

From: Honorable Donald Currier
To: Invitations
Subject: SEC Report Comments
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To Whom It May Concern:

I wanted to comment on the SEC Report. First, I would like to thank the Chief Justice for commissioning the report and to thank all of the judges and staff who worked hard on its preparation. The recommendations are too numerous to respond to. However, I want to say that the entire report, taken as a whole was informative.

I am disappointed, but not surprised by the evolution of the AOC into what it has become. I hope the Judicial Council adopts the recommendations and begins the process of changing the culture in an organization that has obviously lost its way. Reorganizing and moving the headquarters to Sacramento would be a great physical representation of a change in direction. I am sorely disappointed by the loss of credibility suffered by the judicial branch as a result of the excesses of the AOC staff, even if they were well meaning. Bureaucracies naturally grow and they naturally grow in ways that protect their interests, even at the expense of their core mission. This pheromone is not unique to the AOC, but it is certainly evident there. A lack of transparency only makes matters worse.

It is evident from the report that the AOC has maintained its bureaucratic momentum in the face of staggering budget cuts that were passed on to the trial courts. I'm confident that the AOC staff members believe they defended the trial courts the best they could. However, it is apparent that in the context of the current budget crises, the AOC adds to the problem, not detracts from it. This is demonstrated by the continued culture of control. I would suggest combating this development by adopting "**Recommendation No. 6-7:** The AOC's fiscal and budget processes must be transparent. The Executive Leadership Team should require the Fiscal Services Office to immediately develop and make public a description of the fiscal and budget process, including a calendar clearly describing how and when fiscal and budget decisions are made." While that may not be enough, it would certainly set the tone for change.

All AOC activities must be reviewed in the context of the current fiscal crises. For example "**Recommendation No. 7-5:** The Judicial Council should exercise oversight to assure that grant-funded programs are undertaken only when consistent with predetermined, branch-wide policy and plans. The fiscal and operational impacts of grant-funded programs on the courts should be considered as part of the fiscal planning process." I find it ironic that we are spending money on "access to justice" when we are closing courtrooms. This demonstrates how out of touch the AOC policies are with the fiscal realities on the ground in the trial courts.

I close with a plea to heed the recommendations of the SEC Report. Action must be taken now.

Thank you for soliciting our comments.

Hon. Donald J. Currier
Sacramento Superior Court