



# The Strategic Plan for California's Judicial Branch

## **PURPOSE OF THE STRATEGIC PLAN**

The Strategic Plan for California's Judicial Branch states the goals and policy directions of the California judicial system. Developed under the direction of the Judicial Council, and informed by a wide variety of stakeholders, the goals and policy direction statements articulate the values that are vital to the effective administration of justice in the state. The plan facilitates a branchwide focus on the use of efforts and resources to perpetuate the values of the branch and ensure systemwide improvements. The strategic plan guides the priorities and work of the Judicial Council, its advisory committees, the trial and appellate courts, and the council's staff agency.

The strategic plan is a statement of the judicial branch's commitment to public service and excellence, and strives to achieve both the judicial branch and Judicial Council missions:

## **MISSION OF THE JUDICIARY**

The judiciary will—in a fair, accessible, effective, and efficient manner—resolve disputes arising under the law and will interpret and apply the law consistently, impartially, and independently to protect the rights and liberties guaranteed by the Constitutions of California and the United States.

## **MISSION OF THE JUDICIAL COUNCIL**

Under the leadership of the Chief Justice and in accordance with the California Constitution, the law, and the Mission of the Judiciary, the Judicial Council of California sets the direction and provides the leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice.



# Guiding Principles

## GUIDING PRINCIPLES

The Judicial Council of California provides leadership in the judicial branch by using a set of guiding principles, while working to improve the future of the judicial branch by overcoming fundamental challenges.

### **Meeting the needs of the public is the core function**

- Decisions are based on the best interests of the public.
- Business is conducted with an underlying commitment to equal and timely justice and public access to an independent forum for the resolution of disputes.
- Ongoing civic education is provided to strengthen trust and confidence in the branch.

### **Protecting the independence of the branch is crucial in a democracy**

- Decisions aim to strengthen the branch.
- Plan and advocate for policies, sufficient stable resources, and the infrastructure necessary for the branch to fulfill its mission.

### **High quality is an expectation throughout the branch**

- Decisions facilitate improvement, effectiveness, and efficiency in the branch.
- Support a comprehensive judicial branch education and training program in order to maintain a competent, responsive, and ethical judiciary and staff.
- Establish broad and consistent policies for the operation of the courts as well as appropriate statewide rules of court and court forms.

### **Accountability is a duty of public service**

- Establish long- and short-term plans that guide the judicial branch and provide quantitative data on progress.
- Evaluate branch performance to identify needed improvements.
- Continually monitor and evaluate the use of public funds.



### **FUTURE FOCUS: OVERCOMING FUNDAMENTAL CHALLENGES**

In developing its strategic plan, the Judicial Council of California has regularly reviewed state and national trends, essential court system values, external mandates, stakeholder expectations, and other forces that shape the environment of the courts.

#### **Preserving the independence of the judicial branch and judicial decisionmaking**

Preserving the independence of judicial decisionmaking is fundamental to maintaining the independence of the judicial branch. The branch must resist the pressures brought to bear on judicial officers as they make decisions on controversial legal issues that come before the courts. Likewise, to ensure that the independence of the branch is not compromised or eroded over time, the branch's state and local leadership must work together to develop effective, long- and short-term strategies for addressing ongoing conflicts and challenges. This includes educating the public about the branch and the role of the courts, as well as listening and responding to public needs, to strengthening the trust and confidence that underpins the branch's independence.

#### **Measuring performance and demonstrating accountability**

Since her appointment as leader of the California judiciary, the Chief Justice has espoused a process of ongoing self-evaluation for the branch. All public institutions, including the judicial branch, are increasingly challenged to evaluate and be accountable for their performance, and to ensure that public funds are used responsibly and effectively. For the courts, this means developing meaningful and useful measures of performance, collecting and analyzing data on those measures, reporting the results to the public on a regular basis, and implementing changes to maximize efficiency and effectiveness.

#### **Responding to the changing makeup and needs of court users**

The judicial branch serves a diverse public, including court users who are more racially, ethnically, and culturally diverse; and more often self-represented. The branch must be nimble in responding effectively to the differing needs of court users. For example, there is an increased need for services for non-English speaking users and for the elderly, as well as for cultural sensitivity and culturally appropriate programs and services that yield more effective outcomes. There is also a need to increase the diversity of court staff and judicial officers.

#### **Balancing the tension between traditional court functions and demands for an expanded branch mission**

Court users increasingly look to the courts to do more than resolve legal issues or dispose of cases. They expect court decisions to promote effective outcomes that help them resolve underlying problems. These expectations demand innovations in programs and services, including problem-solving and



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treatment-oriented courts. Many of these approaches, however, are staff intensive; require additional funding; and require judges and court staff to apply different knowledge, skills, and abilities. Finding the right balance—and continuing to implement new innovations and best or promising practices that will yield effective outcomes for litigants—is an ongoing challenge.

### **Developing the capacity and expertise to handle the changing composition of cases**

New scientific and technological developments, such as those in information management, biotechnology, and life sciences, as well as complex ethical and legal issues arising from those changes, are being brought to the courts. The judicial branch must prepare—through education and innovation—to address the complex, evolving legal issues of the present and the future.

### **Enhancing and maintaining a branchwide infrastructure**

For the judicial branch to fulfill its mission, it must provide an infrastructure that supports and meets public needs and guarantees business continuity—now and in the future. The resource-intensive challenges of providing safe, functional facilities; branchwide technology; and accounting and human resources systems, as well as legal services to meet the needs of the courts, will require the judicial branch to work creatively and collaboratively with other branches of government, in addition to its justice system partners.

### **Recruiting and retaining a highly qualified, talented workforce**

The judicial branch competes with the private sector to attract and retain a high-quality workforce, including managers, executives, and other staff with specific technical skills, as well as entry-level staff. To meet this challenge, the branch must maintain a competitive workforce marketplace—in terms of salaries, opportunities for advancement and professional development, desirable working conditions, recognition of advanced education, and satisfying work.



# Branch Goals

## GOAL I: ACCESS, FAIRNESS, AND DIVERSITY

California's judicial branch serves an increasingly diverse population. The branch must work to remove all barriers to access and fairness by being responsive to the state's cultural, ethnic, socioeconomic, linguistic, physical, gender, and age diversities, and to all people. Branch efforts in this regard must include ensuring that the courts are free from both bias and the appearance of bias, meeting the needs of increasing numbers of self-represented litigants, remaining receptive to the needs of all branch constituents, ensuring that court procedures are fair and understandable, and providing culturally responsive programs and services. Finding effective strategies for removing barriers in all case types will require a continued branchwide commitment to innovation, excellence in public service, and strong leadership at local and state levels.

In addition, to serve the state of California effectively, the branch should reflect the diversity of the state and continue efforts to enhance public trust and confidence by working with other branches of government toward a judicial branch that mirrors the state's diversity.

### Recommended Best Practices

1. Identify and work to eliminate all barriers to access.
2. Broaden and facilitate access to, understanding of, and trust and confidence in the judicial branch and court-connected programs and services for all persons and entities served by the judicial branch.
3. Work to prevent bias, and the appearance of bias, in all parts of the judicial branch.
4. Work to achieve procedural fairness in all types of cases.
5. Work with justice system partners to increase access to legal assistance.
6. Collaborate with other branches of government and justice system partners to identify, recruit, and retain highly qualified appellate court justices, trial court judges, commissioners, referees, and other members of the judicial branch workforce, who reflect the state's diversity.
7. Collaborate with law schools, the State Bar, local bar associations, and specialty bars to achieve greater diversity in the legal profession.
8. Continue to promote broad diversity among the membership of the Judicial Council of California and its advisory committees, task forces, and working groups in order to ensure diverse perspectives and an inclusive environment.
9. Implement, enhance, and expand multilingual and culturally responsive programs, including educational programming, self-help centers, and interpreter services.



## Branch Goals

10. Ensure that judicial branch facilities are accessible to all court users and accommodate the needs of persons with disabilities.
11. Increase public access to court information and services.

### GOAL II: INDEPENDENCE AND ACCOUNTABILITY

California's judicial branch is an independent, separate, and co-equal branch of state government charged with preserving the rule of law, upholding Californians' constitutional rights, and ensuring fair and impartial courts. To discharge these important constitutional responsibilities, the branch must maintain its independence and resist pressures that would compromise the independence of judicial decisionmaking. Increasingly, judicial officers must contend with a variety of challenges as they make legal decisions on issues that are charged with public controversy.

In serving the people of California, the judicial branch must also exercise its constitutional and statutory authority and responsibility to plan for, direct, monitor, and support the business of the branch and to account to the public for the branch's performance. The judicial branch must develop meaningful system performance standards, measure performance against the standards, analyze data on those measures, report the results to constituents on a regular basis, and support changes to increase efficiency and effectiveness.

These responsibilities and challenges must be met with strong branch leadership and effective strategies for preserving the status of the judicial branch as a separate, independent, co-equal branch of government.

### Recommended Best Practices

#### Independence of Judicial Decisionmaking

1. Preserve the ability of judicial officers to exercise appropriate discretion and independent decisionmaking in accordance with the law in their individual courtrooms and in handling their assigned cases. Provide coordination and assistance as necessary to assist judicial officers in exercising their discretionary responsibilities.
2. Protect the ability of judges to decide legal disputes according to the constitution, the law, and legal precedent without fear of reprisal.
3. Support consistent and effective state and local strategies for preserving the independence of judicial decisionmaking.

#### Branch Independence and Accountability

1. Exercise the constitutional and statutory authority of the judiciary to plan for and manage its funding, personnel, resources, and records and to practice independent rule making. Advocate for additional constitutional and statutory authority that will better enable the branch to manage its fiscal and operational responsibilities.
2. Secure and account for sufficient judicial branch resources to ensure accessible, safe, efficient, and effective services to the public.



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3. Allocate resources in a transparent and fair manner that promotes efficiency and effectiveness in the administration of justice, supports the strategic goals of the judicial branch, promotes innovation, and provides for effective and consistent court operations.
4. Establish fiscal and operational accountability standards for the judicial branch to ensure the achievement of and adherence to these standards throughout the branch.
5. Establish improved branchwide instruments for reporting to the public and other branches of government on the judicial branch's use of public resources.
6. Support consistent and effective state and local strategies for preserving the independence of the judicial branch.
7. Promote a basic understanding of the courts, the judicial branch, and issues of branchwide concern to other government branches and representatives, legal and educational communities, community groups, and the general public.
8. Support a strong local court governance structure, and effective judicial and administrative leadership, throughout the state.
9. Work collaboratively with state and local executive and legislative branches, as well as the legal community, to promote and protect the independence of the judicial branch.

### **GOAL III: MODERNIZATION AND MANAGEMENT OF ADMINISTRATION**

The judicial branch is responsible for providing a court system that resolves disputes in a just and timely manner and operates efficiently and effectively. Some of the pressures affecting the branch's ability to do so are increased competition for limited state resources, expanding workloads, increased case complexity, and the courts' need to respond to the information requirements of many entities. The branch also faces the ongoing difficult work of unifying and consolidating the judicial administration policies, practices, and systems that are more efficiently coordinated on a statewide basis, while preserving and facilitating the ability of courts to develop and maintain efficient local practices.

The effective administration of justice requires deliberate attention to recruiting, developing, and retaining high-quality staff at all levels, as well as to developing and implementing appropriate accountability and compliance measures. The judicial branch must also implement and sustain innovative practices and ensure that court environments are safe and secure. The Commission on the Future of California's Court System report outlines a number of recommendations that lend themselves to preserving and maintaining the characteristics described above.



### Recommended Best Practices

#### Trial and Appellate Court Management

1. Improve operations through innovation, technology, and the sharing of effective practices.
2. Ensure that data collected by the judicial branch is complete, accurate, and current and provides a sound basis for policy decisions, resource allocations, and reports to other branches of government, law and justice system partners, and the public.
3. Attract, employ, and retain a judicial branch workforce that is highly qualified.
4. Foster a work environment that recognizes employees' value and promotes professional growth, development, and employee well-being.
5. Work to ensure the safety and security of the work environment, and develop emergency and continuity-of-business plans for times of crisis or natural disaster.
6. Manage and coordinate cases effectively by sharing appropriate information between and within the courts and other justice system partners.
7. Promote compliance with all court orders and federal and state laws, including the collection of fines, fees, and forfeitures.

#### Trial and Appellate Case Management

1. Develop and promote innovative and effective practices to foster the fair, timely, and efficient processing and resolution of all cases.
2. Ensure that statewide policies, rules of court, standards of judicial administration, and court forms promote the fair, timely, effective, and efficient processing of cases and make court procedures easier to understand.

### GOAL IV: QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC

California's judicial branch is committed to providing quality justice to an increasingly diverse society. Many court users struggle financially or are not fluent in English. Many more are unfamiliar with the scope, processes, and procedures of the legal system. Increasingly, court users and the public look to the courts to do more than resolve legal matters and dispose of cases—they expect courts to offer programs and services that will help to resolve underlying problems. The courts must also resolve disputes in accordance with the law in a fair and timely manner while remaining responsive to the needs of diverse court users. In addition, the judicial branch faces numerous emerging trends—including new, complex legal and ethical issues—that may affect its ability to deliver quality justice and service.

Key to meeting these challenges and maintaining the public's trust and confidence is ensuring that court procedures and processes are fair and understandable. This requires a continued branchwide commitment to excellence in public service and to education and training. Employing community outreach and other means to increase the public's basic understanding of the courts and the judicial branch must also remain a high priority. To foster and retain the respect, trust, and confidence of its diverse constituencies, the judicial branch must continue to anticipate and respond to these and other challenges.



## Branch Goals

### Recommended Best Practices

1. Maintain a branchwide culture that fosters excellence in public service by building strong working relationships with communities, law and justice system partners, and other state and local leaders.
2. Collect, evaluate, and respond to public input about court programs and services; provide reports that show how court programs and services address local and branchwide strategic goals.
3. Provide services that meet the needs of all court users and that promote cultural sensitivity and a better understanding of court orders, procedures, and processes.
4. Promote the use of innovative and effective problem-solving programs and practices that are consistent with and support the mission of the judicial branch.
5. Provide necessary resources to all courts—particularly high-volume courts such as traffic, small claims, juvenile dependency, and family—and support the branchwide implementation of effective practices to enhance procedural fairness and reduce the time and expense of court proceedings.
6. Support and expand the use of successful dispute resolution programs.
7. Improve the quality of jury service, including compliance with summonses and a heightened awareness of the civic responsibility for jury service; work to achieve a fair cross-section of the community in jury venires.
8. Collaborate with justice system partners and community stakeholders to identify and promote programs that further the interests of all court users.

### GOAL V: EDUCATION FOR BRANCHWIDE PROFESSIONAL EXCELLENCE

Professional excellence is the standard and expectation for all judicial officers and court personnel throughout California's judicial branch. The judicial branch must provide ongoing professional development, education, and training to address many concerns, including:

1. The increasing complexity of the law and court procedures.
2. Emerging legal and ethical issues.
3. New and emerging practices in treating behavioral disorders and addictions.
4. New technologies.
5. Accelerated management and executive development programs needed to complement succession planning efforts.
6. The importance of procedural fairness in all court operations and interactions with the public.
7. Addressing implicit bias.
8. New management, operational, and service-level expectations.

Additionally, the challenges of a resource-competitive environment mean the branch must actively pursue partnerships and other innovative ways and means to provide professional development, education, and training opportunities for all members of the branch. Maintaining branchwide professional excellence will promote public trust and confidence in the judicial branch.



## Branch Goals

### Recommended Best Practices

1. Provide access for all judicial branch personnel to essential, relevant education and professional development opportunities at all stages of their careers.
2. Maintain and enhance branchwide professional development by continually identifying new subject-matter experts and developing new qualified faculty, educational resources, and service-delivery approaches.
3. Create and maintain education-based partnerships between judicial branch entities and institutes of higher learning, nonprofit organizations, and other professional organizations to maximize shared use of learning resources and to ensure branchwide access to comprehensive, relevant, educational content.
4. Increase access for judicial branch personnel to continuing education opportunities; enhance local courts' educational resources and environments.
5. Promote public trust and confidence in the judicial branch by establishing and maintaining high standards of professionalism, ethics, and performance for judicial branch personnel.

## GOAL VI: BRANCHWIDE INFRASTRUCTURE FOR SERVICE EXCELLENCE

For the judicial branch to fulfill its mission, it must have a sound infrastructure that supports and meets its needs and ensures business continuity. Specifically, the judicial branch must meet the challenge of providing the necessary technological, human resources, fiscal, and facilities infrastructures, as well as other relevant and critical internal functions, to provide the highest quality of justice and service to the people of California. Infrastructure improvements needed to better serve the public include:

1. Acquisition, construction, renovation, and maintenance of adequate facilities.
2. Greater technological access and integration.
3. Coordinated and effective case management systems.
4. Systems for measuring court performance and accounting for the use of resources.
5. Systems for sharing appropriate information throughout the branch and with other partners.
6. Human resources systems to facilitate recruiting and retaining high-quality staff.
7. Staffing to provide legal assistance to the courts.

### Recommended Best Practices

#### Facilities Infrastructure

1. Provide and maintain safe, dignified, and fully functional facilities for conducting court business.
2. Provide judicial branch facilities that accommodate the needs of all court users, as well as those of justice system partners.



## Branch Goals

### Technology Infrastructure

1. Encourage and sustain innovation in the use of new information-sharing technologies.
2. Establish a branchwide technology infrastructure that provides the hardware, software, telecommunications, and technology management systems necessary to meet the case management, information-sharing, financial, human resources, education, and administrative technology needs of the judicial branch and the public.
3. Develop and maintain technology strategic plans for the judicial branch that are coordinated with the branch's technology initiatives and address needs such as business continuity planning and meaningful performance standards.

### Administrative Infrastructure

1. Provide a high-quality administrative legal infrastructure to provide consistent, comprehensive legal support and counsel to the courts.
2. Provide a high-quality administrative human resources infrastructure to support the courts and to promote standardized functions and services and the implementation of innovations and effective practices.
3. Provide a high-quality administrative financial infrastructure to support the courts and to promote standardized functions and services and the implementation of innovations and effective practices.

## GOAL VII: ADEQUATE, STABLE, AND PREDICTABLE FUNDING FOR A FULLY FUNCTIONING BRANCH

California's state court system, the largest in the nation, serves an increasingly diverse population of nearly 40 million people. The judicial branch is accountable for ensuring that the courts remain accessible to all Californians, court procedures are fair and understandable to court users and the public, and court services are provided to earn the public's trust and confidence in the statewide administration of justice. Accomplishing these fundamental responsibilities of government requires a reliable funding base that will sustain branch operations on a continual, uninterrupted basis.

The branch must pursue a comprehensive approach to financially adapt to a shifting state budget environment. This strategic goal represents a call for continued advocacy and a resolve to define new financial strategies.

### Recommended Best Practices

1. Consistent with the Judicial Council's legislative priorities, continue advocacy for fund balances that are sufficient to allow courts to manage cash flow challenges, a method for stable and reliable growth funding for courts to address annual cost increases in baseline operations, and sufficient additional resources to allow courts to:



## Branch Goals

- A.** Improve physical access to the courts by keeping courts open.
  - B.** Expand access by increasing the ability of court users to conduct branch business online.
  - C.** Maintain critical staff, programs, and services to avoid reducing or eliminating services.
- 2.** Focus on comprehensive solutions for managing scarce resources to achieve a position of relative strength in uncertain economic times. Such solutions include, but are not limited to, alternative funding mechanisms, business process reengineering to achieve further efficiencies, and program evaluation to support financial planning.