

1208 Assembly Floor Session Responses



False claims made on the Assembly Floor during the AB 1208 debate on Monday, January 30.

False Claim	Truth
<p>“Nothing has changed” in the last year in the Judicial Branch or AOC.</p>	<p>Significant changes initiated by the Chief are already bearing fruit. The judicial oversight committee she created to oversee court construction and maintenance has made substantive recommendations—including the elimination of two courthouse projects—which have been approved by the Judicial Council. She has appointed justices and judges from the Judicial Council to oversee CCMS, which reported that CCMS passed two independent reviews recommended by the Bureau of State Audits. A judicial oversight committee overseeing the AOC has submitted an interim report. The final report is expected this spring. In addition, the Chief has made Judicial Council meetings more open and transparent, appointed eight justices and trial court judges to the Judicial Council, and changed the Council’s leadership. The Administrative Director has retired and the Council appointed an Interim Administrative Director and is conducting a national search for a permanent one.</p> <p>Update: On Feb 9, Interim Administrative Director Ronald G. Overholt resigned and the Judicial Council appointed to the position Regional Administrative Director Jody Patel.</p>
False Claim	Truth
	<p>Judicial education provisions are in the California Rules of Court and statute, and judicial education</p>

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Judicial Education programs are a waste.	<p>is required in many instances. For example, judicial training programs are mandated for newly appointed or elected judges (CRC 10.462(c)) as well as for jurists performing duties in family law (GC 68553).</p> <p>Each year the AOC's education division offers education and training to 2,000 court officers and 20,000 court employees.</p>
False Claim	Truth
Former Administrative Director Bill Vickrey still works at the AOC.	Bill Vickrey retired on September 9th, 2011, and stopped working for the AOC on that date. He had accumulated annual leave, which was completed on December 30, 2011.
False Claim	Truth
AB 1208 gives the Legislature the “power of the purse.”	The Legislature already has the power of the purse. It appropriates money to the judicial branch after public budget hearings in the Budget Committees of both house of the Legislature, conference committee agreement, and a signature of the Governor. A Trial Court Budget Working Group —made up of 15 presiding judges and 15 court executives who rotate on a yearly basis—as well as appellate justices and clerks, reviews recommendations and input from the trial courts, council committees, trial court employee representatives, and the public, and then makes recommendations to the Judicial Council based on the current fiscal climate and outlook. The Council makes the budget allocations to the entire judicial branch.
False Claim	Truth
The courts were forced to close by the AOC.	The courts can only close with authorization from the Legislature. Because of budget shortfalls in 2009, Judicial Council and the State Bar recommended a uniform one-day-a-month closure for courts throughout the state. As part of the 2009-2010 Budget the Legislature enacted legislation authorizing uniform closures for one year and it was signed by the Governor.
False Claim	Truth
80 percent of AOC employees got a retroactive pay increase.	AOC employees and appellate court employees have had their pay cut 4.62 percent due to a mandatory one-day-a-month furlough program in effect since July 2009. In addition more than 50

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	<p>percent of AOC employees took a voluntary furlough day before the mandatory program was instituted, in order to save costs. These employees have not had a cost-of-living increase since 2007. AOC and appellate court employees eligible for 3.5 percent step increases were granted them in 2010 by Chief Justice Ronald M. George after it was recommended by a judicial oversight committee. The Chief Justice made this decision in light of the fact that annual step increases had been suspended since 2009 while federal, state, county and municipal employees, including those in the trial courts, had continued to receive step increases of as much as 5 percent.</p>
False Claim	Truth
<p>Trial court judges support AB 1208, including Amador and Mono courts.</p>	<p>More than 75 percent of trial court presiding judges, including those in Amador and Mono, oppose AB 1208.</p>
False Claim	Truth
<p>Courthouse Construction: Courthouses are built in New York for \$269 per square foot.</p>	<p>Typical projects in New York are in the range of \$650 per square foot. The low figure used here may have come from a base cost model published by RS Means, which is an inadequate tool in estimating the cost of courthouses. More info</p>
False Claim	Truth
<p>Courthouse Construction: The AOC is spending \$747 per square foot to build a courthouse in an area near Lake Tahoe, and \$644 per square foot in another small Northern California county.</p>	<p>The average construction cost per square foot of California courthouses is \$587. Here's why</p> <p>The figures cited here were initial budget estimates, approved by both the legislative and executive branches. These projects are nowhere near construction, and a committee of judges and other public building experts is now reviewing all courthouse projects for ways to reduce costs, including the projects in Placer and Plumas counties, so these estimates will go down.</p>
False Claim	Truth
<p>Courthouse Maintenance: \$8,000 was spent on gum removal.</p>	<p>The six-day project, which was requested by the Sacramento Superior Court and had the court's involvement and approval, involved pressure-washing and steam-cleaning of more than an acre of walkways and plaza to remove gum, feces, urine, and dirt in preparation for treating a slick walking</p>

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	<p>area to remove slip and fall hazards.</p> <p>More info</p>
False Claim	Truth
<p>Courthouse Maintenance: \$5,000 was spent to paint a closet.</p>	<p>No such project ever existed.</p> <p>More info</p>
False Claim	Truth
<p>Courthouse Maintenance: \$21,000 was spent in Los Angeles for parking lot lighting.</p>	<p>This project was requested by the court to resolve a safety hazard, as many lights at the Los Angeles Airport Courthouse parking lot were burnt out. It involved installing 48 long-lasting, energy-efficient halide lamps and required lift equipment and weekend work.</p> <p>More info</p>
False Claim	Truth
<p>Courthouse Maintenance: \$210,000 was spent to pave a parking lot they don't own and another \$200,000 spent to pave a parking lot they lease month-to-month.</p>	<p>No such project was ever approved or funded.</p> <p>More info</p>
False Claim	Truth
<p>Trial Court Judges are under represented on the Council that governs the judiciary.</p>	<p>22 members of the current 32 member Judicial Council are judicial officers (justices, judges, or commissioners)—three serve on courts based in Los Angeles—judges are 15 of the 21 voting members.</p> <p>Since its creation in 1926, 326 of the Council's 468 members have been judicial officers—89 from Los Angeles.</p> <p>Of the Council's five major internal committees 30 of the 44 members are judicial officers.</p> <p>There are 15 Trial Court Presiding Judges on the 30 voting member Trial Court Budget Working</p>

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	<p>Group—the other 15 voting members are Trial Court Executive Officers.</p> <p>Approximately 400 judicial officers serve on the council’s advisory committees, task forces, and working groups.</p>
False Claim	Truth
<p>Judicial Branch Administrative Infrastructure Projects are not related to the core mission of the judiciary.</p>	<p>These infrastructure projects have been undertaken to comply with voter and legislative mandates to transform the California court system from a loose configuration of 58 county trial court systems into a unified statewide justice system—counties had stopped providing many services and courts requested support because of the lack of local resources. The Judicial Council and the AOC are partnering with the trial courts on the development of extensive and much needed branch infrastructure to support court operations with Legal Services, Fiscal Accountability, Human Resources, Facilities, Information Technology, and CCMS. These projects support and reflect the missions of all involved and deliver on the promise of equal access to justice for all Californians:</p> <p>Mission of the Judicial Council: Under the leadership of the Chief Justice and in accordance with the California Constitution, the law, and the mission of the judiciary, the Judicial Council sets the direction and provides the leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice.</p> <p>Mission of the Judiciary: The judiciary will, in a fair, accessible, effective, and efficient manner, resolve disputes arising under the law and will interpret and apply the law consistently, impartially, and independently to protect the rights and liberties guaranteed by the Constitutions of California and the United States.</p> <p>Mission of the Administrative Office of the Courts (AOC):—Knowledge-Excellence-Leadership-Service—The AOC shall serve the Chief Justice, the Judicial Council, and the courts for the benefit of all Californians by advancing leadership and excellence in the administration of justice that continuously improves access to a fair and impartial judicial system.</p>
False Claim	Truth
<p>CCMS is a \$1.9 billion computer system that doesn’t work.</p>	<p>CCMS is finished and works. It took nine years to refine and develop at a cost of \$315.5 million. All recommendations by the Bureau of State Audits were accepted. The final product has been</p>

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	<p>validated through two legislatively directed independent reviews (with experts reviewed by the Bureau of State Audits), the CCMS Code Quality Review and the Standard CMMI (Capabilities Maturities Model Institute) Appraisal Method. Its value as a branch asset has been outlined in the Grant Thornton Cost Benefit Analysis, versions of CCMS are currently being used in seven trial courts on a daily basis, and the award-winning California Courts Protective Order Registry (CCPOR) was created out of CCMS. This 21st Century Courts product will allow Californians to work online rather than wait in line.</p>
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