

From: Gary, Matt
To: Invitations
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First, it seems odd that I should be called upon to publically comment on the 298 page SEC Report. I agree with Judge Dowling's view that this "is not the proper subject of public comment" for the reasons he well stated.

Second, my long held concerns about the AOC and its activities have nothing to do the AOC staff serving in the trenches. I have known and worked with Michael Wright in the Center for Families, Children, and the Courts for over a decade now. I have nothing but the highest praise for Michael and his team. I have, as well, been very fortunate through the years to have received outstanding judicial education and support. I have nothing but praise for these good people and I am grateful for them.

At the top, the AOC has lost its way. Unfortunately, the Judicial Council has been complicit in the AOC's deviation. The findings in the SEC report should be no surprise to anyone who has been paying the least bit of attention to our Branch over the past decade. For years judges throughout the state have been expressing concern. A great deal of discussion and disagreement was had this past year concerning AB1208. Some were critical that the court's business was being made public. But this past year was not the start of all of this grief. Our Branch dysfunction was being discussed long before AB1208 and long before the dysfunction ever went public. Unfortunately, the doubts, the concern, and the frustration all went unheard at the top. Or, better put – and worse, some was heard and then put down and ignored by those at the top of the Judicial Council and AOC. I can recall back a few years when court closures were discussed as a solution to budget shortfalls. And I can recall then Chief Justice George making a public off-hand comment that those of us who opposed court closure were concerned only about our own paychecks. The arrogant, insular, attitude at the top was both offensive and wrong. That attitude continued. What started out years and years ago as whispers of concern by informed judges, grew to stronger but private comment, then to private question and even challenge, then to private confrontation, and then after private roads were closed at the top by the AOC and Judicial Council, the dysfunction exploded publically. The result: the BSA Audit and the SEC Report, both confirming the whispers and concerns of years and years of observation.

The concept of reducing to "core function" has been repeated often. This concept is correct. As Presiding Judge Kingsbury correctly points out, "The Administrative Office of the Courts simply cannot be all things to all people, particularly in light of the current economic crisis." I would delete the last phrase and assert that, regardless of economic circumstances, the AOC cannot be all things to all people. "Core function" is the key.

I fully support the findings and recommendations of the SEC Report and I agree with my colleagues who call for an end to discussion and comment and for action with the immediate implementation of the SEC recommendations.

Judge Matthew J. Gary
Superior Court, Sacramento County