



CALIFORNIA TRIAL COURTS CONSORTIUM

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July 20, 2012

Hon. Douglas P. Miller, Chair
Executive and Planning Committee
455 Golden Gate Avenue
San Francisco, CA 94102-3688

RE: Strategic Evaluation Committee Report

Dear Justice Miller and Executive and Planning Committee Members:

On behalf of the California Trial Court Consortium ("CTCC"), we wish to provide input regarding the Strategic Evaluation Committee Report ("Report"). The CTCC was organized in 2001 to provide a forum for smaller courts to discuss issues, share effective program techniques, and promote effective court management. Currently, CTCC has twenty-four member courts, whose Court Executive Officers ("CEOs") meet quarterly.

CTCC commends the SEC for actively seeking the input of CEOs as part of its evaluation of the Administrative Office of the Courts ("AOC"). The SEC process allowed CEOs and Presiding Judges to engage in candid dialogue with the committee members when providing feedback regarding the AOC and the services it provides to the courts. We believe that the Report fairly represents the input the committee received from the CTCC member courts, and we acknowledge the fair, open, confidential, and professional process in preparing the Report.

We obviously support a healthy discussion on the Report findings, and believe that it is a critical component of the open process. However, we also believe that there are certain overarching principles reflected in the SEC recommendations which should not be ignored as they are at the core of what is required for change management to occur within the Judicial Branch.

1. CTCC agrees with the SEC that the AOC has "undertaken tasks and projects that extend beyond the core and mandatory functions that reasonably flow from constitutional or statutory authority," and the AOC should "refocus on

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performing mandatory and core functions, and assume a customer-service orientation toward the courts." As smaller courts, we have utilized AOC staff for financial, human resources, facilities, educational, general counsel, and other core services to varying degrees with a generally favorable opinion. However, at the same time, we see opportunities to reduce these core services, and eliminate non-core services. For example, some smaller courts were able to use the services of Sacramento Superior Court's Research Attorneys to reduce legal costs, some are using the purchasing services of Riverside Superior Court under a cooperative Memorandum of Understanding, and still other courts are considering collaborating on case management systems. In addition, as noted in the SEC Report, trial courts are no longer able to support non-core services, and have worked to eliminate many special projects through the Trial Court Budget Working Group. We support the continuation of this process recommended by the SEC.

2. CTCC acknowledges the Judicial Council and AOC interim management team took some initial efforts to trim what the SEC referred to as "a top-heavy and unwieldy organization" that is "oversized and should be downsized." When trial courts are downsizing by 25% or more on the average, the SEC recommendation that the AOC downsize its operation that has been determined by the SEC to be oversized appears to be reasonable. What is less clear is precisely how much the AOC should be reduced to meet its core service obligations to the courts. We therefore support the emerging philosophy of the Judicial Council to reduce the AOC services that are not vital to the function of the courts, and believe the CEOs can play a crucial role in shaping this decision.

3. CTCC supports improved internal and external monitoring of the AOC. The SEC Report along with the "Bureau of State Audits Review of CCMS," and the heightened examination of the AOC by the Judicial Council recently, point to the need for periodic performance evaluations of the AOC as an organization. As part of the evaluation process, CTCC believes there should be regular reviews of the AOC by its customers, i.e., the courts. Detailed surveys and reviews by CEO's of AOC services should be institutionalized. With full access to payroll, budgeting, and other organizational information, CEO's could provide input regarding the value of AOC services to the courts. Such reviews, coupled with ongoing collaborative efforts of the trial courts to reduce costs in such areas as purchasing, case management, human resources management, and other expensive items would provide the best assurance that Judicial Branch funds are optimally benefitting the courts.

The Report presents the unique opportunity for the Judicial Council to reassess the role of the AOC as a service provider to the courts. We encourage the Council to carefully consider the SEC's specific findings and take action to implement those

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recommendations it determines are appropriate.

In closing, CTCC offers its ongoing assistance to the Executive and Planning Committee and Judicial Council as it begins to develop plans to address the SEC Report. We would welcome the opportunity to have our officers appear before the Executive and Planning Committee to assist in this process.

Thank you for your time and consideration regarding this matter.

Sincerely,



Mary Beth Todd, CEO
Sutter Superior Court
CTCC Co-Chair



Tania Ugrin-Capobianco, CEO
El Dorado Superior Court
CTCC Co-Chair