



# THE CAPITOL CONNECTION

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**LEGISLATIVE  
CALENDAR:**

*Last day for fiscal committees  
to meet and report bills to  
floor*  
August 16

*Last day of Legislative  
session*  
August 31

**EXCLUSIVE:**

## INTERVIEW WITH JODY PATEL



**L**ike any other Court Executive Officer, Jody Patel of the Sacramento Superior Court, sees many issues come across her desk, including issues related to pending legislation. On these matters, Ms. Patel has a unique perspective thanks to her previous work in the Judicial Council’s Office of Governmental Affairs where she was responsible for advocacy for the judicial branch budget and trial court funding-related issues.

Prior to her judicial branch experience, she served as Deputy Executive Officer of the State Board of Control (now known as the California Victim Compensation and Government Claims Board), where she managed a program that worked closely with criminal justice agencies and courts throughout the state to enforce the laws that hold criminals financially responsible to their victims.

Ms. Patel recently shared with *The Capitol Connection* her thoughts on her current job, past experience, and the legislative process.

**CC:** How do you like your new job?

**JP:** I think my job is absolutely great! I believe that my experience working in the Executive Branch for 21 years coupled with working at the Administrative Office of the Courts (AOC) has been extremely beneficial in dealing with the challenges facing the courts today. This is an exciting time for the trial courts and having the ability to be a part of some of the changes is a once in a lifetime opportunity.

I am pleased to say that we have been successful in a very short period of time in making some significant structural and cultural changes. For example, we have created a Re-Engineering Unit. At the end of this month, this unit will be fully staffed and will focus on some critical areas that

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## LACK OF BUDGET DAMPENS ASSEMBLY VACATION PLANS

**T**he Legislature has begun its summer recess. Sort of. The recess was scheduled to begin on July 5, provided the state’s budget was enacted. State senators returned to their districts on June 29, after approving a budget bill that seeks to partially bridge a \$24 billion gap by a \$3.7 billion tax increase on vehicle licenses and cigarettes. With a two-thirds majority required to pass the budget, at least one Republican vote was needed to approve it. Senator Maurice Johannessen (R-Redding), citing increased funding for rural law enforcement, provided the lone Republican vote.

The spending plan faces a tougher battle in the Assembly,

where at least four Republican votes are needed. However, at press time, there was little indication that the stalemate would be resolved soon. Republicans are claiming that tax increases may be unnecessary if there were more spending reductions and Democrats are alleging that the Republican members just want to delay the budget to embarrass Gov. Gray Davis as he seeks re-election.

The Legislature is scheduled to resume its normal business on August 5, when fiscal committees may meet and act on bills until August 16. Beginning August 19, only floor sessions will be held, with August 31 being the last day of

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# LEGISLATIVE REVIEW

*(Continued from page 1)*

the Legislative session. Here is an update on selected bills of interest to the courts that are still active:

## CIVIL AND SMALL CLAIMS

### **AB 3027 (Committee on Judiciary) – Civil procedure**

Requires a party demanding a jury to deposit jury fees at least 25 days before trial and requires each party demanding a jury trial to pay jury fees and mileage at the beginning of the second and each succeeding day's session; provides that service of opposition and reply papers in a summary judgment motion be served in accordance with Code of Civil Procedure section 1005; provides exemption from liability for private contractors who serve as small claims advisors; extends the time prior to a hearing that a notice of small claims action must be served on the defendant; provides that a request for postponement of a small claims hearing be for good cause; authorizes a superior court, by local rules, to designate the nearest or most accessible location for the trial of specified cases, and to provide for the transfer of cases to the proper location in the county.

**JC Position:** Sponsor

**Status:** Senate Judiciary Committee

### **AB 3036 (Corbett) – Guardianship of minors: annual review**

Among other things, requires guardianships of minor children to be reviewed by the court one year after appointment of the guardian. Authorizes the court to order further reviews of guardianships as it deems necessary for the protection of the interests of the minor child, but in no case more frequently than annually.

**JC Position:** Oppose unless amended and funded

**Status:** Senate Judiciary Committee

### **SB 1325 (Kuehl) – Personal jurisdiction: general appearance**

Allows a party to object while moving to quash service without having the objections constitute a general appearance; permits a defendant or cross-defendant to move to quash service of summons and simultaneously answer, demur, or move to strike the complaint of cross-complaint. Specifies the circumstances under which a party is not deemed to have made a general appearance for purposes of a court exercising its jurisdiction.

**JC Position:** Support

**Status:** Signed by Governor

## CRIMINAL LAW

### **AB 2899 (Migden) – Homeless courts**

Creates the Homeless Court Pilot Project to operate in the superior courts of Sacramento and San Francisco counties and a third selected by the Judicial Council. Requires the Judicial Council to develop and promulgate procedures and guidelines for homeless courts.

**JC Position:** Support

**Status:** Senate Public Safety

### **SB 1497 (Polanco) – Parole: life prisoners: review by three-judge panel**

Sets up a one-time review of the custody status of life prisoners who have been in prison beyond a date specified in certain regulatory matrices. Requires a three-judge panel from the sentencing jurisdiction to consider various matters as to each prisoner qualifying for the review, and either order the immediate release of the prisoner, set a fixed parole date, or order the inmate to remain in custody, pending the hearing process of the Board of Prison Terms.

**JC Position:** Oppose

**Status:** Assembly Appropriations Committee

### **SB 1793 (Burton) – Youthful offenders**

Eliminates the Youthful Offender Parole Board and consolidates the duties of the board in local probation departments and the juvenile court. Authorizes the juvenile court to recommend a treatment program for a ward and requires the court to conduct an annual progress review hearing regarding the ward.

**Status:** Assembly Appropriations Committee

## DOMESTIC VIOLENCE

### **AB 2030 (Goldberg) – Protective orders: service of process**

Provides that there shall be no fee for service of process in proceedings under the Domestic Violence Prevention Act and other specified proceedings. Allows the sheriff to submit billings to the court for reimbursement of the cost of serving process in these proceedings.

**JC Position:** Oppose unless funded

**Status:** Senate Appropriations Committee

### **SB 1627 (Kuehl) – Protective orders**

Revises existing law to require a law enforcement agency to enter proof of service of protective order served by the agency into the Domestic Violence Restraining Order System. For orders not served by law enforcement, the court would be required to either enter the proof of service in the system or send a copy of the proof to law enforcement for entry.

**JC Position:** Support

**Status:** Senate (for concurrence in Assembly amendments)

## JUDGES

### **AB 1698 (Committee on Judiciary) – Conversion of vacant subordinate judicial officer positions**

Provides for the conversion of eligible subordinate judicial officer (SJO) positions into judgeships.

**JC Position:** Sponsor

**Status:** Senate Judiciary Committee

### **AB 2065 (Nakano) – Confidentiality of home addresses**

Provides that an assessee may request in writing that property address information maintained by the assessor, but not required to be part of the assessment roll, be made available for internal purposes and not subject to public disclosure. Authorizes the assessor to impose a fee for the actual costs of performing his or her duties under this subdivision.

**JC Position:** Co-sponsor with California Judges Association

*(Continued on page 3)*

# LEGISLATIVE REVIEW

(Continued from page 2)

**Status:** Senate

## **AB 2879 (Strom-Martin) – Judges’ retirement and assignment**

Allows a judge to designate a beneficiary other than his or her spouse to receive the non-community property portion of his or her retirement benefit upon the judge’s death; provides that in certain situations a judge who dies while in office with 20 years of service is be deemed to have met the requisite age regardless of his or her actual age at the time of death; conforms the compensation of a retired judge assigned to an appellate court with that of a retired judge assigned to a trial court; in the event of the death of both the judge and the spousal survivor, provides a return of undistributed employee contributions and interest to the estate.

**JC Position:** Co-sponsor with the California Judges Association

**Status:** Senate Appropriations

## **JURIES**

### **AB 1970 (Matthews) - Juries: peace officer exemptions**

Exempts parole officers, probation officers and correctional peace officers from jury service.

**JC Position:** Oppose

**Status:** Senate Public Safety Committee

### **AB 2925 (Migden) – Juror mileage reimbursement**

Eliminates the reimbursement of mileage for the first day of jury service and increases the rate reimbursement rate to 34 cents per mile, one way.

**JC Position:** Support

**Status:** Governor’s desk



Assembly Member  
Carole Migden

## **TRAFFIC**

### **SB 1541 (Ackerman) – Traffic stops: evidence of identity: fingerprints**

Among other things, requires an officer to obtain a thumbprint from a person stopped for a traffic infraction who fails to present satisfactory evidence of identity unless the officer is called away on an emergency or otherwise cannot perform the task; provides that when a person contests a charge by claiming not to be the person stopped, and there is no thumbprint, the court may, if it believes there is insufficient evidence of identity, refer the case back to the issuing agency for further investigation. Authorizes the court to dismiss the case if the issuing agency fails to respond within 45 days, or if, after receiving the response, there is still insufficient evidence of identity.

**JC Position:** Support

**Status:** Assembly Public Safety

## **TRIAL COURT FUNDING AND ADMINISTRATION**

### **AB 1819 (Robert Pacheco) – Delinquent fines: collection**

Current law authorizes any county or court to implement a comprehensive program to identify and collect delinquent fines and forfeitures, with or without a warrant having been issued against the alleged violator, if the base fine, excluding state and county penalties is at least \$100. Removes the requirement that

a delinquent base fine must be at least \$100 before it can be included in a comprehensive program to identify and collect outstanding fines and forfeitures. Provides that any court or county may establish a minimum base fine amount for inclusion in the program.

**JC Position:** Support

**Status:** Signed by Governor

### **AB 2690 (Cardoza) - Court financial statements: audits**

Requires the Judicial Council to select 5 courts to participate in a pilot project to prepare and transmit to the Bureau of State Audits an annual financial statement showing the status of the fines, forfeitures, penalty assessments, and civil assessments imposed for failure to appear.

**JC Position:** Oppose

**Status:** Senate Judiciary Committee

### **AB 2321 (Hertzberg) – Tort Claims Act**

Clarifies the procedure for presenting claims against the trial courts, Courts of Appeal, the Supreme Court, the Judicial Council, and the Administrative Office of the Courts.

**JC Position:** Sponsor

**Status:** Senate Appropriations Committee

### **AB 3028 (Committee on Judiciary) – Court operations**

Among other things, removes the sunset on the registration program for legal document assistants. Eliminates “loss of hearing” as a basis for general disqualification of a prospective juror. Provides the court with needed flexibility and consistency in issuing and re-issuing protective orders, and conforms procedures in the family and juvenile courts. Clarifies the ability of counsel to receive relevant reports and have access to court files. Permits the Chief Justice of California to designate a deputy to represent the Chief on a state board, commission, or committee. Permits courts to hold sessions outside of the county, pursuant to rules of court and with parties’ consent.

**JC Position:** Sponsor

**Status:** Senate Judiciary Committee

### **SB 1732 (Escutia) – Trial court facilities**

Implements the recommendations of the Task Force on Court Facilities regarding the transfer of responsibility for trial court facilities from the counties to the state.

**JC Position:** Co-sponsor with the California State Association of Counties

**Status:** Assembly Appropriations Committee

### **SB 1396 (Dunn) – Court security**

Clarifies allowable court security costs.

**JC Position:** Co-sponsor with the California State Sheriffs’ Association

**Status:** Assembly

### **SB 2011 (Burton) - Workers compensation**

Allows the trial courts to “self insure” like other state agencies; establishes a Judicial Branch Workers Compensation Fund.

**JC Position:** Sponsor

**Status:** Assembly

## RIPPED FROM THE HEADLINES

“Ripped From the Headlines” highlights news stories of interest including headlines and lead paragraphs, without editorial comment from *The Capitol Connection*.

**“Bill Would Lift Limits on Abuse Suits - Attorneys and Catholic Church officials say temporary change in law could trigger more allegations of molestation by priests.”** *Los Angeles Times* (June 11, 2002)

Roman Catholic officials and plaintiff attorneys expect a flood of lawsuits against the church's 12 California dioceses if the Legislature passes a bill that would make it easier for victims of long-ago childhood sexual abuse to sue.

The bill unanimously passed by the state Senate last month and now being considered by the Assembly, applies to any institution or company where a known molester continued to work and went on to abuse another child. However, it was drafted in direct response to the ongoing Catholic Church abuse scandal, in which many victims have had old molestation incidents thrown out of court by the statute of limitations.

The bill would give these victims a second chance by suspending the statute of limitations for one year, beginning in January.

**“Bill Would Consolidate Some Multi-Jurisdictional Crimes – Over the protests of the defense bar, a state Senate panel approves a bill to consolidate cases across county lines.”** *The Daily Journal* (June 12, 2002)

Multiple offenses of sexual assault or identity theft, allegedly committed by the same defendant in different counties, could be prosecuted in a single action under bills heard Tuesday by a Senate panel.

The measures continue a growing but controversial movement to allow consolidated prosecutions, in an era when crime, especially computer-related crimes such as identity theft, do not respect traditional jurisdiction boundaries.

**“Budget Crisis Could Prevent Passage of Bill for Mentally Ill – Obstacles could block measure for mentally ill.”** *The Daily Journal* (June 17, 2002)

State lawmakers are moving toward passage of AB 1421, a measure that would expand the state's ability to treat people with mental illness without their consent.

However, the bill's passage is far from certain given the state-wide budget crisis and concerns for the civil liberties of the mentally ill.

The primary obstacle to the bill's passage, according to sources who attended the Senate hearings last week, is the \$33 million statewide reduction in spending for mental health programs for 2002-03.

“In a year when existing mental health programs are being cut back, should we initiate a new expensive program?” one mental health expert asked. “Or do we cut back services such as therapy and medication for people who want treatment so we can provide treatment for people who are resisting?”

**“Rumors of FBI at State Capitol”** *Stockton Record* (June 19, 2002)

Politicians and their aides are convinced the state Capitol is crawling with FBI agents in the aftermath of the Oracle debacle and amid insinuations of policy for sale in the governor's office.



Assembly Democrats were warned in a closed-door meeting last week to avoid any appearance of a link between fund raising and lawmaking, because “someone is sniffing around the building,” one lawmaker said, speaking on condition of anonymity.

The caucus' counsel reminded members that “even the implication” of a connection between a policy discussion and campaign fund raising could lead to serious legal trouble, the lawmaker said.

“The whole building is a little bit paranoid right now,” one chief of staff said.

**“Term-Limit Alterations Abandoned”** *Sacramento Bee* (June 20, 2002)

A proposed ballot measure to alter California's legislative term limits died Wednesday amid behind-the-scenes squabbling over personal political impacts.

Assemblyman Mike Briggs, R-Fresno, said he dropped the proposed constitutional amendment because “there are too many legislators who want little tweaks to help them.”

ACA 6 called for restricting lawmakers to a maximum 12 years in the Legislature – rather than 14 – but would have allowed all of them to be served in one house.

The goal was to fine-tune term limits, not gut them, and to strengthen the Legislature by removing the need for lawmakers to move from one house to the other to avoid getting termed out, supporters said.

Briggs' ballot proposal though just a few paragraphs long, would have created complicated political scenarios whose effects could vary from politician to politician.

**“For Battered Women Behind Bars, New Hope – Volunteers work to free those convicted of killing abusive partners before syndrome was recognized in California.”** *Los Angeles Times* (June 21, 2002)

Making use of a new state law, a group of legal advocates has mobilized volunteers to help dozens of female inmates across the state challenge their convictions.

Senate Bill 799, enacted in January, gives inmates convicted before 1992 the right to file habeas corpus petitions to overturn their convictions on the grounds that battered women's syndrome evidence was not used in their defense.

It was not until 1992 that California courts were required to admit expert testimony about the syndrome, which refers to the effects of repeated physical and psychological abuse. The 1992 change – and a 1996 state Supreme Court ruling allow-

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## RIPPED FROM THE HEADLINES...

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ing for acquittals of battered women who acted in self-defense – has helped many women in more current cases avoid murder convictions.

### **“State Senate Approves New ‘Son of Sam’ Law”** *San Diego Union Tribune* (June 21, 2002)

The Senate yesterday approved a new version of the “Son of Sam” law struck down by the State Supreme Court in February, sending it to the Assembly.

The bill attempts to sidestep the high court’s ruling that California’s previous ban on felons’ profiting from their criminal actions with books or movies is a violation of their free speech rights. Those profits would have gone to the victims instead, under the 1983 law.

The new legislation allows victims to sue criminals for monetary damages long after the crime. It extends the statute of limitations for such suits from the current one year after the criminal act, to ten years after the perpetrator is freed from prison and completes parole.

### **“Youth Crime Prevention in Peril – With Davis seeking only enforcement funds, a showdown is likely.”** *Sacramento Bee* (June 24, 2002)

With the state’s \$24 billion budget deficit defying a remedy thus far, administration officials say the governor has had to make many “painful” decisions.

One move that’s provoked protest is his plan to cut \$116 million from the Schiff-Cardenas Crime Prevention Act – the bulk of the funding that state provides to counties for gang-prevention and other juvenile anti-crime programs.

The governor’s budget preserves \$116 million for law enforcement. But the Schiff-Cardenas law requires equal funding for prevention.

The Legislature’s special budget-writing conference committee recently restored the \$116 million Davis cut for crime prevention, setting the stage for a showdown.

### **“After 16 Years of Republican Appointments, Gov. Gray Davis Is Changing The Complexion Of The State’s Trial Courts.”** *The Daily Journal* (July 1, 2002)

As Governor Davis nears the end of his first term, a study by the Daily Journal of his judicial appointments shows that the governor has brought unprecedented diversity to California’s judiciary. Davis has appointed a greater percentage of women, minorities of all ethnicities, and gays and lesbians than any other California governor.



And Davis’ choices overall have been more highly rated by the State Bar’s judicial screening panel than those of any other governor since the panel was created 22 years ago.

Apparently responding to complaints that too many of the bench’s jurists are career prosecutors who don’t understand

complex civil cases, Davis has shown as concerted effort to appoint more civil litigators, an analysis of his appointments shows.

An overwhelming majority – 83 percent – of Davis’ judges had civil experience, a sharp contrast to the preference of Deukmejian and Wilson for prosecutors.

### **“Year-Old Law Assists Many Drug Abusers – Proposition 36 helps nonviolent defendants, but lack of money is a problem.”** *Los Angeles Times* (July 1, 2002)

A California law designed to provide nonviolent drug offenders with treatment rather than putting them behind bars has expanded rehabilitation services and helped thousands of people, state officials said.

But many of these defendants are severely addicted or have mental problems and cannot be adequately treated in regular rehabilitation programs, the officials also said. In addition, some officials fear that the current level of state funding will not be sufficient to continue providing intensive treatment.

### **“Lockyer Warns of Firms Posing as Legal Aid Services”** *Los Angeles Times* (July 5, 2002)

State Atty. Gen. Bill Lockyer is warning Californians to beware of businesses that advertise “legal aid” or “legal services,” only to provide costly and shoddy services that may hurt clients in court.

The warning, in a recently released consumer alert, is a reaction to businesses that prey on the public’s trust in legitimate legal aid organizations.

Some businesses, staffed by people who are not attorneys, have adopted “legal aid” or similar names. Leading some people to believe they are nonprofits.

### **“Pleading for Less Secrecy in Juvenile Courts – Some push to open up non-criminal hearings. Others say judges already have that discretion and fear blanket media access might hurt children.”** *Los Angeles Times* (July 5, 2002)

Seeking to protect the privacy of children who in some instances have suffered unspeakable abuse, California lawmakers have declared dependency hearings off-limits to the public without a court order. That could soon change. Some California judges and children’s advocates are pressing for legislative changes that would make it easier for the public – and the media – to attend juvenile hearings.

Though juvenile criminal proceedings would remain closed, the hearings at which judges decide what to do with abused and neglected children would be open if the groups get their way.

Efforts to change the law to allow public access to juvenile dependency hearings failed in 2000 amid heavy opposition from children’s rights groups.

But proponents are now talking about reintroducing legislation or at the very least starting a pilot program that would measure the effect of opening the hearings.

# JUDICIAL APPOINTMENTS

Following is list of judicial appointments made by Governor Davis since February 2002. For prior appointments please see the February 2002 edition of *The Capitol Connection*.

Court	Judge	Previous Position
Court of Appeal, Fifth Appellate District	Gene M. Gomes	Judge, Fresno Superior Court
Contra Costa Superior Court	Theresa Canepa	Assistant United States Attorney
Imperial Superior Court	Annie M. Gutierrez	Assistant United States Attorney
Los Angeles Superior Court	Daniel J. Buckley	Private practice
	H. Chester Horn	Deputy attorney general
	Vincent Okamoto	Private practice
	Charles Q. Clay, III	Deputy district attorney
	Mary Strobel	Assistant city attorney
	Amy D. Hogue	Private practice
	Gregory Keosian	Private practice
	Charles F. Palmer	Private practice
	Zaven V. Sinanian	Deputy attorney general
	Gloria White-Brown	Senior Deputy District Counsel, South Coast Air Quality Management District
Orange Superior Court	Frederick Aguirre	Private practice
	Robert Moss	Private practice
	Michael Naughton	Private practice
Riverside Superior Court	Roger Luebs	Deputy district attorney
	Elisabeth Sichel	Commissioner
Sacramento Superior Court	Jerilyn Borack	Private practice
	Russell L. Hom	Private practice
	Timothy Frawley	Principal Deputy District Attorney
	Raymond Cadei	Private practice
San Bernardino Superior Court	Michael R. Libutti	Deputy district attorney
San Diego Superior Court	David Oberholtzer	Private practice
San Joaquin Superior Court	Franklin Stephenson	Supervising Deputy District Attorney
	Elizabeth Humphreys	Private practice
San Luis Obispo Superior Court	Dodie Harman	Deputy district attorney
San Mateo Superior Court	Marie Weiner	Private practice
Santa Clara Superior Court	Marcel Poche	Retired appellate justice
	Patrick Tondreau	Private practice
Yuba Superior Court	Kathleen O'Conner	Senior Tax Counsel, California State Board of

## INTERVIEW: JODY PATEL

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will assist our court in meeting future challenges and transitional issues. The unit will look at things like improving processes throughout the court, developing workload standards and performance measures, and improving training.

This has been possible due to a very supportive bench and an extremely talented staff throughout Sacramento Superior Court.

**CC:** How has your past experience, with the Judicial Council's Office of Governmental Affairs prepared you for your new role?

**JP:** The exposure that I received while working in the Office of Governmental Affairs (OGA) has been a tremendous benefit to me. I believe in part this was due to the assignment that I had. Being responsible for the budget and legislative advocacy for all trial court funding issues provided an opportunity to learn about many of the key issues facing the trial courts.

I was fortunate to have had the opportunity to work directly on issues such as court employees, security, interpreters, court reporters, and facilities. Also, with responsibility over budget advocacy on behalf of the trial courts, I was able to work directly with the AOC's Finance Division in the review of budget change requests and subsequently with the development of the budget change proposals (BCPs) that were submitted to the State Department of Finance. The BCPs gave me a good understanding of the needs of the trial courts.

The experience I gained working on trial court issues while at OGA, coupled with my executive branch experience, gave me a head start when I arrived at the court.

**CC:** Speaking of your executive branch experience, as Deputy Executive Officer at the State Board of Control, you were instrumental in developing processes that ensure courts imposed restitution fines and orders on criminal defendants. Now, as a court executive officer and someone who is on the other side of the issue, has your perspective changed?

**JP:** Not really. Having responsibility over the statewide restitution program provided me an opportunity to work very closely with all of the criminal justice entities at both the state and local level, and particularly with judges. Ensuring that restitution fines and orders are imposed consistently and in accordance with the statutes is a critical component of the sentencing process. In discussion with judges throughout the state, I have always believed that our judges want to "do the right thing" by holding individuals accountable for their actions. Now being on the

other side, I can say that everything I heard was definitely true. Judges have a challenging role but I have always known that, no matter how difficult the task, they are dedicated to doing the right thing.

**CC:** Are there any issues that you now view differently because of your new position?

**JP:** Most definitely. I have a better appreciation for the difficulties associated with the transition from county to state funding as well as becoming an independent employer. After being responsible for a statewide program in the executive branch and with my experience at the AOC, I believe I have the advantage of viewing issues now from both a local and statewide perspective. With any and all changes that occur in our court, or any trial courts, we must consider both perspectives to be successful. State funding of the trial courts essentially made the courts a part of a statewide structure rather than a local entity even though we must focus on and serve our own respective communities. Implementation of changes, whether mandated by the AOC or necessary internally, must represent a "best business practices approach" from the local and statewide perspectives.

Maintaining a statewide perspective represents a cultural change for the courts. An example of this is that the courts were not designed to accommodate the needs of the state. This makes it extremely difficult to provide the AOC all of the necessary information in a timely manner and as accurately as the trial courts would like. It is amazing that the county structure is so vastly different from the state structure. The state requires that all similar programs operate in a consistent manner (as much as possible) so that comparisons can be made to ensure best practices can be followed. Also, to the extent possible, the State Department of Finance and the Legislature require empirical data to justify requests for funding augmentations. To comply with these mandates, the courts must combine information from electronic sources as well as manual processes until we transition to new case management and financial systems that are designed to provide this data at the touch of a button.

**CC:** What do you view as the major challenges trial courts will face in the coming years?

**JP:** There are many challenges facing the courts in the coming years. Our challenges include facilities, county-to-state transition, case management systems, and fiscal planning. The greatest difficulty will be in

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how and when these challenges are overcome as they all impact each other in some respect.

The fiscal situation in our state will make it difficult to obtain adequate resources for the continuing operation of the courts. It will be important to identify efficiencies while still providing excellent customer service. The challenges that the courts will face in the next few years require a strong internal structure that emphasizes centralized administrative policies and procedures, strong management infrastructure, and accountability at all levels.

**CC:** What is the most effective way for courts to participate in the legislative process?

**JP:** During my tenure with OGA, as a legislative and budget advocate for the trial courts, it became clear that the Legislature views the judicial branch as "one body." Given that perspective, it is imperative that the judicial branch speak with one voice. The most effective way for us to do this is to

work in collaboration with OGA. After all, it is through OGA that the Judicial Council represents the judicial branch in the review and development of new legislation. Our court has seen several legislative proposals that would have been problematic for our court as well as other courts. Working in cooperation with OGA, we were able to successfully respond to these bills. At minimum, we ensured that the judicial branch's position on the bill was made known.

Having worked with the Legislature for a number of years, I have a keen interest in staying current with bills as they progress through the legislative process. As such, in Sacramento, we recently implemented our own legislative program whereby the appropriate analytical and/or finance staff are assigned various bills to monitor and track to ensure we have an opportunity to effectively work with OGA should any proposals have an impact on our court. This also allows us to plan for implementation when new legislation is enacted.

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