

2002 Annual Report

Improving Justice: The Business of the Courts

Judicial Council of California
Administrative Office of the Courts



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This summary report provides numerous links to the California Courts Web site (www.courtinfo.ca.gov) for more detailed information. In this print edition, links are indicated by URLs throughout the document. A companion publication to this report, the *Court Statistics Report*, provides detailed caseload and trend statistics for the state and each county.

JUDICIAL COUNCIL OF CALIFORNIA

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Mr. Rex Heeseaman

Attorney at Law

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Attorney at Law

MISSION OF THE JUDICIAL COUNCIL

Under the leadership of the Chief Justice and in accordance with the California Constitution and the law, the Judicial Council shall establish the direction and provide the leadership for improving the quality and advancing the consistent, fair, impartial, and accessible administration of justice.

ADVISORY MEMBERS

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of Lassen*

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County of Orange*

ADMINISTRATIVE DIRECTOR OF THE COURTS

Mr. William C. Vickrey



Ronald M. George



William C. Vickrey

MESSAGE FROM THE CHIEF JUSTICE AND ADMINISTRATIVE DIRECTOR



Dear Friend of the Courts:

We are pleased to report that the California judicial branch began the year 2002 stronger, more independent, more effectively managed, and more service-oriented than at any other time in its history. Improving access to equal justice for all remains our paramount goal.

As can be seen in the many accomplishments reported here for the year just ended, the courts continue to make noteworthy progress resolving historical disparities in the courts and the quality of justice from county to county. Courts have been developing solutions in partnership with the state, the bar, and local communities whenever possible.

State funding and trial court unification are having the anticipated effects: they have enabled our judicial system to equalize our ability to administer justice throughout California and allowed courts to maximize the use of often scarce resources, both judicial and administrative.

Through projects made more effective because of court and community collaboration, we are providing more effective processes and

solutions to systemic and seemingly intractable problems among families, children, people with disabilities, the homeless, and the addicted. At the same time, we are increasing the availability of qualified court interpreters for non-English speakers, and we are especially proud of recent advances in providing assistance to litigants without attorneys. From a widely praised Web site offering online information and assistance to local programs directly aiding individual litigants, courts have developed a menu of options to ensure that litigants can use the court system as effectively as possible. Improvements to California's jury system, including implementation of one-day/one-trial jury service and increased compensation, and the upcoming publication of new user-friendly jury instructions, have focused on recognizing the valuable contributions that jurors make. And our efforts have a concrete foundation as well, as we continue to work to replace and improve unsafe, inadequate, and overcrowded court facilities.

As part of our branch's dedication to continual learning and openness to change, the Judicial Council also began a new era in judi-

cial branch education through the introduction of satellite broadcasting. This new technology has dramatically broadened the ability of individual courts and judges to gain access to valuable educational opportunities.

Looking ahead, the courts must continue to grapple with difficult and complex issues. Whether it is improving budgeting procedures and enhancing fiscal accountability, greater involvement in the management of court facilities, or making the best use of technology within our branch, the judicial branch is committed to providing effective policy leadership as local courts assume wider responsibilities in the community.

We look forward to working in cooperation with all those who seek to ensure that our court system continues to play its vital independent role in our democracy.

Ronald M. George
Chief Justice of California and
Chair of the Judicial Council

William C. Vickrey
Administrative Director of the Courts and
Secretary of the Judicial Council

MANAGING PUBLIC RESOURCES

The Judicial Council, the Administrative Office of the Courts (AOC), and local courts are responsible for the cost-effective use of public resources throughout the court system to promote equal access to justice. The council continues to improve funding management practices.

HIGHLIGHTS OF 2001

- ◆ Creation, effective January 2002, of a new Judicial Branch Budget Advisory Committee, comprised of appellate and superior court judges and administrators, to assist with the development and implementation of the judicial branch budget (www.courtinfo.ca.gov/rules/2002/titlesix/6.1-6.800-28.htm).

- ◆ Adoption and implementation by the council of new procedures that align the judicial branch budget process with that of other state government entities.
- ◆ Improved linkage of court budgets with strategic planning goals.
- ◆ Completion of the *Final Report of the Task Force on Court Facilities*.
- ◆ Distribution to the courts of the first phase of trial court financial policies and procedures guidelines.
- ◆ Implementation of a statewide financial and operational audit program.
- ◆ Development of a trial court financial system.

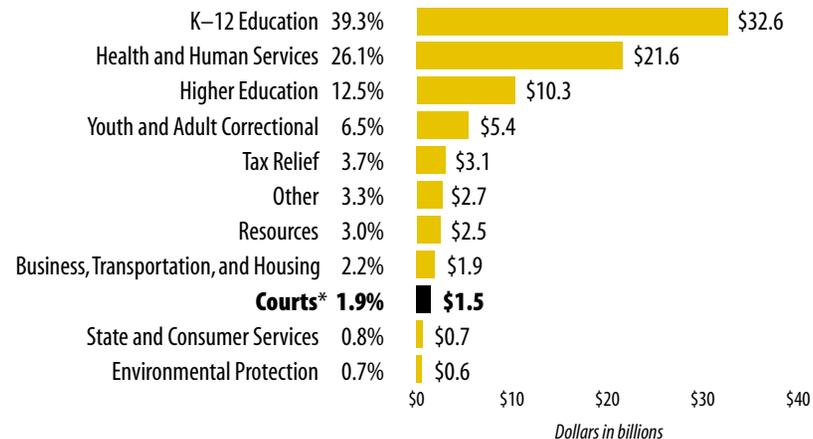
2001–2002 JUDICIAL BRANCH BUDGET

The fiscal year 2001–2002 judicial branch budget totaled \$2.58 billion. Of this, an increase of \$92 million was allocated for the trial courts to bolster court security, court-appointed counsel (including counsel for children in dependency proceedings, court interpreters, services for families and children), and to assist in coming to agreements with local bargaining units. The budget also included modest increases for the California Supreme Court and Courts of Appeal to support court-appointed counsel and caseload relief as well as training programs for the Habeas Corpus Resource Center (HCRC). The AOC obtained funds to implement legislatively mandated programs in the areas of child support, self-representation, and child advocacy. Additionally, the budget contained funding for the establishment of two AOC regional offices, the audit program, and several other initiatives to improve coordination and delivery of services to the courts.

Spending for Courts Compared With Other Budget Categories

2001–2002 General Fund Expenditures

Source: California Department of Finance



This chart reflects General Fund expenditures only. When all other sources of funding are included, the total courts' budget represents approximately 2.3% of the total State Budget.

2002–2003 BUDGET PROPOSALS

The council delegated authority to Chief Justice Ronald M. George and Administrative Director of the Courts William C. Vickrey to negotiate one-time budget reductions of \$38 million in the judicial branch’s fiscal year 2001–2002 budget and up to \$90 million in the fiscal year 2002–2003 budget.

The fiscal year 2002–2003 budget proposals include funding for the trial courts in the areas of court security, court interpreters, services for families and

children (including case processing and mediators, evaluators, and investigators), as well as to meet the increased costs of county-provided services. Funding was also proposed for initiatives to be carried out by the Administrative Office of the Courts that include legal services staffing in the regional offices and additional human resources support, both of which will facilitate increased service delivery to the courts.

Based on the council’s new judicial workload standards, the council approved

150 new judgeships for the trial courts over the next three years. However, the council postponed sponsorship of legislation requesting additional judgeships until the state’s fiscal situation improves.

Judicial Branch Funding

Fiscal Years 2000–2001 and 2001–2002 (in millions of dollars)

From all sources

	<i>Fiscal Year 2000–2001</i>	<i>Fiscal Year 2001–2002</i>	<i>Percent Change</i>
Supreme Court	\$ 34.5	\$ 35.7	3.4%
Courts of Appeal	159.0	162.3	2.0%
Judicial Council	127.0	138.8	8.5%
Habeas Corpus Resource Center	10.6	10.2	–3.9%
Commission on Judicial Performance	3.7	4.0	7.5%
Total—State Operations	\$ 334.8	\$ 351.0	4.6%
Trial Court Trust Fund	\$1,936.6	\$2,052.7	5.7%
Trial Court Improvement Fund	91.5	134.4	31.9%
Modernization Fund	32.1	44.1	27.2%
Total—Trial Courts	\$ 2,060.2	\$ 2,231.2	7.7%
Judiciary Total	\$ 2,395.0	\$ 2,582.2	7.2%
State Budget	\$ 94,551.0	\$ 98,320.0	3.8%

MORE BUDGET INFORMATION

For more information about the current judicial branch budget, the entire California State Budget, as well as State Budgets for previous years, visit the Web site of the State Department of Finance at www.dof.ca.gov/HTML/BUD_DOCS/Bud_link.htm.



COURT FACILITIES

After a three-year study, the Task Force on Court Facilities issued its final report on October 1, 2001. The multibranch task force, created by the Lockyer-Isenberg Trial Court Funding Act, proposed that the state assume responsibility for all 451 California trial court facilities (www2.courtinfo.ca.gov/facilities/reports.htm). The proposed transfer over a three-year period would be the final step in the shift of fiscal responsibility for the trial courts from the counties to the state. The Legislature is expected to act on the proposal in 2002.

The task force found many courthouses in alarming disrepair and in need of significant and immediate investment for maintenance, alteration, and renovation. Inadequate security

features of many of the buildings was a widespread concern even before terrorist attacks on September 11. Cost estimates for providing necessary improvements to existing courthouses range from \$281 million to \$338 million annually over 10 years. The cost for creating enough new facilities to meet the needs of population growth through the year 2020 is estimated at an additional \$104 million a year for 20 years.

ACCESS AND FAIRNESS

APPELLATE INFORMATION AVAILABLE All Courts of Appeal now allow litigants, attorneys, and the public to retrieve current case information via the Internet (<http://appellatecases.courtinfo.ca.gov>). In addition, the Courts of Appeal began



“We gather here as Californians. Our state is the most diverse society in the history of humankind. We have learned to value that diversity and to teach tolerance for people of all cultures and religions. Out of that diversity has come our strength. Over the next several days, we will be challenged not to confuse the acts of a few madmen with those of our friends and neighbors; not to respond blindly, but to respond justly. That, after all, is something we all can do—hold close to the rule of law from which the strength and power of our nation and our state derive.”

*—Chief Justice Ronald M. George,
National Day of Prayer and Remembrance, September 14, 2001,
Phillip Burton Federal Building Plaza, San Francisco*

posting unpublished opinions on the official California courts Web site at www.courtinfo.ca.gov/opinions/nonpub.htm.

ACCESSIBLE COURT RECORDS The council adopted statewide rules (www.courtinfo.ca.gov/rules/2002/appendix/divistandard-81.htm#P2643_239752) that expand public access to electronic trial court records, effective July 1, 2002. Similar to federal court policies, the new rules permit broad electronic access to most civil records while restricting remote Internet access in criminal matters and other cases that may contain sensitive personal information.

ONLINE SELF-HELP In July, the Administrative Office of the Courts (AOC) launched the most comprehensive online resource of court information ever assembled (www.courtinfo.ca.gov/selfhelp/) to serve the estimated 4.3 million Californians who go to court without attorneys. Since the site was launched, 1.6 million individual pages of information have been viewed by more than 415,000 users. The Judicial Council also established a new task force to implement a statewide action plan to expand court access for this group of litigants and also allocated funds to allow individual courts to develop other self-help programs.

ADVANCES FOR COURT INTERPRETERS The AOC, working with the Judicial Council Court Interpreters Advisory Panel, took a variety of new steps to increase availability and training of certified and registered interpreters. Highlights include:

- ◆ A one-year Telephone Interpreting Pilot Project using specialized audio equipment;
- ◆ Posting the council's official *Master List of Certified Court and Registered Interpreters* to the court interpreters Web page (www.courtinfo.ca.gov/programs/courtinterpreters/master.htm);
- ◆ Partnering with colleges and universities to expand programs, including the creation of the first bachelor of arts program in interpreting and translating (www.courtinfo.ca.gov/programs/courtinterpreters/whatsnew.htm); and
- ◆ Submitting the panel's *Annual Report to the Legislature on the Use of Court Interpreters in the California Courts*, containing the results of a year-long study of interpreter use in nine sample courts.

ANNUAL REVIEW The Judicial Council reports annually to the Legislature regarding dispositions of criminal cases according to race and ethnicity. *The Report to the Legislature Pursuant to*

Penal Code Section 1170.45 is available at www.courtinfo.ca.gov/reference/documents/pc1170.pdf.

COLLABORATIVE JUSTICE The *Final Report of the Collaborative Justice Courts Advisory Committee* to the Judicial Council details the growth of collaborative justice courts, the committee's program of grants, and its major milestones (www.courtinfo.ca.gov/reference/documents/colljustrept.pdf) (see page 11).

In addition, the AOC prepared the second part of a three-phase study to assess the cost-effectiveness and best prac-

Numbers of Certified Interpreters by Language
Source: AOC Court Interpreters Program, July 2001

Arabic	9
Cantonese	23
Japanese	9
Korean	39
Portuguese	4
Spanish	992
Tagalog	5
Vietnamese	35
Total	1,116

In addition to the above list, another 245 interpreters are registered in one or more of the nondesignated languages. The combined total of registered and certified court interpreters is 1,361. An AOC survey of nine sample courts found that 90 percent of interpreter expenditures went to certified and registered interpreters, indicating Judicial Council efforts to recruit, train, and retain certified and registered interpreters are succeeding.

tices of the state's 91 adult drug courts. A drug court evaluation methodology also is being developed (see page 11).

SEXUAL ORIENTATION AND FAIRNESS The Judicial Council released *Sexual Orientation and Fairness in the California Courts*, the most comprehensive report ever on this topic. Its goal is to help to eliminate bias in the courts (www.courtinfo.ca.gov/programs/access/documents/report.pdf).

CASE MANAGEMENT

TECHNOLOGY STANDARDS ACHIEVED The AOC has completed the process of bringing all trial courts up to a minimal technology standard, which includes establishment of local area networks, internet access, data cabling, and email for these courts.

COURT COMMUNITY COLLABORATION

The Judicial Council completed the first stage of a three-year statewide project to enhance collaboration between courts and their communities. The Justice Management Institute recognized several features of the California process: the value of a statewide effort and consultant/expert assistance, the importance of matching processes to local court cultures, and adoption of rules regarding ethical issues that arise when judges interact with the community. A variety of resources are available at the California Court and Community Collaboration Web site: www.courtinfo.ca.gov/programs/community/.

INFORMATION-SHARING MILESTONE In 2001, the AOC fully integrated the electronic case information systems of trial courts in all 58 counties with those of the Department of Motor Vehicles and the Department of Justice.

MAJOR REVISION OF APPELLATE RULES To increase clarity and usefulness, the Judicial Council approved the first major revision of California's appellate court rules on civil appeals in 60 years.

APPELLATE MEDIATION Mediated cases in the Courts of Appeal are less costly, significantly reduce resolution time, and lead to a high degree of user satisfaction, according to *Mandatory Mediation in the First Appellate District of the Court of Appeal: Report and Recommendations*, the report by the Task Force on Appellate Mediation following a two-year pilot program in the First Appellate District (www.courtinfo.ca.gov/reference/documents/mediation.pdf).

REVISION OF HABEAS CORPUS RULES To increase the clarity of habeas corpus proceedings in the superior court for attorneys and self-represented litigants, the council revised the relevant rules (www.courtinfo.ca.gov/rules/2002/titlefour/4.100-4.510-69.htm).

UPDATED TRIAL COURT CIVIL RULES Rules adopted by the council establish greater uniformity in civil practice, promote good case management, and help reduce the cost of litigation in the superior courts, effective July 1, 2002 (www.courtinfo.ca.gov/rules/reports/documents/rule08.pdf).

IMPLEMENTING PROPOSITION 36 The council created a broad-based working group to help trial courts implement the Substance Abuse and Crime Prevention Act (Proposition 36) of 2000, which mandates probation and drug treatment instead of incarceration for those found guilty of nonviolent drug possession offenses (www.courtinfo.ca.gov/programs/drugcourts/prop36.pdf).

ALTERNATIVE DISPUTE RESOLUTION (ADR)

- ◆ Judicial Council-approved procedures for references and ethics standards for temporary judges, referees, and arbitrators in judicial arbitration programs aim to update court rules and improve compliance and clarification.
- ◆ The council appointed a Blue Ribbon Panel of Experts on Arbitrator Ethics charged with reviewing proposed ethics standards for contractual arbitrators in California. The council must

adopt standards by July 1, 2002 (www.courtinfo.ca.gov/newsreleases/NR82-01.htm).

FAMILIES AND CHILDREN

RULES, FORMS, AND STANDARDS

The Judicial Council approved more than 30 new and amended rules of court, forms, and standards of judicial administration relating to family and juvenile law. Among them, rule 1438 was adopted to ensure that California's estimated 90,000 children involved in dependency proceedings annually receive adequate legal representation (www.courtinfo.ca.gov/rules/2002/titlefive/1400-98-43.htm).

CHILD SUPPORT As required by state and federal law, the council conducted and submitted its *Review of State-wide Uniform Child Support Guideline 2001* to ensure appropriate child support orders and compliance with federal law. The latest changes to the guideline improve treatment of low-income obligors (www.courtinfo.ca.gov/programs/cfcc/programs/description/childsupport.htm).

ACCESS TO VISITATION The council approved and administered grants to 14 superior courts to fund programs designed to increase noncustodial parents' access to their children and to pro-

CALIFORNIA SUPREME COURT UPDATE

PUBLIC ACCESS

- ◆ A new online case management information Web site that enables litigants, attorneys, and the public to quickly access up-to-date information about pending cases was launched on January 29, 2002, at <http://appellatecases.courtinfo.ca.gov>.
- ◆ The court for the first time held a special session in Orange County's historic courthouse, inviting over 600 students to observe oral arguments via closed-circuit television at several nearby locations (www.courtinfo.ca.gov/newsreleases/NR62-01.htm).
- ◆ And in December, the court, for the first time since 1995, granted camera coverage of the widely watched juvenile justice initiative (Proposition 21) case (www.courtinfo.ca.gov/newsreleases/NR85-01.htm). Camera coverage also was granted in a case to be heard in early 2002.

CAPITAL APPEALS

- ◆ A new capital appeals unit was established to enhance the processing of these cases. Also, new procedures were approved to clar-

ify the information that counsel with pending capital cases must provide when requesting "extension of time" to file briefs or other documents (www.courtinfo.ca.gov/newsreleases/NR06-02.htm).

BAR ISSUES

- ◆ After a comment period, a task force submitted to the court a proposal to allow four categories of out-of-state lawyers to practice in California under defined circumstances without passing the State Bar exam (www.courtinfo.ca.gov/newsreleases/NR02-02.htm).
- ◆ In addition, the court appointed an Applicant Evaluation and Nomination Committee to make recommendations concerning applicants for three State Bar Court judicial positions with terms that began November 1, 2001.
- ◆ The American Bar Association's report *California's Lawyer Regulation System* was released and an ABA examination and evaluation of the California attorney disciplinary system was begun (www.courtinfo.ca.gov/newsreleases/NR56-01.htm).

IMPROVED PROCEDURES

- ◆ The court approved additional procedures to assist the justices in determining whether to recuse themselves from participating in a particular matter because of a conflict of interest (www.courtinfo.ca.gov/newsreleases/NR45-01.htm). The court also adopted or revised several provisions of its Internal Operating Practices and Procedures (IOPPs).



The court's newest associate justice, former United States District Court Judge Carlos R. Moreno, was sworn in by Governor Gray Davis in October 2001. (www.courtinfo.ca.gov/newsreleases/NR72-01.htm). He succeeded the eminent Stanley Mosk, who died in June at the age of 88 after serving 37 years on the court (www.courtinfo.ca.gov/newsreleases/NR39-01.htm).

tect children's welfare (www.courtinfo.ca.gov/programs/cfcc/resources/grants/a2v.htm).

DOMESTIC VIOLENCE To protect victims' interests, the AOC drafted a new protocol to guide handling of domestic violence cases, and the Judicial Council approved domestic violence forms translated into four languages.

JUVENILE COURT IMPROVEMENT The AOC provided on-site training for judicial officers, court staff, probation officers, and others; supported the state's Court Appointed Special Advocate (CASA) programs through funding, research, and Peer Assessment and Compliance Review (PACR) site visits; and began a study of caseload levels for court-appointed counsel in juvenile dependency cases.

JURY SERVICE IMPROVEMENTS

- ◆ In 2001, the Task Force on Jury Instructions circulated for comment revised jury instructions in plain English (www.courtinfo.ca.gov/jury/task_force.htm). In 2002, approximately 300 new instructions will be released for public comment. By the end of the year, all civil instructions will be approved, with publication planned for 2003.
- ◆ The recent one-day/one-trial rule is being implemented throughout California, most recently by Los Angeles County Superior Court (www.courtinfo.ca.gov/jury/efforts.htm).

EQUAL ACCESS The Judicial Council continued to work in partnership with the California State Bar Legal Services Trust Fund to provide \$10 million to legal services programs in the state. These programs provide free civil legal services to low-income persons. Of those funds, the council distributed \$950,000 to legal services programs that offer self-help programs in coordination with their local courts. Through these Partnership Grants, 16 self-help programs have been established to assist courts in 17 counties with cases involving domestic violence, guardianship, and divorce, as well as landlord/tenant and general civil matters (www.courtinfo.ca.gov/programs/cfcc/resources/grants/equalaccess.htm).

COURT COORDINATION Under the AOC's proposed Mentor Court Initiative, six courts will serve as models for improving consistency among multiple proceedings involving members of the same family.

HUMAN RESOURCES

COURT EMPLOYEES The Trial Court Employment Protection and Governance Act took effect January 1, 2001, www.courtinfo.ca.gov/rules/2002/titlefive/1500-end-195.htm, transferring 19,000 court employees from counties to the courts.

The AOC, which is providing statewide guidance to the trial courts in this area, held the first ever California Judicial Branch Human Resources Conference in November.

The AOC also:

- ◆ Implemented a mandated trial court workers' compensation program, effective July 1, 2001;
- ◆ Launched a trial court classification and compensation study, which will be completed early in 2002, to enhance and update the trial courts' Uniform Model Classification Plan and provide statewide salary range guidelines; and
- ◆ Launched a trial court benefits study with the goal of developing and implementing a comprehensive and competitive health and welfare benefits program by January 1, 2003.

CONTINUING EDUCATION

The council sponsors 100 year-round continuing education programs for court staff and judicial officers. The council provided funding to build a broadcast studio at the AOC, install satellite downlinks in 124 sites in 58 superior courts and 6 appellate districts, and provide AV presentation equipment for 159 training areas in the trial and appellate courts. The AOC will broadcast weekly education

programs for court staff and supervisors and additional programs on selected topics starting in March 2002. The AOC is also developing Web-based distance education products for court staff and judicial officers. In May, the council launched the first satellite broadcast from San Francisco to 320 judges at 13 downlink sites in the state (www.courtinfo.ca.gov/newsreleases/NR34-01.htm). The AOC sponsored a variety of other events in 2001, such as the annual California Judicial Administration Conference (www.courtinfo.ca.gov/newsreleases/NR12-02.HTM), Beyond the Bench (www.courtinfo.ca.gov/programs/cfcc/resources/calendar/conferences/index.htm), and the Family Violence Conference (www.courtinfo.ca.gov/programs/cfcc/programs/description/famviol.htm).

2001 COURT-RELATED LEGISLATION

During the first year of the 2001–2002 Legislative Session, the Legislature and Governor enacted over 100 bills that affect the courts or are of general interest to the legal community. Brief descriptions of these measures can be found at www.courtinfo.ca.gov/courtnews/legsumdec01.pdf.

2001 STUDIES AND REPORTS

- ◆ *Annual Report to the Legislature on the Use of Court Interpreters in the California Courts*
- ◆ *Case Management System Certification Policy*: www.courtinfo.ca.gov/reference/cmsspol.htm
- ◆ *Family Law Interpreter Pilot Project Report*: www.courtinfo.ca.gov/programs/cfcc/pdffiles/FLIPP.PDF
- ◆ *Final Report of the Collaborative Justice Courts Advisory Committee*: www.courtinfo.ca.gov/reference/documents/colljustrept.pdf
- ◆ *Final Report and Recommendations of the Supreme Court Advisory Task Force on Multidisciplinary Practice*: www.courtinfo.ca.gov/reference/documents/finalmjpgrept.pdf
- ◆ *Final Report to the Governor, Legislature, and Judicial Council by the Task Force on Court Facilities*: www2.courtinfo.ca.gov/facilities/reports.htm
- ◆ *Mandatory Mediation in the First Appellate District of the Court of Appeal: Report and Recommendations* by the Task Force on Appellate Mediation: www.courtinfo.ca.gov/reference/documents/mediation.pdf
- ◆ *Report to the Legislature Pursuant to Penal Code Section 1170.45*: www.courtinfo.ca.gov/reference/documents/pc1170.pdf (annual report to the Legislature regarding dispositions of criminal cases according to race and ethnicity)
- ◆ *Report on ACA 1 (Nation): Superior Court Elections*, by the Judicial Council Working Group on ACA 1: www.courtinfo.ca.gov/reference/documents/aca1wgr.pdf
- ◆ *Report to the Appellate Process Task Force on the Superior Court Appellate Divisions*: www.courtinfo.ca.gov/documents/scappdiv.pdf
- ◆ *Report to the Joint Legislative Budget Committee on the Effectiveness of the Temporary Law Clerks Program in Reducing the Appellate Workload Backlog* (first of two mandated reports by the AOC's Appellate and Trial Court Judicial Services)
- ◆ *Review of Statewide Uniform Child Support Guideline 2001*: www.courtinfo.ca.gov/programs/cfcc/programs/description/childsupport.htm
- ◆ *Sexual Orientation and Fairness in the California Courts*: www.courtinfo.ca.gov/programs/access/documents/report/pdf
- ◆ *Statewide Assessment of Judicial Needs*: www.courtinfo.ca.gov/reference/documents/stateassess.pdf
- ◆ *Uniform Bail and Penalty Schedules for 2002*: www.courtinfo.ca.gov/rules/2002/titlefour/
- ◆ *White Paper on Unpublished Opinions of the Court of Appeal*: www.courtinfo.ca.gov/reference/documents/unpub.pdf

MORE REPORTS AND STUDIES

The California Courts Web site maintains a list of reports and studies produced in the current and previous years by the Judicial Council and its committees, task forces, and working groups. Visit www.courtinfo.ca.gov/reference.

WORKLOAD TRENDS

After reaching a high of 10.3 million at the beginning of the last decade, filings in the California trial courts appear to have begun to decline slightly and in recent years have hovered around 8.3 million. Some of this decline is attributable to changes in reporting requirements, including new system-wide instructions and definitions. At the same time, factors outside the courts as well as the courts' own efforts to improve public access and the quality of services have affected workload significantly. Important factors influencing court workload include changes in population and demographics, the economy, and state and federal laws. Moreover, given California's tremendous diversity throughout its 58 counties, the impact of these changes varies considerably from court to court.

POPULATION The number, median age, and immigrant status of California residents significantly affect the courts. The population has grown during the past two decades to over 34 million residents—12.5 percent of the United States. Aging of the population also seems to influence some case types. For example, the arrest rate for DUI and “hit and run” is 80 percent lower for residents over age 60 than for the general population and the number of Californians age 60 and over has grown 157 percent since 1950. In addition, California's population has become the most diverse in the nation—there is no longer a majority ethnic group. Immigrants—

three quarters of them from Mexico and Asia—now constitute almost 26 percent of California's population, a level that surpasses any other state. A significant number of these residents require court interpreters, which affects the scheduling and length of court proceedings.

LEGISLATION An average of 202 new laws per year directly affecting the courts were passed in California during the first half of the 1990s and an annual average of 102 in the

ASSESSING JUDICIAL WORKLOAD

The Judicial Council approved a new method to assess how many judges are needed in California courts (www.courtinfo.ca.gov/reference/documents/state_assess.pdf). The AOC, in consultation with the National Center for State Courts, completed the California Judicial Needs Assessment Project that produced the new method.

The method established a set of judicial workload standards for 22 specific case types that can be used to assess the statewide annual need for additional judges based on filings data. The workload standards represent the average bench and nonbench time (in minutes) required by judicial officers to resolve a typical case. They indicate, for example, that juvenile dependency cases consume considerably more time than routine traffic matters.

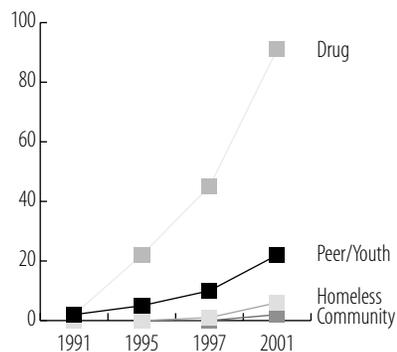
According to the new method, the state's trial courts require approximately 2,270 judicial officers to resolve current caseloads efficiently and provide quality public service.* This represents a 12 percent increase over the current number of judicial officers (includes active and retired judges, commissioners, and referees) utilized statewide, and an 18 percent increase over the number of currently authorized judicial positions.

**This approximation is based on the revised filings totals for fiscal year 1999–2000.*

second half of the decade. Many of these laws created new or expanded crimes and violations and mandated changes in court proceedings and processes, which increased workload. In addition, some new federal laws generally increase the courts' reporting requirements.

ECONOMY The health of the state's economy affects five case types in particular: criminal, juvenile delinquency, family law, small claims, and some kinds of civil cases. For example, high employment rates are associated

Growth of Collaborative Justice Courts



A survey by the Judicial Council's Collaborative Justice Courts Advisory Committee shows that the number of collaborative courts is growing. These include adult drug courts, juvenile delinquency drug courts, juvenile dependency drug courts, family treatment courts, community courts, domestic violence courts, reentry courts, mental health treatment courts, peer/youth courts, and homeless courts.

with a decline in criminal filings and fewer child support disputes. Also, a strong economy generates more filings of contract disputes as more people and businesses enter into contracts. Related factors are the increased cost of litigation and declining awards of damages, which appear to reduce personal injury filings. Moreover, an estimated 4.3 million litigants represent themselves in court without attorneys each year. This group consumes significant court resources.

REDEFINING COURT SERVICES

During the last decade, the traditional court model for certain case types, such as those involving families and children and addictive behaviors, has begun to shift from one of traditional adversarial, punitive justice to that of problem-solving, collaborative justice. In this model, courts work with other justice system as well as social service agencies to address treatment of the defendant with court supervision as the core element. This model results in more hearings, meetings, coordination, tracking and monitoring services, staff training, and paperwork than traditional case processing. At the same time, however, evaluations of this model, espe-

cially for drug courts, suggest a resulting decline in recidivism and a corresponding decrease in future filings.

WWW.COURTINFO.CA.GOV

The California Courts Web site is growing as a public access tool for millions of Californians.

OF SPECIAL PUBLIC INTEREST
 Court Statistics Reports
www.courtinfo.ca.gov/reference/1_annualreports.htm

Information for Litigants Without Attorneys
www.courtinfo.ca.gov/selfhelp

A Guide to California Jury Service
www.courtinfo.ca.gov/jury/

Center for Children, Families & the Courts
www.courtinfo.ca.gov/programs/cfcc/

Court Interpreters Program Online Services
www.courtinfo.ca.gov/programs/courtinterpreters/

Links to Local Court Web sites
www.courtinfo.ca.gov/other/websites.htm

Published Opinions for the Supreme Court and

Courts of Appeal
www.courtinfo.ca.gov/opinions/

California Courts Online Press Office
www.courtinfo.ca.gov/presscenter/

TOP TEN STOPS IN 2001

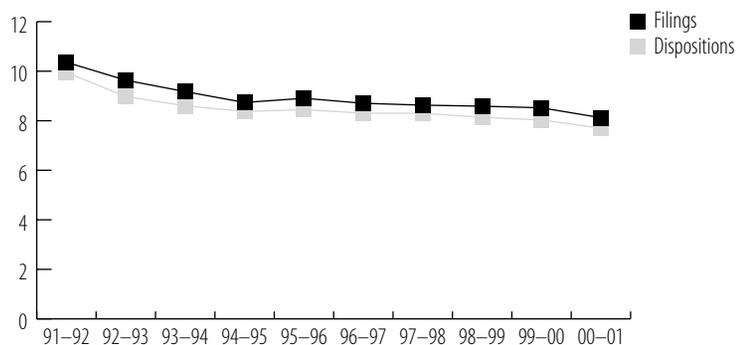
1. Court Forms
2. Appellate Opinions
3. Tour of California Courts
4. Site Search
5. Superior Courts
6. Rules of Court
7. Judicial Branch Jobs
8. Self-Help Center
9. Supreme Court
10. Courts of Appeal

2001 VISITOR STATISTICS

(Total for the year)
 Page views 12,408,772
 Users 4,014,159
 Average time spent per visit 8 mins, 49 secs

Total Trial Court Filings and Dispositions

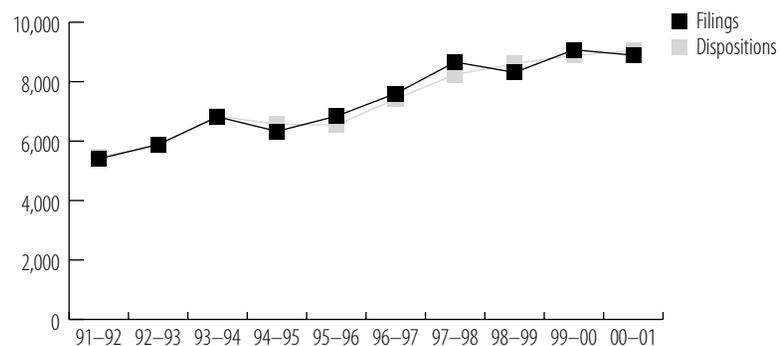
1991–1992 to 2000–2001 (in millions)



Trial court filings declined slightly in fiscal year 2000–2001 from 8.5 million cases to 8.1 million as did dispositions, which decreased to 7.7 million from 8 million the previous fiscal year. However, almost 75 percent of the decrease in filings is due to declines in “low workload” case types (cases that do not require significant judicial resources), such as infractions and small claims.

Total Supreme Court Filings and Dispositions

1991–1992 to 2000–2001

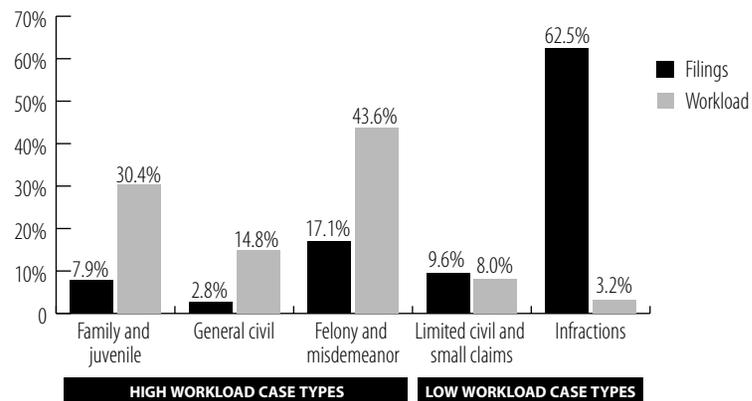


In fiscal year 2000–2001, Supreme Court filings decreased 2 percent from 9,071 to 8,891 filings, and dispositions rose 2 percent to 9,047 from 8,880 dispositions. The court filed opinions in a total of 103 cases, compared with 124 the previous fiscal year. Petitions for review from original criminal proceedings climbed from 3,114 to 3,647. Original habeas petitions declined from 2,687 to 2,545.

Translating Trial Court Filings Into Workload

Fiscal Year 2000–2001

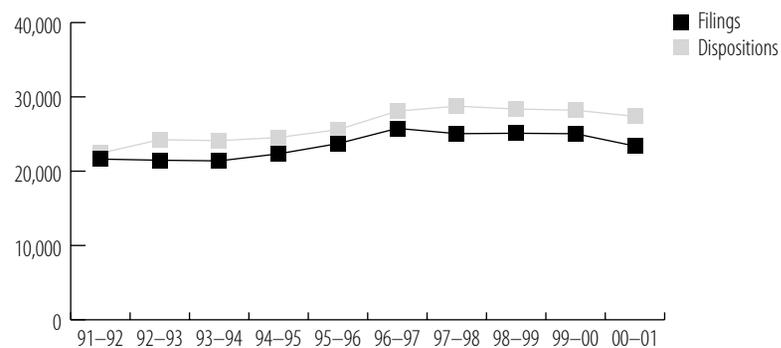
As a percentage of total



Filings alone do not provide an accurate picture of court workload. For example, although family and juvenile cases represent only 7.9 percent of total court filings, they account for nearly one-third of a court’s judicial workload, based on the workload standards adopted by the Judicial Council (see page 10). Conversely, infraction filings make up almost two-thirds of total court filings but represent only a small amount of a court’s overall workload (3.2 percent). Family and juvenile cases include divorce/dissolution, juvenile dependency and delinquency, mental health, and a variety of other cases such as child support and adoption. General civil includes motor vehicle and other personal injury cases and civil complaints, such as employment contracts. Limited civil includes matters under \$25,000.

Total Courts of Appeal Filings and Dispositions

1991–1992 to 2000–2001



Filings and dispositions remain steady following a period of significant increase early in the last decade. In 2000–2001, filings totaled 23,382 and dispositions reached 27,376, indicating that the courts are more able to dispose of their backlog of oldest cases. As in the previous fiscal year, 49 percent of appeals were disposed of by written opinion.

CHALLENGES AHEAD

Three quantum leaps in California court administration—statewide trial court funding, unification of the trial courts, and the Trial Court Employment Protection and Governance Act—have dramatically altered the role and responsibilities of the Judicial Council and its staff agency, the Administrative Office of the Courts (AOC). The council's strategic plan (www.courtinfo.ca.gov/reference/documents/stplan2k.pdf) encompasses six goals that outline an ambitious program of action despite the new uncertainties of California's economy and their impact on judicial branch funding.

In 2002, the courts confront numerous challenges in moving toward these goals. Some of the most immediate and critical challenges are in the following areas.



STATEWIDE COURT INFRASTRUCTURE While the Task Force on Trial Court Facilities recommended that the state assume responsibility for trial court facilities, the Legislature has left open the question pending further study. Meanwhile, the advanced age and condition of some of the facilities combined with diminished maintenance by the counties has added urgency to achieving a resolution to this issue. The AOC has begun to implement the Trial Court Facility Planning and Assistance Program, which will be used as a basis for assessing needs and developing recommendations on the short- and long-term capital facilities needs of the trial courts, as well as providing the courts with professional planning and architectural and engineering services (www2.courtinfo.ca.gov/facilities/).

FISCAL MANAGEMENT The transfer of accountability for trial court budgets from the counties to the state remains the single greatest change in judicial administration since the

“Through state funding and unification, the trial courts no longer are being forced to react to financial emergencies beyond their control. Now they are able to look at current circumstances, forecast future needs, and decide how best to respond.”

*—William C. Vickrey,
Administrative Director of the Courts*

creation of the Judicial Council in 1926. Courts that formerly received administrative, financial, human resource, technology, and legal services from their counties must provide them with the assistance and direction of the Judicial Council/AOC. The AOC now is responsible for developing a budget process, implementing policies and procedures, and monitoring all statewide court-related revenues and expenditures. This system will give trial court fiscal staff and management better abilities to manage, forecast, and monitor fiscal resources (www.courtinfo.ca.gov/courtadmin/jc/budget.htm).

HUMAN RESOURCES Under the Trial Court Employment Protection and Governance Act, each court replaced the county as employer of trial court

COMPLEX CIVIL LITIGATION PILOT PROGRAM

Improving the management of complex civil litigation remains a Judicial Council priority. The AOC is studying best practices and will report to the Legislature in October 2002. Early disposition of cases and shorter trials are among the positive results reported by the 15 trial court departments in six counties (Alameda, Contra Costa, San Francisco, Santa Clara, Orange, and Los Angeles) that are participating in the council's pilot project. The program gives judges training and resources to manage complex civil cases with more effectiveness and efficiency (www.courtinfo.ca.gov/rules/2002/appendix/divistandard-51.htm# P1115_99133).

personnel. The AOC in collaboration with the courts is continuing an ambitious plan to provide statewide leadership and coordinated human resource services to courts as well as to other judicial branch agencies. New duties include policy development, classification, compensation and benefit plans, and labor and employee relations support (www.courtinfo.ca.gov/courtadmin/cr-legis.htm).

Other major AOC statewide studies and initiatives under way include:

- ◆ Development of a more cost-effective self-insured Trial Court Workers' Compensation program that is expected to replace the existing insured program in 2003;
- ◆ Implementation of the AOC's Trial Court Classification and Compensation Study that updates and refines the Uniform Model Classification Plan and salary range guidelines to enable courts to make independent salary decisions that are consistent with those of other courts statewide; and
- ◆ Completion of the Trial Court Benefits Study in 2002, with the goal of providing a fully implemented and voluntary health and welfare benefits program, effective January 1, 2003.

NEW JUDICIAL STUDY

The newly established Task Force on Judicial Service will identify best practices in benefits, compensation, and related issues to ensure that the most qualified judges serve full careers on the bench (www.courtinfo.ca.gov/courtadmin/jc/tflists/judserv.htm).

TECHNOLOGY The incompatible court computer systems throughout the 58 trial court systems remains an urgent problem. Compatibility issues among county justice agencies also must be addressed to enable communication among the court, district attorney, and probation department (www.courtinfo.ca.gov/reference/documents/splanrev.pdf). The Court Technology Advisory Committee set up four regional trial court groups to work together on these issues. The committee in 2001 adopted the trial court system's first case management system certification policy and functional requirements to ensure that courts obtain efficient and cost-effective technology solutions (www.courtinfo.ca

[.gov/reference/cmsspol.htm](#)). In addition, the AOC's California Electronic Filing Technical Standards (CEFTS) project is working toward identifying standards for the electronic filing of court documents in keeping with a legislative directive that the Judicial Council adopt uniform filing rules for the trial courts by January 1, 2003.

Other technology issues to be addressed over the next several years include:

- ◆ Developing a business administration model for the judicial branch, that encompasses the regional offices and trial courts;
- ◆ Formulating data integration plans and strategies for the branch;
- ◆ Creating telecommunications architecture for the branch;
- ◆ Certifying court management systems to meet the requirements of the branch;
- ◆ Developing requirements and criteria for specifying, evaluating, selecting, and implementing administrative management systems to support the trial and appellate courts; and
- ◆ Establishing information technology staffing standards.

JUDICIAL COUNCIL AWARD WINNERS

The future of justice in California depends on the contributions of committed individuals and creative, responsive court programs. Each year, the Judicial Council recognizes such exceptional efforts to keep justice administration in step with the changing and diverse needs of the public.

RALPH N. KLEPS AWARDS

www.courtinfo.ca.gov/newsreleases/NR14-02.HTM

The following courts were selected for awards in 2001 for innovative projects that improve the administration of justice:

- ◆ Appellate Court Outreach Program: Court of Appeal, Third Appellate District
- ◆ Unified Family In-Court Clinician: Superior Court of Yolo County
- ◆ Children, Courts, and Arts Project: Superior Court of Contra Costa County
- ◆ Court-Community Leadership and Liaison Program: Superior Court of San Joaquin County
- ◆ Homeless Court: Superior Court of Ventura County
- ◆ Find Arbitrator Mediator Electronically (FAME): Superior Court of Los Angeles County
- ◆ Small Claims Electronic Filing Program: Superior Court of Sacramento County
- ◆ F.O.C.U.S. Program-Monitoring Court Performance Using a Balanced Scorecard: Superior Court of San Diego County
- ◆ Juvenile Delinquency Domestic Violence/Family Violence Court: Superior Court of Santa Clara County
- ◆ Sacramento-Amador Internet/Intranet: Superior Courts of Sacramento and Amador Counties
- ◆ Center Courts Regional Training Day: Superior Courts of Mariposa, San Benito, and Stanislaus Counties

DISTINGUISHED SERVICE AWARDS

www.courtinfo.ca.gov/newsreleases/NR13-02.HTM

The 2001 Distinguished Service Awards, the Judicial Council's highest honor, was presented to the following individuals who have demonstrated extraordinary leadership and made significant contributions to the administration of justice in California.

JURIST OF THE YEAR AWARD

Hon. Daniel J. Kremer
Administrative Presiding Justice
Court of Appeal, Fourth Appellate District, San Diego

JUDICIAL ADMINISTRATION AWARD

Mr. Michael M. Roddy
Regional Administrative Director, Northern/Central Region, Sacramento

BERNARD E. WITKIN AWARD

Mr. William A. Fenwick
Attorney at Law, Santa Clara

BENJAMIN J. ARANDA III ACCESS TO JUSTICE AWARD

www.courtinfo.ca.gov/newsreleases/NR15-02.HTM

Hon. Donna J. Hitchens
Presiding Judge of the Unified Family Court,
County of San Francisco



The California court system, with more than 2,000 judicial officers, over 19,000 court employees, and more than 8 million cases in 460 court locations, and a 2001–2002 budget of \$2.58 billion, serves over 34 million people—12.5 percent of the total U.S. population.

THE COURTS

CALIFORNIA SUPREME COURT

- ◆ Hears oral arguments in San Francisco, Los Angeles, and Sacramento;
- ◆ Discretionary authority to review decisions of the Courts of Appeal; direct responsibility for automatic appeals after death penalty judgment (www.courtinfo.ca.gov/courts/supreme/about.htm).

COURTS OF APPEAL

- ◆ Six districts, 19 divisions, 9 court locations;
- ◆ Reviews the majority of appealable orders or judgments from superior court (www.courtinfo.ca.gov/courts/courtsofappeal/about.htm).

SUPERIOR COURTS

- ◆ 58 courts, one in each county with from 1 to 55 branches;
- ◆ State and local laws define crimes and specify punishments, and define civil duties and liabilities (www.courtinfo.ca.gov/courts/trial/about.htm).

**BRANCH AND
ADMINISTRATION POLICY**

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE
COURTS**

The Judicial Council is the constitutionally created 27-member policymaking body of the California courts; its staff agency is the Administrative Office of the Courts (www.courtinfo.ca.gov/courtadmin/jc/).

BRANCH AGENCIES

**COMMISSION ON JUDICIAL
APPOINTMENTS**

Confirms gubernatorial appointments to the Supreme Court and appellate courts (www.courtinfo.ca.gov/courtadmin/otheragencies.htm).

**COMMISSION ON JUDICIAL
PERFORMANCE**

Responsible for the censure, removal, retirement, or private admonishment of judges and commissioners. Decisions subject to review by California Supreme Court (www.cjp.ca.gov).

**HABEAS CORPUS
RESOURCE CENTER**

Handles state and federal habeas corpus proceedings; provides training, support for private attorneys who take these cases (www.courtinfo.ca.gov/jobs/jobshcrc.htm).



ADVISORY COMMITTEES

- Access and Fairness Advisory Committee
- Administrative Presiding Justices Advisory Committee
- Appellate Advisory Committee
- Civil and Small Claims Advisory Committee
- Collaborative Justice Courts Advisory Committee
- Court Executives Advisory Committee
- Court Interpreters Advisory Panel
- Court Technology Advisory Committee
- Criminal Law Advisory Committee
- Family and Juvenile Law Advisory Committee
- Governing Committee of the Center for Judicial Education and Research (CJER)
- Judicial Branch Budget Advisory Committee
- Probate and Mental Health Advisory Committee
- Traffic Advisory Committee
- Trial Court Presiding Judges Advisory Committee

TASK FORCES

- Appellate Indigent Defense Oversight Advisory Committee
- Appellate Process Task Force
- Community-Focused Court Planning Implementation Committee
- Legal Services Trust Fund Commission
- Probation Services Task Force
- Task Force on Judicial Service
- Task Force on Judicial Ethics Issues
- Task Force on Jury Instructions
- Task Force on Jury System Improvements
- Task Force on Self-Represented Litigants

ADMINISTRATIVE OFFICE OF THE COURTS

- William C. Vickrey
Administrative Director of the Courts
- Ronald G. Overholt
Chief Deputy Administrative Director
- Michael Bergeisen, *General Counsel and Deputy Administrative Director*
Office of the General Counsel
- Diane Nunn, *Director*
Center for Families, Children & the Courts
- Karen Thorson, *Director*
Education Division
- Pat Sweeten, *Director*
Executive Office Programs
- Christine Hansen, *Chief Financial Officer and Director*
Finance Division
- Susan Hough, *Director*
Human Resources Division
- Pat Yerian, *Director*
Information Services Division
- Ray LeBov, *Director*
Office of Governmental Affairs

- Sheila Gonzalez
Regional Administrative Director
Southern Region
- Michael M. Roddy
Regional Administrative Director
Northern/Central Region
- Christine Patton
Regional Administrative Director
Bay Area/Northern Coastal Region
(effective July 1, 2002)

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