



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

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Executive Summary

The following information outlines some of the many activities staff 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 April meeting and is exclusive of issues on the June business meeting agenda.

TABLE OF CONTENTS

Trial Court Payroll	3
Fiscal Year Close-Out.....	3
Audits	3
Recidivism Reduction Fund.....	3
Proposition 47 – Criminal Justice Realignment.....	3
Implementation of SB 678.....	3
Parolee Reentry Courts	3
Traffic Related Issues	4
Jury Improvement	4
Commission on the Future of California’s Court System.....	4
Civic Education.....	4
Appellate Project Directors.....	4
Court Appointed Special Advocates Site Visit.....	4
Judicial Resources and Technical Assistance Program	5
Dependency Representation, Administration, Funding, and Training Program.....	5
Juvenile Dependency Counsel Collections Program	5
Child Welfare Council	5
Judicial Council-Sponsored Legislation	5
Judicial Administration Fellowship Program	6
Facilities	6
Technology	7
Human Resources	8
Advisory Committees, Task Forces, and Working Groups	9
Judicial Branch Education and Training Programs	13
Staffing Metrics	19
Judicial Appointments and Vacancies	21

Trial Court Payroll: In anticipation of the state conversion to the Fi\$Cal system resulting in the State Controller's Office not being able to make distributions in early July, \$58.8 million was distributed to 52 trial courts in June to cover anticipated July payroll expenditures. Staff is working with the Department of Finance and the State Controller's Office to ensure the conversion does not impact the distributions to the trial courts scheduled for mid-July, and continues to assist trial courts in monitoring cash flow.

Fiscal Year Close-Out:

- Staff is providing assistance to all 58 courts on the annual process of closing out the fiscal year for the accounting and procurement areas, this effort will continue through July 2015.
- HR Payroll Deployment – Staff provided a demonstration of the Phoenix payroll system to the San Joaquin Superior Court.

Audits: Audits are in process for the Superior Courts of Contra Costa, Kings, Tulare, and Yolo Counties.

Recidivism Reduction Fund

- Staff reviewed and scored five proposals submitted by trial courts and their justice partners for Phase II of Recidivism Reduction Fund grants. Recommendations will be presented to the council at the June business meetings.

Proposition 47 – Criminal Justice Realignment

- Staff surveyed the courts on the impact of Proposition 47 and found that approximately 135,000 petitions for resentencing and reclassification were filed with the courts between November 4, 2014 and April 30, 2015.
- Staff held a roundtable conference call for judges to discuss Proposition 47 implementation issues, best practices, and legal developments. After the call, staff followed up on individual questions, researching potential feasibility and ethical issues around structuring a formal forum for judges to exchange Proposition 47 information, briefings and orders.

Implementation of SB 678: The California Community Corrections Performance Incentive

Act: Staff submitted annual data to the Department of Finance related to probation failure rates as required by the Act. Findings show that rates continue to decrease. The 2014 probation failure rate is 5.6 percent. This compares to a baseline rate of 7.9 percent.

Parolee Reentry Courts

- Staff conducted a site visit to the Santa Clara Superior Court in cooperation with the California Department of Corrections and Rehabilitation (CDCR), staff meeting with the reentry court judge and key stakeholders to discuss methods to improve services to parolees participating in the program.
- All trial court presiding judges and court executive officers were notified of the availability of \$4.18 million in grant funding through CDCR to reduce parolee recidivism and improve public safety. Preliminarily, seven courts were determined to be eligible under the terms of

the grant. The Collaborative Justice Courts Advisory Committee will make recommendations for funding to the Judicial Council later this summer.

Traffic Related Issues: Staff continued research for potential rule, legislative or other proposals related to traffic-related issues (bail and traffic infractions, non-traffic related infraction reform), assisted in coordinating responses to letters to certain courts from the American Civil Liberties Union regarding bail practices for traffic infraction cases, and researched and drafted various traffic resources for courts, including summaries of relevant laws and sample website information and notices to defendants and provided staff support for activities of the Commission on the Future of the Courts on this issue.

Jury Improvement: Cost savings projections were developed based on a proposal to reduce peremptory challenges in misdemeanor jury trials from 10 to 6 (per side) contained in Senate Bill 213 (SB 213). It is estimated that the combined annual court and community cost savings from the enactment of SB 213 will be approximately \$32.7 million—\$2.4 million in court cost savings and \$30.3 million in income and productivity savings—from potential jurors not needed because of fewer peremptory challenges.

Commission on the Future of California’s Court System: The four working groups of the Futures Commission (Criminal/Traffic, Family/Juvenile, Civil, and Fiscal/Court Administration) have been meeting regularly to identify and analyze initial ideas and concepts for consideration and have held individual in-person meetings (one working group in April and three working groups in June) to further refine topics of interest.

Civic Education: The Civic Learning Award, co-sponsored by the Chief Justice and State Superintendent of Public Instruction Tom Torlakson focused on elementary and middle schools this year. The award is designed to recognize school efforts to engage students in learning about democracy and the courts, and to identify models that can be replicated in other schools. The Chief Justice presented the award to the top three scoring schools: Evergreen Elementary and Mayfair Middle (Los Angeles County) and El Camino Creek Elementary (San Diego County). Judge Lawrence Brown, Presiding Judge David Danielson, Justice Ronald Robie, and Justice Peter Siggins presented at the other six award winning schools: Creative Connections Arts Academy, Rio Linda Preparatory Academy, Lake Canyon Elementary (Sacramento County), Ross Elementary (Marin County), and Eucalyptus Hills School (San Diego County).

Appellate Project Directors: The directors and staff discussed Court-Appointed Counsel program issues that affect the program’s budget as well as the fiscal impact of the new claims processing and case management system.

Court Appointed Special Advocates (CASA) Site Visit: Staff visited the Kings County CASA program. Evaluation site visits monitor contract requirements and ensure that CASA programs comply with CA Rule of Court 5.655, their local rule of court, and the National CASA standards. Following the site visit protocol, staff met with the executive director, advocates, staff, board members, attorneys, social workers, and local judicial officers to discuss the evaluation.

Judicial Resources and Technical Assistance Program: At the courts' invitation, staff attorneys visited the juvenile courts in Fresno, Imperial, Marin, Orange, Santa Barbara, Shasta, Tehama, and Tulare Counties to conduct courtesy file reviews and identify legal issues and training needs to protect children from abuse and neglect and maintain federal foster care funding.

Dependency Representation, Administration, Funding, and Training Program Attorney Assessment: In Lake and Mendocino Counties, with permission from the courts, Judicial Council staff conducted courtroom observation of Judicial Council-contracted court-appointed counsel service providers. The Program's Attorney Assessment includes a review of compliance with contracted administrative and performance requirements, surveys to each service provider, the court, and county counsel, and courtroom observation.

Juvenile Dependency Counsel Collections Program: Quarterly technical assistance conference calls provided a venue for judges, court staff, and Judicial Council staff to ask questions, share resources and program information, and explore ways to increase program efficiencies.

Child Welfare Council: The council had its quarterly meeting with a presentation on steering committee membership, the commercially sexually exploited children action team, funding youth permanency, translational social work: bringing together practice and research, the invisible achievement gap, committee and task force updates, and committee meetings.

Judicial Council-Sponsored Legislation: Governmental Affairs advocates continued to support Judicial Council-sponsored legislation through the legislative process:

- *AB 249 (Oberholte) – Criminal Courts: appeals: fees:* Contains statutory exceptions to the appellate procedure set forth in Penal Code section 1237.2. Heard in Senate Public Safety on June 16, pending hearing in Senate Appropriations.
- *AB 1081 (Quirk) – Protective orders:* Eliminates certain provisions concerning the reissuance of temporary orders and replaces them with new provisions providing procedure for continuance of hearings. Pending hearing in Senate Judiciary Committee.
- *AB 1214 (Achadjian) – Probation sentencing report: good cause continuance:* Requires courts to find good cause before continuing a sentencing hearing for failure by the probation department to provide a sentencing report by the required deadlines. Has been made a two-year bill.
- *AB1519 (Committee on Judiciary) – Judiciary omnibus: family support:* Sponsored portion ratifies the authority of the Judicial Council to convert 10 subordinate judicial officer (SJO) positions to judgeships in the 2015–2016 fiscal year when the conversion will result in a judge being assigned to a family law or juvenile law assignment previously presided over by an SJO. Pending hearing in Senate Judiciary Committee.
- *SB 213 (Block) – Juries: criminal trials: peremptory challenges:* Reduces the number of peremptory challenges available in misdemeanor trials from ten to six in cases where the offense is punishable with a maximum term of imprisonment of one year or less. Specifies that in instances where two or more defendants are to be tried jointly, the

number of additional “non-joint” peremptory challenges would be reduced from four to two. Contains a five-year sunset of bill provisions and requires the Judicial Council to conduct a study on or before January 1, 2020, to report the effects of the bill to the Public Safety Committees of the Legislature as specified. Pending hearing in the Assembly Public Safety Committee.

- *SB 229 (Roth) – Judgeships:* This bill would appropriate \$1 million from the General Fund for the purpose of funding six superior court judge positions in judgeships currently authorized by the Legislature. Pending hearing in the Assembly Judiciary Committee.
- *SB 470 (Jackson) – Civil actions: summary judgment:* Provides that granting or denying a motion for summary judgment or summary adjudication, the court need only rule on objections to evidence that it deems material to its disposition of the motion, and objections to evidence that are not ruled on for purposes of the motion are preserved for appellate review. Pending hearing in the Assembly Judiciary Committee.
- *SB 517 (Monning) – Supervised persons: release:* Provides courts with discretion to order the release of supervised persons from custody, unless otherwise serving a period of flash incarceration, regardless of whether a petition has been filed or a parole hold has been issued. Pending hearing in Assembly Public Safety Committee.

Judicial Administration Fellowship Program: Judicial branch members conducted interviews for the 2015–2016 Judicial Administration Fellowship Program. The program is administered by the Center for California Studies at California State University at Sacramento and co-sponsored by the Judicial Council. Governmental Affairs staff member Laura Speed serves as the co-director of the program. Ten fellows have been selected out of a highly competitive nationwide pool of more than 170 applicants. Commencing in September, fellows will work for 10 months in individual placements in trial courts and the Judicial Council.

Facilities

Capital Projects:

- There are 27 active capital projects totaling \$3.2 billion, and five projects that remain in the warranty or project close-out phase. A total of nine projects, totaling over \$1.6 billion, are currently in construction.
- A dedication ceremony was held for the new Banning Courthouse in Riverside County. Justice Douglas Miller represented the Judicial Council. Various court, city, and county officials were also in attendance.
- The groundbreaking ceremony for the new Los Banos Courthouse in Merced County took place. Judge Kenneth So represented the Judicial Council.

Real Estate and Facilities Management: Facility modifications overview as of June 2015

Status	Number of Modifications	Total Estimated Cost
Awaiting Shared Cost Approval	27	\$26,446,016.00
In Work	469	\$77,984,483.00
Total	496	\$104,430,499.00

During this period, 47 real estate transactions were completed including new leases, lease renewals and terminations, new revenue licenses, and event licenses, as follows:

New Leases

- San Bernardino Courthouse
- 720 W. 20th Street, Merced, Merced County

Lease Renewals

- Monrovia Warehouse, Los Angeles County
- 1100 Main Street, Yolo County
- Harbor Justice Center Newport Beach Parking lease, Orange County
- Resource Center, Glenn County
- 2880 Cleveland Avenue Facilities Management Unit lease, Sonoma County

New Revenue Licenses

- Superior Court of Orange County Community Service Programs in: Central Justice Center, Betty Lou Lamoreaux Justice Center, North Justice Center, Harbor Justice Center-Newport Beach.
- Superior Court of Los Angeles County: PFD Café, Inc. leases in courthouses in San Fernando, Inglewood, Torrance, and Downey.
- Superior Court of San Bernardino County: Rancho Cucamonga courthouse.

Lease/License Terminations

- Superior Court of Monterey County: Salinas Courthouse-North Wing revenue license.

Event Licenses: 29 short-term event licenses were executed,

Site Acquisitions

- The State Public Works Board approved the site acquisition for the new mid-county civil courthouse in Riverside County.

Technology

Telecommunications Infrastructure and Security: Seventeen superior courts participated in an equipment replacement program completed in May. Design and procurement phases were completed for the next fiscal year cycle, all 58 courts are included. The purpose is to replace hardware that has reached end of support by the vendors.

Case Management Systems:

- *Criminal and Traffic (Fresno):* The Superior Court of Fresno County's conversion to Tyler's Odyssey case management system was completed in April.
- *Civil, Small Claims, Probate, and Mental Health (V3):* This case management system is used by the Superior Courts of Orange, Sacramento, San Diego, San Joaquin, and Ventura counties, and processes 25 percent of all civil cases statewide. Judicial Council staff is

providing data conversion support for the San Joaquin transition to a new case management system, FullCourt Enterprise. The court has moved its conversion date from June to October 2015.

- *Sustain Justice Edition*: Maintenance activities included production support updates and system patching for this case management system hosted for eight courts at the California Courts Technology Center.

California Courts Protective Order Registry: Forty courts and their respective law enforcement agencies, and 13 tribal courts use the registry. With project grant savings, the Superior Courts of Sonoma, Monterey, and Mariposa counties are in various stages of deployment, and are targeted to begin using the system in July 2015.

Appellate Court Case Management System: E-filing was successfully implemented for the First and Fifth Appellate Districts of the Courts of Appeal.

California Law Enforcement Telecommunications System: The Judicial Council CLETS access program budget will be eliminated by the end of fiscal year 2014–2015. Courts utilizing the program may fund their portion of program costs and retain CLETS access through the Judicial Council. A majority of courts have confirmed their intent to transition off the program. Support from the Information Technology CLETS program staff is being provided to courts to help them transition to an alternate method of funding.

Computer-Aided Facilities Management System: The system is used to manage over 500 judicial branch facilities. In June, new system functionality was deployed that will enable service providers to differentiate labor rates based on localization factors. A prototype is under review for facility service providers to upload cost data into the system. This new functionality is more user-friendly and reliable.

Human Resources

Judicial Council Classification and Compensation Study: Human Resources distributed the final classification allocations to all staff. The number of classifications has been reduced from 184 to 75. The new structure brings the Judicial Council in line with current public sector standards of fewer but more broadly defined classifications. The compensation phase of the study is progressing.

Paid Time Off Policy Changes: New state legislation signed by Governor Jerry Brown takes effect on July 1, 2015. The Healthy Workplaces, Healthy Families Act of 2014 modifies the requirements of paid time off. Notifications and guidance were sent to the branch.

Labor Relations/Negotiations: Staff has been assisting 12 trial courts in 13 separate labor negotiations, including impact bargaining issues and proposed policy revisions. In the past three months, two successor Memoranda of Understanding have been ratified. Support is being

provided to five trial courts in responding to labor matters (e.g., assisting with a grievance, responding to the Public Employee Relations Board, or advising on contract interpretation).

Trial Court Employee Relations: Support is being provided to 10 trial courts on 11 separate matters involving employee investigations, discipline matters, and leaves of absence.

State Judiciary Employee Relations: Support is being provided on seven matters involving discipline, investigations, or leave issues.

Advisory Committees/Task Forces/Working Groups

The following committees met in person or by phone since the council's April meeting:

1. AB 1058 Funding Allocations Joint Subcommittee of the Family and Juvenile Law, Trial Court Budget, and Workload Assessment Advisory Committees, and the California Department of Child Support Services
2. Administrative Presiding Justices Advisory Committee
3. Appellate Indigent Defense Oversight Advisory Committee
4. Court Executives Advisory Committee – Executive Committee
5. Court Facilities Advisory Committee
6. Court Interpreters Advisory Panel
7. Court Security Advisory Committee
8. Court Technology Advisory Committee
9. Criminal Law Advisory Committee
10. Family and Juvenile Law Advisory Committee
11. Financial Accountability and Efficiency for the Judicial Branch Advisory Committee
12. Language Access Plan Implementation Task Force
13. Traffic Advisory Committee
14. Trial Court Budget Advisory Committee
15. Trial Court Facility Modifications Advisory Committee
16. Trial Court Presiding Judges Advisory Committee – Executive Committee
17. Tribal Court-State Court Forum
18. Workload Assessment Advisory Committee

Meeting Details

AB 1058 Funding Allocations Joint Subcommittee of the Family and Juvenile Law, Trial Court Budget, and Workload Assessment Advisory Committees, and the California Department of Child Support Services

- At this first meeting, reviewed the workgroup charge, timeline, and members' role.
- Received an overview of the Workload-based Allocation and Funding Methodology, workload assessment models, AB 1058 program history and funding methodology.

Administrative Presiding Justices Advisory Committee

- Discussed appellate court education and training programs, E-filing update, and fiscal matters.

Appellate Indigent Defense Oversight Advisory Committee

- Reviewed work performed by the appellate project attorneys, audited 140 compensation claims that were paid during the period January 1 through March 31, 2015.
- Discussed quarterly Court Appointed Counsel Program reports that analyzed cost trends, program expenditures, and training programs.

Court Executives Advisory Committee – Executive Committee

- Heard a status report on the Judicial Council’s response to the California State Audit, and an update on recent budget and legislative hearings.
- Discussed program and service impacts from the reductions in the State Trial Court Improvement and Modernization Fund.
- Discussed the Trial Court Budget Advisory Committee’s proposed legislative language changing the administration of the two percent emergency reserve in the Trial Court Trust Fund as well as an update on the judicial branch budget for fiscal years 2014–2015 and 2015–2016.
- Discussed Senate Bill 405 (Hertzberg), traffic amnesty program, and the proposed rule of court, rule 4.105 (Traffic Law: Appearance in Court for Infractions without Deposit of Bail).
- Received an update on potential legislation to separate trial court employees from county retirement contracts for CalPERS as well as draft Audit Services advisories on distribution of civil trust earnings and unallowable business meal expenses.

Court Facilities Advisory Committee

- Reviewed and approved the final draft *Catalog of Courtroom Layouts for California Trial Courts*, and a draft water conservation policy for capital-outlay projects for consideration by the council.
- Courthouse Cost Reduction Subcommittee:
 - Reviewed schematic design documents of the new Sonora courthouse project for Tuolumne County.
 - Received an update on new judgeships and the potential impact to capital project scopes, schedules, and budgets.
 - Voted to add the new judgeships allocated to the Superior Courts of El Dorado and Stanislaus County to their current capital projects.

Court Interpreters Advisory Panel

- Approved the 2015 Language Need and Use Study for submission to the Judicial Council, recommending the report be submitted to the Governor and Legislature (as per GC § 68563).
- Addressed substantive recommendations from the 2015 Interpreter Use and Language Need study. Subcommittees began work on annual agenda projects, including reviews of rules of court and Judicial Council forms related to interpreters.

Court Security Advisory Committee

- Ad Hoc Subcommittee on Office of Security Functions and Duties reviewed a draft of the final report on Judicial Council Directive 125.

Court Technology Advisory Committee

- Held individual, justice partner-focused data exchange workstream meetings. Partners included the Department of Child Support Services, Department of Corrections and Rehabilitation, California Department of Justice, California Highway Patrol and the Department of Motor Vehicles.
- Held e-filing workstream summit to provide background on this effort and initiate discussions on potential business and technical models, participants included the courts, justice partners, and vendors.
- Chairs and staff continued detailing the process and procedures for initiating workstreams and similar activities to support the new Information Technology Advisory Committee governance model adopted by the council.
- Reviewed new committee member applications and submitted final recommendations to the Chief Justice.

Criminal Law Advisory Committee

- Provided support for assessing impact of Proposition 47 on inter-county transfer issues and misdemeanors community supervision, omnibus update to criminal rules of court, applicability of PC section 1203.2a, and potential updates to form CR 290 to capture Proposition 47 resentencing.
- Staff facilitated a day-long meeting of an ad hoc/limited basis subcommittee of the Court Language Access Committee to develop a proposal regarding a Standard of Judicial Administration for Court Use of Risk/Needs Assessments in Criminal Proceedings.

Family and Juvenile Law Advisory Committee

Violence Against Women Education Program Working Group

- Heard updates on completed and planned educational programs as well as other Judicial Council activities related to the project, including a demonstration of Hot Docs software used to create or respond to restraining orders. Representatives of Tribal Court-State Court Forum and staff participated to achieve branchwide efficiencies relating to federal Indian law and cross-jurisdictional issues that affect federal/tribal/state/county policies and practices.
- Conducted a brainstorming segment to develop ideas for future programming, which will be considered as part of the curriculum planning process for domestic violence related projects.

Financial Accountability and Efficiency for the Judicial Branch Advisory Committee

- Recommended a proposal to revise the *Judicial Branch Contracting Manual* effective July 1, 2015.
- Recommended the Judicial Council accept the audit reports for the Superior Courts of San Bernardino and San Luis Obispo Counties.

Language Access Plan Implementation Task Force

- Approved six Budget Change Proposal concepts for consideration by the council.

- Ad Hoc Subcommittees reviewed Phase 1 recommendations and outline priority items for this first year.

Traffic Advisory Committee

- Made recommendations on the urgency rule proposal for bail in traffic infraction cases, approved by the Judicial Council on June 8, 2015.
- Prepared form proposals to update multiple traffic infraction forms to follow new rule 4.105 regarding bail for traffic infraction cases.

Trial Court Budget Advisory Committee

- Developed fiscal year (FY) 2016–2017 Trial Court Budget Change Proposal priorities for consideration by the Judicial Council.

Revenue and Expenditure Subcommittee

- Developed FY 2015–2016 guidelines for appropriate expenditure of the allocations in the State Trial Court Improvement and Modernization Fund and the Trial Court Trust Fund.

Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee with Family and Juvenile Law Advisory Committee

- Focused on providing members with background information on the issues under consideration and developing a project plan, and provided an opportunity for public comment by interested stakeholders.

Trial Court Facility Modifications Advisory Committee

- Reviewed and approved facility modification projects with a total potential cost of \$6,905,257.
- Reviewed and ratified 69 Priority 1 (Emergency) projects, with a total potential cost of \$1,065,450—the majority occurred in Los Angeles County and there were also numerous HVAC projects throughout the state.
- Reviewed and approved an energy savings project at Gordon Schaber Courthouse in Sacramento County for \$180,000. With utility funded rebates and energy related utility savings, this project has a payback of 13 months. This type of work benefits both the local court and the branch by improving operational efficiency and saving both utility and operational costs.
- Reviewed and approved an operations and maintenance budget of \$111 million for fiscal year 2015–2016. Because of ongoing inflation and portfolio growth, this budget leaves an anticipated shortfall of \$8 million. To partially address this shortfall, staff has been directed to submit a request to the Department of Finance to authorize expenditure of available one-time funding.
- Approved reducing planned maintenance levels to those required for code compliance, emergency generator maintenance, and annual HVAC filter replacement. These austerity measures are necessary to deal with the anticipated budget shortfall in the upcoming fiscal year.
- Reviewed and approved the Trial Court Facility Modification Advisory Committee Activity Report for Quarter 3, Fiscal Year 2014–2015. All reports are posted on the public website.

Trial Court Presiding Judges Advisory Committee – Executive Committee

- Heard a status report on the Judicial Council’s response to the California State Audit, an update on recent budget and legislative hearings, and received written reports from advisory committee liaisons.
- Discussed Senate Bill 682 (Leno), the trial court contracting-out bill, and the proposed rule of court, rule 4.105 (Traffic Law: Appearance in Court for Infractions without Deposit of Bail.)
- Approved a recommendation from the joint TCPJAC/CEAC Court Facilities Subcommittee on recommendations for a draft trial court facility water conservation policy as well as approved the *Summit Report to Promote Diversity in the California Judiciary* recommendations from the Advisory Committee on Providing Access and Fairness.

Tribal Court-State Court Forum

- Annual event provided education for more than 50 tribal and state court judges on local collaborations—modeling tribal/state/federal collaboration, domestic violence: promoting collaboration, the first joint-jurisdictional court in California, strategies for building on success, final report issued by the U.S. Attorney General’s Task Force on American Indian/Alaska Native Children Exposed to Violence), Indian Child Welfare Act (ICWA): new guidelines, new regulations, next steps in implementation-California focus, psychotropic medication and Indian children.
- Discussed new guidelines and proposed regulations relating to the ICWA, strategies to increase resources for tribal justice capacity, Casey Family Programs funding and technical assistance opportunities, ideas for promoting Indian law proficiency for law students, a recommendation to establish a database for tribal court cases, a proposal to amend rule 5.660(d)(3) to include mandatory ICWA education, California Department of Social Services Tribal Consultation Policy, Bishop Paiute Tribe-County Law Enforcement Relations, Blue Lake Tribe’s legislative proposal to amend the California Family Code to authorize tribal court judges to solemnize a marriage, and recognition and enforcement of tribal protective orders.

Workload Assessment Advisory Committee

- Approved an interim Resource Assessment Study (RAS) case-weight for complex civil cases for consideration by the Judicial Council.
- Staff consulted with Los Angeles, Orange, Alameda, and several other courts that handle the highest volume of complex civil cases to develop an interim RAS case-weight for complex civil, in response to concerns regarding the ability of courts to continue to support enhanced case processing in the absence of Improvement and Modernization Fund funding.

Judicial Branch Education and Training

Summary

Judicial Education

1. Appeals and Writs in Dependency Cases
2. Assigned Judges Program Orientation

3. Cow County Judges Institute

Judicial Officer, Court Employee, and Justice System Stakeholder Education

4. 2015 Southern California Labor Relations Academies
5. Access Basics
6. Adobe Acrobat, for staff of the Court of Appeal, Sixth Appellate District
7. Appellate Court Management Institute and Conference
8. Business Process Reengineering
9. Child Support Directors Association Annual Child Support Training Conference
10. Civic Education
11. Court Clerk Training Institute
12. Course Design Workshop
13. Court and Legal Services Partnership Summit
14. Court Performance Standards
15. Dependency Representation, Administration, Funding, and Training Database Training
16. Excel Basics and Data Analysis
17. Indian Child Welfare Act
18. Institute for Court Management Courses
19. Interdisciplinary Education on Permanency and the Courts
20. Judicial College Seminar Leader Training
21. Keeping Kids in School and Out of Court
22. Leadership in Today's Environment
23. Managing Technology Projects and Resources
24. Overview of Family Law Judgments
25. OneNote in One Hour
26. Pathways to Justice Conference
27. Reasonable Efforts Training
28. Recidivism Reduction Fund
29. Roles, Duties, and Ethical Obligations in Dependency
30. Structured Decision Making
31. Training Institute on Holistic Representation
32. Trial Advocacy for the Child Welfare Lawyer: Telling the Story of the Family
33. Trial Court Revenue Distribution
34. Youth Court Summit

Judicial Publications

35. California Judges Benchbook: Domestic Violence Cases in Criminal Court (2015 ed).

Distance Education

Broadcasts

36. Juvenile Justice Update
37. Mental Competency Hearings, Step By Step
38. Civil Motions
39. Domestic Violence – Parties and Filings

40. Today's Law Family Law Update

41. Preventing and Responding to Sexual Harassment for Commissioners, Referees, Supervisors and Managers

Videoconferences

42. Conversation with the Reporter of Decisions

43. Common Grammar Issues

Webinars

44. Exploring the Features of Child Support Programs: Dissomaster

45. Exploring the Features of Child Support Programs: XSpouse

46. Americans With Disabilities Act Training

47. Understanding Anti-SLAPP Analysis

Online Course Updates

48. Child and Spousal Support

49. Determining Income

50. Probate Creditors Claim

Program Details

Appeals and Writs in Dependency Cases: This training for juvenile dependency attorneys was held in Ukiah, and was available via webinar.

Assigned Judges Program Orientations: Judicial Council staff conducted two orientations for 34 judges covering jurisdiction and assignment authority, budgeting, requirements for continuing program eligibility, and compensation and travel reimbursement. A panel of veteran assigned judges discussed best practices while on assignment around the state. The Assigned Judges Program provided approximately 35,000 days of judicial officer service to the trial courts, appellate courts and the Supreme Court in fiscal year 2013–2014. Program usage is on pace to reach similar numbers in fiscal year 2014–2015.

Cow County Judges Institute: Statewide judicial education program is designed for judges from the smallest superior courts who have broader education needs.

2015 Southern California Labor Relations Academies:

- The Labor Relations Academy II (for the more experienced Human Resources professionals) was attended by attendees from 11 trial courts.
- Two Union representatives who represent staff at the Riverside court, along with a management-side labor attorney participated.
- The Labor Relations Academy I (for those individuals new to labor/employee relations) was attended by 32 participants from 8 trial courts.

Appellate Court Management Institute and Conference: The biennial conference for management staff, court/administrators, assistant clerks, managers, and supervisors addressed issues on new employment laws and litigation, succession planning, continuity of operations planning, and technology.

Child Support Directors Association Annual Child Support Training Conference: An AB 1058 Program senior attorney provided information and education on law, procedure, and policy in child support cases at three workshops entitled: “Are you Ready for Parenting Time?,” “Tribal Case Transfers,” and “Judicial Roundtable – The Winds of Change.”

Course Design Workshops: Faculty teams for the Family Law Primary Orientation and Experienced Family Law Judicial Officers Program completed course design and lesson plans for these multiday programs.

Court Clerk Training Institute: Two separate one-week long courses for trial court clerks focusing on courtroom procedures in the major assignments of criminal, civil, probate, dependency, delinquency, and family law.

Court and Legal Services Partnership Summit: The Chief Justice invited key individuals throughout the state, including legal services directors and managing attorneys, judicial officers, court executive officers, and self-help center directors to brainstorm ideas to create efficiencies for courts and legal services, best practices for collaboration between legal services programs and self-help centers, creative partnerships with other community-based organizations and agencies, high- and low-tech strategies for improving referrals, innovative ways of serving unmet needs through existing resources, and next steps in developing and improving statewide, regional and local partnerships.

Dependency Representation, Administration, Funding and Training (DRAFT) Database Training: At the request of Santa Cruz County, Judicial Council staff conducted software training for new users of the Juvenile Court Activity Tracker System. The system automates case management system for dependent children providing calendar management, workflow, statistical data, fiscal, and other program management features. Follow up training was conducted at a later session focused on adding new cases, closing cases, reopening cases, recording tasks, updating hearing and client information as well as designing and customizing reports for program management to fulfill obligations for the DRAFT program.

Indian Child Welfare Act:

- Updates and Hot Topics: Cow County Institute: In February 2015, the Bureau of Indian Affairs issued new Indian Child Welfare Act Guidelines for State Courts and Agencies in Indian Child Custody Proceedings. These are the first new guidelines in over 35 years. The Guidelines suggest new standards and requirements for all aspects of an ICWA case, including standards and requirements prior to removal, who qualifies as an expert witness, what constitute active efforts and more.
- Trainings for judges and court staff at the Humboldt and Imperial Superior Courts.
- Assisted Los Angeles Superior Court at the quarterly County stakeholders’ roundtable meeting.

Institute for Court Management Courses: Multi-day live courses build toward a certification and fellowship program in court leadership, offered in conjunction with the National Center for State Courts. Courses offered included Fundamental Issues of Caseflow Management, Managing Human Resources, and Purposes and Responsibilities of Courts.

Interdisciplinary Education on Permanency and the Courts: Seneca Family of Agencies, in collaboration with the Judicial Council conducted a pilot training on improving permanency for older youth for an audience of juvenile court stakeholders.

Judicial College Seminar Leader Training: A two-day course provided new and experienced seminar leaders with the skills to serve as effective facilitators and small group discussion leaders during the two-week college.

Keeping Kids in School and Out of Court (KKIS): Judge Donna Groman and a staff attorney participated in a meeting of the San Luis Obispo County KKIS team.

Pathways to Justice Conference: Sponsored by the State Bar and held every three years, with court and Judicial Council support, conference workshops included self-help center ethics, updates on domestic violence law, language access, increasing diversity among legal services attorneys, and how the Commission on Judicial Performance works.

Reasonable Efforts Training: The goal of this training was to educate judges, attorneys, social workers, probation officers and other participants in the child protection system about the legal requirements of a reasonable efforts finding throughout the life of a child protection case. Participants were able to identify the legal requirements of a reasonable efforts finding, and discuss the types of services, resources, and visitation available and provided in these cases.

Recidivism Reduction Fund: Staff conducted a series of webinars and conference calls, each with a separate focus, for the 27 existing Recidivism Reduction Fund grantee counties. The calls provided opportunities for judges to share experiences with their pretrial programs, staff responsible for program implementation to review administrative requirements and reporting processes, and research staff to familiarize themselves with data collection protocols.

Roles, Duties, and Ethical Obligations in Dependency: This course provided an overview of the dependency system focusing on attorney and social worker roles, and duties and ethical obligations in dependency cases. The course focused on how participants can work together effectively and collaboratively while maintaining their duties to their clients and the process.

Structured Decision Making: This training for juvenile dependency attorneys was held in Eureka, and was available via webinar.

Trial Advocacy for the Child Welfare Lawyer: Telling the Story of the Family: This trial skills training, presented in collaboration with Juvenile Law Society, was held at the Judicial Council Sacramento office, the Children's Law Center of California office in Los Angeles, the

Los Angeles Dependency Lawyers Inc. office in Los Angeles, and the Judicial Council San Francisco office. It was designed as an intensive, highly interactive, three-day course on the trial skills necessary to try a child welfare case.

Training Institute on Holistic Representation: Legal Services for Children with support from the Judicial Council’s Center for Families, Children & the Courts held an eight-hour training on unique subject matter that affect children, including immigration, education, boundaries and crisis, trauma-responsive lawyering and child development, and cultural competency.

Trial Court Revenue Distribution: Trial court revenue distribution training was provided for 275 participants— the third year of the joint Judicial Council and State Controller’s Office training for court, county, state, and other entities that perform trial court revenue distribution.

Youth Court Summit: The 10th annual summit provided an opportunity for youth, judges and staff of youth courts, volunteers, and education and youth-focused organizations to engage in a program of juvenile court diversion, truancy prevention, and civics education. The theme this year was, *Resilience, Social Justice, and Progress*. More than 200 youth and adults from youth courts around the state were in attendance.

Staffing Report as of May 31, 2015

See definition of terms on the following page.

STAFFING	Leadership Services Division								Operations and Programs Division					Administrative Division							Judicial Council
	Executive Office	Governmental Affairs	Audit Services	Legal Services	Judicial Council Support	Communications	Special Projects	Trial Court Liaison	Center for Families, Child. & Courts	Court Operations Services	Criminal Justice Services	Center for Judiciary Education & Research	Appellate Court Services	Capital Programs	Finance	Human Resources	Information Technology	Admin Support	Real Estate & Facilities Mgmt	Trial Court Admin Services	
Authorized Position (FTE)	7.00	12.00	14.00	59.00	11.80	7.00	7.00	8.00	67.00	43.40	15.00	48.50	7.00	56.00	84.00	40.00	124.00	30.00	87.00	88.00	815.70
Filled Authorized Position (FTE)	7.00	10.00	13.00	42.70	11.60	7.00	7.00	8.00	55.35	37.80	13.10	42.30	5.00	49.00	74.00	38.00	103.88	26.80	75.80	81.88	709.21
Headcount - Employees	7	10	13	43	12	7	7	8	56	38	14	43	5	49	74	38	104	27	76	82	713.00
Vacancy (FTE)	0.00	2.00	1.00	16.30	0.20	0.00	0.00	0.00	11.65	5.60	1.90	6.20	2.00	7.00	10.00	2.00	20.13	3.20	11.20	6.13	106.51
Vacancy Rate (FTE)	0.0%	16.7%	7.1%	27.6%	1.7%	0.0%	0.0%	0.0%	17.4%	12.9%	12.7%	12.8%	28.6%	12.5%	11.9%	5.0%	16.2%	10.7%	12.9%	7.0%	13.1%
Temporary Employee (909)	1	0	0	0	0	0	0	0	0	0	1.5	0	0	0	0	0	0	0	0	0	2.50
*Employment Agency Temporary Worker (FTE)	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.0	0.0	1.0	0.0	0.0	0.0	6.00
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	6.6	0.0	0.0	45.5	0.0	1.0	0.0	54.10
TOTAL WORKFORCE (based on FTE, 909s, Agency Temps & Contractors)	8.00	10.00	13.00	43.70	11.60	7.00	7.00	8.00	55.35	38.80	14.60	42.30	5.00	55.60	78.00	38.00	150.38	26.80	76.80	81.88	771.81

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, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". It does not include 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 temporary employees ("909" funded employees). See definition of temporary employees below.
Temporary Employees (909)	The 909 category is the State Controller code used to reference a temporary position or temporary employee. A 909 position may not be funded through the Budget Act. It is categorized as a temporary position 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 and may receive benefits if employed at least half-time for more than six months. Types of "909" Employees include: Retired Annuitants: A retiree hired by a former employer or other employer that participates in the same retirement system as the former employer. This includes a former participant in a state retirement system who previously retired and currently receives retirement benefits. Temporary Employees: Employed on a temporary basis - they do not receive full benefits (but do receive Calpers retirement service credit).
Employment Agency Temp. Worker (FTE)	These are workers from an employment agency who provide short-term support for workload.
Contractor (FTE)	Individuals augmenting the work of the organization 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 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 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 – A position funded through the Budget Act with a specific end date and counted as an authorized position. Employee in limited term positions may be regular or temporary.

New Judgeships and Vacancies Report

Judicial Appointments: On May 22, 2015, the Governor made three judicial appointments to the Court of Appeal, Second Appellate District, Divisions One, Five, and Seven, respectively. The appointments are pending confirmation by the Commission on Judicial Appointments on July 23, 2015.

NUMBER OF JUDGESHIPS AUTHORIZED, FILLED AND VACANT AS OF MAY 31, 2015

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	Filled(Last Month)	Vacant(Last Month)
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	105	98	7	0	98	7
Superior Courts	58	1713	1600	63	50*	1607	106
All Courts	65	1825	1705	120		1712	113

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

Below: **New Vacancies that occurred in April 2015**

JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Second Appellate District, Division One	6	Elevated	Hon. Frances Rothschild*	07/16/14
Second Appellate District, Division Three		Deceased	Hon. H. Walter Croskey	08/29/14
Second Appellate District, Division Five		Retirement	Hon. Orville A. Armstrong*	07/31/13
Second Appellate District, Division Six		Retirement	Hon. Paul H. Coffee	01/31/12
Second Appellate District, Division Seven		Retirement	Hon. Fred Woods	03/31/15
Second Appellate District, Division Seven		Retirement	Hon. Frank Y. Jackson*	06/30/13
Fourth Appellate District, Division Two	1	Retirement	Hon. Betty Ann Richli	03/31/15
TOTAL VACANCIES	7			

* New appointees announced and pending confirmation by the Commission on Judicial Appointments

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	3	Retirement	Hon. John M. True III	01/22/15
Alameda		Retirement	Hon. Kenneth Mark Burr	12/27/14
Alameda		Retirement	Hon. Gary M. Picetti	11/30/14
Amador	1	Retirement	Hon. Susan C. Harlan	01/16/15
Butte	1	Deceased	Hon. Denny R. Forland	12/20/14
Contra Costa	1	Retirement	Hon. David B. Flinn	04/30/14
Fresno	2	Retirement	Hon. Wayne R. Ellison	04/12/15
Fresno		Elevated	Hon. M. Bruce Smith	12/09/14
Los Angeles	23	Retirement	Hon. Leland B. Harris	05/08/15
Los Angeles		Retirement	Hon. Arthur Jean	04/30/15
Los Angeles		Retirement	Hon. Owen Lee Kwong	04/30/15
Los Angeles		Retirement	Hon. Ronald V. Skyers	04/30/15
Los Angeles		Retirement	Hon. Patrick J. Hegarty	03/31/15
Los Angeles		Retirement	Hon. Patricia M. Schnegg	03/31/15
Los Angeles		Retirement	Hon. Ronald H. Rose	03/19/15
Los Angeles		Retirement	Hon. Rand Steven Rubin	02/27/15
Los Angeles		Retirement	Hon. Thomas R. White	02/19/15
Los Angeles		Elevated	Hon. Lee Smalley Edmon	01/04/15
Los Angeles		Retirement	Hon. Leslie A. Dunn	11/07/14
Los Angeles		Retirement	Hon. James A. Steele	09/30/14
Los Angeles		Retirement	Hon. Steven D. Ogden	09/24/14
Los Angeles		Retirement	Hon. Cesar C. Sarmiento	09/16/14
Los Angeles		Retirement	Hon. Antonio Barreto, Jr.	09/05/14
Los Angeles		Elevated	Hon. Brian M. Hoffstadt	08/27/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Los Angeles		Converted	New Position	07/01/14
Marin	1	Retirement	Hon. Lynn Duryee	02/28/14
Merced	1	Retirement	Hon. Marc A. Garcia	05/15/15
Orange	7	Retirement	Hon. Caryl A. Lee	05/16/15
Orange		Retirement	Hon. Linda Lancet Miller	02/28/15
Orange		Retirement	Hon. Francisco P. Briseño	09/02/14
Orange		Retirement	Hon. Ronald P. Kreber	05/05/14
Orange		Retirement	Hon. Luis A. Rodriguez	04/30/14
Orange		Retirement	Hon. Marjorie Laird Carter	03/31/14

Orange		Retirement	Hon. Wendy Lindley	02/19/14
Riverside	3	Retirement	Hon. Christian F. Thierbach	05/29/15
Riverside		Retirement	Hon. Elisabeth Sichel	05/29/14
Riverside		Retirement	Hon. Sherrill A. Ellsworth	03/01/14
Sacramento	1	Retirement	Hon. Roland L. Candee	05/15/13
San Bernardino	4	Retirement	Hon. Kenneth Barr	11/03/14
San Bernardino		Retirement	Hon. Jules E. Fleuret	11/01/14
San Bernardino		Retirement	Hon. Larry W. Allen	11/30/13
San Bernardino		Retirement	Hon. Shahla S. Sabet	11/29/13
San Diego	4	Retirement	Hon. Carol Isackson	05/06/15
San Diego		Retirement	Hon. Thomas P. Nugent	01/11/15
San Diego		Retirement	Hon. Christine K. Goldsmith	10/10/14
San Diego		Retirement	Hon. William J. McGrath, Jr.	08/15/14
San Francisco	1	Retirement	Hon. James J. McBride	02/15/15
San Joaquin	1	Retirement	Hon. Bobby W. McNatt	05/31/15
San Luis Obispo	1	Retirement	Hon. Earle Jeffrey Burke	12/31/14
San Mateo	1	Dis Retirement	Hon. Stephen M. Hall	10/01/14
Santa Barbara	1	Retirement	Hon. Frank J. Ochoa	01/03/15
Santa Clara	3	Retirement	Hon. Raymond J. Davilla, Jr.	04/18/15
Santa Clara		Dis Retirement	Hon. Kurt E. Kumli	06/26/14
Santa Clara		Retirement	Hon. James P. Kleinberg	04/15/14
Solano	1	Retirement	Hon. Ramona Joyce Garrett	05/27/15
Tulare	1	Retirement	Hon. Paul Anthony Vortmann	08/01/14
Tuolumne	1	Retirement	Hon. Eleanor Provost	01/09/15
TOTAL VACANCIES	63			

**Authorized December 11, 2014, 50 new (AB 159) judgeships.
 Funding for the 50 positions has not been provided.**

Fresno	2
Humboldt	1
Imperial	1
Kern	3
Kings	1
Lassen	1
Los Angeles	3
Merced	2
Orange	1
Placer	2
Riverside	9
Sacramento	2
San Bernardino	9
San Joaquin	2
San Luis Obispo	1
Shasta	2
Sonoma	1
Stanislaus	2
Sutter	1
Tehama	1
Tulare	1
Ventura	2
TOTAL VACANCIES:	50

**Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month:
From May 2013 through May 2015 (two years)***

Month	Superior Courts				Courts of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
May-13	1,695	1,576	119	7.0%	105	101	4	3.8%
Jun-13	1,695	1,571	124	7.3%	105	100	5	4.8%
Jul-13	1,695	1,579	116	6.8%	105	98	7	6.7%
Aug-13	1,703	1,582	121	7.1%	105	98	7	6.7%
Sep-13	1,703	1,579	124	7.3%	105	98	7	6.7%
Oct-13	1,704	1,575	129	7.6%	105	97	8	7.6%
Nov-13	1,705	1,570	135	7.9%	105	97	8	7.6%
Dec-13	1,705	1,601	104	6.1%	105	97	8	7.6%
Jan-14	1,705	1,601	104	6.1%	105	97	8	7.6%
Feb-14	1,706	1,591	115	6.7%	105	95	10	9.5%
Mar-14	1,706	1,580	126	7.4%	105	95	10	9.5%
Apr-14	1,706	1,572	134	7.9%	105	95	10	9.5%
May-14	1,706	1,568	138	8.1%	105	95	10	9.5%
Jun-14	1,706	1,579	127	7.4%	105	94	11	10.5%
Jul-14	1,713	1,586	127	7.4%	105	96	9	8.6%
Aug-14	1,713	1,582	131	7.6%	105	96	9	8.6%
Sep-14	1,713	1,577	136	7.9%	105	96	9	8.6%
Oct-14	1,713	1,572	141	8.2%	105	96	9	8.6%
Nov-14	1,713	1,578	135	7.9%	105	96	9	8.6%
Dec-14	1,713	1,590	123	7.2%	105	99	6	5.7%
Jan-15	1,713	1,607	106	6.2%	105	100	5	4.8%
Feb-15	1,713	1,603	110	6.4%	105	100	5	4.8%
Mar-15	1,713	1,612	101	5.9%	105	98	7	6.7%
Apr-15	1,713	1,610	103	6.0%	105	98	7	6.7%
May-15	1,713	1,612	101	5.9%	105	98	7	6.7%

* As of May 31, 2015

Authorized Judgeships and Vacancies in the Superior Courts

