



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
February 22, 2007	For Your Information Only
To	Deadline
Members of the Judicial Council	N/A
From	Contact
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Subject	
Report from the Administrative Director of the Courts	

The following information highlights some of the many activities that have taken place during the past two months to further the council's goals and agenda for the judicial branch.

Operational Planning, 2007

- As you know, in December 2006 the Judicial Council adopted the new branch-wide strategic plan for 2006–2012, *Justice in Focus*. The plan was informed by more than 3,000 stakeholders, including members of the public, judges, court executives, the council's advisory committees and task forces, the leadership of the State Bar, and many others.
- In 2007 the council will undertake similar efforts toward the development of a new branchwide operational plan for 2007–2010; efforts will begin on February 6, 2007, at the annual Advisory Committee and Task Force Leadership meeting in San Francisco (detailed below). The new operational plan will establish specific objectives and desired outcomes for achieving branchwide strategic priorities.

Committee Meetings, Task Force Meetings

- *Judicial Council Committee and Task Force Leadership Meeting:* On February 6, 2007, approximately 70 advisory committee and task force leaders and lead committee staff participated in a very productive and lively meeting to develop their input to the council's coming review of governance policies at its April meeting and the drafting of its three-year operational plan at the June meeting.
- *Trial Court Presiding Judges Advisory Committee (TCPJAC) Executive Committee and Court Executives Advisory Committee (CEAC) Collaboration Summit:* The collaboration summit was a working session designed to identify and address issues of mutual concern to trial court presiding judges (PJs) and court executive officers (CEOs). The summit focused on how PJs and CEOs can be more proactive in matters of statewide policy that affect the quality of justice in California's courts. The summit included a history of the TCPJAC and CEAC; an examination of the PJ/CEO partnership on several levels (including relationships at the trial court and advisory committee level); a brainstorming session about the best method to collaborate; and a small group breakout session to identify opportunities for collaboration.
- *Trial Court Presiding Judges Advisory Committee Meeting:* Three civil law attorneys participated in a panel discussion with the trial court presiding judges, continuing the dialogue started in Phase 1 of the *Public Trust and Confidence* survey on attorney's opinions about public access to the trial courts. This bench/bar interaction provided participants with the opportunity to discuss issues of common concern and challenges that confront the courts, the bar, and the public. Items discussed included access to appearance by telephone, the use of CCP 170.6 challenges to assigned judges, and the need to gather feedback from practitioners and jurors on trial process. The presiding judges were encouraged to continue this dialogue with their own local bars and bench/bar coalitions.
- *Domestic Violence Practice and Procedure Task Force:* This task force issued its draft guidelines and recommended practices for comment by courts, justice system partners, and the public. The guidelines and practices relate to court leadership, restraining orders, entry of restraining orders into the statewide database, firearms relinquishment, and criminal procedures in domestic violence proceedings. The task force will conduct public hearings and regional court meetings to gather additional comment. The draft guidelines and practices are available on the judicial branch web site. A final report is slated for council review in December 2007.
- *Trial Court Budget Working Group:* This group presented to the Judicial Council policy recommendations related to the allocation of trial court State Appropriations Limit funding for security-related costs for facilities scheduled to open or transfer during the period July 1, 2006 to September 30, 2007.

- *Task Force on Civil Fees:* The task force conducted a thorough review of the effectiveness of the uniform civil fee structure, examined whether a fee differential should be implemented based on the number of cases a party files in a year, and reached a conclusion as to whether a process was needed to adjust fees in the future to accommodate inflation and other factors affecting operating costs for trial courts, county law libraries, and county programs that rely on court fees.

Governor's Proposed Budget for FY 2007- 08

- The AOC/Finance Division worked with Department of Finance staff to finalize judicial branch funding proposals included in the Governor's budget for FY 2007- 08, which included more than \$130 million in State Appropriations Limit funding, \$20 million in facilities related monies, funding to support an additional 50 judgeships next year, limited term funding in the amount of \$ 17.377 million to initiate increased oversight and management of conservatorship case types and a proposal to support an access to justice pilot program. (the Legislature, Governor, and AOC will revisit the level of funding to finalize the actual needs before permanently adjusting the base of the trial court budgets.)

Spring Finance Letters

- AOC/Finance Division staff completed work on four spring finance letters (budget change proposals) totaling \$10.737 million. The State Department of Finance typically allows funding proposals to be submitted in February of each year for needs not known during the annual budget development cycle. These proposals support expansion of the Judicial Council Conference Center, address branch space needs, and include necessary technical adjustments. In addition, another \$16.422 million was requested for capital outlay projects to be funded by the State Court Facilities Construction Fund for new courthouses in the Superior Courts of Calaveras, Lassen, Los Angeles, San Benito, San Joaquin, and Tulare Counties.

Communication and Media Outreach

- *AOC Web Assessment:* The Office of Communications completed a large-scale assessment of all AOC-maintained Web properties to help lay the foundation for a redesign of Serranus, education sites, and the California Courts Web site throughout 2007–08.
- *Media Outreach of Judicial Council Initiatives:* The Public Information Office alerted statewide news media of the Judicial Council's last business meeting and secured media coverage of the council's approval of new rules to allow jurors to take notes during trials and to submit questions to witnesses. Widespread publicity appeared in legal and general circulation newspapers and on a Bay Area television station. In addition, a number of television stations throughout the state covered "Adoption Saturday" events hosted by trial courts, the result of another media outreach program.

Demographic Information About Judges

- Working with presiding judges and administrative presiding justices, the AOC Office of the General Counsel has collected demographic information (regarding gender and ethnicity) on judges and justices as required by Senate Bill 56. The information will be posted on the judicial branch web site on March 1, 2007--and updated annually thereafter--to comply with the new statutory requirements. We had a terrific response rate – 89% from the Trial Courts and 94% from the Courts of Appeal.
- On February 13, Ron and I were able to meet with Timothy Simon, Governor Schwarzenegger's Appointments Secretary to discuss implementation of SB56 (new Judges) and the proposed legislation to add 50 new judges this year (Mr. Simon has been appointed to the Public Utilities Commission.).

Branchwide Technology Deployments

- *CCMS*: In February 2007 brought several major milestones in court deployments of the California Case Management System (CCMS). Sacramento was the first court to implement the probate system. San Diego implemented the civil system at its North County facility and the small claims at its Kearney Mesa facility. Orange County is also using the small claims system at three of its sites. Ventura is in the final stages of implementing the Small Claims system with a target date of March 5, 2007.
- *Phoenix Financial and Human Resources Systems*: In January 2007, Imperial Court became the 40th California court to go live on the Phoenix financial accounting application. Ten courts are scheduled to implement the financial system in 2007. Project completion is projected for FY 2008–2009. In January 2007, five courts (Lassen, Riverside, Santa Cruz, Siskiyou, and Stanislaus) went live on the new Phoenix human resources application. Rollout of the human resources system has been placed on hold to allow time to adjust the deployment strategy based on lessons learned from the first six trial court implementations. The intention is to begin rollout of the next courts in early 2008 with a projected completion in FY 2010–2011. It should also be noted that the presiding judge of the Sierra Superior Court was particularly impressed by the Northern/Central Regional Office's responsiveness and customer service approach to that court's concerns regarding CARS implementation. Jody Patel and Curt Soderlund are to be commended for this effort.
- *Computer-Aided Facilities Management (CAFM)*: A new web-based solution, Computer-Aided Facilities Management, is being used by the Office of Court Construction and Management (OCCM) to streamline the way that court facilities are managed as it transfers ownership from county to state. Implementation of CAFM began in June 2004 and is a joint effort between OCCM and the Information Services Division.
- *Appellate Court Case Management System (ACCMS)*: ACCMS was installed in three Courts of Appeal in 2006 (DCA1, DCA5, DCA6). The ACCMS replaces two systems,

one used by the Courts of Appeal, the other by the Supreme Court. Implementation in the appellate courts and the Supreme Court is scheduled to be completed in FY 2006–2007.

Public Trust and Confidence, Phase II

- *2006 Trust and Confidence in the California Courts: Public Court Users and Judicial Branch Members Talk About the California Courts.* This report was distributed statewide to every trial and appellate court and to state court training coordinators, justice system partners, and depository libraries. The report represents Phase II of the assessment of *Public Trust and Confidence in the California Courts* and contains findings from a series of focus groups and dialogues with court users, stakeholders, and judicial branch members. Findings and recommendations from both phases of the public trust and confidence assessment have helped refine and focus the judicial branch 2006–2012 strategic plan and will be reflected in the upcoming 2007–2010 judicial branch operational plan.

Self-Represented Litigants Benchbook

- The growing number of self-represented litigants is one of the most consequential trends affecting the judicial branch. With funding from the State Justice Institute, the Center for Families, Children & the Courts has completed *Handling Cases Involving Self-Represented Litigants: A BenchGuide for Judicial Officers.* The Benchbook was distributed to all California judicial officers in February. Other states are already requesting and using this material. Topics include ethics, communications, courtroom management, settlement, solutions for unintended bias, evidence, responding to mentally ill litigants, and leadership. The volume is the result of interviews, focus groups, and other input from judicial branch leadership, judicial officers, court administrators, small claims advisors, family law facilitators, court clerks, and self-help center directors.

JusticeCorps

- Following an interview with the California AmeriCorps representative in December, the JusticeCorps program was referred to the national AmeriCorps funder in Washington, D.C., owing to the program's scope and competitive appeal. This year's JusticeCorps request is for \$750,000 a year for three years, a three-fold increase in funding and person power over the current program, for expansion of JusticeCorps in Los Angeles and the Bay Area. The decision on the JusticeCorps request is due in May.

Court Interpreters

- On behalf of the Judicial Council, the AOC has contracted with a new vendor, Thomson-Prometric, to administer the oral and written examinations for certification and registration of court interpreters. Thomson-Prometric is a recognized leader in the testing industry, administering more than 1,000 separate professional and occupational license testing programs. After a brief hiatus in our court interpreter testing in the fall of 2006, testing was resumed in December with the administration of the written exam in six locations statewide, followed by the administration of statewide oral exams in mid-February 2007.

Kleps Awards

- Members of the Kleps Awards Committee began conducting site visits to review the applicant programs for the 2007 Kleps Awards. The committee review teams are joined by Administrative Office of the Courts staff members acting as site visit liaisons in a new program that allows a wider array of AOC staff members to learn about court programs and processes and interact with Kleps Committee members. The site visit teams are also assisted by AOC subject matter experts as needed to evaluate the programs. The site visits will be completed in March.

Branchwide Professional Excellence/Education

- More than 100 judges and probate attorneys/examiners attended the 2006 Probate and Mental Health Institute, which included significant education relating to conservatorships.
- The Southern Regional Office hosted a four-day end-user training on CARS, the SAP financial and accounting program for the trial courts.
- Beyond the Bench XVII was held in Monterey this past December and had more than 1,100 participants. In addition to over 39 workshops dealing with topics ranging from legal updates, street gangs, and working with the Rotary. The Chief Justice and Justice Moreno also spoke at the conference. An award winning documentary dealing with young people as they leave foster care was shown.
- The 2007 Winter Continuing Judicial Studies Program was held in Burlingame, with approximately 200 judges. Courses included overviews in criminal, civil, juvenile delinquency, juvenile dependency, probate, and family law. Other courses included death penalty cases, communication skills for judges, understanding financial statements in the courtroom, handling sexual assault cases, and immigration issues in domestic violence cases.
- We have joined in a partnership with California State University at Sacramento for a master program in judicial administration as well as a certificate in judicial administration. Course offerings are slated to begin fall, 2007.

Pilot Project for Psychotropic Medication Consultation in Juvenile Matters

- The Northern/Central Regional Office (NCRO) has launched a two-year pilot project that will provide psychiatric consultants to six trial courts (Glenn, Inyo, Lake, Lassen, Plumas, Tuolumne) to help judges make informed decisions when authorizing the administration of psychotropic medication to children in juvenile dependency matters or in some cases, children in juvenile delinquency matters.

Appellate and Trial Court Judicial Services (ATCJS)

- *Assigned Judges:* The Chief Justice's Assigned Judges Program Advisory Committee approved a staff recommendation to research existing wellness programs for older judges

in other states. Staff will collaborate with the National Center for State Courts and the U.S. Ninth Circuit Court of Appeals to study programs in other states and in the federal judiciary. Staff is also working with the Education Division to develop an education path and mentoring program to better prepare assigned judges in presiding over specialized case types (e.g., delinquency, family) and in technology (e.g., Lexis).

- *Court-Appointed Counsel:* In December, the ATCJS and IS Divisions began work on a rewrite and enhancement of the existing Court of Appeal Court-Appointed Counsel (CAC) electronic payment system and also began visits to the five nonprofit projects that provide legal services to Court of Appeal CAC attorneys.

Reengineering and Process Improvement Unit

- This summer, the NCRO will establish a reengineering and process improvement unit that will focus on reengineering the business processes of the trial courts to help achieve efficiencies.

Other Meetings of Note

- *Annual Meeting with Union Representatives:* In January, members of the AOC Executive Management Team and union representatives from the Collaborative Trial Court Employee Working Group held their annual meeting. Discussion items included the Governor's funding proposals for the branch, trial court budget priorities for 2007-08, and Judicial Council legislative priorities for the upcoming legislative session.
- *Court Security Issues Meetings:* In December (12/4/06) the Chief, Ron Overholt, and I met with the Governor on legislative issues, including structural budget procedures that limit the ability of the Judicial Branch to fund security costs consistent with standards. We advised the Governor that we would be meeting with sheriffs in an effort to develop mutually-agreed upon steps to address problems in a manner that also provides fiscal accountability.

On January 25, the Chief Justice and I met with Sheriff Baca and members of his executive team to discuss short and long-term issues and possible approaches.

Then on February 20, a joint Judicial Council, Court Security Working Group (Chaired by Justice Aldrich), and Sheriff's Association leadership (including the Executive Director of the Sheriff's Association and their lobbyist) was held in San Francisco to discuss court security funding issues. The purpose of the meeting was to develop partnership strategies between the judicial branch and sheriffs with the objective of securing adequate funding to meet council-approved security funding standards, additional funding to meet SB 1396 requirements, cost containment, and the flexibility to seek additional funding when unique circumstances are required.

- *Legislative Meetings:* The Chief Justice, Ron Overholt, and I met in Sacramento with President Pro Tem Don Perata on February 13, 2007, to review priorities for this year. Later that day, we had a similar meeting with Speaker Fabian Nuñez.
- *Meetings on Salary and Pension Issues:* AOC staff met with representatives of the State Controller's Office earlier this month to discuss pension issues and the Governmental Accounting Standards Board (GASB) Statement No. 45, Accounting and Financial Reporting by Employers for Post – employment Benefits Other Than Pensions, which addresses how state and local governments should account for and report their costs and obligations related to post – employment.

On February 13, Bill, Ron Overholt, and Kate Howard met with Public Employee Retirement System Chief CEO, Fred Buenrostro and various staff to discuss administrative actions that are being considered by CALPERS which may impact various elements of JRSI and JRSII.

I have also had a recent discussion with Department of Personnel Administration Director, Dave Gilb regarding Government Code 68203, which sets judicial salaries in relation to state employees.

- *Assembly Judiciary Hearing on Access to Justice:* [NOTE TO BILL – I INCLUDED THIS IN THE CHIEF'S OPENING REMARKS] On February 13, the Chief Justice provided opening remarks at the Assembly Judiciary Committee's informational hearing Equal Access to Justice: Bridging the Gap. The Chief Justice reiterated his and the Council's commitment to providing equal access to justice for all Californians and reviewed the many efforts of the Council (e.g., equal access fund, self-help centers) to achieve this goal.