



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
February 20, 2013	For Information Only
To	Deadline
Members of the Judicial Council	N/A
From	Contact
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Report on Activities of the Administrative Office of the Courts	

The following information outlines some of the many activities the Administrative Office of the Courts (AOC) is engaged in to further the Judicial Council's goals and priorities for the judicial branch. The report focuses on action since the council's January meeting and is exclusive of issues on the February business meeting agenda.

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Assembly Judiciary Hearing: On February 12, 2013, the Assembly Judiciary Committee convened an informational hearing on “The access to justice crisis facing California families.”

I joined presiding judges, court executive officers, practitioners, and court users in detailing the impacts budget cuts have had on the branch and urging the Legislature to restore General Fund money to the branch. The hearing lasted four hours and contained testimony from a spectrum of interest groups. All presented a clear and uniform message: the courts are at a tipping point and require a reinvestment of General Fund support.

Judicial Branch Advocacy with New Legislators: In addition to ongoing discussions the Chief Justice and I and other AOC executives are having with key legislators, Office of Governmental Affairs (OGA) advocates have met with all 39 new members of the Legislature on the role of the Judicial Council, the council's legislative advocacy, and judicial branch policy and budget issues. Members have also all been urged to visit courts in their districts.

Bench-Bar Coalition (BBC): The BBC held its first quarterly membership conference call of 2013 with approximately 70 participants. BBC members have been invited to serve as legislative liaisons to new legislators as well as members of the executive branch. This involves contacting the designated legislator at least once per quarter to strengthen relationships, share information, and generally serve as a resource. BBC members also are being recruited for “Day in the District” visits to legislators’ district offices during February and March.

Chief Justice Liaison Meetings: The Chief Justice and Policy Coordination and Liaison Committee Chair Justice Marvin Baxter, together with members of the AOC's executive and OGA staff, held four annual liaison meetings with representatives of the California Defense Counsel, the California District Attorneys’ Association, the Consumer Attorneys of California, and the Criminal Defense Bar. Budget and related access to justice issues necessarily were a central topic of discussion.

New Bills Introduced: February 22, 2013, was the deadline for introducing bills for the 2013–2014 legislative session. Hundreds of new bills were introduced in the days leading up to this date. OGA advocates are analyzing the proposed legislation and will bring significant bills within the Judicial Council's purview to appropriate advisory committees for input.

Spring Finance Letters: Consistent with the State Budget process, the AOC submitted additional budget change proposals on behalf of the judicial branch. The submission centered on the major proposal calling for an augmentation of \$567.6 million to the branch budget in 2013–2014, including \$367.6 million in ongoing funds and a reinstatement of \$200 million in court construction funds. A request totaling \$13.5 million also was made for additional appropriation authority for the Trial Court Trust Fund to accommodate additional anticipated revenues.

Trial Court Funding Workgroup: This collaborative effort between the judicial branch and Governor Brown's administration to evaluate and make recommendations on the goals of the Trial Court Funding Act of 1997, held its fourth meeting on February 19. The workgroup received an overview of the Resource Assessment Study Model (SB 56 Working Group) and the efforts of the Funding Allocation Subcommittee of the Trial Court Budget Working Group. Staff to the workgroup also reviewed material that was requested at the last meeting including the framework for the final report that will be presented to the Judicial Council at its April meeting. More information, including all material that has been reviewed with the workgroup, can be found on the California courts website at: <http://www.courts.ca.gov/partners/fundingworkgroup.htm>.

Legal Opinions: As part of its efforts to improve services to the courts, the Legal Services Office will pilot a new approach with its legal opinions on statewide issues: all presiding judges and court executive officers will receive the draft legal opinion for review and comment before the opinion is finalized. The first draft opinion will be sent for feedback on both the draft and whether the review/comment approach is desirable.

Court Appointed Special Advocates (CASA) Program:

- CASA of the Eastern Sierra is the newest program serving dependent children in Inyo and Mono Counties. The first 11 advocates have completed over 30 hours of initial training and were sworn in as CASA volunteers by Judge Dean T. Stout, Presiding Judge of the Juvenile Court of Inyo County, and Judge Stan Eller, Presiding Judge of the Superior Court of Mono County. The trained volunteers are now assigned and advocating for the best interest of children in the dependency system. There are 44 California CASA programs serving 49 counties.
- In compliance with California Rules of Court, Local Rules of Court, and National CASA Standards, AOC staff, in partnership with the California CASA Association, conducted a site visit at CASA of Los Angeles County. The visit included focus groups with judicial officers, CASA volunteers, program staff, board members, minor's counsel, parent's attorneys, and stakeholders from the Department of Children and Family Services.

Criminal Justice Services:

- Staff met with representatives of the Chief Probation Officers of California, California State Association of Counties, the Legislative Analyst's Office, and legislative staff regarding the impact of the Criminal Justice Realignment on Senate Bill (SB) 678.
- Staff also submitted an application to the Bureau of Justice Assistance Office on behalf of five courts to support their reentry court programs. The application includes existing reentry courts and courts interested in implementing their projects after July 1, 2013, when the judicial branch takes over responsibility for conducting parole violation hearings.

Facilities

Capital Projects–Status of SB 1407 Projects: There are 36 active capital projects totaling over \$4.6 billion. Eight projects, totaling over \$1.2 billion are currently in construction. Another seven projects will begin construction in 2013. Moving forward in 2013 with the remaining projects in acquisition and design will likely be modified due to the fiscal year 2013–2014 Budget Act.

Facility Modifications:

- As of February 13, 2013, there are 393 facility modifications in progress for a total estimated cost of \$56.5 million (a combination of projects for fiscal years 2011–2012 and 2012–2013).
- The AOC's Facilities Management Unit was recognized by the California Council for excellence in quality management as part of the California Awards for Performance. The council administers the program based on the principles of the Malcolm Baldrige National Quality Award, honoring both private industry and government organizations for efforts in continuing quality management.

Human Resources

Labor and Employment 2012 Legal Update: The Legal Services Office distributed its annual summary of employment-related legislation, regulations, and legal decisions from 2012 to executive officers, clerk administrators, and human resources officers in the trial and appellate courts.

Labor Relations/Negotiations: The AOC is currently supporting eight trial courts in labor negotiations and two court interpreter regions in bargaining sessions. Negotiations have recently concluded in 10 courts. Staff are providing support to one trial court in responding to a labor charge with the Public Employee Relations Board.

Trial Court Employee Relations: Employee relations assistance is currently being provided to 17 courts. Requests for assistance with investigations have increased and AOC employee relations staff are guiding seven investigations.

Trial Court Recruitment and Classification and Compensation Assistance: General recruitment assistance is being provided to 11 trial courts and a classification review is under way for one other court.

Judicial Branch Workers' Compensation Program: The agreement with the broker responsible for assisting the AOC with the development of program-wide cost allocations will expire in April 2013. A Request for Proposals has been initiated to select a vendor.

Phoenix Financial and HR Services

Judicial Branch Contracting Law Report: Per Senate Bill 78, the Legislature requires the bi-annual submission of this report on all payments and contracts from the 58 trial courts for the reporting period of June–December 2012. The report was generated by the Phoenix System, freeing the courts from the responsibility of individually preparing and submitting separate financial reports.

Phoenix HR/Payroll Courts: The 2012 annual payroll tax process was successfully completed with the distribution of 3,668 Wage and Tax Statements (W-2s) to the employees of eight superior courts: Alpine, Lake, Riverside, Sacramento, San Bernardino, Santa Cruz, Siskiyou, and Stanislaus.

1099 Tax Reporting Process: Annual 1099 forms for all 58 court vendor and juror payments over \$600 (5,423 in total) were compiled and distributed to court payees prior to the Internal Revenue Service (IRS) deadline of January 31, 2013. The process included combining different payment types and uploading juror data into IRS required forms and files.

Superior Court of Plumas County: Payroll accounting assistance is being provided to the court to reconcile retirement, medical, and union dues account balances to financial records.

Technology

Case Management Systems:

- Legislative and maintenance updates were deployed for the Sustain case management system, Criminal and Traffic Case Management System (V2), and Civil, Small Claims, Probate, and Mental Health Case Management System (V3).
- Staff finalized decommissioning and repurposing equipment originally used for the California Court Case Management System project. Nine courts (Amador, Contra Costa, Merced, San Joaquin, Santa Clara, Stanislaus, Sutter, Tuolumne, and Yolo), and the AOC will use the equipment for future projects or to update existing systems. The remaining equipment will be used for California Courts Technology Center projects to upgrade outdated hardware and network systems.

E-Filing: Working with the Court of Appeal for the First Appellate District, staff developed and released a Request for Proposal for an e-filing pilot project for the appellate courts.

Web Services:

- The Court of Appeal, First Appellate District, launched its e-filing/e-submission section on the California Courts public website, saving time and money for the court and filers. The

Fifth Appellate District launched an improved e-submission section, allowing for the submission of multiple documents for a single case and transmission of documents larger than five megabytes.

- Staff launched the Civics Education Lesson Plans and Resources website providing teachers and the public with access to lesson plans and other educational resources on civic education and the courts (<http://www.courts.ca.gov/civicslessons.htm>).

Advisory Committees/Task Forces/Working Groups

Advisory committees will hold only one in-person meeting per year until the fiscal situation improves. Other meetings will be convened using video- or audio-conferencing.

The following committees met since the Judicial Council's January meeting:

1. Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch
2. Blue Ribbon Commission on Children in Foster Care
3. Center for Judiciary Education and Research Governing Committee
4. Collaborative Justice Courts Advisory Committee
5. Court Executives Advisory Committee
6. Criminal Law Advisory Committee
7. Mental Health Issues Implementation Task Force
8. Probate and Mental Health Advisory Committee
9. Trial Court Presiding Judges Advisory Committee

Meeting Details

Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch:

- Approved the pending audit report for the Superior Court of Los Angeles County for consideration by the Judicial Council at its February business meeting.
- Discussed the pending audit report of the AOC Facilities Management Unit—a compliance audit of management and maintenance services contracts from 2006 through 2011—with the chair and vice-chair of the Trial Court Facilities Modification Working Group.

Blue Ribbon Commission on Children in Foster Care:

- *Data and Information Sharing Workgroup:* Discussed a revision of commission recommendations to reflect that the California Court Case Management System will not be moving forward, and instead focus on alternative interoperability strategies (e.g., memoranda of understanding among child welfare parties); and reviewed a new resolution on the importance of data sharing for children and youth in foster care.

- *Truancy/School Discipline Workgroup*: Workgroup representatives met with representatives of the California Department of Education, the California Endowment, and others to continue plans for the summit on school discipline and truancy in late fall 2013.

Center for Judiciary Education and Research Governing Committee:

- Approved recommendations from the New Judge Education Workgroup for presentation to the council at a future meeting; also approved the appointment of the Dean of the Judicial College as a liaison member to the Governing Committee.
- Requested further discussion with the Court Executives Advisory Committee on its recommendation to explore relaxing the education rules for court executives.
- Supported plans to develop a judicial campaign ethics course in conjunction with the California Judges Association and the State Bar, in response to the revised Canons of Judicial Ethics, which now include mandatory education for candidates running for judicial office.
- Discussed possible activities for the center's 40th anniversary, and viewed demonstrations of new education technology tools.

Civil and Small Claims Advisory Committee:

- Considered comments and recommended amendment of statewide case management rules, on a temporary basis, to give courts discretion to exempt certain types or categories of general civil cases from the mandatory case management rules. The amendment is intended to help courts address the current fiscal crisis.

Collaborative Justice Courts Advisory Committee:

- Reviewed an optional court form for identifying veteran status; received reports from the Juvenile Subcommittee, the Collaborative Court Coordinators Network, and the California Association of Drug Court Professionals; and considered status updates on reentry courts, veterans' courts, and amendments to PC1170.9.

Court Facilities Working Group:

- Discussed how to move the SB 1407 facilities program forward given the Governor's proposed budget for fiscal year 2013–2014. Recommendations of the working group will be presented to the Judicial Council at its February meeting.

Criminal Law Advisory Committee:

- Considered a proposal to amend rule 4.541 to govern the minimum contents of parole revocation reports beginning July 1, 2013.

Mental Health Issues Implementation Task Force:

- Appointed members of the task force to work with the Criminal Law Advisory Committee, the CJER Criminal Law Education Committee, and the Family and Juvenile Law Advisory

Committee to develop strategies for more effectively responding to offenders with mental illness, including juveniles.

Probate and Mental Health Advisory Committee:

- Approved for submission to the Rules and Projects Committee for circulation for comment a proposal for a new form regarding eligibility for special immigrant juvenile status for use in guardianship cases.

Trial Court Budget Working Group:

- Discussed priorities for the next several months, including the development of a new methodology for allocating trial court funding, implementing further reductions to the State Trial Court Improvement and Modernization Fund to balance that fund's budget, and more accurate revenue tracking to mitigate cash flow issues.
- Discussed allocation options of pending health and retirement benefits funding and the impact of retired pension obligation bonds on court benefit allocations.
- Received updates on subcommittee work relating to funding methodology issues as well as realignment funding and pending offsets.
- Appointments of budget working group members were extended through June 30, 2013, to provide continuity to branch budget advocacy and retain the critical expertise of the group's members.

Trial Court Facility Modifications Working Group:

- Reviewed and gave tentative approval on a number of facility modifications and operations and maintenance projects. Several requests were held over for additional reporting at the next committee meeting.
- Reviewed the draft report on the audit of the AOC Facilities Management Unit.
- Discussed the need for the development of policies and procedures to lay the foundation for going forward, including looking at the types of information (e.g., resources and metrics) the working group should be providing to best support the council.

Trial Court Presiding Judges, Court Executives Advisory Committees, and Conference of Court Executives Joint Meeting:

- *New Leadership:* Meeting participants included 25 new and 11 re-elected presiding judge, two new court executive officers, and two acting court executive officers.
- Following remarks by the Chief Justice, discussion focused on budget; legislative priorities and outreach; efforts to assist family law courts; and courts helping courts by collaborating to provide shared services. For example, the Riverside court is handling procurement for 13 different trial courts; the Superior Court of Shasta County provides collections services for six other courts; and Butte provides technology services to the Glenn court.

Trial Court Presiding Judges Advisory Committee:

- Met with the chairs of the Judicial Council's internal committees for dialogue on the role of the committees and their interaction with the presiding judges committee.
- Discussed the fiscal year 2013–2014 judicial branch budget and changes to the Judicial Canons.
- Received updates on proposals to reduce jury size and preemptory challenges, and the committee's 2013 annual agenda.

Court Executives Advisory Committee/Conference of Court Executives:

- Discussed the fiscal year 2013–2014 judicial branch budget, the committee's 2013 annual agenda, and an urgent proposal to amend case management rules.
- Received updates concerning case management system vendor presentations, audits of the pilot trial courts by the Bureau of State Audits, proposed legislation to modernize and improve the statutes concerning the retention of trial court records, and Institute for Court Management (ICM) courses and certification data from the National Center for State Courts.
- *Working Group on Records Management:* Completed and published the revised version of the *Trial Court Records Manual* containing references to statutes, rules, industry standards, and best practices relating to records management. New sections were included on standards for managing microfilm records and for records created, maintained, and preserved in electronic form; the form and format requirements for filed documents; and the role of civil fees and fee waivers.

Judicial Branch Education Programs

Judicial Education

1. Human Trafficking: Issues for Criminal and Juvenile Law Judges
2. Documentary, Character, and Impeachment Evidence (Santa Rosa and Sacramento)
3. New Judge Orientation
4. Sentencing and Supervision Revocation Update for Assigned Judges (Sacramento)
5. Three Strikes Issues (Webinar)

Judicial, Court Employee, and Justice System Stakeholder Education

6. AB 1058 Child Support Program, Regional Court Clerk Training
7. Caseflow Management in Criminal Courts (Webinar)
8. Customer Service (Superior Court of Marin County)
9. Dependency Representation Administration Funding and Training Program Trainings
10. Institute for Court Management courses (for court and AOC managers and supervisors):
Fundamental Issues of Caseflow Management and Managing Court Financial Resources
11. Tribal Court/State Court Program Trainings

12. Training for Employees of the Superior Court of Santa Clara County
 - Building Relationship: Identifying Your Role in Effective Team Building
 - Customer Service: Impact on Procedural Fairness
 - Developing Effective Written Materials
 - Managing Stress

Broadcasts

13. Continuing the Dialogue: American with Disabilities Act Awareness—Mental Health Disability (for court staff)
14. Criminal Trial Exhibits: The Basics (for court staff)
15. Getting Lean and Green: An Introduction to Business Process Reengineering (for managers and supervisors)
16. Orientation to the Courts of Appeal (for court staff)

Updated Online Resources

17. Arraignments Primer
18. Bail and Own Recognizance
19. Bench Tool for Supervision Hearings
20. Common Criminal Motions
21. Criminal Discovery
22. Felony Sentencing After Realignment
23. Felony Sentencing Script
24. Juvenile Life Without Parole Resentencing
25. Preliminary Hearings Primer
26. Search and Seizure
27. Three Strikes Applicability Table

New Online Resources

28. Appellate Court Case Management System screencast tutorial
29. Trial Evidence: I Object! (<http://www2.courtinfo.ca.gov/protem/courses/i-object/index.htm>)

Publications

Updated and Revised Benchguides:

30. Bail and Own-Recognizance Release (Benchguide 55)
31. Driving Under the Influence Proceedings (Benchguide 81)
32. Landlord-Tenant Litigation: Unlawful Detainer (Benchguide 31)
33. Restitution (Benchguide 83)

Updated Bench Handbook:

34. Felony Sentencing (2013 Edition)

Video Production

35. Supreme Court Outreach from the University of San Francisco

http://calchannel.granicus.com/MediaPlayer.php?view_id=7&clip_id=901

36. Family Dispute Resolution Distance Education

Program Details

AB 1058 Child Support Program, Regional Court Clerk Training: The six-hour training fulfilled the mandatory court clerk training requirement of Cal. Rules of Court, rule 5.355, providing information on the creation of the child support commissioner and family law facilitator program, an overview of the specialized rules and forms used in governmental child support cases, and the basics of processing these cases.

Caseflow Management in Criminal Trial Courts—Fighting the Resources Crisis: This webinar assisted judges in adapting general principles of caseflow management to a criminal case load. Practical day-to-day strategies for improving efficiency by methods such as reducing continuances, resolving cases earlier, and creative calendar planning were discussed during this interactive session.

Customer Service—Impact on Procedural Fairness: This three-hour class for staff of the Superior Court of Santa Clara County provided participants with an opportunity to focus on how court employees can improve public trust and confidence by increasing awareness of the perception of procedural fairness. Participants learned to define procedural fairness; described the relationship between customer service and procedural fairness; identified four key elements that influence court users' perception of being treated fairly; and explored techniques to improve customer service skills that directly relate to procedural fairness issues and perceptions.

Dependency Representation Administration Funding and Training Program: The AOC is required to provide training to the juvenile courts and local stakeholders on local needs. Juvenile court stakeholders in Santa Cruz County asked for and were provided with training on state and federal benefits for foster youth and on dependency case law.

Documentary, Character, and Impeachment Evidence: This course, designed for experienced criminal law judges, focused on evidentiary issues and admissibility rulings in criminal trials.

Family Dispute Resolution (Distance Education Video Courses): Two new online video courses provide three hours of credit per course toward the annual continuing education requirements for Family Court Services child custody mediators, recommending counselors, and evaluators. The Child Welfare and Juvenile Dependency Court course focuses on differences in case processing, investigations, evidence standards, and case outcomes—including exit orders

and child abuse reporting decisions—in child welfare/dependency as compared to family court. One other court focuses on the information sharing between Child Welfare/Dependency Court and Family Court Services/Family Court.

Human Trafficking: Issues for Criminal and Juvenile Law Judges: This course focused on how trafficking victims appear in juvenile and criminal courts as dependents, delinquents, defendants, and witnesses. Also included was how people become victims of commercial sexual exploitation, and the unique dynamics, characteristics, and risk factors for this population. The course addressed the legal definitions of human trafficking, and the many cross-over issues that must be grappled with when they appear before juvenile or criminal court judges.

New Judge Orientation: Thirteen new judicial officers (one justice, 11 judges, and one commissioner) participated in the week-long program.

Sentencing and Supervision Revocation Update for Assigned Judges: This update included felony sentencing, supervision revocation hearing procedure, and mandatory provisions in domestic violence cases. Clarification of the purpose and application of the felony sentencing structure under Penal Code section 1170(h) and associated issues concerning plea bargains and supervision conditions were discussed. Faculty defined the four categories of post-conviction supervision (probation, postrelease community supervision, mandatory supervision, and parole), clarified the trial court's role in imposition, review, and revocation of each, and explained the implications of recent legislation that unified procedures for all supervision revocation hearings under Penal Code section 1203.2. The course also provided an overview of unique probation and sentencing considerations in domestic violence cases including the mandatory provisions of Penal Code section 1203.097, the law regarding issuance of criminal protective orders and firearms restrictions and relinquishment procedures.

Three Strikes Issues Webinar: The session provided an opportunity for faculty to answer judges' questions on a video and updated written materials on Three Strikes issues, and on county-specific implementation issues.

Tribal Court/State Court Program Trainings: A training on tribal customary adoption was provided to social services in San Mateo County and a training on the California Courts Protective Order Registry for tribal court judges, tribal court staff, tribal law enforcement, and deputy district attorneys was held at Redding Rancheria.

Broadcasts

Getting Lean and Green: An Introduction to Business Process Reengineering: This new broadcast for court personnel introduced the concept of business process reengineering,

explained the potential benefits to courts, provided considerations when selecting an area for reengineering, and included information from multiple trial courts that have engaged in reengineering.

Orientation to the Courts of Appeal: This new broadcast addressed the role of the Courts of Appeal within the judicial branch, defined the general types of cases that come before the court, outlined the roles and interactions of the courts' departments, and summarized protocols common to all appellate districts.

Criminal Trial Exhibits—The Basics: This new broadcast discussed the life cycle of an exhibit in a criminal trial, procedures for marking and handling exhibits, and the responsibilities of the courtroom clerks who handle them.

Online Resources for Judges

Bench Tool for Supervision Hearings: This at-a-glance Modification, Revocation, and Termination of Supervision Table provides statutory authority, maximum terms, burdens of proof, and other key procedural information for the four types of postrelease supervision after realignment—probation, mandatory supervision, postrelease community supervision, and parole.

Felony Sentencing After Realignment: This memo features sections addressing modification, revocation, and termination of mandatory supervision, post-release community supervision, and parole. (http://www.courts.ca.gov/partners/documents/felony_sentencing.pdf.)

Felony Sentencing Script: This updated resource contains sentencing laws and scripts, and recent changes to the 2011 Realignment Act and the 2012 amendments to the three strikes law.

Juvenile Life Without Parole Resentencing: This legal update is designed to assist courts with increased resentencing petitions filed by inmates who were under age 18 at the time of their crimes and were sentenced to life imprisonment without parole. It provides historical background and an overview of the amended Penal Code section 1170(d), effective since January 1, 2013.

Search and Seizure: This update contains a list and brief summaries of all 2012 cases addressing search and seizure issues relevant to California.

Three Strikes Applicability Table: This update on the quick-reference bench tool lists all qualifiers in a logical sequence to make it easier to determine who qualifies for three-strikes sentencing after the passage of Proposition 36 in 2012. .

Administrative Office of the Courts Staffing Report as of January 31, 2013

STAFFING	Executive Office	Office of Gov't Affairs	Leadership Services Division					Operations Services Division					Administrative Services Division					AOC		
			Legal Services Office	JC Support Services	Office of Communications	Special Project Office	Trial Court Liaison Office	Center for Families, Child. & Courts	Court Ops Special Svc Office	Criminal Justice Court Svc Office	Center for Judiciary Education & Research	Office of JB Capital Programs	Office of Security	Fiscal Services Office	HR Services Office	Information Technology Services Office	Office of Admin Services		Office of Real Estate & Fac. Mgmt	TC Admin Services Office
Authorized Position (FTE)	9.00	12.00	63.00	12.80	9.00	2.00	8.00	72.00	49.90	5.00	67.50	61.00	10.00	95.00	38.00	135.90	7.00	65.00	93.00	815.10
Filled Authorized Position (FTE)	8.00	11.00	51.40	10.60	7.00	2.00	7.00	68.00	37.95	5.00	62.15	51.90	8.00	81.00	30.00	105.88	7.00	63.13	86.00	703.01
Headcount - Employees	8	11	52	11	7	2	7	70	39	6	63	52	8	81	30	106	7	64	86	710.00
Vacancy (FTE)	1.00	1.00	11.60	2.20	2.00	0.00	1.00	4.00	11.95	0.00	5.35	9.10	2.00	14.00	8.00	30.03	0.00	1.88	7.00	112.11
Vacancy Rate (FTE)	11.1%	8.3%	18.4%	17.2%	22.2%	0.0%	12.5%	5.6%	23.9%	0.0%	7.9%	14.9%	20.0%	14.7%	21.1%	22.1%	0.0%	2.9%	7.5%	13.8%
AOC Temporary Employee (909)	1	0	0	0	0	0	0	0	0	1	8	1	0	1	1	0	2	0	0	15.00
*Employment Agency Temporary Worker (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.0	2.0	0.0	0.0	7.0	3.0	0.0	0.0	8.0	0.0	20.50
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.0	0.0	0.0	1.0	53.5	0.0	0.0	0.0	62.50
TOTAL WORKFORCE (based on FTE, 909s, Agency Temps & Contractors)	9.00	11.00	51.40	10.60	7.00	2.00	7.00	68.00	38.45	6.00	72.15	60.90	8.00	89.00	35.00	159.38	9.00	71.13	86.00	801.01

Definitions:

Authorized Position (FTE)	Authorized positions include all regular ongoing positions approved in the Budget Act for that year. The number is based on the position's approved full time equivalency.
Filled Authorized Position (FTE)	Filled authorized positions are the number of authorized positions filled based on the employee's full time equivalency.
Headcount	The actual count of persons employed by the AOC, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". This count does not include AOC Temporary Employees (909) or Employment Agency Temporary Workers.
Vacancy (FTE)	The number of vacancies is the number of authorized positions minus the number of filled authorized positions.
Vacancy Rate (FTE)	Vacancy Rate is calculated by dividing the number of authorized positions by the number of vacant authorized positions. This number excludes AOC temporary employees ("909" funded employees). See definition of AOC temporary employees below.
AOC Temporary Employees (909)	The "909" category is the State Controller code the AOC uses to reference a temporary position or a temporary employee. 909 Position - it is a position that may not be funded through the Budget Act and it is categorized by the Office of the State Controller as a temporary position used in the absence of an authorized position. 909 positions may be occupied by regular full-time employees due to the unavailability of an authorized vacant position. 909 Employee - An employee whose salary is not funded through the Budget Act. 909 employees may receive benefits if employed at least half-time and the term of employment is for more than six months. Types of "909" Temporary Employees include: Retired Annuitants: A retired annuitant is a retiree who is hired by his or her former employer or by another employer that participates in the same retirement system as the former employer. This includes a former participant in a state retirement system who has previously retired and who is currently receiving retirement benefits. Temporary: Employees employed by the AOC on a temporary basis - they do not receive full benefits (but do receive CalPERS retirement service credit).
Employment Agency Temporary Worker (FTE)	These are workers from an employment agency. They are employees of the employment agency, not the AOC, but provide short-term support for AOC workload.
Contractor (FTE)	Individuals augmenting the work of the AOC and providing services for a limited period of time or on a specific project, where a particular skill set is required that is either (1) not within an existing AOC classification and/or job description or (2) where recruitment issues require the use of a contractor.
Full Time Equivalency (FTE)	Full Time Equivalency is the number of total maximum compensable hours designated in a year divided by actual hours worked in a year. For example, the work year for the AOC is defined as 2,080 hours; one employee occupying a paid full time job all year would consume one FTE. One employee working for 1,040 hours each would consume .5 FTE.
Time Base	Full time: Employee is scheduled to work 40 hours per week. Receives full benefits. Part time: Employee is scheduled to work less than 40 hours per week. Employees that work more than 20 hours per week receive full benefits. Intermittent: Employees have no established work schedule and work on an as-needed basis that varies from one pay period to the next. Eligibility for certain benefits may be limited for these employees.
Regular Employee	Commonly referred to as "permanent employees" – They receive full benefits.
Limited Term	Limited Term Position – It is a position that is funded through the Budget Act with a specific end date. The position is counted as an authorized position. Employee in limited term positions may be regular or temporary.

New Judgeships and Judicial Vacancy Report

Number of Judgeships Authorized, Filled, and Vacant as of January 31, 2013

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	<i>Filled</i>	<i>Vacant</i>
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	105	102	3	0	103	2
Superior Courts	58	1694	1590	54**	50*	1583	110
All Courts	65	1806	1699	107		1693	112

*Authorized January 1, 2008, 50 new (AB 159) judgeships are added. However, the funding for these 50 positions has not been provided.

** In January 2013, 1 new judgeship was created by converting a commissioner position from the Superior Court of Riverside County

New Vacancies that occurred in January 2013

JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Second Appellate District, Division Two	2	Retirement	Hon. Kathryn Doi Todd	01/22/13
Second Appellate District, Division Six		Retirement	Hon. Paul H. Coffee	01/31/12
Third Appellate District	1	Elevated	Hon. Tani G. Cantil-Sakauye	01/02/11
TOTAL VACANCIES	3			

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	2	Retirement	Hon. David E. Hunter	09/03/12
Alameda		Retirement	Hon. Robert K. Kurtz	07/10/12
Butte	1	Retirement	Hon. Gerald Hermansen	03/31/12
Calaveras	1	Retirement	Hon. Douglas V. Mewhinney	03/01/12
Fresno	1	Elevated	Hon. Rosendo Pena, Jr.	12/19/12
Kern	1	Retirement	Hon. Lee Phillip Felice	06/30/12
Los Angeles	14	Retirement	Hon. Joseph F. De Vanon, Jr.	01/31/13
Los Angeles		Converted	New Position	12/13/12
Los Angeles		Converted	New Position	12/13/12
Los Angeles		Converted	New Position	12/13/12
Los Angeles		Converted	New Position	12/13/12
Los Angeles		Converted	New Position	12/13/12
Los Angeles		Converted	New Position	12/13/12
Los Angeles		Retirement	Hon. Charles D. Sheldon	11/13/12
Los Angeles		Retirement	Hon. Lyle Michael MacKenzie	09/07/12
Los Angeles		Retirement	Hon. Gary E. Daigh	07/16/12
Los Angeles		Retirement	Hon. Joan Comparet-Cassani	05/11/12
Los Angeles		Retirement	Hon. Rose Hom	03/27/12
Los Angeles		Retirement	Hon. Gary R. Hahn	03/07/12
Los Angeles		Retirement	Hon. Carl J. West	02/29/12
Marin	1	Converted	New Position	09/27/12
Monterey	2	Elevated	Hon. Adrienne M. Grover	12/19/12
Monterey		Retirement	Hon. Terrance R. Duncan	08/17/11
Orange	7	Retirement	Hon. Craig E. Robison	01/07/13
Orange		Converted	New Position	10/02/12
Orange		Converted	New Position	08/24/12
Orange		Elevated	Hon. David A. Thompson	06/27/12
Orange		Retirement	Hon. Richard W. Stanford, Jr.	05/16/12
Orange		Retirement	Hon. Nancy A. Pollard	03/22/12
Orange		Converted	New Position	01/01/12

Riverside	2	Converted	New Position	01/23/13
Riverside		Retirement	Hon. Randall D. White	12/30/12
Sacramento	2	Retirement	Hon. Lloyd G. Connelly	12/31/12
Sacramento		Retirement	Hon. Brian R. Van Camp	09/30/12
San Bernardino	2	Retirement	Hon. James Michael Welch	11/21/12
San Bernardino		Retirement	Hon. Douglas M. Elwell	11/13/12
San Diego	4	Retirement	Hon. Luis R. Vargas	01/06/13
San Diego		Deceased	Hon. George W. Clarke	11/13/12
San Diego		Converted	New Position	11/13/12
San Diego		To Fed Court	Hon. Gonzalo P. Curiel	09/30/12
San Francisco	3	Retirement	Hon. Ellen Chaitin	11/02/12
San Francisco		Retirement	Hon. Donna A. Little	08/31/12
San Francisco		Retirement	Hon. Mary Carolyn Morgan	03/03/11
San Mateo	1	Retirement	Hon. H. James Ellis	08/31/11
Santa Clara	4	Retirement	Hon. Jerome S. Nadler	01/18/13
Santa Clara		Retirement	Hon. Joyce Allegro	01/03/13
Santa Clara		Retirement	Hon. Marcel B. Poché	08/13/12
Santa Clara		Retirement	Hon. Kenneth L. Shapero	07/31/12
Shasta	1	Retirement	Hon. James Ruggiero	01/31/13
Solano	1	Retirement	Hon. Allan P. Carter	02/25/11
Sonoma	1	Retirement	Hon. Mark Tansil	10/15/12
Trinity	1	Retirement	Hon. James P. Woodward	01/05/13
Tulare	1	Retirement	Hon. Gerald F. Sevier	09/16/12
Tuolumne	1	Retirement	Hon. Eric L. DuTemple	12/31/12
SUBTOTAL:	54			

**Authorized January 1, 2008, 50 new (AB 159) judgeships.
However, funding for these 50 positions has not been provided.**

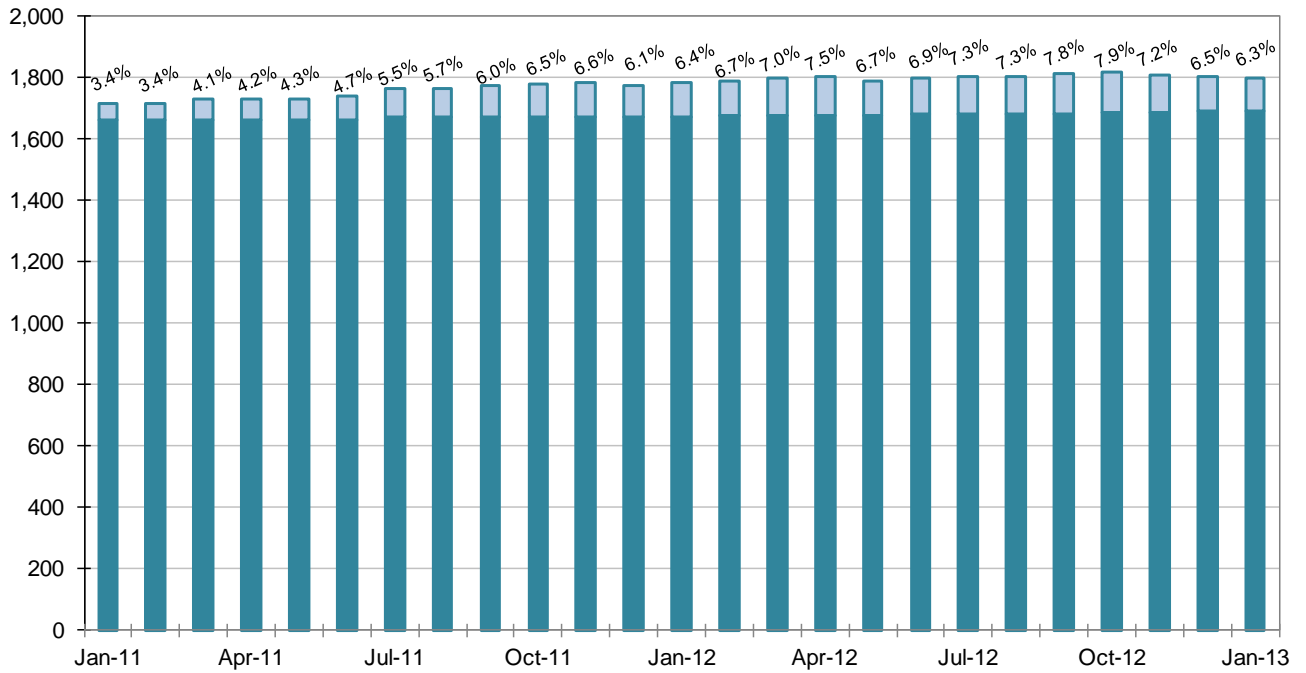
Butte	1	(AB 159)*	New Position	1/1/2008
Contra Costa	1	(AB 159)*	New Position	1/1/2008
Del Norte	1	(AB 159)*	New Position	1/1/2008
Fresno	4	(AB 159)*	New Positions	1/1/2008
Kern	3	(AB 159)*	New Positions	1/1/2008
Kings	1	(AB 159)*	New Position	1/1/2008
Los Angeles	1	(AB 159)*	New Position	1/1/2008
Madera	1	(AB 159)*	New Position	1/1/2008
Merced	2	(AB 159)*	New Positions	1/1/2008
Monterey	1	(AB 159)*	New Position	1/1/2008
Orange	1	(AB 159)*	New Position	1/1/2008
Placer	2	(AB 159)*	New Positions	1/1/2008
Riverside	7	(AB 159)*	New Positions	1/1/2008
Sacramento	6	(AB 159)*	New Positions	1/1/2008
San Bernardino	7	(AB 159)*	New Positions	1/1/2008
San Joaquin	3	(AB 159)*	New Positions	1/1/2008
Shasta	1	(AB 159)*	New Position	1/1/2008
Solano	1	(AB 159)*	New Position	1/1/2008
Sonoma	1	(AB 159)*	New Position	1/1/2008
Stanislaus	2	(AB 159)*	New Positions	1/1/2008
Tulare	2	(AB 159)*	New Positions	1/1/2008
Yolo	1	(AB 159)*	New Position	1/1/2008
TOTAL VACANCIES:	104			

**Number of Judgeships Authorized,
Filled, and Vacant as of the End of Each Month
January 2011—January 2013**

Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Jan-11	1,662	1,606	56	3.4%	105	104	1	1.0%
Feb-11	1,662	1,606	56	3.4%	105	104	1	1.0%
Mar-11	1,662	1,594	68	4.1%	105	103	2	1.9%
Apr-11	1,662	1,592	70	4.2%	105	103	2	1.9%
May-11	1,662	1,590	72	4.3%	105	103	2	1.9%
Jun-11	1,662	1,584	78	4.7%	105	102	3	2.9%
Jul-11	1,673	1,581	92	5.5%	105	102	3	2.9%
Aug-11	1,673	1,578	95	5.7%	105	102	3	2.9%
Sep-11	1,673	1,572	101	6.0%	105	102	3	2.9%
Oct-11	1,673	1,565	108	6.5%	105	101	4	3.8%
Nov-11	1,673	1,563	110	6.6%	105	101	4	3.8%
Dec-11	1,674	1,572	102	6.1%	105	101	4	3.8%
Jan-12	1,675	1,567	108	6.4%	105	101	4	3.8%
Feb-12	1,679	1,566	113	6.7%	105	100	5	4.8%
Mar-12	1,680	1,562	118	7.0%	105	99	6	5.7%
Apr-12	1,680	1,554	126	7.5%	105	99	6	5.7%
May-12	1,680	1,568	112	6.7%	105	98	7	6.7%
Jun-12	1,682	1,566	116	6.9%	105	100	5	4.8%
Jul-12	1,682	1,560	122	7.3%	105	100	5	4.8%
Aug-12	1,684	1,561	123	7.3%	105	100	5	4.8%
Sep-12	1,685	1,554	131	7.8%	105	100	5	4.8%
Oct-12	1,686	1,553	133	7.9%	105	100	5	4.8%
Nov-12	1,687	1,565	122	7.2%	105	100	5	4.8%
Dec-12	1,693	1,583	110	6.5%	105	103	2	1.9%
Jan-13	1,694	1,590	107	6.3%	105	102	3	2.9%

* As of January 20, 2013

Authorized Judgeships and Vacancies in the Superior Courts



Note: Growth in number of Authorized Judgeships reflects SJO conversions. Since 2007, 97 SJO positions have been converted to judgeships.

■ Filled Positions ■ Vacant Positions