

Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice

REPORT TO THE LEGISLATURE
MAY 6, 2009



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT RESEARCH

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Executive Summary

Senate Bill 56 (Dunn), Stats. 2006, ch. 390 requires the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects:

- (1) Providing equal access to courts and respectful treatment for all court participants.
- (2) Case processing, including the efficient use of judicial resources.
- (3) General court administration.” (Gov. Code, § 77001.5.)

As the first of the annual reports to be submitted, this report provides details on how the judicial branch has met and will continue to meet the mandate established by Government Code section 77001.5. Subsequent reports will provide data consistent with the framework established in this report.

This report provides a brief history of the progress the branch has made toward the goal of providing equal justice under the law for all residents of California and then goes on to:

- Establish a reporting framework of three interconnected levels of judicial branch standards and measures that promote the fair and efficient administration of justice—at the levels of branchwide infrastructure, policies and programs, and direct measures of court operations;
- Identify major policies and programs implemented by the branch to increase access to justice, streamline case processing, and enhance the general administration of the courts; and
- Outline direct measures of court operations that promote the fair and efficient administration of justice, including those currently available and some that will be available in the future.

To coordinate the numerous branch initiatives associated with judicial branch performance, the Administrative Office of the Courts (AOC) is establishing a working group that will advise AOC staff on issues related to the development of standards and measures of judicial administration for consideration by the Judicial Council.

Introduction

In 2006 Government Code section 77001.5 (Sen. Bill 56 [Dunn]; Stats. 2006, ch. 390) was enacted, requiring the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects:

- (1) Providing equal access to courts and respectful treatment for all court participants.
- (2) Case processing, including the efficient use of judicial resources.
- (3) General court administration.”

Accountability to the public and its sister branches of government is an essential component of judicial branch self-governance. Standards and measures adopted by the Judicial Council under Government Code section 77001.5 should serve as milestones marking the path to the ultimate goal of equal justice under the law. Viewed in this light, accountability is more than a commitment between co-equal branches of government: it is a necessary counterpart to judicial independence and represents an obligation of the judicial branch to the people of California.

As the first of the annual reports to be submitted under the requirements of Government Code section 77001.5, this report will provide context and establish the analytical framework to be used for subsequent reports. The report includes information about programs and associated performance measures for which data are currently available and identifies new measures for which data will be collected and reported on in the future.

To oversee this process, the AOC will establish a working group to advise AOC staff on the development and monitoring of trial court performance measures to be considered by the Judicial Council. Specifically, the group will advise on: (1) processes, study design, and methodologies that should be used to measure and report on court administration and (2) amendments to the Judicial Workload Assessment and the Resource Allocation Study models as they relate to standards and measures of court administration.

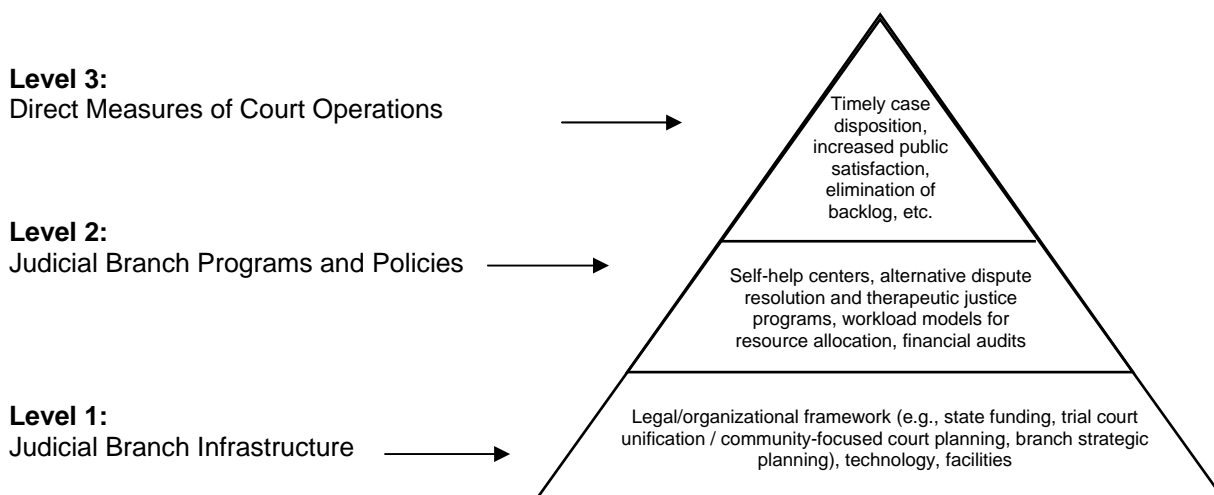
Analytical Framework for Reporting on Standards and Measures to Promote the Fair and Efficient Administration of Justice

No single measure can possibly capture all of the information necessary to gauge the performance of the judicial branch. Even within the three broad areas identified in Government Code section 77001.5, a range of different standards and measures is needed because the work of the courts cuts across all sectors of society. From the resolution of complex disputes between businesses to the promotion of the safety and well-being of children placed in foster care to the adjudication of violent crimes, standards and measures of court administration must often be tailored to address specific types of cases or court functions.

To capture the diversity of trial court operations, this report is organized into three interconnected but analytically distinct levels of analysis. These three levels are represented in Figure 1 as a pyramid.

- The bottom level deals with branchwide *infrastructure*. This represents the work of the branch in establishing the legal, organizational, technological, and physical foundation necessary for the accountability and independence of the judiciary.
- The middle level looks at specific *programs and policies* that the branch has adopted and promoted. These programs and policies are a necessary condition for improving public access to the courts, enhancing the efficiency of court operations, and maintaining the highest possible standards of court administration.
- The top level of the pyramid refers to direct measures of court operations. This section looks at resource allocation, timely case disposition, and other measures that are currently available or being pilot-tested by the branch.

Figure 1: Interdependent Levels of Analysis Used in This Report With Examples of Measures



The goals of the judiciary are contained in the constitutional obligations of the branch and the statutes that relate to judicial administration. The Judicial Council has been and continues to be a strong proponent of the need for judicial branch accountability; in 1995 the Judicial Council adopted standards for trial court performance (see Appendix A). These standards were developed for purposes of internal evaluation and self-assessment, underscoring the branch’s commitment to independence, impartiality, and appropriate accountability. Standards were established in five areas:

- Access to justice
- Expedition and timeliness
- Equality, fairness, and integrity
- Independence and accountability
- Public trust and confidence

The goals of the judiciary are further detailed in the Strategic and Operational Plans for California’s Judicial Branch, which are updated every six years. The strategic plan contains six overarching goals that align with the measures set forth in the Standards of Judicial Administration, standard 10.17 and Government Code section 77001.5 (see Table 1).¹ (Endnotes are on page 29.)

Table 1: Relationship Between the Strategic Goals of the Judicial Branch, Trial Court Performance Standards, and Government Code Section 77001.5 Measures

Judicial Council Strategic Plan Goals	Standards of Judicial Administration, Standard 10.17. Trial Court Performance Standards	Measures in Government Code Section 77001.5
Access, Fairness, Diversity	Access to Justice	“Providing equal access to courts”
Quality of Justice and Service to the Public	Equality, Fairness, and Integrity	“Respectful treatment for all court participants”
Modernization of Management and Administration	Expedition and Timeliness	“Case processing, including the efficient use of judicial resources”
Education for Branchwide Professional Excellence	Independence and Accountability	“General court administration”
Branchwide Infrastructure for Service Excellence	Public Trust and Confidence	

With these broad policy goals in mind, it is possible to (1) identify more specific programs and policies designed to achieve the goals and (2) define data elements that allow for the measurement of branch performance. Table 2 shows how one of the measures specified in Government Code section 77001.5 can be linked to specific operational goals and, in turn, to programs and policies designed to achieve those goals. The direct measures of court operations promoting the fair and efficient administration of justice are then derived from these, as shown in the final column of Table 2.

Table 2: Example of Moving From Broad Policy Goals to Specific Standards and Measures of Judicial Administration

Gov. Code, § 77001.5 Policy Goal	Operational Level Goal²	Programs and Policies	Standards and Measures That Promote the Fair and Efficient Administration of Justice
Provide equal access to courts	Identify and eliminate barriers to court access at all levels of service	Development and adoption of plain-language and foreign-language forms	<ul style="list-style-type: none"> ▪ Number and type of plain-language forms developed and adopted ▪ Number and type of foreign-language forms developed and adopted

While the goals embodied in the judicial branch strategic plan will remain constant, the standards and measures needed to assess the branch’s progress toward those goals will necessarily change over time. Demographic changes, new laws, and technological and organizational innovation all mean that specific standards will need to be modified if the branch is to remain accountable and stay current in monitoring its progress. For example, while access to justice will remain fundamental to the mission of the state judiciary, changes in the composition of California’s immigrant population will dictate modifications in the courts’ use of interpreters and translation of forms.

Branchwide Infrastructure: Securing the Organizational, Technological, and Physical Foundation of the Judicial Branch

Background on the Evolution of California’s Judicial Branch

For any institution, organizational reforms of the magnitude undertaken in California’s judiciary since the late 1990s would be daunting. Considering the sheer size of the state court system, the significance of these reforms is even more noteworthy. California’s judicial branch is the largest court system in the country; more than nine million cases were filed in California’s trial courts in FY 2006–2007. By way of comparison, the total number of filings in the United States District Courts—the federal equivalent of California’s superior courts—was fewer than two million, less than one-quarter the total of California’s filings.

While most filings in California’s trial courts are traffic infractions, the trial courts also deal with large numbers of cases involving contentious and critical issues affecting public safety, economic stability, and social well-being. The trial courts processed more than 290,000 felony filings in FY 2006–2007—more than four times the total number of criminal cases filed in the federal system—another 1.45 million misdemeanor filings, and hundreds of thousands of petitions to enforce payment of child support, protect victims of domestic violence, and remove children from dangerous and abusive conditions.

The volume of work that California’s trial courts process is matched only by the diverse conditions under which that work is performed. While the vast majority of the court’s business relates to

questions of state law, the trial courts remain a part of (and must be responsive to) their local communities. The diversity of the superior courts is manifested in the variety of court settings across the state, from small courts with a single location in rural, mountainous Alpine and Sierra Counties to sprawling urban courts with dozens of locations in Los Angeles and Santa Clara Counties.

Structural Achievements Since State Funding of the Trial Courts

Two central pillars of structural reform in the judicial branch have been in place since 1997 and on which most other reforms have been built: *state funding of the trial courts* and *trial court unification*. Before the Lockyer-Isenberg Trial Court Funding Act of 1997, trial court funding came primarily from two sources: counties and the state. This bifurcated funding stream meant that the quality of justice in California's courts depended to a large extent on the resources that county boards of supervisors provided to the courts. Not surprisingly, different counties funded courts within their boundaries differently, and the quality of justice in California's courts varied accordingly.

In addition to the differences that local funding introduced into the justice system, having three tiers of courts divided into more than 220 jurisdictions created wide disparities in the quality of justice within county boundaries and hampered efforts to promote uniform, efficient, accessible justice across the state. Distinctions between "upper" and "lower" courts meant that there often were multiple courts within a single jurisdiction, with some hearing only so-called lesser matters such as infractions or small claims cases and other courts in the same county handling more serious crimes or civil cases with larger monetary damages at stake. This three-tiered approach was inherently duplicative, inefficient, and user-unfriendly to the public. In 1994 and 1998, voter-approved constitutional amendments permitted the unification of trial courts. By January 2001, the courts in all 58 counties were unified into single-jurisdiction, unified, superior courts.³

The Lockyer-Isenberg Trial Court Funding Act of 1997 and trial court unification eliminated jurisdictional and organizational boundaries that had prevented the people of California from receiving the same quality of justice as a result of geographic location or case type.⁴ Building on these two major organizational reforms, the branch has forged ahead to implement a range of additional reforms to strengthen the organizational, legal, technological, and even the physical foundations of the branch to achieve the vision of state funding of the trial courts: equal justice under the law for all Californians. The judicial branch's annual reports thoroughly document the infrastructural reforms and accomplishments since trial court unification.⁵

Programs and Policies Essential to the Fair and Efficient Administration of Justice

The judicial branch has moved purposefully toward establishing the programs and policies necessary to ensure access to justice, streamline case processing, and improve the general administration of the courts. With leadership and direction from the Judicial Council, the branch's advisory committees work continuously to examine the area of law under their jurisdiction and propose rule, form, and statutory changes with an eye toward improving access and efficiency for the public and the courts. Those efforts are represented by the programs and policies listed below, which have been grouped under the three major categories identified in Government Code section 77001.5.

“Providing Equal Access to Courts and Respectful Treatment for All Court Participants”

- *Plain language forms and the translation of court forms.* The Judicial Council has approved the use of easy-to-read plain-language forms for various proceedings, such as domestic violence and adoption. These have been translated into Spanish, Chinese, Korean, and Vietnamese.
- *Jury Improvement Project.* Since 1995, this program has supported the work of advisory groups charged by the Judicial Council with providing policy recommendations for improving the state’s jury system, and it works directly with the courts to promote improvements in the administration and management of jurors. Some of the key accomplishments of the project include improvements in the efficiency of juror utilization through the adoption of one-day or one-trial jury management practices; a statewide juror orientation video; adoption of uniform rules and standards for jury management; and a model jury summons, which, as of January 2008, had been adopted by 15 trial courts.
- *Plain-language jury instructions.* In 1997, the Chief Justice appointed a Task Force on Jury Instructions with a mandate to write new, plain-English civil and criminal juror instructions. The civil instructions were completed in 2003 and the criminal instructions in 2005.
- *Institutionalization of self-help centers and other services to assist self-represented litigants.* Over the past decade, California has become a national leader in developing self-help programs that provide meaningful access to justice for self-represented litigants:
 - The Judicial Council’s efforts and vision were formally established and defined in February 2004 through the adoption of its *Statewide Action Plan for Serving Self-Represented Litigants*,⁶ a comprehensive action plan aimed at addressing the legal needs of the growing numbers of self-represented Californians while improving court efficiency and effectiveness.
 - After allocating over \$2.5 million for self-help programs in the courts in FY 2005–2006, the Judicial Council more than tripled its allocation, targeting \$11.2 million in ongoing funding for courts to start or expand self-help centers. The Judicial Council also identified the expansion of self-help centers as one of the top three priorities for funding in the judicial branch. These efforts have yielded a tremendous increase in the number of self-help services offered statewide; in 1997, there was only one self-help center in the state, but currently self-help services are offered in 101 court locations.
 - With the support of the State Justice Institute, the Administrative Office of the Courts produced the *Benchmark for Judicial Officers on Handling Cases Involving Self-Represented Litigants* in January 2007 and distributed copies to all sitting judicial officers and to all new judges. In August 2008, the State Justice Institute recognized

the benchguide by selecting it for the Howell Heflin Award “in recognition of an innovative Institute-supported project that has a high likelihood of significantly improving the quality of justice in State courts across the nation.”

- In 2004, the AOC, in partnership with the Superior Court of Los Angeles County and various other partners, launched the JusticeCorps program. Funded by an AmeriCorps grant, JusticeCorps helps provide equal access to justice by recruiting and training hundreds of university students annually to augment overburdened court and legal aid staff who are assisting self-represented litigants in court-based self-help programs. Piloted in Los Angeles County, the program has since expanded to the San Francisco Bay Area and San Diego County.
- *Expansion of interpreter services to civil cases.* The Domestic Violence-Family Law Interpreter Program initiative is designed to provide assistance to trial courts in funding interpreter services for litigants with limited English proficiency in cases where domestic violence or elder abuse protective orders have been issued or are being sought and in general family law cases. Between FY 2003–2004 and FY 2006–2007, over \$6 million in funding was allocated to the program; 50 superior courts have received funding from the program since it began in FY 2001–2002. In addition, with the advent of the Trial Court Interpreter Employment and Labor Relations Act, which vastly increased the numbers of interpreters who serve as court employees, some additional interpreter services have been available for civil cases in some courts.
- *Public Trust and Confidence Survey.* In 2005, the Judicial Council of California undertook a statewide survey of the public and of practicing attorneys to determine current levels of trust and confidence in the state courts and to obtain information concerning expectations and performance of the courts and understand steps that should be taken to improve the delivery of justice to the public. More than 2,400 members of the public and over 500 practicing attorneys participated. In 2006, phase II of the study delved more deeply into key issues raised by stakeholders. Focus groups and interviews were used to obtain direct information from court users about specific, effective strategies for addressing customer concerns identified by the 2005 survey. In addition, the phase II researchers solicited input from two previously untapped stakeholder groups—judicial officers and court administrators—to include the perspective of court leaders as well as identify possible ways to improve the delivery of justice.
- *Improved fee waiver process.* Improvements were based on recommendations from the Enhanced Collections Working Group, Subcommittee on Fee Waivers and enacted under Assembly Bill 2448 (Feuer); Stats. 2008, ch. 462.
- *Electronic access to court information.* A working group has been convened to establish and revise branchwide policy on providing access to court information electronically. The group will consider how to make access consistent across court locations and the extent to which the public should be charged for access to this information.

- *Telephonic appearances in civil cases.* A working group of the Civil and Small Claims Advisory Committee was convened to focus on improving access by providing greater consistency in the use of telephonic appearances in civil matters and to establish that, in certain identified types of proceedings, the presumption shall be in favor of allowing parties to appear telephonically. The work of this group led to the adoption of rule 3.670 of the California Rules of Court, last revised January 1, 2008.
- *Juvenile Delinquency Court Assessment.* Completed in April 2008, the *Juvenile Delinquency Court Assessment* (JDCA) is the judiciary’s first comprehensive research study of how the superior courts of California handle delinquency matters. The report findings are intended to help improve both the administration of justice and those affected by the delinquency system by setting an agenda for system improvements over the coming years.
- *Improved physical access to court facilities.* With the transfer of court facilities, the state can begin to do needed renovations to ensure physical access. Compliance with the Americans With Disabilities Act is one of the key factors used to prioritize capital outlay for court construction projects.

“Case Processing, Including the Efficient Use of Judicial Resources”

- *Judicial Needs Assessment and Resource Allocation Study.* In recognition of the need to establish meaningful estimates of the resource needs of the courts, the AOC has developed workload models to assess where new judgeships and additional nonjudicial resources are most urgently needed to meet the needs of the public. Both studies were based on time studies conducted in the trial courts, and use case weights to represent the average case processing time for different case types. A working group will be established to consult on the process for reviewing and approving updates to the models.
 - The judicial needs assessment, approved by the Judicial Council in 2001, is now updated biennially and provides the data necessary to identify the most urgently needed judgeships. The 50 new judgeships authorized as part of Senate Bill 56 (Stats. 2006, ch. 390) and another 50 judgeships authorized—though subsequently delayed due to budget constraints—the following year (Assem. Bill 159; Stats. 2007, ch. 722) were allocated according to this workload model.
 - The resource allocation study model was approved by the Judicial Council in 2005 and established uniform measures of workload to identify historically underfunded courts and equalize resource allocation among the courts. Since FY 2005–2006, nearly \$32 million in funding has been allocated to courts identified as having the greatest funding need by the workload model.
- *Expansion of collaborative justice courts.* In December 2003, the California Judicial Council included in its operational plan a set of collaborative justice initiatives that included obtaining resources for these programs, promoting case-processing efficiency, maximizing long-term cost avoidance, and increasing access to justice. Currently about 252 collaborative justice courts are being planned or are operating in 56 counties.

- *Technical Assistance in Criminal Caseflow Management.* Seeking to ensure the most efficient use of branch resources, the AOC has been providing technical assistance to trial courts to ensure the use of the most effective practices in criminal case processing. Over 150 judges and court staff from 40 courts attended two-day workshops to share effective practices in criminal case delay reduction. Following up on the workshops, over 18 trial courts have received technical assistance and site visits that involve extensive interviews with the courts and justice system partners to enhance efficiency in criminal case processing.
- *Technical Assistance in Family Law Caseflow Management.* Building on the interest generated by the technical assistance projects in criminal case processing, subsequent technical assistance projects in family law were organized. Thirty-seven courts and more than 200 participants from the courts attended regional meetings, out of which a resource manual on effective practices in family law was produced. An additional seven courts have received direct technical assistance to improve the efficiency of their family law operations.
- *Complex Civil Litigation Program.* Operating in six courts, this program gives judges training and resources to help them manage complex civil cases efficiently and effectively. The AOC awards grant funds to courts that participate in the program; funds have been used to hire additional research attorneys and court staff and to improve technology.
- *Collections Policies.* At its August 2008 meeting, the Judicial Council approved and adopted several measures as part of a comprehensive collections policy to ensure the optimal collection of fines and fees from court users and to comply with the requirements of AB 367 (Stats. 2007, ch.132). The measures adopted include a Collections Reporting Template, establishment of Collections Performance Measures and Benchmarks, and Collections Best Practices.
- *Riverside Strike Force.* From July 2007 to June 2008, the AOC sent a “strike force” of judges from courts throughout the state to help reduce the criminal caseload backlog, helping to ensure that litigants in Riverside County have access to justice in both criminal and civil cases (the backlog had resulted in a near shutdown of civil trials). A team from the AOC also visited Riverside regularly to help implement structural changes to Riverside’s case processing practices to lessen the possibility of another backlog; judges will continue to be assigned to civil cases in Riverside County until the court receives the judgeships that have been designated for that court under AB 159.
- *Innovations to help self-represented litigants in small claims and civil limited cases.* Processes and procedures for small claims and limited civil cases have been streamlined. A working group of the Civil and Small Claims Advisory Committee is being formed to examine the procedural rules that apply in small claims and limited civil cases to improve the handling of such cases and increase access to the courts.
- *E-discovery.* A working group/subcommittee of the Civil and Small Claims Advisory Committee was formed to address how to decrease the number of contentious discovery

disputes and increase efficiencies in how cases are handled for both litigants and the courts. Legislation to enact the recommendations of this group is pending.

- *Delay reduction in civil cases.* In 2003, the Blue Ribbon Panel on the Fair and Efficient Administration of Civil Cases recommended a series of practices to improve civil case processing. A new rule of court was passed and new time standards were adopted to make the civil delay reduction program more flexible and practical for court users, courts, and counsel.
- *New form developed to improve process for seeking expungement of DNA records.* Anticipating an increase in court workload resulting from the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (which mandates that, from January 2009, DNA samples are to be collected from anyone arrested for a felony and for certain misdemeanor crimes), the Judicial Council approved a new process and form for offenders seeking an expungement of their DNA records.

“General Court Administration”

- *Trial court budgeting.* In FY 2004–2005, the process for judicial branch funding was revised so that trial court budgets would be automatically adjusted according to the percentage change in the State Appropriations Limit (SAL). First applied for FY 2005–2006, this made for a more predictable funding process. It also promotes more efficient long-range resource planning and employee contract negotiation, because the courts can anticipate their funding. The effort to standardize budgetary policies was furthered in January 2007 when the Judicial Council adopted new uniform rules for trial court budgeting. (However, the substantial reduction in SAL funding in FY 2008–2009 and the proposed suspension in FY 2009–2010 will undercut some of these improvements.)
- *Internal Audit Program.* An internal audit function was established to improve accountability of the use of public resources and adherence to statutory and constitutional mandates in accounting, to address increased facilities-related technical accounting workload, and in contracts and budgets. This program audits 18 trial courts each year, covering financial, operational, and compliance issues.
- *Uniform Procurement Guidelines.* Statewide procurement guidelines were established to leverage economies of scale and minimize trial court costs by drawing on the purchasing power of the statewide judicial branch.
- *California Court Case Management System.* CCMS is a statewide technology initiative to bring the courts together to use one case management application. It will also interface with state justice system partners, allow for e-filing, and provide for statewide reporting. CCMS is expected to begin deployment in 2010.
- *Phoenix Financial System.* Phoenix standardizes all accounting functions for the judicial branch, including accounts payable and receivable, cost accounting, and grants management and provides timely, comprehensive financial information for required reporting. As of July

2008, Phoenix had been implemented in 57 trial courts, with the largest court, Los Angeles, currently undergoing a phased implementation.

- *Phoenix Human Resources System.* A uniform personnel management system has been created across the trial courts that also integrates human resources functions with the Phoenix Financial System. Six courts have implemented the system, with the rest scheduled to deploy in 2012 after a planned upgrade of the underlying system software.

Direct Measures of Trial Court Operations: Improvements to Resource Allocation and Case Processing Measures

Given the infrastructural reforms outlined above and the programs and policies that have built on these reforms, the critical question that direct measures of court operations must answer is this: What are the *outcome* measures that can tell us about the impact of this work on providing equal justice under the law? Because the justice system is a complex system of interdependent and interlocking public agencies, branches of government, and private parties, we may not see immediate or direct consequences from the work that the branch has undertaken. It is possible, nonetheless, to identify several direct measures of court operations that are directly affected by reforms to branch infrastructure and the programs and policies adopted by the branch.

Many of the direct measures stem from major initiatives to improve case processing practices in certain key case types. The Judicial Council recently established special task forces to undertake comprehensive studies of case processing practices in probate/conservatorship, juvenile dependency, and domestic violence. In addition to these special committees, the judicial branch regularly reviews case processing procedures to ensure that practices remain current and represent best practices for a particular case type. These task forces and working groups have identified and recommended specific standards and measures of case processing to improve offender accountability in domestic violence cases, ensure permanence and safety in juvenile dependency cases, and provide heightened oversight and protection of elder or dependent adults in conservatorship cases.

In addition to these case type-specific measures, the Judicial Council has adopted guidelines of court operations to improve the administration of justice. Caseload management and technical assistance currently offered by the AOC will continue to be used to identify and implement case processing best practices. Those practices in turn would be incorporated into the case weights used in the workload models. The underlying goal of updating the workload models would be to transform them from “descriptive” representations of case processing to more “prescriptive” models that incorporate innovative and efficient practices.

Additionally, the AOC and a number of trial courts are currently pilot-testing different components of nationally recognized measures of court performance that capture a balanced view of court operations and reflect Standard of Judicial Administration, standard 10.17, Trial court performance standards. The following list includes measures and matters being measured (see Appendix A):

- An access and fairness survey to rate court’s accessibility and service to court users

- Caseload clearance rates to measure a court's ability to keep up with incoming caseload
- The time to disposition of cases
- The age of a given courts' active, pending caseload
- Trial date certainty as a gauge of timely case disposition
- The reliability and integrity of case files
- The collection of monetary penalties
- The effective use of jurors and jury management
- Court employee satisfaction
- The average cost per case

Table 3 summarizes existing measures of court operations and shows the quantitative measures that support those outcomes.

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Table 3. Direct Measures of Court Operations

Strategic Goal	Operational Objective	Program	Direct Measures	Measurement
Provide Equal Access to Courts	Identify and eliminate barriers to court access at all levels of service.	Establishment of Self-Help Centers	Number of court locations with self-help centers established since Trial Court Unification	100 statewide
		Family Law Interpreter Program	Number of interpretations made in family law cases and cases where domestic violence or elder abuse protective orders have been issued	Over 123,000 interpretations were made between FY 2001–2002 and FY 2006–2007
		Plain and Foreign Language Form Development	Number of languages into which forms and information sheets for Domestic Violence Prevention Act Orders have been translated	4 (Spanish, Chinese, Korean, Vietnamese)
	Assist the trial courts in achieving efficiency and fairness in family law proceedings and to ensure access to justice for litigants, including the self-represented.	Domestic Violence Practice and Procedure Task Force	139 recommendations, many of which overlap jurisdiction with other justice system partners; the task force’s mandate has been extended until 2010 to determine how and which of the recommendations can be implemented given current resource levels. Full report at: http://www.courtinfo.ca.gov/jc/documents/reports/022208item9.pdf	TBD
Case Processing, Including the Efficient Use of Judicial Resources	Evaluate and improve management techniques, allocation of funds, internal operations, and services.	Resource Allocation Study (RAS) Model adopted by the Judicial Council in 2005, to remedy historic underfunding and improve the equity in trial court funding across the state	Current number of courts severely underfunded (underfunded by 20 % or more) compared to number of severely underfunded courts prior to adoption of RAS model (18 courts)	Two (see Figure 2).
		Judicial Workload Assessment Model, adopted by the Judicial Council in 2001, and the creation of 100 new judgeships by the Legislature in 2006 and 2007	Current statewide level of need for judgeships, compared to need prior to adoption of Judicial Workload Assessment (JWA)	Current: 14% Prior to JWA: over 20%
	Develop and implement effective trial and appellate case management rules, procedures,	Technical assistance programs on criminal and family caseload management	Caseload clearance rates	TBD

	techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.			
	Improved safety, permanency, and fairness outcomes for children and families.	Juvenile Dependency Performance Measures (adopted by Judicial Council in October 2008), developed by the Judicial Council’s Blue Ribbon Commission on Children in Foster Care	See Appendix C; data elements to measure performance are being integrated into the California Court Case Management System	TBD
	Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of effective management practices branchwide; probate guardianship and probate conservatorship cases specifically identified.	Probate Conservatorship Task Force study ⁷	See www.courtinfo.ca.gov/jc/documents/reports/102607itemD.pdf for the Probate Conservatorship Task Force recommendations	TBD
General Court Administration	Modernization of Management and Administration: improve the collection of fines, fees, and forfeitures statewide.	Enhanced collections program (adopted by Judicial Council in August 2008)	Gross Recovery Rate (GRR): Measures a collection program’s ability to resolve delinquent court-ordered debt, including alternative sentences, community service, and suspended sentences. Benchmark is 34%, based on a formula that adds the dollar amount of delinquent collections plus adjustments, divided by referrals. Success Rate (SR): Measures the amount of revenue collected on delinquent court-ordered debt based on total delinquent accounts referred after adjustments, including NSF checks. Benchmark is 31%, based on a formula that divides delinquent collections for the fiscal year by the total of referrals minus adjustments.	TBD

Figure 2: Decline in Number of Underfunded Courts FY 2004–2005 to FY 2007–2008

Trial Court Funding - Fiscal Year 2004/05
Before RAS



Trial Court Funding - Fiscal Year 2007/08
After Three Years of RAS



Time to Disposition Data

Standards of Judicial Administration, standard 2.2 establishes case processing time to disposition goals for each of six case types: felony, misdemeanor, unlimited civil, limited civil, small claims, and unlawful detainer. Table 4 shows the time to disposition standard for each case type and the statewide percentage of cases that met the goals in the most recent fiscal year for which data were available.

Since time to disposition is but one of several measures of caseload clearance, this data measure alone does not give an accurate portrayal of a court’s ability to process and close cases. Also, because of the limitations of individual case management systems to retrieve that information, not all courts in California were able to report this data. When more courts are able to report this information and when other measures of case clearance become reportable, such as age of active pending caseload, this measure will become more meaningful.

Table 4. Statewide Percentages of Cases Disposed Within Standards, by Case Type

Case Type	Standard (Time in which 100% of cases were disposed of)	% of cases meeting the standard in FY 06-07
Felony	12 months	91
Misdemeanor	120 days	90
Unlimited Civil	24 months	92
Limited Civil	24 months	98
Unlawful Detainer	45 days	76
Small Claims	90 days	78

Conclusion

Government Code section 77001.5 requires the Judicial Council to report on the significant progress made by the judicial branch in adopting and implementing standards and measures to promote the fair and efficient administration of justice in California. Subsequent reports will detail new programs and policies implemented and direct measures of court performance that further the branch's commitment to the goals and measures outlined in Government Code section 77001.5, with the judicial branch operational plan serving as a roadmap to outline objectives and desired outcomes.

In terms of direct measures of court performance, the proposed working group will advise AOC staff on issues related to the development of standards and measures of judicial administration for consideration by the Judicial Council. Statewide reporting of performance data will become more feasible with the implementation of a centralized case management system. Until then, the AOC will provide for courts to test and implement these and other performance measures, as resources permit. The Public Trust and Confidence Report and court user surveys will guide decision-making for evaluating how the judicial branch can improve access to the courts and institute programs and policies that engender the respectful treatment of court participants.

Appendix A: Standards of Judicial Administration, Standard 10.17. Trial Court Performance Standards

(a) Purpose

These standards are intended to be used by trial courts, in cooperation with the Judicial Council, for purposes of internal evaluation, self-assessment, and self-improvement. They are not intended as a basis for cross-court comparisons, nor are they intended as a basis for evaluating the performance of individual judges.

(Subd (a) lettered effective January 1, 2007; adopted as part of unlettered subdivision effective January 25, 1995.)

(b) Standards

The standards for trial court performance are as follows:

(1) *Access to justice*

- (A) The court conducts its proceedings and other public business openly.
- (B) Court facilities are safe, accessible, and convenient to use.
- (C) All who appear before the court are given the opportunity to participate effectively without undue hardship or inconvenience.
- (D) Judges and other trial court personnel are courteous and responsive to the public and accord respect to all with whom they come into contact.
- (E) The costs of access to the trial court's proceedings and records—whether measured in terms of money, time, or the procedures that must be followed—are reasonable, fair, and affordable.

(2) *Expedition and timeliness*

- (A) The trial court establishes and complies with recognized guidelines for timely case processing while, at the same time, keeping current with its incoming caseload.
- (B) The trial court disburses funds promptly, provides reports and information according to required schedules, and responds to requests for information and other services on an established schedule that assures their effective use.
- (C) The trial court promptly implements changes in law and procedure.

(3) *Equality, fairness, and integrity*

- (A) Trial court procedures faithfully adhere to relevant laws, procedural rules, and established policies.
- (B) Jury lists are representative of the jurisdiction from which they are drawn.
- (C) Trial courts give individual attention to cases, deciding them without undue disparity among like cases and on legally relevant factors.
- (D) Decisions of the trial court unambiguously address the issues presented to it and make clear how compliance can be achieved.
- (E) The trial court takes appropriate responsibility for the enforcement of its orders.
- (F) Records of all relevant court decisions and actions are accurate and properly preserved.

(4) *Independence and accountability*

- (A) A trial court maintains its institutional integrity and observes the principle of comity in its governmental relations.
- (B) The trial court responsibly seeks, uses, and accounts for its public resources.
- (C) The trial court uses fair employment practices.
- (D) The trial court informs the community of its programs.
- (E) The trial court anticipates new conditions or emergent events and adjusts its operations as necessary.

(5) *Public trust and confidence*

- (A) The trial court and the justice it delivers are perceived by the public as accessible.
- (B) The public has trust and confidence that the basic trial court functions are conducted expeditiously and fairly and that its decisions have integrity.
- (C) The trial court is perceived to be independent, not unduly influenced by other components of government, and accountable.

(Subd (b) lettered effective January 1, 2007; adopted as part of unlettered subdivision effective January 25, 1995.)

Standard 10.17 amended and renumbered effective January 1, 2007; adopted as sec. 30 effective January 25, 1995.

Appendix B: CourTools Measures of Court Operations



CourTools

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CourTools

Trial Court Performance Measures

National Center for State Courts

The 10 Core Measures

1 Access and Fairness

definition: Ratings of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect.

purpose: Many assume that "winning" or "losing" is what matters most to citizens when dealing with the courts. However, research consistently shows that positive perceptions of court experience are shaped more by court users' perceptions of how they are treated in court, and whether the court's process of making decisions seems fair. This measure provides a tool for surveying all court users about their experience in the courthouse. Comparison of results by location, division, type of customer, and across courts can inform court management practices.

2 Clearance Rates

definition: The number of outgoing cases as a percentage of the number of incoming cases.

purpose: Clearance rate measures whether the court is keeping up with its incoming caseload. If cases are not disposed of in a timely manner, a backlog of cases awaiting disposition will grow. This performance measure is a single number that can be compared within the court for any and all case types, on a monthly or yearly basis, or between one court and another. Knowledge of clearance rates by case type can help a court pinpoint emerging problems and indicate where improvements can be made.

3 Time to Disposition

definition: The percentage of cases disposed or otherwise resolved within established time frames

purpose: This measure, used in conjunction with Clearance Rates (Measure 2) and Age of Active Pending Caseload (Measure 4), is a fundamental management tool that assesses the length of time it takes a court to process cases. It compares a court's performance with local, state, or national guidelines for timely case processing.

4 Age of Active Pending Caseload

definition: The age of the active cases pending before the court, measured as the number of days from filing until the time of measurement.

purpose: Knowing the age of the active cases pending before the court is most useful for addressing three related questions: Does a backlog exist? Which cases are a problem? Given past and present performance, what is expected in the future?

5 Trial Date Certainty

definition: The number of times cases disposed by trial are scheduled for trial.

purpose: A court's ability to hold trials on the first date they are scheduled to be heard (trial date certainty) is closely associated with timely case disposition. This measure provides a tool to evaluate the effectiveness of calendaring and continuance practices. For this measure, "trials" includes jury trials, bench trials (also known as nonjury trials), and adjudicatory hearings in juvenile cases.

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Reliability and Integrity of Case Files **6**

definition: The percentage of files that can be retrieved within established time standards, and that meet established standards for completeness and accuracy of contents.

purpose: A reliable and accurate case file system is fundamental to the effectiveness of day-to-day court operations and fairness of judicial decisions. The maintenance of case records directly affects the timeliness and integrity of case processing. This measure provides information regarding (a) how long it takes to locate a file, (b) whether the file's contents and case summary information match up, and (c) the organization and completeness of the file.

Collection of Monetary Penalties **7**

definition: Payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases.

purpose: Integrity and public trust in the dispute resolution process depends in part on how well court orders are observed and enforced in cases of noncompliance. In particular, restitution for crime victims and accountability for enforcement of monetary penalties imposed on criminals are issues of intense public interest and concern. The focus of this measure is on the extent to which a court takes responsibility for the enforcement of orders requiring payment of monetary penalties.

Effective Use of Jurors **8**

definition: Juror yield is the number of citizens selected for jury duty who are qualified and report to serve, expressed as a percentage of the total number of prospective jurors available. Juror utilization is the rate at which prospective jurors are used at least once in trial or voir dire.

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purpose: The percentage of citizens available to serve relates to the integrity of source lists, the effectiveness of jury management practices, the willingness of citizens to serve, the efficacy of excuse and postponement policies, and the number of exemptions allowed. The objective of this measure is to minimize the number of unused prospective jurors—the number of citizens who are summoned, qualified, report for jury service, and who are not needed.

Court Employee Satisfaction **9**

definition: Ratings of court employees assessing the quality of the work environment and relations between staff and management.

purpose: Committed and loyal employees have a direct impact on a court's performance. This measure is a powerful tool for surveying employee opinion on whether staff have the materials, motivation, direction, sense of mission, and commitment to do quality work. Knowing how employees perceive the workplace is essential to facilitate organizational development and change, assess teamwork and management style, enhance job satisfaction, and thus improve service to the public.

Cost Per Case **10**

definition: The average cost of processing a single case, by case type.

purpose: Monitoring cost per case, from year to year, provides a practical means to evaluate existing case processing practices and to improve court operations. Cost per case forges a direct connection between how much is spent and what is accomplished. This measure can be used to assess return on investment in new technologies, reengineering of business practices, staff training, or the adoption of "best practices."



CourTools

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Appendix C: Summary of California Juvenile Dependency Performance Measures

(Adopted by Judicial Council at its October 24, 2008, meeting)

1. Hearing Timeliness

- 1A. Percentage of children for whom the initial hearing is completed within the statutory time frame following the filing of the initial petition.
- 1B. Percentage of children for whom the jurisdictional hearing is completed within the statutory time frame following the initial hearing.
- 1C. Percentage of children for whom the disposition hearing is completed within the statutory time frame following the finding of jurisdiction.
- 1D. Percentage of children for whom a 3-month or other interim review hearing is held.
- 1E. Percentage of children for whom the 6-month review hearing is completed within 6 months of the date the child entered foster care.
- 1F. Percentage of children for whom the 12-month permanency hearing is completed within 12 months of the date the child entered foster care.
- 1G. Percentage of children for whom the 18-month review hearing is completed within 18 months of the date of original protective custody.
- 1H. Percentage of children for whom the first section 366.26 hearing is completed within 120 days of the termination of reunification services.
- 1I. Percentage of children whose postpermanency hearing is completed within 6 months of the section 366.26 hearing or last postpermanency hearing.
- 1J. Percentage of children in long-term foster care whose subsequent section 366.26 hearing is completed within 12 months of the previous section 366.26 hearing.
- 1K. Percentage of children whose adoption is finalized within 180 days after termination of parental rights.
- 1L. Median time from disposition or section 366.26 hearing to order establishing guardianship.
- 1M. Percentage of children for whom the first and subsequent postpermanency review hearings are completed within the statutory time frame.
- 1N. Percentage of hearings delayed by reasons for delay and hearing type.
- 1O. Median time from filing of original petition to implementation of a permanent plan by permanent plan type.
- 1P. Median time from filing of original petition to termination of jurisdiction by reason for termination of jurisdiction.

2. Court Procedures and Due Process

- 2A. Percentage of cases in which all hearings are heard by one judicial officer.
- 2B. Percentage of cases in which all parties and other statutorily entitled individuals are served with a copy of the original petition.
- 2C. Percentage of hearings in which notice is given to all statutorily entitled parties and individuals within the statutory time frame.
- 2D. Percentage of hearings in which child or parents are present if statutorily entitled to be present.
- 2E. Percentage of hearings in which a judicial inquiry is made when a child 10 years of age or older is not present at hearing.
- 2F. Percentage of hearings in which other statutorily entitled individuals who are involved in the case (e.g., CASA volunteers, caregivers, de facto parents, others) are present.

3. Safety in the Child Welfare System

- 3A. Percentage of children who were not victims of another substantiated maltreatment allegation within 6 and 12 months after the maltreatment incident that led to the filing of the initial petition.
- 3B. For all children served in foster care during the year, percentage of children who were not victims of

substantiated maltreatment by a foster parent or facility staff member.

4. Child Permanency

- 4A. Percentage of children reunified in less than 12 months.
- 4B. Percentage of children who were reunified but reentered foster care within 12 months.
- 4C. Percentage of children who were discharged from foster care to a finalized adoption within 24 months.
- 4D. Percentage of children in long-term foster care who were freed for adoption.
- 4E. Percentage of children in long-term foster care who were discharged to a permanent home before their 18th birthdays.
- 4F. Of children discharged to emancipation or aging out of foster care, percentage who were in foster care 3 years or longer.
- 4G. Percentage of children with multiple foster-care placements.

5. Child and Family Well-Being

- 5A. Percentage of children 14 years of age or older with current transitional independent living plans.
- 5B. Percentage of children for whom a section 391 termination of jurisdiction hearing was held.
- 5C. Percentage of section 391 termination of jurisdiction hearings that did not result in termination of jurisdiction and reasons jurisdiction did not terminate.
- 5D. Percentage of youth present at section 391 termination of jurisdiction hearing with judicial confirmation of receipt of all services and documents mandated by section 391(b)(1–5).
- 5E. Percentage of children placed with all siblings who are also under court jurisdiction, as appropriate.
- 5F. Percentage of children placed with at least one but not all siblings who are also under court jurisdiction, as appropriate.
- 5G. For children who have siblings under court jurisdiction but are not placed with all of them, percentage of cases in which sibling visitation is not ordered and reasons.
- 5H. Percentage of cases in which visitation is not ordered for parents and reasons.
- 5I. Number of visitation orders for adults other than parents and siblings, (e.g., grandparents, other relatives, extended family members, others), as appropriate.
- 5J. Cases in which the court has requested relative-finding efforts from the child welfare agency.
- 5K. Percentage of children placed with relatives.
- 5L. For children 10 years of age or older and in foster care for at least 6 months, percentage for whom the court has inquired whether the social worker has identified persons important to the child.
- 5M. For children 10 years of age or older in foster care for at least 6 months, percentage for whom the court has made orders to enable the child to maintain relationships with persons important to that child.

Appendix D: Standards of Judicial Administration, Standard 2.2. Trial Court Case Disposition Time Goals

(a) Trial Court Delay Reduction Act

The recommended goals for case disposition time in the trial courts in this standard are adopted under Government Code sections 68603 and 68620.

(Subd (a) amended effective January 1, 2007; adopted effective July 1, 1987; relettered effective January 1, 1989; previously amended effective January 1, 2004.)

(b) Statement of purpose

The recommended time goals are intended to guide the trial courts in applying the policies and principles of standard 2.1. They are administrative, justice-oriented guidelines to be used in the management of the courts. They are intended to improve the administration of justice by encouraging prompt disposition of all matters coming before the courts. The goals apply to all cases filed and are not meant to create deadlines for individual cases. Through its case management practices, a court may achieve or exceed the goals stated in this standard for the overall disposition of cases. The goals should be applied in a fair, practical, and flexible manner. They are not to be used as the basis for sanctions against any court or judge.

(Subd (b) amended effective January 1, 2007; adopted effective July 1, 1987, as (1); relettered effective January 1, 1989; previously amended effective January 1, 2004.)

(c) Definition

The definition of “general civil case” in rule 1.6 applies to this section. It includes both unlimited and limited civil cases.

(Subd (c) amended effective January 1, 2007; adopted effective January 1, 2004.)

(d) Civil cases-processing time goals

The goal of each trial court should be to process general civil cases so that all cases are disposed of within two years of filing.

(Subd (d) amended and relettered effective January 1, 2004; adopted effective July 1, 1987, as (2); previously amended effective July 1, 1988; amended and relettered as subd (c) effective January 1, 1989.)

(e) Civil cases-rate of disposition

Each trial court should dispose of at least as many civil cases as are filed each year and, if necessary to meet the case-processing goal in (d), dispose of more cases than are filed. As the court disposes of inactive cases, it should identify active cases that may require judicial attention.

(Subd (e) amended effective January 1, 2007; adopted effective July 1, 1987, as (3); previously amended effective July 1, 1988; previously amended and relettered as subd (d) effective January 1, 1989, and as subd (e) effective January 1, 2004.)

(f) General civil cases-case disposition time goals

The goal of each trial court should be to manage general civil cases, except those exempt under (g), so that they meet the following case disposition time goals:

(1) *Unlimited civil cases:*

The goal of each trial court should be to manage unlimited civil cases from filing so that:

- (A) 75 percent are disposed of within 12 months;
- (B) 85 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

(2) *Limited civil cases:*

The goal of each trial court should be to manage limited civil cases from filing so that:

- (A) 90 percent are disposed of within 12 months;
- (B) 98 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

(3) *Individualized case management*

The goals in (1) and (2) are guidelines for the court's disposition of all unlimited and limited civil cases filed in that court. In managing individual civil cases, the court must consider each case on its merits. To enable the fair and efficient resolution of civil cases, each case should be set for trial as soon as appropriate for that individual case consistent with rule 3.729.

(Subd (f) amended effective January 1, 2007; adopted as subd (g) effective July 1, 1987; relettered as subd (h) effective January 1, 1989; amended effective July 1, 1991; previously amended and relettered as subd (f) effective January 1, 2004.)

(g) Exceptional civil cases

A general civil case that meets the criteria in rules 3.715 and 3.400 and that involves exceptional circumstances or will require continuing review is exempt from the time goals in (d) and (f). Every exceptional case should be monitored to ensure its timely disposition consistent with the exceptional circumstances, with the goal of disposing of the case within three years.

(Subd (g) amended effective January 1, 2007; adopted effective January 1, 2004.)

(h) Small claims cases

The goals for small claims cases are:

- (1) 90 percent disposed of within 75 days after filing; and
- (2) 100 percent disposed of within 95 days after filing.

(Subd (h) adopted effective January 1, 2004.)

(i) Unlawful detainer cases

The goals for unlawful detainer cases are:

- (1) 90 percent disposed of within 30 days after filing; and
- (2) 100 percent disposed of within 45 days after filing.

(Subd (i) adopted effective January 1, 2004.)

(j) Felony cases-processing time goals

Except for capital cases, all felony cases disposed of should have a total elapsed processing time of no more than one year from the defendant's first arraignment to disposition.

(Subd (j) amended effective January 1, 2007; adopted effective January 1, 2004.)

(k) Misdemeanor cases

The goals for misdemeanor cases are:

- (1) 90 percent disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent disposed of within 90 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent disposed of within 120 days after the defendant's first arraignment on the complaint.

(Subd (k) adopted effective January 1, 2004.)

(l) Felony preliminary examinations

The goal for felony cases at the time of the preliminary examination (excluding murder cases in which the prosecution seeks the death penalty) should be disposition by dismissal, by interim disposition by certified plea of guilty, or by finding of probable cause, so that:

- (1) 90 percent of cases are disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent of cases are disposed of within 45 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent of cases are disposed of within 90 days after the defendant's first arraignment on the complaint.

(Subd (l) adopted effective January 1, 2004.)

(m) Exceptional criminal cases

An exceptional criminal case is not exempt from the time goal in (j), but case progress should be separately reported under the Judicial Branch Statistical Information System (JBSIS) regulations.

(Subd (m) amended effective January 1, 2007; adopted effective January 1, 2004.)

(n) Cases removed from court's control excluded from computation of time

If a case is removed from the court's control, the period of time until the case is restored to court control should be excluded from the case disposition time goals. The matters that remove a case from the court's control for the purposes of this section include:

- (1) Civil cases:
 - (A) The filing of a notice of conditional settlement under rule 3.1385;
 - (B) An automatic stay resulting from the filing of an action in a federal bankruptcy court;
 - (C) The removal of the case to federal court;
 - (D) An order of a federal court or higher state court staying the case;
 - (E) An order staying the case based on proceedings in a court of equal standing in another jurisdiction;
 - (F) The pendency of contractual arbitration under Code of Civil Procedure section 1281.4;
 - (G) The pendency of attorney fee arbitration under Business and Professions Code section 6201;

- (H) A stay by the reporting court for active military duty or incarceration; and
 - (I) For 180 days, the exemption for uninsured motorist cases under rule 3.712(b).
- (2) Felony or misdemeanor cases:
- (A) Issuance of warrant;
 - (B) Imposition of a civil assessment under Penal Code section 1214.1;
 - (C) Pendency of completion of diversion under Penal Code section 1000 et seq.;
 - (D) Evaluation of mental competence under Penal Code section 1368;
 - (E) Evaluation as a narcotics addict under Welfare and Institutions Code sections 3050 and 3051;
 - (F) 90-day diagnostic and treatment program under Penal Code section 1203.3;
 - (G) 90-day evaluation period for a juvenile under Welfare and Institutions Code section 707.2;
 - (H) Stay by a higher court or by a federal court for proceedings in another jurisdiction;
 - (I) Stay by the reporting court for active military duty or incarceration; and
 - (J) Time granted by the court to secure counsel if the defendant is not represented at the first appearance.

(Subd (n) amended effective January 1, 2007; adopted effective January 1, 2004.)

(o) Problems

A court that finds its ability to comply with these goals impeded by a rule of court or statute should notify the Judicial Council.

(Subd (o) amended effective January 1, 2007; adopted effective January 1, 2004.)

Standard 2.2 amended and renumbered effective January 1, 2007; adopted as sec. 2.1 effective July 1, 1987; previously amended effective January 1, 1988, July 1, 1988, January 1, 1989, January 1, 1990, July 1, 1991, and January 1, 2004.

Endnotes

¹ See *The Strategic Plan for California's Judicial Branch, 2006–2012, Justice in Focus*.

² See *The Operational Plan for California's Judicial Branch, 2008–2011*.

³ As Tobin points out, prior to the implementation of reforms such as unification and state funding of the courts, “The judicial branch of state government was, in large part, a legal fiction, rather than an operational reality.” See *Creating the Judicial Branch: The Unfinished Reform*, National Center for State Courts, 1999.

⁴ California Constitution, article VI, 5(e), enacted through Proposition 220, approved June 2, 1998 (Stats. 1996, ch. 36; SCA 4).

⁵ The annual reports are located at www.courtinfo.ca.gov/reference/2_annual.htm.

⁶ Judicial Council of Cal., Task Force on Self-Represented Litigants, *Statewide Action Plan for Serving Self-Represented Litigants* (February 2004), available at www.courtinfo.ca.gov/reference/documents/selfreplitsrept.pdf.

⁷ www.courtinfo.ca.gov/reference/documents/senate_paper.pdf.