

**From:** Judge Brumfield, Lorna  
**To:** Invitations  
**Subject:** Comment on SEC Report  
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Judge Lorna H. Brumfield, Kern County Superior Court

This comment is not being made on behalf of any organization

The AOC should implement the measures set forth in the SEC report. The SEC members were selected by the Chief Justice and were tasked with conducting an "in depth review" of the AOC. I have read the SEC report. This exhaustive and detailed report took fifty-two weeks to produce. According to the report part of the delay was caused by AOC employee's failure to cooperate and provide requested information. SEC Report Pages 31-32. This alone is embarrassing to the Judiciary. I wholeheartedly agree with the comments of the SEC committee. The AOC needs to "be down-sized to correspond with its core functions; and that its internal processes need to be improved." It is obvious from the report that the AOC has expanded itself and funded itself to generate work beyond what it was authorized to do as set forth in the California Constitution's Article VI, section 6(d):

*(d) To improve the administration of justice the council shall survey judicial business and make recommendations to the courts, make recommendations annually to the Governor and Legislature, adopt rules for court administration, practice and procedure, and perform other functions prescribed by statute. The rules adopted shall not be inconsistent with statute.*

The report is thorough, objective and credible. The Judges who worked on the committee were impartial and had no axe to grind. If such a report was brought to the attention of any corporate manager in America a complete housecleaning and reorganization would be immediately implemented. A comment from the SEC report demonstrates the culture of how the AOC operates, "The top-level decision making process of the AOC became insular, with a top-down management style limiting input from those within the organization. The agency also failed to value the input of or engage in true collaboration with the trial courts." SEC Report, Page 2. This comment explains the serious problems noted by the SEC in their report quoted below.

"Other parts of the AOC personnel manual also are not enforced. For example, there is a policy limiting the number of days per month employees can work remotely, away from AOC offices. This telecommute policy has been ignored. At the time this review began, at least three employees worked all of their hours on a long-term basis outside the State of California and, in one case, outside the United States. In another instance, a supervising attorney in the Office of General Counsel has telecommuted from Monterey County several days per week. Granting special exceptions to the personnel rules, or disregarding them altogether, undermines an effective personnel system." SEC Report Page 66

"AOC managers and employees reported that there are numerous situations in which employees are being paid more -- and in some cases, substantially more -- than is appropriate in light of the duties assigned to them," SEC Report Page 69.

"Concerns have been expressed both internally and externally that the budget process employed by the AOC is not understandable and is so confusing that it is difficult, if not impossible, to understand what is funded or how it is funded," SEC Report Pages 182 and 184.

"There is currently a complete lack of faith in the fiscal information released by the AOC. It does not appear that management has made accurate and timely financial information a priority." SEC Report page 184.

"The AOC's reporting of staffing levels has been misleading, leading to mistrust of the AOC." SEC Report page 192.

"A primary consideration justifying a reduction in staffing is simply that the organization has strayed beyond its mandated and core functions, employing staff to engage in discretionary functions and activities. Refocusing the organization toward primarily performing its essential functions should result in reductions of staffing from more recent levels." SEC Report Page 193.

The comments from the SEC Report cited above are embarrassing to the Judiciary and demand immediate action to restore the public's faith in the Judiciary. The recommendations in the SEC Report should be implemented.

Lorna H. Brumfield  
Judge Kern County Superior Court