

Item SP12-05 Response Form

Title: Strategic Evaluation Committee Report

The Strategic Evaluation Committee (SEC) was appointed by Chief Justice Tani G. Cantil-Sakauye in March 2011 to conduct an in-depth review of the AOC with a view toward promoting transparency, accountability, and efficiency. The Chief Justice received the report and recommendations on May 25. At its meeting on June 21, 2012, the Judicial Council accepted the report and directed that it be posted for public comment for 30 days. Comments received will be considered public and posted by name and organization.

PLEASE NOTE that all comments will be posted to the branch web site at www.courts.ca.gov as submitted by the commentator as soon as reasonably possible after receipt.

To Submit Comments

Comments may be entered on this form or prepared in a letter format. If you are *not* submitting your comments directly on this form, please include the information requested below and the proposal number for identification purposes. Because all comments will be posted as submitted to the branch web site, please submit your comments by email, preferably as an attachment, to: invitations@jud.ca.gov

Please include the following information:

Name: Thomas S. Clark **Title:** Superior Court Judge

Organization: Kern County Superior Court

Commenting on behalf of an organization

General Comment: I have been following these matters for more than a year and have read the report of the SEC. I strongly support all of the recommendations of the SEC. Judges are elected and independent constitutional officers. The AOC has historically not respected this status and has (in my opinion) attempted to redefine itself as a non-elected body and instrument of control over these constitutional officers. Many judges have recognized the abuse of power by the AOC and have lobbied hard to correct the situation. Largely, through the efforts of these judges, the Legislature has belatedly become aware that the AOC has in many instances been operating contrary to Legislative intent and contrary to the constitutional powers of the judicial branch. Under the direction of AOC administrators, the AOC has offended and antagonized many members of the Legislature and the Judiciary. I would urge you to reconsider and redefine the role of the AOC---to provide assistance and support to state judges, and to refrain from trying to create a bureaucracy to control and dictate to judges matters that are properly subject to the jurisdiction and control of judges. It is the past (and now increasingly-well-documented actions of the AOC administration) that is responsible for a partial breakdown between the AOC/Judicial Council/Chief Justice and the Legislature. Let us work together to

DEADLINE FOR COMMENT: 5:00 p.m., Sunday, July 22, 2012

All comments will become part of the public record.

repair this damage and take steps, in this time of financial hardship, to provide as much service as possible to the citizens of this state, whom we are all pledged to serve.

Specific Comment - Recommendation/Chapter Number _____:

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