



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

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**M E M O R A N D U M**

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Date	Action Requested
October 26, 2007	For Your Information
To	Deadline
Members of the Judicial Council	N/A
From	Contact
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Report from the	
Administrative Director of the Courts	

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The following information highlights some of the many activities that have taken place since the last Judicial Council meeting in August to further the council's goals and agenda for the judicial branch.

## SUMMARY

(Please Note: Page numbers next to summary items reference more detailed information.)

### National

**Texas Supreme Court Delegation to California:** The AOC hosted a Texas delegation visiting to learn about how California's Blue Ribbon Commission on Children in Foster Care operates and what challenges and opportunities have been encountered during the past two years of starting and running the commission. At the invitation of Texas Supreme Court Justice Harriet O'Neill, California Blue Ribbon Commission representatives also testified at a public hearing before the Texas Supreme Court to advocate for a foster care commission in Texas and to offer advice based on past experience (page 9).

**Conference of State Court Administrators:** The conference's Western Regional Workshop focused on a new leadership academy for senior trial court staff. The academy, which is being jointly developed by California, Arizona, and Utah will conduct its first pilot program in fall 2008.

### Legislation

**Legislative Session Round Up:** The Legislature adjourned the first year of the 2007–2008 session on September 12 after sending more than 900 bills to Governor Arnold Schwarzenegger. The Governor signed into law seven council-sponsored bills; two sponsored bills were vetoed; and another three measures are awaiting further action in 2008, including extension of the date to transfer court facilities (page 9).

**Governor's Judicial Appointments Secretary addresses Bench-Bar Coalition:** Sharon Majors-Lewis delivered the keynote address at the September meeting of the Bench-Bar Coalition, focusing on issues involving the appointment process, diversity, and legislative relations (page 9).

### Budget

**Budget Change Proposals for Fiscal Year 2008–2009:** Budget Change Proposals were submitted to the state Department of Finance. Requests include funding for court security, Supreme Court staffing for capital cases, new appellate court justices, Phoenix Project enhancement, branch fiscal and technical support, administrative and program support for trial courts, and facilities (page 10).

## **Judicial Council Activities**

**Bench Bar Biannual Conference:** 900 participants, including 450 judicial officers, attended this collaborative event of the Judicial Council, the California Judges Association, and the State Bar. The conference opening and plenary session featured a stimulating Fred Friendly dialogue on procedural fairness and its impact on public trust and confidence in the California courts. Harvard Professor Arthur Miller led a group of distinguished panelists in a discussion on hypotheticals inspired by policies from Justice in Focus, the recently adopted six-year strategic plan for the judicial branch. Survey results indicated that the programs were well-received and it appears that both attendees and staff benefit from using a common location for these bi-annual events. The council offered 40 courses for judges and court personnel. Additionally, 15 collaborative courses, developed jointly by the council and the bar were open to judicial officers and attorneys. The 2009 conference is scheduled for September 7–13 in San Diego.

**New Advisory Committee Appointments:** 67 new appointments and 70 reappointments have been made to Judicial Council Advisory Committees, effective November 1 (page 41).

**Advisory Committee, Task Force, and Working Group Meetings** (beginning on page 10). The following committees met since the Judicial Council's last meeting in August:

- Appellate Court Clerk Administrators Association
- Appellate Court Security Committee
- Blue Ribbon Commission on Children in Foster Care
- CASA Hearing with the Blue Ribbon Commission on Children in Foster Care
- Center for Judicial Education and Research (CJER) Governing Committee
- Collaborative Justice Courts Advisory Committee
- Commission for Impartial Courts
- Domestic Violence Practice and Procedure Task Force
- Family and Juvenile Law Advisory Committee
- Judicial Pay and Benefits Working Group
- Juvenile Delinquency Court Assessment Working Group
- Probate Conservatorship Task Force
- Real DUI Court in Schools Working Group
- Task Force on Self Represented Litigants
- Violence Against Women Education Project Planning Committee

## **Infrastructure Initiatives**

### **Progress:**

**Phoenix:** 49 courts are now using the Phoenix Financial System. Rollout of the system to the remaining 9 courts is scheduled to be completed by July 1, 2008.

**California Case Management System:** The CCMS lead courts, the AOC, and Deloitte Consulting officially began the design and development of CCMS-V4. This phase of CCMS will include family law, juvenile dependency and delinquency, plus integration of the current CCMS-V2 and CCMS-V3 functionality. CCMS-V4 will also include statewide reporting, court interpreter and court reporter scheduling, and standardized integration with justice partner applications. Development of CCMS-V4 is projected to be completed by February 2010. The AOC is currently preparing to issue a Request for Proposal (RFP) for deployment of CCMS-V4 to all 58 counties. Deployment planning activities will begin in 2008 and initially will involve identifying and preparing several courts to be early adopters of CCMS-V4.

The AOC's Center for Families, Children, and the Courts, the Office of the General Counsel, and the San Francisco Superior Court Unified Courts for Families are providing subject matter expertise on the development of the CCMS Family Law Module. Additionally, judicial officers representing the Blue Ribbon Commission on Children in Foster Care, Family and Juvenile Law Advisory Committee, Collaborative Justice Advisory Committee, and Juvenile Delinquency Caseflow Assessment Working Group are participating in the CCMS Judicial Officer Design Sessions (page 15).

**Follow Up:** As a follow up to the 2006 KPMG report and recommendations on infrastructure initiatives for the branch, work on validating infrastructure business plans and an assessment of costs is nearing completion. While the judicial branch was directed to fund as much as possible internally and a cost plan is in place through 2010, significant state monies will be required to complete and maintain these infrastructure systems into the future. For cost comparison purposes, the executive branch's information technology infrastructure efforts project a cost of \$1.4 billion to develop a statewide child support system and \$900 million for its child welfare system. Given that these projects represent only two of approximately 17 to 20 functions of the California Case Management System, this critical review effort will provide for a structured approach for the development of a strategy for funding projects and will ensure fiscal accountability and availability of funds for the highest priority projects.

## **Facilities**

**Transfers:** Chief Deputy Director Ron Overholt and staff of the Office of Court Construction and Management are continuing to meet with county and court representatives. Legislation to extend the transfer deadline will be pursued when the Legislature reconvenes in January.

**Bonds:** Next week, the Chief Justice, Administrative Director and others will meet with legislative leadership on approaches to secure bond funding for the first phase of court facilities projects.

**Public-Private Partnerships:** Independent legal and financial advisors have been engaged to assist with the determination of terms and components for public-private partnerships (P3) for court building development, and the approval of evaluation criteria for the acceptability of P3 proposals. The new Long Beach Courthouse will be a P3 building (page 14).

**New Buildings and New Acquisitions:** The fifth appellate district held a dedication ceremony for its new Fresno courthouse, and the fourth appellate district held a groundbreaking ceremony for its new Orange County courthouse. Additionally, the Public Works Board approved five judicial branch facilities items including title transfers and site acquisitions (page 14).

**All Districts now on the same Appellate Case Management System:** Following the final, successful migration for the Second Appellate District, all Courts of Appeal are now using the same appellate case management system (page 15).

### **Administrative Office of the Courts**

**Court Interpreter Hearing:** Chief Deputy Director Ron Overholt provided an overview of the superior court interpreter employment system and budget at the October Senate hearing on the impact of the court interpreters' six-week strike on the criminal justice system. Justice Kathleen O'Leary, Chair of the Judicial Council's Court Interpreters Advisory Panel also testified on language access issues in the courts. Senators have scheduled follow up meetings to discuss interpreter issues with court leaders (page 16).

**Changing Role of the CEO:** The latest issue of the quarterly magazine *California Courts Review* looks at the dramatically changing role of court executives over the past two decades, and includes interviews with Tressa Kentner, Steve Konishi, Len LeTellier, and Michael Tozzi.

**Judicial Nomination and Evaluations Commission (JNE) Bias in Evaluations:** AOC staff presented training for the JNE Commission on fairness and unconscious bias in evaluations. The training focused on solutions for eliminating bias in evaluations and identifying bias in raters. Commission members were asked to take the Implicit Association Test, an online test created by researchers from Harvard which may measure unconscious bias. Staff will present further training for the JNE Commission in February 2008.

**Judicial Appointments and Vacancies:** On October 3, the Governor appointed 13 new judges to fill positions for both newly created judgeships and retired judges. (See pages 52 and 53 for county assignments list and a breakdown by gender and prior employment category of all 38 new appointees to date.) From a total of 1660 judicial positions, there are currently 45 vacancies, 42 in the trial courts and three in the Courts of Appeal (page 21).

**Riverside Backlog Reduction Program:** As of October 19, the judges' strike team has addressed 181 cases. Nine active superior court judges and five retired judges in the Assigned Judges Program have agreed to serve for varying periods from December 2007 through June 2008. The Riverside Criminal Backlog Reduction Task Force, chaired by Justice Richard D. Huffman, began discussions on a redesigned process for newly filed cases. Justice Huffman appointed a working group chaired by Sheila Calabro that includes Presiding Judge Richard T. Fields and the principals or chief deputy of each criminal justice agency, along with conflict defense panel attorneys to design a sustainable process for the management of felony cases (page 15).

**New Director for California State Association of Counties:** AOC executives met with the association's new Executive Director, Paul McIntosh, to provide an orientation on judicial branch issues as well as to discuss continuing the momentum on facilities transfers and working together on legislation.

**Presiding Judges and Court Executive Officers Regional Meetings:** The AOC regional offices sponsor quarterly meetings at their locations offering presiding judges and court executive officers an opportunity to plan and discuss topics of interest to the courts statewide, as well as issues specific to each region. Meeting agendas for each region are developed by PJ/CEO teams. AOC Administrative Director and Chief Deputy Director updates to PJs and CEOs addressed issues related to new judgeships, subordinate judicial officer conversions, JRS II retirement, and court facility transfer extensions (page 16).

**Santa Clara Court Visit:** At the invitation of the court, the AOC Administrative Director addressed the Santa Clara bench on judicial branch issues.

**Annual Report Published:** *Building the Branch*, was distributed to all judges, court executive officers, other court personnel, and justice system partners including sister branches, probation officers, district attorneys, public defenders, libraries, and the media.

**Labor Contracts:** AOC Labor and Employee Relations negotiators assisted five courts, (Amador, Lake, Modoc, Plumas, and Santa Cruz), in reaching final agreement with their unions on new labor contracts ranging from one to four years.

**Local Courts to Share Training Rooms:** At the request of courts in seven counties willing to share training facilities, (Amador, Contra Costa, Humboldt, Kings, Los Angeles, Orange, San Bernardino), the AOC is assisting in designing and equipping shared training rooms in 14 sites. The training rooms and new state-of-the-art audiovisual presentation equipment will enhance the learning environment for participants, provide faculty who may teach in multiple locations with standard equipment with which they are familiar, and promote delivery of locally or regionally developed education.

**DUI Initiatives** (page 17):

Using a competitive request for proposal process, the Office of Traffic Safety has awarded \$2,224,506 to five courts to expand their DUI courts.

The AOC Collaborative Justice Courts California Real "DUI Court in the Schools" Project released requests for proposals to award mini-grants, ranging from \$10,000 to \$50,000 per superior court program, to up to 10 California Superior Courts chosen through the competitive RFP process.

CFCC staff made presentations to the Administration on DUI projects funded by the Office of Traffic Safety.

The AOC and staff member Patrick Danna received Youth Community Collaboration Awards from the Santa Barbara Kiwanis Club in recognition of the Collaborative Justice Unit's work with Santa Barbara's Peer/Teen Court.

**Mental Health Initiatives:** The Council on Mentally Ill Offenders presented the Judicial Council's representative, Hon. Wendy Lindley, Orange County Superior Court, with its Champion Award. Staff presented on mental health court models and mental health/community partnerships at the quarterly interagency meeting state departments and agencies. Staff and judicial representatives participated in the policy forum of the Institute for Mental Health and the California Mental Health Directors Association.

**Quizzes with Education Credits for Judges:** Self-paced articles and quizzes developed by Judge Alex Ricciardulli for the *Daily Journal* are posted online and regularly updated as an education resource for judges. A judge may earn one hour of education credit for this online education. <http://serranus.courtinfo.ca.gov/education/ricc.htm>

**Benchguides:** Since the last report in August, eight new and/or revised benchguides have been published (page 19).

**Broadcast News:** Eleven broadcasts were transmitted to the courts in September and October. These included a new edition of the *Orientation to the Judicial Branch*, a new broadcast for court investigators responsible for conservatorships, a PJ and CEO roundtable on *Teen DUI Prevention*, and a broadcast on the history of the California courts titled *Early California Justice*.

**Caseflow Management Improvement:** A three-day family law caseflow management technical assistance visit was conducted for the Superior Court of San Bernardino County (page 16).

**Dependency Pamphlet for Families:** The Unified Courts for Families Program in CFCC published a new pamphlet for family court users titled, *What Happens After Your Dependency Case is Dismissed?* (page 17).

**Distance Education:** New installations of downlink sites were completed in three Orange County courts and four courts in Los Angeles County. 283 satellite downlinks have now been established in the trial and appellate courts to enhance judicial branch education and communication.

**Education and Training Programs** were held on the following issues (page 20):

- Access for Persons with Disabilities Act for the Jury Education and Management Conference
- Criminal Law Institute for judges
- Indian Child Welfare Act workshop for the Alameda courts
- Judicial Branch Workers' Compensation Program regional training seminars
- Permanency Planning for Foster Care Youth - county specific collaborative workshops in San Joaquin, Madera, and El Dorado Counties for probation officers and other professionals working with youth in foster care placements or at risk of entering foster care.

**Judicial Administration Fellowship Program:** The AOC's Office of Governmental Affairs hosted a 10-day orientation for the 2007-2008 class who will spend the next 10 months working with administrators and lead staff in courts and judicial branch offices throughout the state learning about the administration of justice (page 18).

**Reporting Education Requirements:** California Rule of Court 10.462(f) requires each trial court judge to record his or her participation in education on forms provided by the Judicial Council. Automated and manual versions of the forms have now been distributed to 56 of the 58 counties. (Responses are pending from two counties.) Appellate court forms have been viewed by the clerk/administrators and will be made available in January when the rule becomes effective (page 19).

## Additional Detail on Summary Items

### National

**Texas Supreme Court Delegation to California:** The AOC hosted a Texas delegation, which included Supreme Court Justice Harriett O'Neill, the Administrative Director of the Texas Courts, the state director of child welfare services, and other judges and staff. The Texas Supreme Court is contemplating establishing a statewide Judicial Commission for Children, Youth, and Families and the delegation visited California to learn how the California Blue Ribbon Commission on Children in Foster Care operates and what challenges and opportunities have been encountered during the past two years of starting and running the commission. The Texans met with members and staff of the Blue Ribbon Commission, as well as commission chair, Associate Justice Carlos Moreno.

At the invitation of Justice O'Neill, Judge Len Edwards, CFCC Attorney-in-Residence and Blue Ribbon Commission member, and Christopher Wu, CFCC attorney and executive director of the Commission, testified at a public hearing before the Texas Supreme Court to advocate for a foster care commission in Texas and to offer advice and assistance based on our experiences here in California.

### Legislation

**Legislative Session Round Up:** October 12 was the last day for the Governor to sign or veto legislation, with his office reporting that he signed 750 and vetoed 214. Prior to the bill signing deadline, the AOC issued a memorandum outlining legislative session highlights for the judicial branch through September 21 (page 28). In summary, the Governor signed into law seven council-sponsored bills, including AB 159 (Jones) to create an additional 50 judgeships and authorize the conversion of 16 subordinate judicial officer positions per year. Two sponsored bills were vetoed, and another three measures are awaiting further action in 2008, including extension of the date to transfer court facilities. The final 2007 Legislation Status Chart of actions on all council-sponsored legislation for 2007 can be found on page 23.

**Governor's Judicial Appointments Secretary addresses Bench-Bar Coalition:** More than 80 bench, bar, and legal services leaders attended the BBC meeting. The meeting opened with welcoming remarks by Chief Justice Ronald M. George, in which he thanked the coalition for their efforts during 2007 in support of the council's legislative agenda. Ruthe C. Ashley was installed as Northern/Central Region co-chair, joining Joel S. Miliband, the BBC's Southern Region co-chair. Special recognitions were accorded to eight BBC leaders for their outstanding efforts to advance the BBC's goals and objectives, including outgoing OGA Director Kate

Howard. The keynote address was delivered by Governor Arnold Schwarzenegger's Judicial Appointments Secretary Sharon Majors-Lewis. Ms. Majors-Lewis commented on the judicial selection process; the first round of 50 judgeships created by Senate Bill 56 (2006); AB 159, pending legislation (subsequently signed by the Governor) to create an additional 50 new judgeships; and her outreach efforts to widen the pool of judicial applicants.

## Budget

**Fiscal Year 2008–2009 Budget Change Proposals:** Budget change proposals were submitted to the state Department of Finance in September. Proposals included:

- *Trial Courts.* Proposed funding increase to address an ongoing shortfall for court security, fund courts consistent with the Judicial Council-approved security funding standards, and fund court security retiree benefits in maintenance of effort agreements.
- *Supreme Court.* Proposed funding increases to support a capital central staffing increase, the court-appointed counsel program, a committee on judicial ethics opinions, and law library subscriptions and costs.
- *Courts of Appeal.* Proposed funding increases for new appellate court justices and to address staffing needs and facilities issues.
- *Habeas Corpus Resource Center.* Proposed funding increases for case team staffing and administrative infrastructure.
- *Judicial Council/Administrative Office of the Courts.* Proposed funding increases for Phoenix Project enhancement, branch fiscal and technical support, administrative and program support for trial courts, facilities modifications, facility space expansion, and various technical adjustments.

## Judicial Council Activities

**Blue Ribbon Commission on Children in Foster Care:** The commission met to examine the demographics of the juvenile dependency and child welfare systems, focusing on race, ethnicity, and gender. Commissioners heard from experts on California data, California judges, and AOC staff, as well as a prominent juvenile court judge from Nebraska. They discussed measures to address disproportionality and disparities in the court and child welfare systems. At a second meeting in Riverside County, discussion began on the scope and substance of its recommendations. The commission hopes to finalize its draft recommendations in December and send them out for public comment in the Spring, leading to submission of final recommendations to the Judicial Council in August 2008.

**CASA Hearing with the Blue Ribbon Commission on Children in Foster Care:** Foster youth, family members, child welfare officials, and community volunteers testified before the commission in a special public hearing, offering compelling testimony on the ways that community members can make a profound difference in the lives of California children who were abused or neglected and then removed from their families and homes. Testimony highlighted the life-changing difference that a Court Appointed Special Advocate (CASA) volunteer makes by supporting foster children and standing up for their needs. Over 5,000 CASA volunteers currently assist more than 7,500 foster children in the state. Fewer than 10 percent of children in foster care have the benefit of a CASA. Several of those who testified made forceful arguments for increasing the number of CASA volunteers in California.

**Center for Judicial Education and Research Governing Committee:** New appointments were made to 18 CJER education committees for terms beginning November 1.

**Collaborative Justice Courts Advisory Committee:** The agenda included presentations on evidence-based practice to reduce recidivism; reducing prison population; and procedural fairness. Legislation was reviewed, including SB 851, concerning mental health courts and SB 391, concerning intermediate sanctions for parole violations, with committee members expressing support for concepts of both bills. The committee discussed the role of the Judicial Council regarding legislation. Plans for upcoming educational programs were reviewed, including the upcoming International Community Corrections Association Conference and December's Beyond the Bench Conference. Proposals for grant allocations through the Substance Abuse Focus Grants and the "DUI Court in Schools" project were approved.

**Court Technology Advisory Committee:** The committee reviewed the 2007–2008 Work Plan, which focuses on projects including smart forms and forms development, online registries such as the California Courts Protective Order Registry, e-access, e-filing, appellate e-filing, e-discovery, and records retention.

The committee also reviewed draft recommendations from September's Electronic Visioning Session. The goal of the session was to produce a strategic vision for implementing a uniform and user-friendly e-filing environment across the state. Participants included trial court judges, administrators, attorneys, staff, and national representatives experienced with electronic filing.

The group focused on five key areas, including "getting e-filing beyond the front door of the court", defining the role of e-filing vendors, court-run service provider modules, and other e-filing entities, converting Judicial Council forms into smart forms, and developing a communication plan for implementing the e-filing environment.

While no specific motions were voted on, several recommendations and topics surfaced about how e-filing can take advantage of the new enterprise technology architecture now in place in the California Courts Technology Center; the new national information exchange standard; what features being used by courts today should be considered in a statewide solution; and other topics.

**Domestic Violence Practice and Procedure Task Force:** Chief Justice George extended the terms of the task force members to June 30, 2008, to allow for the review of extensive comments on the more than 140 pending draft guidelines and recommended proposals. The task force met in October and made extensive revisions to the proposals based on the comments received. A final report to the Judicial Council is planned for the council's February 2008 meeting. Task force proposals address issues in the following subject areas: court leadership, criminal procedure, restraining orders under the Domestic Violence Prevention Act, entry of orders into the Domestic Violence Restraining Order System, and firearms restrictions and relinquishment.

**Family and Juvenile Law Advisory Committee:** The committee discussed recent legislation, the Supreme Court decision in *Elkins*, efforts under way to develop the California Court Case Management System, work undertaken by the Blue Ribbon Commission, and new AOC publications. The Family Law Subcommittee discussed the Family Law Resource Guidelines Project, a proposal from the ADR Subcommittee of Civil and Small Claims Advisory Committee on temporary judges and referees, and child support calculation issues. Additionally, updates were provided on self-represented litigant funding, the 2008 Family Dispute Resolution Statewide Educational Institute and Family Law Institute, and court exchange visits for family court services. The Juvenile Law Subcommittee discussed AB 2216 and juvenile court performance standards, Dependency Representation Administration Funding and Training (DRAFT), SB 81, and AB 191, and issues related to access by children or parents to appellate attorneys' files and psychological evaluations. Additionally, the subcommittee heard from guests from the Division of Juvenile Justice Programming, discussed a possible file stamp project, and received an update on the special immigrant juvenile status project. Staff provided an overview of the CASA needs assessment, the Joint Juvenile Appellate Working Group, the 2008 Juvenile Institute, and December's Beyond the Bench Conference.

**Task Force for Criminal Justice Collaboration on Mental Health Issues:** Chaired by Justice Brad Hill, the task force was established to identify needs for court-related programs and services that address mentally ill offenders in adult and juvenile courts; promote interbranch and interagency collaboration to improve case processing and outcomes; disseminate locally generated best practices to trial courts and partner agencies; identify methods for evaluating the effectiveness of mental health programs in the courts; provide recommendations to improve services and case processing for cases involving mentally ill offenders; advise the Judicial Council and its advisory committees of funding needs and resources; provide access to education

and outreach programs to improve case processing and outcomes for cases involving mentally ill offenders; and serve as a clearinghouse for ideas, questions, and comments generated in the course of preparing recommendations.

**Task Force on Self-Represented Litigants:** The education subcommittee participated with the National Self-Represented Litigant Network in developing a national curriculum on handling cases involving self-represented litigants for a conference at Harvard Law School. The curriculum is based on California's bench guide for judicial officers on this area. The Task Force also reviewed comments on the proposed rule of court that makes self-help centers a core function of each court.

**Violence Against Women Education Project Planning Committee (A working group of the Family and Juvenile Law Advisory Committee):** The Violence Against Women Education Project, (a grant funded initiative that develops educational materials and programs and provides technical assistance in domestic violence, sexual assault, and stalking cases), developed and produced five judicial education workshops held at the Bench Bar Conference. The project also conducted a guided tour of a criminal domestic violence court hosted by the Superior Court of Orange County. Conference workshops included:

- Batterer Intervention Programs: What We Know and What We need to Know
- Sexually Violent Predators: The Science of Recidivism and Propensity
- Stalking in Cyberspace: What a Judge Needs to Know
- Domestic Violence and Ethics
- Implementing Best Practices in Domestic Violence Proceedings

**Juvenile Delinquency Court Assessment Working Group:** The working group met for a final review of research findings before the *Juvenile Delinquency Court Assessment* report is drafted. The group's final recommendations will be fully informed by the assessment's extensive data collection efforts (5 surveys, over 35 focus groups and interviews). The final report is expected to be presented to the council in spring 2008.

The **Commission for Impartial Courts Steering Committee and four task forces** held a joint plenary session at the AOC in San Francisco followed by individual task force meetings. During the plenary session briefing, AOC Scholar-in-Residence, Roger Warren, discussed various challenges facing the judiciary including politicizing judicial candidates, problematic campaign conduct, and unwarranted attacks on judicial independence led by special interest groups. The task force meetings provided opportunities for task force chairs, expert consultants and AOC support staff to discuss strategic plans for achieving the goals of the commission.

## Infrastructure Initiatives

**Facilities Transfers:** Meetings with the counties on the transfer of all remaining facilities are continuing. 136 facility modifications to transferred court facilities were approved, with an estimated cost of \$7 million. The AOC's Office of Court Construction and Management is now responsible for a real estate portfolio of more than 2 million square feet.

**New Courthouses:** Ceremonies were held for the dedication of the new Court of Appeal Courthouse, Fifth Appellate District (Fresno County), and the groundbreaking for the new Court of Appeal Courthouse, Fourth Appellate District (Orange County).

**New Site Acquisitions:** Contra Costa and Plumas counties are the first two approved Judicial Council-funded trial court property acquisitions.

**Public-Private Partnerships and new Long Beach Court Building:** This project encompasses: 1) the determination of terms and components for public-private partnerships (P3) for court building development, and the approval of evaluation criteria used to judge the acceptability of P3 proposals and 2) implementation of a P3 for the new Long Beach Court.

A Superior Court Project Advisory Group has been created for the new Long Beach Court building. Negotiations are continuing with the County of Los Angeles on the transfer of title to the building and land, as well as agreement on the purchase of the County's equity in the existing building.

Key milestones in the near term:

- Definition of the structure and terms of a public-private partnerships for the new Long Beach Court building (December 2007).
- Department of Finance review and approval of P3 criteria under terms of government code §70391.5 (January 2008).
- Transfer of title and purchase of county equity must be completed before release of a request for proposal for P3 developers (March 2008).

**Public Works Board approval of judicial branch facilities items:** The Public Works Board unanimously passed all judicial branch facilities items on its meeting agenda:

- B.F. Sisk Federal Courthouse Renovation, Fresno County – Approved Preliminary Plans with an anticipated deficit. The project is now in the Working Drawing phase.
- New Portola / Loyaltan Courthouse, Plumas County – Authorized site selection and acquisition. The project is now in the Preliminary Plans phase.

- Wiley W. Manuel Courthouse, Alameda County, Jury Assembly Building, Santa Barbara County, Chico Courthouse, Butte County – Authorized the acceptance of real property through a transfer of title.

**Designing the Family Law Module of the California Case Management System:** The AOC's Center for Families, Children, and the Courts, the Office of the General Counsel, and the San Francisco Superior Court Unified Courts for Families are providing subject matter expertise on the development of the California Case Management System (CCMS). The team of 18 participated in all phases of the foundation functional design process, with emphasis on the design of the family unit and ensuring that critical data is captured on case participants, including data required for California Law Enforcement Telecommunications System reporting and Indian Child Welfare Act noticing. Team members participated in an integrated review session with all CCMS lead courts to reach final consensus on the deliverable comments. Planning is under way for the intermediate phase of CCMS to ensure that subject matter experts are involved at the appropriate stages of the process.

Other activities include outreach to judicial officers on committees staffed by CFCC to ensure their input on the system. As a result of this effort, judicial officers representing the Blue Ribbon Commission on Children in Foster Care, Family and Juvenile Law Advisory Committee, Collaborative Justice Advisory Committee, and Juvenile Delinquency Caseflow Assessment Working Group are now participating in CCMS Judicial Officer Design Sessions.

**Appellate Court Case Management System (ACCMS):** All Courts of Appeal are now using the ACCMS, following the successful migration of the Court of Appeal, Second Appellate District to the system. Development work for ACCMS is now under way to prepare for rollout to the Supreme Court. ACCMS streamlines the tracking and maintenance of cases by providing Web-based, centralized support for case management, administration, updates, backups, and security. The ACCMS replaces two systems, one used by the Courts of Appeal, the other by the Supreme Court.

## Administrative Office of the Courts

**Riverside County Backlog Reduction Program:** The team of active and retired judges continues to hear cases in the Superior Court of Riverside County as part of an overall effort to assist the Riverside justice system leaders in reducing case-processing delays. Of the 181 cases addressed as of October 19, 2007, there have been 34 pleas, and 60 trials completed resulting in 46 verdicts, 4 mistrials and 10 trials are currently in process.

The Riverside Criminal Backlog Reduction Task Force, chaired by Justice Richard D. Huffman, began discussions on a redesigned process for newly filed cases. Justice Huffman appointed a working group chaired by Sheila Calabro that includes Presiding Judge Richard T. Fields and the principals or chief deputy of each criminal justice agency, along with conflict defense panel attorneys to design a sustainable process for the management of felony cases. The process began with the development of guiding principles for criminal case management in Riverside County. John Greacen, a consultant working with the task force, presented a number of possible alternative structural models for felony cases. While not yet complete, the plan will incorporate all three regions of the county, but will be modified to meet each court's needs as necessary.

Nine active superior court judges and five retired judges in the Assigned Judges Program have agreed to serve for varying periods from December 2007 through June 2008. These judges continue to represent the joint effort of this initiative, drawing judges from ten superior courts across the state.

**Caseflow Management Improvement:** A family law caseflow management technical assistance visit was conducted for the Superior Court of San Bernardino County. The technical assistance team consisted of a staff attorney from CFCC, a judicial officer from another court, the family law facilitator from another court and a court consultant. Over the course of three days, the team observed courtrooms in three family court locations, spoke with family law bench officers, members of the family law bar, family law facilitators and resource center staff, family court services, settlement attorneys, DCSS, court clerks, and court administrators. They also reviewed court statistics. A preliminary oral report was given to the court and will be followed by a written report.

**Court Interpreter Hearing:** Chief Deputy Director Ron Overholt provided an overview of the superior court interpreter employment system and budget at the October Senate hearing on the impact of the court interpreters' six week strike. The Joint Informational Hearing was convened by the Senate Committee on Public Safety, the Senate Judiciary Committee, the Asian Pacific Islander Legislative Caucus, the Latino Legislative Caucus, the Legislative Black Caucus, and the Legislative Women's Caucus. Senator Gloria Romero, Chair of the Senate Committee on Public Safety and Sen. Ellen Corbett, Chair of the California Judiciary Committee, have scheduled a follow up meeting with Chief Justice George to discuss interpreter salaries.

**Presiding Judges and Court Executive Officers Regional Meetings:** AOC Administrative Director and Chief Deputy Director updates to PJs and CEOs addressed issues related to new judgeships, subordinate judicial officer conversions, JRS II retirement, and court facility transfer extensions.

**Bay Area Northern/Coastal Region Agenda:** The meeting was attended by 14 of the 16 courts in the region. PJs and CEOs discussed judges' salaries and benefits, the security bill, the impact on the courts of probate conservatorship funding veto, and the Commission for Impartial Courts.

**Northern/Central Region Agenda:** The meeting was attended by 28 of the 31 courts in the region. PJs and CEOs discussed conversion of subordinate judicial officer positions, the courts increased self-help funding, the impact on the courts of probate conservatorship funding veto, and the Commission for Impartial Courts.

**Southern Region Agenda:** The meeting was attended by 8 of the 11 courts in the Southern Region (court leaders from San Diego, Orange, and Santa Barbara were unable to attend due to the Southern California wild fires). Supreme Court Justice Ming W. Chin led a discussion on the Commission for Impartial Courts. Court executives facilitated discussions on facility improvements, maintenance and modifications, judicial appointments, conversion of subordinate judicial officer positions, and the impact on the courts of probate conservatorship funding veto.

**Dependency Pamphlet:** The Unified Courts for Families Program in CFCC published a new pamphlet titled, *What Happens After Your Dependency Case is Dismissed?* This publication is designed to inform families about the process after their dependency case has been dismissed and a family law file may be opened. The pamphlet has been distributed to juvenile courts in all 58 counties and additional copies are available upon request. A Spanish version will be available soon and the brochure will be posted on the Web shortly.

#### **DUI Initiatives:**

**DUI Court Expansion Project Kick Off Summit:** The AOC's Center for Families, Children & the Courts Collaborative Justice Programs Unit hosted a summit for courts participating in the DUI Court Expansion Project. The summit featured presentations from representatives of the National Drug Court Institute, the National Highway Traffic Safety Administration, the Office of Traffic Safety, Mothers Against Drunk Driving, the Office of Alcohol and Drug Programs, and the California Highway Patrol as well as judicial officers, defense attorneys, prosecutors, probation officers, and treatment providers.

Teams from five courts funded through the project participated in this two day event. The project has awarded \$2,224,506 to the five courts (Butte, Orange, Sonoma, Shasta, and El Dorado), through a competitive RFP process, with two year awards beginning September 2007.

The **“DUI Court in the Schools” Project**, which will bring DUI proceedings and educational programs into middle and high schools as a means of legal education and DUI prevention, released requests for proposals to award mini-grants, ranging from \$10,000 to \$50,000 per superior court program, to up to 10 California Superior Courts chosen through the competitive RFP process.

**“DUI Court in Schools” Broadcast for Presiding Judges and Court Executive Officers:** A PJ and CEO Roundtable broadcast focused on judicial outreach described several models for bringing DUI prevention into high schools and middle schools. Broadcast participants were Hon. William J. Murray, Assistant Presiding Judge, Superior Court of San Joaquin County; Hon. Richard Vlavianos, Superior Court of San Joaquin County; Ms. Denise Gordon, Court Executive Officer, Superior Court of Sonoma County; Ms. Julia Alloggiamento, Office of the District Attorney, County of Santa Clara; Mr. J.J. Kapp, Office of the Public Defender, County of Santa Clara.

**National Highway Traffic Safety Administration's Assessment of California's Impaired Driving Prevention Programs:** CFCC staff made presentations to the Administration on DUI projects funded by the Office of Traffic Safety: DUI prevention programs in Peer Courts, the DUI Court in Schools Project, and a project to expand implementation of DUI courts that use drug court models in courts around the state.

**Award from Santa Barbara Kiwanis:** The Kiwanis Club of Santa Barbara awarded the AOC a Youth Community Collaboration Award in recognition of the work of its Collaborative Justice Unit with the Peer/Teen Court in Santa Barbara, especially in the area of DUI prevention. A special recognition award was also given to AOC staff member Patrick Danna for his work in this area.

**Judicial Administration Fellowship Program:** The fellows will spend the next 10 months working with administrators and lead staff in courts and judicial branch offices throughout the state learning about the administration of justice. Their placements will expose them to the issues and challenges facing court administrators and will provide an opportunity to play a substantive role in analyzing and crafting solutions that benefit the courts and court users. A list of 2007–2008 fellows and their placements is attached (page 51).

## **Mental Health Initiatives**

**Council on Mentally Ill Offenders:** Hon. Wendy Lindley, Orange County Superior Court, the Judicial Council's representative to the Council on Mentally Ill Offenders was presented with its Champion Award.

**Mental Health Services Act Interagency Partners Meeting - Focus: Mental Health Court Models and Mental Health/Community Partnerships:** Hon. Wendy Lindley, and CFCC mental health project staff were invited to present at the quarterly meeting of state departments and agencies. Twenty-three state department/agency representatives attended the presentation.

**Institute for Mental Health and the California Mental Health Directors Association Policy Forum:** The forum explored ways to assist individuals who are experiencing mental illness by avoiding criminal justice involvement and supporting transition back into communities from incarceration. Hon. Wendy Lindley, Hon. Richard Loftus, Santa Clara County Superior Court, and Hon. Becky Dugan, Riverside County Superior Court were featured presenters.

#### **Individual Recording and Reporting Forms for Minimum Education:**

**Trial Courts:** California Rule of Court 10.462(f) requires each trial court judge to record his or her participation in education on forms provided by the Judicial Council. Automated and manual versions of the individual recording and reporting forms for trial court judges have now been distributed to 56 of the 58 counties. The presiding judge identified which version of the form would be used by his or her court. (Alpine and Butte Counties have not yet identified which form they will use.)

A Web site ([www.courtinfo.ca.gov/comet/html/minimumreqs\\_jud.htm](http://www.courtinfo.ca.gov/comet/html/minimumreqs_jud.htm)) and e-mail address ([formhelp@jud.ca.gov](mailto:formhelp@jud.ca.gov)) were established to assist judges with the forms.

**Supreme Court and Courts of Appeal:** Forms for the justices of the Supreme Court and Courts of Appeal have been created in both automated and manual formats and were recently demonstrated to the appellate court clerk/administrators. These forms and a resource Web site will be available when the new rules go into effect, January 1, 2008.

**Publications/Benchguides:** Since the August report, the AOC has published the *Discovery Benchbook* and seven benchguides.

- Competence To Stand Trial
- Probation Revocation
- Initial or Detention Hearing (rev. 9/07)
- Jurisdiction Hearing (rev. 9/07)
- Disposition Hearing (rev. 9/07)
- Review Hearings (rev. 9/07)
- Selection and Implementation Hearing (rev. 9/07)

**Training/Education:**

**Access for Persons with Disabilities Act (ADA) Training:** An ADA Workshop for the Jury Education and Management Conference provided training to 80 jury commissioners and managers on access rules for jurors and how to interact and communicate with persons with disabilities. Approximately 76 court personnel from the El Dorado courts also participated in ADA training.

**Alameda County Indian Child Welfare Act Training:** CFCC's Judicial Review and Technical Assistance Project—Indian Child Welfare Act Initiative team conducted a collaborative training on the Act and SB 678 at the Juvenile Justice Center in San Leandro. Topics included: instruction on the legal changes pertaining to the Act; applicability to the delinquency and dependency cases; the practical application of cultural case planning in ICWA cases; and Native American culture and family systems. In advance of the training, the team conducted a review of local court files involving Indian children to tailor the training to the needs of the court. The training was well-attended, with over 50 participants including judicial officers, attorneys, social workers, and tribal representatives.

**Criminal Law Institute:** The annual institute focused on substantive law, procedural law, best judicial practices, and innovations in the criminal courtroom. The institute included 13 hours of continuing judicial education credit, plus an overview course in criminal law for judges changing assignment.

**Permanency Planning for Foster Care Youth Workshops:** The AOC Judicial Review and Technical Assistance—Title IV-E and Permanency team conducted county specific collaborative workshops for probation officers and other professionals working with youth in foster care placements or at risk of entering foster care. These workshops were held in San Joaquin, Madera, and El Dorado Counties. Participants were provided with information regarding the legal requirements related to foster care youth and their families and tools to assist them in meeting those responsibilities, including methods for locating caring adults to serve as life-long connections for the youth. Each workshop also provided information on an issue or a program specific to the county.

**JUDICIAL COUNCIL OF CALIFORNIA**  
**ADMINISTRATIVE OFFICE OF THE COURTS**  
**JUDICIAL VACANCY REPORT (8011)**

Number of Judgeships Authorized, Filled and Vacant as of **October 23, 2007**

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS				
		Authorized	Filled	Vacant	<i>Filled(Last Month)</i>	<i>Vacant(Last Month)</i>
Supreme Court	1	7	7	0	7	0
Courts of Appeal	6	105	101	4	102	3
Superior Courts	58	1548	1511	37	1506	42
All Courts	65	1660	1619	41	1615	45

**JUDICIAL VACANCIES: APPELLATE COURTS**

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
First Appellate District, Division Three	1	Retirement	Hon. Joanne C. Parrilli	07/31/07
Second Appellate District, Division One	3	Retirement	Hon. Vaino H. Spencer	08/31/07
Second Appellate District, Division Seven		Retirement	Hon. Earl Johnson, Jr.	10/17/07
Second Appellate District, Division Eight		Deceased	Hon. Paul Boland	09/04/07
<b>TOTAL VACANCIES</b>	4			

**JUDICIAL VACANCIES: SUPERIOR COURTS**

<b>County</b>	<b>Vacancies</b>	<b>Reason for Vacancy</b>	<b>Judge to be Replaced</b>	<b>Last Day In Office</b>
Butte	1	Newly created position	Vacancy	06/01/07
El Dorado	1	Retirement	Hon. Eddie T. Keller	07/27/07
Fresno	2	Retirement	Hon. Gary S. Austin	10/11/07
Fresno		Newly created position	Vacancy	06/01/07
Kern	1	Retirement	Hon. Charles P. McNutt	09/09/07
Los Angeles	1	Resigned	Hon. Andria K. Richey	09/28/07
Madera	1	Newly created position	Vacancy	06/01/07
Merced	1	Newly created position	Vacancy	06/01/07
Monterey	1	Removed	Hon. Jose A. Velasquez	10/10/07
Orange	3	Retirement	Hon. Hugh Michael Brenner	10/07/07
Orange		Retirement	Hon. Jonathan H. Cannon	07/16/07
Orange		Newly created position	Vacancy	06/01/07
Riverside	3	Retirement	Hon. Lawrence W. Fry	08/08/07
Riverside		Newly created position	Vacancy	06/01/07
Riverside		Newly created position	Vacancy	06/01/07
Sacramento	1	Retirement	Hon. Talmadge R. Jones	10/16/07
San Diego	5	Retirement	Hon. Larrie R. Brainard	10/01/07
San Diego		To Fed Court	Hon. Janis Sammartino	09/20/07

San Diego		Retirement	Hon. Lillian Y. Lim	08/01/07
San Diego		Retirement	Hon. Janet I. Kintner	03/20/07
San Diego		Retirement	Hon. Thomas C. Hendrix	03/15/07
Santa Barbara	2	Retirement	Hon. Rodney S. Melville	10/12/07
Santa Barbara		Removed	Hon. Diana R. Hall	12/14/06
Santa Clara	2	Retirement	Hon. Ronald T. Lisk	01/31/07
Santa Clara		Retirement	Hon. Charles J. Cory	01/31/07
Santa Cruz	1	Retirement	Hon. Robert B. Yonts, Jr.	01/24/07
Solano	2	Retirement	Hon. R. Michael Smith	06/04/07
Solano		Retirement	Hon. Michael E. Nail	06/01/07
Sonoma	1	Newly created position	Vacancy	06/01/07
Stanislaus	3	Newly created position	Vacancy	06/01/07
Stanislaus		Newly created position	Vacancy	06/01/07
Stanislaus		Newly created position	Vacancy	06/01/07
Tulare	1	Retirement	Hon. Ronald M. Couillard	07/02/07
Ventura	3	Retirement	Hon. Herbert Curtis III	10/17/07
Ventura		Retirement	Hon. Thomas J. Hutchins	08/30/07
Ventura		Newly created position	Vacancy	06/01/07
Yolo	1	Retirement	Hon. Donna M. Petre	05/14/07
<b>TOTAL VACANCIES</b>	37			



**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

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## MEMORANDUM

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**Date**

October 26, 2007

**Action Requested**

For Your Information

**To**

Members of the Judicial Council

**Deadline**

N/A

**From**

William C. Vickrey  
Administrative Director of the Courts

**Contact**

William C. Vickrey  
415-865-4235 phone  
415-865-4244 fax  
william.vickrey@jud.ca.gov

**Subject**

Report from the  
Administrative Director of the Courts

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The following information highlights some of the many activities that have taken place since the last Judicial Council meeting in August to further the council's goals and agenda for the judicial branch.

## SUMMARY

(Please Note: Page numbers next to summary items reference more detailed information.)

### National

**Texas Supreme Court Delegation to California:** The AOC hosted a Texas delegation visiting to learn about how California's Blue Ribbon Commission on Children in Foster Care operates and what challenges and opportunities have been encountered during the past two years of starting and running the commission. At the invitation of Texas Supreme Court Justice Harriet O'Neill, California Blue Ribbon Commission representatives also testified at a public hearing before the Texas Supreme Court to advocate for a foster care commission in Texas and to offer advice based on past experience (page 9).

**Conference of State Court Administrators:** The conference's Western Regional Workshop focused on a new leadership academy for senior trial court staff. The academy, which is being jointly developed by California, Arizona, and Utah will conduct its first pilot program in fall 2008.

### Legislation

**Legislative Session Round Up:** The Legislature adjourned the first year of the 2007–2008 session on September 12 after sending more than 900 bills to Governor Arnold Schwarzenegger. The Governor signed into law seven council-sponsored bills; two sponsored bills were vetoed; and another three measures are awaiting further action in 2008, including extension of the date to transfer court facilities (page 9).

**Governor's Judicial Appointments Secretary addresses Bench-Bar Coalition:** Sharon Majors-Lewis delivered the keynote address at the September meeting of the Bench-Bar Coalition, focusing on issues involving the appointment process, diversity, and legislative relations (page 9).

### Budget

**Budget Change Proposals for Fiscal Year 2008–2009:** Budget Change Proposals were submitted to the state Department of Finance. Requests include funding for court security, Supreme Court staffing for capital cases, new appellate court justices, Phoenix Project enhancement, branch fiscal and technical support, administrative and program support for trial courts, and facilities (page 10).

## **Judicial Council Activities**

**Bench Bar Biannual Conference:** 900 participants, including 450 judicial officers, attended this collaborative event of the Judicial Council, the California Judges Association, and the State Bar. The conference opening and plenary session featured a stimulating Fred Friendly dialogue on procedural fairness and its impact on public trust and confidence in the California courts. Harvard Professor Arthur Miller led a group of distinguished panelists in a discussion on hypotheticals inspired by policies from Justice in Focus, the recently adopted six-year strategic plan for the judicial branch. Survey results indicated that the programs were well-received and it appears that both attendees and staff benefit from using a common location for these bi-annual events. The council offered 40 courses for judges and court personnel. Additionally, 15 collaborative courses, developed jointly by the council and the bar were open to judicial officers and attorneys. The 2009 conference is scheduled for September 7–13 in San Diego.

**New Advisory Committee Appointments:** 67 new appointments and 70 reappointments have been made to Judicial Council Advisory Committees, effective November 1 (page 41).

**Advisory Committee, Task Force, and Working Group Meetings** (beginning on page 10). The following committees met since the Judicial Council's last meeting in August:

- Appellate Court Clerk Administrators Association
- Appellate Court Security Committee
- Blue Ribbon Commission on Children in Foster Care
- CASA Hearing with the Blue Ribbon Commission on Children in Foster Care
- Center for Judicial Education and Research (CJER) Governing Committee
- Collaborative Justice Courts Advisory Committee
- Commission for Impartial Courts
- Domestic Violence Practice and Procedure Task Force
- Family and Juvenile Law Advisory Committee
- Judicial Pay and Benefits Working Group
- Juvenile Delinquency Court Assessment Working Group
- Probate Conservatorship Task Force
- Real DUI Court in Schools Working Group
- Task Force on Self Represented Litigants
- Violence Against Women Education Project Planning Committee

## **Infrastructure Initiatives**

### **Progress:**

**Phoenix:** 49 courts are now using the Phoenix Financial System. Rollout of the system to the remaining 9 courts is scheduled to be completed by July 1, 2008.

**California Case Management System:** The CCMS lead courts, the AOC, and Deloitte Consulting officially began the design and development of CCMS-V4. This phase of CCMS will include family law, juvenile dependency and delinquency, plus integration of the current CCMS-V2 and CCMS-V3 functionality. CCMS-V4 will also include statewide reporting, court interpreter and court reporter scheduling, and standardized integration with justice partner applications. Development of CCMS-V4 is projected to be completed by February 2010. The AOC is currently preparing to issue a Request for Proposal (RFP) for deployment of CCMS-V4 to all 58 counties. Deployment planning activities will begin in 2008 and initially will involve identifying and preparing several courts to be early adopters of CCMS-V4.

The AOC's Center for Families, Children, and the Courts, the Office of the General Counsel, and the San Francisco Superior Court Unified Courts for Families are providing subject matter expertise on the development of the CCMS Family Law Module. Additionally, judicial officers representing the Blue Ribbon Commission on Children in Foster Care, Family and Juvenile Law Advisory Committee, Collaborative Justice Advisory Committee, and Juvenile Delinquency Caseflow Assessment Working Group are participating in the CCMS Judicial Officer Design Sessions (page 15).

**Follow Up:** As a follow up to the 2006 KPMG report and recommendations on infrastructure initiatives for the branch, work on validating infrastructure business plans and an assessment of costs is nearing completion. While the judicial branch was directed to fund as much as possible internally and a cost plan is in place through 2010, significant state monies will be required to complete and maintain these infrastructure systems into the future. For cost comparison purposes, the executive branch's information technology infrastructure efforts project a cost of \$1.4 billion to develop a statewide child support system and \$900 million for its child welfare system. Given that these projects represent only two of approximately 17 to 20 functions of the California Case Management System, this critical review effort will provide for a structured approach for the development of a strategy for funding projects and will ensure fiscal accountability and availability of funds for the highest priority projects.

## **Facilities**

**Transfers:** Chief Deputy Director Ron Overholt and staff of the Office of Court Construction and Management are continuing to meet with county and court representatives. Legislation to extend the transfer deadline will be pursued when the Legislature reconvenes in January.

**Bonds:** Next week, the Chief Justice, Administrative Director and others will meet with legislative leadership on approaches to secure bond funding for the first phase of court facilities projects.

**Public-Private Partnerships:** Independent legal and financial advisors have been engaged to assist with the determination of terms and components for public-private partnerships (P3) for court building development, and the approval of evaluation criteria for the acceptability of P3 proposals. The new Long Beach Courthouse will be a P3 building (page 14).

**New Buildings and New Acquisitions:** The fifth appellate district held a dedication ceremony for its new Fresno courthouse, and the fourth appellate district held a groundbreaking ceremony for its new Orange County courthouse. Additionally, the Public Works Board approved five judicial branch facilities items including title transfers and site acquisitions (page 14).

**All Districts now on the same Appellate Case Management System:** Following the final, successful migration for the Second Appellate District, all Courts of Appeal are now using the same appellate case management system (page 15).

### **Administrative Office of the Courts**

**Court Interpreter Hearing:** Chief Deputy Director Ron Overholt provided an overview of the superior court interpreter employment system and budget at the October Senate hearing on the impact of the court interpreters' six-week strike on the criminal justice system. Justice Kathleen O'Leary, Chair of the Judicial Council's Court Interpreters Advisory Panel also testified on language access issues in the courts. Senators have scheduled follow up meetings to discuss interpreter issues with court leaders (page 16).

**Changing Role of the CEO:** The latest issue of the quarterly magazine *California Courts Review* looks at the dramatically changing role of court executives over the past two decades, and includes interviews with Tressa Kentner, Steve Konishi, Len LeTellier, and Michael Tozzi.

**Judicial Nomination and Evaluations Commission (JNE) Bias in Evaluations:** AOC staff presented training for the JNE Commission on fairness and unconscious bias in evaluations. The training focused on solutions for eliminating bias in evaluations and identifying bias in raters. Commission members were asked to take the Implicit Association Test, an online test created by researchers from Harvard which may measure unconscious bias. Staff will present further training for the JNE Commission in February 2008.

**Judicial Appointments and Vacancies:** On October 3, the Governor appointed 13 new judges to fill positions for both newly created judgeships and retired judges. (See pages 52 and 53 for county assignments list and a breakdown by gender and prior employment category of all 38 new appointees to date.) From a total of 1660 judicial positions, there are currently 45 vacancies, 42 in the trial courts and three in the Courts of Appeal (page 21).

**Riverside Backlog Reduction Program:** As of October 19, the judges' strike team has addressed 181 cases. Nine active superior court judges and five retired judges in the Assigned Judges Program have agreed to serve for varying periods from December 2007 through June 2008. The Riverside Criminal Backlog Reduction Task Force, chaired by Justice Richard D. Huffman, began discussions on a redesigned process for newly filed cases. Justice Huffman appointed a working group chaired by Sheila Calabro that includes Presiding Judge Richard T. Fields and the principals or chief deputy of each criminal justice agency, along with conflict defense panel attorneys to design a sustainable process for the management of felony cases (page 15).

**New Director for California State Association of Counties:** AOC executives met with the association's new Executive Director, Paul McIntosh, to provide an orientation on judicial branch issues as well as to discuss continuing the momentum on facilities transfers and working together on legislation.

**Presiding Judges and Court Executive Officers Regional Meetings:** The AOC regional offices sponsor quarterly meetings at their locations offering presiding judges and court executive officers an opportunity to plan and discuss topics of interest to the courts statewide, as well as issues specific to each region. Meeting agendas for each region are developed by PJ/CEO teams. AOC Administrative Director and Chief Deputy Director updates to PJs and CEOs addressed issues related to new judgeships, subordinate judicial officer conversions, JRS II retirement, and court facility transfer extensions (page 16).

**Santa Clara Court Visit:** At the invitation of the court, the AOC Administrative Director addressed the Santa Clara bench on judicial branch issues.

**Annual Report Published:** *Building the Branch*, was distributed to all judges, court executive officers, other court personnel, and justice system partners including sister branches, probation officers, district attorneys, public defenders, libraries, and the media.

**Labor Contracts:** AOC Labor and Employee Relations negotiators assisted five courts, (Amador, Lake, Modoc, Plumas, and Santa Cruz), in reaching final agreement with their unions on new labor contracts ranging from one to four years.

**Local Courts to Share Training Rooms:** At the request of courts in seven counties willing to share training facilities, (Amador, Contra Costa, Humboldt, Kings, Los Angeles, Orange, San Bernardino), the AOC is assisting in designing and equipping shared training rooms in 14 sites. The training rooms and new state-of-the-art audiovisual presentation equipment will enhance the learning environment for participants, provide faculty who may teach in multiple locations with standard equipment with which they are familiar, and promote delivery of locally or regionally developed education.

**DUI Initiatives (page 17):**

Using a competitive request for proposal process, the Office of Traffic Safety has awarded \$2,224,506 to five courts to expand their DUI courts.

The AOC Collaborative Justice Courts California Real "DUI Court in the Schools" Project released requests for proposals to award mini-grants, ranging from \$10,000 to \$50,000 per superior court program, to up to 10 California Superior Courts chosen through the competitive RFP process.

CFCC staff made presentations to the Administration on DUI projects funded by the Office of Traffic Safety.

The AOC and staff member Patrick Danna received Youth Community Collaboration Awards from the Santa Barbara Kiwanis Club in recognition of the Collaborative Justice Unit's work with Santa Barbara's Peer/Teen Court.

**Mental Health Initiatives:** The Council on Mentally Ill Offenders presented the Judicial Council's representative, Hon. Wendy Lindley, Orange County Superior Court, with its Champion Award. Staff presented on mental health court models and mental health/community partnerships at the quarterly interagency meeting state departments and agencies. Staff and judicial representatives participated in the policy forum of the Institute for Mental Health and the California Mental Health Directors Association.

**Quizzes with Education Credits for Judges:** Self-paced articles and quizzes developed by Judge Alex Ricciardulli for the *Daily Journal* are posted online and regularly updated as an education resource for judges. A judge may earn one hour of education credit for this online education. <http://serranus.courtinfo.ca.gov/education/ricc.htm>

**Benchguides:** Since the last report in August, eight new and/or revised benchguides have been published (page 19).

**Broadcast News:** Eleven broadcasts were transmitted to the courts in September and October. These included a new edition of the *Orientation to the Judicial Branch*, a new broadcast for court investigators responsible for conservatorships, a PJ and CEO roundtable on *Teen DUI Prevention*, and a broadcast on the history of the California courts titled *Early California Justice*.

**Caseflow Management Improvement:** A three-day family law caseflow management technical assistance visit was conducted for the Superior Court of San Bernardino County (page 16).

**Dependency Pamphlet for Families:** The Unified Courts for Families Program in CFCC published a new pamphlet for family court users titled, *What Happens After Your Dependency Case is Dismissed?* (page 17).

**Distance Education:** New installations of downlink sites were completed in three Orange County courts and four courts in Los Angeles County. 283 satellite downlinks have now been established in the trial and appellate courts to enhance judicial branch education and communication.

**Education and Training Programs** were held on the following issues (page 20):

- Access for Persons with Disabilities Act for the Jury Education and Management Conference
- Criminal Law Institute for judges
- Indian Child Welfare Act workshop for the Alameda courts
- Judicial Branch Workers' Compensation Program regional training seminars
- Permanency Planning for Foster Care Youth - county specific collaborative workshops in San Joaquin, Madera, and El Dorado Counties for probation officers and other professionals working with youth in foster care placements or at risk of entering foster care.

**Judicial Administration Fellowship Program:** The AOC's Office of Governmental Affairs hosted a 10-day orientation for the 2007-2008 class who will spend the next 10 months working with administrators and lead staff in courts and judicial branch offices throughout the state learning about the administration of justice (page 18).

**Reporting Education Requirements:** California Rule of Court 10.462(f) requires each trial court judge to record his or her participation in education on forms provided by the Judicial Council. Automated and manual versions of the forms have now been distributed to 56 of the 58 counties. (Responses are pending from two counties.) Appellate court forms have been viewed by the clerk/administrators and will be made available in January when the rule becomes effective (page 19).

## Additional Detail on Summary Items

### National

**Texas Supreme Court Delegation to California:** The AOC hosted a Texas delegation, which included Supreme Court Justice Harriett O'Neill, the Administrative Director of the Texas Courts, the state director of child welfare services, and other judges and staff. The Texas Supreme Court is contemplating establishing a statewide Judicial Commission for Children, Youth, and Families and the delegation visited California to learn how the California Blue Ribbon Commission on Children in Foster Care operates and what challenges and opportunities have been encountered during the past two years of starting and running the commission. The Texans met with members and staff of the Blue Ribbon Commission, as well as commission chair, Associate Justice Carlos Moreno.

At the invitation of Justice O'Neill, Judge Len Edwards, CFCC Attorney-in-Residence and Blue Ribbon Commission member, and Christopher Wu, CFCC attorney and executive director of the Commission, testified at a public hearing before the Texas Supreme Court to advocate for a foster care commission in Texas and to offer advice and assistance based on our experiences here in California.

### Legislation

**Legislative Session Round Up:** October 12 was the last day for the Governor to sign or veto legislation, with his office reporting that he signed 750 and vetoed 214. Prior to the bill signing deadline, the AOC issued a memorandum outlining legislative session highlights for the judicial branch through September 21 (page 28). In summary, the Governor signed into law seven council-sponsored bills, including AB 159 (Jones) to create an additional 50 judgeships and authorize the conversion of 16 subordinate judicial officer positions per year. Two sponsored bills were vetoed, and another three measures are awaiting further action in 2008, including extension of the date to transfer court facilities. The final 2007 Legislation Status Chart of actions on all council-sponsored legislation for 2007 can be found on page 23.

**Governor's Judicial Appointments Secretary addresses Bench-Bar Coalition:** More than 80 bench, bar, and legal services leaders attended the BBC meeting. The meeting opened with welcoming remarks by Chief Justice Ronald M. George, in which he thanked the coalition for their efforts during 2007 in support of the council's legislative agenda. Ruthe C. Ashley was installed as Northern/Central Region co-chair, joining Joel S. Miliband, the BBC's Southern Region co-chair. Special recognitions were accorded to eight BBC leaders for their outstanding efforts to advance the BBC's goals and objectives, including outgoing OGA Director Kate

Howard. The keynote address was delivered by Governor Arnold Schwarzenegger's Judicial Appointments Secretary Sharon Majors-Lewis. Ms. Majors-Lewis commented on the judicial selection process; the first round of 50 judgeships created by Senate Bill 56 (2006); AB 159, pending legislation (subsequently signed by the Governor) to create an additional 50 new judgeships; and her outreach efforts to widen the pool of judicial applicants.

## Budget

**Fiscal Year 2008–2009 Budget Change Proposals:** Budget change proposals were submitted to the state Department of Finance in September. Proposals included:

- *Trial Courts.* Proposed funding increase to address an ongoing shortfall for court security, fund courts consistent with the Judicial Council-approved security funding standards, and fund court security retiree benefits in maintenance of effort agreements.
- *Supreme Court.* Proposed funding increases to support a capital central staffing increase, the court-appointed counsel program, a committee on judicial ethics opinions, and law library subscriptions and costs.
- *Courts of Appeal.* Proposed funding increases for new appellate court justices and to address staffing needs and facilities issues.
- *Habeas Corpus Resource Center.* Proposed funding increases for case team staffing and administrative infrastructure.
- *Judicial Council/Administrative Office of the Courts.* Proposed funding increases for Phoenix Project enhancement, branch fiscal and technical support, administrative and program support for trial courts, facilities modifications, facility space expansion, and various technical adjustments.

## Judicial Council Activities

**Blue Ribbon Commission on Children in Foster Care:** The commission met to examine the demographics of the juvenile dependency and child welfare systems, focusing on race, ethnicity, and gender. Commissioners heard from experts on California data, California judges, and AOC staff, as well as a prominent juvenile court judge from Nebraska. They discussed measures to address disproportionality and disparities in the court and child welfare systems. At a second meeting in Riverside County, discussion began on the scope and substance of its recommendations. The commission hopes to finalize its draft recommendations in December and send them out for public comment in the Spring, leading to submission of final recommendations to the Judicial Council in August 2008.

**CASA Hearing with the Blue Ribbon Commission on Children in Foster Care:** Foster youth, family members, child welfare officials, and community volunteers testified before the commission in a special public hearing, offering compelling testimony on the ways that community members can make a profound difference in the lives of California children who were abused or neglected and then removed from their families and homes. Testimony highlighted the life-changing difference that a Court Appointed Special Advocate (CASA) volunteer makes by supporting foster children and standing up for their needs. Over 5,000 CASA volunteers currently assist more than 7,500 foster children in the state. Fewer than 10 percent of children in foster care have the benefit of a CASA. Several of those who testified made forceful arguments for increasing the number of CASA volunteers in California.

**Center for Judicial Education and Research Governing Committee:** New appointments were made to 18 CJER education committees for terms beginning November 1.

**Collaborative Justice Courts Advisory Committee:** The agenda included presentations on evidence-based practice to reduce recidivism; reducing prison population; and procedural fairness. Legislation was reviewed, including SB 851, concerning mental health courts and SB 391, concerning intermediate sanctions for parole violations, with committee members expressing support for concepts of both bills. The committee discussed the role of the Judicial Council regarding legislation. Plans for upcoming educational programs were reviewed, including the upcoming International Community Corrections Association Conference and December's Beyond the Bench Conference. Proposals for grant allocations through the Substance Abuse Focus Grants and the "DUI Court in Schools" project were approved.

**Court Technology Advisory Committee:** The committee reviewed the 2007–2008 Work Plan, which focuses on projects including smart forms and forms development, online registries such as the California Courts Protective Order Registry, e-access, e-filing, appellate e-filing, e-discovery, and records retention.

The committee also reviewed draft recommendations from September's Electronic Visioning Session. The goal of the session was to produce a strategic vision for implementing a uniform and user-friendly e-filing environment across the state. Participants included trial court judges, administrators, attorneys, staff, and national representatives experienced with electronic filing.

The group focused on five key areas, including "getting e-filing beyond the front door of the court", defining the role of e-filing vendors, court-run service provider modules, and other e-filing entities, converting Judicial Council forms into smart forms, and developing a communication plan for implementing the e-filing environment.

While no specific motions were voted on, several recommendations and topics surfaced about how e-filing can take advantage of the new enterprise technology architecture now in place in the California Courts Technology Center; the new national information exchange standard; what features being used by courts today should be considered in a statewide solution; and other topics.

**Domestic Violence Practice and Procedure Task Force:** Chief Justice George extended the terms of the task force members to June 30, 2008, to allow for the review of extensive comments on the more than 140 pending draft guidelines and recommended proposals. The task force met in October and made extensive revisions to the proposals based on the comments received. A final report to the Judicial Council is planned for the council's February 2008 meeting. Task force proposals address issues in the following subject areas: court leadership, criminal procedure, restraining orders under the Domestic Violence Prevention Act, entry of orders into the Domestic Violence Restraining Order System, and firearms restrictions and relinquishment.

**Family and Juvenile Law Advisory Committee:** The committee discussed recent legislation, the Supreme Court decision in *Elkins*, efforts under way to develop the California Court Case Management System, work undertaken by the Blue Ribbon Commission, and new AOC publications. The Family Law Subcommittee discussed the Family Law Resource Guidelines Project, a proposal from the ADR Subcommittee of Civil and Small Claims Advisory Committee on temporary judges and referees, and child support calculation issues. Additionally, updates were provided on self-represented litigant funding, the 2008 Family Dispute Resolution Statewide Educational Institute and Family Law Institute, and court exchange visits for family court services. The Juvenile Law Subcommittee discussed AB 2216 and juvenile court performance standards, Dependency Representation Administration Funding and Training (DRAFT), SB 81, and AB 191, and issues related to access by children or parents to appellate attorneys' files and psychological evaluations. Additionally, the subcommittee heard from guests from the Division of Juvenile Justice Programming, discussed a possible file stamp project, and received an update on the special immigrant juvenile status project. Staff provided an overview of the CASA needs assessment, the Joint Juvenile Appellate Working Group, the 2008 Juvenile Institute, and December's Beyond the Bench Conference.

**Task Force for Criminal Justice Collaboration on Mental Health Issues:** Chaired by Justice Brad Hill, the task force was established to identify needs for court-related programs and services that address mentally ill offenders in adult and juvenile courts; promote interbranch and interagency collaboration to improve case processing and outcomes; disseminate locally generated best practices to trial courts and partner agencies; identify methods for evaluating the effectiveness of mental health programs in the courts; provide recommendations to improve services and case processing for cases involving mentally ill offenders; advise the Judicial Council and its advisory committees of funding needs and resources; provide access to education

and outreach programs to improve case processing and outcomes for cases involving mentally ill offenders; and serve as a clearinghouse for ideas, questions, and comments generated in the course of preparing recommendations.

**Task Force on Self-Represented Litigants:** The education subcommittee participated with the National Self-Represented Litigant Network in developing a national curriculum on handling cases involving self-represented litigants for a conference at Harvard Law School. The curriculum is based on California's bench guide for judicial officers on this area. The Task Force also reviewed comments on the proposed rule of court that makes self-help centers a core function of each court.

**Violence Against Women Education Project Planning Committee (A working group of the Family and Juvenile Law Advisory Committee):** The Violence Against Women Education Project, (a grant funded initiative that develops educational materials and programs and provides technical assistance in domestic violence, sexual assault, and stalking cases), developed and produced five judicial education workshops held at the Bench Bar Conference. The project also conducted a guided tour of a criminal domestic violence court hosted by the Superior Court of Orange County. Conference workshops included:

- Batterer Intervention Programs: What We Know and What We need to Know
- Sexually Violent Predators: The Science of Recidivism and Propensity
- Stalking in Cyberspace: What a Judge Needs to Know
- Domestic Violence and Ethics
- Implementing Best Practices in Domestic Violence Proceedings

**Juvenile Delinquency Court Assessment Working Group:** The working group met for a final review of research findings before the *Juvenile Delinquency Court Assessment* report is drafted. The group's final recommendations will be fully informed by the assessment's extensive data collection efforts (5 surveys, over 35 focus groups and interviews). The final report is expected to be presented to the council in spring 2008.

The **Commission for Impartial Courts Steering Committee and four task forces** held a joint plenary session at the AOC in San Francisco followed by individual task force meetings. During the plenary session briefing, AOC Scholar-in-Residence, Roger Warren, discussed various challenges facing the judiciary including politicizing judicial candidates, problematic campaign conduct, and unwarranted attacks on judicial independence led by special interest groups. The task force meetings provided opportunities for task force chairs, expert consultants and AOC support staff to discuss strategic plans for achieving the goals of the commission.

## Infrastructure Initiatives

**Facilities Transfers:** Meetings with the counties on the transfer of all remaining facilities are continuing. 136 facility modifications to transferred court facilities were approved, with an estimated cost of \$7 million. The AOC's Office of Court Construction and Management is now responsible for a real estate portfolio of more than 2 million square feet.

**New Courthouses:** Ceremonies were held for the dedication of the new Court of Appeal Courthouse, Fifth Appellate District (Fresno County), and the groundbreaking for the new Court of Appeal Courthouse, Fourth Appellate District (Orange County).

**New Site Acquisitions:** Contra Costa and Plumas counties are the first two approved Judicial Council-funded trial court property acquisitions.

**Public-Private Partnerships and new Long Beach Court Building:** This project encompasses: 1) the determination of terms and components for public-private partnerships (P3) for court building development, and the approval of evaluation criteria used to judge the acceptability of P3 proposals and 2) implementation of a P3 for the new Long Beach Court.

A Superior Court Project Advisory Group has been created for the new Long Beach Court building. Negotiations are continuing with the County of Los Angeles on the transfer of title to the building and land, as well as agreement on the purchase of the County's equity in the existing building.

Key milestones in the near term:

- Definition of the structure and terms of a public-private partnerships for the new Long Beach Court building (December 2007).
- Department of Finance review and approval of P3 criteria under terms of government code §70391.5 (January 2008).
- Transfer of title and purchase of county equity must be completed before release of a request for proposal for P3 developers (March 2008).

**Public Works Board approval of judicial branch facilities items:** The Public Works Board unanimously passed all judicial branch facilities items on its meeting agenda:

- B.F. Sisk Federal Courthouse Renovation, Fresno County – Approved Preliminary Plans with an anticipated deficit. The project is now in the Working Drawing phase.
- New Portola / Loyalton Courthouse, Plumas County – Authorized site selection and acquisition. The project is now in the Preliminary Plans phase.

- Wiley W. Manuel Courthouse, Alameda County, Jury Assembly Building, Santa Barbara County, Chico Courthouse, Butte County – Authorized the acceptance of real property through a transfer of title.

**Designing the Family Law Module of the California Case Management System:** The AOC's Center for Families, Children, and the Courts, the Office of the General Counsel, and the San Francisco Superior Court Unified Courts for Families are providing subject matter expertise on the development of the California Case Management System (CCMS). The team of 18 participated in all phases of the foundation functional design process, with emphasis on the design of the family unit and ensuring that critical data is captured on case participants, including data required for California Law Enforcement Telecommunications System reporting and Indian Child Welfare Act noticing. Team members participated in an integrated review session with all CCMS lead courts to reach final consensus on the deliverable comments. Planning is under way for the intermediate phase of CCMS to ensure that subject matter experts are involved at the appropriate stages of the process.

Other activities include outreach to judicial officers on committees staffed by CFCC to ensure their input on the system. As a result of this effort, judicial officers representing the Blue Ribbon Commission on Children in Foster Care, Family and Juvenile Law Advisory Committee, Collaborative Justice Advisory Committee, and Juvenile Delinquency Caseflow Assessment Working Group are now participating in CCMS Judicial Officer Design Sessions.

**Appellate Court Case Management System (ACCMS):** All Courts of Appeal are now using the ACCMS, following the successful migration of the Court of Appeal, Second Appellate District to the system. Development work for ACCMS is now under way to prepare for rollout to the Supreme Court. ACCMS streamlines the tracking and maintenance of cases by providing Web-based, centralized support for case management, administration, updates, backups, and security. The ACCMS replaces two systems, one used by the Courts of Appeal, the other by the Supreme Court.

## Administrative Office of the Courts

**Riverside County Backlog Reduction Program:** The team of active and retired judges continues to hear cases in the Superior Court of Riverside County as part of an overall effort to assist the Riverside justice system leaders in reducing case-processing delays. Of the 181 cases addressed as of October 19, 2007, there have been 34 pleas, and 60 trials completed resulting in 46 verdicts, 4 mistrials and 10 trials are currently in process.

The Riverside Criminal Backlog Reduction Task Force, chaired by Justice Richard D. Huffman, began discussions on a redesigned process for newly filed cases. Justice Huffman appointed a working group chaired by Sheila Calabro that includes Presiding Judge Richard T. Fields and the principals or chief deputy of each criminal justice agency, along with conflict defense panel attorneys to design a sustainable process for the management of felony cases. The process began with the development of guiding principles for criminal case management in Riverside County. John Greacen, a consultant working with the task force, presented a number of possible alternative structural models for felony cases. While not yet complete, the plan will incorporate all three regions of the county, but will be modified to meet each court's needs as necessary.

Nine active superior court judges and five retired judges in the Assigned Judges Program have agreed to serve for varying periods from December 2007 through June 2008. These judges continue to represent the joint effort of this initiative, drawing judges from ten superior courts across the state.

**Caseflow Management Improvement:** A family law caseflow management technical assistance visit was conducted for the Superior Court of San Bernardino County. The technical assistance team consisted of a staff attorney from CFCC, a judicial officer from another court, the family law facilitator from another court and a court consultant. Over the course of three days, the team observed courtrooms in three family court locations, spoke with family law bench officers, members of the family law bar, family law facilitators and resource center staff, family court services, settlement attorneys, DCSS, court clerks, and court administrators. They also reviewed court statistics. A preliminary oral report was given to the court and will be followed by a written report.

**Court Interpreter Hearing:** Chief Deputy Director Ron Overholt provided an overview of the superior court interpreter employment system and budget at the October Senate hearing on the impact of the court interpreters' six week strike. The Joint Informational Hearing was convened by the Senate Committee on Public Safety, the Senate Judiciary Committee, the Asian Pacific Islander Legislative Caucus, the Latino Legislative Caucus, the Legislative Black Caucus, and the Legislative Women's Caucus. Senator Gloria Romero, Chair of the Senate Committee on Public Safety and Sen. Ellen Corbett, Chair of the California Judiciary Committee, have scheduled a follow up meeting with Chief Justice George to discuss interpreter salaries.

**Presiding Judges and Court Executive Officers Regional Meetings:** AOC Administrative Director and Chief Deputy Director updates to PJs and CEOs addressed issues related to new judgeships, subordinate judicial officer conversions, JRS II retirement, and court facility transfer extensions.

**Bay Area Northern/Coastal Region Agenda:** The meeting was attended by 14 of the 16 courts in the region. PJs and CEOs discussed judges' salaries and benefits, the security bill, the impact on the courts of probate conservatorship funding veto, and the Commission for Impartial Courts.

**Northern/Central Region Agenda:** The meeting was attended by 28 of the 31 courts in the region. PJs and CEOs discussed conversion of subordinate judicial officer positions, the courts increased self-help funding, the impact on the courts of probate conservatorship funding veto, and the Commission for Impartial Courts.

**Southern Region Agenda:** The meeting was attended by 8 of the 11 courts in the Southern Region (court leaders from San Diego, Orange, and Santa Barbara were unable to attend due to the Southern California wild fires). Supreme Court Justice Ming W. Chin led a discussion on the Commission for Impartial Courts. Court executives facilitated discussions on facility improvements, maintenance and modifications, judicial appointments, conversion of subordinate judicial officer positions, and the impact on the courts of probate conservatorship funding veto.

**Dependency Pamphlet:** The Unified Courts for Families Program in CFCC published a new pamphlet titled, *What Happens After Your Dependency Case is Dismissed?* This publication is designed to inform families about the process after their dependency case has been dismissed and a family law file may be opened. The pamphlet has been distributed to juvenile courts in all 58 counties and additional copies are available upon request. A Spanish version will be available soon and the brochure will be posted on the Web shortly.

#### **DUI Initiatives:**

**DUI Court Expansion Project Kick Off Summit:** The AOC's Center for Families, Children & the Courts Collaborative Justice Programs Unit hosted a summit for courts participating in the DUI Court Expansion Project. The summit featured presentations from representatives of the National Drug Court Institute, the National Highway Traffic Safety Administration, the Office of Traffic Safety, Mothers Against Drunk Driving, the Office of Alcohol and Drug Programs, and the California Highway Patrol as well as judicial officers, defense attorneys, prosecutors, probation officers, and treatment providers.

Teams from five courts funded through the project participated in this two day event. The project has awarded \$2,224,506 to the five courts (Butte, Orange, Sonoma, Shasta, and El Dorado), through a competitive RFP process, with two year awards beginning September 2007.

The **"DUI Court in the Schools" Project**, which will bring DUI proceedings and educational programs into middle and high schools as a means of legal education and DUI prevention, released requests for proposals to award mini-grants, ranging from \$10,000 to \$50,000 per superior court program, to up to 10 California Superior Courts chosen through the competitive RFP process.

**"DUI Court in Schools" Broadcast for Presiding Judges and Court Executive Officers:** A PJ and CEO Roundtable broadcast focused on judicial outreach described several models for bringing DUI prevention into high schools and middle schools. Broadcast participants were Hon. William J. Murray, Assistant Presiding Judge, Superior Court of San Joaquin County; Hon. Richard Vlavianos, Superior Court of San Joaquin County; Ms. Denise Gordon, Court Executive Officer, Superior Court of Sonoma County; Ms. Julia Alloggiamento, Office of the District Attorney, County of Santa Clara; Mr. J.J. Kapp, Office of the Public Defender, County of Santa Clara.

**National Highway Traffic Safety Administration's Assessment of California's Impaired Driving Prevention Programs:** CFCC staff made presentations to the Administration on DUI projects funded by the Office of Traffic Safety: DUI prevention programs in Peer Courts, the DUI Court in Schools Project, and a project to expand implementation of DUI courts that use drug court models in courts around the state.

**Award from Santa Barbara Kiwanis:** The Kiwanis Club of Santa Barbara awarded the AOC a Youth Community Collaboration Award in recognition of the work of its Collaborative Justice Unit with the Peer/Teen Court in Santa Barbara, especially in the area of DUI prevention. A special recognition award was also given to AOC staff member Patrick Danna for his work in this area.

**Judicial Administration Fellowship Program:** The fellows will spend the next 10 months working with administrators and lead staff in courts and judicial branch offices throughout the state learning about the administration of justice. Their placements will expose them to the issues and challenges facing court administrators and will provide an opportunity to play a substantive role in analyzing and crafting solutions that benefit the courts and court users. A list of 2007–2008 fellows and their placements is attached (page 51).

### **Mental Health Initiatives**

**Council on Mentally Ill Offenders:** Hon. Wendy Lindley, Orange County Superior Court, the Judicial Council's representative to the Council on Mentally Ill Offenders was presented with its Champion Award.

**Mental Health Services Act Interagency Partners Meeting - Focus: Mental Health Court Models and Mental Health/Community Partnerships:** Hon. Wendy Lindley, and CFCC mental health project staff were invited to present at the quarterly meeting of state departments and agencies. Twenty-three state department/agency representatives attended the presentation.

**Institute for Mental Health and the California Mental Health Directors Association Policy Forum:** The forum explored ways to assist individuals who are experiencing mental illness by avoiding criminal justice involvement and supporting transition back into communities from incarceration. Hon. Wendy Lindley, Hon. Richard Loftus, Santa Clara County Superior Court, and Hon. Becky Dugan, Riverside County Superior Court were featured presenters.

#### **Individual Recording and Reporting Forms for Minimum Education:**

**Trial Courts:** California Rule of Court 10.462(f) requires each trial court judge to record his or her participation in education on forms provided by the Judicial Council. Automated and manual versions of the individual recording and reporting forms for trial court judges have now been distributed to 56 of the 58 counties. The presiding judge identified which version of the form would be used by his or her court. (Alpine and Butte Counties have not yet identified which form they will use.)

A Web site ([www.courtinfo.ca.gov/comet/html/minimumreqs\\_jud.htm](http://www.courtinfo.ca.gov/comet/html/minimumreqs_jud.htm)) and e-mail address ([formhelp@jud.ca.gov](mailto:formhelp@jud.ca.gov)) were established to assist judges with the forms.

**Supreme Court and Courts of Appeal:** Forms for the justices of the Supreme Court and Courts of Appeal have been created in both automated and manual formats and were recently demonstrated to the appellate court clerk/administrators. These forms and a resource Web site will be available when the new rules go into effect, January 1, 2008.

**Publications/Benchguides:** Since the August report, the AOC has published the *Discovery Benchbook* and seven benchguides.

- Competence To Stand Trial
- Probation Revocation
- Initial or Detention Hearing (rev. 9/07)
- Jurisdiction Hearing (rev. 9/07)
- Disposition Hearing (rev. 9/07)
- Review Hearings (rev. 9/07)
- Selection and Implementation Hearing (rev. 9/07)

**Training/Education:**

**Access for Persons with Disabilities Act (ADA) Training:** An ADA Workshop for the Jury Education and Management Conference provided training to 80 jury commissioners and managers on access rules for jurors and how to interact and communicate with persons with disabilities. Approximately 76 court personnel from the El Dorado courts also participated in ADA training.

**Alameda County Indian Child Welfare Act Training:** CFCC's Judicial Review and Technical Assistance Project—Indian Child Welfare Act Initiative team conducted a collaborative training on the Act and SB 678 at the Juvenile Justice Center in San Leandro. Topics included: instruction on the legal changes pertaining to the Act; applicability to the delinquency and dependency cases; the practical application of cultural case planning in ICWA cases; and Native American culture and family systems. In advance of the training, the team conducted a review of local court files involving Indian children to tailor the training to the needs of the court. The training was well-attended, with over 50 participants including judicial officers, attorneys, social workers, and tribal representatives.

**Criminal Law Institute:** The annual institute focused on substantive law, procedural law, best judicial practices, and innovations in the criminal courtroom. The institute included 13 hours of continuing judicial education credit, plus an overview course in criminal law for judges changing assignment.

**Permanency Planning for Foster Care Youth Workshops:** The AOC Judicial Review and Technical Assistance—Title IV-E and Permanency team conducted county specific collaborative workshops for probation officers and other professionals working with youth in foster care placements or at risk of entering foster care. These workshops were held in San Joaquin, Madera, and El Dorado Counties. Participants were provided with information regarding the legal requirements related to foster care youth and their families and tools to assist them in meeting those responsibilities, including methods for locating caring adults to serve as life-long connections for the youth. Each workshop also provided information on an issue or a program specific to the county.

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS  
JUDICIAL VACANCY REPORT (8011)**

Number of Judgeships Authorized, Filled and Vacant as of **October 23, 2007**

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS				
		Authorized	Filled	Vacant	<i>Filled(Last Month)</i>	<i>Vacant(Last Month)</i>
Supreme Court	1	7	7	0	7	0
Courts of Appeal	6	105	101	4	102	3
Superior Courts	58	1548	1511	37	1506	42
All Courts	65	1660	1619	41	1615	45

**JUDICIAL VACANCIES: APPELLATE COURTS**

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
First Appellate District, Division Three	1	Retirement	Hon. Joanne C. Parrilli	07/31/07
Second Appellate District, Division One	3	Retirement	Hon. Vaino H. Spencer	08/31/07
Second Appellate District, Division Seven		Retirement	Hon. Earl Johnson, Jr.	10/17/07
Second Appellate District, Division Eight		Deceased	Hon. Paul Boland	09/04/07
<b>TOTAL VACANCIES</b>	<b>4</b>			

**JUDICIAL VACANCIES: SUPERIOR COURTS**

<b>County</b>	<b>Vacancies</b>	<b>Reason for Vacancy</b>	<b>Judge to be Replaced</b>	<b>Last Day In Office</b>
Butte	1	Newly created position	Vacancy	06/01/07
El Dorado	1	Retirement	Hon. Eddie T. Keller	07/27/07
Fresno	2	Retirement	Hon. Gary S. Austin	10/11/07
Fresno		Newly created position	Vacancy	06/01/07
Kern	1	Retirement	Hon. Charles P. McNutt	09/09/07
Los Angeles	1	Resigned	Hon. Andria K. Richey	09/28/07
Madera	1	Newly created position	Vacancy	06/01/07
Merced	1	Newly created position	Vacancy	06/01/07
Monterey	1	Removed	Hon. Jose A. Velasquez	10/10/07
Orange	3	Retirement	Hon. Hugh Michael Brenner	10/07/07
Orange		Retirement	Hon. Jonathan H. Cannon	07/16/07
Orange		Newly created position	Vacancy	06/01/07
Riverside	3	Retirement	Hon. Lawrence W. Fry	08/08/07
Riverside		Newly created position	Vacancy	06/01/07
Riverside		Newly created position	Vacancy	06/01/07
Sacramento	1	Retirement	Hon. Talmadge R. Jones	10/16/07
San Diego	5	Retirement	Hon. Larrie R. Brainard	10/01/07
San Diego		To Fed Court	Hon. Janis Sammartino	09/20/07

San Diego		Retirement	Hon. Lillian Y. Lim	08/01/07
San Diego		Retirement	Hon. Janet I. Kintner	03/20/07
San Diego		Retirement	Hon. Thomas C. Hendrix	03/15/07
Santa Barbara	2	Retirement	Hon. Rodney S. Melville	10/12/07
Santa Barbara		Removed	Hon. Diana R. Hall	12/14/06
Santa Clara	2	Retirement	Hon. Ronald T. Lisk	01/31/07
Santa Clara		Retirement	Hon. Charles J. Cory	01/31/07
Santa Cruz	1	Retirement	Hon. Robert B. Yonts, Jr.	01/24/07
Solano	2	Retirement	Hon. R. Michael Smith	06/04/07
Solano		Retirement	Hon. Michael E. Nail	06/01/07
Sonoma	1	Newly created position	Vacancy	06/01/07
Stanislaus	3	Newly created position	Vacancy	06/01/07
Stanislaus		Newly created position	Vacancy	06/01/07
Stanislaus		Newly created position	Vacancy	06/01/07
Tulare	1	Retirement	Hon. Ronald M. Couillard	07/02/07
Ventura	3	Retirement	Hon. Herbert Curtis III	10/17/07
Ventura		Retirement	Hon. Thomas J. Hutchins	08/30/07
Ventura		Newly created position	Vacancy	06/01/07
Yolo	1	Retirement	Hon. Donna M. Petre	05/14/07
<b>TOTAL VACANCIES</b>	<b>37</b>			

Status of 2007 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of
<p>AB 159 (Donna Hershkowitz)</p>	<p>AB 159 (Jones) – Courts; judgeships</p> <p>As introduced</p> <p>Creates 50 new superior court judgeships in fiscal year 2007-08, to be allocated pursuant to the model approved by the Judicial Council. Authorizes the conversion of certain eligible subordinate judicial officer positions, upon vacancy, to judgeships. Creates an unspecified number of appellate judicial positions.</p> <p><b>UPDATE: As amended September 5, 2007</b></p> <p><i>Creates 50 new superior court judgeships in fiscal year 2007-08, to be allocated pursuant to the model approved by the Judicial Council. Authorizes the conversion of 16 subordinate judicial officers, in eligible courts, to judgeships, and 146 more in future years at a rate of 16 per year. The conversion would occur upon vacancy, and requires legislative ratification either in legislation or the budget act. Requires the Governor to report annually demographic gender, race, and ethnicity data of all judicial applications, appointments, or nominations.</i></p>	<p>Judicial Council</p>	<p>Signed into law (Stats. 2007, ch. 722)</p>
<p>AB 227 (Eraina Ortega)</p>	<p>AB 227 (Beall) – Trial court funding</p> <p>As introduced</p> <p>Codifies changes to the Maintenance of Effort (MOE) payments made by counties to the state for trial court funding. Changes are consistent with negotiated buyouts related to undesignated fees and AB 233 fees buyouts.</p> <p><b>UPDATE: As amended March 22, 2007</b></p> <p><i>Same as above and corrects the new MOE for Mendocino County.</i></p>	<p>Judicial Council</p>	<p>Signed into law (Stats. 2007, ch. 383)</p>
<p>AB 367 (Eraina Ortega)</p>	<p>AB 367 (De León) – Court-ordered debts</p> <p>As introduced</p> <p>Establishes a task force on criminal court-ordered fines and penalties that will make recommendations for simplifying California's criminal fine and penalty assessment, collection, and distribution system. Reduces the minimum fine required by the Franchise Tax Board Court-Ordered Debt Collection Program from \$250 to \$100 and expands the program to include collections for registration, pedestrian, and bicycle violations.</p> <p><b>UPDATE: As amended June 28, 2007</b></p> <p><i>Same as above and 1) clarifies that it applies to traffic-related offenses, 2) requires the Judicial Council to develop performance measures and benchmarks to review the effectiveness of collection programs, and 3) requires the task force to document recent annual revenues from the various penalty assessments and surcharges and, to the extent feasible, evaluate the extent to which the amount of each penalty assessment and surcharge impacts total annual revenues and the actual amounts assessed.</i></p>	<p>Judicial Council</p>	<p>Signed into law (Stats. 2007, ch. 132)</p>

## Status of 2007 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 14, 2007
AB 467 (Tracy Kenny)	<p><u>AB 467 (Feuer) – Courts: access to justice</u></p> <p>As introduced States legislative findings regarding court fee waivers and access to justice. Provides that equal justice requires that all persons have access to the court without regard to economic means. Further provides that those who are able to pay court fees should do so, and courts should recover previously waived fees when appropriate.</p> <p><i>UPDATE: As amended August 20, 2007</i> <i>Revises and recasts provisions for court fee waivers for indigent litigants. Clarifies required application processing procedures. Requires recovery of fees in specified cases, and provides procedures for reconsideration of fee waivers during the pendency of the case. In addition, provides separate fee waiver application processing procedures for the appellate courts.</i></p>	Judicial Council	Vetoed
AB 926 (Daniel Pone)	<p><u>AB 926 (Evans) – Civil discovery</u></p> <p>As amended April 17, 2007 Amends three discovery statutes to clarify the time for production of documents. Provides that parties may agree to extend the time for inspection. [Note: contents moved into AB 1248]</p>	Judicial Council	Senate Judiciary Committee
AB 1248 (Eraina Ortega)	<p><u>AB 1248 (Evans) – Courts</u></p> <p>As introduced Among other things, makes technical and clarifying changes to the Uniform Civil Fees and Standard Fee Schedule Act of 2005, clarifies the fine for production of documents pursuant to demand for production, and increases the cap on habeas investigations costs paid by the Supreme Court.</p> <p><i>UPDATE: As amended September 5, 2007</i> <i>Same as above and allows the courts to collect bail forfeitures in installment payments without requiring the individual to make an appearance in court, allows staff of the Administrative Office of the Courts to staff a non-profit organization created by the Judicial Council, and requires the Judicial Council to establish a travel policy for the judicial branch, and changes the date when the Judicial Council must adjust the amount a parent or guardian may be liable for minors' actions. Amends three discovery statutes to clarify the time for production of documents. Provides that parties may agree to extend the time for inspection.</i></p>	Judicial Council	Signed into law (Stats. 2007, ch. 738)

## Status of 2007 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 14, 2007
AB 1464 (June Clark)	<p>AB 1464 (Benoit) – Vehicles: preclusion of vehicle registration and issuance of arrest warrant</p> <p>As introduced</p> <p>Allows the court, after proper notice to the owner/violator, to report a failure to appear on an unsigned citation issued for an owner-responsibility offense to the Department of Motor Vehicles for a hold to be placed on the registration of the vehicle involved in the offense. To ensure due process rights are protected, requires notice to the owner/violator, and allows 21 days for response if the owner/violator was not present when the citation is issued, rather than the usual 10 days.</p>	Judicial Council	Signed into law (Stats. 2007, ch. 452)
AB 1491 (Eraina Ortega)	<p>AB 1491 (Benoit) – Court facilities</p> <p>As introduced</p> <p>Addresses another topic.</p> <p><i>UPDATE: As amended September 7, 2007</i></p> <p><i>Corrects an incorrect cross-reference, extends the deadline for the transfer of court facilities from counties to the state from June 30, 2007 to December 31, 2008. Requires counties to pay an increased County Facilities Payment for facilities that transfer between July 1, 2008 and December 31, 2008. This is an urgency bill, taking effect upon signature of the Governor.</i></p>	Judicial Council	In Assembly
SB 145 (Eraina Ortega)	<p>SB 145 (Corbett) – Court facilities</p> <p>As introduced</p> <p>Corrects an incorrect cross-reference.</p> <p><i>UPDATE: As amended August 31, 2007</i></p> <p><i>Same as above, extends the deadline for the transfer of court facilities from counties to the state from June 30, 2007 to December 31, 2008. This is an urgency bill, taking effect upon signature of the Governor. Requires counties to pay an increased County Facilities Payment for facilities that transfer between January 1, 2008 and December 31, 2008.</i></p>	Judicial Council	Assembly Floor

Status of 2007 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 14, 2007
SB 340 (Daniel Pone)	<p>SB 340 (Aekerman) – Access to Criminal History Information by Court Investigators</p> <p>As introduced Expands the list of agencies entitled to receive criminal history reports by adding an agency performing conservatorship investigations related to a proposed conservator under the Lanterman-Petris-Short (LPS) Act.</p> <p><b>UPDATE: As amended September 5, 2007</b> <i>In addition to the above, broadens list of agencies entitled to receive criminal history reports to include probate court conservatorship and guardianship investigators.</i></p>	California Judges Association and Judicial Council	Signed into law (Stats. 2007, ch. 581)
SB 396 (Eraina Ortega)	<p>SB 396 (Ridley-Thomas) – Dispute Resolution</p> <p>As introduced Increases the portion of the filing fee that is distributed to dispute resolution programs from an amount not to exceed \$8 to an amount not to exceed \$12.</p> <p><b>UPDATE: As amended July 12, 2007</b> <i>Requires the Judicial Council to establish the Commission of Civil Fees in the Courts with specified membership.</i></p>	California Dispute Resolution Council and Judicial Council	Vetoed
SB 425 (Eraina Ortega)	<p>SB 425 (Margett) – Public safety</p> <p>As amended September 6, 2007 In addition to numerous corrections and minor amendments to various Penal Code provisions not sponsored by the Judicial Council, abrogates the holding in <i>People v. Chavez</i> (2007), 150 Cal.App.4th 1288 and clarifies the statutes regarding how penalty assessments should be applied in criminal cases so that the plain language of the statutes reflect the original legislative intent and conform to the current understanding and practice of how the fines and penalties are imposed by the courts.</p>	Judicial Council	Signed into law (Stats. 2007, ch. 302)



**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

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## MEMORANDUM

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**Date**

September 21, 2007

**Action Requested**

For Your Information

**To**

Justices of the Supreme Court  
Justices of the Courts of Appeal  
Judges of the Superior Courts  
Clerk of the Supreme Court  
Clerk/Administrators of the Courts of Appeal  
Executive Officers of the Superior Courts

**Deadline**

N/A

**Contact**

Kate Howard, Director  
kathleen.howard@jud.ca.gov

**From**

Marvin R. Baxter, Chair  
Policy Coordination and Liaison Committee

Donna Hershkowitz, Assistant  
Director  
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William C. Vickrey  
Administrative Director of the Courts

Office of Governmental Affairs  
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**Subject**

End of Legislative Session Highlights for the Judicial Branch

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The Legislature adjourned for the year in the early morning hours of September 12, 2007. Overall, the judicial branch had a very positive and productive year. Most of the Judicial Council-sponsored bills have passed the Legislature in the first year of the 2007–2008 legislative session and have either been signed into law or are awaiting the Governor's action. Along with these significant successes, other branch priorities remain pending and will be pursued when the Legislature reconvenes in January 2008.

The Governor has until October 12, 2007, to take action on all bills on his desk.

September 21, 2007

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A summary of key actions follows.

### **Judicial Council–Sponsored Legislation**

#### **Assembly Bill 159 (Jones) Courts: Judgeships**

##### **Status: Awaiting Governor's Action**

Creates 50 new superior court judgeships in fiscal year 2007–2008 to be allocated under the uniform criteria in the council's Judgeship Needs Study. (See Attachment A for a listing of the allocation of the 50 judgeships.). Authorizes the conversion of subordinate judicial officers (SJOs), in eligible courts, to judgeships. The conversions would occur on vacancy and are limited to 16 in fiscal year 2007–2008. The SJO conversion methodology for 2007–2008 is being finalized and will be on the Judicial Council's December meeting agenda. Requires the Governor to report annually demographic data on the gender, race, and ethnicity of all judicial appointments or nominations.

#### **Assembly Bill 227 (Beall) Trial Court Funding: Maintenance-of-Effort Payments**

##### **Status: Awaiting Governor's Action**

Codifies changes to the maintenance-of-effort payments made by counties to the state for trial court funding. Changes are consistent with negotiated buyouts related to undesignated fees and civil fees buyouts.

#### **Assembly Bill 367 (DeLeón) Court-Ordered Debts**

##### **Status: Signed by Governor, Stats. 2007, ch. 132**

Establishes a task force on criminal court–ordered fines and penalties that will make recommendations for simplifying California's criminal fine and penalty assessment, collection, and distribution systems. Reduces the minimum fine required by the Franchise Tax Board Court-Ordered Debt Collection Program from \$250 to \$100 and expands the program to include collections for registration, pedestrian, and bicycle violations. Requires the Judicial Council to develop performance measures and benchmarks to review the effectiveness of collection programs.

#### **Assembly Bill 467 (Feuer) Access to Justice: Fee Waivers**

##### **Status: Awaiting Governor's Action**

Revises the existing statute governing court fee waivers to ensure that indigent litigants have an opportunity to access the courts in a timely manner and to provide for recovery of fees in those cases in which it is appropriate. Requires that waived fees be added to most judgments in favor of a fee waiver recipient. Places a lien on settlement proceeds of \$10,000 or more if the party receiving the settlement obtained a fee waiver. Adds specified public benefit programs to the existing list of conditions that entitle a party to an automatic fee waiver.

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**Assembly Bill 1248 (Evans) Court Operations**

**Status: Awaiting Governor's Action**

Among other things, makes technical and clarifying changes to the Uniform Civil Fees and Standard Fee Schedule Act of 2005 concerning custody and visitation. Makes a technical change to the court records statute. Changes the frequency of a report that the Judicial Council submits to the Legislature concerning custody and visitation. Increases the cap on habeas investigation costs paid by the Supreme Court. Allows staff of the Administrative Office of the Courts to staff a nonprofit organization created by the Judicial Council. Allows the courts to charge the current "night court assessment" for court sessions held on weekends. Allows the courts to collect bail forfeitures in installment payments without requiring the individual to make an appearance in court. Requires the Judicial Council to establish a travel policy for the judicial branch. Also clarifies that documents are to be produced or made available for inspection on the date specified in requests for production or inspection of documents or as agreed to by the parties.

**Assembly Bill 1464 (Benoit) Vehicles: Preclusion of Vehicle Registration and Issuance of Arrest Warrant**

**Status: Awaiting Governor's Action**

Allows the court, after proper notice to the owner/violator, to report a failure to appear on an unsigned citation issued for an owner-responsibility offense to the California Department of Motor Vehicles for a hold to be placed on the registration of the vehicle involved in the offense. To ensure due process rights are protected, requires notice to the owner/violator and allows 21 days for response if the owner/violator was not present when the citation is issued, rather than the usual 10 days.

**Senate Bill 340 (Ackerman) Criminal History Information**

**Status: Awaiting Governor's Action**

Expands the list of individuals entitled to receive criminal history reports from the state Department of Justice by adding court investigators in probate guardianship and conservatorship cases as well as officers performing conservatorship investigations related to proposed conservators under the Lanterman-Petris-Short Act.

**Senate Bill 396 (Ridley-Thomas) Civil Court Filing Fees**

**Status: Awaiting Governor's Action**

Requires the Judicial Council to establish an advisory commission, with specified membership, to review issues concerning civil fees in the courts and make recommendations to the Legislature regarding the levels and distributions of fees and any other changes in the uniform fee structure that may be necessary. Requires the Judicial Council to report to the Legislature on February 1 of every odd-numbered year on issues concerning civil fees in the courts.

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## **Senate Bill 425 (Margett) Calculation of Criminal Penalties**

### **Status: Awaiting Governor's Action**

Abrogates the decision in *People v. Chavez* (2007) 150 Cal.App.4th 1288, which included four rulings regarding criminal penalty assessments that are contrary to the Uniform Bail and Penalty Schedules adopted by the Judicial Council, statewide court case management system programming, and the common understanding of how the criminal fine and penalty structure operates. Clarifies the statutes so the plain language of the statutes would conform to the current understanding and practice of how the fines and penalties are imposed by the courts.

## **Pending Issues**

### **1. Court Facilities**

Two bills were pending in the Legislature on the last day of the session that would have extended the statutory deadline for the transfer of court facilities from counties to the state. The Judicial Council and the California State Association of Counties (CSAC) worked jointly until the close of the legislative session in the early morning hours of September 12 on Senate Bill 145 (Corbett) and Assembly Bill 1491 (Benoit), each of which would have extended the deadline for court facilities transfers. However, neither bill was ultimately approved by the Legislature. There were differences between the Senate and the Assembly over the details of the deadline extension, specifically of when higher county facilities payment (CFP) calculations would begin.

#### **Senate Bill 145 (Corbett)**

##### **Status: Two-Year Bill**

Extends the deadline for the transfer of court facilities from counties to the state from June 30, 2007, to December 31, 2008. Requires counties to pay increased CFPs for facilities that transfer between January 1, 2008, and December 31, 2008. This is an urgency bill, taking effect on signature of the Governor.

#### **Assembly Bill 1491 (Benoit)**

##### **Status: Two-Year Bill**

Extends the deadline for the transfer of court facilities from counties to the state from June 30, 2007, to December 31, 2008. Requires counties to pay increased CFPs for facilities that transfer between July 1, 2008, and December 31, 2008. This is an urgency bill, taking effect on signature of the Governor.

The AOC and CSAC remain committed to securing a statutory extension of the transfer deadline. When the Legislature reconvenes in January, we will work to secure enactment of an urgency bill as quickly as possible, once final agreements are reached with leadership in both houses on the details of the deadline extension.

Meanwhile, the AOC, working closely with courts and counties, will continue to provide the resources necessary to complete the procedural transfer documentation for as many court facilities as possible. These transfers can then be finalized as soon as an urgency bill is enacted. CSAC is also committed to the transfer process and will confer with the counties on the best way to build upon all of the work that has been completed to date. In addition, though the Department of Finance cannot commit to the 30-day review period under SB 1732, they have confirmed that they will continue to review CFPs for approval.

**2. Court Security**

**Status: Open Issue**

We have an urgent need to address the serious public safety risks that face the courts because of insufficient court security. Early in 2007, the Judicial Council and the California State Sheriffs' Association (CSSA) made a joint proposal to the Department of Finance to address the existing deficiencies in court security budgets and the funds necessary to bring courts up to standard. The agreement provides for cost containment, clear standards, and accountability. The Governor proposed an augmentation for court security in his May Revise budget proposal. While there was broad legislative support for the proposal, the final decision from legislative leadership was for the security issue to be addressed in separate legislation that included an appropriation, rather than through the budget process. The sheriffs, the courts, and the Judicial Council, individually and collectively, worked toward passage of a bill. However, the prospects for such a bill became much more difficult following the prolonged budget impasse. When the Legislature returned at the end of August, there was insufficient time for the members and staff to address this issue. The CSSA remains committed to working with us to seek passage of a bill as soon as possible in 2008.

It is critical that we finalize an agreement on court security that will address the current funding deficiencies and bring courts up to standard for court security. The public safety risks posed by insufficient security in our courts are serious and demand immediate attention.

**3. Judges' Retirement System (JRS)**

**Senate Bill 608 (Wiggins) Preretirement Death Benefits**

**Status: Two-Year Bill**

SB 608 would restore an erroneously repealed provision of the Judges' Retirement System law that allows judges who are eligible for a full service retirement to elect to provide optional benefits to their surviving spouses if they die before retirement. In addition, it would honor the preretirement death benefit elections of JRS members that were offered to judges in various communications by the California Public Employees' Retirement System (CalPERS) in 2003 and 2004.

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Representatives of the Administrative Office of the Courts (AOC) and California Judges Association (CJA) met with CalPERS staff early in the year and in follow-up meetings later in the summer. Through the outstanding joint efforts of Tracy Kenny from the AOC's Office of Governmental Affairs and Mike Belote, lobbyist for the CJA, amendments were negotiated with and agreed to by CalPERS and key legislators. The provisions in SB 608 came together late in the legislative session, and, although there was bipartisan support for the changes in both houses, there was not time to have the bill heard in both the Assembly and the Senate. It was heard in the Assembly at the very end of the session and passed with no "no" votes. We intend to move SB 608 as quickly as possible through the Senate when the Legislature reconvenes in January.

### **Other Legislative Actions of Interest**

#### **Assembly Bill 500 (Lieu) Civil Actions: Telephonic Appearances**

##### **Status: Awaiting Governor's Action**

Specifies generally that a party may appear by telephone in all general civil cases at case management conferences, provided the party has made a good faith effort to meet and confer before the conference as required by law and has timely served and filed a case management statement; trial setting conferences; hearings on law and motion, except motions in limine; and other specified conferences and hearings. Provides that a court may require a party to appear in person at any hearing, conference, or proceeding type listed above if the court determines, on a hearing-by-hearing basis, that a personal appearance would materially assist in the determination of the proceedings or in the effective management or resolution of the particular case. Requires the Judicial Council to adopt, by January 1, 2008, implementing rules.

#### **Assembly Bill 758 (Plescia) Vehicles: Traffic Violator Schools**

##### **Status: Awaiting Governor's Action**

Requires the Department of Motor Vehicles, on or before July 1, 2008, to develop and report to the Legislature a comprehensive plan for consolidating the licensing of all traffic violator instruction programs under the authority of the department.

#### **Assembly Bill 1727 (Committee on Judiciary) Conservators and Guardians**

##### **Status: Awaiting Governor's Action**

Among other things, prohibits a conservatorship of the person or of the estate from being granted unless the court makes an express finding that the granting of the conservatorship is the least restrictive alternative needed for the protection of the conservatee. Enhances probate court investigators' access to confidential medical information and requires the Judicial Council to adopt rules for an expedited procedure that would authorize by court order a release of confidential medical information. Establishes specified notice requirements for termination of temporary conservatorships. Requires courts to coordinate investigations with filings of accountings, if feasible, and requires the Judicial Council to develop guidelines for the courts for reviewing accountings and detecting fraud. Creates new requirements for courts when

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guardianships and conservatorships are transferred from other jurisdictions. Contains a number of technical and conforming amendments to the Omnibus Conservatorship and Guardianship Reform Act of 2006.

**Senate Bill 851 (Steinberg) Mental Health Courts**

**Status: Awaiting Governor's Action**

Authorizes superior courts to establish and implement mental health courts, which may operate a pre- or post-guilty plea program or a deferred entry of judgment program. Provides that the Board of Parole Hearings may, as an alternative to ordering a parolee returned to prison, suspend revocation pending the parolee's successful completion of the mental health court program. If a parolee fails to successfully complete the mental health court program, the Board of Parole Hearings may revoke parole, as appropriate.

**Related Issue: Funding Drug Courts and Proposition 36**

Funding for drug court programs was approved for a total of \$30.9 million. This includes \$17.95 million for the Comprehensive Drug Court Implementation Act; \$7.85 million for the Drug Court Partnership Act; and \$5.1 million to fund dependency drug courts. This amount includes full-year funding for expansion of felony drug courts, which were funded only for one-half year in the Fiscal Year 2005-2006 Budget.

Funding for Proposition 36 was reduced from \$120 million to \$100 million, while \$20 million was approved for continuation of the Substance Abuse Offender Treatment Program, which was instituted last year.

**Senate Bill 81 (Committee on Budget and Fiscal Review) Corrections**

**Status: Signed by Governor, Stats. 2007, ch. 175**

**Assembly Bill 191 (Committee on Budget) Juvenile Justice**

**Status: Awaiting Governor's Action**

SB 81 is a budget trailer bill that implements realignment of responsibility for specified juvenile offenders and wards of the Division of Juvenile Facilities (DJF) of the California Department of Corrections and Rehabilitation. AB 191 is clean-up legislation intended to clarify the implementation of SB 81. Together they make the following changes effective September 1, 2007: (1) limit the types of delinquent wards who can be committed to DJF to those whose most recent sustained petition is for an offense that makes them subject to transfer to criminal court or is a sex offense listed in Penal Code section 290(d)(3); (2) shift the reentry jurisdiction for DJF wards who have not committed offenses that would make them eligible for a new DJF commitment to the juvenile court and county probation department that committed the ward to DJF; (3) shift jurisdiction for parole violators whose offense would not make them eligible for a new DJF commitment to the juvenile courts and county probation departments; and (4) provide new authority for juvenile courts, on the recommendation of the chief probation officers, to recall DJF wards whose offenses would make them ineligible for a new commitment. To effectuate

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these changes, SB 81 and AB 191 provide funding to be allocated to counties to serve the wards who will be returned and who can no longer be committed to DJF. In addition, AB 191 states the timing and procedural requirements for the new dispositional hearings that will be required for wards whose jurisdiction will shift from the state to the county.

### **Senate Bill 539 (Margett) Trial Court Trust Fund**

#### **Status: Awaiting Governor's Action**

This bill (1) establishes a tiered interest and penalty structure that reduces the retroactive penalty to the amount that the revenue would have earned had it been receiving the Local Agency Investment Fund rate (an amount closer to 4–6 percent) so long as the court or county remits the revenue within 30 to 45 days, as specified, from the time any underremittance of revenue is discovered; (2) establishes that the higher penalty rate begins 30 days after the date of the issuance by the controller of the final audit report concerning the failure to pay; and (3) requires the entity found in error to make the payment directly to the state (currently the county is required to pay the state and seek reimbursement from the court, if the court is at fault).

### **Senate Bill 431 (Aanestad) Court Employee Retirement**

#### **Status: Awaiting Governor's action**

Requires the Board of Administration of the California Public Employees' Retirement System for the Counties of Butte and Solano to prepare a separate computation of the assets and liabilities of the trial court and each county. Establishes January 1, 2001, as the date for which the court is responsible, as an employer, for the assets and liabilities of its employees.

### **Review of Budget Highlights**

#### **Fiscal Year 2007–2008 Budget: The judicial branch budget enacted in August provided:**

*State Appropriations Limit (SAL) Funding:* For FY 2007–2008, the total funding for the trial courts is increased by \$126.630 million based on the SAL formula adjustment. The discretionary funding provided to trial courts will increase by over 50 percent as compared to last year's allocation. This represents the third year that the trial courts' base budgets have been increased by an adjustment based on the year-to-year change in the state appropriations limit. To date, more than \$370.4 million in SAL funding has been added to the trial courts' base budget.

#### *Funding for New Judgeships:*

- One month of funding for the first 50 new judgeships created last year in Senate Bill 56 (Dunn) was provided in the FY 2006–2007 Budget Act. Full-year funding was provided in FY 2007–2008, in the amount of \$ 35.8 million.

- A total of \$27.8 million (\$24.401 million one-time) in funding was approved for the second set of 50 new judgeships in FY 2007–2008. AB 159 described above is the companion legislation creating these new judgeships.
- The 2007–2008 budget also approved funding for the third set of 50 new judges, which will be pursued in separate legislation in 2008.

*Self-Help Centers—Legal Representation:* A total of \$2.5 million in new funding was approved to implement new self-help programs and to expand existing ones. Note: This funding was approved as a modification of the Governor’s initial Access to Justice—Legal Representation proposal of \$5.0 million. Last year, a total of \$8.7 million was allocated to the courts to support local self-help programs. This included \$3.7 million in SAL funding as well as \$5 million from the Trial Court Improvement Fund.

*Trial Court Security Baseline Funding:* A total of \$632,000 was approved to provide for four new entrance screening stations in courts without them, located in Stanislaus, Del Norte, and Modoc Counties.

As part of the enactment of the budget, the Governor exercised his line-item veto authority as follows:

- The Governor reduced \$17.377 million in funding for the implementation of the Omnibus Conservatorship and Guardianship Reform Act of 2006. The Governor stated: “It is my intention for the judicial branch to delay implementation of the act until the 2008–2009 fiscal year.” (Additional information about implementation will follow in a separate memo.)
- The Governor reduced the budget by \$2,980,000 for one month of savings related to the 50 new trial court judgeships established in 2006–2007. The Governor stated: “Due to the timing of appointments and hiring, one month of the funding for new judgeships will not be necessary in 2007–2008.”
- The Governor deleted budget bill language that would have redirected \$5 million of existing court interpreter funding to the trial courts for the purpose of adjusting or creating pay ranges for court interpreters as well as the redirection of \$250,000 for training and recruitment programs for interpreters.
- The Governor deleted budget bill language that expresses the Legislature’s intent that a \$5 per hour increase for panel attorneys in the appellate courts be funded within existing resources and also deleted budget bill language regarding interpreter pay.

The Legislature approved \$65.091 million from the State Court Facilities Construction Fund to fund subsequent phases of the following ongoing court facilities projects:

*Fresno County—Fresno Sisk Federal Courthouse Renovation:* A total of \$57.857 million was approved, including a reappropriation of funding for the working drawings phase (\$4.468 million) and construction phase funding (\$53.389 million).

*Contra Costa County—New Antioch Area Courthouse:* A total of \$5.192 million was approved for the working drawings phase (\$3.632 million) and a reappropriation of funding for the preliminary plans phase (\$1.560 million).

*Mono County—New Mammoth Lakes Courthouse:* A total of \$1.427 million was approved for the working drawings phase (\$725,000) and a reappropriation of funding for the preliminary plans phase (\$702,000).

*Plumas and Sierra Counties—New Portola/Loyalton Court:* A total of \$615,000 was approved, including funding for the working drawings phase (\$346,000) and a reappropriation for the preliminary plans phase (\$269,000).

The Legislature approved \$25.357 million from the State Court Facilities Construction Fund to fund the acquisition phase of the following eight new courthouse construction projects:

- *San Joaquin County—New Stockton Courthouse* \$6.57 million
- *San Bernardino County—New San Bernardino Courthouse* \$4.774 million
- *Tulare County—New Porterville Courthouse* \$4.426 million
- *Madera County—New Madera Courthouse* \$3.440 million
- *Riverside County—New Riverside Midcounty Region Court* \$3.283 million
- *Lassen County—New Susanville Courthouse* \$1.478 million
- *Calaveras County—New San Andreas Courthouse* \$.845 million
- *San Benito County—New Hollister Courthouse* \$.541 million

*Los Angeles County—New Long Beach Courthouse:* A total of \$5.889 million was approved for the equity buyout, along with budget bill language that authorizes the Judicial Council to enter into a lease-purchase agreement or other appropriate multiyear agreement for the delivery of the new Long Beach courthouse. This project is the construction of 31 courtrooms in Long Beach at an estimated cost of \$300 million and will be a model for future projects.

The budget also includes trailer bill legislation in Senate Bill 82 that provides general authorization to the Judicial Council to use any appropriate delivery method for capital projects

within its authority, including, but not limited to, public-private partnerships, with the goal of reducing overall project costs and leveraging existing valuable real estate assets. This marks an important first step in developing alternative strategies for courthouse construction that leverages private sector expertise.

## **Conclusion**

In 2007, we have made significant progress in achieving key judicial branch goals. Through the budget process, we have received substantial funding increases that support our ongoing efforts to secure stable and predictable funding for the courts and to provide the urgently needed judicial resources to increase meaningful access to justice for all Californians.

The new capital projects described above reflect the tremendous progress on our statewide facilities programs. A solid foundation has been laid for these court facility projects, and the judicial branch will continue its work to secure funding through a bond to further meet the need for courthouse renovations, improvements, and new construction. Our discussions will continue next year to ensure that the court facilities transfer process is quickly put back on track.

We appreciate the strong leadership from court and Bar leaders in the ongoing advocacy efforts in Sacramento. The Bench-Bar Coalition, led by Anthony P. Capozzi and Joel Miliband, once again played an important role in providing information and strong advocacy for key council goals, such as the bill to create the next 50 judgeships.

Many Judicial Council committees are directly involved in the legislative advocacy process, as they review pending legislation throughout the year and provide recommendations in various subject matter areas as to council positions on legislation to the Judicial Council's Policy Coordination and Liaison Committee. This direct input from experts and court leaders enhances the responsiveness and effectiveness of our branch's efforts.

We are particularly appreciative of the consistent leadership and hard work of the Judicial Council's Policy Coordination and Liaison Committee in mapping the legislative program and guiding the work of the AOC's Office of Governmental Affairs. A roster of the committee members is included in Attachment B.

Finally, to the many individual court leaders, thank you for your ongoing interest in legislative and budget issues that directly affect your important work. Together we have shared many successes, and, by collaborating together, we are confident that we will have continued success.

ATTACHMENT A

**Proposed Allocation of 50 New Judgeships in Fiscal Years 2007-08**

<b>County</b>	<b>FY 07-08</b>
Butte	1
Contra Costa	1
Del Norte	1
Fresno	4
Kern	3
Kings	1
Los Angeles	1
Madera	1
Merced	2
Monterey	1
Orange	1
Placer	2
Riverside	7
Sacramento	6
San Bernardino	7
San Joaquin	3
Shasta	1
Solano	1
Sonoma	1
Stanislaus	2
Tulare	2
Yolo	1
<b>Total</b>	<b>50</b>

**JUDICIAL COUNCIL OF CALIFORNIA**  
**Policy Coordination and Liaison Committee**

As of September 15, 2007

**Hon. Marvin R. Baxter, Chair**  
Associate Justice  
California Supreme Court

**Hon. Barbara J. Miller, Vice-Chair**  
Judge  
Superior Court of California, County of Alameda

**Mr. Anthony P. Capozzi**  
Attorney at Law  
Law Offices of Anthony Capozzi

**Mr. Thomas V. Girardi**  
Attorney at Law  
Girardi & Keese

**Hon. Ira R. Kaufman**  
Presiding Judge  
Superior Court of California, County of Plumas

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

**Ms. Barbara J. Parker**  
Chief Assistant City Attorney  
Office of the City Attorney

**Mr. Michael M. Roddy**  
Executive Officer  
Superior Court of California, County of San Diego

## JUDICIAL COUNCIL ADVISORY COMMITTEES

### MEMBERSHIP LIST

Effective November 1, 2007

(new members are in **bold**; reappointed members are in *Italic*)

#### Access & Fairness Advisory Committee

*Staff Contact: Donna Clay-Conti*

*Phone: 415-865-7911*

<i>Hon. James R. Lambden, Chair</i>	<i>Court of Appeal, First Appellate District, Division Two</i>
Hon. Steven K. Austin	Superior Court of California, County of Contra Costa
<i>Hon. Gordon S. Baranco</i>	<i>Superior Court of California, County of Alameda</i>
Mr. Bryan Borys, Ph.D.	Superior Court of California, County of Los Angeles
<i>Professor Todd Brower</i>	<i>Western State University, College of Law</i>
Hon. Manuel J. Covarrubias	Superior Court of California, County of Ventura
<b>Hon. My-Le Jacqueline Duong</b>	<b>Superior Court of California, County of Santa Clara</b>
Hon. Barry P. Goode	Superior Court of California, County of Contra Costa
Hon. Catherine Lyons	Superior Court of California, County of San Francisco
Ms. Sandra McBrayer	The Children's Initiative, San Diego
Ms. Sheila Conlon Mentkowski	State of California, Department of Rehabilitation
Hon. Franz E. Miller	Superior Court of California, County of Orange
<b>Hon. William J. Murray, Jr.</b>	<b>Superior Court of California, County of San Joaquin</b>
<i>Ms. Raquelle Myers</i>	<i>National Indian Justice Center, Sonoma</i>
<i>Mr. Gordon R. "Sam" Overton</i>	<i>Office of the Attorney General</i>
Hon. John M. Pacheco	Superior Court of California, County of San Bernardino
Ms. Elizabeth Rindskopf Parker	University of the Pacific
Ms. Tina L. Rasnow	Superior Court of California, County of Ventura
Hon. Maria P. Rivera	Court of Appeal, First Appellate District, Division Four
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Hon. Zaven Sinanian	Superior Court of California, County of Los Angeles
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Hon. Ira R. Kaufman	Superior Court of California, County of Plumas
Hon. Suzanne N. Kingsbury	Superior Court of California, County of El Dorado
Hon. John D. Kirihara	Superior Court of California, County of Merced
Hon. Roger Kosel	Superior Court of California, County of Siskiyou
Hon. Arthur H. Mann	Superior Court of California, County of Lake
Hon. Cindee F. Mayfield	Superior Court of California, County of Mendocino
Hon. J. William McLafferty	Superior Court of California, County of Santa Barbara
Hon. Douglas V. Mewhinney	Superior Court of California, County of Calaveras
Hon. Stephen L. Mock	Superior Court of California, County of Yolo
Hon. Heather D. Morse*	Superior Court of California, County of Santa Cruz
Hon. Dennis E. Murray	Superior Court of California, County of Tehama
Hon. William W. Pangman*	Superior Court of California, County of Sierra
Hon. Roger T. Picquet*	Superior Court of California, County of San Luis Obispo
Hon. David Edwin Power	Superior Court of California, County of Solano
Hon. David Sargent Richmond	Superior Court of California, County of Amador
Hon. Peter M. Schultz	Superior Court of California, County of Kings
Hon. Russell D. Scott	Superior Court of California, County of Monterey
Hon. Donald E. Shaver	Superior Court of California, County of Stanislaus
<b>Hon. Kenneth K. So</b>	<b>Superior Court of California, County of San Diego</b>

Hon. Dean Stout  
Hon. Francisco P. Tisher  
Hon. Harry J. Tobias  
Hon. Jerold T. Turner  
Hon. F. Dana Walton  
Hon. Colleen Toy White\*  
Hon. James P. Woodward

Superior Court of California, County of Inyo  
Superior Court of California, County of Napa  
Superior Court of California, County of San Benito  
Superior Court of California, County of Kern  
Superior Court of California, County of Mariposa  
Superior Court of California, County of Ventura  
Superior Court of California, County of Trinity



SACRAMENTO  
STATE

CALIFORNIA JUDICIAL ADMINISTRATION FELLOWSHIP PROGRAM



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Updated: October 24, 2007 12:11 PM

Court	Judgeships Authorized by SB 56	Appointments Made 6/22/07	Appointments Made 8/20/07	Appointments Made 10/3/07	Appointments Remaining to be Made
Butte	1				1
Contra Costa	1			1	0
Fresno	4	3			1
Kern	2	2			0
Los Angeles	2		2		0
Madera	2			1	1
Merced	2			1	1
Monterey	1		1		0
Orange	1				1
Placer	1	1			0
Riverside	7	3	2		2
Sacramento	5	4		1	0
San Bernardino	8	5		3	0
San Joaquin	3	2		1	0
Shasta	1		1		0
Solano	1	1			0
Sonoma	2	1			1
Stanislaus	3				3
Tulare	2	1		1	0
Ventura	1				1
<b>TOTAL</b>	<b>50</b>	<b>23</b>	<b>7</b>	<b>8</b>	<b>12</b>

## Breakdown of SB 56 Appointments by Defined Categories -- thru 10/03/07 Appointments

**GENDER**

Men	26
Women	12

**PRIOR EMPLOYMENT CATEGORY**

Deputy District Attorney	13
Deputy Attorney General	1
US Attorney	1
Public Defender	2
Private Practice	9
County Counsel	2
Attorney for State Gov't	1
Court Commissioner**	9

\*\*Note: 3 comm'rs were previous DDAs, 1 PD, 5 from private practice

**TOTAL**                    38