Item SP07-01  Response Form

Title: Judicial Branch Education: Minimum Education Requirements, Expectations, and Recommendations (repeal Standards of Judicial Administration 10.10-10.15; adopt Cal. Rules of Court, rules 10.469, 10.471, 10.472, 10.479, and 10.491; amend rules 10.452, 10.461, and 10.462; and amend and renumber rules 10.463, 10.473, 10.474, and 10.481)

☐ Agree with proposed changes

☐ Agree with proposed changes if modified

☐ Do not agree with proposed changes

Comments: __________________________________________________________

________________________________________________________

________________________________________________________

Name:__________________________________________ Title:__________________________

Organization:______________________________________________________________

☐ Commenting on behalf of an organization

Address:______________________________________________________________

City, State, Zip:_____________________________________________

Please write or fax or respond using the Internet to:

Address: Ms. Geraldine Dungo, Judicial Council, 455 Golden Gate Avenue, San Francisco, CA 94102
Fax: (415) 865-7664 Attention: Geraldine Dungo
Internet: www.courtinfo.ca.gov/invitationstocomment

DEADLINE FOR COMMENT: 5:00 p.m., Wednesday, May 2, 2007

Your comments may be written on this Response Form or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

Circulation for comment does not imply endorsement by the Judicial Council, the Rules and Projects Committee, or the Policy Coordination and Liaison Committee. All comments will become part of the public record of the council’s action.
Invitations to Comment SP07–01

Title

Summary
The proposed rules would establish additional minimum education requirements for the judicial branch in several respects. They would (1) establish minimum continuing education requirements for Supreme Court and Court of Appeal justices; (2) establish minimum orientation and continuing education requirements for Supreme Court and Court of Appeal clerk/administrators, managers, supervisors, and other personnel; (3) formalize minimum orientation and continuing education requirements for Administrative Office of the Courts executives, managers, supervisors, and other employees; and (4) incorporate relevant key provisions, including education recommendations, from the Standards of Judicial Administration related to education.

Source
Governing Committee of the Center for Judicial Education and Research (CJER)

Staff
James M. Vesper, Assistant Director, Education Division/CJER, 415-865-7797, jim.vesper@jud.ca.gov

Discussion
Introduction and Overview
At its October 26, 2006, meeting, the Judicial Council adopted an alternative proposal to the CJER Governing Committee’s recommendation regarding minimum education requirements for the judicial branch. California Rules of Court, rule 970 was repealed and rules 10.451–10.471 were adopted as a comprehensive system of minimum education requirements and expectations for trial court judges and subordinate judicial officers, court executive officers, and managers, supervisors, and other personnel. The alternative proposal retained most of the original proposal but changed continuing education for judges to an expectation rather than a requirement and added language regarding tracking and reporting requirements for judges and presiding judges.

The Judicial Council, as part of its action, also approved the following
new directives for the CJER Governing Committee:

The CJER Governing Committee will make recommendations to the Judicial Council in the summer of 2007 regarding revisions to the rules on judicial branch education to incorporate relevant key provisions of the Standards of Judicial Administration in order to gather all information on education into one source, ease access to relevant information, and avoid any unintended consequences created by having two sources of information on education.

The CJER Governing Committee will assess educational needs and associated opportunities and make recommendations to the Judicial Council in the summer of 2007 regarding rules relevant to judicial branch education for appellate court justices and court personnel as well as personnel of the Administrative Office of the Courts.

Recommendation

The Governing Committee of the Center for Judicial Education and Research recommends that the Judicial Council adopt several new rules and amend rules 10.451–10.471 to meet these new directives. The proposed rules would meet both directives. They would set forth a system of minimum education requirements for Supreme Court and Court of Appeal justices, clerk/administrators, managers, supervisors, and other personnel and a system of minimum education requirements for Administrative Office of the Courts (AOC) executives, managers, supervisors, and other employees. The proposed rules would also incorporate relevant key provisions, including education recommendations, from the Standards of Judicial Administration related to education.

As with the committee’s proposal in 2006, the purpose of the proposed rules would be to help to ensure the professional competency of justices, court personnel, and AOC personnel by establishing a system of minimum education requirements. They would represent a determination from within the judicial branch of the appropriate level of education requirements for justices, court personnel, and AOC personnel rather than as determined by others outside the branch, such as the Legislature. And the rules would strike a balance between minimum education requirements and discretion and options at the
individual and local court levels. Finally, the proposed rules would strike a balance between the benefits of education and the fiscal impact on the courts and the impact of time away from their duties for justices, court personnel, and AOC personnel.

Background and History of Proposal
The CJER Governing Committee, which has studied, formulated, and recommended these proposed rules, until 2006 consisted of eight judges, including one justice, and three court executive officers. The committee expanded its membership in 2006 by an additional six judges, with new members added from the Access and Fairness, Civil and Small Claims, Criminal Law, Family and Juvenile Law, and Probate and Mental Health Advisory Committees.

Regarding the Supreme Court and the Courts of Appeal
- In January 2007, committee staff met with the clerk of the Supreme Court and the clerk/administrators of the Courts of Appeal during a regular meeting of that group. Committee staff presented to meeting participants the requirements that were adopted for trial court personnel and discussed with participants their thoughts as to what would be feasible for personnel of the Supreme Court and the Courts of Appeal. Meeting participants felt that the requirements that were adopted for trial court personnel would be feasible for personnel of the Supreme Court and the Courts of Appeal.

- In January 2007, at the request of the Appellate Judicial Attorneys Education Committee, committee staff met with several committee members and discussed the requirements in place for trial court personnel. No position was taken by those participating. After the CJER Governing Committee met and approved its recommended proposal, committee staff received a memorandum from the members of the Appellate Judicial Attorneys Education Committee. The memorandum included several comments and suggestions on the proposed minimum education requirements as they apply to appellate judicial attorneys, such as changing the requirements to expectations and allowing the appellate judicial attorneys to receive retroactive credits. The Governing Committee was not able to consider these comments and suggestions at this time, but will before approving its final proposal.

- On February 8, 2007, Justice Ronald Robie, Vice-Chair of the CJER Governing Committee, and committee staff met with the Administrative
Presiding Justices Advisory Committee to discuss application of the existing trial court education rules to the Supreme Court and the Courts of Appeal, including both justices and court personnel. This would include continuing education for the justices as an expectation rather than as a requirement, and the proposed rules for appellate justices and appellate court staff would also mirror the rules adopted for the trial courts. During the meeting the Administrative Presiding Justices discussed supporting mandatory continuing education for appellate justices as an alternative to the continuing education expectation contained the proposal. On March 5, 2007, Judge Fumiko Wasserman, Chair of the Governing Committee, received notice by memorandum that both the Administrative Presiding Justices Advisory Committee and the Supreme Court had decided unanimously to support mandatory continuing education for Supreme Court and Court of Appeal justices. A copy of this memorandum is attached as Appendix 1 to this Invitation to Comment. The Governing Committee had decided at its meeting on February 13, 2007 to incorporate any recommendations received from the Administrative Presiding Justices Advisory Committee and the Supreme Court into its recommendation.

Regarding Administrative Office of the Courts (AOC) Personnel
In January 2007, committee staff presented several options to the AOC Executive Team\(^1\) regarding minimum education requirements for AOC personnel. The options ranged from adopting the current requirements for AOC personnel, which include orientation and compliance courses for new personnel and at least 12 hours per year plus compliance courses for experienced personnel, to adopting the same requirements that exist for the trial courts. The Executive Team agreed that the proposal to the Judicial Council should be similar to the requirements established for the trial courts, with all personnel in a two-year continuing education period. The Executive Team also agreed that the proposal should require 50 percent more continuing education hours than is required in the trial courts, which is less than is currently required for AOC personnel. Proposed rule 10.491 has been approved by the AOC Executive Team to be included in this proposal.

General Description of Proposed Rules
The proposed rules are intended to fulfill the directions from the

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\(^1\) The AOC Executive Team consists of the Administrative Director of the Courts, the Chief Deputy Director, the Regional Administrative Directors, and the directors of all AOC divisions.
Judicial Council but are also intended to go no further than fulfilling those directions. The continuing education requirements proposed for Supreme Court and Court of Appeal justices mirror the continuing education expectations established for trial court judges. The minimum education requirements for appellate court clerk/administrators, managers, supervisors, and other personnel mirror those established for trial court executive officers, managers, supervisors, and other personnel. Summaries of the components of minimum education requirements and expectations for appellate justices, appellate court personnel, trial court judges and subordinate judicial officers, and other trial court personnel are attached as Appendix 2, as are examples of achieving the minimum education requirements for appellate justices and other personnel. The minimum education requirements for AOC personnel mirror those for trial court executive officers, managers, supervisors, and other personnel, but at a level of 50 percent more hours. Relevant key provisions from the standards on education in the Standards of Judicial Administration have been incorporated in the rules without substantive change. The “standards” related to specific responsibilities and assignments are incorporated as “recommendations” in the proposed rules, but without substantive change, and no new responsibilities or assignments have been added. A correlation table that shows where the key provisions in the Standards have been incorporated into the rules is attached as Appendix 3.

Chapter 8 of title 10, division II of the rules of court would be retitled “Minimum education requirements, expectations, and recommendations,” and would include rules 10.451–10.491. The rules would be reorganized so that the rules for justices, judges, and subordinate judicial officers would be grouped together, as would the rules for appellate court and trial court personnel. The text of the proposed new rules, revised rules, and repealed standards is included at pages 19–65 of this Invitation to Comment. The proposed rules are described more particularly below.

More Specific Description of Proposed Rules

Standards of Judicial Administration 10.10–10.15
Current standards 10.10–10.15 would be repealed. Key provisions would be incorporated into the education rules, primarily as revisions to rule 10.452, and as new rules 10.469 and 10.479. Provisions related to the elements of a comprehensive education program and the judicial
education curricula to be provided would not be carried forward; these provisions would not be relevant or necessary to the new education rules. A correlation table, referred to above, is attached as Appendix 3.

Rule 10.452
Revisions would be made to rule 10.452 to meet both directives.

- Revisions to (a)–(c) would reflect incorporation of key provisions from the Standards of Judicial Administration (standards), referred to as education recommendations.

- Revisions to (d), which would set forth the administrative responsibilities of the Chief Justice and the administrative presiding justices of the Courts of Appeal related to education, would in part reflect the proposed addition of minimum education requirements for Supreme Court and Court of Appeal justices (rule 10.461) and for appellate court clerk/administrators and managing attorneys (proposed rules 10.471–10.472). Other revisions to (d) would incorporate the following key provisions from the standards: (1) each justice should be granted at least eight court days per year to participate in continuing education; and (2) each justice should be granted leave to serve on education committees and as faculty. Finally, (d)(6) would be added to require reporting on justices’ education participation to the Judicial Council, the same as that required for trial court judges.

- The recommendation in standard 10.11(d) that each judicial officer should be granted at least eight court days per year to participate in continuing education relating to the judicial officer’s responsibilities or court assignment was first adopted by the Judicial Council in standard 25(d) effective in 1990. The Governing Committee believes that eight court days per year is still a reasonable amount to recommend so that a judicial officer would be able to maintain and improve his or her professional competence. As a point of reference, eight court days would translate to 48 hours of education and would allow participation in a five-day Continuing Judicial Studies Program (CJSP) overview course and an institute in the judge’s assignment in the same year. The minimum continuing education requirement or expectation of 30 hours in three years is just a minimum, and it is a relatively low amount compared to many other states. It compares to an average requirement of 21 hours per year for those states with continuing
judicial education requirements. One state requires 64 hours of continuing judicial education each year, and two other states require 45 hours each year.

- Proposed revisions to (e), which sets forth the administrative responsibilities of presiding judges related to education, would incorporate key provisions from the standards (parallel to those described for (d), above): (1) each judge or subordinate judicial officer should be granted at least eight court days per year to participate in continuing education; and (2) each judge or subordinate judicial officer should be granted leave to serve on education committees and as faculty.

- New subdivision (f) would set forth the administrative responsibilities of justices, clerk/administrators, managing attorneys, managers, and supervisors related to education, which would reflect in part the proposed addition of minimum education requirements for Supreme Court and Court of Appeal managers, supervisors, and other personnel (proposed rule 10.472). Subdivision (f) would also include key provisions from the standards regarding leave related to education. The provisions of (f) would be parallel to those in (g) for trial court executive officers, managers, and supervisors.

- Proposed revisions to (g), which sets forth the administrative responsibilities of trial court executive officers, managers, and supervisors related to education, would incorporate key provisions from the standards, primarily regarding the granting of leave to serve on education committees and as faculty.

*Rule 10.461*

Revisions would be made to rule 10.461 to set forth minimum education requirements for Supreme Court and Court of Appeal justices. The only current minimum education requirement is an orientation program for new Court of Appeal justices, which was carried forward without change from former rule 970, effective January 1, 2007. The new minimum education requirement would be 30 hours of continuing judicial education every three years, which is the same number of hours expected of trial court judges and required of subordinate judicial officers. In order for the continuing education period for Supreme Court and Court of Appeal justices to coincide with the continuing education period for trial court judges and
subordinate judicial officers, the first period for justices would be for two years (January 1, 2008 through December 31, 2009) rather than three years. The number of hours for the continuing education requirement and limitations would be prorated for this two-year period. The first three-year period would begin January 1, 2010. The other new provisions in rule 10.461 would mirror those in 10.462 for trial court judges, including tracking and reporting requirements in (e).

Rule 10.462
Revisions to (a) would add references to the education requirements for judges and subordinate judicial officers who hear family law matters set forth in rule 10.463 (proposed to be renumbered from rule 5.30), and to the education recommendations set forth in proposed new rule 10.469. Revisions to (b)(1)(A) would clarify that for purposes of the New Judge Orientation Program requirement, a judge or subordinate judicial officer is considered “new” only once.

Rule 10.463
Current rule 10.463 is proposed to be renumbered to rule 10.473. New rule 10.463, which sets forth the education requirements for judges and subordinate judicial officers who hear family law matters, is proposed to be renumbered from rule 5.30. The proposal would move rule 5.30 from title 5 of the rules of court, the family law rules, to chapter 8 of title 10 of the rules of court so that the rules on judicial education are gathered in one place in the rules. Minor revisions are proposed to make the terminology of proposed rule 10.463 more consistent with that used in the other education rules; no substantive changes are proposed.

Rule 10.469
New rule 10.469 would incorporate key provisions from the standards: the education recommendations for specific responsibilities and assignments set forth in Standards of Judicial Administration 10.12 and 10.14, which would then be repealed. The education recommendations carried forward would be those related to jury trial assignment, hearing of juvenile dependency matters, capital case assignment, and fairness and access education. The education recommendation related to the hearing of family law matters in standard 10.12(b) would not be carried forward; rule 5.30 (proposed to be renumbered rule 10.463) previously had made that recommendation superfluous. The education recommendation related to the hearing of juvenile dependency matters in (c) would be revised in being carried forward so that it is consistent...
with the education requirements and expectations related to a juvenile dependency assignment in rule 10.462 and also to comply with the requirements of Welfare and Institutions Code section 304.7.

Rule 10.471
New rule 10.471 would set forth minimum education requirements for Supreme Court and Court of Appeal clerk/administrators. No formal orientation education requirement is provided, in part because this is such a small group with infrequent turnover. Otherwise the provisions mirror the existing provisions for trial court executive officers in current rule 10.463 (proposed to be renumbered to rule 10.473). The minimum education requirement would be 30 hours of continuing education every three years.

Rule 10.472
New rule 10.472 would set forth minimum education requirements for Supreme Court and Court of Appeal managers, supervisors, and other personnel. The provisions mirror the existing provisions for trial court managers, supervisors, and other personnel in current rule 10.464 (proposed to be renumbered to rule 10.474). The provisions of proposed rule 10.472 would apply to Supreme Court and Court of Appeal managing attorneys and judicial attorneys, just as current rule 10.464 applies to trial court attorneys. The minimum education requirements in rule 10.472 would include orientation education for new managers, supervisors, and other court personnel and continuing education requirements of 12 hours every two years for managers and supervisors and 8 hours every two years for other court personnel.

Rule 10.473
Rule 10.473, which sets forth minimum education requirements for trial court executive officers, would be renumbered from 10.463. Revision to (a) would add a reference to education recommendations set forth in proposed new rule 10.479.

Rule 10.474
Rule 10.474, which sets forth minimum education requirements for trial court managers, supervisors, and other personnel, would be renumbered from rule 10.464. Revision to (a) would add a reference to the education recommendations set forth in proposed new rule 10.479.

Rule 10.479
New rule 10.479 would incorporate key provisions from the standards:
the education recommendations for specific responsibilities set forth in Standards of Judicial Administration 10.15, which would then be repealed. The education recommendations carried forward would be those related to education on the treatment of jurors, fairness and access education, and education on quality service to court users.

**Rule 10.481**
New rule 10.481, which sets forth approved providers and approved course criteria, would be renumbered from rule 10.471. Proposed revisions would add references to make clear that the provisions would apply to the new minimum education requirements for Supreme Court and Court of Appeal justices, clerk/administrators, managers, supervisors, and other personnel. Additional approved providers would be added to the list in (a) to cover providers often used by appellate justices and clerk/administrators.

**Rule 10.491**
New rule 10.491 would set forth minimum education requirements for Administrative Office of the Courts executives, managers, supervisors, and other employees. The provisions substantially mirror the existing provisions for trial court executive officers, managers, supervisors, and other personnel in current rules 10.463–10.464 (proposed to be renumbered to rules 10.473–10.474), except that all personnel, including executives, would have a two-year continuing education period and the continuing education hours required would be 50 percent higher.

Comments are invited on the proposed rules.

Attachment
MEMORANDUM

Date
March 5, 2007

To
Hon. Fumiko Hachiya Wasserman, Chair
Governing Committee for the Center for
Judicial Education and Research

From
Marcia M. Taylor, Director
Appellate and Trial Court Judicial Services
Division

Subject
Education requirements for appellate court
justices

Action Requested
Please review

Deadline
N/A

Contact
Marcia M. Taylor
415-865-4255 phone
415-865-4315 fax
marcia.taylor@jud.ca.gov

On February 8, 2007 the Administrative Presiding Justices (APJ) Advisory Committee, chaired by Chief Justice Ronald M. George, met and discussed the CJER Governing Committee’s proposal regarding minimum education requirements and expectations for appellate justices. During this meeting, an alternative proposal was made that would make continuing education, mandatory for all appellate justices rather than an expectation as was described in the proposal. Subsequent to the meeting, each justice provided the alternative proposal to his or her associate justices and solicited input. While not all associate justices were in agreement, the APJ Committee voted unanimously on February 22nd to support the alternative proposal making the education set forth in the original proposal mandatory for all court of appeal justices.

The Supreme Court met on February 28th and, after discussion, also voted unanimously to support the alternative proposal set forth by the APJ Advisory Committee, that is, to make the education proposed mandatory for all Supreme Court justices.
Thank you for the opportunity to comment. If you have any questions or would like to discuss, please contact me.

cc: Chief Justice Ronald M. George
     APJ Advisory Committee
     William C. Vickrey
     Ronald M. Overholt
     Karen Thorson
## Proposed Components of Minimum Education Requirements

### Minimum Education Requirements for Justices

A. **New Court of Appeal justices are required to complete:**
   - New Justice Orientation within two years of assuming their role
   *Provider: CJER*

B. **Experienced Supreme Court and Court of Appeal justices are required to complete:**
   - 30 hours of continuing education in a three-year period.
   *Provider: Multiple providers*

### Minimum Education Requirements for Appellate Judicial Attorneys

These requirements are the same as those for other court personnel, but are included here to highlight the unique organizational placement of judicial attorneys in appellate courts.

C. **New Managing Attorneys are required to complete within six months the following, as appropriate, based on the discretion of the managing attorney’s supervisor:**
   - Orientation to the Judicial Branch (if new to the judicial branch)
     *Provider: Local court or CJER*
   - Orientation to the Local Court (if new to the court)
     *Provider: Local court*
   - Orientation to Management/Supervision (if new to management/supervision)
     *Provider: Local court or CJER or other provider*

D. **Experienced Managing Attorneys are required to complete 12 hours of continuing education in a two-year period.**
   *Provider: Multiple providers*

E. **New appellate judicial attorneys are required to complete within six months the following, as appropriate, based on the discretion of the attorney’s supervisor:**
   - Orientation to the Judicial Branch
     *Provider: Local court or CJER*
   - Orientation to Basic Employee Issues (Sexual Harassment, Safety, etc.)
     *Provider: Local court or CJER*
   - Orientation to the Local Court and the Specific Job
     *Provider: Local court*

F. **Experienced appellate judicial attorneys are required to complete:**
   - 8 hours of continuing education in a two-year period.
   *Provider: Multiple providers*
Appendix 2

Minimum Education Requirements for Clerk/Administrators

G. Supreme Court and Court of Appeal clerk/administrators are required to complete 30 hours of continuing education in a three-year period:
Provider: Multiple providers

Minimum Education Requirements for Appellate Managers and Supervisors

H. New court managers and supervisors are required to complete the following content-based courses, as determined applicable by the clerk/administrator or the individual’s supervisor, within 6 months of assuming the role:
• Orientation to the Judicial Branch (if new to the judicial branch)
  Provider: Local court or CJER
• Orientation to the Local Court (if new to the court)
  Provider: Local court
• Orientation to Management/Supervision (if new to management/supervision)
  Provider: Local court or CJER or other provider

I. Experienced managers and supervisors are required to complete 12 hours of continuing education in a two-year period.
Provider: Multiple providers

Minimum Education Requirements for Appellate Court Personnel

J. New court personnel are required to complete the following content-based courses, as determined applicable by the individual’s supervisor, within 6 months of assuming their role:
• Orientation to the Judicial Branch
  Provider: Local court or CJER
• Orientation to Basic Employee Issues (Sexual Harassment, Safety, etc.)
  Provider: Local court or CJER
• Orientation to the Local Court and the Specific Job
  Provider: Local court

K. Experienced court personnel are required to complete 8 hours of continuing education in a two-year period.
Provider: Multiple providers
### Examples of Achieving Proposed Minimum Education Requirements

#### Appellate Justices – 30 hours in a three-year period

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appellate Justices Institute (two days)</td>
<td>12</td>
</tr>
<tr>
<td>A California Judges Association Mid-Year</td>
<td>12</td>
</tr>
<tr>
<td>Qualifying Ethics</td>
<td>5</td>
</tr>
<tr>
<td>Sexual Harassment Prevention</td>
<td>3</td>
</tr>
</tbody>
</table>
| **TOTAL**                                                                | **32**| *(2 more than needed)*

**OR**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Conference of NAWJ (1.5 days of participation)</td>
<td>9</td>
</tr>
<tr>
<td>ABA Appellate Seminar Series (one day)</td>
<td>6</td>
</tr>
<tr>
<td>Qualifying Ethics</td>
<td>5</td>
</tr>
<tr>
<td>Sexual Harassment Prevention</td>
<td>3</td>
</tr>
<tr>
<td>New Faculty, 3 hour course (3 hours for each hour taught)</td>
<td>9</td>
</tr>
</tbody>
</table>
| **TOTAL**                                                                | **32**| *(2 more than needed)*

#### Appellate Clerk/Administrators – 30 hours in a three-year period

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Conference of Appellate Court Clerks Meeting</td>
<td>25</td>
</tr>
<tr>
<td>Sexual Harassment Prevention</td>
<td>3</td>
</tr>
<tr>
<td>Conflict of Interest Online Training</td>
<td>3</td>
</tr>
</tbody>
</table>
| **TOTAL**                                                                | **31**| *(1 more than needed)*

#### Appellate Managers/Supervisors – 12 hours in a two-year period

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two regional trainings (6 hours each)</td>
<td>12</td>
</tr>
</tbody>
</table>

**OR**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Broadcasts per year (4 total)</td>
<td>6</td>
</tr>
<tr>
<td>Sexual Harassment Prevention</td>
<td>3</td>
</tr>
<tr>
<td>An online course</td>
<td>3</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>12</strong></td>
</tr>
</tbody>
</table>

#### Appellate Judicial Attorneys – 8 hours in a two-year period

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appellate Judicial Attorney Institute (participant one day)</td>
<td>6</td>
</tr>
<tr>
<td>Returning faculty, 3 hour course (2 hours for each hour taught)</td>
<td>6</td>
</tr>
</tbody>
</table>
| **TOTAL**                                                                | **12**| *(4 more than needed)*

**OR**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
</table>
| State Bar Annual Meeting (two days)                                      | 12    | *(4 more than needed)*

#### Appellate Court Personnel – 8 hours in a two-year period

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two broadcasts per year (4 at 1.5 hours)</td>
<td>6</td>
</tr>
<tr>
<td>Online course</td>
<td>2</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>8</strong></td>
</tr>
</tbody>
</table>

**OR**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
</tr>
</thead>
</table>
| California Courts Association Conference (2 days)                        | 12    | *(4 more than needed)*
## Components of Minimum Education Requirements

**Minimum Education Requirements and Expectations for Trial Court Judges and Subordinate Judicial Officers**

### A. New judges and subordinate judicial officers are required to complete the following content-based courses in the timeframes noted:

- New Judge Orientation [within 6 months]
- Primary Assignment Overview [within 1 year] [Assignments are defined as civil, criminal, family, juvenile dependency, juvenile delinquency, probate, and traffic]
- Judicial College [within 2 years]

*Provider: CJER*

### B. If changing primary assignment, experienced judges are expected to and subordinate judicial officers are required to complete the following content-based course within 6 months of taking the new assignment:

- Overview or Refresher Course in New Assignment [Assignments are defined as civil, criminal, family, juvenile dependency, juvenile delinquency, probate, and traffic](if new to the assignment or returning to that assignment after 2 years or more)

*Provider: Local court, the CJA, or CJER*

### C. If becoming a new supervising judge, judges are expected to complete the following content-based courses within 1 year of assuming the role:

- Orientation to Administrative Role
  *Provider: CJER*
- Orientation to Calendar Management [if determined appropriate by local court]
  *Provider: Local Court or CJER*

### D. If becoming a new presiding judge, judges are expected to complete the following content-based course within 1 year of assuming the role:

- Presiding Judges Orientation and Court Management Program
  *Provider: CJER*

### E. Experienced judges are expected to and subordinate judicial officers are required to participate in 30 hours of continuing education in a three-year cycle. [Including any hours earned in overview or refresher courses regarding a new assignment, supervising judge orientation, and presiding judge orientation]

*Provider: Multiple providers*
### Minimum Education Requirements for Trial Court Executive Officers

<table>
<thead>
<tr>
<th><strong>F.</strong> New Court Executive Officers are required to complete the following content-based course within 1 year of assuming role:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Presiding Judges Orientation and Court Management Program</td>
</tr>
<tr>
<td><strong>Provider:</strong> CJER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>G.</strong> Experienced Court Executive Officers are required to complete 30 hours of continuing education in a three-year cycle.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Provider:</strong> Multiple providers</td>
</tr>
</tbody>
</table>

### Minimum Education Requirements for Trial Court Managers/Supervisors

<table>
<thead>
<tr>
<th><strong>H.</strong> New court managers and supervisors are required to complete the following content-based courses, as determined applicable by the local court, within 6 months of assuming role:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Orientation to the Judicial Branch (if new to the judicial branch)</td>
</tr>
<tr>
<td><strong>Provider:</strong> Local Court or CJER</td>
</tr>
<tr>
<td>• Orientation to the Local Court (if new to the court)</td>
</tr>
<tr>
<td><strong>Provider:</strong> Local Court</td>
</tr>
<tr>
<td>• Orientation to Management/Supervision (if new to management/supervision)</td>
</tr>
<tr>
<td><strong>Provider:</strong> Local Court or CJER or other provider</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>I.</strong> Experienced managers and supervisors are required to complete 12 hours of continuing education in a two-year cycle.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Provider:</strong> Multiple providers</td>
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</tbody>
</table>

### Minimum Education Requirements for Trial Court Personnel

<table>
<thead>
<tr>
<th><strong>J.</strong> New court personnel are required to complete the following content-based courses, as determined applicable by the local court, within 6 months:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Orientation to the Judicial Branch</td>
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<tr>
<td><strong>Provider:</strong> Local Court or CJER</td>
</tr>
<tr>
<td>• Orientation to Basic Employee Issues (Sexual Harassment, Safety, etc.)</td>
</tr>
<tr>
<td><strong>Provider:</strong> Local Court or CJER</td>
</tr>
<tr>
<td>• Orientation to the Local Court and the Specific Job</td>
</tr>
<tr>
<td><strong>Provider:</strong> Local Court</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>K.</strong> Experienced court personnel are required to complete 8 hours of continuing education in a two-year cycle.</th>
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</thead>
<tbody>
<tr>
<td><strong>Provider:</strong> Multiple provider</td>
</tr>
</tbody>
</table>
### Table: Disposition of Key Provisions from Standards of Judicial Administration Incorporated into the Rules

<table>
<thead>
<tr>
<th>Current provisions in Standards 10.10–10.15</th>
<th>Carried over to proposed rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.10(a)</td>
<td>10.451(a)</td>
</tr>
<tr>
<td>10.10(b)</td>
<td>10.451(a)</td>
</tr>
<tr>
<td>10.10(c)</td>
<td>10.451(b)</td>
</tr>
<tr>
<td>10.10(d)</td>
<td>---</td>
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<tr>
<td>10.11(a)</td>
<td>10.451(a)</td>
</tr>
<tr>
<td>10.11(b)</td>
<td>10.452(d)(3), (e)(3)–(4)</td>
</tr>
<tr>
<td>10.11(c)</td>
<td>10.451(b)</td>
</tr>
<tr>
<td>10.11(d)</td>
<td>10.452(d); 10.469(a)</td>
</tr>
<tr>
<td>10.11(e)</td>
<td>Advisory committee comment to 10.462</td>
</tr>
<tr>
<td>10.11(f)</td>
<td>10.469(e)</td>
</tr>
<tr>
<td>10.11(g)</td>
<td>10.452(d)(3), (e)(3)</td>
</tr>
<tr>
<td>10.11(h)</td>
<td>10.452(d)(5), (e)(6)</td>
</tr>
<tr>
<td>10.11(i)</td>
<td>10.462(b)</td>
</tr>
<tr>
<td>10.12 Introduction</td>
<td>10.469(a)</td>
</tr>
<tr>
<td>10.12(a)</td>
<td>10.469(b)</td>
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<tr>
<td>10.12(b)</td>
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<tr>
<td>10.12(c)</td>
<td>10.469(c)</td>
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<td>10.13</td>
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<td>10.14(a)</td>
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<td>10.14(b)</td>
<td>10.469(d)</td>
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<tr>
<td>10.15(a)</td>
<td>10.451(a)</td>
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<tr>
<td>10.15(b)</td>
<td>10.452(f)(4), (g)(4)</td>
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<tr>
<td>10.15(c)</td>
<td>10.451(b)</td>
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<tr>
<td>10.15(d)</td>
<td>10.479(a), (e)</td>
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<tr>
<td>10.15(e)</td>
<td>10.479(a), (c)</td>
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<tr>
<td>10.15(f)</td>
<td>10.479(a), (c)–(d)</td>
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<tr>
<td>10.15(g)</td>
<td>10.479(c)</td>
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<tr>
<td>10.15(h)</td>
<td>10.479(b)</td>
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<tr>
<td>10.15(i)</td>
<td>10.452(f)(3), (g)(3)</td>
</tr>
<tr>
<td>10.15(j)</td>
<td>10.452(f)(5), (g)(5)</td>
</tr>
</tbody>
</table>
Standards 10.10–10.15 would be repealed; rules 10.469, 10.471, 10.472, 10.479, and 10.491 would be adopted; rules 10.452, 10.461, and 10.462 would be amended; and rules 10.463, 10.473, 10.474, and 10.481 would be amended and renumbered, effective January 1, 2008, to read:

**Standard 10.10. Judicial branch education**

(a) **Purpose**

Judicial branch education for all trial and appellate judicial officers and court employees is essential to improving the fair, effective, and efficient administration of justice. Judicial branch education is acknowledged as a vital component in achieving the goals of the Judicial Council’s Long Range Strategic Plan, including access and fairness, branch independence, modernization, and quality of justice. The Judicial Council has charged the Governing Committee of the Center for Judicial Education and Research (CJER), an advisory committee to the council, with developing and maintaining a comprehensive and quality education program on behalf of the Judicial Council for the California judicial branch.

(Subd (a) amended effective January 1, 2007.)

(b) **Education activities part of official duties**

Judicial officers and court employees should consider participation in education activities to be part of their official duties. The responsibility for planning, conducting, and overseeing judicial branch education properly resides in the judicial branch. Standards for judicial branch education are stated in standards 10.11 and 10.15.

(Subd (b) adopted effective January 1, 2007.)

(c) **Education objectives**

Judicial officers, court employees, educational committees, and others who plan judicial branch educational programs should work to achieve the following objectives:

(1) Provide judicial officers and court employees with the knowledge, skills, and techniques required to competently perform their responsibilities fairly and efficiently;
(2) Assist judicial officers and court employees to prevent bias in order to preserve the integrity and impartiality of the judicial system;

(3) Promote adherence by judicial officers and court employees to the highest ideals of personal and official conduct specified in the California Code of Judicial Ethics and the Code of Ethics for the Court Employees of California;

(4) Improve the administration of justice, reduce court delay, and promote fair and efficient management of court proceedings;

(5) Promote standardized court practices and procedures; and

(6) Implement the Standards of Judicial Administration recommended by the Judicial Council.

(Subd (c) amended and relettered effective January 1, 2007; adopted as subd (b) effective January 1, 1999.

(d) Elements of comprehensive education program

The Governing Committee of CJER is responsible for developing and maintaining a comprehensive and quality education program for the judicial branch. This program is to be implemented by CJER as the Education Division of the Administrative Office of the Courts. The program should be designed to meet the educational needs and requirements of judicial officers and court employees as stated in standards 10.11 and 10.15 and should include the following elements:

(1) Developing curricula (instructional and participant materials) for all judicial and administrative courses along a continuum including basic and continuing education. Curricula for judicial courses should cover applicable substantive and procedural law.

(2) Providing directly a range of education programs at the statewide, regional, and local levels, and facilitating the sharing of local and regional court education resources.

(3) Developing skills-based curricula for judicial officers and court employees focused on learning practical skills, including management skills training and technology skills training.
(4) Conducting train-the-trainer programs for judicial officers and court employees to develop a large group of experienced faculty that can deliver and support the delivery of curricula at the local and regional levels.

(5) Providing technical assistance and other assistance, coordination, and support for local education programs, including curricula, written materials, videotapes, and trained faculty. This element is particularly important in providing sufficient education opportunities for court employees.

(6) Developing and distributing a range of publications, audio- and videotapes, and other education services, including both electronic and print media.

(7) Developing alternative delivery of judicial branch education services by means of distance learning, such as delivery of live programs on the Internet, satellite broadcasting, videoconferencing, CD-ROM and Internet publishing, and computer-based instruction.

(8) Developing comprehensive materials to support ongoing efforts and provide a range of opportunities in the critical area of fairness education for judicial officers and court employees.

(9) Developing comprehensive materials in order to provide a range of opportunities in management training and leadership development for both judicial officers and court employees, including substantial skills-based training. Course development in this area should recognize the differences in managing courts of different sizes.

(10) Publishing and distributing on a regular basis a catalog or compendium of education opportunities available at the state and local levels, including programs, audio- and videotapes, publications, and other education services.

(59x187)Subd (d) amended and relettered effective January 1, 2007; adopted as subd (c) effective January 1, 1999.

Standard 10.10 amended and renumbered effective January 1, 2007; adopted as Sec. 25 effective January 1, 1999.

Standard 10.11. General judicial education standards
Judicial education generally

Judicial education for all judicial officers is essential to enhancing the fair and efficient administration of justice. Judicial officers should consider participation in judicial education activities to be an official judicial duty. The responsibility for planning, conducting, and overseeing judicial education properly rests in the judiciary.

(Subd. (a) amended effective January 1, 2007; adopted effective January 1, 1990; previously amended effective January 1, 1999.)

Responsibilities of presiding judges and justices

Presiding judges and justices should establish judicial education plans for their courts that facilitate the participation of judicial officers as both students and faculty at judicial education programs, as prescribed by the California Rules of Court and these standards. They should also use their assignment powers to make appropriate replacements for judicial officers assigned to special calendar courts to permit them to participate in judicial education activities.

(Subd. (b) amended effective January 1, 2007; adopted effective January 1, 1990; previously amended effective January 1, 1999.)

Judicial educational objectives

Judicial officers, educational committees, and others who plan educational programs should endeavor to achieve the objectives specified in standard 10(e).

(Subd. (e) amended effective January 1, 2007; adopted effective January 1, 1990; previously amended effective January 1, 1999.)

Continuing judicial education

After a judicial officer has completed the first year on the bench, the court should grant the judicial officer at least eight court days per calendar year to attend continuing education programs relating to the judicial officer’s responsibilities or court assignment. The judicial officer should participate in education activities related to particular judicial assignments as specified in standard 10.12.

(Subd. (d) amended and relettered effective January 1, 2007; adopted as subd. (e) effective January 1, 1990; previously amended effective January 1, 1999.)
(e) Education for retired judges sitting on assignment

Retired judges seeking to sit on regular court assignment should participate in education activities in order to comply with the requirements of the Chief Justice’s Standards and Guidelines for Judges Who Serve on Assignment.

(Subd. (e) amended and relettered effective January 1, 2007; adopted as subd. (f) effective January 1, 1990.)

(f) Fairness education

In order to achieve the objective of assisting judicial officers in preserving the integrity and impartiality of the judicial system through the prevention of bias, all judicial officers should receive education on fairness. The education should include instruction on race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.

(Subd. (f) amended and relettered effective January 1, 2007; adopted as subd. (g) January 1, 1990.)

(g) Service as faculty and education committee members

In addition to the educational leave required or authorized under rule 10.603 or subdivision (d) or (f) of this standard, a judicial officer should be granted leave to serve on judicial education committees and as a faculty member at judicial education programs when the judicial officer’s services have been requested for these purposes by the Judicial Council, the California Judges Association, CJER, or the judicial officer’s court. If a court’s calendar would not be adversely affected, the court should grant additional leave for a judicial officer to serve on an educational committee or as a faculty member for any judicial education provider that requests the judicial officer’s services.

(Subd. (g) amended and relettered effective January 1, 2007; adopted as subd. (f) effective January 1, 1990; previously amended and relettered subd. (h) effective January 1, 1999.)

(h) Reimbursement of expenses

A judicial officer should be reimbursed, in accordance with applicable state or local rules, by his or her court for actual and necessary travel and subsistence expenses incurred in attending a judicial education program as a student participant, except to the extent that the judicial education provider
sponsoring the program pays the expenses. Every court’s budget should provide for those expenses.

(Subd (h) amended and relettered effective January 1, 2007; adopted as subd (g) effective January 1, 1990; previously amended and relettered subd (i) effective January 1, 1999.)

(i)—Application of standard to commissioners and referees

As used in this standard, unless the context or subject matter otherwise requires, “judicial officers” means justices, judges, commissioners, and referees who are court employees not engaged in the practice of law.

(Subd (i) amended and relettered effective January 1, 2007; adopted as subd (h) effective January 1, 1990; previously amended and relettered subd (j) effective January 1, 1999.)

Standard 10.11 amended and renumbered effective January 1, 2007; adopted as Sec. 25 effective January 1, 1990; previously amended and renumbered as Sec. 25.1 effective January 1, 1999.

Advisory Committee Comment

Subdivision (a). This provision recognizes that judicial officers must develop, maintain, and improve their professional competence by participating in judicial orientation and training programs when they first assume their judicial positions, and thereafter in continuing education programs throughout their judicial careers.

The judiciary will assess its own educational needs and establish appropriate programs and tools for meeting those needs. Various judicial organizations in this state, such as the Administrative Office of the Courts, the California Judges Association, and the Center for Judicial Education and Research, provide judicial officers with comprehensive educational opportunities in all areas of their judicial responsibilities. These organizations typically use experienced judicial officers to plan, conduct, oversee, and evaluate the effectiveness of their programs. Judicial officers determine all aspects of the programs offered by the California Judges Association. The Center for Judicial Education and Research is governed by an 11-member governing committee appointed by the Chief Justice of California as Chair of the Judicial Council. Four of the judicial members are nominated by the California Judges Association and four are appointed on behalf of the Judicial Council; three court administrator members are appointed on behalf of the Judicial Council. Subject to the Judicial Council’s authority, the committee is responsible for determining matters relating to the center’s judicial branch education policies and for making recommendations to the Judicial Council for action. The center’s educational activities are planned, conducted, and overseen by a broad base of judicial officers and administrators serving on planning committees under the governing committee’s supervision.

Subdivision (b). Although caseloads and court calendars may make it difficult for presiding judges and justices to permit judicial officers from their courts to participate in judicial education programs, their cooperation and preparation of orderly judicial education plans for all the judicial officers of their respective courts is important to the ultimate effectiveness of judicial education in this state.
Judicial officers who serve as faculty at judicial education programs are assumed to derive educational benefits comparable to, if not greater than, those received by student participants.

A judicial officer assigned to a special calendar court, such as family or juvenile, may not be able to participate in judicial education programs unless another judicial officer is assigned to handle that calendar while he or she is away.

Subdivision (d). This provision specifies the minimum annual continuing education relating to a judicial officer's responsibilities or court assignment. A judicial officer with two or more assignments or special responsibilities, such as a presiding or supervising judge, may require additional continuing education. In addition, if a court has established its own local judicial education program, judicial officers of that court are encouraged to avail themselves of local educational programs, materials, and liaison projects. Although (d) refers to court days, it assumes that judicial officers will continue to attend weekend courses.

Subdivision (g). This provision recognizes the importance of judicial officers being able to serve as lecturers, seminar leaders, consultants, and committee members for judicial education programs and projects. Faculty service is a significant educational experience for the faculty member and a significant contribution to the maintenance of necessary educational standards for the California judiciary.

Standard 10.12. Judicial education for judicial officers in particular judicial assignments

Each judicial officer, as part of his or her continuing judicial education, should participate in educational activities related to the following particular judicial assignments:

(a) Jury trials

A judicial officer assigned to jury trials should use Center for Judicial Education and Research (CJER) educational materials or other appropriate materials or attend CJER or other appropriate educational programs devoted to the conduct of jury voir dire and the treatment of jurors.

(b) Family court

Every judicial officer whose principal judicial assignment is to hear family law matters or who is the sole judicial officer hearing such matters should attend the following judicial education programs:

(1) Basic education

Within three months of beginning a family law assignment, or within one year of beginning a family law assignment in courts with five or fewer judicial officers, the judicial officer should attend a basic
educational program on California family law and procedure designed primarily for judicial officers. A judicial officer who has completed the basic educational program need not attend the program again. All other judicial officers who hear family law matters, including retired judicial officers who sit on court assignment, should participate in appropriate family law educational programs.

(2) **Continuing education**

The judicial officer should attend a periodic update on new developments in California family law and procedure.

(3) **Other education**

To the extent that judicial time and resources are available, the judicial officer should attend additional educational programs on other aspects of family law, including interdisciplinary subjects relating to the family.

*(Subd (b) amended effective January 1, 2007.)*

(e) **Juvenile dependency court**

Each judicial officer whose principal judicial assignment is to hear juvenile dependency matters or who is the sole judicial officer hearing juvenile dependency matters should attend judicial education programs as follows:

(1) **Basic education**

Within one year of beginning a juvenile dependency assignment, the judicial officer should receive basic education on California juvenile dependency law and procedure designed primarily for judicial officers. All other judicial officers who hear juvenile dependency matters, including retired judicial officers who sit on court assignment, should participate in appropriate educational programs, including written materials and videotapes designed for self-study.

(2) **Continuing education**

The judicial officer should annually attend the CJER Juvenile Law and Procedure Institute and one additional education program related to juvenile dependency law, including programs sponsored by CJER, the California Judges Association, the Judicial Council, the National
Judicial College, the National Council of Juvenile and Family Court Judges, and other programs approved by the presiding judge. The use of video- and audiotapes may substitute for attendance.

Standard 10.12 amended and renumbered effective January 1, 2007; adopted as Sec. 25.2 effective January 1, 1999.

Standard 10.13. Judicial education curricula provided in particular judicial assignments

The Center for Judicial Education and Research (CJER) should provide a comprehensive educational curriculum for judicial officers in the following particular judicial assignments, corresponding to those identified in standard 10.12:

(1) Jury trials

CJER should develop and provide to every California trial court educational materials on jury selection and the treatment of jurors for use and review by judicial officers, court administrators, and jury staff employees.

(2) Family court

(A) Comprehensive curriculum

CJER should provide a comprehensive educational curriculum for judicial officers who hear family law matters. This curriculum should include instruction in California law and procedure relevant to family matters, the effects of gender on family law proceedings, the economic effects of dissolution, and interdisciplinary subjects relating to family court matters, including but not limited to child development, substance abuse, sexual abuse of children, domestic violence, child abuse and neglect, juvenile justice, adoption, and the social service and mental health systems. It should include videotaped presentations and written materials that can be provided for local court use.

(B) Periodic updates

CJER should conduct periodic educational programs that provide updates on new developments, innovative court practices, and fair and efficient procedures in family law.
(3) Juvenile dependency court

(A) Comprehensive curriculum

CJER should provide a comprehensive curriculum on juvenile dependency law and procedure for judicial officers who hear juvenile dependency matters. The curriculum should include:

(i) California law and procedure relevant to juvenile dependency matters;

(ii) Interagency relationships;

(iii) The effects of gender, race, and ethnicity on juvenile dependency proceedings; and

(iv) Interdisciplinary subjects relating to juvenile law matters, including child development, child witness, substance abuse, family violence, child abuse (including sexual abuse), adoption, and stress related to the juvenile court assignment.

The curriculum should also include an instruction component at the judicial college and materials for local court use and self-study.

(B) Periodic updates

CJER should conduct an annual educational program that provides an update on new developments, innovative programs and court practices, and fair and efficient procedures in juvenile law.

Standard 10.12 amended and renumbered effective January 1, 2007; repealed and adopted as Sec. 25.3 effective January 1, 1999.

Standard 10.14 Judicial education for judges hearing capital cases

(a) Comprehensive curriculum

The Center for Judicial Education and Research (CJER) should provide a comprehensive curriculum and periodic updates for training on California law and procedure relevant to capital cases. The periodic update may be
provided through actual classroom instruction or through video, audio, or other media as determined by CJER.

(Subd. (a) amended effective January 1, 2007.)

(b) Comprehensive training

A judge assigned to a capital case should attend the comprehensive training specified in (a) before commencement of the trial. A judge with a subsequent assignment to a capital case should complete the periodic update course described in (a) within two years before the commencement of the trial.

(Subd. (b) amended effective January 1, 2007.)


Standard 10.15. General court employee education standards

(a) Court employee education generally

Court employee education for all trial and appellate court employees is essential to enhancing the fair and efficient administration of justice. The Judicial Council strives to reach all court employees with educational opportunities. Court employees should consider participation in judicial branch education activities to be an official duty. The responsibility for planning, conducting, and overseeing judicial branch education properly rests in the judicial branch.

(Subd. (a) amended effective January 1, 2007.)

(b) Responsibilities of executive and administrative officers

Executive and administrative officers should develop, as a part of the annual budget process for their courts, annual education plans that facilitate employees’ participation as both students and faculty in judicial branch education programs, as prescribed by this standard. The plans may designate, either locally or regionally, a training specialist to coordinate the implementation of the plans. The plans should include methods of measuring the effectiveness of education programs. A copy of the locally developed education plans should be forwarded to the Center for Judicial Education and Research (CJER), which will serve as a depository.

(Subd. (b) amended effective January 1, 2007.)
(c) Court employee education objectives

Court employee educational committees and others who plan educational programs should endeavor to achieve the objectives specified in standard 10.10(c).

(Subd. (c) amended effective January 1, 2007.)

(d) Executive and administrative officer education

(1) Executive and administrative officers should participate in a minimum of one core course offered by the Judicial Council through CJER (e.g., a course in leadership, organizational change, technology, budgeting, community and media relations, caseflow management, management teams, team building, or strategic planning) within one year of appointment.

(2) Executive and administrative officers should annually participate in a minimum of one continuing education course or conference (e.g., California Judicial Administration Conference or Continuing Judicial Studies Program) offered by the Judicial Council through CJER or by other providers.

(3) Executive and administrative officers should participate in a course on fairness and diversity offered locally or by the Judicial Council through CJER.

(4) Executive and administrative officers should make use of alternative methods of delivery of educational programming offered locally or by the Judicial Council through CJER.

(5) Executive and administrative officers should make training available to their employees on a local or regional level. This training should include an orientation program for all new employees on the background, history, and structure of the judicial branch, including the Judicial Council and the Administrative Office of the Courts.

(6) Executive and administrative officers retain authority to determine whether employees may attend an education program, based on the program’s quality and relevance.

(Subd. (d) amended effective January 1, 2007.)
(e) Manager education

(1) Managers should participate annually in a minimum of one core course on leadership, management, or supervision offered locally or by the Judicial Council through CJER.

(2) Managers should participate in a course on fairness and diversity offered locally or by the Judicial Council through CJER.

(Subd (e) amended effective January 1, 2007.)

(f) Employee education

(1) Employees should participate within the first year of employment in a local orientation program that includes the background, history, and structure of the judicial branch.

(2) Employees should participate in a minimum of one continuing education course annually. This course may be offered by the Judicial Council through CJER, statewide by the clerks’ associations, or locally by other providers. It may include a college course that is work-related.

(3) Employees should participate in a course on fairness and diversity offered locally or by the Judicial Council through CJER.

(4) Employees should participate in a course covering appropriate skills and conduct for working with court customers offered locally or by the Judicial Council through CJER.

(5) Eligible employees are encouraged to participate in the Court Clerk Training Institute within five years of appointment.

(Subd (f) amended effective January 1, 2007.)

(g) Fairness education

In order to achieve the objective of assisting court employees in preserving the integrity and impartiality of the judicial system through the prevention of bias, all court employees should receive education on fairness. The education should include instruction on race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.
(h) — Education on treatment of jurors

The presiding judge of each trial court should ensure that all court administrators and all court employees who interact with jurors are properly trained in the appropriate treatment of jurors. Court administrators and jury staff employees should use CJER educational materials or other appropriate materials or attend CJER programs or other appropriate programs devoted to the treatment of jurors.

(i) — Service as faculty and committee members

In addition to participating as students in educational activities, court employees should be allowed and encouraged to serve on court employee education committees and as faculty at court employee education programs when an employee’s services have been requested for these purposes by the Judicial Council, CJER, or the court.

(j) — Reimbursement of expenses

A court employee should be reimbursed, in accordance with applicable state or local rules, by his or her court for actual and necessary travel and subsistence expenses incurred in attending a court employee education program as a student participant under this standard, except to the extent that the education provider sponsoring the program pays the expenses. Every court’s budget should provide for those expenses.

Advisory Committee Comment

Subdivision (a). This subdivision recognizes that court employees should develop, maintain, and improve their professional competence by participating in training programs when they assume their positions and thereafter in continuing education programs throughout their careers. The judicial branch should assess its own educational needs and establish appropriate programs.

Subdivision (b). The educational plans provided for in the subdivision are important for the ultimate effectiveness of judicial branch education in this state. Court employees who serve as faculty at education programs are assumed to derive educational benefits comparable to, if not greater than, those received by student participants.
Chapter 8. Minimum Education Requirements, and Expectations, and Recommendations

Rule 10.452. Minimum education requirements, and expectations, and recommendations

(a) Purpose

Justices, judges, and subordinate judicial officers are entrusted by the public with the impartial and knowledgeable handling of proceedings that affect the freedom, livelihood, and happiness of the people involved. Court personnel assist justices, judges, and subordinate judicial officers in carrying out their responsibilities and must provide accurate and timely services to the public. Each justice, judge, and subordinate judicial officer and each court staff member is responsible for maintaining and improving his or her professional competence. To assist them in enhancing their professional competence, the judicial branch will develop and maintain a comprehensive and high-quality education program, including minimum education requirements, and expectations, and recommendations, to provide educational opportunities for all justices, judges, subordinate judicial officers, and court personnel.

(b) Goals

The minimum education requirements, and expectations, and recommendations set forth in rules 10.461–10.479 are intended to achieve two complementary goals:

(1) To ensure that both individuals who are new to the bench or the court and those who are experienced on the bench or court but are beginning a new assignment or role obtain education on the tasks, skills, abilities, and knowledge necessary to be successful in the new roles; and

(2) To establish broad parameters, based on time, for continuing education for individuals who are experienced both on the bench or court and in their assignments or roles, preserving the ability of the individual, working with the presiding judge or court executive officer individual who oversees his or her work, to determine the appropriate content and provider.

(c) Relationship of minimum education requirements and expectations to education recommendations standards
The education requirements and expectations set forth in rules 10.461–10.464 and 10.471–10.474 are minimums. Justices, judges, and subordinate judicial officers should participate in more judicial education than is required and expected, related to each individual’s responsibilities and particular judicial assignment or assignments and in accordance with the judicial education recommendations standards set forth in rule 10.469, standards 10.1010.14 of the California Standards of Judicial Administration. Additional education requirements related to the specific responsibility of hearing family law matters are set forth in rule 10.463. Clerk/administrators, court executive officers, and other court personnel should participate in more education than is required, related to each individual’s responsibilities and in accordance with the education recommendations standards set forth in rule 10.479, standard 10.15 of the California Standards of Judicial Administration.

(d) Responsibilities of Chief Justice and administrative presiding justices

The Chief Justice and each administrative presiding justice:

1. Must grant sufficient leave to new Supreme Court and Court of Appeal justices, and the clerk/administrator, and the managing attorney to enable them to complete the minimum education requirements stated in rules 10.461, 10.471, and 10.472, respectively;

2. To the extent compatible with the efficient administration of justice, must grant to all justices, and the clerk/administrator, and the managing attorney sufficient leave to participate in education programs consistent with the education recommendations standards stated in rules 10.469 and 10.479, 10.11 of the Standards of Judicial Administration; After a justice has completed any new justice education required under rule 10.461 or after a justice has completed the first year on the bench, the Chief Justice or the administrative presiding justice should grant each justice at least eight court days per calendar year to participate in continuing education relating to the justice’s responsibilities;

3. In addition to the educational leave required under (d)(1)–(2), should grant leave to a justice, clerk/administrator, or managing attorney to serve on education committees and as a faculty member at education programs when the individual’s services have been requested for these purposes by the Administrative Office of the Courts, the California Judges Association, or the court. If a court’s calendar would not be adversely affected, the court should grant additional leave for a justice, the clerk/administrator, or the managing attorney to serve on an
educational committee or as a faculty member for judicial branch education;

(43) Should establish an education plan for his or her court to facilitate the involvement of justices, the clerk/administrator, and the managing attorney as both participants and faculty in education activities;

(54) Must ensure that Court of Appeal justices, the clerk/administrator, and the managing attorney are reimbursed by their court in accordance with the travel policies issued by the Administrative Office of the Courts for travel expenses incurred in attending in-state education programs as a participant, except to the extent that: (i) certain expenses are covered by the Administrative Office of the Courts; or (ii) the education provider or sponsor of the program pays the expenses. Provisions for these expenses must be part of every court’s budget. The Chief Justice or the administrative presiding justice may approve reimbursement of travel expenses incurred by Court of Appeal justices, the clerk/administrator, and the managing attorney in attending out-of-state education programs as a participant; and

(6) Must retain the records and cumulative histories of participation provided by justices. These records and cumulative histories are subject to periodic audit by the Administrative Office of the Courts. The Chief Justice and the administrative presiding justice must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

(e) Responsibilities of presiding judges

Each presiding judge:

(1) Must grant sufficient leave to all judges and subordinate judicial officers and to the court executive officer to enable them to complete the minimum education requirements and expectations stated in rules 10.462 and 10.473, respectively;

(2) To the extent compatible with the efficient administration of justice, must grant to all judges and subordinate judicial officers and to the court executive officer sufficient leave to participate in education programs consistent with the education recommendations standards 10.11 and 10.14 of the California Standards of Judicial Administration stated in rules 10.469 and 10.479. After a judge or subordinate judicial
officer has completed the new judge education required under rule
10.462, the presiding judge should grant each judge and subordinate
judicial officer at least eight court days per calendar year to participate
in continuing education relating to the judge or subordinate judicial
officer’s responsibilities or current or future court assignment;

(3) In addition to the educational leave required or authorized under rule
10.603 or (e)(1)–(2), should grant leave to a judge or subordinate
judicial officer or the executive officer to serve on education
committees and as a faculty member at education programs when the
judicial officer’s or executive officer’s services have been requested for
these purposes by the Judicial Council, the California Judges
Association, or the court. If a court’s calendar would not be adversely
affected, the presiding judge should grant additional leave for a judge
or subordinate judicial officer or executive officer to serve on an
educational committee or as a faculty member for judicial branch
education;

(43) Should establish an education plan for his or her court to facilitate the
involvement of judges, subordinate judicial officers, and the executive
officer as both participants and faculty in education activities and
should consult with each judge, each subordinate judicial officer, and
the executive officer regarding their education needs and requirements
related to their current and future assignments;

(54) Should use his or her assignment powers to enable all judges and
subordinate judicial officers, particularly those assigned to specific
calendar courts, to participate in educational activities;

(65) Must ensure that judges, subordinate judicial officers, and the court
executive officer are reimbursed by their court in accordance with the
Trial Court Financial Policies and Procedures Manual for travel
expenses incurred in attending in-state education programs as a
participant, except to the extent that: (i) certain expenses are covered by
the Administrative Office of the Courts; or (ii) the education provider
or sponsor of the program pays the expenses. Provisions for these
expenses must be part of every court’s budget. The presiding judge
may approve reimbursement of travel expenses incurred by judges,
subordinate judicial officers, and the court executive officer in
attending out-of-state education programs as a participant; and

(76) Must retain the records and cumulative histories of participation
provided by judges. These records and cumulative histories are subject
to periodic audit by the Administrative Office of the Courts (AOC). The presiding judge must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

(f) Responsibilities of Supreme Court and Court of Appeal justices, clerk/administrators, managing attorneys, managers, and supervisors:

Each court’s justices, clerk/administrator, managing attorney, managers, and supervisors:

(1) Must grant sufficient leave to all court personnel to enable them to complete the minimum education requirements stated in rule 10.472;

(2) To the extent compatible with the efficient administration of justice, must grant to all court personnel sufficient leave to participate in education programs consistent with the education recommendations stated in rule 10.479;

(3) Should allow and encourage court personnel, in addition to participating as students in educational activities, to serve on court personnel education committees and as faculty at court personnel education programs when an employee’s services have been requested for these purposes by the Administrative Office of the Courts or the court; and

(4) Should establish an education plan for their court to facilitate the involvement of court personnel as both participants and faculty in educational activities, and should consult with each court staff member regarding his or her education needs and requirements and professional development.

(5) Must ensure that managers, supervisors, and other court personnel are reimbursed by their court in accordance with the travel policies issued by the Administrative Office of the Courts for travel expenses incurred in attending in-state education programs as a participant, except to the extent that: (i) certain expenses are covered by the Administrative Office of the Courts; or (ii) the education provider or sponsor of the program pays the expenses. Provisions for these expenses must be part of every court’s budget. The clerk/administrator may approve reimbursement of travel expenses incurred by managers, supervisors,
and other court personnel in attending out-of-state education programs as a participant.

(gf) Responsibilities of trial court executive officers, managers, and supervisors

Each trial court’s executive officer, managers, and supervisors:

(1) Must grant sufficient leave to all court personnel to enable them to complete the minimum education requirements stated in rule 10.474;464;

(2) To the extent compatible with the efficient administration of justice, must grant to all court personnel sufficient leave to participate in education programs consistent with the education recommendations standards stated in rule 10.479;40.15 of the California Standards of Judicial Administration; and

(3) Should allow and encourage court personnel, in addition to participating as students in education activities, to serve on court personnel education committees and as faculty at court personnel education programs when an employee’s services have been requested for these purposes by the Judicial Council or the court;

(4) Should establish an education plan for their court to facilitate the involvement of court personnel as both participants and faculty in educational activities, and should consult with each court staff member regarding his or her education needs and requirements and professional development; and

(5) Must ensure that managers, supervisors, and other court personnel are reimbursed by their court in accordance with the Trial Court Financial Policies and Procedures Manual for travel expenses incurred in attending in-state education programs as a participant, except to the extent that: (i) certain expenses are covered by the Administrative Office of the Courts; or (ii) the education provider or sponsor of the program pays the expenses. Provisions for these expenses must be part of every court’s budget. The court executive officer may approve reimbursement of travel expenses incurred by managers, supervisors, and other court personnel in attending out-of-state education programs as a participant.
Rule 10.461. New Minimum education requirements for Supreme Court and Court of Appeal justices

(a) Applicability

All California Court of Appeal justices must complete the minimum judicial education requirements for new justices under (b) and all Supreme Court and Court of Appeal justices must complete minimum continuing education requirements as outlined under (c). All justices should participate in more judicial education than is required, related to each individual’s responsibilities and in accordance with the judicial education recommendations set forth in rule 10.469.

(b) Content-based requirement

Each new Court of Appeal justice, within two years of confirmation of appointment, must attend a new appellate judge orientation program sponsored by a national provider of appellate orientation programs or by the Administrative Office of the Courts’ Education Division/Center for Judicial Education and Research.

(c) Hours-based continuing education

(1) Each justice must complete 30 hours of continuing judicial education every three years, beginning on the dates outlined:

(A) A new Supreme Court justice enters the three-year continuing education period on January 1 of the year following confirmation of appointment, and a new Court of Appeal justice enters the three-year continuing education period on January 1 of the year following completion of the required new justice education; continuing education requirements are prorated based on the number of years remaining in the three-year period.

(B) For all other justices, the first continuing education period begins January 1, 2008.

(C) The first continuing education period for Supreme Court and Court of Appeal justices is for two years from January 1, 2008, through December 31, 2009, rather than three years. The continuing education requirements and limitations in (c) are consequently prorated for this two-year period. The first three-year period then begins January 1, 2010.
(2) The following education applies toward the required 30 hours of continuing judicial education:

(A) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the Chief Justice or the administrative presiding justice as meeting the criteria listed in rule 10.481(b).

(B) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, online coursework, and self-directed study counts toward the continuing education requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a combined total of 7 hours in each three-year period; this limit is prorated for individuals who enter the three-year period after it has begun.

(C) A justice who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that course is presented. The hours applied for faculty service are limited to 15 in each three-year period; this limit is prorated for individuals who enter the three-year period after it has begun.

(d) Extension of time

(1) For good cause, the Chief Justice or the administrative presiding justice may grant a one-year extension of time to complete the continuing education requirement in (c).

(2) If the Chief Justice or the administrative presiding justice grants a request for an extension of time, the justice, in consultation with the Chief Justice or the administrative presiding justice, should also pursue interim means of obtaining relevant educational content.

(3) An extension of time to complete the hours-based continuing education requirement does not affect what is required in the next three-year period.
(e) **Records and summaries of participation for justices**

Each justice is responsible for:

1. Tracking his or her own participation in education and keeping a record of participation, on a form provided by the Judicial Council, for three years after each course or activity that is applied toward the requirements;

2. At the end of each year, giving the Chief Justice or the administrative presiding justice a copy of his or her record of participation in education for that year, on a form provided by the Judicial Council; and

3. At the end of each three-year period, giving the Chief Justice or the administrative presiding justice a copy of his or her record of participation for that year and a cumulative history of participation for that three-year period, on a form provided by the Judicial Council.

**Advisory Committee Comment**

The requirements formerly contained in subdivision (e)(2) of rule 970, which has been repealed, are carried forward without change in rule 10.461(b).

**Rule 10.462. Minimum education requirements and expectations for trial court judges and subordinate judicial officers**

(a) **Applicability**

All California trial court judges must complete the minimum judicial education requirements for new judges under (c)(1) and are expected to participate in continuing education as outlined under (d). All subordinate judicial officers must complete the minimum education requirements for new subordinate judicial officers under (c)(1) and for continuing education as outlined under (d). All trial court judges and subordinate judicial officers who hear family law matters must complete additional education requirements set forth in rule 10.463. All trial court judges and subordinate judicial officers should participate in more judicial education than is required and expected, related to each individual’s responsibilities and particular judicial assignment or assignments and in accordance with the judicial education recommendations set forth in rule 10.469.
(b) Definitions

Unless the context or subject matter otherwise requires, “subordinate judicial officers” as used in this rule means subordinate judicial officers as defined in rule 10.701.

(c) Content-based requirements

(1) Each new trial court judge and subordinate judicial officer must complete the following “new judge education” provided by the Administrative Office of the Courts’ Education Division/Center for Judicial Education and Research (CJER) as follows:

(A) The New Judge Orientation Program within six months of taking the oath as a judge or subordinate judicial officer. For purposes of the New Judge Orientation Program, a judge or subordinate judicial officer is considered “new” only once, and any judge or subordinate officer who has completed the New Judge Orientation Program, as required under this rule or under former rule 970, is not required to complete the program again. A judge or subordinate officer who was appointed, elected, or hired before rule 970 was adopted on January 1, 1996 is not required to complete the program.

(B) An orientation course in his or her primary assignment (civil, criminal, family, juvenile delinquency or dependency, probate, or traffic) within one year of taking the oath as a judge or subordinate judicial officer; and

(C) The B. E. Witkin Judicial College of California within two years of taking the oath as a judge or subordinate judicial officer.

(2) Each new supervising judge is expected to complete the following education:

(A) For a judge who has administrative responsibility, CJER’s Supervising Judges Overview course within one year of beginning the supervising judge role, preferably before beginning the role;

(B) For a judge who has calendar management responsibility, a calendar management overview course, provided either by the
local court or by CJER, within one year of beginning the
supervising judge role, preferably before beginning the role;

(C) For a judge who has both administrative and calendar
management responsibility, both overview courses specified
above within one year of beginning the role.

(3) Each new presiding judge is expected to complete CJER’s Presiding
Judges Orientation and Court Management Program within one year of
beginning the presiding judge role, preferably before beginning the
role.

(4) Each judge is expected to and each subordinate judicial officer must, if
beginning a new primary assignment—(unless he or she is returning to
an assignment after less than two years in another assignment)—
complete a course on the new primary assignment, provided by CJER,
the California Judges Association (CJA), or the local court, within six
months of beginning the new assignment. CJER is responsible for
identifying content for these courses and will share the identified
content with CJA and the local courts.

(d) Hours-based continuing education

(1) Each judge is expected to and each subordinate judicial officer must
complete 30 hours of continuing judicial education every three years,
beginning on the dates outlined:

(A) A new judge or new subordinate judicial officer enters the three-
year continuing education period on January 1 of the year
following completion of the required new judge education;
continuing education expectations for judges and requirements for
subordinate judicial officers are prorated based on the number of
years remaining in the three-year period.

(B) For all other judges and subordinate judicial officers, the first

(2) The following education applies toward the expected or required 30
hours of continuing judicial education:

(A) The content-based courses under (c)(2), (3), and (4) for a new
supervising judge, a new presiding judge, and a judge or
subordinate judicial officer beginning a new primary assignment;

(B) Any other education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the presiding judge as meeting the criteria listed in rule 10.481(b).

(3) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, online coursework, and self-directed study counts toward the continuing education expectation or requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a combined total of 7 hours in each three-year period; this limit is prorated for individuals who enter the three-year period after it has begun.

(4) A judge or subordinate judicial officer who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that course is presented. The hours applied for faculty service are limited to 15 in each three-year period; this limit is prorated for individuals who enter the three-year period after it has begun.

(5) The presiding judge may require subordinate judicial officers to participate in specific courses or participate in education in a specific subject matter area as part of their continuing education.

(e) Extension of time

(1) For good cause, a presiding judge may grant an extension of time to complete the education expectations or requirements in (c)(2)–(4) and the continuing education expectation or requirement in (d) as follows:

(A) A time extension to complete the content-based expectations or requirements in (c)(2)–(4) is limited to the original time period provided for completion—that is, one year, one year, or six months, respectively.
(B) A time extension to complete the hours-based continuing education expectation or requirement in (d) is limited to one year.

(2) If the presiding judge grants a request for an extension of time, the judge or subordinate judicial officer, in consultation with the presiding judge, should also pursue interim means of obtaining relevant educational content.

(3) An extension of time to complete the hours-based continuing education expectation or requirement does not affect what is expected or required in the next three-year period.

(f) Records and cumulative histories summaries of participation for judges

Each judge is responsible for:

(1) Tracking his or her own participation in education and keeping a record of participation, on a form provided by the Judicial Council, for three years after each course or activity that is applied toward the requirements and expectations;

(2) At the end of each year, giving the presiding judge a copy of his or her record of participation in education for that year, on a form provided by the Judicial Council; and

(3) At the end of each three-year period, giving the presiding judge a copy of his or her record of participation in education for that year and a cumulative history of participation for that three-year period, on a form provided by the Judicial Council.

(g) Records of participation for subordinate judicial officers

(1) Each court is responsible for tracking participation in education and for tracking completion of minimum education requirements for its subordinate judicial officers.

(2) Each subordinate judicial officer must keep records of his or her own participation for three years after each course or activity that is applied toward the requirements.

Advisory Committee Comment
The minimum judicial education requirements in rule 10.462 do not apply to retired judges seeking to sit on regular court assignment in the Assigned Judges Program. Retired judges who seek to serve in the Assigned Judges Program must comply with the Chief Justice’s Standards and Guidelines for Judges Who Serve on Assignment, which includes education requirements.

Rule 10.463

Judicial education requirements for family court judges and subordinate judicial officers

Each judge or subordinate judicial officer whose principal judicial assignment is to hear family law matters or who is the sole judge hearing family law matters must, if funds are available, attend complete the following judicial education programs:

(a) [Basic family law education]

Within six months of beginning a family law assignment, or within one year of beginning a family law assignment in courts with five or fewer judges, the judge or subordinate judicial officer must attend complete a basic educational program on California family law and procedure designed primarily for judicial officers. A judge or subordinate judicial officer who has completed the basic educational program need not complete attend the basic educational program again. All other judicial officers who hear family law matters, including retired judges who sit on court assignment, must complete participate in appropriate family law educational programs.

(b) [Continuing family law education]

The judge or subordinate judicial officer must complete attend a periodic update on new developments in California family law and procedure.

(c) [Other family law education]

To the extent that judicial time and resources are available, the judge or subordinate judicial officer must complete attend additional educational programs on other aspects of family law including interdisciplinary subjects relating to the family.

Rule 10.469

Judicial education recommendations for justices, judges, and subordinate judicial officers

(a) Judicial education recommendations generally
Each justice, judge, and subordinate judicial officer, as part of his or her continuing judicial education, should regularly participate in educational activities related to his or her responsibilities and particular judicial assignment or assignments. Minimum education requirements and expectations related to judicial responsibilities and assignments are set forth in rules 10.461–10.462. Additional education requirements related to the specific responsibility of hearing family law matters are set forth in rule 10.463. The following recommendations illustrate for some specific responsibilities and assignments how justices, judges, and subordinate judicial officers should participate in more judicial education than is required and expected.

(b) Jury trial assignment

Each judge or subordinate judicial officer assigned to jury trials should regularly use Center for Judicial Education and Research (CJER) educational materials or other appropriate materials and should regularly complete CJER or other appropriate educational programs devoted to the conduct of jury voir dire and the treatment of jurors.

(c) Hearing of juvenile dependency matters

Each judge or subordinate judicial officer who hears juvenile dependency matters, including retired judges who sit on court assignment, should regularly use appropriate educational materials and should annually complete appropriate education programs on juvenile dependency law and procedure, consistent with the requirements in Welfare and Institutions Code section 304.7.

(d) Capital case assignment

Each judge assigned to hear a capital case should complete before the commencement of the trial a comprehensive education program on California law and procedure relevant to capital cases provided by CJER. A judge with a subsequent assignment to a capital case should complete a periodic update course within two years before the commencement of the trial. The periodic update may be provided through actual classroom instruction or through video, audio, or other media as determined by CJER.

(e) Fairness and access education

In order to achieve the objective of assisting judicial officers in preserving the integrity and impartiality of the judicial system through the prevention of
bias, each justice, judge, and subordinate judicial officer should regularly participate in education on fairness and access. The education should include the following subjects: race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.

Rule 10.471. Minimum education requirements for Supreme Court and Court of Appeal clerk/administrators

(a) Applicability

All California Supreme Court and Court of Appeal clerk/administrators must complete these minimum education requirements. All clerk/administrators should participate in more education than is required, related to each individual’s responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(b) Hours-based requirement

(1) Each clerk/administrator must complete 30 hours of continuing education every three years beginning on the following date:

(A) For a new clerk/administrator, the first three-year period begins on January 1 of the year following his or her hire.

(B) For all other clerk/administrators, the first three-year period begins on January 1, 2008.

(2) The following education applies toward the required 30 hours of continuing education:

(A) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the Chief Justice or the administrative presiding justice as meeting the criteria listed in rule 10.481(b).

(B) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, online coursework, and self-directed study counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a combined total of 7 hours in each three-year period.
(C) A clerk/administrator who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that course is presented. The hours applied for faculty service are limited to 15 in each three-year period.

(c) Extension of time

(1) For good cause, the Chief Justice or the administrative presiding justice may grant a one-year extension of time to complete the education requirements in (b).

(2) If the Chief Justice or the administrative presiding justice grants a request for an extension of time, the clerk/administrator, in consultation with the Chief Justice or the administrative presiding justice, must also pursue interim means of obtaining relevant educational content.

(3) An extension of time to complete the hours-based requirement does not affect the timing of the clerk/administrator’s next three-year period.

(d) Record of participation; statement of completion

Each clerk/administrator is responsible for:

(1) Tracking his or her own participation in education and keeping a record of participation for three years after each course or activity that is applied toward the requirements;

(2) At the end of each year, giving the Chief Justice or the administrative presiding justice a copy of his or her record of participation in education for that year; and

(3) At the end of each three-year period, giving the Chief Justice or the administrative presiding justice a signed statement of completion for that three-year period.

Rule 10.472. Minimum education requirements for Supreme Court and Court of Appeal managers, supervisors, and other personnel
(a) **Applicability**

All California Supreme Court and Court of Appeal managers, supervisors, and other personnel must complete these minimum education requirements. All managers, supervisors, and other personnel should participate in more education than is required related to each individual’s responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(b) **Content-based requirements**

(1) Each new manager or supervisor must complete orientation courses within six months of becoming a manager or supervisor, unless the court’s clerk/administrator, or managing attorney, or the individual’s supervisor determines that the new manager or supervisor has already completed these orientation courses or courses covering equivalent content. The courses must include orientation about:

   (A) The judicial branch of California;

   (B) The local court; and

   (C) Basic management and supervision.

(2) Each new court employee who is not a manager or supervisor must complete orientation courses within six months of becoming a court employee, unless the employee’s supervisor determines that the new court employee has already completed these orientation courses or courses covering equivalent content. The courses must include orientation about:

   (A) The judicial branch of California;

   (B) The local court;

   (C) Basic employee issues, such as sexual harassment and safety; and

   (D) The employee’s specific job.

(3) The clerk/administrator, the managing attorney, or the employee’s supervisor may determine the appropriate content, delivery mechanism, and length of orientation based on the needs and role of each individual employee.
(c) Hours-based requirements

(1) Each manager or supervisor must complete 12 hours of continuing education every two years.

(2) Each court employee who is not a manager or supervisor must complete 8 hours of continuing education every two years, with the exception of employees who do not provide court administrative or operational services. Those employees are not subject to the continuing education hours-based requirement but must complete any education or training required by law and any other education required by the clerk/administrator.

(3) The first two-year period for all managers, supervisors, and other personnel begins on January 1, 2008. The orientation education required for new managers, supervisors, and other personnel under (b) does not apply toward the required hours of continuing education because it must be completed before they enter the two-year period. Each new manager, supervisor, or employee enters the two-year continuing education period on the first day of the quarter following his or her completion of the orientation education required under (b); the quarters begin on January 1, April 1, July 1, and October 1. Each manager, supervisor, or employee who enters the two-year continuing education period after it has begun must complete a prorated number of continuing education hours for that two-year period, based on the number of quarters remaining in it.

(4) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory, rules-based, or other education requirement, that is approved by the clerk/administrator, the managing attorney, or the employee’s supervisor as meeting the criteria listed in rule 10.481(b) applies toward the orientation education required under (b) and the continuing education required under (c)(1) and (2).

(5) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, and online coursework counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework are limited to a total of 4 hours for managers and supervisors and to a total of 3 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year period after it has
begun. Self-directed study is encouraged for professional development but does not apply toward the required hours.

(6) A manager, supervisor, or other employee who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that the course is presented. The hours applied for faculty service are limited to 6 hours for managers and supervisors and to 4 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun.

(7) The clerk/administrator, the managing attorney, or the employee’s supervisor may require managers, supervisors, and other court personnel to participate in specific courses or to participate in education in a specific subject matter area as part of their continuing education.

(d) Extension of time

(1) For good cause, a justice (for that justice’s chambers staff), the managing attorney, the clerk/administrator or a supervisor, if delegated by the clerk/administrator, or the employee’s supervisor may grant a six-month extension of time to complete the education requirements in this rule.

(2) If the justice, managing attorney, clerk/administrator, or supervisor grants a request for an extension of time, the manager, supervisor, or employee who made the request, in consultation with the justice, managing attorney, clerk/administrator, or supervisor, must also pursue interim means of obtaining relevant educational content.

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

(e) Records of participation

(1) Each court is responsible for tracking participation in education and for tracking completion of minimum education requirements for its managers, supervisors, and other personnel.
(2) Each manager, supervisor, and employee must keep records of his or her own participation for two years after each course or activity that is applied toward the requirements.

Rule 10.473. Minimum education requirements for trial court executive officers

(a) Applicability

All California trial court executive officers must complete these minimum education requirements. All executive officers should participate in more education than is required, related to each individual’s responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(b) Content-based requirement

(1) Each new executive officer must complete the Presiding Judges Orientation and Court Management Program provided by the Administrative Office of the Courts’ Education Division/Center for Judicial Education and Research (CJER) within one year of becoming an executive officer and should participate in additional education during the first year.

(2) Each executive officer should participate in CJER’s Presiding Judges Orientation and Court Management Program each time a new presiding judge from his or her court participates in the course and each time the executive officer becomes the executive officer in a different court.

(c) Hours-based requirement

(1) Each executive officer must complete 30 hours of continuing education every three years beginning on the following date:

(A) For a new executive officer, the first three-year period begins on January 1 of the year following completion of the required education for new executive officers.

(B) For all other executive officers, the first three-year period begins on January 1, 2007.

(2) The following education applies toward the required 30 hours of continuing education:
(A) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory or other education requirement, approved by the presiding judge as meeting the criteria listed in rule 10.481(b).

(B) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, online coursework, and self-directed study counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a combined total of 7 hours in each three-year period.

(C) An executive officer who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that course is presented. The hours applied for faculty service are limited to 15 in each three-year period.

(d) Extension of time

(1) For good cause, a presiding judge may grant a one-year extension of time to complete the education requirements in (b) and (c).

(2) If the presiding judge grants a request for an extension of time, the executive officer, in consultation with the presiding judge, must also pursue interim means of obtaining relevant educational content.

(3) An extension of time to complete the hours-based requirement does not affect the timing of the executive officer’s next three-year period.

(e) [Record of participation; statement of completion]

Each executive officer is responsible for:

(1) Tracking his or her own participation in education and keeping a record of participation for three years after each course or activity that is applied toward the requirements;

(2) At the end of each year, giving the presiding judge a copy of his or her record of participation in education for that year; and
(3) At the end of each three-year period, giving the presiding judge a signed statement of completion for that three-year period.

Rule 10.474.10.464. Trial court managers, supervisors, and other personnel

(a) Applicability

All California trial court managers, supervisors, and other personnel must complete these minimum education requirements. All managers, supervisors, and other personnel should participate in more education than is required, related to each individual’s responsibilities and in accordance with the education recommendations set forth in rule 10.479.

(b) Content-based requirements

(1) Each new manager or supervisor must complete orientation courses within six months of becoming a manager or supervisor, unless the court’s executive officer determines that the new manager or supervisor has already completed these orientation courses or courses covering equivalent content. The courses must include orientation to:

(A) The judicial branch of California;

(B) The local court; and

(C) Basic management and supervision.

(2) Each new court employee who is not a manager or supervisor must complete orientation courses within six months of becoming a court employee, unless the employee’s supervisor determines that the new court employee has already completed these orientation courses or courses covering equivalent content. The courses must include orientation to:

(A) The judicial branch of California;

(B) The local court; and

(C) Basic employee issues, such as sexual harassment and safety; and

(D) The employee’s specific job.
The court executive officer may determine the appropriate content, delivery mechanism, and length of orientation based on the needs and role of each individual employee.

**Hours-based requirements**

1. Each court manager or supervisor must complete 12 hours of continuing education every two years.

2. Each court employee who is not a manager or supervisor must complete 8 hours of continuing education every two years, with the exception of employees who do not provide court administrative or operational services. Those employees are not subject to the continuing education hours-based requirement but must complete any education or training required by law and any other education required by the court executive officer.

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

4. Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory, rules-based, or other education requirement, that is approved by the executive officer or the employee’s supervisor as meeting the criteria listed in rule 10.481(b) applies toward the orientation education required under (b) and the continuing education required under (c)(1) and (2).

5. Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, and online coursework counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework are...
limited to a total of 4 hours for managers and supervisors and to a total of 3 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun. Self-directed study is encouraged for professional development but does not apply toward the required hours.

(6) A manager, supervisor, or employee who serves as faculty for a California court-based audience (i.e., justices, judges, subordinate judicial officers, temporary judges, or court personnel) may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and 2 hours for each hour of presentation each subsequent time that the course is presented. The hours applied for faculty service are limited to 6 hours for managers and supervisors and to 4 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun.

(7) The court executive officer may require managers, supervisors, and other court personnel to participate in specific courses or to participate in education in a specific subject matter area as part of their continuing education.

(d) Extension of time

(1) For good cause, the executive officer or a supervisor, if delegated by the executive officer, may grant a six-month extension of time to complete the education requirements in this rule.

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

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

(e) Records of participation

(1) Each court is responsible for tracking participation in education and for tracking completion of minimum education requirements for its managers, supervisors, and other personnel.
(2) Each manager, supervisor, and employee must keep records of his or her own participation for two years after each course or activity that is applied toward the requirements.

**Rule 10.479. Education recommendations for appellate and trial court personnel**

(a) **Education recommendations generally**

Each appellate and trial court executive or administrative officer, manager, supervisor, and employee, as part of his or her continuing education, should regularly participate in educational activities related to his or her responsibilities. Minimum education requirements for court personnel are set forth in rules 10.471–10.474. The following recommendations illustrate for some specific responsibilities how executive and administrative officers, managers, supervisors, and other personnel should participate in more education than is required.

(b) **Education on treatment of jurors**

The presiding judge of each trial court should ensure that all court executives and all court employees who interact with jurors are properly trained in the appropriate treatment of jurors. Court executives and jury staff employees should regularly use CJER educational materials or other appropriate materials and should regularly participate in CJER programs or other appropriate programs devoted to the treatment of jurors.

(c) **Fairness and access education**

In order to achieve the objective of assisting court employees in preserving the integrity and impartiality of the judicial system through the prevention of bias, all court personnel should regularly participate in education on fairness and access. The education should include instruction on race and ethnicity, gender, sexual orientation, persons with disabilities, and sexual harassment.

(d) **Education on quality service to court users**

Employees should regularly participate in education covering appropriate skills and conduct for working with court customers offered locally or by the Judicial Council through CJER.

**Rule 10.481. Approved providers; approved course criteria**
(a) **Approved providers**

Any education program offered by any of the following providers that is relevant to the work of the courts or enhances the individual participant’s ability to perform his or her job may be applied toward the education requirements and expectations stated in rules 10.461–10.479, except for the requirements stated in rules 10.461(b), 10.462(b)(c), and 10.473(b), for which specific providers are required: 10.462(d), 10.463(c), or 10.464(b)(c):

1. California Administrative Office of the Courts;
2. California Judges Association;
3. Supreme Court of California;
4. California Courts of Appeal;
5. Superior Courts of California;
6. State Bar of California;
7. National Judicial College;
8. National Center for State Courts;
9. National Council of Juvenile and Family Court Judges;
10. National Association of Women Judges;
11. American Bar Association;
12. National Association for Court Management;
13. American Judges Association;
15. Dwight D. Opperman Institute of Judicial Administration;
16. National Institute of Justice;
17. Law schools accredited by the American Bar Association;
(18) Accredited colleges and universities;
(19) Continuing Education of the Bar—California;
(20) Local California bar associations;
(21) California Court Association; and
(22) Superior Court Clerks’ Association of the State of California;
(23) Council of Chief Judges of Courts of Appeal;
(24) Roscoe Pound Institute, Annual Forum for State Appellate Court Judges;
(25) National Conference of Appellate Court Clerks;
(26) AEI-Brookings Joint Center;
(27) The Rutter Group; and
(28) American Board of Trial Advocates.

(b) Approved education criteria

Education is not limited to the approved providers listed in (a). Any education from a provider not listed in (a) that is approved by the Chief Justice, the administrative presiding justice, or the presiding judge as meeting the criteria listed below may be applied toward the continuing education expectations and requirements for justices, judges, and subordinate judicial officers or requirements for clerk/administrators or court executive officers stated in rule 10.462(d) or 10.463(e), respectively. Similarly, any education from a provider not listed in (a) that is approved by the clerk/administrator, the court executive officer, or by the employee’s supervisor as meeting the criteria listed below may be applied toward the orientation or continuing education requirements for managers, supervisors, and other employees in rule 10.464(b) and (c)(1), (2).

(1) The education must meet the following three criteria:

(A) The subject matter is relevant to the work of the courts or the judicial branch;
(B) The education is at least one hour in length; and

(C) Anticipated learning outcomes (how new knowledge, skills, or abilities will be applied, demonstrated, or used) are identified prior to the education work.

(2) The education must also meet at least two of the following five criteria:

(A) The learning environment is educationally sound (e.g., distractions are limited and the physical location is conducive to learning the subject matter);

(B) The participant receives or has access to all the reference tools and other materials and resources (such as handouts) that are required for learning and applying the content (such as job aids or scripts);

(C) The participant has an opportunity to practice using or applying the new information or skill (through direct experience, role-play, or case studies/hypothetical situations) as part of the learning experience;

(D) The participant has the opportunity to interact with knowledgeable faculty or other experts in the topical area to pose questions or clarify understanding;

(E) An assessment tool or activity (such as the development of an action plan to apply the newly gained knowledge or skill) enables the participant to determine whether the skills, abilities, or knowledge gained through the education can be used in the future in his or her work.

Rule 10.491. Minimum education requirements for Administrative Office of the Courts executives, managers, supervisors, and other employees

(a) Applicability

All Administrative Office of the Courts (AOC) executives, managers, supervisors, and other employees must complete these minimum education requirements.

(b) Content-based requirements
(1) Each new manager or supervisor must complete the AOC’s New Manager/Supervisor Orientation within six months of being hired or assigned as a manager or supervisor.

(2) Each new employee, including each new manager or supervisor, must complete the AOC’s New Employee Orientation within six months of being hired and should complete it as soon as possible after being hired.

(3) The Administrative Director of the Courts may require new managers, supervisors, and other employees to complete specific AOC compliance courses in addition to the required orientation courses.

(c) Hours-based requirements

(1) Each executive must complete 30 hours of continuing education every two years.

(2) Each manager or supervisor must complete 18 hours of continuing education every two years.

(3) Each employee who is not an executive, manager, or supervisor must complete 12 hours of continuing education every two years.

(4) The first two-year period begins on January 1, 2008. The orientation courses and the compliance courses required for new managers, supervisors, and other employees under (b) do not apply toward the required hours of continuing education. Each new executive enters the two-year continuing education period on the first day of the quarter following his or her appointment, and each new manager, supervisor, and employee enters the two-year continuing education period on the first day of the quarter following his or her completion of the orientation courses and the compliance courses required under (b); the quarters begin on January 1, April 1, July 1, and October 1. Each executive, manager, supervisor, or employee who enters the two-year continuing education period after it has begun must complete a prorated number of continuing education hours for that two-year period, based on the number of quarters remaining in it.

(5) Any education offered by a provider listed in rule 10.481(a) and any other education, including education taken to satisfy a statutory, rules-based, or other education requirement, that is approved by the employee’s supervisor as meeting the criteria listed in rule 10.481(b) applies toward the continuing education required under (c)(1).
(6) Each hour of participation in traditional (face-to-face) education, distance education such as broadcast and videoconference courses, and online coursework counts toward the requirement on an hour-for-hour basis. The hours applied for participation in online coursework and self-directed study are limited to a total of 10 hours for executives, 6 hours for managers and supervisors, and 4 hours for other employees in each two-year period; these limits are prorated for individuals who enter the two-year period after it has begun.

(7) An executive, manager, supervisor, or employee who serves as faculty teaching courses at the AOC or on behalf of the AOC at another location may apply the following hours of faculty service: 3 hours for each hour of presentation the first time a given course is presented and two hours for each hour of presentation each subsequent time that the course is presented. The hours applied for faculty service are limited to 15 hours for executives, 9 hours for managers and supervisors, and 6 hours for other personnel in each two-year period; these limits are prorated for individuals who enter the two-year continuing education period after it has begun.

(8) The Administrative Director of the Courts may require executives, managers, supervisors, and other employees to complete specific AOC compliance courses as part of the continuing education requirements.

(d) Extension of time

(1) For good cause, the Administrative Director of the Courts or an executive, manager, or supervisor, if delegated by the Administrative Director, may grant a six-month extension of time to complete the education requirements in this rule.

(2) If the Administrative Director, or an executive, manager, or supervisor, grants a request for an extension of time, the individual who made the request, in consultation with the Administrative Director or the individual’s supervisor, must also pursue interim means of obtaining relevant educational content.

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

(e) Records of participation
(1) An employee’s completion of any course listed in the Human Resources Education Management System (HREMS) is automatically tracked in HREMS.

(2) An employee’s completion of specified online training is automatically tracked in HREMS.

(3) Each employee is responsible for tracking completion of any training that is not automatically tracked in HREMS. After completion of the training, the employee must enter it in the employee’s individual record in HREMS.

(f) Responsibilities of Administrative Director of the Courts, and of AOC executives, managers, and supervisors

The Administrative Director of the Courts and each AOC executive, manager, and supervisor:

(1) Must grant sufficient time to all employees to enable them to complete the minimum education requirements stated in (b)–(c);

(2) Should allow and encourage employees, in addition to participating as students in education activities, to serve on employee education committees and as faculty at judicial branch education programs when an employee’s services have been requested for these purposes; and

(3) Should establish an education plan for their employees to facilitate their involvement as both participants and faculty in educational activities, and should consult with each employee regarding his or her education needs and requirements and professional development.

(4) Must ensure that executives, managers, supervisors, and other employees are reimbursed by the AOC in accordance with the travel policies issued by the Administrative Office of the Courts for travel expenses incurred in attending in-state education programs as a participant in order to complete the minimum education requirements in (b)–(c). Provisions for these expenses must be part of the AOC’s budget. The Administrative Director of the Courts may approve reimbursement of travel expenses incurred by executives, managers, supervisors, and other court personnel in attending out-of-state education programs as participants.