

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN
SOUTH DIVISION, TAFT BRANCH**

Judge Craig Phillips
Taft Branch
(661) 763-8531
Fax (661) 763-2439

12022 Main Street, Lamont, CA 93241
311 North Lincoln Street, Taft, CA 93268
Marie Castaneda, Regional Court Manager

Judge Gary R. Witt
Lamont Branch
(661) 868-5800
(661) 845-9142 Fax

Monday, July 16, 2012

Comments in re the Strategic Evaluation Report

Craig Phillips
Superior Court Judge
Kern County, South Division

I wish to add my comments to those of my brother Judges in support of the immediate implementation of the recommendations contained within the report. Having reviewed the comments of Mr. Aikmen, I also feel compelled to respond to the remarks he has made.

In this state our governance is set forth in our Constitution and statutes. As an Administrator, I guess, he is not acquainted with those directives. The entire gist of his opinion is that the best method of governance is to "let the administrators do it" and keep the Judges out of the way. Well, while I sure he believes he could do it better than any of us, history does not bear out his reliance on unsupervised administrators. Further, our governance set by law does not permit us to do so. So, both legally and practically, he doesn't know what he is talking about.

Being required to examine motives of witnesses, I also can't help but wonder if the \$1,000,000 we send to his former organization, and which may be in some jeopardy with these changes, motivates him to offer his opinion. Of course, it could just be an ego thing.

In examining the report itself, it is clear that the AOC suffers from all the maladies which our Judges had complained of in the past. Of course, the worst of these was the misuse of taxpayer dollars to fund a computer system which would link all the counties. There was never any need for such a computer system. The system proposed was actually to be used to collect demographic data and create reports of how well each county, and even each Judge, was performing his duties, based strictly on a "numbers" basis. Gee, I wonder why the AOC wanted that information?

What was created at the AOC was an attempt to centralize the power of the Judiciary in this state in the hands of just a few people. This began during the tenure of Chief Justice Ron George, who won great acclaim, especially for those of us who saw a great increase in our paychecks thru his hard work. It is very difficult to bite the hand that feeds you. This, more

than anything, I believe, contributed to the complacency of most of us about how we were being governed.

It is now clear that our apathy has led us to this point. We need to become involved in our governance as the law requires. We need to re-establish controls over the people who work for us, and let us be clear, **they work for us.** To do that, we need to implement the recommendations of those Judges who labored so hard to find the facts of what occurred. If these directives are delayed, it is effectively a denial of the needed changes.

Craig Phillips, Judge