

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 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

Please include the following information:

Name: Stephen M. Hall **Title:** Superior Court Judge

Organization: San Mateo County Superior Court

Commenting on behalf of an organization

General Comment:

I have served as a trial judge for over sixteen years. During my tenure, I have occupied almost every chair within our Court's organizational structure; including serving as Presiding Judge in 2009-2010. In all, I have almost forty years of experience working in the public sector. Additionally, I served in an executive management position in private industry.

Although I have never been selected, I have been nominated by others and even volunteered to serve on the Judicial Council over the years. I was elected to serve on the Executive Board of the California Judges Association (2004-2006.) Organizational management and re-structuring are of particular interest to me, both in academic and real world settings.

Please accept my comments with reference to the report of the Strategic Evaluation Committee (SEC) submitted on May 24, 2012 with the understanding that they are made by an individual with significant fiscal and personnel management experience.

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My current comments simply echo those made to Justice Scotland during the time that the SEC was conducting its review. I do not believe that the SEC report should be viewed simply as a "snapshot in time", rather it should be viewed as a highly detailed analysis of both the structure and operations of the Administrative Office of the Courts (AOC) and staff serving the Judicial Council.

I would strongly urge that Chief Justice Cantil-Sakauye and members of the Judicial Council accept, adopt, and implement all of the findings and recommendations contained within the May 24, 2012 SEC report. The SEC clearly undertook their task both with conviction and an eye toward painstaking detail. The SEC sought out comments from members of the judiciary before publishing their report and findings. Many are questioning why it is now felt that there is a need to obtain further comments from people whom have already thoughtfully provided their insights to members of the SEC while they were undertaking their charge. I too find this current request for comments somewhat puzzling.

The critical analysis contained within the SEC report should not be taken personally by members of the Judicial Council or the staff at the AOC. This analysis was long overdue and the conclusions contained within the 221 pages plus pages of the report echo the thoughts and comments that I have heard made by members of the judiciary throughout my tenure on the bench, especially those made during the past decade.

I would strongly urge that decision makers on the Judicial Council and at the AOC take a deep breath, step back, and then re-read the SEC report with an objective eye. No one likes to be criticized, but the content of the SEC report is a fair and accurate reflection of where things stand now. Recent attempts to cosmetically or superficially change some things within the management and/or operational structure of the AOC are not going to hit the mark and address those key philosophical points contained within the findings made by the SEC. Attempts to make these quick fixes simply reinforce the beliefs held by some of some of those critical of the AOC and its current management scheme.

I commend Chief Justice Cantil-Sakauye for having commissioned the SEC report. It is evident that there are fundamental and elemental problems within the underlying structure, management and operational philosophies at the AOC. There is a wide perception by many that the Judicial Council is a closed club, a majority of whose membership is comprised of people who are somewhat disconnected to the trial courts and are blindly loyal to the the person who placed them on the Council. Whether or not that accurately portrays current reality, that is certainly a widely held belief. Many members of the judiciary believe that this perception will never change unless and until membership on Judicial Council is derived by some more democratic means (e.g. elections.)

At the trial court level we are all watching as the financial resources made available to us continue to dwindle. Courtrooms and even entire courthouses are closing. Staff has

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being laid off. People that still serve our courts are watching nervously, waiting for the other shoe to drop (i.e. arrival of additional lay-off notices.) Calendars that were completely current in 2010 are now being moved out such that the old addage, justice delayed is justice denied, is becoming a reality. The people whom we have historically served without any unnecessary delay are being turned away as they find doors locked and lights out at the courthouse. This, however, appears to be but the tip of the iceberg.

No one should engage in any fingerpointing with regard to how we got here. There are many reasons why we find ourselves in this current predicament; some things were within our control and some things were not. We should focus on working together to respond to the fiscal crisis facing us. People however, cannot or will not work together if they feel that their voice does not matter or that their voice is not being heard by those "in charge". It is for this reason that I strongly urge the Chief Justice and Council to adopt all the findings and recommendations contained within the May 2012 report of the SEC. The fiscal challenges facing government in California will continue to grow over the next several years. It is essential that the members of the judicial branch work collectively together to ensure that the judicium receives its fair share of the limited budget allocated by the other two branches of our government. To that end, we should always keep focused and remember who it is that we serve. We serve the people within our local communities. Those that have elected us or voted to retain us, and all the people who come to our courthouses seeking redress of their differences.

Specific Comment - Recommendation/Chapter Number _____:

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