

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**
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Report

TO: Members of the Judicial Council

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SUBJECT: Update of the Judicial Workload Assessment and New Methodology for
Selecting Courts with Subordinate Judicial Officers for Conversion to
Judgeships (Action Required)

Issue Statement

With the passage of SB 56 in the most recent legislative session and the Governor's signature, fifty new judgeships will be created in those trial courts that the Judicial Council identified as having the greatest need for new judicial officers. These fifty judicial officers, however, are only the first of 150 judicial officers that the council directed staff to seek in a three-year allocation plan approved in 2004. This report updates the judicial workload assessment from 2004 with the most recent filings data to ensure that the trial courts with the greatest need are on the priority list of the remaining 100 judicial officers that AOC staff will seek in the next two years. In addition, this report uses the judicial workload methodology of weighted filings to evaluate the appropriate use of Subordinate Judicial Officers (SJOs) in the trial courts and to identify those courts which would be eligible for conversion of subordinate judicial officer positions to judgeships upon enactment of legislation providing for such conversion.¹

Summary of Recommendations

Staff recommend that the Judicial Council:

¹ Assembly Bill 159 (Jones), introduced on January 18, 2007, is the council's sponsored legislation to seek new judgeships, appellate positions, and conversion of eligible SJOs.

1. Approve the updated priority ranking for 100 judgeships in the remaining two years of the plan approved by the Judicial Council in 2004 (See Attachment A);
2. Approve the methodology for selecting courts whose SJO positions should be converted to judgeships;

Rationale for Recommendation 1

In the current fiscal year, Senate Bill 56 will provide for the creation of 50 new judgeships in trial courts with the most critical need for judicial officers. While the creation of a sufficient number of judges to manage the workload of the courts is a top priority for the Judicial Council, these 50 judgeships represent only the first of 150 judgeships for which the Judicial Council directed staff to seek legislative authority and funding over three years. In August, 2004, the council approved a plan to seek 50 new judgeships per year over three years based on the judicial workload model maintained by the AOC's Office of Court Research and approved by the council in 2001.²

This report updates the 2004 report to the Judicial Council to facilitate long-range capital planning and to ensure that the priority ranking of courts is based on the most accurate and up-to-date information. The model takes into account planning decisions based on the 2004 allocation, prioritizing these positions, and then updates the rankings of the remaining courts based on new information.

Specifically, the council has approved long-range capital plans for construction of the Antioch courthouse, and these plans have moved forward with the site-selection process and with approvals by the Legislature and the Governor's office. For this reason, the numbers for Contra Costa have been fixed at the number established in the 2004 report. All other rankings in this report are based on a recalculation of the priority list using the methodology approved by the Judicial Council in 2001 and 2004 and written into SB 56. Details of the methodology for determining the number of judgeships needed and for creating a priority ranking of courts can be found in the Judicial Council reports of August and October of 2001. The key elements of those methodologies follow:

To Calculate the Need for Judgeships:

- A time study of more than 300 judicial officers was used to determine the amount of time that judicial officers spend on 18 different case types;
- These time estimates were used to create case weights so that filings data can be converted to workload estimates (e.g., the average felony filing takes 185 times longer to process than the average infraction filing);

² See *A New Process for Assessing Judicial Needs in California*, Judicial Council of California, August 24, 2001, *Results of Statewide Assessment of Judicial Needs Including List of Recommended Judgeships*, Judicial Council of California, October 26, 2001, and *Update of Judicial Needs Study*, Judicial Council of California, August 27, 2004.

- The workload required to process the existing caseload is calculated on the basis of three-years average filings data to minimize the impact of short-term or one-time fluctuations in filings data;
- These data are converted into an estimated number of judgeships by dividing by the amount of time available to judicial officers in a given year;
- The number of Authorized Judicial Positions (AJP) that a court has is subtracted from the judicial need to determine the gap or the *net* need.

To Create a Priority List of Courts with the Greatest Need for New Judgeships:

The methodology used to calculate rankings is based in part on the Equal Proportions Method, the technique that has been used since 1940 by the United States Congress to apportion seats in the House of Representatives after a new census is taken.³ Where seats in the House of Representatives are apportioned on the basis of population, this methodology has been adapted to apportion each judicial officer on the basis of judicial need.

Some minor adjustments to the Equal Proportions Method have been made to provide consideration for courts with the greatest need relative to their current complement of judicial officers, as well as to ensure improved access to courts for the greatest number of the public. A more technical explication of the ranking methodology is contained in Attachment B.

- First, the ranking score derived from the Equal Proportions Method for each needed judgeship is multiplied by a percentage factor based on the number of *additional* judgeships needed for each court as a percentage of the *total* number of judicial officers needed in each court. This adjustment would prioritize a small court needing one additional judgeship over a larger court that also needs one judgeship;
- A second adjustment takes into account the value of the first judgeship to a court compared with the value of second and subsequent judgeships. The ranking score is divided by “1” for the first new judgeship needed by each county, by “2” for the second, and so on. This adjustment will give greater weight to a court’s first new judgeship and less weight to a court’s second and subsequent judgeships;
- A threshold is established that prevents any court from getting on the list before it has a minimum of one full-time equivalent need for new judgeships. This threshold was established as a means of ensuring that new resources are not

³ See <http://www.census.gov/population/www/censusdata/apportionment/computing.html>

under-utilized but, rather, provide the greatest impact in terms of meeting the needs of the public.⁴

Findings and Allocation Recommendations

There has been some modest growth in filings statewide since the 2004 update of the model. When the filings data are weighted to take into account the different amounts of time required for processing cases of different levels of complexity, they show that the total statewide need for judicial officers has increased by a little over sixty judgeships. Thus, even with the addition of the 50 new judgeships created by SB 56 and minor corrections to the numbers of authorized SJOs, the *net* need for judicial officers statewide has actually increased slightly, from 356 to 361.

Despite the growth in workload, the general allocation plan remains largely similar to the 2004 plan. Seventy-six of the 100 judicial positions in the current plan are scheduled to go to the same courts that they were assigned to in the 2004 plan. Moreover, all but one of the 27 courts on the 2004 allocation remain on the 2007 allocation plan.

The 24 judicial positions that have been reassigned in the new rankings change as a result of filings growth, declines in filings, or a change in judicial need relative to other courts. Attachment C compares the final two years of the allocation plan approved by the Judicial Council in 2004 with the current proposal.

It should be noted that if the number of judges a court is assigned in the allocation table falls relative to the 2004 allocation plan, this does *not* necessarily mean that the court no longer has a need for the number of judicial officers identified in 2004. When the Judicial Council first approved this proposal in 2001 and updated it in 2004, it acknowledged that there was judicial need that might not be met in the short term but that the council should seek the most urgently needed 150 judgeships first. Although the number of judges assigned to some courts in the 2007 allocation plan is lower than the number assigned in 2004, these courts may still need judicial officers beyond those listed. On the basis of the updated data, however, their need is not ranked as highly as that of other courts.

There are four types of changes in the current allocation table that distinguish this proposal from the 2004 plan:

⁴ Several small courts have expressed concern that establishing this threshold makes it difficult for small courts with a large relative need to get on the priority list for new judgeships. For example, a two-judge court with a net need of 25 percent of its AJP would not clear this threshold condition to make the priority list because even that relatively large need represents only an absolute need of .5 of an FTE. In contrast, a relative deficit of 25 percent in any court with greater than four AJP is greater than one FTE and, therefore, satisfies this requirement for placement on the priority list.

1) Courts that were not previously on the allocation list but have been added in 2007:

Court	Recommended Allocation	Change from 2004 Plan
• Del Norte	1	+ 1
• Humboldt	1	+ 1
• Yolo	1	+ 1

2) Courts that were previously on the allocation list but whose need has increased:

Court	Recommended Allocation	Change from 2004 Plan
• Fresno	7	+ 1
• Monterey	2	+ 1
• Placer	4	+ 3
• Riverside	13	+ 1
• Sacramento	11	+ 2
• San Joaquin	6	+ 1

3) Courts that were previously on the allocation list but whose need has fallen:

Court	Recommended Allocation	Change from 2004 Plan
• Butte	1	- 1
• Los Angeles	2	- 3
• Madera	1	- 1
• San Bernardino	14	- 1
• San Diego	1	- 1
• Shasta	2	- 1
• Sonoma	2	- 1
• Ventura	1	- 2

4) One court that was on the 2004 allocation list that is no longer on the 2007 list:

Court	Recommended Allocation	Change from 2004 Plan
• Tehama	0	- 1

These changes in the priority list for 2007 highlight the value of periodically updating the judicial workload assessment. By taking into account changes in workload since 2004, the branch can adjust its recommendations for resource allocation accordingly. As planning decisions are made on the basis of the council-approved allocation, these numbers are prioritized for subsequent updates to the model.

Rationale for Recommendation 2

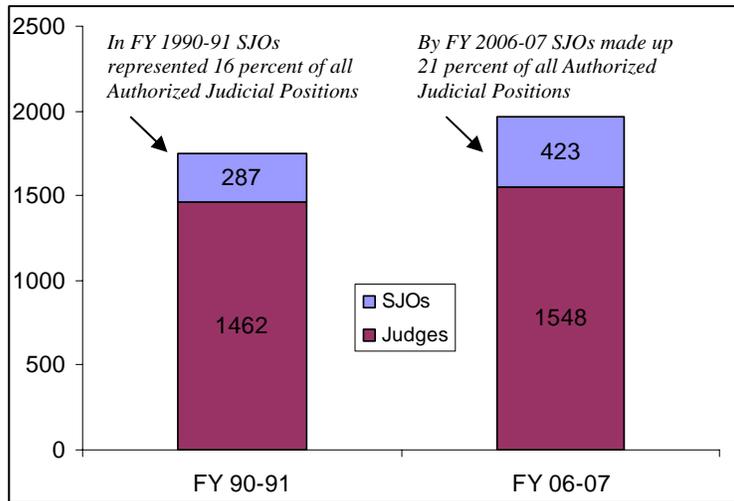
The conversion of Subordinate Judicial Officer (SJO) positions in the trial courts is closely related to the need for new judgeships because it was the absence of new judgeships over many years that led trial courts to create commissioner, referee and hearing officer positions to manage their workload. Since Fiscal Year 1990-91 the number of new judgeships has increased by only six percent – even factoring in the 50 new judgeships created by SB 56 – while the number of new SJO positions has grown by 47 percent.

These uneven growth patterns have led to an imbalance between the number of judges and SJOs in the trial courts. Because there are certain case types and matters that the Judicial Council has indicated should only be heard by judges and not SJOs, some courts now have a sufficient number of total judicial officers (SJOs and judges combined) but too few judges to ensure that SJOs are handling only subordinate judicial functions as prescribed by the Judicial Council.⁵ Other courts may still have an unmet need for judicial officers as a whole *and* have an imbalance in the number of SJOs relative to judges.

Figure 1 shows this growing imbalance. While SJOs represented only 16 percent of all authorized judicial positions in Fiscal Year 1990-91, this year – even with the 50 new judgeships created by SB 56 – SJOs will represent over 21 percent of all authorized judicial positions.

⁵ See *Subordinate Judicial Officers: Duties and Title*, Report of the Subordinate Judicial Officer Task Force, July 2002.

Figure 1:
The growth of SJO positions without equivalent growth in the number of judges has led to an imbalance in the proportion of SJOs in the trial courts.



Working with staff from the Office of Governmental Affairs (OGA), Office of Court Research (OCR) staff have adapted the methodology used for evaluating total judicial workload and applied it to the question of how many SJOs a court *should* have to meet subordinate judicial workload demands. This methodology can be used as a guide for determining the courts in which the AOC should seek the conversion of SJOs and the number of SJO positions to be converted.

In the most recent legislative session the Legislature failed to act on proposed legislation that would have converted 161 SJO positions into judgeships. Adapting the methodology for estimating judicial need to identify those SJO positions that should be converted to judgeships provides a transparent rationale for AOC staff to use in working with the Legislature on this issue. In anticipation of council action on this item, and in recognition of legislative support for the council’s judgeship methodology, Assembly Bill 159, the council’s sponsored judgeship legislation, provides that the determination of which courts are eligible for conversion of SJO positions is based on criteria approved by the Judicial Council.

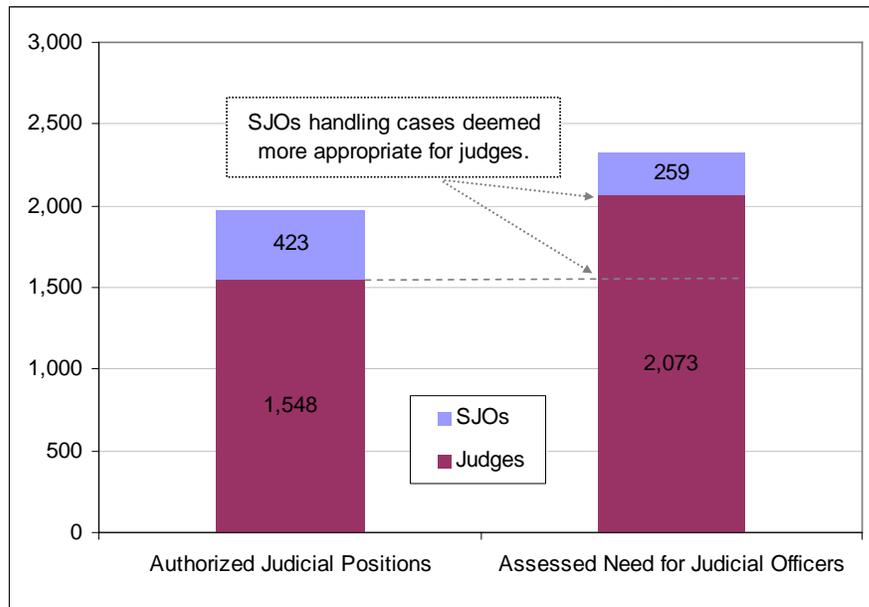
Attachment D provides a detailed explanation of the methodology for identifying the judicial workload that is appropriate to SJOs. The key elements of the methodology are the following:

- The workload for those case types in which the Judicial Council determined that it is appropriate for SJOs to handle *all* matters – Infractions and Small Claims – is calculated;
- The workload for those matters within case types that the Judicial Council determined that it is appropriate for SJOs to handle *some* matters is estimated;

- These two numbers are added together and used as the total estimated workload for cases and events within cases that it is appropriate for SJOs to process.

Figure 2 below shows the difference between the current number of authorized SJO positions – 423 – and the assessed workload that can properly be handled by SJOs – 259. The difference between these two figures is approximately 164 existing SJO positions statewide that should be considered for conversion to judgeships.

Figure 2:
Although there are currently 423 authorized SJOs currently working in the trial courts, the evaluation of workload indicates that only 259 of them are performing duties appropriate to their classification, a difference of about 164 SJO positions.



Based on the methodology described above and explained in detail in Attachment D, Attachment E shows the courts and the number of SJO positions that should be converted in each court with authorized SJOs above their current need. Attachment F shows the full list of all superior courts with their estimated judicial need disaggregated into the two components of workload identified here: workload appropriate for SJOs and workload appropriate for judges.

Assuming that conversion of SJO positions to judgeships should only occur when the need exceeds a Full-Time Equivalent (FTE) position, all courts with a need of less than one FTE do not qualify for conversion. As a result of rounding down the numbers, the statewide total of SJO positions that should be converted to judgeships is 162.

For courts in which SJO positions are identified for conversion (a total of 25 courts), the number of authorized SJO positions represents approximately 25 percent of their total

bench on average. After their SJO positions are converted to judgeships over time, the SJO to judge ratio in these courts would decline to about 15 percent on average.

Alternative Actions Considered

In developing the proposed policy, AOC staff considered alternatives, as described below:

Increase the number of judicial officers being sought to take into account a slight growth in workload since the last update of the judicial needs study

As noted above, the number of filings has grown modestly since 2004 leading to approximately three percent growth in the statewide need for judicial officers. Already, even with the creation of the 50 new judgeships in the current Fiscal Year, the *net* need for new judgeships has increased by approximately five judicial officers statewide. If this growth in filings continues, the workload in the trial courts could out-pace the growth in the number of new judicial officers proposed in the remaining two years of the allocation plan.

However, it does not seem practical at this time to increase the number of judgeships being sought. Rather, because SB 56 directs the Judicial Council to update the evaluation of judicial need every two years beginning in November of 2008, that would provide the opportunity for the council to reevaluate the need for judgeships above the 150 in the current plan.

Seek the remaining 100 judgeships using the allocation plan from 2004

It could be argued that the 2004 model should continue to be used for the purpose of identifying each court's need for new judgeships because steps have been taken in reliance on that model. Once the council has determined that a court needs new judicial officers, it should direct staff to seek legislation and funding for these positions until the allocation plan has been completed. Only then, after the entire allocation has been achieved, should the council revisit the plan.

Yet, differences between the 2004 and 2007 plan are driven not only by changes in the number of filings; they are also driven by the improved reporting of SJO numbers since 2004. Thus, the current numbers are more reliable than those in 2004, and therefore the 2007 allocation plan will be more accurate. Moreover, where specific policy decisions are made on the basis of an updated plan, these numbers can be maintained to provide the stability necessary to long-range planning.

SB 56 directs the Judicial Council to report to the Legislature on the need for judicial officers every two years. This suggests that the Legislature and the Governor understand that there will inevitably be some movement over time in the number and location where

new judicial officers are needed. Updating the model now reinforces the judicial branch's intention to seek the creation of these new judgeships.

Comments from Interested Parties

None; the proposal was not circulated for comment.

Implementation Requirements and Costs

AOC staff will seek to ensure that any legislation creating new judgeships or providing for the conversion of SJOs to judgeships includes funding to cover all associated costs.

Attachment A

Proposed Allocation of 100 New Judgeships in Fiscal Years 2007-08 and 2008-09

County	FY07-08	FY08-09	Total
Butte	1	0	1
Contra Costa	1	1	2
Del Norte	1	0	1
Fresno	4	3	7
Humboldt	0	1	1
Kern	3	2	5
Kings	1	0	1
Los Angeles	1	1	2
Madera	1	0	1
Merced	2	2	4
Monterey	1	1	2
Orange	1	2	3
Placer	2	2	4
Riverside	7	6	13
Sacramento	6	5	11
San Bernardino	7	7	14
San Diego	0	1	1
San Joaquin	3	3	6
San Luis Obispo	0	1	1
Santa Cruz	0	1	1
Shasta	1	1	2
Solano	1	2	3
Sonoma	1	1	2
Stanislaus	2	2	4
Sutter	0	1	1
Tulare	2	2	4
Ventura	0	1	1
Yolo	1	0	1
Yuba	0	1	1
Total	50	50	100

Attachment B

Technical Detail of Methodology for Calculating Rank Order of Judicial Need

Three steps are taken to calculate the rank order assigned to judgeships for purposes of establishing a priority list.

First, the total net need of each judicial officer in every court expressed as minutes is multiplied by the geometric mean of the ordinal ranking of that judicial officer. This allows for a ranking to be created by assigning different values to the judgeships that a court needs with the first judgeship having the greatest value and subsequent judgeships having less value.

Second, these rankings are multiplied by the remaining *relative* need for judicial officers in each court. This ensures that the rankings take into account the amount of need for each additional judicial officer in a court *expressed as a percentage of the court's total need, thus* diminishing the value of judgeships in courts with small relative need.

Third, each judgeship's ranking is divided by the number that the judgeship represents for the court. For example, the ranking of a court's first judge is divided by one and so the value of the ranking remains unchanged; the ranking of the court's second judge is divided by two, diminishing the ranking of the judge by one half. This improves the likelihood of a court receiving its first judgeships in the model prior to another court that has already been allocated a judgeship receiving a second judgeship.

For purposes of illustration, Figure B1 below shows the first six judicial officers that are allocated according to the revised 2007 filings data.⁶ The ranking scores are expressed in minutes of judicial need multiplied by the formulas described above. It is helpful to note how quickly these permutations diminish the value of the second judicial officer for San Bernardino and Riverside but also to note that, even with diminished value, these courts' need for a second judicial officer still outranks the value of the first judicial officer for all other courts except Sacramento and Fresno.

**Figure B-1:
Final Ranking Scores of Six Courts**

Priority Rank	Court	Ranking Score
1	San Bernardino	1,390,425.6
2	Riverside	1,324,623.5
3	Sacramento	862,687.8
4	Fresno	465,466.0
5	San Bernardino	394,719.1
6	Riverside	375,594.2

⁶ Contra Costa is excluded from this table because its position on the allocation table was locked into place for facilities' planning on the basis of the 2004 report.

The statistical model runs iteratively. It ranks and assigns the court with the greatest need the first judgeship, then assigns the next judgeship using the same methodology up to the final court with a need for one or more FTE judgeships.

Figure B-2 provides the rankings of judicial need from one through 300.

Figure B-2

2007 Ranked List of 300 Judicial Officers (1-100)

Priority Rank	Court	Ranking Score	Priority Rank	Court	Ranking Score
1	Contra Costa*	40,912.1200	51	Contra Costa*	9,752.4400
2	San Bernardino	1,390,425.6250	52	Solano	26,519.4492
3	Riverside	1,324,623.5000	53	San Bernardino	25,601.5938
4	Sacramento	862,687.8125	54	Placer	24,899.5449
5	Fresno	465,466.0625	55	Stanislaus	24,321.3691
6	San Bernardino	394,719.1250	56	Riverside	24,165.3359
7	Riverside	375,594.2500	57	San Joaquin	23,495.5918
8	San Joaquin	356,625.7500	58	Tulare	21,531.3926
9	Sacramento	243,136.5625	59	Fresno	20,145.9395
10	Kern	237,236.9063	60	Sacramento	19,979.7324
11	Placer	229,755.1875	61	San Bernardino	19,972.1953
12	Stanislaus	216,257.7500	62	Riverside	18,822.8789
13	Tulare	194,952.8438	63	Ventura	18,405.2773
14	San Bernardino	182,931.7969	64	Orange	17,985.5938
15	Riverside	173,855.2656	65	San Bernardino	15,947.7861
16	Merced	159,433.8438	66	Merced	15,656.3271
17	Fresno	128,931.1641	67	Shasta	15,380.6084
18	Sacramento	111,834.4141	68	Kern	15,143.3477
19	Solano	106,403.7656	69	Riverside	15,006.1045
20	San Bernardino	104,449.2656	70	Sacramento	14,992.1191
21	Riverside	99,140.8203	71	San Joaquin	14,324.3174
22	San Joaquin	97,230.5703	72	Los Angeles	13,675.5752
23	Shasta	69,857.3828	73	Fresno	13,503.6533
24	Orange	67,300.8672	74	San Bernardino	12,976.5400
25	San Bernardino	67,034.2031	75	Stanislaus	12,645.8193
26	Kern	64,088.1523	76	Placer	12,616.1182
27	Riverside	63,543.6016	77	Riverside	12,190.0381
28	Sacramento	63,354.1563	78	Yuba	11,802.6475
29	Placer	59,572.2500	79	Monterey	11,675.5840
30	Fresno	58,215.5625	80	Sacramento	11,580.9033
31	Stanislaus	57,010.8242	81	San Luis Obispo	11,491.8311
32	Monterey	51,870.1250	82	Sutter	11,202.0664
33	Tulare	50,976.5039	83	Sonoma	11,074.2080
34	Los Angeles	49,528.3203	84	Tulare	11,056.7256
35	Sonoma	49,058.0117	85	San Bernardino	10,724.1982
36	San Bernardino	46,372.5156	86	Solano	10,523.0596
37	Riverside	43,897.7930	87	Riverside	10,056.7813
38	San Joaquin	43,139.2539	88	Fresno	9,515.3545
39	Sacramento	40,327.3438	89	San Joaquin	9,368.0967
40	Merced	39,618.3320	90	Sacramento	9,152.2041
41	San Bernardino	33,799.6055	91	Kern	9,105.1709
42	Yolo	32,629.6816	92	San Bernardino	8,978.8350
43	Madera	32,535.5645	93	Riverside	8,404.8428
44	Fresno	32,331.1191	94	San Diego	8,269.8418
45	Riverside	31,950.4941	95	Orange	7,798.4937
46	Butte	31,294.5371	96	Santa Cruz	7,760.8604
47	Kern	28,139.0410	97	San Bernardino	7,600.9072
48	Del Norte	27,833.3477	98	Humboldt	7,394.5859
49	Sacramento	27,659.0371	99	Sacramento	7,366.5503
50	Kings	27,451.4063	100	Merced	7,341.0791

* Note that Contra Costa's position on the list is fixed per the 2004 update to the Judicial Needs Assessment for purposes of facilities planning.

Figure B-2 (continued)

2007 Ranked List of 300 Judicial Officers (101-200)

Priority Rank	Court	Ranking Score	Priority Rank	Court	Ranking Score
101	Stanislaus	7,291.1196	151	Kern	2,721.5391
102	Tehama	7,162.9785	152	Riverside	2,675.9460
103	Riverside	7,101.5933	153	San Bernardino	2,588.4443
104	Placer	7,032.9155	154	Sacramento	2,547.4773
105	Fresno	6,950.3813	155	Solano	2,491.7737
106	San Bernardino	6,495.5469	156	Orange	2,443.2380
107	San Joaquin	6,419.2114	157	Fresno	2,437.0066
108	Tulare	6,273.8564	158	Placer	2,413.8479
109	Los Angeles	6,153.5059	159	San Joaquin	2,404.7837
110	El Dorado	6,104.5830	160	Riverside	2,373.4971
111	Riverside	6,056.8906	161	San Bernardino	2,310.0986
112	Sacramento	6,018.7090	162	Tulare	2,288.3762
113	Kern	5,858.8550	163	Sacramento	2,188.9717
114	Yolo	5,825.8940	164	Los Angeles	2,112.5505
115	San Bernardino	5,596.4751	165	Riverside	2,112.0767
116	Butte	5,590.2563	166	San Bernardino	2,067.9270
117	Madera	5,272.8452	167	Fresno	1,930.7898
118	Fresno	5,213.8960	168	Kern	1,911.5045
119	Riverside	5,207.7788	169	Sacramento	1,889.3057
120	Shasta	4,994.5918	170	Riverside	1,884.8263
121	Sacramento	4,978.8003	171	San Bernardino	1,856.1216
122	Solano	4,964.0391	172	San Diego	1,848.8467
123	San Bernardino	4,856.2783	173	San Joaquin	1,774.0216
124	San Joaquin	4,540.8716	174	Stanislaus	1,768.5948
125	Riverside	4,509.2373	175	Merced	1,762.9938
126	Stanislaus	4,452.5713	176	Riverside	1,686.2460
127	San Bernardino	4,240.3325	177	San Bernardino	1,669.9811
128	Sacramento	4,161.4712	178	Sacramento	1,636.7157
129	Orange	4,135.4722	179	Shasta	1,591.0380
130	Placer	4,102.5332	180	Orange	1,539.0239
131	Fresno	3,990.5552	181	Fresno	1,537.7809
132	Monterey	3,949.2168	182	Riverside	1,511.8849
133	Kern	3,937.9275	183	San Bernardino	1,505.6688
134	Riverside	3,928.3972	184	Sacramento	1,422.2010
135	Kings	3,856.1975	185	Los Angeles	1,409.4926
136	Sonoma	3,764.9150	186	Monterey	1,391.0847
137	Tulare	3,750.7175	187	Tulare	1,383.2836
138	San Bernardino	3,722.8894	188	Placer	1,375.4031
139	Merced	3,649.1880	189	San Bernardino	1,360.0293
140	Ventura	3,580.1084	190	Riverside	1,358.1118
141	Sacramento	3,508.8047	191	Kern	1,350.7709
142	Riverside	3,440.8250	192	Sonoma	1,341.6387
143	Los Angeles	3,404.5168	193	San Joaquin	1,308.9622
144	San Bernardino	3,284.4875	194	Sacramento	1,238.7834
145	San Joaquin	3,282.0952	195	San Bernardino	1,230.4496
146	Fresno	3,100.9219	196	Fresno	1,227.9362
147	Riverside	3,028.0581	197	Solano	1,226.2135
148	Sacramento	2,980.4172	198	Riverside	1,221.9420
149	San Bernardino	2,910.2036	199	Del Norte	1,143.7584
150	Stanislaus	2,798.5298	200	San Bernardino	1,114.7516

Figure B-2 (continued)

2007 Ranked List of 300 Judicial Officers (201-300)

Priority Rank	Court	Ranking Score	Priority Rank	Court	Ranking Score
201	Riverside	1,100.9036	251	Fresno	482.7430
202	Stanislaus	1,095.2773	252	San Joaquin	482.5916
203	Sacramento	1,080.9899	253	Sacramento	480.1628
204	San Luis Obispo	1,075.8859	254	San Bernardino	471.3912
205	Yolo	1,052.3685	255	Orange	452.6024
206	Butte	1,011.8970	256	Kern	439.3833
207	San Bernardino	1,011.1082	257	Riverside	439.0258
208	Orange	1,007.5244	258	San Bernardino	428.1079
209	Santa Barbara	1,002.1246	259	Sacramento	417.3419
210	Riverside	992.9376	260	Los Angeles	406.3495
211	Los Angeles	988.1042	261	Tulare	400.0370
212	Fresno	980.4097	262	Riverside	395.3376
213	San Joaquin	958.9076	263	San Bernardino	388.4173
214	Kern	950.5668	264	Fresno	371.2328
215	Sacramento	944.4807	265	Sacramento	361.4514
216	San Bernardino	917.9787	266	Riverside	355.3954
217	Santa Clara	904.6534	267	San Bernardino	351.9606
218	Riverside	896.3176	268	Sonoma	324.0248
219	Ventura	870.7175	269	Stanislaus	319.9615
220	San Bernardino	834.0567	270	San Joaquin	318.8199
221	Sacramento	825.7827	271	Riverside	318.8153
222	Riverside	809.5880	272	Monterey	318.6831
223	Tulare	795.5860	273	San Bernardino	318.4217
224	Fresno	780.3926	274	Los Angeles	313.1106
225	Lake	771.6117	275	Contra Costa	312.6378
226	San Bernardino	758.2290	276	Sacramento	311.5840
227	Riverside	731.5152	277	Orange	301.0761
228	Sacramento	722.0901	278	San Bernardino	287.5210
229	Los Angeles	717.6075	279	Riverside	285.2595
230	Merced	709.5584	280	Fresno	278.0883
231	Placer	706.0759	281	Kern	273.6691
232	San Joaquin	690.8467	282	Sacramento	266.9726
233	San Bernardino	689.5423	283	Placer	259.4007
234	Orange	673.3809	284	San Bernardino	259.0108
235	Riverside	661.0483	285	Riverside	254.4307
236	Kern	657.8326	286	Los Angeles	243.6868
237	Stanislaus	638.5972	287	San Bernardino	232.6711
238	Sacramento	631.1181	288	Sacramento	226.9647
239	San Bernardino	627.1771	289	Riverside	226.0659
240	San Diego	617.7264	290	San Diego	211.4057
241	Fresno	617.1466	291	San Bernardino	208.3058
242	Riverside	597.2876	292	Riverside	199.9326
243	San Bernardino	570.4259	293	Fresno	199.8183
244	Sacramento	550.9921	294	Orange	193.9414
245	Madera	543.7571	295	Sacramento	191.0031
246	Riverside	539.4603	296	Los Angeles	190.8803
247	Los Angeles	534.8414	297	San Joaquin	188.7004
248	San Bernardino	518.6751	298	San Bernardino	185.7397
249	Solano	517.7467	299	Shasta	183.2089
250	Riverside	486.8991	300	Riverside	175.8238

Attachment C

Comparison between 2004 Judicial Council Approved Allocation and Current Proposal

County	Second 50			Third 50			2 Year Total		
	2004 Plan	2007 Update	Change	2004 Plan	2007 Update	Change	2004 Plan	2007 Update	Change
Butte	1	1	0	1	0	-1	2	1	-1
Contra Costa	1	1	0	1	1	0	2	2	0
Del Norte	0	1	1	0	0	0	0	1	1
Fresno	3	4	1	3	3	0	6	7	1
Humboldt	0	0	0	0	1	1	0	1	1
Kern	3	3	0	2	2	0	5	5	0
Kings	1	1	0	0	0	0	1	1	0
Los Angeles	2	1	-1	3	1	-2	5	2	-3
Madera	1	1	0	1	0	-1	2	1	-1
Merced	2	2	0	2	2	0	4	4	0
Monterey	1	1	0	0	1	1	1	2	1
Orange	1	1	0	2	2	0	3	3	0
Placer	1	2	1	0	2	2	1	4	3
Riverside	6	7	1	6	6	0	12	13	1
Sacramento	4	6	2	5	5	0	9	11	2
San Bernardino	7	7	0	8	7	-1	15	14	-1
San Diego	1	0	-1	1	1	0	2	1	-1
San Joaquin	3	3	0	2	3	1	5	6	1
San Luis Obispo	0	0	0	1	1	0	1	1	0
Santa Cruz	1	0	-1	0	1	1	1	1	0
Shasta	2	1	-1	1	1	0	3	2	-1
Solano	2	1	-1	1	2	1	3	3	0
Sonoma	1	1	0	2	1	-1	3	2	-1
Stanislaus	2	2	0	2	2	0	4	4	0
Sutter	1	0	-1	0	1	1	1	1	0
Tehama	0	0	0	1	0	-1	1	0	-1
Tulare	2	2	0	2	2	0	4	4	0
Ventura	1	0	-1	2	1	-1	3	1	-2
Yolo	0	1	1	0	0	0	0	1	1
Yuba	0	0	0	1	1	0	1	1	0

Attachment D

Methodology for Identifying SJO Positions for Conversion to Judgeships

To identify those courts in which there is an imbalance of SJOs relative to judges and the number of SJOs that should be converted, two pieces of information are needed:

- 1) The scope of authority and duties that are considered appropriate for SJOs, and;
- 2) The amount of workload that falls within the appropriate boundary of SJO authority in terms of specific case types and matters.

The scope of authority and duties for SJOs is specified in the Report of the Subordinate Judicial Officer Task Force approved by the Judicial Council in 2002. This report defined SJO duties based on the nature of proceedings across different case types. In two case types, infractions and small claims, all matters are considered appropriate for SJOs to handle. In other case types, the report concludes that it is appropriate only for judges, and not SJOs, to handle the cases. Case types in this category include unlawful detainers, mental health hearings, and the majority of family law and juvenile matters. Additional proceedings across various case types are considered appropriate for judges and not SJOs due to the impact on the parties or the severity of the issues involved, including hearings in criminal cases that could result in imprisonment and adjudications of contested civil matters.

Figure D-1:
The appropriate scope of authority for SJOs depends on the case type⁷

<i>Appropriate for SJOs to handle entire case</i>	<i>Appropriate for SJOs to handle some part of case</i>	<i>Not appropriate for SJOs to handle any part of case</i>
<ul style="list-style-type: none">▪ Infractions▪ Small Claims	<ul style="list-style-type: none">▪ Misdemeanor▪ Felony▪ Limited Civil▪ Unlimited Civil	<ul style="list-style-type: none">▪ Unlawful Detainers▪ Mental Health▪ Most Family Law▪ Most Juvenile

To assess the amount of workload involved in specific case types and matters within case types, then, the duties delineated by the council policy guidelines need to be mapped to the case and event type categories used in the *California Judicial Workload Assessment Study*. This study provides judicial workload standards (estimated in minutes per case) for all major case types. Additionally, workload estimates were subdivided into three broad categories of proceeding per filing including pretrial, trial, and post-trial matters. The number of SJOs (or judges) needed for each case type can be derived by multiplying the relevant workload standard by the number of cases filed in that case type.

Given the two pieces of information described above, the first step in estimating the SJO workload is to apply the judicial workload standards to those case types in which all

⁷ See the *Final Report of the Subordinate Judicial Officer Task Force*, July, 2002.

matters are considered appropriate for SJOs to handle. This includes small claims and infraction cases, and as shown in Figure D-2 below, the assessed number of SJOs needed to handle these two case types statewide is 132, representing approximately 6 percent of total assessed need for all judicial officers.

To estimate SJO needs for additional case types but limited to specific matters that are considered appropriate for SJOs, a portion of the workload standards relating to pretrial matters (excluding all matters in trial and post-trial events as they are considered largely inappropriate for SJOs to handle) as defined in the judgeship needs study was used to calculate the number of SJOs needed. This analysis identified 127 additional SJOs statewide to handle various matters for other than small claims and infraction cases. Combined, the assessment results indicate that statewide approximately 259 SJOs are needed to handle various matters within their proper scope of authority, compared to 423 existing authorized SJO positions.

**Figure D-2:
Using the judicial workload standards, the assessed need for SJOs can be calculated separately from need for judges**

	Assessed Need for Judicial Officers	Percent of Total
SJOs		
All Matters in Small Claims and Infraction Cases	132.3	5.7%
Limited Scope in All Other Case Types	126.9	5.4%
SJO Total	259.2	11.1%
Judges	2,072.7	88.9%
Total Assessed Need for Judicial Officers	2,331.9	100.0%

The gap between the number of authorized SJOs currently working in the courts and the number needed to handle those case types and matters appropriate to SJOs is 164 positions. Rounding this down to eliminate partial positions yields a total proposed for conversion of 162 (See Attachment E).

Attachment E:

Courts Where SJO Positions Should be Converted to Judgeships

County	Number of SJO Positions to be Converted
Alameda	6
Contra Costa	6
El Dorado	2
Fresno	3
Imperial	1
Kern	2
Los Angeles	78
Marin	2
Merced	2
Napa	1
Orange	14
Placer	1
Riverside	6
Sacramento	5
San Diego	7
San Francisco	9
San Luis Obispo	2
San Mateo	2
Santa Barbara	2
Santa Cruz	1
Solano	3
Sonoma	2
Stanislaus	1
Tulare	2
Yolo	2
Total	162

Attachment F

Total Estimated Need for Judicial Officers, 2007 Update

Court	Judge	SJO	Total
Alameda	73.02	10.49	83.51
Alpine	0.22	0.03	0.26
Amador	2.59	0.29	2.88
Butte	15.04	1.58	16.62
Calaveras	2.69	0.30	2.99
Colusa	1.59	0.24	1.83
Contra Costa	41.07	6.15	47.22
Del Norte	4.41	0.56	4.97
El Dorado	9.55	1.15	10.70
Fresno	68.22	6.49	74.71
Glenn	2.15	0.28	2.43
Humboldt	8.83	0.92	9.75
Imperial	10.31	1.35	11.66
Inyo	1.63	0.29	1.93
Kern	53.53	6.05	59.58
Kings	10.55	0.90	11.45
Lake	5.40	0.47	5.88
Lassen	2.84	0.33	3.18
Los Angeles	532.93	76.31	609.24
Madera	11.62	0.96	12.58
Marin	10.41	1.59	11.99
Mariposa	0.97	0.11	1.08
Mendocino	6.23	0.67	6.90
Merced	18.34	1.84	20.18
Modoc	1.69	0.12	1.81
Mono	0.96	0.15	1.11
Monterey	24.13	2.42	26.54
Napa	7.56	0.80	8.36
Nevada	5.41	0.69	6.10
Orange	138.45	20.02	158.47
Placer	22.73	2.59	25.32
Plumas	1.67	0.19	1.86
Riverside	119.38	13.92	133.30
Sacramento	105.63	10.08	115.71
San Benito	3.01	0.40	3.41
San Bernardino	131.30	13.95	145.25
San Diego	140.42	19.01	159.43
San Francisco	57.82	6.93	64.75
San Joaquin	47.48	5.02	52.50
San Luis Obispo	15.63	1.85	17.48
San Mateo	28.45	4.69	33.14
Santa Barbara	22.49	2.85	25.35
Santa Clara	81.14	9.68	90.82
Santa Cruz	13.89	1.68	15.57
Shasta	15.55	1.66	17.21
Sierra	0.38	0.04	0.43
Siskiyou	3.77	0.54	4.31
Solano	28.43	2.89	31.32
Sonoma	25.59	3.00	28.59
Stanislaus	33.50	3.03	36.52
Sutter	6.45	0.66	7.11
Tehama	5.22	0.61	5.84
Trinity	1.09	0.12	1.21
Tulare	31.80	2.82	34.62
Tuolumne	4.59	0.56	5.15
Ventura	31.84	5.22	37.07
Yolo	14.79	1.13	15.92
Yuba	6.28	0.53	6.81
Total	2,072.69	259.20	2,331.89