

SETTING THE RECORD STRAIGHT

What judges and justices think of AB 1208

- 75 percent of trial court presiding judges across the state oppose AB 1208; Judicial Branch leaders oppose AB 1208; the Chief Justice opposes AB 1208; the Judicial Council opposes AB 1208. AB 1208 is intended to give more authority and control to the leadership of the trial courts, yet the presiding judges – the purported beneficiaries of the authority and control promised by AB 1208 – OPPOSE AB 1208, and are urging legislators to vote no.
- Presiding judges fear that two to three will make key policy decisions about how money is spent for all courts, whether or not the vast majority of courts – or even every other court in the state – need or want.

Court Construction:

- The average construction cost for SB 1407 projects is currently \$587 per square foot and is expected to go down.
- A claim that the AOC's estimates are "nearly 8 times higher than other government buildings" has no basis in fact.
- The "\$1,910 per square foot" statistic cited by SEIU is based on the total project budget for the Los Angeles Mental Health Courthouse – a unique facility that has needs unlike ANY other court facility, including an ambulance bay. Even so, the construction budget per square foot is estimated at \$637 per square foot.
- The Associated General Contractors of CA, the largest general contractor association in California, found that courthouse construction costs average at least \$550 per square foot in California.
- An independent group of judges and justices appointed by the Chief Justice sets priorities and cost controls for maintenance and facilities.
- The proponents of AB 1208 insist on reiterating old assertions that have been repeatedly addressed, corrected, and debunked. For more information, helpful fact sheets on the true costs of court construction and maintenance and why the proponents' assertions are simply wrong are available at <http://www.courts.ca.gov/14904.htm> and <http://www.courts.ca.gov/14909.htm>.

AOC Growth:

- The number of employees at the AOC has declined by 13.6 percent in the last three years (from 900 regular employees to 791).
- An outside, independent group of justices and judges are reviewing the AOC—its organization, staffing, and spending, to help ensure it is providing the best service to the courts possible.
- AOC spending for travel and business expenses follow state procedures and are reimbursed at the state rate. Reports on "lavish" spending, or spending on liquor, are flat out untrue. The true facts have been told, but they do not make a good talking point, so the proponents ignore them. Detailed information explaining the truth can be found at <http://www.courts.ca.gov/14910.htm>.

CCMS:

- Once again, the proponents refuse to acknowledge the responses made to the auditor's findings and recommendations, even where the Judicial Council has committed to making changes or has already made changes based on the auditor's finding and recommendations. All of the auditor's recommendations have either been implemented or implementation is substantially complete.
- An independent Judicial Council committee oversees CCMS.
- CCMS works, and has passed two independent reviews. 25% of civil cases in California operate through the CCMS interim civil, small claims, probate, and mental health case module.
- The Judicial Council is developing a deployment plan, which will provide baseline deployment cost estimates for the early adopter courts, provide a phase two deployment plan for additional courts, cost estimates for their deployment, and an analysis of the potential benefits and opportunities of the deployments. A report will be made to the Judicial Council in February.
- The system costs \$400 million to develop over a nine-year period.

BENEFITS TO THE STATEWIDE ADMINISTRATION OF JUSTICE

For the Public

- Improved and more uniform access for all segments of the public across the state
- Increased assistance for unrepresented litigants, particularly in family law matters
- Self-help centers in every county serving 500,000 people a year in 101 locations
- One-day or one-trial rule, limiting waiting time for prospective jurors
- Simplified plain English civil and criminal jury instructions
- Safer and more accessible courthouses
- Expanded Alternative Dispute Resolution programs
- Dedicated complex litigation courts
- Statewide protective order registry for domestic violence
- Designated domestic violence, drug, homeless, and mental health courts to better address causes, decrease repeat offenses, and save the state millions of dollars each year
- Branch website providing information on everything from court locations and proceedings to how to file papers seeking restraining orders to material on the Judicial Council and its activities – and including a Self-help section in several languages
- Easy access on-line to legal forms (7 million forms downloaded each year)
- Creation of a \$10 million per year fund to help legal assistance programs
- Streamlined and uniform court rules and procedures

For the Courts, Judges, and, ultimately, the public:

- No more reliance on highly variable and inconsistent county resources: Twice the amount of trial court funding for the courts than in 1998 — from \$1.5 to \$3.1 billion
- Increased funding for smaller courts to protect access to justice in rural communities
- Focus on improving retention of experienced judges
- Safer courthouses — now and in the future — primarily using dedicated bond funds and shifting responsibility to the state
- Centralized operational services for courts, including legal and contracting assistance; accounting and financial services; a centralized treasury system and trust accounting; representation in hundreds of lawsuits and claims; and hundreds of legal opinions to assist judges and court executives manage their courts.
- Improved training for new judicial officers, and for judicial officers entering new assignments; expanded ongoing training
- More than \$70 million in grants from non-general funds to local courts and court-connected programs
- A greater voice for court leaders in setting statewide policy and adopting rules: more than 400 judges and justices participate every year in Judicial Council Advisory Committees and Task Forces; pending proposals are widely distributed for comment.
- Regular, long term planning for the branch
- Statewide remedies to help address historically underfunded courts
- Statewide studies, rules changes, and recommendations aimed at ensuring courts can continue to operate impartially, independently, and effectively
- Statewide communications to keep courts and judges apprised of current developments in the branch