

AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Adopted by the Judicial Council on August 31, 2007, effective on January 1, 2008.

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Standard 10.10. ~~Judicial branch education~~

(a) ~~Purpose~~

~~Judicial branch education for all trial and appellate judicial officers and court employees is essential to improving the fair, effective, and efficient administration of justice. Judicial branch education is acknowledged as a vital component in achieving the goals of the Judicial Council's Long-Range Strategic Plan, including access and fairness, branch independence, modernization, and quality of justice. The Judicial Council has charged the Governing Committee of the Center for Judicial Education and Research (CJER), an advisory committee to the council, with developing and maintaining a comprehensive and quality education program on behalf of the Judicial Council for the California judicial branch.~~

(b) ~~Education activities part of official duties~~

~~Judicial officers and court employees should consider participation in education activities to be part of their official duties. The responsibility for planning, conducting, and overseeing judicial branch education properly resides in the judicial branch. Standards for judicial branch education are stated in standards 10.11 and 10.15.~~

(c) ~~Education objectives~~

~~Judicial officers, court employees, educational committees, and others who plan judicial branch educational programs should work to achieve the following objectives:~~

- ~~(1) Provide judicial officers and court employees with the knowledge, skills, and techniques required to competently perform their responsibilities fairly and efficiently;~~
- ~~(2) Assist judicial officers and court employees to prevent bias in order to preserve the integrity and impartiality of the judicial system;~~
- ~~(3) Promote adherence by judicial officers and court employees to the highest ideals of personal and official conduct specified in the California Code of Judicial Ethics and the Code of Ethics for the Court Employees of California;~~

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- ~~(4) — Improve the administration of justice, reduce court delay, and promote fair and efficient management of court proceedings;~~
- ~~(5) — Promote standardized court practices and procedures; and~~
- ~~(6) — Implement the Standards of Judicial Administration recommended by the Judicial Council.~~

~~(d) — Elements of comprehensive education program~~

~~The Governing Committee of CJER is responsible for developing and maintaining a comprehensive and quality education program for the judicial branch. This program is to be implemented by CJER as the Education Division of the Administrative Office of the Courts. The program should be designed to meet the educational needs and requirements of judicial officers and court employees as stated in standards 10.11 and 10.15 and should include the following elements:~~

- ~~(1) — Developing curricula (instructional and participant materials) for all judicial and administrative courses along a continuum including basic and continuing education. Curricula for judicial courses should cover applicable substantive and procedural law.~~
- ~~(2) — Providing directly a range of education programs at the statewide, regional, and local levels, and facilitating the sharing of local and regional court education resources.~~
- ~~(3) — Developing skills based curricula for judicial officers and court employees focused on learning practical skills, including management skills training and technology skills training.~~
- ~~(4) — Conducting train the trainer programs for judicial officers and court employees to develop a large group of experienced faculty that can deliver and support the delivery of curricula at the local and regional levels.~~
- ~~(5) — Providing technical assistance and other assistance, coordination, and support for local education programs, including curricula, written materials, videotapes, and trained faculty. This element is particularly important in providing sufficient education opportunities for court employees.~~

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- ~~(6) — Developing and distributing a range of publications, audio and videotapes, and other education services, including both electronic and print media.~~
- ~~(7) — Developing alternative delivery of judicial branch education services by means of distance learning, such as delivery of live programs on the Internet, satellite broadcasting, videoconferencing, CD-ROM and Internet publishing, and computer-based instruction.~~
- ~~(8) — Developing comprehensive materials to support ongoing efforts and provide a range of opportunities in the critical area of fairness education for judicial officers and court employees.~~
- ~~(9) — Developing comprehensive materials in order to provide a range of opportunities in management training and leadership development for both judicial officers and court employees, including substantial skills-based training. Course development in this area should recognize the differences in managing courts of different sizes.~~
- ~~(10) — Publishing and distributing on a regular basis a catalog or compendium of education opportunities available at the state and local levels, including programs, audio and videotapes, publications, and other education services.~~

Standard 10.10 repealed effective January 1, 2008; adopted as sec. 25 effective January 1, 1999; previously amended and renumbered effective January 1, 2007.

Standard 10.11. General judicial education standards

(a) — Judicial education generally

~~Judicial education for all judicial officers is essential to enhancing the fair and efficient administration of justice. Judicial officers should consider participation in judicial education activities to be an official judicial duty. The responsibility for planning, conducting, and overseeing judicial education properly rests in the judiciary.~~

(b) — Responsibilities of presiding judges and justices

~~Presiding judges and justices should establish judicial education plans for their courts that facilitate the participation of judicial officers as both students and faculty at judicial education programs, as prescribed by the California Rules of Court and these standards. They should also use their~~

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~~assignment powers to make appropriate replacements for judicial officers assigned to special calendar courts to permit them to participate in judicial education activities.~~

(c) — Judicial educational objectives

~~Judicial officers, educational committees, and others who plan educational programs should endeavor to achieve the objectives specified in standard 10(c).~~

(d) — Continuing judicial education

~~After a judicial officer has completed the first year on the bench, the court should grant the judicial officer at least eight court days per calendar year to attend continuing education programs relating to the judicial officer's responsibilities or court assignment. The judicial officer should participate in education activities related to particular judicial assignments as specified in standard 10.12.~~

(e) — Education for retired judges sitting on assignment

~~Retired judges seeking to sit on regular court assignment should participate in education activities in order to comply with the requirements of the Chief Justice's Standards and Guidelines for Judges Who Serve on Assignment.~~

(f) — Fairness education

~~In order to achieve the objective of assisting judicial officers in preserving the integrity and impartiality of the judicial system through the prevention of bias, all judicial officers should receive education on fairness. The education should include instruction on race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.~~

(g) — Service as faculty and education committee members

~~In addition to the educational leave required or authorized under rule 10.603 or subdivision (d) or (f) of this standard, a judicial officer should be granted leave to serve on judicial education committees and as a faculty member at judicial education programs when the judicial officer's services have been requested for these purposes by the Judicial Council, the California Judges Association, CJER, or the judicial officer's court. If a court's calendar would not be adversely affected, the court should grant additional leave for a~~

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~~judicial officer to serve on an educational committee or as a faculty member for any judicial education provider that requests the judicial officer's services.~~

(h) — Reimbursement of expenses

~~A judicial officer should be reimbursed, in accordance with applicable state or local rules, by his or her court for actual and necessary travel and subsistence expenses incurred in attending a judicial education program as a student participant, except to the extent that the judicial education provider sponsoring the program pays the expenses. Every court's budget should provide for those expenses.~~

(i) — Application of standard to commissioners and referees

~~As used in this standard, unless the context or subject matter otherwise requires, "judicial officers" means justices, judges, commissioners, and referees who are court employees not engaged in the practice of law.~~

Standard 10.11 repealed effective January 1, 2008; adopted as sec. 25 effective January 1, 1990; previously amended and renumbered as sec. 25.1 effective January 1, 1999; previously amended and renumbered effective January 1, 2007.

Advisory Committee Comment

~~Subdivision (a). This provision recognizes that judicial officers must develop, maintain, and improve their professional competence by participating in judicial orientation and training programs when they first assume their judicial positions, and thereafter in continuing education programs throughout their judicial careers.~~

~~The judiciary will assess its own educational needs and establish appropriate programs and tools for meeting those needs. Various judicial organizations in this state, such as the Administrative Office of the Courts, the California Judges Association, and the Center for Judicial Education and Research, provide judicial officers with comprehensive educational opportunities in all areas of their judicial responsibilities. These organizations typically use experienced judicial officers to plan, conduct, oversee, and evaluate the effectiveness of their programs. Judicial officers determine all aspects of the programs offered by the California Judges Association. The Center for Judicial Education and Research is governed by an 11-member governing committee appointed by the Chief Justice of California as Chair of the Judicial Council. Four of the judicial members are nominated by the California Judges Association and four are appointed on behalf of the Judicial Council; three court administrator members are appointed on behalf of the Judicial Council. Subject to the Judicial Council's authority, the committee is responsible for determining matters relating to the center's judicial branch education policies and for making recommendations to the Judicial Council for action. The center's educational activities are planned, conducted, and overseen by a broad base of judicial officers and administrators serving on planning committees under the governing committee's supervision.~~

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~~Subdivision (b). Although caseloads and court calendars may make it difficult for presiding judges and justices to permit judicial officers from their courts to participate in judicial education programs, their cooperation and preparation of orderly judicial education plans for all the judicial officers of their respective courts is important to the ultimate effectiveness of judicial education in this state.~~

~~Judicial officers who serve as faculty at judicial education programs are assumed to derive educational benefits comparable to, if not greater than, those received by student participants.~~

~~A judicial officer assigned to a special calendar court, such as family or juvenile, may not be able to participate in judicial education programs unless another judicial officer is assigned to handle that calendar while he or she is away.~~

~~Subdivision (d). This provision specifies the minimum annual continuing education relating to a judicial officer's responsibilities or court assignment. A judicial officer with two or more assignments or special responsibilities, such as a presiding or supervising judge, may require additional continuing education. In addition, if a court has established its own local judicial education program, judicial officers of that court are encouraged to avail themselves of local educational programs, materials, and liaison projects. Although (d) refers to court days, it assumes that judicial officers will continue to attend weekend courses.~~

~~Subdivision (g). This provision recognizes the importance of judicial officers being able to serve as lecturers, seminar leaders, consultants, and committee members for judicial education programs and projects. Faculty service is a significant educational experience for the faculty member and a significant contribution to the maintenance of necessary educational standards for the California judiciary.~~

Standard 10.12. Judicial education for judicial officers in particular judicial assignments

~~Each judicial officer, as part of his or her continuing judicial education, should participate in educational activities related to the following particular judicial assignments:~~

(a) Jury trials

~~A judicial officer assigned to jury trials should use Center for Judicial Education and Research (CJER) educational materials or other appropriate materials or attend CJER or other appropriate educational programs devoted to the conduct of jury voir dire and the treatment of jurors.~~

(b) Family court

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~~Every judicial officer whose principal judicial assignment is to hear family law matters or who is the sole judicial officer hearing such matters should attend the following judicial education programs:~~

~~(1) — *Basic education*~~

~~Within three months of beginning a family law assignment, or within one year of beginning a family law assignment in courts with five or fewer judicial officers, the judicial officer should attend a basic educational program on California family law and procedure designed primarily for judicial officers. A judicial officer who has completed the basic educational program need not attend the program again. All other judicial officers who hear family law matters, including retired judicial officers who sit on court assignment, should participate in appropriate family law educational programs.~~

~~(2) — *Continuing education*~~

~~The judicial officer should attend a periodic update on new developments in California family law and procedure.~~

~~(3) — *Other education*~~

~~To the extent that judicial time and resources are available, the judicial officer should attend additional educational programs on other aspects of family law, including interdisciplinary subjects relating to the family.~~

(e) — *Juvenile dependency court*

~~Each judicial officer whose principal judicial assignment is to hear juvenile dependency matters or who is the sole judicial officer hearing juvenile dependency matters should attend judicial education programs as follows:~~

~~(1) — *Basic education*~~

~~Within one year of beginning a juvenile dependency assignment, the judicial officer should receive basic education on California juvenile dependency law and procedure designed primarily for judicial officers. All other judicial officers who hear juvenile dependency matters, including retired judicial officers who sit on court assignment, should~~

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~~participate in appropriate educational programs, including written materials and videotapes designed for self-study.~~

~~(2) — Continuing education~~

~~The judicial officer should annually attend the CJER Juvenile Law and Procedure Institute and one additional education program related to juvenile dependency law, including programs sponsored by CJER, the California Judges Association, the Judicial Council, the National Judicial College, the National Council of Juvenile and Family Court Judges, and other programs approved by the presiding judge. The use of video and audiotapes may substitute for attendance.~~

Standard 10.12 repealed effective January 1, 2008; adopted as sec. 25.2 effective January 1, 1999; previously amended and renumbered effective January 1, 2007.

Standard 10.13. Judicial education curricula provided in particular judicial assignments

The Center for Judicial Education and Research (CJER) should provide a comprehensive educational curriculum for judicial officers in the following particular judicial assignments, corresponding to those identified in standard 10.12:

~~(1) — Jury trials~~

~~CJER should develop and provide to every California trial court educational materials on jury selection and the treatment of jurors for use and review by judicial officers, court administrators, and jury staff employees.~~

~~(2) — Family court~~

~~(A) — Comprehensive curriculum~~

~~CJER should provide a comprehensive educational curriculum for judicial officers who hear family law matters. This curriculum should include instruction in California law and procedure relevant to family matters, the effects of gender on family law proceedings, the economic effects of dissolution, and interdisciplinary subjects relating to family court matters, including but not limited to child development, substance abuse, sexual abuse of children, domestic violence, child abuse and~~

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~~neglect, juvenile justice, adoption, and the social service and mental health systems. It should include videotaped presentations and written materials that can be provided for local court use.~~

~~(B) Periodic updates~~

~~CJER should conduct periodic educational programs that provide updates on new developments, innovative court practices, and fair and efficient procedures in family law.~~

~~(3) Juvenile dependency court~~

~~(A) Comprehensive curriculum~~

~~CJER should provide a comprehensive curriculum on juvenile dependency law and procedure for judicial officers who hear juvenile dependency matters. The curriculum should include:~~

- ~~(i) California law and procedure relevant to juvenile dependency matters;~~
- ~~(ii) Interagency relationships;~~
- ~~(iii) The effects of gender, race, and ethnicity on juvenile dependency proceedings; and~~
- ~~(iv) Interdisciplinary subjects relating to juvenile law matters, including child development, child witness, substance abuse, family violence, child abuse (including sexual abuse), adoption, and stress related to the juvenile court assignment. The curriculum should also include an instruction component at the judicial college and materials for local court use and self study.~~

~~(B) Periodic updates~~

~~CJER should conduct an annual educational program that provides an update on new developments, innovative programs and court practices, and fair and efficient procedures in juvenile law.~~

Standard 10.13 repealed effective January 1, 2008; repealed and adopted as sec. 25.3 effective January 1, 1999; previously amended and renumbered effective January 1, 2007.

Standard 10.14. ~~Judicial education for judges hearing capital cases~~

(a) ~~Comprehensive curriculum~~

~~The Center for Judicial Education and Research (CJER) should provide a comprehensive curriculum and periodic updates for training on California law and procedure relevant to capital cases. The periodic update may be provided through actual classroom instruction or through video, audio, or other media as determined by CJER.~~

(b) ~~Comprehensive training~~

~~A judge assigned to a capital case should attend the comprehensive training specified in (a) before commencement of the trial. A judge with a subsequent assignment to a capital case should complete the periodic update course described in (a) within two years before the commencement of the trial.~~

Standard 10.14 repealed effective January 1, 2008; adopted as sec. 25.4 effective January 1, 2004; previously amended and renumbered effective January 1, 2007.

Standard 10.15. ~~General court employee education standards~~

(a) ~~Court employee education generally~~

~~Court employee education for all trial and appellate court employees is essential to enhancing the fair and efficient administration of justice. The Judicial Council strives to reach all court employees with educational opportunities. Court employees should consider participation in judicial branch education activities to be an official duty. The responsibility for planning, conducting, and overseeing judicial branch education properly rests in the judicial branch.~~

(b) ~~Responsibilities of executive and administrative officers~~

~~Executive and administrative officers should develop, as a part of the annual budget process for their courts, annual education plans that facilitate employees' participation as both students and faculty in judicial branch education programs, as prescribed by this standard. The plans may designate, either locally or regionally, a training specialist to coordinate the implementation of the plans. The plans should include methods of measuring the effectiveness of education programs. A copy of the locally developed~~

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~~education plans should be forwarded to the Center for Judicial Education and Research (CJER), which will serve as a depository.~~

~~(e) Court employee education objectives~~

~~Court employee educational committees and others who plan educational programs should endeavor to achieve the objectives specified in standard 10.10(e).~~

~~(d) Executive and administrative officer education~~

- ~~(1) Executive and administrative officers should participate in a minimum of one core course offered by the Judicial Council through CJER (e.g., a course in leadership, organizational change, technology, budgeting, community and media relations, caseload management, management teams, team building, or strategic planning) within one year of appointment.~~
- ~~(2) Executive and administrative officers should annually participate in a minimum of one continuing education course or conference (e.g., California Judicial Administration Conference or Continuing Judicial Studies Program) offered by the Judicial Council through CJER or by other providers.~~
- ~~(3) Executive and administrative officers should participate in a course on fairness and diversity offered locally or by the Judicial Council through CJER.~~
- ~~(4) Executive and administrative officers should make use of alternative methods of delivery of educational programming offered locally or by the Judicial Council through CJER.~~
- ~~(5) Executive and administrative officers should make training available to their employees on a local or regional level. This training should include an orientation program for all new employees on the background, history, and structure of the judicial branch, including the Judicial Council and the Administrative Office of the Courts.~~
- ~~(6) Executive and administrative officers retain authority to determine whether employees may attend an education program, based on the program's quality and relevance.~~

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~~(e) — Manager education~~

- ~~(1) — Managers should participate annually in a minimum of one core course on leadership, management, or supervision offered locally or by the Judicial Council through CJER.~~
- ~~(2) — Managers should participate in a course on fairness and diversity offered locally or by the Judicial Council through CJER.~~

~~(f) — Employee education~~

- ~~(1) — Employees should participate within the first year of employment in a local orientation program that includes the background, history, and structure of the judicial branch.~~
- ~~(2) — Employees should participate in a minimum of one continuing education course annually. This course may be offered by the Judicial Council through CJER, statewide by the clerks' associations, or locally by other providers. It may include a college course that is work related.~~
- ~~(3) — Employees should participate in a course on fairness and diversity offered locally or by the Judicial Council through CJER.~~
- ~~(4) — Employees should participate in a course covering appropriate skills and conduct for working with court customers offered locally or by the Judicial Council through CJER.~~
- ~~(5) — Eligible employees are encouraged to participate in the Court Clerk Training Institute within five years of appointment.~~

~~(g) — Fairness education~~

~~In order to achieve the objective of assisting court employees in preserving the integrity and impartiality of the judicial system through the prevention of bias, all court employees should receive education on fairness. The education should include instruction on race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.~~

~~(h) — Education on treatment of jurors~~

~~The presiding judge of each trial court should ensure that all court administrators and all court employees who interact with jurors are properly~~

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~~trained in the appropriate treatment of jurors. Court administrators and jury staff employees should use CJER educational materials or other appropriate materials or attend CJER programs or other appropriate programs devoted to the treatment of jurors.~~

(i) — Service as faculty and committee members

~~In addition to participating as students in educational activities, court employees should be allowed and encouraged to serve on court employee education committees and as faculty at court employee education programs when an employee's services have been requested for these purposes by the Judicial Council, CJER, or the court.~~

(j) — Reimbursement of expenses

~~A court employee should be reimbursed, in accordance with applicable state or local rules, by his or her court for actual and necessary travel and subsistence expenses incurred in attending a court employee education program as a student participant under this standard, except to the extent that the education provider sponsoring the program pays the expenses. Every court's budget should provide for those expenses.~~

Standard 10.15 repealed effective January 1, 2008; adopted as sec. 25.6 effective January 1, 1999; previously amended and renumbered effective January 1, 2007.

Advisory Committee Comment

~~Subdivision (a). This subdivision recognizes that court employees should develop, maintain, and improve their professional competence by participating in training programs when they assume their positions and thereafter in continuing education programs throughout their careers. The judicial branch should assess its own educational needs and establish appropriate programs.~~

~~Subdivision (b). The educational plans provided for in the subdivision are important for the ultimate effectiveness of judicial branch education in this state. Court employees who serve as faculty at education programs are assumed to derive educational benefits comparable to, if not greater than, those received by student participants.~~

Chapter 8. Minimum Education Requirements, and Expectations, and Recommendations

Rule 10.452. Minimum education requirements, and expectations, and recommendations

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(a) Purpose

Justices, judges, and subordinate judicial officers are entrusted by the public with the impartial and knowledgeable handling of proceedings that affect the freedom, livelihood, and happiness of the people involved. Court personnel assist justices, judges, and subordinate judicial officers in carrying out their responsibilities and must provide accurate and timely services to the public. Each justice, judge, and subordinate judicial officer and each court staff member is responsible for maintaining and improving his or her professional competence. To assist them in enhancing their professional competence, the judicial branch will develop and maintain a comprehensive and high-quality education program, including minimum education requirements, ~~and~~ expectations, and recommendations, to provide educational opportunities for all justices, judges, subordinate judicial officers, and court personnel.

(Subd (a) amended effective January 1, 2008.)

(b) Goals

The minimum education requirements, ~~and expectations, and~~ recommendations set forth in rules 10.461–10.479~~464~~ are intended to achieve two complementary goals:

- (1) ***
- (2) To establish broad parameters, based on time, for continuing education for individuals who are experienced both on the bench or court and in their assignments or roles, while preserving the ability of the individual, working with the ~~presiding judge or court executive officer~~ individual who oversees his or her work, to determine the appropriate content and provider.

(Subd (b) amended effective January 1, 2008.)

(c) **Relationship of minimum education requirements and expectations to education recommendations standards**

The education requirements and expectations set forth in rules 10.461–10.462~~464~~ and 10.471–10.474 are minimums. Justices, judges, and subordinate judicial officers should participate in more judicial education than is required and expected, related to each individual's responsibilities and particular judicial assignment or assignments and in accordance with the judicial education recommendations standards ~~set forth in rule 10.469~~ standards 10.1010.14 of the California Standards of Judicial

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~~Administration. Additional education requirements related to the specific responsibility of hearing family law matters are set forth in rule 10.463. Clerk/administrators, court executive officers, and other court personnel should participate in more education than is required, related to each individual's responsibilities and in accordance with the education recommendations standards set forth in rule 10.479 standard 10.15 of the California Standards of Judicial Administration.~~

(Subd (c) amended effective January 1, 2008.)

(d) Responsibilities of Chief Justice and administrative presiding justices

The Chief Justice and each administrative presiding justice:

- (1) Must grant sufficient leave to new Supreme Court and Court of Appeal justices, and the clerk/administrator, and the managing attorney to enable them to complete the minimum education requirements stated in rules 10.461, 10.471~~3~~, and 10.472, respectively;
- (2) To the extent compatible with the efficient administration of justice, must grant to all justices, and the clerk/administrator, and the managing attorney sufficient leave to participate in education programs consistent with the education recommendations stated in rules 10.469 and 10.479. standard 10.11 of the Standards of Judicial Administration; After a justice has completed any new justice education required under rule 10.461 or after a justice has completed the first year on the bench, the Chief Justice or the administrative presiding justice should grant each justice at least eight court days per calendar year to participate in continuing education relating to the justice's responsibilities;
- (3) In addition to the educational leave required under (d)(1)–(2), should grant leave to a justice, clerk/administrator, or managing attorney to serve on education committees and as a faculty member at education programs when the individual's services have been requested for these purposes by the Administrative Office of the Courts, the California Judges Association, or the court. If a court's calendar would not be adversely affected, the court should grant additional leave for a justice, the clerk/administrator, or the managing attorney to serve on an educational committee or as a faculty member for judicial branch education;

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- (43) Should establish an education plan for his or her court to facilitate the involvement of justices, the clerk/administrator, and the managing attorney as both participants and faculty in education activities; ~~and~~
- (54) Must ensure that ~~Court of Appeal~~ justices, the clerk/administrator, and the managing attorney are reimbursed by their court in accordance with the travel policies issued by the Administrative Office of the Courts for travel expenses incurred in attending in-state education programs as a participant, except to the extent that: (i) certain expenses are covered by the Administrative Office of the Courts; or (ii) the education provider or sponsor of the program pays the expenses. Provisions for these expenses must be part of every court's budget. The Chief Justice or the administrative presiding justice may approve reimbursement of travel expenses incurred by ~~Court of Appeal~~ justices, the clerk/administrator, and the managing attorney in attending out-of-state education programs as a participant.; and
- (6) Must retain the records and cumulative histories of participation provided by justices. These records and cumulative histories are subject to periodic audit by the Administrative Office of the Courts. The Chief Justice and the administrative presiding justice must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

(Subd (d) amended effective January 1, 2008.)

(e) Responsibilities of presiding judges

Each presiding judge:

- (1) Must grant sufficient leave to all judges and subordinate judicial officers and to the court executive officer to enable them to complete the minimum education requirements and expectations stated in rules 10.462 and ~~10.473463~~, respectively;
- (2) To the extent compatible with the efficient administration of justice, must grant to all judges and subordinate judicial officers and to the court executive officer sufficient leave to participate in education programs consistent with the education recommendations standards 10.1110.14 and 10.15 of the California Standards of Judicial Administration stated in rules 10.469 and 10.479. After a judge or

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subordinate judicial officer has completed the new judge education required under rule 10.462, the presiding judge should grant each judge and subordinate judicial officer at least eight court days per calendar year to participate in continuing education relating to the judge or subordinate judicial officer's responsibilities or current or future court assignment;

- (3) In addition to the educational leave required or authorized under rule 10.603 or (e)(1)–(2), should grant leave to a judge or subordinate judicial officer or the executive officer to serve on education committees and as a faculty member at education programs when the judicial officer's or executive officer's services have been requested for these purposes by the Judicial Council, the California Judges Association, or the court. If a court's calendar would not be adversely affected, the presiding judge should grant additional leave for a judge or subordinate judicial officer or executive officer to serve on an educational committee or as a faculty member for judicial branch education;
- (43) Should establish an education plan for his or her court to facilitate the involvement of judges, subordinate judicial officers, and the executive officer as both participants and faculty in education activities and should consult with each judge, each subordinate judicial officer, and the executive officer regarding their education needs and requirements related to their current and future assignments;
- (54) Should use his or her assignment powers to enable all judges and subordinate judicial officers, particularly those assigned to specific calendar courts, to participate in educational activities;
- (65) Must ensure that judges, subordinate judicial officers, and the court executive officer are reimbursed by their court in accordance with the Trial Court Financial Policies and Procedures Manual for travel expenses incurred in attending in-state education programs as a participant, except to the extent that: (i) certain expenses are covered by the Administrative Office of the Courts; or (ii) the education provider or sponsor of the program pays the expenses. Provisions for these expenses must be part of every court's budget. The presiding judge may approve reimbursement of travel expenses incurred by judges, subordinate judicial officers, and the court executive officer in attending out-of-state education programs as a participant; and

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- (76) Must retain the records and cumulative histories of participation provided by judges. These records and cumulative histories are subject to periodic audit by the Administrative Office of the Courts (AOC). The presiding judge must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

(Subd (e) amended effective January 1, 2008.)

(f) Responsibilities of Supreme Court and Court of Appeal justices, clerk/administrators, managing attorneys, and supervisors

Each court's justices, clerk/administrator, managing attorney, and supervisors:

- (1) Must grant sufficient leave to all court personnel to enable them to complete the minimum education requirements stated in rule 10.472;
- (2) To the extent compatible with the efficient administration of justice, must grant to all court personnel sufficient leave to participate in education programs consistent with the education recommendations stated in rule 10.479;
- (3) Should allow and encourage court personnel, in addition to participating as students in educational activities, to serve on court personnel education committees and as faculty at court personnel education programs when an employee's services have been requested for these purposes by the Administrative Office of the Courts or the court; and
- (4) Should establish an education plan for their court to facilitate the involvement of court personnel as both participants and faculty in educational activities, and should consult with each court staff member regarding his or her education needs and requirements and professional development.
- (5) Must ensure that supervisors and other court personnel are reimbursed by their court in accordance with the travel policies issued by the Administrative Office of the Courts for travel expenses incurred in attending in-state education programs as a participant, except to the extent that: (i) certain expenses are covered by the Administrative

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Office of the Courts; or (ii) the education provider or sponsor of the program pays the expenses. Provisions for these expenses must be part of every court's budget. The clerk/administrator or the managing attorney may approve reimbursement of travel expenses incurred by supervisors and other court personnel in attending out-of-state education programs as a participant.

(Subd (f) adopted effective January 1, 2008.)

(gf) Responsibilities of trial court executive officers, managers, and supervisors

Each trial court's executive officer, managers, and supervisors:

- (1) Must grant sufficient leave to all court personnel to enable them to complete the minimum education requirements stated in rule 10.474464;
- (2) To the extent compatible with the efficient administration of justice, must grant to all court personnel sufficient leave to participate in education programs consistent with the education recommendations stated in rule 10.479; standard 10.15 of the California Standards of Judicial Administration; and
- (3) Should allow and encourage court personnel, in addition to participating as students in education activities, to serve on court personnel education committees and as faculty at court personnel education programs when an employee's services have been requested for these purposes by the Judicial Council or the court;
- (43) Should establish an education plan for their court to facilitate the involvement of court personnel as both participants and faculty in educational activities, and should consult with each court staff member regarding his or her education needs and requirements and professional development.; and
- (54) Must ensure that managers, supervisors, and other court personnel are reimbursed by their court in accordance with the Trial Court Financial Policies and Procedures Manual for travel expenses incurred in attending in-state education programs as a participant, except to the extent that: (i) certain expenses are covered by the Administrative Office of the Courts; or (ii) the education provider or sponsor of the

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program pays the expenses. Provisions for these expenses must be part of every court's budget. The court executive officer may approve reimbursement of travel expenses incurred by managers, supervisors, and other court personnel in attending out-of-state education programs as a participant.

(Subd (g) amended and relettered effective January 1, 2008; adopted as subd (f) effective January 1, 2007.)

Rule 10.452 amended effective January 1, 2008; adopted effective January 1, 2007.

Rule 10.461. New Minimum education requirements for Supreme Court and Court of Appeal justices

(a) Applicability

All California Court of Appeal justices must complete the minimum judicial education requirements for new justices under (b), and all Supreme Court and Court of Appeal justices must complete minimum continuing education requirements as outlined under (c). All justices should participate in more judicial education than is required, related to each individual's responsibilities and in accordance with the judicial education recommendations set forth in rule 10.469.

(Subd (a) adopted effective January 1, 2008.)

(b) Content-based requirement

Each new Court of Appeal justice, within two years of confirmation of appointment, must attend a new appellate judge orientation program sponsored by a national provider of appellate orientation programs or by the Administrative Office of the Courts' Education Division/Center for Judicial Education and Research.

(Subd (b) amended and lettered effective January 1, 2008; adopted as unlettered subd effective January 1, 2007.)

(c) Hours-based continuing education

(1) Each justice must complete 30 hours of continuing judicial education every three years, beginning on the dates outlined:

(A) A new Supreme Court justice enters the three-year continuing education period on January 1 of the year following confirmation

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of appointment, and a new Court of Appeal justice enters the three-year continuing education period on January 1 of the year following completion of the required new justice education; continuing education requirements are prorated based on the number of years remaining in the three-year period.

(B) For all other justices, the first continuing education period begins January 1, 2008.

(C) The first continuing education period for Supreme Court and Court of Appeal justices is for two years from January 1, 2008, through December 31, 2009, rather than three years. The continuing education requirements and limitations in (c) are consequently prorated for this two-year period. The first three-year period then begins January 1, 2010.

(2) The following education applies toward the required 30 hours of continuing judicial education:

(A) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the Chief Justice or the administrative presiding justice as meeting the criteria listed in rule 10.481(b).

(B) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, online coursework, and self-directed study counts toward the continuing education requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a combined total of 7 hours in each three-year period; this limit is prorated for individuals who enter the three-year period after it has begun.

(C) A justice who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that course is presented. The hours applied for faculty service are limited to 15 in each three-

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year period; this limit is prorated for individuals who enter the three-year period after it has begun.

(Subd (c) adopted effective January 1, 2008.)

(d) Extension of time

- (1) For good cause, the Chief Justice or the administrative presiding justice may grant a one-year extension of time to complete the continuing education requirement in (c).
- (2) If the Chief Justice or the administrative presiding justice grants a request for an extension of time, the justice, in consultation with the Chief Justice or the administrative presiding justice, should also pursue interim means of obtaining relevant educational content.
- (3) An extension of time to complete the hours-based continuing education requirement does not affect what is required in the next three-year period.

(Subd (d) adopted effective January 1, 2008.)

(e) Records and summaries of participation for justices

Each justice is responsible for:

- (1) Tracking his or her own participation in education and keeping a record of participation, on a form provided by the Judicial Council, for three years after each course or activity that is applied toward the requirements;
- (2) At the end of each year, giving the Chief Justice or the administrative presiding justice a copy of his or her record of participation in education for that year, on a form provided by the Judicial Council; and
- (3) At the end of each three-year period, giving the Chief Justice or the administrative presiding justice a copy of his or her record of participation in education for that year and a cumulative history of participation for that three-year period, on a form provided by the Judicial Council.

(Subd (e) adopted effective January 1, 2008.)

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Rule 10.461 amended effective January 1, 2008; adopted effective January 1, 2007.

Advisory Committee Comment

The requirements formerly contained in subdivision (e)(2) of rule 970, which has been repealed, are carried forward without change in rule 10.461(b).

Rule 10.462. Minimum education requirements and expectations for trial court judges and subordinate judicial officers

(a) Applicability

All California trial court judges must complete the minimum judicial education requirements for new judges under (c)(1) and are expected to participate in continuing education as outlined under (d). All subordinate judicial officers must complete the minimum education requirements for new subordinate judicial officers under (c)(1) and for continuing education as outlined under (d). All trial court judges and subordinate judicial officers who hear family law matters must complete additional education requirements set forth in rule 10.463. All trial court judges and subordinate judicial officers should participate in more judicial education than is required and expected, related to each individual's responsibilities and particular judicial assignment or assignments and in accordance with the judicial education recommendations set forth in rule 10.469.

(Subd (a) amended effective January 1, 2008.)

(b) ***

(c) Content-based requirements

(1) Each new trial court judge and subordinate judicial officer must complete the ~~following~~ “new judge education” provided by the Administrative Office of the Courts’ Education Division/Center for Judicial Education and Research (CJER) as follows:

(A) The New Judge Orientation Program within six months of taking the oath as a judge or subordinate judicial officer. For purposes of the New Judge Orientation Program, a judge or subordinate judicial officer is considered “new” only once, and any judge or subordinate officer who has completed the New Judge Orientation Program, as required under this rule or under former rule 970, is not required to complete the program again. A judge or

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subordinate officer who was appointed, elected, or hired before rule 970 was adopted on January 1, 1996, is not required to complete the program.

(B)–(C) ***

(2)–(3) ***

- (4) Each judge is expected to and each subordinate judicial officer must, if beginning a new primary assignment—(unless he or she is returning to an assignment after less than two years in another assignment),—complete a course on the new primary assignment, provided by CJER, the California Judges Association (CJA), or the local court, within six months of beginning the new assignment. CJER is responsible for identifying content for these courses and will share the identified content with CJA and the local courts.

(Subd (c) amended effective January 1, 2008.)

(d) Hours-based continuing education

(1) ***

- (2) The following education applies toward the expected or required 30 hours of continuing judicial education:

(A) ***

- (B) Any other education offered by a provider listed in rule 10.481471(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the presiding judge as meeting the criteria listed in rule 10.481471(b).

(3)–(5) ***

(Subd (d) amended effective January 1, 2008.)

(e) ***

(f) Records and cumulative histories summaries of participation for judges

Each judge is responsible for:

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(1)–(3) ***

(Subd (f) amended effective January 1, 2008.)

(g) ***

Rule 10.462 amended effective January 1, 2008; adopted effective January 1, 2007.

Advisory Committee Comment

The minimum judicial education requirements in rule 10.462 do not apply to retired judges seeking to sit on regular court assignment in the Assigned Judges Program. Retired judges who seek to serve in the Assigned Judges Program must comply with the Chief Justice's Standards and Guidelines for Judges Who Serve on Assignment, which includes education requirements.

Former rule 10.463. Renumbered effective January 1, 2008

Rule 10.463 renumbered as rule 10.473.

Rule ~~10.463~~10.30. Judicial Education requirements for family court judges and subordinate judicial officers

~~Each~~ Every judge or subordinate judicial officer whose ~~primary principal judicial~~ assignment is to hear family law matters or who is the sole judge hearing family law matters must, ~~if funds are available, attend~~ complete the following judicial education programs:

(a) Basic family law education

Within six months of beginning a family law assignment, or within one year of beginning a family law assignment in courts with five or fewer judges, the judge or subordinate judicial officer must ~~attend~~ complete a basic educational program on California family law and procedure designed primarily for judicial officers. A judge or subordinate judicial officer who has completed the basic educational program need not complete ~~attend~~ the basic educational program again. All other judicial officers who hear family law matters, including retired judges who sit on court assignment, must complete ~~participate in~~ appropriate family law educational programs.

(Subd (a) amended effective January 1, 2008; adopted as (1) effective January 1, 1992; previously amended and lettered effective January 1, 2003.)

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(b) Continuing family law education

The judge or subordinate judicial officer must complete ~~attend~~ a periodic update on new developments in California family law and procedure.

(Subd (b) amended effective January 1, 2008; adopted as (2) effective January 1, 1992; previously amended and lettered effective January 1, 2003.)

(c) Other family law education

To the extent that judicial time and resources are available, the judge or subordinate judicial officer must complete ~~attend~~ additional educational programs on other aspects of family law including interdisciplinary subjects relating to the family.

(Subd (c) amended effective January 1, 2008; adopted as (3) effective January 1, 1992; previously amended and lettered effective January 1, 2003.)

Rule 10.463 amended and renumbered effective January 1, 2008; adopted as rule 1200 effective January 1, 1992; previously amended and renumbered as rule 5.30 effective January 1, 2003.

Rule 10.464. Renumbered effective January 1, 2008

Rule 10.464 renumbered as rule 10.474.

Rule 10.469. Judicial education recommendations for justices, judges, and subordinate judicial officers

(a) Judicial education recommendations generally

Each justice, judge, and subordinate judicial officer, as part of his or her continuing judicial education, should regularly participate in educational activities related to his or her responsibilities and particular judicial assignment or assignments. Minimum education requirements and expectations related to judicial responsibilities and assignments are set forth in rules 10.461–10.462. Additional education requirements related to the specific responsibility of hearing family law matters are set forth in rule 10.463. The following recommendations illustrate for some specific responsibilities and assignments how justices, judges, and subordinate judicial officers should participate in more judicial education than is required and expected.

(b) Jury trial assignment

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Each judge or subordinate judicial officer assigned to jury trials should regularly use Center for Judicial Education and Research (CJER) educational materials or other appropriate materials and should regularly complete CJER or other appropriate educational programs devoted to the conduct of jury voir dire and the treatment of jurors.

(c) Hearing of juvenile dependency matters

Each judge or subordinate judicial officer who hears juvenile dependency matters, including retired judges who sit on court assignment, should regularly use appropriate educational materials and should annually complete appropriate education programs on juvenile dependency law and procedure, consistent with the requirements in Welfare and Institutions Code section 304.7.

(d) Capital case assignment

Each judge assigned to hear a capital case should complete before the commencement of the trial a comprehensive education program on California law and procedure relevant to capital cases provided by CJER. A judge with a subsequent assignment to a capital case should complete a periodic update course within two years before the commencement of the trial. The periodic update may be provided through actual classroom instruction or through video, audio, or other media as determined by CJER.

(e) Fairness and access education

In order to achieve the objective of assisting judicial officers in preserving the integrity and impartiality of the judicial system through the prevention of bias, each justice, judge, and subordinate judicial officer should regularly participate in education on fairness and access. The education should include the following subjects: race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.

Rule 10.469 adopted effective January 1, 2008.

Former rule 10.471. Renumbered effective January 1, 2008

Rule 10.471 renumbered as rule 10.481.

Rule 10.471. Minimum education requirements for Supreme Court and Court of Appeal clerk/administrators

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Adopted by the Judicial Council on August 31, 2007, effective on January 1, 2008.

(a) Applicability

All California Supreme Court and Court of Appeal clerk/administrators must complete these minimum education requirements. All clerk/administrators should participate in more education than is required, related to each individual's responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(b) Hours-based requirement

- (1) Each clerk/administrator must complete 30 hours of continuing education every three years beginning on the following date:
 - (A) For a new clerk/administrator, the first three-year period begins on January 1 of the year following his or her hire.
 - (B) For all other clerk/administrators, the first three-year period begins on January 1, 2008.
- (2) The following education applies toward the required 30 hours of continuing education:
 - (A) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the Chief Justice or the administrative presiding justice as meeting the criteria listed in rule 10.481(b).
 - (B) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, online coursework, and self-directed study counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a combined total of 7 hours in each three-year period.
 - (C) A clerk/administrator who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that course is presented. The

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hours applied for faculty service are limited to 15 in each three-year period.

(c) Extension of time

- (1) For good cause, the Chief Justice or the administrative presiding justice may grant a one-year extension of time to complete the education requirements in (b).
- (2) If the Chief Justice or the administrative presiding justice grants a request for an extension of time, the clerk/administrator, in consultation with the Chief Justice or the administrative presiding justice, must also pursue interim means of obtaining relevant educational content.
- (3) An extension of time to complete the hours-based requirement does not affect the timing of the clerk/administrator's next three-year period.

(d) Record of participation; statement of completion

Each clerk/administrator is responsible for:

- (1) Tracking his or her own participation in education and keeping a record of participation for three years after each course or activity that is applied toward the requirements;
- (2) At the end of each year, giving the Chief Justice or the administrative presiding justice a copy of his or her record of participation in education for that year; and
- (3) At the end of each three-year period, giving the Chief Justice or the administrative presiding justice a signed statement of completion for that three-year period.

Rule 10.471 adopted effective January 1, 2008.

Rule 10.472. Minimum education requirements for Supreme Court and Court of Appeal managing attorneys, supervisors, and other personnel

(a) Applicability

All California Supreme Court and Court of Appeal managing attorneys, supervisors, and other personnel must complete these minimum education

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requirements. All managing attorneys, supervisors, and other personnel should participate in more education than is required related to each individual's responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(b) Content-based requirements

(1) Each new managing attorney or supervisor must complete orientation courses within six months of becoming a managing attorney or supervisor, unless the individual's supervisor determines that the new managing attorney or supervisor has already completed these orientation courses or courses covering equivalent content. The courses must include orientation about:

(A) The judicial branch of California;

(B) The local court; and

(C) Basic management and supervision.

(2) Each new court employee who is not a managing attorney or supervisor must complete orientation courses within six months of becoming a court employee, unless the employee's supervisor determines that the new court employee has already completed these orientation courses or courses covering equivalent content. The courses must include orientation about:

(A) The judicial branch of California;

(B) The local court;

(C) Basic employee issues, such as sexual harassment and safety; and

(D) The employee's specific job.

(3) The clerk/administrator, the managing attorney, or the employee's supervisor may determine the appropriate content, delivery mechanism, and length of orientation based on the needs and role of each individual employee.

(c) Hours-based requirements

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Adopted by the Judicial Council on August 31, 2007, effective on January 1, 2008.

- (1) Each managing attorney, supervisor, or appellate judicial attorney must complete 12 hours of continuing education every two years.
- (2) Each court employee who is not a managing attorney, supervisor, or appellate judicial attorney must complete 8 hours of continuing education every two years, with the exception of employees who do not provide court administrative or operational services. Those employees are not subject to the continuing education hours-based requirement but must complete any education or training required by law and any other education required by the clerk/administrator.
- (3) The first two-year period for all managing attorneys, supervisors, and other personnel begins on January 1, 2008. The orientation education required for new managing attorneys, supervisors, and other personnel under (b) does not apply toward the required hours of continuing education because it must be completed before they enter the two-year period. Each new managing attorney, supervisor, or employee enters the two-year continuing education period on the first day of the quarter following his or her completion of the orientation education required under (b); the quarters begin on January 1, April 1, July 1, and October 1. Each managing attorney, supervisor, or employee who enters the two-year continuing education period after it has begun must complete a prorated number of continuing education hours for that two-year period, based on the number of quarters remaining in it.
- (4) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory, rules-based, or other education requirement, that is approved by the clerk/administrator, the managing attorney, or the employee's supervisor as meeting the criteria listed in rule 10.481(b) applies toward the orientation education required under (b) and the continuing education required under (c)(1) and (2).
- (5) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, and online coursework counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework are limited to a total of 4 hours for managers, supervisors, and appellate judicial attorneys and to a total of 3 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun. Self-directed study is encouraged for professional development but does not apply toward the required hours.

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- (6) A managing attorney, supervisor, or other employee who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that the course is presented. The hours applied for faculty service are limited to 6 hours for managers, supervisors, and appellate judicial attorneys and to 4 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun.
- (7) The clerk/administrator, the managing attorney, or the employee's supervisor may require supervisors and other court personnel to participate in specific courses or to participate in education in a specific subject matter area as part of their continuing education.

(d) Extension of time

- (1) For good cause, a justice (for that justice's chambers staff), the managing attorney, the clerk/administrator, or a supervisor, if delegated by the clerk/administrator, or the employee's supervisor may grant a six-month extension of time to complete the education requirements in this rule.
- (2) If the justice, managing attorney, clerk/administrator, or supervisor grants a request for an extension of time, the managing attorney, supervisor, or employee who made the request, in consultation with the justice, managing attorney, clerk/administrator, or supervisor, must also pursue interim means of obtaining relevant educational content.
- (3) An extension of time to complete the hours-based requirement does not affect the timing of the next two-year period.

(e) Records of participation

- (1) Each court is responsible for tracking participation in education and for tracking completion of minimum education requirements for its managing attorneys, supervisors, and other personnel.

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- (2) Each managing attorney, supervisor, and employee must keep records of his or her own participation for two years after each course or activity that is applied toward the requirements.

Rule 10.472 adopted effective January 1, 2008.

Rule ~~10.473~~10.463. Minimum education requirements for trial court executive officers

(a) Applicability

All California trial court executive officers must complete these minimum education requirements. All executive officers should participate in more education than is required, related to each individual's responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(Subd (a) amended effective January 1, 2008.)

(b) ***

(c) Hours-based requirement

(1) ***

(2) The following education applies toward the required 30 hours of continuing education:

- (A) Any education offered by a provider listed in rule 10.481471(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the presiding judge as meeting the criteria listed in rule 10.481471(b).

(B)–(C) ***

(Subd (c) amended effective January 1, 2008.)

(d) ***

(e) Record of participation; statement of completion

Each executive officer is responsible for:

(1) – (3) ***

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(Subd (e) amended effective January 1, 2008.)

Rule 10.473 amended and renumbered effective January 1, 2008; adopted as rule 10.463 effective January 1, 2007.

Rule ~~10.474~~10.464. Trial court managers, supervisors, and other personnel

(a) Applicability

All California trial court managers, supervisors, and other personnel must complete these minimum education requirements. All managers, supervisors, and other personnel should participate in more education than is required, related to each individual's responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(Subd (a) amended effective January 1, 2008.)

(b) Content-based requirements

(1) Each new manager or supervisor must complete orientation courses within six months of becoming a manager or supervisor, unless the court's executive officer determines that the new manager or supervisor has already completed these orientation courses or courses covering equivalent content. The courses must include orientation ~~to~~ about:

(A)–(C) ***

(2) Each new court employee who is not a manager or supervisor must complete orientation courses within six months of becoming a court employee, unless the employee's supervisor determines that the new court employee has already completed these orientation courses or courses covering equivalent content. The courses must include orientation ~~to~~ about:

(A)–(D)

(3) ***

(Subd (b) amended effective January 1, 2008.)

(c) Hours-based requirements

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(1)–(2) ***

(3) The first two-year period for all court managers, supervisors, and other personnel begins on January 1, 2007. The orientation education required for new managers, supervisors, and other personnel under (b) does not apply toward the required hours of continuing education because it must be completed before they enter the two-year period. Each new manager, supervisor, or employee enters the two-year continuing education period on the first day of the quarter following his or her completion of the orientation education required under (b); the quarters begin on January 1, April 1, July 1, and October 1. Each manager, supervisor, or employee who enters the two-year continuing education period after it has begun must complete a prorated number of continuing education hours for that two-year period, based on the number of quarters remaining in it.

(4) Any education offered by a provider listed in rule 10.481474(a) and any other education, including education taken to satisfy a statutory, rules-based, or other education requirement, that is approved by the executive officer or the employee's supervisor as meeting the criteria listed in rule 10.481474(b) applies toward the orientation education required under (b) and the continuing education required under (c)(1) and (2).

(5) ***

(6) A manager, supervisor, or employee who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that the course is presented. The hours applied for faculty service are limited to 6 hours for managers and supervisors and to 4 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun.

(7) ***

(Subd (c) amended effective January, 2008.)

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(d)-(e) ***

Rule 10.474 amended and renumbered effective January 1, 2008; adopted as rule 10.464 effective January 1, 2007.

Rule 10.479. Education recommendations for appellate and trial court personnel

(a) Education recommendations generally

Each appellate and trial court executive or administrative officer, manager, supervisor, and other employee, as part of his or her continuing education, should regularly participate in educational activities related to his or her responsibilities. Minimum education requirements for court personnel are set forth in rules 10.471–10.474. The following recommendations illustrate for some specific responsibilities how executive and administrative officers, managers, supervisors, and other personnel should participate in more education than is required.

(b) Education on treatment of jurors

The presiding judge of each trial court should ensure that all court executives and all court employees who interact with jurors are properly trained in the appropriate treatment of jurors. Court executives and jury staff employees should regularly use CJER educational materials or other appropriate materials and should regularly participate in CJER programs or other appropriate programs devoted to the treatment of jurors.

(c) Fairness and access education

In order to achieve the objective of assisting court employees in preserving the integrity and impartiality of the judicial system through the prevention of bias, all court personnel should regularly participate in education on fairness and access. The education should include instruction on race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.

(d) Education on quality service to court users

Employees should regularly participate in education covering appropriate skills and conduct for working with court customers offered locally or by the Judicial Council through CJER.

Rule 10.479 adopted effective January 1, 2008.

Rule ~~10.481~~10.471. Approved providers; approved course criteria

(a) Approved providers

Any education program offered by any of the following providers that is relevant to the work of the courts or enhances the individual participant's ability to perform his or her job may be applied toward the education requirements and expectations stated in rules 10.461–10.479, except for the requirements stated in rules 10.461(b), 10.462(b)(c), and 10.473(b), for which specific providers are required ~~10.462(d), 10.463(e), or 10.464(b)(e):~~

(1)–(20) ***

(21) California Court Association; ~~and~~

(22) Superior Court Clerks' Association of the State of California;

(23) Council of Chief Judges of Courts of Appeal;

(24) Roscoe Pound Institute, Annual Forum for State Appellate Court Judges;

(25) National Conference of Appellate Court Clerks;

(26) AEI-Brookings Joint Center;

(27) The Rutter Group; and

(28) American Board of Trial Advocates.

(Subd (a) amended effective January 1, 2008.)

(b) Approved education criteria

Education is not limited to the approved providers listed in (a). Any education from a provider not listed in (a) that is approved by the Chief Justice, the administrative presiding justice, or the presiding judge as meeting the criteria listed below may be applied toward the continuing education expectations and requirements for justices, judges, and subordinate judicial officers or requirements for clerk/administrators or court executive officers ~~stated in rule 10.462(d) or 10.463(e), respectively~~. Similarly, any

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education from a provider not listed in (a) that is approved by the clerk/administrator, the court executive officer, or by the employee's supervisor as meeting the criteria listed below may be applied toward the orientation or continuing education requirements for managers, supervisors, and other employees in rule 10.464(b) and (c)(1), (2).

(1) ***

(2) The education must also meet at least two of the following five criteria:

(A)–(B)***

(C) The participant has an opportunity to practice using or applying the new information or skill (through direct experience, role-play, or case studies/hypothetical situations) as part of the learning experience;

(D)–(E)***

(Subd (b) amended effective January 1, 2008.)

Rule 10.481 amended and renumbered effective January 1, 2008; adopted as rule 10.471 effective January 1, 2007.

Rule 10.491. Minimum education requirements for Administrative Office of the Courts executives, managers, supervisors, and other employees

(a) Applicability

All Administrative Office of the Courts (AOC) executives, managers, supervisors, and other employees must complete these minimum education requirements.

(b) Content-based requirements

(1) Each new manager or supervisor must complete the AOC's New Manager/Supervisor Orientation within six months of being hired or assigned as a manager or supervisor.

(2) Each new employee, including each new manager or supervisor, must complete the AOC's New Employee Orientation within six months of being hired and should complete it as soon as possible after being hired.

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- (3) The Administrative Director of the Courts may require new managers, supervisors, and other employees to complete specific AOC compliance courses in addition to the required orientation courses.

(c) Hours-based requirements

- (1) Each executive must complete 30 hours of continuing education every two years.
- (2) Each manager or supervisor must complete 18 hours of continuing education every two years.
- (3) Each employee who is not an executive, manager, or supervisor must complete 12 hours of continuing education every two years.
- (4) The first two-year period begins on January 1, 2008. The orientation courses and the compliance courses required for new managers, supervisors, and other employees under (b) do not apply toward the required hours of continuing education. Each new executive enters the two-year continuing education period on the first day of the quarter following his or her appointment, and each new manager, supervisor, and employee enters the two-year continuing education period on the first day of the quarter following his or her completion of the orientation courses and the compliance courses required under (b); the quarters begin on January 1, April 1, July 1, and October 1. Each executive, manager, supervisor, or employee who enters the two-year continuing education period after it has begun must complete a prorated number of continuing education hours for that two-year period, based on the number of quarters remaining in it.
- (5) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory, rules-based, or other education requirement, that is approved by the employee's supervisor as meeting the criteria listed in rule 10.481(b) applies toward the continuing education required under (c)(1)–(3).
- (6) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, and online coursework counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a total of 10 hours for executives, 6 hours for managers and supervisors, and 4 hours for other employees in

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each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun.

- (7) An executive, manager, supervisor, or employee who serves as faculty teaching courses at the AOC or on behalf of the AOC at another location may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that the course is presented. The hours applied for faculty service are limited to 15 hours for executives, 9 hours for managers and supervisors, and 6 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year continuing education period after it has begun.
- (8) The Administrative Director of the Courts may require executives, managers, supervisors, and other employees to complete specific AOC compliance courses as part of the continuing education requirements.

(d) Extension of time

- (1) For good cause, the Administrative Director of the Courts or an executive, manager, or supervisor, if delegated by the Administrative Director, may grant a six-month extension of time to complete the education requirements in this rule.
- (2) If the Administrative Director, or an executive, manager, or supervisor, grants a request for an extension of time, the individual who made the request, in consultation with the Administrative Director or the individual's supervisor, must also pursue interim means of obtaining relevant educational content.
- (3) An extension of time to complete the hours-based requirement does not affect the timing of the next two-year period.

(e) Records of participation

- (1) An employee's completion of any course listed in the Human Resources Education Management System (HREMS) is automatically tracked in HREMS.
- (2) An employee's completion of specified online training is automatically tracked in HREMS.

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- (3) Each employee is responsible for tracking completion of any training that is not automatically tracked in HREMS. After completion of the training, the employee must enter it in the employee's individual record in HREMS.

(f) Responsibilities of Administrative Director of the Courts and of AOC executives, managers, and supervisors

The Administrative Director of the Courts and each AOC executive, manager, and supervisor:

- (1) Must grant sufficient time to all employees to enable them to complete the minimum education requirements stated in (b)–(c);
- (2) Should allow and encourage employees, in addition to participating as students in education activities, to serve on employee education committees and as faculty at judicial branch education programs when an employee's services have been requested for these purposes; and
- (3) Should establish an education plan for their employees to facilitate their involvement as both participants and faculty in educational activities, and should consult with each employee regarding his or her education needs and requirements and professional development.
- (4) Must ensure that executives, managers, supervisors, and other employees are reimbursed by the AOC in accordance with the travel policies issued by the Administrative Office of the Courts for travel expenses incurred in attending in-state education programs as a participant in order to complete the minimum education requirements in (b)–(c). Provisions for these expenses must be part of the AOC's budget. The Administrative Director of the Courts may approve reimbursement of travel expenses incurred by executives, managers, supervisors, and other court personnel in attending out-of-state education programs as participants.

Rule 10.491 adopted effective January 1, 2008.