



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

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Executive Summary

The following information outlines some of the many activities staff is engaged in to further the Judicial Council's goals and priorities for the judicial branch. The report focuses on action since the council's October 27-28 meeting and is exclusive of issues on the December business meeting agenda.

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Proposition 47 (Reduced Penalties):

- Staff has dedicated significant time to the implementation of Proposition 47. Efforts to date include:
 - Development and dissemination of a survey on trial court workload and costs associated with Proposition 47.
 - Development and dissemination of information to all presiding judges and court executive officers including a summary of the law, available data, sample forms, and a frequently asked questions document.
 - Convening a meeting with representatives of the Governor’s Office, Department of Finance, California Department of Corrections and Rehabilitation (CDRC), the Department of State Hospitals, and local justice system partners in order to identify common implementation challenges and possible efficiencies.
 - Regular contact with the Department of Finance regarding costs associated with the implementation of the proposition.
 - Responding to inquiries from trial courts daily.

2014 Summary of Court-Related Legislation: A summary document was prepared and shared with the courts, highlighting the more than 160 new or amended statutes that impact trial court operations and procedures.

Budget Advocacy: Trial courts were surveyed on the impacts of the current year (2014–2015) budget augmentations. The information gathered is helping to create a statewide picture to assist with the budget advocacy process.

Criminal Justice Legal Services:

- Staff worked on court requests for legal advice regarding criminal proceedings, including questions related to protective orders, parole revocations, and arraignment proceedings.
- A legal analysis was prepared on *Williams*, a new appellate opinion that establishes deadlines for parole revocation proceedings, including a probable cause determination.
- Staff also developed revisions to *Notification of Military Status* form (form MIL-100) mandated by recent legislation that requires courts to refer defendants to the form during arraignment proceedings. The revisions are expected to become effective January 1, 2015, followed by a circulation period in 2015.

Court Interpreter Usage Reporting: Staff from both the Court Language Access Support Program and the Office of Court Research visited with the Superior Court of Los Angeles County to review reporting requirements for the court interpreter data collection system, gather input from the court on how reporting might be streamlined, and provide input to the court on how to make the reporting easier.

Judicial Resources and Technical Assistance Program: Staff visited the juvenile court in Del Norte County to conduct a courtesy file review of foster care cases. Staff attorneys advise and consult with juvenile court bench officers, court staff, and agency stakeholders on practices and

procedures required by federal and California law to protect children from abuse and neglect and prevent the loss of federal foster care funding.

Facilities

Capital Projects—SB 1407 Projects: There are 30 active capital projects totaling \$3.2 billion, and three projects that remain in the warranty or project close-out phase. A total of 11 projects, totaling over \$1.7 billion, are currently in construction. Approximately 67 percent of the construction phase funds for the 46-project program have been either expended or committed as of October 2014.

Real Estate and Facilities Management: During this period, the Real Estate Unit negotiated seven real estate transactions, including court-funded leases, revenue leases and licenses, event licenses, and lease terminations, as follows:

- Leases/licenses
 - Santa Barbara court-funded expense lease: Short-term lease for juror selection for multi-defendant trial
 - Revenue licenses: Airport Courthouse, Los Angeles County
- Revenue license renewal
 - New Yreka Courthouse site, Siskiyou County
- Revenue lease/license terminations
 - Herrero Builders, Fremont Hall of Justice, Alameda County
 - Big Bear Courthouse, San Bernardino County
- Event licenses
 - Two short-term event licenses were executed

Technology

Telecommunications Infrastructure and Security: Seventeen superior courts are participating in an equipment replacement program to be completed by May 2015. Replacement programs for the Superior Courts of San Diego, Stanislaus, and Alpine Counties were completed during this reporting period. The replacement program is currently in progress in seven additional courts.

Case Management Systems:

- *Criminal and Traffic (Fresno):* Staff continues to support the Superior Court of Fresno County's conversion to Tyler's Odyssey case management system.
- *Civil, Small Claims, Probate, and Mental Health (V3):* This case management system is used by the Superior Courts of Orange, Sacramento, San Diego, San Joaquin, and Ventura Counties, and processes 25 percent of all civil cases statewide. Software updates were deployed with improvements in e-filing, case participant, case disposition, and additional court level configuration to support differing business processes. Staff continues to provide data conversion support for the Superior Court of San Joaquin County's transition to a new case management system, FullCourt Enterprise.

- *Sustain Justice Edition:* For this case management system hosted for eight courts at the California Courts Technology Center, maintenance activities included production support updates, system patching, and security certificate renewals.

Computer-Aided Facilities Management: Staff applied numerous upgrades to the application.

Court of Appeal E-Filing Project: The contract between the Court of Appeal, Fifth Appellate District and ImageSoft is under final review. A gap analysis was conducted with several enhancements identified to support the court’s business process. A number of these enhancements are complete and have been validated, while the design and development of the remainder is under way. Training for clerks and the legal community was held in November and December.

Technical Infrastructure Improvements: Technology was installed in the Court of Appeal, Third Appellate District to enable Supreme Court staff and media to remotely view oral arguments from all three locations when the court convenes.

Human Resources

Labor and Employee Relations

- *Labor Relations/Negotiations:*
 - Staff is currently assisting ten trial courts in their labor negotiations, some of which are re-openers triggered by the allocation distribution recommended by the Judicial Council. In the past two months seven memoranda of understanding have been agreed and ratified.
 - Support is being provided to eight trial courts in responding to labor matters in either assisting with a grievance, responding to the Public Employee Relations Board, or advising on contract interpretation matters.
- *Trial Court Employee Relations:* Support is being provided to ten trial courts on matters involving employee investigations, discipline matters, and leaves of absence. Recruitment support was provided to two trial courts to successfully fill leadership positions. The Northern California Labor Forum took place providing labor updates to 53 court participants representing 29 Northern California courts.

Advisory Committees/Task Forces/Working Groups

The following committees met in person or by phone since the council’s October meeting:

1. Advisory Committee on Providing Access and Fairness
2. California’s Language Access Plan Joint Working Group
3. Center for Judiciary Education and Research
4. Civil and Small Claims Advisory Committee
5. Collaborative Justice Courts Advisory Committee
6. Court Interpreters Advisory Panel

7. Court Executives Advisory Committee – Executive Committee
8. Court Facilities Advisory Committee
9. Court Technology Advisory Committee
10. Criminal Jury Instructions Advisory Committee
11. Criminal Law Advisory Committee
12. Family and Juvenile Law Advisory Committee
13. Mental Health Issues Implementation Task Force
14. Probate and Mental Health Advisory Committee
15. Traffic Advisory Committee
16. Trial Court Budget Advisory Committee

Meeting Details

Advisory Committee on Providing Access and Fairness:

- Held first in-person meeting and discussed plans for the committee’s work, development of the annual agenda, and priorities for addressing a variety of issues related to its charge, focusing on access to justice issues.

California’s Language Access Plan Joint Working Group:

- Following consideration and incorporation of public comments, reviewed and approved the revised *Strategic Plan for Language Access in the California Courts* for presentation to the Judicial Council in January 2015.

Center for Judiciary Education and Research Governing Committee:

- Discussed the final report of the Experienced Judge Education Workgroup, and held a regular business meeting via WebEx, addressing appointments to the nine curriculum committees, and the formation of an ad hoc technology workgroup.

Civil and Small Claims Advisory Committee:

- Worked on a proposed annual agenda for 2015 and made recommendations on three items for consideration by the council’s Rules and Projects Committee for circulation for public comment during the winter cycle: two new statutorily mandated forms, and a request for an interpreter form the council directed the committee to develop.

Collaborative Justice Courts Advisory Committee:

- Discussed modifications to the *Notification of Military Status* form (form MIL-100).
- Staff provided an overview of Proposition 47.

Court Executives Advisory Committee – Executive Committee:

- Discussed the judicial branch budget, recent Judicial Council action on changes to supplemental fund balance policies, and received an update on Proposition 47 from Criminal Justice Services staff.

- Program budget representatives from the California Department of Finance attended the meeting and engaged in a good discussion on the state budget process for the judicial branch as well as recent budget changes that impact trial courts' ability to provide public access to the courts.

Court Facilities Advisory Committee:

- Reviewed progress on developing a catalog of courtroom layouts for use in future projects and the current status of the Immediate and Critical Needs [Fund] Account for court facilities.
- Reviewed two projects: the new Indio Juvenile and Family Courthouse in Riverside and the new El Centro Criminal Courthouse in Imperial County, both of which are in the preliminary plans phase of design.
- Reviewed information on enhanced structures, heating, ventilation and air conditioning systems, electric vehicle infrastructure, and solar power funding opportunities.

Court Interpreters Advisory Panel:

- Approved submission of a council report regarding a revised policy on unused savings from Program 45.45 related to court interpreters (surplus funding). The council previously took action which, if not updated, would have been in conflict with the recently adopted AB 1657, which is effective January 1, 2015.

Court Technology Advisory Committee:

- Focused on development of the 2015 annual agenda.
- Working with the Judicial Council's Technology Committee on transitioning the advisory committee to be renamed the Information Technology Advisory Committee, as approved by the council in the Technology Governance and Strategic Plan. This transition will include a change to the rule of court.
- Reported on survey findings on the use of video remote technology in courtrooms.
- Joint Appellate Technology Subcommittee drafted amendments to Rule 8.71, permitting electronic service on an appellate court with the court's consent. The committee is developing a set of new rules to address public access to electronic appellate records that will parallel trial court rules.

Criminal Jury Instructions Advisory Committee:

- Approved for circulation for public comment 42 proposed revisions or additions to the Judicial Council Criminal Jury Instructions (CALCRIM) in response to changes in case law, new legislation, and comments from members of the bench and bar. The proposed revisions and additions will circulate for public comment through December 31, 2014.

Criminal Law Advisory Committee:

- Staff presented several legislative proposals for approval for Judicial Council sponsorship, including proposals to authorize courts to recall felony sentences and lift parole holds.

- Continued working on the development of rules and standards of judicial administration to govern court use of information from risk/needs assessments during felony sentencing proceedings.
- Provided feedback to the Collaborative Justice Courts Advisory Committee on recent revisions to *Notification of Military Status* form (form MIL-100).
- Finalized a draft annual agenda.

Family and Juvenile Law Advisory Committee:

- (Each grant funding period, the committee recommends to the Judicial Council funding allocations for California’s Access to Visitation Grant Program to support noncustodial parents’ access to and visitation with their children through supervised visitation and exchange services, parent education, and group counseling services.)
- Voted to recommend that the Judicial Council, effective December 12, 2014:
 - Approve the funding allocation and distribution of approximately \$755,000 to \$770,000 to the 11 superior courts for federal grant fiscal years 2015–2016 through 2017–2018 (each federal fiscal year).
 - Approve the allocation and distribution of funds to the next ranking court if any of the selected courts decline their grant award after the Judicial Council allocation approval but before execution of a funding contract with the Judicial Council.

Mental Health Issues Implementation Task Force:

- Committee chair met with chairs and key staff of the following advisory committees to discuss distribution of the work of the Mental Health Implementation Issues Task Force: Criminal Justice Courts, Criminal Law, Family and Juvenile Law, Probate and Mental Health, Governing Committee of the Center for Judicial Education and Research, Shriver Civil Counsel Implementation Committee, and the Advisory Committee on Providing Access and Fairness.
- Task Force members served as faculty for the Western Service Learning Days (substance abuse peer counselors/NA) and the Words to Deeds Conference (court, criminal justice, and mental health collaborative).

Probate and Mental Health Advisory Committee:

- Approved for circulation for public comment and council consideration:
 - Sponsorship of legislation and adoption of a rule of court concerning statements of decision in probate proceedings;
 - Adoption of a new rule of court concerning court fee waivers in decedent estate proceedings, guardianships, conservatorships, and in civil actions involving guardians and conservators as parties, and adoption of 10 new forms for court fee waivers by guardians and conservators and petitioners for their appointment;
 - Revision of the *Petition for Appointment of Conservator* (form GC-310) and adoption of three new forms to be used by out-of-state conservators to register their conservatorships in courts of this state and establish their authority to act here, changes required by the

new California Conservatorship Jurisdiction Act, enacted by SB 940 (Stats. 2014, ch. 553);

- Adoption of a new rule of court, revision of *Order Regarding Eligibility for Special Immigrant Juvenile Status* (form GC-224) and adoption of a new form petition for such an order, arising from the enactment of SB 873 (Stats. 2014, ch. 685).
- Considered a request from the Spectrum Institute that the committee recommend to the Chief Justice or the Judicial Council that a task force be created to study limited conservatorships for developmentally disabled persons in this state, modeled after the Chief Justice's 2006 Probate Conservatorship Task Force.

Traffic Advisory Committee:

- Prepared a response to an invitation to comment and recommendations for revisions of the rule of court and council forms for notice to appear citations, including filing of electronic citations.
- Prepared recommendations for adoption of Uniform Bail and Penalty Schedules for 2015.
- Prepared recommendations for the committee's annual agenda for 2015.
- Discussed proposals for legislation and revision of rules and forms to improve efficiency and promote use of technology for processing traffic cases.

Trial Court Budget Advisory Committee:

- Considered recommendations related to a Children's Waiting Room distribution request submitted by the Superior Court of San Francisco County and proposed amendments to the council's policy regarding such distributions.
- Received updates on the Trial Court Trust Fund and the State Trial Court Improvement and Modernization Fund.
- Discussed various recommendations and items relating to court-appointed dependency counsel funding, reduction allocations related to the one percent cap on fund balance carryover, a budget change proposal for funding trial court security costs, usage of unused court interpreter program savings, and funding for new workload associated with Proposition 47, among others. Items approved to be brought forward to the Judicial Council will appear on December and January business meeting agendas.
- Several committee workgroups met during the period to develop preliminary recommendations for the full committee on the above issues:
 - Court-Appointed Dependency Counsel Workgroup
 - Trial Court Benefits Workgroup
 - One Percent Fund Cap Review Workgroup
 - Trial Court Improvement and Modernization Fund Information Technology Workgroup
 - Children's Waiting Room Workgroup

Judicial Branch Education and Training

Summary

Judicial Education

1. Assigned Judges Institute
2. Complex Civil Litigation Roundtable (Los Angeles)
3. Courtroom Control: Contempt, Sanctions, and Mindfulness (Alameda)
4. Demeanor and Decorum (San Bernardino)
5. Felony Sentencing, Parts 1 and 2
6. Handling Self-Represented Litigants in Non-Criminal Cases (San Bernardino)
7. Juvenile Law Institute (Sonoma)
8. Presiding Judges and Court Executive Officers Management Program (Napa)
9. Qualifying Ethics core classes (San Bernardino, Los Angeles, Sacramento, and two classes at the Assigned Judges Institute in Sacramento)

Judicial Officer, Court Employee, and Justice System Stakeholder Education

1. Access to Visitation (for providers of supervised visitation)
2. Bay Area Collaborative of American Indian Resources (for county and tribal representatives)
3. Domestic Violence Forum 2014 – Human Trafficking
4. Excel Basics (for trial court personnel)
5. Faculty Development Fundamentals (for trial court personnel)
6. Family Dispute Resolution (for child custody mediators, recommending counselors, and evaluators)
7. Forensic Child Abuse Investigations for Criminal and Child Protection Cases (for the Superior Court of Amador County)
8. Indian Child Welfare Act (for tribal communities in Del Norte County)
9. Improving Permanency and Inclusion for Our Youth (for stakeholder representatives)
10. Juvenile Dependency Law and Process (for stakeholder representatives)
11. Juvenile Courtroom Activity Tracker System Training (for dependency attorneys)
12. Special Student Populations: Rights of Limited-English-Proficient Students and Students with Disabilities (for the Superior Court of San Joaquin County)
13. Techniques for Coaching, Mentoring, and Improving Productivity and Positivity (for trial court personnel)
14. Tribal Court-State Court Programs
15. Word Tips and Tricks (for appellate court personnel)

Updated Benchguides

16. California Judges Benchguide 200: Custody and Visitation

Broadcasts

17. Coaching: Introduction to Coaching Employees
18. Conflict: Techniques for Positive Resolution
19. Continuing the Dialogue: ADA Awareness—Nonapparent Disabilities (for judicial officers and court personnel)
20. Continuing the Dialogue: From Oscar Grant to Trayvon Martin: A Dialogue about Race, Public Trust, and Confidence in the Justice System
21. Customer Service by Phone
22. Everyday Safety and Emergency Preparedness
23. Managing Conflict Effectively
24. Preventing and Responding to Sexual Harassment
25. Requests for Family Law Orders

Online Production

26. Family Law Enforcement Actions

Updates to CJER Online Resources

27. Characterizing Property
28. Criminal Toolkit: Interactive judicial articles and more than 30 new resources pertaining to mental health issues that arise in the criminal courts
29. Dividing Property
30. Family Court: Custody and Visitation
31. Fee Waivers
32. Handling Change
33. Introduction to Family Procedure
34. Requests for Domestic Violence Restraining Orders

Video Production

35. Commission on Judicial Appointments Hearings
36. Cow County Institute courses
37. Distinguished Service Award Recipients
38. Domestic Violence and the Teen Brain
39. Forensic Psychiatrist
40. Jury Service - Ideals Made Real - subtitling
41. Importance of Permanency
42. Immigration Issues
43. Innovation Knowledge Center promotion
44. Interviewing Conservatorships
45. Lactation and Jurors
46. Supreme Court Outreach Session

Program Details

AB 12 and the Indian Child Welfare: The Bay Area Collaborative of American Indian Resources, which has county and tribal representatives throughout the Bay Area counties, received training on the intersection between young adults under the jurisdiction of the juvenile court, AB 12, and the Indian Child Welfare Act.

Access to Visitation: This training on Understanding the Uniform Standards of Practice for Providers of Supervised Visitation was coordinated with the California Association of Supervised Visitation Service Providers and meets the training requirements for professional supervised visitation providers under Family Code 3200.5.

Assigned Judges Institute: The Assigned Judges Program held its triennial two-day conference with more than 200 assigned judges in attendance. The program featured primary assignment updates, sentencing strategies after realignment, a panel on the strategic plan for language access in the California courts, an evidence update, and remarks by the Chief Justice.

Domestic Violence Forum 2014—Human Trafficking: The forum, a project of the Judicial Council's Office on Violence Against Women, U.S. Department of Justice grant, was co-chaired by Judges Elizabeth Lee (San Mateo) and Stacy Boulware Eurie (Sacramento) and was attended by teams and individuals from seven jurisdictions (Alameda, Los Angeles, Orange, Sacramento, San Diego, San Mateo, and Santa Clara) that are grappling with how best to handle commercially sexually exploited children in their court caseloads. Faculty included members of the Human Trafficking and the State Courts Collaborative.

Excel Basics: At the court's request, four half-day training sessions were provided for trial court personnel in the Superior Court of Alameda County. Sessions introduced staff to the features and tools of the application as well as principles of spreadsheet design and use in the context of creating calculating worksheets for daily use.

Faculty Development Fundamentals: At the court's request, a four-day class was provided for trial court personnel in the Superior Court of Los Angeles County that addressed fundamentals of adult learning principles, effective teaching strategies, and adult education.

Family Dispute Resolution: The final session of the fall regional trainings were conducted to enable all child custody mediators, recommending counselors, and evaluators from local courts statewide to meet mandatory education requirements. The training, the third in a series of regional trainings, was broadcast statewide and recorded to post in a distance learning format.

Forensic Child Abuse Investigations for Criminal and Child Protection Cases: At the request of the Superior Court of Amador County, the Judicial Council provided continuing education credits for training by the County of Amador for approximately 60 stakeholders

including law enforcement, Child Protective Services social workers, and legal and medical professionals.

Felony Sentencing:

- The first iteration of this newly redesigned two-and-one-half-day course was offered with 30 judges from throughout the state in attendance. Judge Richard Couzens joined the faculty in a discussion about the newly passed Proposition 47.
- Based on feedback from last year's evaluations, the second part of this course was also redesigned. Twenty-five judges attended this course.

Improving Permanency and Inclusion for Our Youth: Approximately 35 stakeholders consisting of Court Appointed Special Advocates, social workers, probation officers, court-appointed counsel, county counsel, tribal attorneys, state administrators, and a deputy district attorney were trained on issues related to AB 12 and LGBTQ, specifically on inclusion and permanency for non minor dependents and youth.

Indian Child Welfare Act: This coordinated tribal-county training was offered in Del Norte County for judges and representatives from the following tribal communities: Smith River, Resighini, and Yurok, attorneys representing child welfare, children, and parents, social workers, and other lay advocates from the local Court Appointed Special Advocates program.

Juvenile Dependency Law and Process: Approximately 40 attendees consisting of attorneys, directors, county counsel, and legislative counsel were trained in dependency introduction, law through detention hearings, jurisdiction and dispositional hearing, permanency hearing, postpermanency and extended foster care.

Juvenile Courtroom Activity Tracker System Training: At the request of Court Appointed Counsel, Judicial Council staff provided a webinar training in three different locations for Dependency Representation, Administration, Funding, and Training (DRAFT) Program Attorneys on caseload management. The purpose of the training was to discuss caseload management using the tracker software.

Security: Three security/safety trainings sessions were provided for 80 staff members in the Superior Court of Sonoma County on crime prevention, workplace violence, and active shooter response. Four similar trainings were provided for 200 staff of the Superior Court of San Joaquin County. Judicial officers in Superior Court of Tulare County also received training.

Special Student Populations: Rights of Limited-English-Proficient Students and Students with Disabilities: At the request of the Superior Court of San Joaquin County, the Judicial Council assisted with providing continuing education credits for training by the California Rural Legal Assistance, Inc. Approximately 30 stakeholders were trained.

Techniques for Coaching, Mentoring, and Improving Productivity and Positivity: At the court's request, a half-day class was provided for trial court personnel in the Superior Court of Alameda County on techniques for creating a positive working environment.

Trial Court Revenue Distribution: Judicial Council staff from Audit Services, Criminal Justice, and Finance partnered with the State Controller's Office (SCO) once again to conduct the second component of a semiannual training program launched last year to provide specialized instruction on trial court revenue distribution. Sponsored by the council's Court-Ordered Debt Task Force, the web-based training provided updates on new legislation impacting distributions, changes to Appendix C (the SCO's guide to trial court revenue distribution), proposed updates to the Uniform Bail and Penalty Schedule, audit issues identified by Judicial Council and SCO auditors, an update on the task force's revenue distribution pilot program, and a look ahead to the spring 2015 training curriculum. Approximately 275 staff from local and state government entities participated.

Tribal Court-State Court Programs Indian Child Welfare Act (ICWA) Training: At the court's request, approximately 200 judicial officers, attorneys, and court staff from Los Angeles County were trained on ICWA. This training was identified based on an order for mandated ICWA training for judicial officers, attorneys, and court staff. Juvenile court bench officers, court staff, attorneys, and representatives from urban Indian communities residing in Los Angeles area attended.

Word Tips and Tricks: At the court's request, two half-day training sessions were provided for staff at the Court of Appeal, Second Appellate District (Ventura). This intermediate level course focused on different document views, new navigation and selection techniques, as well as the building-block features of autotext, autocorrect, and autoformat as you type.

Staffing Report as of December 1, 2014

See definition of terms on the following page.

STAFFING	Leadership Services Division								Operations and Programs Division					Administrative Division						Judicial Council	
	Executive Office	Governmental Affairs	Audit Services	Legal Services	Judicial Council Support	Communications	Special Projects	Trial Court Liaison	Center for Families, Child. & Courts	Court Operations Services	Criminal Justice Services	Center for Judiciary Education & Research	Appellate Court Services	Capital Programs	Finance	Human Resources	Information Technology	Admin Support	Real Estate & Facilities Mgmt		Trial Court Admin Services
Authorized Position (FTE)	8.00	12.00	14.00	59.00	11.80	8.00	7.00	8.00	68.00	43.40	15.00	48.50	8.00	56.00	81.00	39.00	128.00	30.00	83.00	87.00	814.70
Filled Authorized Position (FTE)	6.95	12.00	14.00	43.90	11.60	7.00	6.00	8.00	57.35	38.40	13.30	43.30	5.00	47.00	74.00	36.00	110.88	28.80	78.80	82.88	725.16
Headcount - Employees	7	12	14	44	12	7	6	8	58	39	14	45	5	47	74	36	111	28	79	83	729.00
Vacancy (FTE)	1.05	0.00	0.00	15.10	0.20	1.00	1.00	0.00	10.65	5.00	1.70	5.20	3.00	9.00	7.00	3.00	17.13	1.20	4.20	4.13	89.56
Vacancy Rate (FTE)	13.1%	0.0%	0.0%	25.6%	1.7%	12.5%	14.3%	0.0%	15.7%	11.5%	11.3%	10.7%	37.5%	16.1%	8.6%	7.7%	13.4%	4.0%	5.1%	4.7%	11.0%
Temporary Employee (909)	1	0	0	0	0	0	0	0	0	0	1.5	0	0	0	0	0	0	0	0	0	2.50
*Employment Agency Temporary Worker (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	0.0	4.00
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	7.0	0.0	1.0	52.0	0.0	0.0	0.0	61.00
TOTAL WORKFORCE (based on FTE, 909s, Agency Temps & Contractors)	7.95	12.00	14.00	43.90	11.60	7.00	6.00	8.00	57.35	39.40	14.80	44.30	5.00	54.00	77.00	37.00	162.88	28.80	78.80	82.88	792.66

Definitions:	
Authorized Position (FTE)	Authorized positions include all regular ongoing positions approved in the Budget Act for that year. The number is based on the position's approved full time equivalency.
Filled Authorized Position (FTE)	Filled authorized positions are the number of authorized positions filled based on the employee's full time equivalency.
Headcount	The actual count of persons employed, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". It does not include Temporary Employees (909) or Employment Agency Temporary Workers.
Vacancy (FTE)	The number of vacancies is the number of authorized positions minus the number of filled authorized positions.
Vacancy Rate (FTE)	Vacancy Rate is calculated by dividing the number of authorized positions by the number of vacant authorized positions. This number excludes temporary employees ("909" funded employees). See definition of temporary employees below.
Temporary Employees (909)	The 909 category is the State Controller code used to reference a temporary position or temporary employee. A 909 position may not be funded through the Budget Act. It is categorized as a temporary position in the absence of an authorized position. 909 positions may be occupied by regular full-time employees due to the unavailability of an authorized vacant position and may receive benefits if employed at least half-time for more than six months. Types of "909" Employees include: Retired Annuitants: A retiree hired by a former employer or other employer that participates in the same retirement system as the former employer. This includes a former participant in a state retirement system who previously retired and currently receives retirement benefits. Temporary Employees: Employed on a temporary basis - they do not receive full benefits (but do receive Calpers retirement service credit).
Employment Agency Temp. Worker (FTE)	These are workers from an employment agency who provide short-term support for workload.
Contractor (FTE)	Individuals augmenting the work of the organization and providing services for a limited period of time or on a specific project, where a particular skill set is required that is either (1) not within an existing classification and/or job description or (2) where recruitment issues require the use of a contractor.
Full Time Equivalency (FTE)	Full Time Equivalency is the number of total maximum compensable hours designated in a year divided by actual hours worked in a year. For example, the work year is defined as 2,080 hours; one employee occupying a paid full time job all year would consume one FTE. One employee working for 1,040 hours each would consume .5 FTE.
Time Base	Full time: Employee is scheduled to work 40 hours per week. Receives full benefits. Part time: Employee is scheduled to work less than 40 hours per week. Employees that work more than 20 hours per week receive full benefits. Intermittent: Employees have no established work schedule and work on an as-needed basis that varies from one pay period to the next. Eligibility for certain benefits may be limited for these employees.
Regular Employee	Commonly referred to as "permanent employees" – They receive full benefits.
Limited Term	Limited Term Position – A position funded through the Budget Act with a specific end date and counted as an authorized position. Employee in limited term positions may be regular or temporary.

New Judgeships and Vacancies Report

Number of Judgeships Authorized, Filled and Vacant as of November 30, 2014

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	<i>Filled(Last Month**)</i>	<i>Vacant(Last Month**)</i>
Supreme Court	1	7	6	1	0	6	1
Courts of Appeal	6	105	96	9	0	96	9
Superior Courts	58	1713	1578	85	50*	1572	141
All Courts	65	1825	1680	145		1674	151

*Authorized January 1, 2008, 50 new (AB 159) judgeships are added. However, funding for the 50 positions has not been provided. The allocation list was updated by the Judicial Council in December 2013.

**As of October 31, 2014

Below: **New Vacancies that occurred in November 2014**

JUDICIAL VACANCIES: SUPREME COURT

	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Supreme Court	1	Retirement	Hon. Joyce L. Kennard*	04/05/14
TOTAL VACANCIES	1			

* November 24, 2014, Governor Edmund G. Brown Jr., announced Leondra R. Kruger as his choice for associate justice of the California Supreme Court. Ms. Kruger would replace Associate Justice Joyce L. Kennard, who retired from the court earlier this year. The Governor's nomination must be submitted to the State Bar's Commission on Judicial Nominees Evaluation and confirmed by the Commission on Judicial Appointments.

JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
First Appellate District, Division Two	2	Retirement	Hon. Paul R. Haerle**	06/11/14

First Appellate District, Division Four		Elevated	Hon. James M. Humes**	07/16/14
Second Appellate District, Division One	5	Elevated	Hon. Frances Rothschild	07/16/14
Second Appellate District, Division Three		Deceased	Hon. H. Walter Croskey	08/29/14
Second Appellate District, Division Five		Retirement	Hon. Orville A. Armstrong	07/31/13
Second Appellate District, Division Six		Retirement	Hon. Paul H. Coffee	01/31/12
Second Appellate District, Division Seven		Retirement	Hon. Frank Y. Jackson	06/30/13
Third Appellate District	1	Elevated	Hon. Tani G. Cantil-Sakauye*	01/02/11
Fifth Appellate District	1	Retirement	Hon. Rebecca A. Wiseman**	10/31/13
TOTAL VACANCIES	9			

* July 25, 2014, Governor Edmund G. Brown Jr., appointed Jonathan K. Renner as associate justice of the Third District Court of Appeal. Renner fills the vacancy created by the elevation of Justice Tani Cantil-Sakauye to the Supreme Court. Confirmed on August 28, 2014, Justice Renner will begin his term on January 5, 2015.

**November 12, 2014, Governor Edmund G. Brown Jr., made the following appointments requiring confirmation by the Commission on Judicial Appointments:

- Judge Marla J. Miller as associate justice of the First District Court of Appeal, Division Two. Judge Miller would fill the vacancy created by the retirement of Justice Paul R. Haerle.
- Mr. Jon B. Streeter as associate justice of the First District Court of Appeal, Division Four. Mr. Streeter would fill the vacancy created by the elevation of Justice James M. Humes.
- Judge M. Bruce Smith as associate justice of the Fifth District Court of Appeal. Judge Smith would fill the vacancy created by the retirement of Justice Rebecca A. Wiseman.

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	3	Retirement	Hon. Gary M. Picetti	11/30/14
Alameda		Retirement	Hon. Hugh A. Walker	02/18/14
Alameda		Retirement	Hon. Joan S. Cartwright	01/31/14
Contra Costa	2	Retirement	Hon. David B. Flinn	04/30/14
Contra Costa		Retirement	Hon. Barbara Ann Zúñiga	04/04/14

El Dorado	1	Retirement	Hon. Douglas C. Phimister	07/17/14
Kern	2	Retirement	Hon. Louis P. Etcheverry	10/24/13
Kern		Retirement	Hon. Jerold L. Turner	08/01/13
Los Angeles	32	Retirement	Hon. Bob S. Bowers, Jr.	11/14/14
Los Angeles		Retirement	Hon. Leslie A. Dunn	11/07/14
Los Angeles		Retirement	Hon. Arthur M. Lew	10/15/14
Los Angeles		Retirement	Hon. Daniel S. Lopez	10/01/14
Los Angeles		Retirement	Hon. James A. Steele	09/30/14
Los Angeles		Retirement	Hon. Steven D. Ogden	09/24/14
Los Angeles		Retirement	Hon. Cesar C. Sarmiento	09/16/14
Los Angeles		Retirement	Hon. Antonio Barreto, Jr.	09/05/14
Los Angeles		Elevated	Hon. Brian M. Hoffstadt	08/27/14
Los Angeles		Retirement	Hon. Rex Heeseman	08/25/14
Los Angeles		Retirement	Hon. Joseph E. DiLoreto	07/31/14
Los Angeles		Retirement	Hon. Harvey Giss	07/16/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Retirement	Hon. Wendy L. Kohn	06/06/14
Los Angeles		Retirement	Hon. Carlos A. Uranga	04/30/14
Los Angeles		Retirement	Hon. Ronald M. Sohigian	04/16/14
Los Angeles		Retirement	Hon. Candace J. Beason	04/15/14
Los Angeles		Retirement	Hon. R. Bruce Minto	03/31/14
Los Angeles		Retirement	Hon. Joseph S. Biderman	03/18/14
Los Angeles		Retirement	Hon. David Sherman Milton	03/15/14
Los Angeles		Retirement	Hon. John Vernon Meigs	03/07/14

Los Angeles		Retirement	Hon. Jessica Perrin Silvers	02/19/14
Los Angeles		Retirement	Hon. Michael C. Solner	02/19/14
Los Angeles		Retirement	Hon. Janice Claire Croft	02/18/14
Los Angeles		Retirement	Hon. Louis M. Meisinger	02/07/14
Los Angeles		Retirement	Hon. Charles W. McCoy, Jr.	08/28/13
Marin	2	Retirement	Hon. Lynn Duryee	02/28/14
Marin		Retirement	Hon. James R. Ritchie	12/31/13
Mariposa	1	Retirement	Hon. Wayne R. Parrish	10/31/14
Monterey	1	Retirement	Hon. Susan M. Dauphiné	03/05/14
Orange	9	Retirement	Hon. William R. Froeberg	11/05/14
Orange		Retirement	Hon. Francisco P. Briseño	09/02/14
Orange		Retirement	Hon. Ronald P. Kreber	05/05/14
Orange		Retirement	Hon. Luis A. Rodriguez	04/30/14
Orange		Retirement	Hon. Marjorie Laird Carter	03/31/14
Orange		Retirement	Hon. Wendy Lindley	02/19/14
Orange		Retirement	Hon. Nancy Wieben Stock	02/11/14
Orange		Converted	New Position	10/25/13
Orange		Converted	New Position	08/12/13
Riverside	3	Retirement	Hon. Albert J. Wojcik	07/01/14
Riverside		Retirement	Hon. Elisabeth Sichel	05/29/14
Riverside		Retirement	Hon. Sherrill A. Ellsworth	03/01/14
Sacramento	1	Retirement	Hon. Roland L. Candee	05/15/13
San Bernardino	5	Retirement	Hon. Kenneth Barr	11/03/14
San Bernardino		Retirement	Hon. Jules E. Fleuret	11/01/14
San Bernardino		Retirement	Hon. Larry W. Allen	11/30/13
San Bernardino		Retirement	Hon. Shahla S. Sabet	11/29/13
San Bernardino		Retirement	Hon. John B. Gibson	09/19/13
San Diego	6	Retirement	Hon. Christine K. Goldsmith	10/10/14
San Diego		Retirement	Hon. William J. McGrath, Jr.	08/15/14
San Diego		To Fed Court	Hon. Cynthia A. Bashant	05/07/14

San Diego		Retirement	Hon. Susan D. Huguenor	03/12/14
San Diego		Retirement	Hon. Allan J. Preckel	03/08/14
San Diego		Converted	New Position	02/07/14
San Francisco	3	Retirement	Hon. Julie M. Tang	09/07/14
San Francisco		Retirement	Hon. Patrick J. Mahoney	02/28/13
San Francisco		Retirement	Hon. Katherine A. Feinstein	02/01/13
San Joaquin	1	Retirement	Hon. Terrence R. Van Oss	02/28/14
San Mateo	1	Dis Retirement	Hon. Stephen M. Hall	10/01/14
Santa Barbara	1	Retirement	Hon. Denise de Bellefeuille	09/30/14
Santa Clara	6	Dis Retirement	Hon. Kurt E. Kumli	06/26/14
Santa Clara		Retirement	Hon. Kevin E. McKenney	04/30/14
Santa Clara		Retirement	Hon. James P. Kleinberg	04/15/14
Santa Clara		Retirement	Hon. Rene Navarro	03/31/14
Santa Clara		Retirement	Hon. Thomas W. Cain	12/02/13
Santa Clara		Retirement	Hon. Andrea Y. Bryan	12/01/13
Stanislaus	2	Retirement	Hon. Hurl William Johnson III	09/02/14
Stanislaus		Retirement	Hon. Susan D. Siefkin	11/30/13
Tulare	2	Retirement	Hon. Paul Anthony Vortmann	08/01/14
Tulare		Retirement	Hon. Joseph A. Kalashian	03/13/14
Ventura	1	Retirement	Hon. James P. Cloninger	06/03/14
SUBTOTAL:	85			

**Authorized January 1, 2008, 50 new (AB 159) Judgeships
(Funding for these 50 positions has not yet been provided)**

Fresno	2	(AB 159)*	New Positions	1/1/2008
Humboldt	1	(AB 159)*	New Position	1/1/2008
Imperial	1	(AB 159)*	New Position	1/1/2008
Kern	3	(AB 159)*	New Positions	1/1/2008
Kings	1	(AB 159)*	New Position	1/1/2008
Los Angeles	2	(AB 159)*	New Positions	1/1/2008
Merced	2	(AB 159)*	New Positions	1/1/2008
Orange	2	(AB 159)*	New Positions	1/1/2008
Placer	2	(AB 159)*	New Positions	1/1/2008
Riverside	9	(AB 159)*	New Positions	1/1/2008

Sacramento	3	(AB 159)*	New Positions	1/1/2008
San Bernardino	9	(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	3	(AB 159)*	New Positions	1/1/2008
Sutter	1	(AB 159)*	New Positions	1/1/2008
Tulare	1	(AB 159)*	New Position	1/1/2008
Ventura	2	(AB 159)*	New Positions	1/1/2008
TOTAL VACANCIES:	135			

Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month: From November 2012 through November 2014 (two years)*

Month	Superior Courts				Courts of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Nov-12	1,687	1,565	122	7.2%	105	100	5	4.8%
Dec-12	1,693	1,583	110	6.5%	105	103	2	1.9%
Jan-13	1,694	1,590	107	6.3%	105	102	3	2.9%
Feb-13	1,695	1,581	114	6.7%	105	102	3	2.9%
Mar-13	1,695	1,574	125	7.4%	105	101	4	3.8%
Apr-13	1,695	1,567	128	7.6%	105	101	4	3.8%
May-13	1,695	1,576	119	7.0%	105	101	4	3.8%
Jun-13	1,695	1,571	124	7.3%	105	100	5	4.8%
Jul-13	1,695	1,579	116	6.8%	105	98	7	6.7%
Aug-13	1,703	1,582	121	7.1%	105	98	7	6.7%
Sep-13	1,703	1,579	124	7.3%	105	98	7	6.7%
Oct-13	1,704	1,575	129	7.6%	105	97	8	7.6%
Nov-13	1,705	1,570	135	7.9%	105	97	8	7.6%
Dec-13	1,705	1,601	104	6.1%	105	97	8	7.6%
Jan-14	1,705	1,601	104	6.1%	105	97	8	7.6%
Feb-14	1,706	1,591	115	6.7%	105	95	10	9.5%
Mar-14	1,706	1,580	126	7.4%	105	95	10	9.5%
Apr-14	1,706	1,572	134	7.9%	105	95	10	9.5%
May-14	1,706	1,568	138	8.1%	105	95	10	9.5%
Jun-14	1,706	1,579	127	7.4%	105	94	11	10.5%
Jul-14	1,713	1,586	127	7.4%	105	96	9	8.6%
Aug-14	1,713	1,582	131	7.6%	105	96	9	8.6%
Sep-14	1,713	1,577	136	7.9%	105	96	9	8.6%
Oct-14	1,713	1,572	141	8.2%	105	96	9	8.6%
Nov-14	1,713	1,578	135	7.9%	105	96	9	8.6%

* As of November 30, 2014

Authorized Judgeships and Vacancies in the Superior Courts

