

RICHARD L. SEABOLT
DIRECT DIAL: 415.957.3212
PERSONAL FAX: +1 415 354 3317
E-MAIL: RLSeabolt@DuaneMorris.com

www.duanemorris.com

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July 22, 2012

Hon. Douglas P. Miller, Chair
Executive and Planning Committee
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688

RE: Comment on Report of the Strategic Evaluation Committee (SEC)

Dear Justice Miller:

As a member of the Advisory Committee on Civil Jury Instructions (“CACI”), I wish to comment on the SEC Report’s recommendations to reduce attorney staff support for the advisory committees and to support Justice Croskey’s July 11, 2012 comment.

The CACI Committee has one staff attorney (Bruce Greenlee), who provides the sole substantive support for the committee. The committee is composed of justices, judges and trial lawyers who volunteer thousands of hours annually (and the equivalent of hundreds of thousands of dollars worth of time) because we believe that accurate, understandable jury instructions are critically important to the proper and efficient functioning of our judicial system. Jury instructions, of course, take the work of the Legislature and the appellate courts and help convey the law to the citizen-jurors who actually decide disputes. Accurate, understandable jury instructions are important not only to ensure that jurors can decide disputes in conformance with the law, but also to help ensure that mistakes do not further burden our already stressed judicial system with expensive retrials. As appellate courts have noted, “nothing results in more cases of reversible error than mistakes in jury instructions.”) *People v. Thompkins* (1987) 195 Cal.App.3d 244, 252.

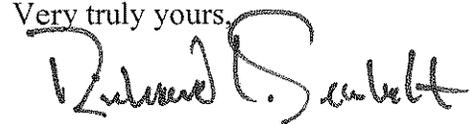
The good, hard work done by the volunteer members of the committee is entirely dependent on the single staff attorney, who monitors not only the appellate decisions that cite the CACI jury instructions (2-3 per week) but also the wide array of other appellate decisions that

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might affect the CACI jury instructions. Mr. Greenlee has the history and in-depth understanding of the manner in which the original Task Force and the CACI Committee formulates the instructions for consistency and understandability. The CACI Committee simply could not function without the experienced, full-time staff support that Mr. Greenlee provides.

In my view, reduction in attorney staff support to the CACI Committee would impair the important work of the committee. It is likely that there are many ways to implement the SEC Report's recommendation so as to reduce AOC expenses, but in my view a reduction in the full-time dedication of our single staff attorney support would be "penny-wise and pound- foolish."

Very truly yours,



Richard L. Seabolt

cc: Justice H. Walter Croskey
Justice Harry E. Hull
Justice James D. Ward (ret.)