

From: Michael Paul
To: Invitations
Cc: Cantil-Sakauye, Tani; judicialcouncilwatcher@hushmail.com
Subject: Comments regarding the SEC report
Date: Monday, July 30, 2012 7:16:14 AM

Dear Chief Justice and Judicial Council members,

Before I go into my comments. I want to firmly go on the record in support of four guiding principles underscored by the SEC report and the state constitution which most of you swore to uphold. These guiding principles are supported by the vast majority of independent judicial officers, court employees everywhere, attorneys across the state who see the corruption and fear being disbarred for speaking out and even a majority of the non-management of the AOC.

1. Article 6, section 6(d) of the California constitution limits the responsibilities of the Judicial Council to survey the courts and make recommendations and that's about all. **Your belief that you are the policy making body of the branch constitutes an unconstitutional usurpation of power without the underlying authority to do so**. While constitution permits you to hire an administrative director, nothing in the constitution defines the bloated house of patronage, kick-backs and cover-ups that has become AOC management. To whatever extent that you have unconstitutionally usurped the authority of being a policy making body, **you need to get over yourselves because change is coming your way with or without you**.

2. **I strongly support the full implementation of the entire SEC report yesterday**. It is painfully obvious that this report has interfered with your goals of empire building into your own shadow government, usurping the authority of the executive branch and legislative branches of government absent any checks and balances whatsoever. *The only tool they have ready in their arsenal to deal with the embarrassment you have cast on every state employee with your boondoggles and outright fraud is a pair of budgetary scissors and they used them*. If you currently sit on the judicial council or are a director or manager in the AOC, **you own the reason for these budget cuts**.

3. **The Strategic Evaluation Committee report does not go far enough**. What is clear is that these judges and justices that composed this report, along with many other judges across the state have had an incredibly difficult time getting accurate information from the Judicial Council and the AOC. You purportedly exist to serve the courts for the benefit of all Californians. So tell me, how are you serving the courts when you refuse to turn over information or you redact unpleasant information about your improprieties from reports to the judges and justices you purportedly serve - **and from the public record?** The strategic evaluation committee did not touch the office of court construction and management interestingly enough. With all due respect to the judges and justices that were composing the SEC report, more than half of them are expecting a new courthouse. I expect to see some strong follow up regarding OCCM. While I respect most of the people that work for OCCM and know they do good, conscientious work, you have some real dolts that don't know their ass from a hole in the ground managing OCCM that need to be bounced out on the street.

4. **The Judicial Council must be democratized before you are able to even create the appearance of checks, balances and oversight over the AOC, nevermind actual oversight**. Having 21 bobble-dolls appointed by the chief justice who have only disagreed on anything less times than I have fingers on one hand isn't cutting it.

410 days ago I wrote this council a public comment letter warning you that a fraud was being perpetrated with the cooperation of AOC employees and that the Office of General Counsel was creating a safe harbor for Jacobs where none existed. This letter is on the public record on this site and on judicialcouncilwatcher.com <http://judicialcouncilwatcher.wordpress.com/2011/07/22/letter-from-michael-paul-to-the-judicial-council-ouch/>. Your competent oversight of this matter resulted in the loss of tens of millions of dollars to the people of the state of California, making you as guilty as the people penetrating the fraud. Everybody across the state knows team jacobs existed, yet you didn't go after team jacobs, You allowed the office of general counsel to forward a case that they were destined to intentionally lose and I think the reason for that is because the kickbacks that I speak of are going quite a bit higher than AOC management. The only reason that you would not investigate or even care that it was a problem is because Judicial Council members themselves were getting kickbacks. All of this and the CCMS debacle is ample reason to slash AOC budgets to the bare bone - and the legislature did just that. I hope that you take that message sent to san francisco seriously and make those 15 million dollars worth of cuts out of your management ranks. However, by bringing Mr. Jahr onboard who apparently was a co-architect of this shadow government, you are sending a clear, unambiguous message that you are circling wagons with the intent of usurping even more authority and power over our entire judicial system - well beyond just the courts.

Since you're not likely to do it, I call upon legislators, judges and justices across this state to introduce legislation to democratize the judicial council and strip the judicial council of all if the unconstitutional authority it usurped. The CHP needs to provide police services as this is an executive function. The state legislature needs to be passing out grants to "justice partners" and not rely on the AOC to flex financial controls over them and the state legislature needs to be carving up the budget and funding the courts directly because it is abundantly clear that the JC/AOC have used funding as a weapon against those that don't speak with one voice.

Now a few comments that were sent to judicialcouncilwatcher that I volunteered to speak for, for those afraid to speak.

From: An employee of the appellate court

Subject: SEC survey response

I've worked in the appellate courts for more than a dozen years. I've had the pleasure of working with the gentleman that is delivering this message. For as long as I can recall, Mr. Paul successfully worked to re-establish lost trust between our appellate court and the AOC. Mr. Paul's first job at the AOC was no pressure. No pressure at all! For three days none of the appellate courts, the supreme court or the AOC had email. He was called in to fix our email system and he did. Mr. Paul was communicative, informative and genuinely concerned about the way our system was previously deployed by the AOC. Prior to CCMS, email was

our largest internal boondoggle because it was unreliable. Mr. Paul changed that. (As an aside: They can't run an email system and you want to trust them to run ccms?)

On one weekend way back in 2003, he redesigned and redeployed the entire email system for all of the appellate courts, all of the aoc and the supreme court. After that redeployment, we never had another email issue. His team later traveled to our court and upgraded our ccmil system to Microsoft Exchange. From my point of view, Mr. Paul was one of the most honest, loyal and conscientious employees in the AOC IT department. That trust that he worked to re-establish left when he did but this reply is not about Michael. This reply is in response to the SEC survey.

For many years before Michael arrived at the AOC, our court was in a pitched battle with the AOC IT department because they ran our systems and they ran our systems poorly. Sometimes, they didn't run at all. This was a constant source of angst for our court management because our court was reliant on an entity that could care less about us. Control was the name of the game and no one wanted to make waves in San Francisco over their failed IT policies that crippled our court. Most of our court, myself included has read the SEC report. Implementing the recommendations outlined in that report is an essential first step to the Judicial Council and the AOCs lost credibility.

From: A Del Norte county court employee

Thank you judicial council watcher and Michael Paul for giving us a vehicle where we can comment without fear of reprisal. Please implement the findings of the SEC report without delay or modification. Thank You.

From: An AOC employee

Subject: SEC Report

I'm just throwing my comment out there to demonstrate that you're all biased at JCW. I'm sure you'll ensure this never gets posted in Michael Paul's letter to the judicial council.

The SEC report touched on quite a few serious problems. However, the judges composing the SEC report don't work with us on a daily basis. They have a view from 100,000 feet of the AOC's operations. How they could ever come to a subjective conclusion that the AOC is overstaffed is irresponsible. We too have house payments to make and kids to feed. We do a great deal of thankless work for the courts. We're not control freaks like you make us out to be. That's just ridiculous and so is judicial council watcher.

From: A small northern California court

Subject: SEC comments for Michael Paul

Kindly implement all findings of the Strategic Evaluation Committee before the end of the calendar year. Thank You.

From: A San Joaquin County court employee

Subject: SEC comments for Michael Paul

After reading the replies of judges on the California courts website, I wish to adopt and endorse the comments of Judges Maino, Horan, Oki, Lewis and Dukes. The time for surveys and comments is over. The new CJ is losing support for her lack of leadership. She needs to implement the SEC recommendations and stop passing the buck.

From: donotreply@forms.hush.com (please contact us back and tell us where you are from in general terms)

Subject: SEC COMMENTS

Dear Chief Justice and Judicial Council,

I've been a judicial branch employee for over 20 years. I'm not the type to make waves or get involved in high stakes politics that might cost me my job. Unfortunately it appears if my coworkers and I wish to keep our jobs and serve the public, then the people at the AOC who don't serve the public need to be losing theirs, starting with Mr. Todd Torr and the every boss above him that authorized this arrangement. My comments are being delivered by Michael Paul through the judicial council watcher site because you gave me no other choice if I wish to keep my job. I wish to personally thank you for that bit of thoughtfulness; someone else must deliver that personal message of thanks for me as well. The real reason the SEC report is out for public comment is so that you can encourage others to derail the report while court and AOC employees are silenced. You're not fooling anyone.

From: An AOC employee

Subject: SEC Comments

I work for the AOC and agree with the findings of the SEC report. I've never worked any place that had so many obscenely paid managers that know little to nothing about the field of expertise they work in.