

From: Antolini
To: Invitations
Subject: The Adoption of All SEC Recommendations
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I urge the adoption of all of the SEC recommendations.

In that vein, I thank Mr. Alexander Aikman for his views which provide true transparency to the goal and role of the "perfect" administrator. Those views were made available through the July 16, 2012 email sent to members of the Alliance of California Judges. His references to "Judges are not writing about why their administrators should be regarded as peers with different skill sets.....Therefore, the second part of the need is judicial education." to me were the most informative.

The ultimate quote that conflicts with my basic belief system is, "Judges need to know what management is, how to be an employee (emphasis mine) without jeopardizing one's electability or adjudicating independence, and how to oversee the work of their administrator without imposing their individual judgment about how things should be done or specific outcomes that must be achieved." I applaud Mr. Aikman's honesty and abhor his conclusions.

I wondered when reference by administrative communication changed my title from Judge to "Judicial Officer", whether I was being too picky. That would be entirely appropriate and accurate for an "employee but never, never for a constitutional, elected official.

How can an elected constitutional official not be totally involved with how things are done and what specific outcomes must be achieved? For a judge to do less, would be to completely delegate his or her authority to an administrator. To do so would create a fourth branch of government called the "Administrative, Bureaucratic Branch", without a constitutional amendment.

The time has come to lineup and choose, a democracy based on our Constitution, with the three branches of government, with it's elected officials, given the trust of the electorate, and the responsibility to never give plenary delegation to anyone, other than those chosen by the electorate, or a tacit admission that the true leaders are a few bureaucratic mechanics who are trained to build a fine machine at all costs.

Remember the Ford Pinto with the gas tank in the rear, in a spot that exposed the occupants to gasoline fires and explosions. Reason, it was put in that spot, cost efficient, lawsuits caused a reversal, not based upon the human tragedy, but upon the cost factor. The money losses no longer made it cost efficient.

The goal of the entire judiciary has been, is, and will be justice for all, that is part of the AOC mission statement. To achieve this goal, we must always be responsible for the perceived as well as actual, public perception of all court staff in all our court facilities that final decisions are made by the judges and justices never by a nonelected person.

Are top administrative personnel valuable? Absolutely. In many instances invaluable for their advice and work, with the final leadership and decision from the justices and judges.

Thank you for the opportunity to express my views.