

For many years, almost all Judicial Council educational issues meetings were private, meant to encourage candid conversations.

Hon. Douglas P. Miller, Chair, Executive and Planning Committee *“But that benefit of a frank discussion came with a price. Those many, and I believe many, valuable and interesting discussions were closed; and the information there was only heard by those who were in attendance. When in reality they would have been very beneficial for many many others.”*

No action was ever taken at these meetings. But Justice Miller noted: this apparent secrecy led to misperceptions about the role of the AOC; and also the mistaken belief that Council decisions were effectively made in closed sessions. So now the doors have been thrown wide open.

Hon. Tani Cantil-Sakauye, Chief Justice of California *“I’m excited by the fact that it’s now open and anyone can listen in.”*

Hon. Douglas P. Miller, Chair, Executive and Planning Committee *“We believe this will now make Council decision making processes more transparent and more informative.”*

At this meeting, members of the Trial Court Presiding Judges Advisory Committee promised to get much more vocal.

Hon. Mary Ann O’Malley, Former Chair, Trial Court Presiding Judges Advisory Committee *“We were always proud of the work that we accomplished but we wondered really if we were being heard.”*

Hon. Kevin Enright, Chair, Trial Court Presiding Judges Advisory Committee *“We have presiding judges around the state that want to be involved and will share their opinions, and uh, forcefully at times.”*

The incoming chair said he’d be providing regular input to the Council from presiding judges; and that they would be more active.

Hon. David Rosenberg, Incoming Chair, Trial Court Presiding Judges Advisory Committee *“We have got to be engaged at the judicial council, in the legislature, with the governor, we need to do a better job of reaching out and communicating to the public, to the press, and our justice partners, and we will do so.”*

Next, trial court leaders shared strategies for managing courts during a financial crisis. CEOs from San Diego and Orange County said starting to react early was key to their survival so far.

Alan Carlson, CEO, Orange Superior Court *“The very early perception that we had a problem at the beginning of 2008 and saying ‘We need to start now in dealing with the problem,’ and not hope that it will go away in a sense.”*

Mike Roddy, CEO, San Diego Superior Court *“We really stopped the wheels and started to assess, ‘What are the options available?’”*

Alan Carlson, CEO, Orange Superior Court *“It was obviously not a one or two year thing, and that we were not going to be coming back right away. So again the solutions had to be, we need to do stuff now that’s going to work for four or five years, not one year.”*

Technology provides significant permanent savings in Orange – for example, they’re paperless in civil.

Alan Carlson, CEO, Orange Superior Court *“Everybody’s running off the electronic version of things; no paper. Just major civil downtown in one courtroom that was 12 people, so that was a million dollars right there. I could go on. We have hundreds, literally, of things that we’ve done like this. And we’re not done yet. We still have lists of things that we’re going to do.”*

In Marin, they even looked at what they call sacred cows. With careful scheduling, they cut the number of court reporters in half, saving \$850,000 - in a small court.

Kim Turner, CEO, Marin Superior Court *“It’s a big reduction but it’s a painful painful cultural change.”*

Also painful: the layoffs that have occurred in some courts.

Hon. David De Alba, Judicial Council *“One of the common refrains I hear is: the ratios are getting out of whack. In other words, the staff is disappearing but there’s too many managers.”*

Hon. Mary Ann O’Malley, Former Chair, Trial Court Presiding Judges Advisory Committee *“We went right to upper management first. We didn’t go to the people behind the counters for another year after that.”*

CEO Alan Carlson let go of his chief deputy.

Alan Carlson, CEO, Orange Superior Court *“Because I wanted to send the message that this was not going to be something that was going to affect only the people downstairs.”*

Mike Roddy, CEO, San Diego Superior Court *“I’m now the CEO and the CFO.”*

Kim Turner, CEO, Marin Superior Court *“You have to set the tone at the top and you have to say we’re not just going to go lay off every file clerk while the rest of us sit around, you know, in our complacency.”*

Hon. Robert Moss, Judicial Council *“Have there been programs or efforts to share these great ideas with less fortunate courts that haven’t been as successful?”*

In fact, the CEO group will bring a recommendation to the council for a trial court “business process reengineering program.” Strictly voluntary, available for all courts.

But there’s a limit to how lean the courts can get.

Mike Roddy *“So far we’ve done everything possible not to hit the courtroom, not to hit the judge. But I think we’re running out of those easy solutions.”*

Alan Carlson *“At some point we’re down to where that’s it. Now we have to stop doing things, close, lay people off, have backlogs.”*

And there may also be a limit to what the legislature can cut.

David Rosenberg *“Now if the legislature decided tomorrow we’re going to cut the judicial ranch budget by 90%, could they constitutionally do that?”*

Kim Turner *“We are going to face a constitutional crisis when we no longer have an adequate number of staff to support the work that judges are supposed to be doing.”*

The purpose of this judicial council meeting was strictly to share information. No votes were cast, no actions taken. But it was time well spent - in the sunshine.

Hon. Tani Cantil-Sakauye, Chief Justice of California *“It was rich, it was funny, they talked about change management, they had great ideas. Today’s meeting and the content that we had here is every reason why it should be open and it was a huge success in my view.”*

I’m Leanne Kozak reporting in San Francisco for California Courts News.