Santa Clara	5	Retirement	Hon. Jerome E. Brock	09/02/12
Santa Clara		Retirement	Hon. Kenneth L. Shapero	07/31/12
Santa Clara		Retirement	Hon. Neal Anthony Cabrinha	06/30/12
Santa Clara		Retirement	Hon. Douglas K. Southard	09/30/11
Santa Clara		Retirement	Hon. Kevin J. Murphy	05/31/11
Solano	1	Retirement	Hon. Allan P. Carter	02/25/11
Sonoma	1	Retirement	Hon. Mark Tansil	10/15/12
Stanislaus	1	Retirement	Hon. John G. Whiteside	04/15/11
Tulare	1	Retirement	Hon. Gerald F. Sevier	09/16/12
Ventura	1	Retirement	Hon. Edward F. Brodie	11/30/11
SUBTOTAL:	83			

**Authorized January 1, 2008, 50 new (AB 159) judgeships.
However, the funding for these 50 new (AB 159) judgeships has not 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:	133			

Authorized Judgeships and Vacancies in the Superior Courts



**Number of Judgeships Authorized,
Filled and Vacant as of the End of Each Month
October 2010—October 2012**

Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
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%

Administrative Director's Report to the Judicial Council

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Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
May-12	1,680	1,568	112	6.7%	105	98	7	6.7%
Jun-12	1,682	1,566	116	6.9%	105	100	5	4.8%
Jul-12	1,682	1,560	122	7.3%	105	100	5	4.8%
Aug-12	1,684	1,561	123	7.3%	105	100	5	4.8%
Sep-12	1,685	1,554	131	7.8%	105	100	5	4.8%
Oct-12	1,686	1,553	133	7.9%	105	100	5	4.8%

