

AMENDMENTS TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council on July 20, 2018, effective July 23, 2018

1 Rule 10.502. Judicial sabbatical ~~pilot~~ program..... 6
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1 **Rule 10.502. Judicial sabbatical ~~pilot~~ program**

2
3 **(a) Objective**

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5 Sabbatical leave is a privilege available to jurists by statute. The objective of
6 sabbatical leave is to facilitate study, ~~teaching, research, or another activity~~ that will
7 benefit the administration of justice and enhance judges' performance of their
8 duties.

9
10 *(Subd (a) amended effective January 23, 2018)*

11
12 **(b) Eligibility**

13
14 ~~(1) A judge or justice is eligible to apply for a paid sabbatical under Government~~
15 ~~Code section 77213 if:~~

16
17 ~~(A) He or she has served for at least seven years as a California judicial~~
18 ~~officer, including service as a subordinate judicial officer;~~

19
20 ~~(B) He or she has not taken a sabbatical within seven years of the date of~~
21 ~~the proposed sabbatical; and~~

22
23 ~~(C) He or she agrees to continue to serve as a judicial officer for at least~~
24 ~~three years after the sabbatical.~~

25
26 ~~(2) Any judge is eligible to apply for an unpaid sabbatical under Government~~
27 ~~Code section 68554.~~

28
29 *(Subd (b) amended effective July 23, 2018)*

30
31 **(c) Application**

32
33 ~~(1) An eligible judge may apply for a sabbatical by submitting a sabbatical~~
34 ~~proposal to the Administrative Director of the Courts with a copy to the~~
35 ~~presiding judge or justice.~~

36
37 (2) The sabbatical proposal must include:

38
39 ~~(A) The judge's certification that he or she meets the eligibility~~
40 ~~requirements established in (b);~~

41
42 ~~(B) The beginning and ending dates of the proposed sabbatical;~~

43

1 (~~B~~) A description of the sabbatical project, including an explanation of how
2 the sabbatical will benefit the administration of justice and the judge's
3 performance of his or her duties; and
4

5 (~~C~~) A statement from the presiding judge or justice of the affected court,
6 indicating approval or disapproval of the sabbatical request and the
7 reasons for such approval or disapproval, forwarded to the ~~Judicial~~
8 ~~Sabbatical Review~~ Executive and Planning Committee with a copy to
9 the judge.

10
11 (*Subd (c) amended effective July 23, 2018; previously amended effective January 1, 2007*
12 *and January 1, 2016.*)

13
14 **(d) ~~Judicial Sabbatical Review Committee~~ Review of applications**

15
16 ~~A Judicial Sabbatical Review~~ The Executive and Planning Committee will be
17 ~~appointed to~~ make recommendations to the Judicial Council regarding sabbatical
18 ~~requests, with support from the council's human resources staff.~~

19
20 ~~(1) —~~ *Membership*

21
22 ~~The committee must include at least one member from each of the following~~
23 ~~groups:~~

24
25 ~~(A) — Administrative Presiding Justices Advisory Committee;~~

26
27 ~~(B) — Trial Court Presiding Judges Advisory Committee;~~

28
29 ~~(C) — Court Executives Advisory Committee;~~

30
31 ~~(D) — Governing Committee of the Center for Judicial Education and~~
32 ~~Research;~~

33
34 ~~(E) — Judicial Service Advisory Committee; and~~

35
36 ~~(F) — California Judges Association (liaison).~~

37
38 ~~(2) —~~ *Staffing*

39
40 ~~The committee will be staffed by the Human Resources Division of the~~
41 ~~Administrative Office of the Courts and may elect its chair and vice chair.~~
42

1 (Subd (d) amended effective January 23, 2018; previously amended effective January 1,
2 2007 and January 1, 2016.)

3
4 **(e) Evaluation**

5
6 (1) The Administrative Director ~~of the Courts~~ must forward all sabbatical
7 requests that comply with (c) to the ~~Judicial Sabbatical Review~~ Executive and
8 Planning Committee.

9
10 (2) The ~~Judicial Sabbatical Review~~ Executive and Planning Committee must
11 recommend granting or denying the sabbatical request after it considers the
12 following factors:

13
14 (A) Whether the sabbatical will benefit the administration of justice in
15 California and the judge's performance of his or her duties; and

16
17 (B) Whether the sabbatical leave will be detrimental to the affected court.

18
19 (3) ~~The Judicial Sabbatical Review Committee may recommend an unpaid~~
20 ~~sabbatical if there is insufficient funding for a paid sabbatical.~~

21
22 (Subd (e) amend effective July 23, 2018; previously amended effective January 1, 2016.)

23
24 **(f) Length**

25
26 (1) ~~A paid sabbatical taken under Government Code section 77213 may not~~
27 ~~exceed 120 calendar days. A judge may be allowed to add unpaid sabbatical~~
28 ~~time onto the end of a paid sabbatical if the purpose of the unpaid sabbatical~~
29 ~~is substantially similar to the work of the paid sabbatical.~~

30
31 (2) ~~An unpaid judicial sabbatical taken under Government Code section 68554~~
32 ~~may not exceed one year.~~

33
34 (Subd (f) amended effective July 23, 2018)

35
36 **(g) Ethics and compensation**

37
38 A judge on unpaid sabbatical leave is subject to the California Code of Judicial
39 Ethics and, ~~while on a paid sabbatical, must not accept~~ may receive compensation
40 and reimbursement for expenses for activities performed during that sabbatical
41 ~~but may receive reimbursement for the expenses~~ as provided in canon 4H(2)
42 of the Code of Judicial Ethics.
43

1 (Subd (g) amended effective July 23, 2018)

2
3 ~~(h)~~ **Judge’s report**

4
5 ~~On completion of a sabbatical leave, the judge must report in writing to the Judicial~~
6 ~~Council on how the leave benefited the administration of justice in California and~~
7 ~~on its effect on his or her official duties as a judicial officer.~~

8
9 ~~(h)~~(h) **Retirement and benefits**

10
11 ~~(1) A judge on a paid sabbatical leave under Government Code section 77213~~
12 ~~continues to receive all the benefits of office and accrues service credit~~
13 ~~toward retirement.~~

14
15 ~~(2) A judge on unpaid sabbatical leave under Government Code section 68554~~
16 ~~receives no compensation, and the period of absence does not count as~~
17 ~~service toward retirement. The leave does not affect the term of office.~~

18
19 *(Subd (h) amended and relettered effective July 23, 2018; adopted as subd (i) effective*
20 *January 1, 2007.)*

21
22 ~~(h)~~(i) **Judge’s report**

23
24 On completion of a sabbatical leave, the judge must report in writing to the Judicial
25 Council on how the leave benefited the administration of justice in California and on its
26 effect on his or her official duties as a judicial officer.

27
28 *(Subd (i) amended and relettered effective July 23, 2018; adopted as subd (h) effective*
29 *January 1, 2007.)*

30
31 ~~(j)~~ **Judicial assignment replacement**

32
33 ~~Funds must be made available from the Judicial Administration Efficiency and~~
34 ~~Modernization Fund to allocate additional assigned judges to those courts whose~~
35 ~~judges' requests for paid sabbaticals are approved.~~

36
37 *Rule 10.502 amended effective July 23, 2018; adopted as rule 6.151 effective January 1, 2003;*
38 *previously amended and renumbered as rule 10.502 effective January 1, 2007; previously*
39 *amended effective January 1, 2016.*

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