

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: Julie Conger **Title:** Judge of the Superior Court (retired)

Organization: _____

Commenting on behalf of an organization

General Comment:

Specific Comment - Recommendation/Chapter Number

Dear Chief Justice Cantil-Sakauye, Justice Miller, Members of the Judicial Council and the Strategic Evaluation Committee:

I am Julie Conger, a retired Judge of the Superior Court of Alameda County. I make these comments as a 30-year member of the judicial branch, currently working on assignment, and as a concerned citizen committed to maintaining the independence and integrity of the judiciary.

Some years ago, I was present when the then-Chief Justice threatened that any attempt to democratize the Judicial Council would be “considered an act of war.” Since then, the unelected, unilaterally-appointed Judicial Council, through suppression of dissent and retaliation against those who disagree, has allowed the Administrative Office of the

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Courts, mushrooming to grandiose size and in unauthorized directions, to control and direct policy for the judicial branch.

The war has begun, and recognition of the problem has expanded beyond judges to all court employees, the Legislature and the Governors' Office. It is no coincidence that the funding for the judicial branch has been cut by close to a half-billion dollars, almost precisely the amount wasted on CCMS by the AOC and, by tacit lack of oversight and supervision, the Judicial Council.

The excellent report of the SEC Committee is but the last in a series of reports made to this Judicial Council since 2006 concerning the problems inherent in the structure of our branch; these warnings have been ignored. No further reports, studies or commentaries are needed.

The Chief Justice has promised us "accountability and transparency", repeating these terms in many of her public statements. There is a very real danger that these words, no matter how often repeated, will soon ring hollow unless the Judicial Council immediately takes action to:

- 1) Endorse the findings of the S.E.C.
- 2) Implement all its recommendations with deliberate speed
- 3) Undertake action which will effectuate a democratization of the Judicial Council.

Judge Steve White of Sacramento Superior Court, in his remarks to the Judicial Council a week ago, closed with the comment that the entire judiciary is watching how the Judicial Council responds to the SEC report. I submit to you that the judiciary, the Legislature, the Executive branch and the citizens of California are watching for your strong and immediate response.

Julie Conger
Judge of the Superior Court (retired)
County of Alameda, State of California
Member, Alliance of California Judges
_____:

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