



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

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*Chief Justice of California*  
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September 22, 2009

Hon. Darrell Steinberg  
President pro Tempore of the Senate  
State Capitol, Room 205  
Sacramento, California 95814

Hon. Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California 95814

Hon. Ellen Corbett  
Chair, Senate Judiciary Committee  
State Capitol, Room 5108  
Sacramento, California 95814

Hon. Mike Feuer  
Chair, Assembly Judiciary Committee  
State Capitol, Room 3146  
Sacramento, California 95814

Re: Notification of Vacancies and Allocation of Conversion of Subordinate Judicial Officer  
Positions as Required Under Government Code Section 69615

Dear Senator Steinberg, Senator Corbett, Speaker Bass, and Assembly Member Feuer:

Assembly Bill 159 (Stats. 2007, ch. 722), authorized the Judicial Council to convert 162 subordinate judicial officer positions, upon vacancy, to judgeships at a rate of up to 16 per fiscal year. Government Code section 69615 requires legislative authorization each fiscal year to enable the Judicial Council to exercise the authority granted in section 69615 to convert up to 16 positions in that fiscal year. In seeking that ratification, the statute also requires the Judicial Council to notify the Legislature of any existing subordinate judicial officer position vacancies and how the conversions would be allocated among the eligible courts.

The Budget Act of 2009, (SBx3 1, Stats. 2009, ch. 1) included the authorization for conversion of subordinate judicial officers in 2009–2010. Item 0250-101-0932, provision 11 states: “Sixteen (16.0) subordinate judicial officer positions are authorized to be converted to judgeships in the

2009–10 fiscal year in the manner and pursuant to the authority described in subparagraph (B) of paragraph (1) of subdivision (b) of Section 69615 of the Government Code, as described in the notice filed by the Judicial Council under subdivision (b) of paragraph (3) of Section 69615.”

For fiscal year 2009–10, the Judicial Council has approved the following methodology for allocating the 16 conversions among the courts 25 courts eligible for conversions:

<b>Superior Courts (by County)</b>	<b>Number of Conversions Set Aside for FY 2009–2010</b>
Group 1: Los Angeles	7
Group 2: Orange	2
Group 3: Alameda, Contra Costa, Riverside, Sacramento, San Diego, San Francisco	3
Group 4: El Dorado, Fresno, Imperial, Kern, Mari Merced, Napa, Placer, San Luis Obispo, San Mate Santa Barbara, Santa Cruz, Solano, Sonoma, Stanislaus, Tulare, Yolo	4

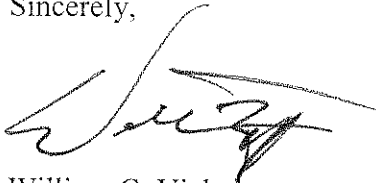
Eleven vacant or soon to be vacant positions have been converted to judgeships as of July 1, 2009, or the date of vacancy, whichever is later, consistent with the above methodology. One position has been converted to a judgeship in each of the following superior courts: Alameda, San Francisco, Sonoma, and Tulare. Two positions have been converted in Orange and Santa Barbara counties, and 4 in Los Angeles. In accordance with the Judicial Council methodology, 4 additional conversions are set aside for Los Angeles, and 1 conversion is set aside for the 6 courts that comprise Group 3: Alameda, Contra Costa, Riverside, Sacramento, San Diego, and San Francisco. Under the Judicial Council policy, if the courts for whom the conversions are set aside do not report any subordinate judicial officer vacancies or anticipated vacancies by January 1, the remaining positions set aside for conversion will be distributed to any other eligible court on a first-come, first-served basis.

The methodology for allocating the annual 16 conversions among the 25 eligible courts balances the long-term goal of achieving a more appropriate balance between judgeship and SJO positions in the superior courts with the short-term, immediate needs of the courts to handle their workload. The Judicial Council determined that compiling a full list of all the positions that come vacant in a given year and waiting until the end of that year to allocate those positions among the eligible courts would create unnecessary uncertainty and place an added burden on courts with vacant positions by requiring that they hold open positions that may not be converted in the near term. The adopted allocation methodology allows the Judicial Council to make an immediate determination if a court with a vacant SJO position qualifies to have the position converted.

As a result of the 16 conversions in 2007–2008 and 2008–2009, and the 12 conversions to date in 2009–2010, 2 of the 25 courts eligible for conversions have converted all of their eligible positions to judgeships, leaving 23 courts and 118 subordinate judicial officer positions remaining to be converted to judgeships.

If you have any questions about this matter, please contact Donna Hershkowitz, Assistant Director, AOC Office of Governmental Affairs, at 916-323-3121 or [donna.hershkowitz@jud.ca.gov](mailto:donna.hershkowitz@jud.ca.gov).

Sincerely,



William C. Vickrey  
Administrative Director of the Courts

WCV/DSH/lb

cc: Members of the Judicial Council  
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