



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

455 Golden Gate Avenue • San Francisco, California 94102-3688
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

MEMORANDUM

Date	Action Requested
August 9, 2007	Please Review
To	Deadline
Members of the Judicial Council	N/A
From	Contact
Richard D. Huffman, Team Leader	Pam Reynolds
Jody Patel, Regional Administrative Director	Northern/Central Regional Office
Northern/Central Regional Office	916-263-1462 phone
	916-263-1966 fax
	pam.reynolds@jud.ca.gov
Subject	
Judicial Council Site Visits to the Superior Courts of Sierra, Nevada, and Placer Counties	

Courts Visited

Superior Court of Sierra County
Superior Court of Nevada County
Superior Court of Placer County

Dates of Visit

May 23, 24, and 25, 2007

Judicial Council Members Participating in Site Visits

Hon. Richard D. Huffman, Associate Justice, Fourth Appellate District, Division One,
Team Leader
Mr. Raymond G. Aragon, Attorney at Law
Mr. Anthony P. Capozzi, Law Offices of Anthony Capozzi

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Hon. Suzanne N. Kingsbury, Presiding Judge, Superior Court of El Dorado County

Hon. Charles W. McCoy, Jr., Assistant Presiding Judge, Superior Court of Los Angeles County

Hon. Dennis E. Murray, Presiding Judge, Superior Court of Tehama County

Hon. Nancy Wieben Stock, Presiding Judge, Superior Court of Orange County

Ms. Sharol Strickland, Executive Officer, Superior Court of Butte County

Hon. James Michael Welch, Judge, Superior Court of San Bernardino County

Administrative Office of the Courts Staff Participating in Site Visits

Mr. Ronald G. Overholt, Chief Deputy Director

Ms. Jody Patel, Regional Administrative Director, Northern/Central Region

Mr. Curt Soderlund, Assistant Director, Northern/Central Region

Mr. Lee Willoughby, Assistant Director, Office of Court Construction and Management

Mr. Ruben Gomez, Manager, Office of Budget Management, Finance Division

Ms. Sara Fisher, Manager, Emergency Response and Security unit

Ms. Pam Reynolds, Senior Court Services Analyst, Northern/Central Region

Ms. Rebecca Lopez, Senior Budget Analyst, Finance Division

Ms. Stefanie Elam, Executive Secretary, Northern/Central Region

Superior Court of Sierra County

Sierra County is located in the Sierra foothills, with Plumas County to the north, Yuba County to the west, Nevada County to the south, and the State of Nevada to the east. The county covers 953 square miles, with only one incorporated city, Loyalton, and 18 unincorporated cities.

The population of Sierra County was 3,501 as of January 2006, with 75 percent of the county residing in unincorporated cities. The size of Sierra's population is ranked 57th among the 58 counties in the state of California—only Alpine is smaller. As a result of the many recreational activities available in the county, during the summer the population can easily swell to 50,000. Seventy-five percent of the county is part of the Tahoe National Forest.

Presiding Judge William W. Pangman greeted the Judicial Council members at the Downieville Courthouse; then the council members, judges, and the executive officer walked to a restaurant for an informal working lunch. After lunch the members returned to the court for a tour of the facility, which houses county offices and the jail, and an opportunity for the court to share its innovative programs and operational issues with the council members.

Upon entrance to the facility, Judicial Council members viewed newspaper accounts of the more famous court cases that have occurred in the county. Ms. Jan Hamilton, executive officer, pointed out that the facility houses court records dating back to 1852. Additionally, the gallows,

which are a historical landmark, that were used only once on November 27, 1885, still stand near the parking lot for court visitors to view.

One courtroom is located in the Downieville courthouse where all case types are heard. The last jury trial that occurred in the county was more than two years ago; however, several are scheduled for this summer. The public defender and district attorney work aggressively to settle cases before a trial date. The court has not had a juvenile delinquency trial in more than six years. The court emphasized that there is no security screening at the entrance to the building and no jury deliberation room.

The court believes that the creation of the Northern/Central Regional Office has made the smaller courts feel that their concerns are being heard by the Administrative Office of the Courts (AOC). They are very supportive of the work being undertaken by the regional administrative director and her staff.

Overview

The Superior Court of Sierra County has two court locations: the main courthouse in Downieville and a leased facility in Loyalton that houses a family services unit. The bench is composed of two judges and no subordinate officers, with six support staff.

Innovative Programs

The Superior Court of Sierra County presented the Judicial Council members with an overview of two innovative programs that continue the collaborative efforts prevalent in small courts.

Regional Appellate Division. In collaboration with the Superior Courts of Lassen, Modoc, Plumas, and Sierra Counties, a regional appellate division has been created to hear limited jurisdiction cases, misdemeanors, infractions, and traffic court appeals. The exchange of documents is processed through Web-X technology, with Lassen acting as the processing center for all appeals. All oral arguments are handled through videoconferencing, which is more efficient for the courts and the parties. The judges do not hear the appeals from their own courts. This innovative program was the recipient of a 2006–2007 Kleps Award.

Regional Courthouse. Much of the growth in Sierra County is occurring on the east side of the county, and the Downieville Courthouse is located on the west side of the county. The population center on the east side of the county is the city of Loyalton, where the court has a leased facility that houses only a family services unit. The east and west side of the county are separated by the Yuba Pass, mountainous terrain that is difficult to travel through during the winter because of high snow pack.

The population and filings do not support a new courthouse that will service only Sierra County. As such, a new cross-jurisdictional facility is planned to serve the Sierra Valley area of both Sierra and Plumas Counties, with the facility located in the town of Portola in Plumas County. Initially, this facility will handle cases that do not require an attorney, but it will expand to handle all case types in the future.

Operational Issues

Resource Allocation Study (RAS). Sierra County staff indicated that the Office of Court Research has done an outstanding job on RAS, but because of economic realities, it does not work for smaller courts.

Funding. For the past several years, the Sierra court has experienced a budget deficit caused by increasing expenditures and lagging revenues. To address the budget deficit, the court has been depleting its reserves but did seek assistance from the AOC about two years ago and has been working closely with the Finance Division to monitor expenditures and reserve balances.

Staffing. Because of the limited number of personnel, the staff is required to have a greater level of understanding about multiple functions within the court. For instance, rather than only handling courtroom clerk duties, they also may be required to handle information technology, accounting, and collections duties. To ensure each staff person is appropriately compensated for working multiple classifications, the court conducted a review of all positions and determined the percentage of time that they spend performing each function. The review was used to determine an appropriate salary level for each position.

Given this situation, staff longevity works to the advantage of the court as there is much institutional knowledge; however, it also means that the court must pay a larger dollar amount for longevity pay than might be seen in other courts. For small communities where the pool of qualified staff is limited, such as Downieville (population is approximately 350), it becomes difficult to find qualified staff when a vacancy exists.

Remote Location. The remote location places additional burdens on the court, such as more time spent driving between locations and difficulty in finding suitable candidates for either permanent positions or consultant positions. And remoteness is another critical reason the court believes it must pay its staff more. In an effort to limit the amount of travel time, the court has expanded its usage of videoconferencing and telephone conferencing.

Superior Court of Nevada County

Nevada County is located in the Sierra foothills, with Sierra County to the north, Yuba County to the west, Placer County to the south, and the state of Nevada to the east. The county covers 957

square miles, with 3 incorporated cities (Grass Valley, Nevada City, and Truckee) and 40 unincorporated cities.

The population of Nevada County was 100,066 as of January 2006, with 68 percent of the county residing in the unincorporated cities. The county sees an influx of tourists during the winter and summer seasons as a result of the presence of local ski resorts, the popular Donner Lake, and many camping and hiking opportunities.

The site visit to the Superior Court of Nevada County began with a welcome reception at the Nevada City Courthouse on May 24, 2007. Presiding Judge of the Superior Court of Nevada County, Judge Sean P. Dowling, greeted the Judicial Council team members and facilitated introductions. Judge Dowling and Executive Officer G. Sean Metroka gave a preview of the day's activities, including a summary of issues facing the court and an overview of innovative court programs. The court pointed out that most members of the Nevada court bench have less than 5 years of experience as bench officers; Judge C. Anders Holmer is the senior member of the bench, with 17 years of experience.

After the presentation, Mr. Metroka provided the site visit team with a tour of the Nevada City Courthouse, including the opportunity to see some interesting historical pictures and weapons such as shotguns and rifles. A number of judges and members of the court's management team joined the site visit team for an informal working lunch.

Following lunch, the site visit team drove 55 miles to the Truckee Courthouse where they were provided a tour of the facility. Judge Holmer gave the site visit team valuable insight into the differences between the Nevada City and Truckee Courthouses.

The Joseph Center in Truckee processes 15,000 to 18,000 traffic infractions annually, with approximately 60 to 70 percent of those issued to nonresidents traveling on Interstate 80. The court would like to explore the statewide creation of regional traffic infraction centers that defendants can use when the infraction occurs away from their residence. The Truckee location also sees a larger number of personal injury cases occurring as a result of the ski resorts located along the I-80 corridor.

Overview

The Superior Court of Nevada County has three court locations: the Nevada City Courthouse, the Jail-Annex in Nevada City, and the Joseph Center in Truckee. The bench is composed of 6 judges and 1.6 subordinate judicial officers, with approximately 75 support staff.

Innovative Programs

The Superior Court of Nevada County prides itself on developing innovative programs, often in collaboration with its local community partners and other trial courts. Descriptions of some of these programs follow.

Public Law Center. This was initially started with a one-year grant from the AOC and was recently expanded to the Joseph Center with an additional grant from the AOC. The unique aspect of the court's Public Law Center is that it is located with the County Law Library, with the law librarian being employed by the court. The court has recently established Wi-Fi access in the Public Law Center.

Family Court Mediation. An emergency room model for family court mediation has generated better results than a traditional mediation concept. A party that is on calendar and has an emergent need will receive mediation immediately in addition to any scheduled appointments. This is also used in domestic violence and dependency cases if they are unable to reach a placement agreement. The court uses a combination of contract mediators and full-time staff to ensure sufficient resources to handle the emergent cases.

Mental Health Court. Judge Thomas M. Anderson informed the site visit team members that the court collaborated with justice system partners to create the program and the funding for the program was obtained after they were operational. During the yearlong program, the court used a team treatment process with the objectives of medication stabilization and self-sufficiency. The court has invited its county board of supervisor members to observe the mental health court so that they have an opportunity to see its effectiveness firsthand.

Proposition 36. The court uses a drug court model with weekly sessions that result in a 70 percent success rate. The success rate is much higher than the state average, and court staff attribute it to their model. Even with a high success rate, the court has still had to endure criticism from the local paper, which in the court's opinion is against government in all forms; as a result the court has begun communicating directly with the community about its successes.

Operational Issues

Facilities. No courtrooms are in the juvenile hall or county jail; therefore, all in-custody defendants must be transported to the courthouse. The court has been in discussion with the county regarding adding a courtroom when the county jail is expanded so that arraignments can be held in the jail. Additionally, in-custody juvenile defendants are escorted through the hallways in a chain gang in full view of the victims, witnesses, family members, and the general public.

A consistent comment received from jurors on their questionnaires is the inadequacy of the jury deliberation rooms.

Staffing. In the past year 25 percent of the court's senior clerks have retired, and because it pays approximately 13 percent less than the county for similar positions, the court has had a difficult time obtaining qualified applicants. In Truckee, there is a pay differential and health stipend to attract qualified applicants. Because of the high cost of living in Truckee, some of the employees live in Nevada where the cost of living is significantly lower.

Neighboring counties pay a higher rate for court reporters, thus the court has difficulty recruiting and retaining court reporters. This has resulted in the court suspending usage of court reporters in misdemeanor cases unless requested by the parties.

Security. There are too many entrances and exits from the courtrooms, which creates a security concern for judicial officers, staff, and the sheriff's personnel. No video cameras monitor the building doors. The sheriff contracts with a private security firm to provide perimeter screening coverage. In addition, the court replaced three bailiffs with court attendants in its Nevada City Courthouse to save money. The court is working with the AOC's Emergency Response and Security unit to perform an internal security assessment.

Technology Infrastructure. While the court has not yet implemented any of the AOC's technology initiatives, it is planning to implement the Phoenix Financial system next year. The court's current case management system is deficient, so it is anxious to transition to the California Court Case Management System. However, there is a concern about the associated costs for the technology infrastructure projects, which the court will address with the AOC's Finance Division.

Superior Court of Placer County

Placer County is located in the Sierra foothills, with Nevada County to the north, Sacramento County to the southwest, El Dorado County to the south, and the state of Nevada to the east. The county, covering 1,404 square miles, has 6 incorporated cities and 54 unincorporated cities.

The population of Placer County was 313,258 as of January 2006, representing an average annual increase of 29.8 percent between 2000 and 2006. The largest city is Roseville, with a population of 104,655; approximately 54 percent of county residents live in unincorporated cities.

The site visit to the Superior Court of Placer County began with a welcome reception at the Historic Placer County Courthouse on May 25, 2007. Presiding Judge Larry D. Gaddis and Mr. John Mendes, executive officer, greeted the Judicial Council team members and facilitated introductions. Judge Gaddis and Mr. Mendes provided the site visit team with information on the

facilities problems they currently face and how their new South Placer Justice Center will alleviate many of these problems. They highlighted the fact that while the historical courthouse is a beautiful and stately building, it is not equipped to accommodate the security requirements necessary to protect judicial officers, staff, and visitors. The court also shared information regarding its innovative programs and challenges.

After the information sharing, the site visit team, joined by Judge Frances A. Kearney, proceeded to the South Placer Justice Center for a tour of the building, which is currently under construction and scheduled to be operational by December 2007 or January 2008. The Judicial Council members were impressed with the new facility and many of the innovative uses of courthouse space the court has undertaken within it.

Overview

The Superior Court of Placer County has nine court locations, the Historic Courthouse and DeWitt Center in Auburn; superior court buildings in Roseville, Lincoln, Colfax, Tahoe City, and Foresthill; and a South Placer Justice Center that is currently under construction in Roseville. The bench is composed of 9 judges and 5 subordinate judicial officers, with approximately 158 support staff.

Innovative Programs

The Superior Court of Placer County has long committed itself to innovation and has implemented a number of groundbreaking programs, as follows.

Creation of a Construction Crew. Staff construction positions have been created by the court to address various facility modifications. The staff is made available to other trial courts in close proximity to Placer County for minor projects. The construction crew is building a courtroom in the Historic Courthouse to temporarily house the new judgeship that the court received under Senate Bill 56. Recently the construction crew went to the Superior Court of Yolo County to help the court build its new modular courthouse, and they will be sent to the Superior Court of El Dorado County to assist it with modifications to the Lake Tahoe Courthouse.

Family Law Facilitators Office. The court was thankful to the Judicial Council members for providing them with grant funding to establish a comprehensive self-help center. Since the establishment of the Family Law Facilitators Office (FLFO), the court sends all family law cases that require an order after hearing directly to the FLFO, which ensures that the orders are completed in a timely manner. The court has found that this has greatly reduced the number of errors and incomplete filings on the orders after hearings. The court has also been able to hold several clinics throughout the county for self-represented litigants.

Proposition 36. These cases are handled similarly to those in Nevada County, and the court has developed an excellent process with the district attorney and public defender. The court indicated that it has a greater success rate than the statewide average.

Operational Issues

Security. As mentioned earlier, the Historic Courthouse has many security concerns that are inherent in historical buildings. The doors to the building are not alarmed, and even though they are locked, it is possible for someone to enter the building by going through the main secured entrance and then allow an armed individual into the building through one of the unsecured doors. Additionally, the courtroom doors have significant gaps in them that would allow someone to open a locked door by using a credit card or sliding their fingers through the gap. At the DeWitt Center, juveniles are brought through the public hallways in chain gangs, exposing them to victims, family members, witnesses, and the general public.

A security control center will be established in the new South Placer Justice Center; however, the court is well under minimum AOC security standards. As a result, the court will be asking the AOC for additional funding to ensure that it has adequate security for the new courthouse.

Facilities. The addition of the South Placer Justice Center will allow the court to close three facilities, but it does not alleviate all of the facility concerns. All juvenile cases are heard at the DeWitt Center, which is a former army barracks with many facility and security concerns, and that facility will remain after the opening of the South Placer Justice Center. The Historic Courthouse also will remain operational, and it has significant security concerns.

South Placer Justice Center

This beautiful, two-story state-of-the art courthouse will contain nine courtrooms with separate circulation patterns for the public, staff, and in-custody defendants.

One innovative approach is the creation of judicial suites on the first and second floor directly behind the courtrooms. This layout allows the court greater flexibility with regard to assignments and is designed to provide greater interaction among judicial officers. The chambers area is also supported by one confidential, administrative staff member to provide greater freedom for discussion among judicial officers.

Additionally, all filings will be accepted at one front counter. This will allow for greater coverage and improved customer service. The courthouse will also contain a telephone call center that will field and attempt to answer all general inquiries as well as case-related inquiries that can be answered by reviewing the case management system. This will concentrate the incoming calls within one unit, thereby ensuring consistency.

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To assist with the new culture that will be created in the South Placer Justice Center, the court developed a business process model that segregates the workflow into specific segments. By redefining the process, efficiencies are gained, staffing levels within the function are expanded, and the court and the public will benefit from the improved processes.