



## Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 700 • Sacramento, California 95814-3393

Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

RONALD M. GEORGE  
*Chief Justice of California*  
*Chair of the Judicial Council*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*

RONALD G. OVERHOLT  
*Chief Deputy Director*

CURTIS L. CHILD  
*Director, Office of Governmental Affairs*

June 14, 2010

Hon. Ellen Corbett, Chair  
Senate Judiciary Committee  
State Capitol, Room 5108  
Sacramento, California 95814

Subject: AB 2763 (Committee on Judiciary), as amended March 25, 2010 – Support  
Hearing: Senate Judiciary Committee – June 22, 2010

Dear Senator Corbett:

The Judicial Council is pleased to support AB 2763, which permits the conversion of up to 10 additional subordinate judicial officer (SJO) positions to judgeships each year. Recognizing the importance of assuring that judges who are accountable to the public are serving in critical case types, AB 2763 allows the additional conversions if the conversion would result in a judge being assigned to a family law or juvenile law calendar previously assigned to an SJO.

Over the years, in the face of few or no new judgeships being created, courts have had to hire SJOs simply to meet the demands of their workload. As a result, these SJOs have not simply been assigned to perform subordinate judicial duties, but in many cases they are assigned as temporary judges, possessing the full power of judges. The Judicial Council believes that family law and juvenile law cases, among the courts' most sensitive and often most complex, should be assigned to judges whenever possible. As a result of the growth in SJO positions (60 percent from 1989 to 1999, while the number of judges increased only by 1 percent over the same period), it has been estimated that SJOs spend an average of 55 percent of their time working as temporary judges, and in large courts, the number is more like 75–80 percent. In practice, many

Hon. Ellen Corbett  
June 14, 2010  
Page 2

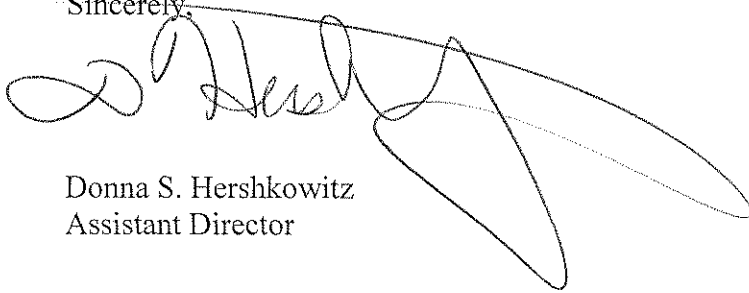
SJOs are de facto judges, but without the accountability to the public or the authority and independence the Constitution provides.

By providing the possibility for expediting the conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges.

The bill additionally requires the Judicial Council to review its judicial needs assessment as it applies to the needs of family and juvenile law judges. The Judicial Council has begun the process to have such a revised Judicial Needs Assessment completed to ensure that it properly takes into account the time needed to handle these critical case types most effectively, and not simply the time currently available. The timeline set forth in AB 2763 will allow for the completion of the study.

For these reasons, the Judicial Council supports AB 2763.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donna S. Hershkowitz', with a long, sweeping horizontal line extending to the right.

Donna S. Hershkowitz  
Assistant Director

DH/ljb

cc: Members, Senate Judiciary Committee

Ms. Kirsten Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research

Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Saskia Kim, Chief Counsel, Senate Judiciary Committee

Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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*Director, Office of Governmental Affairs*

July 8, 2010

Hon. Christine Kehoe, Chair  
Senate Appropriations Committee  
State Capitol, Room 5050  
Sacramento, California 95814

Subject: AB 2763 (Committee on Judiciary), as amended March 25, 2010 –  
Fiscal Impact Statement (Revised)

Dear Senator Kehoe:

AB 2763 authorizes, but does not require, the conversion of up to 10 additional subordinate judicial officer (SJO) positions to judgeships each year, upon vacancy, if the conversion would result in a judge being assigned to a family law or juvenile law calendar previously assigned to an SJO. Current law authorizes the conversion of up to 162 statewide SJO positions to judgeships, but limits the number that may be converted each year to 16. This bill does not increase the total number of authorized conversions, but instead permits the Judicial Council to expedite the process by converting additional positions each year in critical case types.

The bill additionally requires the Judicial Council to review its judicial needs assessment as it applies to the needs of family and juvenile law judges. The Judicial Council has begun the process to have such a revised Judicial Needs Assessment completed to ensure that it properly takes into account the time needed to handle proceedings in family courts and juvenile courts most effectively, and not simply the time currently available. The timeline set forth in AB 2763 will allow for the completion of the study.

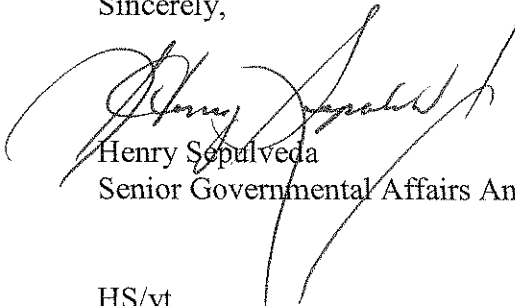
*Fiscal Impact*

Conversion of SJO Positions to Judgeships. The conversion of all 162 SJO positions to judgeships is to be undertaken within existing resources. Inasmuch as this measure authorizes, but does not require, the conversion of up to ten additional SJO positions, the judicial branch can control costs that might be associated with the conversions. The costs associated with the additional conversions authorized by this bill, given the specified conditions, are fully absorbable within existing resources.

Judicial Needs Assessment Report. The costs related to the requirement to reevaluate the courts' need for judges in family and juvenile law areas, consistent with activities already being undertaken by the Judicial Council, are fully absorbable within existing resources. No additional resources will be needed to meet the bill's requirements.

Please contact me at 916-323-3121 or [henry.sepulveda@jud.ca.gov](mailto:henry.sepulveda@jud.ca.gov) if you would like further information or have any questions about the fiscal impact of this legislation on the judicial branch.

Sincerely,



Henry Sepulveda  
Senior Governmental Affairs Analyst

HS/yt

cc: Hon. Mike Feuer, Chair, Assembly Judiciary Committee  
Mr. Drew Liebert, Chief Counsel, Assembly Judiciary Committee  
Ms. Jacqueline Wong-Hernandez, Consultant, Senate Appropriations Committee  
Mr. Matt Osterli, Consultant, Senate Republican Fiscal Office  
Ms. Teresa Calvert, Budget Analyst, Department of Finance



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CURTIS L. CHILD  
*Director, Office of Governmental Affairs*

April 5, 2010

Hon. Mike Feuer, Chair  
Assembly Judiciary Committee  
State Capitol, Room 3146  
Sacramento, California 95814

Subject: AB 2763 (Committee on Judiciary), as amended March 25, 2010 – Support  
Hearing: Assembly Judiciary Committee – April 13, 2010

Dear Assembly Member Feuer:

The Judicial Council is pleased to support AB 2763, which permits the conversion of up to 10 additional subordinate judicial officer (SJO) positions to judgeships each year. Recognizing the importance of assuring that judges who are accountable to the public are serving in critical case types, AB 2763 allows the additional conversions if the conversion would result in a judge being assigned to a family law or juvenile law calendar previously assigned to an SJO.

Over the years, in the face of few or no new judgeships being created, courts have had to hire SJOs simply to meet the demands of their workload. As a result, these SJOs have not simply been assigned to perform subordinate judicial duties, but in many cases they are assigned as temporary judges, possessing the full power of judges. The Judicial Council believes that family law and juvenile law cases, among the courts' most sensitive and often most complex, should be assigned to judges whenever possible. As a result of the growth in SJO positions (60 percent from 1989 to 1999, while the number of judges increased only by 1 percent over the same period), it has been estimated that SJOs spend an average of 55 percent of their time working as temporary judges, and in large courts, the number is more like 75–80 percent. In practice, many

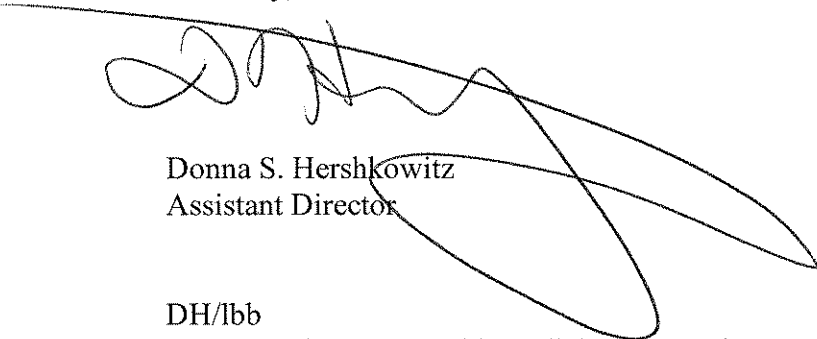
SJOs are de facto judges, but without the accountability to the public or the authority and independence the Constitution provides.

By providing the possibility for expediting the conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges.

The bill additionally requires the Judicial Council to review its judicial needs assessment as it applies to the needs of family and juvenile law judges. The Judicial Council has begun the process to have such a revised Judicial Needs Assessment completed to ensure that it properly takes into account the time needed to handle these critical case types most effectively, and not simply the time currently available. The timeline set forth in AB 2763 will allow for the completion of the study.

For these reasons, the Judicial Council supports AB 2763.

Sincerely,



Donna S. Hershkowitz  
Assistant Director

DH/lbb

cc: Members, Assembly Judiciary Committee

Ms. Kirsten Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research

Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Leora Gershenzon, Counsel, Assembly Judiciary Committee

Mr. Mark Redmond, Consultant, Republican Office of Policy



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*Director, Office of Governmental Affairs*

June 14, 2010

Hon. Ellen Corbett, Chair  
Senate Judiciary Committee  
State Capitol, Room 5108  
Sacramento, California 95814

Subject: AB 2763 (Committee on Judiciary), as amended March 25, 2010 – Support  
Hearing: Senate Judiciary Committee – June 22, 2010

Dear Senator Corbett:

The Judicial Council is pleased to support AB 2763, which permits the conversion of up to 10 additional subordinate judicial officer (SJO) positions to judgeships each year. Recognizing the importance of assuring that judges who are accountable to the public are serving in critical case types, AB 2763 allows the additional conversions if the conversion would result in a judge being assigned to a family law or juvenile law calendar previously assigned to an SJO.

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Hon. Ellen Corbett

June 14, 2010

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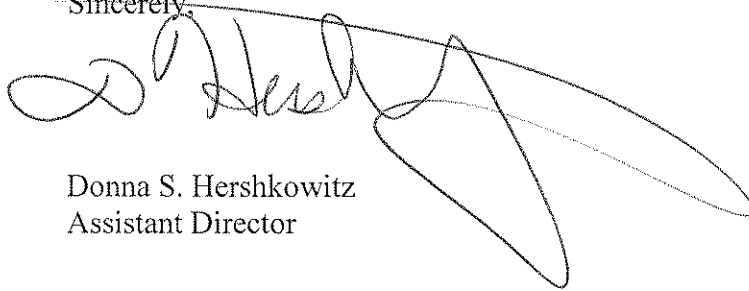
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For these reasons, the Judicial Council supports AB 2763.

Sincerely,

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Donna S. Hershkowitz  
Assistant Director

DH/ljb

cc: Members, Senate Judiciary Committee

Ms. Kirsten Kolpitzke, Deputy Director of Legislation, Governor's Office of Planning and Research

Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor

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*Director, Office of Governmental Affairs*

June 29, 2010

Hon. Christine Kehoe  
Chair, Senate Appropriations Committee  
State Capitol, Room 5050  
Sacramento, California 95814

Subject: Assembly Bill 2763 (Committee on Judiciary), as amended March 25, 2010 – Support

Dear Senator Kehoe:

The Judicial Council is pleased to support AB 2763, which permits the conversion of up to 10 additional subordinate judicial officer (SJO) positions to judgeships each year. Recognizing the importance of assuring that judges who are accountable to the public are serving in critical case types, AB 2763 allows the additional conversions if the conversion would result in a judge being assigned to a family law or juvenile law calendar previously assigned to an SJO.

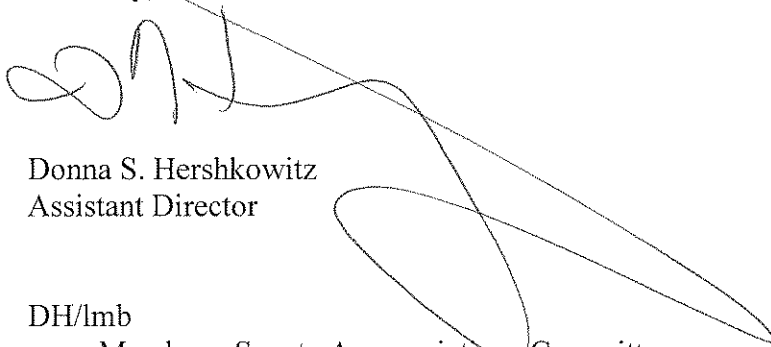
Over the years, in the face of few or no new judgeships being created, courts have had to hire SJOs simply to meet the demands of their workload. As a result, these SJOs have not simply been assigned to perform subordinate judicial duties, but in many cases they are assigned as temporary judges, possessing the full power of judges. The Judicial Council believes that family law and juvenile law cases, among the courts' most sensitive and often most complex, should be assigned to judges whenever possible. As a result of the growth in SJO positions (60 percent from 1989 to 1999, while the number of judges increased only by 1 percent over the same period), it has been estimated that SJOs spend an average of 55 percent of their time working as temporary judges, and in large courts, the number is more like 75–80 percent. In practice, many SJOs are de facto judges, but without the accountability to the public or the authority and independence the Constitution provides.

By providing the possibility for expediting the conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges.

The bill additionally requires the Judicial Council to review its judicial needs assessment as it applies to the needs of family and juvenile law judges. The Judicial Council has begun the process to have such a revised Judicial Needs Assessment completed to ensure that it properly takes into account the time needed to handle these critical case types most effectively, and not simply the time currently available. The timeline set forth in AB 2763 will allow for the completion of the study.

For these reasons, the Judicial Council supports AB 2763.

Sincerely,

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Donna S. Hershkowitz  
Assistant Director

DH/lmb

cc: Members, Senate Appropriations Committee  
Hon. Mike Feuer, Chair, Assembly Judiciary Committee  
Mr. Drew Liebert, Chief Counsel, Assembly Judiciary Committee  
Ms. Jacqueline Wong-Hernandez, Consultant, Senate Appropriations Committee  
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*Chief Deputy Director*

CURTIS L. CHILD  
*Director, Office of Governmental Affairs*

August 24, 2010

Hon. Arnold Schwarzenegger  
Governor of California  
State Capitol, First Floor  
Sacramento, California 95814

Subject: AB 2763 (Committee on Judiciary) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council supports AB 2763, which permits the conversion of up to 10 additional subordinate judicial officer (SJO) positions to judgeships each year upon ratification by the Legislature. Recognizing the importance of assuring that judges who are accountable to the public are serving in critical case types, AB 2763 allows the additional conversions if the conversion would result in a judge being assigned to a family law or juvenile law calendar previously assigned to an SJO.

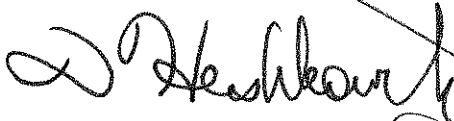
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By providing the possibility for expediting the conversion of SJO positions to judgeships, AB 2763 vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges.

The bill additionally requires the Judicial Council to review its judicial needs assessment as it applies to the needs of family and juvenile law judges. The Judicial Council has begun the process to have such a revised Judicial Needs Assessment completed to ensure that it properly takes into account the time needed to handle these critical case types most effectively, and not simply the time currently available. The timeline set forth in AB 2763 will allow for the completion of the study.

For these reasons, the Judicial Council requests your signature on AB 2763.

Sincerely,

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Donna S. Hershkowitz  
Assistant Director

DH/lmb

cc: Hon. Mike Feuer, Chair, Assembly Judiciary Committee  
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