

From: Grimes, Elizabeth
To: Invitations
Subject: response to SEC report
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July 11, 2011

The Honorable Tani Cantil-Sakauye
Chief Justice of California and
Chair of the Judicial Council
455 Golden Gate Avenue
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye and Members of the Judicial Council:

I write solely on my own behalf to express my appreciation for your having created the Strategic Evaluation Committee and appointed judges to the SEC who were committed to the task of thoroughly evaluating the role of the Administrative Office of the Courts in the judicial branch. As for my background, I joined Division Eight of the Second Appellate District as an Associate Justice in 2010 after serving on the Los Angeles Superior Court since 1998.

The report issued by the SEC candidly assesses the current functioning of the AOC and identifies critically needed improvements in its operation and supervision by the Judicial Council. I join the chorus of voices declaring that, for too long, the AOC has engaged in nonessential functions that have bled the resources of the judicial branch. The core function of the judicial branch is to provide courtrooms and court staff to help our citizens pay traffic tickets, sort out problems in responding to jury summonses and unlawful detainer complaints, obtain restraining orders and other emergency relief, speedily resolve criminal trials and family law matters, probate estates, protect abused and neglected children, and provide forums for civil dispute resolution. Our trial courts are, by far, the most important part of the judicial branch. Yet our trial courts have suffered stinging budget cuts that forced courtroom closures due to staff layoffs. Without staff, trial judges are rendered impotent to administer justice, because without a judicial assistant to prepare a minute order and a bailiff or other court attendant to maintain order, no judge may even take the bench. The limited resources available to the judicial branch must be focused on keeping trial courts open, and safe.

The intermediate level courts of appeal play a significant supporting role for the trial courts and the Supreme Court. Our staff members, all of whom are engaged in essential roles in filing appellate opinions, worry about when the courts of appeal will have to face layoffs. Highly regarded lawyers have spoken in public forums about how open courtrooms are critical to maintain stability in our State. The Judicial Council must act to ensure courtrooms are kept open, even at the cost of dramatically reducing the talented staff of the AOC. We do not have the luxury of waiting for a new executive director to guide the AOC in this new direction. We must immediately correct the upside down condition of the judicial branch that has led to shutting the public out of the courts so the AOC may maintain staff and programs that are not essential to courtroom operation and justice.

Some have expressed concern that the request for commentary on the SEC report is just another in a long line of surveys and requests for comment that will lead to nothing more than paper gathering dust on a shelf. The current budget crisis in our great State, and the consequences for the judicial branch, make it imperative that you, Chief Justice Cantil-Sakauye, as the leader of our branch and the Judicial Council, act promptly to ensure that priority in funding and services is focused on the courts, and that limited funds are not diverted to nonessential administrative activity.

Very truly yours,

Elizabeth A. Grimes