



## Judicial Council of California · Administrative Office of the Courts

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on April 24-25, 2014

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Title	Agenda Item Type
Judicial Branch Education: Trial Court Employee Education	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Amend Cal. Rules of Court, rule 10.474	January 1, 2015
Recommended by	Date of Report
Rules and Projects Committee Hon. Harry E. Hull, Jr., Chair Hon. Judith Ashmann-Gerst, Vice-Chair	March 24, 2014
	Contact
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### Executive Summary

The Rules and Projects Committee (RUPRO) recommends that the Judicial Council amend rule 10.474, which addresses education for trial court managers, supervisors, and other personnel. The amendments respond to direction given to RUPRO by the council in August 2012 to evaluate relaxation of mandatory education requirements to allow court executive officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.

### Recommendation

The Rules and Projects Committee recommends that the Judicial Council amend rule 10.474 of the California Rules of Court, effective January 1, 2015, to allow court executive officers to:

1. Determine the number of hours, if any, of live, face-to-face education required to meet the continuing education requirement; and
2. For good cause, grant a one-year extension of time to complete the education requirements.

The text of the amended rule is attached at pages 7–8.

### **Previous Council Action**

Effective January 1, 2007, the Judicial Council adopted rule 10.474 as part of a comprehensive set of rules addressing judicial branch education. Subdivision (c) of the rule was amended, effective January 1, 2013, to provide more individual choice and flexibility in what and how many hours count toward the continuing education hours requirement. The amendments provide that an individual must complete at least half of his or her education requirement as a participant in traditional (live, face-to-face) education. In addition, the amendments removed limitations on online course work, self-directed study, and faculty service by counting all education hours in the same way.

### **Rationale for Recommendation**

On May 25, 2012, the Strategic Evaluation Committee (SEC) issued its report on the Administrative Office of the Courts. Among the recommendations to the Judicial Council was the following recommendation concerning AOC and trial court education requirements:

**Recommendation No. 7-23:** As to training currently required of AOC staff and court personnel, the Judicial Council should examine and consider a relaxation of current mandatory requirements to allow the Administrative Director of the AOC and/or court executive officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.

The council's Executive and Planning Committee (E&P) evaluated and prioritized each recommendation in the SEC report and presented them to the council on August 31, 2012. For recommendation No. 7-23, E&P proposed and the council adopted the following:

**Directive #79:** E&P recommends that the Judicial Council direct the Rules and Projects Committee to evaluate relaxation of mandatory education requirements to allow the Administrative Director of the Courts and Court Executive Officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.

In response, RUPRO considered Directive #79; recommendations from Administer Director of the Courts Steven Jahr; the rules that apply to education for AOC staff, trial court staff, appellate court staff, and clerk/administrators of the appellate courts; and the compliance periods for each category of employees. In its deliberations, RUPRO recognized the importance of judicial branch education and did not consider recommending that the education requirements be eliminated. To address education requirements for AOC staff, RUPRO recommended and the council adopted amendments to rule 10.491, effective July 1, 2013.<sup>1</sup> The amendments give the Administrative

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<sup>1</sup> Amendments to rule 10.491 were made earlier because the period for completing the requirements ended December 31, 2013.<sup>2</sup> The current rule provides that an extension of time to complete the hours-based requirement does not affect the timing of the next two-year period.

Director discretion to grant a one-year, rather than six-month, extension of time to complete required education and to determine the number of hours, if any, of traditional (live, face-to-face) education required to meet the continuing education requirement. Making similar amendments to rule 10.474 would allow court executive officers greater discretion and flexibility in use of their workforces, consistent with directive #79.

RUPRO recommends amending rule 10.474, effective January 1, 2015, to give court executive officers greater discretion and flexibility in using their workforces. Specifically, RUPRO recommends that the rule be amended to give each court executive discretion to grant a one-year, rather than six-month, extension of time to complete required education. (Cal. Rules of Court, rule 10.474(d)(1).) In deciding to recommend that each court executive officer be given authority to grant a one-year extension of time to complete the education requirements, RUPRO also considered whether to retain the language in the current rule that provides authority for the executive officer or a supervisor, if delegated by the executive officer, to extend the compliance period. RUPRO decided to eliminate the authority to delegate this decision, believing that it would allow divisions of a court to act independently and could result in different compliance periods even within a particular superior court.

The rule would provide that the next compliance period begins after the extended compliance period ends, unless the court executive determines otherwise.<sup>2</sup> Because some education requirements are mandated by statute, an advisory committee comment has been added to the rule to provide that “[t]he time frame for completion of compliance courses based on statutory or regulatory mandates is unaffected by the one-year extension in (d)(1).”

In addition, RUPRO recommends amending subdivision (c)(5) to give each court executive officer the discretion to determine the number of hours, if any, of traditional (live, face-to-face) education required to meet the continuing education requirement.

### **Comments, Alternatives Considered, and Policy Implications**

This proposal circulated for public comment from December 12, 2013 to January 24, 2014. Four comments were submitted; commentators were the Superior Courts of Los Angeles and San Diego Counties, an employee of the Superior Court of Sacramento County, and the Joint Rules Working Group (JRWG) of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee.<sup>3</sup> Three agreed with the proposal and one agreed if modified. All commentators responded that the proposal appropriately addressed the stated purpose. Commentators’ responses to specific questions about the proposal and RUPRO’s responses to the comments are discussed below.

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<sup>2</sup> The current rule provides that an extension of time to complete the hours-based requirement does not affect the timing of the next two-year period.

<sup>3</sup> A chart containing all comments and RUPRO’s responses is attached at pages 9–20.

### **Sunset date for relaxing face-to-face education requirements**

The proposal as circulated for comment would amend subdivision (c)(5) to give each court executive officer the discretion to determine the number of hours, if any, of traditional (live, face-to-face) education required to be completed by employees in his or her court to meet the continuing education requirement. The invitation to comment asked for comments on whether the proposed amendment should have a sunset date. The Superior Court of Los Angeles County commented that a sunset date is unnecessary and that an individual should be able “to analyze his or her court and determine a plan that best fits their needs.” Similarly, the commentator from the Superior Court of Sacramento County responded that the proposed amendment should not have a sunset date because online education is a trend that will likely continue due to budget restraints. The Superior Court of San Diego County responded that delivery of face-to-face education is not possible with the current budget situation. The JRWG agreed, stating that “[a]llowing court executive officers the discretion to determine the number of required live, face-to-face hours permits the individual court executive officer to analyze his/her court and determine a plan that best fits the court’s needs.” RUPRO agreed.

### **Uniform one-year extension**

The proposed one-year extension of time was drafted to allow each court executive officer, for good cause, to grant a one-year extension of time to complete the education requirements. It would provide that if an extension is granted, the subsequent two-year compliance period begins immediately after the extended compliance period ends, unless otherwise determined by the executive officer. An alternative amendment would have granted a one-year extension of time to the compliance period ending December 31, 2014, effectively giving all trial court employees subject to the rule an extension for the current compliance period, rather than leaving it to each court executive officer. The invitation to comment asked whether the extension of time proposed in subdivision (d)(1) should apply to all trial court employees or be left to the discretion of each court executive officer to grant an extension, as proposed in the version of the rule that circulated for comment.

The Superior Court of Los Angeles County responded that the court executive should be given discretion to grant the proposed one-year extension. It noted that doing so will create logistical challenges in tracking compliance periods, but it believes that the flexibility gained will outweigh that issue. The other commentators agreed that this should be within the discretion of the court executive. RUPRO acknowledged that this could result in different compliance periods in different courts but agreed that whether to grant the extension of time should be left to the discretion of each court executive officer.

### **Sunset date for one-year extension**

The proposed amendment that would allow a court executive officer to grant a one-year extension of time to the compliance period, as circulated, did not have a sunset date. The Superior Court of Los Angeles County commented that the amendment should not have a sunset date and noted that the current rule provision allows a six-month extension of time at the

discretion of the CEO. The three other commentators agreed. RUPRO agreed with the comments and does not propose a sunset date.

### **Other rule amendments**

Though not included in the proposed amendments, the invitation to comment asked about other changes to the rules governing education requirements for trial court employees. Responses to these questions will be provided to the Center for Judicial Education and Research Governing Committee to consider.

In response to the question asking whether the number of hours of education required in subdivision (c) be reduced or otherwise changed, the Superior Court of San Diego County commented that as long as the executive officer has discretion to grant an extension of the compliance period, the number of hours is fine. The commentator from the Superior Court of Sacramento County responded that it should be reduced somewhat. The JRWG did not think the hours requirement should be reduced but suggested that the requirements be recast as guidelines.

In response to the question asking whether the length of the compliance period in subdivision (c) should be changed, the Superior Court of Los Angeles County stated that changing it from a two-year cycle to a three-year cycle would make it consistent with the education cycle for judicial officers and court executives, and though it would require significant changes to the court's education tracking system, it would standardize training periods across the court. The JRWG responded "no," but agreed that the benefit of modifying the two-year education cycle to a three-year education cycle would be to make it consistent with the education cycle for judicial officers and court executive officers. The two other commentators did not think the cycle length should be changed.

The invitation to comment asked whether the education requirements in the rule should be made nonbinding recommendations rather than mandatory requirements. To do so, the language would be changed from "must" to "should." The commentator from the Superior Court of Sacramento County responded that they should remain mandatory and the Superior Court of San Diego County and the JRWG responded that they should be made nonbinding.

All four commentators responded that the orientation required in subdivision (c)(3) should count toward the total hours requirement. The JRWG included a comment about tracking employees' compliance with education requirements, stating in part, that it "suggests the AOC provide a statewide training enrollment and tracking system [parenthetical omitted] or enter into a master service agreement that courts could opt to use similar to how NeoGov for online recruiting was done. This would automate providing the AOC with relevant and up-to-date training information, and it would be very useful to the majority of the courts."

### **Implementation Requirements, Costs, and Operational Impacts**

Based on the comments received, the proposal would provide cost savings. The Superior Court of Los Angeles County stated that reducing the face-to-face training requirement will reduce the

mileage expense the court incurs: a class of 20 participants could save \$400. The court also noted that it will reduce the “transactional” time employees spend in preparing for and traveling to off-site training. The other commentators agreed that decreased travel costs to attend in-person training will provide savings.

Implementation requirements for courts are minimal and the commentators agreed that eight months from Judicial Council approval of this proposal until its effective date would provide sufficient time for implementation.

### **Attachments**

1. Cal. Rules of Court, rule 10.474, at pages 7–8
2. Comment chart, at pages 9–20

Rule 10.474 of the California Rules of Court is amended, effective January 1, 2015, to read:

1 **Rule 10.474. Trial court managers, supervisors, and other personnel**

2  
3 (a)–(b) \* \* \*

4  
5 (c) **Hours-based requirements**

6  
7 (1)–(2) \* \* \*

8  
9 (3) ~~The first two year period for all court managers, supervisors, and other~~  
10 ~~personnel begins on January 1, 2007.~~ The orientation education required for  
11 new managers, supervisors, and other personnel under (b) does not apply  
12 toward the required hours of continuing education because it must be  
13 completed before they enter the two-year period. Each new manager,  
14 supervisor, or employee enters the two-year continuing education period on  
15 the first day of the quarter following his or her completion of the orientation  
16 education required under (b); the quarters begin on January 1, April 1, July 1,  
17 and October 1. Each manager, supervisor, or employee who enters the two-  
18 year continuing education period after it has begun must complete a prorated  
19 number of continuing education hours for that two-year period, based on the  
20 number of quarters remaining in it.

21  
22 (4) \* \* \*

23  
24 (5) Each hour of participation in traditional (live, face-to-face) education;  
25 distance education such as broadcasts, videoconferences, and online  
26 coursework; and faculty service counts toward the requirement on an hour-  
27 for-hour basis. ~~Each manager, supervisor, and employee must complete at~~  
28 ~~least half of his or her continuing education hours requirement as a~~  
29 ~~participant in traditional (live, face to face) education. The individual may~~  
30 ~~complete the balance of his or her education hours requirement through any~~  
31 ~~other means with no limitation on any particular type of education. The court~~  
32 executive officer has discretion to determine the number of hours, if any, of  
33 traditional (live, face-to-face) education required to meet the continuing  
34 education requirement. Self-directed study is encouraged for professional  
35 development but does not apply toward the required hours.

36  
37 (6)–(7) \* \* \*

38  
39 (d) **Extension of time**

40  
41 (1) For good cause, the executive officer ~~or a supervisor, if delegated by the~~  
42 ~~executive officer,~~ may grant a ~~six month~~ one-year extension of time to  
43 complete the education requirements in this rule. If an extension is granted,

1            the subsequent two-year compliance period begins immediately after the  
 2            extended compliance period ends, unless otherwise determined by the  
 3            executive officer.  
 4

5            (2) If the executive officer ~~or supervisor~~ grants a request for an extension of  
 6            time, the manager, supervisor, or employee who made the request, in  
 7            consultation with the executive officer ~~or supervisor~~, must also pursue  
 8            interim means of obtaining relevant educational content.

10          ~~(3) An extension of time to complete the hours-based requirement does not affect~~  
 11          ~~the timing of the next two-year period.~~

13          (e) \* \* \*

15    **Advisory Committee Comment**

17          The time frame for completion of compliance courses based on statutory or regulatory mandates  
 18          is unaffected by the one-year extension in (d)(1).



**W14-08****Judicial Branch Education: Trial Court Employee Education** (amend Cal. Rules of Court, rule 10.474)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Superior Court of Los Angeles County	A	<p><i>Does the proposal appropriately address the stated purpose?</i> Yes.</p> <p><i>Should relaxation of the face-to-face education requirements in subdivision (c) (5) have a sunset date? If so, when should it end?</i> A sunset date for the relaxation for face-to-face education requirements is unnecessary. Allowing court executive officers the discretion to determine the number of required live, face-to-face hours permits the individual CEO to analyze his or her court and determine a plan that best fits their needs.</p> <p><i>Should the one-year extension of time proposed in subdivision (d) (1) apply to all trial court employees or should it be within the discretion of each court executive officer to grant an extension (as proposed in the attached rule text)?</i> CEO should be afforded discretion to grant the proposed one-year extension. While doing so will create a logistical challenge in terms of tracking compliance period, the flexibility gained will more than compensate for that issue.</p> <p><i>If the one-year extension of time proposed in subdivision (d) (1) is within the discretion of each court executive officer to grant, should it have a sunset date? If so, when should it end?</i> Currently the California Rules of Court allows a six month extension at the discretion of the CEO. If that provision were changed to one year, it should not have</p>	<p>RUPRO agrees and does not propose a sunset date for this amendment.</p> <p>RUPRO agrees with the comment.</p> <p>RUPRO agrees and does not propose a sunset date for this amendment.</p>

**W14-08**

**Judicial Branch Education: Trial Court Employee Education** (*amend Cal. Rules of Court, rule 10.474*)

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	Commentator	Position	Comment	Committee Response
			<p>a sunset date.</p> <p><i>Should the length of the compliance period in subdivision (c) be changed? (This is separate from a one-time extension of the period.)</i></p> <p>The benefit of modifying the two year education cycle to a three year education cycle would be to make it consistent with the education cycle for judicial officers and Court Executive Officers. While this will require significant changes to LASC’s education tracking system, it will standardize training periods across the Court.</p> <p><i>Should the orientation required in subdivision (c) (3) count toward the total hours requirement?</i></p> <p>Yes, the orientation courses should count towards the total hours of mandatory education. This would negate the need to augment education cycles for new employees upon completion of their orientation courses. At LASC, employees are completing 15 hours of training to cover all the orientation topics in addition to receiving litigation specific training required to prepare them to perform their specific assignments.</p> <p>The Rules and Projects Committee also seeks comments from courts on the following cost and implementation matters:</p> <p><i>Would the proposal provide cost savings? If so, please quantify.</i></p> <p>The proposal to reduce the face-to-face training</p>	<p>RUPRO will forward this comment to the CJER Governing Committee for consideration.</p> <p>RUPRO will forward this comment to the CJER Governing Committee for consideration as a possible future amendment to rule 10474(c)(3).</p> <p>RUPRO appreciates the comments on these additional questions.</p>

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	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>requirement will reduce the mileage expense the Court incurs. A class of 20 participants with an average mileage cost of \$20 can save \$400. In addition, it reduces the “transactional” time employees spend in preparing for and traveling to off-site training.</p> <p><i>What would the implementation requirements be for courts?</i></p> <p>Once the revised rule is implemented, the new requirement would be publicized and technological changes would be required to lift restrictions of training modes. It is a quick programming fix that will take less than a day.</p> <p><i>Would 8 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i></p> <p>Yes.</p>	
2.	Superior Court of Sacramento County by Elaine Flores ASO II	AM	<p>Responses to Specific Questions on Page 4 of Attachment:</p> <p><i>Does the proposal appropriately address the stated purpose?</i></p> <p>Yes.</p> <p><i>Should relaxation of the face-to-face education requirements in subdivision (c)(5) have a sunset date? If so, when should it end?</i></p> <p>No. Online education is a trend and will most likely continue in the foreseeable future due to budget restraints.</p>	RUPRO agrees and does not recommend a sunset date for this amendment.

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			<p><i>Should the one-year extension of time proposed in subdivision (d)(1) apply to all trial court employees or should it be within the discretion of each court executive officer to grant an extension (as proposed in the attached rule text)?</i>                      This should remain at the discretion of the CEO or designee.</p> <p><i>If the one-year extension of time proposed in subdivision (d)(1) is within the discretion of each court executive officer to grant, should it have a sunset date? If so, when should it end?</i>                      No.</p> <p><i>Should the number of hours of education required in subdivision (c) be reduced or otherwise changed?</i>                      We would like to see the number of hours reduced somewhat.</p> <p><i>Should the length of the compliance period in subdivision (c) be changed? (This is separate from a one-time extension of the period.)</i>                      No.</p> <p><i>Should the orientation required in subdivision (c)(3) count toward the total hours requirement?</i>                      Yes.</p> <p>Should the education requirements in the rule be made nonbinding recommendations (“should”) rather than mandatory (“must”)?</p>	<p>RUPRO agrees.</p> <p>RUPRO agrees and does not propose a sunset date for this amendment.</p> <p>RUPRO will forward the comments that follow to the CJER Governing Committee for consideration.</p>

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	Commentator	Position	Comment	Committee Response
			<p>No.</p> <p>The Rules and Projects Committee also seeks comments from courts on the following cost and implementation matters:</p> <p><i>Would the proposal provide cost savings? If so, please quantify.</i> There could be a minimal cost savings due to decreased transportation costs and travel time.</p> <p><i>What would the implementation requirements be for courts?</i></p> <p>None.</p> <p><i>Would 8 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i></p> <p>Yes.</p> <p><i>How well would this proposal work in courts of different sizes?</i></p> <p>This proposal could benefit smaller courts in that they have fewer employees resulting in a lower likelihood of face-to-face training opportunities. Larger courts could also benefit since they have more employees struggling to complete their training requirements, exacerbated by needing live training half of the time.</p> <p>Additional Comments:</p> <p>1.) Under Section (b)(1), delete subsections (A) and (B) since they are included in the next section.</p>	<p>RUPRO appreciates the comments on these additional questions.</p> <p>This comment refers to requirements for orientation courses, which topic is</p>

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	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>2.) Under Section (b)(2), add language to read, “Each new court employee, including managers and supervisors, must complete orientation courses within six months...” Also, change the order of sections (b)(1) and (b)(2).</p> <p>3.) Leave Section (d) as previously written. This will avoid having employees on two different 2-year training cycles.</p>	<p>beyond the scope of this proposal. RUPRO will forward this comment to the CJER Governing Committee for consideration. In addition, (b)(1) and (b)(2) address different categories of employees and therefore (b)(1)(A) and (B) cannot be deleted without eliminating the requirements they establish.</p> <p>In a comment on page 4, the commentator favored giving the CEO discretion to grant an extension of the compliance in (d). This could result in employees on different cycles.</p>
3.	Superior Court of San Diego County by Michael M. Roddy Executive Officer	A	<p>Our court strongly supports the modification of Rule 10.474 to provide Court Executive Officers much more flexibility and discretion in meeting AOC mandated training requirements.</p> <p>In addition to comments on the proposal as a whole, the Rules and Projects Committee is interested in comments on the following:</p> <p><i>Does the proposal appropriately address the stated purpose?</i> Yes.</p> <p><i>Should relaxation of the face-to-face education requirements in subdivision (c)(5) have a sunset date? If so, when should it end?</i></p>	RUPRO appreciates the comments.

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	Commentator	Position	Comment	Committee Response
			<p>No. We need to move our delivery of classes to recognize distance learning, and electronic innovation. Face to Face is just not possible in current budget.</p> <p><i>Should the one-year extension of time proposed in subdivision (d)(1) apply to all trial court employees or should it be within the discretion of each court executive officer to grant an extension (as proposed in the attached rule text)?</i></p> <p>It should be within the discretion of each Executive Officer.</p> <p><i>If the one-year extension of time proposed in subdivision (d)(1) is within the discretion of each court executive officer to grant, should it have a sunset date? If so, when should it end?</i></p> <p>No.</p> <p><i>Should the number of hours of education required in subdivision (c) be reduced or otherwise changed?</i></p> <p>If it is within the discretion of each court’s executive officer and there is no sunset date for completion, our court is fine with the current number of training hours.</p> <p><i>Should the length of the compliance period in subdivision (c) be changed? (This is separate from a one-time extension of the period.)</i></p> <p>No.</p> <p><i>Should the orientation required in subdivision (c)(3) count toward the total hours requirement?</i></p> <p>Yes.</p>	<p>RUPRO agrees and does not recommend a sunset date.</p> <p>RUPRO agrees.</p> <p>RUPRO agrees.</p> <p>RUPRO will forward this comment and the comments below to the CJER Governing Committee for consideration.</p>

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			<p><i>Should the education requirements in the rule be made nonbinding recommendations (“should”) rather than mandatory (“must”)?</i>            Yes, the education requirements in the rule should be non-binding.</p> <p>The Rules and Projects Committee also seeks comments from courts on the following cost and implementation matters:</p> <p><i>Would the proposal provide cost savings? If so, please quantify.</i>            Yes. There would be less travel costs incurred if staff do not have to travel as often for Face-to-Face training classes.</p> <p><i>What would the implementation requirements be for courts?</i>            Unknown.</p> <p><i>Would 8 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i>            Yes.</p> <p><i>How well would this proposal work in courts of different sizes?</i>            Larger courts will have more flexibility in offering training than smaller courts, whose training resources are much more restricted.</p>	<p>RUPRO appreciates the comments on these additional questions.</p>



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	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
4.	Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules Working Group	A	<p><i>Does the proposal appropriately address the stated purpose? Yes.</i></p> <p><i>Should relaxation of the face-to-face education requirements in subdivision (c)(5) have a sunset date? If so, when should it end? No. The future of training involves a lot of online interactions, so this requirement should be permanently relaxed. A sunset date for the relaxation for face-to-face education requirements is unnecessary. Allowing court executive officers the discretion to determine the number of required live, face-to-face hours permits the individual court executive officer to analyze his/her court and determine a plan that best fits the court's needs.</i></p> <p><i>Should the one-year extension of time proposed in subdivision (d)(1) apply to all trial court employees or should it be within the discretion of each court executive officer to grant an extension (as proposed in the attached rule text)? Court executive officers should be afforded the discretion to grant the proposed one-year extension. While doing so will create a logistical challenge in terms of tracking compliance period, the flexibility gained will more than compensate for that issue.</i></p> <p><i>If the one-year extension of time proposed in subdivision (d)(1) is within the discretion of each court executive officer to grant, should it have a</i></p>	<p>RUPRO agrees and does not recommend a sunset date.</p> <p>RUPRO agrees.</p>

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			<p><i>sunset date? If so, when should it end?</i> No. This is a valuable option for each court executive officer to have.</p> <p><i>Should the number of hours of education required in subdivision (c) be reduced or otherwise changed?</i> No change in the required number of training hours is advisable. The educational requirement for supervisors amounts to two four-hour sessions in addition to the training they are required to take for Harassment Prevention. Such a modest amount of group training is beneficial. Also, the requirements should be recast as guidelines.</p> <p><i>Should the length of the compliance period in subdivision (c) be changed? (This is separate from a one-time extension of the period.)</i> No. The benefit of modifying the two year education cycle to a three year education cycle would be to make it consistent with the education cycle for judicial officers and court executive officers. While this may require changes to a court's education tracking system, it will standardize training periods across the court.</p> <p><i>Should the orientation required in subdivision (c)(3) count toward the total hours requirement?</i> Yes, the orientation courses should count towards the total hours of mandatory education. This would negate the need to augment education cycles for new employees upon completion of their</p>	<p>RURPO agrees.</p> <p>RUPRO will forward the comments that follow to the CJER Governing Committee for consideration.</p>

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	Commentator	Position	Comment	Committee Response
			<p>orientation courses.</p> <p><i>Should the education requirements in the rule be made nonbinding recommendations (“should”) rather than mandatory (“must”)?</i> Yes.</p> <p><i>Would the proposal provide cost savings? If so, please quantify.</i> Yes. It would reduce staff time tracking and reporting the training hours completed. The Superior Court of Orange County estimates a savings of 60-90 staff hours per year. Also, the proposal to reduce the face-to-face training requirement will reduce the mileage expense the courts incur. For example, a class of 20 participants with an average mileage cost of \$20 would save the court \$400. In addition, the proposal reduces the “transactional” time employees spend in preparing for and traveling to off-site training.</p> <p><i>What would the implementation requirements be for courts?</i> Minimal. Management would notify staff of the updated rules and change procedures accordingly.</p> <p><i>Would 8 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i> Yes.</p> <p><i>How well would this proposal work in courts of different sizes?</i> For some courts it should work well. Many courts do not have a computer based</p>	<p>RUPRO appreciates the comments on these additional questions.</p>

**W14-08****Judicial Branch Education: Trial Court Employee Education** (*amend Cal. Rules of Court, rule 10.474*)

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	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>system to process enrollments or to track training thus much of the work associated with complying with the rule is a labor intensive manual process. For larger courts it is more time consuming but smaller courts would also benefit from not having to track each employee's training, which can likewise be very time consuming.</p> <p>Additional comments:            The Joint Rules Working Group suggests the AOC provide a statewide training enrollment and tracking system (that is part of a larger Learning Management System) or enter into a Master Service Agreement that courts could opt to use similar to how NeoGov for online recruiting was done. This would automate providing the AOC with relevant and up-to-date training information, and it would be very useful to the majority of the courts. While the AOC would provide the enrollment and tracking system, the participating courts would retain the responsibility of entering their court's data and have the ability to utilize the system to run reports, track their employees' training, and perform other necessary functions. In addition, the AOC recently (October 30th, 2013) awarded an RFP to Syntrio of San Francisco to provide online training for numerous classes – including those that are required of court staff. Statewide access to such a system would also be a great help to the courts.</p>	