



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

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## MEMORANDUM

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Date	Action Requested
February 25, 2011	For Information Only
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	

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The following information outlines some of the many activities taking place to further the Judicial Council's goals and agenda for the judicial branch.

Issues and activities highlighted include the following:

- Budget (*p. 2*)
- Legislation (*p. 4 & 18*)
- Judicial Appointments and Vacancies (*p. 6 & 25*)
- Demographic Report on California's Justices and Judges (*p. 6 & 25*)
- Administrative Infrastructure Initiatives (*p. 9 & 20*)
- Advisory Committees, Task Forces, and Working Groups (*p. 13 & 16*)
- Judicial and Court Employee Education (*p. 14 & 22*)

## Summary

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

**New Members for the Judicial Council:** Associate Justice Harry E. Hull, Jr., of the Court of Appeal for the Third Appellate District (Sacramento), and Commissioner Sue Alexander, of the Superior Court of Alameda County, began their terms of service with the Judicial Council, effective January 3, 2011. Associate Justice Hull was appointed by Chief Justice Tani Cantil-Sakauye to fill the vacancy created by her election as Chief Justice. Commissioner Alexander was appointed in November by Chief Justice Ronald M. George to complete the term of Commissioner Lon F. Hurwitz, of the Superior Court of Orange County, who was elected as a judge of that court. Justice Hull and Commissioner Alexander will serve three-year terms until September 14, 2014.

### Budget

#### **Ad Hoc Judicial Branch Budget Working Group:**

- This working group of Judicial Council and trial and appellate court and bar representatives was convened by the Chief Justice in January and again in February to discuss and make recommendations for addressing the Governor's proposed budget for fiscal year 2011–2012.
- The working group reached a conceptual agreement on the budget proposal that would include:
  - Allocating the proposed \$200 million reduction on a pro rata basis across the branch (Judicial Council/Administrative Office of the Courts (AOC), Courts of Appeal, Supreme Court, Habeas Corpus Resource Center, and the trial courts).
  - Reallocating significant funding from construction funds, facility modification funds, and the California Court Case Management System (CCMS) to court operations for fiscal year 2011–2012. (The information was presented indicating that the transfers can be made without jeopardizing proposed facilities projects or construction schedules.)
  - Permitting the trial courts to utilize undesignated reserved funds to offset the reductions for fiscal year 2011–2012 with the objective of ensuring that courts have sufficient funds to remain open and accessible to the public.

**Meeting with the Governor:** The Chief Justice hosted a two-hour meeting with Governor Brown in her chambers. Discussions focused on the governor's budget proposals and the impact of current and proposed budget reductions for the courts. The Chief told the Governor that the judicial branch is willing to work with his administration and the Legislature to be a part of the solution, but stressed the need for those solutions to ensure that courts can remain open.

**Legislative Committee Actions:**

- The committee actions were basically consistent with the proposals of the Ad Hoc Judicial Branch Budget Working Group.
- *Senate Committee on Budget and Fiscal Review:* The full Senate Budget Committee, chaired by Senator Mark Leno, took action to:
  - (1) Approve allocation of the \$200 million reduction for the judicial branch on a pro rata basis;
  - (2) Approve the allocation of \$95 million from trial court reserves to help backfill the reduction;
  - (3) Authorize the Judicial Council to redirect \$169.3 million of statewide special funds to offset the trial court reduction;
  - (4) Adopt budget bill language to have costs for the CCMS review by an independent consultant paid out of current project funds; and
  - (5) Approve the Governor's realignment proposal framework, acknowledging that additional modifications will be necessary to address stakeholder concerns, and that work will continue in the Budget Conference Committee.
- *Assembly Budget Committee:* The Assembly committee voted to:
  - (1) Approve the \$200 million reduction by allocating \$23.2 million to state operations and \$176.8 million to trial courts;
  - (2) Adopt language requiring that the \$38.7 million General Fund transfer to the Judicial Administration Efficiency and Modernization Fund be used to offset the reduction to the trial courts;
  - (3) Adopt language providing the authority to use \$178 million from Special Fund balances to offset the reduction to the trial courts;
  - (4) Approve the Budget Change Proposal for Senate Bill 1407 capital outlay projects, reversing a previous subcommittee decision denying funding;
  - (5) Approve language directing the AOC to do an independent analysis of CCMS (the AOC and the CCMS Governing Committee leadership previously committed to doing this in testimony presented at an audit hearing); and
  - (6) Adopt language that would make the AOC subject to the public contract codes for all contracts.
- The Conference Committee began meeting this week to reconcile the budget actions between the houses.

**Trial Court Funding for Increased Retirement and Healthcare Costs:** The Department of Finance (DOF) notified the Legislature that it approved the AOC's request to augment the \$17.9 million in funding for trial court cost increases by \$24.9 million in the current fiscal year. The Legislature responded to the DOF that it does not concur with the increase of \$24.9 million for

these costs based on the availability of court reserves. Judicial branch leadership is currently in discussion with the DOF and the Legislature on this issue. This action relates to current year funding only and does not impact ongoing funding increases.

## Legislation

Following is a list of bills the Judicial Council is sponsoring this year (*Page 18*):

**Judicial Arbitration Statutes:** This bill would encourage settlements and reduce the number of unnecessary trial de novo requests, which should save time and money for both litigants and the courts.

**Probate Guardianship Venue:** The bill would (1) create presumptions for determining venue based on the length of the residence of the proposed ward and proposed guardian in the county where the guardianship action was filed, but preserves the court's ability to make the ultimate determination based on the best interests of the minor; (2) establish a consultative procedure between courts to assist in determining the appropriate venue of a probate guardianship in these cases; (3) discourage forum shopping by parents disappointed in previous child custody litigation by preventing them in most instances from being appointed as his or her child's guardian; and (4) codify case law establishing exclusive jurisdiction in the guardianship court to determine custody or visitation concerning the ward during the duration of the guardian's appointment.

**Vexatious Litigants:** This proposal would make several changes to clarify and streamline the law governing vexatious litigants in order to improve the practice and procedure in this area.

**Meetings with California Congressional Delegates and US Department Heads:** Following the midyear meeting of the Conference of Chief Justices in Washington DC, the Chief Justice had almost a dozen meetings with Senate and House members, as well as Secretary of Homeland Security Janet Napolitano and Attorney General Eric Holder, to discuss budget and policy issues related to state courts and California, including federal tax-intercept legislation (for court-ordered debt), CCMS, and new federal mandates involving court interpreter services. (*Page 19*)

**Legislative Visits by the Chief Justice:** On February 1, 2011, the Chief Justice Tani Cantil-Sakauye and AOC executives met with key legislators at the State Capitol to discuss the branch budget and legislative priorities. These visits provided the opportunity to advise legislators on the Governor's proposed budget and the impacts of the budget reductions this year, and to advocate for restoration of prior-year reductions. (*Page 19*)

**“Meet and Greet” Sessions with New Legislators:** In the New Year, AOC Office of Governmental Affairs staff met with the 30 newly-elected members of the California Legislature to introduce and explain the role of the Judicial Council and the Administrative Office of the Courts. These sessions, conducted at the beginning of the legislative sessions, are designed to benefit and acquaint the new legislators with the judicial branch and its relationship with the legislative and executive branches. The new legislators typically receive literature, Fact Sheets, and brochures describing the branch, its functions, and its services

### **Federal Issues**

- *Court Collections:* We are continuing to support federal legislation to improve collections of court-ordered fines and fees, by being able to intercept federal tax returns similar to the authority to intercept state tax returns. Legislation is being introduced in both the House and the Senate.
- *California JusticeCorps:* Letters were sent to 35 members of the California Congressional delegation requesting letters of support for the AOC's application to the federal Corporation for National and Community Service for a grant to fund the California JusticeCorps program. The grant is for \$1 million per year for three years, and would be used to recruit and train JusticeCorps members to assist low-income self-represented litigants in six courts: Los Angeles, Alameda, San Diego, San Francisco, San Mateo, and Santa Clara.
- *National Center for State Courts:* At the request of the National Center for State Courts (NCSC), the Judicial Council submitted letters to members of the California Congressional delegation in support of NCSC's request for \$2 million for its State Courts Improvement Initiative. The Initiative would provide continued funding for services provided by NCSC to the state courts including library and clearinghouse information, technical assistance regarding implementation of federal policies, and research.
- *Child Support Protection Act of 2009 (S. 1859):* At the recommendation of NCSC, the Judicial Council submitted a letter to United States Senator Barbara Boxer requesting that she co-sponsor S. 1859, which would permanently restore federal matching of state spending of child support incentive payments. Federal funding of the program was reduced in 2005. In 2009, funding was temporarily restored. However, the temporary restoration of the program is set to expire in September 2010. The permanent restoration is critical so state governments can budget for 2011.

**Report to the Legislature:** The second annual report on Collections was submitted to the Legislature. In fiscal year 2009–2010, the collection of delinquent court-ordered debt

increased from \$565 million to \$605 million, a seven percent or \$40 million increase from the prior fiscal year.

**New Judgeships and Vacancies** (*Page 25*):

- Governor Schwarzenegger made 18 new judicial appointments in December: 16 on December 16, one on December 28, and one on December 31, 2010.
- Currently, there are six trial court vacancies and one appellate court judicial vacancy.

**Demographic Report on California's Justices and Judges** (*Page 25*):

- The AOC has issued demographic data on the race, ethnicity, and gender of California state justices and judges on the bench as of December 31, 2010. The data show an increase in the number of women judges and justices in 2010. Women represent 30.8 percent of the judiciary compared to 27.1 percent in 2006.
- The data also show an increase in the number of trial court judges since 2006 in the following race and ethnicity categories: American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Pacific Islander, White, and Some Other Race.

**Trial Court Leaders Statewide Business Meeting:** Members of the Joint Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee convened their first statewide meeting of 2011. Twenty-six newly appointed presiding judges were in attendance. The joint business meeting included budget, legislative, and finance updates, as well as discussions and briefings on expedited jury trials and the public comment process on presiding judge and court executive officer rule of court proposals. The advisory committees also held individual meetings, covering topics including: model programs designed to increase the diversity of judicial appointment applicants in California, authorizing and reporting judicial officer leave, court interpreter issues, and an overview of types of requests for records received under California Rules of Court 10.500 and guidance on uniformly applying the rule.

**Presiding Judges and Executive Officers Regional Meetings:** The AOC sponsors regional meetings that offer judicial branch leaders an opportunity to plan and discuss topics of interest for courts in their region. Meetings were held in February.

- *Bay Area/Northern Coastal Region:* 15 out of 16 courts attended.
- *Northern/Central Region:* 27 of 31 courts attended.
- *Southern Region:* All 11 courts attended.
- Common agenda:
  - Question and answer session with Chief Justice Tani Cantil-Sakauye.
  - Update on implementation issues with the new expedited jury trial procedures.
  - The Assigned Judges Program, budget and best practices for efficient use of the program.

- Presentation and discussion on how the AOC's Center for Families, Children and the Courts can better help the courts.
- Update on facilities management service issues.
- Presentation on current civil harassment programs.

**Savings from Community Corrections Program:** The Department of Finance released its initial estimate of \$118 million in state General Fund savings for calendar year 2010 through the implementation of the California Community Corrections Performance Incentive Act of 2009 (Senate Bill 678). As a result, county probation departments are expected to receive approximately \$55 million in fiscal year 2011–2012 to support evidence based probation supervision. The Community Corrections Program is testing a tool for measuring probation departments' implementation of evidence based practices.

**Court Interpreter Data Collection:** To enhance data collection related to language use and statewide interpreter needs, a six-month pilot program is getting under way to track expenditures by language in five courts (Marin, Stanislaus, San Francisco, San Diego, and Ventura). The courts will use language codes to associate payroll and contract expenses with the language of the interpretative services provided. The courts and the AOC will then evaluate the quality and usefulness of the data and the impact on the courts involved.

**Managing and Modernizing Court Records:** A joint effort by the AOC and the trial courts produced the first Trial Court Records Manual, as required by legislation passed in 2010. The manual provides guidance and assistance to the courts in managing and modernizing court records. It contains references to statutes, rules, and outlines industry standards and best practices relating to records management. The manual was electronically distributed to all trial court executive officers in January.

**Emergency Planning—Court Continuity of Operations:** With AOC assistance, the Superior Court of San Bernardino County has completed its Court Continuity of Operations Plan. Thirty-one courts have participated in training and are in the process of completing their plans. The superior courts of San Diego, San Joaquin, Alpine, El Dorado, and Alameda counties are scheduled for training.

**Courts and Libraries Partner to Improve Access to Self-Help Services:**

- The judicial branch is partnering with the California State Library, which directs state and federal funds to support local public libraries and statewide library programs and services, to increase the public's access to self-help services and its understanding of the courts by providing training and resources to public librarians.
- The project is an expansion of the Regional Library and Court Partnership Project, a collaboration between the Superior Courts of Santa Clara, San Benito, Santa Cruz, and

Monterey Counties and their corresponding public library systems, and a 2006–2007 Kleps Award Recipient. The courts worked with their public libraries to provide the librarians with training on free, online legal resources so that they could better assist their patrons.

**Statewide Foster Youth Education Summit:**

- The 2011 California Foster Youth Education Summit, entitled *Cradle to College & Career: Bridging Connections to Success*, was held in Sacramento. The Summit included more than 100 former foster youth who joined 600 child welfare, education, and judicial branch professionals from 52 counties.
- AOC staff presented on foster youth education issues at a briefing for legislators and staff at the Capitol.
- The Judicial Council was recognized by the California Foster Youth Education Task Force for its support of children and youth in foster care and its co-sponsorship of Assembly Bill 12, the California Fostering Connections to Success Act.

**Improving Civics Education:** At the California Forum on Civic Literacy in the 21st Century, sponsored by the California Campaign for the Civic Mission of Schools, Justice Ronald B. Robie joined county education, civic education research, and voter education and outreach representatives to provide a judicial branch perspective on the challenges facing civic education and needed policy changes.

**Celebrating African Americans and the California Courts:** The AOC presented activities and educational content for Black History Month. This year's theme of African Americans and the California Courts included presentations by Justice William E. Murray, Jr., Judge Brenda Harbin-Forte, and Mayor Willie Brown, Jr..

**International Visitors Program:** The AOC regularly provides briefings on California's justice system to justice partner groups or individuals from other countries and states. The AOC also hosted judicial representatives from Japan for a presentation and discussion on labor rights and unions. Staff also met with representatives from Japan to discuss training for court staff and court officers. Additionally, 25 visitors from the People's Republic of China met with staff to discuss the Court Interpreters Program.

**Judicial Branch Audit Program:**

- Regular cycle comprehensive audits were initiated for the Riverside, Santa Clara, and San Diego Superior Courts.
- Monthly Independent Project Oversight and Independent Validation and Verification reports for the California Court Case Management System are continuing.

## Administrative Infrastructure Initiatives

### Facilities

#### Capital Projects:

- **52 projects moving forward:** Architectural and engineering firms have been selected for each of these 52 capital projects. Site selection and acquisition for 34 new courthouse projects is under way, in addition to design on 14 projects (renovations and new construction), and construction of three new courthouses.
- **New Long Beach Courthouse:** After months of final negotiations, the financial and commercial close for the new Long Beach courthouse project took place in December. The close was a critical step in moving forward with the performance-based infrastructure project. The groundbreaking ceremony for the new courthouse will be held on April 7, with an estimated occupancy date of September 2013.

#### State Public Works Board Approval:

- Site acquisition for new Lakeport courthouse.
- Conditional site acquisition for new South Monterey courthouse.
- Site selection approval for the following projects:
  - Imperial – new El Centro courthouse.
  - Los Angeles – new Glendale courthouse and new Southeast Los Angeles courthouses.
  - Santa Barbara – new criminal courthouse.
  - Santa Clara – new family justice center.
  - Yolo – new Woodland courthouse.

#### Facility Modifications:

- **In progress:** Eight hundred and eighty active facility modifications at a value of \$57.1 million.

#### Facilities Management Process Re-engineering:

- Contracts for Job Order Contracting for facility modification projects worth between \$15,000 and \$500,000 will be executed by the end of February. This represents about one-third of facility management work.
- The AOC hosted facility tours across the state in support of the Operations and Maintenance request for proposals. Proposals are due in early March, and contracts are scheduled to be awarded in May/June to commence full performance in the fall.

## Technology

### Case Management Systems

#### **California Court Case Management System (CCMS) (Page 20):**

- *New CCMS Governance Structure:* The governance structure was augmented to provide overarching direction and guidance to the program and to ensure successful implementation across the state.
- *Cost-Benefit Analysis:* Grant Thornton, LLP will deliver its CCMS deployment cost-benefit analysis report this week.
- *Bureau of State Audits:* The audit was published on February 8. All six BSA recommendations are being implemented.
- The vendor, AOC, and court subject matter experts completed the validation of the application code against the final functional design to ensure readiness for testing. Product Acceptance Testing began in February, with a targeted completion date of April 2011. Testing is ahead of schedule, with a 97% pass rate for all scripts, exceeding expectations. A total of 82 testers are involved in this process including 47 court staff and 8 judicial officers.
- Preparation work for deployment to the early adopter courts continues.
- All courts are now live on version 10.02 (Superior Courts of Los Angeles, Orange, Sacramento, San Diego, San Joaquin, and Ventura Counties); and, collectively, process 25 percent of civil cases statewide.

### Data Integration

#### **Justice Partner Data Integration Project:**

- Regular meetings were conducted with the California Highway Patrol (CHP), State Chief Information Officer, State Bar, Department of Justice (DOJ), Franchise Tax Bureau, and the Department of Corrections and Rehabilitation on data exchanges and readiness for CCMS testing;
- Meetings were held with all integration partners, including eFiling Service Providers), in preparation for the upcoming CCMS integration and Product Acceptance Testing;
- The AOC worked extensively with the DOJ, Santa Clara County, San Jose Police, and the Santa Clara Superior Court on disposition reporting and using grant funds;
- Discussions began with San Luis Obispo County law enforcement on aiding justice partners and vendors with data exchanges needed in implementing CCMS;
- Participation continued in California's Data Sharing Workgroup Task Force;
- Participation continued in the data sharing efforts of the COPLINK working group, an application used by law enforcement to integrate information from multiple sources and used to create regional information sharing network.

**Enterprise Test Management Suite:** The CCMS V2 team migrated to an enterprise model for defect tracking. This model promulgates a consistent process for logging, processing, and reporting application defects across the enterprise.

**Statewide Electronic Business Services (E-Filing):**

- Preparations began for CCMS external component integration testing by continuing script clean-up effort, test plan, and data exchange schema review; and engaging electronic filing service providers;
- Initiated the Judicial Branch Strategic Visioning project, which seeks to develop an organizational and technological framework for comprehensive, integrated, user centric eBusiness systems. The focus will be on end-user experiences, business processes, government policies, and enabling technological platforms that would transform eBusiness services, rather than merely digitizing existing paper-based processes. Interviews are planned with internal and external end-users, including justices, court executives, and state justice partners; and
- Findings were analyzed from the National Center for State Courts' report on e-filing initiatives, including Electronic Filing Service Provider qualification, statewide e-filing portal, e-forms (smart forms technology), and e-filing implementation tools. Began developing recommendations and an implementation strategy for presentation in the second quarter of 2011.

**Traffic Citation Electronic Filing (eCitation):**

- Successfully completed connectivity testing with the CHP and San Bernardino County Superior Court, and received the completed citation data exchange allowing integration partners to complete their development work.
- Continued to plan integration testing scenarios, including holding meetings to discuss test case development and requirements coverage.
- Planned activities for the next period, including completing connectivity testing with the Orange County Superior Court, deploying the data exchange to the non-CCMS test environment, and starting integration testing with the CHP and the courts, which runs from early February through mid-March 2011.

**Interim Case Management System—Sustain Justice Edition:** This interim system selected by the courts prior to conversion to CCMS, operates in ten counties hosted at the California Courts Technology Center and five counties hosted locally, representing 26 percent of counties, with approximately 48 court locations and 2,552 licensed court users. The AOC funds program management oversight for the system, legislative updates, and minor system enhancements. In this period:

- Completed updates for Senate Bill 431, Senate Bill 1149, Assembly Bill 131, and 2011 Uniform Bail Schedule.
- Installed new system release in the Superior Courts Modoc, San Benito, and Trinity Counties.
- Updated security for communications over networks such as the Internet.
- Successfully migrated all Sustain courts to the Time Sharing Option system to assist with direct inquiries for Department of Motor Vehicles data.

### **Phoenix Financial System**

**CCMS V4 Interfaces:** The AOC is developing interfaces between the Phoenix system and CCMS. The goal is to gain the ability to extract financial data from CCMS and load it directly into the Phoenix SAP Accounting module for accounting and reporting purposes.

### **Administrative and Management Systems**

**California Courts Protective Order Registry:** Deployed program and provided training to the Superior Courts of Siskiyou, Tulare, Kings, and Ventura Counties, bringing the total to 21 courts and continued demonstrations of the program to additional courts.

### **Infrastructure and Security**

#### **California Courts Technology Center:**

- Began phasing in a state-of-the-art, flexible, shared hardware model as the Omaha center's non-production servers reach end of life cycle.
- Commenced the fourth and final phase of the network diversity migration to improve the network model.
- Continued planning for the next disaster recovery exercise.

**Local Area Network/Wide Area Network Program:** The Technology Refresh Program replaces equipment that has reached end of support. All courts that participated in the program are eligible. Three technical refreshes have been completed since the initial telecommunications project was offered in 2002. Forty-seven courts were completed in cycle four as of January 2011. Planning is under way for the fifth cycle.

### **National Activities**

**American Bar Association (ABA) Midyear Meeting and Task Force on the Preservation of the Justice System:** AOC Chief Deputy Director Ronald G. Overholt provided testimony on behalf of the California courts and the Conference of State Court Administrators at the inaugural

hearing of the ABA's Task Force on the Preservation of the Justice System during the association's midyear conference. The hearing focused on (1) identifying the impact of the underfunding of the courts on the justice system; (2) successfully implemented solutions; (3) suggested interim solutions; and (4) suggested long term solutions. The task force Web site is at <http://www.abanet.org/preservejustice/>.

**National Program for Presiding Judges and Court Executive Officers on Domestic Violence:** Eighteen California trial court leaders joined several national teams at a pilot national program on management issues in domestic violence cases. Held in San Francisco, the program, the first of its kind in the nation, was a collaboration between the AOC, the National Council of Juvenile and Family Court Judges, and the Family Violence Prevention Fund. The course included components on the dynamics of domestic violence, calendar management and court structure in domestic violence cases, judicial and staff assignments, judicial and staff training, managing resources, and court leadership.

**Trial Court Workload:** AOC staff met with staff from American University's Justice Programs Office and representatives from Florida's 13th Circuit to solicit input on incorporating performance measures into trial court workload models. In addition to examining the analytic connection between workload and performance, the meeting focused on developing technical assistance for trial courts that would allow workload models to be more useful to the courts.

**Advisory Committees, Task Forces, and Working Groups (Page 16):**

*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 December meeting:

1. Access and Fairness Advisory Committee
2. Advisory Committee on Civil Jury Instructions
3. Advisory Committee on Criminal Jury Instructions
4. Center for Judicial Education and Research Governing Committee
5. Civil and Small Claims Advisory Committee
6. Collaborative Justice Courts Advisory Committee
7. Commission for Impartial Courts Implementation Committee
8. Criminal Law Advisory Committee
9. Family and Juvenile Law Advisory Committee
10. Judicial Branch Workers' Compensation Oversight Committee
11. Probate and Mental Health Advisory Committee
12. Task Force for Criminal Justice Collaboration on Mental Health Issues
13. Traffic Advisory Committee
14. Tribal Court/State Court Forum

**Education and Training Programs (Page 22):**

**Judicial Education**

1. Assigned Judges Program Orientation
2. Basic Civil Law Orientation
3. Domestic Violence Components in Primary Assignment Orientations
4. Family Law Primary Assignment Orientation
5. Juvenile Delinquency Primary Assignment Orientation
6. Local Programs on Domestic Violence in Inyo, San Bernardino, and Sonoma Counties
7. New Judge Orientation
8. Qualifying Judicial Ethics Training

**Judicial Officer, Court Employee, and Justice System Stakeholder Education**

9. 2011 California Statewide Foster Youth Education Summit
10. Effective Strategies for Conducting Investigations Involving Chemically Dependent Populations, for probate court investigators
11. Family Dispute Resolution Training
12. Family Law Conference
13. Judicial Nomination and Evaluation Commission Orientation Training on the Neuroscience of Decision-Making, for commissioners
14. Protective Nondisclosure, for appellate court staff

**Broadcasts**

15. Everyday Managing and Supervising: The Code of Ethics
16. Exploring the Code of Ethics, for court staff
17. Presiding Judge/Court Executive Officer Roundtable: Trial Court Leadership for Ethical Excellence
18. Supervising the Code of Ethics, for court managers and supervisors
19. Preventing and Responding to Sexual Harassment, for judges
20. Stages of Group Development, for court managers and supervisors
21. Traffic Counter Fundamentals, for court staff

**New Courses**

22. Criminal Discovery Motions Primer
23. Indian Child Welfare Act Online Course

**Publications**

24. Blue Ribbon Commission on Children in Foster Care Newsletter
25. Briefing on Confidentiality and Information Sharing
26. Briefing on Evaluating Risks and Needs of Youth in Juvenile Justice System

**Updated Benchguide**

27. Benchguide 31, Landlord/Tenant Litigation: Unlawful Detainer
28. Benchguide 74, Sentencing Guidelines for Common Misdemeanors and Infractions
29. Benchguide 83, Restitution
30. Bench Handbook: Jury Management
31. Civil Proceeding Benchbook: After Trial 2010 Update
32. Domestic Violence in Dependency Cases: A Judge's Guide
33. Mandatory Criminal Jury Instructions 2011 edition

## **Additional Detail on Summary Items**

### **Advisory Committees/Task Forces/Working Groups**

#### **Access and Fairness Advisory Committee**

- Approved two proposals for submission to the Rules and Projects Committee for approval to circulate for public comment: 1) implementing a new rule that will permit transgender court users to request that they be addressed by their preferred gender designation in court proceedings; and 2) amending rules 10.741 and 10.743 regarding recruitment of temporary judges.
- Approved proposed language of a bench card for judicial officers with juvenile calendars to assist them in addressing issues relating to lesbian, gay, bisexual, and transgender youth in the court system.

#### **Advisory Committee on Civil Jury Instructions**

- Approved new and revised instructions for Release 18, currently posted for public comment until March 4.

#### **Advisory Committee on Criminal Jury Instructions**

- Approved new and revised instructions for Release 9, circulated for public comment from January 24 to February 23.

#### **Center for Judicial Education and Research Governing Committee**

- Received updates on two upcoming reports to the Judicial Council: (1) evaluation of implementation of the education rules for the first three-year period, and (2) the Education Plan for 2010–2011 and 2011–2012. Also discussed: the draft 2011 Annual Agenda, the Assigned Judges Program, and the final report on the Court Management Program Consortium Project.

#### **Civil and Small Claims Advisory Committee**

- Reviewed proposals for rules, forms, and legislation.
- Approved several proposals to be submitted to the Rules and Projects Committee for approval to circulate for public comment including (1) new forms for expedited jury trials; (2) new forms for service members going into active duty; (3) form revisions to reflect new statutory priority for wage garnishments in cases of elder and dependent adult financial abuse; and (4) revisions to protective orders in civil harassment and school violence actions.
- Approved legislative proposals to be submitted to the Policy Coordination and Liaison Committee for approval to circulate for public comment for potential council sponsorship, including legislation further amending the discovery statutes in light of the passage of Assembly Bill 5 (2009) concerning discovery of electronic information.

### **Collaborative Justice Courts Advisory Committee**

- Discussed the potential impact of the proposed state budget on collaborative justice courts, committee initiatives related to prescription drug abuse, law school externships, and veterans' courts initiatives.

### **Commission for Impartial Courts Implementation Committee**

- Appointed members to the Leadership Group on Civics Education and Public Outreach, which was formed in response to the council's endorsement of two recommendations from the Commission's Task Force on Public Information and Education.

### **Criminal Law Advisory Committee**

- Met with various court and probation representatives to consider proposals to govern the collection and disbursement of fines and fees after inter-county probation case transfers under Penal Code section 1203.9.

### **Family and Juvenile Law Advisory Committee**

- Discuss rules and forms proposals mandated by legislation.

### **Judicial Branch Workers' Compensation Oversight Committee**

- Sought new members to participate in the development of the Trial Court Workers' Compensation Allocation program for fiscal year 2011–2012.

### **Probate and Mental Health Advisory Committee**

- Approved a new form proposal for action by the council in April, effective July 1, 2011, that would help conservators give required reports to the court on the care and placement required for their conservatees.
- Approved rule and form revisions for submission to the Rules and Projects Committee for circulation for public comment, including (1) a rule that would apply recent legislation and rules of court concerning fee waivers to probate estates, guardianships, and conservatorships; (2) amendment of guardianship forms to comply with changes in state law enacted to implement the federal Indian Child Welfare Act; (3) amendment of existing forms for a proceeding to obtain a delayed certificate of death and adoption of new forms for proceedings to obtain delayed certificates of birth and marriage; and (4) amendment of existing forms concerning creditors' claims in decedent estates.

### **Task Force for Criminal Justice Collaboration on Mental Health Issues**

- Approved a draft final report and recommendations to be presented to the Judicial Council at its April meeting.

### **Traffic Advisory Committee**

- Approved for submission to the Rules and Projects Committee for circulation for public comment a proposal to amend rule 4.104 of the California Rules of Court regarding eligibility for attendance at traffic violator school.

### **Tribal Court/State Court Forum**

- Focused on three priorities: (1) recognition and enforcement of protective orders; (2) compliance with the Indian Child Welfare Act and sharing/coordination/transfer of jurisdiction and services; and (3) access to tribe-specific data.

## **Other Activities**

### **Legislation**

Legislation being sponsored by the Judicial Council this year:

**Judicial Arbitration Statutes:** Under current law, even if a party to a judicial arbitration is satisfied with the arbitrator's award, the party may not want that award to become a judgment. Under the current statutes, the only way for a party to prevent the award from being entered as a judgment is to file a request for a trial de novo, even if the party does not intend to bring the matter to trial. This proposal (1) provides that a party need not file a request for a trial de novo to stop entry of the arbitrator's award as the judgment in the case but instead could file a request for dismissal; and (2) gives parties up to 60 (rather than 30) days after the filing of the arbitrator's award to file either of the requests.

**Probate Guardianship Venue:** Current guardianship venue statutes do not provide for the situation in which a petition for appointment of a guardian of a minor is filed after one or more custody proceedings under the Family Code involving that minor are on file in different counties. This proposal would address that situation and in so doing would partially abrogate a 1951 California Supreme Court decision [*Greene v. Superior Court* (1951) 37 Cal.2d 307].

**Vexatious Litigants:** The bill (1) clarifies that the vexatious litigant statute applies to matters in the Courts of Appeal, as well as the trial courts, and that a presiding justice or judge may delegate authority to make the pre-filing determination that an individual is a vexatious litigant or is permitted to file an action; (2) authorizes the presiding justice or presiding judge to order that notice be given of a vexatious litigant's status if the clerk mistakenly files litigation without a pre-filing order; and (3) provides procedures for an

application to vacate a pre-filing order and remove a litigant's name from the Judicial Council's list of vexatious litigants, along with guidance for the courts in deciding the application.

**Legislative Visits by the Chief Justice:** The Chief Justice and AOC executives met with:

- Assembly Speaker John Pérez;
- Senator Loni Hancock, chair of the Senate Budget and Fiscal Review Subcommittee #5,
- Assembly Member Donald Wagner, Vice-chair of the Assembly Judiciary Committee;
- Assembly Member Bonnie Lowenthal, member of the Assembly Accountability and Administrative Review Committee;
- Assembly Member Martin Garrick, Vice-chair of the Assembly Accountability and Administrative Review Committee;
- Senator Mark Leno and Assembly Member Gil Cedillo, chairs of their respective budget committees;
- Assembly Member Jim Nielsen, Vice-chair of the Assembly Budget Committee; and
- Senator Noreen Evans, Chair of the Senate Judiciary Committee.

**Congressional Visits:**

- Over the two day period, meetings were held with the Representatives David Dreier, Mike Honda, Wally Herger, Dan Lungren, Judy Chu, and Senator Barbara Boxer, as well as with senior staff to Representative Devin Nunes and Senator Dianne Feinstein.
- At a meeting with U.S. Attorney General Eric Holder, Chief Justice Cantil-Sakauye described the development of CCMS and its potential interoperability with existing federal automated systems. Attorney General Holder displayed strong interest in CCMS and offered to write a letter in support of CCMS to the U.S. Department of Justice's Office of Justice Programs (a potential source of grant funding for CCMS). He also announced his intent to travel to California in the near future to view a live demonstration of CCMS.

**Community Corrections Program:**

- The program is testing a tool for measuring probation departments' implementation of evidence based practices.
- Currently, over 200 parolees are actively participating in parolee reentry courts, with the number growing weekly.
- Evidence based practices experts visited the four California Risk Assessment Pilot counties (Napa, San Francisco, Santa Cruz, and Yolo) and provided evaluation and feedback on the courts' use of risk and needs assessment at sentencing and development of evidence based responses to probation violations. Work plans and timelines also were developed.
- A group of judges and probation chiefs were brought together for a two-day Evidence Based Practices Curriculum Development meeting to begin the work of integrating evidence based practices into criminal judicial education.

## Technology

### California Court Case Management System

#### **New Governance Structure:**

- In December 2010, the CCMS governance structure was augmented to provide overarching direction and guidance to the program and to ensure successful implementation across the state. This new governance organization consists of the CCMS Executive Committee and three advisory committees to manage issues related to administration, operations, and justice partner relationships. The Executive Committee is chaired by Hon. Terence L. Bruiniers and co-chaired by Ms. Sheila Calabro, Southern Regional Administrative Director. The committee includes 11 members, in addition to the chair and vice-chair, there are six judicial officers and three court executives. The CCMS Executive Committee will provide leadership, including project scope, budget, priorities, and policy. The CCMS Governance Kickoff Meeting was held at the end of January.
- The project's organizational structure and executive management is now under the direction of a new Program Management Office (PMO) within the AOC. Mr. Mark A. Moore has been appointed the Executive Program Director of the CCMS PMO. The new structure was created because of the growing complexity and scope of the CCMS program and the need to have full-time executive sponsorship for this statewide infrastructure effort.

#### **Review of CCMS:**

The following actions have been taken as part of the ongoing review of CCMS.

- *CCMS Cost-Benefit Analysis:* The AOC selected Grant Thornton, LLP to perform a comprehensive cost-benefit analysis related to the statewide implementation of the CCMS. The analysis will be completed this week.
- *Liaison with State Chief Information Officer:* Monthly meetings are continuing with the California Technology Agency to discuss progress on approximately 20 recommendations from the Chief Information Officer's report on CCMS. Eleven of the recommendations have been addressed.
- AOC executives continue weekly meetings with executive management of Deloitte Consulting to track progress and development.

#### **Development:**

- The vendor, AOC, and court subject matter experts completed the validation of the application code against the final functional design to ensure readiness for testing. The AOC and courts continue to be closely involved in vendor testing of the core product, which began in August and is scheduled to last six months. A testing team with 70 plus participants, including current court staff, retired court staff, and professional software

testers, is engaged in Product Acceptance Testing, which began in February. Other testing efforts include automation of test scripts; planning and preparing logistics; and training to support multiple remote testing locations, such as Burbank, Fresno, Ventura, San Luis Obispo, Santa Ana and Sacramento.

- The core product, scheduled for acceptance by April 2011, includes:
  - Support for all case types;
  - Forms, notices, and reports;
  - Interpreter scheduling;
  - Court reporter scheduling;
  - Orders After Hearing functionality; and
  - Minute Order Codes.
- The external components will be phased into the final product and tested; this is scheduled to be completed by the end of July 2011. The external components include:
  - Statewide Reporting Data Warehouse;
  - E-filing;
  - Data exchanges; and
  - Statewide portal.

**Deployment:**

- The three courts' (San Diego, San Luis Obispo, and Ventura) Early Adopter Readiness and Integration Assessment is complete. Deloitte Consulting provided 13 project deliverables that identify individual court preparedness, program strategy, and key issues. The deployment team is currently in risk mitigation planning to address key issues, chief among them: court resource gaps and justice partner readiness. Configuration activities are scheduled to begin in March, and work has begun to provide the initial localization test environment in the first quarter of fiscal year 2011–2012, with the earliest early adopter court go-live expected in fall 2012.
- The AOC is working with governance entities to develop strategies to absorb funding reductions resulting from the Governor's proposed budget plan.

**Civil, Small Claims, Probate and Mental Health Case Management System:**

- Support for the management system is transitioning from Deloitte Consulting to the AOC, achieving a cost savings of approximately \$2.5 million in labor charges through fiscal year 2013–2014, while building in-house functional and technical knowledge to be used for future technical support of CCMS. Training for the AOC maintenance and support team is under way.

**Outreach:** CCMS outreach activities included product demonstrations and presentations to the CCMS Governance Committees, legislators and staff, and the Department of Motor Vehicles.

## Education Programs

### Judicial Education

**Advanced Faculty Development on Fairness:** This one-day course incorporated methods for eliminating bias in course presentations, and troubleshooting biased comments made during courses. The course was held in San Francisco and Burbank for judges and subordinate judicial officers.

**Assigned Judges Program Orientation:** Twenty-six judges received a program overview covering jurisdiction and assignment authority; budgeting; the Chief Justice's requirements for continuing program eligibility, including continuing education; and travel reimbursement and compensation for assignment. A panel of veteran assigned judges discussed best practices while on assignment around the state, and the day concluded with computer lab training on LexisNexis research and an overview of the California courts' Web site.

**Basic Civil Law Orientation:** Held during Primary Orientation week, the program targeted judges new to a civil assignment or returning to a civil assignment after more than two years in another assignment.

**Domestic Violence Components in Primary Assignment Orientations:** Components on domestic violence issues were included in the Primary Assignment Orientation courses for judges in probate, family, juvenile delinquency, and criminal assignments held, as required by California Rules of Court, rule 10.464(b).

**Indian Child Welfare Act Online Course:** This online course, aimed at judges, clerks, social workers, probation, and attorneys, covered the inquiry and notice requirements under the Act for juvenile, family, and probate cases.

**Judicial Nomination and Evaluation Commission Orientation Training on the Neuroscience of Decision-Making:** The course extended training to commissioners regarding the elimination of bias in decisionmaking and interviewing of raters.

**Local Programs on Domestic Violence in Inyo, San Bernardino, and Sonoma:** The Violence Against Women Education Project funds and provides technical assistance in the development of local education on domestic violence, sexual assault, teen dating violence, stalking, and elder abuse as part of two of its projects, the Promising Practices Outreach Project and the Domestic Violence Safety Partnership. In this period:

- Sponsored a bench-bar program on immigration and domestic violence issues for the Inyo Superior Court.

- Hosted an internal family law roundtable on domestic violence issues followed by a community roundtable on domestic violence and family law for the San Bernardino Superior Court.
- Held a “nuts and bolts” session on domestic violence for the Sonoma Superior Court.

**Qualifying Judicial Ethics Training:** Two core ethics classes were held in Martinez and Van Nuys.

### **Judicial Officer, Court Employee, and Justice System Stakeholder Education**

**Effective Strategies for Conducting Investigations Involving Chemically Dependent Populations:** A regional session for probate court investigators included signs of substance abuse, impact of substance abuse on care giving, and successful treatment options.

**FACES (Indian Child Welfare Act):** The AOC produced a 20-minute video to assist social workers in improving compliance with the inquiry and notice provisions of the Indian Child Welfare Act. The video featured various Native American service providers speaking on Native American history, self-identification as Native, and the adverse impact of stereotyping on proper inquiry. Available at: [www.youtube.com/watch?v=XKoRKm8L9zI](http://www.youtube.com/watch?v=XKoRKm8L9zI).

**Family Dispute Resolution:** In conjunction with the upcoming Family Dispute Resolution Statewide Educational Institute, a webinar was held familiarizing faculty with the work of court-connected family mediators and with the linguistic, cultural, ethnic, and racial diversity of families coming before the Family.

**Family Law Conference:** This annual conference sponsored by the AOC and the Legal Aid Association of California provided education for more than 200 family law facilitators, self-help, and legal aid attorneys and staff as well as pro bono attorneys. Courses included family law updates and best practices for providing assistance to low-income litigants and addressing cases that involve domestic violence.

**First District Appellate Project Seminar:** The AOC sponsored the annual training seminar covering topics ranging from key pending cases in the U.S. and California Supreme Courts to essential steps for Habeas Corpus. Approximately 175 attorneys attended.

**Protective Nondisclosure:** A videoconference training for appellate court staff was held on the subject of “Protective Nondisclosure—Protecting the Innocent When the Information is Out There.” Approximately 180 court staff participated in the training.

## Publications

**Blue Ribbon Commission on Children in Foster Care Newsletter:** The November/December 2010 online newsletter, *Foster Care Reform Update: A Briefing for County and Statewide Collaborations*, provides information, resources, and support to county foster care commissions and statewide collaborative groups working on child welfare issues. The Update is one of the commission's efforts to help ensure implementation of its recommendations. Available at:

<https://app.e2ma.net/app/view:CampaignPublic/id:17412.8970386989/rid:cf8d0bb04227aaa8ec11237c12cd5ced>

**Briefing on Confidentiality and Information Sharing:** The AOC released briefing papers on confidentiality laws and sharing information between agencies and courts about children in foster care to assist judges, child welfare agencies, and others who grapple with complex issues of confidentiality and information sharing in foster care. Available at:

[www.courtinfo.ca.gov/programs/cfcc/resources/publications/articles.htm#dep](http://www.courtinfo.ca.gov/programs/cfcc/resources/publications/articles.htm#dep)

**Briefing on Evaluating Risks and Needs of Youth in Juvenile Justice System:** The briefing provides an overview of the screening and assessment instruments that may be administered to youth in the juvenile justice system, including information on instrument selection, validation, training, and interpretation of assessment results. It is the first in a series of three publications on the topic of assessments in the juvenile delinquency system. Available at: [www.courtinfo.ca.gov/programs/cfcc/resources/publications/articles.htm#del](http://www.courtinfo.ca.gov/programs/cfcc/resources/publications/articles.htm#del)

## Broadcasts

**Exploring the Code of Ethics:** The broadcast for court staff reviewed applying the tenets of the code to everyday court workplace situations.

**Supervising the Code of Ethics:** The program for court managers and supervisors discussed utilizing the code as a supervisory tool.

**Trial Court Leadership for Ethical Excellence:** This program identified, analyzed, and explored ethical issues of concern to presiding judges and court executive officers for the fair administration of justice and the effective management of the courts. Through hypothetical scenarios, the panelists discussed options for identifying and responding to ethical violations and recommended ways to maintain an organization with the highest ethical standards.

**Traffic Counter Fundamentals:** A new broadcast for court staff reviewed basic case flow of a citation, discussed daily challenges of traffic counter work, and addressed consequences of clerical errors.

**Demographic Report on California's Justices and Judges:**

- The AOC will release today demographic data on the race, ethnicity, and gender of California state justices and judges. The information is provided in compliance with Government Code section 12011.5(n), which requires the AOC to collect and release aggregate demographic data relative to the ethnicity, race, and gender of California state judges and justices, by specific jurisdiction, on or before March 1 of each year.
- Section 12011.5(n) similarly requires the Governor and the Commission on Judicial Nominees Evaluation of the State Bar of California (JNE Commission) to release aggregate demographic data relative to the ethnicity, race, and gender of judicial applicants and appointments.
- This is the fifth year that the AOC has released this information. To ensure that the report provides complete and accurate aggregate demographic data, each year, the Office of the General Counsel conducts an annual update of the AOC's judicial database. The AOC will release the data by posting the report on the California Courts Web site ([www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)) and issuing a press release.
- The data with respect to race and ethnicity reflect responses from 96.5% of justices and judges.

**NEW JUDICIAL APPOINTMENTS**

<b>Name</b>	<b>Date Appointed</b>	<b>Court to Which Appointed</b>	<b>Position Filled<sup>1</sup></b>	<b>Previous Position<sup>2</sup></b>
Armando G. Cuellar, Jr.	12/31/10	Superior Court of California, County of Alameda	<i>Newly converted commissioner position</i>	Deputy District Attorney
Thomas C. Rogers	12/16/10	Superior Court of California, County of Alameda	<i>Newly converted commissioner position</i>	Chief Deputy District Attorney
Elizabeth Olivera	12/16/10	Superior Court of California, County of Colusa	<i>Replace retired Judge John H. Tiernan</i>	Private

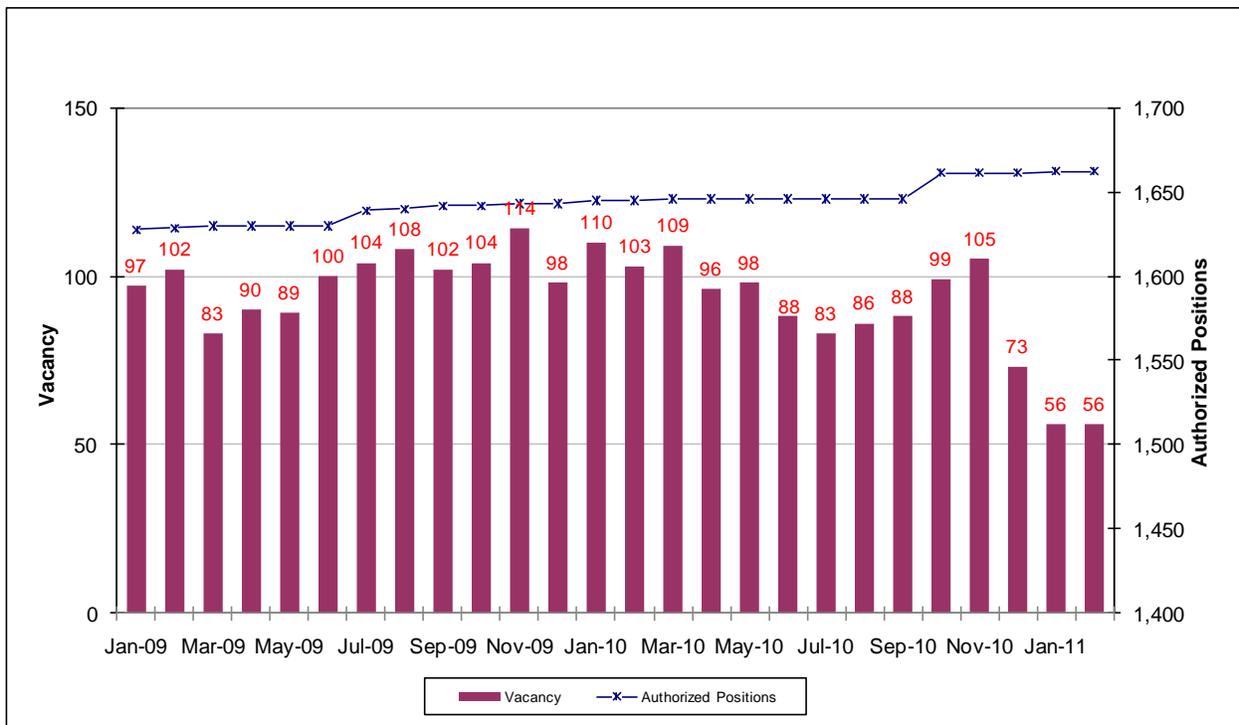
<sup>1</sup>Newly created position or to fill vacancy (if vacancy, to succeed what judge).

<sup>2</sup>Elevated (from what court), private practice, etc.

Warren C. Stracener	12/16/10	Superior Court of California, County of El Dorado	<i>Newly converted commissioner position</i>	Deputy Chief Counsel
Dennis A. Peterson	12/28/10	Superior Court of California, County of Fresno	<i>Replace elevated to DCA Justice Donald R. Franson, Jr.</i>	Sole Practitioner
Michael A. Leversen	12/16/10	Superior Court of California, County of Orange	<i>Replace retired Judge Carolyn Kirkwood</i>	Court Commissioner
Jacqueline C. Jackson	12/16/10	Superior Court of California, County of Riverside	<i>Replace disability retired Judge Douglas E. Weathers</i>	Deputy District Attorney
Tami R. Bogert	12/16/10	Superior Court of California, County of Sacramento	<i>Replace elevated to DCA Justice Louis R. Mauro</i>	General Counsel
Curtis M. Fiorini	12/16/10	Superior Court of California, County of Sacramento	<i>Replace disability retired Judge Loren E. McMaster</i>	Deputy District Attorney
Christopher E. Krueger	12/16/10	Superior Court of California, County of Sacramento	<i>Replace elevated to DCA Justice Elena J. Duarte</i>	Chief Deputy Legal Affairs Secretary
Dan Detienne	12/16/10	Superior Court of California, County of San Bernardino	<i>Replace retired Judge Michael A. Smith</i>	Deputy District Attorney
Richard V. Peel	12/16/10	Superior Court of California, County of San Bernardino	<i>Replace retired Judge Barry L. Plotkin</i>	Deputy District Attorney
Michael S. Groch	12/16/10	Superior Court of California, County of San Diego	<i>Replace retired Judge Yuri Hofmann</i>	Deputy District Attorney
Steven E. Stone	12/16/10	Superior Court of California, County of San Diego	<i>Replace resigned Judge DeAnn M. Salcido</i>	Assistant U.S. Attorney
Michael I. Begert	12/16/10	Superior Court of California, County of San Francisco	<i>Replace retired Judge Donna J. Hitchens</i>	Private
Brett H. Morgan	12/16/10	Superior Court of California, County of San Joaquin	<i>Replace elevated to DCA Justice William J. Murray</i>	Chief of Staff

Bradford J. DeMeo	12/16/10	Superior Court of California, County of Sonoma	<i>Newly converted commissioner position</i>	Private
Stephen W. Berrier	12/16/10	Superior Court of California, County of Yuba	<i>Replace retired Judge James L. Curry</i>	Private

**Trial Court Authorized Positions and Vacancies**



**Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month,  
from January 2009 through February 2011\***

Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
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%
May-10	1,646	1,548	98	6.0%	105	102	3	2.9%
Jun-10	1,646	1,558	88	5.3%	105	101	4	3.8%
Jul-10	1,646	1,563	83	5.0%	105	102	3	2.9%
Aug-10	1,646	1,560	86	5.2%	105	103	2	1.9%
Sep-10	1,646	1,558	88	5.3%	105	103	2	1.9%
Oct-10	1,661	1,562	99	6.0%	105	102	3	2.9%
Nov-10	1,661	1,556	105	6.3%	105	102	3	2.9%
Dec-10	1,661	1,588	73	4.4%	105	102	3	2.9%
Jan-11	1,662	1,606	56	3.4%	105	104	1	1.0%
Feb-11	1,662	1,606	56	3.4%	105	104	1	1.0%

\* As of February 14, 2011

## JUDICIAL VACANCY REPORT

### Number of Judgeships Authorized, Filled and Vacant as of February 24, 2011

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	104	1	0	104	1
Superior Courts	58	1662	1606	6	50*	1606	56
<b>All Courts</b>	<b>65</b>	<b>1774</b>	<b>1717</b>	<b>57</b>		<b>1717</b>	<b>57</b>

\*Authorized January 1, 2008, 50 new (AB 159) judgeships are added. However, the funding for these 50 new (AB 159) judgeships has been deferred.

\*\*\*As of January 31, 2010

**New Vacancies that occurred in January 2011**

**JUDICIAL VACANCIES: APPELLATE COURTS**

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Third Appellate District	1	Elevated	Hon. Tani G. Cantil-Sakauye	01/02/11
<b>TOTAL VACANCIES</b>	<b>1</b>			

**JUDICIAL VACANCIES: SUPERIOR COURTS**

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Imperial	2	Retirement	Hon. Joseph Zimmerman	11/10/10
Imperial		Deceased	Hon. Barrett J. Foerster	11/10/10
Mendocino	1	Disability Retirement	Hon. Ronald Brown	01/31/11
Riverside	2	Retirement	Hon. W. Charles Morgan	01/31/11
Riverside		Elevated	Hon. Carol D. Codrington	01/02/11
Tuolumne	1	Retirement	Hon. Douglas C. Boyack	12/31/10
<b>SUBTOTAL:</b>	<b>6</b>			
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
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
<b>TOTAL VACANCIES:</b>	<b>56</b>			