

**Task Force on Public Information and Education
Business Meeting
Administrative Office of the Courts
Third Floor, Catalina Room
455 Golden Gate Avenue
San Francisco, California 94102-3688**

May 6, 2008

Minutes

Task Force on Public Information and Education Members Present: Hon. Judith McConnell (*Chair*), Mr. Bert Brandenburg (*via teleconference*), Dr. Frances Chadwick, Ms. Nanci Clarence, Mr. Marshall Croddy, Hon. Lynn Duryee, Mr. John Fitton, Hon. Edward Forstenzer, Mr. José Guillén, Hon. Franz Miller, Dean Elizabeth Parker, Hon. David Richmond, and Ms. Therese Stewart.

Task Force on Public Information and Education Members Absent: Mr. Stephen Bouch, Senator Martha Escutia, Mr. John Hancock, Hon. Steven Jahr, Hon. Linda Lofthus, and Mr. Jonathan Shapiro.

Task Force on Public Information and Education Advisory Members Present: Ms. Janis Hirohama (*via teleconference*), Dr. Timothy Hodson (*via teleconference*).

Task Force Staff: Mr. Peter Allen, Mr. Phillip Carrizosa, Ms. Leanne Kozak, Ms. Claudia Ortega, and Ms. Linda Theuriet.

Guests and Additional Attendees: Administrative Office of the Courts (AOC) staff Mr. Douglas Denton, Mr. Kenneth Kann, Mr. John Larson, and Ms. Karen Viscia.

Item 1 Welcome

Justice Judith McConnell welcomed the task force members and called the meeting to order at 10:00 a.m.

Item 2 Report of the Voter Education Working Group

Additional Recommendations

Ms. Hirohama directed the members' attention to the updated version of the "Recommendations of the Working Group on Voter Education" document (dated 05/05/08). She reported that the working group met by conference call on April 11, 2008 and developed three new recommendations (pages 6 – 7). She also reported that the recommendation concerning voter education guides (page 5) was also modified to convey

that the guides should also emphasize that judicial officers must be insulated from public pressure. She also reported that during this conference call, the lead staff of the Judicial Candidate Campaign Conduct Task Force agreed to assume responsibility for two recommendations regarding judicial candidates (pages 2 and 3).

Draft Voter Guide Language

Ms. Hirohama asked the members for their feedback concerning the draft voter education guide language contained in the “Judicial Elections” document (dated 05/01/08). The members suggested that the text be made more upbeat and focus on positives, such as the important responsibilities that judges fulfill. The phrase, “Judges answer to the public in elections....” raised many questions as to the expectations of voters and pointed to the unique status of judges as candidates – they are elected by voters, but cannot represent voters’ interests. The document will also be revised to explicitly convey what functions judges are elected to perform and the criteria voters should consider.

ACTION –

- 1. The workgroup agreed to further revise the draft language.*
- 2. Mr. Timothy Hodson volunteered to contact former colleagues at the Elections Department for advice on implementation.*

Item 3 Report on Commission and Public Hearings

Justice McConnell stated that a public forum has been scheduled for July 14, 2008, in Sacramento, California. The purpose of the forum is to educate the public, judiciary, media, bar associations, educators, and community groups about why the Commission was developed and to convey its actions. These groups will be invited to attend. Members of the Steering Committee and task force members are invited. If another forum is scheduled, it will take place in Los Angeles.

ACTION –

- Mr. Peter Allen will forward a “save-the-date” announcement.*

Item 4 Report of the Public Outreach and Response to Criticism Working Group

Goal Statement

Mr. Peter Allen provided background and asked the members for their comments concerning the draft goal statement of the Public Outreach and Response to Criticism Working Group contained in the document titled “Charge and Draft Goal Statements.” The task force made no changes to this draft.

Public Outreach Video

Mr. Allen explained that the task force staff is attempting to act on this working group's recommendation to create a compelling; short video that explains the critical role an impartial judiciary plays in a democracy. Staff has requested fiscal year 2008-2009 special funds to hire a documentary film maker to create this video. Justice McConnell recommended that staff utilize the jury orientation video as a reference. Members suggested incorporating video clips of judges in various courts, including drug court and peer court. Mr. Marshall Croddy suggested support materials for teachers (e.g., curriculum, creative ideas for usage, online tools) be developed so that teachers could use these in conjunction with the video. Eventually, video and support materials will be internet based. Staff will not know if this request has been approved until after the judicial branch budget has been determined. Mr. Allen stated that the chair and staff would be back in touch with members to ask for volunteers to form a working group to provide ongoing advice for the creation of the video (if funds are approved).

Response to Criticism Draft Plan

The task force members discussed the latest draft of the "Rapid Response Plan" (dated 05/06/08). Questions were raised about the notification and involvement of the judge under attack. The members then discussed how attacks on judicial officers are frequently attacks on the institution.

Discussion then centered on what entity should have oversight of this plan and the responsibilities to ensure that the services it proposes are provided in an enduring manner. Task force members proposed that a commission or coalition be developed to provide ongoing direction. The membership of the commission or coalition could be drawn from the list under Section B of the draft plan. The members also stressed the necessity of dedicating AOC staff as a resource to the commission or coalition for institutionalization and continuity of its work. Staff was asked to consider the structure of the Commission on Judicial Performance when refining this plan. Mr. Brandenburg said that the American Bar Association has asked state bars to revise their own rapid response plans and perhaps these could also serve as models.

ACTION –

Staff will revise the Response to Criticism Plan based on discussions during the meeting.

Item 5 Report of the Education Working Group

History and Update on AB 2544

Mr. Marshall Croddy disseminated a brochure entitled Educating for Democracy, California Campaign for the Civic Mission of the Schools. He reported that via its Policy Coordination and Liaison Committee, the Judicial Council has taken a position in support of AB 2544, a civics education bill proposed by the California Campaign for the Civic

Mission of Schools. Mr. Croddy cited a recent study that found non-white, lower socio-economic, not college bound students receive less or inferior civic education than their counterparts. <http://www.civicsurvey.org/> He summarized by saying that the least powerful students receive the least education to prepare to become participants in our democracy. The AOC's Office of Governmental Affairs advocated for the bill's passage by the Assembly's Education Committee. On May 23, 2008, the Appropriations Committee will consider the bill. Mr. Croddy asked the task force members to write letters of support to this committee. He agreed to provide the members with the text of the bill, a link to the letter-writing campaign, and a link to the study. Mr. Croddy also asked that the task force's interim report explicitly endorse this bill and the campaign in general. He agreed to help draft these recommendations.

ACTION –

Mr. Croddy will draft language for a recommendation endorsing the Campaign for Civic Mission of the Schools.

California on My Honor: Civics Institute for Teachers

Dr. Frances Chadwick provided background information on this institute and explained how it offers in-depth training for K-12 teachers concerning the role and operations of the judicial branch.

http://www.courtinfo.ca.gov/reference/documents/2008_comh_teach_recruit.pdf The AOC and State Bar provide teacher stipends for the four day training. Members viewed the California Courts News story that featured this program. Dr. Chadwick stated that while the institute is equipping more and more teachers with tools to educate their students about the court system, efforts still need to be taken to have education about the judicial branch formally included in the approved statewide curriculum.

Item 6 View Segment of “Boston Legal” Television Show - Working Lunch

The members viewed a segment from an April 22 episode of the television show “Boston Legal”, which showed its main characters arguing a case before the United States Supreme Court. The script for the show was co-written by Mr. Jonathan Shapiro and reflects how the Supreme Court is portrayed in popular culture.

Item 7 Report on CourTools – Accountability Measures

Mr. John Fitton provided an overview of CourTools, a set of 10 measures designed by the National Center for State Courts to assist courts in evaluating and improving their performance. He said his court first utilized this resource as part of the AOC's Resource Allocation Study, but more recently developed surveys focused on Measure 1 “Access and Fairness” and Measure 9 “Court Employee Satisfaction.” He also stated that this requires significant staff time. Because the court believes in the importance of transparency, it will post the results of the Measure 1 survey (which are largely positive)

on its Web site. Mr. Fitton explained that the court also used the findings from CourTools to update its strategic plan.

Justice McConnell suggested that the Accountability Working Group consider recommending CourTools to the trial courts.

ACTION – Further consideration of CourTools will be assumed by the Accountability Working Group. Mr. Fitton was added as a new member to this group, which is chaired by Ms. Therese Stewart.

Item 8 Interim Report

Ms. Linda Theuriet outlined the format and content of the draft “Interim Report to the Steering Committee of the Commission for Impartial Courts.” She explained that the Steering Committee will review the draft interim reports of each task force during its July meeting. The task force members went into their working groups to review the sections of the interim report describing their recommendations. Comments were provided to Ms. Theuriet for report revision.

Item 9 Next Steps – Future Work Plan

Justice McConnell asked that the final task force report include guidelines for judges concerning ethical constraints when speaking to the public about cases.

ACTION – Judges Lynn Duryee, Steve Jahr, David Richmond will work on suggested guidelines for judges answering press inquiries.

Justice McConnell reminded the members of the next task force meeting scheduled for August 26, 2008.

Item 10 Adjournment

Justice McConnell thanked the task force members for their participation and adjourned the meeting at 2:00 p.m.