



The Capitol Connection

ADMINISTRATIVE OFFICE OF THE COURTS • OFFICE OF GOVERNMENTAL AFFAIRS

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Legislative Calendar

June 2
Last day for bills to be passed out of house of origin

June 15
Budget must be passed by 12 am

June 30
Last day for policy committee to meet and report bills

GOVERNOR RELEASES MAY REVISED BUDGET

The Governor's May revision to the budget was released on May 12 and the news for the judicial branch was encouraging. As expected, the "May Revise" included a slight increase to the State Appropriations Limit (SAL) from the 4.7 percent proposed in January to 4.96 percent. At this level, the total SAL allocation to the trial courts would increase to \$111 million, from the initial 4.7 percent level of \$105.2 million.

The May Revise also included additional funding for a number of projects included in the judicial branch capital outlay program.

State Assembly and Senate budget subcommittees have now completed their consideration of the revised budget, and issues where the Assembly and Senate took different actions will be resolved by a budget conference committee. Conference committee members

("conferees") are Sen. Wesley Chesbro (D-Arcata), Sen. Denise Moreno Ducheny (D-San Diego), Sen. Dennis Hollingsworth (R-Murrieta), Asm. John Laird (D-Santa Cruz), Asm. Judy Chu (D-Monterey Park) and Asm. Rick Keene (R-Chico).

The following judicial branch issues were referred to the conference committee:

New Judgeships: The Senate approved the proposal to fund the last month of the first 50 of 150 judgeships as proposed in the Governor's budget. The Assembly approved funding only 20 judgeships.

Judicial Salaries: The Senate approved an 8.5 percent salary increase for judges, but the Assembly did not take action on this issue.

(Continued on page 2)

TERM LIMIT SHUFFLE CONTINUES AT THE STATE CAPITOL

Once again, it is time for California to feel the effects of legislative term limits. Of the 80 members in the Assembly, 29 are precluded from running for another term ("termed out"). Assembly members may serve a maximum of three two-year terms. In the Senate, 12 members have reached their two-term maximum. Ready to continue their public service as elected officeholders, many of these legislators are running for other state elective positions.

(Continued on page 3)

SUMMARY OF LEGISLATIVE SEATS

STATUS	ASSEMBLY	SENATE
Termed out; leaving office	15	3
Termed out; seeking other state office	4	6
Not up for election in 2006; term limit not exceeded	0	17
Not up for election; seeking other office	7	2
Seeking re-election to same legislative seat	43	8
Seeking re-election to different legislative seat	8	2
Seeking election or elected to Congressional or U.S. Senate seats	3	1
TOTAL	80	39

UPDATE ON JUDICIAL COUNCIL-SPONSORED LEGISLATION

New Judgeships/SJO Conversions

Senate Bill 56 (Dunn), which proposes the creation of new judgeships and the conversion of certain eligible subordinate judicial officers, is currently being held in the Assembly Appropriations Committee. The bill does not currently specify the number of positions to be added, however, it is proposed to be amended to (1) add 150 new judgeships - 50 each year for three consecutive years, and (2) allow for the conversion of 161 Subordinate Judicial Officer (SJO) positions to judgeships as positions eligible for conversion become vacant. Although the proposed judgeships will not meet all of the assessed needs, they will begin the process of increasing access to justice in communities with the most critical needs. The first 50 new judgeships are proposed to take effect in April 2007. Funding of \$5.450 million for the last month of the year in which the first 50 judges would be appointed is included in the Governor's FY 2006-07 Budget. This funding is contingent on enactment of legislation authorizing the new judgeships. The Senate budget subcom-

mittee approved this budget item, but the Assembly only approved 20 positions. The issue will be addressed over the next several weeks during the budget conference committee negotiations.

Although judgeship bills are often viewed in partisan terms, SB 56 is a bipartisan effort. Support for new judgeships is building as legislators and key legislative staff become increasingly aware of the critical need throughout the state. Recent news articles and editorials have also drawn attention to the impact that the severe shortage of judges has on access to justice for all Californians. *For more information on SB 56, contact Eraina Ortega at eraina.ortega@jud.ca.gov.*

Court Facilities Bond

Senate Bill 395 (Escutia), which states the intent of the Legislature to enact the California Court Facilities Bond Act of 2006 to acquire, rehabilitate, construct, and finance court facilities, passed the Senate on June 1, 2005. The bill was amended to omit the amount of the proposed bond.

If approved by the Legislature and the Governor, the bond would be placed on the ballot in an upcoming statewide election. The bill is being held in the Assembly Appropriations Committee. *For more information on SB 395, contact Eraina Ortega at eraina.ortega@jud.ca.gov.*

Judges' Retirement

SB 1187 (Ackerman), Judges' Retirement System II, as introduced on January 19, 2006, permits a judge in the Judges' Retirement System II who leaves judicial office after five or more years of service and is not eligible to retire to elect to receive the amount in his or her retirement account as an annuity. *For more information on SB 1187, contact June Clark at june.clark@jud.ca.gov.*

Protective Orders

AB 2129 (Spitzer) - Firearms Relinquishment: Protective Orders: Requires that any firearms in the possession of a person subject to a protective order issued by a criminal court, or for civil harassment, workplace violence, or elder and dependent adult abuse be

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BUDGET

(Continued from page 1)

Interpreters in Civil Cases, Self-Help Services, and Public Outreach: The Assembly approved \$10 million to provide interpreters in civil cases, \$10 million to expand self-help services provided by the courts, and \$1 million to improve the public's understanding of the court system and the services available to them. The Senate did not take action on these issues.

Expansion of the State Appropriations Limit (SAL): The Senate approved the expansion of the SAL within the trial court budget to include the Equal Access Fund, Modernization Fund, and Trial Court Improvement Fund. The Assembly denied this proposal.

The judicial branch withdrew the \$12.3 million funding proposal for statewide technology projects after reviewing

updates of the deployment schedules and funding models for the trial court technology projects that demonstrate that it is premature to fund those costs in 2006-2007.

The statewide Bench-Bar Coalition (BBC) held its second Day in Sacramento this year on May 24 - just as the budget and legislation held in the Appropriations committee was being considered. BBC members reported that legislators were generally receptive to their messages in support of new judgeships, access to justice funding requests, and the need to seek funding sources for court facilities improvements.

Bench and bar leaders vowed to continue outreach to legislators and key staff in legislators' district offices and through the Day on the Bench program.

For more information on the judicial branch budget, please contact the Office of Governmental Affairs at (916) 323-3121. ■

FORMER STATE LEGISLATORS SEEKING TO RETURN TO LEGISLATURE OR STATEWIDE OFFICE

FORMER LEGISLATOR	FORMER OFFICE	OFFICE SOUGHT
Charles M. Calderon (D- Whittier)*	Assembly 1982-1990 Senate 1990-1998	AD 58 (R. Calderon)
Steve Clute (D- Indio)	Assembly 1982-1992	AD 80 (Garcia)
Ellen M. Corbett (D- San Leandro)*	Assembly 1998-2004	SD 10 (Figueroa)
Lou Correa (D- Orange)*	Assembly 1998-2004	SD 34 (Dunn)
John Dutra (D- Fremont)	Assembly 1998-2004	SD 10 (Figueroa)
George Nakano (D- Torrance)	Assembly 1998-2004	SD 28 (Bowen)
Louis J. Papan (D- Millbrae)	Assembly 1972-1986 Assembly 1996-2002	SD 08 (Speier)
Darrell Steinberg (D- Sacramento)*	Assembly 1998-2004	SD 06 (Ortiz)
Tony Strickland (R- Thousand Oaks)	Assembly 1998-2004	Controller (Westly)
Patricia "Pat" Wiggins (D- Santa Rosa)	Assembly 1998-2004	SD 02 (Chesbro)

TERM LIMITS

(Continued from page 1)

This special edition contains information from the Secretary of State on the June 2006 primary contests for assembly and senate seats.

In addition to noting which legislators are running for other legislative seats, the charts also list outgoing legislators who are candidates for state constitutional offices, those who are seeking congressional seats, and those legislators who have decided not to run for state elective office this year.

We have also flagged departing attorneys (*) and members of Assembly or Senate Committees on Judiciary (†).

Finally, you will find information on former legislators who are seeking to return to the state senate or assembly.

For more information on the June 2006 legislative elections, visit the Secretary of State's Web site at: <http://www.ss.ca.gov/elections/>.

TERMED OUT & NOT RUNNING FOR LEGISLATIVE OR OTHER STATEWIDE ELECTIVE OFFICE IN 2006

LEGISLATOR	CURRENT OFFICE
Asm. Russ Bogh (R- Beaumont)	Assembly District 65
Asm. Joe Canciamilla (D- Pittsburg)*	Assembly District 11
Asm. Wilma Chan (D- Oakland)	Assembly District 16
Asm. Ed Chavez (D- La Puente)	Assembly District 57
Asm. Rebecca Cohn (D- Campbell)	Assembly District 24
Asm. Dario Frommer (D- Glendale)*	Assembly District 43
Asm. Jackie Goldberg (D- Los Angeles)	Assembly District 45
Asm. Paul Koretz (D- West Hollywood)	Assembly District 42
Asm. Jay LaSuer (R- La Mesa)	Assembly District 77
Asm. Tim Leslie (R- Tahoe City)	Assembly District 04
Asm. Carol Liu (D- La Canada Flintridge)	Assembly District 44
Asm. Barbara Matthews (D- Tracy)	Assembly District 17
Asm. Dennis Mountjoy (R- Monrovia)	Assembly District 59
Asm. Fran Pavley (D- Agoura Hills)	Assembly District 41
Asm. Simon Salinas (D- Salinas)	Assembly District 28
Sen. Wesley Chesbro (D- Arcata)	Senate District 02
Sen. Martha Escutia (D- Whittier)*†	Senate District 30
Sen. Kevin Murray (D- Los Angeles)*	Senate District 26

The following state senators are candidates for other legislative or statewide offices:

LEGISLATOR	OFFICE HELD	TERM LIMIT?	RUNNING FOR	PRIMARY OPPONENT?	INCUMBENT
Sen. Richard Alarcón (D– Sun Valley)	SD 20	Yes	AD 39	No	Cindy Montañez (running for SD 20)
Sen. Debra Bowen (D– Marina del Rey)*	SD 28	Yes	Secretary of State	Yes	Bruce McPherson (seeking reelection)
Sen. Joseph Dunn (D– Santa Ana)*†	SD 34	Yes	Controller	Yes	Steve Westly (running for Governor)
Sen. Liz Figueroa (D– Sunol)	SD 10	Yes	Lieutenant Governor	Yes	Cruz Bustamante (running for Ins. Comm.)
Sen. Abel Maldonado (R– Santa María)	SD 15	No; 2012	Controller	Yes	Steve Westly (running for Governor)
Sen. Tom McClintock (R– Thousand Oaks)†	SD 19	No; 2008	Lieutenant Governor	Yes	Cruz Bustamante (running for Ins. Comm.)
Sen. Bill Morrow (R– Oceanside)*	SD 38	Yes	Congressional District 50	Yes	Vacancy (resignation of Randy Cunningham)
Sen. Deborah Ortiz (D– Sacramento)	SD 06	Yes	Secretary of State	Yes	Bruce McPherson (seeking re-election)
Sen. Charles Poochigian (R– Fresno)*	SD 14	Yes	Attorney General	No	Bill Lockyer (running for Treasurer)
Sen. Nell Soto (D– Pomona)	SD 32	Yes	AD 61	Yes	Gloria Negrete McLeod (termed out)
Sen. Jackie Speier (D– Hillsborough)*	SD 08	Yes	Lieutenant Governor	Yes	Cruz Bustamante (running for Ins. Comm.)

The following state assembly members are candidates for other legislative or statewide offices:

LEGISLATOR	OFFICE HELD	TERM LIMIT?	RUNNING FOR	PRIMARY OPPONENT?	INCUMBENT
Asm. Joe Baca, Jr. (D– Rialto)	AD 62	No; 2010	SD 32	Yes	Sen. Nell Soto (termed out; running for AD 61)
Asm. Rudy Bermúdez (D– Norwalk)	AD 56	No; 2008	SD 30	Yes	Sen. Martha Escutia (termed out)
Asm. Ronald Calderon (D– Montebello)	AD 58	No; 2008	SD 30	Yes	Sen. Martha Escutia (termed out)
Asm. Judy Chu (D– Monterey Park)	AD 49	Yes	Board of Equalization (BOE) 4	Yes	John Chiang (running for Controller)
Asm. Dave Cogdill (R– Modesto)	AD 25	Yes	SD 14	No	Sen. Chuck Poochigian (termed out)
Asm. Lynn Daucher (R– Brea)	AD 72	Yes	SD 34	No	Sen. Joseph Dunn (termed out; running for Controller)
Asm. Tom Harman (R– Huntington Beach)*†	AD 67	Yes	SD 35	Yes	Vacancy (John Campbell elected to Congress)
Asm. Ray Haynes (R– Murrieta)*†	AD 66	Yes	BOE 3	Yes	Claude Parrish (running for Treasurer)
Asm. Jerome Horton (D– Inglewood)	AD 51	Yes	BOE 4	Yes	John Chiang (running for Controller)
Asm. Johan Klehs (D– San Leandro)	AD 18	Yes	SD 10	Yes	Sen. Liz Figueroa (termed out; running for Lt. Gov.)
Asm. Kevin McCarthy (R– Bakersfield)	AD 32	No; 2008	CD 22	Yes	William "Bill" Thomas
Asm. Cindy Montañez (D– San Fernando)	AD 39	No; 2008	SD 20	Yes	Sen. Richard Alarcón (termed out; running for AD 39)
Asm. Joe Nation (D– San Rafael)	AD 06	Yes	CD 06	Yes	Lynn Woolsey (running for re-election)
Asm. Gloria Negrete McLeod (D– Chino)	AD 61	Yes	SD 32	Yes	Sen. Nell Soto (termed out; running for AD 61)
Asm. Jenny Oropeza (D– Long Beach)	AD 55	Yes	SD 28	Yes	Sen. Debra Bowen (termed out; running for Secty of State)
Asm. Keith Richman (R– Northridge)	AD 38	Yes	Treasurer	Yes	Phil Angelides (running for Governor)
Asm. Mark Ridley-Thomas (D– Los Angeles)	AD 48	No; 2008	SD 26	Yes	Sen. Kevin Murray (termed out)
Asm. Tom Umberg (D– Santa Ana)	AD 69	Yes	SD 35	Yes	Vacancy (John Campbell elected to Congress)
Asm. Juan Vargas (D– San Diego)	AD 79	Yes	CD 51	Yes	Bob Filner (running for re-election)
Asm. Mark Wyland (R– Del Mar)	AD 74	Yes	SD 38	No	Sen. Bill Morrow (termed out; lost 04/11/06 special primary bid for Congressional District 53)
Asm. Leland Yee (D– San Francisco)	AD 12	No; 2008	SD 08	Yes	Sen. Jackie Speier (termed out)

* Attorney † Judiciary Committee Member

COMMENT PERIOD ENDS SOON FOR SPONSORED LEGISLATION PROPOSALS

There are a number of proposals for Judicial Council sponsored legislation that are currently circulating for comment and deserve your review. You can find these proposals at the following link: <http://www.courtinfo.ca.gov/invitationstocomment/proposals.htm>, and the deadline to submit your comments is June 23.

The proposals currently out for comment include a proposed fee for postponements in small claims cases, and a requirement that objections to summary judgment motions be in writing. These proposals, if adopted by the council, would be part of its 2007 legislative agenda.

If you have a proposal for Judicial Council sponsored legislation, now is the time to contact the Office of

Governmental Affairs, so that it can be referred to the appropriate Judicial Council Advisory Committee for their review. Once a proposal has been endorsed by an advisory committee it goes to the Policy Coordination and Liaison Committee (PCLC), and the PCLC determines whether to circulate the proposal for public comment.

Once the comment period is over, and the comments have been reviewed and incorporated, the proposal is again reviewed by the PCLC for a final recommendation to the council regarding sponsorship.

The council typically takes action on these proposals at its December meeting, and then OGA staff work to find authors for the council's sponsored legislation package in December and January. ■

LEGISLATION

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relinquished within 24 hours of the order being served on the restrained person. Status: Sen. Pub. Safety Comm. For more information on AB 2129, contact Tracy Kenny at tracy.kenny@jud.ca.gov.

Miscellaneous Court Operations

AB 2303 (Assembly Judiciary Committee) – Civil omnibus: Court Operations: The Judicial Council sponsors the following provisions of this omnibus bill: Clarifies the procedures governing a change of name; makes service times for elder abuse protective orders consistent with other protective orders; authorizes courts to receive notice to appear citations for non-parking Vehicle Code violations electronically if the court has the ability to receive the information and reproduce it in a printed form; and makes permanent existing statutory authority for courts to impose modest monetary sanctions upon jurors who fail to respond to a jury summons. The bill also includes language seeking to help direct the allocation of self-help funding statewide and within local courts to cover all civil case types. The JC proposed alternative language and is working with the author to help meet our mutual goals of expanding and improving the delivery of self-help services. Status: Senate. For more information on AB 2129, contact Tracy Kenny at tracy.kenny@jud.ca.gov.

Check the status of other bills in which the Judicial Council has taken a position at the following link: http://www.courtinfo.ca.gov/reference/documents/stat_06.pdf.

BBC's 'Day in Sacramento'

SAN DIEGO AREA TEAM



CENTRAL CALIFORNIA TEAM



NORTHERN CALIFORNIA TEAM



ABOVE: Senator Denise Moreno Ducheny (center left) met with members of the Bench-Bar Coalition's "Day in Sacramento" San Diego Area Team (left to right): Superior Court Judge Peter Deddeh, San Diego County Bar Vice President Linda Ludwig, and Superior Court Judge Yvonne Campos.

LEFT MIDDLE: Senator Charles Poochigian (center) met with members of the BBC's team from the Central California Area (left to right): Superior Court Judge Donald Franson, Jr., Superior Court Judge Brian McCabe, Court of Appeals Associate Justice Brad Hill, and Superior Court Judge Gary Paden.

LEFT BOTTOM: Assembly Member Patty Berg (center) met with two members of the Northern California Area Team: Superior Court Presiding Judge William Gallagher and Placer County Court Executive Officer John Mendes.



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Archives

Looking for a past issue of *The Capitol Connection*? Find it online at www.courtinfo.ca.gov/courtadmin/aoc/capconn.htm.



William Vickrey, Administrative Director of the Courts, is surrounded by members of the AOC staff as he receives an award on the west steps of the State Capitol Building. (Photo courtesy of Michael Kressner / Sacramento Children's Home)

DIRECTOR OF COURTS HONORED AT CAPITOL

William Vickrey recognized at National Foster Care Month event

Administrative Director of the Courts William C. Vickrey was an honoree at the second annual California Capitol Event recognizing May as National Foster Care Month. The theme of the event was "Change a Lifetime," and the other honorees were five regional teams representing innovative programs designed to improve outcomes for children and families in the child welfare system, as well as the recently formed Assembly Select Committee on Foster Care chaired by Assembly Member Karen Bass.

Mr. Vickrey was honored both as a member of the national Pew Commission on Children in Foster Care, and on behalf of Chief Justice Ronald M. George for appointing the California Judicial Council Blue Ribbon Commission on Children in Foster Care.

The Blue Ribbon Commission is chaired by Supreme Court Associate Justice Carlos Moreno, and is comprised of individuals representing a wide array of child welfare stakeholders.

In his remarks at the event, Mr. Vickrey stressed the critical role of the juvenile court in the foster care system, noting that each critical decision regarding the life of a child in the system requires an order from the court, and pledged that the Blue Ribbon Commission would work diligently to propose system improvements that will strengthen families and allow California to significantly decrease the number of children who need to be placed in foster care homes.

For more information, contact Tracy Kenny at (916) 323-3121 or tracy.kenny@jud.ca.gov.

News from the AOC

In addition to *The Capitol Connection*, the Administrative Office of the Courts publishes several publications reporting on various aspects of court business. Visit these online on the California Courts Web site at www.courtinfo.ca.gov

In an ongoing effort to provide information to the juvenile and family court community, The Center for Families, Children & the Courts publishes an annual academic journal that covers contemporary and important issues regarding children, families, and the interplay between these parties and the courts. See www.courtinfo.ca.gov/programs/cfcc/resources/publications/

