



JUDICIAL COUNCIL OF CALIFORNIA

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HON. TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

HON. MARSHA G. SLOUGH
Chair, Executive and Planning Committee

HON. DAVID M. RUBIN
Chair, Judicial Branch Budget Committee
Chair, Litigation Management Committee

HON. MARLA O. ANDERSON
Chair, Legislation Committee

HON. CARIN T. FUJISAKI
Chair, Rules Committee

HON. KYLE S. BRODIE
Chair, Technology Committee

Hon. Maria Lucy Armendariz
Hon. Richard Bloom
Hon. C. Todd Botke
Hon. Kevin C. Brazile
Hon. Jonathan B. Conklin
Hon. Carol A. Corrigan
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Hon. Judith K. Dulcich
Ms. Rebecca J. Fleming
Mr. Shawn C. Landry
Hon. Kimberly Merrifield
Hon. Glenn Mondo
Hon. David Rosenberg
Mr. David H. Yamasaki

MR. MARTIN HOSHINO
Administrative Director
Judicial Council

October 18, 2022

Ms. Cara L. Jenkins
Legislative Counsel
1021 O Street, Suite 3210
Sacramento, California 95814

Ms. Erika Contreras
Secretary of the Senate
State Capitol, Room 305
Sacramento, California 95814

Ms. Sue Parker
Chief Clerk of the Assembly
State Capitol, Room 319
Sacramento, California 95814

Re: Standards and Measures That Promote the Fair and Efficient Administration of Justice, as required under Government Code section 77001.5

Dear Ms. Jenkins, Ms. Contreras, and Ms. Parker:

Attached is the Judicial Council report required under Government Code section [77001.5](#) on judicial administration standards and measures that promote the fair and efficient administration of justice.

If you have any questions related to this report, please contact Ms. Leah Rose-Goodwin, Manager of Court Research, at 415-865-7708 or leah.rose-goodwin@jud.ca.gov.

Sincerely,

Martin Hoshino
Administrative Director
Judicial Council

October 18, 2022

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MH/NA

Attachment

cc: Eric Dang, Policy Consultant, Office of Senate President pro Tempore Toni G. Atkins
Alf Brandt, General Counsel, Office of Assembly Speaker Anthony Rendon
Shaun Naidu, Policy Consultant, Office of Assembly Speaker Anthony Rendon
Anita Lee, Principal Fiscal and Policy Analyst, Legislative Analyst's Office
Gabriel Petek, Legislative Analyst, Legislative Analyst's Office
Jessie Romine, Budget Analyst, Department of Finance
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Mary Kennedy, Chief Counsel, Senate Public Safety Committee
Eric Csizmar, Consultant, Senate Republican Policy Office
Morgan Branch, Consultant, Senate Republican Policy Office
Nora Brackbill, Consultant, State Senate Budget & Fiscal Review Committee
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Sandy Uribe, Chief Counsel, Assembly Public Safety Committee
Jennifer Kim, Consultant, Assembly Budget Committee
Lyndsay Mitchell, Consultant, Assembly Republican Office of Policy & Budget
Gary Olson, Consultant, Assembly Republican Office of Policy & Budget
Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget
Amy Leach, Minute Clerk, Office of Assembly Chief Clerk
Cory T. Jaspersen, Director, Governmental Affairs, Judicial Council
Jenniffer Herman, Administrative Coordinator, Govern



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MR. MARTIN HOSHINO
Administrative Director
Judicial Council

Report title: *Standards and Measures That Promote the Fair and Efficient Administration of Justice*

Statutory citation: Government Code section 77001.5

Date of report: November 1, 2022

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section [77001.5](#). The following summary of the report is provided under the requirements of Government Code section [9795](#).

Government Code section 77001.5 requires the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects:

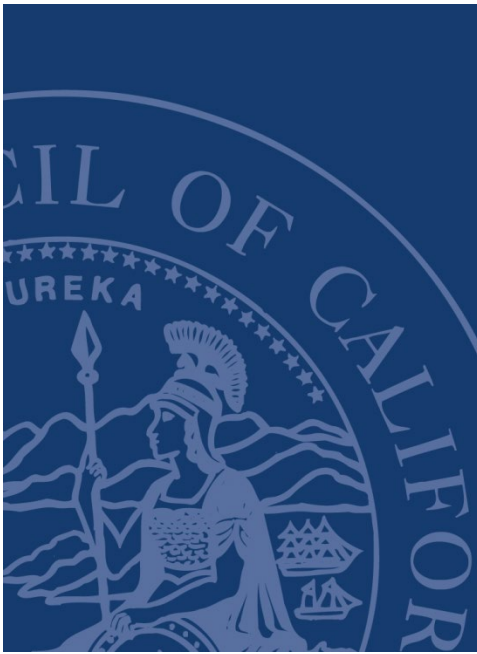
- (1) Providing equal access to courts and respectful treatment for all court participants.
- (2) Case processing, including the efficient use of judicial resources.
- (3) General court administration.”

The attached report identifies and reports on existing Judicial Council–adopted measures that respond to the reporting requirements.

Taking advantage of improvements in data quality, the report to the Legislature provides information on the following standards and measures of trial court operations:

- Caseload clearance rates;
- Time to disposition;
- Stage of case at disposition; and
- Judicial workload and resources.

The full report is available at www.courts.ca.gov/7466.htm. A printed copy of the report may be obtained by calling 415-865-7829.



Standards and Measures That Promote the Fair and Efficient Administration of Justice

REPORT TO THE LEGISLATURE UNDER
GOVERNMENT CODE SECTION 77001.5

NOVEMBER 2022



**JUDICIAL COUNCIL
OF CALIFORNIA**

OPERATIONS AND PROGRAMS DIVISION
BUSINESS MANAGEMENT SERVICES

JUDICIAL COUNCIL OF CALIFORNIA

Hon. Tani G. Cantil-Sakauye
*Chief Justice of California and
Chair of the Judicial Council*

Martin Hoshino
*Administrative Director
Judicial Council*

BUSINESS MANAGEMENT SERVICES DIVISION

Robert Oyung
Chief Operating Officer

Leah Rose-Goodwin
Manager, Court Research

Kristin Greenaway
Supervising Research Analyst, Court Research

Introduction

Government Code section [77001.5](#) requires the Judicial Council to adopt and annually report on judicial administration standards and measures that promote the fair and efficient administration of justice, including but not limited to the following subjects:

- Providing equal access to courts and respectful treatment for all court participants;
- Case processing, including the efficient use of judicial resources; and
- General court administration.

Standards and Measures

This report identifies Judicial Council–adopted measures and data collected that are responsive to the reporting requirements. The following standards and measures of judicial administration, included in this report since inception, are reported in the annual Court Statistics Report¹:

- Caseload clearance rates;
- Time to disposition;
- Stage of case at disposition; and
- Trials by type of proceeding.

Judicial Workload and Other Branch Programs and Resources

The need for new judgeships is calculated by adding the judicial need among only the courts that have fewer judgeships than their workload demands. Based on the 2022 Judicial Needs Assessment, 17 courts need new judgeships, for a total need of 98 full-time equivalent judicial officers (see Appendix A).

Although the conversion of subordinate judicial officers (SJOs) does not provide much-needed new resources to the courts, it does provide the courts with greater flexibility in the assignment of judicial officers. Moreover, it restores the proper balance between judges and SJOs in the court, enabling constitutionally empowered judges who are held accountable by standing for election before their communities to hear cases that are appropriate to their rank. A total of 157 SJO positions have been converted to judgeships since 2007–08. There are five positions remaining to convert (see Appendix B).

Workload Models Update

Finally, this report provides a brief narrative describing the Judicial Council–approved weighted caseload models, both judicial and staff, and how they relate to standards and measures of judicial administration.

The Judicial Council has approved workload models that use weighted caseloads to assess where new judgeships and additional nonjudicial resources are most urgently needed and will have the biggest impact. The relative weight applied to different types of cases, however, requires periodic

¹ www.courts.ca.gov/13421.htm.

review because of changes in the law, rules of court, technology, and practice, all of which affect the average amount of time required for case processing. Periodic review and, where necessary, revision of caseweights ensure that the allocation formulas reported to the Legislature and the Governor accurately reflect the current average amount of time required to resolve cases.

The Judicial Council's Workload Assessment Advisory Committee has recommended that judicial and staff workload models be updated every five years to ensure that the models used to measure workload and to allocate resources utilize the most up-to-date information possible. The staff workload model was updated, and new weights were finalized in 2017. The judicial workload model was updated in 2018, and new weights were finalized in 2019. Due to the COVID-19 pandemic, the next scheduled update to the staff workload model will be delayed beyond the five-year update goal.

Conclusion

This report has highlighted *quantitative* measures of trial court performance that promote the fair and efficient administration of justice.

Appendixes

1. Appendix A: 2022 Judicial Needs Assessment
2. Appendix B: SJO Conversions to date

Appendix A.2022 Judicial Needs Assessment

Court	Authorized and Funded Judicial Positions*	2022 Assessed Judicial Need	Number of Judgeships Needed [†] (B – A)	Percentage Judicial Need Over AJP (C / A)
Tehama	4.3	5.6	1	23%
Lake	4.7	5.5	1	21%
Humboldt	8.0	9.3	1	13%
Shasta	13.0	14.9	1	8%
Orange	144.0	145.3	1	1%
Madera	10.3	12.3	2	19%
Kings	10.6	13.0	2	19%
Placer	15.5	17.5	2	13%
Merced	13.0	15.1	2	15%
Stanislaus	26.0	28.1	2	8%
Tulare	25.0	28.6	3	12%
Sacramento	77.5	82.2	4	5%
San Joaquin	35.5	41.8	6	17%
Fresno	53.0	60.0	7	13%
Kern	47.0	58.8	11	23%
Riverside	89.0	111.7	22	25%
San Bernardino	100.0	130.5	30	30%
Total			98	

Appendix B: Subordinate Judicial Officer Conversions

Fiscal Years 2007–08 through 2020–21

Background

Rule 10.700 of the California Rules of Court provides for the use of subordinate judicial officers (SJOs) to perform subordinate judicial duties. A presiding judge may also assign an SJO to act as a temporary judge where lawful if the presiding judge determines that it is necessary for the effective administration of justice because of a shortage of judges.

During the 1980s and 1990s, the shortage of judicial positions across the state led many trial courts to create SJO positions to manage their caseloads. The stagnation in the number of new judgeships combined with the growth in the number of SJO positions created an imbalance in many courts, with SJOs spending much of their time working as temporary judges.

To restore the appropriate balance between judges and SJOs in the trial courts, in 2007 the Legislature passed Assembly Bill 159, which authorized the conversion of 162 SJO positions to judgeships in 25 courts where the judicial workload assessment determined that the number of SJOs exceeded the workload appropriate to SJOs.

	Positions Eligible for Conversion	SJO Conversions														Total Conversions to Date	Positions Remaining to Convert		
		07–08	08–09	09–10	10–11	11–12*	12–13	13–14	14–15	15–16	16–17	17–18	18–19	19–20	20–21				
Courts Still Eligible for SJO Conversions																			
Placer	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
Unallocated SJO Conversion Positions**																			
	3																	3	
Courts That Have Completed Their SJO Conversions																			
Alameda	6	0	0	1	2	3	0	0	0	0	0	0	0	0	0	0	0	6	0
Contra Costa	4	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0
El Dorado	2	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Fresno	3	0	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0	3	0
Imperial	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Kern	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Los Angeles	79	4	5	7	7	8	6	7	7	7	5	5	9	1	1			79	0
Marin	2	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2	0
Merced	2	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	0
Napa	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Orange	17	1	2	2	2	3	2	2	0	0	0	0	3	0	0			17	0
Riverside	6	1	1	0	0	1	3	0	0	0	0	0	0	0	0	0	0	6	0
Sacramento	6	1	2	0	0	2	0	0	0	0	1	0	0	0	0	0	0	6	0
San Diego	7	2	0	0	0	0	1	1	0	2	0	1	0	0	0	0	0	7	0
San Francisco	2	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
San Luis Obispo	2	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	2	0
San Mateo	2	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	2	0
Santa Barbara	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Santa Cruz	2	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	2	0
Solano	3	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0
Sonoma	2	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Stanislaus	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Tulare	2	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	2	0
Yolo	2	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2	0
Total	162	16	16	16	16	20	13	11	9	11	6	6	15	1	1			157	5
Last Updated: May 2021																			

Note: Shaded rows represent courts that have completed all of the conversions for which they are eligible.

* The total conversions in FY 2011–12 exceed 16 because of the enactment of Senate Bill 405, which increased the number of allowable conversions in specific circumstances for this fiscal year.

** Three positions became newly available for reallocation as a result of the Superior Court of Contra Costa County's elimination of 3 conversion-eligible SJO positions.