

## Item SP12-05 Response Form

### **Title: Strategic Evaluation Committee Report**

The Strategic Evaluation Committee (SEC) was appointed by Chief Justice Tani G. Cantil-Sakauye in March 2011 to conduct an in-depth review of the AOC with a view toward promoting transparency, accountability, and efficiency. The Chief Justice received the report and recommendations on May 25. At its meeting on June 21, 2012, the Judicial Council accepted the report and directed that it be posted for public comment for 30 days. Comments received will be considered public and posted by name and organization.

**PLEASE NOTE that all comments will be posted to the branch web site at [www.courts.ca.gov](http://www.courts.ca.gov) as submitted by the commentator as soon as reasonably possible after receipt.**

### **To Submit Comments**

Comments may be entered on this form or prepared in a letter format. If you are *not* submitting your comments directly on this form, please include the information requested below and the proposal number for identification purposes. Because all comments will be posted as submitted to the branch web site, please submit your comments by email, preferably as an attachment, to: [invitations@jud.ca.gov](mailto:invitations@jud.ca.gov)

Please include the following information:

**Name:** Ronald B. Robie    **Title:** Associate Justice

**Organization:** Members of the CJER Governing Committee

**Commenting on behalf of an organization**

*General Comment:*

*Specific Comment - Recommendation/Chapter Number \_\_\_\_\_:*

Chief Justice Tani G. Cantil-Sakauye  
California Supreme Court  
350 McAllister Street  
San Francisco, CA 94102

Members of the Judicial Council  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye and Judicial Council Members:

<b>DEADLINE FOR COMMENT: 5:00 p.m., Sunday, July 22, 2012</b>
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*All comments will become part of the public record.*

As Chair, Vice-Chair, and members of the CJER Governing Committee, we are writing you to provide our observations regarding the SEC Report and its discussion of judicial branch education. We want to include our views in advance of the full Council's assessment of the Report and its recommendations.

First of all, we appreciate the fact the SEC acknowledged the importance of education and professional development for members of the judicial branch. Additionally, the Report agreed "a well-educated judiciary is critical to the fair and efficient administration of justice," and that the Education Division's statutory authority is "fairly well defined."

We want to underscore the Report's approval of the recent restructuring by the CJER Governing Committee of its educational development model and our continuing plan to evaluate our programs, courses, and online materials. The Governing Committee continues to work closely with the Education Division to assure our programs provide quality learning within the current fiscal limitations of the branch.

For example, this Spring the Governing Committee established a workgroup to evaluate all education for new judges with the goal of ensuring that course content be provided in the most effective and economic manner. We urge the Council to await this review due in the Fall, before any action dealing with new judge training and the College is undertaken.

We want to underscore the substantial assistance our Education Division currently provides the trial courts and their employees. This includes regional training and substantial low-cost education through the National Center for State Court's Institute on Court Management. Unfortunately the SEC Report does not fully reflect these current activities.

On the subject of educational expectations and requirements, CJER conducted a thorough study of the first three years of the program. The review was supported by trial court leadership as well as the appellate bench and administrative heads. The bottom-line conclusion was that most judicial officers did not find the requirements difficult to satisfy. Based on the review CJER has recommended changes to the Rules of Court to ensure enhanced flexibility. The Council adopted the rule changes several months ago. These improvements, properly implemented, will allow delivery of adequate educational opportunity during this onerous financial period.

Finally, in all candor, we strongly disagree with any simplistic "cost-benefit" analysis presented in the SEC Report. We plan to continue our vigorous evaluation process for determining what and how our educational efforts should be conducted as a result of the Governing Committee's adoption of our recent education development model and the appointment of our nine subject matter curriculum committees. These committees determine the most cost-effective means of providing educational services. In an effort by the Governing Committee to efficiently deliver learning in an economic manner, the Division has implemented substantial use of technology, providing quality at lower cost.

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In sum, we believe our educational programs aim to guarantee education in an effective manner. While monetary cost is a basic concern, we maintain that our product has to serve a branch that expects quality in the learning experience. The simple cost-benefit formula does not necessarily assure this expectation. We urge the Council to reject this ill-conceived recommendation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ronald B. Robie". The signature is fluid and cursive, with the first name being the most prominent.

Ronald B. Robie, Associate Justice  
Chair, CJER Governing Committee

Also signed on behalf of Justice Robert L. Dondero, Judge Theodore Weathers, Judge Arthur Wick, Judge Kimberly Gaab, Judge Barbara Kronlund, and Ms. Pat Sweeten

cc: Robert L. Dondero, Associate Justice  
Vice-Chair, CJER Governing Committee  
Nancy Spero

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