



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
April 23, 2010	For Your Information
To	Deadline
Members of the Judicial Council	N/A
From	Contact
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Subject	
Report on Activities of the Administrative Office of the Courts	

The following information outlines *some* of the many activities taking place to further the Judicial Council's goals and agenda for the judicial branch. (It does not address issues on which the council has been briefed through other information sources.)

Issues and activities highlighted include the following:

- Budget Status (*p. 2*)
- Judicial Council-Sponsored Legislation/Legislative Issues (*p. 3*)
- Judicial Council Reports to the Legislature (*p. 4*)
- Administrative Infrastructure Initiatives:
 - Statewide Rollout of Phoenix Human Resources System Postponed (*p. 10*)
 - California Court Case Management System Demonstration for Legislators and Legislative Staff (*p. 5*)
- Administrative Office of the Courts Audit (*p. 5*)
- Judicial Appointments and Vacancies (*p. 5 & 27*)
- Advisory Committee, Task Force, and Working Groups (*p. 11 & 15*)
- Education Programs for Judges and Court Personnel (*p. 11 & 21*)
- Attachments: (1) New Presiding Judges and Court Executive Officers, (2) Budgets Cuts in Judicial Education: Adaptation and Response, and (3) Governor's Radio Address on Infrastructure and Bonds.

SUMMARY

* Please note: Page numbers next to summary items reference more detailed information.

Budget

- The Assembly and Senate budget subcommittees have started budget hearings. The Assembly Budget Subcommittee No. 4 held its first hearing on the judicial branch on April 13. The Senate Subcommittee No. 4 followed on April 15. The subcommittees primarily considered technical issues on facilities funding and trailer bill proposals. Most issues were being held open until the May revise.
- Discussions continue with legislative leadership and their staff seeking a solution for backfilling in fiscal year 2010–2011 budget reductions made to the judicial branch in the current fiscal year. As directed by the Judicial Council, advocacy has centered on ensuring sufficient funding necessary to support courts being open and accessible every business day of the year.
- Solutions being discussed include a combination of ongoing, limited-term and one-time solutions, fund transfers, and restoration of reductions to achieve some fiscal stability in the trial courts over the next three years.
- Discussions have been held with judicial branch stakeholders seeking their support for the proposed solutions. Legislative leadership has been supportive of addressing the critical needs of the courts.

Legislative Visits by the Chief Justice: The Chief Justice and I met with Senate President pro tem Darrell Steinberg to discuss the Governor's proposed budget and impacts of the budget reductions this year, and to advocate for restoration of prior-year reductions. The discussion also included the importance of moving forward with the development and deployment of CCMS and avoiding a diversion of the revenue generated pursuant to SB 1407 away from court construction to court operations.

Meeting with State Director of Finance: AOC Chief Deputy Director Ron Overholt and Governmental Affairs and Finance directors, Curt Child and Stephen Nash, joined me for a meeting with state Finance Director Ana Matasantos and her chief deputy to discuss judicial branch funding needs and options for fiscal year 2010–2011 and to review the Governor's proposal on photo speed enforcement and related trial court concerns.

Chief Justice Liaison Meeting: The Chief Justice and AOC leadership hosted a liaison meeting with the California State Association of Counties.

AOC Project Review Board: The internal AOC project review board, chaired by Chief Deputy Director Ron Overholt, approved the California Court Case Management System (CCMS) budget by category as provided in the 2009 Report to the Legislature. (This includes

the budget of the program through fiscal year 2015–2016, and is for strategic planning purposes only. Judicial Council approval is still required for each fiscal year.) The committee also approved the consolidation of the Court Improvement Steering Committee and the Information Technology Infrastructure Steering Committee. (*Page 17*)

Internal Audit Services: Regular cycle comprehensive audits were initiated in four superior courts: Colusa, Plumas, San Joaquin, and Santa Cruz. Special review monthly reports also were issued on the Independent Project Oversight and Verification and Validation for the CCMS-V4 development project.

Legislation/Issues

Judicial Council-sponsored legislation:

Expedited Jury Trials: To implement an expedited jury trial model for handling civil cases involving relatively small dollar damages. Status: Proposed rules approved by the Civil and Small Claims Advisory Committee; supported by the Joint Rules Working Group of the Presiding Judges and Court Executive Officers; and approved by the Rules and Projects Committee for circulation for public comment during the spring cycle.

E-Service: To authorize and expand service by electronic notification, thereby promoting its use and increasing the overall efficiency of the service process. Status: Approved by the Senate Judiciary Committee; will be heard shortly in the Senate Appropriations Committee.

Modernizing Trial Court Records: To allow electronic filing and storage of court records. Status: Passed out of the Assembly Judiciary Committee on a unanimous vote; will next be considered by the Assembly Appropriations Committee.

Protective Orders: To revise and clarify existing protective order statutes and make them more internally consistent. Circulated for public comment in December; final draft of sponsored legislation approved by the Policy Coordination Liaison Committee. Status: Will be added to Assembly Bill (AB) 1596 (Hayashi)—a council supported bill clarifying the priority for enforcing multiple protective orders concerning the same parties.

Long Beach Tax Exemption: To avoid the imposition of property tax on state property. The New Long Beach Courthouse Capital Outlay Project is a Performance-Based Infrastructure project utilizing a public-private partnership to design, construct, maintain and finance a capital outlay project. Status: Discussed in Assembly Budget Subcommittee No. 4 and Senate Budget and Fiscal Review Subcommittee No. 4 on April 13 and 15, respectively.

Escheatment of Victim Restitution Monies: To provide courts the necessary statutory direction on the proper disposition of unclaimed victim restitution. Contained in this year's

civil omnibus bill – AB 2767 (Judiciary Committee). Status: Assembly Appropriations.

Juvenile Court Costs: To correct a drafting error and clarify provisions to allow courts to designate staff as financial evaluation officers *without* the agreement of the county, (as currently required), for the purpose of collecting reimbursements from parents for attorney costs in dependency proceedings. Status: Senate Judiciary Committee.

Court Security: Status: This bill AB 1697 (Hall) was amended to: 1) extend by five years the sunset on the \$10 increase in the court security fee enacted as part of the fiscal year 2009–2010 budget; and 2) direct that all court security funds, including general fund and revenue from the court security fee, be placed in a separate account within the Trial Court Trust Fund. Although the council is advocating to eliminate, not extend, the sunset date on the court security fee increase, the bill is consistent with discussions staff have been having with budget committees, and the council's opposition was removed. (*Page 17*)

Audits: AB 2521 (Torrico), as introduced, sought to eliminate the authority of the Judicial Council to audit superior courts. After several versions of language for the bill were discussed, the author settled on a proposal (not yet in print) that would preserve the authority of the council to conduct comprehensive reviews of the courts, but also to have the State Controller annually audit the funds and accounts under the jurisdiction and control of the trial courts and the AOC. Status: The council will work with the author, sponsor, and key legislative staff to clarify scope of the audits envisioned by the legislation. However, regardless of the clarity of this language, funding would need to be provided for these purposes. (*Page 16*)

Additionally, staff has presented reports to and obtained positions from the Policy Coordination and Liaison Committee on 16 bills for 2010.

Judicial Branch Reports to the Legislature: The following reports were submitted to the Legislature since the last Judicial Council meeting. The reports are routinely posted to the California Courts public Web site under the Reference section.

1. Allocation of Funding for Support of New Judgeships Authorized in Fiscal Year 2006–2007 and Fiscal Year 2007–2008, as required by the 2006 and 2007 Budget Acts
2. California's Access to Visitation Grant Program for Fiscal Year 2009–2010
3. California Court Case Management System and the Phoenix Program: 2009 Status
4. County Reporting on Local Courthouse Construction Funds
5. Electronic Recording Equipment Purchased and Leased by the Superior Courts, as required by Government Code Section 69958
6. Judicial Administration Standards and Measures, as required by Government Code Section 77001.5

CCMS Demonstration for Legislators: The Office of Governmental Affairs hosted key legislators and legislative staff for a demonstration of CCMS and a discussion with judges and court executive officers about CCMS and the value it will provide not just to judges and court operations, but justice system partners, the public, and the California justice system as a whole. Feedback received was that the demonstration provided useful information and a good forum for gaining a better understanding of CCMS.

Federal Issues

- *Appropriation Requests for CCMS Funding:* Senator Feinstein submitted the council's request for \$1.5 million for the Superior Court of San Diego County to the Senate Appropriations Committee for consideration in the Commerce, Justice, Science, and Related Agencies Appropriations bill for Fiscal Year 2011 (October 2010–September 2011). The committee, of which Senator Feinstein is a member, is expected to make its decisions on the directed appropriations in the summer months.
- *Federal Tax Intercept program:* AOC staff continues to work with the National Center for State Courts and congressional staff to secure passage of H.R. 1956 (Crime Victim and Court Fee Intercept Act), which would authorize the U.S. Department of the Treasury to intercept federal tax refunds to pay overdue court-ordered financial obligations. In California, court-ordered debt now totals \$5.9 billion. This program could produce up to \$20 million annually toward recovering the court-ordered debt. The bill is pending before the House Ways and Means Committee.
- *Funding for State Court Interpreter Grant Programs:* The AOC is working to secure passage of S.1329, which would authorize the U.S. Department of Justice to distribute \$15 million in annual grants to state programs from 2010 to 2014. The measure is pending before the Senate Judiciary Committee. With congressional staff, AOC staff are exploring a strategy to include the provisions of S.1329 in other major legislative initiatives (possibly immigration reform), but action is not anticipated before fall 2010.

New Judgeships and Vacancies (Page 27):

- Fourteen new judicial appointments were made by the Governor: Alameda (1); Butte (1); Kern (1); Kings (1); Los Angeles (3); Monterey (2); San Bernardino (3); Sonoma (1); and Stanislaus (1).
- One new judgeship was created by converting a commissioner position from the following Superior Courts: Los Angeles (1).
- Currently, there are 49 trial court judicial vacancies and three appellate court vacancies.

Voluntary Salary Waiver Program: For the month of March, a total of 716 days of compensation were waived by 716 judges participating in the program. These figures do not include additional days donated.

AOC Audits: AOC Finance staff are working with the Bureau of State Audits to establish a three-year audit cycle for the AOC beginning this year, consistent with the practice for state

agencies. From a good-governance perspective, public sector audits provide an appropriate mechanism for promoting public accountability and transparency. From a business perspective, the AOC will benefit from a regular audit process that helps to identify on an ongoing basis where things are working well and where there is room for improvement. The primary focus of the audit will be on accounting transactions—how the agency takes in, safeguards, spends, and records transactions, including the charging process for services provided to the courts. The first audit is expected to begin this summer and continue into the fall.

Regional Outreach to New Presiding Judges: At the beginning of the year, each regional office visits courts that have new presiding judges, (21 in 2010, see attached list), to discuss local priorities and share AOC resources that are available to assist the courts. Updates on council and AOC initiatives also are provided. Courts visited to date:

- *Bay Area/Northern Coastal Region:* Alameda, Marin, Napa, Santa Cruz, and Solano.
- *Northern/Central Region:* Alpine, Amador, Nevada, Sacramento, San Joaquin, and Tehama.
- *Southern Region:* Imperial, Inyo, San Bernardino, and San Luis Obispo.

Kleps Award Presentation: Judicial Council member Judge Dennis Murray, Kleps Award Committee Chair Justice Ronald Robie, and AOC executives Ron Overholt and Jody Patel were at the Superior Court of Amador County to present the Ralph N. Kleps Award to the court for their new Web-based procedure manual. The manual consists of nearly 100 step-by-step “job aids” that have provided much greater versatility to the small staff of 37. With a click of the mouse, a staff member can find out how to perform tasks that range from processing an appeal to refueling the court van. There is even a job aid on writing a job aid.

Community Corrections Programs (Page 17):

- *Risk Assessment Pilot Project:* The Superior Court of Santa Cruz County was appointment as the third and final pilot court, joining Napa and San Francisco Counties.
- *Parolee Reentry Pilot Courts:* The application and review process for the parolee reentry court pilots is complete. Up to seven participating courts will be announced by the California Emergency Management Agency soon.
- *Evidence Based Probation Sentencing:* The status related to implementation of the California Community Corrections Performance Incentives Act was discussed with state and local county probation departments.

Enhanced Collections:

- At the request of the state Department of Finance, a presentation on the courts' collection program was made at its Accounts Receivable workgroup meeting.
- Continuing collaboration between the AOC and California State Association of Counties has resulted in several legislative proposals to enhance the state's collection of court-ordered debt (*addressed in the Legislation section*).

Elder Access to the Courts: AOC staff coordinated an Archstone grant-funded elder court roundtable hosted at the Superior Court of Contra Costa County. Thirty-nine participants from throughout the justice system registered for the event that included observation of an elder court and judicial officer and court staff training.

Court Appointed Counsel Performance Surveys:

- As part of the effort to improve compliance with practice guidelines, consistency among providers, and quality of representation, the AOC implemented performance surveys of court appointed counsel.
- Surveys were completed by judges and peers in 7 counties throughout the state; 38 attorneys were evaluated, with 183 surveys administered and a completion rate of 58 percent. Parents and children in Los Angeles County also were surveyed; 177 attorneys were evaluated and 1,029 surveys completed, with a youth survey completion rate of 100 percent.
- Results are used by the AOC Dependency Representation, Administration, Funding and Training (DRAFT) Program to determine training and technical assistance needs of each county.

Juvenile Calendaring and Caseflow Management: The AOC received a grant from the State Justice Institute to help a limited number of juvenile courts improve their calendaring and caseflow management practices. The third of the project's four site visits was held in March. Participants include the Superior Courts of San Bernardino, Placer, Fresno, and Yolo counties.

Court Appointed Special Advocates (CASA): Staff conducted an evaluation of the CASA program in Ventura County to ensure compliance with California Rules of Court and national CASA standards.

Collaborative Justice Courts: Staff facilitated a meeting of the Collaborative Justice Courts Data Collection Advisory Team to create standard data definitions and collection procedures. Staff also attended the drug court coordinators meeting to provide an update on grant opportunities.

Domestic Violence—Family Law Interpreter Program: Funding of \$1.73 million is being awarded to courts for the priority area of domestic violence. Most courts will receive the amount they requested and a related percentage for coordinator expenses.

Family Dispute Resolution Court Exchange Program: AOC staff facilitated the sixth round of court exchange visits between family court services directors of the Superior Courts in San Francisco, Ventura, and Monterey to share information about their programs,

including pro per calendars, mediation models, and administrative aspects of programs. Since its inception in 2007, 18 courts have participated in this program.

Violence Against Women Act (VAWA): The California Emergency Management Agency's VAWA Implementation Plan Committee, on which AOC staff serves, met to begin development of a new three-year plan. The committee's task is to develop a strategic plan for use of federal funds in domestic violence, sexual assault, stalking, teen dating violence, and elder abuse cases.

Indian Child Welfare Act (ICWA): New job aids relating to the ICWA were developed and posted to the Web site. (www.courtinfo.ca.gov/programs/cfcc/programs/description/jrta-IndianChild.htm). Staff also participated in a meeting of the statewide ICWA workgroup and completed the "active efforts" module of advanced curriculum on ICWA. (*Page 18*)

Labor and Employee Relations: At the courts' request, HR staff conducted employee relations investigations and consultations at three courts, and provided negotiation services at an additional three courts. Staff also will represent another four courts in their upcoming negotiations.

Transfer of Judicial Administration Certificate Program: Supported by a State Justice Institute grant administered by the AOC, this program is transferring from the Department of Public Policy and Administration in the School of Social Sciences and Interdisciplinary Studies to the California State University at Sacramento College of Continuing Education for the fall, where there are greater resources to market the program to a broader base of students. The Education Division is participating in the planning process with the steering committee. This change is scheduled to be completed before the next cohort starts in the fall.

Retired Judges Conference / California Judges Association Meeting: At the workshop on the *Nuts and Bolts of Assigned Judging*, retired assigned Judge Richard Hanscom and AOC staff discussed the application process, the program's budget status, available assignments statewide, and ongoing requirements for assignment eligibility: training, minimum days of service, and program certification.

Administrative Infrastructure Initiatives

Facilities (*Page 18*):

Implementation of Senate Bill 1407: The State Public Works Board (SPWB) authorized a further seven projects, bringing the total of authorized projects for fiscal year 2009–2010 to 33. Kickoff meetings were held for the new Santa Barbara criminal courthouse and the renovation of the Glenn historic courthouse in Willows.

Capital Projects:

- ***In site selection/acquisition:*** 33 projects, total value of \$4 billion. We are working with many counties and cities who have offered equity swaps, exchanges, and property donations.
- ***In design:*** 10 projects, total value of over \$1 billion.
- ***In construction:*** 3 projects, total value of over \$157 million.
- ***In planning:*** 7 projects. Planning staff are currently preparing funding requests for the remaining projects for submission and approval by July 2010.
- ***State Public Works Board Approval:*** SPWB authorized selection of a preferred site for the new Lakeport courthouse and site selections for the Tehama-Red Bluff courthouse and the Southeast Los Angeles courthouse.

Performance-Based Infrastructure (PBI) Project for New Long Beach Court Building: The preferred proposal and AOC analysis for design and construction of the courthouse were submitted to the Department of Finance for review and approval; a final decision on preferred project will be announced in May.

Governor's Message Discusses the Importance of Investing in Infrastructure Bonds: In a regular Saturday radio address on April 3, the Governor emphasized the importance of bonds in funding infrastructure initiatives that act as economic drivers and job creators.

Facility Modifications:

- ***In progress:*** 678 active facility modification projects at a value of \$47 million. (These include repairs and renovations costing between \$1,000 and \$2 million.)

Technology (Page 19):

California Court Case Management System (CCMS) (Page 19):

- The report of the state Chief Information Officer on the California Court Case Management System should be released this or next week.
- The courts, AOC, and Deloitte Consulting continue the extensive effort to validate the CCMS product. Deployment for the early adopter courts began with an executive leadership meeting to provide an overview of upcoming activities.
- The AOC has requested federal funds to assist with early adopter deployments.
- Civil, Small Claims, Probate, and Mental Health (V3) continues its successful track record of implementing new functionality as well as reducing reported incidents of performance issues and system unavailability.

Infrastructure and Security

California Courts Technology Center:

- A new enterprise test environment to provide a cost-effective, shared platform for all application testing was installed.
- Build-out of the first two pre-production environments for the enterprise CCMS was completed.

Managed Security Services: In this new program being deployed with the courts, security hardware will be owned and managed by vendor partner, AT&T, saving courts the costs of equipment purchase and maintenance, while maintaining service levels. The first phase, totaling 24 trial court sites, was completed. The remaining sites are expected to be completed by September.

Administrative & Management Systems

Phoenix Financial System: Trial Court Bank Account Consolidation: With the goals of consolidating the structure of AOC-administered bank accounts to create cost savings opportunities for the trial courts and simplify the overall cash management process, rollout of the bank account consolidation project began with a successful consolidation pilot in four courts. A phased deployment schedule will transition all remaining courts to the new master bank account structure.

Phoenix Human Resources System:

- **Postponement of Statewide Deployment:** As we continue to assess options for managing the impact of budget reductions in the current fiscal year, a decision has been made to postpone the statewide deployment to all trial courts of the Phoenix Human Resources Management System—a savings of \$11 million. The AOC will continue to support the six courts currently on the HR payroll system. Rollout of the system to the Superior Court of San Bernardino County will continue and is on track for completion by August 1, 2010.
- **System Operations Stabilization:** A redesign of specific technical elements of existing Payroll, Benefits, and Time Management functions has been completed. This will enhance the systems flexibility and automation. Testing of the enhanced features before their activation and deployment is in progress.
- **Benefits Administration Enhancement:** An online Benefits Enrollment function will be added to the Phoenix Employee Self-Service portal to assist court Human Capital Management staff in administering life and work events in compliance with federal regulations. This functionality will be implemented for the San Bernardino Court as a pilot in late 2010.

National Activities

Self-Help Centers: The first Texas Forum on Self-Represented Litigants and the Courts invited AOC staff to make presentations on How to Start a Self-Help Center, Distance Services, and Using Volunteers in Self-Help Centers.

Enhanced Collections: A presentation on California Collections was made at the National Center for Victims of Crime's Restitution Roundtable in Washington, D.C.

Advisory Committees, Task Forces, and Working Groups (Page 15):

Advisory committees will hold only one in-person meeting per year until the fiscal situation improves. Other meetings will be convened using video- or audio-conferencing.

The following committees met since the Judicial Council's February meeting:

1. Appellate Advisory Committee
2. Appellate Indigent Defense Oversight Advisory Committee
3. Bench-Bar Media Committee
4. Civil and Small Claims Advisory Committee
5. Collaborative Justice Courts Advisory Committee
6. Domestic Violence Practice and Procedure Task Force
7. Elkins Family Law Task Force
8. Presiding Judges/Court Executive Officer Rules and Roles Analysis Working Group
9. Task Force for Criminal Justice Collaboration on Mental Health Issues
10. Traffic Advisory Committee

Education and Training Programs (Page 21):

Response to Budget Reductions in Judicial and Court Employee Education: With nearly one-third of live programs cancelled in fiscal year 2009–2010, work is ongoing to minimize the impact of reductions by developing alternatives to live programs, and reassigning staff to create new education products. (Attachement)

State Justice Institute Education Grant: The AOC's Education Division will receive almost \$30,000 from the State Justice Institute to offer additional Institute for Court Management courses for court staff and to certify additional faculty.

Judicial Education

1. Assigned Judges Program Orientation
2. Complex Civil Litigation Workshop

3. Do You Know How to Interact With Staff or a Court User with a Disability?
4. Elimination of Bias: Persons With Disabilities and Accommodations by the Courts
5. Indian Child Welfare Act Training, for Sacramento judicial officers
6. Faculty Development: Education Program Design Workshop
7. New Judge Orientation, for 22 new judicial officers
8. Scientific Evidence in Complex Civil Litigation (joint project with National Judicial College, held in San Diego as part of Local Delivery Initiative)
9. Supervising Judges Institute
10. Qualifying Judicial Ethics Training

Judicial and Court Employee Education

11. Labor Relations Academies
12. On Camera Presenting, for faculty

Court Employee Education

13. Appellate Management Institute
14. Contempt Course, for the Superior Court of Alameda County
15. Core 40: Management Skills
16. Employee Relations
17. Facilitating Learning
18. Facilitation Basics Course
19. Faculty Development Fundamentals
20. Grant Seeking: Find the Most Appropriate Opportunities, for managers and supervisors
21. Grant Application Writing: Improve Your Odds for Success, for managers and supervisors
22. Managing Human Resources, for the Superior Court of Fresno County
23. Tribal Grants Workshop
24. Tracking Education Credits, for training coordinators
25. Writ Petitions, for appellate staff

Court Employees and Justice Stakeholders

26. Court Alternative Dispute Resolution Symposium
27. Elder Access to the Courts Roundtable
28. Evidence-Based Practices Regional Trainings
29. Family Dispute Resolution Interactive Webinars, for court-connected mediators and evaluators
30. Family Dispute Resolution Regional Trainings, for juvenile dependency and child custody mediators and evaluators

31. Indian Child Welfare Act Trainings

- For judicial and probation officers in Sacramento County
- For social services, attorneys, court staff, and others in Del Norte County

32. Probation officer trainings, for San Mateo County

AOC Employees – Court-Related Courses

33. The AOC and the Courts-Building Positive and Collaborative Relationships

34. The Courts – The Basics of Caseflow Management

35. The Courts – The Role of the Courtroom Clerk

Broadcasts

36. Accounting Reviews (Rule 7.1059 Compliance), for probate court investigators

37. Continuing the Dialogue, the Neuroscience and Psychology of Decision-Making: The Brain, the Media, and the Courts

38. Everyday Managing and Supervising: Employee Motivation

39. Everyday Managing and Supervising: Volunteers in the Courts

40. Family Law Update, Today's Law

41. Great Minds: The Effects of Domestic Violence on Children

42. Guardianships and Conservatorships: Coping With the Omnibus Act and Other Developments

43. The Roles and Responsibilities of a Presiding Juvenile Court Judge, for presiding juvenile judges and court executive officers

44. Working with Court Interpreters, for court staff

New Online Courses

45. Domestic Violence Restraining Orders

46. The Americans with Disabilities Act in State Court

Updated Online Courses

47. Arraignments Primer

48. Preliminary Hearing Primer

49. The Basics of Family and Medical Leave

50. Employment Law for Supervisors and Managers

51. The Code of Ethics for Court Employees

Online Resources

52. 2009 Appellate Judicial Attorneys Institute videos

- 53. Moodle Class: The Basics of Caseflow Management, for supervising judges
- 54. Online video simulation series #2: Communicating with Self-Represented Litigants
- 55. Online video simulation series #3: Courtroom Control

Publications

- 56. Faculty Focus E-Bulletin
- 57. Self-Represented Litigants in Family Law: The Response of California's Courts

New Benchguide

- 58. Conservatorship Proceedings

Updated Benchguides

- 59. Injunctions Prohibiting Civil Harassment and Workplace/Postsecondary School Violence
- 60. Right to Counsel Issues
- 61. Deferred Entry of Judgment/Diversion
- 62. LPS Conservatorship Proceedings
- 63. AB 1058 Child Support Proceedings: Establishing Support
- 64. AB 1058 Child Support Proceedings: Enforcing Support

Updated Benchbook

- 65. Felony Sentencing Handbook 2010

Additional Detail on Summary Items

Advisory Committees/Task Forces/Working Groups

Advisory committees will hold only one in-person meeting per year until the fiscal situation improves. Other meetings will be convened using video- or audio-conferencing.

Appellate Advisory Committee

- Approved nine appellate rule and form proposals to recommend to the Judicial Council's Rules and Projects Committee for circulation for public comment during the spring 2010 comment cycle, including proposals addressing rules relating to:
 - Transfer of superior court appellate division cases to the Court of Appeal;
 - Electronic recordings offered into evidence; and
 - The contents of clerk's transcripts.

Appellate Indigent Defense Oversight Advisory Committee

- Audited 140 attorney compensation claims paid from October through December 2009; 18 adjustment letters and 1 commendation letter were sent to panel attorneys. (This committee audits the work of individual attorneys and reviews the work performed by the appellate projects.)

Bench-Bar-Media Committee

- Discussed recommendations that deal with, among other things, sealing orders, gag orders, and the use of cameras and other recording devices in the courtroom.
- Preliminary recommendations are being finalized and will be circulated for comment in the next few months for presentation to the council by the end of the calendar year. (Appointed by the Chief Justice and chaired by Justice Carlos Moreno, the committee is working to develop recommendations to improve the communications and relationships among those in the media, the bar, and the bench.)

Civil and Small Claims Advisory Committee

- Approved 16 proposals to recommend to the Judicial Council's Rules and Projects Committee for circulation for public comment during the spring 2010 comment cycle. Among the proposals the committee recommended for circulation is a proposal for rules to establish expedited jury trials, an alternative streamlined method for handling civil actions. The voluntary process would provide for trials to be heard by a smaller jury, with the goal of completing the trial in a single day, and would permit only limited appeals and post-trial motions.

Collaborative Justice Courts Advisory Committee

- Conducted site visit to the San Francisco Community Justice Center.

Domestic Violence Practice and Procedure Task Force

- Presented proposed rule on firearms relinquishment in criminal cases.
- Discussed planning for forum on assessing lethality in domestic violence cases; progress made to date by the California Courts Protective Order Registry project; and strategies for discussing recommended practices in domestic violence matters with other justice system entities.

Presiding Judges/Court Executive Officer Rules and Roles Analysis Working Group

- Held first meeting of smaller working group to develop recommendations for rule revisions that clarify and better reflect current PJ and CEO duties and responsibilities.

Task Force for Criminal Justice Collaboration on Mental Health Issues

- Reviewed draft task force report in preparation for circulation for public comment.
- Members and staff met with representatives of California state mental hospitals to discuss and resolve issues related to court/state hospital interactions.
- Staff attended the 35th annual conference of the Forensic Mental Health Association of California.

Traffic Advisory Committee

- Proposed revision of the council's Uniform Bail and Penalty Schedules to reflect an increase in the DNA penalty effective June 10, 2010.
- Approved a proposal to recommend to the Judicial Council's Rules and Projects Committee for circulation for comment to implement trial by written declaration under Vehicle Code section 40903 after a defendant's failure to appear.
- Recommended revision of public outreach reference materials for judicial officers to use in presentations to community and school groups.

Administrative Office of the Courts

Legislation

Audits: The council opposed AB 2521(Torrice), unless funded, and noted concerns about the bill's lack of clarity over the scope and nature of the audits. In presenting this position to the Assembly Judiciary Committee on April 20, 2010, staff commented that the council does not oppose the policy objectives of the bill, and in fact supports the need for transparency and accountability for the use of public funds. The council's letter to the committee however noted that "to the extent the audits by the Controller would involve extensive fieldwork or other audit work resulting in State Controller spending weeks or months at each trial court or significantly impacting staff time, the Judicial Council believes annual audits to be excessive and unduly burdensome. The workload on trial court staff simply to assist in the audit could

be significant, diverting court staff from other work and functions they need to perform. At a time with unparalleled vacancy rates and staff doing more with less, significant additional workload would be untenable.” In discussing the need for annual audits, the bill’s sponsor repeatedly noted how local school districts, cities, and counties are audited annually. The type of annual audits these entities undergo are generally referred to as financial statement opinion audits. The position of the council is that, to the extent the bill is envisioning the Controller performing an audit along these lines, which would not involve significant work in the courts of AOC, or a substantial devotion of court staff resources, the council would not object to these annual audits.

Court Security: AB 1697 (Hall) has changed considerably since it was first introduced. The bill would have required all court security providers to be employed by the sheriff, directed all revenue from the court security fee to be placed in a special account for the sole purpose of funding sheriffs and marshals for providing court security; eliminated the newly enacted provisions of law that exclude sheriffs’ retiree health costs from the allowable costs of benefits paid by the judicial branch and that direct that salary and benefits be based on the average salary and benefits for the classification of sheriff posted in the court, not the actual salary and benefits for the person posted in the court; and directed that the allocation to each sheriff be determined by the Judicial Council’s Working Group on Court Security. The bill’s sponsor indicated their intent was to amend the bill to instead provide that all court security funding would be appropriated not to the Judicial Council for allocation to the trial courts, but instead directly to the sheriffs, or in some combination to the sheriffs and the trial courts. The Judicial Council opposed the bill in that form and it was subsequently amended.

AOC Project Review Board: Projects currently under review include:

**Court Improvement
Steering Committee**

- Assigned Judges Tracking System
- California Courts Protective Order Registry
- E-Citation
- E-Exchange
- Judicial Branch Statistical Information System
- Jury Management Systems
- Uniform Fees Tracking System

**Information Technology
Infrastructure Steering Committee**

- Security Program
- Enterprise Test Management Suite
- Wireless Standards

Community Corrections Program:

- **California Risk Assessment Pilot Project:** Project managers from all three counties (Napa, San Francisco, and Santa Cruz) participated in a two-day project management community corrections training. Team members developed the research and evaluation plan and visited each of the counties to develop protocols for gathering program and

outcome information about implementation of evidence-based practices. A two-day training on this issue and the use of the risk need assessments is planned for May.

- **Parolee Reentry Court:** Planning for the training and education of the pilot courts is under way, including establishing a working group to discuss the legal and implementation issues that will arise in the establishment of the courts. An initial evaluation outline has been drafted in consultation with the California Department of Corrections and Rehabilitation.
- **Evidence-Based Probation Supervision Program:** Work is continuing on the development of definitions and data collection tools for the implementation of the California Community Corrections Performance Incentives Act. Staff presented a status update to the Chief Probation Officers of California and met with the Probation Departments in San Diego and Orange Counties to better understand data and research capacities in the probation departments.

Tribal Projects:

- The “active efforts” module of the Indian Chief Welfare Act (ICWA) advanced curriculum was completed. It includes competencies, learning objectives, lesson plans, and training guide, including case examples.
- A solicitation was posted to hire an educational specialist as a consultant to develop curriculum on the remaining ICWA modules: Inquiry and Notice; Jurisdictional and Procedural Issues (jurisdiction; tribal transfer or intervention; waivers from Indian parents/custodians and appointment of counsel); Evidentiary Issues including standards of proof, required findings, and Qualified Expert Witness testimony; and Remedies and Post Trial Issues.

Administrative Infrastructure Initiatives

Facilities

Lease Acquisition:

- Ongoing work on 59 lease transactions (revenue and expense leases).
- Six new occupancy agreements and 20 event licenses were completed.

Capital Projects:

SB 1732:

- Lassen-Susanville Courthouse: Request for qualifications for prequalification of general contractors issued.
- Mono–Mammoth Lakes Courthouse: Construction of this new, two-courtroom, 20,000 square-foot courthouse is scheduled to begin in April.
- Madera Courthouse: Gilbane Building company was selected as the construction manager at risk for this 10-courtroom, 105,000 square foot courthouse.

Implementation of Senate Bill 1407:

The AOC received 215 submissions from 81 architectural and engineering firms in response to request for qualifications for the next nine SB 1407 projects. Short lists for each project will be announced in April, with final selections scheduled for June.

SPWB authorized the following new projects:

- Santa Barbara County – New Santa Barbara criminal courthouse: 8 courtrooms
- Fresno County – Courthouse renovation: 25 courtrooms
- Glenn County – Renovation and addition to Willows historic courthouse: 3 courtrooms
- Kern County – Mojave courthouse: 3 courtrooms
- Plumas County – Quincy courthouse: 3 courtrooms
- Sierra County – Downieville courthouse: 1 courtroom
- Alpine County – Markleeville courthouse: 1 courtroom

New South Monterey Courthouse: Selection of a preferred site in Greenfield was approved. The City of Greenfield is donating the site.

Facilities Management: Responding to the aftermath of a 7.2 earthquake in Mexicali, California, staff of OCCM's Facilities Management Unit conducted court inspections in Imperial County. All major structural components of the building were unaffected.

Computer-Aided Facilities Management (CAFM): Facilities work requests have been entered on the system by 45 of 58 courts and by third-party maintenance contractors, counties, and AOC staff. There are currently over 1,000 CAFM users, largely in the courts.

Technology

California Court Case Management System (CCMS)

Product Development: The CCMS development vendor, Deloitte Consulting, is working closely with AOC staff and court Subject Matter Experts to extensively test the quality of the product. The effort to perform a complete review of the application against the Final Functional Design has rescheduled the CCMS product delivery date from November 2010 to April 2011. Product Acceptance Testing will begin at the conclusion of Integration Testing.

Deployment: Preparations have started with the early adopter courts: Superior Courts of San Diego, Ventura, and San Luis Obispo. An executive leadership meeting was held with the presiding judges, court executive officers, and information technology officers

of the early adopter courts. The AOC and Deloitte Consulting provided an overview of what should be expected during the deployment process and discussed coordination and planning with the court's justice partners. The assessment phase for the early adopter courts begins in April 2010.

Civil, Small Claims, Probate, and Mental Health (V3):

- Orange County Superior Court was the first court to go live with Release 10, the latest release of V3, which includes the ability to process e-filed documents. This latest release contains the following functionality:
 - Electronic clerk review
 - Digital stamping and endorsing
 - Electronic notification of filing and return of endorsed documents
 - Automated validation of transmission content prior to clerk review.
- Orange County has selected OneLegal as their e-filing service provider and will begin e-filing in April 2010. San Diego, Los Angeles, Ventura, Sacramento, and San Joaquin Superior Courts will go live on Release 10.01 in May 2010.
- A recent report for V3 showed that for the period from December 2009 through February 2010, only four incidents were reported that had direct impact to court staff. The total duration of these incidents was 2 hours and 40 minutes over the entire three month period.

V2 Criminal and Traffic Case Management System: Completed successful deployment of Release 6.1 case maintenance to the Fresno Superior Court. This release targets high priority defects that impacted court operations.

Federal Funding Request: The AOC is seeking federal funding for the early adopter courts. If grants are received, the funding will be utilized for critical steps to successfully implement data exchanges between the court and its justice partners. These exchanges will provide more accurate and timely information and reduce redundant data entry, allowing for the reallocation of valuable resources to other operational priorities.

Outreach:

Activities included product demonstrations and presentations, and outreach materials to:

- Superior Court of Ventura County
- The Office of Congresswoman Lois Capps
- Dissemination of the CCMS Executive Newsletter to court stakeholders including all presiding judges, court executives, and Judicial Council members

Data Integration

California Courts Protective Order Registry:

- Four pilot courts were trained in preparation for user acceptance testing, to begin in May, on the centralized statewide repository for protective order information. The registry will be deployed to the four pilot courts in June and to 20 courts by the end of 2010.
- Build out of all three system environments at the California Courts Technology Center was completed.
- The team completed integration testing phase with the California Department of Justice California Restraining and Protective Order System repository.

Statewide Electronic Business Services E-Filing:

- The Superior Courts of Orange and Ventura Counties are participating in user acceptance testing of the civil, small claims, probate, and mental health case management system (Release 10.1) e-filing functionality. E-filing is scheduled for deployment in Orange in April and in Ventura County Superior Court during the third quarter of 2010.
- In anticipation of the release of CCMS e-filing, the e-filing team and the National Center for State Courts are working on initiatives to support statewide electronic filing. Part of this effort includes developing business cases for conversion of Judicial Council forms to smart forms technology and the feasibility of a branch-supported electronic filing portal. A final report and recommendation on smart forms and e-filing portal initiatives is due in June. NCSC is also developing functional, legal, and technical requirements for statewide contracts with electronic filing service providers, as a method of establishing standards for e-filing services.
- The e-filing team is developing a digital white paper on electronic filing which will be a searchable repository of information related to current (Civil CMS and interim case management systems) and planned (CCMS) e-filing and e-service implementations throughout the state. The prototype for the e-filing document repository is expected to be completed in April.

Education Programs

Appellate Management Institute: More than 50 participants attended the institute for appellate clerk-administrators, assistant clerk-administrators, managing attorneys, and supervisory court personnel.

Assigned Judges Program Orientation: For 19 judges new to the program, staff provided an overview of program compliance, jurisdictional limitations, and travel and compensation matters. Veteran assigned conducted a panel on best practices while on assignment. The training concluded with two computer trainings focusing on Serranus and LexisNexis.

Basic Facilitation Skills: A one-day course was offered in all three AOC regions to trial and appellate court and AOC employees who are called upon to provide facilitation for complex issues and decisions.

Complex Civil Litigation: This annual workshop provides Complex Civil Litigation Program judges a venue for sharing case management information and solutions. Topics included settlement techniques in class action cases, approving class action settlements post *Kullar*, arbitration of class actions, e-discovery, cy pres distributions, costs and attorneys fees, and a summary of the American Law Institute Principles of Aggregate Litigation Project.

Core 40, Management Skills: A five-day regional training session for 21 court managers and supervisors provided course topics on the role of the supervisor, group development, and group dynamics, leadership styles, employment law, and elements of performance management.

Court Alternative Dispute Resolution (ADR) Symposium: The AOC co-sponsored a symposium on court ADR with the American Bar Association Section on Dispute Resolution. The symposium, which was attended by participants from throughout California, the United States, and the world, offered educational sessions on a variety of topics relating to court-connected alternative dispute resolution, including assisting self-represented litigants to participate in ADR, ADR in criminal cases, development of post-ADR surveys, and use of computers systems to collect information about court ADR.

Employee Relations: A two-day regional session for 50 human resources professionals in the trial and appellate courts focused on applicable laws and personnel rules; employee complaints and grievances; confidentiality; building relationships; supporting the work environment; workplace dress issues; and external impacts on the work environment and how to address them.

Evidence-Based Practices Regional Trainings: The AOC co-sponsored with Assessments.com and the California Corrections Standard Authority (CSA) three regional trainings in Fresno, San Diego, and Los Angeles focusing on effectively implementing evidence-based practices in the juvenile justice system across California. Key stakeholders and juvenile justice partners were encouraged to attend as county teams. Three additional regional trainings are planned. Over the three-year CSA grant period, the project will provide resources to assist counties in their efforts to more fully implement best practices in their jurisdictions and reduce recidivism in juvenile offenders.

Family Dispute Resolution Interactive Webinars: Two live noon-hour trainings—Children's Adjustment Following Divorce/Separation and Navigating the Special Education

System—with 55 in-studio attendees were simultaneously broadcast via Internet/WebEx to approximately 300 court-connected mediators and evaluators in 43 courts.

Family Dispute Resolution Regional Trainings: Two six-hour trainings on ethics, based on the Code of Ethics for the Court Employees, were held in Sacramento and in San Francisco with an attendance of 135 child custody mediators and evaluators and juvenile dependency mediators.

Faculty Development

Faculty Development Fundamentals: Over three days, course basics for trial and appellate court faculty introduced design, development, and delivery content. In June, participants will present demonstrations of the courses they worked on.

Facilitating Learning: A one-day class was presented at the Superior Court of Kern County for potential faculty from Kern and nearby courts. The course focused on the basics of course delivery and enhancing the learning experience for the attendees.

Faculty Development for Supervising Judges Institute: A half-day course provided training to judicial officers serving as faculty for the breakout sessions at the Supervising Judges Institute, including effective facilitation, tips on how to avoid long-winded or dominating participants, and how to work in a team faculty environment.

Education Program Design for Judicial Faculty: A one-day workshop was held for judicial faculty working on the development of education for judges in civil assignments.

Institute for Court Management: Two sessions on Managing Human Resources were offered; the first at the Superior Court of Fresno County as part of the local court training initiative, and the second at the AOC.

Labor Relations Academies: Forty-two trial courts sent representatives to two separate labor relations academies, one for court employees new to labor relations, the second for experienced individuals.

Qualifying Judicial Ethics: The final core ethics class for the third cycle was offered by video conference. Six core ethics classes of the fourth qualifying ethics cycle were held at the California Judges Association retired judges program, the Fresno Judges Retreat, and in courts in Los Angeles, Alameda, Fresno, and Norwalk. The fourth cycle of judicial ethics trainings ends December 31, 2012.

Supervising Judges Institute: The annual two-day institute provided the opportunity for 50 supervising judges from 24 counties to discuss their roles and responsibilities. Topics

included how to handle difficult conversations, case management, the role of the Commission on Judicial Performance, MBTI personality types, and leading in the current economic climate.

Tribal Grants Workshop: In collaboration with Tribal Law and Policy Institute, Tribal STAR, and Casey Family Programs, the AOC Indian Child Welfare Act Project sponsored two tribal grants workshops to assist tribes in applying for the federal Coordinated Tribal Assistance Solicitation issued by the Department of Justice and the Administrative Office of the Courts.

Violence Against Women Education Project: Staff presented courses on Ethics and Self-Represented Litigants in Domestic Violence Cases and the Effects of Domestic Violence on Children (Great Minds Broadcast). The project also supported domestic violence workshops at the Family Law Conference, co-sponsored by the AOC, for self-help center staff and others assisting self-represented parties in family law matters.

Tracking Education Credits-WebEx Session for Training Coordinators: Three one-hour WebEx meetings were held to give the trial courts an opportunity to share their experiences and resources related to tracking software and processes for court staff mandatory education hours.

Writ Petitions: Four 90-minute sessions via videoconference for deputy clerks, judicial assistants, and appellate staff offered a practical training overview of the writ process, including distinguishing between a writ petition proceeding and an appeal, and the filing process for a petition.

New Court-Related Education and Training Programs for AOC Employees

The AOC and the Courts—Building Positive and Collaborative Relationships: Strategies and best practices are discussed by regional administrative directors and court executive officers.

The Courts—The Basics of Caseflow Management: This course addresses effective caseflow processes, the fundamental principles of caseflow management, the impact of ineffective caseflow processes on our court system and judicial partners, and the time standards set forth in the rules of court.

The Courts—The Role of the Courtroom Clerk: This course addresses the key players in the courtroom, the responsibilities of the courtroom clerk, the skills necessary to perform these responsibilities, and common challenges faced by courtroom clerks.

Broadcasts

Continuing the Dialogue, the Neuroscience and Psychology of Decision-Making: The Brain, the Media, and the Courts: The second in a series in which 11 national experts provided insight into critical issues affecting decision making. The broadcast combined the latest neurological and neuropsychological research, which uses Magnetic Resonance Imaging (MRI's), with an analysis of the media images that may affect our view of women and numerous other groups. These experts discussed emerging research on how the brain reacts when different images are presented to us.

Court Leadership for New Presiding Juvenile Judges: Designed to provide guidance, tips, and resources to new presiding juvenile judges, current and former presiding juvenile judges and court executive officers shared their insights and experiences, discussed available tools and materials, and answered viewers questions.

Everyday Managing and Supervising—Employee Motivation: A new broadcast for court managers and supervisors addressed the concept of motivation and its applications in the workplace, motivational techniques, and developing an action plan.

Everyday Managing & Supervising—Volunteers in the Courts: This broadcast to trial and appellate court managers and supervisors focused on the elements of setting up a successful volunteer program and strategies and techniques to manage volunteers. Volunteer programs from Marin, Los Angeles, Imperial, San Francisco, and Orange courts were highlighted.

Family Law Update, Today's Law: Panelists Judge Jeffrey Bostwick (San Diego), Judge Thomas Trent Lewis (Los Angeles) and Judge James Mize (Sacramento) discussed recent family law cases.

Great Minds: The Effects of Domestic Violence on Children: The presentation provided an overview of the effects of domestic violence on children and the implications for judicial decision-making.

Guardianships and Conservatorships—Coping With the Omnibus Act and Other Recent Developments: The first in a series on California probate law, this broadcast featured Commissioner Don Green giving an update on recent cases and legislation affecting probate courts, and focusing on guardianship and conservatorship cases since the adoption of the Omnibus Act. The broadcast targeted an audience of probate judges and commissioners, probate attorneys, probate examiners, and probate court investigators.

Publications

Faculty Focus E-Bulletin: A new e-bulletin for judicial branch faculty was sent to approximately 500 current and previous faculty justices, judges, commissioners, and referees. This first issue included stories on the new faculty development program, local education initiative, and the use of live Web-based education. The e-bulletin will be published every other month.

JUDICIAL VACANCY REPORT**Number of Judgeships Authorized, Filled and Vacant as of April 2010**

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	Filled (Last Month***)	Vacant (Last Month***)
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	105	102	3	0	101	4
Superior Courts	58	1646	1550	46**	50*	1542	103
All Courts	65	1758	1659		99	1650	107

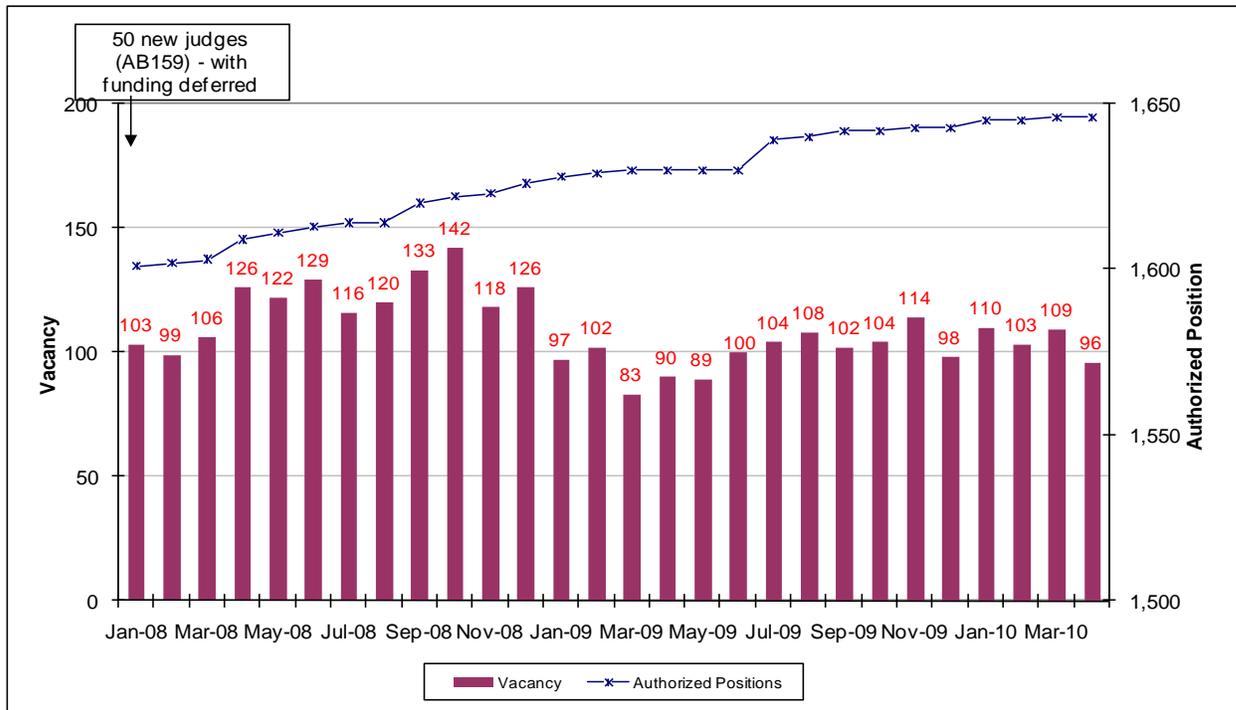
*Authorized January 1, 2008, 50 new (AB 159) judgeships were added, however, funding for the positions has been deferred.

** In March 2010, one new judgeship was created by converting a commissioner position from the following Superior Court: Los Angeles.

Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month, from January 2008 through April 2010*								
Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Jan-08	1,601	1,498	103	6.4%	105	100	5	4.8%
Feb-08	1,602	1,503	99	6.2%	105	100	5	4.8%
Mar-08	1,603	1,497	106	6.6%	105	100	5	4.8%
Apr-08	1,609	1,483	126	7.8%	105	101	4	3.8%
May-08	1,611	1,489	122	7.6%	105	101	4	3.8%
Jun-08	1,613	1,484	129	8.0%	105	103	2	1.9%
Jul-08	1,614	1,498	116	7.2%	105	102	3	2.9%
Aug-08	1,614	1,494	120	7.4%	105	102	3	2.9%
Sep-08	1,620	1,487	133	8.2%	105	101	4	3.8%
Oct-08	1,622	1,480	142	8.8%	105	101	4	3.8%
Nov-08	1,623	1,505	118	7.3%	105	100	5	4.8%
Dec-08	1,626	1,500	126	7.7%	105	100	5	4.8%
Jan-09	1,628	1,531	97	6.0%	105	98	7	6.7%
Feb-09	1,629	1,527	102	6.3%	105	96	9	8.6%
Mar-09	1,630	1,547	83	5.1%	105	96	9	8.6%
Apr-09	1,630	1,540	90	5.5%	105	96	9	8.6%
May-09	1,630	1,541	89	5.5%	105	96	9	8.6%
Jun-09	1,630	1,530	100	6.1%	105	100	5	4.8%
Jul-09	1,639	1,535	104	6.3%	105	101	4	3.8%
Aug-09	1,640	1,532	108	6.6%	105	102	3	2.9%
Sep-09	1,642	1,540	102	6.2%	105	102	3	2.9%
Oct-09	1,642	1,538	104	6.3%	105	102	3	2.9%
Nov-09	1,643	1,529	114	6.9%	105	102	3	2.9%
Dec-09	1,643	1,545	98	6.0%	105	102	3	2.9%
Jan-10	1,645	1,535	110	6.7%	105	102	3	2.9%
Feb-10	1,645	1,542	103	6.3%	105	101	4	3.8%
Mar-10	1,646	1,537	109	6.6%	105	101	4	3.8%
Apr-10	1,646	1,550	96	5.8%	105	102	3	2.9%

* As of April 14, 2010

Trial Court Authorized Positions and Vacancies



JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Third Appellate District	2	Retirement	Hon. Rodney Davis	02/16/09
Third Appellate District		Retirement	Hon. Fred K. Morrison	01/31/09
Fourth Appellate District, Division Two	1	Retirement	Hon. Barton C. Gaut	02/28/10
TOTAL VACANCIES	3			

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	1	Retirement	Hon. Stephen Allen Dombrink	03/31/10
Contra Costa	1	Converted	New Position	01/29/10
Lake	1	Retirement	Hon. Arthur H. Mann	11/02/09

Lassen	1	Retirement	Hon. Stephen Bradbury	01/31/10
Los Angeles	13	Elevated	Hon. Elizabeth A. Grimes	04/05/10
Los Angeles		Converted	New Position	03/16/10
Los Angeles		Retirement	Hon. Michael S. Mink	03/02/10
Los Angeles		Retirement	Hon. Terry B. Friedman	02/28/10
Los Angeles		Retirement	Hon. William R. Chidsey, Jr.	02/25/10
Los Angeles		Converted	New Position	01/04/10
Los Angeles		Converted	New Position	01/04/10
Los Angeles		To Fed Court	Hon. Jacqueline H. Nguyen	12/08/09
Los Angeles		Retirement	Hon. Brett Carroll Klein	11/30/09
Los Angeles		Retirement	Hon. Bob T. Hight	10/31/09
Los Angeles		Retirement	Hon. Judith C. Chirlin	09/30/09
Los Angeles		Retirement	Hon. Josh M. Fredricks	09/12/09
Los Angeles		Converted	New Position	07/27/09
Marin	2	Retirement	Hon. John A. Sutro, Jr.	02/28/10
Marin		Retirement	Hon. Michael B. Dufficy	02/18/10
Merced	1	Retirement	Hon. Frank Dougherty	11/24/09
Mono	1	Retirement	Hon. Edward Forstenzer	03/31/10
Monterey	1	Retirement	Hon. Jonathan R. Price	11/14/09
Orange	4	Retirement	Hon. Peter J. Polos	02/19/10
Orange		Retirement	Hon. Daniel J. Didier	10/12/09
Orange		Retirement	Hon. Robert Byron Hutson	07/30/09
Orange		Converted	New Position	07/01/09
Riverside	2	Retirement	Hon. Graham A. Cribbs	01/24/10
Riverside		Retirement	Hon. Christopher J. Sheldon	10/23/09
Sacramento	3	Retirement	Hon. Michael T. Garcia	05/31/09
Sacramento		Retirement	Hon. Richard H. Gilmour	03/31/09
Sacramento		Retirement	Hon. Thomas M. Cecil	02/01/09
San Diego	2	Retirement	Hon. Michael B. Orfield	08/21/09
San Diego		Dis Retirement	Hon. John L. Davidson	06/26/09
San Francisco	1	Retirement	Hon. David L. Ballati	08/11/09

San Joaquin	1	Retirement	Hon. Thomas M. Harrington	11/27/09
Santa Barbara	2	Converted	New Position	09/20/09
Santa Barbara		Converted	New Position	07/01/09
Santa Clara	4	Retirement	Hon. James C. Emerson	01/31/10
Santa Clara		Retirement	Hon. John F. Herlihy	12/31/09
Santa Clara		Retirement	Hon. Thomas C. Edwards	12/31/09
Santa Clara		Retirement	Hon. Jack Komar	10/31/09
Sonoma	2	Retirement	Hon. Arnold D. Rosenfield	12/31/09
Sonoma		Converted	New Position	10/25/09
Ventura	2	Resigned	Hon. Wm. Brennan Lynch	01/22/10
Ventura		Deceased	Hon. Douglas W. Daily	05/02/09
Yolo	1	Retirement	Hon. Thomas E. Warriner	03/31/10
TOTAL	46			
Butte	1	(AB 159)*	New Position	1/1/2008
Contra Costa	1	(AB 159)*	New Position	1/1/2008
Del Norte	1	(AB 159)*	New Position	1/1/2008
Fresno	4	(AB 159)*	New Positions	1/1/2008
Kern	3	(AB 159)*	New Positions	1/1/2008
Kings	1	(AB 159)*	New Position	1/1/2008
Los Angeles	1	(AB 159)*	New Position	1/1/2008
Madera	1	(AB 159)*	New Position	1/1/2008
Merced	2	(AB 159)*	New Positions	1/1/2008
Monterey	1	(AB 159)*	New Position	1/1/2008
Orange	1	(AB 159)*	New Position	1/1/2008
Placer	2	(AB 159)*	New Positions	1/1/2008
Riverside	7	(AB 159)*	New Positions	1/1/2008
Sacramento	6	(AB 159)*	New Positions	1/1/2008
San Bernardino	7	(AB 159)*	New Positions	1/1/2008
San Joaquin	3	(AB 159)*	New Positions	1/1/2008
Shasta	1	(AB 159)*	New Position	1/1/2008
Solano	1	(AB 159)*	New Position	1/1/2008
Sonoma	1	(AB 159)*	New Position	1/1/2008
Stanislaus	2	(AB 159)*	New Positions	1/1/2008
Tulare	2	(AB 159)*	New Positions	1/1/2008

Yolo	1	(AB 159)*	New Position	1/1/2008
TOTAL VACANCIES	96			

Trial Court Presiding Judges, Assistant Presiding Judge, and Executive Officer Matrix
Effective January 1, 2010
Displayed by Court Size Groupings

Trial Court Presiding Judge Advisory Committee 2010 Executive Committee members are indicated by an *

New presiding judges are shown in **boldface**

Presiding judges with extended terms or who have been re-elected are shown in *italics*

Court Executives Advisory Committee 2009-2010 members are indicated by **

Court Executive Officers appointed since January 2009 shown in **boldface italics**

Court Executive Officer begins May 1 ****

Court Executive Officer begins May 5*****.

Group Size	PJ Name	County	PJ Term	APJ Name	CEO
Courts with 48 or more Judges	Jon Rolefson*	Alameda	1/1/10-12/31/11	C. Don Clay	Pat Sweeten**
	Kim G. Dunning*	Orange	1/1/09-12/31/10	Thomas J. Borris	Alan Carlson**
	Charles W. McCoy*	Los Angeles	1/2/09-12/31/10	Lee S. Edmon	John A. Clarke**
	Thomas H. Cahraman*	Riverside	1/1/09-12/31/10	Sherrill A. Ellsworth	Sherri Carter**
	Steve White*	Sacramento	1/1/10-12/31/11	Laurie Earl	Dennis Jones**
	Douglas M. Elwell*	San Bernardino	1/1/10-12/31/11	Ronald Christianson	Tressa Kentner**
	Kevin A. Enright*	San Diego	1/1/10-12/31/11	Robert J. Trentacosta	Michael Roddy**
	James J. McBride*	San Francisco	1/1/09-12/31/10	Katherine Feinstein	<i>Claire Williams</i> **
	Jamie A. Jacobs-May*	Santa Clara	1/1/09-12/31/10	Richard J. Loftus, Jr.	David Yamasaki**
Courts with 16 to 47 Judges	Mary Ann O'Malley*	Contra Costa	1/1/09-12/31/10	Diana Becton Smith	Kiri Torre
	Bruce M. Smith	Fresno	1/1/09-12/31/10	Gary Hoff	Tamara Beard**
	Michael B. Lewis	Kern	1/1/09-12/31/10	Michael G. Bush	Terry McNally
	Adrienne Grover*	Monterey	1/1/09-12/31/10	Timothy P. Roberts	Connie Mazzei
	Robin Appel	San Joaquin	1/1/10-12/31/11	David Warner	Rosa Junquero**
	Stephen M. Hall	San Mateo	1/1/09-12/31/10	Beth Labson Freeman	John Fitton
	Arthur A. Garcia	Santa Barbara	1/1/09-12/31/10	Brian Hill	Gary Blair
	D. Scott Daniels	Solano	1/1/10-12/31/11	Paul L. Beeman	Brian Taylor**
	Gary Nadler*	Sonoma	8/1/09-12/31/11	Rene A. Chouteau	<i>Jose Guillen</i>
	Jack Jacobson	Stanislaus	1/1/09-12/31/10	Ricardo Cordova	Michael Tozzi

Group Size	PJ Name	County	PJ Term	APJ Name	CEO
	Gerald Sevier	Tulare	1/1/09-12/31/10	Melinda M. Reed	LaRayne Cleek
	Kevin J. McGee*	Ventura	1/4/09-12/31/10	Vincent J. O'Neill, Jr.	Michael Planet**
Courts with 6 to 15 Judges	Steven J. Howell	Butte	1/1/10-12/31/11	James F. Reilley	Kimberly Flenner
	<i>Suzanne N. Kingsbury*</i>	<i>El Dorado</i>	1/1/09-12/31/10	James R. Wagoner	Tania Ugrin-Capobianco
	Christopher G. Wilson	Humboldt	1/1/09-12/31/10	W. Bruce Watson	Kerri Keenan
	Christopher W. Yeager	Imperial	1/1/10-12/31/11	William D. Lehman	Kristine Kussman
	George L. Orndoff	Kings	1/1/09-12/31/10	James LaPorte	Todd Barton
	James E. Oakley	Madera	1/1/09-12/31/10	Eric C. Wyatt	Bonnie Thomas
	Terrence R. Boren	Marin	1/1/10-12/31/11	James R. Ritchie	Kim Turner**
	<i>Cindee F. Mayfield</i>	<i>Mendocino</i>	1/1/10-12/31/11	Richard J. Henderson	Benjamin Stough
	John D. Kirihara	Merced	1/1/09-12/31/10	Brian L. McCabe	Kathleen Goetsch
	Stephen T. Kroyer	Napa	1/1/10-12/31/11	Diane M. Price	Stephen Bouch Rick Feldstein****
	Thomas M. Anderson	Nevada	1/1/10-12/31/11	Candace S. Heidelberger	Sean Metroka
	Alan V. Pineschi	Placer	5/8/09-12/31/10	Charles Wachob	Jake Chatters
	Charles S. Crandall	San Luis Obispo	1/4/10-12/31/11	Barry T. LaBarbera	Susan Matherly
	John Jeffrey Almquist	Santa Cruz	1/1/10-12/31/11	John S. Salazar	Alex Calvo
	<i>Stephen H. Baker*</i>	<i>Shasta</i>	1/1/08-12/31/10	James Ruggiero	Melissa Fowler Bradley**
<i>David Rosenberg*</i>	<i>Yolo</i>	1/1/10-12/31/11	Janet Gaard	Jim Perry	
Courts with 2 to 5 Judges	Richard Specchio	Alpine	1/1/10-12/31/11	David L. DeVore	Margaret Sackrider-White
	David S. Richmond	Amador	1/1/10-12/31/11	Susan C. Harlan	Hugh Swift
	Douglas Mewhinney	Calaveras	1/1/09-12/31/10	John E. Martin	Mary Beth Todd**
	<i>John H. Tiernan</i>	<i>Colusa</i>	1/1/10-12/31/11		Norbert Jaworski
	Robert Weir	Del Norte	1/1/10-12/31/10	William H. Follett	Sandra Linderman
	Donald C. Byrd	Glenn	1/1/09-12/31/12	Peter B. Twede	Janelle Bartlett
	Brian J. Lamb	Inyo	1/1/10-12/31/10	Dean Stout	Nancy Moxley Tammy Grimm****

Group Size	PJ Name	County	PJ Term	APJ Name	CEO
	Richard Martin	Lake	1/1/09-12/31/10	David W. Herrick	Mary Smith
	F. Donald Sokol	Lassen	2/1/10-12/31/10		Rosemari Reed
	F. Dana Walton	Mariposa	1/1/09-12/31/10	Wayne R. Parrish	Cynthia Busse
	<i>Francis W. Barclay</i>	<i>Modoc</i>	1/1/10-12/31/10	David Mason	Linda Ostoja
	Stanley Eller	Mono	1/1/10-12/31/11		Hector Gonzalez
	<i>Ira Kaufman</i>	<i>Plumas</i>	1/1/09-12/31/10	Janet A. Hilde	Deborah Norrie
	Steven R. Sanders	San Benito	1/1/09-12/31/10		Gil Solario
	<i>William Pangman*</i>	<i>Sierra</i>	1/1/10-12/31/10	John P. Kennelly	Jan Hamilton
	Laura J. Masunaga	Siskiyou	1/1/09-12/31/10	William Davis	Larry Gobelman**
	<i>Christopher Chandler</i>	<i>Sutter</i>	1/1/07-12/31/10		Len LeTellier
	Richard Scheuler	Tehama	1/1/10-TBD	TBD	Irene Rodriguez
	Anthony Edwards	Trinity	1/1/09-12/31/10	James Woodward	Donna Hanover
	<i>Eric DuTemple*</i>	<i>Tuolumne</i>	1/1/09-12/31/10	James Boscoe	Jeanne Caughell
	Debra L. Givens	Yuba	7/1/08-6/30/10	Dennis J. Buckley	Steve Konishi



ADMINISTRATIVE OFFICE OF THE COURTS

EDUCATION DIVISION/CENTER FOR
JUDICIAL EDUCATION AND RESEARCH

BUDGET CUTS IN JUDICIAL EDUCATION: ADAPTATION AND RESPONSE Fiscal Year 2009–10

Education is acknowledged as a priority of the judicial branch (Goal V of the Judicial Council Strategic Plan) and plays a critical role in maintaining and enhancing the quality of justice in the California courts. Budget reductions in the AOC have had an unavoidable impact on education, with nearly one-third of live programs cancelled in FY09–10. Budget cuts in the courts also impacted the ability of participants to travel to programs. The Education Division/CJER has minimized the impact of these reductions by developing alternatives to live programs, and reassigning staff to create new education products.

For the live programs that were cancelled, the Education Division/CJER identified alternative delivery methods for much of the essential content of these programs, including distance education and regional or local education. While not being able to entirely reproduce what would have been the content of the live programs, the Education Division/CJER can deliver it in other, less costly ways. Fortunately, the judicial branch has in place much of the infrastructure in order to develop education under these unfavorable financial conditions (e.g., satellite downlink sites for broadcasts, online education via Serranus, and a videoconferencing system for the Appellate Courts and Regional Offices). Alternative delivery methods include:

1. Broadcasts can be transmitted to virtually every courthouse in the state in a timely manner. This year, five new broadcasts were added in the area of family and juvenile law:

- Family Law Update
 - Juvenile Dependency Update
 - Juvenile Delinquency Update
 - Elkins Broadcast *
 - Evidence Based Practices in Juvenile Court *
- * in conjunction with the Center for Families, Children, and the Courts (CFCC)

2. Videos from live programs were created this year in anticipation of reduced programming, and posted to Serranus. Each video is an edited version of the live course, with relevant participant and course materials also provided online. Below is a list of the courses.

From 2009 Appellate Judicial Attorneys Institute

- Marbury v. Madison
- Criminal Law Update
- Cutting-edge Issues in DNA and Fingerprinting Evidence
- Crafting Judicial Opinions: In Pursuit of Excellence
- Monkey Girl: Evolution, Education, Religion, and the Battle for America's Soul
- Perception, Evidence, and Illusion: How We Know What We Know and How We Know What We Don't
- The Gibson Era of the California Supreme Court
- U.S. Supreme Court Update

From 2009 Probate Court Investigators Institute

- Safety in the Field
- Impact of Domestic Violence on Children,
- Best Practice Strategies for Autism Spectrum Disorders
- Elder Abuse
- Undue Influence
- Terminating Guardianship

2009 PJ/CEO Management Program

- Orientation to Leadership, Court Governance, Nuts 'n' Bolts
- Handling Difficult Conversations

From 2009 Criminal Law Institute

- Juror Misconduct
- Evidence Hot Topics
- Sex Crimes: Special Issues During Trial
- Effectively Managing Cases Involving Mentally Ill Defendants
- Contempt
- Immigration Law and Its Impact on the Criminal Courtroom

2009 Trial Court Judicial Attorneys Institute

- Civil Law Update
- Fundamental Foreclosure and Bankruptcy Issues,
- Employment Law Litigation 2009 Update
- Dissolution of Partnerships and Small Corporations
- Electronic Discovery: New Law—New Strategies

3. **Studio videos** are being created for uploading to Serranus as an online judicial education resource, with participant materials. These new courses cover topics from the education that had been reduced, as well as from the essential education for specific audiences. The 20 new courses include:

- Criminal Law Update
- Civil Law Update
- SLAPP
- Fees, Fines & Restitution
- Evidence
- Small Claims
- Medical Marijuana
- Foreclosures
- Discovery
- Bail
- Crawford & Evidence Issues
- Hoarding
- Medications and Main Mental Illnesses
- Guardianships: Probate, Family
- Settlement Issues
- Employment Law
- Case Management
- Punitive Damages

4. **WebEx courses** are delivered via the internet, with participants connected on conference calls so they can attend from their own office. Working collaboratively with CFCC, one course on move-aways was developed and delivered via WebEx.

5. **Videoconferencing** allows participants to attend in a group setting without travelling; this year, two additional programs will be offered in the area of appellate law.

6. **Online courses** provide content without the need for travel. Three additional self-paced online courses have been developed: two in areas of traffic (red light camera and speed enforcement), one on basic caseload management for supervising judges, and a blended course (online and video) is in development in the area of CEQA.

7. **Local courses** are being offered in partnership with local courts. In this model, the AOC funds faculty travel, assists with AV as needed, and the local court manages logistics and registration. Over 70 courses are available in the new “Judicial Education Course Catalog.”

Reducing costs for judicial education has only been possible by increasing innovation, using current technology and redeploying staff and resources away from live programming while continuing a strong commitment to provide needed education to California’s bench officers.

Governor Schwarzenegger Discusses Importance of Investing in California in Weekly Radio Address, April 3, 2010

Governor Arnold Schwarzenegger:

Hello, this is Governor Arnold Schwarzenegger with another California Report.

Last week, I talked to you about a great package of bills that I just signed to spur job creation up and down the state of California.

This week, I have some more great news that will help get jobs and our economy back.

We all know a huge economic driver and job creator, is infrastructure. Every billion dollars we invest in infrastructure creates 18,000 new jobs.

I have been interested in infrastructure and rebuilding California ever since I got elected. And I'm proud that since taking office, you have joined me to approve \$60 billion for roads, schools, housing, prisons, levees, high-speed rail, and the list goes on and on.

Now, what's very important is to get those bond dollars out the door.

That's why I'm working with Treasurer Bill Lockyer, so we can sell those bonds as quickly as possible and put people back to work and rebuilding our great state.

Last year, California sold more than \$20 billion in infrastructure bonds.

And just this last month, the Treasurer had planned to sell an additional \$4 billion in bonds.

Yet the demand was so great, we ended up selling \$5.9 billion in bonds.

I am thrilled that so many people are eager to invest in California.

It is a great sign of confidence in our state and also in our future.

Now, I know that many of you have heard the pundits on TV, bemoaning California's budget problems.

You've probably even heard some talk about California as a "failed state," or we're going "off the cliff".

Well let me tell you, don't listen to them.

They don't understand California's tremendous economic engine.

They don't understand that despite our budget woes, we are still the eighth largest economy in the world.

And they certainly don't understand that going back to the Great Depression, California has never defaulted on a debt payment and we never will.

We are like the Rock of Gibraltar, able to weather and withstand even the worst of economic storms.

This latest bond sale proves once again, that despite serious problems in the global economy, investors have enormous confidence in California. And they are right to.

Over the next few months of course, Treasurer Lockyer plans to conduct even more bond sales.

So I ask all of you: help keep California great. Invest in our Golden State.

Remember this, visit BuyCaliforniaBonds.com. Let's go and work together and keep investing.

Thanks for listening.