

# Justice in Focus

## The Strategic Plan for California's Judicial Branch 2006–2016

Adopted 12/12/2014

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# I. INTRODUCTION FROM THE CHIEF JUSTICE AND THE ADMINISTRATIVE DIRECTOR

Dear Friend of the Courts:

As a statement of the judicial branch's commitment to public service excellence, and achieving our mission of improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice, we wish to bring to your attention the Judicial Council's *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2016*. Adopted by the council on December 14, 2014, it is based on the strategic plan of 2006–2012, with a seventh goal added regarding the necessity of stable funding for the branch to meet operational needs and fulfill its constitutional responsibilities to the public.



Tani G. Cantil-Sakauye

The 2006–2012 plan was shaped by contributions from members of the public, community leaders, the bar, judicial officers, court executives and administrators, members of the executive and legislative branches, and many other interested parties. Recognizing that the same goals continue to have relevance for the judicial branch, but that California's protracted economic crisis has placed preserving access to justice and maintaining adequate court services at the forefront of the branch's strategic agenda for the past several years, the council reaffirmed the plan in December 2014, but added the new goal. The addition of [Goal VII](#), to secure and maintain adequate and predictable branch funding, reflects the intent to pursue long-term solutions that provide for the future stability of court services.



Martin Hoshino

This strategic plan will remain current for the two-year period in which the newly-appointed [Commission on the Future of California's Court System](#) will be conducting a comprehensive examination of the priorities of the branch for the next decade and beyond. Together, the commission's final recommendations and a concerted effort to stabilize funding will provide a sound basis for the council's next strategic planning cycle as well as a robust foundation for a fully functioning judicial branch.

This latest strategic plan continues to serve as a resource in guiding the work and priorities of the Judicial Council and California courts.

Sincerely,

A handwritten signature in black ink that reads "Tani G. Cantil-Sakauye".

Tani G. Cantil-Sakauye  
Chief Justice of California and  
Chair of the Judicial Council

A handwritten signature in black ink that reads "Martin Hoshino".

Martin Hoshino  
Administrative Director,  
Judicial Council

## II. JUDICIAL COUNCIL MEMBERSHIP

The Judicial Council is currently composed of 33 members:

- The Chief Justice;
- 14 judges appointed by the Chief Justice (1 associate justice of the Supreme Court, 3 justices of the Courts of Appeal, and 10 trial court judges);
- 4 attorney members appointed by the State Bar Board of Governors;
- 1 member from each house of the Legislature; and
- 12 advisory members including representatives of the California Judges Association and state court administrative agencies.

This roster includes the council members as of December 12, 2014, at the time that the council adopted Goal VII of *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012* and extended the plan to 2016.

Hon. Tani G. Cantil-Sakauye  
*Chief Justice of California and Chair of the Judicial Council*

Hon. Marvin R. Baxter  
*Vice Chair of the Judicial Council*  
*Associate Justice of the Supreme Court*

Hon. Judith Ashmann-Gerst  
*Associate Justice of the Court of Appeal*  
*Second Appellate District, Division Two*

Hon. Harry E. Hull, Jr.  
*Associate Justice of the Court of Appeal*  
*Third Appellate District*

Hon. Douglas P. Miller  
*Associate Justice of the Court of Appeal*  
*Fourth Appellate District, Division Two*

Hon. Marla O. Anderson  
*Presiding Judge of the Superior Court of California,*  
*County of Monterey*

Hon. Brian John Back  
*Judge of the Superior Court of California,*  
*County of Ventura*

Hon. James R. Brandlin  
*Judge of the Superior Court of California,*  
*County of Los Angeles*

## II. JUDICIAL COUNCIL MEMBERSHIP

Hon. David De Alba  
*Judge of the Superior Court of California,  
County of Sacramento*

Hon. Emilie H. Elias  
*Judge of the Superior Court of California,  
County of Los Angeles*

Hon. Gary Nadler  
*Judge of the Superior Court of California,  
County of Sonoma*

Hon. David Rosenberg  
*Judge of the Superior Court of California,  
County of Yolo*

Hon. David M. Rubin  
*Judge of the Superior Court of California,  
County of San Diego*

Hon. Dean T. Stout  
*Assistant Presiding Judge of the Superior Court of California,  
County of Inyo*

Hon. Martin J. Tangeman  
*Assistant Presiding Judge of the Superior Court of California,  
County of San Luis Obispo*

Hon. Richard Bloom  
*Member of the California State Assembly*

Mr. Mark G. Bonino  
*Attorney at Law, Redwood City*

Mr. James P. Fox  
*Attorney at Law (Retired)*

Ms. Donna D. Melby  
*Attorney at Law, Los Angeles*

Ms. Debra Elaine Pole  
*Attorney at Law, Los Angeles*

Hon. Daniel J. Buckley  
*Assistant Presiding Judge of the Superior Court of California,  
County of Los Angeles*

## II. JUDICIAL COUNCIL MEMBERSHIP

Mr. Richard D. Feldstein  
*Court Executive Officer of the Superior Court of California,  
County of Napa*

Hon. David E. Gunn  
*Commissioner of the Superior Court of California,  
County of Butte*

Hon. James E. Herman  
*Presiding Judge of the Superior Court of California,  
County of Santa Barbara*

Hon. Morris D. Jacobson  
*Assistant Presiding Judge of the Superior Court of California,  
County of Alameda*

Hon. Brian L. McCabe  
*Presiding Judge of the Superior Court of California,  
County of Merced*

Mr. Frank A. McGuire  
*Clerk of the California Supreme Court*

Hon. Marsha Slough  
*Presiding Judge of the Superior Court of California,  
County of San Bernardino*

Hon. Kenneth K. So  
*Judge of the Superior Court of California,  
County of San Diego*

Ms. Mary Beth Todd  
*Court Executive Officer of the Superior Court of California,  
County of Sutter*

Hon. Charles D. Wachob  
*Assistant Presiding Judge of the Superior Court of California,  
County of Placer*

Hon. Joan P. Weber  
*Judge of the Superior Court of California,  
County of San Diego*

### III. PREFACE

#### AN INTRODUCTION TO THE JUDICIAL COUNCIL

The Judicial Council of California is the policymaking body of the California courts, the largest court system in the nation.

Under the leadership of the Chief Justice, and in accordance with article VI, section 6 of the California Constitution, the council is responsible for establishing the direction and priorities for the state's court system and for providing leadership to ensure the quality of justice throughout California.

The Judicial Council holds six to eight meetings a year, during which members address current issues facing the courts and implement strategies to advance the administration of justice. At these meetings, council members consult with their colleagues, the council advisory committees, working groups, and task forces and, often, with other justice system stakeholders and partners.

The Judicial Council, working with branch stakeholders and partners, develops a long-range strategic plan for the judicial branch. The strategic plan outlines the council's long-range vision for the state's judicial system as well as the strategic goals that will help manifest that vision. A judicial branch operational plan is developed at three-year intervals.

### III. PREFACE

#### MISSION OF THE JUDICIARY

The judiciary will—in a fair, accessible, effective, and efficient manner—resolve disputes arising under the law and will interpret and apply the law consistently, impartially, and independently to protect the rights and liberties guaranteed by the Constitutions of California and the United States.

#### MISSION OF THE JUDICIAL COUNCIL

Under the leadership of the Chief Justice and in accordance with the California Constitution, the law, and the mission of the judiciary, the Judicial Council sets the direction and provides the leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice.

### III. PREFACE

#### GUIDING PRINCIPLES

Consistent with its mission statement, the Judicial Council provides leadership in the judicial branch based on the following principles:

- **Meeting the needs of the public is the core function:**
  - Judicial Council decisions are based on the best interests of the public.
  - Judicial Council business is conducted with an underlying commitment to equal and timely justice and public access to an independent forum for the resolution of disputes.
  - The Judicial Council provides an ongoing program of public education to assist the public in using the courts and to strengthen trust and confidence in the branch.
  
- **Protecting the independence of the branch is crucial in a democracy:**
  - Judicial Council decisions aim to strengthen the branch.
  - The Judicial Council plans and advocates for policies, sufficient stable resources, and the infrastructure necessary for the branch to fulfill its mission.
  
- **High quality is an expectation throughout the branch:**
  - Judicial Council decisions facilitate improvement, effectiveness, and efficiency in the branch.
  - The Judicial Council supports a comprehensive program of judicial branch education and training in order to maintain a competent, responsive, and ethical judiciary and staff.
  - The Judicial Council establishes broad and consistent policies for the operation of the courts as well as appropriate statewide rules of court and court forms.
  
- **Accountability is a duty of public service:**
  - The Judicial Council establishes long- and short-term plans that guide the judicial branch and provide quantitative data on progress.
  - The Judicial Council evaluates branch performance to identify needed improvements.
  - The Judicial Council continually monitors and evaluates the use of public funds.

## IV. INTRODUCTION

### PURPOSE OF THE STRATEGIC PLAN

*Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012* states the goals and policy directions of the California judicial system. Developed under the direction of the Judicial Council, and informed by a wide variety of stakeholders, the goals and policy direction statements articulate the values that are vital to the effective administration of justice in the state. The plan facilitates a branchwide focus on the use of efforts and resources to perpetuate the values of the branch and ensure systemwide improvements. The strategic plan guides the priorities and work of the Judicial Council, its advisory committees, the trial and appellate courts, and the council's staff agency.

The plan also includes four appendixes. Appendix A presents a historical timeline of the council's strategic planning efforts. Appendix B provides an overview of strategic planning inputs—including community and public outreach efforts such as the Judicial Council-sponsored trust and confidence assessments of 2005 and 2006—and outputs. Appendix C presents an overview of the judicial branch's multiyear planning cycle, and Appendix D contains acknowledgments.

## IV. INTRODUCTION

### FUNDAMENTAL ISSUES FACING THE CALIFORNIA JUDICIAL BRANCH

The Judicial Council developed its first strategic plan in 1992 in response to the significant and fundamental challenges that faced the state's courts. Since then, the council has regularly reviewed state and national trends, essential court system values, external mandates, stakeholder expectations, and other forces that shape the environment of the courts. Listed below are some of the fundamental challenges currently facing California's judicial branch.

#### **Preserving the Independence of the Judicial Branch and Judicial Decisionmaking.**

Preserving the independence of judicial decisionmaking is fundamental to maintaining the independence of the judicial branch. The branch must resist the pressures brought to bear on judicial officers as they make decisions on controversial legal issues that come before the courts. Likewise, in order to ensure that the independence of the branch is not compromised or eroded over time, the branch's state and local leadership must work together to develop effective long- and short-term strategies for addressing ongoing conflicts and challenges. This includes educating the public about the branch and the role of the courts, as well as listening and responding to public needs, something that is fundamental to strengthening the trust and confidence that underpins the branch's independence.

**Measuring Performance and Demonstrating Accountability.** All public institutions, including the judicial branch, are increasingly challenged to evaluate and be accountable for their performance, and to ensure that public funds are used responsibly and effectively. For the courts, this means developing meaningful and useful measures of performance, collecting and analyzing data on those measures, reporting the results to the public on a regular basis, and implementing changes to maximize efficiency and effectiveness.

**Responding to the Changing Makeup and Needs of Court Users.** Increasingly, the judicial branch serves a diverse clientele—including clients who are older; more racially, ethnically, and culturally diverse; and more often self-represented. The branch must respond even more effectively to the differing needs of this diverse clientele. For example, there is an increased need for services for non-English speakers and for the elderly and infirm, as well as for cultural sensitivity and culturally appropriate programs and services that yield more effective outcomes. There is also a need to increase the diversity of court staff and judicial officers.

## IV. INTRODUCTION

### FUNDAMENTAL ISSUES FACING THE CALIFORNIA JUDICIAL BRANCH (continued)

**Balancing the Tension Between Traditional Court Functions and Demands for an Expanded Branch Mission.** Court users increasingly look to the courts to do more than resolve legal issues or dispose of cases. Instead, they expect court decisions to promote effective outcomes that help them resolve underlying problems. These expectations demand innovations in programs and services, including problem-solving and treatment-oriented courts. Many of these approaches, however, are staff intensive, require additional funding, and require judges and court staff to apply different knowledge, skills, and abilities. Finding the right balance—and continuing to implement new innovations and best or promising practices that will yield effective outcomes for litigants—is an ongoing challenge.

**Developing the Capacity and Expertise to Handle the Changing Composition of Cases.** New scientific and technological developments, such as those in information management, biotechnology, and the life sciences, as well as complex ethical and legal issues arising from those changes, are being brought to the courts. The judicial branch must prepare—through education and innovation—to address the complex, evolving legal issues of the present and the future.

**Enhancing and Maintaining a Branchwide Infrastructure.** In order for the judicial branch to fulfill its mission and purposes, it must provide an infrastructure that supports and meets public needs and that guarantees business continuity—now and in the future. The resource-intensive challenges of providing safe, functional facilities; branchwide technology; and accounting and human resources systems, as well as legal services to meet the needs of the courts, will require the branch to work creatively and collaboratively with other branches of government, in addition to its justice system partners.

**Recruiting and Retaining a Highly Qualified, Talented Workforce.** The judicial branch competes with the private sector to attract and retain a high-quality workforce, including managers, executives, and other staff with specific technical skills, as well as entry-level staff. In order to meet this challenge, the branch must become more competitive in the workforce marketplace—in terms of salaries, opportunities for advancement and professional development, desirable working conditions, recognition of advanced education, and satisfying work.

## IV. INTRODUCTION

### THE STRATEGIC PLANNING PROCESS

In March 2000, the Judicial Council adopted guidelines for judicial branch planning. These guidelines define the types of state and local judicial branch planning, the roles and responsibilities of the participants, and the time frames for planning activities. The guidelines provide for a review and revision of the council’s strategic plan every six years and a review and revision of the branchwide operational plan every three years.

The hallmark of judicial branch planning is a highly inclusive process that synthesizes input from numerous stakeholder sources to formulate long-range strategic goals and policy directions, which are then articulated in the strategic plan for California’s judicial branch. In turn, the goals and policy directions—which are or will be pursued to make progress toward achieving the plan’s goals—guide a variety of implementation activities.

Stakeholder participants providing input for *Justice in Focus: The Strategic Plan for California’s Judicial Branch, 2006–2012* include Californians from all walks of life, as well as the leadership of numerous justice system partners, some of which are listed below.

Stakeholder Group	Input Process	Approximate Number of Participants
Members of the public and California attorneys	Phase 1 (2005) of the <i>Trust and Confidence in the California Courts: A Survey of the Public and Attorneys</i> assessment	<ul style="list-style-type: none"> <li>○ 2,400 members of the public</li> <li>○ 500 practicing attorneys</li> </ul>
Members of the public with direct court experience; judicial officers; court administrators; community leaders	Phase 2 (2006) of the trust and confidence assessment, drawing on court user, court administrator, and judicial officer focus groups and on stakeholder interviews	<ul style="list-style-type: none"> <li>○ 180–190 (in public focus groups)</li> <li>○ 60–65 (in judicial officer focus groups)</li> <li>○ 25 (in court administrator focus groups)</li> <li>○ 30 (in individual interviews; branch &amp; community leaders)</li> </ul>
Superior courts	Local court operational plans informed by community input submitted for review and synthesis	<ul style="list-style-type: none"> <li>○ 90% of the courts (2005)</li> <li>○ 83% of the courts (2006)</li> </ul>
Judicial Council of California	Recommended plan priorities and provisions; synthesized stakeholder input from other sources	The 28 members of the policymaking body of the California courts
Judicial Council advisory committees	Recommended plan priorities and provisions based on specific areas of legal and programmatic expertise	16 advisory committees (comprising approximately 160 judicial system leaders)
Executive Team, Judicial Council staff	Recommended plan provisions and priorities based on specific areas of legal and administrative expertise	Division directors serving in specific areas of legal and administrative expertise
State Bar leadership	Recommended plan priorities and provisions	Senior executive team, Board of Governors, commissions
Leadership teams and other justice system partners	Recommended plan priorities and provisions	<ul style="list-style-type: none"> <li>○ National Center for State Courts</li> <li>○ Mexican American Legal Defense and Educational Fund</li> </ul>

## V. JUDICIAL BRANCH GOALS

### **Goal I: Access, Fairness, and Diversity**

California's courts will treat everyone in a fair and just manner. All persons will have equal access to the courts and court proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users from diverse cultural backgrounds. The makeup of California's judicial branch will reflect the diversity of the state's residents.

### **Goal II: Independence and Accountability**

The judiciary must maintain its status as an independent, separate, and co-equal branch of government. The independence of judicial decisionmaking will be protected in order to preserve the rule of law and ensure the fair, impartial, and efficient delivery of justice. The judiciary will unify in its advocacy for resources and policies that support and protect independent and impartial judicial decisionmaking in accordance with the constitution and the law. The branch will maintain the highest standards of accountability for its use of public resources and adherence to its statutory and constitutional mandates.

### **Goal III: Modernization of Management and Administration**

Justice will be administered by a highly qualified judicial and executive leadership team in a fair, timely, efficient, and effective manner by using modern management practices that implement and sustain innovative ideas and effective practices.

### **Goal IV: Quality of Justice and Service to the Public**

The judicial branch will deliver the highest quality of justice and service to the public. In order to remain responsive to the varying needs of diverse court users, the judicial branch will work with branch constituencies to better ascertain court users' needs and priorities. The branch will also employ community outreach to provide information about the judicial branch to the public, and effect programs and strategies to ensure that court procedures and processes are fair and understandable.

### **Goal V: Education for Branchwide Professional Excellence**

High-quality education and professional development will be provided to enhance the ability of all individuals serving in the judicial branch to achieve high standards of professionalism, ethics, and performance. Judicial branch personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the courts.

## V. JUDICIAL BRANCH GOALS

### **Goal VI: Branchwide Infrastructure for Service Excellence**

The judicial branch will enhance the quality of justice by providing an administrative, technological, and physical infrastructure that supports and meets the needs of the public, the branch, and its justice system and community partners, and that ensures business continuity.

### **Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch**

Consistent with the Judicial Council's legislative priority to advocate for investment in the justice system of California to preserve access to justice for all Californians, the judicial branch must make every effort to achieve greater financial independence and flexibility for funding the court system at a level of sufficiency.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL I: ACCESS, FAIRNESS, AND DIVERSITY

**Issue Description (the challenges):** California’s judicial branch serves an increasingly diverse population. The branch must work to remove all barriers to access and fairness by being responsive to the state’s cultural, racial, socioeconomic, linguistic, physical, and age diversities. Branch efforts in this regard must include ensuring that the courts are free from both bias and the appearance of bias, meeting the needs of increasing numbers of self-represented litigants, remaining receptive to the needs of all branch constituents, ensuring that court procedures are fair and understandable, and providing culturally responsive programs and services. Finding effective strategies for removing barriers in all case types will require a continued branchwide commitment to innovation, to excellence in public service, and to strong leadership at local and state levels.

In addition, in order to serve the state of California effectively, the judicial branch should reflect the diversity of the state. The judicial branch must continue efforts to enhance public trust and confidence by working with other branches of government toward a judicial branch that mirrors the state’s diversity.

**Goal Statement (the goal for addressing branch challenges):** California’s courts will treat everyone in a fair and just manner. All persons will have equal access to the courts and court proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users from diverse cultural backgrounds. The makeup of California’s judicial branch will reflect the diversity of the state’s residents.

#### **Recommended Policies:**

1. Identify and work to eliminate all barriers to access.
2. Broaden and facilitate access to, understanding of, and trust and confidence in the judicial branch and court-connected programs and services for all persons and entities served by the judicial branch.
3. Work to prevent bias, and the appearance of bias, in all parts of the judicial branch.
4. Work to achieve procedural fairness in all types of cases.
5. Work with justice system partners to increase access to legal assistance.
6. Collaborate with other branches of government and justice system partners to identify, recruit, and retain highly qualified appellate court justices, trial court judges, commissioners, referees, and other members of the judicial branch workforce, who reflect the state’s diversity.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL I: ACCESS, FAIRNESS, AND DIVERSITY (continued)

7. Collaborate with law schools, the State Bar, local bar associations, and specialty bars to achieve greater diversity in the legal profession.
8. Continue to promote broad diversity among the membership of the Judicial Council and its advisory committees, task forces, and working groups in order to ensure diverse perspectives and an inclusive environment.
9. Implement, enhance, and expand multilingual and culturally responsive programs, including educational programming, self-help centers, and interpreter services.
10. Ensure that judicial branch facilities are accessible to all court users and accommodate the needs of persons with disabilities.
11. Increase public access to court information and services.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL II: INDEPENDENCE AND ACCOUNTABILITY

**Issue Description (the challenges):** California’s judicial branch is an independent, separate, and co-equal branch of state government charged with preserving the rule of law, upholding Californian’s constitutional rights, and ensuring fair and impartial courts. In order to discharge these important constitutional responsibilities, the branch must maintain its independence and resist pressures that would compromise the independence of judicial decisionmaking. Increasingly, judicial officers must contend with a variety of challenges as they make legal decisions on issues that are charged with public controversy.

In serving the people of California, the judicial branch must also exercise its constitutional and statutory authority and responsibility to plan for, direct, monitor, and support the business of the branch and to account to the public for the branch’s performance. The judicial branch must develop meaningful system performance standards, measure performance against the standards, analyze data on those measures, report the results to constituents on a regular basis, and support changes to increase efficiency and effectiveness.

These responsibilities and challenges must be met with strong branch leadership and effective strategies for preserving the status of the judicial branch as a separate, independent, co-equal branch of government.

**Goal Statement (the goal for addressing branch challenges):** The judiciary must maintain its status as an independent, separate, and co-equal branch of government. The independence of judicial decisionmaking will be protected in order to preserve the rule of law and ensure the fair, impartial, and efficient delivery of justice. The judiciary will unify in its advocacy for resources and policies that support and protect independent and impartial judicial decisionmaking in accordance with the constitution and the law. The branch will maintain the highest standards of accountability for its use of public resources and adherence to its statutory and constitutional mandates.

#### **Recommended Policies:**

##### ***A. Independence of Judicial Decisionmaking***

1. Preserve the ability of judicial officers to exercise appropriate discretion and independent decisionmaking in accordance with the law in their individual courtrooms and in handling their assigned cases. Provide coordination and assistance as necessary to assist judicial officers in exercising their discretionary responsibilities.
2. Protect the ability of judges to decide legal disputes according to the constitution, the law, and legal precedent without fear of reprisal.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL II: INDEPENDENCE AND ACCOUNTABILITY (continued)

3. Support consistent and effective state and local strategies for preserving the independence of judicial decisionmaking.

#### ***B. Branch Independence and Accountability***

1. Exercise the constitutional and statutory authority of the judiciary to plan for and manage its funding, personnel, resources, and records and to practice independent rule making. Advocate for additional constitutional and statutory authority that will better enable the branch to manage its fiscal and operational responsibilities.
2. Secure and account for sufficient judicial branch resources—including additional judges—to ensure accessible, safe, efficient, and effective services to the public.
3. Allocate resources in a transparent and fair manner that promotes efficiency and effectiveness in the administration of justice, supports the strategic goals of the judicial branch, promotes innovation, and provides for effective and consistent court operations.
4. Establish fiscal and operational accountability standards for the judicial branch to ensure the achievement of and adherence to these standards throughout the branch.
5. Establish improved branchwide instruments for reporting to the public and other branches of government on the judicial branch's use of public resources.
6. Support consistent and effective state and local strategies for preserving the independence of the judicial branch.
7. Promote a basic understanding of the courts, the judicial branch, and issues of branchwide concern to other government branches and representatives, legal and educational communities, community groups, and the general public.
8. Support a strong local court governance structure, and effective judicial and administrative leadership, throughout the state.
9. Work collaboratively with state and local executive and legislative branches, as well as the legal community, to promote and protect the independence of the judicial branch.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL III: MODERNIZATION OF MANAGEMENT AND ADMINISTRATION

**Issue Description (the challenges):** The judicial branch is responsible for providing a court system that resolves disputes in a just and timely manner and operates efficiently and effectively. Some of the pressures affecting the branch's ability to do so are increased competition for limited state resources, expanding workloads, a greater number of cases and resulting backlogs, increased case complexity, and the courts' need to respond to the information requirements of many entities. The branch also faces the difficult work of unifying and consolidating the judicial administration policies, practices, and systems that are more efficiently coordinated on a statewide basis, while preserving and facilitating the ability of courts to develop and maintain efficient local practices.

The effective administration of justice requires deliberate attention to recruiting, developing, and retaining high-quality staff at all levels, as well as to developing and implementing appropriate accountability and compliance measures. The judicial branch must also implement and sustain innovative practices and ensure that court environments are safe and secure.

**Goal Statement (the goal for addressing branch challenges):** Justice will be administered by a highly qualified judicial and executive leadership team in a fair, timely, efficient, and effective manner by using modern management practices that implement and sustain innovative ideas and effective practices.

#### **Recommended Policies:**

##### ***A. Trial and Appellate Court Management***

1. Improve operations through innovation, technology, and the sharing of effective practices.
2. Ensure that data collected by the judicial branch are complete, accurate, and current and provide a sound basis for policy decisions, resource allocations, and reports to other branches of government, law and justice system partners, and the public.
3. Attract, employ, and retain a judicial branch workforce that is highly qualified.
4. Foster a work environment that recognizes employees' value and promotes professional growth, development, and employee well-being.
5. Work to ensure the safety and security of the work environment, and develop emergency and continuity-of-business plans for times of crisis or natural disaster.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL III: MODERNIZATION OF MANAGEMENT AND ADMINISTRATION (continued)

6. Manage and coordinate cases effectively by sharing appropriate information between and within the courts and other justice system partners.
7. Promote compliance with all court orders and federal and state laws, including the collection of fines, fees, and forfeitures.

#### ***B. Trial and Appellate Case Management***

1. Develop and promote innovative and effective practices to foster the fair, timely, and efficient processing and resolution of all cases.
2. Ensure that statewide policies, rules of court, standards of judicial administration, and court forms promote the fair, timely, effective, and efficient processing of cases and make court procedures easier to understand.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL IV: QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC

**Issue Description (the challenges):** California’s judicial branch is committed to providing quality justice to an increasingly diverse society. Many court users are poor; some are not fluent in English. Many more are unfamiliar with the scope, processes, and procedures of the American legal system. Increasingly, court users and the public look to the courts to do more than resolve legal matters and dispose of cases—they expect courts to offer programs and services that will help to resolve underlying problems. The courts must also resolve disputes in accordance with the law in a fair and timely manner while remaining responsive to the needs of diverse court users. In addition, the judicial branch faces numerous emerging trends—including new, complex legal and ethical issues—that may affect its ability to deliver quality justice and service.

Key to meeting these challenges and maintaining the public’s trust and confidence is ensuring that court procedures and processes are fair and understandable. This requires a continued branchwide commitment to excellence in public service and to education and training. Employing community outreach and other means to increase the public’s basic understanding of the courts and the judicial branch must also remain a high priority. To foster and retain the respect, trust, and confidence of its diverse constituencies, the judicial branch must continue to anticipate and respond to these and other challenges.

**Goal Statement (the goal for addressing branch challenges):** The judicial branch will deliver the highest quality of justice and service to the public. In order to remain responsive to the varying needs of diverse court users, the judicial branch will work with branch constituencies to better ascertain court users’ needs and priorities. The branch will also employ community outreach to provide information about the judicial branch to the public, and effect programs and strategies to ensure that court procedures and processes are fair and understandable.

#### **Recommended Policies:**

1. Maintain a branchwide culture that fosters excellence in public service by building strong working relationships with communities, law and justice system partners, and other state and local leaders.
2. Collect, evaluate, and respond to public input about court programs and services; provide reports that show how court programs and services address local and branchwide strategic goals.
3. Provide services that meet the needs of all court users and that promote cultural sensitivity and a better understanding of court orders, procedures, and processes.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL IV: QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC (continued)

4. Promote the use of innovative and effective problem-solving programs and practices that are consistent with and support the mission of the judicial branch.
5. Provide necessary resources to all courts—particularly high-volume courts such as traffic, small claims, juvenile dependency, and family courts—and support the branchwide implementation of effective practices to enhance procedural fairness and reduce the time and expense of court proceedings.
6. Support and expand the use of successful dispute resolution programs.
7. Improve the quality of jury service, including compliance with summonses and a heightened awareness of the civic responsibility for jury service; work to achieve a fair cross-section of the community in jury venires.
8. Collaborate with justice system partners and community stakeholders to identify and promote programs that further the interests of all court users—including children and families.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL V: EDUCATION FOR BRANCHWIDE PROFESSIONAL EXCELLENCE

**Issue Description (the challenges):** Professional excellence is the standard and expectation for all judicial officers and court personnel throughout California’s judicial branch. The judicial branch must provide ongoing professional development, education, and training to address many concerns, including (1) the increasing complexity of the law and court procedures, (2) emerging legal and ethical issues, (3) new and emerging practices in treating behavioral disorders and addictions, (4) new technologies, (5) accelerated management and executive development programs needed to complement succession planning efforts, (6) the importance of procedural fairness in all court operations and interactions with the public, and (7) new management, operational, and service-level expectations. Additionally, the challenges of a resource-competitive environment mean the branch must actively pursue partnerships and other innovative ways and means to provide professional development, education, and training opportunities for all members of the branch. Maintaining branchwide professional excellence will promote public trust and confidence in the judicial branch.

**Goal Statement (the goal for addressing branch challenges):** High-quality education and professional development will be provided to enhance the ability of all individuals serving in the judicial branch to achieve high standards of professionalism, ethics, and performance. Judicial branch personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the courts.

#### **Recommended Policies:**

1. Provide access for all judicial branch personnel to essential, relevant education and professional development opportunities at all stages of their careers.
2. Maintain and enhance branchwide professional development by continually identifying new subject-matter experts and developing new qualified faculty, educational resources, and service-delivery approaches.
3. Create and maintain education-based partnerships between judicial branch entities and institutes of higher learning, nonprofits, and other professional organizations to maximize shared use of educational resources and to ensure branchwide access to comprehensive, relevant academic content.
4. Increase access for judicial branch personnel to continuing education opportunities; enhance local courts’ educational resources and environments.
5. Promote public trust and confidence in the judicial branch by establishing and maintaining high standards of professionalism, ethics, and performance for judicial branch personnel.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL VI: BRANCHWIDE INFRASTRUCTURE FOR SERVICE EXCELLENCE

**Issue Description (the challenges):** For the judicial branch to fulfill its mission and purpose, it must have a sound infrastructure that supports and meets its needs and ensures business continuity. Specifically, the judicial branch must meet the challenge of providing the necessary technological, human resources, fiscal, and facilities infrastructures, as well as other relevant and critical internal functions, to provide the highest quality of justice and service to the people of California. Infrastructure improvements needed to better serve the public include (1) acquisition, construction, renovation, and maintenance of adequate facilities; (2) greater technological access and integration; (3) coordinated and effective case management systems; (4) systems for measuring court performance and accounting for the use of resources; (5) systems for sharing appropriate information throughout the branch and with other partners; (6) human resource systems to facilitate recruiting and retaining high-quality staff; and (7) staffing to provide legal assistance to the courts.

**Goal Statement (the goal for addressing branch challenges):** The judicial branch will enhance the quality of justice by providing an administrative, technological, and physical infrastructure that supports and meets the needs of the public, the branch, and its justice system and community partners, and that ensures business continuity.

#### **Recommended Policies:**

##### ***A. Facilities Infrastructure***

1. Provide and maintain safe, dignified, and fully functional facilities for conducting court business.
2. Provide judicial branch facilities that accommodate the needs of all court users, as well as those of justice system partners.

##### ***B. Technology Infrastructure***

1. Encourage and sustain innovation in the use of new information-sharing technologies.
2. Establish a branchwide technology infrastructure that provides the hardware, software, telecommunications, and technology management systems necessary to meet the case management, information-sharing, financial, human resources, education, and administrative technology needs of the judicial branch and the public.
3. Develop and maintain technology strategic plans for the judicial branch that are coordinated with the branch's technology initiatives and address needs such as business continuity planning and meaningful performance standards.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL VI: BRANCHWIDE INFRASTRUCTURE FOR SERVICE EXCELLENCE (continued)

#### **C. Administrative Infrastructure**

1. Provide a high-quality administrative legal infrastructure to provide consistent, comprehensive legal support and counsel to the courts.
2. Provide a high-quality administrative human resources infrastructure to support the courts and to promote standardized functions and services and the implementation of innovations and effective practices.
3. Provide a high-quality administrative financial infrastructure to support the courts and to promote standardized functions and services and the implementation of innovations and effective practices.

## VI. STRATEGIC GOALS AND POLICY DIRECTIONS

### GOAL VII: ADEQUATE, STABLE, AND PREDICTABLE FUNDING FOR A FULLY FUNCTIONING BRANCH

**Issue Description (the challenges):** California’s state court system, the largest in the nation, serves an increasingly diverse population of 38 million people. The judicial branch is accountable for ensuring that the courts remain accessible to all Californians, court procedures are fair and understandable to court users and the public, and court services are provided to earn the public’s trust and confidence in the statewide administration of justice. Accomplishing these fundamental responsibilities of government requires a reliable funding base that will sustain branch operations on a continual, uninterrupted basis.

The branch must pursue a comprehensive approach to financially adapt to a shifting state budget environment. This strategic goal represents a call for continued advocacy and a resolve to define new financial strategies.

**Goal Statement (the goal for addressing branch challenges):**

Consistent with the Judicial Council’s [legislative priority](#) to advocate for investment in the justice system of California to preserve access to justice for all Californians, the judicial branch must make every effort to achieve greater financial independence and flexibility for funding the court system at a level of sufficiency.

**Recommended Policies:**

1. Continue advocacy for fund balances sufficient to allow courts to manage cash flow challenges, a method for stable and reliable growth funding for courts to address annual cost increases in baseline operations, and sufficient additional resources to allow courts to (1) improve physical access to the courts by keeping courts open, (2) expand access by increasing the ability of court users to conduct branch business online, and (3) restore programs and services that have been reduced or eliminated in recent years.
2. Beyond a legislative program, focus on comprehensive solutions for managing scarce resources to achieve a position of relative strength in uncertain economic times. Such solutions include, but are not limited to, revenue-generation strategies, alternative funding mechanisms, business process reengineering to achieve further efficiencies, and program evaluation to support financial planning.

## VII. APPENDIXES

### APPENDIX A: HISTORY OF JUDICIAL COUNCIL STRATEGIC PLANNING

#### YEARS AND MILESTONES

**2006** The Judicial Council approves a major reorganization of the California Rules of Court and Standards of Judicial Administration. The change, effective January 1, 2007, involves a major restructuring, reordering, and renumbering of the rules and standards to make them clearer, better organized, and easier to read.

The Judicial Council launches phase 2 of the assessment of public trust and confidence in the California courts in order to more fully explore key findings revealed during the phase I survey.

The Judicial Council approves new standards to improve collections of fees, fines, and forfeitures by the trial courts. The new standards will capture funds to be used for improving public services provided by the state, the trial courts, and county governments.

**2005** The Judicial Council collaborates with the State Bar and the California Judges Association on a proposal to amend article VI of the California Constitution, which governs the workings of the judicial branch. The proposed amendments are an effort to transform the judicial branch into a truly separate and co-equal branch of government.

The Judicial Council conducts and releases [\*Trust and Confidence in the California Courts \(Phase I\): A Survey of the Public and Attorneys\*](#), which shows a significant increase in the number of people who have a positive attitude about California courts.

The Judicial Council, in collaboration with other branches of government, begins to reform the trial court budgeting process, so that trial court budgets are adjusted automatically each year using the same percentage change applied to other state entities, such as the Legislature.

**2004** The California judicial branch takes responsibility for the first of 451 court facilities previously under county jurisdiction, laying the groundwork for real independence and accountability for branch operations and resources.

The Judicial Council approves a statewide plan to increase court access for self-represented litigants. The council also adopts uniform standards and guidelines for trial court security.

## VII. APPENDIXES

### APPENDIX A: HISTORY OF JUDICIAL COUNCIL STRATEGIC PLANNING (continued)

- 2003** The judicial branch rolls out a new trial court financing system, CARS (the Court Accounting and Reporting System).

The Judicial Council initiative to standardize electronic filing and service of documents in state trial courts, and to allow the payment of filing fees online with a credit card, takes effect.

- 2002** The Trial Court Facilities Act of 2002 is approved by the Legislature, giving the judicial branch new opportunities to improve court infrastructure and administration, guide the management of branch resources, and help ensure a court system uniformly accessible to the public.

The state's first official juror orientation video, *Ideals Made Real: The Jury*, debuts, along with informational brochures, in all California jury assembly rooms during Juror Appreciation Week (May 13–18, 2002).

- 2001** The Task Force on Court Facilities releases its final report, which proposes that the state assume responsibility for all 451 trial court facilities.

The Judicial Council staff (formerly, Administrative Office of the Courts [AOC]) launches the most comprehensive online resource of court information ever assembled ([www.courts.ca.gov/selfhelp.htm](http://www.courts.ca.gov/selfhelp.htm)) to serve the estimated 4.3 million Californians who go to court without attorneys. A Spanish-language version of this site is launched in 2003.

The Judicial Council approves more than 30 new and amended rules of court, forms, and standards of judicial administration relating to family and juvenile law. Among them, rule 1438 is adopted to ensure that California's estimated 90,000 children involved in dependency proceedings annually receive adequate legal representation.<sup>1</sup> The AOC drafts a new protocol to guide the handling of domestic violence cases, and the Judicial Council approves the translation of domestic violence forms into four languages.

- 2000** The Judicial Council adopts the first conceptual framework and guidelines to institutionalize and integrate state and local planning activities. The council also adopts its first multiyear operational plan.

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<sup>1</sup> After January 1, 2007, when the council-approved rules reorganization took effect, this rule was renumbered as 5.660.

## VII. APPENDIXES

### APPENDIX A: HISTORY OF JUDICIAL COUNCIL STRATEGIC PLANNING (continued)

- 1999** The Judicial Council updates the strategic plan to reflect the changing responsibilities resulting from major legislative initiatives, such as state funding of trial courts and trial court unification.
- 1998** The Judicial Council sponsors the statewide conference *Courts and Their Communities: Local Planning and the Renewal of Public Trust and Confidence*. This conference begins California’s Community-Focused Court Planning initiative.
- 1997** The Judicial Council sets priorities for strategic plan implementation, utilizing information from a national survey that assessed trends affecting courts. The survey was administered to the nation’s state court administrators and to California’s trial and appellate court administrators. The strategic plan document, [\*Leading Justice Into the Future\*](#), is published for the first time.
- 1996** The Judicial Council identifies four fundamental issues driving the need for change in the court system: (1) the role of courts in society, (2) independence and accountability, (3) governance, and (4) interactions with the public.
- 1995** The Judicial Council focuses on its role as an effective governing body and conducts its first review of advisory committee activities.
- 1994** The Judicial Council solicits comments on [\*Justice in the Balance—2020\*](#) statewide; this feedback results in many revisions to the council’s strategic plan.
- 1993** The Commission on the Future of the California Courts issues its final report, [\*Justice in the Balance—2020\*](#).
- 1992** The Judicial Council adopts the 1992 strategic plan and reorganization plan. The strategic plan outlines the first mission statement, guiding principles, goals, objectives, and strategies. The reorganization plan creates a Judicial Council committee structure to promote broad-based participation in the governance of the state’s judicial system.

## VII. APPENDIXES

### APPENDIX B: OVERVIEW OF STRATEGIC PLANNING INPUTS AND OUTPUTS

#### STRATEGIC PLANNING INPUTS

Inputs to the judicial branch’s strategic planning efforts identify both the trends and the issues affecting the judicial system and the system’s consequent needs. The sources of input are described below.

##### **Public Outreach: Public Trust and Confidence Assessments, Phases 1 and 2.**

Beginning in 2005, the Judicial Council undertook an ambitious statewide survey of the public and of practicing attorneys to determine current levels of trust and confidence in the state courts and to obtain information concerning expectations and performance of the state courts. Conducted for the council by the National Center for State Courts (NCSC; Williamsburg, Virginia, office) and the Public Research Institute at San Francisco State University, the 2005 survey, phase I of the assessment, reached over 2,400 members of the public and 500 practicing attorneys.

Building on the important information obtained in phase 1, in 2006 the council embarked on phase 2 of the assessment by delving more deeply into the key issues raised by the public and by practicing attorneys. Using focus groups and other research methodology, the council’s researchers—Public Agenda (New York City) and Doble Research Associates, Inc. (Englewood Cliffs, New Jersey)—sought direct information from court users to yield specific, effective strategies for addressing court user concerns.

Input received in phase 1 and phase 2 has informed and shaped the goals and policy direction statements of *Justice in Focus: The Strategic Plan for California’s Judicial Branch, 2006–2012*.

**Trial Court Plans.** Trial court planning is a formal method of soliciting “bottom-up” input to the state-level strategic plan. The trial courts’ plans, which incorporate the input of individual communities, contribute information about local issues, concerns, and opportunities to branchwide strategic planning.

**Advisory Committee Plans.** As the policymaking body for the California courts, the Judicial Council relies on its advisory committees to keep apprised of issues and concerns confronting the judiciary—and of appropriate solutions and responses. Input from the committees is received in proposals and recommendations for improving the administration of justice within specific areas of the law. Committee expertise also informs the priorities and policy direction statements of the branchwide strategic plan.

## VII. APPENDIXES

### APPENDIX B: OVERVIEW OF STRATEGIC PLANNING INPUTS AND OUTPUTS

**Trends Analysis.** Judicial Council staff conduct analyses of external and internal trends and outcomes. Trends analysis includes the study of national and state economic, social, political, and technological trends that are likely to affect the administration of justice. This analysis, carefully reviewed by the Judicial Council, also informs the priorities and policy direction statements of the branchwide strategic plan.

#### **STRATEGIC PLANNING OUTPUTS**

Outputs of the judicial branch strategic plan focus on the use of resources to implement improvements in the administration of justice. The plan guides the programmatic priorities and other implementation efforts of the Judicial Council, its advisory committees, its staff, and the trial and appellate courts. Outputs shaped by strategic plan include:

- Statewide budget policies and priorities;
- Statewide policy for the development of justice system services and programs;
- Legislative priorities and agendas; and
- Rule and form policy directions that flow from programmatic policy decisions.

## VII. APPENDIXES

### APPENDIX C: OVERVIEW OF MULTIYEAR PLANNING CYCLE

In March 2000, the Judicial Council adopted a coordinated multiyear cycle for judicial branch planning. This cycle assumes a review and revision of both branchwide and local court strategic plans every six years and a review and revision of branchwide and local court operational plans every three years. The timelines for branchwide and local court plans are staggered to ensure the relational aspect of the judicial branch's planning process.

Key components of the multiyear planning cycle are described below.

**Six-year Strategic Plan.** The development of the judicial branch strategic plan initiates the coordinated multiyear planning cycle. The judicial branch strategic plan defines the long-term mission, long-range issues—and the goals and policy directions for addressing those issues—for *the entire branch* over the next six years. Trial court strategic plans support the achievement of branchwide goals and policy directions *and* identify other goals and policies for addressing issues that affect local constituencies.

**Three-year Operational Plan.** An operational plan is a “big picture” three-year agenda whose purpose is to link strategic goals to day-to-day operations. Building on the strategic plan, it includes the identification of the following:

- Short-term, high-priority operational objectives; and
- The desired outcomes of accomplishing those objectives.

The Judicial Council, working with justice system partners and other stakeholders, will undertake development of an operational plan—to implement the goals and policy directions of the strategic plan—in early 2007.

**Annual Plan Review and Updating.** The intervening years of the six-year cycle give the Judicial Council and the trial courts an opportunity to review the progress made in implementing their respective, related plans and to revise the plans as appropriate.

## VII. APPENDIXES

### APPENDIX D: ACKNOWLEDGMENTS

The Judicial Council of California undertook development of *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012* in collaboration with many judicial branch stakeholders, each of whom provided important insights and data to inform the council's strategic priority-setting activities. The council wishes to express its appreciation to the people of California—to the nearly 2,600 members of the public who shared their experiences and their thoughtful opinions about how California's courts might improve the delivery of justice. Special thanks are due the State Bar of California, its foundation, and the 500 attorneys who participated in the council's 2005 public trust and confidence assessment for their continued support.

Grateful acknowledgments are due to the following institutions and research professionals whose analysis has informed the council's decisionmaking activities:

- National Center for State Courts (Williamsburg, Virginia, office), David B. Rottman, Ph.D., Principal Research Consultant, *Trust and Confidence in the California Courts, Part I: Findings and Recommendations* (Assessment Phase 1, 2005)
- Public Research Institute, San Francisco State University, John Rogers, Ph.D., and Diane Godard, M.A., Statistical Analysts, *Trust and Confidence in the California Courts, Part II: Executive Summary of Methodology with Survey Instruments* (Assessment Phase 1, 2005)
- Public Agenda (New York City), Ruth Wooden, President, and Ana Maria Arumi, Director of Research, *Trust and Confidence in the California Courts: Public Court Users and Judicial Branch Members Talk About the California Courts* (Assessment Phase 2, 2006)
- Doble Research Associates (Englewood Cliffs, New Jersey), John Doble, President, *Trust and Confidence in the California Courts: Public Court Users and Judicial Branch Members Talk About the California Courts* (Assessment Phase 2, 2006)
- Policy Studies Inc. (Denver), Brenda J. Wagenknecht-Ivey, Ph.D., and Steven Weller, J.D., Ph.D., Principal Research Consultants, *Trends and Stakeholder Data Synthesis Report: Policy Implications and Recommendations* (2006)

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### APPENDIX D: ACKNOWLEDGMENTS (continued)

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