



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courtinfo.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 14, 2010

Title	Agenda Item Type
Government Code Section 68106: Implementation and Notice by Trial Courts of Closing Courtrooms or Clerks' Offices or Reducing Clerks' Office Hours	Information Only
	Date of Report
	December 3, 2010
Submitted by	Contact
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Executive Summary

In the 2010 Judiciary Budget Trailer Bill, Senate Bill 857, the Legislature provided fee increases and fund transfers for the courts and required that courts notify the public and the Judicial Council prior to the closing of courtrooms or clerks' offices or reducing clerks' office hours on days that are not judicial holidays. This report provides information about the implementation of these notice requirements, now codified in Government Code section 68106.¹

Mandate in Government Code Section 68106 (Budget Act of 2010)

In providing fee increases and fund transfers for the courts, the Legislature in its Budget Act of 2010 expressly declared its intention that trial courts remain open to the public on days that are not judicial holidays and that access to court services for civil litigants be preserved to the extent practicable. To that end, Government Code section 68106 imposes the following notice requirements on trial courts and the Judicial Council.

- Courts must provide notice to the public at least 60 days before closing any courtroom or closing or reducing the hours of clerks' offices, although "nothing in this section is intended to affect, limit, or otherwise interfere with regular court management"

¹ A copy of Government Code section 68106 is attached.

decisionmaking, including calendar management and scheduling decisions.” The trial court is to provide this notice “by conspicuous posting within and about its facilities, on its public Internet Web site, [and] to the Judicial Council. . . .” The notification shall include information about the scope of the closure or reduction in hours, and about the financial constraints or other reasons that make the closure or reduction necessary.

- The Judicial Council must, within 15 days of receipt of a notice from a trial court, “conspicuously” post the notice “on its Internet Web site” and forward a copy to the chairs and vice-chairs of the legislative Committees on the Judiciary, the chair of the Assembly Committee on Budget, and the chair of the Senate Committee on Budget and Fiscal Review.

Implementation Efforts

The Administrative Office of the Courts (AOC), staff agency to the Judicial Council, notified all trial court presiding judges and court executive officers of this statutory mandate and provided legal guidance from the AOC Office of the General Counsel. Trial courts have been requested to send any notices to their AOC Regional Administrative Director.

The AOC has placed on the home page of the California Courts website, a link to a “Reduced Superior Court Services” page, www.courtinfo.ca.gov/courtadmin/closures.htm, with information about Government Code section 68106, as well as notices received from trial courts of courtroom or clerks’ office closures or reductions in clerks’ office hours. Below is the matrix from the California Courts website listing the four courts to date that have given notice to the Judicial Council with links to their notices.²

Superior Court	Date Notice Received	Notice to the Judicial Council
Lassen	11/12/10	PDF
San Francisco	11/22/10	PDF
San Mateo	12/02/10	PDF
Santa Cruz	10/28/10	PDF

The AOC has forwarded these four notices to the appropriate legislative leaders.

The AOC, through the Secretariat Unit of the Executive Office Programs Division, has briefed the Judicial Council’s Executive and Planning Committee on this new statute and informed it of the notices received from the trial courts.

² Copies of the notices from the Lassen, San Francisco, San Mateo, and Santa Cruz trial courts are attached.

Previous Council Action

Operating Guidelines and Directives for Budget Management in the Judicial Branch

The Judicial Council adopted the *Operating Guidelines and Directives for Budget Management in the Judicial Branch* at its August 29, 2003, meeting. The impetus for these guidelines and directives was a desire to establish ways to maintain open and equal access to courts in times of fiscal crisis and reduced funding. These guidelines and directives resulted from the work at the October 2002 Issues Meeting of the Trial Court Presiding Judges and Conference of Court Executives and later at the Trial Court Executive Management Working Group. In early 2003, the Judicial Branch Budget Advisory Committee³ made recommendations to the Judicial Council on general operating guidelines and directives for courts when managing their budgets during the fiscal crisis. The council's 2003 action adopting the *Operating Guidelines and Directives* approved:

- Guiding principles for the judicial branch for maintaining open access to the courts;
- Assurance of the accessibility of court services, with minimum and core operating hours for clerks' offices identified and the usage of drop boxes addressed;
- Guidance on facilities use and closures to ensure public access; and
- Policies relating to court-county agreements, cash management and accountability measures, fair employment and labor relations, the enforcement of court orders through comprehensive collection programs, and miscellaneous expense restrictions.

The council made compliance with the guidelines and directives in 2003 a condition of trial court allocations.⁴

The Judicial Council amended the guidelines and directives at its December 10, 2004, meeting. Thereafter, the guidelines and directives⁵ were updated and approved by the Executive and Planning Committee on behalf of the Judicial Council on January 20, 2009, and made part of the Judicial Council record, as noticed and linked to the agenda of March 12, 2009, at www.courtinfo.ca.gov/jc/documents/reports/infoopguidelines.pdf

Specifically, the council's *Operating Guidelines and Directives* recommend operating hours for trial court clerks' offices to be 8:30 a.m. to 4 p.m. (including the lunch hour) and courts are encouraged to remain open between 8 a.m. and 5 p.m. where circumstances allow. They direct each superior court to keep at least one trial court clerk's office open a minimum of six and a half hours per day including the core service hours of 10 a.m. to 2 p.m. (including the lunch hour), the hours in which the highest volume of business occurs in the clerks' offices. All

³ The Judicial Branch Budget Advisory Committee was established in October 2001 to provide advice and advocacy to ensure that the judicial branch budget as developed and adopted is consistent with Judicial Council goals. Members included both appellate and trial court judicial officers and administrators.

⁴ See page 10 of the August 29, 2003, Judicial Council business meeting minutes. www.courtinfo.ca.gov/jc/documents/min0803.pdf

⁵ Attached is a copy of the current *Operating Guidelines and Directives for Budget Management in the Judicial Branch*, as updated and approved in 2009.

exceptions require consultation with, review by, and approval of the Judicial Council. The guidelines and directives also direct the trial courts to provide drop boxes during periods of reduced hours, in compliance with California Rules of Court, rule 2.210, which requires a drop box whenever a clerks' office filing counter is closed between 8:30 a.m. and 4:00 p.m. Finally, court departments are directed to remain open consistent with operating requirements, except for normal absences (business meetings, vacation, sick leave, educational training, etc.) or emergencies such as natural disasters, bomb threats, and power outages.

At the request of the chair of the Executive and Planning Committee (the E&P Committee), the AOC in conjunction with trial court leaders is reviewing these guidelines and directives to determine whether revisions are appropriate in light of recent legislative enactments, and will report the results of that review to the committee. Pending that review, the E&P Committee on December 2, 2010, suspended operation of the guidelines and directives.

Rule 10.620

The Judicial Council adopted California Rules of Court, rule 10.620, effective January 1, 2004, to satisfy Government Code section 68511.6, enacted by the Legislature the preceding year. Section 68511.6 directed the council to “adopt appropriate rules providing for notice to the public and for public input to decisions concerning administrative and financial functions of a trial court . . .”

Rule 10.620(d) states:

Each trial court must seek input from the public, as provided in (e), before making the following decisions:

(1)–(2) * * *

(3) The planned, permanent closure of any court location for an entire day or for more than one-third of the hours the court location was previously open for either court sessions or filing of papers. . . .

In addition, rule 10.620(f) states:

A trial court must provide notice, not later than 15 court days after the event, of the following:

(1)–(4) * * *

(5) A significant permanent decrease in the number of hours that a court location is open during any day for either court sessions or filing of papers, except those governed by (d)(3). As used in this paragraph, a significant decrease does not include a decrease in response to an emergency need to close a location on a temporary basis for reasons including illness or other unforeseen lack of personnel or public safety.

Attachments

1. Government Code section 68106
2. Notices from the Lassen, San Francisco, San Mateo, and Santa Cruz trial courts as required under Government Code section 68106
3. *Operating Guidelines and Directives for Budget Management in the Judicial Branch*, updated 2009

Government Code section 68106.

(a) (1) In making appropriations for the support of the trial courts, the Legislature recognizes the importance of increased revenues from litigants and lawyers, including increased revenues from civil filing fees. It is therefore the intent of the Legislature that, to the extent practicable, access to court services for civil litigants be preserved in the allocation of resources by and for trial courts.

(2) Furthermore, it is the intent of the Legislature in enacting the Budget Act of 2010, which includes increases in civil and criminal court fees and penalties, that trial courts remain open to the public on all days except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115.

(b) Trial courts shall provide written notification to the public by conspicuous posting within or about its facilities, on its public Internet Web site, and to the Judicial Council, not less than 60 days prior to closing any courtroom, or closing or reducing the hours of clerks' offices during regular business hours on any day except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115. The notification shall include the scope of the closure or reduction in hours, and the financial constraints or other reasons that make the closure or reduction necessary. Within 15 days of receipt of a notice from a trial court, the Judicial Council shall conspicuously post on its Internet Web site and provide the chairs and vice chairs of the Committees on Judiciary, the Chair of the Assembly Committee on Budget, and the Chair of the Senate Committee on Budget and Fiscal Review a copy of any notice received pursuant to this subdivision. The Legislature intends to review the information obtained pursuant to this section to ensure that California trial courts remain open and accessible to the public.

(c) Nothing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions.

NOTICE

Effective January 15, 2011

Lassen Superior Court Public Hours

Monday through Friday

8:00 a.m. - 12:00 noon

1:00 p.m. - 5:00 p.m.

This notices a reduction in hours from 7:30 a.m. to 5:30 p.m. Monday – Friday.

This change will affect the court clerks' offices only.

The court has taken this action due to ongoing budget cuts and reduction in timely receipt of State and Federal reimbursements.

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN FRANCISCO

400 McAllister Street, Room 205
San Francisco, CA 94102-4512
Phone: 415-551-4000
FAX: 415-551-5712



T. MICHAEL YUEN
COURT EXECUTIVE OFFICER

November 22, 2010

Ms. Christine Patton
Director, Bay Area Northern Coastal Regional Office
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102

Re: Notification of Limited Service Days in 2011

Dear Ms. Patton:

Pursuant to Government Code Section 68106, the Superior Court of California, County of San Francisco, is providing this notice of upcoming limited service days.

After receiving our recent allocation for Fiscal Year 2010-2011, the Court determined that reduced state funding has led to a deficit for the third consecutive year. Faced with a \$1.23 million deficit, the Court has determined that limited service days in half-day increments on every Friday beginning on January 21, 2011 and concluding on July 8, 2011 will cover the Court's \$1.23 million deficit.

The impact of these limited service days will require the Court to close its civil, criminal, and juvenile delinquency clerk's offices, located at 400 McAllister Street, Room 103; 850 Bryant Street, Room 101; and 375 Woodside Avenue, Room 101, respectively, each Friday afternoon at 12 p.m. These closures will allow the Court to implement mandatory staff furloughs of one day per month, which we are currently discussing with our local bargaining units and are nearing agreement.

Since Fiscal Year 2008-2009, the Court has relied on a combination of solutions to avoid layoffs while absorbing cuts and expenditure increases totaling \$13.2 million. To manage these escalating deficits resulting from devastating state budget cuts, the Court has relied on solutions, including implementing a hiring freeze for nearly two years; spending almost all of our \$9 million reserve; instituting mandatory and voluntary furloughs; reforming aspects of operations to achieve savings; offering a separation incentive program; and other cutbacks and service contract adjustments. Despite the goal of a Judicial Branch budget deal last spring that was intended to preserve the public's access to the Courts, the funding ultimately was reduced by \$55 million statewide. Because the Court shares the Judicial Council's goal of assuring access to justice, we have worked with our labor organizations and our Judicial Officers to craft a solution to our current-year deficit that will preserve limited access to the court with the least amount of public impacts.

However, I want to emphasize that there will be noticeable impacts that will worsen with each passing Friday afternoon. There will be less public access in our clerk's offices to pay fines and fees, file lawsuits and other documents, or help the public with questions about their criminal and civil cases.

Ms. Chris Patton
November 22, 2010
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While the Court prefers not to limit access to justice, these upcoming limited service days are the unfortunate new reality of the state's current fiscal environment.

Please contact me if you have any questions about our limited service day plan.

Sincerely,

/s/

T. Michael Yuen
Court Executive Officer

cc: Hon. James J. McBride, Presiding Judge
Hon. Katherine Feinstein, Assistant Presiding Judge



Superior Court of California, County of San Francisco

Notice of Limited Services Days

COURT ANNOUNCEMENT

The Superior Court of California, County of San Francisco, hereby provides public notice of Limited Service Days in 2011, pursuant to Government Code section 68106. The Court will rely on these Limited Service Days to close a \$1.23 million deficit for Fiscal Year 2010-2011, which is the result of an unexpected cut in state funding for the Judicial Branch.

LIMITED SERVICE DATES

The Clerk's Offices will close to the public at 12 p.m. each Friday on these dates:

- January 21, 28, 2011
- February 4, 18, 25, 2011
- March 4, 11, 18, 25, 2011
- April 1, 8, 15, 22, 29, 2011
- May 6, 13, 20, 27, 2011
- June 3, 10, 17, 24, 2011
- July 1, 8, 2011

All of the clerk's offices will be affected. These clerk's offices are located at:

- Civil Clerk's Office, 400 McAllister Street, Civic Center Courthouse (CCC), Room 103;
- Unified Family Court Clerk's Office, 400 McAllister Street, CCC, Room 402;
- Criminal Clerk's Office, 850 Bryant Street, Hall of Justice (HOJ), Room 101;
- Traffic Court Division, 850 Bryant Street, HOJ, Room 145; and
- Juvenile Delinquency Clerk's Office, 375 Woodside Avenue, Youth Guidance Center, Room 101.

Drop boxes will be available outside each main entrance of all Clerk's Offices between 12 p.m. and close of business. Documents received in the drop box by close of business will be processed with a same-day filing date.

- On Limited Service Days, the Criminal Clerk's Office at the Hall of Justice will be open from 8 a.m. to 12 p.m. All other weekdays that are not court holidays, the Criminal Clerk's Office is open 8 a.m. to 4:30 p.m.
- On Limited Service Days, the Civil Clerk's Office at CCC will be open 8 a.m. to 12 p.m. All other weekdays that are not court holidays, the Civil Clerk's Office is open 8 a.m. to 4 p.m.
- On Limited Service Days, the Traffic Court Division at the HOJ will be open from 8 a.m. to 12 p.m. All other weekdays that are not court holidays, the Traffic Court Division is open from 8 a.m. to 4:30 p.m.
- On Limited Service Days, the Unified Family Court (UFC) Clerk's Office at CCC will be open 8 a.m. to 12 p.m. All other weekdays that are not court holidays, the UFC Clerk's Office is open 8 a.m. to 4 p.m.
- On Limited Service Days, the Juvenile Delinquency Clerk's Office at the Youth Guidance Center will be open 8 a.m. to 12 p.m. All other weekdays that are not court holidays, the Juvenile Delinquency Clerk's Office is open 8 a.m. to 12 p.m. and 1 to 4 p.m.

For more information contact Ann Donlan, Communications Director at: (415) 551-5957



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

HALL OF JUSTICE
400 COUNTY CENTER
REDWOOD CITY, CALIFORNIA 94063-1655

JOHN C. FITTON
COURT EXECUTIVE OFFICER
CLERK & JURY COMMISSIONER

(650) 363-4510
FAX (650) 363-4698
www.sanmateocourt.org

December 1, 2010

Ms. Christine Patton
Director, Bay Area Northern Coastal Regional Office
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102

Re: Notification Pursuant to Government Code Section 68106

Dear Ms. Patton:

Within the Northern Branch of the Superior Court located at 1050 Mission Road in South San Francisco there is a small satellite office that handles certain family law, probate and civil filings. Please accept this letter as notice that the Superior Court of San Mateo County intends to close this satellite office effective January 31, 2011. We will re-direct specific domestic violence and civil harassment restraining order filings to our Criminal Clerk's Office at the same Northern Branch location, with the remaining satellite office filings re-directed to the Family Law, Civil and Probate Clerk's Offices at the Hall of Justice in Redwood City. All remaining court divisions and functions at the Northern Branch will continue to be open and operational.

Unprecedented and ongoing reductions in State court funding have necessitated the reduction of over 20% of our court's workforce. The Court has worked diligently over the past year to continue to meet the essential needs of court users and litigants while reducing expenses to stay in line with our authorized level of funding. Steps the court has already taken to combat the shortfall have been considerable and include among other things, renegotiating service contracts, consolidating trial court services, reducing employee wages due to the mandated court closures and increased benefit contributions and significant reductions to our workforce by way of both layoffs and attrition. With fewer employees to handle the work of the court, we must take steps to balance our essential court workload and strive to become more efficient all the while remaining cognizant of maintaining the essential level of service and access to the public. Given the fiscal reality facing the court, we are strategically consolidating our operations by re-directing the staff and some of the services previously provided by the satellite office at the Northern Branch.

Ms. Christine Patton
December 1, 2010
Page 2

Effective January 31, 2011, all family law, civil and probate filings previously submitted to the Northern satellite office will need to be submitted to the appropriate clerk's office in the Hall of Justice located at 400 County Center in Redwood City. We will continue to process domestic violence and civil harassment restraining orders at the Northern Branch with those functions being transferred to the Criminal Clerk's Office. Hearings normally scheduled for the Northern Branch will not be impacted and will continue to be heard at the South San Francisco location.

Please contact me if you have any questions about this subject. I can be reached at (650) 599-1763.

Sincerely,

A handwritten signature in black ink, appearing to read 'John C. Fitton', with a stylized flourish at the end.

John C. Fitton
Court Executive Officer

cc: Stephen M. Hall, Presiding Judge
Beth Labson Freeman, Presiding Judge Elect
Rodina Catalano, Deputy Court Executive Officer
Susan Maxwell, Court Services Manager

IMPORTANT PUBLIC NOTICE

(Pursuant to Government Code section 68106)

Family Law/Civil/Probate Satellite Office located within the Northern Branch

Many courts statewide continue to face extreme financial challenges due to a third consecutive year of funding cuts from the State. The unprecedented and ongoing reductions in State court funding have necessitated the reduction of over 20% of our court workforce. These significant resource reductions have required us to consolidate operations in order to maintain essential court services and appropriate staffing support in our divisions.

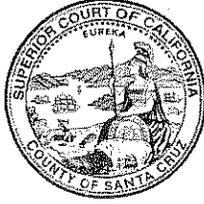
Within the Northern Branch of the Superior Court located at 1050 Mission Road in South San Francisco there is a small satellite office that handles certain family law, probate and civil filings. Effective January 31, 2011 the Superior Court will consolidate and relocate some of the clerk's office services offered at this satellite office. All remaining court divisions and functions at the Northern Branch will continue to be open and operational.

On January 31, 2011, all family law, civil and probate filings previously submitted to the Northern satellite office will need to be submitted to the appropriate clerk's office in the Hall of Justice located at 400 County Center in Redwood City. We will continue to receive and process domestic violence and civil harassment restraining orders at the Northern Branch with those functions being transferred to the Criminal Clerk's Office in the same building. Hearings normally scheduled for the Northern Branch will continue to be heard at the South San Francisco location. The Criminal Clerk's Office will continue to be open from 8 am to 4 pm Monday through Friday.

This information is also available on our website at www.sanmateocourt.org.

Thank you for your cooperation and understanding.

Superior Court of California
COUNTY OF SANTA CRUZ



Alex Calvo
Executive Officer

Judges Chambers
701 Ocean Street
Santa Cruz, CA 95060
Phone (831) 420-2401

October 28, 2010

Ms. Christine Patton
Director, Bay Area Northern Coastal Regional Office
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Ave.
San Francisco, CA 94102

Re: Notification of Court Closures Pursuant to Government Code Section 68106

Dear Ms. Patton:

Please accept this letter as notice that the Superior Court of Santa Cruz County intends to offer limited services for seven days during Fiscal Year 2010-2011 due to significant financial constraints brought on by the continuing state budget crisis. The court's budget has been reduced by more than two and one-half million dollars since July of 2008. At the same time, the court's expenses and liabilities have continued to increase. Steps that court has already taken to combat the shortfall have been considerable and include among other things, renegotiating service contracts, consolidating trial court services, reducing employee wages, and significant reductions to the workforce by way of both layoffs and attrition.

The limited service days will run concurrent with days that the County of Santa Cruz is taking as furlough. This coordination will minimize the impact on justice system partners and court users county-wide. The court will use a single courtroom at the main Santa Cruz courthouse to hear all mandatory last-day criminal matters, criminal arraignments, juvenile dependency and delinquency matters, civil ex-parte and domestic violence ex-parte. The court will also operate Criminal and Civil Clerks' Offices in Santa Cruz during regular business hours. The Watsonville Courthouse will be closed during these selected days.

The seven days selected for limited service are as follows:

- December 27, 28, 29 & 30, 2010
- January 28, 2011
- February 25, 2011
- March 25, 2011

The Court has reached agreements with its local bargaining units for these days and most represented employees will take these days as furlough. The court will achieve savings of approximately \$200,000 by implementing these limited service days.

Please contact me if you have any questions about this subject. I can be reached at 831-420-2401 or by email at alex.calvo@santacruzcourt.org.

Sincerely,
Alex Calvo
Court Executive Officer

cc: Jeffery J. Almquist, Presiding Judge

**Notice Regarding Limited Service Days for Fiscal Year
2010/2011**

(Pursuant to Government Code Section 68106)

Many courts statewide continue to face extreme financial challenges owing to a third consecutive year of funding cuts from the state. Over these three years the court's budget has been reduced by over 2.5 million dollars. In order to meet this challenge the court has reduced expenditures by reducing staff pay, freezing all hiring and laying-off 21 employees. In addition to these steps, this year the Superior Court of Santa Cruz County is reducing hours and services on the following days during 2010 and 2011:

- December 27, 28, 29 & 30, 2010;
- January 28, 2011;
- February 25, 2011; and
- March 25, 2011.

The court will achieve savings of approximately \$200,000 by taking this action.

The Watsonville Courthouse will be closed completely on these days. All courtrooms except one in the main courthouse in Santa Cruz also will be closed, with the one remaining open courtroom hearing all mandatory last-day criminal matters, criminal arraignments, juvenile dependency and delinquency matters, civil ex partes and domestic violence ex partes. Clerks' offices will be open in Santa Cruz during these days from 8 AM to 3 PM as usual, with a drop box provided until 5 PM. But wait times could be longer than normal because of employee furloughs. Court users are encouraged to use the court's Web site at www.santacruzcourt.org to pay traffic and criminal fines electronically.

Please contact the court at 831-420-2200 if you have any questions about these hours. Thank you for your cooperation and understanding.



Important Public Notice

The Superior Court will hold limited services on the following days during 2010 and 2011:

- **December 27, 28, 29, and 30, 2010;**
- **Friday, January 28, 2011;**
- **Friday, February 25, 2011; and**
- **Friday, March 25, 2011.**

The Watsonville Courthouse will close on these days. One courtroom in the main courthouse in Santa Cruz will remain open to hear all mandatory last-day criminal matters, criminal arraignments, juvenile dependency and delinquency matters, civil ex partes and domestic violence ex partes. The Clerk's Office in Santa Cruz will be open as usual from 8:00 AM to 3:00 PM. Drop boxes are available at clerks' offices in Santa Cruz until 5 PM. Wait times could be longer than normal because of employee furloughs so Court users are encouraged to use the court's Web site at www.santacruzcourt.org to pay traffic and criminal fines electronically.

The following guidelines and directives were initially approved by the Judicial Council in 2003, later revised in 2004. The Executive and Planning Committee, on behalf of the council, on January 20, 2009, reaffirmed these guidelines and directives and approved this revised version.

Operating Guidelines and Directives for Budget Management in the Judicial Branch

In recognition of the Judicial Council's continued commitment to ensuring open access to a system of uniform and equal justice for all, the council sets forth the following guidelines and directives on how courts manage their budgets in response to funding conditions. All courts must manage their budgets in compliance with the policies set forth in these operating guidelines and directives.

I. Guiding Principles

Maintain Open Access to Courts

- Protect the federal and state constitutional values of the justice system;
- Provide equal access to a system of fair and uniform justice;
- Provide a safe, secure environment for the administration of justice;
- Provide justice in a timely manner;
- Protect resources dedicated to eliminating barriers to access for the most vulnerable (e.g., those unable to pay, persons with disabilities, children,); and
- Maintain resources necessary for public safety.

II. Guidelines and Directives

Access to Court Services – to provide and maintain access for the public to court services

- Courts must remain open to the public each business day.
 - Hours for Trial Court Clerk's Offices
 - The recommended operating hours for the trial court clerk's office are 8:30 a.m. to 4:00 p.m. (including the lunch hour) and courts are encouraged to remain open between 8:00 a.m. and 5:00 p.m., if circumstances allow;
 - Each superior court must keep at least one trial court clerk's office open a minimum of 6 ½ hours per day including the core hours of 10:00 a.m. to 2:00 p.m. (including the lunch hour). All exceptions require consultation with, and review and approval of, the Judicial Council.
 - All trial courts must provide drop boxes during periods of shortened hours. Use of a drop box is governed by rule 2.210, which requires a drop box whenever a clerk's office filing counter is closed between 8:30 a.m. and 4:00 p.m.

- Court departments must remain open consistent with operating requirements, except for normal absences (business meetings, vacation, sick leave, educational training, etc.) or emergencies such as natural disasters, bomb threats, and power outages.

Facilities Utilization and Closures – to ensure public access within available judicial branch resources

- Courts should continue to evaluate court space to ensure that facilities are utilized most efficiently and for the most appropriate purpose; and
- Courts must notify and consult with the Administrative Office of the Court's Office of Court Construction and Management prior to any potential closure or surrender of facilities.

MOUs for County Services and Revenue Sharing – to ensure that county services are formally negotiated and negotiated within court's current resources. (This section does not apply to labor contracts, please reference the section on Fair Employment and Labor Relations Provisions.)

- Trial courts must have MOUs in place for all county services, including security services, consistent with Government Code 77212, and for revenue sharing agreements with the county;
- All contracts for services must be negotiated within the trial court's available resources; and
- If a court reaches an impasse in negotiating any contract, they must consult with the Judicial Council.

General Court Contracts

- Each court must ensure that any contract entered into by the court contains provisions that will permit the contract to be modified if resources become unavailable during the course of the contract year due to reductions in the budget that are beyond the control of the individual court. The appropriate language setting forth this principle is referenced in the Trial Court Financial Policies and Procedures Manual, section FIN 7.01, Contracts.

Cash Management/Accountability Measures – to ensure fiscal accountability and adequate resources to meet minimum financial obligations during periods of financial uncertainty and periods without a budget

- Courts must properly account for all fees and fully remit fees with the appropriate accounting to the treasury as soon as practical; and

- Trial courts should implement procedures to ensure that all direct and indirect charges are in accordance with MOUs and Rule 10.810 allowable prior to authorizing payment.
- Trial Court Fund Balance Policy
 - Refer to the fund balance policy approved by the Judicial Council in October 2006:
http://serranus.courtinfo.ca.gov/programs/finance/documents/103006_3.doc

Fair Employment and Labor Relations Provisions – to facilitate the collective bargaining process

- Relationships with Local Bargaining Units & Structure of Labor Agreements

Each trial court should:

 - Inform employees and their recognized employee organizations of circumstances that affect employee working conditions and promptly respond to the concerns of employees and their recognized employee organizations.
 - Negotiate all employee collective bargaining agreements within the trial court’s available resources.
 - These guidelines and directives must be applied consistent with a court’s obligation to meet and confer with recognized employee organizations.
- Policy on Layoffs of Regular Employees
 - Courts must notify and consult with the Judicial Council prior to implementing any regular employee layoff plans that are required as a result of budget reductions.

Promote the collection of fines, fees, forfeitures and assessments - to ensure the enforcement of court orders

- Establish policies and procedures for the collection of fines, fees, forfeitures, and assessments that are consistent with the standards and guidelines approved by the Judicial Council.
- Promote the enforcement of all court orders relating to fines, fees, forfeitures and assessments; and uniform collection and remittance of required reports.
- Establish and/or enhance comprehensive collections programs.

Expense Restrictions

- Appellate courts, trial courts, and the AOC must continue implementing cost reduction measures to manage unallocated reductions and unfunded costs in a manner that ensures continued access to a system of uniform and equal justice within available financial resources.
- All judges, subordinate judicial officers, and those judicial branch employees not represented by recognized employee organizations and who earn more than \$100,000 per year, must not be reimbursed for professional association dues that are due or owing on or after the effective date of these guidelines. This does not include those license fees, including State Bar dues, where the license is a requirement of the position.

AOC Assistance to the Courts

- The AOC is directed to be available and work with the courts to assist in negotiations of any kind that may affect the budget in the course of the year.