

JUSTICE

In the Name of Justice
REPORT OF THE CALIFORNIA COURTS

JANUARY 1, 2007–JUNE 30, 2008



JUDICIAL COUNCIL
OF CALIFORNIA

In the Name of Justice
REPORT OF THE CALIFORNIA COURTS



January 1, 2007–June 30, 2008



JUDICIAL COUNCIL
OF CALIFORNIA

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In the Name of Justice: Report of the California Courts: January 1, 2007–June 30, 2008, summarizes the achievements of the California judicial branch in the latter half of the 2006–2007 fiscal year and the entire 2007–2008 fiscal year. A companion online publication, the *Court Statistics Report*, provides detailed 10-year statistical caseload and trend data on a wide variety of court business as well as caseload data for each superior court, the Courts of Appeal, and the Supreme Court.

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Revised June 1, 2009

Cover: The historic Napa County Courthouse, completed in 1879, is on the National Register of Historic Places. It is still in use.

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JUDICIAL COUNCIL OF CALIFORNIA

January 1, 2007–June 30, 2008, Report

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Judicial Council of California

MEMBERS, JANUARY 1–DECEMBER 31, 2007

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Chief Justice of California

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Associate Justice of the Supreme Court

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Fourth Appellate District, Division Three*

SUPERIOR COURTS



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County of Los Angeles*



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Hon. Carolyn B. Kuhl
*Judge of the Superior Court of California,
County of Los Angeles*

SUPERIOR COURTS *(continued)*



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Attorney at Law, Fresno



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Attorney at Law, Los Angeles



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*Chief Assistant City Attorney of the
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Mr. William C. Vickrey
Secretary of the Judicial Council

MEMBERS, JANUARY 1–JUNE 30, 2008

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Chief Justice of California

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Associate Justice of the Supreme Court

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Associate Justice of the Court of Appeal, Fourth Appellate District, Division One



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Associate Justice of the Court of Appeal, Fourth Appellate District, Division Three

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Judge of the Superior Court of California, County of Los Angeles



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Judge of the Superior Court of California, County of Santa Clara



Hon. Carolyn B. Kuhl
Judge of the Superior Court of California, County of Los Angeles



Hon. Thomas M. Maddock
Judge of the Superior Court of California, County of Contra Costa

SUPERIOR COURTS *(continued)*



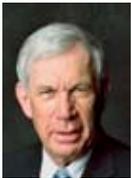
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Ms. Sharol Strickland
*Executive Officer of the Superior Court of
California, County of Butte*

ADMINISTRATIVE DIRECTOR OF THE COURTS



Mr. William C. Vickrey
Secretary of the Judicial Council

JUDICIAL COUNCIL ADVISORY COMMITTEES AND TASK FORCES

ADVISORY COMMITTEES, 2007–2008

Access and Fairness Advisory Committee
 Administrative Presiding Justices Advisory Committee
 Advisory Committee on Civil Jury Instructions
 Advisory Committee on Criminal Jury Instructions
 Appellate Advisory Committee
 Civil and Small Claims Advisory Committee
 Collaborative Justice Courts Advisory Committee
 Court Executives Advisory Committee
 Court Interpreters Advisory Panel
 Court Technology Advisory Committee
 Criminal Law Advisory Committee
 Family and Juvenile Law Advisory Committee
 Governing Committee of the Center for Judicial
 Education and Research (CJER)
 Judicial Service Advisory Committee (ended 2007)
 Probate and Mental Health Advisory Committee
 Traffic Advisory Committee
 Trial Court Presiding Judges Advisory Committee

TASK FORCES, 2007

Appellate Indigent Defense Oversight Advisory
 Committee
 California Blue Ribbon Commission on Children
 in Foster Care
 Court Facilities Transitional Task Force
 Domestic Violence Practice and Procedure Task Force
 Legal Services Trust Fund Commission
 Probate Conservatorship Task Force
 Science and the Law Steering Committee
 Task Force on Judicial Ethics Issues
 Task Force on Self-Represented Litigants

TASK FORCES, 2008

Appellate Indigent Defense Oversight Advisory
 Committee
 California Blue Ribbon Commission on Children
 in Foster Care
 Commission for Impartial Courts Steering Committee
 Task Force on Judicial Campaign Finance
 Task Force on Judicial Candidate Campaign Conduct
 Task Force on Judicial Selection and Retention
 Task Force on Public Information and Education
 Domestic Violence Practice and Procedure Task Force
 Elkins Family Law Task Force
 Emergency Response and Security Task Force
 Legal Services Trust Fund Commission
 Task Force for Criminal Justice Collaboration on Mental
 Health Issues
 Task Force on Self-Represented Litigants

ADMINISTRATIVE OFFICE OF THE COURTS EXECUTIVE MANAGEMENT TEAM, 2007



William C. Vickrey
Administrative Director of the Courts



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General Counsel, Office of the General Counsel



Ronald G. Overholt
Chief Deputy Director



Marcia M. Taylor
Director, Appellate and Trial Court Judicial Services Division



Kim Davis
Director, Office of Court Construction and Management



Karen M. Thorson
Director, Education Division/Center for Judicial Education and Research



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Director, Human Resources Division



Patricia M. Yerian
Director, Information Services Division



Christine M. Hansen
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Director, Office of Governmental Affairs



Sheila Calabro
Regional Administrative Director, Southern Regional Office



Kenneth L. Kann
Director, Executive Office Programs Division



Jody Patel
Regional Administrative Director, Northern/Central Regional Office



Diane Nunn
Director, Center for Families, Children & the Courts



Christine Patton
Regional Administrative Director, Bay Area/Northern Coastal Regional Office

ADMINISTRATIVE OFFICE OF THE COURTS EXECUTIVE MANAGEMENT TEAM, 2008



William C. Vickrey
Administrative Director of the Courts



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Ronald G. Overholt
Chief Deputy Director



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Curtis L. Child
Director, Office of Governmental Affairs



Marcia M. Taylor
Director, Appellate and Trial Court Judicial Services Division



Diane E. Cowdrey
Director, Education Division/Center for Judicial Education and Research



Lee Willoughby
Acting Director, Office of Court Construction and Management



Mark W. Dusman
Director, Information Services Division

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Director, Human Resources Division



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Director, Executive Office Programs Division



Jody Patel
Regional Administrative Director, Northern/Central Regional Office



Stephen Nash
Director, Finance Division



Christine Patton
Regional Administrative Director, Bay Area/Northern Coastal Regional Office



RONALD M. GEORGE



WILLIAM C. VICKREY

MESSAGE FROM THE

CHIEF JUSTICE AND ADMINISTRATIVE DIRECTOR OF THE COURTS

Dear Friends of the Courts:

It is with great pleasure that we present the 2007–2008 Annual Report of the Judicial Council. This report covers the 18-month period from January 2007 to June 2008 as we make the transition from reporting on a calendar-year to a fiscal-year schedule. In addition, much of the report’s content is provided through links to the Internet, allowing for updates and saving the costs of printing and distribution.

The focus on cost savings will certainly continue throughout the current and next fiscal years in every part of the judicial branch, as well as in every part of state and local government and in individual lives. Nevertheless, the judicial branch is committed to continuing its efforts to improve its ability to provide fair and accessible justice for all Californians. As this report demonstrates, those efforts take many forms, and the changes sought may or may not require fiscal resources in order to become reality.

Information related to the implementation of the Trial Court Facilities Act of 2002 has been changing rapidly. As of this writing, 501 of our 532 court facilities have been transferred from county to state ownership, under the management of the judicial branch. At the end of last year’s legislative session, despite the gloomy fiscal picture, the Legislature and the Governor enacted Senate Bill 1407, authorizing a \$5 billion revenue bond that will help fund 41 of the state’s most urgent courthouse construction and renovation projects without any money from the state’s General Fund.

Recommendations for improvements to jury service, better handling of domestic violence matters, increasing diversity in the judiciary, and enhancing media understanding of the judicial branch and its role and operations all are being implemented with minimal expenditures but will have considerable impact. The development of the

California Court Case Management System already has required a substantial investment and will require significant funding in the future, but the investment is an essential one. The system will provide a uniform case management system that not only will improve coordination and information gathering within the branch but also will enhance the administration of justice by ensuring access to current information across the state, greater transparency for the public, and more effective communication with other parts of government. This report details the progress we have made and what remains to be done.

Meanwhile, the Phoenix Financial System, designed to assist courts with the transition to a state funding system, has been installed in 57 out of 58 counties. (Because of its size and complexity, the Los Angeles court is engaging in a two-stage process that will take longer.) Installation of the Phoenix Human Resources System has occurred in several courts; it will be used statewide to assist with payroll and personnel.

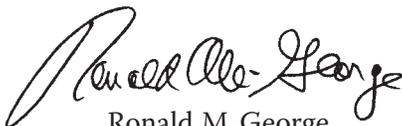
Insufficient judicial positions have continued to put a strain on the administration of justice. We shifted existing funding in order to appoint a team of judges to assist Riverside County in reducing its backlog of criminal cases. This helped alleviate the workload burdens that were forcing the closing of civil courts for lengthy periods.

At the Supreme Court level, concerns about the availability of resources neces-

sary to handle the growing number of death penalty appeals and related habeas corpus matters led to the development of a proposal to permit the court to transfer fully briefed appeals to the Courts of Appeal. The proposal has been put on a back burner while the fiscal climate makes providing the necessary resources to the Courts of Appeal and to appellate counsel unlikely.

The Blue Ribbon Commission on Children in Foster Care and the Probate Conservatorship Task Force each made an impressive list of recommendations for improving their respective areas, and implementation of many of those recommendations already has begun or is in development. The Commission for Impartial Courts was created to study methods to ensure that California courts remain impartial and not subject to improper influence. The commission's final report is expected to be delivered to the council in August 2009.

A host of other accomplishments, studies, plans, and issues are described in the report. These diverse subjects illustrate the enormous vitality of the judicial branch and the creativity and commitment of the judges and staff who are the true wealth of the court system. We invite you to read the report and follow the links to learn more about California's court system and its commitment to serving the public and ensuring that the resources allocated to us are used responsibly—all with the goal of providing meaningful access to impartial justice for all Californians.



Ronald M. George
*Chief Justice of California and
Chair of the Judicial Council*



William C. Vickrey
Administrative Director of the Courts



The 27-member Judicial Council is the policymaking body of the California courts, the largest court system in the nation.

IN REVIEW

*JANUARY 1, 2007–JUNE 30, 2008**

During the past decade, California’s judicial branch has made enormous strides toward asserting itself as a recognized branch of government on equal footing with the legislative and executive branches. With state funding of the trial courts in 1998, unification of the municipal and superior courts into a single-tier trial court system in 2001, and the start of state ownership and management of all trial court facilities in 2002, California’s judiciary has led the nation into the 21st century with drive, innovation, and, above all, service to the public.

The last year and a half was no different as the branch, under the leadership of the Judicial Council, took steps to protect

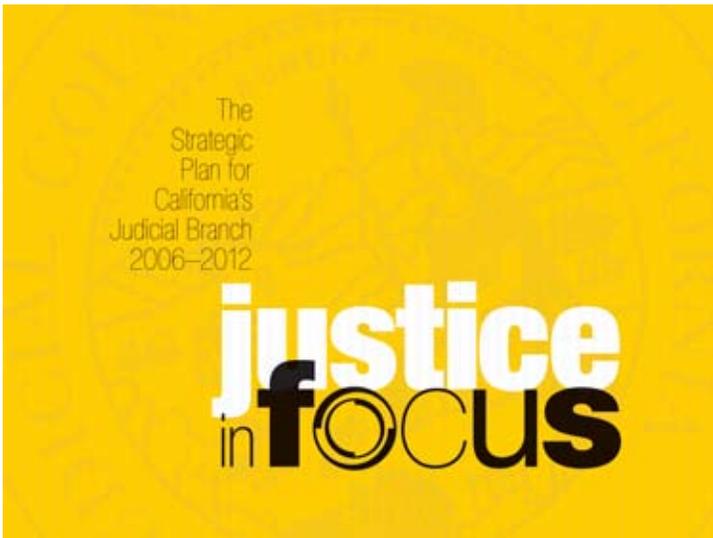
the impartiality of the courts from political attacks; approved minimum education standards for appellate justices and employees of the judicial branch; and expanded computerized systems for managing cases, measuring court performance, accounting for the use of public resources, and sharing information with its partners in the judicial system.

Progress continued despite an ongoing state budget crisis that deepened with a sluggish economy and sagging state revenue. The budget problem came to a head in the summer of 2008 when the Governor imposed a hiring freeze on the executive branch and asked the other two branches to do the same. California’s judiciary—from the Supreme

* As part of a new format, this report covers the period from January 1, 2007, through June 30, 2008, a change from previous reports that covered January 1 to December 31 of each year. Future reports will be based on the fiscal year, which begins on July 1. For current information, see the Update section on page 24.

Court to many of the trial courts—responded by imposing a hiring freeze and by restricting overtime and the use of temporary and contracted personnel. The freeze remained in place until the Legislature agreed on a new state budget in late September.

Through it all the courts took steps to increase protections for people entrusted to the care of court-appointed conservators, recommended major reforms in the handling of domestic violence cases, and developed comprehensive recommendations to improve outcomes for children in foster care and their families.



All these steps were taken in furtherance of *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012*, which outlines the Judicial Council's long-range vision for the judicial branch and specific goals to fulfill that vision and to advance the judiciary as an independent, co-equal branch of state government.

Following is a more detailed summary of the judicial branch's achievements during the period January 1, 2007, through June 30, 2008.

COMMISSION FOR IMPARTIAL COURTS FORMED

In September 2007, Chief Justice Ronald M. George announced the formation of a Commission for Impartial Courts to study and recommend ways to ensure judicial impartiality and accountability for the benefit of Californians. The commission follows up on the work of the 2006 statewide Summit of Judicial Leaders, which was sponsored by the Judicial Council of California in the wake of threats against the independence of state judiciaries across the country. The commission's steering committee, headed by Supreme Court Associate Justice Ming W. Chin, began overseeing and coordinating the work of four task forces that are studying judicial selection and retention, judicial candidate campaign conduct, judicial campaign finance, and public information and education.



Justice Ming W. Chin

The commission held an unprecedented forum in midsummer 2008 to hear from prominent figures throughout the state and across the nation on their recommendations for protecting California's judiciary from politicized elections. Speakers included former Governors Pete Wilson and Gray Davis; Chief Justice Thomas J. Moyer of the Ohio Supreme Court; California Senate President pro Tem Don Perata; Judge Ira Kaufman, president of the California Judges Association; Jeffrey Bleich, president of the State Bar of California; and Professor Kathleen M. Sullivan, former dean of Stanford Law School.



At the Commission for Impartial Courts forum, Jeffrey Bleich, then President of the State Bar of California, spoke while members of the commission's steering committee listened.

The task forces will make recommendations to the commission, which will make its overall recommendations to the Judicial Council in August 2009.

COURTS DEAL WITH THE BUDGET CRISIS

In January 2008, Governor Arnold Schwarzenegger, citing a \$14.5 billion deficit, proposed a 10 percent cut in the state's budget. The Governor's proposal would have meant a \$246 million permanent cut in funding for the state's courts. The state's financial situation worsened by May, when the Governor proposed his revised State Budget and said the deficit had risen to \$17.2 billion.

To deal with the problem and to fully account for their use of taxpayer funds, courts throughout the state quickly and voluntarily instituted their own budget cuts, initiated hiring freezes, and trimmed expenditures wherever possible.

An impasse in approving a new State Budget, which lasted beyond the summer of 2008, put even more pressure on the courts to find innovative ways to meet their responsibilities. In discussions with the state Department of Finance and legislative members and staff, the Administrative Office of the Courts (AOC) presented an alternative proposal that would achieve the 10 percent cuts proposed by the Governor but as one-time reductions rather than as permanent cuts to the judicial branch budget. The Legislature also considered a separate proposal by the Legislative Analyst's Office to suspend state appropriations limit (SAL) funding in the fiscal year, which the Judicial Council strongly opposed.

Throughout the state's budgetary problems, the entire judicial branch ensured accessible, safe, efficient, and effective service to the public.

IMPROVING COMMUNICATION WITH THE MEDIA

Because the media perform a key function in explaining the role of independent courts to the public, in March 2008 Chief Justice Ronald M. George appointed the Judicial Council’s first Bench-Bar-Media Committee to foster understanding and working relationships among



Justice Carlos R. Moreno

California judges, lawyers, and journalists who cover legal issues and the courts. The committee, headed by Supreme Court Associate Justice Carlos R. Moreno, will work toward establishing bench-bar-media committees in all 58 California counties and will eventually discuss such

topics as cameras in the courts and public access to court records.

In September 2007, the Superior Court of Santa Clara County conducted a mock criminal trial to teach journalists more about how the courts operate and to acquaint them with local judges.

CALIFORNIA COURT CASE MANAGEMENT SYSTEM DEVELOPMENT

A fundamental aspect of transforming California’s court system from a loose configuration of 58 county trial court systems into a single, statewide justice system is the ability to unify case management. The Court Case Management System (CCMS) is a statewide technology initiative to bring all California courts together to use one application for all case categories. The project is being managed by the Administrative Office of the Courts, Southern Regional Office, in Burbank, with the participation of the AOC Information Services Division, the Center for Families, Children & the Courts, and other AOC divisions. CCMS provides many efficiencies, such as enabling courts to electronically manage, display, and exchange case information across local jurisdictions. Once CCMS is deployed to all trial courts, anyone will be able to view appropriate case information and file any document on any case from any computer with Internet access at any time.

The system will also improve the judicial branch’s ability to provide accountability to the public and to share information with other agencies. The California Highway Patrol will be able to electronically transfer traffic citations to the court. At the Department of Motor Vehicles, DUI records will be updated upon conviction and noncompliance with court orders will be immediately updated to driving records. The state Department of Justice will receive immediate updates to criminal history records of dispositions and sentences. The

GOAL II

INDEPENDENCE AND ACCOUNTABILITY

The judiciary must maintain its status as an independent, separate, and co-equal branch of government. The independence of judicial decisionmaking will be protected in order to preserve the rule of law and ensure the fair, impartial, and efficient delivery of justice. The judiciary will unify in its advocacy for resources and policies that support and protect independent and impartial judicial decisionmaking in accordance with the constitution and the law. The branch will maintain the highest standards of accountability for its use of public resources, and adherence to its statutory and constitutional mandates.

courts will be able to electronically transfer prison abstracts to correctional institutions.

In the 2006–2007 fiscal year, CCMS version 3 (CCMS-V3) saw progress in the implementation and deployment of existing case categories, including civil, probate, small claims, and mental health. The Superior Court of Sacramento County was the first court to host the application at the California Courts Technology Center (CCTC). Deployment activities are shown in the table below.

SUPERIOR COURT	CASE CATEGORIES DEPLOYED
Sacramento County	Probate
San Diego County	Civil Small claims Probate
Orange County	Civil Small claims
Ventura County	Civil Small claims Probate Mental health
San Joaquin County	Civil Small claims Probate Mental health
Los Angeles County	Small claims

Working toward the aggressive implementation timeline of having all 58 courts deploy CCMS by 2012–2013, the design process for the comprehensive CCMS-V4 product, which includes all case categories, began in June 2007. To best support California courts, CCMS encompasses a wide range of functionality: unified family court management, electronic filing, interfaces with California justice partners, statewide reporting, public access portals, and interpreter and court reporter scheduling. With more than

200 court subject-matter experts participating along with justice partners and AOC staff, this is a case management system being designed by the courts and for the courts.

FINANCIAL AND HUMAN RESOURCES MANAGEMENT SYSTEM IMPLEMENTED

During the past 18 months, the Phoenix Program went into full swing in many of the state’s superior courts. The program is a state-wide technology initiative that provides transition assistance to the courts moving from county stewardship to the judicial branch’s financial and human resources systems as a result of the 1997 legislation authorizing the transfer of trial court funding from the counties to the state. Phoenix comprises two major components: the Phoenix Financial System (formerly CARS) and the Phoenix Human Resources System (formerly CHRIS).

The Phoenix Financial System was implemented in 57 of California’s 58 counties by the end of June 2008. Owing to workload volume and complexity, deployment in the final and largest court—the Superior Court of Los Angeles County—will be in two phases. The first phase of implementation is already under way, and the remaining implementation is scheduled for July 2009. Deployment will continue until all 58 superior courts are fully on the statewide financial management system.

Meanwhile, the Phoenix Human Resources System began to be adopted across the state. Six courts began using the system to process payroll and administer personnel matters, such as benefits, training, performance, and organizational management. Completion is anticipated by the end of fiscal year 2012–2013.

STANISLAUS USES NEW TECHNOLOGY TO TRACK CASE FILES

In 2007, the Superior Court of Stanislaus County launched a new technology for tracking case file folders. Using a radio-frequency identification tag tracking method, the new system has dramatically reduced the number of lost or misplaced files and hours of searching. The court also instituted a biometric security system so court personnel can use a fingerprint rather than a password to access the court’s computer system. The court is now looking toward instituting a paperless system and using document imaging.

COURTHOUSE TRANSFERS PROCEED STEADILY

Courthouses are the cornerstone of any justice system, and this is particularly true in a state as large and populous as California. As part of the Trial Court Facilities Act of 2002 (Sen. Bill 1732 [Escutia]; Stats. 2002, ch. 1082), a record number of court facilities

transferred from county to state governance during the past 18 months, largely as a result of legislation addressing seismic issues. Eventually, all of California’s court facilities will become the responsibility of the state, and the Judicial Council and the AOC Office of Court Construction and Management will oversee their ownership and maintenance.

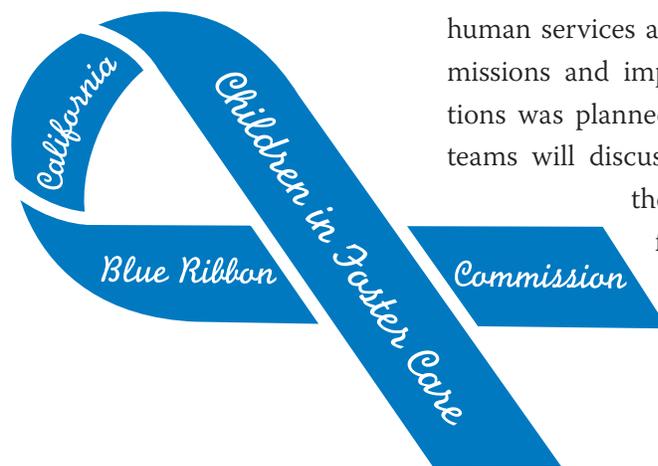
To assist courts in sparsely populated areas of the state, the Judicial Council approved plans in June 2007 for an innovative shared courthouse for the Superior Courts of Plumas and Sierra Counties. The courthouse, in Portola-Loyalton, will provide better access to court services for the public while saving costs for both courts. Across the state, 15 other construction projects are in progress, including plans to replace a badly deteriorated courthouse in Long Beach with a new, seven-story courthouse with 31 courtrooms. This project will employ a novel public-private partnership in which the private partner will construct the new courthouse and the state will lease it for a set term and then assume ownership at the end of the term.



The new courthouse of the Court of Appeal, Fifth Appellate District, in Fresno was ready for use in September 2007.

In September 2007, the Court of Appeal, Fifth Appellate District dedicated its impressive new courthouse. Eight years in the planning, the courthouse features a reflecting pool at the entrance plaza, glass walls, an atrium with a granite waterfall, and cherry wood and Indiana limestone in the courtroom. The energy-efficient building is less expensive to cool than a structure of a similar size. The building won an award from the Western Council of Construction Consumers for excellence in engineering, design, construction quality, innovation, and cost-effectiveness.

As part of a long-range plan to build badly needed court facilities, the Judicial Council sponsored Senate Bill 1407 (Perata; Stats. 2008, ch. 311) to provide \$5 billion in construction bonds for new courthouses throughout the state. The bill provided the authorization—but not the funding—for 41 court facilities. The measure will provide nearly \$300 million annually for construction of the 41 facilities and \$40 million annually for security improvements, life safety and code compliance, and courthouse repairs for which the state is now responsible.



FOSTER CARE REFORMS ADOPTED

Capping a two-year inquiry into the courts' role in foster care, the California Blue Ribbon Commission on Children in Foster Care issued a sweeping set of recommendations in August 2008 to reform the state's juvenile dependency court system and improve outcomes for children in foster care and their families. The commission's recommendations focused on preventing the need for foster care as well as improving the system itself.

The commission, led by Supreme Court Associate Justice Carlos R. Moreno, issued four overarching recommendations, including 79 specific recommendations for change. Overarching recommendations address (1) providing preventive and reunification services to families when children can be safely kept with their families and permanent homes for children who cannot; (2) court reforms; (3) collaboration among courts and partner agencies that work with children and families; and (4) the need for adequate, flexible, and stable funding. The Judicial Council accepted the recommendations and directed the commission to develop an implementation plan. A summit of teams from local courts and human services agencies to form local commissions and implement the recommendations was planned for December 2008. The teams will discuss local implementation of the recommendations and the formation of local commissions to ensure ongoing collaboration.

NEW PROTECTIONS FOR CONSERVATEES ADOPTED

In response to media criticism of court conservatorships, the Probate Conservatorship Task Force in October 2007 recommended new protections for people who have been entrusted to the care of court-appointed conservators. The panel’s 85 recommendations included establishing a conservatee advocate program; processes for detecting fraud committed by professional conservators; minimum visitation rules; a required care plan; appointment of counsel for conservatees in all cases; and training of judges, court staff, and attorneys. The Judicial Council approved the report and ordered steps to implement the recommendations.

DOMESTIC VIOLENCE IMPROVEMENTS APPROVED

In February 2008, the Domestic Violence Practice and Procedure Task Force, chaired by Justice Laurence Donald Kay (Ret.), recommended major reforms in the administration of domestic violence cases in the state’s trial courts. The recommendations urged local adoption of suggested guidelines and practices to develop court leadership in these cases, streamline restraining orders, delineate a process for restrained persons to relinquish firearms, and improve criminal procedure. The recommendations focus as well on encouraging collaboration among the courts and justice system partners and improving judicial education on domestic violence.

The Judicial Council accepted the recommendations in February 2008 and directed the task force to develop plans for implementing its recommended guidelines and practices by June 2009.

COURT INTERPRETERS PROGRAM UPDATED

Access to the courts means access to all Californians, including those for whom English is not their primary language. The period January 2007–June 2008 saw several major developments in the statewide testing and recruitment of court interpreters for California’s courts.

STUDY OF INTERPRETER TESTING PROGRAM

A major study of the testing program for the certification and registration of court interpreters was undertaken in 2007. ALTA Language Services, Inc., was hired to perform the study, which resulted in significant recommendations to strengthen the testing program. After review and comment by the public and recommendation by the council’s Court Interpreters Advisory Panel (CIAP), the Judicial Council adopted many of ALTA’s recommendations. These included (1) the identification of 32 essential knowledge, skills, and abilities required to perform the job of court interpreting, which will form the basis for future test development; and (2) adoption of an oral proficiency screening exam to assess essential bilingual skills as a part of the testing program for both designated and nondesignated languages. The screener will particularly strengthen the testing program for the registration of interpreters in nondesignated languages, who have previously been tested in English only.

TRANSITION PLAN FOR INTERPRETERS OF FOUR NEWLY CERTIFIED LANGUAGES

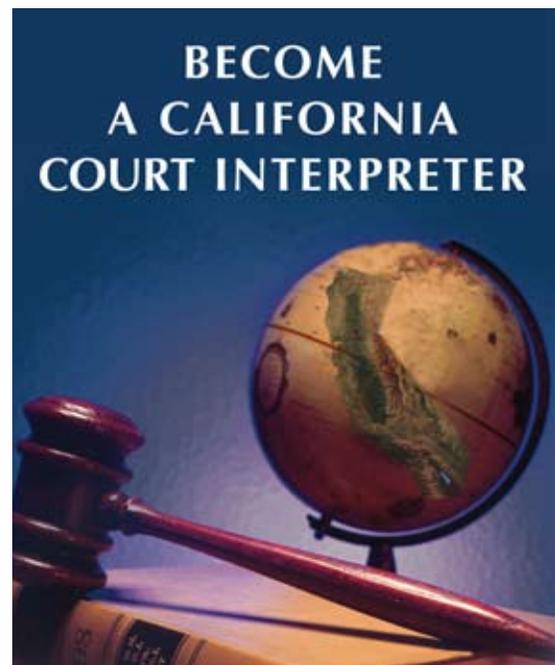
The council also adopted a plan developed by CIAP for the final transition, by February 1, 2010, of court interpreters of Eastern and Western Armenian, Mandarin, and Russian from registered status to the more rigorous certified status. This change was due to the designation of those languages following the *2000 Language Need and Interpreter Use Study*. Interpreters unable to pass the certification exam by February 1, 2010, after participation in mandatory training and testing, will convert to noncertified status.

RECRUITMENT CAMPAIGN

“Discover a career that puts your second language—first” has been the theme of the 2007–2008 court interpreter recruitment campaign developed and implemented by marketing contractor Runyon, Saltzman & Einhorn, Inc. The campaign included (1) distribution of a comprehensive interpreter recruitment toolkit for court human resources staff; (2) numerous feature articles in targeted ethnic media; (3) foreign-language radio and TV public service announcements in several languages where interpreters are particularly needed; (4) sponsorships and recruitment activities at targeted community outreach events and professional conferences; and (5) the development of special recruitment messages, materials, and outreach to the American Sign Language/deaf community.

CHANGE IN TEST ADMINISTRATOR

After 14 years of test administration contracts with Cooperative Personnel Services, a new test administrator, Thomson Prometric, Inc., was hired as of January 2007. (In late 2007, after a corporate transition, the contractor became Prometric, Inc.) Prometric has continued to administer the council’s existing certification and registration examinations for court interpreters.



GOAL IV

QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC

The judicial branch will deliver the highest quality of justice and service to the public. In order to remain responsive to the varying needs of diverse court users, the judicial branch will work with branch constituencies to better ascertain court user needs and priorities. The branch will also employ community outreach to provide information about the judicial branch to the public, and effect programs and strategies to ensure that court procedures and processes are fair and understandable.

STRIVING TO INCREASE JUDICIAL DIVERSITY

Increasing the diversity of California’s judicial officers to reflect the rich diversity of California’s populace continues to be an important goal of the Judicial Council of California. As part of that effort, the AOC released reports in March 2007 and February 2008 that contain aggregate demographic data on the ethnicity and gender of California judges and justices. The reports comply with Government Code section 12011.5(n), as amended by Senate Bill 56 (Dunn; Stats. 2006, ch. 390) and by Assembly Bill 159 (Jones; Stats. 2007, ch. 722), which requires the AOC to collect and release aggregate demographic data on the ethnicity, race, and gender of judges and justices by specific jurisdiction, on or before March 1 of each year.

The AOC has also supported revisions to the judicial appointment application form to encourage the State Bar’s Commission on Judicial Nominees Evaluation to evaluate

judicial applicants with broader, more diverse backgrounds and legal experience. The Judicial Council has also worked, through its liaisons, with the State Bar of California’s Council on Access and Fairness to develop programs and strategies that create a diversity pipeline to the legal profession and the judiciary from kindergarten through law school.

Meanwhile, in January 2007, the Superior Court of Los Angeles County conducted a judicial diversity summit featuring former Governor Gray Davis to discuss ways of increasing the diversity of the racial and ethnic composition of the bench, from judges to court commissioners. Other participants among the 230 attendees included law school deans, former judicial appointment secretaries, and bar association representatives.

The Judicial Council will also be considering amendments to the rules of court that govern selection of temporary judges. These rules are intended to increase the diversity of the pool of applicants from which temporary judges are selected or appointed.



The judicial officers who participated in the New Judge Orientation Program on April 28–May 2, 2008, were a diverse group. Back (left to right): Hon. Katherine A. Bacal, Hon. Dennis W. Carroll, Hon. Roy G. Delgado, Hon. Kathleen O. Diesman, Hon. Ronald M. George, Mr. William C. Vickrey, Hon. Joseph James Gianquinto, Ms. Hoa Glassey, Hon. Boydine Andrea Hall, and Hon. Miriam Ivy Morton. Front (left to right): Hon. Terry Thanh Truong, Hon. Anthony R. Villalobos, and Hon. Tamara Lucille Wagner.

ACCESS AND FAIRNESS IN LAW SCHOOLS

In February 2008 the Judicial Council accepted a report titled *Access and Fairness in California Law Schools*. The report was the result of a collaborative, three-year effort by the Judicial Council’s Access and Fairness Advisory Committee and the State Bar of California’s Office of Legal Services, Access and Fairness Programs, to determine how California law schools’ curricula and environments address issues of access and fairness. The report issued specific recommendations directed to law school deans and faculty and to the Committee of Bar Examiners. The Committee of Bar Examiners received the report at its August 2008 meeting. The assembly of law school deans will receive the report in 2009.



A JusticeCorps volunteer (left) in the San Francisco Bay Area program helps a client fill out a court form.

JUSTICECORPS PROGRAM EXPANDS



In October 2007, the JusticeCorps program expanded from Los Angeles and the San Francisco Bay Area to San Diego. The courts use trained college students to provide invaluable assistance to self-represented litigants and improve access to justice. Students who complete the 300 hours of service receive \$1,000 toward their college educations.

CELEBRATING JURY SERVICE

The willingness of citizens to serve as jurors is absolutely essential in America’s system of justice. Accordingly, in May 2007 and 2008, courts throughout the state celebrated Juror Appreciation Week to recognize jurors for their vital role in the justice system and to show appreciation for their service.

In 2007, the AOC joined in the state-wide celebration by distributing DVD copies of *Courts Illustrated*, a new one-hour video news-magazine designed to be viewed in the waiting areas of court buildings. The video seeks to engage court users and members of the public who have answered the call to jury service and to educate them about the branch.

In 2008, the AOC provided all superior courts with banners, magnets, buttons, and certificates of appreciation to help them celebrate this special week. Many local courts distributed magnets, pens, and bookmarks, while the Superior Court of Los Angeles County used delivery vans as rolling billboards in 2007 to educate people driving on highways and roads about the importance of jury service.

And, after years of effort, including lobbying by California, the U.S. Postal Service



issued its first jury duty stamp. The unveiling ceremony in New York City featured actor Richard Thomas and fashion model Paulina Porizkova, both of whom emphasized the importance of jury service.

Trial courts have also begun implementing rule 10.625 of the California Rules of Court, which requires them to collect, maintain, and make available to the public certain demographic information regarding the civil grand juries that are seated annually. The information to be collected and maintained includes race, ethnicity, gender, and age demographics of prospective and seated grand jurors. Some courts are using their Web sites to provide information about grand jury service, encourage participation from all persons who are eligible to participate, and release their demographic data. This statewide effort is intended to assist the courts in seating civil grand juries that are more demographically representative of the populations that the juries serve and to promote public trust and confidence in the courts.

CHIEF JUSTICE COMES TO AID OF THE SUPERIOR COURT OF RIVERSIDE COUNTY

In June 2007, Chief Justice Ronald M. George, Presiding Judge Richard T. Fields, and Riverside County District Attorney Rod Pacheco jointly announced steps to assist the Superior Court of Riverside County in easing its heavy backlog of criminal cases, which had resulted in a near-total shutdown of civil trials. The Chief Justice established a “Strike Force” team of 12 full-time-equivalent judges with the assignment to serve in the Superior Court of Riverside County and to concentrate their efforts on eliminating the court’s criminal case backlog.

Beginning with the first trials on August 14, 2007, and ending June 25, 2008, the Strike Force judges heard a total of 125 trials of cases that had been on the original list of the 127 oldest cases, along with other felonies and misdemeanors trailing those cases. The Strike Force judges were able to provide valuable assistance to the court by hearing non–Strike Force cases when time permitted. They heard 83 trials from the master calendar, 295 preliminary hearings, 199 pleas, and various motions and other matters. Overall, the Strike

Force heard a total of 805 matters, which included cases from the Strike Force master calendar and the Riverside Hall of Justice master calendar and preliminary hearing calendars.

GOAL I

ACCESS, FAIRNESS, AND DIVERSITY

California’s courts will treat everyone in a fair and just manner. All persons will have equal access to the courts and court proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users from diverse cultural backgrounds. The makeup of California’s judicial branch will reflect the diversity of the state’s residents.

COURT PROPOSES TRANSFERRING CAPITAL APPEALS

The total of 208 Strike Force and non-Strike Force trials resulted in 156 verdicts, 24 mistrials, and 28 pleas. When the Strike Force began, the oldest case on calendar was from 1994. As the Strike Force concluded its work, the oldest case on calendar was from 2004. Ten years of backlogged cases were eliminated.

The Riverside Case Backlog Reduction Task Force, headed by Associate Justice Richard D. Huffman of the Court of Appeal, Fourth Appellate District, and including all Riverside County justice system partners, devised an improved criminal caseflow management process to alleviate the underlying problems that produced the court’s backlog. A new calendar management structure was implemented with the goals of a reduction in the number of continuances and hearings in each case, early case settlement, and firm trial dates.

In January 2008, Chief Justice Ronald M. George testified before the Commission on the Fair Administration of Justice on a proposal by the California Supreme Court to amend the state Constitution to permit the transfer of most capital appeals from the state high court to the Courts of Appeal. Because most capital appeals involve the application of settled law to specific facts, the transfers would help eliminate delays in deciding such cases and allow the high court to do its other important work, George testified. The court would continue to retain cases involving important issues of law or to ensure uniformity in the application of the law.

The proposal did not progress during the most recent legislative session but will remain a part of the court’s and the Judicial Council’s agenda in future sessions.



Many judges and AOC staff contributed to the efforts of the Riverside Strike Force. Back (left to right): Mr. William C. Vickrey, Mr. Brad Campbell, Mr. Scott Burritt, Ms. Marcia M. Taylor, Hon. Erik M. Kaiser (Ret.), Hon. James L. Quaschnick (Ret.), Hon. Richard E. Spann (Ret.), Hon. Rudolph (Barry) Loncke (Ret.), Hon. William A. McKinstry (Ret.), Hon. J. Michael Beecher (Ret.), Ms. Sheila Calabro, Hon. John Stephen Graham (Ret.), Mr. Ronald G. Overholt, Hon. Edward (Ned) F. Lee, Hon. Vernon K. Nakahara, Hon. Mark R. Forcum, Hon. David F. De Alba, Hon. Michael E. Barton, Hon. Charles F. Haines, Hon. Teri L. Jackson, Hon. John V. (Richard) Stroud (Ret.), and Mr. John Greacen.

Front (left to right): Hon. David E. Power, Hon. Charles W. Hayden, Hon. Gregg L. Prickett, Hon. Richard D. Huffman, Hon. Ronald M. George, Hon. J. Richard Couzens, Hon. Eddie C. Sturgeon, and Hon. Thomas C. Hasting (Ret.).

CIVIL DISCOVERY IMPROVEMENTS MADE

Recognizing the importance of electronic discovery, in April 2008 the Judicial Council voted to sponsor legislation that would modernize California's civil discovery law by improving the procedures for handling the discovery of electronically stored information in California civil cases. Under the proposed legislation, California's Civil Discovery Act would have been amended to expressly authorize the discovery of electronically stored information. In addition, the new provisions would have permitted parties to specify the form in which electronically stored information is to be produced and provide parties and the court with a structure for addressing issues concerning the accessibility of such information.

The Judicial Council co-sponsored the legislation with the Consumer Attorneys of California and California Defense Counsel. Assembly Member Noreen Evans agreed to author the legislation as Assembly Bill 926. The measure passed the state Assembly and the state Senate but was vetoed by the Governor for nonsubstantive reasons. The measure will be reintroduced during the 2009–2010 Legislative Session.

NEW APPELLATE DIVISION RULES OF COURT AND FORMS

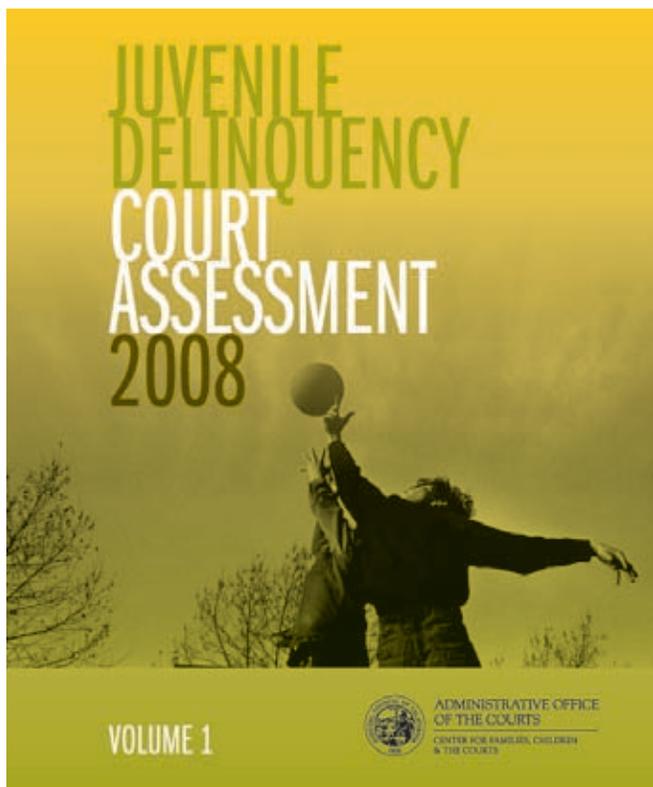
In February 2008, the Judicial Council approved a complete revision of the rules and a new set of forms for the superior court appellate divisions, which handle appeals and writ proceedings in limited civil, misdemeanor, and infraction cases. The existing rules of court for the appellate divisions had not been comprehensively reviewed and updated since their adoption in 1945, and many were outdated and difficult to understand.

The new rules are written and organized so that they are clearer and will be easier for litigants to understand and use. The new appellate division forms, including new information sheets, are designed to assist appellate division litigants, particularly self-represented litigants, through some of the basic steps in the appellate process, such as preparing a notice of appeal and designating the record on appeal.

The adoption of these new appellate division rules and forms is part of a larger judicial branch effort to make the California Rules of Court, Judicial Council forms, and other information about the law in California clearer and more accessible.

JUVENILE DELINQUENCY COURTS STUDIED

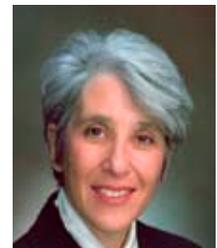
In April 2008, the Judicial Council accepted a two-year study that urges major reforms in the state’s juvenile delinquency courts to improve the administration of justice and the lives of youth, victims, and other community members affected by juvenile crime. The *Juvenile Delinquency Court Assessment 2008* found that workloads are too high for judicial officers and other professionals, particularly for probation officers and defense attorneys, contributing to delays and rushed calendars, which in turn reduce public satisfaction with the court process. The survey also found that more high quality, affordable, and appropriate services are needed for youth, especially drug rehabilitation, mental health, and services for females, and that for youthful offenders, parents, victims, and witnesses, court proceedings are often too difficult to follow and understand.



In response to the findings, the Judicial Council’s Family and Juvenile Law Advisory Committee made a series of 58 recommendations for improving case-level performance, the comprehensibility of hearings, youth services and sanctions, court management, and the professionalism of judges, staff, and attorneys.

TASK FORCE APPOINTED TO STUDY FAMILY LAW PROCEEDINGS

In May 2008, the Elkins Family Law Task Force was appointed to find ways to improve efficiency and fairness in family law proceedings. Headed by Associate Justice Laurie D. Zelon of the Court of Appeal, Second Appellate District, Division Seven (Los Angeles), the task force conducted a comprehensive review of family law proceedings and recommended changes to increase access to justice, ensure due process, and provide for more effective and consistent rules, policies, and procedures.



Justice
Laurie D. Zelon

The task force was appointed in response to a California Supreme Court opinion, *Elkins v. Superior Court* (2007) 41 Cal.4th 1337. Authored by Chief Justice Ronald M. George, the unanimous opinion held that marital dissolution trials should proceed under the same general rules of procedure that govern other civil trials.

TASK FORCE FOR COLLABORATION ON MENTAL HEALTH ISSUES APPOINTED

In July 2007, the Task Force for Criminal Justice Collaboration on Mental Health Issues was appointed to explore the criminal justice system’s response to mentally ill offenders, with funding to support the task force provided by the Council of State Governments. Associate Justice Brad R. Hill of the Court of Appeal, Fifth Appellate District (Fresno), was appointed chair. The task force focuses on improving practices and procedures in cases involving adult and juvenile mentally ill offenders, ensuring the fair and expeditious administration of justice, and promoting improved access to treatment for litigants in the criminal justice system. The task force is charged with developing recommendations to policymakers, including the Judicial Council and its advisory committees, to improve state and local criminal justice and mental health system responses to mentally ill offenders and to develop an action plan to implement the recommendations.

Task force membership includes judges and representatives from the California Senate and Assembly and the California Departments of Corrections and Rehabilitation, Mental Health, and Alcohol and Drug Programs. Other members appointed to the task force include representatives from the California State Association of Counties, the National Alliance on Mental Illness, the California Mental Health Directors Association, and mental health system client and advocacy groups, as well as criminal justice partners, such as probation and law enforcement.

JUDICIAL WORKLOAD ASSESSMENT UPDATED

California’s trial courts urgently need new judgeships to make up for historic underfunding of the courts and growing caseloads. To ensure that courts with the greatest need are given priority, the Judicial Council in February 2007 approved an update to its 2004 judicial workload assessment to determine which courts receive 100 new judgeships that the council would be seeking for the next two years. The updated judicial workload study uses the latest case filings data to measure the number of judicial officers that each court needs to effectively serve the public. The study also estimates the number of subordinate judicial officers that

each court should have. During the legislative session that concluded in 2008, the Governor and Legislature approved 50 new judgeships that will be allocated to courts with the greatest need for new judicial officers.

GOAL III

MODERNIZATION OF MANAGEMENT AND ADMINISTRATION

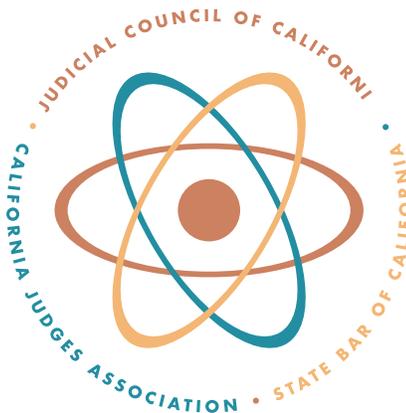
Justice will be administered by a highly qualified judicial and executive leadership team in a fair, timely, efficient, and effective manner by using modern management practices that implement and sustain innovative ideas and effective practices.

SECOND BENCH BAR BIENNIAL CONFERENCE HELD

To improve the exchange of ideas among all segments of California’s judicial system, in September 2007, the Judicial Council, State Bar of California, and California Judges Association joined in the second Bench Bar Biennial Conference, in Anaheim. With the theme of collaboration, the attendees focused on providing procedural fairness to litigants, giving them a full opportunity to be heard and showing that their case was handled fairly, regardless of whether they won or lost their case. A knowledge fair gave attendees an opportunity to learn what other courts are doing and information about the resources available to them.

MINIMUM EDUCATION PROGRAM EXPANDED

In August 2007, the Judicial Council approved minimum education requirements for justices, clerk/administrators, managing attorneys, supervisors, and staff of the California Supreme Court and the state Courts of Appeal. In a related action, the 29-member council approved similar minimum education requirements for management staff and other employees of the Administrative Office of the Courts. It was the first time that comprehensive education requirements were adopted for the state appellate courts and the AOC, and it followed the 2006 adoption of education rules for the state trial courts.



CALIFORNIA
BENCH BAR
BIENNIAL
CONFERENCE

SEPTEMBER
26-30, 2007
ANAHEIM



The AOC’s Education Division/Center for Judicial Education and Research (CJER) offers a variety of courses and institutes for judges, justices, court staff, and AOC employees.

GOAL V

EDUCATION FOR BRANCHWIDE PROFESSIONAL EXCELLENCE

High-quality education and professional development will be provided to enhance the ability of all individuals serving in the judicial branch to achieve high standards of professionalism, ethics, and performance. Judicial branch personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the courts.

SUPPORT FOR THE INFORMATION TECHNOLOGY INFRASTRUCTURE

The AOC’s Information Services Division implemented programs in 2007 and 2008 to develop and support the information technology infrastructure for the California courts, including the 58 superior courts, Courts of Appeal, and Supreme Court. These include the California Courts Technology Center—Shared Services, Enterprise Architecture, Telecommunications Services, and the Data Integration Program and Integration Services Backbone. These programs are vital to the implementation of the California Court Case Management System, Phoenix Financial and Human Resources Systems, and Computer-Aided Facilities Management program.

TELECOMMUNICATIONS SERVICES

Telecommunications Services in the AOC’s Information Services Division establishes and supports a network permitting electronic communications among the AOC, the AOC’s regional offices, the appellate courts, the California Courts Technology Center, the superior courts, state and local justice partners, and the public. Telecommunications infrastructure upgrades provide courts with new circuits, cable/fiber, switches, and routers that effectively support secure access to the CCTC and the many business applications in use today as well as local initiatives such as Internet Protocol-based telephony systems, videoconferencing, and new physical security monitoring systems. As court upgrades are completed, third-party network security monitoring is put into place to help secure court data.

As of September 2007, 50 superior courts in California completed telecommunications upgrades and established round-the-clock security monitoring of their networks, and 39 courts replaced network equipment as part of the Local Area Network/Wide Area Network (LAN/WAN) “refresh” program. Seven courts received wireless networking to support public Internet access in jury assembly rooms. Additionally, wireless networking provides wireless access points throughout the courthouse to support ad hoc service centers needed for peak work times and roaming access for court staff to use network capabilities throughout court facilities. Wireless implementation has begun on 8 additional courts.

CALIFORNIA COURTS TECHNOLOGY CENTER—SHARED SERVICES

In 2007–2008, the AOC successfully completed a project to transition from Siemens IT Solutions to Science Applications International Corporation (SAIC) as its provider of services for the California Courts Technology Center. The technology center provides round-the-clock application and Internet infrastructure management to the superior and appellate courts for a range of management systems and applications. These include the statewide court financial system, the appellate court case management system, and the statewide facilities management system.

Extensive planning took into account the need to rapidly deploy the new shared services center while minimizing the impact on court operations during the transition. The new shared services center will support the growing business and technical needs of the branch as the Court Case Management System and other new branch systems are deployed.

DATA INTEGRATION PROGRAM AND INTEGRATION SERVICES BACKBONE

In 2002, the AOC established the Data Integration Program to work with the trial courts to develop a statewide approach to data sharing between trial courts and their justice partners. Today, the program has expanded from its original charter and is organized into many different components, including the development of data exchange standards, the Integration Services Backbone, statewide e-filing services, state partner integrations, and the Justice Partner Data Integration Program.

The Data Integration Program will continue to focus its efforts on deploying the exchange standards and integration tools statewide. Through these efforts, courts will be prepared to establish information exchanges with their justice partners as they transition from their legacy information systems to the CCMS. As the Phoenix Human Resources System continues to be deployed in the courts,

data exchange standards will be developed to exchange information with benefit providers and retirement systems. The Data Integration Program will also continue its statewide efforts to create greater uniformity of e-filing services across the trial and appellate courts of California and to establish a statewide, state-level program for e-filing that manages standards, vendor relations, policies, and procedures around e-filing and related support services.

The Integration Services Backbone is a combination of tools and services that allows courts to securely transmit and receive case information related to public safety and welfare. It is used to provide standardized interfaces based on data exchange standards across all justice partners and service providers, minimizing the need for custom solutions for each court.

GOAL VI

BRANCHWIDE INFRASTRUCTURE FOR SERVICE EXCELLENCE

The judicial branch will enhance the quality of justice by providing an administrative, technological, and physical infrastructure that supports and meets the needs of the public, the branch, and its justice system and community partners, and that ensures business continuity.

AWARDS

In August 2007, the American Bar Association Justice Center selected Chief Justice Ronald M. George as the recipient of the 2007 John Marshall Award. This award is named in honor of John Marshall, the fourth Chief Justice of the United States, who is credited with establishing the independence of the judiciary and enhancing its moral authority. The award recognizes those dedicated to the improvement of the administration of justice.

Justice Kathleen E. O’Leary of the Court of Appeal, Fourth Appellate District, Division Three (Santa Ana), was named in August 2007



Justice Kathleen E. O’Leary

the recipient of the 2007 Benjamin Aranda III Access to Justice Award. The California Commission on Access to Justice co-sponsors the Aranda Award with the Judicial Council, State Bar, and California Judges Association. Named for the founding chair of the Judicial Council’s Access and Fairness Advisory Committee,

the award honors a trial judge or an appellate justice whose activities demonstrate a long-term commitment to improving access to justice.

In September 2007, the Judicial Council named the recipients of its 2006–2007 Distinguished Service Awards for extraordinary



U.S. Supreme Court Associate Justice Sandra Day O’Connor

leadership and significant contributions to the administration of justice in California. The recipient of the Bernard E. Witkin Amicus Curiae Award was retired U.S. Supreme Court Associate Justice Sandra Day O’Connor for her leadership in preserving the independence of the judiciary. The Jurist of

the Year Award went to Presiding Justice Norman L. Epstein, Court of Appeal, Second Appellate District, Division Four (Los Angeles), for his contributions to judicial education, extraordinary knowledge of the law, and leadership and collegiality within the courts he has served. The Judicial Administration Award went to Ken Torre, executive officer of the Superior Court of Contra Costa County, for his contributions to the state jury system, improved technology in the trial courts, and support for continuing education for court administrators.



Presiding Justice Norman L. Epstein



Mr. Ken Torre

Nine California court programs were honored as recipients of the 2006–2007 Ralph N. Kleps Award for Improvement in the Administration of the Courts, an biennial awards program recognizing innovation in the state’s courts. The winners ranged from the Superior Court of Napa County’s Help Court and Community Referral System, a comprehensive, easy-to-use, public access database of community services that enables the court to expeditiously refer families and individuals to those services, to the Superior Court of Los Angeles County’s JusticeCorps program, a collaborative effort by the court, local colleges, and legal aid organizations to recruit and train 100 students to perform a year of community service by assisting self-represented litigants throughout the legal process in unlawful detainer, family law, and small claims cases.

In April 2008, the National Center for State Courts honored the Judicial Council of California’s Task Force on Jury Instructions as the recipient of the first G. Thomas Munster-

man Award for Jury Innovation. Appointed by Chief Justice George in 1998, the task force was charged with drafting legally accurate jury instructions in plain English. The goal was to make jurors' experiences more rewarding and meaningful by offering an alternative to the often confusing legal terminology that had been used in trial courts for more than 70 years. The former co-chairs of the task force—Supreme Court Associate Justice Carol A. Corrigan and Justice James D. Ward (Ret.), Court of Appeal, Fourth Appellate District, Division Two (Riverside)—accepted the award on behalf of Chief Justice Ronald M. George, chair of the Judicial Council.

In June 2008, the Legal Aid Association of California presented its Access to Justice Commission Joint Court-Based Award to Bonnie Rose Hough of the AOC Center for Families, Children & the Courts. Hough, a managing attorney with the center, was recommended by more than 30 colleagues and peers for her long-term commitment to increasing access and delivery of legal services for the poor and for self-represented litigants. Her work in developing, enhancing, and increasing access to legal services has been so effective and innovative that many states throughout the nation have adopted similar strategies and programs.



Representatives of the Superior Court of Monterey County accept a 2006–2007 Ralph N. Kleps Award for the Justice Partner Access Web Site. Left to right: Hon. Ronald B. Robie, Kleps Award Committee chair; Mr. William C. Vickrey, Ms. Lisa Galdos, Hon. Adrienne M. Grover, Hon. Russell Scott, Mr. Paras Gupta, Hon. Ronald M. George, Mr. Darvin Monkemeier, Ms. Rosalinda Chavez, Ms. Christine M. Ace, and Ms. Minnie Monarque.

UPDATE

This report covers the period from January 1, 2007, through June 30, 2008, a change from previous reports that covered January 1 to December 31 of each year. To obtain the latest information on various projects, visit the Web sites below.

In September 2008, Senate Bill 1407 authorized the single largest court construction project in California's history. In February 2009, Senate Bill X2 12 (Steinberg; Stats. 2009, ch. 10) provided for continuous appropriation of funds for construction of 41 facilities. See www.courtinfo.ca.gov/presscenter/newsreleases/NR03-09.PDF.

In January 2009, the Judicial Council announced that it had completed courthouse transfer agreements for 466 facilities. See www.courtinfo.ca.gov/programs/occm/documents/transfers_to_date.pdf.

In April 2009, the Commission for Impartial Courts requested public comment on a draft of its final report, which contains a comprehensive set of recommendations designed to ensure the impartiality and accountability of California courts. See www.courtinfo.ca.gov/jc/tflists/commimpart.htm.

For the latest on the California Court Case Management system, see www.courtinfo.ca.gov/programs/innovations/courtadmin-3.htm.

For the latest on the status of the Phoenix Program, see www.courtinfo.ca.gov/programs/innovations/infra-3.htm.

In December 2008, the Judicial Council approved, in concept, legislation to implement the recommendations of the California Blue Ribbon Commission on Foster Care as part of its legislative priorities for 2009. See www.courtinfo.ca.gov/jc/tflists/bluerib.htm.

The Judicial Council approved steps to implement the recommendations of the Probate Conservatorship Task Force in December 2008. See www.courtinfo.ca.gov/jc/tflists/probcons.htm.

For the latest report on demographic data relating to the race, ethnicity, and gender of California's justices and judges, see www.courtinfo.ca.gov/reference/4_38sb56.htm.



Chief Justice Ronald M. George arrives for the State of the Judiciary address to the Legislature, March 25, 2008.

JUDICIAL BRANCH RESOURCES

On August 24, 2007, the Governor signed the Budget Act of 2007. Overall, this represented a very positive budget for the judicial branch that marked another key step forward in ensuring stable and predictable funding through the application of the state appropriations limit (SAL) adjustment to the trial courts. In addition to fully funding the SAL allocation, this budget increased the discretionary funding provided to the trial courts by over 50 percent, as compared to fiscal year 2006–2007. Between 2005 and 2007, the SAL allocation provided more than \$370 million in ongoing funding to support increased operational costs, changes in employee compensation and benefits, and enhanced services to the public. Important funding was provided to secure new entrance security stations and

enhance self-help programs. This budget also continued the significant investment in court infrastructure with over \$1 billion committed for new trial court facilities.

While this budget conveyed positive news for the courts—the final, approved State Budget contained over \$233.8 million in new General Fund monies for the judicial branch, including nearly \$194.5 million for the trial courts—the judicial branch was not left totally unscathed. As part of the agreement reached by the Legislature and the Governor, over \$700 million in funding was reduced by the Governor, including some items affecting the courts. As part of the Governor’s veto package, more than \$17 million in funding for the implementation of the Omnibus Conservatorship and Guardianship Reform Act of 2006 was eliminated. This was

HOW WAS THE JUDICIAL BRANCH FUNDED IN FISCAL YEAR 2007–2008?
In millions of dollars, from all sources

STATEWIDE JUDICIAL PROGRAMS	
Supreme Court	\$45
Courts of Appeal	201
Judicial Council / AOC	131
Judicial Branch Facility Program	70
Habeas Corpus Resource Center	14
Total—Statewide Judicial Programs	\$461
TRIAL COURTS	
General Fund	\$1,826
Trial Court Trust Fund	1,213
Trial Court Improvement Fund	115
Modernization Fund	39
Federal Trust Fund	2
Reimbursements	53
Total—Trial Courts	\$3,248
Judicial Branch Total	\$3,709
Total State Budget	\$145,543

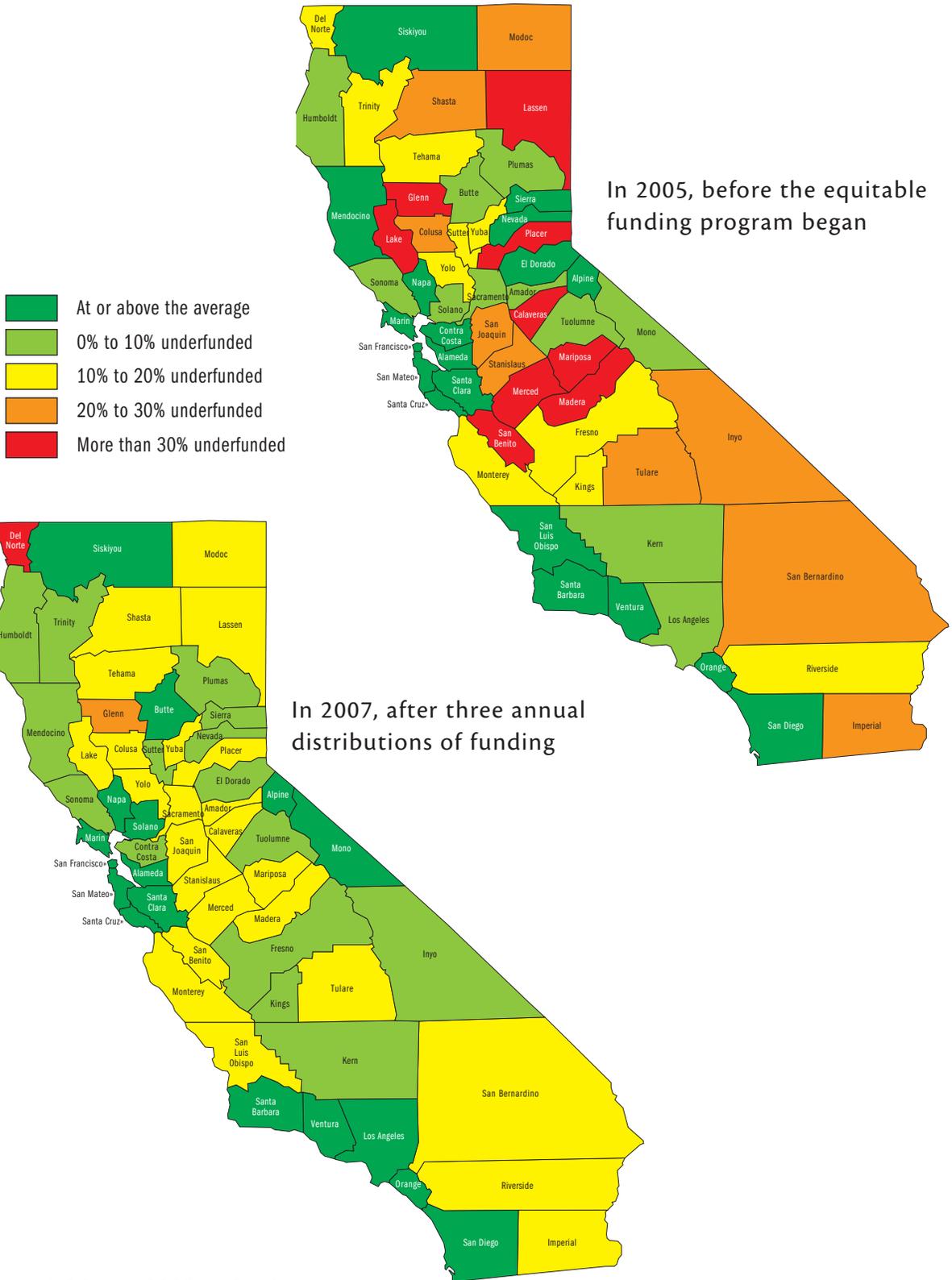
Figures represent comparison of budgets, not actual expenditures.
 Data from FY 2008–2009 Proposed Governor’s Budget.

the second consecutive year that this funding had been reduced, despite the statutory mandate in place to implement the requirements of the act.

Fiscal year 2007–2008 also was the third consecutive year of designated funding for historically underfunded courts. During this period, the Judicial Council allocated approximately \$32 million to create more equitable funding across the courts. When this program began in 2005, a total of 18 trial courts were considered severely underfunded (with budgets 20 percent or more below their projected resource need). After three years of dedicated funding, only 2 courts met this criteria (see page 27). This achievement is another example of the success of state funding.

As 2008 dawned over the state court system, fissures began showing in the state and national economies, foreshadowing difficult times ahead. With the state likely to experience dramatic declines in tax revenue tied to the financial and housing market crises that are exercising a double whammy on state government revenue sources, the courts will be particularly susceptible to interruptions in funding. Several key statewide infrastructure projects involving court facilities and technology systems are under way. Critical needs, including much-needed new judgeships, as well as dedicated funding for court security and appointed counsel in dependency cases, will remain of paramount interest to the branch during the fiscal hardship ahead.

ASSISTANCE FOR UNDERFUNDED COURTS



Maps by Kevin O'Connell, AOC Office of Court Research

THE TRIAL COURT BUDGETING PROCESS

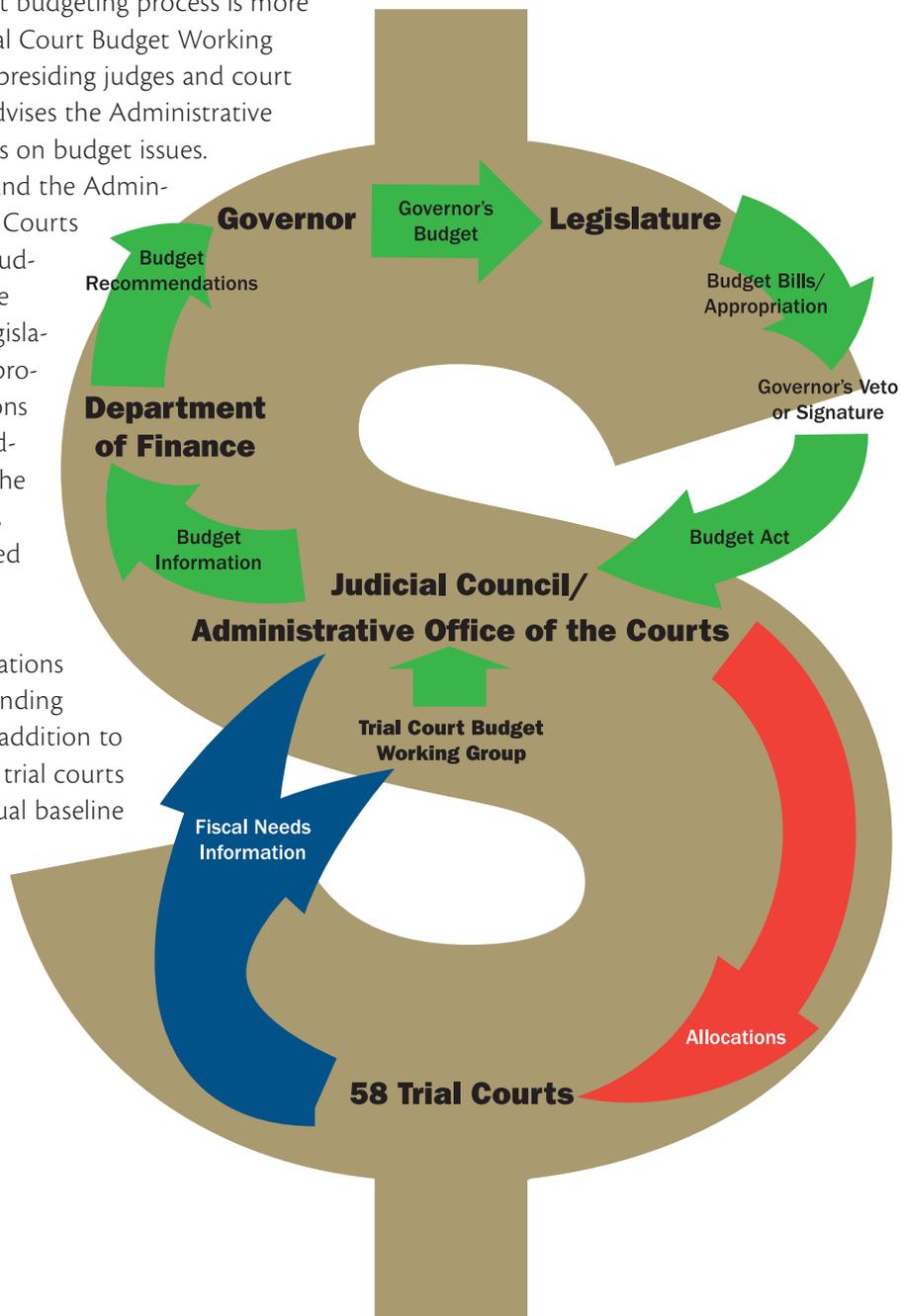
Before the arrival of state funding in 1998, funding for trial courts was unpredictable and subject to a county’s fiscal health. Court budgets were patched together from county and state contributions. Budget cuts affected municipal and superior courts differently. Municipal courts brought in revenue with filing fees, fines, forfeitures, and other charges, and they could offset the cuts somewhat with their own revenues. The superior courts never had that flexibility.

The current trial court budgeting process is more collaborative. The Trial Court Budget Working Group—made up of presiding judges and court executive officers—advises the Administrative Director of the Courts on budget issues.

The Judicial Council and the Administrative Office of the Courts

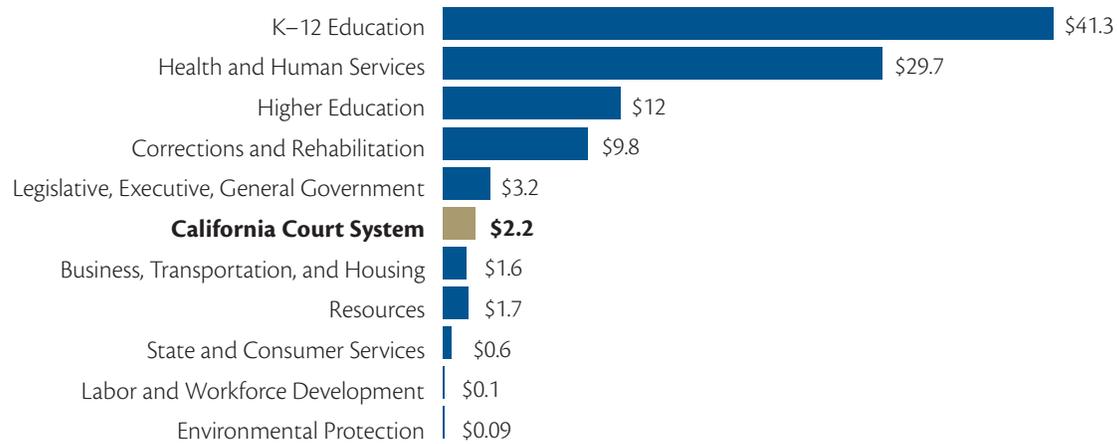
deliver the branch’s budget information to the Governor and the Legislature. The Legislature produces an appropriations bill that contains funding for the courts.

If the Governor approves it, funding is appropriated to the council, which in turn provides final approval on the allocations and distributes the funding to the trial courts. In addition to any new funding, the trial courts have received an annual baseline funding for their ongoing operating costs since 2005.



HOW DID SPENDING FOR CALIFORNIA'S COURT SYSTEM COMPARE WITH OTHER BUDGET CATEGORIES?

Dollars in billions*

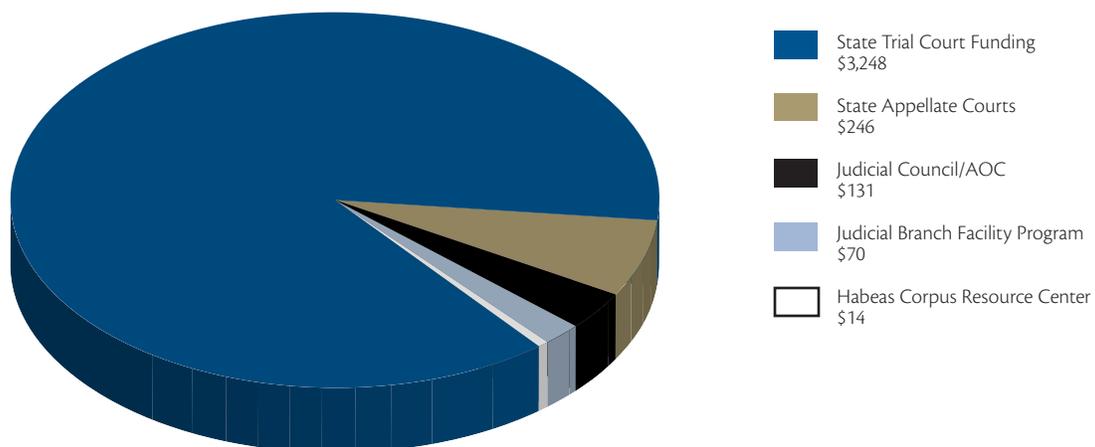


*General Fund expenditures

Data from Department of Finance, State Budget Highlights 2007–2008.

WHAT WAS THE BREAKDOWN OF FISCAL YEAR 2007–2008 FUNDING FOR CALIFORNIA'S COURT SYSTEM?

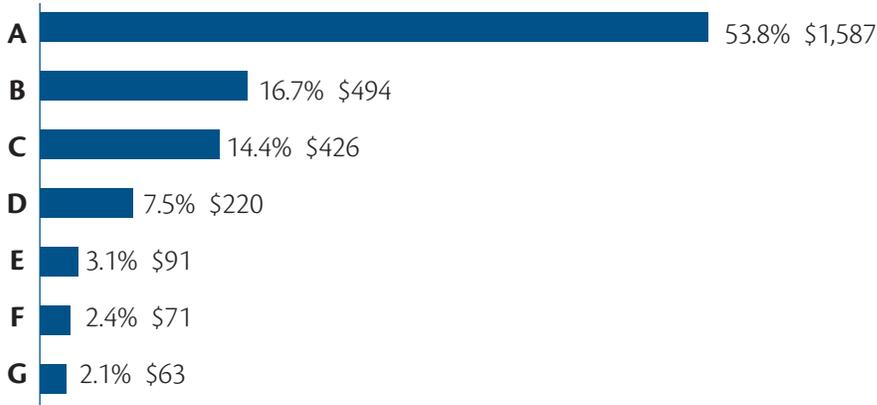
Dollars in millions



Data from FY 2008–2009 Proposed Governor's Budget.

HOW WAS THE TRIAL COURTS' BUDGET SPENT IN FISCAL YEAR 2007–2008?

Includes Trial Court Trust Fund (TCTF) and non-TCTF expenditures. Dollars in millions*



A: Salaries and Benefits

B: Security (contract and staff—includes estimated salary and benefit expenditures for court attendants and marshals)

C: Other (includes miscellaneous expenses such as rent, janitorial services, phone and telecommunications, printing and postage, equipment, travel and training, legal subscriptions and memberships, and fees for consultative and professional services)

D: Court Reporters (contract and staff—includes estimated salary and benefit expenditures for court reporter employees)

E: Court Interpreters (contract and staff—includes estimated salary and benefit expenditures for staff interpreters, coordinators, and program staff)

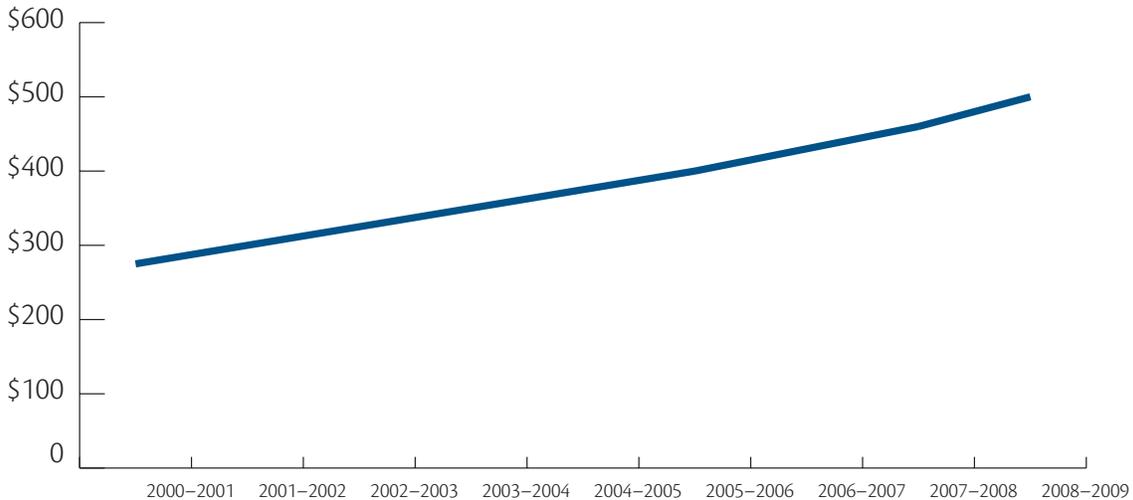
F: Electronic Data Processing

G: County Charges

*Dollar amounts rounded to the nearest million.

HOW MUCH WAS SPENT ON COURT SECURITY?

Dollars in millions



Data for FY 2000–2001 through FY 2007–2008 from Quarterly Financial Statements (fourth quarter) of the trial courts. Data for FY 2008–2009 from court security budget approved by the Judicial Council.

STAFFING* AND EXPENDITURES** BY TRIAL COURT SYSTEM

This table reflects the allocation of resources and utilization of funding for fiscal year 2007–2008.

**FY 2007–2008 Total Authorized FTEs (as of July 1, 2007); data includes permanent and temporary nonjudicial employees, both Trial Court Trust Fund (TCTF) and non-TCTF court employees. The subordinate judicial officer (SJO) category includes commissioners and referees, as reported by the trial courts.*

***Combined Trial Court Trust Fund and non-TCTF expenditures. Data from FY 2007–2008 Quarterly Financial Statements (fourth quarter); includes Trial Court Improvement Fund and Judicial Administration Efficiency and Modernization Fund expenditures.*

COURT	POPULATION	JUDGESHIPS [†]	SJOs	AUTHORIZED FTEs (W/OUT SJOs)	EXPENDITURES
Alameda	1,543,000	69	16.0	901	\$134,685,912
Alpine	1,222	2	0.3	5	679,648
Amador	37,943	2	0.3	34	3,520,824
Butte	220,407	12	2.0	137	15,044,852
Calaveras	46,127	2	0.3	31	3,397,649
Colusa	21,910	2	0.3	16	1,798,985
Contra Costa	1,051,674	38	9.0	438	72,203,381
Del Norte	29,419	3	0.8	31	2,947,632
El Dorado	179,722	6	3.0	96	12,172,008
Fresno	931,098	44	9.0	547	71,532,946
Glenn	29,195	2	0.3	33	3,586,853
Humboldt	132,821	7	1.0	100	10,244,435
Imperial	176,158	9	2.4	132	13,226,370
Inyo	18,152	2	0.3	21	2,866,105
Kern	817,517	38	8.0	498	56,649,025
Kings	154,434	8	1.5	90	10,945,466
Lake	64,059	4	0.8	42	5,372,002
Lassen	35,757	2	0.3	38	3,868,952
Los Angeles	10,363,850	436	150.3	5,441	841,399,448
Madera	150,887	10	0.3	108	9,815,428
Marin	257,406	10	4.5	172	23,574,640

COURT	POPULATION	JUDGESHIPS [†]	SJOs	AUTHORIZED FTEs (W/OUT SJOs)	EXPENDITURES
Mariposa	18,406	2	0.3	15	\$1,531,722
Mendocino	90,163	8	0.4	82	8,829,930
Merced	255,250	10	4.0	144	16,533,480
Modoc	9,702	2	0.3	12	1,446,969
Mono	13,759	2	0.3	16	1,959,309
Monterey	428,549	20	2.0	224	24,877,393
Napa	136,704	6	2.0	88	12,335,287
Nevada	99,186	6	1.6	68	8,201,804
Orange	3,121,251	112	33.0	1,933	259,121,634
Placer	333,401	12	4.5	177	25,931,502
Plumas	20,917	2	0.3	18	2,933,474
Riverside	2,088,322	64	19.0	1,116	145,561,819
Sacramento	1,424,415	64	14.5	880	124,418,926
San Benito	57,784	2	0.5	30	3,481,777
San Bernardino	2,055,766	78	13.0	1,064	125,926,501
San Diego	3,146,274	130	24.0	1,783	235,413,465
San Francisco	824,525	51	14.0	571	95,075,923
San Joaquin	685,660	32	4.5	340	44,573,315
San Luis Obispo	269,337	12	3.0	156	20,703,415
San Mateo	739,469	26	7.0	384	53,659,200
Santa Barbara	428,655	19	5.0	290	34,059,439
Santa Clara	1,837,075	79	10.0	904	140,006,739
Santa Cruz	266,519	10	3.5	153	21,436,893
Shasta	182,236	11	2.0	167	16,445,982
Sierra	3,380	2	0.3	6	935,246
Siskiyou	45,971	4	1.0	55	5,790,074
Solano	426,757	19	5.0	255	32,667,118
Sonoma	484,470	19	5.0	221	34,588,761
Stanislaus	525,903	22	4.0	256	29,270,976
Sutter	95,878	5	0.3	67	6,476,717

COURT	POPULATION	JUDGESHIPS [†]	SJOs	AUTHORIZED FTEs (W/OUT SJOs)	EXPENDITURES
Tehama	62,419	4	0.3	44	\$4,737,247
Trinity	13,966	2	0.3	18	1,565,654
Tulare	435,254	20	5.0	271	29,206,779
Tuolumne	56,799	4	0.8	45	5,481,108
Ventura	831,587	29	4.0	406	55,732,699
Yolo	199,066	11	2.4	113	14,856,325
Yuba	71,929	5	0.3	54	6,030,175
Statewide	38,049,462	1,614	408	21,331	\$2,951,337,335

Data Sources:

Population data from State of California, Department of Finance, E-1 City/County Population Estimates With Annual Percent Change, January 1, 2007 and 2008.

Authorized judgeships and SJOs from Judicial Council, *2009 Court Statistics Report* (FY 2007–2008). Total for SJOs may be rounded.

Authorized FTEs from AOC Schedule 7A, *Salary and Position Worksheet* for FY 2007–2008.

[†] Includes 50 FY 2007–2008 new judgeships deferred until July 2010.

The Courts

Branch Administration

CALIFORNIA JUDICIAL BRANCH

**JUDICIAL COUNCIL OF CALIFORNIA
Administrative Office of the Courts**

SUPREME COURT

- 1 Chief Justice, 6 associate justices
- Hears oral arguments in San Francisco, Los Angeles, and Sacramento
- Has discretionary authority to review decisions of the Courts of Appeal and direct responsibility for automatic appeals after death penalty judgments
- 8,988 filings; 113 dispositions by written opinion²

- Largest court system in the nation, serving 37.7 million¹ people—12.5 percent of the U.S. population
- 451 court locations
- 2,022 authorized judicial positions³
- 21,331 authorized court employees
- Estimated 4.5 million Californians represent themselves
- Approximately \$3.76 billion—2.6 percent of the State Budget—allocated for the judicial branch in FY 2008–2009

- The Judicial Council is the constitutionally created 27-member policymaking body of the California courts.
- The Judicial Council guides fiscal policy and adopts court rules and procedures.
- The Administrative Office of the Courts is the staff agency to the council.

COURTS OF APPEAL

- 105 justices
- 6 districts, 19 divisions, 9 court locations
- Review the majority of appealable orders or judgments from the superior courts
- 24,934 filings; 10,560 dispositions by written opinion²

Branch Agencies

COMMISSION ON JUDICIAL APPOINTMENTS

- Confirms gubernatorial appointments to the Supreme Court and appellate courts

State Bar of California

- Serves the Supreme Court in the admissions and discipline of attorneys and provides administrative support related to attorneys

SUPERIOR COURTS

- 1,614 authorized judgeships and 408 authorized commissioners and referees³
- 58 courts, one in each county, with 1 to 55 locations
- Have trial jurisdiction over all felony cases, all general civil cases, juvenile and family law cases, and other case types
- 9,458,064 filings; 7,886,912 dispositions²

COMMISSION ON JUDICIAL PERFORMANCE

- Protects the public by enforcing the standards of the Judicial Council. Investigates complaints of judicial misconduct and incapacity and disciplines judges

HABEAS CORPUS RESOURCE CENTER

- Handles state and federal habeas corpus proceedings; provides training and resources for private attorneys who take these cases

1. 2007 California Department of Finance estimate
 2. Judicial Council, 2008 *Court Statistics Report* (FY 2006–2007)
 3. Judicial Council, 2009 *Court Statistics Report* (FY 2007–2008); includes 50 FY 2007–2008 new judgeships deferred until July 2010