Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date
August 27, 2012

To
Members of the Judicial Council

From
Jody Patel
Interim Administrative Director of the Courts

Subject
Report on Activities of the
Administrative Office of the Courts

Action Requested
For Information Only

Deadline
N/A

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The following information outlines some of the many activities in which the Administrative Office of the Courts (AOC) is engaged to further the Judicial Council's goals and priorities for the judicial branch. The report focuses on action since the council's June meeting and is exclusive of issues on the August business meeting agenda.

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AOC Staffing Report: As of the July month-end report, the AOC had 836.98 authorized positions, with an employee headcount is 697 regular employees, 55 employment agency temporary workers, and 69 contractors. (See page 21 for a breakdown by category and division).The AOC has made a request to the State Controller's Office to eliminate 65 of 188.76 vacant positions.

AOC Office Space and Rent Reduction Initiative:

- AOC facility cost-savings were initiated in 2011–2012 with the renegotiation of leases and downsizing of space occupancy in the Sacramento and Burbank offices. Stemming largely from the need to achieve budget savings and by the workforce reduction of 277 positions in the past year, additional space and rent reductions were initiated.
  - *San Francisco:* An interagency agreement was signed with the California Public Utilities Commission for temporary occupancy of the entire 7th floor, beginning January 1, 2013, and extending through June 30, 2015. Additionally, an agreement has been reached with the San Francisco Bay Conservation and Development Commission to become permanent occupants of about two-thirds of the 8th floor space beginning in April 2013.
  - *Sacramento:* In October, the AOC will vacate the 4th floor space at the Sacramento office and move Finance in with Administrative Services Division staff on one floor.
  - *Burbank:* Following the subleasing of one floor of this office in July 2012, a smaller facility is being sought for relocation when the current lease expires in June 2013.
- Based on fiscal year 2010–2011 space occupancy and costs, through 2013–2014 these changes represent an overall space reduction of just under 30 percent and a rent reduction of just over 24 percent, providing critical savings to support AOC operations and services on behalf of the Judicial Council, the courts, and the public.

Strengthening Executive and Legislative Branch Partnerships:

- *Executive:* Following a meeting with the Chief Justice, AOC executives, and senior staff in the Governor's Administration and the Department of Finance (DOF), DOF agreed to establish standing, monthly meetings with the AOC, and to the extent activity increases, more often as the need arises. These meetings will ensure regular and clear lines of communication and timely information exchange on budget issues.
- *Legislative:* The Office of Governmental Affairs (OGA) continues to coordinate court visits and conference calls for legislative officials. Since the last reporting period, staff has accompanied analysts from the Legislative Analyst's Office (LAO) on a visit to the Superior Court of Sacramento County to observe a criminal arraignment calendar, and to the Superior Courts of Los Angeles and Ventura Counties. Conference calls focused on collection or court-ordered debts were conducted with legislative officials and the Superior Courts of Alameda, Amador, Contra Costa, Del Norte, Fresno, Marin, Mono, San Bernardino and Yolo

Counties. Additionally, representatives from the Superior Court of Shasta County came to the Capitol to present on their court collection program. (Visits to the Superior Courts of San Diego, Orange, and Santa Cruz Counties will take place in September.)

Justice System Partner Outreach: As part of the regular liaison meeting schedule, the Chief Justice and AOC leadership met with the leadership of the California State Association of Counties (CSAC). The Chief provided an update on the judicial branch budget and discussed issues of mutual interest and concern including criminal justice realignment and court construction. Liaison meetings with CSAC and other justice system stakeholder organizations are typically held annually and provide an opportunity to establish and maintain productive relationships.

Legislative Advocacy: July 6, 2012, marked the last day on which policy committees in the California State Legislature could hear bills during the 2011–2012 legislative session, absent the granting of a rule waiver. AOC advocates continued to analyze and bring bills within the Judicial Council's purview to the appropriate advisory bodies for input. A status report on 2012 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee during the 2011–2012 legislative session is available at: http://www.courts.ca.gov/documents/LegStatusReport2012.pdf.

California Homeowner's Bill of Rights: The Governor signed key elements of the California Homeowner's Bill of Rights Act addressing the mortgage foreclosure crisis by, among other things, prohibiting the foreclosure process from going forward while a modification application is pending, and mandating that a single point of contact be responsible for providing accurate information on an account. The bill authorizes prosecutors and state licensing bodies to enforce the legislation by seeking civil penalties for multiple recordings of foreclosure documents that have not been reviewed and substantiated by the signer. It also authorizes borrowers to seek redress of "material" violations of the legislation, allowing for injunctive relief prior to a foreclosure sale and recovery of damages following a foreclosure sale. A mortgage servicer could avoid liability by curing a violation before sale. Statutory damages are only available in cases where the violation was intentional or reckless or resulted from willful misconduct. The court, in its discretion, would be authorized to award attorney's fees and costs to a prevailing plaintiff in these actions.

Criminal Realignment:

- ***California Risk Assessment Pilot Project:*** Staff conducted site visits to San Francisco and Santa Cruz counties to discuss quantitative data requirements in order to effectively measure the impact of the use of a risk and needs assessment at the sentencing of felony probationers and responding to violations of probation. A technical assistance plan for fiscal year 2012–

2013 has been finalized with the technical assistance providers, and was discussed at the quarterly project managers meeting of the chief probation officers and deputy chiefs for the four pilot counties (Napa, San Francisco, Santa Cruz, and Yolo).

- ***Evidence-Based Probation Supervision:*** Staff conducted site visits to San Francisco, San Bernardino, and Riverside Counties to validate the data provided by probation departments as required under Senate Bill 678. Some of the site visits included meetings with courts and other justice partners. Discussion topics included outcome based measures required in statute, and input and recommendations regarding the statute for a mandated report to the Legislature. Staff finalized the *SB 678 Year 2 Report* and is working with probation departments as they complete annual assessments regarding the implementation of evidence-based practice in supervising felony probationers.

- ***Parolee Reentry Courts:*** AOC staff created reports on reentry court caseload demographics and outcomes for participating courts to assist them in evaluating program progress. A summary of the progress of all six of the courts is posted on the California courts website at http://www.courts.ca.gov/documents/AOCBriefParolee0612.pdf.

Facilities

Capital Projects:

- ***Lassen Hall of Justice Dedication Ceremony:*** Judges and court staff moved into the new Hall of Justice in Susanville in May 7, 2012. The August dedication ceremony for the new court facility was attended by court and local government officials and staff, and members of the community. The courthouse has three courtrooms and a hearing room, consolidating operations from three overcrowded and inadequate buildings. The new building was completed under budget.

- ***Redirection of Construction Funds:***
  - The fiscal year 2012–2013 Budget Act includes significant redirection of Senate Bill (SB) 1407 capital project funds to the trial courts, including $240 million in revenues to trial court operations and a directive to review trial court operations prior to proceeding with design on approximately 30 projects, 17 of which are still in the site acquisition phase.
  - In addition, the budget includes an ongoing $50 million redirection of SB 1407 funds to the trial courts; this proposed ongoing redirection is significant because, over the life of the program, it would require that more than $500 million be removed, which would require cancellation of many projects.

- By next year, nearly $1.5 billion of court user fees originally designated by the Legislature to be set aside for court construction will have been borrowed, transferred to the General Fund, or redirected to court operations.
- The budget allows for six projects scheduled to begin construction in the coming fiscal year to proceed: (1) Butte, (2) Kings, (3) San Joaquin Juvenile Justice Center (renovation), (4) Solano (renovation), (5) Sutter, and (6) Yolo. While funds for site acquisition for 17 projects were appropriated, it is unlikely that all of these projects will proceed due to lack of available funding to finance construction.
- The Court Facilities Working Group reviewed the affect of the redirection of SB 1407 funds to trial court operations, and drafted a process and set of criteria for selection of projects to move forward. The proposed process and draft criteria were posted for court and public comment and courts are invited to present information on their projects at a public meeting in September. Final recommendations will be presented to the council in October.
- Currently eight projects are in construction or ready to begin construction, with a total project value of over $1 billion.
- By the end of the fiscal year, eight more projects will be in construction for a total of 16 projects with a value of $2 billion.

- ***State Court Facilities Construction Fund:*** The Budget Act directed that $9.486 million of the $15 million budget reduction to the AOC come from the State Court Facilities Construction Fund. The AOC is exploring options for implementing this cut with the goal of minimizing the impact on services to the courts.

Facility Modifications: As of August 13, 2012, there were 369 active facility modifications at a total estimated cost of $48,454,193.

Launch of Trial Court Facility Management Pilot Program:

- In August, the Superior Court of Imperial County accepted minor facilities maintenance responsibility. The court received hands-on training for the AOC Computer-Aided Facilities Management system, which is designed to dispatch and track maintenance work.
- Four courts will be participating in the program with varied levels of delegated maintenance responsibility. The AOC's Office of Court Construction and Management will continue to support the delegated courts, and will process maintenance work that falls outside of the delegated authority level. Courts in San Luis Obispo, Orange, and Riverside are scheduled to begin the pilot program in October.

Emergency Preparedness:

- *Continuity of Operations Planning:* The Superior Court of San Diego County completed its Continuity of Operations Plan through the AOC-provided online planning tool, training, and ongoing assistance.
- *Radiation Regulations:* Working with staff from the Superior Courts of Kings and Tulare Counties, the AOC developed and disseminated to the trial and appellate courts a Radiation Safety and Protection Toolkit to help ensure compliance with code requirements associated with the operation of x-ray machines in the courts.

Technology

Trial Court Technology Needs Survey: The Judicial Council's Technology Committee solicited input from court leaders in April to assist the Judicial Council in identifying trial court technology needs, services the AOC can provide to meet those needs, and to request input for developing a new branchwide vision for technology. Fifty-one courts responded to the survey and a report was distributed to court leaders.

Technology Initiatives: Court-sponsored work streams are focused on: (1) V2/V3 maintenance and support, (2) a case management system request for proposal, (3) a technology roadmap, and (4) e-filing. Individual courts may choose to adopt the results from the work streams in whole or in part, depending on local business requirements, constraints, and available funding.

Leveraging the California Courts Case Management System-V4: Extensive work related to analyzing the feasibility of using the six items identified as CCMS external components was performed. Participation included 45 volunteers from both the AOC and 11 courts (Calaveras, Placer, Orange, Humboldt, Napa, Riverside, San Diego, San Mateo, Santa Clara, Stanislaus, and Ventura). Due to lack of funding, a decision was made to terminate these activities.

Administrative and Management Systems:

- ***Case Management System Procurement:*** The four responses received on the request for proposals for the San Luis Obispo case management system are being evaluated. Fresno is participating in the review process as that court may wish to pursue a similar process. The request for proposals for a case management system for the Superior Court of Kings County has been posted for vendor response by September 7.

- ***Criminal and Traffic Case Management System (V2):*** In July, V2 completed a more than 50 percent reduction of its development and test environments, resulting in a consolidation onto newer existing equipment and an annual cost avoidance of $1 million.

- ***Civil, Small Claims, Probate and Mental Health Case Management System (V3):*** The AOC successfully deployed release 11.02 to the Superior Court of San Diego County.

- ***Sustain Justice Edition Case Management System:*** The AOC funds program management oversight for this system. For the 16 courts hosted at the California Courts Technology Center (CCTC), maintenance activities included production support updates, system patching, security certificate renewals and the build out of new development and quality assurance environments. Legislative updates were made for DNA penalty, and civil fees for the CCTC courts as well as several local courts.

- ***E-Services Initiatives:*** AOC staff has been working with a subcommittee of appellate clerks to establish requirements for an appellate e-filing system, reporting to the Appellate E-Filing Working Group and Appellate Advisory Committee. A nationwide review of appellate e-filing systems and demonstrations of the Nevada and Arizona appellate e-filing systems were examined by the clerk subcommittee and will be used in developing recommendations for consideration by the working group.

Expansion of California Courts Protective Order Registry:

- This statewide repository, currently in use in 21 counties, provides more complete, accessible information to judicial officers and law enforcement on restraining and protective orders. A memorandum of understanding with the Department of Justice was completed for grant-funded deployments to 10 additional counties by June 2013.
- Read-only access to the registry was granted to the Shingle Springs Bands of Miwok Indians Tribal Court and the four tribes participating in the Northern California Intertribal Court System. The AOC's Center for Families, Children & the Courts used grant funding to provide training for the court users.

Phoenix Financial Services System:

- *Bank Account Consolidation Phase II:* Historically, the trial courts have maintained separate bank accounts with Bank of America. Leveraging functionality in the Phoenix system to keep funds separated, all courts can now be part of a single account. The transition results in significant bank fee savings for the trial courts. As of July 2, 2012, all courts are live on the new structure.
- *Fiscal Year-End Update:* Staff provided 11 WebEx training sessions to facilitate the year-end close and the Judicial Branch Contract Reporting processes. The use of WebEx rather than face-to-face training and training materials that are provided electronically

rather than printed and shipped to the court has allowed the AOC to provide ongoing training at a significant savings to both the AOC and the courts.

Oracle Financials System: To achieve efficiencies, a program was developed and implemented to transfer rent payments electronically to the State Controller's Office.

Human Resources

Labor Relations/Negotiations:

- The AOC is currently supporting 25 trial courts in labor negotiations and two court interpreter regions in bargaining sessions. With the current budget situation, several courts have negotiated short-term (three month) extensions in order to have a better understanding of their budgets prior to making contractual commitments. This short-term process will create a backlog of need in the fall, but is necessary due to fiscal uncertainty.
- Staff assisted with the implementation of voluntary separation programs in two trial courts, and responding to Public Employment Relations Board charges and layoff processes in three additional courts.

Employee Relations:

- Employee relations assistance is currently being provided to seven courts. Assistance includes Family and Medical Leave Act compliance, policy review, employee investigations, performance management, and employee disciplinary actions.
- Assistance is being provided for the court executive officer recruitment in Siskiyou; general recruitment assistance is being provided to the San Francisco, Santa Cruz, and Tuolumne courts; and classification assistance is being provided to the Yuba court.
- Staff is providing technical policy development services and assisting three superior courts in updating their personnel policies and procedures manuals.

Advisory Committees/Task Forces/Working Groups

Advisory committees will hold only one in-person meeting per year until the fiscal situation improves. Other meetings will be convened using video- or audio-conferencing.

The following committees met since the Judicial Council's June meeting:

1. Administrative Presiding Justices Advisory Committee
2. Advisory Committee on Civil Jury Instructions
3. Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch
4. Appellate Advisory Committee

5. Blue Ribbon Commission's Truancy/School Discipline Work Group
6. Center for Judicial Education and Research Governing Committee
7. Civil and Small Claims Advisory Committee
8. Collaborative Justice Courts Advisory Committee
9. Court Facilities Working Group
10. Court Technology Advisory Committee
11. Criminal Law Advisory Committee
12. Domestic Violence Practice and Procedure Task Force
13. Elkins Family Law Implementation Task Force
14. Family and Juvenile Law Advisory Committee
15. Mental Health Issues Implementation Task Force
16. Probate and Mental Health Advisory Committee
17. SB 56 Working Group
18. Technology Initiatives Working Group
19. Traffic Advisory Committee
20. Trial Court Budget Working Group
21. Tribal Court/State Court Forum
22. Violence Against Women Education Project Planning Committee

Meeting Details

Administrative Presiding Justices Advisory Committee:

- Focused primarily on ways the Courts of Appeal can address fiscal year 2012–2013 budget reductions.
- Discussed the appellate courts' priorities in terms of services provided to those courts by the AOC, and attorneys' use of electronic devices in the courtroom.

Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch:

- Reviewed proposed fiscal year 2013–2014 budget concepts for the Office of Court Construction and Management that have now been submitted for review and approval by the Judicial Council. Final, approved concepts will be developed into full Budget Change Proposals and submitted to the California Department of Finance in September 2012.
- Discussed approaches to achieving equitable review of AOC contracting processes, and possible recommendations for some level of Judicial Council oversight.
- Reviewed and approved a pending audit report for the Superior Court of Tuolumne County, and a supplement to the memorandum of understanding section of the audit report for the Superior Court of Mariposa County relating to costs of county-provided services. The reports were submitted to the council for review and acceptance.

Appellate Advisory Committee:

- Considered public comments on eight proposals for rules and forms amendments circulated for comment during spring 2012, and whether to recommend that the proposals be submitted to the Judicial Council's Rules and Projects Committee (RUPRO) for consideration for adoption by the council.
- Discussed suggestions for rule and form proposals designed to produce possible costs savings for the courts.

Advisory Committee on Civil Jury Instructions:

- Considered proposals for new and revised civil jury instructions for the 21st release of the Judicial Council of California Civil Jury Instructions.

Blue Ribbon Commission's Truancy/School Discipline Work Group:

- Worked on creating a court-focused initiative to keep children in school and out of court; reviewing work that is being done on this issue across the state and in court-based programs across the country.

Center for Judicial Education and Research Governing Committee:

- Discussed adjustments to the 2010–2012 Education Plan Final Report based on staffing reductions in the Education Division/CJER, and the next term of Curriculum Committee membership and chairs.

Civil and Small Claims Advisory Committee:

- Considered public comments on proposals for new and amended rules and forms circulated for comment during spring 2012, and whether to recommend that the proposals be submitted for consideration for adoption by the Judicial Council. Proposals considered included:
  - Revising rules regarding conditional settlements to eliminate unnecessary court appearances, and revising rules regarding civil voir dire in light of recently passed legislation;
  - Proposing new small claims forms to facilitate dismissal of cases and judgments following defaults in installment payments; and new form interrogatories for use in construction litigation.

Collaborative Justice Courts Advisory Committee:

- Discussed realignment trailer bill language; court participation on local Community Corrections Partnership boards; reentry court programs; judicial education regarding mental health, collaborative justice, and realignment; and veterans' courts.
- Approved the funding allocation methodology for the Collaborative Justice Substance Abuse Focus Grant Program, to be based on the same formulaic allocation methodology approved by the Judicial Council in 2005.

- Passed a motion to establish a subcommittee focused on reentry.
- Debriefed on the 7th annual Youth Summit held in June.

Court Facilities Working Group:

- Through its Independent Outside Oversight Consultant Subcommittee, engaged Pegasus Global Holdings, Inc. to perform an independent review of the AOC Office of Court Construction and Management (OCCM) courthouse construction program to enhance the program through monitoring and evaluation of program budget, scope, schedule, risks, and quality outcomes. Final report delivered on August 14, 2012, and forwarded to the subcommittee, which is charged with reviewing and reporting to the Court Facilities Working Group on the findings and recommendations.)
- Concurrent with the subcommittee review, OCCM is implementing a structured process to complete necessary policies, procedures, and guidelines to implement the recommendations by February 2013.

Court Technology Advisory Committee:

- Discussed technology governance for the judicial branch and the relationship between this committee and the Judicial Council Technology Committee, chaired by Judge Herman.
- Discussed a newly formed E-Access Working Group to consider issues relating to electronic access to court records, particularly in criminal cases. This group will include members from the Court Technology Advisory Committee, the Criminal Law Advisory Committee, and the Court Executives Advisory Committee.
- Staff demonstrated videoconferencing and remote interpreting to demonstrate ease of use of this low-cost application.

Criminal Law Advisory Committee:

- Considered rule, form, and legislative proposals, including proposals to amend rules of court on intercounty transfer and postrelease community supervision revocation procedures in response to criminal justice realignment legislation.

Domestic Violence Practice and Procedure Task Force:

- Discussed finalizing the bench guide for recognizing dangerousness and a model procedure to accompany the firearms relinquishment rule (Cal. Rules of Court, rule 4.700). Also, discussed firearms relinquishment procedures in family law proceedings, and reviewed proposed changes to the Emergency Protective Order form and records retention legislation.

Elkins Family Law Implementation Task Force:

- Discussed ongoing implementation efforts and possible changes in rules that will be submitted to the Family and Juvenile Law Advisory Committee for consideration.

Family and Juvenile Law Advisory Committee:

- Discussed possible proposals in response to a letter to advisory committees from Justice Harry Hull, Jr., Chair of the council's Rules and Projects Committee, regarding changes in rules due to the current budget situation.
- *Permanency Subcommittee:* At the first meeting of the subcommittee, discussed judicial education on paths to permanency and different permanency options.

Mental Health Issues Implementation Task Force:

- Recommended that three legislative proposals designed to implement recommendations of the Task Force for Criminal Justice Collaboration on Mental Health Issues be prepared to move forward for consideration for council sponsorship and that proposed amendments to existing Rules of Court also be prepared to move forward.

Probate and Mental Health Advisory Committee:

- Considered public comments on proposals for new and amended rules and forms that circulated for comment during spring 2012, and whether to recommend that the proposals be submitted for consideration for adoption by the Judicial Council. Proposals considered included:
  - Revisions to two Judicial Council decedent estate forms concerning creditors' claims; and
  - Proposed guidelines for financial eligibility for public payment of the cost of appointed counsel under the Guardianship-Conservatorship Law.
- Considered a proposal for a new rule of court on court fee waivers in probate matters.

SB 56 Working Group:

- Launched the second biennial census of judicial officers, which requests information on the allocation of judicial officers across various case types, with special attention to the use of judges versus subordinate judicial officers in family law and juvenile matters.

Technology Initiatives Working Group:

- Members including judicial officers, court executive officers, trial court information technology leadership, and AOC representatives meet regularly and are focused on leveraging expertise within the judicial branch to develop roadmaps, recommendations, and master software and services agreements that can be used to produce tangible, business-driven results within the next six months.
- A steering committee meets weekly to oversee efforts, including a work stream proposal from trial court technology leaders to address short-term critical needs of the judicial branch.

Traffic Advisory Committee:

- Recommended Judicial Council adoption of the statewide Uniform Bail and Penalty Schedules, July 2012 Edition, effective July 13, 2012.

Trial Court Budget Working Group - Expenditure Subcommittee:

- Reviewed proposed allocations from the Trial Court Trust Fund and the State Trial Court Improvement and Modernization Fund. Members approved—and will be recommending to the full working group—numerous trust fund allocations, ranging from technology support for trial courts to critical access to justice programs such as self-help centers, the Equal Access Fund, and the Sargent Shriver Civil Representation initiative.
- Deferred action on the funds budget for 2012–2013 pending a review of each project and program. Recommendations are expected to go before the council in October.

Tribal Court/State Court Forum:

- Provided an orientation for new members, and continued planning for the Judicial Symposium, made possible through a partnership with the National Tribal Judicial Center of the National Judicial College, with funding from the Bureau of Justice Administration.

Violence Against Women Education Project Planning Committee:

- Received an overview of the State and Tribal Court Forum activities, which are partially funded by a grant from the project; members reviewed the proposed grant objectives and budget for the next grant year beginning October 1, as required by the funder.

Judicial Branch Education Programs

Judicial Education

1. Appellate Legal Writing Webinar
2. B.E. Witkin Judicial College
3. Evidence in Civil and Criminal Cases
4. Judicial Roundtable: Realignment Sentencing and Revocation Hearing Issues
5. Making Sense in our Post-Realignment World
6. New Judge Orientation
7. Probate and Mental Health Law: LPS (Lanterman-Petris-Short) Holds and Conservatorships Overview
8. Qualifying Judicial Ethics
9. Train-the-Trainer webinar: Model Curriculum on Bench Conduct (for temporary judges)

Judicial Officer, Court Employee, and Justice System Stakeholder Education

1. Alameda County Facilitated Discussion for Family and Juvenile Law Professionals

2. Americans with Disabilities Act Update (for court personnel)
3. Business Writing for the Courts (for appellate court personnel)
4. California Protective Order Registry Training (for tribal courts)
5. California's Fostering Connections to Success Act (for bench officers, attorneys, and probation officers)
6. Child Custody Mediation (for mediators)
7. Civil Case Flow, online tutorial (for court supervisors and personnel)
8. Coaching: the Importance of Communicating Effectively (for court managers and supervisors)
9. Geographic Realignment Summit (for judges, social workers, and attorneys)
10. Institute for Court Management: Court Community Communications (for court leadership)
11. Institute for Court Management: Managing Court Financial Resources (for court leadership)
12. Leadership and Training Tools (for clerks and supervisors)
13. Making Sense in our Post-Realignment World (for judicial and justice system partners)
14. Microsoft Access – multiple topics (for trial court personnel)
15. Probate and Mental Health Law Training (for judges, commissioners, referees, and research attorneys)
16. Preventing and Responding to Sexual Harassment (for court commissioners, referees, managers, supervisors and lead staff)
17. Sexual Harassment: Maintaining a Respectful Workplace (for court staff and attorneys)
18. Tribal Customary Adoption Focus Groups
19. Volunteer Mentor Judge, Hon. Leonard Edwards (Ret.) presentations (various audiences)

Broadcasts

1. Americans with Disabilities Act (ADA) Update
2. Everyday Managing and Supervising—Coaching: The Importance of Communicating Effectively
3. Handling Disasters: Before, During, and After (for court managers and supervisors)
4. Preventing and Responding to Sexual Harassment
5. Sexual Harassment: Maintaining a Respectful Workplace
6. Working with Court Interpreters (for trial court personnel)

New Online Courses/Resources

1. 10-Minute Mentor Videos:
   - Courtroom Access (ADA)
   - Handling a Request for Disability Accommodation

- Hearing Domestic Violence Cases
- Introduction to Criminal Justice Realignment
- Introduction to Evidence-Based Practices
- Introduction to Family Procedure

2. Courtroom Clerk at Felony Sentencing (for trial court staff)
3. Cow County Institute Lectures: Postrelease Supervision; Sentencing; Lethality and Dangerousness in Domestic Violence Cases; Tips and Techniques for Improving Efficiencies for Criminal Calendars
4. Delinquency Hearings
5. Developmental Disability and Judicial Commitments
6. Electroconvulsive Shock Therapy
7. Family Court Services Profile
8. Gun Returns and Restoration of the Right to Bear Arms
9. Information for American Indian/Alaskan Native Families in California
10. Interactive Article: Criminal Motion Practice by Hon. Thomas Rubinson (test by Hon. Alex Ricciardulli)
11. Restitution Basics for Victim of Crimes by Adults and Juveniles

Videos

1. Delinquency Hearings (for judges)

Publications

1. Small Claims Court and Consumer Law, 2012 edition
2. Benchguide 75 Misdemeanor Sentencing

Program Details

Live Programs

Alameda County Facilitated Discussion for Family and Juvenile Law Professionals: This training session for the court's monthly discussion group focused on findings from the 2008 Snapshot Study of court-based child custody mediation, providing an overview of the study findings, including client demographics and other background information, mediated agreements, satisfaction with the mediation process, and staffing and operations information on family court services programs.

B. E. Witkin Judicial College: Fifty-three participants (43 judges and 10 commissioners) participated in the annual two-week college, now in its 45th year. Thirty-six courses were offered, including substantive law, judicial ethics, working with self-represented litigants,

dealing with interpreter issues, and domestic violence awareness. Chief Justice Tani Cantil-Sakauye delivered the Traynor Forum lecture.

Business Writing for the Courts: The first of two 90-minute sessions was designed to improve writing and editing skills through a methodical approach that demystifies the process of writing. During this course, participants described the steps involved in good writing; identified areas for improvement; and drafted a business document with a clear and appropriate message.

California Courts Protective Order Registry Training: Using this dedicated online database, state and tribal courts can view each other's protective and restraining orders. This improves public safety, protects victims of domestic violence, and avoids issuance of redundant or conflicting orders. The training resulted in five tribal courts beginning to access the registry: the Shingle Springs Tribal Court and four tribal courts participating in the Northern California Intertribal Court System.

California's Fostering Connections to Success Act (Assembly Bill 12): Regional trainings and webinars were conducted by AOC attorneys to help courts with legal issues surrounding implementation of this law. The core audience included bench officers, attorneys, and probation officers; trainings were also held in Monterey and Santa Clara Counties, addressing how extended foster care affects youth in the juvenile justice system. AB 12 related issues were also presented at the Sonoma "After 18" Summit.

Child Custody Mediation: The first Family Dispute Resolution distance education course was released with key supplementary components on a password-protected website. Over 400 California Family Court Services child custody mediators and recommending counselors can earn one hour of credit toward their annual required 12 hours of continuing education.

Civil Case Flow: This interactive online tutorial provided an overview of basic civil case flow. In 15-20 minutes, a clerk or supervisor new to the civil assignment could walk through the basic concepts of a civil case from the filing of a complaint to judgment. Participants may print a flow chart for reference at the end of the tutorial.

Geographic Realignment Summit: The summit was an opportunity to evaluate progress on the Geographic Realignment Program, initiated three years ago in the juvenile dependency division of the Superior Court of Los Angeles County. The program attempts to build collaboration and improve working relationships of judges, social workers, attorneys, and families by assigning juvenile dependency cases according to the location of the family. In this way, the cases are assigned to a "regional team" of judges, social workers, and attorneys, instead of randomly assigned to one of the 21 juvenile dependency departments. To date, 60

percent of the juvenile dependency cases in Los Angeles County are assigned by region. Along with an update on research and data, summit participants discussed a number of related issues, including: assignment of reactivated cases; communication among participants; and knowledge of available services.

Institute for Court Management-Court Community Communications: In this three-day class for court leaders, participants learned techniques for making courts more understandable, including how to manage customer service, the difference between legal advice and legal information, technology applications, how to explain complex processes without using jargon, and how to identify and accommodate audiences with special communications needs. Other topics included community outreach programs and public information, with an emphasis on managing online tools, media relations, and leadership and program development.

Institute for Court Management-Managing Court Financial Resources: This three-day program for court leaders in San Bernardino and surrounding courts explored the building blocks of financial reporting, auditing, and budgeting; the balance between judicial independence and fiscal responsibility; the link between strategic planning and budgeting; and practical steps courts can take in difficult fiscal times.

Leadership and Training Tools: This three-day regional session for approximately 20 lead and senior clerks and assistant supervisors in Fresno, Merced, and Kern Counties included effective leadership behaviors, leading former peers, building successful work relationships, group dynamics, principles of adult learning, and responding to challenging workplace situations.

Judicial Branch Workers' Compensation Program Ergonomics Assessment: Training on how to conduct workstation ergonomic assessments was provided to multiple courts (Fresno, Madera, and Kings) to help prevent workplace injuries and provide court personnel with the tools to conduct basic assessments as an alternative to using external consultants.

Making Sense in our Post-Realignment World: This regional judicial education course, held in San Diego and Santa Barbara Counties for judicial and justice partners, focused on the application of evidence-based practices to disposition decision making for cases involving drug-involved offenders within the spectrum of sentencing options available after realignment.

Probate and Mental Health Law Training: LPS (Lanterman-Petris-Short) Holds and Conservatorships Overview: This course for judges, commissioners, referees, and research attorneys who work in a mental health assignment was held regionally in San Francisco,

Sacramento, and Burbank, and meets education requirements and expectations of the Rules of Court pertaining to a judge's or subordinate judicial officer's primary assignment.

Volunteer Mentor Judge, Hon. Leonard Edwards (Ret.) Presentations: Judge Leonard Edwards (Ret.), AOC/CFCC's Volunteer Mentor Judge, co-presented with Judge Kurt Kumli at the CJER Delinquency Update; presented at National Court Appointed Special Advocates conference in Washington, D.C.; provided local court training in Plumas County; and presented at the Rural (Cow) County Conference.

Online Resources

Restitution Basics for Victims of Crimes by Adults and Juveniles: This overview of restitution and step-by-step instructions on how to collect money victims are owed as a result of a crime or juvenile offense was originally drafted by the Superior Court of Yolo County, then adapted for statewide use. It satisfies a recommendation of the Family and Juvenile Law Advisory Committee's Juvenile Delinquency Court Assessment, which found that court users, particularly victims, needed additional information on restitution.
http://www.courts.ca.gov/documents/restitution_basics_adult_web.pdf
http://www.courts.ca.gov/documents/restitution_basics_juvenile_web.pdf

Information for American Indian/Alaskan Native Families in California: This pamphlet provides basic information about the Indian Child Welfare Act to American Indian/Alaskan Native families. The one-page pamphlet was funded by the Interagency Agreement with the California Department of Social Services and the California Emergency Management Agency to provide information to the public about domestic violence in child custody cases involving American Indians/Alaskan Natives.
http://www.courts.ca.gov/documents/Tribal-ICWAbrochure.pdf

Family Court Services Profile: This research update provides an overview of Family Court Services programs and staff as drawn from the 2008 Statewide Uniform Statistical Reporting System. The information is intended to assist judicial officers, court administrators, and family court services personnel with program planning and development as well as the identification of resource needs.
http://www.courts.ca.gov/documents/FCS_Profile_-_edited.pdf

Broadcasts

Americans with Disabilities Act Update: This program for court personnel addressed the amendments to the Americans with Disabilities Act, effective March 2011. Topics included service animals, power-driven mobility devices, and communication aids.

Coaching: The Importance of Communicating Effectively: This broadcast for managers and supervisors included personal communication styles and the impact on others, obstacles that prevent effective communication, different levels of listening, and the value of diversity and its affect on collaboration.

Handling Disasters: Before, During, and After: This new broadcast for court managers and supervisors addressed roles and responsibilities in the event of a disaster, tasks required of managers and supervisors, safety planning and continuity of operations plans, and how to be an effective leader during an emergency. The broadcast aired live and allowed participants to e-mail and fax questions that could be answered on air.

Working with Court Interpreters: This program for court personnel addressed types of interpreters and language services, roles and responsibilities of interpreters and clerks, and language issues that may arise in court.

Videos

Delinquency Hearings: This 75-minute video was designed to help judges handle a delinquency calendar on a short term basis. Faculty discuss threshold questions, options available to the court, and key findings that must be made at all delinquency court hearings, including fitness hearings.

Administrative Office of the Courts Staffing Report
As of July 31, 2012

STAFFING	ASD	CFCC	CPAS	EDU	EXEC	FIN	IS	OGA	OCCM	OGC	TCLO	AOC
Authorized Position (FTE)	141.00	84.00	67.70	81.50	32.63	100.00	147.90	13.00	126.00	74.00	12.00	**879.73**
Filled Authorized Position (FTE)	115.00	65.60	47.75	71.15	22.95	83.00	106.78	10.85	100.50	62.40	5.00	**690.98**
Headcount - Employees	116	68	47	72	24	83	107	11	101	63	5	**697.00**
Vacancy (FTE)	26.00	18.40	19.95	10.35	9.68	17.00	41.13	2.15	25.50	11.60	7.00	**188.76**
Vacancy Rate (FTE)	18.4%	21.9%	29.5%	12.7%	29.7%	17.0%	27.8%	16.5%	20.2%	15.7%	58.3%	**21.5%**
Exempt Employee (FTE)	80.50	48.10	30.95	38.50	19.95	66.00	77.00	6.85	81.50	48.40	4.00	**501.75**
Non-Exempt Employee (FTE)	35.00	17.50	14.80	32.65	4.00	17.00	28.88	4.00	19.00	14.00	1.00	**187.83**
Other FLSA Designation (FTE)	0.00	0.00	0.00	0.00	0.00	0.00	0.90	0.00	0.00	0.00	0.00	**0.90**
AOC Temporary Employee (909)	1	1	3	11	3	1	0	0	1	1	0	**22.00**
*Employment Agency Temporary Worker	1	2.5	3	1	1.5	7	5	0	32	2	0	**55.00**
Contractors	1	0	0	0	0	0	56	0	12	0	0	**69.00**
TOTAL WORKFORCE *(based on FTE, 909s, Agency Temps & Contractors)*	**118.00**	**69.10**	**53.75**	**83.15**	**27.45**	**91.00**	**167.78**	**10.85**	**145.50**	**65.40**	**5.00**	**836.98**

ASD: Administrative Services Division; CFCC: Center for Families, Children & the Courts, CPAS: Court Programs and Services Division, EDU: Education Division; EXEC: Executive Office; FIN: Finance Division; IS: Information Service Division; OGA: Office of Governmental Affairs; OCCM: Office of Court Construction and Management; OGC: Office of the General Counsel; TCLO: Trial Court Liaison Office

New Judgeships and Judicial Vacancies Report

- Currently, there are five Court of Appeal and 70 trial court judicial vacancies.
- In August, the Governor made six new judicial appointments to the superior courts in the counties of: Santa Cruz (1), Sacramento (1), San Bernardino (1), San Mateo (1), Santa Barbara (1) and Shasta (1).

Number of Judgeships Authorized, Filled and Vacant as of August 24, 2012

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	*Filled(Last Month***)*	*Vacant(Last Month***)*
Supreme Court	1	7	7	0	0	*7*	*0*
Courts of Appeal	6	105	100	5	0	*100*	*5*
Superior Courts	58	1682	1562	70	50*	*1564*	*118*
All Courts	**65**	**1794**	**1669**	**125**		***1671***	***123***

*Authorized January 1, 2008, 50 new (AB 159) judgeships are added. However, the funding for these 50 new (AB 159) judgeships has been deferred and has not yet been provided.

*****As of June 30, 2012**

New Vacancies that occurred in July and August 2012

JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
First Appellate District, Division Four	1	Retirement	Hon. Patricia K. Sepulveda	02/29/12
Second Appellate District, Division Six	1	Retirement	Hon. Paul H. Coffee	01/31/12
Third Appellate District	1	Elevated	Hon. Tani G. Cantil-Sakauye	01/02/11
Fifth Appellate District	1	Dis. Retirement	Hon. Betty L. Dawson	05/10/12
Sixth Appellate District	1	Retirement	Hon. Wendy Clark Duffy	10/28/11
TOTAL VACANCIES	5			

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	6	Retirement	Hon. Robert K. Kurtz	07/10/12
Alameda		Converted	New Position	06/27/12
Alameda		Converted	New Position	06/27/12
Alameda		Converted	New Position	02/09/12
Alameda		To Fed Court	Hon. Yvonne Gonzalez Rogers	11/19/11
Alameda		Retirement	Hon. Beverly Daniels-Greenberg	10/14/11
Butte	2	Retirement	Hon. Gerald Hermansen	03/31/12
Butte		Retirement	Hon. Steven J. Howell	02/29/12
Calaveras	1	Retirement	Hon. Douglas V. Mewhinney	03/01/12
Del Norte	1	Retirement	Hon. Robert W. Weir	01/01/12
Kern	2	Retirement	Hon. Lee Phillip Felice	06/30/12
Kern		Retirement	Hon. Robert J. Anspach	09/09/11
Kings	1	Retirement	Hon. Lynn C. Atkinson	12/31/11
Los Angeles	19	Retirement	Hon. Judith A. Vander Lans	07/31/12
Los Angeles		Retirement	Hon. Gary E. Daigh	07/16/12
Los Angeles		Retirement	Hon. Deborah B. Andrews	07/05/12
Los Angeles		Retirement	Hon. Joan Comparet-Cassani	05/11/12
Los Angeles		Retirement	Hon. Anita H. Dymant	04/10/12
Los Angeles		Retirement	Hon. Rose Hom	03/27/12
Los Angeles		Retirement	Hon. Gary R. Hahn	03/07/12
Los Angeles		Retirement	Hon. Carl J. West	02/29/12
Los Angeles		Retirement	Hon. Jacqueline A. Connor	02/23/12
Los Angeles		Retirement	Hon. Marjorie S. Steinberg	02/14/12
Los Angeles		Converted	New Position	01/01/12
Los Angeles		Retirement	Hon. Burt Pines	12/31/11
Los Angeles		Retirement	Hon. Peter D. Lichtman	11/30/11
Los Angeles		Retirement	Hon. Maral Injejikian	09/05/11
Los Angeles		Retirement	Hon. Michael Allen Latin	09/05/11

Los Angeles		Retirement	Hon. Judith L. Champagne	08/31/11
Los Angeles		Retirement	Hon. Martha Bellinger	07/31/11
Los Angeles		Converted	New Position	07/31/11
Los Angeles		Retirement	Hon. John P. Shook	07/15/11
Madera	1	Dis Retirement	Hon. Eric C. Wyatt	05/23/11
Marin	1	Converted	New Position	07/01/11
Merced	1	Converted	New Position	01/03/12
Monterey	1	Retirement	Hon. Terrance R. Duncan	08/17/11
Napa	1	Dis. Retirement	Hon. Stephen Thomas Kroyer	05/23/11
Nevada	1	Dis. Retirement	Hon. Julie A. McManus	07/02/12
Orange	8	Elevated	Hon. David A. Thompson	06/27/12
Orange		Retirement	Hon. Richard W. Stanford, Jr.	05/16/12
Orange		Retirement	Hon. Nancy A. Pollard	03/22/12
Orange		Converted	New Position	01/01/12
Orange		Retirement	Hon. Kazuharu Makino	09/30/11
Orange		Retirement	Hon. David C. Velasquez	09/09/11
Orange		Retirement	Hon. Michael J. Naughton	08/05/11
Orange		Deceased	Hon. James Patrick Marion	07/10/11
Placer	2	Retirement	Hon. Robert P. McElhany	08/09/12
Placer		Retirement	Hon. Larry D. Gaddis	08/01/12
Riverside	1	Converted	New Position	02/09/12
Sacramento	3	Converted	New Position	03/19/12
Sacramento		Retirement	Hon. Gary S. Mullen	12/30/11
Sacramento		Converted	New Position	12/03/11
San Bernardino	2	Retirement	Hon. Margaret A. Powers	11/30/11
San Bernardino		Retirement	Hon. Michael M. Dest	10/31/11
San Diego	4	Retirement	Hon. Frank A. Brown	03/31/12
San Diego		Retirement	Hon. William S. Cannon	03/31/12
San Diego		Retirement	Hon. William H. Kronberger	03/31/12
San Diego		Retirement	Hon. Linda B. Quinn	02/29/12
San Francisco	3	Retirement	Hon. Jerome T. Benson	01/20/12

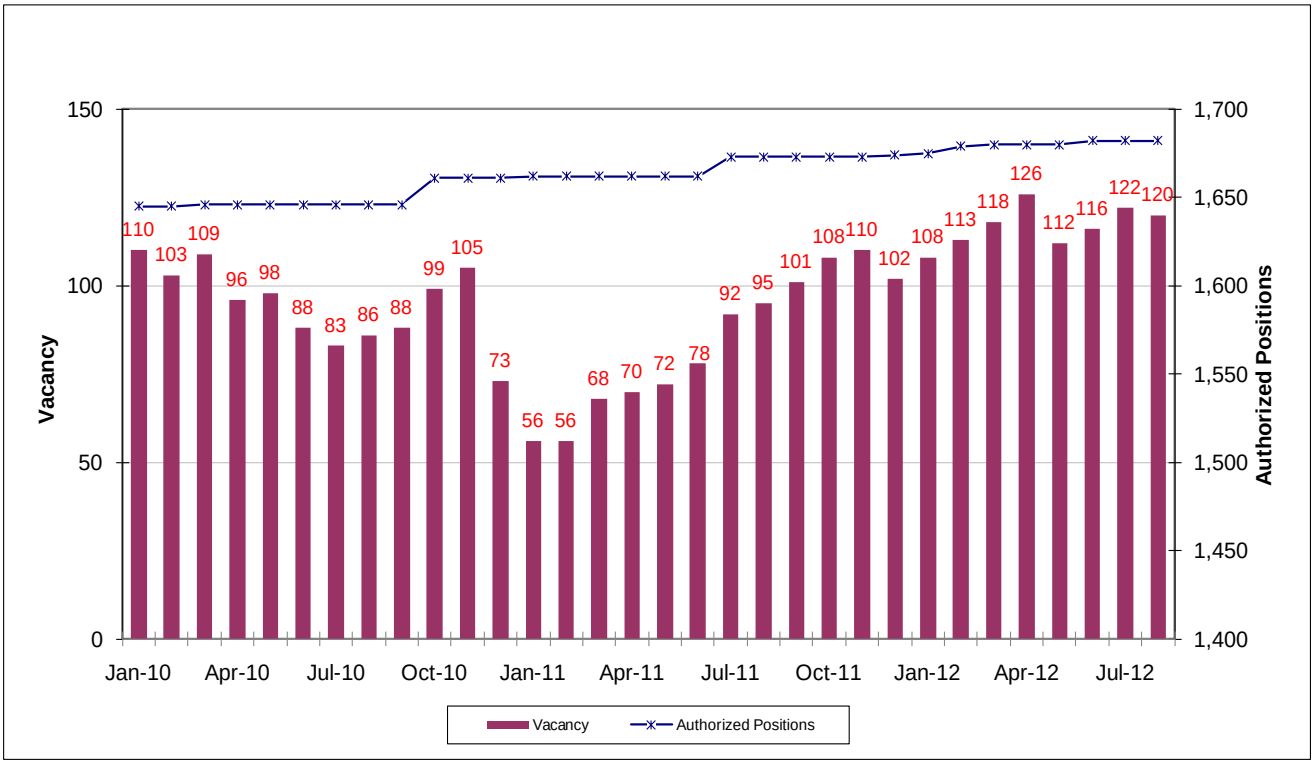
San Francisco		Retirement	Hon. Tomar Mason	12/30/11
San Francisco		Retirement	Hon. Mary Carolyn Morgan	03/03/11
San Luis Obispo	1	Retirement	Hon. Teresa E. Mullaney	01/25/12
San Mateo	1	Retirement	Hon. H. James Ellis	08/31/11
Santa Clara	4	Retirement	Hon. Kenneth L. Shapero	07/31/12
Santa Clara		Retirement	Hon. Neal Anthony Cabrinha	06/30/12
Santa Clara		Retirement	Hon. Douglas K. Southard	09/30/11
Santa Clara		Retirement	Hon. Kevin J. Murphy	05/31/11
Solano	1	Retirement	Hon. Allan P. Carter	02/25/11
Stanislaus	1	Retirement	Hon. John G. Whiteside	04/15/11
Ventura	1	Retirement	Hon. Edward F. Brodie	11/30/11
SUBTOTAL	**70**			
Authorized January 1, 2008, 50 new (AB 159) judgeships (Funding not yet provided.)				
Butte	1	(AB 159)*	New Position	1/1/2008
Contra Costa	1	(AB 159)*	New Position	1/1/2008
Del Norte	1	(AB 159)*	New Position	1/1/2008
Fresno	4	(AB 159)*	New Positions	1/1/2008
Kern	3	(AB 159)*	New Positions	1/1/2008
Kings	1	(AB 159)*	New Position	1/1/2008
Los Angeles	1	(AB 159)*	New Position	1/1/2008
Madera	1	(AB 159)*	New Position	1/1/2008
Merced	2	(AB 159)*	New Positions	1/1/2008
Monterey	1	(AB 159)*	New Position	1/1/2008
Orange	1	(AB 159)*	New Position	1/1/2008
Placer	2	(AB 159)*	New Positions	1/1/2008
Riverside	7	(AB 159)*	New Positions	1/1/2008
Sacramento	6	(AB 159)*	New Positions	1/1/2008
San Bernardino	7	(AB 159)*	New Positions	1/1/2008
San Joaquin	3	(AB 159)*	New Positions	1/1/2008
Shasta	1	(AB 159)*	New Position	1/1/2008
Solano	1	(AB 159)*	New Position	1/1/2008
Sonoma	1	(AB 159)*	New Position	1/1/2008
Stanislaus	2	(AB 159)*	New Positions	1/1/2008
Tulare	2	(AB 159)*	New Positions	1/1/2008
Yolo	1	(AB 159)*	New Position	1/1/2008
TOTAL	**120**			

Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month, from January 2010 through August 2012*

	Superior Court				Court of Appeal			
Month	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Jan-10	1,645	1,535	110	6.7%	105	102	3	2.9%
Feb-10	1,645	1,542	103	6.3%	105	101	4	3.8%
Mar-10	1,646	1,537	109	6.6%	105	101	4	3.8%
Apr-10	1,646	1,550	96	5.8%	105	102	3	2.9%
May-10	1,646	1,548	98	6.0%	105	102	3	2.9%
Jun-10	1,646	1,558	88	5.3%	105	101	4	3.8%
Jul-10	1,646	1,563	83	5.0%	105	102	3	2.9%
Aug-10	1,646	1,560	86	5.2%	105	103	2	1.9%
Sep-10	1,646	1,558	88	5.3%	105	103	2	1.9%
Oct-10	1,661	1,562	99	6.0%	105	102	3	2.9%
Nov-10	1,661	1,556	105	6.3%	105	102	3	2.9%
Dec-10	1,661	1,588	73	4.4%	105	102	3	2.9%
Jan-11	1,662	1,606	56	3.4%	105	104	1	1.0%
Feb-11	1,662	1,606	56	3.4%	105	104	1	1.0%
Mar-11	1,662	1,594	68	4.1%	105	103	2	1.9%
Apr-11	1,662	1,592	70	4.2%	105	103	2	1.9%
May-11	1,662	1,590	72	4.3%	105	103	2	1.9%
Jun-11	1,662	1,584	78	4.7%	105	102	3	2.9%
Jul-11	1,673	1,581	92	5.5%	105	102	3	2.9%
Aug-11	1,673	1,578	95	5.7%	105	102	3	2.9%
Sep-11	1,673	1,572	101	6.0%	105	102	3	2.9%
Oct-11	1,673	1,565	108	6.5%	105	101	4	3.8%
Nov-11	1,673	1,563	110	6.6%	105	101	4	3.8%
Dec-11	1,674	1,572	102	6.1%	105	101	4	3.8%
Jan-12	1,675	1,567	108	6.4%	105	101	4	3.8%
Feb-12	1,679	1,566	113	6.7%	105	100	5	4.8%
Mar-12	1,680	1,562	118	7.0%	105	99	6	5.7%
Apr-12	1,680	1,554	126	7.5%	105	99	6	5.7%
May-12	1,680	1,568	112	6.7%	105	98	7	6.7%
Jun-12	1,682	1,566	116	6.9%	105	100	5	4.8%
Jul-12	1,682	1,560	122	7.3%	105	100	5	4.8%
Aut-12	1,682	1,562	120	7.1%	105	100	5	4.8%

* As of August 24, 2012

Trial Court Authorized Positions and Vacancies
January 2010 – July 2012



Note: There have been 84 Subordinate Judicial Officer conversions since January 2008.