

From: Mark Forcum
To: Invitations
Subject: SEC Report
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To the Judicial Council , My name is Mark R. Forcum and I serve as a Judge in the San Mateo County Superior Court.I had a lot of trouble trying to send my SEC comments using the form provided so I am trying again using another format. I am sorry if you end up with two similar responses. I write in strong support of the SEC's findings and urge that each of the SEC's recommendations be adopted immediately. I have served as a Judge for almost twenty five years. I have served as Presiding Judge of the San Mateo County Municipal Court between 1990 - 1992, Presiding Judge of the Superior Court, 1997 and 2003-2004 and Criminal Presiding Judge in 1994 and 2005. I currently sit as a trial Judge, Acting Criminal Presiding Judge and I oversee our Pathways mental health treatment court and Bridges drug and alcohol treatment program. In the almost twenty five years I have sat as a Judge, I have seen the State Administrative Office of the Courts morph from an agency which supported the trial courts to an oversized, unresponsive bureaucracy which dictates policy to the trial courts without any constitutional authority. in the course of my career the AOC has grown from less than a hundred employees to over a thousand. Since 1998 the Judicial Council and AOC have sought to centralize judicial policy making and take control over the trial courts. Centralized Judicial Council and AOC control involved preventing the trial courts from adopting their own case management systems so that the AOC could mandate their own ill conceived and expensive CCMS on every trial court in California. Centralized control by the Judicial Council and AOC continued when they took over judicial education and mandated court closures and furloughs without recognizing the unique needs of each trial court. The quest for more control of the trial courts hit a low point when the AOC tried to slip by a trailer bill that would have allowed them to select trial court Presiding Judges and Court executive officers. Incredibly the leadership of the AOC blamed this trailer bill on the Department of Finance which we now know was untrue. Since 1998, the AOC has been responsible for wasting billions of taxpayer dollars on failed projects like CCMS, unnecessary courthouse construction, management salary upgrades, allowing thirty of their managers to not have to contribute to their retirements and providing their managers with floating holidays, while trial court employees had their salaries reduced by AOC mandated furloughs. Equally troubling is that the AOC accepts no responsibility for this incredible waste of taxpayer resources or the impact their wasteful spending has had on the trial courts now laying off staff and cutting back on necessary and vital court services. The Chief Justice and the Judicial Council must act now to implement the thoughtful well reasoned SEC recommendations. To dither, delay and pick apart the SEC report will only continue to undermine judicial branch credibility with the public the Governor and the legislature. Finally as the current model of branch governance has failed I would respectfully ask that the Council initiate a process to allow Judicial Council members to be elected in democratic process that reflects the diversity our state. Thanks for considering my views , Mark R. Forcum