



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

May 6, 2008

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

Hon. Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California 95814

Hon. Ellen Corbett, Chair
Senate Judiciary Committee
State Capitol, Room 3092
Sacramento, California 95814

Hon. Dave Jones, 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 Perata, Senator Corbett, Speaker Núñez, and Assembly Member Jones:

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. In fiscal year 2007–2008, to date, 12 positions have been converted to judgeships in eligible courts. Beginning in fiscal year 2008–2009, AB 159 requires the Judicial Council to file

notice of the vacancies in subordinate judicial officer (SJO) positions that the council would be seeking to convert in that year, as well as the allocation of conversions among the 25 courts eligible for conversion of SJO positions.

In December 2007, the Judicial Council approved the following approach for allocating the 16 conversions among the courts eligible for conversion of vacant subordinate judicial officer positions to judgeships:

Superior Courts (by County)	Number of Conversions Set Aside for FY 2008–2009 and Ongoing
Group 1: Los Angeles	7
Group 2: Orange	1
Group 3: Alameda, Contra Costa, Riverside, Sacramento, San Diego, San Francisco	4
Group 4: El Dorado, Fresno, Imperial, Kern, Marin, Merced, Napa, Placer, San Luis Obispo, San Mateo, Santa Barbara, Santa Cruz, Solano, Sonoma, Stanislaus, Tulare, Yolo	4

The percentage of total SJO conversions for each grouping corresponds roughly to the proposed allocation identified for each group beginning in FY 2008–2009. For example, group 3 is entitled to 24 percent of the total 162 conversions and 25 percent of the 16 conversions in each fiscal year. For courts in groups 3 and 4, the conversions will be allocated in the order that courts notify the Administrative Office of the Courts (AOC) of a confirmed vacancy before the end of the fiscal year. If the total number of vacancies reported to the AOC by any court or group of courts does not reach the number of positions set aside for that court or group of courts by April 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 16 annual 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 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. This 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.

Hon. Don Perata, Hon. Fabian Núñez, Hon. Ellen Corbett, Hon. Dave Jones

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Administrative Office of the Courts staff has been informed of two upcoming vacancies in 2008–2009 in eligible SJO positions. Based on this information and the allocation methodology described above, the attached list identifies the vacancies and proposed allocation of conversions for fiscal year 2008–2009.

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

Sincerely,



William C. Vickrey
Administrative Director of the Courts

WCV/DSH/lb

Attachment

cc: Members of the Judicial Council
Ronald G. Overholt, AOC Chief Deputy Director
Shelley Curran, Policy Consultant, Office of Senate President pro Tempore Don Perata
Fredericka McGee, General Counsel, Office of Assembly Speaker Fabian Núñez
Drew Liebert, Chief Counsel, Assembly Judiciary Committee
Gene Wong, Chief Counsel, Senate Judiciary Committee
Curtis L. Child, Director, AOC Office of Governmental Affairs
Kenneth L. Kann, Director, AOC Executive Office Programs Division
Mary M. Roberts, General Counsel, AOC Office of the General Counsel

FY 2008–2009 Proposed Allocation of SJO Conversions

Superior Courts (by County)	Conversions Set Aside or Allocated for FY 2008–2009
Group 1: Los Angeles	7
Group 2: Orange	1
Group 3: Alameda, Contra Costa, Riverside, Sacramento, San Diego, San Francisco	1 – Sacramento 3 – set aside, not allocated to a specific court
Group 4: El Dorado, Fresno, Imperial, Kern, Marin, Merced, Napa, Placer, San Luis Obispo, San Mateo, Santa Barbara, Santa Cruz, Solano, Sonoma, Stanislaus, Tulare, Yolo	1 – Sonoma 3 – set aside, not allocated to a specific court