

January 23, 2012

Members of the California State Assembly
State Capitol
Sacramento, California 95814

Re: AB 1208 (Calderon) – OPPOSE

Dear Assembly Members:

The Administrative Presiding Justices of the California Courts of Appeal stand united in our opposition to AB 1208 (Calderon). This bill crosses the line into issues of fundamental governance of the judicial branch. Judicial branch governance issues are, and must continue to be, the purview of the judicial branch itself, as a separate, co-equal branch of government.

AB 1208 is an attempt to turn back the clock and reverse the incredible advances that we have witnessed within the judicial branch over the last 15 years. In that time, we have transformed ourselves into a true single statewide branch of government the goal of which is to ensure equal access to justice for all Californians, no matter where they live, or in which court they have business. The goal of statewide administration of justice was to bring uniformity in administrative rules and processes, avoid waste, create transparency in financial accountability, and ensure equal access to justice for all Californians. There are fundamental decisions that must be made for the benefit of all Californians and all California courts. AB 1208 moves us away from those benefits of a statewide system. It threatens the uniformity and efficiencies of a statewide system that have improved the public's access to justice.

Chief Justice Tani Cantil-Sakauye has just completed her first year as Chief Justice of California and Chair of the Judicial Council. Already she has taken significant steps to improve transparency and accountability, to bring more courts to the table, and to begin to tackle very challenging and sensitive judicial branch governance issues, including the issues of governance that underpin AB 1208. We believe the Chief Justice will continue to work collaboratively with all parties who are constructively seeking changes to the way in which the judicial branch is governed and operates. The Chief Justice, and the judicial branch as a whole, deserve the opportunity to resolve these fundamental governance issues as a branch.

Our belief that AB 1208 is not in the best interests of the California judiciary is buttressed by the fact that we are joined by the leaders of California's superior courts. This bill is premised on the notion that trial court leaders need to have more power and control. Yet 75% of the presiding judges of the trial courts—the very individuals that would be the beneficiaries of this additional authority—stand with us in opposition to this bill and believe that AB 1208 is not the way to go.

For all of the above reasons, we respectfully request that you vote NO on AB 1208.

William R. McGuiness
Administrative Presiding Justice
Court of Appeal, First Appellate District

Roger W. Boren
Administrative Presiding Justice
Court of Appeal, Second Appellate District

Vance W. Raye
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Brad R. Hill
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