



GOAL IV: QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC

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

The following provides information related to the 2008-2011 Operational Plan objectives for **Goal IV**. This material provides a glimpse of where we have been and where we are going as a branch. With respect to **Where We Have Been**, you will see examples of work demonstrating branch efforts to operationalize each objective. These are samples of work and do not represent the full breadth of all projects and work performed related to each objective. Rather, we intend this snapshot of “where we have been” to help inform your survey responses as we draft new objectives going forward (*e.g., How have we met each objective? Does the objective give the proper guidance for the work to be performed? Is more work needed in this goal area?*). The information was gathered from reports, discussions, and subject matter experts in the early phases of the current planning process and provides a sampling of work with regard to each objective. With respect to **Where We Are Going**, this information identifies challenges facing the branch as well as possible focus points as we move forward.

After reviewing the material below related to the Goal IV objectives, please return to the planning website to access the link to the Goal IV survey. The survey will ask you to rank, as well as comment on, the current Goal IV objectives. This ranking exercise was conducted by the Judicial Council at its 2011 Planning Meeting, and serves as a means to spark discussion and critical thinking about the breadth and utility of the current plan. Your feedback will be used at

the March 2012 planning meeting to begin to shape the new Goal IV objectives for the *Operational Plan for California's Judicial Branch 2012-2015*.

Objective 1

Foster excellence in public service to ensure that all court users receive satisfactory services and outcomes.

Where Have We Been?

Examples of work done to operationalize Objective 1:

Programs to Monitor Customer Satisfaction and Procedural Fairness

- Statewide Uniform Statistical Reporting System comprehensive surveys of customer satisfaction, procedural fairness, and court's ability to provide mandated safety measures (2008)
- Judicial Review and Technical Assistance program comprehensive review of timeliness of dependency hearings and completeness of court findings
- On-going court, client, and peer satisfaction monitoring of dependency court-appointed counsel through the DRAFT program.

Procedural Fairness in the California Courts

- A 2011 report, *Procedural Fairness in California: Initiatives, Challenges, and Recommendations*, focuses on ways to improve public perceptions of procedural fairness in civil and traffic cases. The report details specific recommendations for making the court more accessible by establishing respect and trust; improving the personal interaction between court staff and court users; helping court users understand court proceedings; and ensuring court users have a voice in the court process. The report also includes a brief assessment tool that court administrators can use to examine procedural fairness in their local courts

Children's Participation

- Provided technical assistance to courts to address legislative direction to expand the opportunity for children to have a voice in family law court procedures.

Plain Language Form Development and Translations

- Developed new and revised plain language forms and regular forms using plain language techniques to ensure comprehension by court users in the areas of domestic violence, family, and juvenile law. Priority was given to those forms provided directly to litigants either as

information items or orders and forms that must be completed by court users without legal assistance.

- Translated new and revised Domestic Violence, Family, Juvenile, and Indian Child Welfare Act forms commonly used by litigants into the most prevalent languages in California: Chinese, Korean, Spanish, and Vietnamese. Priority was given to those forms provided directly to litigants either as information items or orders and those that must be completed by court users without legal assistance.

Complex Civil Litigation Program

- The program began in 2000 and continues in the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco, and Santa Clara Counties. It was designed to give judges training and resources and help them manage complex civil cases efficiently and effectively. Funds are used for additional research attorneys and court staff and to improve technology among other uses. Because the program has been in effect for nine years, it does not have major implementation events at this time. Funding to participating courts will continue and further funding to expand the program to other courts will remain a consideration as fiscal challenges are addressed.

Statewide Conference on Self Represented Litigants

- Annual conferences held to provide updated legal information to self help attorneys, court staff, small claims advisors, court interpreters, mediators and community partners, and to share best practices in providing efficient and effective services to the public.

Veteran's Courts

- Research has shown that traditional services do not always adequately meet the needs of veterans. Veterans' courts are hybrid drug and mental health courts that use the drug court model to serve veterans struggling with addiction, serious mental illness and/or co-occurring disorders. The Veterans Courts in Orange County and Santa Clara County have been designated national mentor courts.

Collaborative Justice Programs

- Pairing judicial supervision with rigorously monitored rehabilitation programs, collaborative justice practices support improved access to the justice system, greater accountability for offenders, increased public safety, lower recidivism, and enhanced public confidence in the courts. A cost benefit study of 25 adult drug courts this year found that drug courts save

taxpayers of \$6,300 per drug court participant. This translates to a statewide savings of approximately \$65 million dollars due to the drug court program.

Programs to Improve Safety, Permanency, and Fairness Outcomes for Children and Families

- Statewide summits held in 2008 and 2010 of family and juvenile court teams to create plans for improving safety, permanency, and fairness. These summits were foundation funded.
- Local Blue Ribbon Commissions established in over 40 counties met and monitored progress implementing the plans created at the summits.
- Statewide Blue Ribbon Commission on Children in Foster Care reports notable progress in reducing state foster care caseload and reducing the disproportionate representation of African American children in foster care.
- Coalition, including the Blue Ribbon Commission, leads the passage of AB12 and the subsequent development of rules and forms that will allow older youth to continue in permanent living situations after the age of 18.
- Court-Appointed Special Advocates provided volunteers to 8,000 children and youth in the dependency system annually.

Juvenile Dependency Court Improvement Program (CIP)

- The United States Department of Health and Human Services provides funding to the highest court in each state for the assessment of the state's handling of cases involving child abuse and neglect and the implementation of system improvement plans. California began receiving CIP funding and conducted its first assessment beginning in 1995. In 2005, Congress authorized two additional CIP grants targeted specifically at: 1) improving data collection and sharing on foster children to achieve better outcomes; and 2) providing training for judges and court personnel cross training with child welfare agency staff. California receives approximately \$2.8 million per year through the combined CIP grants. At the direction of the Judicial Council, the AOC uses CIP funds in a wide variety of projects to improve outcomes for children in foster care. The recommendations of the Blue Ribbon Commission on Children in Foster Care have provided additional guidance for the use of CIP funds since they were unanimously accepted by the council in 2008.

Family Law Interpreter Program

- The Domestic Violence-Family Law Interpreter program provides assistance to trial courts by funding interpreter services for litigants with limited English proficiency in cases where

domestic violence or elder abuse protective orders have been issues or are being sought and in general family law cases. In support of this initiative, the Judicial Council of California has authorized an allocation of \$1.75 million per years.

Alternative Dispute Resolution (ADR) for Civil Cases

- AOC staff provide technical assistance and resources to promote the availability and quality of court-connected ADR programs for civil cases through individual consultations, facilitated meetings, and an online resource center. Alternative dispute resolution (ADR) programs provide significant benefits to litigants, the courts, and the public. These include reducing the time and cost of resolving disputes, reducing the number of pretrial hearings and trials, and increasing litigants' satisfaction with the courts. The civil ADR project supports a variety of trial court ADR programs, including mediation, settlement conferences, neutral case evaluation, and judicial arbitration programs.
- From 2008 through 2011, the Judicial Council awarded grants to support civil mediation and settlement programs for general civil cases and small claims, unlawful detainer, and civil harassment proceedings in 29 courts.

Local Court Examples

Napa Help.Info Court and Community Referral System

Superior Court of Napa County

- A comprehensive, easy-to-use, public database of community services programs. The system collects and shares information from more than 60 government and private nonprofit agencies and lists more than 300 human services programs.

Regional Court and Library Partnership

Superior Courts of Santa Clara, Santa Cruz, San Benito, and Monterey Counties

- This project moves self-help resources out of the courtroom and into the community through collaboration between the four counties and the public library system.

Multi-Option Appropriate Dispute Resolution Project (MAP)

Superior Court of San Mateo County

- The San Mateo court's Appropriate Dispute Resolution Project is so highly regarded that courts throughout the world draw on its expertise. Virtually every type of noncriminal case in San Mateo, from small claims to complex litigation, has dispute resolution services available. Hundreds of screened mediators and arbitrators participate.

**Giving Families a Chance: The Collaboration between Family Court Services and FIRST 5
Superior Court of Santa Clara County**

- Recognizing that families entering the courts often have deep problems that threaten members of the household, the Superior Court of Santa Clara reached out to First 5. The court and county agency pooled resources to give at-risk families with young children priority access to programs. As a result, court interventions for these families have been reduced dramatically.

Elder Court

Superior Court of Contra Costa County

- Since 2008, Elder Court has addressed cases involving harm to seniors, including physical, emotional, and financial abuse. One judge oversees the entire process, hearing all criminal and civil cases and recommending appropriate social services for senior plaintiffs.

Self-Help Online Workshop Registration

Superior Court of Monterey County

- To accommodate family law litigants whose daily duties leave them no room to attend to personal business, the Superior Court of Monterey County has turned to the Internet. Litigants can now register for the court's self-help services on the court's Web site, accessible 24/7, without making a trip to the courthouse or even a phone call.

Objective 2

Improve the quality of, and participation in, jury service.

Where Have We Been?

Examples of work done to operationalize Objective 2:

Juror Utilization Study

- Effective use of jurors is crucial to streamlining jury management policies and procedures. In 2009, the Joint Working Group on Jury Administration and the AOC commenced a statewide study of juror utilization in the courts. The National Center for State Courts was retained to facilitate this work. Project outcomes will include education and training materials as well as best practices for efficient summoning and use of jurors.

Juror Failure to Appear Toolkit

- A resource guide and training materials based on section 209 of the California Code of Civil Procedure, as amended, to assist courts in developing legally sound and efficient processes

for dealing with jurors who fail to appear when summoned for jury service
(<http://serranus.courtinfo.ca.gov/programs/jury/ci.htm>)

Plain Language Jury Instructions

- The Advisory Committees on Civil Jury Instructions and Criminal Jury Instructions continued to propose new plain language jury instructions and revise existing instructions to conform to current law. Proposed new instructions and revisions to the California Civil Jury Instructions (CACI) and the California Criminal Jury Instructions (CALCRIM) are distributed for public comment before being submitting to the Judicial Council for approval. Royalties paid by publishers of the instructions continue to bring in thousands of dollars per year to the judicial branch.

Local Court Examples

Online Juror Orientation

Superior Court of Los Angeles County

- The Superior Court of Los Angeles County is the first to offer fully interactive juror orientation over the Internet. Customized for each of the county's 34 courthouses, the program reduces jurors' time in the assembly room by as much as two hours. It also cuts rush-hour travel and wear and tear on court staff.

Automated Civil Grand Jury Program

Superior Court of Monterey County

- This web-based application automates the entire process of recruiting and selecting the annual civil grand jury. The ease of applying for grand jury duty and the open access the website provides to all information about the grand jury, work to further the goal of delivering the highest quality of justice and service to the public.

Objective 3

Develop and support collaborations to improve court practices, to leverage and share resources, and to create tools to educate court stakeholders and the public.

Where Have We Been?

Examples of work done to operationalize Objective 3:

Programs to Develop Collaborations in Foster Care

- California Blue Ribbon Commission on Children in Foster Care. The Judicial Council Commission brings together court, state and county human services, and community

members to recommend and monitor the implementation of reforms in the dependency system.

- Local Blue Ribbon Commissions are staffed by attorney liaisons and available to all local courts in the state. AOC held statewide summit meetings for judicially-led county teams in conjunction with the Beyond the Bench conferences in 2008 and 2010. Currently 40 local commissions are active. Provide technical assistance and support to these local commissions.
- Court Improvement Program convened child welfare stakeholders to plan integrating case management systems related to children in foster care, including court systems creating briefing papers and trainings on laws related to information sharing, confidentiality, and privacy.
- With California Department of Social Services and California Department of Child Support Services, developed comprehensive information exchange guidelines.

Court-Community Alternative Dispute Resolution (ADR) Collaborations

- Judicial Council grants and AOC staff encourage and support collaborations of court staff to develop best practices and materials to promote the availability, use, and quality of ADR programs for general civil cases and small claims, unlawful detainer, and civil harassment proceedings.

Promoting the Quality of Court ADR Programs

- In collaboration with courts and other stakeholders, the AOC developed post-mediation surveys for statewide use in court-connected mediation programs, Model Qualification Standards for Mediators in Court-Connected Mediation Programs, and Model Local Rules for Addressing Complaints about Mediators in Court-Connected Mediation Programs for General Civil Cases.

Recognition of Tribal Court Orders

- Developed recommendations and provided technical assistance for state courts on collaboration with tribal courts and recognition of tribal court orders to minimize duplication of court hearings and provide appropriate services for tribal members.

Criminal Justice Collaboration on Mental Health Issues

- The interbranch/interagency task force report provides a systemic framework for improving practices and procedures in cases involving persons with mental illness in the courts and criminal justice system.

California Risk Assessment Pilot Project (CAL RAPP)

- CAL RAPP is a collaborative effort sponsored by the AOC and the Chief Probation Officers of California. This is a three year pilot project in six counties that will examine and evaluate ways in which criminal offender risk assessment information can be successfully used to reduce adult offender recidivism, improve offender accountability, and evaluate probation workload standards.

Parolee Reentry Court Pilot Program

- Reentry Courts seek to reduce recidivism and re-incarceration by utilizing evidence-based practices and providing a comprehensive and collaborative court approach to parolee reentry. As part of the Corrections Reform package (Senate Bill 18 3X) and the Budget Act of 2009, the Legislature provided \$9.5 million in federal Edward Byrne Memorial Justice Assistance Grant (JAG) funds to be distributed over a period of three years for the establishment of parolee reentry pilot courts in California. Six parolee reentry courts were awarded funding. The Administrative Office of the Courts is evaluating the Parolee Reentry Pilot Court program. Revocation and re-offense rates of participants and those of similarly situated parolees who are not program participants will be compared. The evaluation will also consider different models of reentry courts.

State Wide Self-Help Services

- Responding to the growing number of self-represented litigants, grants totaling \$11.2 million statewide were provided to enable each of the 58 trial courts to deliver self-help assistance by establishing or expanding self-help centers. With this funding, courts provided services to more than 450,000 people per year in critical areas such as family law, domestic violence, guardianships, landlord/tenant, civil harassment, and consumer matters.
- Centralized technological assistance provided through the design of forms completion programs to streamline the work of self help centers and allow community partners to assist self-represented litigants to prepare legible and complete pleadings.

Reengineering

- The NCRO reengineering Unit managed looks at all aspects of current court procedures and processes and makes recommendations as appropriate regarding fair and understandable procedures. The RU assists courts in proactively reviewing its current processes while adhering to legal mandates.

Tools for Judicial Officers and Court Stakeholders

- Published Juvenile Delinquency Court Assessment 2008, a comprehensive research study of how superior courts in California handle delinquency matters. Included in the study were findings and recommendations regarding the need to improve the process for court users in delinquency. Statewide tool was developed: a delinquency orientation video to be played in waiting rooms as well as viewed online. This video is the most viewed item on the AOC YouTube channel. In additions viewed provided in-depth assistance to four courts (Sacramento, Santa Cruz, San Diego, and Fresno) to identify and address court user issues at the local level.
- California Dependency Online Guide provides complete on-line resource on dependency law and practice to judicial officers, court staff, court appointed attorneys, CASAs, social workers, and other stakeholders.
- Guides for judicial officers on understanding and using the results of assessments in delinquency cases.
- Provided technical assistance to courts on case management in family law and criminal proceedings to ensure that cases are handled as expeditiously and effectively as possible.
- Based on recommendations of the Elkins Family Law Task Force, developed rules and forms to streamline the family law process and minimize the number of rejected pleadings.

Civil Harassment Mediation

- A collaboration of courts and community dispute resolution programs led by the Superior Court of Ventura County (and funded by Judicial Council grants) developed best practices and materials for mediation programs for civil harassment proceedings. This collaboration culminated in a Civil Harassment Mediation Symposium to share this information with other courts and justice partners at the 2011 California Conference on Self-Represented Litigants.

Resolving Your Small Claims and Unlawful Detainer Case in the California Courts

- A collaboration of courts (Superior Courts of Monterey, Sacramento Solano, and Stanislaus Counties) funded by Judicial Council grants developed videos, in three languages (English, Spanish and Russian), to help self-represented litigants participate in mediation and settlement programs for small claims and unlawful detainer actions. DVDs of the videos have been made available to courts and justice partners throughout the state.

California on My Honor

- The judicial branch of California strives to increase public understanding of the courts, and their role in a democratic society. One such effort is the California On My Honor: Civics Institute for Teachers, a statewide outgrowth of a San Diego program begun in 2006. The institute provides intensive professional development through which K-12 teachers create engaging lessons for their classrooms and build their leadership skills in civics education.

Externship Program

- The Collaborative Justice Courts Externship Program is designed to provide second and third year law school students with firsthand experience in collaborative justice courts. This program not only benefits the participating courts, but it also offers students a highly professional work experience outside the classroom environment and provides valuable information on collaborative justice principles to law students.

Local Court Example

Judicial Externship Program

Court of Appeal, Second Appellate District

- The project enhances the legal education and professional development of law students serving as judicial externs and introduces students to the appellate process and practice.

Where Are We Going?

The information in this section was provided by the same subject matter experts who provided examples of work related to objectives outlined above. The “Current Conditions” outline the challenges and realities faced by the branch and society more generally. The “Future Considerations” provides a sampling of thoughts regarding trends and opportunities to consider in drafting objectives and outcomes for the next three year operational plan.

Current Conditions

State and National Economic Conditions

- Budget reductions to the judicial branch
 - Court Closures
 - Delays in Court Proceedings
 - Staff Reductions

Demographics

- Minority majority state
- Increasingly diverse society
- Increased number of limited English proficient court users

Expectations of the Public

- To do more than resolve legal matters and dispose of cases; expect courts to offer programs and services that will help to resolve underlying problems
- Expectation that technology will compensate for the lack of workforce

Knowledge and Understanding of the Legal System

- In general, the public are unfamiliar with the scope, processes, and procedures of the legal system

Pro-Pers and Self-Represented Litigants

- Increased costs to accessing justice
 - Cost for legal services
 - Fines and fees
- Limited access to self-help services
- More pro-pers in civil and appellate

Alternative Dispute Resolution

- As courts experience ongoing and compounded budget reductions, it is difficult for them to implement and maintain quality court-connected ADR programs
- The general economic situation makes it difficult for litigants to pay the cost of private ADR, especially in lower value civil cases

Jury

- Public challenged more and more for performing jury service owing to competing demands on time, economic pressures.

Future Considerations

Secure Stable Funding for the Judicial Branch

- Develop immediate and long-term solutions via partnerships with:
 - Government and non-government leaders; attorneys and bar leaders; Chamber of Commerce and business leaders; court users and the public

- Colleges and Universities
- Nonprofit and volunteer organizations
- Seek and secure funding sources that sustain and maintain essential and core services

Demographics

- Develop educational opportunities to address cultural competency issues
- Work with courts to prioritize which Judicial Council forms and educational materials produced by the Administrative Office of the Courts should be translated into languages other than English

Responding to Public Expectations

- Sustain and maintain quality programs that are producing effective results
- Promote innovative problem-solving practices and maintain collaborative justice programs
 - Identify collaborative justice practices that can be transferred to all cases types
- Maximize what technology the courts currently use
 - Ensure that court websites are updated and contain important and relevant information
 - Partner with other courts or justice partners to maximize deployment of technology
 - Overall budget reductions mean limited the availability of funds to be spent on upgrading technology

Maintain Public Trust and Confidence in the Judicial System

- Use the court website to keep the public informed about recent cuts and how that is impacting their use of the courts
- Demonstrate to the public that even in times of fiscal constraints the court is still providing fair and accessible justice
- Increase knowledge and understanding of the legal system
- Develop partnerships with community based organizations for the dissemination of information about the legal system
- Continue the work of the Bench Bar Media Task Force as a means for developing public outreach tools and strategies
- Continue the development of civic education as a means for educating the next generation of court users

- Develop information for children on family law proceedings to help them understand the process
- Expand resources available on California Courts Online Self Help Center regarding the overall legal system

Pro-Pers and Self-Represented Litigants

- Preserve resources for self-help centers
- Promote partnerships and volunteer programs to increase pro-bono activity and additional support for self-help centers
- Develop mechanisms to identify litigants who qualify for free or low-cost legal representation and address proper referrals of those litigants
- Expand case management and services to help litigants to comply with court orders
- Conduct research and make recommendations on the impact of unbundling legal services
- Enhance state and local partnerships with mental health and other providers serving at risk populations

Alternative Dispute Resolution (ADR)

- Promote the availability, quality, and use of successful court-connected alternative dispute resolution (ADR) programs for civil cases
- Ensure that mediation is available for small claims litigants throughout the state
- Identify essential elements of successful dispute resolution programs and replicate those throughout the system
- Create a resource manual to aid courts in planning, implementing, administering, evaluating, and improving court-connected ADR programs
- Expand ADR services for family law matters to allow more families to resolve cases without need for court hearings

Jury Improvement

- Promote education about best practices for efficient and effective juror utilization
- Explore the issue of the disenfranchisement of populations of potential jurors and its effect on jury diversity

Please return to <http://www.courts.ca.gov/jbplanning.htm> to access the Goal IV survey link.
Thank you.