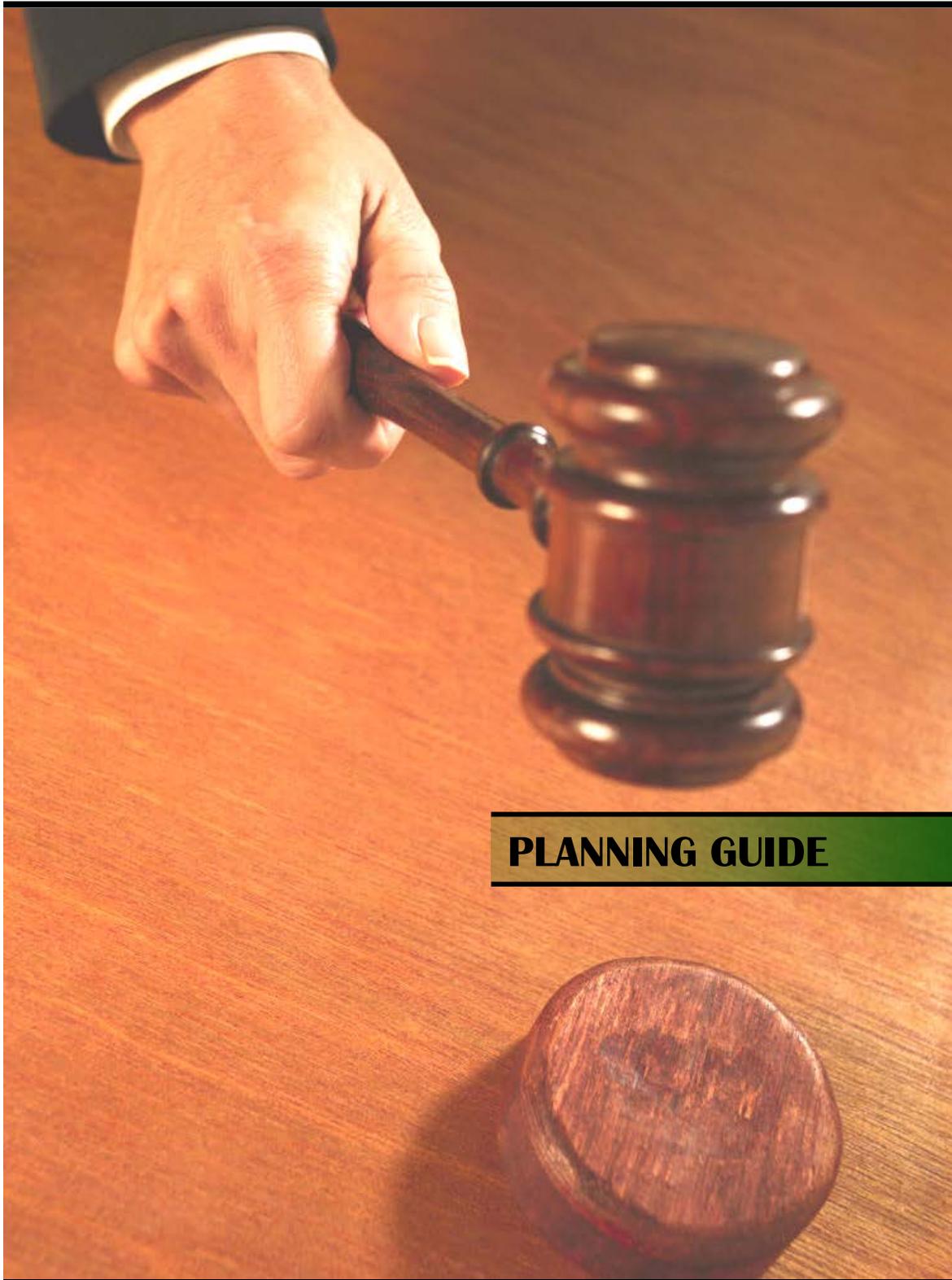


DAY ON THE BENCH



PLANNING GUIDE

Co-sponsored by:

Judicial Council of California
Administrative Office of the Courts
Office of Governmental Affairs
770 L Street, Suite 1240
Sacramento, CA 95814

California Judges Association
88 Kearny Street, Suite 1850
San Francisco, CA 94108

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Collaborative Program Goals

Because partnerships between judges and legislators benefit each branch, the mission of the Day on the Bench Program is to:

Build effective working relationships between the judicial branch and the California Legislature;

Effectively convey judicial branch issues through direct communications with judges and court leaders; and

Provide an opportunity for members of the Legislature and their staff to observe the judicial process so they might understand the volume, complexity, and variety of the daily responsibilities of the court and the reality of working conditions, including issues surrounding security and facility capacity.

California Judges Association Goals

- I. Preserve and promote the integrity and independence of the State Judiciary. Uphold the quality of justice and foster public confidence in the courts.
- II. Support and enhance the well-being and effectiveness of its active and retired judicial officers.
- III. Strengthen relationships among the three branches of government so as to achieve equal justice for all.

Source: California Judges Association Strategic Plan

Judicial Council of California Goals

- I. All Californians will have equal access to the courts, equal ability to participate in court proceedings, and will be treated in a fair and just manner. The judiciary will be an institutionally independent, separate branch of government that seeks, uses, and accounts for public resources necessary for its supports. The independence of judicial decision making will be protected.
- II. Justice will be administered in a timely, efficient, and effective manner that utilized contemporary management practices; innovative ideas, highly competent judges, other judicial officers, and staff; and adequate facilities.
- III. Judicial branch services will be responsive to the needs of the public's understanding, use of, and confidence in the judiciary.
- IV. The effectiveness of judges, court personnel, and other judicial branch staff will be enhanced through high-quality continuing education and professional development.
- V. Technology will enhance the quality of justice by improving the ability of the judicial branch to collect, process, analyze, and share information and by increasing the public's access to information about the judicial branch.

Source: Judicial Council of California Strategic Plan

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Planning Materials and Best Practices

PURPOSE

The “Day on the Bench” (DOTB) program brings a legislator to a court in his or her district for a half-day visit and tour. Each visit is individually tailored and designed to give legislators a personal understanding of the volume, complexity, and variety of a judge’s daily duties and responsibilities, as well as the extensive responsibilities of court clerks and administrators. This experience is intended to impress upon legislators the significant role played by the courts and the justice system, their impact on the daily lives of our citizens, and the need for legislators' support. It is anticipated that this deeper understanding of the difficult job of our courts will come to mind as legislative decisions are made. The DOTB program was begun in 1995, and has been overwhelmingly successful and well-received by judges and legislators.

The purpose of these Best Practices is to assist presiding judges, court executives, and other court staff who plan to host a local legislator or legislative staff for the DOTB program. The following suggestions were taken from surveys completed by courts that have hosted legislator and staff visits. These practices offer suggestions on opening the lines of communications with the legislator and key staff, and propose activities during and after the DOTB visit.

BEST PRACTICES

1. Establishing contact with the legislator and his/her senior legislative staff

- a. For initial planning assistance, complete and submit the Program Information Request Form, which can be found in the back of the DOTB briefing guide or online in the Bench-Bar Coalition (BBC) toolkit.
- b. Ongoing relationships are the most successful tool to initiate contact with legislators.
- c. Identify judges within the court who have personal or professional relationships with legislators. CJA and the BBC provide a Legislative & Executive Contact Form as a tool to help in this identification process.
- d. If a judge has a personal or professional relationship with a legislator and/or senior legislative staff member, ask the judge to send a written invitation co-signed by the presiding judge. The judge, presiding judge, or the court executive officer should make a follow-up call to the legislator’s office to establish personal contact with him or her, to ensure that the legislator is aware of the invitation, and to encourage him or her to visit the court. If the legislator is unable to schedule a visit, consider alternatively inviting the legislator’s senior staff member(s).
- e. If there are legislators who represent the county, but with whom no judge in the court has a personal or professional relationship, the presiding judge and/or court executive officer

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should request an appointment to visit them in the legislators' district office. During that scheduled visit, the presiding judge and/or court executive officer (CEO) should provide the legislator with information about their court, discuss issues that are affecting constituents' access to justice, and invite the legislator to participate in the DOTB program.

2. Scheduling the court visit

- a. Like judges, legislators have demanding schedules, and legislators must divide their time between Sacramento and their districts. Begin planning the visit no later than 6 to 8 weeks in advance. Host one legislator at a time, and limit the meeting to no longer than 3 to 4 hours.
- b. Familiarize yourself with the legislative calendar. Calendars for the Assembly and Senate can be found on their respective Websites: www.assembly.ca.gov and www.senate.ca.gov. The calendars detail legislative holidays, fiscal and policy committee meeting deadlines, and other legislative events that should be avoided when scheduling events. Legislators tend to spend more time in their districts during the spring, summer, and final recesses.
- c. Legislators typically return to their district offices from Sacramento on Thursday afternoons. Fridays are often the best days to schedule visits, but they tend to fill up months in advance.
- d. Discuss dates with the legislator's district office manager or scheduler to arrange a courthouse visit and to avoid conflicts. Always direct scheduling inquiries and follow-up calls to his or her attention.
- e. Develop a rotating schedule to ensure that all legislators are invited to visit a court in their county or district at least every one or two years.
- f. Once a date has been set for a DOTB, be sure to fill out a Visit Status Form Program, which can be found online at <http://www2.courtinfo.ca.gov/bbc/outreach.htm>.

3. Planning the tour

- a. Research your legislator's areas of interest. Ask the legislator's staff in advance if the legislator and/or constituents have any outstanding issues or concerns with the local court. Also research any key legislation the legislator is carrying that relates to court or legal process issues. During the court visit, be prepared to address these bills or issues with the legislator and/or staff members. Also, be prepared to discuss the impact of any court-related bills that a legislator has authored or sponsored. You can find legislative summaries and status charts at <http://www.courtinfo.ca.gov/courtadmin/cr-legis.htm> and at <http://www.caljudges.org/members/legislation.vp.html>. (CJA Website access is generally restricted to current CJA members. For CJA membership and Website information, please call 1-866-432-1CJA.)
- b. The Office of Governmental Affairs (OGA) and/or the Administrative Office of the Courts (AOC) staff are ready to assist with any pre-meeting preparation or questions that may

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arise. Consider inviting an OGA representative or an AOC regional director, especially when the DOTB is for legislative staff, who may ask more detailed questions.

- c. Be aware that many legislators are not attorneys and that a brief presentation about court operations will be helpful to give them a better understanding. You may wish to provide materials with local and statewide information that includes caseload statistics and the number of individuals who interact with the court every year as case participants, jurors, etc. These numbers should be reinforced during the tour, demonstrating the court's efficient use of public resources.
- d. Most legislators would prefer the tour to revolve around their areas of interest. Highlight a program that is unique to your court, especially if the legislator was instrumental in authoring or voting for legislation that established the program.
- e. The presiding judge or the court executive officer should conduct part of the tour. Try to underscore issues and challenges facing the court through an in-person demonstration. Keep the tour interesting by including a visit to a hearing or trial in session. Place an emphasis on issues facing high-volume courts; highlight areas of concern and identify major challenges that impact the court's daily operation (e.g. judgeships, facilities issues, etc.); walk the legislator or staff member through any parts of the courthouse facility in particular need of repair, and visit any crowded lock-up facilities or trial court floors where the jurors and/or defendants are congregated.

Discuss how these issues affect the local constituents' access to justice. In brief, be creative in thinking of ways to bring court issues and concerns to life during the tour!

- f. Previous successful DOTB visits have included lunch, which provides an opportunity for court leadership, other judges, local bar members, legal services leaders, and other key court users to meet with the legislator.

4. Following up with the legislator

- a. Each encounter should result in follow-up contact with the legislator or staff. Be sure to ask the legislator to fill out the DOTB Legislator Evaluation Form. The judge or CEO should fill out the DOTB Host Evaluation Form and mail it to the OGA and CJA. These forms can be found online at <http://www2.courtinfo.ca.gov/bbc/outreach.htm>.
- b. Be sure to follow up on issues of interest to the legislator or staff during the visit. Contact the OGA and CJA to inform staff of any concerns the legislator may have, key focus points, and to assist you in responding to any request for follow-up information. Call or write the legislator and/or staff member to offer more information on issues the legislator expressed interest in during the visit.
- c. Ask the court's public information officer to do a press release praising the visit and noting concern demonstrated by the legislator. Share the draft release with the legislator's chief of staff or press secretary prior to releasing it.

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- d. Invite the legislator to court activities such as Adoption Saturday, Drug or DUI court graduation, or new judges' swearing-in ceremonies. Other possibilities for meetings include:
 - Coordinating with the courts in your Assembly Member's or Senator's district for a "Meet Your Judges" night to get acquainted and provide information to the legislators about the courts.
 - Holding an evening open house at a court, or in a community center, with an invitation to community leaders to meet with their judges and legislators.
- e. Consider hosting an annual legislators' luncheon and/or an annual legislative staff seminar as a meet-and-greet activity. This could also be used as an opportunity to present and discuss issues.
- f. Invite the legislator to personal meetings with the presiding judge over coffee or lunch.
- g. Consider inviting your legislators to attend a meeting of the criminal justice cabinet (members typically include judges, district attorneys, public defenders, law enforcement officers, etc.), a domestic violence coordinating council, or a citizen's advisory committee. These are often ideal opportunities for legislators to learn about issues of concern to the court and the justice community at the local level.

Suggested Agenda for a Trial Court Visit

- | | |
|-------------------|--|
| 8:00 A.M. | GREET THE LEGISLATOR OR STAFF IN JUDGE'S CHAMBERS |
| 8:30 A.M. | COURT FACILITY TOUR |
| 9:00 A.M. | COURTROOM OBSERVATION |
| 11:00 A.M. | LUNCH DEBRIEFING SESSION |
| 12:30 P.M. | CONCLUDE VISIT |

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Program Information Request Form

I am interested in arranging a Day on the Bench visit for the following legislator*:

Legislator's Name: _____

California State Senator

California State Assembly Member

I have spoken with the above legislator his/her staff about participation in the "Day on the Bench:" Approximate date contacted: _____

If staff, provide legislator's staff contact information:

Name: _____

Title: _____

Phone: _____ Fax: _____

Email: _____

Please contact me with more information regarding legislator visits:

Name: _____

Title: _____

Court or Office: _____

Address: _____

City and zip code: _____

Phone: _____ Fax: _____

Email: _____

** If you plan to host more than one legislator, please complete a separate sheet for each member.*

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Please send the completed form to:

Dia S. Poole
AOC/Office of Governmental Affairs
770 L Street, Suite 1240
Sacramento, CA 95814
Tel: (916) 323-3121
Email: dia.poole@jud.ca.gov
Fax: (916) 323-4347

Jordan Posamentier, Esq.
California Judges Association
88 Kearny Street, Suite 1850
San Francisco CA 94108
Tel: (415) 263-4604
Email: jposamentier@caljudges.org
Fax: (415) 263-4605

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Where to Find Legislative Information

➤ General Bill Information Resources

To find the most up-to-date bill information, go to www.leginfo.ca.gov. This is the official site for California legislative information. Here you can search for bill text by bill number, author or subject area. You can also find bill histories (the dates of action, committee votes, and amendment dates), previous versions of the bill, committee analyses from the legislative policy committees (ex: Senate Judiciary Committee analyses), and floor vote information.

Other California legislative information is also available at www.legislature.ca.gov including California State Senate and Assembly home pages, as well as the individual legislator home pages and legislative calendar information. For more detailed information, visit the “Overview of Legislative Process” at http://www.leginfo.ca.gov/guide.html#Appendix_A.

➤ Judicial Council Position Information

Information on the legislation of interest to the judicial branch, the status of Judicial Council-sponsored legislation, and the Council’s position on current legislation can be found on line at: <http://www.courtinfo.ca.gov/courtadmin/cr-legis.htm>.

To access the list of bills of interest by subject matter category, click on the category of interest or click on “Judicial Council-Sponsored Legislation” to view council-sponsored bills.

To access a status report, including the council’s position on legislation considered by the Judicial Council’s Policy Coordination and Liaison Committee (PCLC) during the legislative session, click on the current or prior year in the green box titled “Legislation Status Charts.”

To access a summary of legislation of interest to the courts, scroll down to the box titled “Legislative Summaries” and click on the current or prior year.

You may also obtain more information by contacting the Administrative Office of the Courts’ (AOC) Office of Governmental Affairs (OGA) at (916) 323-3121.

➤ California Judges Association Position Information

Information on CJA’s current legislative watch list and a list of CJA’s positions on current legislation is available at www.caljudges.org. Look under the “Legislation” tab located on the homepage. Website access is generally limited to current CJA members. For CJA membership and Website information, please call 1-866-432-1CJA.

You may also obtain more information by contacting Jordan Posamentier, Esq. Legislative Counsel, at (866) 432-1CJA.

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About the Program Co-Sponsors

About the California Judges Association

Established in 1929, the California Judges Association (CJA) is the nation's largest professional association representing over 2,700 active and retired California judges, justices and commissioners. Its mission is to promote judicial excellence to achieve fair and impartial justice.

CJA's board is composed of 26 representatives democratically elected by geographic districts, including one elected representative from the California Court Commissioners Association and three elected retired judges.

CJA publishes the VOICE, a monthly bulletin on issues of common interest; The BENCH, a quarterly magazine; and guidebooks on elections, retirement, spousal survival and other issues. CJA's Ethics Hotline presently is the only resource whereby a judicial officer may receive immediate, confidential, practical, reliable and free advice on an ethics issue.

CJA's remarkable history includes such creations as the Center for Judicial Education and Research (CJER), the Judicial College, and California's first Code of Judicial Ethics. The Association continues to be a vital resource for judges, legislators, and the public. CJA is the voice of California's judiciary. For more information please contact CJA at (866) 432-1CJA.

About the Administrative Office of the Courts

The Administrative Office of the Courts (AOC) is the staff agency of the Judicial Council of California, which is the policy making body for the state court system responsible for improving the statewide administration of justice in California. Chief Justice Ronald M. George serves as chair of the Judicial Council. William C. Vickrey is the Administrative Director of the Courts, and Ronald G. Overholt is the Chief Deputy Director. Based in San Francisco, the AOC maintains three regional offices.

Under the direction of the Chief Justice and the 27-member council, the AOC is responsible for a variety of programs and services to improve access to a fair and impartial justice system. The AOC serves the courts for the benefit of all Californians by advancing excellence, leadership, and service in the administration of justice. The AOC provides direct and indirect services to 2,000 judicial officers and 20,000 trial and appellate court employees of 65 courts at over 450 locations. AOC staff also work with the Judicial Council and members of its 16 advisory committees, 11 task forces, and a number of commissions and working groups, helping the council to shape branchwide policy and create innovative programs essential to advancing the administration of justice in California's court system.

The Day on the Bench program is staffed by the AOC's Office of Governmental Affairs (OGA). Directed by Curtis L. Child, OGA's mission is to promote and maintain effective relations with the legislative and executive branches of government and to present the Judicial Council's recommendations on legislative matters affecting the courts pursuant to constitutional mandate. (Cal. Const., art. VI, sect. 6).

OGA seeks to promote effective communications within the judicial branch and with the legislative and executive branches of state government through numerous outreach and information programs which include DOTB and the Bench-Bar Coalition (BBC). For more information about the AOC and OGA outreach programs, please contact the Office of Governmental Affairs at 916-323-3121.