

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 M. Maddock **Title:** Judge

Organization: Contra Costa Superior Court

Commenting on behalf of an organization

General Comment: Act in Haste, Regret at your Leisure:

The SEC report is extensive and thorough, however it is not perfect. I am amazed at the responses of judges who have clearly either not read the entire report or fail to understand the implication of the changes being recommended. I had expected that more thoughtful consideration would occur when confronted with such complex issues.

Consider, for example, the recommendation to eliminate the Office of Emergency Response and Security (Chapter 7) and have their responsibilities handled by various administrative staff. The Report acknowledges that this Office does more work with less staff and resources than comparable offices, yet it is supposed to be eliminated. That Office is responsible for coordinating judicial security and Courthouse security with local Sheriffs. We have a good relationship with our sheriff, but I can name a number of courts that have a poor relationship. So who do you want covering your back.

This Office has enabled Courts to acquire bullet-resistant glass and are working on the development of a data base to track threats against judges, which while required of the

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CHP by statute, is not being done. They may well be under staffed and under-resourced, but they get their job done. Isn't that the model the SEC report is supposed to encourage.

Then there are the recommendations regarding budgeting (Chapter 8) which do not account for cash flow needs nor do they recognize the high costs of implementing zero based budgeting. While zero based budgeting has some merit it must be used only when there is a high priority need for a specific area as determined by the Judicial Council. The SEC report goes on to recommend allocation of administrative costs among programs. It is interesting to note that the report does not contain one word of analysis to support this recommendation. Given that this recommendation also contains language that encompasses both trial court funds and State operations Funds, this recommendation could result in State Administration billing the courts for its services. While this may reduce the AOC's budget it will take money from the Trial Courts. If any of the members have ever operated under the federal General Services Department, they never would have made this recommendation. This is a formula for bureaucratic growth that will eat away program money. Then the report says that a multi-billion dollar budget should be simplified so that anyone can read it. If you have ever managed a multi-billion dollar budget, you would realize it is not simple, and the numbers do change on a regular basis. I doubt that you would invest in a corporation that just gave you a simple version of the budget. Budgeting is complex and it requires someone to spend time to learn it. Have you ever tried to understand the state budget? By comparison, the AOC's budget, while in need of improvement, is simpler.

The report is extensive and I don't claim to understand it all, but I guarantee that if all of its recommendations are adopted, the Trial Courts will be in worse shape than they would be if the report was carefully analyzed and only the valuable recommendations adopted. When I have finished analyzing the rest of the report, I will submit more comments.

Specific Comment - Recommendation/Chapter Number:

1. Do not adopt recommendation 7-54
2. Do not adopt recommendation 7-55
3. Do not adopt recommendation 7-56
4. Do adopt recommendations 8-1, 8-2 and 8-4
5. Do not adopt recommendation 8-3 or 8-5
6. Do not adopt recommendation 8-8
7. Do not adopt recommendation 8-9
8. Recommendation 8-10 is already being done.
9. Recommendation 8-11 has merit with regard to zero base budgeting, but fails to recognize the high cost associated with such work.

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