

From: McNatt, Hon. Bobby W.
To: Invitations
Subject: Comments on SEC Report
Date: Thursday, July 19, 2012 11:23:38 AM

Thank you for the opportunity to respond to the request for comments on the Strategic Evaluation Committee's Report of May, 2012. At the outset, I want to make clear that my judicial career is winding down and so I have no political agenda. Whatever the outcome of this re-focusing exercise is two or three years down the road will not impact me directly, but I would like to think the situation will be better than when I arrived.

The SEC has done a thorough job . Their findings and recommendations are concisely stated with clear reference to supporting facts. All judges and justices owe them a debt of gratitude, whether they agree with the results or not. Simply describing the problem accurately is a good start to fixing it.

San Joaquin County Superior Court has always been one of, if not the most underfunded of the State's 58 courts. The same duct tape still holds down the carpet in the judicial secretary's office as it did when I arrived over 17 years ago. During that time, one of the four elevators in our main courthouse has stopped working, with no repair date projected. We still have one of the highest case loads per bench officer. There is no way to count how many times proposals to increase the number of judges here have been traded away in Sacramento or San Francisco for some other political lollipop. To some degree, I believe this is because historically, our local court hasn't "made nice" politically with the AOC and administrative staff.

Over the last 15 years, I have watched the AOC transform from an agency that was created to serve the courts into a bureaucracy that apparently believed it was there to supervise the courts. It is true that during this time, the unification of trial courts occurred, and the relationship between courts and counties was redefined. It was necessary for the AOC to grow to handle its new tasks. However, it wasn't just the agency's size, but its entire attitude and philosophy toward courts that changed.

Judges owe a debt of gratitude to former Chief Justice Ronald George who was effective in getting more realistic judicial salaries, but whose philosophy was to centralize authority. Whether by design or not, the result was a bloated, unresponsive AOC with no awareness of its true purpose. When I was Presiding Judge in 2004-05, I dealt regularly with the AOC staff , during its explosive growth period. Even then, I was left with the impression that many AOC staffers believed they were doing me a favor by answering my phone calls, and that most of the "assistance" I got was just lip service.

Implementing the SEC Report recommendations would go a long way toward rectifying this situation. However, I am somewhat disappointed at the official responses by Chief Justice Sakauye and others who seems to favor the status quo. The creation of a committee to study the recommendations means further delays in fixing the problems identified in the SEC Report. There is more truth than humor in the old maxim that says "if you want something done immediately, do it yourself. If you have a little time, delegate the job. If you can take forever, refer it to a committee."

No one can deny that our court system is broken; fixing it should be a top

priority. I don't urge that all recommendations in the SEC Report be blindly implemented immediately in the hope that whatever results will be better than the status quo. But from the standpoint of San Joaquin County, it couldn't possibly be worse.

Respectfully,

Judge Bob McNatt
San Joaquin County Superior Court